SAN FRANCISCO PUBLIC UTILITIES COMMISSION

City and County of San Francisco

Edwin M. Lee

MINUTES Tuesday, September 25, 2012 (Approved October 9, 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

1. Call to Order

President Moran called the meeting to order at 1:34 PM

2. Roll Call

Present: Moran, Torres, Vietor, and Courtney

3. Approval of Minutes of September 11, 2012

On motion to approve the minutes of September 11, 2012 AYES: Moran, Torres, Vietor and Courtney

Commissioner Caen arrived at 1:38 PM.

4. Public Comment

Mr. Tony Lee, representing his parents, expressed concern over the SFPUC's
delinquent notification policy, especially as it relates to property owners with
tenants. He expressed a desire to have the policy changed so earlier advance
notice of delinquent accounts be provided to property owners.

The Commission had brief follow-up questions to Mr. Lee and staff, and directed staff to look into the account, and to review the policy and report back with recommendations.

- Ms. Espinola Jackson, representing the Black Human Rights Leadership Council
 of San Francisco, congratulated Commissioners Caen, Vietor and Courtney on
 their reappointments. She also congratulated Mr. Kelly, Jr. on his new role. She
 expressed gratitude to the Commission for listening to the needs of the Bayview
 Community.
- Ms. Diane Smith echoed the sentiments of Ms. Jackson and stated she looks forward to working with the Commission on expanding their involvement with the Bayview Community.

5. Communications

a) Status of Major Development Projects in the Service Area

b) Advance Calendar

President Moran indicated that he spoke with the Chair of the Citizens' Advisory Committee (CAC) and asked that they schedule items that the Commission refers to them in a timely manner to avoid delays with items returning to the Commission for action.

c) Letter Summary

President Moran made brief comments regarding the letter to the Modesto Irrigation District.

Public Comment

No public comment.

6. Other Commission Business

a) <u>Discussion of the San Francisco Public Utilities Commission (SFPUC) Rules of</u> Order.

The SFPUC noticed and scheduled a public hearing to consider adoption of any proposed revisions to the Commission Rules of Order, as required by City Charter Sec. 4.104. A copy of any proposed revisions to the Rules of Order were made available and posted with the agenda for the SFPUC regular meeting of October 9, 2012.

President Moran stated that the proposed changes to the Rules of Order are to ensure that the rules are in sync with current law. He noted one proposed change was with the order of business and another proposed change will shorten the amount of notice given regarding water rate changes, which puts noticing requirement it in-line with the Board of Supervisors' process.

President Moran indicated that the Commission does not follow Robert's Rules of Order, but noted that the Chair has the authority to rule on points of order, subject to appeal by any member of the Commission, and with a majority vote can be overruled. He also noted that to maintain a quorum, Commissioners should not leave the meeting without permission of the Chair and reminded the Commission that there is no abstention on votes. Brief discussion ensued regarding the use of electronic devices.

Commissioner Vietor questioned Rule 6 regarding Election of Officers, and questioned why there was a one-year term limit on President and Vice President. Commissioner Caen indicated that the rule has been in place for a long time and that the rotation allows for the rotation of power and gives a sense of belonging to all of the Commission. Brief discussion ensued.

7. Report of the General Manager

Mr. Kelly, Jr. expressed his thanks to Mr. Harrington for his service and that he looks forward to working with the Commission as General Manager.

8. BAWSCA Report

None.

9. <u>Citizens' Advisory Committee Update</u>

Mr. Terrence Jones, CAC Chair, provided a brief update on the activities of the CAC. He noted that 16 of 17 CAC seats have been filled. He stated that Mr. Alex Lantsburg will head the Community Benefits/Environmental Benefits subcommittee; Mr. Javierre PruittHilll will head the Wastewater Subcommittee; Mr. David Pilpel will head the Water Subcommittee; and Mr. Doug Cain will head the Power Subcommittee. He provided a status update of the CAC resolutions and policies, and noted that they too will be reviewing their Rules of Order. He touched on issues the CAC will be working on over the next few months. Commissioner Courtney asked if the CAC would be interested in studying and gauging interest in communication and notification for CleanPowerSF. Mr. Jones stated he would bring it to the CAC at their next meeting and report back with recommendations.

Public Comment

 Ms. Espinola Jackson requested that the CAC hold some of their meetings in the Bayview. She also requested that the CAC appoint members who reside in the Bayview.

10. Consent Calendar

- a) Accept the work performed by S. J. Amoroso Construction Company, Inc., for Contract WD-2573, Pulgas Balancing Reservoir Structural Rehabilitation and Roof Replacement for constructing a new roof and various structural improvements to the balancing reservoir and authorize the final payment to the contractor. (Resolution 12-0169)
- b) Approve Modification No. 1 to Contract WD-2445, 8-Inch Ductile Iron Main Installation on Second, New Montgomery, Stevenson, Minna and Annie Streets, with P & J Utility Company, for miscellaneous force account work and construction delays due to differing site conditions and unforeseen underground obstructions, increasing the contract amount by \$98,799, for a total contract amount of \$1,605,861, and with a time extension of 73 consecutive calendar days for a total contract duration of 313 consecutive calendar days. (Resolution 12-0170)
- c) Accept work performed by A. Ruiz Construction Co. & Associates, Inc. for Contract WD-2604, City Distribution Division (CDD) 2009-2010 As-Needed Paving Contract for main replacement by CDD Crews; Approve Modification No. 2 (Final) to account for actual labor and materials required to complete the work under bid item allowances, decreasing the contract by \$1,844,637, for a total contract amount of \$1,854,462, with no change to contract duration; and authorize final payment to the contractor. (Resolution 12-0171)
- d) Approve the plans and specifications, and award Contract WW-501, Western Addition/North Beach/Marina Districts Sewer Replacement and Pavement Renovation, in the amount of \$3,641,503 (of which \$2,750,314 is funded by the Wastewater Enterprise and \$891,189 is funded by DPW), to the lowest, qualified, responsible and responsive bidder, Precision Engineering, to replace the existing sewer and renovate the existing street pavement on various streets in the Western Addition, North Beach, and Marina Districts in the City of San Francisco. (Resolution 12-0172)
- e) Approve Modification No. 4 to Contract WW-513, North Shore and Mariposa Pump Station Improvements, with Cal State Constructors, Inc., to complete improvements for pump station reliability delayed by emergency work on the North Shore Force Main, increasing the contract duration by 90 consecutive calendar days for total contract duration of 630 consecutive calendar days, with no change to contract amount. (Resolution 12-0173)

On motion to approve items 10a through 10e: AYES: Moran, Torres, Caen, Vietor and Courtney

Public Comment
No public comment.

REGULAR BUSINESS

11. Approve Project No. CUW37403, San Antonio Backup Pipeline in the Sunol area of Alameda County, California; Adopt the required California Environmental Quality Act Findings, including a Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program; and authorize the General Manager to implement the Project, in compliance with the Charter and applicable law, and subject to Board of Supervisors approval where required. (Resolution 12-0174)

Ms. Irina Torrey, Manager, Bureau of Environmental Management, thanked staff for their work on this project.

On motion to approve items 11e: AYES: Moran, Torres, Caen, Vietor and Courtney

Public Comment

No public comment.

12. Approve the terms and conditions and authorize the General Manager to execute a Purchase and Sale Agreement with 3rd and Evans Street, LLC, for purchase of an approximately 4.68 acre parcel of real property including an office building containing approximately 31,535 square feet and an office/industrial use building containing approximately 19,057 square feet, located at 1550 Evans Avenue and 330 Newhall Street, San Francisco for \$15,000,000, subject to approval by the Board of Supervisors and the Mayor. (Resolution 12-0175)

Ms. Rosanna Russell, Real Estate Manager, presented this item. She noted a correction to the name of the seller to properly reflect 3rd and Evans, LLC, and a correction to the referenced fiscal year to reflect FY 2012-13, and stated that the resolution was amended to reflect these changes.

On motion to approve items 11e: AYES: Moran, Torres, Caen, Vietor and Courtney

Public Comment

- Ms. Espinola Jackson expressed her support for this item.
- Mr. James Bryant expressed his support for this item.
- 13. Adopt the Final Mitigated Negative Declaration, the Mitigation Monitoring and Reporting Program and the Findings, as required by the California Environmental Quality Act, for the Geary Road Bridge Replacement Project; and approve Project CUW26403, Geary Road Bridge Replacement Project in the Sunol area of Alameda County, California. (Resolution 12-0176)

Ms. Irina Torrey, Manager, Bureau of Environmental Management, thanked staff for their work on this project.

Public Comment

No public comment.

On motion to approve items 11e:

AYES: Moran, Torres, Caen, Vietor and Courtney

14. Other new business

None

President Moran adjourned the meeting at 2:36 PM