



# County of Santa Barbara

## BOARD OF SUPERVISORS

### Minute Order

November 2, 2021

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**Present:** 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

PUBLIC WORKS

File Reference No. 21-00978

**RE:** Consider recommendations regarding Southern California Energy and the California Independent System Operator Corporation (CAISO) Agreements and Sixth Amendment to the Amended Contract with MSB Investors, LLC for the Tajiguas Resource Recovery Project (TRRP), Third District, as follows: (4/5 Vote Required)

- a) Authorize the County of Santa Barbara Department of Public Works Director, or his designee, until otherwise ordered by the Board, to execute an amended Bioenergy Market Adjusting Tariff Power Purchase Agreement (PPA) for the sale of renewable electricity at the Tajiguas ReSource Center Anaerobic Digestion Facility to Southern California Edison (SCE) and any future amendments or ancillary documents necessary for the PPA that do not substantially change the County's rights and obligations under it, with approval of County Counsel, Auditor Controller and Risk Manager or their authorized representatives;
- b) Approve, ratify, and authorize the County of Santa Barbara Department of Public Works Director, or his designee to execute a Network Connectivity Security Requirements and Agreement, Meter Service Agreement, and Participating Generator Agreement, which are necessary to manage the transfer and transmission of electricity produced at the Tajiguas ReSource Center Anaerobic Digestion Facility with CAISO, and authorize the County of Santa Barbara Department of Public Works Director, or his designee, until otherwise ordered by the Board, to execute any future amendments or ancillary agreements with CAISO related to the transfer and transmission of that electricity that do not substantially change the County's rights and obligations under the CAISO Agreements, with approval of County Counsel, Auditor Controller and Risk Manager or their authorized representatives;
- c) Approve and authorize the Chair to execute the Sixth Amendment to the Amended Contract between the County of Santa Barbara and MSB Investors, LLC for Development and Operation of the TRRP, which addresses changes to public education, term of contract, construction and operational costs, and acceptance of spot market material for the TRRP (now referred to as the ReSource Center);
- d) Approve Budget Revision Request No. 0007944 increasing appropriations in the amount of \$1,870,000.00 in Public Works Resource Recovery and Waste Management Enterprise Fund and the TRRP Capital Fund for the increased project costs, which are funded by the release of Retained Earnings and an operating transfer, respectively; and



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e) Determine that the previous Final Subsequent Environmental Impact Report (EIR) SCH No. 2012041068 and Subsequent EIR Revision Letter and Errata dated May 27, 2016 certified by the Board of Supervisors on July 12, 2016 and Final Subsequent EIR Addendum dated August 11, 2017 (revised October 26, 2017) considered by the Board of Supervisors on November 14, 2017 are adequate review pursuant to California Environmental Quality Act Guidelines Section 15162 as no substantial changes are proposed, and no new information of substantial importance has come to light regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, and therefore this sixth amendment to the contract with MSB Investors, LLC is within the scope of the project covered by the prior environmental review and no subsequent EIR or Negative Declaration shall be prepared for this action.

**A motion was made by Supervisor Hart, seconded by Supervisor Hartmann, that this matter be acted on as follows:**

- a) Authorized;
- b) Approved, ratified and authorized;
- c) Approved and authorized; Chair to execute; and
- d) and e) Approved.

**The motion carried by the following vote:**

**Ayes:** 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino