SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

Edwin M. Lee
MAYOR

MINUTES
Tuesday, October 14, 2014
As Approved on October 28, 2014

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

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
1. Call to Order
   President Courtney called the meeting to order at 1:39 PM.

2. Roll Call
   Present: Courtney, Caen and Vietor.

3. Approval of the Minutes of September 23, 2014
   On Motion:
   Ayes: Courtney, Caen and Vietor

4. Public Comments
   • Mr. Francisco DaCosta spoke about the SSIP and the Digester Project and asked that the Community be informed on what is happening.
   • Ms. Yolanda Lewis thanked the Commission for allowing the public to speak first, for listening, and for taking action.
   • Dr. Espanola Jackson asked where the Community Benefits dollars are being spent. She requested an audit of SFPUC Community Benefits funds expended from January 2010 to present.

   Mr. Harlan Kelly, Jr., General Manager (GM), stated information will be provided on items that are defined as Community Benefits by the SFPUC. He noted some examples and clarified that there is no separate Community Benefit fund.

   Commissioner Vietor indicated that there is information on Community Benefits Programs on the SFPUC website.

5. Communications
   a) Advance Calendar
   b) Letter Summary
   c) 2013 Energy Benchmarking Report for San Francisco Municipal Buildings

   Public Comment:
   None.

6. Other Commission Business
   a) Discussion and possible action, in accordance with Rule 6 of the Rules of Order, to nominate and elect officers
      President Courtney offered his thanks for the opportunity to serve as President. He expressed his thoughts on his tenure and reflected on staff and agency accomplishments.

      President Courtney nominated Ann Moller Caen as SFPUC President. Commissioner Caen accepted the nomination.

      On Motion:
      Ayes: Caen, Vietor and Courtney
Public Comment:
• Mr. Francisco DaCosta congratulated Commissioner Caen on the nomination and provided thoughts on her experience and qualifications.

Commissioner Courtney added thanks to Commissioner Moran for his service to the Commission.

President Caen thanked Commissioner Courtney for his service and presented him with a ceremonial gavel.

President Caen nominated Commissioner Vietor as Vice President. Commissioner Vietor accepted the nomination.

On Motion:
Ayes: Caen, Vietor and Courtney

GM Kelly thanked Commissioner Courtney for his service and stated he will continue to work on items of concern to Commissioner Courtney.

7. Sea Level Rise
Mr. Emilio Cruz, Assistant General Manager (AGM), Infrastructure, discussed how the SFPUC is incorporating sea level rise into SSIP Capital Planning. He noted that the SFPUC is investing in science and have tasked AECOM with the analysis of potential sea level rise through 2100. He stated that a City Task Force has been developed, with Mr. David Behar serving as chair.

AGM Cruz discussed various sea level rise scenarios: most-likely, least likely, and average; and reviewed the process and the Vulnerability Assessment Phase. He continued, discussing seal level rise scenarios; reviewed maps showing multiple Sea Level Rise and Extreme Tide Matrix (static not storm); and touched on next steps. He noted City departments are working together to look at potential impacts, but there have been no final determinations.

Mr. Cruz responded to follow-up questions from Vice President Vietor on the study and planning efforts. Brief discussion ensued.

President Caen asked about the timeline for the impact of existing assessment. AGM Cruz stated that the study of impacts will be complete in a matter months, followed closely by the Level of Impact Report, and the Adaption Plan, which may take longer. Discussion followed on potential funding sources.

Public Comment:
• Ms. Yolanda Lewis discussed contributors to sea level rise and stated the City needs to be proactive, and be a leader.
• Mr. Francisco DaCosta thanked Commissioner Courtney for his work as President. He discussed sea level rise from a historical perspective. He stated high rise construction should use gray water.

   a) Drought Update
      Mr. Steve Ritchie, AGM Water, stated that new water year began on October 1st. He noted current reservoir storage levels, indicating the water bank is at 42.7 percent and total system storage is at 57.7 percent. He discussed precipitation levels; snowpack; and total system deliveries, which were up in the last few weeks. He noted total system water savings, and concluded by discussing thoughts on the new water year.

   b) PG&E Green Tariff Application
      Mr. Michael Hyams, Power Enterprise, provided an update on the PG&E Green Tariff application, which has been waiting for California Public Utilities (CPUC) consideration since May. He indicated a CPUC decision is pending, and estimates a spring launch. He discussed the two components of the Green Tariff proposal: Standard Green Tariff option; and Enhanced Community Renewables. He stated no rate estimates have been provided by PG&E.

      Vice President Vietor requested clarification of basic product, which Mr. Hyams provided. Brief discussion ensued on the Program.

Public Comment:
• Ms. Yolanda Lewis thanked Commissioner Courtney for his service as President. She noted that during drought conditions, water contamination can occur and that there needs to be proactive action to prevent contamination.
• Mr. Francisco DaCosta stated that empirical data needs to be addressed and real-time consumption needs to be known.

9. Consent Calendar:
   a) Approve and award Agreements CS-362A-B to JDH Corrosion Consultants (CS-362A) and HDR Engineering (CS-362B), to provide specialized corrosion control engineering services on an as-needed basis; Authorize the General Manager to negotiate and execute two professional services agreements, each with an amount not-to-exceed $1,000,000, and with a term of five years. (Resolution 14-0155)

   b) Approve the plans and specifications, and award Contract No. WD-2712, 8-Inch Ductile Iron Water Main Installation on Alabama and 25th Streets, in the amount of $1,575,000, to the lowest, qualified, responsible and responsive bidder, M Squared Construction, to perform the installation of ductile iron pipe and fittings, and copper pipes services. (Resolution 14-0156)
c) Approve and award Contract No. JOC-47R, General Engineering (A-License) for San Francisco, Peninsula, East Bay to West San Joaquin County and West Stanislaus County, for a not-to-exceed amount of $5,000,000, to the lowest, qualified, responsible, and responsive bidder, Yerba Buena Engineering and Construction, Inc., to perform general engineering construction tasks for all SFPUC Enterprise Operations and Bureaus. (Resolution 14-0157)

d) Approve the plans and specifications, and award Contract No. WW-597, Wastewater Enterprise (WWE) Elevator Maintenance, in the amount of $546,969, to the lowest, qualified, responsible and responsive bidder, Kone, Inc., to service and maintain all WWE and Southeast Community Facility elevators for a period of three years. (Resolution 14-0158)

e) Approve the terms and conditions and authorize the General Manager to execute a five-year lease with Wu Yee Children’s Services, for use of approximately 3,450 square feet space within the Southeast Community Facility, plus the use of the approximately 5,000 square foot adjacent and fenced children's play yard as a Head Start childcare program, for an annual rent of $32,775. (Resolution 14-0160)

f) Approve and award Contract No. JOC-49, General Engineering (A-License) for Hetch Hetchy, for a not-to-exceed amount of $5,000,000 to the lowest, qualified, responsible and responsive bidder, Sierra Mountain Construction, Inc., to perform general engineering construction tasks for Hetch Hetchy Operations. (Resolution 14-0159)

Public Comment items 9a, b, c, d, and f:
None.

Dr. Espanola Jackson requested that item 9e be removed from the calendar.

On Motion to approve 9a, b, c, d, and f:
Ayes: Caen, Vietor and Courtney

At the request of President Caen, the Commission Secretary re-read item 9e.

President Caen asked Dr. Jackson to speak on her concerns with item 9e. Dr. Jackson expressed concern with the lease, stating that the Southeast Facility (SEF) Commission was not aware of the change and that the provider should not be given space in the facility.

GM Kelly stated that the Southeast Facility Commission was aware of the lease and they were provided information. He stated that the Head Start program has always been located at the SEF, and that just the provider changed, thus the need for Commission approval of the new lease.

Ms. Rosanna Russell, SFPUC Real Estate, stated that the Federal Head
Start Program selected Wu Yee as the new provider and that no additional space is being allocated, and the footprint remains the same.

Commissioner Courtney asked for clarification on how the Southeast Facility Commission’s received notification. Ms. Juliet Ellis, AGM, External Affairs, stated that the Commission received a memorandum on September 23rd notifying them that Federal Head Start selected Wu Yee as the new Head Start provider.

- Mr. Robert Woods provided thoughts on the MOU and mitigation.

Discussion ensued on the space allocation.

GM Kelly recommended that the Commission approve the item under the condition that the footprint is the same. He noted he will confirm the space allocation and report back.

Vice President Vietor moved that the item be approved under the condition that footprint is the same as it was under the previous lease.

Commissioner Courtney seconded, noting that if the footprint is different, the item be returned to the Commission for consideration. He requested that the Southeast Facility Commission be notified as to the SFPUC action.

- Mr. Francisco DaCosta stated that discussions need to happen with the community, and that the space is for the children.

On Motion – amendment to conditionally approve
Ayes: Caen, Vietor and Courtney

On Motion – original resolution
Ayes: Caen, Vietor and Courtney

10. Authorize the General Manager to execute the Gas Pipeline Cross Bore Agreement between SFPUC and Pacific Gas & Electric Company (PG&E) to establish a protocol for inspection and repair of gas line cross bores through SFPUC sewer facilities and a related protocol for future installation of PG&E gas transmission lines in San Francisco. (Resolution 14-0161)

On Motion:
Ayes: Caen, Vietor and Courtney

Public Comment:
None.

11. Approve Amendment No. 3 to Agreement No. PS-108, Feral Pig Management
Services, with Rural Pig Management, Inc., to provide continued nuisance management services on SFPUC watershed lands, including Bioregional Habitat Restoration sites; Authorize the General Manager to execute this amendment, increasing the agreement by $30,000, for a total not-to-exceed agreement amount of $280,000, and with a time extension of six months, for a total agreement duration of five years, six months.  (Resolution 14-0162)

On Motion:
Ayes: Caen, Vietor and Courtney

Public Comment:
None.

12. Approve the terms and conditions and authorize the General Manager to enter into an agreement to sell and vacate an approximately 999-square foot sanitary sewer easement at 98 Crown Terrace, San Francisco, to Michele Sweeney and Lucy R. Wohltman, for $16,000.  (Resolution 14-0163)

On Motion:
Ayes: Caen, Vietor and Courtney

Public Comment:
None.

13. Public Comments on Matters to be discussed in Closed Session.
None.

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

On Motion to Assert:
Ayes: Caen, Vietor and Courtney

The Commission entered Closed Session at 3:29 PM.

15. 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 as Plaintiff
City and County of San Francisco vs. Pacific Rod and Gun Club
San Francisco Superior Court Case No.: CGC-14-5382947
City Attorney File No.: 140253/Date Filed 3/27/14

16. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.0 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) Existing Claim (Resolution 14-0164)
Arturo Torres et al. v. City and County of San Francisco
San Francisco Superior Court Case No.: CGC-13-536200
City Attorney File No.: 140382/Date Filed: 12/17/13
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)
   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)
   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)
   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. Threat to Public Services or Facilities – Pursuant to California Government Code Section 54957 and San Francisco Administrative Code 67.10 (a)
    Consultation with Agency Chief of Security concerning security of SFPUC Water and Power Systems.

    The Commission exited Closed Session at 3:39 PM.

21. Announcement following Closed Session.
    President Caen announced that action was taken on Item 16, and no other action took place.

22. Motion regarding whether to disclose the discussions during Closed Session.
    On Motion NOT to disclose
    Ayes: Caen, Vietor and Courtney

23. Other new business.
    Commissioner Courtney requested that his outstanding issues regarding workforce development and training be placed on an upcoming agenda. He also requested that Commissioners be notified via direct communication regarding official announcements and SFPUC-sponsored events.

    President Caen adjourned the meeting at 4:02 PM.