

1 [Emergency Declaration - Tree Removal, Slope Repair and Debris Removal at Stern Grove -  
2 Total Estimated Cost Not to Exceed \$4,000,000]

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

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9 WHEREAS, On August 23, 2020, San Francisco Public Utilities Commission (SFPUC)  
10 crews were working on a leaking air valve on a large 54-inch diameter water transmission  
11 pipeline at 22nd Avenue and Sloat Boulevard; while crews were tightening a bolt, the air valve  
12 failed, sending water into the air and flooding adjacent areas, particularly Stern Grove; and

13 WHEREAS, The water flow heavily eroded and gullied the steep slope on the south  
14 side of Stern Grove, which undermined approximately 63 tall eucalyptus trees on the slope  
15 and making the slope unstable; and

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

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

21 WHEREAS, Stern Grove provides vital greenspace for residents in the surrounding  
22 districts, and the San Francisco Recreation and Park Department, which manages the park,  
23 has worked to provide all San Francisco residents with access to a park within a 10-minute  
24 walk; and

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1           WHEREAS, Expedited restoration of the site will help the nonprofit Stern Grove  
2 Festival continue its 84-year tradition of providing free concerts in Stern Grove each summer;  
3 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, The SFPUC General Manager estimates that the tree removal, slope  
18 repair and debris removal will not exceed \$4,000,000; and

19           WHEREAS, The SFPUC has engaged Hernandez Engineering, Inc., through an  
20 existing Job Order Contract (“JOC”), to secure the site, remove debris from the parking lot,  
21 Concert Meadow and Pine Lake, and restore backstage buildings to pre-existing conditions  
22 due to moisture damage; and

23           WHEREAS, Hernandez Engineering, Inc. will cease performing these scopes or work  
24 when it approaches the \$706,000 limit of its JOC; and

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

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

5           WHEREAS, Anvil Builders, Inc. will be responsible for phased removal of the  
6 hazardous trees, completing engineered slope repair, tennis court restoration, planting and  
7 reseeding of the impacted slope and meadow, and refurbishing any damaged structures, with  
8 the overall goal of restoring the site to pre-existing conditions; and

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

11           RESOLVED, That the Board of Supervisors approves, under Administrative Code,  
12 Section 6.60, the SFPUC General Manager’s emergency determination dated August 26,  
13 2021 to contract for tree removal, slope repair, and debris removal in Stern Grove, for a total  
14 cost not to exceed \$4,000,000; and hereby authorizes the General Manager to use any  
15 source of available water enterprise funds for such purposes without regard to any provisions  
16 of Charter, Section 8B-124; provided however that such engineering and/or planning  
17 certifications will be obtained by the General Manager as soon as practical and filed with the  
18 Clerk of the Board in File No. 211082; and, be it

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

1 RECOMMENDED:  
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3 /s/  
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5 Michael Carlin  
6 Acting General Manager of the SFPUC  
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FUNDS AVAILABLE:  
  
/s/ Michelle Allersma for  
Ben Rosenfield  
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BEN ROSENFELD  
Controller