

# PACKET MATERIALS

DATE November 20, 2009

Item No. 2

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

- Minutes from the October 16, 2009 Joint Meeting
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Exceeds 20 pages; see file to review  
Available for review at City Hall, Room 244

Completed by: Alisa Somera

Date: November 17, 2009

\* This list reflects the explanatory documents provided.

# **San Francisco Local Agency Formation Commission**

City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco, CA 94102-4689  
Tel. 415.554.5184  
Fax. 415.554.5163

## **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 Joint Meeting  
with the  
San Francisco Board of Supervisors  
Government Audit and Oversight Committee  
October 16, 2009, at 2:00 p.m.  
City Hall, Legislative Chamber, Room 250**

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

### **ORDER OF BUSINESS**

1. Call to Order

The meeting convened at 2:09 p.m.

*At the hour of 2:19 p.m. Supervisor Avalos was noted present at the Government Audit and Oversight Committee / Local Agency Formation Commission joint meeting creating quorum of the Board of Supervisors for Item No. 3. A Special Board of Supervisors meeting was convened.*

*Present: Supervisors Mirkarimi, Dufty, Campos, Mar, Maxwell, Avalos.*

*At the hour of 3:34 p.m. Supervisor Avalos was noted absent and there was no longer a quorum of the Board of Supervisors.*

*The Special Board of Supervisors meeting adjourned at 3:34 p.m.*

2. Roll Call

### LAFCo Members

Present: Chairperson Mirkarimi, Commissioners Campos, Dufty (arrived at 2:13 p.m.), Mar, Avalos (arrived at 2:19 p.m., left at 3:34 p.m.) and Bornstein.  
Absent: Commissioner Schmeltzer.

### GAO Members

Present: Chairperson Mirkarimi, Supervisors Mar and Maxwell.

## **JOINT REGULAR BUSINESS**

3. Issuance of a Request for Proposals (RFP) for Community Choice Aggregation (CCA) Services for the San Francisco CCA program, commonly known as CleanPowerSF.

Nancy Miller, Interim Executive Officer, LAFCo, reviewed the history of the RFP for CCA services and previous issues that were discussed at prior meetings.

Michael Campbell, CCA Director, SFPUC, presented an overview of the CCA program and details on how it is structured. He presented the contents of the RFP and the process that has occurred between SFPUC and LAFCo staff to finalize the document. The guidance received from LAFCo, SFPUC and GAO have been incorporated into the RFP.

Staff Speakers: Theresa Mueller, Deputy City Attorney; Barbara Hale, Assistant General Manager, Power, SFPUC.

Public Comment: John Rizzo, The Sierra Club, asked that the item be tabled; Eric Brooks, SF Green Party, voiced concern over the amount of time allowed for public review.

- A. LAFCo Action: Resolution approving the RFP

Chairperson Mirkarimi moved, seconded by Commissioner Mar, to amend the resolution to add “and the Chair” after “the Executive Officer” on page 3, line 5, and delete “on October 16, 2009” on page 3, line 6.

Action: Resolution adopted as amended.

- B. GAO Action: Ordinance approving issuance of the RFP

Supervisor Mirkarimi moved, seconded by Supervisor Maxwell, to recess the Government Audit and Oversight Committee meeting and item until October 22, 2009.

Action: Government Audit and Oversight Committee meeting and item recessed to October 22, 2009.

## **LAFCo BUSINESS**

### REGULAR BUSINESS

4. Approval of minutes for August 20, 2009 and September 25, 2009.

Public Comment: None.

Chairperson Mirkarimi moved to approve the minutes for August 20, 2009 and September 25, 2009.

Ayes: Chairperson Mirkarimi, Commissioners Campos, Dufty and Bornstein.

Absent: Commissioners Mar, Avalos and Schmeltzer.

Action: Approved.

*Items 5 and 6 were heard together.*

5. Final Navigant Risk Assessment Report and Peer Review by Local Power

Nancy Miller, Interim Executive Officer, gave a summary of Navigant's report process and the follow-up Peer Review report done by Local Power. A statement from Commissioner Schmeltzer was read into record and Ms. Miller and Local Power responded.

Public Comment: Eric Brooks, SF Green Party, commented on the reports; Paul Fenn, Local Power, answered questions from the Commission regarding the report; Richard Robinson spoke on issues.

Chairperson Mirkarimi moved to extend the contracts for one month.

Action: Navigant Consulting and Local Power consultant contracts terms were extended for one month and an additional amount not to exceed \$20,000 was authorized.

6. Authorization to extend consultant contracts (Discussion and Action Item)
  - A. Navigant Consulting, Inc.
  - B. Local Power, Inc.

*See Item No. 5.*

7. Executive Officer's Report

Jason Fried, Senior Program Officer, LAFCo, gave an update on the hiring process for the second LAFCo staff position.

*Items 8 and 9 were heard together.*

8. Public Comment for Items not on the Agenda

Eric Brooks, SF Green Party, spoke about hydropower.

9. Future Agenda Items

CLOSED SESSION

*Items 10 and 11 were heard together*

10. PG&E-sponsored State Initiative – Potential Litigation

Chairperson Mirkarimi moved to table items 10 and 11.

Public Comment: None.

Action: Item Nos. 10 and 11 were tabled.

11. Reconvene in Open Session

*See Item No. 10.*

12. Adjournment

The meeting adjourned at 4:25 p.m.