SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

Edwin M. Lee
MAYOR

Minutes
Tuesday, September 13, 2016
(Approved September 27, 2016)

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

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

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 Vietor called the meeting to order at 1:37 PM.

2. **Roll Call**  
   Present: Vietor, Moran, and Kwon  
   Excused: Courtney  
   Commissioner Caen arrived at 2:05 PM.

3. **Approval of the Minutes of August 9, 2016**  
   On Motion to approve the Minutes of August 9, 2016:  
   Ayes: Vietor, Moran and Kwon  
   No public comment.

4. **General Public Comment**  
   - Mr. Francisco DaCosta spoke about the Crystal Springs Watershed and asked that the first people be invited to discuss any changes to the watershed.

5. **Communications**  
   a) Advance Calendar  
   b) Contract Advertisement Report  
   c) Letter Summary  
   d) Annual Water System Improvement Program (WSIP) Report  
   e) Drought Update  
   f) Sewer Inspection and Replacement Update

5. Public Comment  
   - Ms. Nicole Sandkulla, BAWSCA, spoke on item 5d and complemented staff on a comprehensive and complete report.

6. **Other Commission Business**  
   None.

7. **Citizens’ Advisory Committee (CAC) Report**  
   Ms. Wendy Aragon, CAC Chair, provided an update regarding CAC activities. She discussed the CAC’s leadership retreat; priorities; reappointments; and resolutions. She thanked Vice President (VP) Moran on his attendance at their recent meeting and expressed excitement for Commissioner Kwon’s upcoming visit.

   No public comment.

8. **Report of the General Manager**  
   Assistant General Manager (AGM) Steve Ritchie provided a brief status update to the Board of Supervisors’ Resolution regarding Peninsula Watershed access. The item will be agenized for an upcoming meeting.
a) **CleanPowerSF Update**

Ms. Barbara Hale, Assistant General Manager Power, provided a CleanPowerSF update. She stated over 7,300 locations are actively being served. She indicated that for the May enrollment period, the opt-out rate is 1.9 percent and SuperGreen enrollment is three percent. She noted additional power supply has been purchased, and fall enrollment has begun. Customers continue to sign-up for future enrollments.

AGM Hale discussed additional procurement efforts and provided updates on regulatory activities, including PG&E’s efforts to retire Diablo Canyon Nuclear Generating Station. She stated the SFPUC will file a protest and she provided additional comments on the protest filing. Brief discussion ensued.

Public Comment

- Mr. Jason Fried, LAFCo, complemented staff on their work with CleanPowerSF. He discussed PG&E’s activities.

Commissioner Caen arrived at 2:05 PM.

b) **Hetchy Hetchy Water and Power (HHWP) Capital Improvement Program (CIP) Quarterly Report**

Mr. Dan Wade provided the HHWP CIP Quarterly Report. He discussed work related to the Mountain Tunnel Project: (1) Adit and access improvements; (2) Notice-to-Proceed for lighting repairs; and (3) Overall Mt. Tunnel improvements.

He touched on the following projects: Don Pedro Reservoir Crossing; Warnerville Substation; Moccasin Facilities; Cherry Dam Outlet; Kirkwood and Holm Powerhouse; Moccasin Penstock Rehabilitation; and the Rim Fire.

Mr. Wade provided a status update on overdue projects: San Joaquin Pipeline Rehabilitation; Holm Powerhouse Project; Cherry Dam Outlet; Lower Cherry Aqueduct; and Mountain Tunnel Inspection and Repairs, Phase II.

In response to a question from Commissioner Caen, Mr. Wade provided timelines for the overdue projects.

No public comment.

c) **Wastewater Enterprise Quarterly Report / Sewer System Improvement Program (SSIP) Quarterly Update / Lessons Learned WSIP to SSIP**

Ms. Karen Kubick, SSIP Director, provided the Wastewater Enterprise Quarterly Report. She stated 70 projects are underway, and discussed the Program status. Ms. Kubick reviewed the status of the Green Infrastructure Early Implementation Project, and provided updates on the Headworks and Biosolids Projects.
She reviewed Project achievements and discussed challenges faced: (1) Funding; (2) Staff retention; (3) Land acquisition and site control; (4) Shutdowns and scheduling; (4) Economy and qualified contractor availability; (5) Staging and security; and (6) Technology and network support.

Ms. Kubick discussed stakeholder outreach and reviewed a schedule of upcoming topics.

VP Moran congratulated Ms. Kubick on the handout provided. He requested that the Gantt chart include the original project completion date.

No public comment.

d) Lessons Learned WSIP to SSIP
Ms. Kubick discussed the lessons learned from WSIP: (1) Budgeting and Contingency; (2) Project delivery; (3) Contracting; (4) Change management; (5) Bidding; (6) Finance, scheduling, and reporting; (7) Risk assessment; (8) Material quality; (9) Shutdown planning and management; and (10) Formalize lessons learned process.

VP Moran thanked Ms. Kubick for her presentation and team efforts. She responded to a question from VP Moran regarding the utilization of project managers.

No public comment.

e) Review of Sewer Lateral Policy
Mr. Tommy Moala, AGM Wastewater, reviewed the Sewer Lateral Policy. He discussed the need for the Policy, stating sewer laterals are a high-risk and aging asset. He presented photos and renderings showing the impacts of compromised sewer laterals. He discussed upper lateral (property owner responsibility) and lower lateral (SFPUC responsibility).

General Manager (GM) Harlan Kelly indicated there are many unknowns with regard to laterals. He responded to a question from Commissioner Caen as to how intrusions are discovered.

VP Moran asked how it is determined which party is responsible for upper and lower lateral repairs (e.g. ordinance, policy, etc.). Deputy City Attorney Josh Milstein stated he would research and provide response. Brief discussion ensued.

AGM Moala provided policy options and recommendations for Commission consideration. Discussion ensued.

President Vietor suspended item 8f and called the 3:00 PM Special Order, Item 10.
At 3:14 PM, AGM Moala returned to his presentation and the discussion of lateral repair responsibility continued. GM Kelly reviewed next steps and stated the item will be brought back to the Commission for further discussion. No public comment.

f) Quarterly Audit and Performance Review Report
   i. Post Audit, Financial Transactions, FY 2015-16
   ii. Citywide Contractual Compliance Audit Program, Goods and Services
   iii. State Coastal Conservancy Grant Administration, Skyline Ridge Trail and Department of Water Resources Grant Administration, Stormwater and Flood Management

Ms. Nancy Hom, Director of Assurance and Internal Controls, provided an update on recent audits and performance reviews. She indicated that 58 audits and assessments have been completed year-to-date, with five of those completed in the fourth quarter. Ms. Hom reviewed those five audits and reports; noted upcoming audits; and provided comments on prior years open audits and recommendations.

No public comment.

g) Annual Capital Financing Plan
   Mr. Eric Sandler, AGM Business Services and CFO, discussed the Annual Capital Financing Plan. He provided an overview of debt management and administration. CFO Sandler briefly summarized debt programs for the Water, Wastewater and Power Enterprises.

   Mr. Sandler noted three types of activities that will come before the Commission for consideration: (1) Market opportunities; (2) Administration of existing debt portfolio; and (3) New money needs.

   AGM Sandler presented the Annual Capital Financing Plan for FY17 and reviewed proposed FY2015-17 transactions, including items on the agenda for approval, and those which are upcoming transactions.

   No public comment.

The Commission Secretary read the Consent Calendar.

9. Consent Calendar
   a) Approve an increase in the existing construction contract cost contingency in the amount of $428,650, for Contract No. HH-981, Mountain Tunnel Access & Adit Improvement; and authorize the General Manager or his designee to approve future modifications to the contract for a total revised contract amount of up to $5,143,800, if appropriate. The potential increase in the contract cost contingency is due to the unanticipated condition of the mountain roads. (Resolution 16-0176)

   b) Award Job Order Contract No. 63, General Building (B-License) for San
Francisco, San Mateo, Santa Clara and Alameda Counties, for a not-to-exceed amount of $5,000,000 to the lowest, qualified, responsible, and responsive bidder, Angotti & Reilly, Inc., to perform general building construction tasks, for all San Francisco Public Utilities Commission enterprise operations and bureaus. (Resolution 16-0177)

c) Award Job Order Contract No. 64, General Building (B-License) for San Francisco, San Mateo, Santa Clara and Alameda Counties, for a not-to-exceed amount of $5,000,000 to the lowest, qualified, responsible, and responsive bidder, Rubecon Builders, Inc., to perform general building construction tasks for all San Francisco Public Utilities Commission enterprise operations and bureaus. (Resolution 16-0178)

d) Approve the selection of Bottom Line Utility Solutions; Award Agreement No. PRO.0049, High Efficiency Toilet Direct Install Program, to provide program coordination and of replacement of inefficient toilets, urinals and other plumbing devices with high-efficiency models for residential, commercial and institutional customers in the SFPUC’s retail service area; Authorize the General Manager to negotiate and execute a professional services agreement with Bottom Line Utility Solutions for an amount not-to-exceed $4,000,000, and with a duration of four years. (Resolution 16-0179)

e) Accept work performed by M Squared Construction, Inc., for Contract No. WD-2506, 8-Inch Ductile Iron Pipe Main Installation on Clement Street from Arguello Boulevard to 14th Avenue; Arguello Boulevard from Lake Street to Geary Boulevard; Approve Modification No. 2 (Final), decreasing the contract amount by $401,506 for a total contract amount of $2,721,409, with a total contract duration of 405 consecutive calendar days; and authorize final payment to the contractor. (Resolution 16-0180)

f) Accept work performed by Precision Engineering, Inc., for Contract No. WW-583, As-Needed Main Sewer Replacement; Approve Modification No. 1 (Final), decreasing the not-to-exceed contract amount by $876,724, for a total contract amount of $2,657,376, with a time extension of 183 consecutive calendar days, for a total contract duration of 578 consecutive calendar days; and authorize final payment to the contractor. (Resolution 16-0181)

g) Accept work performed by Shaw Pipeline, Inc., for Contract No. WW-595, 3rd/7th/8th/25th/33rd/42nd Avenues and Baker/Welsh Streets Sewer Replacement; Approve Modification No. 3 (Final), increasing the contract by $355,598, for a total contract amount of $4,118,202, with a time extension of 54 consecutive calendar days, for a total contract duration of 418 consecutive calendar days; and authorize final payment to the contractor. (Resolution 16-0182)

h) Approve the plans and specifications and award Contract No. WW-621R, As-Needed Main Sewer Replacement No. 6, for a total contract amount not-to-exceed $10,787,800, to the lowest, qualified, responsible and
responsive bidder, Precision Engineering, Inc., to perform as-needed main sewer replacement (manhole to manhole segments) on short notice at locations to be determined in San Francisco. The proposed action is the Approval Action as defined in Chapter 31 of the San Francisco Administrative Code. (Resolution 16-0183)

i) Authorize the General Manager to adopt and make permanent rules and regulations to implement Article 12A of the San Francisco Health Code by adding new Section G, Cross-Connection Control, to the SFPUC’s Rules and Regulations Governing Water Service to Customers. (Resolution 16-0184)

On Motion to approve the Consent Calendar:
Ayes: Vietor, Moran, Caen, and Kwon

No public comment.

Special Order called at 3:00 PM
10. Public Hearing - 2016 Public Health Goal Report: Present the 2016 Public Health Goal Report for the San Francisco Water System; and direct the Water Quality Division Director to submit a letter to the State Water Resources Control Board documenting that such a hearing has been held. (Resolution 16-0175)

Mr. Andrew DeGraca, Water Quality Director, presented the SFPUC 2016 Public Health Goal Report. He stated the SFPUC is in compliance with all Health Goal requirements. Mr. DeGraca reviewed test results; discussed mitigation; and offered follow-up suggestions: (1) Continue water quality monitoring and existing operations; (2) Minimize contamination sources; and (3) Continue on-going lead outreach activities.

VP Moran inquired about assistance with testing and remediation and asked how a resident can get additional information. Mr. DeGraca discussed a low-cost lead test offered by SFPUC, which determines lead level. He stated test information can be obtained by calling (650) 652-3100. Mr. DeGraca discussed the optimization of lead service line removal. He noted the San Francisco Civil Grand Jury has expressed satisfaction with the SFPUC’s efforts. He encouraged anyone with concerns to call.

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

Public Comments
• Ms. Barbara Smith, Acting Executive Director, San Francisco Housing Authority, expressed thanks for the SFPUC’s testing at Sunnydale. She discussed the process of notifying residents of the test availability. She stated that all eight samples returned by residents and came back with negative results. She noted outreach will occur and additional testing will be offered to residents.
AGM Hale discussed the integration of GoSolarSF with CleanPowerSF and touched on common policy goals. She reviewed: (1) GoSolarSF Program background; (2) GoSolarSF objectives; and (3) GoSolarSF eligibility and impacts. She discussed the number of different types of installations completed, jobs created, and incentives paid (by type) since 2008.

AGM Hale reviewed the impacts of GoSolarSF since 2008. She indicated that (1) the current GoSolarSF incentives create the lowest net cost in program history; (2) the Program is supporting more projects with less-budget; and (3) not all customers are accessing GoSolarSF incentives.

Ms. Hale discussed the impacts of the market share of top residential installers for GoSolarSF, stating their market share has varied. She discussed changes in the market and reviewed results of the California Public Utilities Commission’s California Solar Initiative Annual Report. She reviewed other California publicly owned utilities solar incentive programs, indicating changes in the market foster stability. AGM Hale discussed recent stakeholder meetings.

AGM Hale reviewed proposed program changes: (1) Integrate CleanPowerSF and GoSolarSF (eligibility criteria, marketing and outreach, and add value); and (2) Continue to foster program stability (simplify GoSolarSF incentives). She reviewed the proposed GoSolarSF incentive step-down schedule and the different incentive payments; (3) Continued added support to non-profits and low-income residents; and (4) Incentivize new technologies.

AGM Hale responded to a question from Commissioner Kwon regarding assistance programs for home improvements, e.g. improve roof stability to enable solar install.

AGM Hale presented an integration timeline with a suggested implementation of changes in January 2017.

AGM Hale responded to a question from VP Moran on Net-Energy Metering.

President Vietor requested that when the item returns to the Commission for approval, that a list of benefits received by combining the two programs for the SFPUC, consumer, and other parties be provided.

AGM Hale discussed bill analyses that have been conducted at the request of citizens who fear rooftop solar will financially compete with the CleanPowerSF Program. She will bring back results.

Public Comments
- Mr. Jason Fried, LAFCo, provided thoughts on exclusively offering GoSolarSF to only CCA or POU customers. He suggested expanding to
GoSolarSF sister programs for additional energy efficiency. He encouraged additional outreach to ensure SuperGreen enrollment.

- Ms. Jeanine Cotter, Luminalt, discussed their workforce development experience with GoSolarSF. She expressed support for the integration of CleanPowerSF and GoSolarSF and requested data on potential bill savings. She discussed adding battery back-up storage capability to solar to ensure resiliency.

12. **Adopt the Updated Debt Management Policies and Procedures of the San Francisco Public Utilities Commission.** ([Resolution 16-0185](#))

CFO Sandler reviewed SFPUC’s current Debt Management Policies and procedures and discussed three recommended revisions: (1) Board of Supervisors’ authorization; (2) Disclosure practices; and (3) Refunding criteria. He requested approval.

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

No public comment.

13. **Approve one or more Credit Agreements with MUFG Union Bank, N.A., to replace cash-funded Water Enterprise Revenue Bond Debt Service Reserve funds, with a total commitment amount of up to $87,473,621; Approve the form and authorize the execution and delivery of related documents; and authorize the General Manager to execute and deliver the Credit Agreement(s) and all related documents associated with this transaction.** ([Resolution 16-0186](#))

CFO Sandler discussed Debt Service Reserve Funds. He reviewed the history of debt issuance, and noting market changes that affect debt issuance. He stated that as a result of market changes, the Commission is being asked to approve credit agreements to replace debt service reserve funds. Mr. Sandler outlined the terms of the Credit Agreement and requested approval.

On Motion to approve item 13:
Ayes: Vietor, Moran, Caen, and Kwon

No public comment.

14. **Authorize the issuance of up to $1.1 billion of 2016 Series AB Water Revenue Bonds to refund all or a portion of the 2006 Series B, 2006 Series C, 2009 Series A, 2009 Series B, 2010 Series A and 2010 Series F Water Revenue Bonds to achieve debt service savings; and authorize the Issuance of up to $295 million of 2016 Series C New Money Taxable Water Revenue Bonds. The Commission resolution will approve the issuance of the 2016 Series AB Refunding Bonds and the 2016 Series C Taxable Bonds, and approve the form of, and authorize the execution and delivery of, related documents; Authorize the General Manager to sell the Bonds in one or more series of bonds on either a competitive or negotiated basis, as the General Manager determines is in the best financial interest of the San Francisco Public Utilities Commission.**

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Commission; Delegate to the General Manager authorization to award each series of bonds to the highest bidder (lowest cost); and authorize the General Manager to submit a resolution to the Board of Supervisors authorizing the issuance of the 2016 Series C New Money Bonds. (Resolution 16-0187)

CFO Sandler reviewed the transaction description for the Series 2016 AB (Refunding Bonds), and the Series 2016 C (New Money Taxable Bonds), and outlined the sources and uses of funds.

Mr. Sandler reviewed the Form of Transaction documents presented: (1) Preliminary Official Statement; (2) Supplemental Indentures 21st, 22nd (Series 2016 AB), and 23rd (Series 2016 C); (3) Notice of Intent to Sell Series 2016 C; (4) Official Notice of Sale Series 2016 C; (5) Bond Purchase Contract Series 2016 AB; and (6) Continuing Disclosure Certificate.

AGM Sandler reviewed the disclosure questions and answers; the transaction schedule; and outlined recommended Commission action.

On Motion to approve item 14:
Ayes: Vietor, Moran, Caen, and Kwon

Public Comments
• Ms. Nicole Sandkulla, BAWSCA, expressed support for the item and thanked staff for their work.

15. Approve Amendment No. 1 to Agreement No. CS-294.D, Initial/Ongoing North American Electric Reliability Corporation Regulatory Training, with System Operations Success International LLC, to provide continued regulatory training; and authorize the General Manager to execute this amendment increasing the agreement amount by $25,000, and the agreement duration by two years, for a total not to exceed agreement amount of $221,000 and a total agreement duration of five years. (Resolution 16-0188)

On Motion to approve item 15:
Ayes: Vietor, Moran, Caen, and Kwon

No public comment.

16. Approve Amendment No. 1 to Agreement No. CS-329, Helicopter Services, with A&P Helicopters, Inc., to provide continued use of helicopter services for aerial inspection of transmission towers and transmission lines, transportation for emergency repairs to infrastructure inaccessible by ground, and rapid transportation in case of unforeseen disasters; and authorize the General Manager to execute this amendment, extending the contract duration by five years, for a total agreement duration of eight years, with no change to the agreement value. (Resolution 16-0189)

Commissioner Kwon encouraged the use of drones in the future to reduce overhead.

On Motion to approve item 16:
Ayes: Vietor, Moran, Caen, and Kwon
17. Authorize the General Manager to negotiate and enter into a contract for an amount not to exceed $10,585,800, with the sole qualified, responsible, and responsive bidder, Ranger Pipelines, Inc., as permitted under San Francisco Administrative Code Section 6.23(c)(2); and, upon successful negotiations, approve the plans and specifications and award Contract No. WW-638, Griffith Yard Improvements, for an amount not to exceed $10,585,800, to construct improvements at Griffith Yard for the relocation of the Sewer Operations Division to this facility. The proposed action is the Approval Action as defined in Chapter 31 of the San Francisco Administrative Code. (Resolution 16-0190)

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

No public comment.

18. Authorize the General Manager to accept and expend: (1) a grant awarded by the Water Research Foundation for an amount of $100,000; (2) a grant awarded by the Water Environment & Reuse Foundation for an amount of $100,000; and (3) a grant from the U.S. Bureau of Reclamation for an amount of $200,000; and to negotiate and execute a sole source contract with Carollo Engineers for up to $600,000 to work with the SFPUC to carry out the pilot purified water project. Authorize the General Manager to recommend to the Board of Supervisors that it approve the acceptance and expenditure of such grants. (Resolution 16-0191)

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

No public comment.

19. Authorize the General Manager to request approval from the Board of Supervisors to accept and expend Hazard Mitigation Grant funds from the Federal Emergency Management Agency for an amount not-to-exceed $404,208 for Pre-award and Phase One activities of the Early Intake Switchyard Slope Stabilization Project. (Resolution 16-0192)

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

No public comment.

20. Authorize the General Manager to execute, on behalf of the City and County of San Francisco, an interconnection cost responsibility agreement with the San Francisco Unified School District; and a Third Party Non-Exporting Customer Generation Agreement with Pacific Gas and Electric Company, pending approval by the San Francisco Board of Supervisors, to connect and operate the new solar photovoltaic system at the Willie Brown Jr. Middle School in San Francisco, California. (Resolution 16-0193)

On Motion to approve item 20:
Ayes: Vietor, Moran, Caen, and Kwon

No public comment.

21. Authorize the General Manager to negotiate and execute a reimbursement agreement with Mission Bay Development Group for installation of SFPUC electric conduits and vaults in: Illinois Street from approximately Mariposa to 16th Street; 16th Street from Illinois to Terry Francois Boulevard; and Terry Francois Boulevard from 16th Street to South Street. (Resolution 16-0194)
On Motion to approve item 21:
Ayes: Vietor, Moran, Caen, and Kwon

No public comment.

22. Approve the terms and conditions and authorize the General Manager to seek approval by the Board of Supervisors and Mayor to execute a 25-year amended and restated lease, with an option to extend the term for a period of 25 years, to the Pomeroy Recreation and Rehabilitation Center to use a portion of SFPUC Parcel No. 55, located near Lake Merced at 207 Skyline Boulevard in San Francisco, California, to operate a recreational and rehabilitation center for persons with disabilities and for related services and programs, for no base rent. (Resolution 16-0195)
On Motion to approve item 22:
Ayes: Vietor, Moran, Caen, and Kwon

No public comment.

23. Authorize the General Manager to execute a First Amendment to a Memorandum of Understanding dated February 13, 2007, with the San Francisco Municipal Transportation Authority, regarding property owned by the City and County of San Francisco near the intersection of Phelan Avenue and Ocean Avenue (Lot 1, Block 3180), in San Francisco. (Resolution 16-0196)
On Motion to approve item 23:
Ayes: Vietor, Moran, Caen, and Kwon

No public comment.

24. Approve the terms and conditions and authorize the General Manager to execute a purchase and sale agreement and related documents to purchase the Property located at 657-1663 Rollins Road, Burlingame, California, from Clemco for $9.1 million, plus closing costs; Approve the terms and conditions of an assignment of a lease between Clemco and IMEDD for a one-year term for a portion of the Property; and authorize the General Manager to seek approval from the Board of Supervisors and Mayor for a supplemental appropriation in the amount of $9.1 million, plus closing costs, for the purchase of the Property. (Resolution 16-0197)
On Motion to approve item 24:
Ayes: Vietor, Moran, Caen, and Kwon
25. Approve the terms and conditions and authorize the General Manager to execute an Exchange Agreement, and any related documents, by and between the United States Forest Service and the City and County of San Francisco, through the San Francisco Public Utilities Commission, for the acquisition of approximately 25.2 acres of Forest Service land near Camp Mather in Tuolumne County, for $115,000. (Resolution 16-0198)

On Motion to approve item 25:
Ayes: Vietor, Moran, Caen, and Kwon

The Commission Secretary read Closed Session items 28 and 29, and stated that items 30 through 35 would not be heard.

26. Public Comments on matters to be discussed in Closed Session. None.

The Commission entered Closed Session at 4:32 PM. Item 27 was called and voted on in Closed Session.

27. Motion on whether to assert the attorney-client privilege regarding the matters listed below as Conference with Legal Counsel.
On Motion to assert the attorney-client privilege:
Ayes: Vietor, Moran, Caen, and Kwon

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
Theodore Bowie, II v. City and County of San Francisco, et al.
Superior Court Case No.: CGC-14-542235
City Attorney File Number: 150479/Date Filed: October 17, 2014
(Resolution 16-0199)

and

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
State Farm Insurance Company v. City and County of San Francisco, et al.
Superior Court Case No.: CGC-14-536896
City Attorney File Number: 140869/Date Filed: January 21, 2014
(Resolution 16-0200)

and

Existing Litigation
Christopher Pollino, et al., v. City and County of San Francisco, et al.
Superior Court Case No.: CGC-14-542240
30. 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

31. 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

32. 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

33. 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

34. 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
35. 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 4:34 PM.

36. Announcement following Closed Session
President Vietor announced that settlements were reached on items 28 and 29

37. Motion regarding whether to disclose the discussions during Closed Session
On Motion to not to disclose:
Ayes: Vietor, Moran, Caen, and Kwon

38. Other New Business
The Commission discussed the meeting schedule for November and December. They unanimously agreed to cancel the meetings of November 22, and December 27, 2016.

39. Adjournment
President Vietor adjourned the meeting at 4:39 PM.