

1 [Issuance of Subpoena - AECOM/Parsons Joint Venture - SFPUC Agreement No. CS-165]

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3 **Motion directing the Clerk of the Board of Supervisors to issue a subpoena to**
4 **AECOM/Parsons Joint Venture to produce minutes of meetings held from 2010 to the**
5 **present, and copies of checks issued from 2010 to the present to beneficiaries of**
6 **AECOM/Parsons Joint Venture’s community benefit commitments under San Francisco**
7 **Public Utilities Commission Agreement No. CS-165, Sewer System Improvement**
8 **Program Management.**

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10 WHEREAS, In 2011, the San Francisco Public Utilities Commission (“SFPUC”) and
11 AECOM/Parsons Joint Venture entered into Agreement No. CS-165 for project management
12 services relating to the Sewer System Improvement Program (“SSIP”); and

13 WHEREAS, Under Agreement No. CS-165, AECOM/Parsons Joint Venture agreed to
14 perform certain “community benefits commitments” during the course of the contract pursuant
15 to SFPUC’s Community Benefits Program, also referred to as the Social Impact Partnership
16 Program; and

17 WHEREAS, In November 2020, former SFPUC General Manager Harlan Kelly
18 resigned from City service after being criminally charged with honest services wire fraud
19 following an investigation into public corruption by the Federal Bureau of Investigation; and

20 WHEREAS, In December 2020, Supervisor Gordon Mar submitted a letter of inquiry to
21 the SFPUC to obtain records related to Community Benefit Program expenditures and the
22 SSIP AECOM/Parsons Joint Venture Board’s management agreement, including minutes of
23 the Joint Venture Board’s meetings and records in connection with any expenditures of “pass
24 throughs” of contract funds to other entities; and

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1 WHEREAS, In January 2021, SFPUC Assistant General Manager for External Affairs,
2 Juliet Ellis and City Administrator Naomi Kelly resigned during the pendency of an
3 investigation into public corruption; and

4 WHEREAS, In February 2021, Supervisor Mar introduced a request for a hearing to
5 discuss the SFPUC Community Benefits Program and Agreement No. CS-165 with
6 AECOM/Parsons Joint Venture Board, and requested AECOM/Parsons Joint Venture to
7 report and provide records; and

8 WHEREAS, Pursuant to SFPUC's rights of inspection under Agreement No. CS-165,
9 by letter dated May 11, 2021, the SFPUC requested that AECOM/Parsons Joint Venture
10 provide (1) meeting minutes for any AECOM/Parsons Joint Venture Board meetings from
11 June 28, 2011, to the present, and (2) copies of all checks that AECOM/Parsons Joint
12 Venture issued from June 28, 2011, to the present to any persons or entities who were
13 beneficiaries of AECOM/Parsons Joint Venture's Community Benefits Commitments under
14 Agreement No. CS-165; and

15 WHEREAS, AECOM/Parsons Joint Venture is a single purpose joint venture formed
16 solely for purposes of performing work funded by Agreement No. CS-165, and, as a result, its
17 Board meeting minutes are expected to pertain entirely to City business; and

18 WHEREAS, As of July 27, 2021, AECOM/Parsons has produced some but not all of
19 the records requested by the SFPUC; and

20 WHEREAS, A draft subpoena requiring AECOM/Parsons to produce documents is on
21 file with the Clerk of the Board of Supervisors in Board File No. 210889; now, therefore, be it

22 MOVED, That pursuant to its authority under Charter, Section 16.114, and Government
23 Code, Sections 25170 and 37104, the Board of Supervisors hereby directs the Clerk of the
24 Board of Supervisors to issue a subpoena in substantially the form and substance of the draft
25 subpoena referenced above, requiring AECOM/Parsons to produce and permit inspection of

1 all meeting minutes for all AECOM/Parsons Joint Venture Board meetings held from
2 June 28, 2011, to the present, and copies of all checks that AECOM/Parsons Joint Venture
3 issued from June 28, 2011, to the present to any person or entity that has been a beneficiary
4 of AECOM/Parsons Joint Venture's community benefits commitments under Agreement No.
5 CS-165; and, be it

6 FURTHER MOVED, That the Clerk of the Board of Supervisors, in consultation with the
7 City Attorney, may amend the draft subpoena prior to issuing it, consistent with the direction in
8 this Motion.

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