

# JOINT SPECIAL MEETING WITH THE BOARD OF SUPERVISORS AND PUBLIC UTILITIES COMMISSION CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES - DRAFT

Tuesday, March 10, 2020 - 4:00 PM

Legislative Chamber, Room 250  
City Hall, 1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

### Joint Special Meeting

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NORMAN YEE, PRESIDENT  
SANDRA LEE FEWER, MATT HANEY, RAFAEL MANDELMAN,  
GORDON MAR, AARON PESKIN, DEAN PRESTON, HILLARY RONEN, AHSHA SAFAI,  
CATHERINE STEFANI, SHAMANN WALTON

ANN MOLLER CAEN, PRESIDENT  
FRANCESCA VIETOR, ANSON MORAN, SOPHIE MAXWELL, TIM PAULSON

*Angela Calvillo, Clerk of the Board*

### BOARD COMMITTEES

#### Committee Membership

#### Meeting Days

<b>Budget and Appropriations Committee</b> Supervisors Fewer, Walton, Mandelman, Yee, Ronen	Wednesday 1:00 PM
<b>Budget and Finance Committee</b> Supervisors Fewer, Walton, Mandelman	Wednesday 10:00 AM
<b>Government Audit and Oversight Committee</b> Supervisors Mar, Peskin, Haney	1st and 3rd Thursday 10:00 AM
<b>Joint City, School District, and City College Select Committee</b> Supervisors Haney, Fewer, Mar (Alt), Commissioners Moliga, Collins, Cook (Alt), Trustees Randolph, Williams, Selby (Alt)	2nd Friday 10:00 AM
<b>Land Use and Transportation Committee</b> Supervisors Peskin, Safai, Preston	Monday 1:30 PM
<b>Public Safety and Neighborhood Services Committee</b> Supervisors Mandelman, Stefani, Walton	2nd and 4th Thursday 10:00 AM
<b>Rules Committee</b> Supervisors Ronen, Stefani, Mar	Monday 10:00 AM

**BOS Members Present:** Norman Yee, Sandra Lee Fewer, Matt Haney, Rafael Mandelman, Gordon Mar, Aaron Peskin, Dean Preston, Hillary Ronen, Ahsha Safai, Catherine Stefani, Shamann Walton,

**PUC Members Present:** Ann Moller Caen, Francesca Vietor, Anson Moran, Sophie Maxwell, and Tim Paulson

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*The Board of Supervisors and the Public Utilities Commission of the City and County of San Francisco met in joint special session on Tuesday, March 10, 2020, with President Norman Yee (Board of Supervisors) and President Ann Moeller Caen (Public Utilities Commission) presiding.*

*President Yee called the meeting to order at 5:28 p.m.*

## **ROLL CALL**

*On the call of the roll, for the Board of Supervisors, Supervisors Fewer, Haney, Mandelman, Mar, Peskin, Ronen, Safai, Stefani, Walton, and Yee were noted present.*

*Supervisor Preston was noted not present.*

*For the Public Utilities Commission, Commissioners Caen, Maxwell, Moran, Paulson, and Vietor were noted present.*

*Both bodies had quorums present.*

## **COMMUNICATIONS**

*There were no communications.*

## **AGENDA CHANGES**

*There were no agenda changes.*

## **PUBLIC COMMENT**

*Francisco Da Costa; shared concerns regarding open government.  
Tom Gilberty; shared concerns regarding utilities and the Closed Session.*

*Supervisor Preston was noted present at 5:32 p.m.*

### **PUBLIC UTILITIES COMMISSION**

*Commissioner Moran, seconded by Commissioner Vietor, moved to assert the attorney-client privilege regarding the matters listed in the Closed Session as a conference with legal counsel.  
The motion carried by the following vote:*

*Ayes: 5 - Caen, Moran, Maxwell, Paulson, Vietor*

## JOINT CLOSED SESSION

### CONFERENCE WITH CITY ATTORNEY - Existing Litigation

#### **200156 [Joint Closed Session - Public Utilities Commission - Existing Litigation - Pacific Gas and Electric Company - March 10, 2020, at 4:00 p.m.]**

Joint closed session with the Board of Supervisors and the Public Utilities Commission on March 10, 2020, at 4:00 p.m., pursuant to California Government Code, Section 54956.9(a), and San Francisco Administrative Code, Section 67.10(d)(1), for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the City is a petitioner and Pacific Gas & Electric Company is an adverse party: In re: PG&E Corporation and Pacific Gas & Electric Company, United States Bankruptcy Court, Northern District of California, Case No. 19-30088-DM, filed January 29, 2019; Federal Energy Regulatory Commission Case No. EL 19-38-000, filed January 28, 2019; Federal Energy Regulatory Commission Case No. ER18-1482-000, filed April 30, 2018; Federal Energy Regulatory Commission Case No. ER18-1102-000, filed March 15, 2018; Federal Energy Regulatory Commission Case No. ER18-790-000, filed, February 2, 2018; Federal Energy Regulatory Commission Case No. ER18-768-000, filed January 31, 2018; Federal Energy Regulatory Commission Case No. ER18-198-000, filed October 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2406-000, filed August 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2181-000, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-2204, filed July 31, 2017; Federal Energy Regulatory Commission Case No. ER17-1509-000, filed May 1, 2017; Federal Energy Regulatory Commission Case No. ER17-910-000, filed January 31, 2017; Federal Energy Regulatory Commission Case No. EL 15-3-000, filed October 10, 2014; Federal Energy Regulatory Commission Case No. ER15-702-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-703-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-704-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-705-000, filed December 23, 2014; Federal Energy Regulatory Commission Case No. ER15-735-000, filed December 23, 2014; California Public Utilities Commission Case No. 1.15-08-019, filed February 25, 2015; California Public Utilities Commission Case No. R.18-10-007, filed October 25, 2018; California Public Utilities Commission Case No. R.19-01-006, filed January 10, 2019; and California Public Utilities Commission Case No. R.19-09-016, filed January 10, 2019; scheduled pursuant to Motion No. M20-020, approved on February 11, 2020. (Clerk of the Board)

*The Board recessed at the hour of 5:38 p.m. to convene in joint closed session with the Public Utilities Commission pursuant to Motion No. M20-020 (File No. 200131), approved on February 11, 2020.*

#### CONVENED IN CLOSED SESSION

*The following Members of the Board of Supervisors were noted present: Supervisors Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, and Yee*

*The following Members of the Public Utilities Commission were noted present: Commissioners Caen, Maxwell, Moran, Paulson, and Vietor.*

*Supervisor Haney was noted absent at 5:45 p.m.*

Persons in attendance: Anne Pearson, Theresa Mueller, Francesca Gessner, Theresa Cho, Julia Ma Powers, and Brian Crossman, Deputy City Attorneys (Office of the City Attorney); Harlan Kelly, Jr., General Manager, Eric Sandler, Chief Financial Officer, Barbara Hale, Assistant General Manager-Power Enterprise, Pamela Huse, Director-Wholesale and Retail Services, and Donna Hood, Commission Secretary (Public Utilities Commission); Simon Wirecki, Senior Vice President, Western Regional Head for Municipal Finance (Jeffreies LLC); Sean Elsbernd, Mayor's Chief of Staff, and Tyrone Jue, Senior Advisor on the Environment (Mayor's Office); and Angela Calvillo, Clerk of the Board, and Alisa Somera, Legislative Deputy Director (Office of the Clerk of the Board).

Supervisor Haney was noted present at 5:59 p.m.

Supervisor Haney was noted absent at 6:11 p.m. and for the remainder of the meeting.

President Caen was noted absent at 6:33 p.m. At the request of President Caen, Vice President Vietor assumed the chair as President Pro Tempore for the Public Utilities Commission.

Vice President Vietor was noted absent at 6:55 p.m. At the request of President Pro Temp Vietor, Commissioner Moran assumed the chair as President Pro Tempore for the Public Utilities Commission.

Matter was heard in closed session and no action was taken.

#### RECONVENED AS THE BOARD OF SUPERVISORS

The Board of Supervisors and Public Utilities Commission reconvened at the hour of 7:16 p.m.

The following Members of the Board of Supervisors were noted present: Supervisors Fewer, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, and Yee

The following Members of the Public Utilities Commissioner were noted present: Commissioners Maxwell, Moran, and Paulson

#### HEARD IN CLOSED SESSION

*[Elect Not to Disclose]*

Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations.

**Supervisor Peskin, seconded by Supervisor Safai, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:**

Ayes: 16 - Yee, Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton, Moller Caen, Vietor, Moran, Maxwell, Paulson

#### PUBLIC UTILITIES COMMISSION

Commissioner Maxwell, seconded by Commissioner Paulson, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 3 - Maxwell, Moran, Paulson

## ADJOURNMENT

There being no further business, the Board of Supervisors and the Public Utilities Commission adjourned at the hour 7:18 p.m.