

ORDINANCE NO. 5086

AN ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, SPECIFYING THE INTENT TO IMPLEMENT A COMMUNITY CHOICE AGGREGATION PROGRAM BY AND THROUGH PARTICIPATION IN MONTEREY BAY COMMUNITY POWER AUTHORITY'S COMMUNITY CHOICE AGGREGATION PROGRAM

WHEREAS, the Board of Supervisors of the County of Santa Barbara has previously directed staff to investigate the feasibility and formation of a community choice aggregation program under the provisions of California Public Utilities Code section 366.2 in order to provide electric service to customers within the County of Santa Barbara (County) with the intent of achieving greater local control and involvement related to the provision of electric service in the County, and offering energy with lower greenhouse gas emissions at a comparable rate to the Investor-Owned Utilities in the County; and

WHEREAS, Monterey Bay Community Power Authority (MBCPA) has established a Community Choice Aggregation (CCA) Program capable of providing the desired financial and environmental benefits; and

WHEREAS, the County's participation in MBCPA's CCA Program requires that the County Board of Supervisors, among other things, adopt a resolution requesting that the County become a member of MBCPA; adopt an ordinance pursuant to Public Utilities Code section 366.2(c)(12) electing to implement the CCA Program within its jurisdiction; and execute an amendment to the MBCPA's Joint Powers Agreement; and

WHEREAS, the County's participation in MBCPA's CCA Program requires that MBCPA, among other things, adopt a resolution authorizing the County's membership in MBCPA's CCA Program; execute an amendment to the MBCPA's Joint Powers Agreement; and prepare and submit an amended Implementation Plan to the California Public Utilities Commission (CPUC) for certification; and

WHEREAS, upon completion of all necessary actions by the County and MBCPA, as well as certification of the amended Implementation Plan by the CPUC, and adoption by MBCPA, MBCPA will be able to enter into agreements with electric power suppliers and other service providers and, based upon those agreements, MBCPA will be able to provide power to residents and businesses at rates that are competitive with those of the County's incumbent utilities, Pacific Gas & Electric and Southern California Edison; and

WHEREAS, under Public Utilities Code section 366.2, customers have the right to opt-out of the CCA Program and continue to receive service from the incumbent utility. Customers who wish to receive service from the incumbent utility will be able to do so.

NOW, THEREFORE, the Board of Supervisors of the County does ordain as follows:

SECTION 1. The above recitations are true and correct and material to this Ordinance.

SECTION 2. Based upon the above, and pursuant to Public Utilities Code section 366.2, the Board of Supervisors of the County of Santa Barbara hereby elects and specifies the intent to implement a community choice aggregation program within the County's jurisdiction by and through the County's participation in the Monterey Bay Community Power Authority's existing Community Choice Aggregation Program.

SECTION 3. The County of Santa Barbara's joining as a member of Monterey Bay Community Power Authority requires additional actions by both the County of Santa Barbara and Monterey Bay Community Power Authority, including mutual execution of an amendment to Monterey Bay Community Power Authority's Joint Powers Agreement and other necessary CCA Program agreements.

SECTION 4. This Ordinance shall take effect 30 days after its adoption. The County Clerk, or duly appointed deputy, shall attest to the adoption of this Ordinance and shall cause this Ordinance to be published and posted in the manner required by law.

INTRODUCED at a regular meeting of the Board of Supervisors of the County of Santa Barbara, held on the 16th day of July 2019,

PASSED AND ADOPTED on the 13th day of August 2019, by the following vote:

AYES: Supervisor Williams, Hart, Hartmann and Lavagnino

NOES: Supervisor Adam

ABSENT: NONE

ABSTAINED: NONE

COUNTY OF SANTA BARBARA

ATTEST:
MONA MIYASATO
CLERK OF THE BOARD



STEVE LAVAGNINO, CHAIR
BOARD OF SUPERVISORS

By: 

Deputy

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: 

Deputy County Counsel