

1 [Updated Emergency Declaration - Tree Removal, Slope Repair and Debris Removal at Stern
2 Grove - Not to Exceed \$20,000,000]

3 **Resolution approving an updated emergency declaration of the San Francisco Public**
4 **Utilities Commission (SFPUC) pursuant to Administrative Code, Section 6.60, to**
5 **contract resources for tree removal, slope repair and debris removal in Stern Grove,**
6 **which was damaged by flooding caused by a failed air valve on a water transmission**
7 **pipeline, increasing the cost by \$16,000,000 for a total not to exceed amount of**
8 **\$20,000,000.**

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10 WHEREAS, On August 23, 2020, SFPUC crews were working on a leaking air valve on
11 a 54-inch diameter water transmission pipeline, the San Andreas Pipeline No. 2, at 22nd
12 Avenue and Sloat Boulevard; while they were tightening down a bolt, the air valve failed,
13 sending water into the air and flooding adjacent areas, particularly Stern Grove; and

14 WHEREAS, The steep slope on the south side of Stern Grove was heavily eroded and
15 gullied by the flow undermining up to 63 tall eucalyptus trees that exist on the slope and
16 making the slope unstable; and

17 WHEREAS, The water and debris from the slope flowed down into and around the
18 Concert Meadow covering the meadow, surrounding three backstage buildings, and filling in
19 the creeks and culverts that usually transport stormwater runoff away from the site; and

20 WHEREAS, The water flow impacted tree and slope stability and stormwater drainage,
21 which made Stern Grove unsafe for public use until corrected; and

22 WHEREAS, Stern Grove provides vital green space and amphitheater for concerts and
23 events under the management of the San Francisco Recreation and Park Department; and

1 WHEREAS, Remediation is critical to restoring the site and re-opening Stern Grove to
2 the public for such events as the Stern Grove Festival which has an 84-year tradition of
3 providing free concerts in Stern Grove each summer; and

4 WHEREAS, Administrative Code, Chapter 6, Article IV, Section 6.60, authorizes
5 department heads to declare an emergency and award a public work contract, exempt from
6 the competitive bidding process, in the event of an actual emergency, which is defined to
7 include, “ ... [t]he breakdown or imminent breakdown of any plant, equipment, structure, street
8 or public work necessitating immediate emergency repair or reconditioning to safeguard the
9 lives or property of the citizens, or the property of the City and County, or to maintain the
10 public health and welfare ...”; and

11 WHEREAS, On August 26, 2021, the SFPUC General Manager declared an
12 emergency, which the President of the San Francisco Public Utilities Commission approved,
13 to contract resources for tree removal, slope repair, and debris removal in Stern Grove; and

14 WHEREAS, Administrative Code, Section 6.60(d), requires the SFPUC General
15 Manager to seek the Board of Supervisors’ approval in all cases where the estimated cost of
16 the emergency work exceeds \$250,000; and

17 WHEREAS, At the time of the emergency, before the impact of the incident could be
18 fully evaluated, the SFPUC estimated that the tree removal, slope repair and debris removal
19 would not exceed \$4,000,000; and

20 WHEREAS, On November 16, 2021, by Resolution No. 531-21, the Board of
21 Supervisors approved the SFPUC General Manager’s August 26, 2021, emergency
22 declaration to contract resources for tree removal, slope repair, and debris removal in Stern
23 Grove; and

24 WHEREAS, The SFPUC initially engaged Hernandez Engineering, Inc., through an
25 existing Job Order Contract (JOC), to secure the site, remove debris from the parking lot,

1 Concert Meadow and Pine Lake, and restore backstage buildings to pre-existing conditions
2 due to moisture damage; and

3 WHEREAS, Hernandez Engineering, Inc. ceased work when it approached the
4 \$706,000 limit of its JOC; and

5 WHEREAS, Anvil Builders, Inc. has an excellent safety record, is familiar with CCSF
6 and SFPUC contracting, had just completed a project and had immediate capacity; and

7 WHEREAS, The SFPUC selected Anvil Builders, Inc. to take over and complete the
8 scopes of work begun by Hernandez; and

9 WHEREAS, On December 23, 2021, the General Manager executed Agreement
10 No. WD-2888(E), Stern Grove Emergency Site Restoration with Anvil Builders, Inc.; and

11 WHEREAS, SFPUC staff, with support from consultants and contractors, performed
12 additional site investigation to assess the damage of the impacted slope, concert meadow,
13 and ancillary buildings surrounding the concert meadow and performed detailed design for
14 site restoration; and

15 WHEREAS, As the remediation work has progressed and uncovered more damage
16 than was initially visible in the wake of the incident, staff has determined that remediation of
17 the emergency will require: rebuilding the slope using engineered soils; rebuilding drainage
18 systems and structural retaining walls to stabilize the hillside and to mitigate against future
19 erosion and failure; protecting in-place the existing large diameter sewer within the footprint of
20 the impacted slope; removal and reinstallation of historical rock walls; restoration of concert
21 and west meadow turfgrass; replacement of exterior and interior furnishings at the ancillary
22 buildings following moisture and mold abatements as a result of significant water egress into
23 the buildings; removal of 63 large eucalyptus trees and replanting of eucalyptus trees within
24 the impacted slope; and restoration of the Vale Street parking lot and tennis courts; and

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1 WHEREAS, Based on the revised and expanded scope of work necessary to
2 remediate the emergency to repair and restore Stern Grove, SFPUC staff now estimates the
3 cost of the work will not exceed \$20,000,000; and

4 WHEREAS, On February 15, 2022, the SFPUC General Manager issued an updated
5 emergency declaration, approved by the President of the SFPUC, to reflect this increase in
6 cost due to the previously mentioned factors; and

7 WHEREAS, The Controller has certified that funds are available for this emergency
8 work and contract; now, therefore, be it

9 RESOLVED, That the Board of Supervisors approves, under Administrative Code,
10 Section 6.60, the SFPUC General Manager’s updated emergency determination dated
11 February 15, 2022, to contract for tree removal, slope repair, and debris removal in Stern
12 Grove, for a new total cost not to exceed \$20,000,000; and hereby authorizes the General
13 Manager to use any source of available water enterprise funds for such purposes without
14 regard to any provisions of Charter Section 8B.124; provided however that such engineering
15 and/or planning certifications will be obtained by the General Manager as soon as practical
16 and filed with the Clerk of the Board in File No. 220245; and, be it

17 FURTHER RESOLVED, That as noted in Resolution No. 531-21, the SFPUC will
18 complete, and submit to the Board of Supervisors, a report once the emergency work is
19 completed, providing photos and details of the improvements and repairs made to the site,
20 including a section on proactive measures to prevent similar air valve failures in the future;
21 and, be it

22 FURTHER RESOLVED, That the Board of Supervisors ratifies actions taken to date by
23 the San Francisco Public Utilities Commission to address such emergency work and resolve
24 the emergency condition.

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RECOMMENDED:

/s/

Dennis Herrera
General Manager of the SFPUC

FUNDS AVAILABLE:

/s/

BEN ROSENFELD
Controller