SAN FRANCISCO PUBLIC UTILITIES COMMISSION  
City and County of San Francisco  

Edwin M. Lee  
MAYOR  

Minutes  
Tuesday, October 11, 2016  
(Approved October 25, 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
1. Call to Order
   President Vietor called the meeting to order at 1:36 PM.

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

3. Approval of the Minutes of September 27, 2016
   On Motion to approve the Minutes of September 27, 2016:
   Ayes: Vietor, Moran, Caen, Courtney and Kwon

4. General Public Comments
   • Mr. Peter Drekmeier, Tuolumne River Trust, discussed concerns with the San Francisco Chronicle Op-Ed by Harlan Kelly and Nicole Sandkulla regarding the Bay Delta Plan. He distributed a letter to the Commission.
   • Mr. Bill Martin, Sierra Club, discussed the Bay Delta Plan.
   • Mr. Heinrich Albert, Sierra Club, San Francisco Bay Chapter, discussed a letter that was sent to the Commission regarding the State Water Resources Control Board Draft Flow Objectives for San Joaquin River Tributaries.

5. Communications
   a) Advance Calendar
   b) Letter Summary
      The Commission Secretary noted two additional letters received: (1) Bayview Merchants Association regarding support of the new Community Center at Third and Evans; and (2) Sierra Club San Francisco Bay Chapter regarding SWRCB draft flow objectives for San Joaquin River tributaries. Copies were provided to the Commission and made available to the public.
   c) Drought Update
   d) Water Pipeline Assessment
   e) Water Supply Agreement Update

      No public comment.

6. Other Commission Business
   a) Election of Officers
      On Motion to approve the nomination of Ike Kwon as Vice President (VP):
      Ayes: Vietor, Moran, Caen, Courtney and Kwon

      No public comment.

      On Motion to approve the nomination of Anson Moran as President:
      Ayes: Vietor, Moran, Caen, Courtney and Kwon

      No public comment.

      President Moran thanked Commissioner Vietor for her service as President. He presented her with a ceremonial gavel and CleanPowerSF Resolution.
Commissioner Vietor thanked the Commission, staff, and public for their support during her tenue as President.

President Moran discussed the Power Business Plan and the cost of obtaining distribution services in San Francisco. He requested that staff prepare a report on options for building, buying, or acquiring distribution facilities inside San Francisco. He requested that the initial report be used for capital programs budget consideration.

7. Report of the General Manager

a) Report on Outreach and Engagement on Southeast Community Facility (SEF) and Greenhouse

Ms. Renee Willette, Community Benefits Specialist, began with a review of the background of the SEF and Greenhouse. She discussed recent efforts (2011 through 2016) for the SEF and Greenhouse.

She outlined two questions that were asked regarding the SEF and Greenhouse: (1) To renovate existing center at 1800 Oakdale or rebuild at Third and Evans; and (2) What interim Greenhouse plan will best serve the community.

Ms. Willette introduced Mr. D.J. Brookter, Executive Director, SEF. He stated that 1,006 surveys were collected through four outreach strategies used to reach the community: (1) Grassroots Outreach; (2) Community Partnership; (3) Media and Materials; and (4) Community Team. He thanked the community partners involved.

Mr. Brookter reviewed renderings for both 1800 Oakdale and Third and Evans options. He discussed the results of outreach and engagement, and reviewed what was learned from the survey. He indicated that 71.29 percent of respondents expressed a preference for building a new community center.

He discussed three options for the Greenhouse Interim Plan: (1) Grants Program; (2) Local Greenhouses; and (3) Greenhouses elsewhere. He stated that 63 percent of respondents prefer a Grants program. He discussed the demographics of survey respondents; and qualitative input (location, and design and programming). Mr. Brookter played an informational video.

Mr. Brookter provided a summary of community recommendations: (1) Build a new community center at Third and Evans; (2) Move forward with a sustainable interim Greenhouse Grants Program; and (3) Maintain transparent stakeholder engagement. He discussed next steps needed to implement the recommendations.

Commissioner Vietor thanked Ms. Willette and Mr. Brookter for their presentations. She urged that the project be “greened-up” as much as possible.
VP Kwon stated there needs to be the opportunity for eco-literacy. He discussed the need for a strategic plan with measurable goals and metrics.

Public Comments

- Mr. Josh Gray (on behalf of Mr. De’Onté Taylor) discussed the importance of choice and for community involvement in decisions.
- Ms. Linda Richardson congratulated new officers. She expressed support for a new facility and discussed past planning efforts.
- Ms. Joyce Armstrong, Public Housing Tenant Association (PHTA), congratulated new officers. She expressed support for a new facility.
- Ms. Neola Gans, PHTA, expressed support for the new facility.
- Mr. Barry Dow, Access Advocates/San Francisco African American Chamber of Commerce/NAACP, discussed his personal use of the SEF and expressed support for the new facility.
- Dr. Sheila Robinson, Associate Pastor, Grace Tabernacle Community Church, expressed support for the facility on behalf of the congregation. She noted the need to provide project jobs to Bayview residents.
- Mr. Anietie Ekanen expressed support for the new facility.
- Dr. Veronica Hunnicutt, Chair, CAC for the Shipyard, stated the CAC supports a new facility. She expressed the need for comprehensive programming at the facility.
- Mr. Jessie Albert, PHTA, expressed support for the new facility.
- Ms. Elizabeth Jones expressed support for the new facility.
- Mr. Oscar James stated the history of the Southeast Community College and the Bayview needs to be known at the new facility.
- Mr. Rodney Hampton, Jr., We Up Our People/BVHP Resident Host Committee, expressed support for the new facility. He stated the Community would like to be involved in outreach efforts and to stay engaged. He presented the surveys that were conducted.
- Ms. Gwen Jackson-Fagan expressed support of the new facility, but requested that it be tabled due to concerns with educational aspects.

Ms. Willette responded to a question from Commissioner Vietor regarding the plans for City College at the new facility.

- Ms. Marilyn Jackson Bay asked that Espanola Jackson’s wishes be honored.
- Mr. Randal Seriguchi, Executive Director, Urban Ed Academy, expressed support for the new facility.
- Ms. Jackie Flin, Executive Director, A. Philip Randolph Institute, discussed their outreach and engagement efforts. She discussed educational opportunities at the new facility and expressed support.
- Mr. Al Williams, Bayview Merchants Association, expressed support for the new facility. He noted the opportunities for neighborhood merchants.
- Ms. LaVaughn King, Chair, SEF, expressed support for the new facility and excitement for the opportunities it will provide.
Doretha discussed her personal educational experiences at 1800 Oakdale. She expressed support for the new facility.

Ms. Ellouise Patton congratulated the new officers. She discussed her experience in working with the community and noted their excitement for the new facility.

Mr. Brookter responded to a question from President Moran regarding next steps.

Ms. Juliet Ellis, Assistant General Manager (AGM) External Affairs, stated that with Commission approval, it is the intent to accept staff and community recommendations to build new. She reviewed the process for planning and design, and discussed the educational letters-of-intent from City College. She noted conversations taking place between San Francisco State, City College, and San Francisco Unified School District for collaborative educational opportunities at the new facility.

President Moran stated if additional action is need by the Commissions that staff return; otherwise, he expressed Commission support.

Commissioner Vietor urged haste with construction.

b) Policy and Government Affairs Update
Ms. Emily Lam, Director of Policy and Legislative Affairs, introduced Policy and Government Affairs staff. She provided a review of: (1) Local and regional policy priorities; (2) State policy priorities; and (3) Federal policy priorities.

Public Comments
• Mr. Jason Fried, LAFCo, thanked staff for their legislative work.

c) CleanPowerSF Update
Ms. Barbara Hale, AGM Power, provided an updated enrollment figures and indicated there are 7,300 active locations. She stated there have been no additional opt-outs since her last update, with the rate remaining at 1.9 percent (May enrollment). She indicated the fall enrollment opt-out rate is at 0.8 percent, with 242 SuperGreen upgrades. She stated spring enrollment currently has 252 enrollees, with 75 percent selecting SuperGreen.

She discussed the acquisition Noble Americas Energy Solutions by Calpine Corporation, with an anticipated close by the end of 2016. She stated no change of service is expected. She indicated staff will return in early 2017 with an item to allow for the assignment of the contract with Noble to Calpine.

No public comment.

The Commission Secretary read the Consent Calendar.
8. **Consent Calendar**

   a) Approve the Water Supply Assessment for the proposed 1500 Mission 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. (Resolution 16-0209)

   b) Approve the Water Supply Assessment for the proposed University of California, San Francisco Minnesota Street Student Housing Project, pursuant to the State of California Water Code Section 10910 et seq. and CEQA Section 21151.9 and CEQA Guidelines Section 15155. (Resolution 16-0210)

   c) Approve Amendment No. 1 Agreement No. CS-167.B, Comprehensive Technical Services for Renewable & Advanced Energy Generation Systems with Black & Veatch Corporation, to provide continued assistance with the evaluation, project development, permitting, project implementation, and construction of renewable and advanced energy technologies and projects; and authorize the General Manager to execute this amendment, increasing the agreement by $1,000,000, for a total not-to-exceed agreement amount of $3,250,000, with no change to the agreement duration. (Resolution 16-0211)

   d) Approve Amendment No. 7 to Agreement No. CS-820, New Irvington Tunnel Project, Engineering Services, with URS Corporation, to continue as design engineer-of-record for the construction of the tunnel; and authorize the General Manager to execute this amendment, increasing the agreement duration by four months, with no change to the contract amount. (Resolution 16-0212)

   e) Award Job Order Contract No. 56, Micro-LBE, HVAC Energy Efficiency (C-20 License), San Francisco, San Mateo and Alameda Counties, for a not-to-exceed amount of $1,000,000, to the lowest, qualified, responsible, and responsive bidder, G.Y. Engineering Company, Inc., to perform heating ventilation, and/or air conditioning upgrades at City owned municipal facilities. (Resolution 16-0213)

   f) Award As-Needed, Specialized and Technical Services agreements to Brown & Caldwell-Geotechnical Consultants, Inc., Joint Venture (JV) (PRO.0019.A); RMC Water and Environment-Lotus, JV (PRO.0019.B); MWH-Joe Hill Consulting Engineers, JV (PRO.0019.C); and AECOM-Water Resources Engineering, JV (PRO.0019.D), to perform short-term, highly specialized work for the Water Enterprise; and authorize the General Manager to negotiate and execute four professional services agreements, for amounts not-to-exceed $5,000,000, and with durations of five years each, or, in the event negotiations are not successful or City requirements are not satisfied, to negotiate and execute a professional services agreement with the next highest ranked proposer. (Resolution 16-0214)

   g) Authorize the General Manager to execute a Memorandum of
Understanding (MOU) with the Fairfield-Suisun Sewer District (FSSD), to send Biosolids to FSSD’s treatment facility to be processed to Class A standards for agricultural use. The MOU is for an amount not-to-exceed $565,000, and with a duration of two years, and will enable the SFPUC to gather data, conduct research and explore cost-effective Class A beneficial use options for its Biosolids. *(Resolution 16-0215)*

*On Motion to approve the Consent Calendar:*
*Ayes: Moran, Kwon, Caen, Vietor, and Courtney*

9. **Approve Project No. CWWSSIP05, Marin Street Sewer Replacement;**
Authorize the General Manager to approve the Project in compliance with the Charter and applicable law, including authorizing the General Manager: (i) to undertake the process in compliance with California Government Code Section 7260 et seq., for a combined purchase price estimated to not exceed $100,000 of temporary interests in real property in Assessor's Parcel 006 in Block 4378, owned by the Zanello 1998 Trust and the Gaehwiler 2000 Trust; (ii) to undertake the process, in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 49 CFR Part 24, and all applicable laws, to provide relocation benefits to qualified occupants who may be displaced by the construction access and staging activities on Assessor's Parcel 006 in Assessor's Block No. 4378, owned by the Zanello 1998 Trust and the Gaehwiler 2000 Trust; (iii) to work with the Director of Real Estate to accept and execute the real property agreements authorized herein; and (iv) negotiate and execute encroachment permits, or interagency agreements with the Port of San Francisco and the San Francisco Municipal Transportation Agency, addressing such matters as review of plans, construction schedule, inspections, staging areas, and site restoration. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31-16 of the San Francisco Administrative Code. *(Resolution 16-0216)*

Ms. Kathy How, AGM Infrastructure, introduced the item. She discussed work to be conducted and requested approval.

*On Motion to approve item 9:*
*Ayes: Moran, Kwon, Caen, Vietor, and Courtney*

The Commission Secretary read Closed Session items 12 and 13. She indicated items 14 through 20 would not be heard.

10. Public Comments on matters to be discussed in Closed Session.
None.

11. **Motion on whether to assert the attorney-client privilege regarding the matters listed below as Conference with Legal Counsel.**
*On Motion not to disclose:*
*Ayes: Moran, Kwon, Caen, Vietor, and Courtney*

*The Commission entered Closed Session at 3:30 PM.*
12. 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:
   First National Insurance Co. of America v. City and County of San Francisco
   San Francisco Superior Court Case No.: CGC-15-544117
   City Attorney File No.: 150992/Date Filed: February 23, 2015
   (Resolution 16-0217)

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)
   Unlitigated Claim:
   Seosamh O'Brien
   City Attorney Claim No.: 15-01825/Date Filed: January 28, 2015
   (Resolution 16-0218)

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)
   Existing Claim:
   Ron Martell
   City Attorney Claim No: 16-02314/Date Filed: February 25, 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)
   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

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)
   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

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:
   Pacific Gas & Electric
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:
   Pacific Gas & Electric
   Federal Energy Regulatory Commission
   Case No.: ER15-705-000/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)
   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

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

   The Commission exited Closed Session at 3:33 PM:

21. Announcement following Closed Session
   President Moran announced that settlements were reached on items 12 and 13, and that no other action was taken.

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

23. Other New Business
   President Moran acknowledged the reappointment of Commissioner Caen.

24. Adjournment
   President Moran adjourned the meeting at 3:35 PM in memory of Ms. Kathleen Mullane.