



**SAN FRANCISCO PUBLIC UTILITIES  
COMMISSION**

City and County of San Francisco

**London N. Breed**  
Mayor

**REGULAR MEETING MINUTES**  
**Tuesday, October 12, 2021**  
**1:30 P.M.**  
(Approved October 26, 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 1:30 PM.*

2. Roll Call

*Present: Maxwell, Moran, Paulson, Harrington, and Ajami*

3. Annual Election of Officers: Discussion and possible action to elect a President and Vice President of the Commission, each to serve a one-year term, as per the San Francisco Public Utilities Commission Rules of Order, Rule No. 6.

*President Maxwell thanked the Mayor, SFPUC staff, and stakeholders for their work and dedication. She expressed her thanks to the Commission for their knowledge, commitment, and dedication to their work.*

*She outlined the procedure for the election of the President and asked that public comment be opened.*

Public Comment – Election of President

- *David Pilpel asked that the Commission take item 12 out of order, to be heard after the election of officers. He expressed his appreciation to the Commission and to President Maxwell for their work during a difficult year.*
- *Peter Drekmeier, Tuolumne River Trust, thanked President Maxwell for her service as President. He stated that progress has been made and that the Commission is the strongest that he has seen in the past 14 years. He stated Commissioner Moran, if nominated, would be a great President.*
- *Alita Dupree stated the community that the SFPUC touches is diverse and that it is not just about the City and County of San Francisco. She asked that the new officers be aware of the diversity of the public that it serves and that equity and respect for all be practiced.*
- *Nicole Sandkulla expressed her appreciation to President Maxwell for her work while President and during a difficult year. She thanked her for her steady hand and calm demeanor.*

*Commissioner Harrington nominated Commissioner Moran as President. He noted Commissioner Moran's depth of knowledge of the organization and vital issues, which is important given that the new General Manager (GM) is starting work. Commissioner Moran accepted the nomination.*

*Commissioner Paulson stated that he takes his position as a Commissioner seriously and indicated his willingness serve as President or Vice President (VP) and to serve in a leadership capacity.*

*On motion to approve Commissioner Moran as Commission President:  
Ayes: Maxwell, Moran, Paulson, Harrington, and Ajami*

*President Moran thanked Commissioner Maxwell for her service during the difficult year and for her steady hand. He noted her deep affection and concern for those who work*

for the SFPUC and for those the SFPUC serves. He noted her work on the recruitment of the new General Manager (GM), conversations with irrigation districts about possible early implementation actions on the Tuolumne and stated that she continues to demonstrate leadership.

President Moran thanked the Commission for the nomination and stated that he looks forward to continuing to work with the Commission, the new GM, and stakeholders on continuing to make progress on issues of importance.

President Moran stated that the process for the election of Vice President would be the same as that of President. He asked that public comment be opened.

Public Comment – Election of Vice President (VP)

None.

Commissioner Maxwell nominated Commissioner Ajami as VP. Commissioner Ajami accepted the nomination. She expressed thanks to Commissioner Maxwell for her service as President and for her collaboration, guidance, and openness.

On motion to approve Commissioner Ajami as Commission Vice President:  
Ayes: Moran, Ajami, Maxwell, Paulson, and Harrington

VP Ajami thanked the Commission for the nomination and expressed her appreciation for the work of the Commission and for the services of the SFPUC.

4. Approval of the Minutes

a) September 17, 2021 Special Meeting

VP Ajami noted an error on page four, with the indoor and outdoor per capita demand in the San Diego region listed incorrectly. She indicated it should read “120 outdoor” and “48 indoor”.

b) September 28, 2021 Regular Meeting

Public Comment

- David Pilpel stated that he provided minor suggested edits to the Commission Secretary.

On motion to approve the minutes of the September 17, 2021 Special Meeting:  
Ayes: Moran, Ajami, Maxwell, Paulson, and Harrington

On motion to approve the minutes of the September 28, 2021 Regular Meeting:  
Ayes: Moran, Ajami, Maxwell, Paulson, and Harrington

5. General Public Comment

- Anonymous caller stated she lives across the road from the Crystal Springs watershed, in Belmont Heights, and expressed concern with the permits that are issued to the College of San Mateo (CSM) for their cross-country events. She indicated complaints have been lodged with CSM Trustees as to the

*impacts on the neighborhood and have asked that some of the large-scale events be reduced. She stated the Trustees voted to increase the events from one to five times per year, with hundreds of runners and spectators in attendance that cause congestion, pollution, and safety hazards. She asked that the Commission review the Crystal Springs CSM permit.*

- *Peter Drekmeier, Tuolumne River Trust, stated the State Water Board issued an order codifying the Settlement Agreement aimed at restoring streams to Mono Lake. He discussed a Los Angeles Times editorial on the subject and indicated he would forward that to the Commission.*
- *Eileen Boken discussed Contract WD-2678R regarding the AWSS Pump Station Number 2. She reviewed the action taken by the Commission at their September 28, 2021 meeting and the reference to “nuts and bolts replacement” in the agenda item and the timing of parts ordering. She asked the Contract and contractor be re-evaluated.*
- *Anonymous speaker echoed the previous speaker’s comments and discussed the cross-country events being held at the Crystal Springs watershed, noting the increase in the frequency and size of events, number of participants, and spectators. She indicated that no environmental studies have been conducted on the impact of the cross-country use and stated that a full environmental impact report (EIR) is needed.*
- *Anonymous speaker discussed the cross-country events at the Crystal Springs watershed and discussed its impact on residents of the adjacent area. She stated it is disheartening to be told by SFPUC staff that everything will continue as-is. She stated the SFPUC is not fulfilling its obligation to the environment and habitat and requested that an EIR be conducted.*
- *David Pilpel noted that several SFPUC staff have announced their retirements and departures. He stated the silver tsunami has arrived and expressed hope that the SFPUC is planning for transition and knowledge transfer. He expressed concern with the impact to operations of unvaccinated staff being terminated or put on non-work status.*
- *Alita Dupree discussed the CleanPowerSF Program and stated it can generate excitement for the SFPUC. She stated the future is electric; that rates design innovation is essential; and she discussed demand-based electric pricing.*

## 6. Communications

- Advance Calendar
- Correspondence Log
- Contract Advertisement Report
- Citizens’ Advisory Committee Resolution for Continued Support and Budget for SFPUC Racial Equity Plan and Community Benefits
- Water Supply Conditions Update

### Public Comment

- *Peter Drekmeier, Tuolumne River Trust, questioned the status of the October water workshop.*
- *Anietie Ekanem, Citizens’ Advisory Committee (CAC) Chair, discussed item 6d,*

*and stated the resolution was created to ensure that promises made are kept. He spotlighted the good work that has been done. He asked that the GM report back to the Commission on equity goals.*

*Steve Ritchie, Assistant General Manager (AGM) Water, responded to a question from President Moran regarding the status of the Long-Term Vulnerability Assessment, indicating it is still with the Water Research Foundation and that he expects the report in early November. He noted discussions are occurring with the Foundation as to whether summary information can be provided and if an expert can be made available for the October 29<sup>th</sup> workshop.*

*In response to a question from Commissioner Maxwell as to a comments made by members of the public regarding cross-country events held at the Crystal Springs Watershed, AGM Ritchie indicated that a report will be provided at the next meeting.*

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.

*Rich Morales, SFPUC Debt Manager, introduced Mark Blake, Deputy City Attorney and Steve Spitz, Disclosure Counsel, Orrick, Herrington & Sutcliffe, LLP, who provided the presentation. Mr. Blake noted the reasons for the training, which is required by federal securities laws as they apply to the issuance of bonds. He stated that a memo was provided to the Commission regarding the ways in which the Commission discharges their responsibilities for the approval of the SFPUC's Official Statements to investors under federal securities laws. Mr. Blake introduced Mr. Spitz and noted his role as outside disclosure in assisting the Commission.*

*Mr. Spitz indicated that the SFPUC issues bonds to finance capital projects by selling notes and bonds in the public capital markets, and that the debt is offered through an Official Statement, which provides information about the bond and the SFPUC so investors can make informed decisions. He stated the Official Statement is subject to fraud rules and that the Official Statement must have no material misstatements or omissions. He indicated the Commissioners have the ultimate responsibility for the SFPUC's disclosures to the market. He discussed key ways the Commission can discharge duties under the federal securities law in two general ways: (1) Process: establish internal review procedures and processes where information is vetted and considered; that the Commissioners engage the assistance of qualified professionals; and that there is cultural transparency; and (2) Substance: understand the transaction; ensure that senior staff are fully aware; and that the Commission voice any concerns with disclosure process, substance, or with the documents.*

*Mr. Spitz responded to a question from Commissioner Maxwell as to the meaning of "special personal knowledge" and stated that it can include something that the Commissioner knows that others don't, and he discussed main disclosure considerations.*

*Commissioner Paulson thanked the presenters for the information and noted the diligence of the Commission. Mr. Spitz stated that training isn't scheduled due to concern but rather as a standard practice.*

*Commissioner Harrington thanked Mr. Spitz and Mr. Blake for the presentation and for their work.*

*Mr. Blake stated that the Commission serves as gatekeepers and that the Securities and Exchange Commission wants the Commissioners to read the Official Statement to make sure it is accurate, to be aware that staff is trained, and ensure that competent experts are preparing disclosure documents. He stated engagement with the process is expected.*

*VP Ajami thanked Mr. Spitz and Mr. Blake for the presentation. Mr. Blake responded to her questions regarding the process for reviewing documents; how external communication is handled (such as if a Commissioner is part of a panel); and for the review and approval of bond documents.*

#### Public Comment

- *David Pilpel requested a copy of the presentation. He expressed confidence with Mr. Blake, outside counsel, and SFPUC finance staff. He discussed continuing disclosure responsibilities.*

*Mr. Rich Morales noted the seriousness of the topic and thanked the Commission for their participation in the training.*

#### 8. Citizens' Advisory Committee (CAC) Annual Update

*Anietie Ekanem, CAC Chair, thanked the Commission for their work. He stated the CAC is comprised of 17 seats, with 13 currently occupied. He indicated that each member of the Board of Supervisors and the President of the Board appoint one member and the Mayor appoints several. He noted the CAC is comprised of the full CAC and the Water, Wastewater, and Power subcommittees.*

*Chair Ekanem thanked Commissioner Maxwell for her steady hand, collaboration, and focus on community during her tenure as Commission President. He thanked President Moran and VP Ajami for stepping-up and stated that the CAC looks forward to working with the Commission.*

*He reviewed some of the CAC's and the subcommittees top priorities: (1) Full CAC: advancing racial equity, supporting affordability programs and policies, increasing workforce equity, and tracking infrastructure investments through the 10-year Capital Plans; (2) Water Subcommittee: track the Bay Delta Plan and Voluntary Settlement Agreement, receive updates from the Water Quality Division, educating residents about the need to diversify water supply, and drought and water conservation; (3) Power Subcommittee: racial equity implementation updates, climate change, electric rates, residential and commercial power programs, and strategic investments in power infrastructure; and (4) Wastewater Subcommittee: understand Wastewater Enterprise's*

*Workforce Succession Planning, support SFPUC and community air monitoring efforts, promote green infrastructure, and promote feedback to the Biosolids Program. He noted that the CAC passed a variety of resolutions during the year. He expressed the need for communication between the Commission and the CAC.*

*In response to a question from Commissioner Maxwell as to whether there is anything the CAC wants to add to the Racial Equity Plan, Chair Ekanem acknowledge the work that has happened but indicated a big piece is accountability and accountability metrics that need to be monitored. He stated that programs that can be fully funded should be.*

*VP Ajami questioned how the SFPUC could implement solutions across-the-board rather than across enterprises.*

*Commissioner Paulson thanked Chair Ekanem for the presentation.*

#### Public Comment

- *Alita Dupree stated she will attend a CAC meeting. She expressed the importance of equity and that all people are welcomed.*

#### 9. Report of the General Manager (GM)

*Acting GM Carlin thanked Commissioner Maxwell for her guidance and work during the past year.*

##### a) FY2021-22 Capital Financing Plan

*Mr. Morales presented the FY2021-22 Capital Financing Plan. He indicated that the Plan describes 11 transactions including renewal or replacement of six expiring bank credit facilities, three of which carried over from last year's plan.*

*Mr. Morales reviewed the SFPUC's debt management: (1) large outstanding debt portfolio and significant projected for debt issuance and credit needs; (2) activities guided by Commission policy; (3) independent oversight by the Revenue Bond Oversight Committee; and (4) annual Capital Financing Plan.*

*He presented an overview of Enterprise debt, which consists of Revenue Bonds, SRF/WIFIA Loans, Tax Credit Bonds, Commercial Paper, and Ratings (long and short-term), all of which are highly graded. He stated that CleanPowerSF was rated A2 by Moody's, making it the highest rated Community Choice Aggregation Program in California.*

*Mr. Morales discussed three type of Capital Financing activities at the SFPUC: (1) new money/credit needs; (2) administration of existing debt portfolio; and (3) market opportunities. He reviewed the FY-2021-22 Capital Financing Plan and the 11 transactions that are planned, including the three that were carried over from last year. He discussed the activity, approximate transaction size, estimated Commission action date, and estimated closing date.*

*Mr. Morales responded to a question from VP Ajami as to the ratio between the*

*rate of return on bonds and the revenue generated for payment, indicating it depends on the debt issued for each enterprise. AGM Carlin and Charles Perl, Deputy CFO, provided additional response. Brief discussion ensued.*

Public Comment

*None.*

b) Water Supply Outlook with the State Board's Curtailment Order

*AGM Ritchie began with a review of the effects of the Tuolumne River Diversion Curtailments, indicating (1) Curtailments went into effect for the SFPUC's Tuolumne River Discussion, (2) Curtailments eliminate access to the 360,000 acre-feet of storage in Water Bank in Lake Don Pedro, (3) the SFPUC is meeting all of the Curtailment obligations by releasing water from Cherry Lake and Lake Eleanor so water can divert into Hetch Hetchy, and (4) the SFPUC has requested a Health and Safety exception for diversions which will allow the diversion of enough water to supply 55 GPCD the entire service area (with conditions).*

*AGM Ritchie reviewed (1) analysis of potential impacts if the drought persists; and (2) system response to continued curtailments and prospective conditions of 1976-78.*

*He concluded indicating (1) under Curtailments to August 2023, deliverable storage is gone by December 2023, even with a 10% reduction in water use, (2) Health and Safety Exception through both years adds 270,000 acre-feet to deliverable storage in 2022-23, allowing the system to continue serving water, (3) the system effectively refills by July 2024 assuming no other changes, and (4) bottom line – focus needs to be on finding a way to regain access to Water Bank and/or need to achieve a Health and Safety exception.*

*President Moran stated that the analysis presented looks at the next 2.5 years, while the Design Drought looks at the next 8.5 years. Mr. Ritchie responded to his question as to the thought process was between the two. Brief discussion ensued. President Moran indicated that the planning should not be on the assumption the drought will last 4.5 years.*

*In response to a question from VP Ajami as to how deep savings can go beyond 10%, AGM Ritchie stated that 10% was achieved during the last drought, but that demand has increased. Since July 1<sup>st</sup> there has been an 8% reduction, but additional reduction will be asked for and that amount is being determined.*

*Commissioner Harrington noted the importance of gaining access to Water Bank or a Health and Safety Exception and questioned the timing. AGM Ritchie and Acting GM Carlin provided response.*

*In response to a question from Commissioner Maxwell as to the strategy for communicating with the public, AGM Ritchie indicated that communications would begin after a Declaration of Emergency. He noted the key communication*

*focus will be on the wholesale customers, but that all customers will be asked to conserve and stated that they can see their use on their bills. He stated that work is happening with the Communications team as to the communications plan. VP Ajami stated she would like to see more than a 10% reduction and that a visual could be provided to customers displaying the amount of water that could be saved with additional reduction in use.*

*Commissioner Harrington noted that as a renter he doesn't see a water bill and that for most San Francisco customers who rent, a different strategy needs to be considered.*

*President Maxwell requested a timeline for the communications campaign. AGM Ritchie indicated it would likely start in January after the Declaration of Emergency and that staff would return to the Commission to discuss the campaign approach.*

#### Public Comment

- *David Pilpel stated that Commissioner Harrington's comments bring up the issue of sub-metering and the need to get usage at the dwelling/business unit level and not just the customer level.*
- *Peter Drekmeier, Tuolumne River Trust, noted a delay between the broadcast and opening of the public comment line and requested a longer wait for callers. He indicated that he hopes to hear more from the State Water Board about Water Bank. He stated that recycled water is drought and curtailment proof and recycled water should move more quickly.*
- *Carol Steinfeld, Sierra Club, Loma Prieta Chapter, stated more work needs to be done on the Peninsula and that there are issues with communities being dependent on private water companies that don't have community-based input on water use and conservation.*

#### c) Southeast Water Pollution Control Plant Biosolids Digester Facilities Project Update

*Stephen Robinson, Wastewater Enterprise Capital Program Director, began with a brief program background, noted progress, and offered next steps. He reviewed project changes in three general categories (1) Collaborative Team: new MWH-Webcor leadership; increased SFPUC leadership involvement; and improved collaborative organizational structure; (2) Contract: agreement on General Conditions, early collaborative identification of risk/mitigations, contingencies, etc.; and (3) Competitive Bidding: market-tested bidding of smaller trade packages, expanded contractor outreach, and third-party cost estimates and cost reconciliations prior to bid openings.*

*Director Robinson reviewed program progress including earthwork, excavation, foundation, and noted a forecasted completion of February 2022. He stated that MWH-Webcor JV bid out digester Facilities (610) achieving competitive pricing and a "cost-not-to-exceed", with maximized benefits of CM/GC approach; bid out 40 equipment and trade packages in three months; LBE participation goals*

exceeded (14%); and bid estimates were below or in alignment with received bid costs (under reconciled estimate).

Mr. Alan Johanson, Acting Assistant General Manager, Infrastructure, reviewed considerations for the remainder of the project if it is to be bid out as multiple projects. He noted seven criterion with a focus on 1, 6 and 7: (1) competitive bid climate (strength of competition); (2) site logistics – level of coordination between facilities and contracts; (3) consistency across contracts (equipment and quality of work); (4) Additional cost, time, and resources to manage multiple contractors; (5) potential delays from one contractor to another; (6) facility start-up and commissioning responsibility; and (7) continuity of construction and workforce.

Mr. Johanson concluded with a review of next steps: to continue with the CM/GC delivery approach with Contract WW-647(R) for the best cost certainty, maintain current MWH-Webcor staff leadership and latest CM/GC approach for scoping and competitive bidding of work, and coordinate with MWH-Webcor JV team on bid strategy and estimated budget for remainder of the project.

In response to a question from Commissioner Maxwell regarding the project timeline, Mr. Johanson indicated that time will likely need to be added.

#### Public Comment

- *Derek Smith, Marinship Development, indicated they have been involved with the project for the last year and a half on a minor scale and that he understands the need to rush to complete the project. He stated he wants to see more transparency regarding how many locals are performing work on the project. He discussed the bidding process and that information provided on who gets the work.*
- *David Pilpel stated he was skeptical but noted that things have gotten better. He indicated he is unclear as to what lessons were learned from the Van Ness Avenue Project on CM/GC delivery method. He indicated he was also unclear as to the overall cost and schedule implications for the project and impact on ratepayers. He questioned the reuse of the Southeast Plant southside real estate, where the current digesters are located.*

*In response to a question from Commissioner Maxwell as to whether there will be smaller bid packages for smaller firms, Mr. Johanson indicated that improvements are being made regarding outreach and sizing of packages. He noted that notification to contractors on bidding terms is of concern.*

*Commissioner Paulson departed the meeting at 4:36 pm.*

- d) San Francisco Public Utilities Commission Employee Vaccination Status Report  
*Acting GM Carlin stated that the SFPUC has a Continuity of Operations Plan that is continually updated. He informed the Commission that if there are gaps in the types of positions needed to provide services that they will be filled. He stated that there is no anticipation of loss of service.*

*Justine Hinderlitner, Chief People Officer, noted the City mandate that requires that all employees must be fully vaccinated by November 1, 2021, but that there is the ability for individuals to request religions and medical exemptions. She stated that employees can be separated if they are non-compliant (not vaccinated or fail to report vaccine status). She stated that data presented is as of September 30, 2021 and that the data represents a Representation Index (Ri) used to determine impact.*

*She reviewed the SFPUC's response to the mandate which includes internal communications, vaccination events, information/education events, and self-service status reporting assistance.*

*She reviewed compliance information for staff: American Indian/Alaskan Native; Asian; Black; Filipino; Hispanic; Multiracial; and White (Male/Female) as follows: (1) Non-Compliant Population v. agency (%); Non-compliant vs. Agency (Ri), and Non-Compliant – Exempt Appointment Population (Ri). She continued with reviewing the percentage impact on Apprenticeships by program and stated that there is a potential 27% decrease across these programs if these employees are non-compliant on November 1<sup>st</sup>. She stated all non-compliant apprentices are in their second phase of the program which could have an impact.*

*She stated there are six job class, with one or two people per class, that have zero compliance, with none being entry level positions.*

*She stated that a hiring strategy has been developed, if needed. She noted conversations are occurring with the Department of Human Resources (DHR) as to utilizing the Mayor's 37<sup>th</sup> supplement to the Emergency Declaration that contains emergency provisions for hiring.*

*She indicated as the vaccine deadline approaches and disciplinary process take effect there will likely be an increase in compliance.*

*In response to a question from VP Ajami as to whether there anything else that can be done to encourage compliance, Ms. Hinderlitter indicated that compliance comes down to a personal choice and that the agency has been providing information as to the processes for requesting exemptions. She stated that employees should be treated with empathy, support, and respect*

*Acting GM Carlin emphasized that there are mandates from the City that must be followed. He noted peer-to-peer conversations help employees decide. He stated multiple departments are in similar situations.*

*Commissioner Harrington expressed his full support for the City policy. He stated he heard there are certain groups that are giving blanket exemptions and he requested information if there is an overabundance of exemptions given by any one individual or organization.*

*In response to a question from Commissioner Maxwell as to whether the Department of Public Health is involved in looking at medical exemptions, Ms. Hinderlitner stated that DHR has a physician on staff that is performing those evaluations.*

*Mr. Carlin responded to a follow-up question from Commissioner Maxwell regarding “emergency hiring” to ensure that there is hiring equity. She requested that all employees receive the data presented and that one-on-one communication with employees be utilized.*

*Ms. Hinderlitner noted that there will be no disciplinary action taken until after the November 1<sup>st</sup> deadline.*

#### Public Comment

- Alita Dupree noted the importance of the vaccination and stated that testing is backward looking and doesn’t provide protection going forward. She indicated the safety of the agency is through vaccination. She asked that the Commission stand strong.*
- David Pilpel requested a copy of the presentation and asked that all presentations be posted. He stated it will be interesting to see how this issue runs up against Racial Equity Action Plan. He predicts a significant change in SFPUC staff during the next few months with different management and mid-management and field staff.*

- e) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements  
*None.*

#### 10. New Commission Business

*None.*

*The Commission Secretary announced that a member of the public requested that Consent items 11a and 11b be removed for discussion.*

#### 11. Consent Calendar

- a) Approve Amendment No. 2 to Agreement No. CS-1075, Technical Support, Watershed Management, with the Aquatic Science Center to provide technical support for watershed management and interpretive signage for the Alameda Creek, San Mateo Creek and Pilarcitos Creek watersheds, and the Bay Area Ridge Trail; and authorize the General Manager to execute this amendment, increasing the agreement duration by one year for a total agreement duration of six years, with no change to the agreement amount. (Resolution 21-0156)  
*AGM Ritchie stated the item is for an extension with the Aquatic Science Center for work involving interpretive information on Peninsula Watershed. He stated that there are no LBE requirements for this item as is with a public agency and is not related to construction project and therefore, Chapter 14B does not apply.*

*No Public Comment on item 11a.*

*On motion to approve Consent Calendar item 11a:  
Ayes: Moran, Ajami, Maxwell, and Harrington*

- b) Approve the specifications and award Contract No. WW-710R, As-Needed Sewer Cleaning and Inspection (FY22), in the amount of \$1,294,452, 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 21-0157](#))

*Howard Fung, Manager, Project Management Bureau, introduced the item noting the work to be performed is on an as-needed basis. He indicated that two bids were received and that a protest was received from National Plant Services, Inc., which after consultation with the City Attorney's Office, was denied. He requested item approval.*

*No Public Comment on item 11b.*

*On motion to approve Consent Calendar Item 11b:  
Ayes: Moran, Ajami, Maxwell, and Harrington*

*Sheryl Bregman, Deputy City Attorney, responded to a question from Commissioner Harrington regarding the ability of the public to send a written request to have an item removed from the Consent Calendar, stating that removal of Consent items is at the call of the Chair and that a member of the public can make a request to remove items, but that it is not required that the item be removed if it is properly placed on the Consent Calendar.*

12. Adopting findings under new state urgency legislation to allow remote meetings during the COVID-19 emergency; continuing remote meetings for the next 30 days; and directing the Commissioner Secretary to include a similar resolution on the agenda for a Commission meeting within 30 days. ([Resolution 21-0158](#))

*Sheryl Bregman, Deputy City Attorney, indicated that going forward this item will be placed on the Consent Calendar. She stated that because of a change in state law, policy bodies are required every 30 days to adopt findings to allow remote meetings during the COVID-19 emergency.*

*In response to a question from President Moran regarding Mr. Pilpel's comments about agenda placement, Counsel Bregman stated that it is not required to be heard at any particular point during the meeting as long as it happens every 30 days.*

#### Public Comment

- *David Pilpel discussed a City Attorney memo regarding public meeting laws dated September 28<sup>th</sup>, which is located on the City Attorney's website. He stated he would have placed the item first on the agenda as it is his understanding that if the body does not adopt the findings any action taken could be null and void. He noted typos*

*in the last Resolved clause.*

- *Alita Dupree discussed importance of participating in meetings remotely and stated that virtual meetings allows people to engage without having to come to City Hall.*

*On motion to approve Item 12:*

*Ayes: Moran, Ajami, Maxwell, and Harrington*

13. Adjournment

*President Moran adjourned the meeting at 5:32 PM.*

