



SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

London N. Breed
Mayor

REGULAR MEETING MINUTES
Tuesday, April 11, 2023
1:30 PM
(Approved April 25, 2023)

1 Dr. Carlton B. Goodlett Place
City Hall, Room 400

Commissioners

Newsha Ajami, President
Sophie Maxwell, Vice President
Tim Paulson
Anthony Rivera
Kate H. Stacy

Dennis J. Herrera
General Manager

Donna Hood
Commission Secretary

1. Call to Order

President Ajami called the meeting to order at 1:32 pm.

2. Roll Call

Present: Ajami, Maxwell, Paulson, and Stacy

Excused: Rivera

3. Approval of the Minutes of March 23, 2023

No public comment.

On motion to approve the Minutes of March 23, 2023:

Ayes: Ajami, Maxwell, Paulson, and Stacy

4. Report of the General Manager (GM)

a) Water Supply Conditions Update

Steve Ritchie, Assistant General Manager (AGM) Water Enterprise, reviewed (1) March 20, 2023 Reservoir Storage: Hetch Hetchy is at 360,360-acre feet of maximum storage and Water Bank is at 100% of maximum storage; (2) Other California Reservoirs: Shasta is at 106% of historical average, Oroville is at 116% of historical average, and Don Pedro is at 114% of historical average; (3) California Drought Monitor: Most areas of the state are out of drought; (4) Hetch Hetchy Precipitation: Above median for this time of year; (5) Upcountry 6-Station Precipitation Index (as of April 2, 2023) Year-to-date (YTD) total is at 58.71 inches; (6) Bay Area 7-Station Precipitation Index (as of April 2, 2023) YTD total is at 42.54 inches; (7) Upcountry Snowpack: Above 250% of April 1st median; (8) Water Available to the City: Starting to rise and will increase with snowpack melt; (9) Tuolumne River Water Available to the City; (10) National Precipitation Forecast: Dry April is forecasted; and (10) Total Deliveries: Demand is down.

AGM Ritchie indicated that on March 24, 2023, Governor Newsom issued Executive Order (EO) N-5-23 in light of improving drought conditions. The Statewide Emergency Drought Declaration continues with 33 provisions remaining operative. The EO eliminated the Governor's directive for Stage 2 of Water Shortage Contingency Plan. On April 4, the State Water Resources Control Board rescinded, effective immediately, all orders imposing water right curtailment and reporting requirements issued pursuant to the emergency curtailment and reporting regulation for the Sacramento-San Joaquin Delta watershed.

In response to a question from Vice President (VP) Maxwell as to the measures being taken regarding snowmelt, AGM Ritchie indicated actions are governed via "good neighbor" and "common sense". He indicated the SFPUC has no flood control responsibility, noting that is the responsibility of the Irrigation Districts and stated there is daily communication with the Irrigation Districts regarding conditions. Additionally, there is communication with the Alameda and San Mateo watershed downstream parties to assist with timed releases, if possible. Brief discussion ensued.

In response to a request from President Ajami, AGM Ritchie stated he would provide her with a comparison of wholesale purchases to include 2017 data. After brief discussion AGM Ritchie indicated that the water bank in the Don Pedro Reservoir belongs to the Irrigation Districts and the SFPUC has no control over that water.

Public Comment

- *Peter Drekmeier, Policy Director, Tuolumne River Trust, discussed the SFPUC's entitlements on the Tuolumne River and noted snowpack. He addressed the Design Drought and the Long-Term Vulnerability Assessment.*

b) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcement

GM Herrera state that the SFPUC hosted Mayor Breed for an informal conversation with SFPUC staff.

No public comment.

5. CONSENT CALENDAR

- a) Award Job Order Contract No. JOC-93, General Engineering (A License) Construction, San Francisco, San Mateo, Santa Clara, and Alameda Counties, for an amount not-to-exceed \$5,000,000 with a guaranteed minimum task-order opportunity amount of \$50,000 and a duration of two years, to the responsible bidder that submitted the lowest responsive bid, M. Hernandez Construction, Inc. (dba) Hernandez Engineering, to perform general engineering work in San Francisco Public Utilities Commission systems and operations around the Bay Area. ([Resolution 23-0066](#))
- b) Approve Amendment No. 1 to Contract Nos. PRO.0072.A-B, Security Consulting and Design Services, with Catalyst Consulting Group, Inc. (PRO.0072.A) and Guidepost Solutions LLC (PRO.0072.B), to continue providing as-needed specialized security consulting and design services until SFPUC advertises and awards a new as-needed security contract. The existing contracts are reaching capacity due to the number of existing and upcoming San Francisco Public Utilities Commission Water/Wastewater/Hetch Hetchy-Power projects identified in the 10-year capital improvement programs that require specialized security services. Staff recommends increasing each contract by \$1,000,000 for a total not-to-exceed amount of \$3,000,000 each, with no change to the contract durations. ([Resolution 23-0067](#))
- c) Approve Amendment No. 2 to Contract No. PRO.0073, Treasure Island Wastewater Treatment Plant & Recycled Water Facility Engineering Services, with Carollo Engineers, Inc., to provide continued engineering and owner advisor's expertise in reviewing the key design submittals during the critical design phase and also provide engineering support in the review of construction procurement packages in the early construction phase support of the design-build contract (DB-132, New Treasure Island Wastewater Treatment Plant); and authorize the General Manager to execute this amendment, increasing the Contract duration by two years, with no change to the contract amount, for a total duration of seven years. ([Resolution 23-0068](#))

- d) Approve Amendment No. 4 to Contract No. PRO.0101, Tunnel Engineering Services for the Folsom Area Stormwater Improvements Project, with McMillen Jacobs Associates/ Stantec, Joint Venture, to provide continued consultant tunnel engineering design support in the execution and delivery of the proposed Folsom Area Stormwater Improvements Project, extending the contract duration by six months, for a total duration of five years and one month, with no change to the contract amount. This action constitutes the Approval Action for the Folsom Area Stormwater Improvements Project for the purposes of the California Environmental Quality Act (CEQA), pursuant to Section 31.04(h) of the San Francisco Administrative Code. The Planning Department has determined that this action is exempt from the CEQA. If the item is approved, the Commission will rely on that determination to make its decision. Specifically, this extension will allow time to prepare more detailed budgetary information for the Caltrans-requested design requirement. (Resolution 23-0069)
- e) Approve an increase of \$3,500,000 to the contract cost contingency for Contract No. WD-2888(E), Stern Grove Emergency Site Restoration, with Anvil Builders, Inc., to perform slope repair and erosion mitigation work as a result of atmospheric rain events in December 2022; and authorize the General Manager to approve future modifications to the contract for a total contract amount of up to \$22,010,994. (Resolution 23-0070)
- f) Approve the terms and conditions of and authorize the General Manager to execute a Lease between the City and County of San Francisco, through its Public Utilities Commission, as the landlord, and SPRO LLC, a California limited liability company as tenant, to use approximately 904 gross square feet of space, consisting of the café portion of the lobby on the ground floor of the SFPUC's headquarters building at 525 Golden Gate Avenue in San Francisco and the preparation and storage area located in the building's basement, at an initial rent of \$3,000 per month, with four-percent annual rent increases. The Lease provides for an initial five-year term, subject to the SFPUC's right to terminate after the third year of the Lease term. In addition, the tenant may request, and the General Manager may exercise up to three one-year options to extend the initial five-year term for up to another three years, for a total potential term of eight years. (Resolution 23-0071)
- g) Authorize the General Manager to execute an Amended and Replacement Memorandum of Understanding with the San Francisco Recreation and Department (SFRPD) to modify the use and term of the original Memorandum of Understanding (MOU) approved by the Commission. The Amended MOU would allow the SFPUC to use the electrical facilities at McLaren Park to serve the Sunnydale HOPE SF project until energization of new facilities that will be used to provide permanent power or until the SFPUC determines that they are no longer needed to serve the project. (Resolution 23-0072)

Commissioner Stacy requested that item 5g be removed from the Consent Calendar.

Staff responded to questions from Commissioner Stacy regarding items 5b, 5d, and 5f; to a question from President Ajami regarding item 5e; and acknowledged President Ajami's comment regarding item 5d that better infrastructure maps and digitization is needed.

Public Comment

- *James Mabrey, Construction Site Services, spoke to item 5c and discussed the lack of*

opportunity for Micro LBEs and asked when Micro LBE goals will be implemented. At the request of President Ajami, Stephen Robinson, AGM Infrastructure Bureau provided response to the concerns expressed by the speaker regarding item 5c, noting the item is for approval of a professional services amendment.

- *Eileen Boken commented on item 5e and media reports related to Merced Manor Reservoir construction.*

*On motion to approve Consent Calendar items 5a through 5f:
Ayes: Ajami, Maxwell, Paulson, and Stacy*

The Commission Secretary read item 5g.

Commissioner Stacy requested recusal from item 5g citing the work her husband's architecture firm conducts with Mercy Housing, the site developer. She departed the meeting room at 2:15 pm.

No public comment on item 5g.

*On motion to approve Consent Calendar item 5g:
Ayes: Ajami, Maxwell, and Paulson*

Commissioner Stacy returned to the meeting room at 2:16 pm.

6. Public hearing to consider and possible action to (1) rescind the declaration of a local Water Shortage Emergency adopted by the San Francisco Public Utilities Commission on November 23, 2021, by Resolution No. 21-0177, that also imposed a mandatory temporary drought surcharge for SFPUC retail customers, and (2) continue the voluntary system-wide water use reduction of 11% compared to baseline water use during Fiscal Year 2019-2020 to remain consistent with State Water Resources Control Board (SWRCB) emergency drought regulations still in effect. ([Resolution 23-0073](#))

AGM Ritchie stated the Water Supply Conditions Update provided under item 4a presented the current water situation. He reviewed the requested Commission actions as outlined in the agenda item. He emphasized that the SWRCB emergency regulations will remain in effect until expiration on June 10 or earlier if rescinded.

Public Comment

- *Tom Francis, Water Resources Manager, BAWSCA, expressed support for the item and commended the SFPUC staff for their engagement during the drought emergency. He indicated that BAWSCA will continue to call for conservation from their member agencies and indicated they will prepare a comprehensive drought report later in the year.*
- *Peter Dreke, Policy Director, Tuolumne River Trust, provided the attached written comment.*

*On motion to approve item 6:
Ayes: Ajami, Maxwell, Paulson, and Stacy*

7. Authorize the General Manager to (1) implement program changes to the San Francisco Public Utilities Commission's Water and Wastewater Customer Assistance Program (CAP); (2) suspend the SFPUC's late payment charge policy for single-family residential customers; and (3) implement an updated policy for shutoffs and liens for single-family residential customers, with delegated authority to the General Manager to determine the eligibility and engagement criteria for this policy. ([Resolution 23-0074](#))

Michael Perlstein, Special Projects Manager, provided a brief history of the CAP and the more than two-years of research and analysis that has been conducted. He indicated the CAP policies expand low-income customer discounts, eliminate residential late fees, exempt low-income customers from shutoff or liens (minimum one-year trial), and provides \$8,000,000 annually to support discounts. Manager Perlstein reviewed Area Median Income (AMI) designations and provided information as to the discounts provided to customers, depending on their AMI designation.

Manager Perlstein discussed the proposed Shutoff and Lien Exemption Policy for specific AMI designations and circumstances and indicated that the Policy will be a minimum one-year trail and that exempt customers will be expected to maintain good faith engagement with SFPUC's Customer Services. He reviewed the policy summary for each AMI designation as to (1) percent discount, (2) late payment exemption status, and (3) shutoff and lien exemption policy. He reviewed next steps and indicated that staff will return to the Commission one year after the policy is implemented with recommendation to continue or modify the exemption program.

In response to a concern expressed by VP Maxwell as to the amount of money allotted given the number of customers in need, Manager Perlstein noted it is based on current studies and additional efforts are being considered to bring more people in and grow the program to be more effective and provide additional opportunities.

Commissioner Stacy expressed support for the concept of a CAP and expressed appreciation for continued efforts to make the program work better for more individuals. She expressed concern with the elimination of late payments, especially for higher income individuals.

VP Ajami noted the importance of the program and indicated it is one of few available in the industry. She discussed the movement away from the EPA poverty line noting it doesn't capture diversity or the geographic financial situations people face. Barbara Hale, AGM Power Enterprise, responded to her question regarding the Hetch Hetchy and CleanPowerSF CAP programs. President Ajami suggested combining the water and Hetch Hetchy CAP programs into one application. AGM Hale discussed challenges with that suggestion noting account holders can be different between the programs. She added that Hetch Hetchy Power doesn't serve many single-family customers, with those being served by the CleanPowerSF Program. Nancy Hom, AGM Business Services and CFO indicated the SFPUC is working in partnership with the Controllers office to bring on a post-enrollment consultant that will look at program eligibility. That information will be provided when the report is completed next year. Brief discussion ensued.

Public Comment

- *James Mabrey, Construction Site Services, noted the benefits of the program as a recipient and thanked the Commission.*

On motion to approve item 7:

Ayes: Ajami, Maxwell, Paulson, and Stacy

8. Public hearing to consider and possible action to adopt Rules and Regulations for the implementation of the Social Impact Partnership Program (SIP) in conformance with the requirements of Charter Section 4.104 and San Francisco Administrative Code Chapter 21F, effective April 22, 2023. ([Resolution 23-0075](#))

Valerie Tulier-Laiwa, Manager, Social Impact Partnership Program, provided a recap of the SIP's approval process that began in October 2022 with the Commission's approval and concluded with the Board of Supervisor's Ordinance becoming operative on April 22, 2023.

Manager Tulier-Laiwa reviewed the SFPUC's guiding policies (1) Environmental Justice Policy; (2) Community Benefits Policy; and (3) Racial Justice Resolution. She noted the SFPUC invites contractors to propose meaningful, positive impacts directly to communities through the City's competitive solicitation processes. Under the SIP program, contractors voluntarily propose commitments that they deliver during the term of their contracts.

She provided an update as to SIP progress and reviewed the rules and regulations implementing the SIP Program (1) General SIP Program information; (2) Competitive selection process for covered solicitations; (3) Covered contract SIP Program requirements; (4) Enforcement; and (5) Exemptions and Waivers to SIP Program requirements.

In response to a question from Commissioner Stacy as to where any participant or contractor feedback is received, Director Tulier-Laiwa stated there is no formal process for public feedback, but indicated that informal feedback is received. She stated an annual newsletter is required from the contractors which posted on the SFPUC's website.

Director Tulier-Laiwa, GM Herrera, and AGM Hale responded to concerns from VP Maxwell regarding the exemption policy process, the categories that are exempted, and the standards by which an exemption would be granted.

President Ajami requested that the program be adjusted as feedback is received to determine "social benefit" and provide what people want.

No public comment.

On motion to approve item 8:

Ayes: Ajami, Maxwell, Paulson, and Stacy

9. Approve a New Water Infrastructure Finance and Innovation Act (WIFIA) Master Loan Agreement (Master Agreement) with the United States Environmental Protection Agency in an aggregate principal amount up to \$791,337,456 and a sub-loan agreement for an initial draw down of \$369,335,021 under the Master Agreement to provide partial funding for certain

projects in the Wastewater Enterprise Capital Plan. ([Resolution 23-0076](#))

Alexandra Gunnell, Loans and Grants Director, provided a summary of the WIFIA program, which provides low-cost federal loans for qualified projects and is administered by the U.S. Environmental Protection Act. In July 2018 there was a \$699 million loan for the Southeast Plant (SEP) Biosolids Digester Project and in June 2020 there was a \$525 million loan for the SEP Headworks Project and Biosolids Digester Facilities Project (BDFP). She reviewed milestones for the SFPUC's third WIFIA loan.

Director Gunnell discussed the (1) WIFIA Master Agreement – commits up to \$791,337,456 in partial funding from WIFIA for certain Wastewater Enterprise (WWE) Capital Improvement Projects (CIP); (2) Project 1 Loan Agreement – obligates up to \$369,335,021 of the \$791,337,456 from the Master Agreement with partial funding for six WWE CIP projects and may be combined with Clean Water State Revolving Fund loans and grants in the future; and (3) Loan Administration.

Nikolai Skarloff, Capital Finance Director reviewed (1) Revenue Bond Indenture; and (2) Key Economic Terms in Loan – Rate on each loan set at 0.01% higher than the U.S. Treasury's State and Local Government Securities on the date of loan execution, with a 35-year repayment period beginning five years after completion of the last project, estimated to be in 2028.

Director Skarloff reviewed (1) Capital Financing Plan (FY 2022-23); (2) Capital Financing Strategy (WWE) – mitigate upward pressure on rates and charges, actively manage capital financing costs, and maintain WWE's high ratings; (3) WIFIA Master Agreement (Capital Finance Rationale) – may provide lower cost financing than if it had been financed wholly through traditional Wastewater Revenue bonds; (4) Borrowing Rates vs. Term; (5) Yield vs. Curves (public bonds vs. WIFIA bonds). Relative advantage will depend on how rates change after the WIFIA is locked, and what the amortization of bonds would be; (6) Flexible options for future borrowing – projected aggregate net debt service; and (7) Good Faith Estimates – SB 450 requires local agencies to disclose estimates of certain debt financing-related information at the time of authorization. The Good Faith reasonable estimate for the 2023 WIFIA project 1 Loan Agreement, which has a maximum principal amount of \$369,335,021 is as follows: True Interest Cost: 4.046%; Finance Charge of the Loan: \$427,246; Amount of Proceeds Received: \$368,907,775; and Total Payment Amount of net Capitalized Interest: \$957,074,401.

Director Sklaroff and Director Gunnell responded to questions from Commissioner Paulson regarding the ability for a one-time adjustment on the second loan if rates go down and before any draw and regarding "Buy America" requirements or restrictions that may impact construction.

Director Sklaroff responded to a request from President Ajami for clarification regarding the ability for loan rate adjustments and any costs that may be involved in rate adjustments.

Public Comment

- *Eileen Boken discussed a recent Capital Planning Commission meeting regarding additional bond authority and stated there was not mention of the US EPA loan or six state revolving loans. She questioned the increase of the SFPUC's overall debt.*

*On motion to approve item 9:
Ayes: Ajami, Maxwell, Paulson, and Stacy*

10. Award Contract No. PRO.0179, Wastewater Capital Plan Delivery, Program Management Consultant, to AECOM Technical Services, Inc., to provide program management consulting services to replace the existing contract that is nearing capacity, for an amount not-to-exceed \$90,000,000, and with a duration of 10 years, subject to approval by the Board of Supervisors pursuant to Charter Section 9.118. ([Resolution 23-0077](#))

AGM Robinson discussed the combined sewer system and offered a system map. He discussed movement from a one-time large investment to a more sustainable strategic capital planning approach (adaptive management). He reviewed the WWE CIP progression from 2010 going forward. He discussed PRO.0179 scope of services of Program administration; program delivery; project technical support; and strategic capital planning. He noted the request-for-proposals timeline which began June 30, 2022 and is anticipated to end with the notice of award of agreement in July 2023. He discussed the proposal submission evaluation process and award of maximum points.

AGM Robinson responded to a question from Commissioner Paulson regarding the protest that was received. He responded to a question from VP Maxwell as to how the new contractor will be different and innovative as compared to the previous and responded to her concerns regarding the duration of the contract, the need for monitoring the work performed, and their access to industry perspectives and expertise.

AGM Robinson address President Ajami's skepticism that the contract will allow for a fresh look at engineering and address challenges and build next generation. Brief discussion ensued. Commissioner Stacy concurred with the Commissioner's comments and stated staff must insist on the creation of new ideas from the consultant.

Commissioner Paulson expressed confidence in the process and trust that staff and consultants as a team will be transparent.

Public Comment

- *James Mabry, Mabrey, Construction Site Services, expressed hope that AECOM does the right thing. He stated his business is a Micro LBE and discussed the need for opportunities.*
- *Francisco DaCosta discussed AECOM and the task force report.*

*On motion to approve item 10:
Ayes: Ajami, Maxwell, Paulson, and Stacy*

11. Approve the General Manager's determination that it is in the City's best interest to terminate for convenience Contract No. WD-2825R, Alameda Creek Recapture Project with Anvil Builders, Inc.; and authorize the General Manager to negotiate closeout terms and final payment to the contractor in accordance with the terms of the contract. ([Resolution 23-0078](#))

Katie Miller, Director Capital Programs, reviewed the project's goals and objectives to

recapture future in-stream flows released from Calaveras Reservoir and Alameda Creek Diversion Dam as required under the Calaveras Dam Replacement Project permits. Director Miller noted the project site – Quarry Pod F2 – located in Sunol, CA, and connected to the Alameda Creek basin. She reviewed the project scope, existing site conditions (slope erosion), and project status.

Director Miller requested Commission approval of the General Manager’s determination that it is the City’s best interest to terminate for the contract for convenience and requested authorization to negotiate close-out terms and final payment to the contractor. She stated termination will (1) provide time to perform long-term slope stabilization in coordination with the quarry leaseholder; (2) revisit design to better assure operations and maintenance are sustainable and manageable; and (3) perform project construction with stabilized conditions and improve design.

Director Miller responded to a question from VP Maxwell regarding the cost to terminate the contract, and to identify the work that was performed, indicating the work included the building of temporary access roads, conditions assessment on current water pipeline, and procurement of items. She indicated staff is conducting a determination as to the potential use of those items in other parts of the system, the storage of items, or restocking of items with a partial refund of costs. She indicated that \$3 million to \$6 million of value has been received from those items procured, as well as from a conditions assessment. She provided information on some of the items procured including controls building, barges, pumps, and high density pipelines.

Commissioner Paulson provided thoughts on the project. Director Miller indicated that Anvil is being cooperative and that the SFPUC is working with the quarry operation, has hired a geotechnical consultant, and are taking this opportunity to look at conditional improvements. She reviewed expected costs.

GM Herrera discussed the recommendations for the termination request including the changing site conditions and operational and maintenance issues that were not taken into account during design. AGM Robinson provided additional comment and stated this will allow for thoughts on the project going forward.

In response to a question from Commissioner Stacy, AGM Ritchie indicated that instream flow requirements are not contingent on the project and are being met. He indicated that the SFPUC has been good with brining in expert outside technical advisory panels for technical (construction) work but has not been as good at with brining in outside technical expertise for operation and maintenance issues. He acknowledged the difficulty with the decision, but stated it is the right one.

Commissioner Stacy noted the difficulty of the decision and thanked staff for bringing the item before the Commission. Director Miller thanked Commissioner Stacy for her comments and indicated staff will look at lessons-learned to do better for future challenges. AGM Robinson thanked staff and consultants for their work thus far.

President Ajami noted the high associated costs with this project and discussed the need to capture lessons learned that can be applied to projects going forward.

Public Comment

- *Tom Francis, Water Resources Manager, BAWSCA, expressed support for and disappointment with the action. He expressed confidence in the SFPUC staff and expressed appreciation to Director Miller for her communication with BAWSCA.*
- *Francisco DaCosta asked what the Commission knows about certain projects and asked for a needs assessment.*
- *Peter Drekmeier, Policy Director, Tuolumne River Trust, thanked the staff and Commission for the honest and transparent discussion. He discussed the infiltration gallery and the water transfer with the Modesto Irrigation District.*

President Ajami asked that staff conduct an internal audit to see what might have been anticipated at different points in the process.

On motion to approve item 11:

Ayes: Ajami, Maxwell, Paulson, and Stacy

12. Communications (information only)

- Advance Calendar
- Contract Advertisement Report
- Correspondence Log
- Annual Power Risk Management Plan
- CleanPowerSF Quarterly Report
- Declaration of Emergency – Repair of Hetch Hetchy Water and Power Roads due to March Storms
- Power Quarterly Report on Delegated Authority Contracts Pursuant to Administrative Code Section 21.43
- Quarterly Report on Contracts Awarded by the General Manager Pursuant to Delegated Authority

13. General Public Comment

- *LaSonia Mansfield, Mansfield & Mansfield, and member of the San Francisco Latino, Black and Brown Association (SFLBBA), stated she is a nurse by trade turned business owner who provides construction clean-up. She requested that the SFPUC implement the ability for small business in the Bayview to get on projects as hyper-local.*
- *Tricia Gregory, Hvyw8 Trucking, and member SFLBBA, discussed the Biosolids Projects and noted the benefits received by LBEs. She stated every scope of the project should include Micro LBEs.*
- *Claytis Norman, Integrity First Plumbing, discussed the hiring of larger contractors on projects and asked that small firms be given an opportunity on the Biosolids Project.*
- *Demetrius Williams, CIW and Sons Plumbing, discussed the Biosolids and Headworks Project and expressed the need for small contractors in the community to be provided with opportunities as Micro LBEs.*
- *James Mabry, Mabrey, Construction Site Services, discussed the need to include Micro LBE goals in new vertical packages with Webcor Builders.*
- *Oronde Sterling, Sterling Framers, expressed his concern with the inability to access contracts and asked that the Commission provide opportunities for Micro LBEs.*

- *Francisco DaCosta stated the Commission needs to read the Task Force report regarding Community Benefits.*
- *Peter Drekeimer, Policy Director, Tuolumne River Trust, thanked the people who attended the meeting to provide comment. He stated general public comment should come at the beginning of the meeting. He requested the Commission discuss the Tuolumne River Voluntary Agreement peer review.*

Commissioner Maxwell thanked those who attend and expressed their concerns.

Commissioner Paulson thanked speakers for their thoughts and noted the importance of wages, apprenticeship programs, and opportunities for all.

President Ajami thanked the speakers for offering their comments and experiences. She asked that additional information on Micro LBEs be provided.

14. Items initiated by Commissioners

Kate Stacy thanked staff for arranging the site visit to the Mountain Tunnel and indicated it added to her understanding of the SFPUC.

No public comment.

15. Public comment on the matter to be addressed during Closed Session

None.

16. Motion on whether to assert the attorney-client privilege regarding the matter listed below as Conference with Legal Counsel

On motion to assert the attorney-client privilege regarding the matter listed as Conference with Legal Counsel:

Ayes: Ajami, Maxwell, Paulson, and Stacy

The Commission entered Closed Session at 5:20 pm.

Present in Closed Session: Commissioners Ajami, Maxwell, Paulson, and Stacy; GM Dennis Herrera, GM, Ron Flynn, Deputy GM, Sheryl Bregman, City Attorney, and Donna Hood, Commission Secretary.

17. CONFERENCE WITH LEGAL COUNSEL – Pursuant to California Government Code, Section 54956.9(d)(1), and San Francisco Administrative Code, Section 67.10(d)(1)

Unlitigated Claim

Yosemite Slough Sediment Contamination Site, U.S. EPA Region IX, CERCLA Docket No. 2016-05 [City Attorney File No. 090923]

Funding further implementation of U.S. EPA interim settlement as approved under Ordinance No. 18-20, subject to Board of Supervisors approval.
(Resolution 23-0079)

The Commission exited Closed Session at 5:30 pm.

18. Announcement following Closed Session

President Ajami announced that the Commission recommend that the Board of Supervisors approve the additional funding to address further implementation of the settlement referenced in the agenda.

19. Motion regarding whether to disclose the discussions during Closed Session pursuant to San Francisco Administrative Code Section 67.12(a)

On motion not to disclose discussions during Closed Session.

Ayes: Ajami, Maxwell, Paulson, and Stacy

20. Adjournment

President Ajami adjourned the meeting at 5:31 pm.