

SAN FRANCISCO PUBLIC UTILITIES COMMISSION City and County of San Francisco

Edwin M. Lee

AGENDA Tuesday, October 23, 2012

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

Commissioners

Anson B. Moran, President Art Torres, Vice President Ann Moller Caen Francesca Vietor Vince Courtney

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

Disability Access

The Public Utilities Commission meeting will be held in Room 400, at One 1 Dr. Carlton B. Goodlett Place, (400 Van Ness Avenue), 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 Oceanview, N Judah and T Third at Van Ness and Civic Center Stations; F Market Line; and bus routes 19 Polk, 47 Van Ness, 49 Mission Van Ness, 5 Fulton, 6 Parnassus, 21 Hays, 9 San Bruno, 9L San Bruno Limited, 71 Haight Noriega and 71L Noriega Limited. For more information about MUNI accessible services call (415) 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) 554-3165, or by emailing dhood@sfwater.org. Providing at least 72 hours notice will help to ensure availability.

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 accommodate these individuals.

Know your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions 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 the Sunshine Ordinance Task Force, City Hall, Room 409, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102-4683 at Phone No.: (415) 554-7724; Fax No.: (415) 554-7854; E-mail: 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 www.sfgov.org.

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 Chair 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.

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.

ORDER OF BUSINESS:

- 1. Call to Order
- 2. Roll Call
- 3. Approval of Minutes of October 9, 2012
- 4. 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) Quarterly Water Supply Agreement Update
 - d) List of potential Water Enterprise surplus property
 - e) Report: 2012 State of the Regional Water System
- 6. Other Commission Business
 - a) Discussion and possible action, in accordance with **Rule 6** of the Rules of Order, to **nominate and elect officers**. (Moran)
- 7. Report of the General Manager
 - a) CleanPowerSF Update
- 8. BAWSCA Report

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 and award <u>Contract JOC-42</u>, General Engineering for San Francisco/ Peninsula/East Bay to Hetch Hetchy, for a not-to-exceed amount of \$5,000,000 to the lowest, qualified, responsible and responsive bidder, Power Engineering

Construction Co., to perform general engineering construction tasks for all SFPUC Enterprise Operations and Bureaus. JOC-42 is the second of three A-license JOC contracts issued under the same bid documents but with separate bid openings; JOC-41 was previously awarded by the Commission and JOC-43 will be awarded separately by the Commission. (Hoy)

- b) Approve and award Contract JOC-43, for San Francisco/Peninsula/East Bay to Hetch Hetchy, for a not-to-exceed amount of \$5,000,000, to the lowest, qualified, responsible and responsive bidder, Synergy Project Management, Inc., to perform general engineering construction tasks for all SFPUC Enterprise Operations and Bureaus. JOC-43 is the last of three A-license JOC contracts issued under the same bid documents but with separate bid openings; JOC-41 was previously awarded by the Commission and JOC-42 will be awarded separately by the Commission. (Hoy)
- c) Approve Modification No. 4 to <u>Contract WW-514R</u> Southeast Water Pollution Control Plant Medium Voltage System Reliability Upgrades, with NTK Construction, Inc., to complete the electrical reliability upgrades for the treatment facility, increasing the contract duration by 120 consecutive calendar days, for a total contract duration of 630 consecutive calendar days, with no change to the contract amount. (Moala)
- d) Accept work performed by Precision Engineering, Inc. for Contract WW-455, Various Locations Sewer Replacement & Pavement Renovation No. 1; Approve Modification No. 3 (Final), increasing the contract by \$186,613 for a total contract amount of \$3,955,332 (of which \$2,592,332 is funded by WWE and \$1,363,000 is funded by DPW), and with a time extension of 42 consecutive calendar days for a total contract duration of 362 consecutive calendar days; and authorize final payment to the contractor. (Moala)
- e) **Approve** the terms and conditions and **authorize** the General Manager to execute a revocable permit with Mahikari for the use of SFPUC land at 1155 Junipero Serra Boulevard, San Francisco, California, as secondary driveway entrance at a use fee of \$500 per month, with annual CIP increases. (Russell)
- f) Authorize the General Manager to execute a <u>Joint Funding Agreement</u> with the U.S. Geological Survey for an **amount not-to-exceed \$335,520** and with a **duration of one year**, which will allow for hydrologic monitoring and stream gage maintenance on the Tuolumne River and its tributaries. (Ritchie)
- g) Approve and authorize the General Manager to execute Amendment No. 1 to extend the term of the Memorandum of Agreement between the SFPUC and the City of San Bruno for consulting services for a Well Field Long Term Testing Program. The MOA provides funding for consulting services to study the performance of San Bruno's production wells when idled as part of the SFPUC's proposed Regional Groundwater Storage and Recovery Project No. CUW30103. The proposed amendment will extend the term of the agreement by 18 months, with no additional funds required. (Ritchie)

- h) Accept work performed by A. Ruiz Construction Co. & Associates, Inc. for Contract WD-2634, As-Needed 2010-2011 Annual Paving Contract for Services and Main Breaks; Approve Modification No.3 (Final), increasing the contract by \$344,118, for a total contract amount of \$3,874,888; and authorize final payment to the contractor. (Ritchie)
- i) Accept work performed by A. Ruiz Construction Co. & Associates, Inc. for Contract WD-2605R, CDD 2009-2010 As-Needed Paving Contract for New Services and Leaks, for a total contract amount of \$1,979,866, and with a total contract duration of 465 consecutive calendar days; and authorize final payment to the contractor. (Ritchie)
- j) Authorize and ratify execution of the extension of the existing <u>Joint Exercise of</u>
 Powers Agreement with the Bayshore Sanitary District through December 31, 2012.
 (Rydstrom)
- k) **Approve** Commission appointment to the <u>San Joaquin Tributaries Authority</u> <u>Commission.</u> (Ritchie)

REGULAR BUSINESS

- 10. Discussion and possible action to adopt revised <u>San Francisco Public Utilities</u> <u>Commission Rules of Order</u>, including possible revisions to reflect changes in law, changes in address for the SFPUC Administration Building, changes in the order of business, changes in notice procedures for rate hearings, and such other matters that the Commission may propose. (President)
- 11. **Endorse changes** to the San Francisco Administrative Code by **amending Section 14B.2** to increase contracting opportunities for certified SFPUC-LBEs; and urge the Board of Supervisors of the City and County of San Francisco to pass, and urge Mayor Edwin Lee to sign, the **proposed SFPUC-LBE Ordinance**. (Ellis)
- 12. Approve amendments to Agreement Nos. CS-116B, Environmental Analysis Services for the Millbrae Yard Improvement Project and CS-116D, Environmental Analysis Services for the Sunol Yard Improvement Project, with URS Corporation Americas. Authorize the General Manager to execute these amendments, each with a time extension of four years, for total agreement durations of six years, and eight months, with no change to the value of the agreements. These amendments will allow for completion of the required CEQA and resource agency permitting processes on designated projects. (Torrey)
- 13. Informational discussion and possible adoption of a SFPUC Ratepayer Assurance Policy, a policy statement that would guide SFPUC to ensure accountability to ratepayers in all aspects of SFPUC operations and management. (Rydstrom)

- Discussion of procurement plan to meet requirements of <u>California Renewable</u> <u>Energy Resources Act</u>. (Hale)
- Public comments on matters to be discussed in Closed Session.
- 16. 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:

17. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10 (d) (1).

Existing Litigation:

Maya Vlanin v. CCSF,

San Francisco Superior Court Case No. CGC 10-501135

Date Filed: June 29, 2010

(Ambrose)

18. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10 (d) (1).

Existing Litigation:

Brendan Cadman v. CCSF.

San Francisco Superior Court Case No. CGC 12-522047

Date Filed: July 3, 2012

(Ambrose)

19. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10 (d) (1).

Existing Claim:

Crystal Chung v. CCSF,

Unlitigated File No. 12-01653

Date Filed: January 24, 2012

(Ambrose)

20. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10 (d)(1).

Existing Litigation:

City and County of San Francisco v. Pacific Rod and Gun Club

San Francisco Superior Court Case No. CUD-12-642832

City Attorney File Number 130295

Date Filed: September 24, 2012

(Ambrose)

Following Closed Session, the Commission will reconvene in Open Session

- 21. Announcement following closed session.
- 22. Motion regarding whether to disclose the discussions during Closed Session.
- 23. Other new business.

ADJOURNMENT

NOTICE OF PUBLIC HEARING

The San Francisco Public Utilities Commission has scheduled a public hearing to consider adoption of possible revisions to the Commission Rules of Order on:

October 23, 2012
1:30 pm
San Francisco City Hall
1 Dr. Carlton B. Goodlett Place
Room 400
San Francisco, CA 94102

Advance notice of the public hearing, discussion and possible action to amend the Rules of Order is provided as required by City Charter Sec. 4.104.

The Commission will discuss the Rules of Order and possible revisions at the regular meeting of September 25, 2012, (City Hall, Room 400, 1:30 pm), but no action will be taken at that meeting.

A copy of any proposed revisions to the Rules of Order will be available and posted with the agenda for the San Francisco Public Utilities Commission's regular meeting on October 23, 2012.

Donna Hood Commission Secretary San Francisco Public Utilities Commission

(Posted October 11, 2012)

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