

1 [Amendment to Memorandum of Understanding - San Francisco Local Agency Formation
Commission - Term Extension]

2
3 **Resolution authorizing the General Manager of the San Francisco Public Utilities**
4 **Commission to execute the fourth amendment to the Memorandum of Understanding**
5 **with the San Francisco Local Agency Formation Commission, extending the term by**
6 **one year, for a total agreement term of 12 years through FY2019-2020, with no change**
7 **to the total amount not to exceed \$2,100,000 pursuant to Charter, Section 9.118.**

8
9 WHEREAS, On April 17, 2009, the San Francisco Public Utilities Commission
10 (SFPUC) approved Resolution No. 09-0061, authorizing the General Manager of the
11 SFPUC to execute a Memorandum of Understanding (MOU) with the San Francisco Local
12 Agency Formation Commission (SF LAFCo) to allocate SFPUC Power Enterprise funds for
13 reimbursement for SF LAFCo services related to the Community Choice Aggregation (CCA)
14 Program, called CleanPowerSF, for an amount not to exceed \$2,100,000 with a term of
15 three years, concluding on June 30, 2011; and

16 WHEREAS, On April 24, 2009, the SFPUC approved Resolution No. 09-0073,
17 adopting the MOU; and

18 WHEREAS, On April 9, 2013, the SFPUC approved Resolution No. 13-0054,
19 authorizing the General Manager to execute Amendment No. 1, extending the duration of
20 the MOU by four years, for a total agreement duration of seven years, with no change to the
21 total not to exceed amount; and

22 WHEREAS, On January 30, 2015, the SFPUC approved Resolution No. 15-0023,
23 authorizing the General Manager to execute Amendment No. 2, extending the duration of
24 the MOU by two years, for a total agreement duration of nine years, with no change to the
25 total not to exceed amount; and

1 WHEREAS, On May 9, 2017, the SFPUC Approved Resolution No. 17-0103,
2 authorizing the General Manager to execute Amendment No. 3, extending the duration of
3 the MOU by two years, for a total agreement duration of 11years, with no change to the total
4 not to exceed amount; and

5 WHEREAS, On July 25, 2017, the Board of Supervisors approved Resolution
6 No. 314-17, authorizing the General Manager of the SFPUC to execute Amendment No. 3
7 of the MOU; and

8 WHEREAS, Amendment No. 4 is being requested to extend the duration of the MOU
9 by one year, for a total agreement 12 years, with no change to the total not to exceed
10 amount, in order to continue to have SF LAFCo monitor the implementation process and
11 advise the SFPUC and San Francisco Board of Supervisors regarding all aspects of
12 development, operation and management of the CCA program; and

13 WHEREAS, The proposed Amendment No. 4 is on file with the Clerk of the Board of
14 Supervisors in File No. 190600, and is hereby declared to be part of this Resolution as if
15 fully set forth herein; and

16 WHEREAS, On May 14, 2019, the SFPUC approved Resolution No. 19-0194
17 approving Amendment No. 4 to the Power Enterprise, CCA Project-funded MOU between
18 SFPUC and the SF LAFCo; and authorizing the General Manager of the SFPUC to execute
19 this amendment, with a term extension of one year, for a total agreement duration of 12
20 years through FY2019-2020; and

21 WHEREAS, Funds for this MOU are available from Project CUH978 – CCA Project
22 LAFCo-HHP; now, therefore, be it

23 RESOLVED, That this Board of Supervisors hereby approves and authorizes the
24 General Manager of the SFPUC to execute the fourth amendment to the MOU, extending
25 the duration of the MOU by one year, for a total agreement duration of 12 years, with no

1 change to the total not to exceed amount of \$2,100,000 pursuant to Charter, Section 9.118;
2 and, be it

3 FURTHER RESOLVED, That within thirty (30) days of the execution of Amendment
4 No. 4 to the MOU, the General Manager of the SFPUC shall provide the signed revised
5 contract to the Clerk of the Board for inclusion in the official file.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25