SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

Edwin M. Lee
MAYOR

AGENDA
Tuesday, July 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: softf@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 SFPUA 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 Farnsworth, 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.

ACCESO 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. Las minutas podrán ser traducidas, de ser requeridas, 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 mitig na maaring isalin sa ibang wika matapos ito ay aprobahan ng komisyon. Maari din makagawa ng tulong 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 mag mitig. 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) 252-3112; 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 written correspondence delivered to the Board of Supervisors, Planning Commission, Planning Department or San Francisco Public Utilities Commission at, or prior to, such hearing, 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 June 23, 2015

4. General 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) Triple Bottom Line Analysis for Sewer System Improvement Program
   d) Clarification Notice of Unavailability of Water
   e) Construction Management/General Contractor Overview

6. Other Commission Business

7. Report of the General Manager
   a) Drought Update (Ritchie)
   b) Recognition of Cheryl Davis for 32 Years of Service to the SFPUC (Carlin)

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) Authorize the General Manager to negotiate and execute Agreement No. PRO.0008, Job Order Contract Implementation Services, with The Gordian Group (TGG), for an amount not to exceed $4,000,000, for terms better than TGG’s initial response to the request for proposals, and with a duration up to five years, to provide an SFPUC-customized Job Order Contract system and implementation services. (How)
b) **Accept** work performed by M Squared Construction, Inc. for **Contract No. WD-2673R**, As-Needed 2012 Annual Paving Contract for Services and Main Breaks; **Approve Modification No.3** (Final), for an adjustment of the contract amount to reconcile the actual quantity of work performed, **decreasing the contract by $478,716**, for a total contract amount of $3,611,084; and **authorize** final payment to the contractor. (How)

c) **Approve** the plans and specifications and **award** **Contract No. WD-2746**, Auxiliary Water Supply System (AWSS) – New Cisterns E, **in the amount of $4,316,950**, to the lowest, qualified, responsible and responsive bidder, Azul Works, Inc., to construct five new AWSS buried concrete cisterns. The proposed action is the Approval Action as defined in the San Francisco Administrative Code, Chapter 31. (How)

**REGULAR SESSION**

9. **Approve and recommend** that the Board of Supervisors approve the conveyance of an easement over an approximately 3,627 square foot portion of property owned by the City and County of San Francisco, through its Public Utilities Commission, on SFPUC Parcel 656 to the City of Modesto; and **authorize** the City Director of Property or SFPUC’s General Manager to execute an **agreement conveying the Easement to Modesto** and an agreement with JWG McHenry LLC to pay SFPUC the fair market value of $35,000. The Easement Area is located in SFPUC Parcel 656 adjacent to its intersection with State Highway 108 (also known as McHenry Avenue) between Claratina and Grecian Avenues in Modesto, California (Stanislaus County Assessor’s Parcel No. 082-100-003). (Russell)

10. **Approve** the **Consent to Assignment Agreement** for existing **Contract No. CS-169; Approve Modification No. 1**; and **authorize** the General Manager to negotiate and execute a **Consent to Assignment of the existing Agreement from MWH/URS Joint Venture to MWH Americas, Inc.**, subject to the Board of Supervisors approval pursuant to Charter Section 9.118; and if approved, **authorize** the General Manager to negotiate and execute Modification No. 1 of the existing Agreement once assigned to MWH Americas, Inc., to adjust terms to reflect changes necessary due to the Assignment. (How)

11. **Authorize** the General Manager to issue a **request for qualifications and subsequent request for proposals** for **Agreement No. WW-628**, Southeast Water Pollution Control Plant (SEP) New Headworks Facility, a Construction Manager/General Contractor agreement (CM/GC), to construct a proposed new Headworks facility at the SEP for an amount estimated to be $225,000,000; receive responses to request for qualifications and request for proposals for said CM/GC agreement; conduct a selection process to identify the best qualified firm to provide CM/GC services, and return to the Commission for award and authorization to execute an agreement. (How)
12. Approve proposed modifications to the **Floodwater Management Grant Program**; and authorize the General Manager or his designee to execute Grant Agreements with applicants for Grant Assistance for Floodwater Management for San Francisco property owners who have an active SFPUC account for wastewater services under the modified program. **The SFPUC will seek appropriations to increase its allocation to $2,000,000.** (Henderson)

13. Approve a 2015 Updated **Community Choice Aggregation Implementation Plan and Statement of Intent**; and authorize the General Manager to file the Updated Implementation Plan with the California Public Utilities Commission for Certification. (Hale)

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)  
   **Unlitigated Claim**  
   *Larry Wasserman v. CCSF*  
   City Attorney Claim Number: 15-02250/Date Filed: March 5, 2015  
   (Ambrose)

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)  
   **Unlitigated Claim**  
   *CCSF v. Pacific Gas & Electric Company*  
   City Attorney Claim Number: 15-1340/Date Filed: March 5, 2015  
   (Ambrose)

18. Conference with Legal Counsel – Pursuant to California Government Code Section 54956.9 (d) (3) and San Francisco Administrative Code Section 67.10 (d) (2)  
   **Anticipated Litigation as Plaintiff**  
   (Ambrose)

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**  
   *Restore Hetch Hetchy v City and County of San Francisco*  
   Tuolumne County Superior Court, Case No.: CV-59426  
   City Law Number 151139  
   Date Filed: April 21, 2015  
   (Ambrose)
20. 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*  
San Francisco Superior Court Case No.: CGC-13-529310/Date Filed: June 6, 2013  

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)  

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  

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)  

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  

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)  

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  

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)  

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  

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
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

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
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

27. 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

28. Announcement following Closed Session.

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

30. Other new business.

31. Adjournment.