



San Francisco
Water Power Sewer

Services of the San Francisco Public Utilities Commission

**SAN FRANCISCO PUBLIC UTILITIES
COMMISSION**

City and County of San Francisco

London N. Breed
Mayor

REGULAR MEETING MINUTES
Tuesday, June 28, 2022
1:30 PM
(Approved July 12, 2022)

1 Dr. Carlton B. Goodlett Place
City Hall, Room 400
San Francisco, CA 94102

Commissioners

Anson Moran, President
Newsha Ajami, Vice President
Sophie Maxwell
Tim Paulson

Dennis J. Herrera
General Manager

Donna Hood
Secretary



1. Call to Order
President Moran called the meeting to order at 1:34 PM.
2. Roll Call
Present: Moran, Ajami, Maxwell and Paulson
3. Adopt renewed findings under State Urgency Legislation to allow hybrid in-person meetings during the COVID-19 Emergency and direct the Commission Secretary to agendize a similar resolution at a Commission Meeting within the next 30 days.
[\(Resolution 22-0116\)](#)

No public comment.

*On Motion to approve item 3:
Ayes: Moran, Ajami, Maxwell and Paulson*

4. Approval of the Minutes of June 14, 2022

Public Comment

- *Aleta Dupree noted the correct spelling of her name.*

*On Motion to approve the Minutes of June 14, 2022:
Ayes: Moran, Ajami, Maxwell and Paulson*

5. General Public Comment
 - *Aleta Dupree stated the focus of the SFPUC should be on adequate water and electric supply to serve the people of San Francisco.*
 - *Kevin (inaudible) stated the SFPUC has missed the opportunity to provide public comment on the importance of whitewater recreation opportunities on the Tuolumne River and to advocate for legally binding releases to support recreational and educational activities on the river.*
 - *Peter Drekmeier, Tuolumne River Trust, stated staff have not been forthcoming with answers regarding the Long-Term Vulnerability Assessment. He discussed requests that have been made and responses received. He indicated letter he sent to the Commission.*
 - *Dave Warner discussed the letter submitted by the Tuolumne River Trust and the Design Drought return period.*
 - *David Pilpel asked that maps and photos be included with staff reports where appropriate.*
6. Communications
 - a) Advance Calendar
 - b) Contract Advertisement Report
 - c) Correspondence Log
 - d) Annual Power Enterprise Municipal Benchmarking Report
 - e) 2022 Public Health Goal and Contaminants of Emerging Concern Reports

Public Comment

- *Aleta Dupree spoke to item 6d, Annual Power Enterprise Municipal Benchmarking Report and indicated the link provided in the memorandum did not work. She stated that overall, the report was good and the tables were helpful.*

Commissioner Ajami also expressed difficulty with the link and asked that staff check the links to ensure they work.

7. San Francisco Public Utilities Commission Employee Retirement Recognitions for distinguished service to the San Francisco Public Utilities Commission and the City and County of San Francisco

Dennis Herrera, General Manager (GM) thanked Deputy General Manager Michael Carlin and Acting Assistant General Manager (AGM) Alan Johanson for their assistance during the transition. He expressed appreciation for their professionalism and commitment to the agency the City, residents, and ratepayers.

- Alan Johanson

GM Herrera read the ceremonial resolution honoring Mr. Johanson for his service to the SFPUC and the City and County of San Francisco. Mr. Johanson was unable to attend the meeting in person to accept the resolution.

Public Comment

- *Nicole Sandkulla, BAWSCA CEO, expressed thanks on behalf of the BAWSCA Board and their member agencies and customers to Mr. Johanson for his work, specifically on the Water System Improvement Project.*
- *David Pilpel concurred with comments made by GM Herrera and CEO Sandkulla. He stated that ethics are needed at all levels of government and expressed thanks to Mr. Carlin and Mr. Johanson for their commitment, integrity, and work throughout the years. He stated the item is listed as a discussion item and should be listed as an action item.*

- Michael Carlin

GM Herrera stated Mr. Carlin's career has been extraordinary and thanked him for his wisdom, counsel, good nature, commitment to the agency, and assistance during the transition. He read the ceremonial resolution honoring Mr. Carlin for his service to the SFPUC and the City and County of San Francisco.

GM Herrera recognized Joanne Hayes-White, Northern California Director for Senator Diane Feinstein, who recounted her work with Mr. Carlin during her tenure as the Chief of the San Francisco Fire Department (SFFD). She stated he was a great resource for and partner with the SFFD, and a valuable asset to the Senator and her staff. She read the Certificate of Commendation from Senator Feinstein and present it to Mr. Carlin.

Mr. Carlin expressed thanks to everyone for their kind words. He recounted his 31 years of service to the City and County of San Francisco, which began as a camp

assistant at Camp Mather. He thanked the staff at the SFPUC for their work and dedication and indicated he will miss working and interacting with them on a daily basis.

Public Comment

- *Ed Harrington provided his thoughts on three areas related to Mr. Carlin (1) he knows everybody, including people outside of the City, those in professional organizations, and those in regulatory agencies. He noted the importance of these relationships to the operations of the SFPUC; (2) his flexibility, willingness to try new things, and ability to communicate; and (3) constancy – his essential work to ensure the continued operations of the SFPUC. He thanked Mr. Carlin for his service.*
- *Nicole Sandkulla, BAWSCA CEO, stated she and Michael have worked on the regional water system throughout her career and indicated she never questioned his loyal to the regional water system. She thanked him for his service.*
- *David Pilpel expressed agreement with the words spoken and wished Mr. Carlin a good retirement.*
- *Spreck Rosekrans, Restore Hetch Hetchy (RHH), noted the adversary relationship between RHH and the SFPUC, but stated that they have respect for his work and stated that Michael has been diligent and works with integrity. He wished him well in his retirement.*

Vice President (VP) Ajami noted she joined the Commission during a rocky period at the leadership level and expressed her appreciation for DGM Carlin's efforts to take the reins and ensure everything operated smoothly. She thanked him for his thoughtful and calm manner and ability to make decisions with grace, and for listening to her thoughts and responding to her questions.

Commissioner Paulson thanked DGM Carlin for his service. He noted he also joined the Commission during transition and thanked Mr. Carlin for his help navigating the complexity of the organization and for his service.

Commissioner Maxwell stated she has known DGM Carlin for many years, dating back to her time on the Board of Supervisors. She stated Michel has a gift for the understanding the value of relationships and noted his ability to make people comfortable. She thanked him for his work.

President Moran stated that he has known Mr. Carlin since 1996 when the SFPUC was a smaller and simpler department with much work ahead. He stated Michael's time at the organization has been momentous, including his being part of the creation and delivery of the Water System Improvement Program. He stated that during this time Michael helped steer the organization into one than can do almost anything. He noted the organizational changes throughout the years and the many people Michael has brought into the organization and mentored. He thanked Michael for his service and wished him well in his retirement.

8. Bay Area Water Supply and Conservation Agency (BAWSCA) Update

Nicole Sandkulla, BAWSCA CEO, stated that BAWSCA member agencies are working to reduce demand and Regional Water System (RWS) purchases but are constrained by alternative supplies. She indicated (1) all BAWSCA agencies have implemented conservation programs to reduce demand and meet the SFPUC's and Governor's water use reduction calls; (2) ten of the 26 BAWSCA member agencies have water supply sources other than the RWS; (3) agencies with alternative water supplies are experiencing constraints to those supplies; (4) constraints on alternative supplies may impact an agency's RWS purchases; and (5) BAWSCA has identified some of these issues and is conducting additional analyses to provide a better picture of how the member agencies are reducing demand and responding to the drought.

CEO Sandkulla displayed the RWS total deliveries, calling out the calendar year (CY) 2015 and CY 2022 lines stating the goal is to keep the numbers flat. She expressed concern with the large gap between CY 2015 and CY 2022. She stated that BAWSCA's April 2022 total potable water use was 21.5% less than in April 2012 and 13.7% less than April 2021.

CEO Sandkulla provided early observations of water supply and constraints and stated that the drought is having wide-spread impacts on all available water supplies relied upon by BAWSCA member agencies. Three member agencies that are among the largest RWS purchasers are experiencing drought constraints on alternative supplies. Valley Water and the State Water Project have implemented drought restrictions. At least two agencies, including Alameda are experiencing issues with current groundwater supply which limits its use or requires more RWS supply for blending. Two agencies have reduced access to local surface water due to the drought.

She concluded noting BAWSCA is conducting analyses to pinpoint member agency supply issues and provide a more comprehensive drought response picture.

CEO Sandkulla responded to questions from VP Ajami regarding Alameda County's need to blend groundwater and one about surface water allocations. She responded to a follow-up question from Commissioner Maxwell as to why blending is needed, stating it is for taste, quality and PFOS issues.

No public comment.

Commissioner Maxwell departed the room at 2:47 PM and returned at 2:52 PM.

9. Report of the General Manager

a) Drought Conditions Update

Steve Ritchie, AGM Water Enterprise reviewed (1) June 21, 2022 Reservoir Storage: Hetch Hetchy is at approximately 359,800 acre feet; (2) Other California Reservoirs: Shasta and Oroville Reservoirs are at 39% and 51% capacity, respectively, and are quite low; (3) California Drought Monitor: Depending on location the states is in severe, extreme, or exceptional drought; (4) Hetch Hetchy Precipitation: remained level with no change expected; (5) Upcountry Snowpack:

Below median; (6) Water Available to the City; (7) Tuolumne River Water Available to the City; (8) Monthly Hetch Hetchy Generation Totals with and without Threat of Water Rights Curtailments: New slide which shows monthly Hetch Hetchy generation totals with and without the threat of water right curtailments; (9) Tuolumne River Water Available to the City; (10) Upcountry 6-Station Precipitation Index: Year-to-date (YTD) total 23.61 inches; (11) Bay Area 7-Station Precipitation Index: YTD total 23.46 inches; and (12) National Precipitation Forecast; and (13) Total Deliveries: Significance and reliability from others for SFPUC water will affect ability to achieve 10% reduction.

At the request of Commissioner Maxwell, AGM Ritchie discussed what PFOS, noting it is common in the environment. He emphasized there is none detected in the SFPUC water supply.

AGM Ritchie responded to a question from VP Ritchie regarding monthly Hetch Hetchy generation totals with and without threat of water rights curtailments, specifically between June 2022 and December 2022; and a question regarding water purchases total deliveries and if there is a way to communicate that water agencies are meeting conservation requirements.

Public Comment

- *Spreck Rosekrans, Restore Hetch Hetchy, stated that the SFPUC, by virtue of two big storms, did well under their water rights. He stated he was confused about curtailments and thought they affect hydropower and not water supply.*
- *Francisco DaCosta stated sufficient water needs to be released for the Salmon.*

b) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements

None.

10. New Commission Business

None.

11. CONSENT CALENDAR

- a) Approve the terms and conditions and authorize the General Manager to execute an eight-year communications lease with Pinnacles Cellular, Inc. doing business as Verizon Wireless, a Delaware corporation, to use approximately 500 square feet of portions of SFPUC Parcel Nos. 271 and 272 on the shaft and at the base of the SFPUC's Moccasin Surge Tank in Moccasin, California for the installation, modification, repair, and operation of radio communications antenna facilities and other equipment at an annual rent of \$7,800 for the first lease year. The rent is subject to four-percent annual increases. This action constitutes the Approval Action for the project for the purposes of the California Environmental Quality Act (CEQA) pursuant to Section 31.04(h) of the San Francisco Administrative Code. The Planning Department has determined that this action is exempt from the CEQA. If the item is approved, the Commission will rely on that determination to make its decision. ([Resolution 22-0117](#))

- b) Approve Amendment No. 1 to Software as a Service (SaaS) Agreement No. CS-1080, Conserve Track Database with RightThere LLC for maintenance, hosting, and as-needed enhancements, increasing the contract by \$765,647, for a total not-to-exceed amount of \$1,357,478, and increasing the duration by four years for a total duration of nine years; and authorize the General Manager to execute this amendment. ([Resolution 22-0118](#))
- c) Accept work performed by Rubecon Builders for Contract No. WW-673, Oceanside Water Pollution Control Plant Door Assembly Upgrade; approve Modification No. 4 (Final), decreasing the contract by \$15,817, for a total contract amount of \$2,162,586, with no change to the contract duration; and authorize final payment to the contractor. ([Resolution 22-0119](#))
- d) Approve the plans and specifications, and award Contract No. WW-707R, Various Locations Sewer Replacement No. 11, in the amount of \$3,422,168, and with a duration of 440 consecutive calendar days, to the responsible bidder submitting the lowest responsive bid, Basset Engineering, to replace/rehabilitate existing sewers on specified streets in the City and County of San Francisco. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA) pursuant to Section 31.04(h) of the San Francisco Administrative Code. The Planning Department has determined that this action is exempt from the CEQA. If the item is approved, the Commission will rely on that determination to make its decision. ([Resolution 22-0120](#))

No public comment.

*On Motion to approve the Consent Calendar items 11a through 11d
Ayes: Moran, Ajami, Maxwell and Paulson*

- 12. Approve the terms and conditions of and authorize the General Manager to execute (1) a Purchase and Sale Agreement with Cypress Lawn Cemetery Association for an approximately 1.7-square-foot overhead electric line easement over Assessor's Parcel 010-423-020 for \$1,000, (2) a Purchase and Sale Agreement with Carlos Alberto Olivarez-Gonzalez and Griselda I. Gonzalez for an approximately 179-square-foot overhead electric line easement over Assessor's Parcel 010-423-050 for \$7,500, and (3) an Easement Deed granting Pacific Gas & Electric Company an approximately 300-square-foot overhead electric line easement for no cost over the SFPUC parcel known as Parcel 17 in South San Francisco, all for the purpose of providing electrical service to a remote SFPUC water sampling cabinet, subject to Board of Supervisors' and Mayor's approval. ([Resolution 22-0121](#))

Dina Brasil, Right-of-Way Manager, SFPUC Real Estate Division, summarized the item, discussed the need for the two purchase and sales agreements and the easement deed, and requested approval.

No public comment.

*On Motion to approve item 12:
Ayes: Moran, Ajami, Maxwell and Paulson*

13. Approve the terms and conditions of and authorize the General Manager to execute a Purchase and Sale Agreement with Bay Area Rapid Transit (BART) to purchase (1) an approximately 14,619-square-foot permanent easement across BART property located in Colma, California, also known as Assessor's Parcel Number 093-330-120, for vehicular and pedestrian access to San Francisco Public Utilities Commission groundwater well station located on SFPUC municipal railway right of way Parcels 2 and 3, and (2) a temporary construction easement to support construction of the vehicular and pedestrian access road, for a total of \$306,000, subject to Board of Supervisors and Mayoral approval. ([Resolution 22-0122](#))

Dina Brasil summarized the item, discussed the need for the easements, and requested approval.

Public Comment

- *Francisco DaCosta stated there is a need for a hydrologist to determine the quality of the groundwater. He stated staff should confer with the First People. He discussed the blending of groundwater. He stated water pipes need to be replaced.*

*On Motion to approve item 13:
Ayes: Moran, Ajami, Maxwell and Paulson*

The Commission Secretary called items 14 and 15 together.

14. Approve Amendment No. 5 to Contract No. WW-647R, Southeast Water Pollution Control Plant Biosolids Digester Facilities Project (BDFP), with MWH Constructors/ Webcor Builders Joint Venture, increasing the contract by \$498,103,597 and increasing the contract duration by 621 consecutive calendar days (approximately one year and nine months), for a total contract amount of \$1,787,283,149 and a total contract duration of 3,848 consecutive calendar days (approximately 10 years and seven months), to reflect the current BDFP schedule and budget. ([Resolution 22-0123](#))
15. Approve Amendment No. 2 to Contract No. CS-235, Planning and Engineering Services, Southeast Plant Biosolids Digester Facilities, with Brown and Caldwell, increasing the contract amount by \$55,000,000 and extending the contract duration by three years and six months, for a total not-to-exceed amount of \$208,500,000 and a total duration of 16 years; and authorize the General Manager to execute Amendment No. 2, subject to Board of Supervisors approval pursuant to Charter Section 9.118. ([Resolution 22-0124](#))

Stephen Robinson, Wastewater Enterprise Capital Program Director, introduced the item and stated that during budget hearings for the Wastewater Capital Plans it was noted there was a significant increase in forecasted costs and time for the project. He stated the agenda item formally amends the contract.

Carolyn Chiu, Senior Project Manager (PM), began with a summary of the project and indicated the item will (1) continue with the Construction Manager/ General Contractor (CM/GC) deliver approach (WW-647R), (2) maintain current MWH-Webcor staff leadership and latest CM/GC approach for competitive bidding of the work, and (3) coordinate with MWH-Webcor Joint Venture team on bid strategy and estimated budget for the remainder of the project.

She presented the Contract No. WW-647R CM/GC construction indicating the staff request is to increase the total contract value from \$1,289.2M to \$1,787.3M (\$498.1M increase) and to increase the contract duration from 3,227 days to 3,848 days (21-month increase). She stated the amendment reflects the estimated cost of construction and indicated the cost amendment and time extension is within the current approved project budget and schedule.

She presented the Contract No. CS-235 planning and engineering services, indicating the staff request is to increase the total contract value from \$153.5M to \$208.5M (\$55M increase) and to increase the contract duration from 150 months to 192 months. She stated the amendment will allow for continued engineering support from the design team during construction, provide specialized expertise for the planning and evaluation of the new biogas utilization facility, and provide technical support during start-up, testing, and commissioning of new facilities. She indicated the cost amendment and time extension are within the current approved project budget and schedule.

Public Comment on items 14 and 15

- *Francisco DaCosta indicated a needs assessment should be conducted on the project and discussed the overall project.*

Commissioner Paulson acknowledged the pause in project which allowed for a closer look at the project costs. He acknowledged the work performed to obtain new bids to complete the work. Project Manager Chiu responded to his question as to what happened during the project pause indicating that (1) weekly management meetings with CM/GC occurred for proactive collaboration; and (2) maximization of the CM/CG to look at smaller packages to increase bids, and to take a look at availability of resources and utilize efforts to get the best price. Mr. Robinson added that the contract was also evaluated (terms, specifications, risk, cost estimating, etc.).

VP Ajami recognized the significant increase in labor costs and discussed contract costs and risk. She asked that changes be tracked and documented to ensure there is constant learning. Mr. Robinson noted data tracking is taking place.

Commissioner Maxwell expressed confidence with the independent evaluation that is being conducted.

*On Motion to approve item 14:
Ayes: Moran, Ajami, Maxwell and Paulson*

On Motion to approve item 15:

Ayes: Moran, Ajami, Maxwell and Paulson

16. Award Contract No. WD-2879R, City Distribution Division Campus at 2000 Marin, to Clark Construction Group as Construction Manager/General Contractor, for a total contract amount of \$260,450,682 with a duration of 2,464 consecutive calendar days; authorize proceeding only with pre-construction services in the contract amount of \$1,250,000 with a duration of 913 consecutive calendar days; if the Commission in the future approves the Project, the contract amount for construction will be not-to-exceed \$259,200,682 and the contract duration for construction will be 1,551 consecutive calendar days; and request that the Board of Supervisors grant an exception from the Campaign and Governmental Conduct Code to authorize the San Francisco Public Utilities Commission to include Social Impact Partnership program provisions in this contract. The initial work under this contract consists of providing pre-construction services during the design phase. SFPUC will not consider authorizing construction services until and subject to completion of environmental review under the California Environmental Quality Act (CEQA), and this Commission reviews and considers the CEQA environmental review document, adopts any required CEQA Findings and a Mitigation Monitoring and Reporting Program, and approves the Project. ([Resolution 22-0125](#))

Shelby Campbell, PM, attended the meeting virtually. She displayed a site plan for 2000 Marin project and reviewed the budget (\$393.6M) and schedule stating construction is expected to begin early in 2024 with final completion in early 2028.

She discussed the CM/CG request for qualifications/proposal (RFQ/P) indicating advertisement occurred on December 27, 2021. She stated there were three respondents to the RFQ/RFP, Clark Construction, Pankow Builders, and Webcor Construction, and that staff recommends award to Clark Construction Group, who obtained the highest score.

Project Manager Campbell stated that the CM/CG contract value is \$260.5M, with \$1.25M for pre-construction. Estimated notice-to-proceed (NTP) for pre-construction is August 2022, estimated NTP for construction is January 2024, and the contract duration is approximately seven years. She concluded with offering additional information on the Clark Construction team of 24 individuals.

PM Campbell responded to a question from Commissioner Maxwell regarding the real meeting of “not-to-exceed” stating it is a not-to-exceed budgeted amount for the contract. She discussed the reasons for the CM/GC contract for cost awareness in real-time to deliver on time and on-budget.

PM Campbell responded to a question from Commissioner Paulson regarding the Strategic Partnership Program (SPP) noting it is run through the sub-contractors.

VP Ajami asked that staff track contractor’s bids for accuracy.

Public Comment

- *Francisco DaCosta discussed City Build and stated they cannot produce workers to build a hospital. He stated of the three bidders Clark has better accountability and transparency. He stated unions should have ability to produce high skilled workers.*
- *(Inaudible) indicated she is a graduate of the Clark Construction SPP and is a small business owner in Bayview Hunters Point. She stated the SPP allowed to her to expand her business and participate in such projects.*

On Motion to approve item 16:

Ayes: Moran, Ajami, Maxwell and Paulson

17. Public hearing, discussion, and possible action to authorize the General Manager to impose a temporary mandatory prohibition on irrigation of non-functional turf at commercial, industrial, and institutional (CII) sites with potable water in alignment with State requirements. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA) pursuant to Section 31.04(h) of the San Francisco Administrative Code. The Planning Department has determined that this action is exempt from the CEQA. If the item is approved, this Commission will rely on that determination to make its decision. ([Resolution 22-0126](#))

AGM Ritchie introduced the history of the item and requested Commission approval. He noted there is no large turf area in San Francisco that is not used for recreational use.

No public comment.

On Motion to approve item 17:

Ayes: Moran, Ajami, Maxwell and Paulson

18. Approve the plans and specifications, and award Contract No. HH-1007, Transmission Line 7/8 Upgrades, in the amount of \$23,980,141, and with a duration of 668 consecutive calendar days, to the responsible bidder that submitted the lowest responsive bid, Wilson Utility Construction Company, to upgrade existing conductors and modify existing towers along Transmission Line 7/8 to accommodate additional transmission power flows and mitigate clearance hazards. ([Resolution 22-0127](#))

Margaret Hannaford, Division Manager, Hetch Hetchy Water and Power (HHWP) offered an overview of the locations of HHWP and transmission lines (162 miles in length) and specifically Lines 7/8 (located near the Warnerville Substation (west) to Standiford Substation (east)) which need to be upgraded and re-conducted to address safety and reliability issues. She discussed safety issues for “hard clearances” on Lines 7/8. She discussed reliability issues and mitigation efforts to re-conductor Lines 7/8 stating the SFPUC is seeking reimbursement from 21 developers of renewable generators who are responsible for funding the mitigation project cost and that the SFPUC is seeking reimbursement in the amount of \$33.3M. She stated of the 21 developers, 11 have signed agreements valued at \$20.67M; consensus on five additional agreements has been reached for \$7.9M; and that there will be a total of 16 agreements for about \$28.6M.

She discussed correspondence received regarding Wilson Utility Construction Company and their commitment to unions, apprentices, and wages, and indicated that the Contractor and subs have agreed to sign the Project Labor Agreement even though they are not required by the contract documents.

Commissioner Paulson referenced earlier communication received regarding Wilson's lack of certified training in California, low bid, inability to pay prevailing wages, and lack of a track record. Mr. Walt Posey, Director of Safety and Training, Wilson Utility Construction Company, stated they have been in business and an International Brotherhood of Electrical Workers (IBEW) contractor for 70 years. He stated they participate in joint apprentice training programs nationwide and their workers come out of the IBEW. He discussed their robust training program and indicated they meet regulatory requirements in the states of Washington, Oregon, and California where they have training facilities (management and labor programs) and job-specific training. He stated that look at prevailing wages and IBEW wages and put out fair price bid for the work. In response to a follow up question, Mr. Posey indicated they are a utility contractor.

Director Hannaford responded to a question from VP Ajami regarding the bid, which was lower than the engineer's estimate, indicating there was a third-party evaluation of the estimate.

Public Comment

- Francisco DaCosta stated he know about Wilson Construction and Cal Independent System Operator. He expressed concern with fires and the need to underground lines.*

Mr. Posey responded to a question from Commissioner Maxwell regarding Wilson's drug and safety protocols Mr. Posey indicated that some staff have been out of compliance and that reasonable suspicion training has been implemented.

On Motion to approve item 18:

Ayes: Moran, Ajami, Maxwell and Paulson

19. Public comment on the matter to be addressed during Closed Session

None.

20. Motion on whether to assert the attorney-client privilege regarding the matter listed below as Conference with Legal Counsel.

On Motion to assert the attorney-client privilege regarding the matter listed as Conference with Legal Counsel:

Ayes: Moran, Ajami, Maxwell and Paulson

The Commission entered Closed Session at 4:23 PM

Present in Closed Session: Commissioners: Moran, Ajami, Maxwell, and Paulson; Deputy City Attorneys: Sheryl Bregman, and Tara Steeley; Dennis Herrera, General Manager; Steve Ritchie, Assistant General Manager Water Enterprise; Tim Ramirez, Manager, Natural Resources and Lands Management; and Donna Hood, Commission Secretary.

21. CONFERENCE WITH LEGAL COUNSEL regarding existing litigation (Government Code §54956.9, Administrative Code §67.10(d)(1)): Dummer v. San Francisco Public Utilities Commission, et al. (Alameda County Superior Court Case No. HG19-041020)

The Commission exited Closed Session at 4:49 PM.

22. Announcement following Closed Session
President Moran announced that no action was taken during Closed Session.
23. Motion regarding whether to disclose the discussions during Closed Session pursuant to San Francisco Administrative Code Section 67.12(a).

*On Motion not to disclose discussions during Closed Session:
Ayes: Moran, Ajami, Maxwell and Paulson*

24. Adjournment
President Moran adjourned the meeting at 4:49 PM.