

1 [Resolution approving Agreement to Implement and Term Sheet between the San Francisco
2 Public Utilities Commission and Modesto Irrigation District for a Long Term Power Sales
3 Agreement pursuant to Charter Section 9.118(a) with a term through June 30, 2015.]

4 **Resolution approving Agreement to Implement the Term Sheet between the City and**
5 **County of San Francisco, acting by and through its Public Utilities Commission, and**
6 **the Modesto Irrigation District and authorizing the General Manager to implement the**
7 **Term Sheet by incorporating the terms thereof into a new Long Term Power Sales**
8 **Agreement and executing the same.**

9
10 WHEREAS, the San Francisco Public Utilities Commission is responsible for the water,
11 clean water and power utilities of San Francisco, including the Hetch Hetchy Water and Power
12 Project; and

13 WHEREAS, in 1987 San Francisco entered into a Long Term Power Sales Agreement
14 with the Modesto Irrigation District; and

15 WHEREAS, on February 21, 2003, San Francisco and Modesto Irrigation District
16 amended and restated the Power Sales Agreement whereby the Parties agreed to enter into a
17 new Long Term Power Sales Agreement by December 31, 2007 to continue certain provisions
18 of their amended and restated agreement; and

19 WHEREAS, the SFPUC and Modesto have negotiated a term sheet for the new Long
20 Term Power Sales Agreement; and

21 WHEREAS, the new agreement implements San Francisco's Raker Act obligation to
22 provide Modesto with energy at cost from the Hetch Hetchy Project for qualified loads when
23 not needed for the City's own municipal public purpose loads; now, therefore, be it

24 **RESOLVED THAT;** the Board of Supervisors approves the Agreement to Implement
25 and Term Sheet.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Resolution

File Number: 071551

Date Passed:

Resolution approving Agreement to Implement the Term Sheet between the City and County of San Francisco, acting by and through its Public Utilities Commission, and the Modesto Irrigation District and authorizing the General Manager to implement the Term Sheet by incorporating the terms thereof into a new Long Term Power Sales Agreement and executing the same.

December 11, 2007 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Chu, Daly, Dufty, Elsbernd, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 071551

I hereby certify that the foregoing Resolution was ADOPTED on December 11, 2007 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

12-17-07

Date Approved

Mayor Gavin Newsom