



## **SAN FRANCISCO PUBLIC UTILITIES COMMISSION**

City and County of San Francisco

**London N. Breed**

Mayor

### **REGULAR MEETING AGENDA**

**Tuesday, November 14, 2023**

**1:30 PM**

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

Members of the San Francisco Public Utilities Commission (SFPUC) will attend this meeting in-person. Members of the public are invited to observe the meeting in-person or remotely by [watching live online](#)

Members of the public attending the meeting in person will have an opportunity to provide public comment on every action or discussion item. Remote public participation is available upon request for individuals who cannot attend in person due to disability by making a request to the Commission Secretary by 12 PM (noon) the day before the Commission meeting at [Commission@sfwater.org](mailto:Commission@sfwater.org) or 415-554-3165.

Members of the public are encouraged to provide public comment by email. Send an email to [Commission@sfwater.org](mailto:Commission@sfwater.org) by 5 pm the day before the meeting to ensure your comment is received by the Commission in advance of the meeting. All comments received will be made part of the official record.

#### **Commissioners**

Tim Paulson, President

Anthony Rivera, Vice President

Sophie Maxwell

Newsha Ajami

Kate H. Stacy

Dennis J. Herrera

General Manager

Donna Hood

Commission Secretary

**Accessible Meeting Policy:** City Hall, Room 400 is wheelchair accessible. The meeting will be broadcast and captioned on SFGovTV. Remote public participation is available upon request for individuals who cannot attend in person due to disability by making a request to the Commission Secretary by 12:00 PM (noon) the day before the Commission meeting at [Commission@sfgwater.org](mailto:Commission@sfgwater.org) or 415-554-3165. Sign Language Interpretation is also available upon request. Sign Language Interpretation is available upon request. If requesting Sign Language Interpretation, please submit an accommodation request a minimum of four business hours before the start of the meeting. Allowing a minimum of 48 business hours for all other accommodation requests (for example, all other auxiliary aids and services) helps ensure availability. To request accommodation, please contact the Commission Secretary at [Commission@sfgwater.org](mailto:Commission@sfgwater.org) or 415-554-3165.

**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](mailto: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 / ความช่วยเหลือ ฟรี / “งก”ซ”โดยไมดง”ส”ยคไซจ”าย / Libreng tulong para sa wikang Tagalog  
ช่วยเหลือ

**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](http://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 October 24, 2023](#)
4. 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.*
5. Report of the General Manager (discussion only)
  - a) [Annual Policy and Government Affairs Update](#)
  - b) [Results of the 2023 Power Revenue Bond Sale](#)
  - c) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
6. **CONSENT CALENDAR**
  - a) Award [Job Order Contract No. JOC-102R](#), General Engineering (A License) Construction, San Joaquin, Stanislaus, and Tuolumne Counties, Hetch Hetchy, in the amount not-to-exceed \$5,000,000, with a guaranteed minimum task order opportunity amount of \$50,000, and a duration of two years, to the responsible bidder that submitted the lowest responsive bid, Pacific Engineering & Construction, Inc., to perform A-licensed general engineering construction work on San Francisco Public Utilities Commission systems and operations around Hetch Hetchy. (Robinson)
  - b) Award [Job Order Contract No. JOC-103](#), General Engineering (A License) Construction, San Francisco, San Mateo, Santa Clara, and Alameda Counties, in the amount not-to-exceed \$5,000,000, with a guaranteed minimum task order opportunity amount of \$50,000, and a duration of two years, to the responsible bidder that submitted the sole responsive bid, Cal State Constructors, Inc., to perform A-licensed general engineering construction work on San Francisco Public Utilities Commission systems and operations around the Bay Area. (Robinson)
  - c) Amend [Contract No. PRO.0105](#), Real Estate Negotiation and Land Use Services with Century Urban LLC, to extend the contract duration by three years, seven months, and two weeks for a new total contract duration of eight years, seven months, and two weeks, with no change to the contract amount, to provide for continued real estate, land use, and negotiation services. (Flynn)
  - d) Award [Contracts Nos. PRO.0281.A-C](#), As-Needed Project Management Support Services, to Kennedy/Jenks Consultants, Inc. - Joe Hill Consulting Engineers, Joint Venture (PRO.0281.A), LEE Incorporated (PRO.0281.B), and Hollins Consulting, Inc. - GHD, Inc., Joint Venture (PRO.0281.C), each in an amount not to exceed \$4,750,000 and with a duration of five years. (Robinson)
  - e) Approve an increase in the amount of \$2,000,000 to the contract cost contingency and an increase of 956 calendar days (approximately two years and eight months) to the contract

duration contingency for [Contract No. WD-2794B](#), Sunol Long Term Improvements Alameda Creek Watershed Center, with S.J. Amoroso Construction, Inc., to include a two-year maintenance period for the facility systems (which was included in the Contract but not accounted for in the Contract duration) and to address additional necessary changes to the work, to allow for future modifications increasing the Contract up to a not-to-exceed amount of \$36,405,700 and increasing the Contract duration up to 2,123 consecutive calendar days (approximately five years and 10 months). (Robinson)

- f) Approve an increase of \$119,000 to the contract cost contingency for [Contract No. WD-2851\(D\)](#), 525 Golden Gate Avenue As-Needed Mechanical Systems Inspection, Maintenance, and Repairs, with Enviser, for a new contract amount up to \$825,000, to continue repairs, maintenance and inspections of the mechanical system, with no change to the contract duration. (Robinson)
- g) Award [Contract No. WD-2874](#), 8-Inch & 16-Inch Ductile Iron Water Main Replacement on Joost Avenue from Ridgewood Avenue to Congo Street and Various Side Streets, to the responsible bidder that submitted the lowest responsive bid, M Squared Construction, Inc., in the amount of \$7,077,800 and with a duration of 745 consecutive calendar days (approximately two years and one month), to install approximately 8,700 feet of ductile iron water conveyance pipe, ancillary water service pipe, curb ramps, and pavement restoration. 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. (Robinson)
- h) Award [Contract No. WD-2902](#), San Andreas Reservoir Road Improvements to the responsible bidder that submitted the lowest responsive bid, Anvil Builders Inc., in the amount of \$10,491,405.60, and with a duration of 730 consecutive calendar days (approximately two years), to repair erosional roadway damage and make improvements to prevent further erosion and landslides to the San Francisco Public Utilities Commission's San Andreas Reservoir perimeter access roads. (Robinson)

## REGULAR CALENDAR

- 7. Authorize [settlement of claims for damages](#) caused by the refusal of Pacific Gas & Electric to provide the SFPUC secondary voltage service under PG&E's Wholesale Distribution Tariff for some 30 megawatts of City load. (Hale)
- 8. Communications (information only)
  - a) [Advance Calendar](#)
  - b) [Contract Advertisement Report](#)
  - c) [Correspondence Log](#)
  - d) [Annual Report on the Low Carbon Fuel Standards Credit Sales Fund](#)
  - e) [Annual Report on Net Energy Metering and Shared Renewable Energy](#)
  - f) [Green Infrastructure Grant Program Board of Supervisors Update](#)
  - g) [Quarterly Report for Power Scheduling Coordination and Related Support Services with APX, Inc.](#)
  - h) [San Francisco Public Utilities Commission Annual Surveillance Reports](#)
  - i) [Water Supply Conditions Update](#)

9. Items initiated by Commissioners (discussion only)
10. Public Comment on the matters to be addressed during Closed Session
11. Motion on whether to assert the attorney-client privilege regarding the matters listed below

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

**CLOSED SESSION**

12. CONFERENCE WITH LEGAL COUNSEL regarding anticipated litigation (Government Code §54956.9, San Francisco Administrative Code §67.10(d)(1)):

*Walt Shepps v. City and County of San Francisco*

Unlitigated Claim File No.: 24-00573

Date Filed: September 25, 2023

Proposed settlement of unlitigated claim for damage to property resulting from a ruptured water main with the City and County of San Francisco to pay Walt Shepps \$36,837.93 in exchange for a full and final release, subject to final approval by the Board of Supervisors. (action item)

(Bregman)

13. CONFERENCE WITH LEGAL COUNSEL regarding anticipated litigation (Government Code §54956.9, Administrative Code §67.10(d)(1))

[Undetermined Claimants] v. City and County of San Francisco

Date of Incident: September 11, 2023

Proposed recommendation to the Board of Supervisors to delegate to the San Francisco Public Utilities Commission and the City Attorney the authority to settle certain claims arising out of the September 11, 2023 water main break at Fillmore and Green Streets. (Action Item)

(Bregman)

14. CONFERENCE WITH LEGAL COUNSEL regarding existing litigation (California Government Code, Section 54956.9, 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 and Pacific Gas & Electric Company are adverse parties: 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. (discussion only)

*Following Closed Session, the Commission will reconvene in Open Session*

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

San Francisco Public Utilities Commission  
525 Golden Gate Avenue, 13<sup>TH</sup> Floor  
San Francisco, CA 94102