

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

Tuesday, March 23, 2021 - 4:30 PM

Held via Videoconference  
(remote public access provided via teleconference)

[www.sfgovtv.org](http://www.sfgovtv.org)

Joint Special Meeting

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## BOARD OF SUPERVISORS

SHAMANN WALTON, PRESIDENT

CONNIE CHAN, MATT HANEY, RAFAEL MANDELMAN, GORDON MAR, MYRNA MELGAR,  
AARON PESKIN, DEAN PRESTON, HILLARY RONEN, AISHA SAFAI, CATHERINE STEFANI

*Angela Calvillo, Clerk of the Board*

## PUBLIC UTILITIES COMMISSION

SOPHIE MAXWELL, PRESIDENT

ANSON MORAN, NEWSHA AJAMI, ED HARRINGTON, TIM PAULSON

## BOARD COMMITTEES

### Committee Membership

### Meeting Days

#### **Budget and Appropriations Committee**

Supervisors Haney, Safai, Mar, Ronen, Walton

Wednesday  
1:00 PM

#### **Budget and Finance Committee**

Supervisors Haney, Safai, Mar

Wednesday  
10:30 AM

#### **Government Audit and Oversight Committee**

Supervisors Preston, Chan, Mandelman

1st and 3rd Thursday  
10:00 AM

#### **Joint City, School District, and City College Select Committee**

Supervisors Ronen, Safai, Haney (Alt), Trustee Davila, Williams, Selby (Alt)

2nd Friday  
10:00 AM

#### **Land Use and Transportation Committee**

Supervisors Melgar, Preston, Peskin

Monday  
1:30 PM

#### **Public Safety and Neighborhood Services Committee**

Supervisors Mar, Stefani, Haney

2nd and 4th Thursday  
10:00 AM

#### **Rules Committee**

Supervisors Peskin, Mandelman, Chan

Monday  
10:00 AM

**Board Members Present:** Shamann Walton, Connie Chan, Matt Haney, Rafael Mandelman, Gordon Mar, Myrna Melgar, Aaron Peskin, Dean Preston, Hillary Ronen, Ahsha Safai, and Catherine Stefani

**PUC Members Present:** Sophie Maxwell, Anson Moran, Ed Harrington, Newsha Ajami, 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 23, 2021, with President Shamann Walton (Board of Supervisors) and President Sophie Maxwell (Public Utilities Commission) presiding.*

*President Walton called the meeting to order at 7:30 p.m.*

### **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. Visit the SFGovTV website at ([www.sfgovtv.org](http://www.sfgovtv.org)) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at <https://sfbos.org/remote-meeting-call>.*

*Members of the public may participate by phone or may submit their comments by email to: [bos@sfgov.org](mailto:bos@sfgov.org); all comments received will be made a part of the official record. Board of Supervisors Regular Meetings begin at 2:00 p.m. on Tuesdays. Board Agendas and their associated documents are available at <https://sfbos.org/meetings/42>. As the COVID-19 disease progresses, please visit the Board's website ([www.sfbos.org](http://www.sfbos.org)) regularly to be updated on the current situation as it affects the legislative process. For more information contact the Office of the Clerk of the Board at (415) 554-5184.*

### **ROLL CALL**

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

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

*Both bodies had quorums present.*

*Supervisors Chan, Mandelman, Preston, and Safai were noted present at 7:33 p.m.*

## **COMMUNICATIONS**

*Angela Calvillo, Clerk of the Board, announced that due to the COVID-19 health emergency, Board Members and Commissioners will participate in the meeting remotely, through videoconference and to the same extent as if they were physically present. To the members of the public, when general public comment is called, you may contribute live comments for up to two minutes by dialing the provided telephone number. When you are connected, you will receive another prompt, dial \* 3 to be added to the queue to speak. Make sure to call from a quiet location, speak clearly and slowly, and turn down your television or radio. Written comments may be submitted through email ([bos@sfgov.org](mailto:bos@sfgov.org)) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.*

## **AGENDA CHANGES**

*There were no agenda changes.*

## **PUBLIC COMMENT**

*There was no public comment.*

## JOINT CLOSED SESSION

*The Board recessed at the hour of 7:40 p.m. to convene in joint closed session with the Public Utilities Commission pursuant to Motion No. M21-036 (File No. 210193), approved on March 2, 2021.*

## CONFERENCE WITH CITY ATTORNEY - Existing Litigation

### **210194 [Joint Closed Session - Joint Special Meeting with the Public Utilities Commission - Existing Litigation - Pacific Gas and Electric Company - March 23, 2021, at 4:30 p.m.]**

Joint special meeting to convene in closed session with the Board of Supervisors and San Francisco Public Utilities Commission being called on March 23, 2021, at 4:30 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: City and County of San Francisco v. Federal Energy Regulatory Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1313, petition for review filed August 17, 2020, consolidated with No. 20-1458, petition for review filed November 16, 2020; City and County of San Francisco v. Federal Energy Regulatory Commission, (United States Court of Appeals, D. C. Circuit), No. 20-1084, petition for review filed March 23, 2020; consolidated with No. 20-1297, petition for review filed August 3, 2020; 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; Federal Energy Regulatory Commission Case No. ER 20-2878-000 et al, filed September 15, 2020; 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. A.20-04-023, filed April 30, 2020; scheduled pursuant to Motion No. M21-036 (File No. 210193) approved on March 2, 2021. (Clerk of the Board)

**CONVENED IN CLOSED SESSION**

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

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

*Persons in attendance: Anne Pearson, Theresa Mueller, Theresa Cho, and Suzy Hong, Deputy City Attorneys (Office of the City Attorney); Michael Carlin, Acting General Manager, Eric Sandler, Chief Financial Officer, Barbara Hale, Assistant General Manager-Power Enterprise, Pamela Husing, Director-Wholesale and Retail Services, Lee Sayao, Brad Taylor, and Donna Hood, Commission Secretary (Public Utilities Commission); and Angela Calvillo, Clerk of the Board, and Alisa Somera, Legislative Deputy Director (Office of the Clerk of the Board).*

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

**HEARD IN CLOSED SESSION**

**RECONVENED AS THE BOARD OF SUPERVISORS**

*The Board of Supervisors and Public Utilities Commission reconvened at the hour of 8:38 p.m.*

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

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

*[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 Mandelman, moved not to disclose the Closed Session deliberations. The motion carried by the following vote:**

Ayes: 11 - Walton, Chan, Haney, Mandelman, Mar, Melgar, Peskin, Preston, Ronen, Safai, Stefani  
Non-Voting: 5 - Maxwell, Moran, Harrington, Ajami, Paulson

*Commissioner Moran, seconded by Commissioner Harrington, moved not to disclose the Closed Session deliberations. The motion carried by the following vote:*

*Ayes: 5 - Ajami, Harrington, Maxwell, Moran, Paulson*

## **ADJOURNMENT**

*There being no further business, the Board of Supervisors and the Public Utilities Commission adjourned at the hour 8:41 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors and the Public Utilities Commission on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on April 27, 2021.*

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Angela Calvillo, Clerk of the Board