SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

Edwin M. Lee
MAYOR

AGENDA
Tuesday, September 22, 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
Ike Kwon
Anson Moran

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: söff@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 Farnamass, 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.

**Disability Access:**

PREOCUPACIÓN CON LA ACCESIBILIDAD

En atención a la Otra Lingua Ordinance (Capítulo 91 del Código Administrativo de San Francisco “Language Access Ordinance” (Capítulo 91 del Código Administrativo de San Francisco “Language Access Ordinance”)), interprétres de chino, español y/o filipino (tagalo) estarán disponibles de ser requeridos. Los minutos podrán ser traducidos, de ser requeridos, luego de ser aprobados 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 la Secretaria 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**


**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 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 September 9, 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) Early Implementation Projects Overview
   c) Wastewater Enterprise Capital Improvement Program Quarterly Report
   d) Water Pipeline Assessment
   e) Water Supply Agreement Update

6. Other Commission Business

7. Report of the General Manager
   a) CCA Update (Hale)
   b) Drought Update (Ritchie)

8. Sewer System Improvement Program Update (Kubick)

9. BAWSCA Update (Sandkulla)

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

10. 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. 1 to Agreement No. CS-110, Analytical and Technical
      Support, for Replacement of Key Energy Service Contracts and Agreements with
Flynn Resources Consultants Inc., to provide ongoing analytical and technical support to the San Francisco Public Utilities Commission for the management and replacement of its key energy service agreements; and authorize the General Manager to execute this amendment, increasing the agreement by $749,000, for a total not-to-exceed agreement amount of $4,499,000, and with a time extension of two years, for a total agreement duration of seven years. 

(Hale)

b) **Approve an increase in the construction contract cost contingency** for Contract No. WW-490, Oceanside Water Pollution Control Plant Digestion Conversion and Facility Improvements with Shimmick Construction Company Inc., in the amount of $449,146, with a non-compensable time extension of 60 consecutive calendar days (approximately two months), for a total contract duration of 1,170 consecutive calendar days (approximately three years and three months); and authorize the General Manager, or his designee, to approve future modifications to the contract for a not-to-exceed total revised contract amount of $18,876,512, if appropriate. 

(How)

c) **Approve the plans and specifications, and award Contract No. WW-579**, North Point Facility Dewatering Pump Replacement and Electrical Upgrade, in the amount of $849,750 to the lowest, qualified, responsible and responsive bidder, Anvil Builders Inc., to repair and rehabilitate the existing deficient and deteriorated wastewater treatment dewatering mechanical pumping and electrical systems. 

(How)

d) **Approve Modification No. 2 to Contract No. WW-592**, As-Needed Main Sewer Replacement, with Harty Pipelines, Inc., to account for the difference between bid item quantities referenced in the contract and actual quantities used in the replacement work, increasing the amount of the contract by $211,941 for a total contract amount of $3,913,741. 

(How)

e) **Approve the plans and specifications, and award Contract No. WW-609R**, Holloway Green Street Stormwater Improvements, in the amount of $5,591,892 to the lowest, qualified, responsible and responsive bidder, M Squared Construction, Inc., to build green infrastructures, replace water and sewer pipelines, and perform necessary upgrades across nine blocks on Holloway Avenue. 

(How)

f) **Authorize** the General Manager to execute, on behalf of the City and County of San Francisco, a letter agreement with the California Water Service Company to temporarily wheel up to 1 (one) million gallons of emergency water supplies per month to Skylonda Mutual Water Company over a five month period through February 29, 2016. 

(Ritchie)

**REGULAR SESSION**

11. **Authorize** the General Manager to execute an amendment to the Memorandum of Understanding (MOU) between the Treasure Island Development Authority
and the SFPUC regarding Naval Station Treasure Island utility services by extending the term of the MOU by one year to September 30, 2016, subject to all other existing terms and conditions. (Carlin)

12. Discussion and possible action to amend existing authorization for Water Enterprise revenue bond funding to include the use of grant and loan financing, referenced as “State Financing”, from the State Water Resources Control Board, to cost effectively finance the San Francisco Westside Recycled Water Project; Authorize the reimbursement of associated project costs from State Financing proceeds; Direct the General Manager to submit to the Board of Supervisors a proposed Ordinance authorizing: (1) amendment of previously authorized Water Enterprise debt issuance ordinance to include State Financing; and (2) delegation of authority to the Commission to execute an “Installment Sale Agreement and Grant” for State Financing for the Project; and authorize the General Manager, or his designee, to negotiate such Installment Sale Agreements and associated amendments, subject to additional Commission approval of the terms of such Installment Sale Agreements prior to execution and delivery. (Sandler)

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

14. 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:

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
   Alejandrino v. City and County of San Francisco
   US District Court, Northern District of California Case No.: 14-CV-02866JSC
   City Attorney Number: 141329/Date Filed: May 22, 2014
   (Howzell)

16. Conference with Legal Counsel – Pursuant to California Government Code Section 54956.9 (d) (2) and San Francisco Administrative Code Section 67.10 (d) (2)
   Anticipated Litigation as Defendant (multiple cases)
   (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)
   Existing Litigation
   Cal State Constructors, Inc., v. City and County of San Francisco, et al.
   San Francisco Superior Court, Case No.: CGC-14-542-910
   City Attorney No.: 150797/Date Filed: November 25, 2014
   (Ambrose)
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

*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

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:

*City and County of San Francisco v. Pacific Gas & Electric*

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

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:

*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

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:

*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

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
§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

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
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

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
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

25. 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.

Following Closed Session, the Commission will reconvene in Open Session

26. Announcement following Closed Session.

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

28. Other new business.

29. Adjournment.
San Francisco Public Utilities Commission

SPECIAL MEETING NOTICE

The San Francisco Public Utilities Commission will have a Special Joint Meeting with the San Francisco Local Agency Formation Commission on Friday, September 25, 2015
CleanPowerSF Activities

1:30 PM
City Hall
Legislative Chamber, Room 250
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

The detailed meeting agenda will be posted 72 hours prior to the meeting.

For information, contact the Commission Secretary at 554-3165. Minutes and other information are available on the SFPUC web site: www.sfwater.org