

RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF
SUPERVISORS OF THE COUNTY OF
SANTA BARBARA, CALIFORNIA,
REQUESTING MEMBERSHIP IN THE MONTEREY BAY COMMUNITY
POWER JOINT POWERS AUTHORITY (MBCPA)**

WHEREAS, AB 117, adopted as California state law in 2002, permits cities, counties, or Joint Power Authorities comprised of cities and counties to aggregate residential, commercial, industrial, municipal and institutional electric loads through community choice aggregation (CCA); and

WHEREAS, pursuant to Section 366.2, subdivision (c)(12)(B), of the Public Utilities Code, two or more entities authorized to be a community choice aggregator may participate as a group in a community choice aggregation program through a joint powers agency established pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, if each entity adopts an ordinance pursuant to Section 366.2, subdivision (c)(12)(A), electing to implement a community choice aggregation program within its jurisdiction; and

WHEREAS, in March 2017, MBCPA was established as a joint powers agency pursuant to a joint powers agreement; and

WHEREAS, the purpose of MBCPA is to address climate change by providing locally controlled carbon-free electricity at affordable rates; and

WHEREAS, the Board of Supervisors of the County of Santa Barbara supports the mission of MBCPA and its intent to promote the development and use of a wide range of carbon free and renewable energy sources and energy efficiency programs, including solar and wind energy production at competitive rates for customers; and

WHEREAS, in order for the County of Santa Barbara (County) to become a member of MBCPA, among other things, the County and MBCPA must execute an amendment to MBCPA's Joint Powers Agreement (JPA); and

WHEREAS, MBCPA's Operating Rules and Regulations require the County to adopt a resolution requesting membership in MBCPA; and

WHEREAS, the County wishes to implement a community choice aggregation program within the County's jurisdiction through participation in the Monterey Bay Community Power Authority's existing Community Choice Aggregation Program, and the County has adopted the ordinance required by Public Utilities Code Section 366.2 in order to do so; 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.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Santa Barbara:

SECTION 1. The Board of Supervisors of the County of Santa Barbara requests that the Board of Directors of MBCPA approve the County as a member of MBCPA.

SECTION 2. The County of Santa Barbara’s joining as a member of Monterey Bay Community Power Authority requires additional actions by both the County and MBCPA, including mutual execution of an amendment to MBCPA’s Joint Powers Agreement and other necessary CCA Program agreements.

SECTION 3. This resolution shall be effective immediately upon passage and adoption.

PASSED AND ADOPTED, by the Board of Supervisors of the County of Santa Barbara, at a regular meeting thereof held on the 13th day of August 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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