



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, November 10, 2020
(Approved December 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

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

Harlan L. Kelly, Jr.
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 and Harrington

The Commission Secretary announced that Closed Session would not be heard.

3. Approval of the Minutes of October 27, 2020

On Motion to approve the Minutes of October 27, 2020

Ayes: Maxwell, Moran, Paulson and Harrington

No public comment.

4. General Public Comment

- *Peter Drekmeier, Tuolumne River Trust, discussed former Commissioner Vietor's request for a resolution in opposition to the Trump Administration's biological opinions for the Bay Delta and in support for the State lawsuit against the biological opinion. He mentioned the Modesto Irrigation District and Tuolumne Irrigation District petition to the Federal Energy Regulatory Commission to waive the state's authority issue water quality certification.*
- *Eileen Boken discussed the Auxiliary Water Supply System (AWSS) located on 19th Avenue between Irving and Ulloa Streets. She discussed the San Francisco Municipal Transportation Agency (SFMTA) Rapid Project and the opportunity to expand AWSS in the area along with expansion opportunities associated with the L-Taraval project.*
- *Francisco DaCosta stated Mr. Drekmeier should be heard regarding the Tuolumne River and scientific data. He stated that Commissioners need to pay attention to the public. He questioned staff roles.*

5. Communications

a) Correspondence Log

b) 2009 Water Supply Agreement Update

c) 2019 Report of the State on the Local Water System

d) 2020 State of the Regional Water System

e) Annual Lake Merced Update

Vice President (VP) Moran requested information as areas of concern at Lake Merced where maintenance or other safety issues are not being addressed or funded. GM Kelly indicated that information will be provided in a subsequent report.

f) Annual Report on NEM/Share

g) Franchise Compliance Reports for Audit Period CY 2017-2018

h) Water System Improvement Program Status of Construction Change Orders

Commissioner Paulson stated the minimal number of change orders should be noted and commended.

i) Water Supply Conditions Update

Public Comment

- *David Pilpel spoke to item 5f and requested that in the future, NEM/ShaRE be spelled-out for clarity.*

6. Presentation of the 2019 Winners of the San Francisco Public Utilities Commission Impact Awards Recognizing SFPUC Employees and Teams for Outstanding Commitment to Public Service

Harlan Kelly, General Manager (GM), stated that the program is a way to celebrate and recognize employees for their service excellence. He indicated that the program was renamed, via suggestions received from employee nominations, to “SFPUC Impact Awards – Recognizing Excellence in Service”. He noted that since 2016, 160 employees and partners have been recognized via the program.

GM Kelly introduced Justine Hinderliter, SFPUC Chief People Officer, who introduced the 2019 SFPUC Impact Award honorees. She stated that a record 119 nominations were received and that in total, 282 individuals were recognized by 93 peers. She announced the winners:

Individual Category:

- Stakeholder and Community Interest Award: Julia Allman, Power Enterprise
- Environmental Stewardship Award: Mike Brown, Business Services
- Financial Sustainability Award: James Hendry, Power Enterprise
- Reliable Service and Assets Award: Kenneth Moore, Water Enterprise
- Effective Workforce Award: Brian Thomas, Infrastructure

Team Category:

- Distribution Field Services of Power Enterprise, Reliable Service and Assets Award: Jesse D. Blas, David Condon, Hieu X. Doan, Ryan Dunbar and Jered T. Huntington
- Thanksgiving Weekend Water Main Break Crew of Water Enterprise, Effective Workforce Award:
Timothy C. Alemany, James E. Biggins, Phil Broussard, Jonathan T. Carpenter, Vincenta Chiodo, Robert Costello, Jessie I. Dan, Richard S. Gonzales, Vincent Harris, James V. Kazarian, Warren Lowe, Tony Lucero, Patrick McLoughlin, John Mullen, Richard J. Nave, Adolfo Padilla Rios, Paul Pese, Tony Preston, Hector M. Rodriguez, and Richard Zaragoza
- Water Quality Sample Monitoring Project Team, a collaboration between employees in the Water Enterprise and Business Services, Organizational Excellence Award:
Lawrence Chew, Eric K. Chez, Ivy Estacio, Roselle Ferrer, Roberto Gonzales, Jin He, Richard B. Hernandez, Alex Liu, Weldon Ng, Kenneth Payne, Shailen Talati, Raman Virk, Dejie Yang, and Monica L. Zhang

The Commission congratulated the winners and commended their exceptional and necessary work. They expressed appreciation for the work of all SFPUC employees.

Public Comment

- *David Pilpel thanked the winners for their work. He suggested naming the award after SFPUC employee Arleen Navarret who passed away in 2012.*
7. Report of the General Manager (GM)
- a) Planning and development for Adoption of a San Francisco Public Utilities Commission Asset Management Policy
Michael Carlin, Deputy General Manager (DGM), discussed why an Asset Management Policy is important. He noted it is consistent with the SFPUC's Strategic Plan and that it guides the organization's asset management decision-making in a consistent and effective manner and is good utility best practice. He indicated staff will bring back an Asset Management Policy proposal, a high-level policy intended to guide the development of implementation plans, which will be developed by the Enterprises in collaboration with the Infrastructure and Finance Bureaus. He stated the implementation plans will help guide the bi-annual budget process discussions.

DGM Carlin responded to a question from President Maxwell as to current practice.

Vice President (VP) Moran thanked DGM Carlin for bringing the item to the Commission for early input. He noted that it reads as if asset management was just discovered and stated that is not the case. He asked that staff be clear that the policy is striving for consistency and asked that the expansion of efforts to be more thorough and inclusive.

Public Comment

- *David Pilpel requested that the policy include small and large assets and recommend that the policy be presented to the Citizens' Advisory Committee.*
- *Nicole Sandkulla, BAWSCA CEO, expressed support for the policy and that she looks forward to working with the SFPUC on the policy.*
- *Francisco DaCosta stated the policy needs to focus on pipelines and that asset management will give an idea of pipe quality, condition, type and durability.*

b) Capital Financing Plan for FY 2020-2021

Rich Morales, Debt Manager, presented the FY 2020-21 Capital Financing Plan. He reviewed (1) debt management function which is guided by Commission policies, (2) provided a Water, Wastewater, and Power Enterprise debt overview, (3) discussed three types of capital financing activities (new money/credit needs, administration of existing debt portfolio, and market opportunities), and (4) FY 2020-21 Capital Financing Plan transactions (Water – approve drinking water state revolving fund loan for Mountain Tunnel Project, Wastewater – authorize revenue notes, Power – authorize debt transaction, and Water and Wastewater – approve renewal or replacement of bank credit facilities for interim funding program).

No public comment.

c) Water Enterprise Capital Improvement Program (WECIP) Quarterly Report

Katie Miller, Director, Water Capital Programs, indicated that as of September 2020 WECIP regional and local project expenditures were \$873M with \$1,359M remaining

and is 41% complete. She presented the WECIP cost summary, discussed cost variances and the WECIP summary schedule, reviewed projects that are on-schedule, projects that exceed the schedule by two to six months, and projects that exceed the schedule by six months. She stated that the schedule will be set with the 2021 re-baseline.

Director Miller reviewed Regional WECIP Projects (total current approved budget for active regional projects by phase). She continued with highlights of the regional projects (1) Sunol long-term improvements (Alameda Creek Watershed Center), (2) Sunol Valley Water Treatment Plant Ozone, (3) San Andreas Pipeline No. 2 Lockbar Replacement, (4) Crystal Spring Pipeline No. 2, and Southern Skyline Boulevard Ridge Trail extension. She continued with a review of local WECIP projects (total current approved budget for active regional projects by phase). She then provided highlights of the Local WECIP Projects: (1) San Francisco Groundwater Supply Existing Well Station Conversion, (2) San Francisco Westside Recycled Water, (3) College Hill Reservoir Outlet. Director Miller responded to a question from President Maxwell regarding the sizes and usage of Kubota pipes, and (4) Local Water Conveyance/Distribution System Water Main replacement. She stated that each fiscal year approximately 12 linear miles are replaced.

Commissioner Paulson noted the occasional need for interagency cooperation and asked for clarification on when the SFPUC would go to another agency for work that can be performed by SFPUC staff. Director Miller and GM Kelly provided response on the coordination of work.

Public Comment

- Francisco DaCosta indicated he represents the Muwekma Ohlone Tribe and that they had the opportunity to address GM Kelly and visit the Sunol site. He expressed appreciation for SFPUC employees at the site and noted additional documentation is needed.

GM Kelly stated that Ms. Miller has done an excellent job serving as the acting Director of Water Capital Programs and congratulated her on her acceptance of the position in a permanent capacity.

d) Water System Improvement Program (WSIP) Quarterly Report

Director Miller indicated that WSIP expenditures as of September 2020 was \$3,675M and is 99% complete. She presented the regional WSIP cost summary, discussed cost variances and the WECIP summary schedule, and reviewed cost variances. She provided updates on the following (1) Calaveras Dam Replacement Project (CDRP) Contract A, (2) Fish Passage Facilities at Alameda Creek Diversion Dam CDRP Contract B, (3) Alameda Creek Recapture Project, (4) Sunol Valley Regional Closeout Project, (5) Regional Groundwater and Recovery, (6) San Joaquin Regional Closeout, (7) Bay Division Region Closeout Project, and (7) Peninsula Region Closeout Project.

Public Comment

- Francisco DaCosta indicated the presentation covered important projects, including Calaveras Dam and Mt. Tunnel. He stated project needs assessments are needed. He discussed Jacob's Engineering work on the Tunnel and the subsequent work that was required. He said accountability is needed.

e) Southeast Area Major Projects Update (1) Biosolids, (2) Headworks, and (3) 1550 Evans Southeast Community Center

Stephen Robinson, Director, Wastewater Capital Programs, stated that work is progressing and much of the current work is taking place underground. He reviewed (1) Southeast Plant (SEP) Biosolids Digester Facilities Project: Jerrold Street closure has been approved by the SFMTA and mailers have gone out to those impacted by the closure. He stated the relocation of existing utilities and sewer lines is anticipated to be complete in November and he discussed the relocation effort; (2) SEP New Headworks Facility Project: reviewed progress and status for Scope IIA (Bruce Flynn Pump Station) and Scope III (Headworks). He stated 249 piles have been installed; (3) Southeast Community Center 1550 Evans: all four slabs have been poured, structural steel erection is ongoing, an electrical power trench and vault have been installed, and the Southeast Community Center website has launched. He displayed time-lapse photos of the project site construction.

Public Comment

- Francisco DaCosta said that 1550 Evans is linked with 1800 Oakdale and that 1800 Oakdale was built for the community. He discussed community benefits.

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

None.

8. Update on Social Impact Partnerships Program (SIP), SFPUC's Good Neighbor Strategies in Contracting

GM Kelly noted the history of the Social Impact Partnership Program (SIP), discussed the challenges that were faced, and addressed how those challenges were met. He indicated in 2009 & 2011 the Commission passed a Community Benefits Policy/Good Neighbor Policy and an Environmental Justice Policy. He noted an environmental justice analysis was conducted to determine how the digester project could benefit the community and not impose cumulative negative impacts. He discussed the supply chain analysis that was performed to determine what services are needed to build the projects and to determine any other ancillary benefits could be provided for community benefit. He discussed the creation of the Contractor Assistance Center, the Project Labor Agreement.

Tracy Zhu, Social Impact Partnership Manager, provided an overview of the SIP, indicating it expands the SFPUC's ability to implement policies by inviting consulting firms to give back to the communities in which they perform SFPUC work. She noted that community benefits are values that firms provide directly to non-profits and schools, such as volunteer hours, in-kind donations, and/or financial contributions.

Ms. Zhu presented a summary of SIP commitments and stated that 84 SFPUC contracts include community benefits (80 non-construction contracts and four alternative delivery construction contracts) and that there is \$35M total value in commitments, with \$9.3M of the community benefits value delivered to the community since 2011 (\$5M of community benefits value delivered is financial). She reviewed the distribution of the \$9.3M, including value of volunteer hours, value of in-kind donations, and discussed the distribution of the \$5M in financial support.

Ivy Fine, Program Administration Bureau Manager, reviewed the SIP contracting process and stated best-practices are followed throughout the contracting process which contain several checks and balances. She stated the threshold to include social impact commitments in a solicitation is \$5M and indicated that social impact guidelines are included in the request for proposal. She noted that submission of a SIP proposal is optional. She further discussed the proposal evaluation and selection processes (evaluation and scoring) and transparent cost evaluation (cost-control measures).

Ms. Zhu indicated that once a contract is awarded there is an accountability process to ensure the firm follows-through with their commitment. She discussed the process and reporting requirements (annual workplans, bi-annual reports, and annual newsletters) and documenting requirements (timesheet tracking volunteer hours, check stubs, receipts, and letters from beneficiaries). She indicated firms must deliver community benefit commitments over the term of the agreement. She stated a Social Impact Partnership Dashboard will launch soon.

Ms. Zhu stated that SIPs are good for our communities and are about people. She provided examples as how the SIP impacts the community (1) removing barriers for women in the construction trades, (2) diversifying the pipeline for professional service jobs, (3) inclusion in professional service jobs, (4) small business support, and (5) stabilizing homeowners and building intergenerational wealth.

Ms. Fine and GM Kelly responded to a question from Commissioner Paulson regarding who prepares and develops the technical questions.

GM Kelly responded to a question from Commissioner Paulson as to how a firm determines the difference between a pre-apprentice and apprentice.

Commissioner Harrington expressed gratitude to all the staff involved on the SIP. He indicated it is not just about pipes, pumps, and plants but it is also about people and that improving the impacted communities.

President Maxwell stated the SIP is a good way to do business and is a good model. She thanked staff for their good work.

Commissioner Moran noted the SIP is an unusual program in the City and the County of San Francisco. He stated the presentation was good and shows the program is reaching point of maturity and that contractor are learning what they need to do and have grown to better understand the communities in which they work.

GM Kelly concurred with the Commissioners' comments and noted other City departments and utilities across the country are looking to the SFPUC for guidance.

Public Comment

- *Tricia Dunlap, Curtis Creek School, Sonora, shared how SFPUC its and partners have supported STEM programs for students in Tuolumne County via SIP Programs. She indicated their "Dinner with Scientists" event is popular and that this year it will be held virtually.*
- *Emily Dilger, Chief Education Officer, Ignited, described Ignited's mission and stated the SIP Program has enabled teachers to connect companies with schools, teachers and students. She described the reach of the teacher's impact on their students.*
- *Francisco DaCosta stated that there is a lack of truth and corruption in the SIP Program.*
- *Robert Davis, Vice President, Northern California Area, Parsons Corporation, expressed support for the SIP and for the opportunity to be a part of it. He indicated Parsons understands mutual long-term interest and benefit of the program. He indicated he previously served as an intern in a similar program and he expressed gratitude to the SFPUC for their leadership.*
- *Nicholas Mueller, Director San Joaquin County Office of Education, indicated he oversees the Tuolumne County pre-apprenticeship construction training program and that it is their fifth year in the partnership. He noted their first cohort was all female and since then they have blended each cohort with people from Tuolumne County and provides them exposure to the trades.*
- *Erin (inaudible), Coordinator, Avalon Associates Community Benefits Program, stated Avalon Associates is a woman-owned business that invests in women and minorities looking to work in STEM. She expressed appreciation for the ability to be a part of the SIP.*
- *Ofelia Bello, Executive Director, Youth United for Community Action, described her organization and shared the impact the SIP Program has on their organization and the youth and community they serve. She discussed their Human Rights to Water Campaign.*
- *Maurice (inaudible), crane operation apprentice Local 3 Operating Engineers, shared how the SIP Program supports construction workers. He discussed the importance of childcare and addressed his personal situation with the lack of access to childcare. He requested that there be adequate funding for childcare services so men and women can return to work and support families.*
- *Andrea Baker, CEO, En2action, shared how the SIP Program allows her vendors access to a commercial kitchen, website development, and social media access that enables them to build brand awareness, packaging and delivery of orders, and the ability for growth. She provided examples of her successes.*
- *Dante (inaudible) Bayview Bistro vendor, discussed how the SIP Program allowed gave him the willpower and support to grow his business and be a successful entrepreneur.*
- *Daniel Handle, Project Director, Nextera Energy Resources, shared how Nextera company participates in the SIP Program. He provided highlights of their community work.*

- *Lindesay Lopez-Waver, Program Director, Young Community Developers, discussed the success of the Cityworks Internship Program and positive partnership with the SIP Program.*
- *Maritza Salinas, Program Director, San Francisco Education Fund, shared how the SIP Program assisted with funding the Maisin Scholarship and described how the scholarship has benefited receipts.*
- *Alissa Gomez, AECOM Biologist, indicated that she was previously an intern with the Alameda County Resource Conservation District, which was provide through the support of the SIP Partnership Program. She discussed her career progression and noted she works with her employer's internship program to continue to support youth.*
- *Ali Altaha discussed his experience in the industry. He expressed difficulty with understanding the term "in-kind contribution". He questioned if participation in the SIP is truly optional. He discussed Ivy Fine's comments regarding CMD and the LBE selection process.*
- *Lupa Avalos-Lopez, Children's Council of San Francisco, expresses support for the SIP Program and discussed how the program supports their work and the families they serve.*
- *Quanisha Johnson, owner, Yes Pudding, discussed how the SIP Program has supported her business via the Bayview Bistro and the Bistro Box. She discussed how the mentorship provided has provided her with the support and tools to succeed.*
- *James Bryant, CEO, JBR Partners, discussed JBR's partnership with the Pankow Builders and with the SIP Partnership Program. He discussed their work in the Bayview community and their efforts to meet community needs, provide workforce and economic training to small community businesses, support students, and other supportive efforts.*
- *Jennifer Craig, Senior Marketing Manager & Community Benefits Coordinator, McMillan Jacobs, discussed the opportunity to partner with the SIP Program to plan and coordinate activities and engage students around STEM concepts and activities.*

9. New Commission Business

None.

The Commission Secretary announced that item 10c was removed from the Consent Calendar so staff could present propose revisions to the resolution.

10. Consent Calendar

- a) Approve Amendment No. 1 to Agreement No. PRO.0053.B, Specialized Technical Infrastructure Contractor Capacity Development, with Merriwether & Williams Insurance Services, Inc. to provide assistance to the SFPUC's Contractors Assistance Center to create economic development programming to support small, local businesses on SFPUC projects; and authorize the General Manager to execute this amendment, extending the agreement duration by two years, for a total agreement duration of five years, with no change to the agreement amount.
(Resolution 20-0221)

- b) Approve the selection of Archer Energy Solutions, LLC (Archer); award Agreement No. PRO.0070, Hetch Hetchy Water and Power (HHWP) North American Electric Reliability Corporation (NERC) Compliance and Audit Support, to provide NERC Reliability Standards compliance- related services to HHWP; and authorize the General Manager to negotiate and execute a professional services agreement with Archer in an amount not-to-exceed \$8,000,000, and with a duration of five years. ([Resolution 20-0222](#))
- c) Approve Amendment No. 2 to Agreement No. PRO.0122C, As-Needed Technical Support for Small, Local Construction Contractors at the SFPUC Contractors Assistance Center with KML Associates, to provide technical assistance to small, local businesses to develop the skills necessary to effectively compete for SFPUC construction contracting opportunities; and authorize the General Manager to execute Amendment No. 2, increasing the agreement amount by \$25,000 and extending the agreement duration by one year, for a total not-to-exceed amount of \$75,000 and a total duration of three years. ([Resolution 20-0227](#))
- d) Accept work performed by M. Hernandez Construction, Inc. (dba Hernandez Engineering) for Contract No. WD-2760, 12-Inch and 8-Inch Ductile Iron Water Main Replacement, Sewer Replacement and Pavement Renovation on Waller Street and Various Side Streets; approve Modification No. 4 (Final), increasing the contract amount by \$16,907 for a total contract amount of \$4,718,076, and a total contract duration of 1,116 consecutive calendar days; and authorize final payment to the contractor. ([Resolution 20-0223](#))
- e) Accept work performed by S.J. Amoroso Construction, Inc., for Contract No. WD-2794A, Sunol Long Term Improvements – Sunol Yard; approve Modification No. 18 (Final), decreasing the contract amount by \$11 for a total contract amount of \$36,512,199, and increasing the contract duration by 349 consecutive calendar days, for a total contract duration of 1,327 consecutive calendar days; and authorize final payment to the contractor. ([Resolution 20-0224](#))
- f) Approve an increase of 220 calendar days to the existing contract duration contingency for Contract No. WD-2854A, 525 Golden Gate Avenue Roof Access and Fall Protection with Buhler Commercial; and authorize the General Manager to approve future contract modifications for a total contract duration of up to 385 consecutive calendar days, with no change to the contract amount. ([Resolution 20-0225](#))
- g) Approve an increase of 90 calendar days to the contract duration contingency for Contract No. WW-686, As-Needed Spot Sewer Replacement No. 38, with J. Flores Construction Company, Inc; and authorize the General Manager to approve future modifications to the contract for a total contract duration of up to 580 consecutive calendar days, with no change to contract amount. ([Resolution 20-0226](#))

On Motion to approve the Consent Calendar, excluding item 10c:

Ayes: Maxwell, Moran, Paulson and Harrington

No Public Comment on the Consent Calendar, excluding item 10c.

Ivy Fine displayed a red-line resolution and discussed the proposed changes for item 10c. She stated due to staff realization there were inconsistencies with the naming convention, approval for Contract PRO.0122A with Buie Porter Munson & Stiller, LLC was removed from the resolution. She confirmed that the action requested was only for approval of Agreement PRO.0122C with KLM Associates.

On Motion to approve Consent Calendar item 10c as amended, for approval of Agreement PRO.0122C with KLM Associates only:

Ayes: Maxwell, Moran, Paulson and Harrington

No Public Comment on Consent Calendar item 10c.

11. Authorize the General Manager to execute Amendment No. 2 to the Multi-Party Cost Share Agreement with Contra Costa Water District, Alameda County Flood Control and Water Conservation District, Zone 7, Alameda County Water District, East Bay Municipal Utility District, Grassland Water District, San Luis & Delta-Mendota Water Authority, and Santa Clara Valley Water District, for the planning of the potential expansion of Los Vaqueros Reservoir, extending the agreement duration by one year, until December 31, 2021, for a total duration of 32 months, and increasing the SFPUC's financial contribution by an amount not-to-exceed \$1,013,661, for a total not-to-exceed SFPUC contribution of \$1,467,790 under the Agreement, and a total overall Agreement amount of \$6,081,967. ([Resolution 20-0228](#))

Steve Ritchie, AGM Water, introduced the item and requested approval.

No public comment.

On Motion to approve item 11

Ayes: Maxwell, Moran, Paulson and Harrington

12. Approve Amendment No. 2 to Agreement Nos. PRO.0004.A&B, As-Needed Wastewater Process Engineering Services, with Hazen and Sawyer (PRO.0004.A) and RMC-SRT, JV (PRO.0004.B), to provide continued process support for wastewater operations and projects; and authorize the General Manager to execute Amendment No. 2, extending each agreement's duration by three years, for a total agreement duration of eight years and eight months each, with no change to the agreements' amounts. ([Resolution 20-0229](#))

Greg Norby, AGM Wastewater, introduced the item and requested approval.

No public comment.

On Motion to approve item 12

Ayes: Maxwell, Moran, Paulson and Harrington

13. Authorize the General Manager to execute an Agreement with the Midpeninsula Regional Open Space District to contribute funding to conduct a Highway 35 Multi-Use

Trail Crossing and Parking/Multimodal Access Study, for an amount not-to-exceed \$114,000 and with a duration of three years. ([Resolution 20-0230](#))
Steve Ritchie, AGM Water, introduced the item and requested approval.

No public comment.

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

14. Approve the terms and conditions of and authorize the General Manager to execute Amendment No. 1 to the month-to-month Lease between the San Francisco Public Utilities Commission, and the San Francisco Sheriff's Department Five Keys Charter School, a California nonprofit public benefit corporation, temporarily suspending the terms of the Lease, including Five Keys' obligation to pay rent, on a retroactive basis for up to 11 months from May 1, 2020 to March 31, 2021, to provide up to \$31,888.45 total in rent relief, and authorize the General Manager to grant further Lease suspensions through December 2021 if warranted due to COVID-19. ([Resolution 20-0231](#))

DGM Carlin introduced the item and requested approval.

DGM Carlin responded to a question from Commissioner Paulson as to why the suspension of the terms of the lease is necessary.

No public comment.

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

15. Authorize the General Manager to execute a Memorandum of Understanding with the Port of San Francisco for the San Francisco Public Utilities Commission to procure 3.5 megawatts of available capacity from the Port's primary metered service in Building 102 at Pier 70 located on 20th Street to provide temporary electric service during construction for the Seawall Lot 337 Associates, LLC (Mission Rock) and Mariposa Pump Station loads at a cost to the SFPUC not-to-exceed \$4,630,000 and with a term of up to three years. ([Resolution 20-0232](#))

Barbara Hale, AGM Power, introduced the item and requested approval.

No public comment.

On Motion to approve item 15
Ayes: Maxwell, Moran, Paulson and Harrington

The Commission Secretary re-announced that Closed Session would not be heard.

16. Public comment on matters to be addressed during Closed Session
17. Motion on whether to assert the attorney-client privilege regarding the matters listed below as Conference with Legal Counsel

18. 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
19. Announcement following Closed Session
20. Motion regarding whether to disclose the discussions during Closed Session pursuant to San Francisco Administrative Code Section 67.12(a)
21. Adjournment
President Maxwell adjourned the meeting at 5:17 PM

