SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

Edwin M. Lee
MAYOR

AGENDA
Tuesday, April 14, 2015

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

Commissioners
Ann Moller Caen, President
Francesca Vietor, Vice President
Vince Courtney
Anson Moran
Ike Kwon

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
For questions about the meeting, please contact (415) 554-3165. The ringing of and use of cell phones, pages, and similar sound-producing electronic devices are prohibited. Please be advised that the President 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.

**Know your rights under the Sunshine Ordinance:** 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. For 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, Phone: (415) 554-7724; Fax: (415) 554-7854; E-mail: sof@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.

**Disability Access:** The SFPUC meeting will be held in Room 400, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA. The closest accessible BART Station is at Civic Center. Accessible MUNI lines serving this location are: 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 Ferns town, 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 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) 554-0761, 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.

**LANGUAGE ACCESS**

Per the Language Access Ordinance (Chapter 91 of the San Francisco Administrative Code), Chinese, Spanish and or Filipino (Tagalog) interpreters will be available upon requests. Meeting Minutes may be translated, if requested, after they have been adopted by the Commission. Assistance in additional languages may be honored whenever possible. To request assistance with these services please contact the Commission Clerk Donna Hood at (415) 554-0761, or dhood@sfwater.org, at least 48 hours in advance of the hearing. Late requests will be honored if possible.

**ACCESCO A IDIOMAS**

De acuerdo con la Ordenanza de Acceso a Idiomas “Language Access Ordinance” (Capítulo 91 del Código Administrativo de San Francisco “Chapter 91 of the San Francisco Administrative Code”) intérpretes de chino, español y/o filipino (tagalog) estarán disponibles de ser requeridos. Los minutos podrán ser traducidos, de ser requeridos, luego de ser aprobadas por la Comisión. La asistencia en idiomas adicionales se tomará en cuenta siempre que sea posible. Para solicitar asistencia con estos servicios favor comunicarse con el Secretario de la Comisión Donna Hood al (415) 554-0761, o dhood@sfwater.org por lo menos 48 horas antes de la reunión. Las solicitudes tardías serán consideradas de ser posible.

**PAG-ACCESS SA WIKA**

Ayon sa Language Access Ordinance (Chapter 91 ng San Francisco Administrative Code), maaaring mag-request ng mga tagapagsalin sa wikang Tsino, Espanyol, at/o Filipino (Tagalog). Kapag hiniling, ang mga kaganapan ng miting ay maaring isalin sa ibang wikang patapos ito ay aprobahan ng komisyon. Maari din magkaronon ng tulog sa ibang wika. Sa mga ganiitong uri ng kahilingan, mangyaring tumawag sa Clerk ng Commission Donna Hood sa (415) 554-0761, o dhood@sfwater.org sa hindi bababa sa 48 oras bago magmiting. Kung maari, ang mga late na hiling ay posibleng pagbibigyan.

**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.sf-planning.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 the Minutes of March 24, 2015

4. General Public Comment
   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) Annual Electric Reliability Compliance Report

6. Other Commission Business

7. Report of the General Manager
   a) Drought Update (Ritchie)
   b) Progress Report, Ratepayer Assurance Policy (Hom)
   c) Recognition of Mr. Emilio Cruz (Carlin)

8. CCA Update (Hale)

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

9. 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-222, High Efficiency Clothes Washer Rebate Initiative with Pacific Gas & Electric Company, to continue an ongoing program to process and administer rebates to SFPUC customers; and authorize the General Manager to execute this contract amendment, increasing
the agreement by $200,000, for a total agreement amount of $2,100,000, and with a time extension of two years and six months. (Ritchie)

b) Approve the selection of Structus Inc. and SOHA/Bittleston JV; Award Agreement Nos. CS-372A and CS-372B, Structural Engineering Services for the Seismic Upgrade of Facilities in the Sewer System Improvement Program; and authorize the General Manager to negotiate and execute professional services agreements with Structus Inc. (CS-372A) and SOHA/Bittleston JV (CS-372B), each for an amount not-to-exceed $2,500,000 and with a duration of eight years. (How)

c) Approve the plans and specifications and award Contract No. HH-978, San Joaquin Pipeline No. 1 Replacement at Cashman Creek, in the amount of $513,880, to the lowest, qualified, responsible and responsive bidder, Trinet Construction Inc., to replace 65 linear feet of 56-Inch diameter pipe and associated concrete blow-off structure. (How)

d) Award Contract No. JOC-54, Micro-Local Business Enterprise Set-Aside, Electrical for San Francisco, Santa Clara, San Mateo and Alameda Counties, for a not-to-exceed amount of $1,000,000 to the lowest, qualified, responsible and responsive bidder, Mitchell Engineering, to perform electrical contracting tasks for all SFPUC Enterprise Operations and Bureaus. (How)

e) Accept work performed by Synergy Project Management for Contract No. WW-503, Richmond District Sewer Replacement and Pavement Renovation, for a total contract amount of $3,875,439 (of which $2,793,178 is funded by WWE and $1,082,261 is funded by DPW), and with a total contract duration of 411 consecutive calendar days (approximately one year and one month); and authorize final payment to the contractor. (How)

f) Approve the plans and specifications and award Contract No. WD-2783, As-Needed Ductile Iron Water Main Replacement at various locations, in the amount of $6,976,992, to the lowest, qualified, responsible and responsive bidder, A. Ruiz Construction Company & Associates Incorporated. (How)

REGULAR SESSION

10. Approve Amendment No. 1 to Agreement No. CS-204, Engineering Services, Fish Passage Facilities within the Alameda Creek Watershed, as a sub-project to the Calaveras Dam Replacement Project, with URS Corporation to provide additional final design and engineering support during construction, start-up, commissioning, and close-out of the Project; and authorize the General Manager to negotiate and execute this amendment, increasing the agreement by $1,964,580, for a total not-to-exceed agreement amount of $4,264,580, and with a time extension of two years and four months, for a total agreement duration of seven years and two months. (How)
11. **Approve Amendment No. 1 to Agreement No. CS-385**, San Joaquin Pipeline (SJPL) System Control Engineering Services, with Tullis Engineering Consultants, to complete system-wide testing of the SJPL; and **authorize the General Manager to execute this amendment, extending the agreement duration by one year and 11 months**, for a total agreement duration of two years and 11 months; with no change to the agreement amount.  

12. **Approve Amendment No. 1 to Agreement No. CS-1019**, Administration of the Project Pull Internship Program, with the Japanese Community Youth Council, to continue providing administrative services and technical assistance for the Program; and **authorize the General Manager to execute this amendment, increasing the agreement by $2,500,000**, for a total not-to-exceed agreement amount of $3,400,000, and with a **time extension of four years**, for a total agreement duration of seven years and six months.  

13. **Approve an increase to the previously approved construction contract duration contingency for Contract No. WD-2548**, Lake Merced Pump Station Essential Upgrade, with Western Water Constructors, **of up to 275 consecutive calendar days** (approximately nine months); and **Authorize the General Manager to approve future modifications to the contract** for a total revised contract duration up to 2,405 consecutive calendar days (approximately six years and seven months).  

14. **Approve an increase to SFPUC’s FY 2014-15 Overtime Budget** to complete the fiscal year and authorizing the General Manager to request the Mayor to submit a supplemental appropriation request to the Board of Supervisors.  

15. Public Comments on Matters to be discussed in Closed Session.  

16. 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:_

17. Pursuant to Government Code Section 54957 and Administrative Code Section 67.8(a) (4), and San Francisco Charter Section 8B.126(a):  

Public Employee Appointment/Hiring  
Title of position to be filled: Assistant General Manager for Infrastructure of the San Francisco Public Utilities Commission  

18. Conference with Real Property Negotiator – Pursuant to Government Code Section 54956.8 and Administrative Code Section 673.8(a) (2):  

Property: 1800 Jerrold Avenue, San Francisco, CA
Persons Negotiating:
SFPUC: Shelby Campbell, Karen Kubick, Michael Carlin, Kathy How, and Rosanna Russell
San Francisco Office of Contract Administration: John Updike and Claudia Gorham

Under Negotiation: Price (  ) Terms of Payment (  ) Both (XX)

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) (Rothschild)

Unlitigated Claim
Paul Lee v. City and County of San Francisco
City Attorney Claim Number: 15-01533/Date Filed: January 2, 2015

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

Anticipated Litigation- As Defendant – Multiple Cases

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

Existing Litigation:
City and County of San Francisco, et al. v. Donnie Thomas, et al
San Francisco Superior Court Case No.: CGC-10-502809
City Attorney File Number: 080901/Date Filed: August 19, 2010

22. 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
San Francisco Superior Court Case No.: CGC-13-529310/Date Filed: June 6, 2013

23. 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
Federal Energy Regulatory Commission
Case No.: EL15-3-000/Date Filed: October 10, 2014

24. 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
Federal Energy Regulatory Commission
Tariff Withdrawal per 35.15: Notice of Termination of the 1987 CCSF
Interconnection Agreement – PG&E Rate Schedule FERC No. 114 to be effective
June 30, 2015.
Case No.: ER15-702-000/Date Filed: December 23, 2014

25. 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
Tariff Withdrawal per 35.15: Notice of Termination of The CCSF Facilities Charge
Agreement for Moscone to be effective June 30, 2015.
Case No.: ER15-703-000/Date Filed December 23, 2014

26. 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
Federal Energy Regulatory Commission
§205(d) rate filing per 35.13 (a)(2)(iii): City and County of San Francisco
Transmission Owner Tariff Replacement Agreements to be effective July 1, 2015
Case No.: ER15-705-000/Date Filed: December 23, 2014

27. 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
Federal Energy Regulatory Commission
§205(d) rate filing per 35.13 (a)(2)(iii): City and County of San Francisco Wholesale
Distribution Tariff Replacement Agreements to be effective July 1, 2015
Case No.: ER15-704-000/Date Filed: December 23, 2014

28. 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
Federal Energy Regulatory Commission
Notice of Termination of Facilities Charge Agreements between PG&E and the City
and County of San Francisco
Case No.: ER15-735-000/Date Filed: December 23, 2014

29. Threat to Public Services or Facilities – Pursuant to California Government Code
Section 54957 and San Francisco Administrative Code 67.10 (a) (Carroll)
Consultation with Agency Chief of Security concerning security of SFPUC Water and Power Systems.

Following Closed Session, the Commission will reconvene in Open Session

30. Announcement following Closed Session.

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

32. **Adopt** a Resolution authorizing the General Manager to execute an **employment contract for the position of Assistant General Manager – Infrastructure**, with Kathryn How, for a term of one year, pursuant to Charter Section 8B.126(b).
   
   (Carlin)

33. **Adopt** a Resolution authorizing the General Manager to request the Mayor and Board of Supervisors to approve a **Supplemental Appropriation in the amount of $1.75 million for the Wastewater Enterprise**, for the purpose of paying claims settlements, legal expenses, litigation costs, judgments and related expenses.
   
   (Horn)

34. Other new business.

ADJOURNMENT