



## **SAN FRANCISCO PUBLIC UTILITIES COMMISSION**

City and County of San Francisco

**London N. Breed**

Mayor

### **REGULAR MEETING AGENDA**

**Tuesday, October 27, 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: 146 273 7257 # #**

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**

Sophie Maxwell, President

Anson Moran, Vice President

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](mailto: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](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 / คว"มข"ยเหลือ"ห"งก"ษ"โดยไม"ต"ส"ยค"าไขจ"าย / Libreng tulong para sa wikang Tagalog ยเหลือ"ห"งก"ษ"โดยไม"ต"ส"ยค"าไขจ"าย

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

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

## CLOSED SESSION

5. Conference with Legal Counsel Regarding Pending Litigation - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1) (action) (Berkowitz)

Richard Denton v. City and County of San Francisco et al

San Francisco Superior Court Case No. CGC-13-534508

Complaint filed September 26, 2013

Proposed settlement with City to pay plaintiff \$400,000 and plaintiff to resign from employment and release all claims

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

6. Announcement following Closed Session
7. Motion regarding whether to disclose the discussions during Closed Session pursuant to San Francisco Administrative Code Section 67.12(a)
8. [Approval of the Minutes of October 13, 2020](#)
9. 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*
10. Communications (discussion only)
  - a) [Contract Advertisement Report](#)
  - b) [Correspondence Log](#)
  - c) [General Manager Contract Delegation of Authority Quarterly Report](#)
  - d) [In-Person Customer Payments](#)
  - e) [Low-Carbon Standards Fuel Standard Credit Sales Fund](#)
  - f) [Streetlight Program Update](#)
  - g) [Update on Power Enterprise Customer Programs](#)
  - h) [Water Supply Conditions Update](#)

11. Report of the General Manager (discussion only)
  - a) Update on December 2018 Bay Delta Plan Amendment and Voluntary Agreement Negotiations with the State
  - b) Pilot Program Offering on Portfolio Content Category 3 Renewable Energy Credits, Purchases for Leadership in Energy and Environment Design Certification (Hetch Hetchy Program)
  - c) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
12. Racial and Equity Update (discussion only) (Kelly)
13. [Policy and Government Affairs Update](#) (discussion only) (Ellis)
14. Bay Area Water Supply and Conservation Agency Update (discussion only) (Sandkulla)
15. New Commission Business (discussion only)

## CONSENT CALENDAR

16. Approve Amendment No. 3 to [Contract No. WW-647R](#), Southeast Water Pollution Control Plant Biosolids Digester Facilities Construction Manager/General Contractor (CM/GC) Agreement with MWH Constructors/Webcor Builders Joint Venture, to revise Sections 4.02 and 5.03 of the Agreement relating to certification by the Controller, project funding requirements, and incremental encumbrance for the CM/GC's performance of work, with no change to the contract amount or duration. (How)

## REGULAR CALENDAR

17. Approve the [Water Supply Assessment](#) for the proposed 2500 Mariposa Street/San Francisco Municipal Transportation Authority (SFMTA) Potrero Bus Yard Project which would replace the Potrero Yard Trolley Coach Facility at 2500 Mariposa Street with a new structure to accommodate bus parking and circulation, SFMTA maintenance, operation, and administrative uses, and joint development uses, pursuant to the State of California Water Code Section 10910 *et seq.*, California Environmental Quality Act (CEQA) Section 21151.9, and CEQA Guidelines Section 15155. (Ritchie)
18. [Adopt findings declaring as surplus](#) to the San Francisco Public Utilities Commission utility needs under Charter Section 8B.121(e), and as "exempt surplus land" under California Government Code Section 54221, approximately 20 acres of underutilized unimproved agricultural property designated as Assessor Parcel No. 096-0090-005-11 in the unincorporated Town of Sunol in Alameda County, California, that is under the jurisdiction of the SFPUC; and recommend that the Board of Supervisors authorize (a) the City's Director of Property to execute a quitclaim deed conveying the Property to the East Bay Regional Park District, and (b) the SFPUC General Manager to execute an Agreement for Sale of Real Estate to convey the Property to the East Bay Regional Park District for \$500,000. (Carlin)
19. Authorize the General Manager to execute on behalf of the City and County of San Francisco, a [Joint Funding Agreement](#) with the U.S. Geological Survey for an

amount not-to-exceed \$326,180 and with a duration of 11 months, starting November 1, 2020 and ending September 30, 2021, to allow for continued hydrologic monitoring and stream gauge maintenance in the Alameda and Peninsula Watersheds.

(Ritchie)

20. Authorize the General Manager to execute a [Memorandum of Agreement](#) with Silicon Valley Clean Water, the Bay Area Water Supply & Conservation Agency, the California Water Service Company, the City of Redwood City, and the City of San Mateo to carry out the Potable Reuse Exploratory Plan Phase 3 Feasibility Study, with a duration of 25 months and in an amount not to exceed \$160,661. (Ritchie)
21. Approve the re-allocation of \$20,000,000 in existing appropriations in the FY 2020-21 [Power Enterprise Capital Plan](#) from the SFO Substation Project, Streetlight Replacement Project and Intervening Facilities Project to the Bay Corridor Transmission/Distribution Project; and authorize the General Manager to seek Mayor and Board of Supervisors approval of a Supplemental Appropriation for the de-appropriation and re-appropriation of \$8,000,000 from the Streetlight Replacement Project to the BCTD Project. (Hale)
22. Adjournment

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