

PACKET MATERIALS

DATE February 26, 2010

Item No. 2

LOCAL AGENCY FORMATION COMMISSION AGENDA PACKET CONTENTS LIST *

- November 20, 2009 Special Meeting Minutes
- January 22, 2010 SF PUC Joint Meeting Minutes
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** Exceeds 20 pages; see file to review
Available for review at City Hall, Room 244

Completed by: Alisa Somera

Date: February 23, 2010

* 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 November 20, 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

SPECIAL AGENDA

1. Call to Order and Roll Call

The meeting convened at 2:07 p.m.

Present: Chairperson Mirkarimi, Commissioners Dufty, Avalos, Schmeltzer and Bornstein.

Absent: Commissioners Campos and Mar.

2. Approval of minutes for October 16, 2009 joint meeting.

Public Comment: None.

Commissioner Avalos moved, seconded by Chairperson Mirkarimi, to approve the minutes of the October 16, 2009 joint meeting with the Board of Supervisors Government Audit and Oversight Committee.

Ayes: Chairperson Mirkarimi, Commissioners Dufty, Avalos, and Schmeltzer.

Action: Approved.

Item Nos. 3 and 4 were heard together.

3. Report from SFPUC on the status of CCA activities, Request for Proposals and timeline.

Michael Campbell, CCA Director, SF PUC, gave an overview of the RFP timeline and the progress being made. Two SF PUC staff who are involved in the CCA Program were also introduced to the Commission.

Jason Fried, Senior Program Officer, SF LAFCo, discussed the LAFCo staff structure and what rolls they play in with the CCA Program process, along with the coordination with other City departments.

An update on the hiring of the second LAFCo staff person was also given and Nancy Miller, Interim Executive Officer, SF LAFCo, answered questions.

Public Comment: Eric Brooks, SF Green Party, commented on the structure of the review panel for the RFP and recommended that a member of the public be included.

Chairperson Mirkarimi moved to continue both items to the call of the Chair.

Ayes: Chairperson Mirkarimi, Commissioners Dufty, Avalos, and Schmeltzer.

Action: Continued to the Call of the Chair.

4. Report from LAFCo on CCA activities: Work Plan for Staff and Consultants.

See Item No. 3 above.

Action: Continued to the Call of the Chair.

5. Discussion of contract extensions for Consultant Agreements.
 - a. Navigant
 - b. Local Power

Nancy Miller, Interim Executive Officer, SF LAFCo, gave a status update on the consultant agreements with Navigant Consulting, Inc. and Local Power. Staff recommended extending both contracts through the end of February 2010 while staying within the current contracted budget amounts.

Public Comment: Eric Brooks, SF Green Party, spoke on issues related to the consultant agreements.

Commissioner Avalos moved, seconded by Chairperson Mirkarimi, to extend the Navigant Consulting, Inc. and Local Power consultant contracts to the end of February 2010 with no change to the existing budget.

Ayes: Chairperson Mirkarimi, Commissioners Dufty, Avalos, and Schmeltzer.

Action: Approved.

Item Nos. 6 and 8 were heard together.

6. Executive Officer Report

Nancy Miller, Interim Executive Officer, SF LAFCo, informed the Commission that staff is interested in coordinating a joint meeting with SF PUC in January that would include a closed session.

Public Comment: None.

Chairperson Mirkarimi moved to continue this item to the call of the Chair.

Ayes: Chairperson Mirkarimi, Commissioners Dufty, Avalos, and Schmeltzer.

Action: Continued to the Call of the Chair.

7. Public Comment for Items not on the Agenda

Public Comment: None.

8. Future Agenda Items

See Item No. 6 above.

CLOSED SESSION

Item Nos. 9 and 10 were heard together.

Chairperson Mirkarimi moved to continue Item Nos. 9 and 10.

Ayes: Chairperson Mirkarimi, Commissioners Dufty, Avalos, and Schmeltzer.

Action: Continued to the Call of Chair.

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

10. Reconvene in Open Session

11. Adjournment

The meeting adjourned at 2:42 p.m.

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Special Joint Meeting with the San Francisco Public Utilities Commission January 22, 2010, at 2:00 p.m. City Hall, Legislative Chamber, Room 250

SF LAFCo Members:
Chairperson Mirkarimi
Members: Vice-Chair Campos, Commissioners Dufty, Avalos and Schmeltzer
Alternates: Mar and Bornstein

SF PUC Members:
President Crowley
Vice-President Viotor, Commissioners Caen, Ellis and Moran

ORDER OF BUSINESS

1. Call to Order

The meeting convened at 2:09 p.m.

2. Roll Call

SF LAFCo Members

Present: Chairperson Mirkarimi, Vice-Chair Campos, Commissioners Avalos, Bornstein, and Dufty (arrived at 2:13 p.m.)
Absent: Commissioners Mar and Schmeltzer.

SF PUC Members

Present: President Crowley, Vice-President Viotor, Commissioners Ellis, and Moran.

Excused: Commissioner Caen.

There was a quorum.

JOINT REGULAR BUSINESS

3. Opening remarks and discussion of expectations for this joint meeting

Chairperson Mirkarimi gave opening remarks on the progress being made and expectations for going forward.

President Crowley and Ed Harrington, SF PUC General Manager, thanked all of the staff for their hard work and expressed the importance of what is being accomplished.

Jason Fried, Senior Program Officer, LAFCo, introduced Caroline Teng, new LAFCo staff person, and gave a brief background on her experience.

Chairperson Mirkarimi moved, seconded by President Crowley, to file this item. The motion passed unanimously.

Action: Filed.

Items 4 and 5 were heard together.

4. Update on status of Request for Proposals (RFP) and presentation on responses received to conduct the CleanPowerSF program

Mike Campbell, CCA Director, SF PUC, gave an update on the progress being made to select a supplier for community choice aggregation (CCA) services. There were five responses to the Request for Proposals (RFP) and Power Choice, LLC received the highest points. Mr. Campbell gave a brief summary of Power Choice's proposal and the next steps of the process.

Sam Enoka, Power Choice, LLC, gave a presentation with a brief overview of their company. Kent Palmerton, Power Choice, LLC, introduced himself and explained the structure of the company, including background information on its inception.

Public Comment: Eric Brooks, SF Green Party, spoke in support of the progress being made; Joshua Arce, Brightline Defense Project, spoke in support of the progress but relayed various concerns related to next steps.

Chairperson Mirkarimi moved, seconded by President Crowley, to file Item Nos. 4 and 5. The motion passed unanimously.

Action: Filed.

5. Next steps in CCA program process

See Item No. 4.

Action: Filed.

6. Update on Marin Energy Authority process

Supervisor Charles McGlashan, County of Marin, gave a presentation on the structure of the Marin County program, including their process, issues and future goals.

Public Comment: Eric Brooks, SF Green Party, spoke regarding the Marin Energy Authority.

Chairperson Mirkarimi moved, seconded by President Crowley, to file this item. The motion passed by the following vote:

SF LAFCo Members

Ayes: Chairperson Mirkarimi, Vice-Chair Campos and Commissioner Bornstein.

Absent: Commissioners Mar, Schmeltzer, Avalos and Dufty.

SF PUC Members

Ayes: President Crowley, Vice-President Vietor, Commissioners Ellis and Moran.

Absent: Commissioner Caen.

Action: Filed.

7. Summary of recent filing at California Public Utilities Commission – Petition to Modify D.05-12-014 – filed January 11, 2010 by the City and County of San Francisco

Thomas Long, Deputy City Attorney, gave a summary of the petition the City and County of San Francisco filed with the California Public Utilities Commission.

Public Comment: Eric Brooks, SF Green Party, spoke on issues regarding the petition.

Chairperson Mirkarimi moved, seconded by President Crowley, to continue this item to the call of the Chair. The motion passed by the following vote:

SF LAFCo Members

Ayes: Chairperson Mirkarimi, Vice-Chair Campos, Commissioners Avalos and Bornstein.
Absent: Commissioners Mar, Schmeltzer and Dufty.

SF PUC Members

Ayes: President Crowley, Vice-President Vietor, Commissioners Ellis and Moran.
Absent: Commissioner Caen.

Action: Continued to the Call of the Chair.

8. Public Comment

None.

LAFCo BUSINESS

9. Election of Chairperson and Vice-Chairperson for a one-year term

Public Comment: None.

Commissioner Campos moved, seconded by Commissioner Avalos, to re-elect Chairperson Mirkarimi as Chairperson for another one-year term. The motion passed by the following vote:

Ayes: Chairperson Mirkarimi, Vice-Chair Campos, Commissioners Avalos and Bornstein.
Absent: Commissioners Mar, Schmeltzer and Dufty.

Action: Chairperson Mirkarimi was re-elected for another one-year term.

Chairperson Mirkarimi moved, seconded by Commissioner Avalos, to re-elect Vice-Chair Campos as Vice-Chair for another one-year term. The motion passed by the following vote:

Ayes: Chairperson Mirkarimi, Vice-Chair Campos, Commissioners Avalos and Bornstein.
Absent: Commissioners Mar, Schmeltzer and Dufty.

Action: Vice-Chair Campos was re-elected for another one-year term.

10. Extension of contract for legal counsel

Jason Fried, Senior Program Officer, presented background information on the contract for legal counsel with Miller, Owen & Trost. Vice-Chair Campos requested more information on hours spent and services provided.

Public Comment: None.

Vice-Chair Campos moved, seconded by Chairperson Mirkarimi, to continue this item to the call of the Chair. The motion passed by the following vote:

Ayes: Chairperson Mirkarimi, Vice-Chair Campos, Commissioners Avalos and Bornstein.

Absent: Commissioners Mar, Schmeltzer and Dufty.

Action: Continued to the Call of the Chair.

11. Adjournment

The meeting adjourned at 4:04 p.m.