



SAN FRANCISCO PUBLIC UTILITIES COMMISSION

City and County of San Francisco

London N. Breed
Mayor

REGULAR MEETING AGENDA
Tuesday, October 13, 2020
1:30 P.M.

This meeting is being held by Teleconference Pursuant to the Governor's Executive Order N-29-20 and the Twelfth Supplement to Mayoral Proclamation Declaring the Existence of a Local Emergency Dated February 25, 2020

WATCH LIVE:

<https://www.sfgovtv.org/sfpuc>

PUBLIC COMMENT CALL-IN:

1 (415) 655-0001 / MEETING ID: 146 534 1295 # #

During the Coronavirus Disease (COVID-19) emergency, the San Francisco Public Utilities Commission's (SFPUC) regular meeting room, City Hall, Room 400, is closed. Commissioners and SFPUC staff will convene Commission meetings remotely by teleconference.

Commissioners

Anson Moran
Sophie Maxwell
Tim Paulson
Ed Harrington

Harlan L. Kelly, Jr.
General Manager

Donna Hood
Secretary



Accessible Meeting Policy: To obtain meeting materials in alternative format, please contact the Commission Secretary at 415-554-2165 or via email at Commission@sfgwater.org. Providing at least 72 hours' notice will help to ensure availability. Written reports or background materials for calendar items are available on-line at <http://www.sfgwater.org/index.aspx?page=167>.

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 / Бесплатная помощь переводчиков / Trợ giúp Thông dịch Miễn phí / Assistance linguistique gratuite / 無料の言語支援 / 무료 언어 / 지원 / คว่"มขง" ยเหลลลล
ท่"งภ"ษ"โดยไม่ว่ ส่ยคาคไขจ้าย / Libreng tulong para sa wikang Tagalog ยเหลลลล

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. Annual Election of Officers: As per the San Francisco Public Utilities Commission [Rules of Order, Rule No. 6](#), discussion and possible action to elect a President and Vice President of the Commission, each to serve a one-year term. (action item)
4. [Approval of the Minutes of September 22, 2020](#)
5. General Public Comment
Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda
6. Communications (discussion only)
 - a) [Contract Advertisement Report](#)
 - b) [Correspondence Log](#)
 - c) [Water Supply Conditions Update](#)
7. [Citizens' Advisory Committee Annual Report](#) (discussion only) (Ekanem)
8. Report of the General Manager (discussion only)
 - a) Update on SFPUC Operations During COVID-19 Emergency
 - b) Southeast Area Major Projects Update
 - c) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
9. New Commission Business (discussion only)

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 Modification No. 1 to [Job Order Contract \(JOC\), JOC-63](#), General Building (B-License) for San Francisco, San Mateo, Santa Clara and Alameda Counties, with Angotti & Reilly, Inc., to complete ongoing facility and asset improvements, increasing the contract duration by one year, for a total contract duration of five years, in accordance with San Francisco Administrative Code 6.62, with no change to the contract amount. (How)
 - b) Approve the plans and specifications, and award [Contract No. WD-2858R](#), Sunol Valley Water Treatment Plant Water Quality Modular Office, in the amount of \$1,096,200 and with a duration of 220 consecutive calendar days (approximately

seven months), to the responsible bidder submitting the lowest responsive bid, Alta Group, Inc., to furnish and install trailers and construct associated work. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code. (How)

- c) Accept work performed by JMB Construction, Inc., for [Contract No. WW-625](#), Oceanside Water Pollution Control Plant Flare Control and Stack Upgrade; approve Modification No. 5 (Final), decreasing the contract amount by \$104,418 for a total contract amount of \$3,521,702 with no change to the total contract duration of 880 consecutive calendar days (approximately two years and five months); and authorize final payment to the contractor. (How)

REGULAR CALENDAR

11. Approve Amendment No. 4 to [Agreement No. CS-200](#), Right of Way Services, with Associated Right of Way Services, Inc., to continue to provide right-of-way services for San Francisco Public Utilities Commission capital program and other projects; and authorize the General Manager to execute this amendment, extending the agreement duration by 11 months, for a total duration of nine years and 11 months, with no change to the agreement amount. (Carlin)
12. Approve the plans and specifications, and award [Contract No. HH-1000R](#), Mountain Tunnel Improvements Project, in the amount of \$138,973,189 and with a duration of 2,160 consecutive calendar days (approximately five years and 11 months), to the responsible bidder submitting the lowest responsive bid, Michels Tunneling, to rehabilitate and make improvements to the existing tunnel. (How)
13. Authorize submittal of an application to the U.S. Department of Interior Bureau of Land Management, in coordination with the National Park Service, to correct the mapped boundary of the [Canyon Power Tunnel and Aqueduct](#) right-of-way over federal lands in Yosemite National Park to reflect the as-built condition of the Canyon Tunnel under 43 CFR part 2807.11(e); and authorize the General Manager to seek Board of Supervisors approval of the acceptance of the corrected right-of-way under Charter Section 9.118. (Carlin)
14. Discussion and possible action to authorize the General Manager to execute an [Installment Sale Agreement](#) to secure a Clean Water State Revolving Fund Loan for the Wastewater Enterprise Southeast Treatment Plant New Headworks Replacement Project in an amount not-to-exceed \$112,036,181, and with a 30-year term and an interest rate of 1.10%. (Sandler)
15. Approve the award of a [five-year lease](#) to the Central Network Retail Group, a Delaware limited liability company doing business as Outdoor Supply Hardware, for use of an approximately 35,962 square-foot retail store plus an adjacent fenced yard, loading dock area, and a common area parking lot at 900 El Camino Real, in Millbrae, California at an initial annual Base Rent of \$188,000, with two months' initial free rent, and 3% annual Base Rent increases, and Additional Rent consisting of 5% of the tenant's annual gross revenues above \$12 million. The proposed lease includes three, one-year options to extend the term subject to certain conditions and subject to

approval by the SFPUC and Board of Supervisors under Charter Section 9.118(c), for a total potential lease term of eight years. (Carlin)

16. Public comment on matters to be addressed during Closed Session
17. Motion on whether to assert the attorney-client privilege regarding the matters listed below as Conference with Legal Counsel

The Commission will go into Closed Session to discuss the following items:

CLOSED SESSION

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) (discussion only) (Whipps)

Existing Litigation

State Water Board Cases, Sacramento Superior Court, JCCP No. 5013 (originally filed on January 10, 2019 in Tuolumne Superior Court as San Joaquin Tributaries Authority, et al v. California State Water Resources Control Board, Case No. CU62094)

19. Conference with Legal Counsel – Pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1) (discussion only) (Mueller)

Conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 9-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. EL 19-38-000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed, February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL 15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; California Public

Utilities Commission Case No. 1.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; and California Public Utilities Commission Case No. R.19-09-016, filed January 10, 2019

Following Closed Session, the Commission will reconvene in Open Session

20. Announcement following Closed Session
21. Motion regarding whether to disclose the discussions during Closed Session pursuant to San Francisco Administrative Code Section 67.12(a)
22. Adjournment

San Francisco Public Utilities Commission
525 Golden Gate Avenue, 13TH Floor
San Francisco, CA 94102