



**SAN FRANCISCO PUBLIC UTILITIES
COMMISSION**

City and County of San Francisco

London N. Breed
Mayor

SPECIAL MEETING MINUTES
Wednesday, August 4, 2021
3:00 P.M.
(Approved August 10, 2021)

This meeting was held by Teleconference Pursuant to the Governor's Executive Order N- 29-20 and the Twelfth Supplement to Mayoral Proclamation Declaring the Existence of a Local Emergency Dated February 25, 2020

During the Coronavirus Disease (COVID-19) emergency, the San Francisco Public Utilities Commission's (SFPUC) regular meeting room, City Hall, Room 400, is closed. Commissioners and SFPUC staff will convene Commission meetings remotely by teleconference.

Commissioners

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

Michael Carlin
Acting General Manager

Donna Hood
Secretary



1. Call to Order

President Maxwell called the meeting to order at 3:01 PM.

2. Roll Call

Present: Maxwell, Moran, Paulson, and Harrington

Rob Coelho, Office of the County Counsel, County of Santa Clara, stated the original agenda for the special meeting included as Item 4 a possible motion on whether to assert the attorney-client privilege regarding the matter listed as Conference with Legal Counsel and indicated that motion was in error. He stated the revised agenda deleted that possible motion, as there was no agendized matter for Conference with Legal Counsel. The only agendized closed session item was the agendized conference with labor negotiator relating to the SFPUC General Manager position and the anticipated issues under negotiation including wages, hours, benefits, working conditions, and other matters, as reflected in the written agenda. He noted a question was raised regarding whether Mr. Herrera will be in closed session, and stated that the answer is "no", Mr. Herrera and the City Attorney's Office would not be in the closed session. He stated the closed session would not include final action on any proposed compensation and would not include approval of a contract and both of those things would occur in open session and will be agendized to reflect that open session item and consideration.

3. Public comment on matter to be addressed during Closed Session

- *Anonymous caller referenced an email he sent and stated there is in fact no authority to assert attorney-client privilege over any closed session under the Brown Act, except for Conferences with Legal Counsel regarding litigation, that are noticed as such on an agenda. He thanked the Commission for acknowledging the error and revising the agenda.*

The Commission entered Closed Session at 3:09 PM.

Present in Closed Session: Commissioners Maxwell, Moran, Paulson, Harrington and Ajami (joined the meeting at 3:09 PM); Donna Hood, Commission Secretary; Robert Coelho, Office of the County Counsel, County of Santa Clara; Kate Howard, City and County of San Francisco Department of Human Resources.

4. Pursuant to Government Code Section 54957(b) and San Francisco Administrative Code Section 67.10(b), to consider public employee appointment/hiring for the position of General Manager of the San Francisco Public Utilities Commission; and Pursuant to Government Code Sections 54954.5(f) and 54957.6, and San Francisco Administrative Code Section 67.8(a)(5).

Conference with Labor Negotiator, Unrepresented Employee

City Negotiator

Commission President Sophie Maxwell

Unrepresented Employee

General Manager, San Francisco Public Utilities Commission

Anticipated issues under negotiation:

- Wages
- Hours
- Benefits
- Working conditions
- Other

Commissioner Paulson was excused from the meeting at 4:14 PM.

The Commission exited Closed Session at 4:41 PM.

5. Announcement following Closed Session

President Maxwell announced that there was no reportable action.

6. 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 the discussions during Closed Session:

Ayes: Maxwell, Moran, Harrington and Ajami

President Maxwell adjourned the meeting at 4:42 PM.