



San Francisco
Water Power Sewer
Services of the San Francisco Public Utilities Commission

SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

Edwin M. Lee
MAYOR

AGENDA
Tuesday, August 13, 2013

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

Commissioners

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

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@sfgov.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 the July 23, 2013](#)
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) [Desalination Project Comparison](#)
 - d) [Large Development Projects in the Water Service Area](#)
 - e) [SFPUC/SFDPH Chloramine Activities](#)
 - f) [Street Light Program Update](#)
 - g) [Water Enterprise Capital Improvement Program Quarterly Report - Regional](#)
 - h) [Water Enterprise Capital Improvement Program Quarterly Report - Local](#)
 - i) [Water System Improvement Program Quarterly Report – Regional](#)
 - j) [Water System Improvement Program Quarterly Report – Local](#)
 - k) [Water System Improvement Program Status of Construction Change Orders, Q4/FY2012-2013 \(April 1, 2013 – June 30, 2013\)](#)
6. Other Commission Business
7. Report of the General Manager

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

8. *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) **Accept** work performed by Shaw Pipeline, Inc. for [Contract No. WW-480](#), Various Locations Sewer Replacement Contract No. 3 and Pavement Renovation; and **approve** Modification No. 4 (Final), **increasing the contract by \$41,170**, to account for actual costs of labor and materials required to complete the work under bid item allowances, for a total contract amount of \$2,475,800 (of which \$1,770,622 is funded by the WWE R&R Program, \$641,725 is funded by the DPW Paving Program and \$63,453 is funded by the SFMTA); and with a **time extension of five consecutive calendar days**, for a total contract duration of 318 consecutive calendar days; and **authorize** final payment to the contractor.
(Moala)
- b) **Accept** work performed by ProVen Management, Inc., for [Contract No. WW-482](#), Various Locations Sewer Cleaning Contract No. 1, for a **total contract amount of \$2,820,000**, and with a total contract duration of 460 consecutive calendar days; and **authorize** final payment to the contractor. (Moala)
- c) **Accept** work performed by Precision Engineering for [Contract No. WW-504](#), Sunset District Sewer Replacement and Pavement Renovation, **with an express reservation of rights related to work performed on 15th Avenue from Wawona Street to West Portal Avenue**; and **approve** Modification No. 1 (Final) to account for actual costs of labor and materials required to complete the work under bid item allowances, **increasing the contract by \$138,918**, for a total contract amount of \$2,747,003 (of which \$1,998,452 is funded by the WWE R&R Program, and \$748,551 is funded by the DPW Paving Program), and with a **time extension of 55 consecutive calendar days** for a total contract duration of 305 consecutive calendar days; and **authorize** final payment to the contractor.
(Moala)
- d) **Approve** the proposed [Memorandum of Agreement](#) (Agreement) between the San Francisco Public Utilities Commission (SFPUC) and the San Francisco Housing Authority (SFHA) that provides the terms by which SFHA agrees to pay the SFPUC for unpaid electric utility service bills, estimated to be \$1.8M through August 31, 2013, **and authorize the General Manager execute the Agreement, and to amend the Agreement** to include additional unpaid electric service charges through the end of the SFHA Fiscal Year on September 30, 2013, if necessary.
(Rydstrom)

REGULAR BUSINESS

- 9. **Approve** an **increase in the construction contract cost contingency** for [Contract No. WD-2581](#), New Irvington Tunnel (NIT), **in the amount \$8,005,495**, and an **increase in the contract duration of up to 53 consecutive calendar days**; and **authorize** the General Manager to approve **future modifications** to the contract for a total revised contract amount up to \$257,328,965 and for a total revised contract duration up to 1,843 consecutive calendar days. The requested increase in the contract cost contingency and contract duration is accounted for in

the NIT revised budget and schedule approved by this Commission on April 23, 2013, and is due to having to perform work under “fully gassy” tunneling conditions, the need for probing and grouting to control groundwater seepage, and differing site conditions such as harder rock encountered during excavation. (Bajwa)

10. **Approve an increase in the construction contract cost contingency for [Contract No. WD-2551](#), Calaveras Dam Replacement Project (CDRP), in the amount of \$46,914,611; and Authorize the General Manager to approve future modifications to the contract for a total revised contract amount up to \$449,443,646.** The requested increase in the contract contingency is accounted for in the CDRP revised budget approved by the Commission on January 22 and April 23, 2013. The increase is due to the balance of funding required for the changes to the left abutment differing site condition in Observation Hill, as well as future pending and potential changes, trends and remaining risks associated with the Project. (Bajwa)
11. Public Hearing: **Discussion and possible action** regarding schedules of rates and charges of the San Francisco Public Utilities Commission Power Enterprise for Phase One of the **CleanPowerSF Community Choice Aggregation Program** for renewable power procurement within San Francisco. (Hale)
 - [Staff Report and Resolution](#)
 - [CleanPowerSF – Staff Presentation](#)
 - [Proposed Not-to-Exceed Rates – Finance Presentation](#)
 - [Rate Fairness Board – March 2013 Not-to-Exceed Rates Slides](#)
12. Public Comments on matters to be discussed in Closed Session.
13. 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:

14. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10 (d)(1)
(Ambrose)
Existing Claim:
Proposed Settlement Agreement – Offer to participate in Expedited Payment Program Relating to Violation of NPDES Permit Order No. R2-2008-0102, San Francisco Bay Regional Water Quality Control Board
15. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10 (d)(1)
(Ambrose)

Existing Claim:

Proposed Settlement Agreement – Relating to violations of NPDES Permit Orders No. R2-2009-0033 and No. R2-2008-0102, San Francisco Bay Regional Water Quality Control Board, Proposed Civil Liability Order R-2-2013-XXX

16. Conference with Real Property Negotiator pursuant to Government Code Section 54956.8 and Administrative Code Section 67.8(a)(2)

Property:

Property owned by Kenneth and Janice Mackin, located at 7484 Sheridan Avenue, Sunol, California (APN 096-0001-020-03) (Bajawa)

Persons Negotiating:

SFPUC: Brian Morelli and Dan Wade

Other Party: Kenneth and Janice Mackin

Under Negotiation: Price and Terms of Payment

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

Existing Litigation:

City and County of San Francisco v. Pacific Gas & Electric Company

San Francisco Superior Court Case No.: CGC-13-529309

City Attorney File No. 0000657/Date Filed March 6, 2013: Served June 6, 2013

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). (Mueller)

Existing Litigation:

City and County of San Francisco v. Pacific Gas & Electric Company

San Francisco Superior Court Case No. CGC-13-529310

City Attorney File No. 0000657/Date Filed June 6, 2013

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

Existing Litigation:

Pacific Gas & Electric Company, v. City and County of San Francisco

Court of Appeal of the State of California, First Appellate District, Division Five

Case No.: A127554/Date Filed: January 29, 2010

20. Threat to Public Services or Facilities – Pursuant to California Government Code Section 54957 and San Francisco Administrative Code 67.10(a). (Barrett)

Consultation with Agency Chief of Security concerning security of SFPUC Water and Power Systems.

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 HEARINGS

NOTICE OF PUBLIC HEARINGS Tuesday, July 9, 2013 – 10:00 AM City Hall, Room 400, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102, at a Special Meeting of the SAN FRANCISCO PUBLIC UTILITIES COMMISSION, and if necessary, Tuesday, July 9, 2013 – 1:30 PM City Hall, Room 400, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102, at a Regular Meeting of the SAN FRANCISCO PUBLIC UTILITIES COMMISSION, and if necessary, Tuesday, July 23, 2013 - 1:30 PM City Hall, Room 400, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102, at a Regular Meeting of the SAN FRANCISCO PUBLIC UTILITIES COMMISSION, and if necessary, Tuesday, August 13, 2013, - 1:30 PM City Hall, Room 400, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102, at a Regular Meeting of the SAN FRANCISCO PUBLIC UTILITIES COMMISSION, and if necessary, Tuesday, August 27, 2013 - 1:30 PM City Hall, Room 400, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102, at a Regular Meeting of the SAN FRANCISCO PUBLIC UTILITIES COMMISSION: Public Hearing, discussion and possible action to adopt schedules of electric rates and charges for customers of the San Francisco Public Utilities Commission (SFPUC) for phase one of the CleanPowerSF Community Choice Aggregation Program for renewable power procurement within San Francisco. The detailed agenda and related files will be available at least 72 hours before the scheduled meetings at the SFPUC website www.sfwater.org, or by calling (415) 554-3165.



SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

CANCELLATION NOTICE

**The Regular meeting of the San Francisco Public Utilities Commission
for
Tuesday, August 27, 2013**

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

HAS BEEN CANCELLED



For information, contact the Commission Secretary at 554-3165.
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