



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

MINUTES
Tuesday, August 25, 2020
1:30 P.M.
(Approved September 8, 2020)

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

Commissioners

Ann Moller Caen, President
Francesca Vietor, Vice President
Anson Moran
Sophie Maxwell
Tim Paulson

Harlan L. Kelly, Jr.
General Manager

Donna Hood
Secretary



1. Call to Order

President Caen called the meeting to order at 1:33 PM

2. Roll Call

Present: Caen, Vietor, Moran, Maxwell and Paulson

3. Approval of the Minutes of July 28, 2020

On motion to approve the Minutes of July 28, 2020

Ayes: Caen, Vietor, Moran, Maxwell, and Paulson

No public comment.

4. General Public Comment

- *Eric Brooks requested a hearing be called on local resilience and discussed the benefits of local resilience.*
- *Francisco DaCosta stated there are problems with communication and that millions of community benefits dollars have been wasted.*
- *Alita Dupree asked why only half of the Sunset Reservoir is covered with Solar and discussed solar placement on other city buildings. She encouraged more use of electricity and less fossil fuel.*

5. Communications

a) Contract Advertisement Report

b) Correspondence Log

c) Quarterly Audit and Performance Review Report

Eric Sandler, Assistant General Manager (AGM) Business Services responded to a question from President Caen as to why audits have been postponed.

d) Sewer Inspection and Replacement Program Update

Greg Norby, AGM Wastewater, responded to a question from President Caen as to why there is a budget shortfall, clarifying that the information is incorrect and that there is no shortage. He responded to a question from Commissioner Moran regarding led testing in schools.

e) Water Pipeline Assessment

AGM Ritchie responded to a question from President Caen regarding the make-up of the “unknown service material” in pipes.

f) Water System Improvement Program Status of Construction Change Orders

AGM How responded to a question from President Caen regarding CUW27401 Calaveras Dam Replacement Project.

g) Water Supply Conditions Update

Public Comment

- *Francisco DaCosta stated that a lead pipe assessment needs to be conducted. He indicated that outside water fountains should not be accessible to children as they have an adverse impact to children if wildlife also use the fountains to drink. He disused the amount of money spent on the Calaveras Dam and stated that the dirt removal was not properly done.*
- *Dave Warner thanked President Caen for her questions to staff.*

6. Report of the General Manager (GM)

a) Update on SFPUC Operations During COVID-19 Emergency

GM Kelly provided an update on SFUC operations during COVID-19 emergency, stating there continues to be a pause on reopening. The SFPUC is following all guidelines and supports the City's response efforts. He indicated the Emergency Operations Center is staffed Monday through Friday, with some SFPUC employees on long-term assignment. GM Kelly stated students have returned to school which presents challenges for employees and caregivers. He discussed a recent agency-wide meeting with employees where flexible work schedules and options were discussed. He stressed the importance for a health work-life balance and for providing options for employees to request flexile schedules. He stated at this time non-essential employees will continue to work remotely through at least June 2021 and that workforce assessments for bringing employees back to work on-site will be conducted. However, no more than 20% of workforce should be on-site at any time. He updated the Commission on application requests for the COVID-19 Customer Assistance Programs and concluded with a discussion of the virtual tours that have been conducted, noting their popularity.

Public Comment

- *Francisco DaCosta said there is a piping defect in the Southeast sector that allows raw sewage to accumulate and that the stench that can be smelled for two miles. He indicated he has emailed key people asking the situation be addressed. He said the Alice Griffith housing complex does not have proper ventilation and the smell comes into the building.*
- *Alita Dupree expressed appreciation for keeping staff safe. She suggested that methods be developed so customers can make payments where physical transfer of cash is not required.*

At the request of President Caen, AGM Norby addressed Mr. DaCosta's remarks regarding the odor. He indicated he has received communication from the Regional Water Quality Control Board regarding a complaint made by a non-profit. He indicated field investigations and water quality tests have taken place and there is no indication of a sewage spill in the area.

b) Quarterly Budget Status Report

Laura Bush stating that there were positive net results projected for all enterprises; lower retail revenues for Water, Wastewater, and Power; and that CleanPowerSF revenues were up. She noted mid-year rebalancing cuts of \$40M to offset COVID-19 related revenue losses, and that financial results projected to exceed or meet policy targets for coverage and reserves. Ms. Bush discussed FY2019-20 mid-year cuts, indicating each enterprise provided cuts to offset COVID-19 revenue impacts, with the \$40M in cuts from 50% revenue-funded capital and 50% from operating expenditures. She stated there would be no service impacts.

Ms. Bush discussed budget variances for (1) Water net operating result +\$36.9M; (2) Wastewater net operating result +\$15M; (3) Power net operating result +\$19M; and

(4) CleanPowerSF net operating result +\$36.1M. She concluded with a review of key financial ratios.

No public comment.

c) Hetch Hetchy Capital Improvement Program (HCIP) Quarterly Reports

- i. Third Quarter
- ii. Fourth Quarter

Katie Miller, Acting Director Water Capital Programs, provided the third and fourth quarter HCIP Quarterly Reports. She indicated that for the third quarter HCIP had expended \$164M and was 26% complete, and for the fourth quarter HCIP had expended \$171M and was 28% complete.

She reviewed progress on the Mountain Tunnel Improvements, Moccasin Reservoir Perimeter Security Fence Project, Warnerville Substation Rehabilitation, Holm and other Powerhouse Projects, and 2018 March Storm Event Emergency Repairs and Interim Improvements.

Acting Director Miller responded to a question from President Caen regarding the Moccasin fencing materials and placement.

No public comment.

d) Water System Improvement Program (WSIP) Quarterly Reports

- i. Local Reports (Third Quarter and Fourth Quarter)
- ii. Regional Reports (Third Quarter and Fourth Quarter)

Acting Director Miller provided the third and fourth quarter WSIP Quarterly Reports. She indicated that for the third quarter WSIP had expended \$4,535M and was 99% complete, and for the fourth quarter WSIP had expended \$4,550M and was 99% complete.

She reviewed progress on the Alameda Creek Recapture Project, Regional Groundwater Storage and Recovery, Fish Passage at Alameda Creek Diversion Dam, San Joaquin Regional Closeout Project, Sunol Valley Reginal Closeout Project, Bay Division Regional Closeout Project, Peninsula Regional Closeout Project, and Calaveras Dam Replacement Project.

No public comment.

e) Bay Delta Voluntary Agreement (VA) Update

Michael Carlin, Deputy General Manager (DGM), stated that the SFPUC has been in contact with state and are engaged in conversations regarding the VA to see if there can be agreement regarding milestones to submit to State Board for consideration. He stated discussion are making progress but there are issues as to how much flow is required by the state.

DGM Carlin responded to a question from VP Vietor regarding unimpaired flow requirements and the proposed flow. Brief discussion ensued.

Public Comment

- Francisco DaCosta stated indigenous people need to be brought into the conversation for their opinion.
- Dave Warner thanked DGM Carlin for the presentation and VP Vietor for their comments.

VP Vietor departed the meeting at 3:00 PM.

f) SFPUC Regional Water System Water Budget Worksheet

AGM Ritchie began with a review of the Water System Improvement Program (WSIP) 2008 Level-of-Service and of water supply planning (challenges and process). He discussed the purpose of the worksheet, which is to be an interactive tool that communicates information and provides dialogue about Regional Water System demand projections, Regional Water System Yield related to Design Drought, various Alternative Water Supply options, different contributions to Tuolumne River Instream Flows, and different policy options and their impacts. He stated the Regional Water System Yield is described in three parts (1) firm yield, (2) rationing policy, and (3) total system yield. He reviewed worksheet mechanics and concluded with next steps.

At the request of Commissioner Paulson, AGM Ritchie provided examples of "increase water supply".

Commissioner Moran discussed the worksheet and the need for distinction between firm yield and total system yield. He noted the policy choices and emphasized the need for caution. Brief discussion ensued.

Public Comment

- Tom Francis, BAWSCA, read a statement regarding the SFPUC's draft water system yield worksheet. The full statement was submitted for the record.
- Dave Warner thanked staff for the presentation and for the worksheet which helps to understand scenarios and cost-benefit analysis. He asked that the worksheet be expanded to include design drought scenarios.

g) Power Enterprise Operations During Extreme Heat Event

Barbara Hale, AGM Power discussed the current heatwave and stated that on August 14th and 15th the California Independent System Operation declared a stage three electrical emergency followed by a state of emergency proclamation by the Governor. She discussed what a stage three emergency means, how it works, and the operational response made by the Power Enterprise to assist. AGM Hale thanked the Power team for their work.

AGM Hale responded to a question from President Caen regarding the evacuation of Moccasin and if there were problems with generation during that time.

Public Comment

- *Alita Dupree stated she is running a swamp cooler to remain cool and to conserve. She noted the importance of region-wide communication. She asked that work continue on storage and resiliency and stressed the need to communicate with those without personal devices.*

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

AGM Ritchie updated the Commission regarding the condition of (1) fires near Sunol Valley Water Treatment Plant, (2) Moc (Moccasin) Fire, (3) SCU Complex Fires (Alameda, San Joaquin and Alameda Counties), and (3) CZU Complex Fires (Southern San Mateo and Santa Cruz area).

No public comment.

7. Commissioner Bond Disclosure Responsibility Training: Presentation advising the Commission on its responsibilities under federal securities laws with respect to the San Francisco Public Utilities Commission issuance of public debt, including discussion of Preliminary and Official Statements and related topics.

Mark Blake, Deputy City Attorney, stated that the SFPUC Debt Policy requires periodic training for Commissioners regarding obligations under the Federal Securities Laws when voting to authorize the issuance of bonds, and that guidance must be provided on the discharge of those obligations. He indicated a detailed memo and slide presentation was provided to the Commission for their reference. Mr. Blake introduced Steve Spitz, Disclosure Counsel from Orrick Herrington & Sutcliffe.

Mr. Spitz began with a discussion as to the purpose of disclosure. He noted the SFPUC is not required to be registered with the Securities and Exchange Commission, but antifraud provisions of the securities law apply. He indicated disclosures are made when bonds are issued and as part of the bond approval process Commissioners are given a Form of Preliminary Official Statement, which is used for offering the bonds. He discussed the Commission's discharge of duties and obligations and referenced the SFPUC Debt Policy and disclosure process and practices. He stated it is important that individual Commissioners focus on disclosure items under which they have personal knowledge and perspective and that concerns should be brought to staff.

AGM Sandler responded to a question from Commissioner Maxwell regarding what prompted the presentation.

No public comment.

8. New Commission Business
None.

The Commission recessed at 4:00 PM and was called back to order at 4:16 PM.

9. Consent Calendar

- a) Approve the terms and conditions of, and authorize the General Manager to execute, an eight-year license between Joaquin Bear, LLC, as licensor, and the City and County of San Francisco, through the SFPUC, as licensee, to use approximately eight square feet of space within an existing equipment building and certain space on the existing Cedar Ridge communications tower located at 16601 White Fang Drive in Sonora, California for the installation, operation, maintenance, repair, and replacement of radio equipment for the Water Enterprise Radio Replacement Project, at an initial monthly rent in the amount of \$2,432.83 (\$29,182 per year), with three-percent annual increases. ([Resolution 20-0169](#))
- b) Approve an increase in the amount of \$377,000 to the existing contract cost contingency, and an increase of 60 consecutive calendar days to the existing contract duration contingency for Contract No. HH-1001, Moccasin Reservoir Perimeter Security Fence, and authorize the General Manager to approve future modifications to the contract, for a total contract amount of up to \$1,877,719 and a total contract duration of up to 338 consecutive calendar days. ([Resolution 20-0170](#))
- c) Accept work performed by Sierra Mountain Construction, Inc. for Contract No. HH-998E, Emergency Repairs to Hetch Hetchy Water and Power Facilities Following the March 2018 Storm Event – Phase 2, for a total contract amount of \$10,453,868, and a total contract duration of 607 consecutive calendar days; and authorize final payment to the contractor. ([Resolution 20-0171](#))
- d) Approve the selection of Westland Management Solutions, Inc. (WMS); award Agreement No. PRO.0144, Capital Project Control Systems Integration and Support Services, to provide San Francisco Public Utilities Commission with specialized support services utilizing Primavera based Program Control system administration and integration tools for both SFPUC's capital improvement programs and projects; and authorize the General Manager to negotiate and execute a professional services agreement with WMS, for an amount not-to-exceed \$4,750,000, and with a duration of five years. ([Resolution 20-0172](#))
- e) Approve the selection of Langan Engineering and Environmental Services, Inc. (Langan); award Agreement No. PRO.0170, SFPUC Stormwater Charge Billing Project, to design, code, implement, and manage a new Stormwater Data Management System, modify the Customer Care and Billing system, and provide integration services to implement the Stormwater charge; and authorize the General Manager to negotiate and execute a professional services agreement with Langan for an amount not-to-exceed \$5,000,000, and with a duration of seven years, with an option to extend the agreement duration three years. ([Resolution 20-0173](#))
- f) Accept work performed by P&J Utility Co. for Contract No. WD-2742, 16-Inch Ductile Iron Water Main Replacement on 7th Street from Townsend to 16th Street; approve Final Modification No. 5, increasing the contract amount by \$20,395, for a

total contract amount of \$2,201,676, and increasing the contract duration by 29 consecutive calendar days, for a total contract duration of 451 consecutive calendar days; and authorize final payment to the contractor. ([Resolution 20-0174](#))

- g) Approve the plans and specifications, and award Contract No. WD-2842, 8-Inch Ductile Iron Water Main Replacement on Casitas Avenue from Lansdale Avenue to Yerba Buena Avenue and on Dalewood Way from Lansdale to Sherwood Court, in the amount of \$3,891,709, and with a duration of 436 consecutive calendar days, to the responsible bidder submitting the lowest responsive bid, Cratus, Inc., to replace and install approximately 7,400 feet of ductile iron water conveyance pipe and ancillary water service pipe, restore pavement, construct curb ramps, and install drainage improvements to ensure reliable water delivery and replacement of aging infrastructure within San Francisco. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code. ([Resolution 20-0175](#))
- h) Accept work performed by D'Arcy and Harty Construction, Inc. for Contract No. WW-624, Casitas Avenue Easement Sewer Main Rehabilitation; approve Final Modification No. 1, decreasing the contract amount by \$1,504, for a total contract amount of \$555,836, with no change to the agreement duration; and authorize final payment to the contractor. ([Resolution 20-0176](#))
- i) Approve an increase of 180 consecutive calendar days to the contract duration contingency for Contract No. WW-651, Griffith Pump Station Improvements, with Western Water Contractors, Inc.; and authorize the General Manager to approve future modifications to the contract for a total contract duration up to 1,200 consecutive calendar days, with no change to the contract amount. ([Resolution 20-0177](#))
- j) Ratify correction to Resolution No. 20-0160 approved on the July 28, 2020 to increase the duration contingency for Wastewater Enterprise, Renewal and Replacement Program-funded Contract No. WW-655, As-Needed Main Sewer Replacement No. 7 (and not approve a Notice to Proceed for Contract No. WW-697) for a total contract duration contingency of 580, with no change to contract amount. ([Resolution 20-0178](#))
- k) Approve the plans and specifications, and award Contract No. WW-697, As-Needed Main Sewer Replacement No. 8, in the amount of \$7,373,000, and with a duration of 400 consecutive calendar days, to the responsible bidder submitting the lowest responsive bid, JDB & Sons Construction, Inc. to perform as-needed manhole-to-manhole segment main sewer replacements on short notice in locations to be determined throughout San Francisco. ([Resolution 20-0179](#))
- l) Approve the specifications, and award Contract No. WW-700, As-Needed Sewer Cleaning and Inspection (FY21), in the amount of \$1,849,059, and with a duration of 570 consecutive calendar days, to the responsible bidder submitting the lowest responsive bid, Pipe and Plant Solutions, Inc., to clean and inspect existing sewers,

on an as-needed basis, at locations to be determined throughout San Francisco.
(Resolution 20-0180)

- m) Approve the plans and specifications, and award Contract No. WW-703, Mission Street, 16th to Cesar Chavez, Brick Sewer Rehabilitation, in the amount of \$6,337,350, with a duration of 360 consecutive calendar days, to the responsible bidder submitting the lowest responsive bid, Cratus, Inc., to rehabilitate existing sewers, relocate auxiliary water supply lines, and construct transit improvements on Mission Street, between 16th and Cesar Chavez Streets. This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code. ([Resolution 20-0181](#))

Kathy How, AGM Infrastructure, requested pull item 9h for further discussion.

No public comment.

*On motion to approve Consent Calendar items 9a through 9g, and 9i through 9m:
Ayes: Caen, Moran, Maxwell, and Paulson*

AGM How stated that the number of contract days referenced in the third Whereas Clause for item 9h should be corrected to read “92” rather than “102” days.

On motion to approve Consent Calendar item 9h as amended:

Ayes: Caen, Moran, Maxwell, and Paulson

10. Approve CleanPowerSF's (CPSF) Integrated Resource Plan (IRP) Compliance Filing and authorize the General Manager to submit the IRP Compliance Filing to the California Public Utilities Commission. ([Resolution 20-0182](#))

Mike Hyams began with a review of key terms included in the CPSF's IRP (portfolio, preferred portfolio, scenario and sensitivity analysis). He indicated that staff recommends that the SFUC adopt the proposed Accelerated Case Portfolio as CPSF's preferred portfolio in the 2020 IRP.

He continue with a discussion of (1) what is an IRP, (2) CPSF IRP Modeling: four portfolios, (3) CPSF Modeling: sensitivity analysis, (4) CPSF portfolio evaluation, (5) Results: comparison of total portfolio energy supply by resource type (Base Case 2030, Accelerated Case 2030, and Time Coincident Case 2030), (6) Results: comparison of New Resource Capacity Build (MW), (7) Results: local investment (all portfolios feature 81MW of local solar and 27 MW of local battery storage), (8) Results: job-year estimates under each portfolio; (9) Results: portfolio costs 2021-2038; (10) Results: average portfolio costs; and (11) Recommendations: staff recommended the Commission adopt the Accelerated Case Portfolio because it best balances CPSF program goals (affordable, reliable, cleaner, supports local investment, and supports rate and financial stability).

Mr. Hyams responded to a question from Commissioner Maxwell regarding the Time Coincident Case. Commissioner Moran asked that Mr. Hyams describe the physical

differences between the cases, and what are microgrids and what is good and bad about them. Discussion ensued.

Mr. Hyams responded to a question from Commissioner Maxwell as to how San Francisco is different from Sydney.

Public Comment

- *Alita Dupree advocated for the Accelerated Case and stated that once 100% is achieved it can be refined along the way.*
- *Eric Brooks, Californians for Energy Choice, and Our City San Francisco, stated he submitted written comments to the Commission. He indicated the California Public Utilities Commission's delay resulted in only one week to provide responses. He indicated there are advocates that don't support the staff recommendation but support the Time Coincident Case for resiliency and jobs.*
- *Jenny (inaudible), Banner, expressed support for the Accelerated Case. She noted some sections of the plan could be strengthened with additional details, including the timeline for rollout of programs. She asked that an addendum be considered to allow for conservation of all comments submitted.*

Mr. Hyams responded to a question from Commissioner Maxwell regarding the opportunity for an addendum or other options which may be available.

Mr. Hyams responded to a question from Commissioner Paulson regarding jobs.

Commissioner Moran noted the next report is due in two years and that the current report reflects a "point-in-time". Mr. Hyams provided response. Brief discussion ensued.

On motion to approve item 10:

Ayes: Caen, Moran, Maxwell, and Paulson

The Commission Secretary called items 11 and 12 together.

11. Discussion and possible action to authorize the issuance of up to \$600 million of the 2020 Series ABCD Water Revenue Bonds. ([Resolution 20-0183](#))
12. Discussion and possible action to authorize the issuance of up to \$850 million of the 2020 Series EFGH Taxable Water Revenue Bonds to advance refund all or a portion of the outstanding Series 2011D, 2012A, 2012B, 2012C, 2015A, 2017A, 2017B and 2017C Water Revenue Bonds to achieve debt service savings. ([Resolution 20-0184](#))
Rich Morales, Debt Manager, indicated the 2020 Series ABCD Water Revenue Bonds provide up to \$600M of new money, tax exempt bonds with approximately \$229M of proceeds to pay off Commercial Paper. The 2020 Series EFGH Water Revenue Bonds provide up to \$850M taxable advance refunding, which can only be done on a taxable basis. The taxable interest rates are low resulting in approximately \$105M of ratepayer savings. He stated the expected date of sale for the 2020 Series ABCD is mid-September and date of sale for the 2020 Series EFGH is mid-October. He

indicated they will be sold on a negotiated basis. He reviewed the Disclosure Q&As, noting they are included in with the staff report.

No public comment.

On motion to approve item 11

Ayes: Caen, Moran, Maxwell, and Paulson

On motion to approve item 12

Ayes: Caen, Moran, Maxwell, and Paulson

13. Approve the extension to the Temporary Emergency Customer Assistance Program for COVID-19 Relief (currently scheduled to end on September 4, 2020). The program for single-family residential customers who have been financially impacted by the COVID-19 pandemic currently provides eligible residential customers with a bill discount of 15% on water, 35% on sewer, and 30% on Hetch Hetchy Power bills for a period of six months, retroactive to March 4, 2020. An approval of this extension would provide current enrollees discounts through December 31, 2020. New enrollees beginning September 5, 2020 or later would receive discounts from the date they apply to December 31, 2020 but would not receive retroactive discounts. ([Resolution 20-0185](#))

Erin Franks introduced the item and requested approval.

No public comment.

On motion to approve item 13

Ayes: Caen, Moran, Maxwell, and Paulson

14. Adopt the 2019 San Francisco Bay Area Integrated Regional Water Management Plan (IRWMP). This action constitutes the Approval Action for the project for the purposes of CEQA, pursuant to Section 31.04(h) of the San Francisco Administrative Code. ([Resolution 20-0186](#))

AGM Ritchie stated the IRWMP includes an amendment to the plan which was first approved in 2006 and modified in 2013.

No public comment.

On motion to approve item 14

Ayes: Caen, Moran, Maxwell, and Paulson

15. Approve the Water Supply Assessment for the proposed Transbay Block 4 Project, which would develop a 1.04-acre vacant site formerly occupied by the Temporary Transbay Terminal with a mixed-use development including 950,731 gross square foot (gsf) of residential uses (683 units) and 8,225 gsf retail uses, pursuant to the State of California Water Code Section 10910 et seq., California Environmental Quality Act (CEQA) Section 21151.9, and CEQA Guidelines Section 15155. ([Resolution 20-0187](#))
AGM Ritchie introduced the item and requested approval.

No public comment.

On motion to approve item 15

Ayes: Caen, Moran, Maxwell, and Paulson

16. Approve Amendment No. 2 to Agreement No. PRO.0101, Tunnel Engineering Services for the Folsom Area Stormwater Improvement Project, with McMillen Jacobs Associates/Stantec, Joint Venture; and authorize the General Manager to negotiate and execute Amendment No. 2, increasing the agreement amount by \$4,000,000, and extending the term by one year, two months, for a total not-to-exceed agreement amount of \$9,700,000 and a total agreement duration of three years. ([Resolution 20-0188](#))

AGM How introduced the item and requested approval.

No public comment.

On motion to approve item 16

Ayes: Caen, Moran, Maxwell, and Paulson

17. Approve the terms and conditions of, and authorize the General Manager to execute, a Utility Agreement between the City and County of San Francisco acting by and through its Public Utilities Commission, and the Alameda County Transportation Commission, a California joint powers authority (Alameda CTC), for the purpose of relocating certain SFPUC water lines affected by Alameda CTC's proposed improvements to the State Route 84 ("SR-84") and Interstate 680 ("I-680") Interchange in Sunol, California, at a cost to City of \$1.3 million. ([Resolution 20-0189](#))

AGM How introduced the item and requested approval.

No public comment.

On motion to approve item 17

Ayes: Caen, Moran, Maxwell, and Paulson

18. Public comment on matters to be addressed during Closed Session
None.
19. Motion on whether to assert the attorney-client privilege regarding the matters listed below as Conference with Legal Counsel
On motion to assert the attorney-client privilege
Ayes: Caen, Moran, Maxwell, and Paulson

The Commission entered Closed Session at 5:33 PM.

20. Conference with Legal Counsel – Pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1) Conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company

is an adverse party: In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 9-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. EL 19-38-000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed, February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL 15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; California Public Utilities Commission Case No. 1.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; and California Public Utilities Commission Case No. R.19-09-016, filed January 10, 2019

21. Conference with Legal Counsel – Pursuant to California Government Code Section 54965.9 (d)(1) and San Francisco Administrative Code Section 67.10 (d)(1)
Existing Litigation
Federal Insurance Company, as subrogee of CCT Enterprises LLC v. CCSF
San Francisco Superior Court Case No. CGC-19-579231
Date Filed: September 12, 2019
(Resolution 20-0190)
22. Conference with Legal Counsel – Pursuant to California Government Code Section 54965.9 (d)(1) and San Francisco Administrative Code Section 67.10 (d)(1)
Existing Litigation
Federal Insurance Company, as subrogee of GSFC LLC, et al. v. CCSF
San Francisco Superior Court No. CGC-19-579235
Date Filed: September 12, 2019
(Resolution 20-0191)

The Commission exited Closed Session at 6:53 PM.

23. Announcement following Closed Session
President Caen announced that the Commission recommends item 21 and 22 for Board of Supervisor's Approval. No other action was taken.

24. Motion regarding whether to disclose the discussions during Closed Session pursuant to San Francisco Administrative Code Section 67.12(a)
On motion to assert the attorney-client privilege
Ayes: Caen, Vietor, Moran, Maxwell, and Paulson
25. Adjournment
President Caen adjourned the meeting at 6:54 PM.