Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2014-2015 Civil Grand Jury Report, entitled "CleanPower At Long Last"; and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget.

WHEREAS, Under California Penal Code, Section 933 et seq., the Board of Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior Court on the findings and recommendations contained in Civil Grand Jury Reports; and, WHEREAS, In accordance with California Penal Code, Section 933.05(c), if a finding or recommendation of the Civil Grand Jury addresses budgetary or personnel matters of a county agency or a department headed by an elected officer, the agency or department head and the Board of Supervisors shall respond if requested by the Civil Grand Jury, but the response of the Board of Supervisors shall address only budgetary or personnel matters over which it has some decision making authority; and

WHEREAS, Under San Francisco Administrative Code, Section 2.1 O(a), the Board of Supervisors must conduct a public hearing by a committee to consider a final report of the findings and recommendations submitted, and notify the current foreperson and immediate past foreperson of the civil grand jury when such hearing is scheduled; and

WHEREAS, In accordance with San Francisco Administrative Code, Section 2.10(b), the Controller must report to the Board of Supervisors on the implementation of recommendations that pertain to fiscal matters that were considered at a public hearing held by a Board of Supervisors Committee; and
WHEREAS, The 2014-2015 Civil Grand Jury Report entitled “CleanPowerSF At Last” (Report) is on file with the Clerk of the Board of Supervisors in File No. 150605, which is hereby declared to be a part of this resolution as if set forth fully herein; and

WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond to Finding Nos. 1, 2, 3, 4, and 5, as well as Recommendation Nos. 1, 2, 3, 4, and 5 contained in the subject Report; and

WHEREAS, Finding No. 1 states: “CleanPowerSF will be a relatively small, low-risk program at startup, but must grow quickly to meet the City’s timeline for reducing greenhouse gas emissions;” and

WHEREAS, Finding No. 2 states: “CleanPowerSF’s rates will be lower and more affordable to all San Franciscans, if it is free to use unbundled [Renewable Energy Certificates] (RECs) as needed, and to provide less than 100% green power;” and

WHEREAS, Finding No. 3 states: “Local job creation, while desirable, is not the chief purpose of CleanPowerSF, and should not cause further delay in implementing the program;” and

WHEREAS, Finding No. 4 states: “There are ample affordable resources of renewable power to support CleanPowerSF, including local rooftop solar installations such as those funded through the GoSolarSF program;” and

WHEREAS, Finding No. 5 states: “Political discord has at times delayed implementation of CleanPowerSF;” and

WHEREAS, Recommendation No. 1 states: “That CleanPowerSF be designed, first and foremost, to be financially viable and to grow quickly without undue risk;” and,

WHEREAS, Recommendation No. 2 states: “That CleanPowerSF be free to use unbundled RECs, and to provide less than 100% green power, as needed to meet its goals of financial viability and early expansion;” and
WHEREAS, Recommendation No. 3 states: "That CleanPowerSF be designed to provide as many local jobs as it can, without compromising its financial viability and potential for early expansion;"

WHEREAS, Recommendation No. 4 states: "That [San Francisco Public Utilities Commission] (SFPUC) integrate the GoSolarSF program into CleanPowerSF to take advantage of their complementary relationship;" and

WHEREAS, Recommendation No. 5 states: "That local officials, including the Mayor, put the full weight of their offices behind the success of the CleanPowerSF program;" and

WHEREAS, In accordance with California Penal Code, Section 933.05(c), the Board of Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior Court on Finding Nos. 1, 2, 3, 4, and 5, as well as Recommendation Nos. 1, 2, 3, 4, and 5 contained in the subject Civil Grand Jury report; now, therefore, be it

RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the Superior Court that they agree with Finding No. 1 for reasons as follows: 30-60 megawatts is a modest size for launch, and the Board of Supervisors will work with the SFPUC to expand CleanPower San Francisco (CPSF) as quickly as possible, mindful that moving to 100% clean energy is the single most important thing San Francisco can do to combat climate change; and, be it

FURTHER RESOLVED, That the Board of Supervisors reports that they disagree partially with Finding No. 2 for reasons as follows: The Board of Supervisors recently approved language regarding the use of unbundled Renewable Energy Certificates (RECs), saying they "shall be limited to the extent deemed feasible by the SFPUC, consistent with the goals of the program" and state law. Unbundled RECs may have some utility in the short term but should not be the linchpin to ensure CPSF's competitive rates. The Board of Supervisors
supports having two product offerings under CPSF: one with 100% green power and another
with less than 100% but more than what PG&E offers; and, be it

FURTHER RESOLVED, That the Board of Supervisors reports that they disagree
partially with Finding No. 3 for reasons as follows: Providing clean energy to San Franciscans
is the chief purpose of CPSF, but creating local jobs is an important and complementary
purpose that is not delaying the program; and, be it

FURTHER RESOLVED, That the Board of Supervisors reports that they agree with
Finding No. 4; and, be it

FURTHER RESOLVED, That the Board of Supervisors reports that they agree with
Finding No. 5 for reasons as follows: After 12 years of effort, the Board of Supervisors knows
this truth all-too-well, and is thankful to finally be collaborating with the Mayor and SFPUC to
launch CPSF as quickly as possible; and, be it

FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
No. 1 has been implemented for reasons as follows: The program is designed to be viable
and able to grow quickly; and, be it

FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
No. 2 has been implemented for reasons as follows: CPSF is not currently restricted from
using unbundled RECs, however the Board of Supervisors recently approved language saying
unbundled RECs, "shall be limited to the extent deemed feasible by the SFPUC, consistent
with the goals of the program" and state law. CPSF is designed with two product offerings:
one with 100% green power and another with less than 100% but more than what PG&E
offers; and, be it

FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation
No. 3 has been implemented for reasons as follows: CPSF is designed to provide local jobs
and its expansion will enable it to create yet more local jobs; and, be it
FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation No. 4 will be implemented for reasons as follows: As the SFPUC's response indicates, CPSF is designed so that "its customers will be able to access GoSolarSF incentives. [But] the amount of funding CleanPowerSF will contribute to GoSolarSF has not yet been determined."
The Board of Supervisors enthusiastically supports this integration and though it cannot predict exactly when the effort will be completed, the Board anticipates it to be one year after the CPSF rollout in the spring of 2016, or by May 2017; and, be it

FURTHER RESOLVED, That the Board of Supervisors reports that Recommendation No. 5 has been implemented for reasons as follows: The Board of Supervisors has been putting its full weight behind CleanPowerSF for years, and is thankful to be joined by Mayor Lee, the SFPUC, and a broad coalition of city officials, residents, business owners, and advocates who are committed to CleanPowerSF's success; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget.
Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2014-2015 Civil Grand Jury Report, entitled "CleanPower At Long Last," and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget.

October 01, 2015 Government Audit and Oversight Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

October 01, 2015 Government Audit and Oversight Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

October 06, 2015 Board of Supervisors - ADOPTED
Ayes: 11 - Avalos, Breed, Campos, Christensen, Cohen, Farrell, Kim, Mar, Tang, Wiener and Yee

I hereby certify that the foregoing Resolution was ADOPTED on 10/6/2015 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

Unsigned

Mayor

10/16/15

Date Approved
I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

[Signature]
Angela Calvillo
Clerk of the Board

10/16/15
Date

File No.
150605