RESOLUTION NO. 2007-03

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

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

Note: Commission amendment additions are double underlined. Commission amendment deletions are strikethrough normal.

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

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

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

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

Supervisor Mirkarimi
Local Agency Formation Commission
WHEREAS, LAFCo understands that the San Francisco Public Utilities Commission has agreed to provide on reserve for LAFCo with funds up to $2.1 million over a three (3) year period for the purposes of conducting The Project; and,

WHEREAS, LAFCo and the SFPUC will seek an appropriation from the Board of Supervisors for the necessary funds; and,

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

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

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

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

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

FURTHER RESOLVED, That the Executive Officer is directed to seek reimbursement
from the SFPUC for such advanced funds or proactively seek Project funding from the
SFPUC through the ordinary and usual processes utilized by the City and County of San
Francisco for the transfer of funds between departments; and, be it

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

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

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

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

FURTHER RESOLVED, That the Executive Officer of LAFCo is directed to transmit fully conformed copies of this resolution to: the Clerk of the Board of Supervisors of the City and County of San Francisco for inclusion on its next printed agenda as a communication and for distribution to its membership, the Director of Governmental Affairs, the General Manager of the SFPUC, the Director of the Mayor’s Office of Economic and Workforce Development and to publish this resolution on the LAFCo website.
Local Agency Formation Commission

Resolution No. 2007-03

Date Passed: November 9, 2007

RESOLUTION ADOPTING AN AMENDED 2007-2008 BUDGET;
AUTHORIZING STAFF AND DIRECTING THE RELEASE OF AN RFQ
TO IDENTIFY PROJECT CONSULTANT

Adopted by the following vote: 3-0.

AYES: Chairperson Commissioner Mirkarimi, Commissioners Daly, McGoldrick
and Bornstein

NOES: None

ABSENT: Commissioner Schmeltzer

I hereby certify that the San Francisco Local Agency Formation Commission adopted the
foregoing resolution on November 9, 2007.

Nancy Miller
Executive Officer

Chairperson Commissioner Ross Mirkarimi

Date Approved: November 9, 2007