SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

Edwin M. Lee
MAYOR

AGENDA
Tuesday, November 12, 2013

1:30 P.M.
1 Dr. Carlton B. Goodlett Place
City Hall, Room 400
San Francisco, CA 94102

Commissioners
Vince Courtney President
Ann Moller Caen, Vice President
Francesca Vietor
Anson Moran
Art Torres

Harlan L. Kelly, Jr.
General Manager

Donna Hood
Secretary

For information, contact the Commission Secretary at 554-3165.
Minutes and other information are available on the SFPUC web site: www.sfwater.org
Gavel-to-Gavel coverage available at:
http://sanfrancisco.granicus.com/ViewPublisher.php?view_id=22
Disability Access: The Public Utilities Commission meeting will be held in Room 400, at One 1 Dr. Carlton B. Goodlett Place, (400 Van Ness Avenue), San Francisco, CA. The closest accessible BART Station is the Civic Center Station at United Nations Plaza and Market Street. Accessible MUNI Lines serving this location are: Muni Metro lines J Church, K Ingleside, L Taraval, M Oceanview, N Judah and T Third at Van Ness and Civic Center Stations; F Market Line; and bus routes 19 Polk, 47 Van Ness, 49 Mission Van Ness, 5 Fulton, 6 Parnassus, 21 Hays, 9 San Bruno, 9L San Bruno Limited, 71 Haight Noriega and 71L Noriega Limited. For more information about MUNI accessible services call (415) 701.4485.

The meeting room is wheelchair accessible. Accessible curbside parking spaces have been designated on the Van Ness Avenue and McAllister Street perimeters of City Hall for mobility-impaired persons. There is accessible parking available within the Civic Center Underground Parking Garage at the corner of McAllister and Polk Streets, and within the Performing Arts Parking Garage at Grove and Franklin Streets. To obtain a disability-related accommodation, including auxiliary aids or services, or to obtain meeting materials in alternative format, please contact Donna Hood at (415) 554-3165, or by emailing dhood@sfwater.org. Providing at least 72 hours notice will help to ensure availability. To assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code): Government’s duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people’s business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. Members of the public are not required to provide personal identifying information when they communicate with the Commission or the Department. All written or oral communications, including submitted personal contact information, may be made available to the public for inspection and copying upon request and may appear on the Department’s website or in other public documents.

For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Public Library and on the City’s website at www.sfgov.org.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Lobbyist Registration and Reporting Requirements: Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code §2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site at www.sfgov.org/ethics.

CEQA Appeal Rights under Chapter 31 of the San Francisco Administrative Code: If the Commission's action on a project constitutes the Approval Action for that project (as defined in S.F. Administrative Code Chapter 31, as amended, Board of Supervisors Ordinance Number 161-13), then the CEQA determination prepared in support of that Approval Action is thereafter subject to appeal within the time frame specified in S.F. Administrative Code Section 31.16. Typically, an appeal must be filed within 30 calendar days of the Approval Action for a project that has received an exemption or negative declaration pursuant to CEQA. For information on filing an appeal under Chapter 31, contact the Clerk of the Board of Supervisors at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, or call (415) 554-5184. If the Planning Department’s Environmental Review Officer has deemed a project to be exempt from further environmental review, an exemption determination has been prepared and can be obtained on-line at http://www.sfplanning.org/index.aspx?page=3447. Under CEQA, in a later court challenge, a litigant may be limited to raising only those issues previously raised at a hearing on the project or in written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or San Francisco Public Utilities Commission at, or prior to, such hearing, or as part of the appeal hearing process on the CEQA decision.
ORDER OF BUSINESS:

1. Call to Order

2. Roll Call

3. Approval of Minutes of October 22, 2013

4. Public Comments
   Members of the public may address the Commission on matters that are within the
   Commission’s jurisdiction and are not on today’s agenda.

5. Communications
   a) Advance Calendar
   b) Letter Summary
   c) Power Revenue and Clean Energy Bond Issuance
   d) Water System Improvement Program Status of Construction Change Orders
   e) Water Enterprise Capital Improvement Program Quarterly Report – Regional
   f) Water Enterprise Capital Improvement Program Quarterly Report – Local
   g) Water System Improvement Program Quarterly Report – Regional
   h) Water System Improvement Program Quarterly Report – Local
   i) Large Development Projects in the Water Service Area

6. Other Commission Business

7. Report of the General Manager
   a) Bayview Art Grants Update (Kelly, Jr.)
   b) Rim Fire Update (Carlin)
   c) Draft Ratepayer Assurance Scorecard Presentation (Rydstrom)
   d) Quarterly Budget Status Report (Rydstrom)
   e) WSIP Quarterly Update (Labonte)
   f) National Utilities Convening (Kelly, Jr.)

The following matters before the San Francisco Public Utilities Commission are
recommended for action as stated by the General Manager and City Attorney
where applicable.

Explanatory documents provided to the Commission in connection with this agenda are
available for public inspection and copying at the Office of the Commission Secretary,
525 Golden Gate Avenue, 13th Floor, San Francisco, CA 94102, Telephone: (415) 554-
3165, Fax: (415) 554-3424.
CONSENT CALENDAR

8. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the San Francisco Public Utilities Commission, and will be acted upon by a single vote of the Commission. There will be no separate discussion of these items unless a member of the Commission or the public so requests, in which event the matter will be removed from the Calendar and considered as a separate item.

a) Approve Amendment No. 2 to Agreement No. CS-960(I), with STOP Processing Center, to provide ongoing processing/enrollment services for SFPUC customers who want their bills paid through an automatic bill payment service; and authorize the General Manager to negotiate and execute an amendment extending the term of the contract up to one year and four months, for a total agreement duration of six years and four months, with no change to the agreement value. (Rydstrom)

b) Approve Modification No. 1 to Contract No. HH-954R2, Intake Switchyard Refurbishment Phase I, with Communication Services, Inc., for $492,785, to compensate contractor for SFPUC requested standby time during the first week of the Rim Fire Emergency, to address SFPUC requested shoo-fly, insulator bolt, and grounding revisions, and for implementing an accelerated schedule to make up for time lost during the Rim Fire, increasing the total contract amount to $3,255,894. Due to the Rim Fire that burned through and around the Early Intake Switchyard in late August, 2013, the project was delayed, impacting the tight schedule. This Modification for accelerating the work will bring the project back on schedule to meet the March 1, 2014 deadline. (Ritchie)

c) Accept work performed by NTK Construction, Inc. for Contract No. WW-519, Channel Pump Station Odor Control and Facility Improvements Phase III, for a total contract amount of $4,553,573, and with a total contract duration of 735 consecutive calendar days; and authorize final payment to the contractor. (Moala)

d) Approve Modification No. 10 to Contract No. WW-522 Southeast Water Pollution Control Plant Dewatering Facility Corrosion Repairs, with Monterey Mechanical Co., extending the contract duration by 150 consecutive calendar days, to accommodate unanticipated emergency work on the biosolids storage cake bins, under a separate contract adjacent to the WW-522 contract work site, for a total contract duration of 690 consecutive calendar days, with no change to the contract amount. (Moala)

e) Approve the plans and specifications, and award Contract No. WW-546R, 15th/16th/18th/19th/20th Avenues and California/Clement Streets Sewer Replacement and Pavement Renovation, in the amount of $3,899,750 (of which $3,247,526 is funded by WWE and $652,224 is funded by DPW), to the lowest, qualified, responsible and responsive bidder, Harty Pipelines, Inc., to replace the existing sewers and renovate the existing street pavement on the subject streets.
in the City and County of San Francisco. The proposed action is the Approval Action as defined in the San Francisco Administrative Code, Chapter 31. (Moala)

f) Adopt findings pursuant to the California Environmental Quality Act, and approve the terms and conditions, and authorize the General Manager to execute a five-year revocable license with the United States Department of Veterans Affairs (VA) for the SFPUC’s installation and operation of a subsurface conduit, telecommunications line and data connection to serve the Bay Division Pipeline (BDPL) Nos. 3 and 4 Barron Creek Crossover Facility, in Palo Alto. The VA is providing the License Agreement rent-free to SFPUC. (Morelli)

g) Adopt findings pursuant to the California Environmental Quality Act, approve the terms and conditions, and authorize the General Manager to execute a revocable license with the City of Santa Clara, California, and the Sports and Open Space Authority of the City of Santa Clara (SOSA), to authorize SFPUC’s use of SOSA’s driveway and Santa Clara’s splash pad and recycled water at the newly constructed BDPL Nos. 3 and 4 Crossover Facility at the Guadalupe River site in Santa Clara, in exchange for a license to allow Santa Clara to continue operating the Ulistac Natural Area, a nature preserve, on SFPUC’s fee-owned right of way known as SFPUC Parcel 128-A. The License Agreement provides the parties with reciprocal licenses. None of the parties will pay rent or license fees. (Morelli)

h) Approve Amendment No. 3 to Agreement No. CS-979(I), with Dots Printing and Stationery, to provide ongoing collection services for SFPUC payment of water and wastewater bills for residents and businesses located in the Chinatown area of San Francisco; and authorize the General Manager to negotiate an amendment increasing the agreement up to $38,000, for a total not-to-exceed agreement amount of $87,900; and with a time extension up to one year, for a total agreement duration of six years. (Rydstrom)

REGULAR BUSINESS

9. 2014 Water & Sewer Retail Rates Study Workshop: Discussion of 2014 Water and Sewer Retail Rates Study, as required by the City Charter. No action to adopt water and sewer rates and charges will be taken at this meeting. The goals of this workshop are to present Rate Study objectives, review critical rate-making criteria, and the timeline for public outreach and Commission action. A Commission resolution and staff report regarding formal adoption of retail water and sewer rates and charges will be considered in the Spring of 2014. (Rydstrom)

10. Approve Amendment No. 1 to Agreement No. CS-113B, As-Needed Laboratory Services, with BioVir Laboratories to continue as-needed laboratory services for analytical testing of microorganisms in various water matrixes and provide testing and services such as technical support, data analysis and consulting services; and
authorize the General Manager) to negotiate and execute an amendment providing a **time extension up to two years and six months**, for a total agreement duration of five years and ten months with no change to the agreement value. (DeGraca)

11. **Authorize** the General Manager to execute, on behalf of the City and County of San Francisco, a **Joint Funding Agreement** with the U.S. Geological Survey, for an **amount not-to-exceed $335,520**, and with a **duration of one year**, which will allow for hydrologic monitoring and stream gage maintenance on the Tuolumne River and its tributaries. (Ramirez)

12. **Authorize** the General Manager to execute, on behalf of the City and County of San Francisco, a **Memorandum of Understanding** with San Mateo County, for trail improvements on the Crystal Springs Regional Trail, with a **duration of three years**, and to **contribute $300,000** for the construction of security and watershed fencing for the South of Lower Crystal Springs Dam to Highway 92 trail extension. (Ramirez)

13. **Approve** the terms and conditions and **authorize** the General Manager to **execute** a **Purchase and Sale Agreement** and any related documents to facilitate the purchase of approximately 84 acres of improved agricultural land, located at 7484 Sheridan Road in Sunol, California, from Kenneth Paul Mackin and Janice Mackin for $3,721,500, for the New Irvington Tunnel Project. (Cruz)

14. Public Comments on matters to be discussed in Closed Session.

15. Motion on whether to assert the attorney-client privilege regarding the matters listed below as Conference with Legal Counsel.

**CLOSED SESSION**

*The Commission will go into Closed Session to discuss the following items:*

16. Conference with Legal Counsel – Pursuant to California Government Code Section 54956.9 (d)(1) and San Francisco Administrative Code Section 67.10 (d)(1).

   **Existing Litigation:**

   *Mark Pear and Matt Pear v. City and County of San Francisco*
   Santa Clara Superior Court Case No.: 1-12-CVC-227801
   City Attorney File Number: 130094
   Date Filed: July 5, 2012

   (O’Neil)

17. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10 (d)(1).

   (Mueller)
Existing Litigation:
*City and County of San Francisco v. Pacific Gas & Electric Company*
San Francisco Superior Court Case No.: CGC-13-529309
City Attorney File No. 0000657/Date Filed March 6, 2013: Served June 6, 2013

18. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10 (d)(1).
   (Mueller)

Existing Litigation:
*City and County of San Francisco v. Pacific Gas & Electric Company*
San Francisco Superior Court Case No.: CGC-13-529310
City Attorney File No. 0000657/Date Filed June 6, 2013

19. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10 (d)(1).
   (Mueller)

Existing Litigation:
*Pacific Gas & Electric Company, v. City and County of San Francisco*
Court of Appeal of the State of California, First Appellate District, Division Five
Case No.: A127554/Date Filed: January 29, 2010

20. Conference with Legal Counsel- Pursuant to California Government Code Section 54956.9(d)(4) and San Francisco Administrative Code Section 67.10(d)(2).
   (Mueller)

   Anticipated Litigation as Plaintiff

21. Threat to Public Services or Facilities – Pursuant to California Government Code Section 54957 and San Francisco Administrative Code 67.10(a).  (Barrett)

   Consultation with Agency Chief of Security concerning security of SFPUC Water and Power Systems.

*Following Closed Session, the Commission will reconvene in Open Session.*

22. Announcement following Closed Session

23. Motion regarding whether to disclose the discussions during Closed Session

24. Other new business

ADJOURNMENT
SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

CANCELLATION NOTICE

The Regular meeting of the San Francisco Public Utilities Commission
for
Tuesday, November 26, 2013

1:30 P.M.
1 Dr. Carlton B. Goodlett Place
City Hall, Room 400
San Francisco, CA 94102

HAS BEEN CANCELLED
(Posted November 7, 2013)

For information, contact the Commission Secretary at 554-3165.
Minutes and other information are available on the SFPUC web site: www.sfwater.org
Gavel-to-Gavel coverage available at:
http://sanfrancisco.granicus.com/ViewPublisher.php?view_id=22
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