

Date April 3, 2009 Item No. 3

LOCAL AGENCY FORMATION COMMISSION
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Exceeds 20 pages; see file to review
Available for review at City Hall, Room 244

Completed by: Linda Wong Date: April 1, 2009

***This list reflects the explanatory documents provided**

San Francisco Local Agency Formation Commission

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MINUTES

Note: Each item on the Consent or Regular agenda may include explanatory documents, including Executive Officer report and public correspondence. These items will be available for review at City Hall, Room 244, Reception Desk.

Special Meeting - LAFCO March 6, 2009, at 2:00 p.m. City Hall, Room 250

Chairperson Mirkarimi,
Members: Commissioners Campos, Dufty, Mar and Schmeltzer
Alternate: Bornstein and Avalos

SPECIAL AGENDA

1. Call to Order and Roll Call

The meeting convened at 2:08 p.m.

Members present: Chairperson Mirkarimi, Commissioners Campos, Dufty, Mar, Schmeltzer, Bornstein and Avalos

2. Approval of Minutes for January 23, 2009. (Discussion and Action Item)

Public Comment: None

Motion made by Commissioner Campos, seconded by Commissioner Schmeltzer, to approve the minutes for January 23, 2009.

Ayes: Chairperson Mirkarimi, Commissioners Dufty, Campos, Mar and Schmeltzer

Action: Approved

3. Elections of the Chair and Vice Chair of SF LAFCO for one-year terms.
(Continued from January 23, 2009) (Discussion and Action Item)

Public Comment: None

Commissioner Mar, seconded by Commissioner Campos, moved to continue this item to the next meeting.

Ayes: Chairperson Mirkarimi, Commissioners Dufty, Campos, Mar and Schmeltzer

Action: Continued to the next meeting

4. Report from SFPUC on the status of CCA activities and timeline. (SFPUC Staff)
(Discussion Item)

Mike Campbell, SFPUC, presented a report on the CCA activities and timelines and answered questions from the commission.

Nancy Miller, Interim Executive Officer, SF LAFCO, provided an overview on CCA activities and timelines and answered questions from the commission. In response to Commissioner's Campos' questions about a joint SFPUC / LAFCO meeting, it was stated that April 17, 2009 and April 24, 2009 were possible dates.

Barbara Hale, Assistant General Manager of Power, SFPUC, provided a history and status report concerning a joint meeting with SFPUC and LAFCO.

Commissioner Bornstein presented documents concerning the CCA program and stated that the SFPUC website lacks completeness and portrays the CCA program as not important.

Public Comment: Eric Brooks, SF Green Party, expressed concern with CCA activities and SFPUC's role with CCA; Espinola Jackson expressed concern with delays to clean energy; Joshua Arce, Brightline Defense Project, expressed concern with LAFCO moving forward with the CCA Program; Laural Han, presented petitions concerning moving forward with the CCA program; Tracy Shepard, Sierra Club, expressed concern over the RFP to implement the CCA Program; John Risso, Sierra Club, expressed concern with solar bond measures and the CCA Program.

Chairperson Mirkarimi move to continued this item to the call of the chair.

Ayes: Chairperson Mirkarimi, Commissioners Dufty, Campos, Mar and Schmeltzer

Action: Continued to the call of the chair

5. Presentation by Local Power of Final CCA Program Report. (Discussion and Possible Action item)

Nancy Miller, Interim Executive Officer, SF LAFCO, introduced Mr. Fenn and answered question from the commission.

Paul Fenn, Local Power, Inc., provided an overview of Local Power's previous presentation, dated February 28, 2009, concerning the CCA Program Report.

Mike Campbell, SFPUC, answered questions from the commission concerning the CCA Program Report.

Public Comment: Espinola Jackson, expressed concern with the Transbay Cable, the Mirant Power Plant and wind power; Barbara George, Women Energy Matters, expressed concern with the implementation of the CCA Program; Eric Brooks, SF Green Party, expressed concern with the content of the CCA Program Report; Joshua Arce, Brightline Defense Project, expressed concern with wind farms and the quality of the content of the CCA Program Report; Jeff Loreman, expressed concern with the CCA Program.

Chairperson Mirkarimi seconded by Commissioner Schmeltzer moved to table the item.

Ayes: Chairperson Mirkarimi, Commissioners Duffy, Campos, Mar and Schmeltzer

Action: Tabled

6. Consideration of Award of Contract for CCA Program: Tasks E and F: Prepare Components of Program Basis Report. (Discussion and Possible Action Item)

Nancy Miller, Interim Executive Officer, SF LAFCO, summarized the components of the Program Basis Report and the possible award of contract, results from the RFP for the CCA Program Tasks E and F, and Risk Assessment. In response to Commissioner Campos' question, Ms. Miller stated that the contract does not need to go to the lowest bidder among qualified bidders but it is preferred. Ms. Miller recommended awarding the contract to Navigant Consulting Inc., not to exceed \$100,000.

Larry Regal, Navigant Consultant Inc., presented their qualifications and their proposal for the contract.

Paul Fenn, Local Power, stated that Local Power, Inc. based their bid on a higher set of criteria and would like the opportunity to resubmit their bid to reflect the same work product as the Navigant bid.

Mike Campbell, SFPUC, confirmed the necessity of the report and answered questions from the commission.

Chairperson Mirkarimi requested that Nancy Miller, Interim Executive Officer, SF LAFCO, provide a general report concerning what level of contact can be made with bidders on contractors.

Public Comment: female speaker, expressed concern over the concentration on the risk element in the consultants selection process; Eric Brooks, SF Green Party, expressed concern over the small scope of the contract and the need to address the entire process at once; Aaron Isreal, Citizens Advisory Committee, SFPUC, expressed concern over the choice of Navigant Consulting; Anne Garrison, Green Party, expressed concern over the war causing global warming and the implementation of the CCA Program.

Chairperson Mirkarimi, seconded by Commissioner Campos, move to continue this item to the next meeting.

Ayes: Chairperson Mirkarimi, Commissioners Campos and Mar
Noes: Commissioners Dufty and Schmeltzer

Action: Continued to the next meeting

7. Authorize submission of Grant Proposal to the California Energy Commission on Renewable-Based Energy Secure Comities (RESCO). (Discussion and Action Item)

Nancy Miller, Interim Executive Officer, SF LAFCO, summarized the grant proposal and requested that the commissioners approve a resolution to authorize the adoption of the grant proposal request.

Public Comment: Eric Brooks, SF Green Party, expressed concern with the split of contracts into smaller parts; Anne Garrison, SF Green Party, expressed concern over the war causing global warming and non-nuclear power.

Commissioner Dufty, seconded by Commissioner Campos, moved to approve the resolution to authorize the Interim Executive Director to submit a Grant Proposal to the California Energy Commission, Public Interest Energy Research Renewables Program, for Renewable-Based Energy Secure Communities (RESCOs) Research, Development and Demonstration.

Ayes: Chairperson Mirkarimi, Commissioners Dufty, Campos, Mar and Schmeltzer

Action: Approved

8. Presentation on H Bonds. (SF City Attorney) (Discussion Item)

Public Comment: None

Motion by Chairperson Mirkarimi to continue this item to the call of the chair.

Ayes: Chairperson Mirkarimi, Commissioners Dufty, Campos, Mar and Schmeltzer

Action: Continued to the call of the chair.

9. Report on Budget and Status of hiring staff for CCA Implementation, Coordination and Outreach. (Continued from November 21, 2008) (Discussion and Possible Action Item)

Item 9 and 10 discussed jointly.

Commissioner Schmeltzer, seconded by Commissioner Campos moved to authorize the Interim Executive Officer to pursue the appointment of one staff.

Ayes: Chairperson Mirkarimi, Commissioners Campos, Mar and Schmeltzer
Absent: Dufty

Action: Approved

10. Consideration of draft LAFCO Budget 2009-2010, pursuant to Government Code Section 56381. (Discussion and Possible Action Item)

Nancy Miller, Interim Executive Officer, SF LAFCO, summarized the status of hiring staff for the CCA Implementation and LAFCO Budget 2009-2010. It is anticipated that LAFCO will only hire 1 of the 2 staff positions. The Budget Analyst's Office has made several recommendations which include the proposed elimination of all but 1 position until the SFPUC hires staffing for the CCA Implementation and that a MOU be in place before hiring begins. The Government Audit and Oversight Committee of the BOS will be considering legislation to authorize the hiring of the two LAFCO positions (only one will be hired at this time).

Public Comment: male speaker, expressed concern with the staff's time constraints restricting the ability of LAFCO to function.

Commissioner Campos, seconded by Commissioner Mar moved to approve the LAFCO Budget for 2009-2010.

Ayes: Chairperson Mirkarimi, Commissioners Campos, Mar and Schmeltzer
Absent: Dufty

Action: Approved

11. Consideration and Approval of Contract Renewal between SF LAFCO and Miller, Owen & Trost. (Angela Calvillo) (Discussion and Action Item)

Angela Calvillo, Clerk of the Board, presented the contract between SF LAFCO and Miller, Owens, and Trost for approval and answered questions from the commissioners.

Public Comment: Eric Brooks, Green Party, expressed concern over the benefit of dedicated staff for LAFCO.

Commissioner Schmeltzer, seconded by Commissioner Campos moved to renew the contract with Miller, Owen & Trost.

Ayes: Chairperson Mirkarimi, Commissioners Campos, Mar and Schmeltzer
Absent: Dufty

Action: Approved.

12. Status of Joint Meeting with SFPUC. (Discussion Item)

Nancy Miller, Interim Executive Officer, SF LAFCO, summarized the status of Joint Meeting with SFPUC previously discussed with item No. 4. April 17, 2009 or April 24, 2009 are the proposed dates for a joint SFPUC meeting. LAFCO is awaiting the response of the SFPUC.

Chairperson Mirkarimi moved to table the item.

Ayes: Chairperson Mirkarimi, Commissioners Campos, Mar and Schmeltzer
Absent: Dufty

Action: Tabled.

13. Executive Officer Report

Public Comment: None

There was no report.

14. Public Comment for Items not on the Agenda

Public Comment: Eric Brooks, expressed concern over setting regular meeting dates and requested outreach to bidding contractor; Anne Garrison, SF Green Party, expressed concern over the war causing global warming, solar power policy and nuke pills; Joshua Arce, Brightline Defense Project, expressed concern with low income incentive solar program, local hiring practices, and transparency issues.

15. Future Agenda Items

Chairperson Mirkarimi requested scheduling of the award of contract for the CCA Program: Tasks E and F: Prepare Component of Program Basis Report.

Chairperson Mirkarimi requested consideration of the second LAFCO staff position.

Commissioner Bornstein requested a report on the Solar Incentive Program.

Commissioner Campos requested a report on the hiring method to be used for hiring staff for LAFCO.

Chairperson Mirkarimi requested consideration of setting a regular meeting date for LAFCO.

16. Adjournment

The meeting adjourned at 6:22 p.m.