SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

Edwin M. Lee
MAYOR

AGENDA
Tuesday, September 27, 2016

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

Commissioners
Francesca Vietor, President
Anson Moran, Vice President
Ann Moller Caen
Vince Courtney
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
Accessible Meeting Policy: The San Francisco Public Utilities Commission meeting will be held in Room 400, at 1 Dr. Carlton B. Goodlett Place (400 Van Ness Ave.), 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-Ocean View, N-Judah and T-Third at Van Ness and Civic Center Stations; F-Market; 19-Polk, 47-Van Ness; 49-Mission-Van Ness; 5-Fulton; 6-Parnassus, 21-Hayes; 9-San Bruno; and 71-Haight Noriega. For information about MUNI accessible services call 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 415.554.0761. Providing at least 72 hours notice will help to ensure availability. Written reports or background materials for calendar items are available for public inspection and copying at 525 Golden Gate Ave., 13th Floor during regular business hours and are available on-line at http://www.sfwater.org/index.aspx?page=167.

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 to accommodate these individuals.

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 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 decision 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 more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact Administrator, by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.4689; by phone at 554.7724; by fax at 554.7854; or by email at 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 http://www.sfgov.org.

311 Free Language Assistance: 免費語言協助 / Ayuda gratuita con el idioma / Безплатная помощь переводчиков / Tựa giúp Thông dịch Minh phi / Assistance linguistique gratuite / 無料の言語支援 / 무료 언어 지원 / คำานวณ หมายเหตุ ทางภาษา ไทยโดยไม่ สา爹ชาเข้า ไทย / Libreng tulong para sa wikang Tagalog แปลไทย

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 September 13, 2016

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) Drought Update

6. Other Commission Business

7. Report of the General Manager
   a) CleanPowerSF Update (Hale)
   b) SFPUC FY 2015-16 Year-End Budget Report (Sandler)
   c) Biennial Budget Update (Sandler)
   d) Peninsula Watershed Update (Ritchie)

8. 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

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 the Water Supply Assessment for the proposed 1629 Market
      Street Project, pursuant to the State of California Water Code Section
      10910 et seq. and California Environmental Quality Act (CEQA) Section
      21151.9 and CEQA Guidelines Section 15155. (Ritchie)

   b) Accept work performed by M Squared Construction, Inc., for Contract No.
      WD-2615, 8-Inch Ductile Iron Water Main Installation on McAllister, Fulton,
and Grove Streets; **Approve Modification No. 2 (Final), increasing the contract by $262,854**, for a total contract amount of $2,327,812, and a total contract duration of 374 consecutive calendar days (approximately one year); and **authorize final payment to the contractor.** (How)

c) **Accept** work performed by Ranger Pipelines, Inc., for **Contract No. WD-2622**, San Francisco Groundwater Supply Pipeline; **Approve Modification No. 3 (Final), decreasing the contract amount by $720,802**, to reconcile final payment items to reflect actual quantities used under unit price and allowance bid items, for a total contract amount of $8,455,883, with a total contract duration of 505 consecutive calendar days (approximately one year, five months); and **authorize final payment to the contractor.** (How)

d) **Accept** work performed by JMB Construction, Inc., for **Contract No. WW-510R**, Schwerin Street Sewer System Improvement; **Approve Modification No. 3 (Final), decreasing the contract amount by $91,235**, for a total contract amount of $4,110,280, with a **time extension of 14 consecutive calendar days**, for a total contract duration of 284 consecutive calendar days (approximately nine months); and **authorize final payment to the contractor.** (How)

e) **Accept** work performed by J. Flores Construction, Inc., for **Contract No. WW-601**, As-Needed Spot Sewer Replacement, for a **total contract not-to-exceed amount of $6,059,059**, with a total contract duration of 394 consecutive calendar days (approximately one year and one month); and **authorize final payment to the contractor.** (How)

**REGULAR SESSION**

10. **Approve Amendment No. 2 to Agreement No. CS-116.D**, Environmental Analysis Services for the Sunol Yard Improvement Project (now the Sunol Long-term Improvements Project), with URS Corporation Americas to provide environmental compliance services during construction; **Authorize the General Manager to execute this amendment, with a time extension of up to one year**, for a total agreement duration of seven years and eight months, with no change to the agreement amount. (How)

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

12. 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:*

13. 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
Center for Environmental Science, Accuracy, & Reliability ("CESAR") v. National Parks Service
Case No.: 1:14-cv-02063-LJO-MJS, United States District Court, Eastern District of California
City Law No.: 150247/Date Filed: August 18, 2014

14. 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
Restore Hetch Hetchy v. City and County of San Francisco
Tuolumne County Superior court Case No.: CV-59426
City Law No.: 151139/Date Filed: April 21, 2016

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) (Ambrose)

Existing Litigation
City and County of San Francisco v. In & Out Drain Cleaning, Inc., dba In & Out Plumbing, et al.
Superior Court Case No.: CGC-15-544912
City Law Number: 150492/Date Filed: March 24, 2015

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) (Ambrose)

Unlitigated Claim
Proposed Settlement of Unlitigated Claim No. 16-03439 brought by Calvin Nakanishi arising from the Casitas Incident

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:
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 6/30/15.
Case No.: ER15-702-000/Date Filed: December 23, 2014

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:

Pacific Gas & Electric
Tariff Withdrawal per 35.15: Notice of Termination of The CCSF Facilities Charge Agreement for Moscone to be effective 6/30/15.
Case No.: ER15-703-000/Date Filed December 23, 2014

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
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 7/1/15
Case No.: ER15-705-000/Date Filed: December 23, 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) (Mueller)

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 7/1/15
Case No.: ER15-704-000/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) (Mueller)

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

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

Following Closed Session, the Commission will reconvene in Open Session

23. Announcement following Closed Session

24. Motion regarding whether to disclose the discussions during Closed Session
25. Other New Business

26. Adjournment