



San Francisco
Water Power Sewer

Services of the San Francisco Public Utilities Commission

SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

Edwin M. Lee
MAYOR

Minutes
Tuesday, December 13, 2016
(Approved January 10, 2017)

1:30 P.M.
1 Dr. Carlton B. Goodlett Place
City Hall, Room 400
San Francisco, CA 94102

Commissioners

Anson Moran, President
Ike Kwon, Vice President
Ann Moller Caen
Francesca Vietor
Vince Courtney

Harlan L. Kelly, Jr.
General Manager

Donna Hood
Secretary



For information, contact the Commission Secretary at 554-3165.
Minutes and other information are available on the SFPUC web site:

www.sfwater.org

Gavel-to-Gavel coverage available at:

http://sanfrancisco.granicus.com/ViewPublisher.php?view_id=22

1. Call to Order

President Moran called the meeting to order at 1:33PM.

2. Roll Call

Present: Moran, Kwon, and Courtney

Commissioner Caen arrived at 1:42 PM.

Commissioner Vietor arrived at 1:44 PM.

3. Approval of the Minutes of November 8, 2016

On Motion to approve the Minutes of November 8, 2016:

Ayes: Moran, Kwon, and Courtney

No public comment.

4. General Public Comment

- *Mr. Francisco DaCosta discussed his visit to the Dakota Pipeline; addressed recent odor issue with SFPUC; water and king tides.*
- *Mr. Alvin Ja distributed a letter regarding Balboa Reservoir and discussed the Reservoir Report. He addressed affordable housing on the site.*
- *Mr. Peter Drekmeier, Tuolumne River Trust, provided a handout to the Commission. He discussed the need to the Bay Delta Plan on the agenda so comments can be heard. He expressed concerns with staff and information provided on a SFPUC brief. He submitted a Sunshine Request.*

Commissioner Caen arrived at 1:42 PM

Commissioner Vietor arrived at 1:44 PM

- *Mr. Heinrich Albert, Sierra Club Bay Chapter, provided thoughts on a San Francisco Chronicle article on the Bay Delta Plan.*
- *Mr. Hunter Cutting, multiple organizations, spoke to the State Water Resources Control Board (SWRCB) ruling, and on science.*

Commissioner Courtney responded to Mr. Cutting's comments.

5. Communications

- a) Advance Calendar
- b) Communications
- c) Contract Advertisement Report
- d) Annual Water Resources Division Report
- e) Annual Water Supply Development Report
- f) Auxiliary Water Supply System Update
- g) CleanPowerSF Opt-Out Reasoning Survey Results
- h) SFPUC Departmental Greenhouse Gas Emissions Report
- i) Status of Large Development Projects in the Water Service Area
- j) Water Supply Agreement Update
- k) Watershed & Environmental Improvement Program FY15-16 Annual Report

President Moran urged those interested in SWRCB issues to read the Annual Report.

AGM Hale responded to a question from Commissioner Vietor regarding the Departmental Greenhouse Gas Emissions Report (5h) and the status of the conversion of the vehicle fleet to GHG-Free.

No public comment.

6. Other Commission Business

Commissioner Caen indicated she adopted a drain and encouraged everyone to do the same.

Commissioner Courtney discussed the Public Works apprentice who was killed. He spoke about the need for workforce development and transparency; and discussed how workforce development relates to community benefits in the public v. private sectors. He requested that President Moran agendaize Workforce Development. He expressed concerns regarding work with non-profits and requested that guidelines be developed.

President Moran asked staff to work, through the General Manager, with Commissioner Courtney to agendaize his issues.

Public Comment

- *Mr. Francisco DaCosta spoke to Commissioner Courtney's comments.*

7. Report of the General Manager

a) Drought Update

Mr. Steve Ritchie, Assistant General Manager (AGM) Water, provided a drought update. He reviewed state drought levels (U.S. Drought Monitor), and responded to a question from President Moran on how the Drought Monitor gathers information. He reviewed total system storage; Cumulative precipitation; Precipitation forecast; Snowpack; Tuolumne River water available to the City; and total deliveries.

No public comment.

b) CleanPowerSF Update

Ms. Barbara Hale, AGM Power, provided a CleanPowerSF update. She indicated customers in Districts 5, 8, and 10 are being served. The Program has 7,800 accounts; an opt-out rate of two percent; and 1,609 SuperGreen upgrades. She stated 496 customers have enrolled for the next offering, with 79 upgrades.

Ms. Hale discussed PG&E's rate adjustments, stating the California Public Utilities Commission (CPUC) will be issuing a decision on PG&E's rate requests, which are to be effective January 1st. She indicated the impact on Hetch Hetchy customers will be small and revenue neutral. She anticipates another PG&E rate adjustment in April or May. She emphasized that

CleanPowerSF rates are not changing, but rather that PG&E is changing the factors that they bill CleanPowerSF customers (PCIA), and projects a five percent higher bill. She stated that SFPUC comments have been filed with the CPUC.

AGM Hale responded to a comment from Commissioner Vietor regarding the need to communicate information to customers regarding the bill increase.

Public Comment

- *Mr. Jason Fried, LAFCo, discussed CPUC actions, the PG&E rate increase, and how that is reflected on the bill.*
- *Mr. Jed Holtzman, 350 Bay Area, expressed concern with the proposed PG&E rate increase.*

c) Quarterly Budget Status Report

Mr. Eric Sandler, CFO and AGM Business Services, provided a quarterly budget status report. He discussed: (1) Observations: Water and Wastewater higher revenues, and Power lower revenues; (2) FY 2017 Water budgetary variances: increased water sales revenues and uses cost savings (sources and uses); (3) FY 2017 Wastewater budgetary variances: increased wastewater revenues and uses cost savings (sources and uses); (4) FY 2017 Power budgetary variances: reduced power sales revenue offset by cost savings (sources and uses); (5) FY 2017 CleanPowerSF budgetary variances: sales revenues on target, uses cost savings (sources and uses); and (6) Key reserves ratios.

Public Comment

- *Mr. Francisco DaCosta expressed concern with the use of clean drinking water for construction and toilet flushing.*

d) SFPUC Policies Review – Proposed Schedule

CFO Sandler presented the proposed schedule for upcoming policy review.

President Moran provided comments on the Fund Balance Reserves Policy and Framework for Land Management and Use Policy. He stated he would like to add a Workforce Development and Retention Policy

No public comment.

e) Hetch Hetchy Water and Power (HHWP) Capital Improvement Program (CIP) Quarterly Report

Mr. Dan Wade, Director of Water Capital Programs and Projects, presented the HHWP CIP quarterly report. He discussed: (1) Upcoming Mountain Tunnel shut-down; (2) Adit improvements; (3) Re-baselining of “red dot” programs: (San Joaquin Pipeline rehabilitation; Holm Powerhouse Unit 2; and Cherry Dam Outlets rehabilitation); (4) Forecast schedule delays (San Joaquin Pipeline rehabilitation; Lower Cherry Aqueduct; and Mountain

Tunnel inspection repairs). Mr. Wade concluded with an update on the Rim Fire.

Mr. Wade responded to a question from Commissioner Caen regarding the overall amount the WSIP is over-budget.

Public Comment

- *Mr. Francisco DaCosta discussed Mountain Tunnel and the assessment conducted by Jacobs.*

f) Wastewater Enterprise CIP Quarterly Report

g) Sewer System Improvement Program (SSIP) Update

Ms. Karen Kubick, Wastewater Enterprise Capital Program Director, SSIP, presented the CIP quarterly report and a SSIP update.

She stated the SSIP has three projects with six months or more delay: (1) Digester Gas Handling Project; (2) Kansan Marin Street Sewer Improvements; and (3) Land Reuse 1801 Jerrold.

Ms. Kubick provided a SSIP Program Status, noting 14 percent of Phase 1 projects are complete, with most projects in planning and design. She reviewed a program status timeline; noted current construction projects: (SEP and OSP; and EIP's).

Ms. Kubick provided updates on major Phase 1 projects: (1) Headworks \$385M; and (2) Biosolids \$1.276M. She outlined project achievements; provided a SSIP Phase 1 jobs report; Stakeholder outreach; and upcoming topics.

Commissioner Courtney thanked Ms. Kubick for her presentation.

GM Kelly responded to a question from Commissioner Courtney as to who will be conducting green infrastructure maintenance. Ms. Kubick responded to a follow-up question regarding green infrastructure certification. Brief discussion ensued. Commissioner Vietor noted the opportunities associated with green infrastructure and requested an update be agenized.

Public Comment (f and g)

- *Mr. Francisco DaCosta commented on the presentation, discussed flooding (salt water and king tides), and workforce.*

8. FY 2015-16 Annual Audited Financial Statements

a) SFPUC Presentation

Ms. Frances Lee, Deputy CFO, noted the requirements for the audit. She stated that the SFPUC continues to receive clean financial statements with no deficiencies. She outlined financial awards and accomplishments.

b) KPMG Presentation

c) FY 2015-16 Audited Financial Report: Water Enterprise

d) FY 2015-16 Audited Financial Report: Wastewater Enterprise

- e) FY 2015-16 Audited Financial Report: Hetch Hetchy Water and Power
Lisa Avis, Managing Director, KPMG, presented KPMG's audit results for Water, Wastewater, and Hetch Hetchy Water and Power. She outlined the auditors required communications and discussed auditor responsibilities under GASAS and GAS. She reviewed: (1) Reports issued; (2) Independence; (3) Significant accounting policies; (4) Management judgments and accounting estimates; (5) Audit adjustments; (6) No disagreements or difficulties with management; (7) No consultation with other accountants; No major issues discussed with management prior to retention; and (8) Material written communications.

No public comment.

9. BAWSCA Update

Ms. Nicole Sandkulla, BAWSCA, introduced Tom Francis, BAWSCA's new Water Resources Manager. She expressed support for agenda item 12; provided comments on the Mountain Tunnel shut-down; discussed the Bay Delta Plan and substitute environmental document, reiterating BAWSCA's position on the Plan.

No public comment.

The Commission Secretary read the Consent Calendar.

10. Consent Calendar

- a) Approve the Water Supply Assessment for the proposed India Basin Mixed-Use Project, 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 16-0255](#))
- b) Approve Modification No.1 to the Agreement between the California Department of Fish and Wildlife (CDFW) and the City and County of San Francisco regarding the design, procurement, and installation of a temporary water treatment and reuse system at Moccasin Creek Fish Hatchery, increasing the agreement by \$466,600, for a total Agreement amount of \$1,294,700. ([Resolution 16-0238](#))
- c) Approve Amendment No. 2 to Agreement No. CS-203B, Wastewater and Stormwater Technical Services for Wastewater Enterprise Administration, to Brown & Caldwell-SRT, Joint Venture, to continue provide as-needed specialized and technical services for the Wastewater Enterprise; Authorize the General Manager to execute this amendment, increasing the agreement by \$1,000,000, for a total not-to-exceed agreement amount of \$5,000,000, with no change to the agreement duration. ([Resolution 16-0239](#))
- d) Approve Amendment No. 1 to Agreement No. CS-203C, Wastewater and Stormwater Technical Services for Wastewater Enterprise Administration, to F.E. Jordan Associates, Inc., to provide on-going as-needed specialized

and technical services for the Wastewater Enterprise; Authorize the General Manager to execute this amendment, increasing the agreement by \$2,000,000, for a total not-to-exceed agreement amount of \$6,000,000, and with a time extension of two years, for a total agreement duration of seven years. ([Resolution 16-0240](#))

- e) Approve Amendment No. 1 to Agreement Nos. CS-297.A-D, As-Needed Construction Management Services, with Avila & Associates (CS-297.A); CPM-Alta JV (CS-297.B); ECS, Inc. (CS-297.C); and MCK Associates (CS-297.D); Authorize the General Manager to execute this amendment, increasing each agreement by \$2,000,000, for a total not-to-exceed agreement amount of \$6,000,000, with no change to the duration of each agreement. ([Resolution 16-0241](#))
- f) Accept work performed by Renewable Energy Systems/System 3, Inc., for Contract No. HH-960, Don Pedro Reservoir Crossing 115 kV and 230 kV Transmission Lines, for a total contract amount of \$4,561,297; Approve Modification No. 4 (Final), for a time extension of 198 consecutive calendar days, for a total contract duration of 505 consecutive calendar days; and authorize final payment to the contractor. ([Resolution 16-0242](#))
- g) Approve an increase in the construction contract cost contingency in the amount of \$980,000, for Contract No. HH-981, Mountain Tunnel Access & Adit Improvement Project; Authorize the General Manager or his designee to approve future modifications to the contract, for a total revised contract amount of up to \$6,123,800. ([Resolution 16-0243](#))
- h) Approve Amendment No. 1 to Agreement No. PRO.0029, Administration of the Project Pull Internship Program, with the Japanese Community Youth Council, to continue providing administrative services and technical assistance for the Project Pull Internship Program; Authorize the General Manager to execute this amendment, increasing the agreement by \$1,500,000, for a total not-to-exceed agreement amount of \$2,500,000, and with a time extension of three years, for a total agreement duration of five years. ([Resolution 16-0244](#))
- i) Accept work performed by Kiewit Infrastructure West Inc., for Contract No. WD-2596, Harry Tracy Water Treatment Plant - Long Term Improvements; Approve Modification No. 36 (Final), decreasing the contract amount by \$106,693, for a total contract amount of \$196,377,999; and authorize final payment to the contractor. ([Resolution 16-0245](#))
- j) Accept work performed by Hernandez Engineering for Contract No. WD-2667, 8-Inch Ductile Iron Pipe Main Installation and Pavement Renovation on Mission Street; Approve Modification No. 1, decreasing the contract by \$11,843, for a total contract amount of \$2,980,037, and with a time extension of 42 days, for a total contract duration of 437 consecutive calendar days; Approve Modification No. 2 (final), decreasing the contract by \$61,992, for a total contract amount of \$2,918,045; and authorize final

payment, to the contractor. ([Resolution 16-0246](#))

- k) Approve an increase in the construction contract cost contingency in the amount of \$228,000, and an increase to the existing contract duration contingency of up to 54 consecutive calendar days for Contract No. WW-602, 17th/33rd/37th/ Julian/Revere Avenues, and Anderson/Ellsworth/ Ingalls/Maple/Moultrie Streets Sewer Replacement; Authorize the General Manager or his designee to approve future modifications to the contract, as appropriate, for a total revised contract amount of up to \$3,706,988 and for a total revised contract duration of up to 450 consecutive calendar days. ([Resolution 16-0247](#))
- l) Approve an increase in the construction contract contingency in the amount of \$250,000 for Contract No. WW-605R, Mission and Valencia Streets Green Gateway, to Anvil Builders, Inc.; Authorize the General Manager or his designee to approve future modifications to the contract for a total revised contract amount of up to \$3,493,914. ([Resolution 16-0248](#))
- m) Approve the plans and specifications, and award Contract No. WW-606R2, Oceanside Water Pollution Control Plant (OSP) Door and Building 930 Exterior and Awning Improvements, in the amount of \$4,049,000, to the lowest, qualified, responsible and responsive bidder, Trinet Construction Inc., to replace the existing deficient and deteriorated building awning assembly, related building exterior and surface improvements at OSP. The proposed action is the Approval Action as defined in Chapter 31 of the San Francisco Administrative Code. ([Resolution 16-0249](#))
- n) Approve the plans and specifications, and award Contract No. WW-631, Crocker Amazon/Excelsior/Ingleside Districts Sewer Replacement and Pavement Renovation, in the amount of \$9,711,239, to the lowest, qualified, responsible and responsive bidder, Precision Engineering, Inc., to replace the existing sewers and street pavement on the subject streets in the City of San Francisco. The proposed action is the Approval Action as defined in Chapter 31 of the San Francisco Administrative Code. ([Resolution 16-0250](#))
- o) Approve the plans and specifications, and award Contract No. WW-644, As-Needed Sewer Sealing, for a not-to-exceed total contract amount of \$3,834,500, to the lowest, qualified, responsible and responsive bidder, Yerba Buena Engineering & Construction, Inc., to perform on an as-needed basis sealing of existing sewer facilities at locations to be determined throughout San Francisco. The proposed action is the Approval Action as defined in Chapter 31 of the San Francisco Administrative Code. ([Resolution 16-0256](#))
- p) Approve the terms and conditions and authorize the General Manager to execute a five-year revocable license with the City of Redwood City to use approximately 12,138 square feet of SFPUC Parcel No. 2115, located adjacent to Linden Street and Park Street in the City of Redwood City,

California, for the construction, installation, and maintenance of a public park (Linden Park), for no use fee. ([Resolution 16-0251](#))

- q) Approve the terms and conditions and authorize the General Manager to execute a five-year revocable license with Education Outside, to use approximately 7,628 square feet of property under the jurisdiction of the San Francisco Public Utilities Commission, at 336 Elsie Street in San Francisco, California, a portion of the College Hill Reservoir Tract, to operate the College Hill Learning Garden for local student education programs for no use fee. The proposed action is the Approval Action as defined in Chapter 31 of the San Francisco Administrative Code. ([Resolution 16-0252](#))

- r) Approve Modification No. 1 to Job Order Contract (JOC), JOC- 54, Micro-LBE, Electrical (C-10 License) for San Francisco, the Peninsula, and the East Bay Area, with Mitchell Engineering to perform electrical contracting tasks for all San Francisco Public Utilities Commission enterprise operations and bureaus, increasing the contract by \$500,000, for a total contract amount of \$1,500,000, with a time extension of 365 consecutive calendar days, for a total contract duration of 1095 consecutive calendar days, as allowed for JOCs under the San Francisco Administrative Code. ([Resolution 16-0253](#))

- s) Award Job Order Contract No. JOC-68, Micro-LBE, Landscape (C-27 License) for a not-to-exceed amount of \$1,000,000 to the lowest, qualified, responsible, and responsive bidder, Korotkin Associates, to maintain, repair and/or install landscape systems and facilities in the Peninsula and Alameda Watersheds, as well as other City-owned property. ([Resolution 16-0254](#))

President Moran requested that items 10a and 10o be removed from the calendar.

*On Motion to approve items 10b –10n and 10p –10s:
Ayes: Moran, Kwon, Caen, Vietor and Courtney*

No public comment on items 10b –10n and 10p –10s.

10a: AGM Ritchie response to a question from President Moran regarding approval of the WSA given the uncertainty of the SWCB actions. Deputy City Attorney Ambrose provided additional response. Brief discussion ensued.

President Moran requested that future water supply assessment approvals be placed on the regular calendar.

*On Motion to approve item 10a:
Ayes: Moran, Kwon, Caen, Vietor and Courtney*

No public comment on items 10a

10o: Kathy How, AGM Infrastructure, responded to President Moran concerns that there was one bid received, which was significantly over the engineer's estimate.

On Motion to approve item 10o:
Ayes: Moran, Kwon, Caen, Vietor and Courtney

No public comment on item 10o.

11. Authorize the Power Enterprise and CleanPowerSF to enter into a 10-year Renewable Power Purchase Agreement for a portion of the output of the Sunset Reservoir Solar Photovoltaic Project to support CleanPowerSF's compliance with the state Renewables Portfolio Standard program.

[\(Resolution 16-0257\)](#)

AGM Hale introduced the item and discussed compliance with the state Renewables Portfolio Standards program requirements.

AGM Hale responded to a question from Commissioner Vietor regarding a previous Sunset Reservoir power purchase.

On Motion to approve item 11:
Ayes: Moran, Kwon, Caen, Vietor and Courtney

No public comment.

12. Authorize the General Manager to negotiate and execute, on behalf of the City and County of San Francisco and the Bay Area and Water Supply Conservation Agency, a Cost Share Agreement with Contra Costa Water District (CCWD) for an amount not to exceed \$100,000, to support CCWD's future efforts to secure additional funding from the California Water Commission for the expansion of Los Vaqueros Reservoir from 160,000 to 275,000 acre feet. [\(Resolution 16-0258\)](#)

AGM Ritchie introduced the item and requested approval.

No public comment.

On Motion to approve item 12:
Ayes: Moran, Kwon, Caen, Vietor and Courtney

13. Approve the terms and conditions and authorize the General Manager to execute a seven-year Management Agreement with the Alameda County Resource Conservation District (ACRCD), governing ACRCD's management of the Sunol Water Temple Agricultural Park (Sunol AgPark), with SFPUC funding not-to-exceed \$1,297,681; and authorize a seven-year lease to the ACRCD for use of approximately 18 acres of SFPUC Parcel 65 located between the SFPUC Water Temple and the SFPUC Corporate Yard, to operate the Sunol AgPark in Sunol, California, for no rent. [\(Resolution 16-0259\)](#)

AGM Ritchie thanked Carla Schultheis and Tony Bardo for their work.

No public comment.

On Motion to approve item 13:

Ayes: Moran, Kwon, Caen, Vietor and Courtney

14. Approve the terms and conditions and authorize the General Manager to execute a five-year lease, with a three-year option to extend the term, with Kristian A. Akseth, Lilly B. Akseth, and Libkra Investment Corporation, together as landlord, and the City and County of San Francisco, through the SFPUC as tenant, for the use of an approximately 36,400 square-foot building, and an approximately 12,000 square-foot parking lot at 1980 Oakdale Avenue in San Francisco, at a rental rate of \$61,750 per month. The proposed action is the Approval Action as defined in Chapter 31 of the San Francisco Administrative Code. ([Resolution 16-0260](#))

No public comment.

On Motion to approve item 14:

Ayes: Moran, Kwon, Caen, Vietor and Courtney

15. Discussion and possible action to authorize the General Manager to consent, on behalf of the SFPUC, to the Development Agreement between the City and County of San Francisco, the Housing Authority of the City and County of San Francisco, and Bridge-Potrero Community Associates LLC, regarding Potrero HOPE SF, as it relates to matters under the SFPUC's jurisdiction; and adopt findings, pursuant to the California Environmental Quality Act, including a Mitigation and Monitoring and Reporting Program. ([Resolution 16-0261](#))

In response to a question from President Moran, Deputy General Manager (DGM) Carlin stated the SFPUC will be responsible for operating and maintaining the electric service at the housing authority; a private contractor will upgrading the infrastructure; and that SFPUC will build intervening facilities.

No public comment.

On Motion to approve item 15:

Ayes: Moran, Kwon, Caen, Vietor and Courtney

16. Discussion and possible action to authorize the General Manager to consent, on behalf of the SFPUC, to the Development Agreement between the City and County of San Francisco, the Housing Authority of the City and County of San Francisco, and Sunnydale Development Co., LLC, regarding Sunnydale HOPE SF, as it relates to matters under the SFPUC's jurisdiction; and adopt findings, pursuant to the California Environmental Quality Act, including a statement of overriding considerations and a Mitigation and Monitoring and Reporting Program. ([Resolution 16-0262](#))

No public comment.

*On Motion to approve item 16:
Ayes: Moran, Kwon, Caen, Vietor and Courtney*

17. Adopt a finding declaring that the property at 401 and 403 Old Bernal Avenue in Pleasanton, California is surplus to the SFPUC's current and future utility needs; Authorize the General Manager to negotiate and execute an Agreement with the City of Pleasanton to sell the Property for \$4.2 million; Authorize a request to the Board of Supervisors and the Mayor to approve the Property sale, subject to the terms of the Agreement. ([Resolution 16-0263](#))

No public comment.

*On Motion to approve item 17:
Ayes: Moran, Kwon, Caen, Vietor and Courtney*

18. Adopt a finding declaring that three parcels (San Mateo County APN 093-212-010, 093-213-010 and 093-213-020) in Millbrae, California, are surplus to the needs of SFPUC's utilities; Authorize a request to the Board of Supervisors and the Mayor to approve the Property sale, subject to the terms of the Agreement; Authorize the General Manager to execute a Purchase and Sale Agreement with Pradeep Gandhi and Gabriel Gonzalez, to sell the Property for \$2,340,000. ([Resolution 16-0264](#))

DGM Carlin thanked the Real Estate and City Attorney staff for their work.

No public comment.

*On Motion to approve item 18:
Ayes: Moran, Kwon, Caen, Vietor and Courtney*

19. Approve the selection of Emerson Process Management; Award Contract No. DB-126, Wastewater Enterprise Distributed Control System Upgrades Project, a Progressive Design Build Agreement, to replace the existing Wastewater Enterprise Distributed Control System, primarily at the Southeast Water Pollution Control Plant; Authorize the General Manager to execute agreements consistent with the requirements of Section 6.61(g) of the San Francisco Administrative Code, for a total amount not to exceed \$20,425,000. ([Resolution 16-0265](#))

Public Comment

- *Ms. Pamela Calloway, RDJ Enterprises, expresses support for the item and requested approval.*
- *Mr. Josh Gray, expressed support for the item, noting the opportunities it will provide.*
- *Ms. Ellouise Patton, Bayview/SFCA, expresses support for the item and requested approval.*
- *John Dougherty, IBEW Local 6, expressed support for the report and the local hiring it will provide.*

*On Motion to approve item 19:
Ayes: Moran, Kwon, Caen, Vietor and Courtney*

The Commission Secretary read Closed Session items 22 through 29. She stated item 30 would not be heard.

20. Public Comments on matters to be discussed in Closed Session.
None.
21. Motion on whether to assert the attorney-client privilege regarding the matters listed below as Conference with Legal Counsel.

*On Motion to Assert:
Ayes: Moran, Kwon, Caen, Vietor, and Courtney*

The Commission entered Closed Session at 3:55 PM.

Commissioners Vietor and Courtney were excused and departed the meeting at 3:55 PM.

22. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1)
Existing Litigation:
The Regents of the University of California v. City and County of San Francisco
San Francisco Superior Court Case No.: CGC-15-548090
File No.: 160519 / Date Filed: September 22, 2015
(Resolution 16-0266)
23. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10 (d)(1)
Existing Litigation:
City and County of San Francisco v. Decorative Plant Services Inc., ACS Marketing Inc. dba S.F. Foliage, Inc., Goldman Enterprises dba Sunborne Nursery Inc.
San Francisco Superior Court Case No. CUD-16-657190 / Date Filed:
November 28, 2016
(Resolutions 16-0267, 16-0268, and 16-0269)
24. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.8 and San Francisco Administrative Code Section 67.8 (a)(2)
Property:
3.9 acres of property, designated as SFPUC Parcel 142, Santa Clara, CA, with Cedar Fair, LLP
Persons Negotiating:
Michael Carlin on behalf of SFPUC
Mary Murphy on behalf of Cedar Fair, LP as Tenant
Under Negotiation:
Price and Terms of Payment

25. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1)
Existing Litigation:
Pacific Gas & Electric
Federal Energy Regulatory Commission
Tariff Withdrawal per 35.15: Notice of Termination of the 1987 CCSF Interconnection Agreement – PG&E Rate Schedule FERC No. 114 to be effective 6/30/15.
Case No.: ER15-702-000/Date Filed: December 23, 2014
26. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1)
Existing Litigation:
Pacific Gas & Electric
Tariff Withdrawal per 35.15: Notice of Termination of The CCSF Facilities Charge Agreement for Moscone to be effective 6/30/15.
Case No.: ER15-703-000/Date Filed December 23, 2014
27. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1)
Existing Litigation:
Pacific Gas & Electric
Federal Energy Regulatory Commission
§205(d) rate filing per 35.13 (a)(2)(iii): City and County of San Francisco Transmission Owner Tariff Replacement Agreements to be effective 7/1/15
Case No.: ER15-705-000/Date Filed: December 23, 2014
28. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1)
Existing Litigation:
Pacific Gas & Electric
Federal Energy Regulatory Commission
§205(d) rate filing per 35.13 (a)(2)(iii): City and County of San Francisco Wholesale
Distribution Tariff Replacement Agreements to be effective 7/1/15
Case No.: ER15-704-000/Date Filed: December 23, 2014
29. Conference with Legal Counsel - Pursuant to California Government Code Section 54956.9 (d) (1) and San Francisco Administrative Code Section 67.10 (d) (1)
Existing Litigation:
Pacific Gas & Electric
Federal Energy Regulatory Commission
Notice of Termination of Facilities Charge Agreements between PG&E and the City and County of San Francisco
-

30. Threat to Public Services or Facilities – Pursuant to California Government Code Section 54957 and San Francisco Administrative Code Section 67.10 (a)

The Commission exited Closed Session at 4:41 PM.

31. Announcement following Closed Session.

President Moran announced that settlements were reached on items 22 and 23.

32. Motion regarding whether to disclose the discussions during Closed Session.

On Motion not to disclose:

Ayes: Moran, Kwon, and Caen

33. Other New Business.

President Moran announced the cancellation of the December 27th meeting.

34. Adjournment.

President Moran adjourned the meeting at 4:42 PM.