

Date: November 9, 2007

Item No. 7

**LOCAL AGENCY FORMATION COMMISSION
AGENDA PACKET CONTENTS LIST***

- Letter from Interim Executive Officer
- Proposed Resolution adopting and amended 2007-2008
Budget; Authorizing Staff and Directing the release of an
RFQ to identify Project Consultant
- Exhibit A to Resolution Amending LAFCo 2007-2008 Budget
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Completed by: Linda Wong

Date: 11/6/07

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

San Francisco Local Agency Formation Commission

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TO: LAFCO Commissioners, Alternate Commissioners

FROM: Nancy C. Miller, Interim Executive Officer

DATE: November 5, 2007

SUBJECT: Consideration and Approval of Amended LAFCo Budget 2007-2008 and Request for Executive Officer to Release an RFQ for Project Consultant(s).

This item is continued from last meeting. The Board of Supervisors passed Ordinance 0146-07 requesting that LAFCO provide an advisory and monitoring role in the implementation of the Community Choice Aggregation (“CCA”) program.

At the September 28, 2007 meeting LAFCO adopted Resolution 2007-01 accepting the advisory role and the funds earmarked for it. This item allows for the amendment of the LAFCo budget for the Fiscal Year 2007-2008 to include the estimated funds available for use in the CCA Advisory program. An Operating Budget is also attached. LAFCo will provide the advisory service only after prior approval of the expenditures by the LAFCo.

A Draft Request for Qualifications (“RFQ”) for a Consultant(s) to Provide Advisory Services is all attached. The RFQ follows the format used by LAFCo in preparing its last four studies for LAFCo dealing with electric issues, CCA implementation and municipalization. The RFQ seeks a qualified Consulting team to provide advisory services regarding the CCA Implementation Program as requested. The RFQ utilizes City and County of San Francisco competitive bidding and contracting procedures acknowledging that LAFCo is a separate legal entity. A panel would conduct the review and/or interview process. LAFCo will select the consultant(s).

FILE NO.

RESOLUTION NO.

1 [LAFCo Resolution Adopting an Amended 2007-2008 Budget; Authorizing Staff and Directing
2 the release of an RFQ to identify Project Consultant

3 **Resolution of the Local Agency Formation Commission of the City and County of San**
4 **Francisco adopting an Amended 2007-2008 Budget, authorizing retention of staff and**
5 **Authorizing Release of an RFQ to Identify a Project Consultant**

6
7 WHEREAS, The Board of Supervisors of the City and County of San Francisco has
8 instituted a city-wide renewable energy plan under the State of California's Community
9 Choice Aggregation law (AB 117, Migden- 2002) by adopting Ordinances 86-04; 146-07 and
10 147-07 which are incorporated by this reference as though set forth at length; and

11 WHEREAS, The San Francisco Local Agency Formation Commission (LAFCo) has
12 been specifically requested in ordinance 147-07 to undertake a role to provide advice and to
13 monitor the San Francisco Public Utilities Commission's (SFPUC) implementation of the
14 City's renewable energy plan; and,

15 WHEREAS, LAFCo has been substantively involved in developing the CCA Program
16 and has subsequently accepted the responsibility to provide monitoring of and advice to the
17 Board of Supervisors of the City and County of San Francisco and SFPUC regarding
18 implementation of the City's renewable energy plan through Community Choice Aggregation
19 (hereafter referred to as the "CCA Program") as contemplated by the ordinances incorporated
20 herein and as formally accepted in its Resolution number 2007-01 adopted September 28,
21 2007, which is incorporated by this reference as though set forth at length; and,

22 WHEREAS, LAFCo, having formally accepted responsibility to undertake said role will
23 establish a CCA Program Advice and Monitoring Project (The Project) pursuant to the request
24 of the Board of Supervisors; and,

1 WHEREAS, LAFCo understands that the San Francisco Public Utilities Commission
2 has agreed to provide LAFCo with funds up to \$2.1 million over a three (3) year period for the
3 purposes of conducting The Project; and,

4 WHEREAS, LAFCo is authorized under California Government Code §56380
5 (Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000) to make its own
6 provision for necessary, quarters, equipment, supplies and personnel by contract with any
7 public agency or private party; and,

8 WHEREAS, LAFCo, in order to fulfill its duties as requested, will require retention of a
9 consultant(s) knowledgeable in the law and regulations pertaining to Community Choice
10 Aggregation ; Now Therefore, be it

11 RESOLVED, That the Local Agency Formation Commission of the City and County of
12 San Francisco hereby adopts an Amended 2007-2008 Budget as set forth in Exhibit A
13 attached hereto which is incorporated by this reference as though set forth at length; and, be
14 it

15 FURTHER RESOLVED, That LAFCo hereby authorizes its Executive Officer to,
16 consistent with City and County of San Francisco policies, requisition, hire, and/or
17 independently contract for or otherwise retain personnel to assist LAFCo with the matters
18 described above; and, be it

19 FURTHER RESOLVED, That the Executive Officer is authorized to advance LAFCo
20 reserved funds, if required, to facilitate the retention of personnel and acquisition of
21 necessary quarters, equipment, and/ or supplies required to accommodate retained
22 personnel consistent with the Project budget adopted hereby; and, be it

23 FURTHER RESOLVED, That the Executive Officer is directed to seek reimbursement
24 from the SFPUC for such advanced funds or proactively seek Project funding from the
25 SFPUC through the ordinary and usual processes utilized by the City and County of San

1 Francisco for the transfer of funds between departments; and, be it

2 FURTHER RESOLVED, the Executive Officer is hereby directed to prepare a Final
3 Request for Qualifications to solicit a consulting firm(s) to undertake the Advisory and
4 Monitoring Project regarding all phases of the Program contemplated by the Ordinances
5 incorporated herein and relevant other local, state, and federal legislation pertaining to
6 electric load aggregation specifically as well as and energy policy generally; and, be it

7 FURTHER RESOLVED, the Executive Officer is hereby directed to prepare and
8 release a draft Request for Qualifications (RFQ) as soon as possible, if one has not yet been
9 released, to identify a consulting firm for the Monitoring Project and otherwise be available to
10 render advice to LAFCo regarding all phases of the Program including but not limited to:

- 11 a. Request for Information
- 12 b. Request for Proposal, CCA Program Basis Report and Completion of Statement
13 of Intent
- 14 c. Contract Negotiation
- 15 d. Completion and Approval of Implementation Plan
- 16 e. Submission of the IP and Binding Notice of Intent to the CPUC and related
17 process
- 18 f. Contract Monitoring and Administration
- 19 g. Contract wind-up and transfer of assets and management responsibility to the
20 SFPUC; and, be it

21 FURTHER RESOLVED, That the Executive Officer is directed to release a final RFQ
22 not later than November 21, 2007 incorporating reasonable changes suggested by comments
23 received regarding the draft RFQ; and, be it

24 FURTHER RESOLVED, That the Executive Officer of LAFCo is directed to transmit
25 fully conformed copies of this resolution to: the Clerk of the Board of Supervisors of the City

1 and County of San Francisco for inclusion on its next printed agenda as a communication and
2 for distribution to its membership, the Director of Governmental Affairs, the General Manager
3 of the SFPUC, the Director of the Mayor's Office of Economic and Workforce Development
4 and to publish this resolution on the LAFCo website.

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EXHIBIT A to Resolution Amending LAFCo 2007-2008 Budget

Description	LAFCo 07-08 as Adopted 3/30/07	LAFCo 07-08 as Amended (Proposed)
Personnel	26,075	26,075
Salary and Benefits	3,788	3,788
Services of Other Departments	28,392	28,392
Legal Services and Consultant Services	220,541	220,541
Membership Dues-- CALAFCO	4,396	4,396
Publications and Legal Notices	1,500	1,500
Books and Publications	1,000	1,000
Materials and Supplies	1,500	1,500
Conferences	3,000	3,000
Records Management Storage	1,000	1,000
Department of Telecommunications and Information Services (DTIS)	6,000	6,000
CCA Advice and Monitoring Project		700,000
Total	291,192	997,192

Community Choice Energy Advisory and Monitoring Project Draft Budget: Fiscal Year 2007-2008

Personnel*	120,143
Benefits and Fringes**	32,008
Services of other Departments	48,262
Legal and Consultants	485,687
Publications and Legal Notices	5,000
Books and Publications	2,000
Materials and Supplies	6,900
• Total	<u>700,000</u>

* Using Step 1 of Class 0952 for Budget Purposes

** estimated

LAFCo Advice and Monitoring Project Budget Detail-- Fiscal Year 2007-2008

Personnell	Amount	Description
<u>Government and Public Affairs Manager</u>	88,296	9382 / 0952 Sub Speciality: Assistant Executive Officer
9382 or Deputy Director II 0952	94,068	Salary Step I for both Classifications. For Budget Purposes, using 0952
1492 Clerk .5FTE	26,075	Current amount budgeted for this item. Anticipate doubling number of hearings
Subtotal	120,143	
<u>Benefits and Fringes</u>	32,008	3,788 Currently budgeted for 1492; Estimated for new position @ 30% of base per B/A
28,220		
<u>Services of other Departments</u>		
<u>Rental of office space</u>	18,000	Up to 1500/ Mo: per B/A @ \$3/ sqft this would provide 500 sqft for staff member
Printing	6,000	Anticipate using Mail and Repro to Print IP/ other material
Mailing	6,000	Distro of IP
1 IT Support	6,000	500/ Mo-- BOS IT Staff looking into these numbers
2 Telephone	712	Equip: \$280; install \$250 and \$11/ Mo per line plus LD (est @ \$50/ mo)
3 E-mail	550	Initiation and up to 25/ Mo BOS IT Staff looking into these numbers
4 Website	6,000	Current budgeted for DTIS web-site maintenance. Anticipate doubling usage
Misc	5,000	
Subtotal	48,262	
<u>Legal and Consultants</u>	485,687	
<u>Publications and Legal Notices</u>	5,000	Current amount budgeted for this item. Anticipate more of hearings/ posting notices in trade journals
<u>Books and Publications</u>	2,000	Current amount budgeted for this item. Anticipate subscriptions to trade/ technical journals
<u>Materials and Supplies</u>		
5 Computers/ software and ofc equip	3,700	Desktop and/or laptop/ printer, etc(Per Mo @ BOS IT: PC: +/- 1200; Printer etc, +/- 2500
Wireless services	2,200	Initiation and up to 150/mo
Misc	1,000	
Subtotal	6,900	
Total	700,000	

- 1 IT Support would include LAN connection, server space, help desk access, hardware and software support
- 2 Telephone: device and monthly charges including long distance. Note LAFCo counsel is Sacramento-based
- 3 E-mail: set up account such as New.Employee@LAFCO.sfgov.org and maintenance
- 4 Website: LAFCo already spends 500/ mo for website updates for its average 6 meetings a year. This amount doubles that capacity necessitated by moving to monthly meetings,
- 5 Computers, etc: fairly self explanatory