

# **PUBLIC UTILITIES COMMISSION**

City and County of San Francisco

RESOLUTION NO. 21-0122

WHEREAS, Green infrastructure protects and enhances the function of the City and County of San Francisco's combined sewer system by reducing the volume and rate of stormwater run-off into the system; and

WHEREAS, The San Francisco Public Utilities Commission (SFPUC) has a multi-faceted program to maximize the detention and retention of stormwater, including through green infrastructure; and

WHEREAS, On November 13, 2018, by Resolution No. 18-0189, this Commission approved the establishment of a Green Infrastructure Grant Program and delegated authority to the General Manager to award grants without Commission approval; and

WHEREAS, On February 5, 2019, the San Francisco Board of Supervisors adopted Ordinance No. 26-19 delegating authority under Charter Section 9.118 to the SFPUC General Manager to enter into grant agreements with terms of 20 years under the SFPUC's Green Infrastructure Grant Program, provided that this Commission must approve the award of each grant at a public hearing and with a sunset date of July 1, 2020; and

WHEREAS, On February 25, 2020, by Resolution No. 20-0045, this Commission approved revisions to the funding disbursement procedures of the Green Infrastructure Grant Program; and

WHEREAS, On June 23, 2020, the San Francisco Board of Supervisors approved Ordinance 101-20 to extend for an additional two years through July 1, 2022, the delegation of authority under Charter Section 9.118 to the General Manager of the San Francisco Public Utilities Commission to enter into grant agreements under the SFPUC's Green Infrastructure Grant Program with terms of up to 20 years and removed the prior requirement that grants be awarded at a hearing of the Commission; and

WHEREAS, The Grant Program Guidelines establish a minimum project size of 0.5 acres of impervious surface and require that grant-funded projects must manage the first 0.75 inches in rainfall depth over the drainage area; and

WHEREAS, The Grant Program Guidelines currently limit the cost per acre of stormwater managed by the grant-funded project to \$765,000 per acre; and

WHEREAS, Staff recommends that the Grant Program Guidelines be amended to increase the per acre cost limit to \$930,000 to account for the rate of inflation since the program's inception in 2018 and to ensure that the grant program is able to provide grantees with funding in amounts that reflect the current actual costs of constructing green infrastructure projects; and

WHEREAS, Staff recommends that the Grant Program Guidelines also be amended to authorize the General Manager to amend grant agreements for existing grantees with grant agreements executed under the prior \$765,000 per acre limit to increase the grant amount up to the new \$930,000 per acre limit based on (1) construction bid overages and/or (2) change orders subject to the criteria set forth in the revised Guidelines on file with the Commission Secretary; and

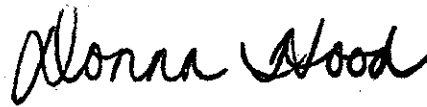
WHEREAS, The SFPUC has allocated funding for this grant program in the Sewer System Improvement Program (SSIP) Stormwater Management Grant Project 10034553; and

WHEREAS, This action does not constitute a "Project" under California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) because the proposed Green Infrastructure Program creates a government funding mechanism which does not involve commitment to any specific project which may result in a physical change in the environment. Payments for construction will not be issued for any grant-funded project until the project has undergone environmental review in compliance with the California Environmental Quality Act (CEQA) and San Francisco Administrative Code Chapter 31; and

WHEREAS, A copy of the proposed modifications to the Grant Program Guidelines is on file with the Commission Secretary and was presented to the Commission at its July 27<sup>th</sup>, 2021 meeting; now, therefore, be it

RESOLVED, The Commission hereby approves the modifications to the Green Infrastructure Grant Program Guidelines on file with the Commission Secretary to raise the maximum cost per acre of impervious surface managed limit from \$765,000 per acre to \$930,000 per acre, and authorize the General Manager to amend existing grant agreements to increase the grant amount up to the new per acre cost limit based on (1) construction bid overages and/or (2) change orders, subject to the criteria set forth in the revised Guidelines.

*I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of July 27, 2021.*

A handwritten signature in black ink, reading "Alonna Wood". The signature is fluid and cursive, with the first name "Alonna" and the last name "Wood" clearly distinguishable.

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Secretary, Public Utilities Commission