

From: [Board of Supervisors, \(BOS\)](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [De Asis, Edward \(BOS\)](#); [Entezari, Mehran \(BOS\)](#); [BOS Legislation, \(BOS\)](#)
Subject: FW: BOS Agenda Item #7 [Urging Development of Financing Plan by December 31, 2022, for Emergency Firefighting Water System] File #220892 AND Urging the Board of Supervisors to Concurrently Contract with the Budget and Legislative Analyst (BLA) to Condu...
Date: Tuesday, September 20, 2022 12:59:47 PM

From: aeboken <aeboken@gmail.com>
Sent: Monday, September 19, 2022 10:30 PM
To: BOS-Supervisors <bos-supervisors@sfgov.org>; BOS-Legislative Aides <bos-legislative_aides@sfgov.org>
Subject: RE: BOS Agenda Item #7 [Urging Development of Financing Plan by December 31, 2022, for Emergency Firefighting Water System] File #220892 AND Urging the Board of Supervisors to Concurrently Contract with the Budget and Legislative Analyst (BLA) to Condu...

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TO: Board of Supervisors members

FROM: Eileen Boken,
State and Federal Legislative Liaison

Coalition for San Francisco Neighborhoods*

* For identification purposes only.

RE: Urging the Board of Supervisors to concurrently direct the CAO to develop a financing plan for EFWS/AWSS and to contract with the BLA to audit the EFWS/AWSS component of the ESER Bond program.

Please refer to the original email below.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: aeboken <aeboken@gmail.com>
Date: 8/30/22 12:54 PM (GMT-08:00)
To: BOS-Supervisors <bos-supervisors@sfgov.org>, BOS-Legislative Aides <bos-legislative_aides@sfgov.org>

Cc: Head Charles <charlesnhead@hotmail.com>, zrants <zrants@gmail.com>

Subject: Urging the Board of Supervisors to Instruct the Budget and Legislative Analyst (BLA) to Conduct a Financial and Performance Audit of the Earthquake Safety and Emergency Response (ESER) Bonds Program for the Emergency Firefighting Water System (EFWS)

TO: Board of Supervisors members

FROM: Eileen Boken,
State and Federal Legislative Liaison

Coalition for San Francisco Neighborhoods*

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RE: Urging the Board of Supervisors to Instruct the Budget and Legislative Analyst (BLA) to Conduct a Financial and Performance Audit of the Earthquake Safety and Emergency Response (ESER) Bonds **Program** for the Emergency Firefighting Water System (EFWS) aka the Auxiliary Water Supply System (AWSS).

BACKGROUND

Voters passed the first ESER Bond in 2010 for a total amount of \$412,300,000.

The Auxiliary Water Supply System (AWSS) component was \$102,400,001.

The AWSS projects were:

- Thirty (30) cisterns
- Twin Peaks Reservoir
- Ashbury Tank
- Jones Street Tank
- Valves and Controls Improvements
- Probabilistic Analysis and Investigations of Existing Pipeline
- Ashbury Bypass Pipeline
- Irving Street Pipeline
- Pumping Station #1

- Pumping Station #2

Voters passed the second ESER Bond in 2014 for a total amount of \$400,000,000.

The Auxiliary Water Supply System (AWSS), which was now rebranded as the Emergency Firefighting Water System (EFWS), component was \$54,347,209.

The EFWS/AWSS projects were:

- Candlestick Point Pipeline
- Columbus Avenue Pipeline
- Fillmore/Haight Pipeline
- Mariposa/Terry Francois Boulevard Pipeline
- Mission Street Pipeline
- Terry Francois Boulevard/Mission Rock Street/Warriors Way Pipeline
- 19th Avenue Pipeline
- Clarendon Supply Pipeline

Voters passed the third ESER Bond in 2020 for a total amount of \$628,500,000.

The EFWS/AWSS component was \$153,500,000.

The EFWS/AWSS projects are:

- Planning and Design for Fireboat Manifolds Project Potable Emergency Firefighting Water System (PEFWS)
- In Construction:
 - PEFWS Pipeline on Vicente Street from 19th Avenue to 26th Avenue
 - PEFWS Pipeline on 19th Avenue from Vicente to Sloat

The total amount for ESER Bonds 2010, 2014 and 2020 is \$1,440,800,000.

The total amount for the EFWS/AWSS component for the ESER Bonds 2010, 2014 and 2020 is \$310,247,210. This is 21.5% of the total amount.

TIMELINE

From its inception in 1913 until May 10, 2010, the AWSS system was administered by the SF Fire Department with engineering by the SF Department of Public Works.

It was a dedicated, high pressure, high volume system independent of the City's drinking (potable) water system. It was located primarily on the Eastside of the City.

In 1984, then Mayor Dianne Feinstein committed to bring dedicated AWSS to the Westside of the City.

There have been various reasons given as to why AWSS was transferred from the SFFD/DPW to the SF Public Utilities Commission (SFPUC) on May 10, 2010.

There are sources which state that it was a mechanism to balance the City's budget with members of the SFFD and SFFD Commission objecting to the transfer or urging that the transfer be temporary.

The transfer was initiated even though the ESER 2010 Bond would be placed on the ballot.

Other sources state that the transfer was primarily due to the SFPUC having greater expertise in hydraulic engineering.

The legal work on the transfer was allegedly handled by now retired Deputy City Attorney John Roddy.

In 2022, the Interim Director of DPW stated that DPW still has hydraulic engineering expertise, although insufficient staffing to maintain the entire EFWS/AWSS system.

QUESTIONS FOR BLA:

What was the decision making process by the City, the SFFD, the DPW and the SFPUC which resulted in the transfer of dedicated EFWS/AWSS to the SFPUC?

What actions would be required to transfer dedicated EFWS/AWSS engineering support back to DPW with administration under a newly created department in the Office of the City Administrator?

EFWS/AWSS POLICY CHANGES BY SFPUC

From May 10, 2010 to approximately 2018 - 2019, the SFPUC maintained the EFWS/AWSS as a system independent of the drinking water system.

SFPUC also changed the name from AWSS to EFWS.

QUESTIONS FOR BLA:

What was the decision making process used to change from a dedicated system to a potable water based system?

Was this decision codified by a resolution of the SFPUC Commission?

What was the decision making process used to change the name from AWSS to EFWS?

Was this decision codified by a resolution of the SFPUC Commission?

SPECIFIC EFWS/AWSS PROJECTS USING ESER FUNDS - PERFORMANCE AND FINANCIAL QUESTIONS

- ESER Bonds funded thirty (30) new cisterns for the Westside.

Although cisterns were used beginning in the Gold Rush era in San Francisco, they may not be considered a 21st century solution.

It takes two (2) fire engines to utilize a cistern. One fire engine pumps the water out of the cistern. The second fire engine actually puts out the fire. Once the cistern has been emptied, it doesn't automatically refill.

Was the construction of thirty (30) new cisterns on the Westside a 21st century solution?

Was this fiscally prudent?

- ESER Bonds funded EFWS/AWSS Pumping Station #2 (as well as Pumping Station #1).

Per the retired firefighter formerly in charge of EFWS/AWSS, when the SFPUC took over the system in 2010, Pumping Station #2 only required the replacement of the four (4) diesel engines that run the pumps as the pumps themselves had been completely rebuilt by the original manufacturer in the mid-1980s and were in excellent shape in 2010.

Pumping Station #2 also needed accumulated mud and silt cleared from the five (5) foot diameter concrete tunnel that allows water from the Bay to flow by gravity into the drafting basin beneath the building.

The cost estimate in 2010 for this project was less than \$200,000. with an estimated completion date in 2014.

However, the original SFPUC contact, WD-2687R, was for \$17,949,125. with a duration of 950 consecutive days.

After seven (7) contract modifications, the contract amount is currently \$22,744,037. with a contract duration of 1,800 consecutive days.

This is stated in item #9b on the SFPUC Commission agenda of September 28, 2021.

QUESTION FOR THE BLA:

Does this contract raise any red flags?

- The ESER Bonds funded part of the SFPUC contract, WW-711, for the Vicente-Wawona project.

The "Description of Scope of Work" section states "Stormwater pipe on Vicente between Wawona and 34th Avenue".

The "Contract Summary" section states "Reduce flooding at intersection of 15th and Wawona, divert combined sewer flows to new sewer pipe on Vicente extending from Wawona to 34th Avenue".

The "Background" section states "Part of new potable EFWS".

The now retired Assistant General Manager for Infrastructure stated on the record at a SFPUC Commission meeting that the SFPUC "might" want to use PEFWS (ductile iron) piping as part of this project.

QUESTIONS FOR BLA:

How is this project, which is primarily for stormwater management, eligible for \$2 million in ESER Bond funds?

Is funding water and sewer projects with ESER Bond funds consistent/inconsistent with State Proposition 218?

If funding water and sewer projects with ESER Bond funds is inconsistent with State Proposition 218, what are the legal risks for the City?

- The ESER bonds will fund an extension of the potable EFWS (PEFWS) from Vicente to Sloat.

The Stonestown project will add 2,930 new housing units on Stonestown's surface parking lot areas.

There has been community advocacy to extend EFWS/AWSS further southward on 19th Avenue to Holloway.

QUESTION FOR BLA:

With a future dense housing development at Stonestown, why is the SFPUC not extending EFWS/AWSS to provide dedicated firefighting capability to this site?

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Sent from my Verizon, Samsung Galaxy smartphone