

# PUBLIC UTILITIES REVENUE BOND OVERSIGHT COMMITTEE CITY AND COUNTY OF SAN FRANCISCO AGENDA

#### REMOTE MEETING

Listen/Public Call-In Phone Number (415) 906-4659 Conference ID: 409 025 767 #

July 13, 2021 - 9:00 AM

**Regular Meeting** 

#### **Remote Access to Information and Participation**

On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference.

Members of the public may participate by phone or may submit their comments by email to: <a href="mailto:brent.jalipa@sfgov.org">brent.jalipa@sfgov.org</a>; all comments received will be made a part of the official record. Revenue Bond Oversight Committee agendas and their associated documents are available at: <a href="https://www.sfwater.org/index.aspx?page=121">https://www.sfwater.org/index.aspx?page=121</a>

Listen/Public Call-In Phone Number: (415) 906-4659 Conference ID: 409 025 767 #

As the COVID-19 disease progresses, please visit the Board's website (<u>www.sfbos.org</u>) regularly to be updated on the current situation as it affects the legislative process. For more information contact Assistant Clerk Brent Jalipa at (415) 554-7712.

**Mission:** The Revenue Bond Oversight Committee (RBOC) monitors the expenditure of revenue bond proceeds related to the repair, replacement, upgrade and expansion of the SFPUC's water, power and sewer infrastructure. The RBOC provides independent oversight to ensure transparency and accountability. The RBOC's goal is to ensure that SFPUC revenue bond proceeds are spent for their intended purposes in accordance with legislative authorization and other applicable laws.

1. Call to Order, Roll Call, and Agenda Changes

#### Members:

- Seat 1 Ettore Leale, Chair
- Seat 2 Lars Kamp
- Seat 3 Vacant
- Seat 4 Vacant
- Seat 5 Vacant
- Seat 6 Christina Tang
- Seat 7 Reuben Holober
- 2. **Public Comment:** Members of the public may address the Revenue Bond Oversight Committee (RBOC) on matters that are within the RBOC's jurisdiction but are not on today's agenda.
- 3. **RBOC:** Audit Update (Discussion and possible action)
- 4. **RBOC:** Amending Bylaws Definition of "Reporting Period" for the Annual Report (*Discussion and possible action*) (*attachment*)
- 5. **SFPUC:** Wastewater Capital Program Update (*Discussion and possible action*)
- 6. **Approval of Minutes:** June 7, 2021, Meeting Minutes. (*Discussion and possible action*) (attachment)

#### 7. Announcements, Comments, Questions, and Future Agenda Items.

(Discussion and possible action)

Upcoming Meeting Dates: August 17, and September 14, 2021

#### Pending Issues:

- A. Request that SSIP Quarterly reports include information on Stormwater Management System and details on the bidding climate and possible cost increase)
- B. RBOC: Acquiring consultant to examine expected performance of complete projects.
- C. SFPUC: Staff Report: Environmental Justice
- D. SFPUC: Power Enterprise and Clean Power SF Update (Discussion and possible action)
- E. SPFUC: Mountain Tunnel Site Tour
- F. SFPUC: State Federal Loan Updates
- G. SFPUC: Oceanside Wastewater Plant Tour
- H. RBOC: Discussion on the 2015 report, entitled "Evaluation of Lessons Learned from the WSIP Program," procedures and reporting processes taken from WSIP applied to SSIP
- I. SFPUC: Wastewater System Improvement Program Update (Discussion and possible action)
- J. RBOC: Discussion on the coordination of PUC Site Tours
- K. RBOC: 2020 Annual Report (Discussion and possible action) (October)
- L. SFPUC: Planning for next RFP's for contracts (October)

#### 8. **Adjournment**

#### **Agenda Item Information**

Each item on the agenda may include: 1) Department or Agency cover letter and/or report; 2) Public correspondence; 3) Other explanatory documents. For more information concerning agendas, minutes, and meeting information, such as these documents, please contact RBOC Clerk, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 – (415) 554-5184.

Audio recordings of the meeting of the Revenue Bond Oversight Committee are available at: http://sanfrancisco.granicus.com/ViewPublisher.php?view\_id=97

For information concerning San Francisco Public Utilities Commission please contact by e-mail RBOC@sfgov.org or by calling (415) 554-5184.

#### **Meeting Procedures**

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Committee for up to three minutes on that item. During General Public Comment, members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on the agenda.

Procedures do not permit: 1) persons in the audience to vocally express support or opposition to statements by Commissioners by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) bringing in or displaying signs in the meeting room; and 4) standing in the meeting room.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Wilson Ng or Arthur Khoo at (415) 554-5184. AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Wilson Ng o Arthur Khoo (415) 554-5184. PAUNAWA: Ang mga kahilingan ay kailangang matanggap sa loob ng 48 oras bago mag miting upang matiyak na matutugunan ang mga hiling. Mangyaring tumawag kay sa (415) 554-5184.

#### **Disability Access**

Revenue Bond Oversight Committee meetings are held at the Public Utilities Commission, 525 Golden Gate Avenue, San Francisco, CA. The hearing rooms at the Public Utilities Commission are specified on the agenda and are wheelchair accessible. To request sign language interpreters, readers, large print agendas or other accommodations, please call (415) 554-5184. Requests made at least 48 hours in advance of the meeting will help to ensure availability.

翻譯 必須在會議前最少四十八小時提出要求 請電 (415) 554-7719

#### **Know Your Rights Under the Sunshine Ordinance**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact by mail: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102; phone at (415) 554-7724; fax at (415) 554-5163; or by email at <a href="mailto:soft@sfgov.org">soft@sfgov.org</a>.

Citizens may obtain a free copy of the Sunshine Ordinance by printing San Francisco Administrative Code, Chapter 67, at http://www.sfbos.org/sunshine.

#### **Ethics Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 252-3100; fax (415) 252-3112; web site <a href="http://www.sfgov.org/ethics">http://www.sfgov.org/ethics</a>.

Under Campaign and Governmental Conduct Code, Section 1.127, no person or entity with a financial interest in a land use matter pending before the Board of Appeals, Board of Supervisors, Building Inspection Commission, Commission on Community Investment and Infrastructure, Historic Preservation Commission, Planning Commission, Port Commission, or the Treasure Island Development Authority Board of Directors, may make a campaign contribution to a member of the Board of Supervisors, the Mayor, the City Attorney, or a candidate for any of those offices, from the date the land use matter commenced until 12 months after the board or commission has made a final decision, or any appeal to another City agency from that decision has been resolved. For more information about this restriction, visit sfethics.org.

#### **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100, et. seq.] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; website www.sfgov.org/ethics.

## Revenue Bond Oversight Committee Bylaws [PROPOSED AMENDMENT—5/10/21]

Article IV, Section 2 of the Bylaws are proposed to be amended as follows (shown in italics, underlined):

#### "Section 2. Reports

The Committee shall issue an annual report each year on the results of its activities for the preceding <u>fiscal</u> year (the "Reporting Period"), and such report shall be delivered to the Mayor, the Commission and the Board of Supervisors. The report shall be delivered no later than 90 days following the end of the Reporting Period. All reports issued shall be placed on file at the Committee's office, the Commission's website, at the Clerk of the Board of Supervisors, and at the San Francisco Public Library."



Services of the San Francisco Public Utilities Commission

# **RBOC Annual Report Timing**

July 13, 2021

# **Annual Report Timing, FY + 120 days**

RBOC fiscal year reporting basis (July 1 – June 30) implies a November 1 RBOC Annual Report.

- Annual Report would not cover financial statements
- CFO certification re financial statement process

	Q1			Q2			Q3			Q4			Q1			Q2		
	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Fiscal Year end June 30			<u> </u>															
+ 120 Days																		



# **Annual Report Timing, CY + 120 days**

RBOC calendar year reporting basis (January 1 – December 31) implies a April 1 RBOC Annual Report.

- Annual Report would cover financial statements
- CFO certification re financial statement process

	Q1			Q2			Q3			Q4			Q1			Q2		
	Jan	Feb	Mar	Apr	May	Jun	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Fiscal Year end December 31			<u> </u>															
+ 120 Days																		

### PUBLIC UTILITIES REVENUE BOND OVERSIGHT COMMITTEE BYLAWS

#### ARTICLE I Overview

#### **Section 1. Name**

The name of this committee is the Public Utilities Revenue Bond Oversight Committee (referred to herein as the "Committee").

#### **Section 2. Authority**

The Committee derives its authority from Proposition P, adopted by the voters at the November 5, 2002 election (S.F. Admin. Code, Sections 5A.30 *et. seq.*). Terms contained in these Bylaws are not intended to, and shall not, in any way enlarge or restrict the purposes, powers or authority of the Committee. In the event of any conflict between these Bylaws and the terms of Proposition P as adopted by the voters, the provisions of Proposition P shall control.

#### Section 3. Purpose

The purpose of the Committee is to report publicly to the Mayor, the Public Utilities Commission (hereinafter the "Commission") and the Board of Supervisors regarding the Commission's expenditure of revenue bond proceeds on the repair, replacement, upgrading and expansion of the City's water collection, power generation, water distribution and wastewater treatment facilities. The Committee shall convene to provide oversight to ensure that: (1) revenue bond proceeds are expended only in accordance with the authorizing bond resolution and applicable law, (2) revenue bond proceeds are expended solely for uses, purposes and projects authorized in the bond resolution, and (3) revenue bond proceeds are appropriately expended for authorized capital improvements so that an uninterrupted supply of water and power continues to flow to the City and the Commission's customers.

#### **Section 4. Activities and Powers**

In furtherance of its purpose, the Committee may: (1) inquire into the disbursement and expenditure of the proceeds of the Commission's revenue bonds authorized by the bond resolution and other applicable law by receiving any and all reports, financial statements, correspondence or other documents and materials related to the expenditure of revenue bond funds from the Commission; (2) hold public hearings to review the disbursement and expenditure of the proceeds of revenue bonds; (3) inspect facilities financed with the proceeds of revenue bonds; (4) receive and review copies of any capital improvement project proposals or plans developed by the Commission relating to the Commission's water, power or wastewater infrastructure which are to be financed in whole or in part with revenue bonds; (5) review efforts by the Commission to maximize revenue bond proceeds by implementing cost-saving measures including, but not limited to, (a) mechanisms designed to reduce the costs of professional fees and site preparation and project design, (b) recommendations regarding the cost effective and efficient use of core facilities, (c) the development and use of alternate technologies, and (d) the use of other sources of infrastructure funding, excluding bond refunding; and (6) commission review and evaluation of the disbursement and expenditure of the proceeds of such revenue bonds by independent consultants and experts.

The Committee may comment to the Board of Supervisors on the development and drafting of proposed legislation pertaining to Commission revenue bonds prior to a Board

determination regarding whether to submit the measure for voter approval or authorizing the issuance of revenue bonds, if voter approval is not otherwise required.

In addition, if, after reviewing materials provided by the Commission, the Committee, after conducting its own independent audit and after consultation with the City Attorney, determines that the proceeds of a revenue bond program were spent on purposes not authorized by the resolution or otherwise amounts to an illegal expenditure or illegal waste of such revenue bonds within the meaning of applicable law, the Committee, by majority vote, may prohibit the issuance or sale of authorized public utility revenue bonds which have yet to be issued or sold by acting in accordance with the procedures set forth in Article III, Section 11 of these Bylaws. The Committee's decision to prohibit the sale of authorized, unsold revenue bonds may be appealed and overturned, or lifted, in accordance with the provisions of Section 5A.34 of the San Francisco Administrative Code.

#### **Section 5. Restrictions on Activities and Powers**

The Committee shall not participate or interfere in the selection process of any vendor hired to execute revenue bond funded projects.

#### **Section 6. Committee Members**

The Committee shall consist of seven members: two members appointed by the Mayor; two members appointed by the Board; one member by the Controller; and one member by the Bay Area Water Users Association. The seventh member shall be the Budget Analyst for the Board or his/her representative.

Members appointed by the Mayor and the Board shall, individually or collectively, have expertise, skills and experience in economics, the environment, construction and project management. The member appointed by the Controller shall have background and experience in auditing, accounting and project finance.

Each Committee member will serve for no more than two consecutive terms, provided that a member may continue to serve until a successor is appointed. Upon their initial appointment, three members of the Committee shall be assigned by lot to an initial term of two and the remaining four members shall have an initial term of four years. Thereafter, each Committee member shall serve a four-year term.

If there is a vacancy on the Committee, the Chair shall promptly notify the appointing authority and request that such vacancy be filled at the earliest possible date. If a Committee member has misses three (3) consecutive duly called meetings of the Committee without informing the Chair as to the reason or cause of the absence, such Committee member shall be presumed to have vacated their position on the Committee. Thereupon the Chair shall place on the next succeeding agenda for the Committee's consideration an item to permit such member to appear and explain his or her absence from Committee meetings. Prior to such meeting, the Chair shall cause to be provided no later than 5 days prior to such meeting notice to the absent Committee member requesting their attendance at such meeting. If such member shall not attend the next succeeding meeting then and in such case the presumption shall become conclusive and such member shall be deemed to have vacated their position on the Committee. Thereafter the Chair shall promptly notify the appointing authority of the presumed vacancy and request that such vacancy be filled at the earliest possible date.

#### **Section 7. Committee Office**

For purposes of contacting the Committee, the Committee office will be physically located at 1 Dr. Carlton B. Goodlett Place, Room 244. The Committee's mailing address is 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. The Committee's e-mail address is <a href="mailto:rboc@sfgov.org">rboc@sfgov.org</a>. The Committee's phone number is (415) 554-5184..

#### ARTICLE II Officers

#### **Section 1. Officers**

There shall be a Chair and a Vice Chair of the Committee.

#### Section 2. Term of Office

The term of each office shall be one year. Officers serve at the pleasure of the Committee and may be removed from office before expiration of their one-year term by a vote of four members of the Committee.

#### **Section 3. Election of Officers**

Elections for officers shall be conducted at the first regular meeting of the Committee in each calendar year, or as soon thereafter as practicable as determined by the Committee. The Chair and Vice Chair shall continue in their respective offices until a new election is conducted.

In the event the Chair is unable to complete his or her term of office, the Vice Chair shall serve as Chair until the next regular meeting. At the next regular meeting, the Committee shall elect a new Chair to fill the vacancy for the balance of the unexpired term. In the event the Vice Chair is elected as Chair, there shall be an election for a new Vice Chair at that meeting. If the office of Vice Chair is vacated before the expiration of a term, it shall remain vacant until the next regular meeting, at which time the Committee shall elect a new Vice Chair.

#### **Section 4. Duties of the Chair**

The Chair shall preside at all meetings of the Committee, shall preserve order and decorum, and shall decide all questions of order subject to appeal to the Committee by any member. In addition, the Chair, working with the Committee members and staff, shall oversee the preparation of the agenda for all Committee meetings.

Unless the Committee specifies otherwise, the Chair is empowered to appoint members to standing or special subcommittees formed by the Committee. In addition, as stated in Article III, Section 2, the Chair is empowered to call special meetings.

#### Section 5. Duties of the Vice Chair

In the absence of the Chair, the Vice Chair shall preside at meetings of the Committee. In addition, as stated in Article II, Section 3, if the Chair is unable to complete his or her term of office, the Vice Chair shall serve as Chair until the next regular meeting.

In the absence of both the Chair and Vice Chair, the members shall select by motion a member to preside over the meeting.

#### ARTICLE III Meetings

#### **Section 1. Regular Meetings**

At the first meeting of the year the Committee shall adopt a schedule specifying the dates, times and locations of the regular meetings for the next year.

Once the dates, times and locations of the regular meetings have been determined, that information shall be promptly posted on the Commission's website, at the San Francisco Main Library, and at the Committee's office.

#### **Section 2. Special Meetings**

The Chair or a majority of the members of the Committee may call special meetings at any time by delivering written notice to each member of the Committee and to other parties pursuant to all requirements of Administrative Code (Sunshine Ordinance), Chapter 67.

#### **Section 3. Notice and Agendas of Meetings**

Agendas of all regular and special meetings shall be posted at least 72 hours prior to the meeting at the meeting site, at the Committee's office, at the San Francisco Main Library, and on the Commission's website. If a special meeting will be at a site other than 525 Golden Gate Avenue, notice of the special meeting shall be given at least 15 days prior to said special meeting. Agendas and notices shall be emailed to each Committee member.

#### **Section 4. Cancellation of Meetings**

The Chair may cancel a meeting if he or she is aware that a quorum of the body will not be present or if the meeting date conflicts with a holiday or other responsibilities of the Committee members. Notices of cancellations shall be posted at the meeting site, at the Committee's office, at the San Francisco Main Library, and on the Commission's website.

If a regular meeting is cancelled, the Chair shall reschedule the regular meeting at a date and time that is after the originally scheduled date and time, that is reasonably close to the originally scheduled date and time, and that is calculated to result in the greatest number of Committee members in attendance at the rescheduled meeting.

#### **Section 5. Conduct of Meetings**

All Committee meetings shall be held in compliance with all applicable laws, including but not limited to, the Ralph M. Brown Act (Cal. Gov. Code, Sections 54950 *et. seq.*), the California Public Records Act (Cal. Gov. Code, Sections 6250 *et. seq.*), the San Francisco Charter, the San Francisco Sunshine Ordinance (S.F. Admin. Code, Chapter 67), the Ordinance establishing the Committee (S.F. Admin. Code, Sections 5A.30 *et. seq.*), and these Bylaws. Except where state or local laws or other rules provide to the contrary, the Committee, at the discretion of the Chair, may use Robert's Rules of Order as a guide to the conduct of meetings.

When a member desires to address the Committee, he or she shall seek recognition by addressing the Chair. When recognized, the member shall proceed to speak. The member shall confine his or her remarks to the question before the Committee.

#### **Section 6. Setting Agendas**

Committee staff, at the direction of the Chair, shall prepare the agenda for meetings. The Chair will, as practicable, place any item requested by a member of the Committee on the agenda provided that it is generally received no less than five days prior to a regular meeting. Each agenda of all regular meetings shall contain an item during which members may request items for the Committee to consider at future meetings.

#### Section 7. Quorum

Four members of the Committee shall constitute a quorum for all purposes.

#### Section 8. Required Vote For Approval of a Matter

The affirmative vote of four members of the Committee shall be required for the approval of any matter, except that the affirmative vote of a majority of the members present is sufficient for the approval of any procedural or parliamentary matter.

#### **Section 9. Voting**

Each member present at a Committee or subcommittee meeting shall vote "yes," "no" when a question is put, unless the member has a conflict of interest that legally precludes participation in the vote. The determination of whether a Committee member has a conflict of interest that precludes participation in a matter shall be determined by the individual member in consultation with the City Attorney.

The Committee may take action on items on the agenda by roll call vote, voice vote, or show of hands. The minutes shall reflect how each Committee member voted on each item.

#### **Section 10. Public Comment**

Agendas for regular meetings shall provide an opportunity for members of the public to directly address the Committee on items of interest to the public that are within the subject matter jurisdiction of the Committee.

Each person wishing to speak on an item before the Committee at a regular or special meeting shall be heard once for up to three minutes, unless extended by the Chair. The Chair may limit the time for public comment consistent with state and local law.

## Section 11. Process for Prohibiting Issuance of Revenue Bonds Upon Determination That Revenue Bond Proceeds Were Spent on Unauthorized Purposes

If the Committee prohibits the issuance of bonds for any remaining revenue bond authorization in accordance with Section 5A.34 of the San Francisco Administrative Code, it shall do so only after proceeding as follows. At a regular or special meeting of the Committee, the Committee, after having conducted its own independent audit and after consultation with the City Attorney, may make a finding that the Commission has spent revenue bond proceeds on purposes not authorized by the authorizing resolution or otherwise amounts to an illegal expenditure or illegal waste under applicable law. At such meeting, the Committee may determine, by majority vote, whether to prohibit the further issuance of revenue bonds pursuant to the powers granted to the Committee by Section 5A.34 of the San Francisco Administrative Code. If the Committee makes a finding of illegal expenditure or illegal waste, or makes a decision to prohibit revenue bond sales, notification shall be delivered simultaneously to each member of the Board of Supervisors, the President of the San Francisco Public Utilities Commission, the Mayor's Office of Public Finance, the City Controller and the City Treasurer.

The Committee's decision to prohibit the sale of authorized, unsold revenue bonds may be appealed and overturned, or lifted, in accordance with the provisions of Section 5A.34 of the San Francisco Administrative Code.

## ARTICLE IV Maintenance of Committee Records and Issuance of Reports

#### **Section 1. Meeting Minutes**

Minutes shall be taken at every regular and special meeting. The minutes shall reflect how each Committee member voted on each item of business before the Committee. Minutes shall be approved by the Committee and be made available at the Committee's office, on the Commission's website, and at the San Francisco Public Library.

#### **Section 2. Reports**

The Committee shall issue an annual report each year on the results of its activities for the preceding year (the "Reporting Period"), and such report shall be delivered to the Mayor, the Commission and the Board of Supervisors. The report shall be delivered no later than 90 days following the end of the Reporting Period. All reports issued shall be placed on file at the Committee's office, the Commission's website, at the Clerk of the Board of Supervisors, and at the San Francisco Public Library.

### **ARTICLE V Subcommittees**

#### **Section 1. Standing Subcommittees**

The Chair of the Committee may form standing subcommittees at any time to give advice on its ongoing functions. The standing subcommittees shall be composed of members of the Committee. Unless otherwise specified by the Committee, the Chair shall select each subcommittee's members and officers, if any, at the time the subcommittee is formed and again at the first regular meeting of the Committee in each calendar year. The Chair shall name members whose qualifications meet the needs of the subcommittee to which that member is appointed. Members and officers appointed by the Chair to serve on a standing subcommittee shall serve at the pleasure of the Chair. The Chair may remove at any time a member from a subcommittee and appoint a replacement member or officer

#### **Section 2. Special Subcommittees**

Upon approval of four members of the Committee, the Committee may form special subcommittees. Special subcommittees shall be formed for a specific purpose and cease to exist after completion of a designated task. Special subcommittees may be composed of members of the Committee and/or the public. Unless otherwise specified by the Committee, the Chair shall name the subcommittee's members and officers.

#### Section 3. Conduct of Subcommittee Meetings; Reports

All subcommittee meetings shall be held in compliance with all applicable laws, including but not limited to, the Ralph M. Brown Act (Cal. Gov. Code, Sections 54950 *et. seq.*), the California Public Records Act (Cal. Gov. Code, Sections 6250 *et. seq.*), and the San Francisco Sunshine Ordinance (S.F. Admin. Code, Chapter 67).

All subcommittees shall maintain minutes in the manner set forth in these Bylaws. All subcommittees shall report to the Committee, as frequently as requested by the Chair.

#### **Section 4. Abolishing Subcommittees**

Any subcommittee formed by the Committee may be abolished by Chair, subject to a vote to reject the Chair's decision by u four or more members of the Committee.

#### ARTICLE VI Bylaws

#### **Section 1. Amendment of Bylaws**

After presentation of a proposed amendment of the Bylaws as a scheduled agenda item at a meeting of the Committee, the Bylaws may be amended by a vote of a majority of the members.

#### **Section 2. Public Notice of Bylaws**

These Bylaws, and any amendments thereto, shall be available to the public at the Committee's office and the Commission's website.



# PUBLIC UTILITIES REVENUE BOND OVERSIGHT COMMITTEE CITY AND COUNTY OF SAN FRANCISCO MINUTES - DRAFT

#### REMOTE MEETING

June 7, 2021 - 9:00 AM Regular Meeting

#### Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference.

Members of the public may participate by phone or may submit their comments by email to: <a href="mailto:brent.jalipa@sfgov.org">brent.jalipa@sfgov.org</a>; all comments received will be made a part of the official record. Revenue Bond Oversight Committee agendas and their associated documents are available at: <a href="https://www.sfwater.org/index.aspx?page=121">https://www.sfwater.org/index.aspx?page=121</a>

As the COVID-19 disease progresses, please visit the Board's website (<u>www.sfbos.org</u>) regularly to be updated on the current situation as it affects the legislative process. For more information contact Assistant Clerk Brent Jalipa at (415) 554-7712.

**Mission:** The Revenue Bond Oversight Committee (RBOC) monitors the expenditure of revenue bond proceeds related to the repair, replacement, upgrade and expansion of the SFPUC's water, power and sewer infrastructure. The RBOC provides independent oversight to ensure transparency and accountability. The RBOC's goal is to ensure that SFPUC revenue bond proceeds are spent for their intended purposes in accordance with legislative authorization and other applicable laws.

#### 1. Call to Order, Roll Call, and Agenda Changes

#### Members:

Seat 1 Ettore Leale, Chair

Seat 2 Lars Kamp

Seat 3 Vacant

Seat 4 Vacant

Seat 5 Vacant

Seat 6 Christina Tang

Seat 7 Reuben Holober

Chair Leale called the meeting to order at 9:02 a.m. On the call of the roll, Chair Leale and Members Kamp, Tang, and Holober were noted present. A quorum was present.

There were no agenda changes.

2. **Public Comment:** Members of the public may address the Revenue Bond Oversight Committee (RBOC) on matters that are within the RBOC's jurisdiction but are not on today's agenda.

**Public Comment:** 

None

#### 3. **RBOC:** Audit Update

Massanda Djohns (Office of the Controller); Dan Dawson (HKA); Eugene Yano (Yano Accountancy Corporation); provided a status update on the audit and responded to questions throughout the discussion.

**Public Comment:** 

None

Chair Leale, seconded by Member Holober, moved that the item be CONTINUED to the RBOC Regular Meeting of July 13, 2021.

#### The motion PASSED by the following vote:

Ayes: Leale, Kamp, Tang, Holober

Noes: None

4. **RBOC:** Amending Bylaws - Definition of "Reporting Period" for the Annual Report

Mark Blake, Deputy City Attorney (Office of the City Attorney); Mike Brown (San Francisco Public Utilities Commission); provided an overview and answered questions throughout the discussion.

**Public Comment:** 

David Pilpel spoke on various concerns regarding the proposed amendment.

Chair Leale, seconded by Member Kamp, moved that the item be CONTINUED to the RBOC Regular Meeting of July 13, 2021.

The motion PASSED by the following vote:

Ayes: Leale, Kamp, Tang, Holober

Noes: None

5. **Approval of Minutes:** May 10, 2021, Meeting Minutes.

Member Kamp, seconded by Member Tang, moved that May 10, 2021, Meeting Minutes be APPROVED.

**Public Comment:** 

None

The motion PASSED by the following vote:

Ayes: Leale, Kamp, Tang, Holober

Noes: None

#### 6. Announcements, Comments, Questions, and Future Agenda Items.

Upcoming Meeting Dates: July 13, August 17, and September 14, 2021

Mike Brown (San Francisco Public Utilities Commission) provided an overview on updating the RBOC webpage to remove obsolescent information and providing current information.

Mike Brown (San Francisco Public Utilities Commission) provided an overview on the options for scheduling facility tours both virtual and on-site.

The RBOC requested the following items be scheduled for the next RBOC meeting:

RBOC: Audit Update

(Discussion and possible action)

RBOC: Amending Bylaws - Definition of "Reporting Period" for the Annual Report (*Discussion and possible action*)

SFPUC: Wastewater System Improvement Program Update (*Discussion and possible action*)

SFPUC: Water Capital Program Update (Discussion and possible action)

#### Pending Issues:

- A. Request that SSIP Quarterly reports include information on Stormwater Management System and details on the bidding climate and possible cost increase
- B. RBOC: Acquiring consultant to examine expected performance of complete projects.
- C. SFPUC: Staff Report: Environmental Justice
- D. SFPUC: Power Enterprise and Clean Power SF Update (Discussion and possible action)
- E. SPFUC: Mountain Tunnel Site Tour
- F. SFPUC: State Federal Loan Updates
- G. SFPUC: Oceanside Wastewater Plant Tour
- H. RBOC: Discussion on the 2015 report, entitled "Evaluation of Lessons Learned from the WSIP Program," procedures and reporting processes taken from WSIP applied to SSIP
- I. RBOC: Discussion on the coordination of PUC Site Tours
- J. RBOC: 2020 Annual Report (Discussion and possible action) (October)
- K. SFPUC: Planning for next RFP's for contracts (October)

**Public Comment:** 

None

No action taken.

#### 7. **Adjournment**

The meeting adjourned at 10:11 a.m.

N.B. The Minutes of this meeting set forth all actions taken by the Revenue Bond Oversight Committee on the matters stated but not necessarily in the chronological sequence in which the matters were taken up.

Approved by the RBOC: DRAFT