



SAN FRANCISCO PUBLIC UTILITIES COMMISSION
City and County of San Francisco

London N. Breed
Mayor

REGULAR MEETING MINUTES
Tuesday, June 13, 2023
1:30 PM
(Approved June 27, 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 1:30 PM.

2. Roll Call

Present: Ajami, Paulson, and Stacy

Excused: Maxwell and Rivera

3. Approval of the Minutes of May 23, 2023

No public comment.

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

Ayes: Ajami, Paulson, and Stacy

4. Report of the General Manager (GM)

a) San Francisco Public Utilities Commission Human Resources Update

Wendy Macy, Chief People Officer (CPO), stated that as of May 2023, the permanent position vacancy rate was 24.7%, down from 26.3% in February. The SFPUC has 2,643 permanent positions with 654 vacancies. She reviewed (1) SFPUC vacancy rate (total positions vs. vacant positions) by each organization; (2) employee movement and headcount, indicating there was a net change of +76 in headcount, with 282 hires and 205 exits.

She discussed collaborative efforts with the SFPUC's Communications team to promote SFPUC careers; reviewed the enhanced SFPUC careers webpage as a result of previous feedback; increased outreach at multiple job fairs; increased social media presence with enhanced graphics; and diversity recruitment and outreach. CPO Macy discussed efforts being taken to ensure continuous improvements to the hiring processes.

Commissioner Stacy thanked CPO Macy and staff for their improvements to the website and indicated she found it easier to navigate and confirmed that links were working.

President Ajami requested the next presentation include a breakdown as to the educational level that is required for each job category.

No public comment.

b) Results of Recent Bond and Loan Financings for Wastewater Enterprise

Nikolai Sklaroff, Capital Finance Director, stated that on April 5, 2023 the Wastewater Enterprise sold Wastewater Revenue Bond Series 2023 ABC. He reviewed the bond sale condition and results stating there is a volatile interest rate environment, but that conditions were favorable at the time of sale. Strong demand drove rates lower, with all but one maturity over-subscribed.

Director Sklaroff reviewed final pricing results for the 2023 Series ABC Wastewater Revenue Bonds with a par amount of \$974,380,000 and a premium of \$161,621,397, for total proceeds of \$1,136,001,397 and an aggregate true interest cost of 3.08%. He discussed (1) Series A (Sewer System Improvement Program (SSIP)) (Green Bonds) with

a 19-year final maturity and a true interest cost of 2.88%, with \$632 million to fund and refund commercial paper issued for SSIP Projects; (2) Series B (Non-SSIP) with a 19-year final maturity and a true interest cost of 3.03% with \$325 million to fund and refund commercial paper and outstanding bonds for wastewater capital improvement projects; and (3) Series C (SSIP) (Green Bonds) with a final maturity of 35 years and a true interest cost of 3.51% with \$179 million to refund outstanding bonds for SSIP projects.

Director Sklaroff presented the Green Bond results noting priority orders for Green Bonds granted to ESG institutions (institutional investor with sated investment targets focused on environmental and social impact). He stated demand for Green Bonds exceeded demand for non-Green Bonds and strong demand for bonds contributed to favorable pricing for the entire issuance.

Director Sklaroff stated that as is customary on SFPUC negotiated bond sales, in addition to Municipal Advisors, the SFPUC engaged an Independent Pricing Consultant to evaluate the results of the sale.

Director Sklaroff stated the Water Infrastructure Finance and Innovation Act (WIFIA) Master Agreement, which was for an aggregate principal amount up to \$791,337,456, and the Project 1 Loan Agreement were approved by the Commission on April 11, 2023 and executed with the US Environmental Protection Agency (EPA) on April 26, 2023. The initial draw down amount from the Project 1 Loan Agreement under the Master Agreement is \$369,335,021, with an interest rate of 3.65%, and final maturity date of October 1, 2061. It will provide partial funding for certain projects in the Wastewater Capital Plan. The EPA estimates the loan will save the SFPUC \$110 million. Director Sklaroff concluded with a review of projected resulting aggregate net debt services.

No public comment.

c) Quarterly Budget Status Report

Laura Busch, Budget Director and Acting Deputy Chief Financial Officer (CFO), indicated there were positive operating results projected for Water, Wastewater, Power, and CleanPowerSF. She stated (1) Water and Wastewater revenues are lower compared to the second quarter due removal of the drought surcharge and offset by wholesale revenues projected to exceed budget and savings from salaries, bureau overhead costs and debt service savings; (2) Power high power purchase and transmission and distribution costs have led to significant increases in costs. These costs have been offset by increased wholesale revenues, general reserve contributions and savings from salaries and bureau overhead; (3) CleanPowerSF's high power purchase and transmission and distribution costs have led to significant increases in costs. These costs have been offset by increased by general reserve contributions and savings from salaries; and (4) Year-end financial results are projected to meet-or-exceed policy targets.

Director Busch reviewed FY 2022-23 budget variances (sources and uses) for (1) Water: Net operating results \$27.8 million with total sources up \$12.6 million, and \$15.2 million in cost savings; (2) Wastewater: Net operating results \$19.7 million with total sources down (\$0.2 million) and \$20.0 million in cost savings; (3) Power: Net operating result \$49.6 million with total sources up \$48.4 million, and \$1.2 million in cost savings; and (4) CleanPowerSF: Net operating result \$14.3 million with total sources up \$10.2 million, and \$4.0 million in cost

savings. Director Busch reviewed key financial ratios for Water, Wastewater, Hetchy and CleanPowerSF.

No public comment.

- d) Water Enterprise Capital Improvement Program (WECIP) Quarterly Report
Stephen Robinson, Assistant General Manager (AGM) Infrastructure Bureau, stated that as of March 2023 the WECIP is 33% complete with \$1,047 million expended. He reviewed the WECIP cost summary by category for active projects, noting a \$4 million variance for the quarter to the Emergency Firefighting Water System.

AGM Robinson reviewed the approved budget for (1) 25 Regional Projects, providing an update for the Sunol Valley Water Treatment Plant Ozone Project, and the Harry Tracy Water Treatment Plant Filter Underdrain Replacement Project; and (2) 11 Local Projects, providing an update on the Francisco Westside Recycled Water Project.

Steve Ritchie, AGM Water Enterprise, responded to a question from Commissioner Stacy about projects such as the Regional Groundwater Treatment Program, being included in both the Water System Improvement Program and the Capital Improvement Program, and if there is interaction between the two projects; and a question regarding the Sunol Valley Water Treatment Plant Basins.

Public Comment:

- *Francisco DaCosta stated the Hetch Hetchy Reservoir water was stolen from the First People. He addressed the addition of groundwater. He asked that the Commission work with the Indigenous People.*

- e) Water System Improvement Program (WSIP) Quarterly Report
Bryan Dessaure, Project Manager, reviewed the Regional WSIP status as of March 2023 the project is 99% complete, with two active projects, and \$3,772 million expended and \$81 million remaining. He reviewed the WSIP cost summary noting a \$10.2 million Regional WSIP cost variance.

Manager Dessaure provided a status update for the Regional Groundwater Storage and Recovery Project. He discussed the Alameda Creek Recapture Project and stated negotiations continue for change order modifications; the cost variance in the second quarter increased by \$0.7 million to \$10.2 million; and that a staff memo presented to the General Manager recommended termination of the construction contract and redesign of facility after bank slope stabilization.

No public comment.

- f) Report on Recent San Francisco Public Utilities Commission Activities, Events and Announcements
GM Herrera discussed the announcement made by the Assistant Administrator for Water, US Environmental Protection Agency, of the Water Infrastructure Finance and Innovation Act loans to the SFPUC which will be used to pursue improvement projects at water facilities on the north side of the City.

No public comment.

5. CONSENT CALENDAR

- a) Approve Amendment No. 3 to Contract No. BPUC13000025, Software as a Service Agreement, with Yardi Systems, Inc., to increase the Contract amount by \$175,000 for a new total Contract amount of \$515,290, and retroactively extend the Contract duration by five years, for a total Contract term of 15 years, subject to approval by the Board of Supervisors. ([Resolution 23-0107](#))
- b) Approve an increase of 365 calendar days to the duration contingency for Contract No. DB-121R2, Moccasin Powerhouse Generator Rehabilitation Project, with General Electric Renewable Energy, due to delays in the supply chain for long lead items; and authorize the General Manager or the General Manager's designee, to approve future modifications to the contract for a new total contract duration of up to 1,567 consecutive calendar days. ([Resolution 23-0108](#))
- c) Award Contract No. DB-135, O'Shaughnessy Dam New Bulkhead System (Project) to Alltech Engineering Corp., in the not-to-exceed amount of \$9,857,000, and with a term of 670 consecutive calendar days, to design and build a new bulkhead system that will provide reliable and safe isolation of existing gates and valves for O'Shaughnessy Dam. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA) pursuant to San Francisco Administrative Code section 31.04(h). The Planning Department determined that the Project is exempt from the CEQA. The Commission will rely on that determination to make its decision on this action. ([Resolution 23-0109](#))
- d) Approve the assignment and assumption of Contract HH-1000R, Mountain Tunnel Improvements Project; and authorize the General Manager to execute an Assignment and Assumption Agreement to assign the existing Contract from Michels Tunneling, a division of Michels Corporation, to a wholly owned Michels Corporation affiliate, Mountain Tunnel Constructors, Inc. ([Resolution 23-0110](#))
- e) Award Contract No. HH-1011, O'Shaughnessy Dam Instream Flow Release Valve Replacement (Project), to the responsible bidder that submitted the lowest responsive bid, Sierra Mountain Construction, Inc., in the amount of \$5,960,000, and with a term of 636 consecutive calendar days, to replace and improve the Instream Flow Release Valve system at O'Shaughnessy Dam. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA) pursuant to San Francisco Administrative Code section 31.04(h). The Planning Department determined that the Project is exempt from the CEQA. The Commission will rely on that determination to make its decision on this action. ([Resolution 23-0111](#))
- f) Approve Amendment No. 2 to Contract Nos. PRO.0018.A and PRO.0018.B, As-Needed Power Operations Support, with Siemens Industry, Inc. (PRO.0018.A) and Utilicast, LLC (PRO.0018.B), extending the duration of each contract by three years, with no change to the contract amount, for a total duration of nine years for each contract in order to ensure continuity of power operations support services until a new contract is awarded. ([Resolution 23-0112](#))

- g) Modify Contract Nos. PRO.0085.A-B, Hetchy Capital Improvement Program Region As-Needed Engineering Services, with AECOM Technical Services, Inc. (PRO.0085.A), and McMillen Jacobs/Joe Hill, Joint Venture (McMillen Jacobs-Joe Hill JV) (PRO.0085.B) to increase each contract amount by \$2,000,000 for a new total contract amounts of \$6,500,000 each, with no change to the contract durations, to provide additional contract capacity so that as-needed engineering services for San Francisco Public Utilities Commission capital improvement projects in the Hetch Hetchy region can be accomplished. ([Resolution 23-0113](#))
- h) Award Contract Nos. PRO.0231.A-D, Specialized and Technical As-Needed Services, to Stantec/JHCE Joint Venture (JV) (PRO.0231.A); MMD JV (PRO.0231.B); AECOM/WRE JV (PRO.0231.C); and LEE Incorporated (PRO.0231.D), each for an amount not-to-exceed \$7,500,000 with a term of five years, to provide specialized and technical support services for water, power, operations and maintenance, and engineering planning services. ([Resolution 23-0114](#))
- i) Award Contract No. PRO.0253, Low Interest Loans and Grants Program, to EPC Consultants, Inc. - Avila and Associates Consulting Engineers, Inc., Joint Venture (EPC-AVILA JV), in an amount not-to-exceed \$4,000,000, and with a duration of five years to provide support for maximizing access to federal, state, and other low-cost financing and grant options and managing all aspects of loan and grant applications and award requirements from end-to-end under the direction of Loans and Grants Steering Committee and SFPUC Loans and Grants Director. ([Resolution 23-0115](#))
- j) Approve an increase of \$5,000,000 to the contract cost contingency and an increase of 228 calendar day to the contract duration contingency, for Contract No. WW-639, Oceanside Water Pollution Control Plant Digester Gas Utilization Upgrades, with Monterey Mechanical Co., due to COVID-19 associated equipment delivery delays and related supply chain breakdowns, and additional electrical modifications within building 800; and authorize the General Manager to approve future modifications to the contract for a total contract amount \$47,293,900 and a total contract duration up to 1,997 consecutive calendar days. ([Resolution 23-0117](#))
- k) Approve the terms and conditions and authorize the General Manager to execute, subject to Board of Supervisor approval, a no-cost Project Specific Maintenance Agreement with the State of California, Department of Transportation (Caltrans), for ongoing maintenance supporting proposed improvements by the San Francisco Public Utilities Commission at 18 locations within Caltrans right-of-way along a six-mile section of State Route 35, south of State Route 92, in San Mateo County, California. The proposed improvements are associated with the Southern Skyline Boulevard Ridge Trail Extension Project. ([Resolution 23-0116](#))

President Ajami announced that item 5j was removed from the Consent Calendar for a proposed minor amendment to the resolution.

No public comment on Consent Calendar excluding item 5j.

*On motion to approve the Consent Calendar excluding item 5j:
Ayes: Ajami, Paulson, and Stacy*

Brian Carlomagno requested an amendment to the first Resolved clause to remove a duplicate entry of the \$5,000,000 requested cost increase.

Public Comment Consent Calendar item 5j:

- *Francisco DaCosta discussed the costs to upgrade infrastructure. He questioned how many water pipes have been replaced and discussed leeching pipes.*

AGM Robinson responded to a question from President Ajami regarding increased contract costs due to COVID and how and or if those costs are distributed between the SFPUC and the contractor(s). Algyon Collymore, Contracts Management Bureau Manager provided additional response.

On motion to approve the Consent Calendar item 5j as amended:

Ayes: Ajami, Paulson, and Stacy

6. Award Grant No. CS-1249(G), Career Exposure and Environmental Education Grant to San Francisco School District, to fund public-utility related educational programs at John O'Connell High School in an amount not-to-exceed \$375,000 and with a term of two years. ([Resolution 23-0118](#))

Blair Randall, Arts and Education Program Manager, provided a brief background of the grant program indicating the SFPUC has partnered with John O'Connell High School since 2017 to connect students with innovative project-based learning curricula centered on real-world water, power, and sewer operations, which is accomplished through SFPUC-focused teacher externship, SFPUC guest speakers, and field trips to SFPUC sites.

Manager Randall stated the grant is for \$375,000 and with a duration of two years. The partnership supports the SFPUC's Strategic Plan Goal of raising awareness about the utility sector among San Francisco Unified School District students and positioning the SFPUC as an employer of choice by making career paths visible to students and the community. Manager Randall reviewed the program goals, discussed experiential student learning, teacher externship, and learning from SFPUC employees participating in the programs. He noted during academic year 2022-23 six SFPUC subject matter experts presented at John O'Connell High School and served as guest judges for student capstone project presentations.

Commissioner Paulson discussed the history of John O'Connell High School's work with apprentice programs to help student gain knowledge and skills to help them begin their careers.

Commissioner Stacy asked if there has been an increase in job applicants from John O'Connell students as a result of the programs, and it was indicated that for privacy reasons that information is not tracked but there is an increased awareness of the agency among students. Carmen Iton, Youth Programs Analyst, External Affairs, noted the need to raise awareness among high school students and stated that John O'Connell students have entered SFPUC training programs.

President Ajami noted the importance of students learning where their water comes from and the benefits of educating them as future rate payers.

Public Comment:

- *Francisco DaCosta stated that general statements should not be acknowledged. He discussed the reduction in the number of salmon in the rivers. He asked how many people of color have participated in the program.*

On motion to approve Item 6:

Ayes: Ajami, Paulson, and Stacy

7. Modify Contract No. PRO.0101, Tunnel Engineering Services of the Folsom Area Stormwater Improvement Project, with McMillen Jacobs Associates/Stantec, Joint Venture, to increase the Contract amount by \$7,500,000 for a new total Contract amount of \$17,200,000 and increase the Contract duration by four years for a new total Contract duration of nine years and one month due to increased Caltrans' design and analysis requirements and to provide engineering support during construction, subject to Board of Supervisors approval under Charter Section 9.118. ([Resolution 23-0119](#))

Derek Adams, Project Manager, reviewed the project location and indicated the project will mitigate the SSIP Level-of-Service five-year, 1.3 inches three-hour storm, and referenced State Abatement Order (R2-2021-0021).

Project Manager Adams reviewed the Mission District Flood Risk area and outlined existing Folsom project contracts (1) WW-719A, SOMA and Mission District Sewer Replacement Contract; (2) WW-719B, Alameda Street Wet Weather Tunnel Contract; (3) WW-719C Harrison/Treat Box Sewer Contract; and (4) WW-719D W. SOMA and N. Mission District Sewer System Contract. He reviewed the project status indicating that planning is complete, design phase is in progress, environmental clearance is complete, and right-of-way acquisition is ongoing with easement offers presented to owners.

Project Manager Adams indicated the professional design services for the tunnel design is set to expire in November 2023. He reviewed the modification request stating the fifth amendment is for a budget and time extension for tunnel engineering support during construction, additional complex modeling scope required by Caltrans, and additional technical support on other construction contracts within the project. The requested increase is for an amount of \$7.5 million and for an increased duration of 48 months. He broke down the anticipated spending for the \$7.5 million with \$4.05 million for engineering support and construction; \$1.82 million for additional complex modeling at launch shaft; \$1.24 million for additional complex foundation modeling; and \$0.26 for public relations. Project Manager Adams reviewed next steps and requested Commission approval.

Commissioner Paulson discussed the importance of the project and thanked staff for their work.

*Project Manager Adams responded to a question from President Ajami regarding modifications to the foundation. He informed the Commission that it is the responsibility of Caltrans to review and approve design and take ownership of the project. President Ajami discussed her desire to know what is underground and to digitize assets owned by the SFPUC and others.
No public comment.*

On motion to approve Item 7:

Ayes: Ajami, Paulson, and Stacy

8. Approve Modification No. 1 to Contract No. PRO.0104, Southeast Water Pollution Control Plant Program Construction Management Service with Parsons Water & Infrastructure Inc., to increase the Contract amount by \$12,000,000 for a new total Contract amount of \$47,000,000 with no change to the Contract duration, subject to Board of Supervisors approval under Charter Section 9.118. This Modification No. 1 will allow for continued program-level construction management oversight, and supervision of the Sewer System Improvement Program projects located at the Southeast Water Pollution Control Plant to ensure continued program standardization and consistency while meeting the San Francisco Public Utilities Commission's goals and requirements in accordance with the Construction Management Plan, Safety Approach, and Construction Management Procedures. ([Resolution 23-0120](#))

AGM Robinson reviewed the combined sewer system noting the average dry water flow of 70mgd and a total wet weather capacity of 757mgd. He stated the contract was awarded in 2018 and proceeded to review the scope of services. He stated while all services provided under the contract were within the contract scope of services the level of effort has increased including plantwide electrical inspections and administration support; expansion of supplier quality surveillance and safety management support; and contract outreach.

AGM Robinson stated the safety management team has worked diligently to mitigate safety-related incidents during construction. He noted there were 17 recordable incidents (below average) and that there were no Cal-OSHA citations. He discussed testing during COVID and indicated there were 118 confirmed cases.

Commissioner Stacy recapped her understanding of various projects and construction management support provided by Parson's for currently approved projects. AGM Robinson concurred with her assessment and stated that Parson's contractual role will continue for approved projects and that they will provide construction management services for other projects once approved by the Commission. He indicated Parsons will not be involved in the design but will provide construction management services for projects with their oversight.

AGM Robinson responded to a request from President Ajami for clarification as to the purpose of the \$12 million increase, indicating it will extend the contract capacity for work going forward and provide the opportunity to reimagine and rework if necessary. He stated it is not earmarked for any specific portion of the contract. Brief discussion ensued, including the possibility of in-house work.

Public Comment:

- *Francisco DaCosta questioned what staff is doing to stop contamination of the Bay. He discussed force mains entering the Bay.*

On motion to approve Item 8:

Ayes: Ajami, Paulson, and Stacy

9. Award Contract No. WW-735, Various Locations Main Sewer Inspection No. 1, in the amount of \$1,998,888 with a duration of 330 consecutive calendar days, to the sole responsible, bidder that submitted a responsive bid, Pipe and Plant Solutions, Inc., in accordance with San Francisco

Administrative Code section 6.23(c)(2), to inspect existing sewers at various locations within the City and County of San Francisco. ([Resolution 23-0121](#))

John Wong, Project Manager, introduced the item and requested approval. He responded to a question from President Ajami regarding data gathering and entry into an asset management program and as to the process.

No public comment.

On motion to approve Item 9:

Ayes: Ajami, Paulson, and Stacy

10. Authorize the General Manager to execute an Amendment to the Memorandum of Understanding between the San Francisco Airport Commission, and the San Francisco Public Utilities Commission to extend the term for two years to end on June 30, 2025, with no change in the not-to-exceed amount of \$3,800,000, to complete the engineering design work required for the development, construction, and environmental review of the Electric Capacity Upgrade Program to increase capacity and improve redundancy at the PUC-owned airport substations. ([Resolution 23-0122](#))

Danny Phung, Asset Manager, noted the services provided under the Memorandum of Understanding, discussed the timeline, and detailed the need for the extension.

No public comment.

On motion to approve Item 10:

Ayes: Ajami, Paulson, and Stacy

11. Public Hearing to approve a Commercial Clothes Washer Rebate Program and adopt Rules and Regulations to allow the San Francisco Public Utilities Commission to issue rebates for commercial-grade washing machines in an amount up to \$5,000 dollars for each qualifying machine, to promote water and energy conservation in the City and County of San Francisco. ([Resolution 23-0123](#))

AGM Ritchie introduced the item and stated the basic program dated back to 2004 and that approval of this item will increase the availability of Commercial washers in the community.

Julie Ortiz, Conservation Manager, discussed how the program will be advertised.

No public comment.

On motion to approve Item 11:

Ayes: Ajami, Paulson, and Stacy

12. Authorize the General Manager to accept and expend, and to request approval from the Board of Supervisors under Administrative Code section 10.170-1(b) to accept and expend, grant funds of up to \$538,051 from the California Department of Water Resources for the pipeline construction of the San Francisco Zoo Recycled Water Project; and authorize the General Manager to execute the Local Project Sponsor Agreement with the Association of Bay Area Governments, to take such actions deemed necessary or appropriate to facilitate the execution of the Agreement, and to

enter necessary or appropriate modifications to the Agreement. This action constitutes the Approval Action for the Project for the purposes of the California Environmental Quality Act (CEQA), pursuant to San Francisco Administrative Code section 31.04(h). 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. ([Resolution 23-0124](#))

AGM Ritche introduced the item and stated the project is going to bid and will be back to the Commission for approval in early 2024. At the request of President Ajami, he discussed the difference between this project and other water recycling projects located on the west side of the city and noted the estimate water savings.

No public comment.

On motion to approve Item 12:

Ayes: Ajami, Paulson, and Stacy

13. Communications (information only)

- a) Advance Calendar
- b) Contract Advertisement Report
- c) Correspondence Log
- d) Alternative Water Supply Program Quarterly Report
- e) Water Supply Conditions Update

14. General Public Comment

- *Dave Warner discussed the Alternative Water Supply Program Report ([written comments](#))*

15. Items initiated by Commissioners

None.

16. Public Comment on the matters to be addressed during Closed Session

None.

17. 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 regarding the matters listed below as

Conference with Legal Counsel:

Ayes: Ajami, Paulson, and Stacy

The Commission entered Closed Session at 3:42 PM.

Present in Closed Session: All items: Commissioners Ajami, Paulson and Stacy; Deputy General Manager Ron Flynn; Sheryl Bregman, Deputy City Attorney, Ari Bruth, Deputy City Attorney; and Donna Hood, Commission Secretary. Item 21: Stephen Robinson, Assistant General Manager, Infrastructure Bureau.

18. CONFERENCE WITH LEGAL COUNSEL regarding anticipated litigation (Government Code §54956.9, San Francisco Administrative Code §67.10(d)(1)):

Arthur Villegas. v. City and County of San Francisco

Unlitigated File No.: 23-02195

Date Filed: May 9, 2023

Proposed settlement of unlitigated claim for damage to property resulting from a ruptured water main with the City and County of San Francisco to pay Arthur Villegas \$50,000.00, subject to final approval by the Board of Supervisors. (Resolution 23-0125)

19. CONFERENCE WITH LEGAL COUNSEL regarding anticipated litigation (Government Code §54956.9, San Francisco Administrative Code §67.10(d)(1)):

Cincinnati Insurance Co. v. City and County of San Francisco

Unlitigated File No.: 23-01250

Date Filed: January 30, 2023

Proposed settlement of unlitigated claim for damage to property resulting from a ruptured water main with the City and County of San Francisco to pay Cincinnati Insurance Company \$37,636.23, subject to final approval by the Board of Supervisors. (Resolution 23-0126)

20. CONFERENCE WITH LEGAL COUNSEL regarding anticipated litigation (Government Code §54956.9, San Francisco Administrative Code §67.10(d)(1)):

Ronghan Guan. v. City and County of San Francisco

Unlitigated File No.: 23-00574

Date Filed: October 19, 2022

Proposed settlement of unlitigated claim for damage to property resulting from a ruptured water main with the City and County of San Francisco to pay Ronghan Guan \$50,450.00, subject to final approval by the Board of Supervisors. (Resolution 23-0127)

21. CONFERENCE WITH LEGAL COUNSEL regarding anticipated litigation (Government Code §54956.9, San Francisco Administrative Code §67.10(d)(1)):

Walsh Construction II, LLC v. City and County of San Francisco

Unlitigated File No.: 23-0237

Date Filed: November 19, 2020

Matter involving unlitigated construction contract claims by Walsh Construction II, LLC, under San Francisco Municipal Transportation Agency (SFMTA) Contract 1289, the Van Ness Corridor Transit Improvement Project, with the San Francisco Public Utilities Commission to contribute \$6,488,144.49 to a proposed settlement subject to San Francisco Municipal Transportation Board approval, with SFMTA to pay \$17,535,525.68 and SFMTA to release \$6,464,474.32 of retention to Walsh Construction II, LLC. (Resolution 23-0128)

The Commission exited Closed Session at 3:42 PM.

22. Announcement following Closed Session

President Ajami announced that the Commission is recommending that the Board of Supervisors approve the settlements referenced in the agenda.

23. 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 the discussions during Closed Session:

Ayes: Ajami, Paulson, and Stacy

24. Adjournment

President Ajami adjourned the meeting at 4:05 PM.