



SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

London N. Breed
Mayor

REGULAR MEETING MINUTES
Tuesday, November 12, 2024
1:30 PM
(Approved December 10, 2024)

1 Dr. Carlton B. Goodlett Place
City Hall, Room 400

Commissioners

Kate H. Stacy, President
Joshua Arce, Vice President
Avni Jamdar
Stephen E. Leveroni

Dennis J. Herrera
General Manager

Tiffany Lennear
Director of Commission Affairs

ORDER OF BUSINESS

1. Call to Order

President Stacy called the meeting to order at 1:34 P.M.

2. Roll Call

Present: Stacy, Arce, Jamdar, and Leveroni

3. Approval of the Minutes of October 22, 2024

Continued to the next San Francisco Public Utilities Commission meeting.

On motion to continue the approval of the Minutes of October 22, 2024:

Ayes: Stacy, Arce, Jamdar, and Leveroni

4. General Public Comment

President Stacy stated that the Commission values civic engagement and encourages respectful communication at the public meeting. We ask that all public comment be made in a civil and courteous manner and that you refrain from the use of profanity. Thank you.

- *Barbara Folger provided comment on current water use, projected water use, and the SFPUC investment in alternative water supply.*
- *Francisco Da Costa provided comment on the role of the Commission to fulfill obligations relating to climate change, water toxicity, carbon footprints, and the sewer system improvement project.*
- *Scott Webb, Vice Chair of the Sierra Club Bay Chapter and the Director of the Resourceful Institute, provided comment on the Closed Session item, the City and County of San Francisco v. US Environmental Protection Agency.*
- *Dave Warner provided comment relating to a letter he submitted to the Commission on November 11, 2024, Water Rates Under Various Demand and Supply Scenarios.*
- *Peter Drekmeier, Policy Director for Tuolumne River Trust, provided comment relating to the SFPUC design drought and stated that he would provide the workshop hyperlinks to the Commission.*
- *Mary Butterwick provided comment relating to Tuolumne River as the source of her drinking water; and, urged the Commission to reduce the length of the design drought by one year, to apply reasonable demand projections based on Finance Bureau water projections, and requested that the results be presented to the public.*
- *John Rosapepe provided comment relating to the method SFPUC employs to count returning fish at Tuolumne River and he invited the Commissioners to take a guided tour of the River in September 2025 (General Public Comment provided during Agenda Item No. 6).*

5. Report of the General Manager (discussion only)

a) Report on Recent San Francisco Public Utilities Commission Activities, Events and

Announcements

- *Francisco Da Costa provided comment relating to presentations requested by members of the public that remain unmet.*

6. Bay Area Water Supply and Conservation Agency Report

Nicole Sandkulla, Chief Executive Officer/General Manager, Bay Area Water Supply and Conservation Agency thanked the Commission and General Manager Herrera for the opportunity to speak one last time as BAWSCA CEO and General Manager. Ms. Sandkulla reported that she reflected over the past 25 years working with the SFPUC and is grateful for the accomplishments and challenges shared; and, as she looks towards the future the system continues to face new challenges, there is anticipated growth in the region, and increasing regulatory requirements that threaten the reliability of the water supply from the Tuolumne River.

- *Francisco Da Costa provided comment relating to historical opponents of damming the Hetch Hetchy Reservoir.*
- *Peter Drekmeier provided comment relating to statements made by Ms. Sandkulla on October 22, 2019 regarding demand projection.*
- *Dave Warner thanked Ms. Sandkulla for her service.*

7. **CONSENT CALENDAR**

- a) Award Contract No. WW-729, Various Locations Sewer Replacement No. 17, to the responsible bidder that submitted the lowest responsive bid, J. Flores Construction Company, Inc., in the amount of \$8,108,502 and with a duration of 580 consecutive calendar days (approximately one year and seven months) to replace/line existing sewers on specified streets in the City and County of San Francisco. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA), pursuant to San Francisco Administrative Code section 31.04(h). The Planning Department has determined that the Project is exempt from the CEQA. The Commission will rely on that determination to make its decision on this action. ([Resolution 24-0227](#))
- b) Award Contract No. WW-740, Various Large Diameter Sewer Inspection No. 2, to the responsible bidder that submitted the lowest responsive bid, Pipe & Plant Solutions, Inc., in the amount \$2,947,000 and with a duration of 425 consecutive calendar days (approximately 1 year and 2 months), to inspect and clean large diameter sewers and laterals and to complete post-processing videos coding. ([Resolution 24-0228](#))
- c) Award Contract No. WD-2876, 8-Inch Ductile Iron Water Main Replacement and 16-Inch Ductile Iron Water Main Installation on San Bruno Ave. from Campbell Ave. to Paul Ave. and on Blanken Ave. from Bayshore Blvd. to Executive Park Blvd., to the responsible bidder that submitted the lowest responsive bid, Cratus, Inc., in the amount of \$11,474,011 with a duration of 634 consecutive calendar days

(approximately one year and nine months), to install water mains in the Portola and Visitacion Valley Districts of San Francisco. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA), pursuant to San Francisco Administrative Code section 31.04(h). The Planning Department has determined that the Project is exempt from the CEQA. The Commission will rely on that determination to make its decision on this action.

[\(Resolution 24-0229\)](#)

- d) Award Contract No. WD-2910, Procurement and Installation of Medium and Large Diameter Valves for Regional Pipelines, to the responsible bidder that submitted the lowest responsive bid, Anvil Builders, Inc., in the amount of \$4,807,600, and with a duration of 1,435 consecutive calendar days (approximately three years and 11 months) to procure and install butterfly valves for water transmission pipelines in the Regional Water System. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA), pursuant to San Francisco Administrative Code section 31.04(h). The Planning Department has determined that the Project is exempt from the CEQA. The Commission will rely on that determination to make its decision on this action.

[\(Resolution 24-0230\)](#)

No public comment provided.

On motion to approve the Consent Calendar:

Ayes: Stacy, Arce, Jamdar, and Leveroni

REGULAR CALENDAR

8. Appoint President Kate Stacy to serve as a Commissioner on the San Joaquin Tributaries Authority Commission.

[\(Resolution 24-0231\)](#)

No public comment provided.

On motion to approve item 8:

Ayes: Stacy, Arce, Jamdar, and Leveroni

9. Approve increases of \$1,578,919 to the cost contingency and 542 days to the duration contingency for Contract No. WD-2868R, San Francisco Local Water As-Needed Paving (FY 21-24), with A. Ruiz Construction Company & Associates, Inc., for a revised cost limit of \$20,785,500 and a revised duration of 1,825 consecutive calendar days, due to an ongoing need for as-needed paving services until SFPUC issues a replacement (new) contract.

[\(Resolution 24-0232\)](#)

Bill Teahan, City Distribution Division Manager, presented the item.

No public comment provided.

On motion to approve item 9:

Ayes: Stacy, Arce, Jamdar, and Leveroni

10. Approve Modification No. 1 to Job Order Contract No. JOC-98, Electrical (C-10 License) Construction, San Francisco, San Mateo, Santa Clara, and Alameda Counties, with U.S. Electric Technologies, Inc., to increase the contract duration by three years for a total contract duration of five years and to increase the contract amount by \$2,500,000 for a revised not-to-exceed contract amount of \$7,500,000, for additional time and capacity for facility and asset improvements. ([Resolution 24-0233](#))

Judy Chin, Construction Management Bureau Engineer, presented the item.

No public comment provided.

On motion to approve item 10:

Ayes: Stacy, Arce, Jamdar, and Leveroni

11. Approve Amendment No. 1 to Professional Services Contract No. PRO.0183, Residential Green Infrastructure Grant Program, with Greenprint Partners, increasing the contract amount by \$500,000 for a new total contract amount of \$645,000, and extending the contract duration by three years and nine months for a new total contract duration of five years and nine months, and increasing the scope of work to include additional neighborhoods for outreach and implementation; and approve Amendment No. 1 to the companion Grant Agreement No. PRO.0183(G), Residential Green Infrastructure Grant Program, with Greenprint Partners, increasing the agreement amount by \$700,000, for a new total agreement amount of \$855,000, and extending the agreement duration by three years and nine months for a new total agreement duration of five years and nine months. ([Resolution 24-0234](#))

Willis Logsdon, Urban Watershed Planning Division - Wastewater Enterprise Utility Specialist, presented the item.

No public comment provided.

On motion to approve item 11:

Ayes: Stacy, Arce, Jamdar, and Leveroni

12. Public hearing to consider and possible action to adopt amendments to the San Francisco Public Utilities Commission's Social Impact Partnership Program Rules and Regulations, in conformance with the requirements of Charter Section 4.104 and San Francisco Administrative Code Chapter 21F, effective November 18, 2024. ([Resolution 24-0235](#))

Valerie Tulier-Laiwa, Social Impact Partnership Manager, presented the item.

- *Risa Schwartz, The Children's Book Project, provided comment relating to the mission of the non-profit, its recognition that reading, literacy attainment, providing communities with access to books, and academic achievement are part*

of a direct pathway to good life outcomes.

- *Cathi Bradley, Senior Account Executive with Emerson Power & Water Solutions, provided comment relating to a one-million-dollar community benefit donation commitment from the firm through the DB-126 Project at the Southeast Plant in Bayview-Hunters Point.*
- *Francisco Da Costa provided comment relating to the Emerson Report and the contributions of Ms. Valerie Tulier-Laiwa.*
- *Lisa Beautler of Stantec provided comment relating to her role as a coordinator for Tuolumne County schools through SFPUC SIPP.*
- *Nancy Barnes of Stantec provided comment relating to its involvement with SIPP since 2012 along with its frequent partners PCL Construction and Joe Hill Consulting Engineers, and together they have provided over \$2.5 million in community benefits, over \$500,000 in direct financial contributions, and more than 10,000 volunteer hours within the community and schools.*
- *Judith McRae, Chief Operating Officer for En2action, provided comment relating to their appreciation for the SFPUC SIPP that enables the organization to achieve its mission to drive equitable growth, build resilient communities, and achieve transformative social good.*

On motion to approve item 12:

Ayes: Stacy, Arce, Jamdar, and Leveroni

13. Sunset COVID-19 pandemic procedures for water and sewer customer bill collection and delinquency actions, and resume normal business practices for shutoffs, liens, and fines; amend wastewater and water shutoff and lien policies to provide exemptions, subject to limitations, to (1) customers with an outstanding bill balance of \$100 or less, (2) customers enrolled in the Customer Assistance Program, and (3) customers within defined Area Mean Income limits who qualify for extenuating circumstances.

[\(Resolution 24-0236\)](#)

Deidre Andrus, Customer Services Director, presented the item.

On motion to approve item 13:

Ayes: Stacy, Arce, Jamdar, and Leveroni

14. COMMUNICATIONS (information only)

- Advance Calendar
- Contract Advertisement Report
- Correspondence Log
- Water Supply Conditions Update
- SFPUC Green Infrastructure Grant Program Quarterly Update
- Annual Multi-Enterprise Climate Program Update
- SFPUC Annual Surveillance Reports

15. Items initiated by Commissioners (discussion only)

None.

16. Public Comment on the matter to be addressed during Closed Session

Peter Drekmeier of the Tuolumne River Trust provided comment encouraging the SFPUC to inquire regarding the role of the Commission within the City and County of San Francisco vs Environmental Protection Agency lawsuit.

17. Motion on whether to assert the attorney-client privilege regarding the matters listed below:

*On motion to assert the attorney-client privilege:
Ayes: Stacy, Arce, Jamdar, and Leveroni*

The Commission entered Closed Session at 3:24 P.M.

CLOSED SESSION

SFPUC Officials and Staff members present during Closed Session: Kate Stacy, Commission President; Joshua Arce, Commission Vice President; Commissioner Avni Jamdar; Commissioner Stephen Leveroni; Dennis Herrera, General Manager; Sheryl Bregman, General Counsel; Steve Ritchie, Assistant General Manager; Jannie Ram, Executive Assistant; and Tiffany Lennear, Director of Commission Affairs.

18. CONFERENCE WITH LEGAL COUNSEL regarding anticipated litigation (Government Code § 54956.9(d), San Francisco Administrative Code § 67.10(d)):

James Hourihan v. City and County of San Francisco

Unlitigated Claim File No.: 25-00425

Date Filed: August 30, 2024

Proposed settlement of an unlitigated claim for property damage resulting from a ruptured water main with the City and County of San Francisco to pay James Hourihan \$75,000 in exchange for a full and final release, subject to final approval by the Board of Supervisors. (Resolution 24-0237)

19. CONFERENCE WITH LEGAL COUNSEL regarding existing litigation (California Government Code, Section 54956.9(d)(1), and San Francisco Administrative Code, Section 67.10(d)(1)):

City and County of San Francisco v. U.S. Environmental Protection Agency (U.S. Supreme Court, Case No. 23-753, Certiorari granted May 28, 2024; City and County of San Francisco v. California State Water Resources Control Board (Alameda Superior Court, Case No. RG-19042575, Filed October 30, 2019) (discussion)

20. CONFERENCE WITH LEGAL COUNSEL regarding existing litigation (California Government Code, Section 54956.9(d)(1), and San Francisco Administrative Code, Section 67.10(d)(1)):

U.S. v. City and County of San Francisco

(Northern District of California, Case No. 24-cv-2594, Filed May 1, 2024) (discussion)

The Commission exited Closed Session at 3:53 P.M.

21. Announcement following Closed Session

President Stacy stated that the Commission recommends the Board of Supervisors approve the settlement referenced under item 18.

22. Motion regarding whether to disclose the discussion during Closed Session pursuant to San Francisco Administrative Code Section 67.12(a).

On motion NOT to disclose the discussion during Closed Session:

Ayes: Stacy, Arce, Jamdar, and Leveroni

23. Adjournment

President Stacy adjourned the meeting at 3:54 P.M.