

From: [Board of Supervisors \(BOS\)](#)
To: [BOS-Supervisors](#); [BOS-Legislative Aides](#)
Cc: [Calvillo, Angela \(BOS\)](#); [Mchugh, Eileen \(BOS\)](#); [De Asis, Edward \(BOS\)](#); [Somera, Alisa \(BOS\)](#); [Ng, Wilson \(BOS\)](#); [Carroll, John \(BOS\)](#); [BOS Legislation, \(BOS\)](#); [BOS-Operations](#)
Subject: File No. 260302 - Barklee Sanders - 2 Letters
Date: Wednesday, April 22, 2026 2:25:55 PM
Attachments: [260302 Barklee Sanders - 2 Letters.pdf](#)

Hello Supervisors,

Please see the attached 2 letters from Barklee Sanders regarding:

File No. 260302: Ordinance amending the Administrative Code to authorize the Public Utilities Commission to purchase utility infrastructure from customers that the Public Utilities Commission would otherwise be required to install, subject to specified conditions.

Sincerely,

Justice Alcantar
Office of the Clerk of the Board
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102
Phone: (415) 554-5184 | Fax: (415) 554-5163
board.of.supervisors@sfgov.org | sf.gov/bos

From: [Barklee Sanders](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Resident comment on File No. 260302 (SFPUC Section 99.5) — requesting amendments before Land Use hearing
Date: Monday, April 20, 2026 12:59:47 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Dear Supervisor Mandelman and Office of Board President,

I am a resident of Treasure Island writing to ask that File No. 260302 — the proposed Section 99.5 of the San Francisco Administrative Code — not advance out of committee without the amendments summarized below.

I have published a detailed resident analysis of the ordinance at:

<https://www.treasureislandsfpoweroutages.com/blog#news-2026-04-15-sfpuc-99-5>

I would welcome your office's notes, corrections, or additions — especially on any factual points where the analysis has misread the ordinance. My aim is an accurate, constructive record that makes the Committee hearing more useful, not a public attack on the sponsor.

My core concern: Section 99.5 exempts a new category of SFPUC transactions from Chapters 6 and 21 of the Administrative Code. Those are the competitive-bidding and Office of Contract Administration oversight chapters. They are the same chapters former SFPUC General Manager Harlan Kelly Jr. was convicted of circumventing in 2023. Four years after the federal honest-services-fraud conviction, the ordinance would legalize, prospectively, the procurement pathway the jury criminalized — with the added twist that the contractor-selection decision moves to a private developer, which may put that decision outside the reach of the statute Kelly was prosecuted under.

One point I want to be explicit about: the amendments below must apply to every single Section 99.5 transaction — \$1 or \$100 million. No dollar threshold, no "above \$500,000" audit trigger, no "above \$5 million" Board trigger, no General Manager discretion exemption for smaller contracts. Thresholds are exactly the escape hatch the Kelly prosecution showed gets abused: a favored contractor's work gets sliced into just-under-the-threshold change orders and the oversight never triggers. The only way to close that path is to apply the rules uniformly.

Specifically:

1. Independent third-party cost audit for every Section 99.5 transaction — no dollar-value exemption.
2. SFPUC approval of contractor selection before construction begins, not just reimbursement at the end — on every transaction.
3. Developer disclosure of contractor relationships — prior work, ownership, affiliated entities — on every transaction.
4. Ethics Commission filing for each Section 99.5 transaction — every transaction.
5. Sunset clause — three years, then Board reauthorization required.

6. Full Board of Supervisors approval for every Section 99.5 transaction — no minimum dollar threshold, no General Manager discretion carve-out.
7. Anti-kickback certification from developer and contractor under penalty of perjury — every transaction.
8. Preserve the workforce protections already in the ordinance.

Treasure Island has had 537+ documented power outages since 1997. We support cleaner ownership of new electric infrastructure here. We are not opposed to the structural intent of this ordinance. We simply cannot afford — literally, 2,000 residents on trust lands already \$55.9 million in deficit cannot afford — a procurement model where the developer picks the contractor, the developer sets the price, and the SFPUC pays the bill on its own internal determination.

I would be glad to meet with your staff, provide any data I have on past outages, or revise the public analysis if I have any fact wrong. Please feel free to reply directly or share the link with colleagues.

Thank you for your time and your service.

Barklee Sanders
Treasure Island resident
barkleesanders@gmail.com

From: [Barklee Sanders](#)
To: [Board of Supervisors \(BOS\)](#)
Subject: Supplement — credential on File 260302 (SFPUC CAC Power Subcommittee Chair, D6)
Date: Monday, April 20, 2026 1:18:13 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Brief supplement to my email earlier today regarding File No. 260302 (SFPUC Section 99.5).

For accuracy and for the record, I should have identified myself in the capacity that bears directly on this ordinance:

I am the Chair of the SFPUC Citizens' Advisory Committee (CAC) Power Subcommittee, representing District 6 — the same district that includes Treasure Island. The SFPUC CAC is the formal advisory body established under the San Francisco Charter to advise the SFPUC Commission, General Manager, and the Board of Supervisors on SFPUC policy and operational matters. The Power Subcommittee has direct subject-matter jurisdiction over the kind of SFPUC procurement exemption that Section 99.5 would authorize.

I am also a former Treasure Island resident (roughly five years).

Nothing in the analysis or the requested amendments changes. My concerns about Section 99.5 — that it reverses, without public notice, the post-Kelly joint oversight recommendations from the Controller, City Attorney, and Ethics Commission — are offered both as a former Treasure Island resident and in my CAC oversight capacity.

Full resident / CAC analysis:

<https://www.treasureislandsfpoweroutages.com/blog#news-2026-04-15-sfpuc-99-5>

Please treat this credential as an additional data point when deciding whether to weigh in at the Land Use & Transportation Committee hearing. The amendments I am asking for apply to every Section 99.5 transaction regardless of dollar value — no \$500,000 audit threshold, no \$5,000,000 Board threshold, no GM-discretion carve-out. Threshold triggers are the exact escape hatch the Kelly trial record showed gets sliced into just-under-threshold change orders.

Thank you for your time.

Barklee Sanders
Chair, SFPUC Citizens' Advisory Committee — Power Subcommittee (representing District 6)
Former Treasure Island resident
barkleesanders@gmail.com

From: [Carroll, John \(BOS\)](#)
To: [Barklee Sanders](#); [Melgar, Myrna \(BOS\)](#); [Low, Jen \(BOS\)](#); [Chen, Chyanne \(BOS\)](#); [Sciammas, Charlie \(BOS\)](#); [Mahmood, Bilal \(BOS\)](#); [Cooper, Raynell \(BOS\)](#)
Subject: RE: Supplement — credential on File 260302 (SFPUC CAC Power Subcommittee Chair, D6)
Date: Monday, April 20, 2026 10:10:00 AM
Attachments: [image001.png](#)

Thank you for your comment letter.

I am forwarding your comments to the members of the Land Use and Transportation committee, and I will include your comments in the file for this ordinance matter.

I invite you to review the entire matter on our [Legislative Research Center](#) by following the link below:

- [Board of Supervisors File No. 260302](#)

John Carroll
Assistant Clerk

Board of Supervisors
San Francisco City Hall, Room 244
San Francisco, CA 94102
(415)554-4445



Click [here](#) to complete a Board of Supervisors Customer Service Satisfaction form.

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation and archived matters since August 1998.

***Disclosures:** Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

From: Barklee Sanders <barkleesanders@gmail.com>
Sent: Monday, April 20, 2026 1:18 AM
To: Carroll, John (BOS) <john.carroll@sfgov.org>
Subject: Supplement — credential on File 260302 (SFPUC CAC Power Subcommittee Chair, D6)

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Full resident / CAC analysis:

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Former Treasure Island resident

barkleesanders@gmail.com

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Subject: RE: Resident comment on File No. 260302 (SFPUC Section 99.5) — requesting amendments before Land Use hearing
Date: Monday, April 20, 2026 10:10:00 AM
Attachments: [image001.png](#)

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-

[Board of Supervisors File No. 260302](#)

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From: Barklee Sanders <barkleesanders@gmail.com>
Sent: Monday, April 20, 2026 12:59 AM
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