

# **PUBLIC UTILITIES COMMISSION**

City and County of San Francisco

RESOLUTION NO. 24-0029

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, The SFPUC and the San Francisco Unified School District (SFUSD) seek to enter into an agreement (Agreement) to memorialize the cooperation between the parties for the SFPUC to design, construct, and operate green infrastructure assets on SFUSD property; and

WHEREAS, Individual projects will be initiated as site agreements under the umbrella Agreement (a template for the site agreements with negotiated terms is attached as Appendix A to the Agreement), each of which will be approved by this Commission and the SFUSD Board of Education as separate contracts subject to the authority of this umbrella Agreement; and

WHEREAS, There is no estimated cost of services for authorization of this Agreement, and funds for projects under individual site agreements will be made available in the Wastewater Capital Budget and approved on an individual basis; and

WHEREAS, Services are anticipated to begin in June 2024 and end in June 2064 and the total duration of this agreement is 40 years; and

WHEREAS, Execution of this Agreement does not constitute a project under the California Environmental Quality Act (CEQA) Guidelines sections 15378(b)(4) and (5) because this Agreement entails government funding mechanisms and administrative activities, neither of which involve a commitment to a specific project that may result in direct or indirect physical changes in the environment or potentially significant impacts on the environment; and

WHEREAS, The SFPUC will consider approval of projects to be funded through this Agreement after completion of any environmental review required by CEQA and Administrative Code Chapter 31 and any certification required by Proposition E (approved by the voters in 2002 for water and wastewater projects); now, therefore, be it

RESOLVED, That, subject to the approval of the Board of Supervisors under Charter Section 9.118, this Commission hereby approves the Agreement between the SFPUC and SFUSD as an umbrella document that will govern the terms of the SFPUC's anticipated design, delivery, and operation of subsequent green infrastructure projects on SFUSD property, with no contract amount and with a total duration of 40 years.

*I hereby certify that the foregoing resolution was adopted by the Public Utilities Commission at its meeting of February 13, 2023.*

  
Secretary, Public Utilities Commission