



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Community Services
Department
Department No.: 057
For Agenda Of: November 5, 2019
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors

FROM: Department George Clapman, Community Services Director
Director(s) (805) 568-2467

6

Contact Info: Ashley Watkins, Division Chief, Sustainability
(805) 568-3514

SUBJECT: Amended Monterey Bay Community Power Authority Joint Exercise of Powers Agreement

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence:

Risk Management: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair of the Board to execute the amended Monterey Bay Community Power Authority Joint Exercise of Powers Agreement; and
- b) Determine that the above recommended actions do not constitute a project subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 (b)(5), as the actions are organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

Summary Text:

Staff recommends that the Board approve and authorize the Chair of the Board to execute the amended Monterey Bay Community Power Authority (MBCPA) Joint Exercise of Powers Agreement (Attachment A) so that the County can participate in MBCPA's Community Choice Energy (CCE)

program. MBCPA has requested a signed copy of the Agreement by or before their December 4, 2019 Policy Board of Directors meeting. At its December 4, 2019 meeting, the Policy Board of Directors will sign the amended Joint Exercise of Powers Agreement and officially seat new Policy Board Directors. MBCPA would officially launch electricity service in the unincorporated area of the County sometime in 2021.

Background:

On August 13, 2019, the Board of Supervisors adopted Ordinance No. 5086, authorizing the implementation of a CCE program within the County's jurisdiction through participation in MBCPA's CCE program. On that same date, the Board also adopted Resolution No. 19-209, requesting membership in MBCPA, an existing joint powers authority.

Subsequently, on August 27, 2019, the Board of Supervisors appointed Supervisor Williams as Director and Supervisor Hartmann as Alternate Director to serve on MBCPA's Policy Board of Directors. Then on September 4, 2019, MBCPA's Policy Board of Directors voted to accept the County of Santa Barbara as a new member and reviewed proposed amendments to its Joint Exercise of Powers Agreement (Agreement) that would add the County as a party to the Agreement.

MBCPA has requested a signed copy of the Agreement by or before their December 4, 2019 Policy Board of Directors meeting. At its December 4, 2019 meeting, the Policy Board of Directors will sign the amended Agreement and officially seat new Policy Board Directors. Upon adoption of the amended Agreement, the County's Director or Alternate will be able to participate in the meeting as an official voting member. MBCPA has requested that the County Director or Alternate attend the December 4, 2019 meeting in person.

Staff does not anticipate any further substantive changes to the amended Agreement. If any further substantive changes are made, staff will bring the Agreement back to the Board for review.

Next Steps:

MBCPA will update their existing CCE Implementation Plan (IP) to include newly added jurisdictions and submit to the California Public Utilities Commission (CPUC) by December 31, 2019 for certification. CPUC certification is the final formal action required prior to County participation in MBCPA's CCE program.

Staff has begun discussions with MBCPA regarding community outreach. At a minimum, CCEs are required by law to send out notices to customers 60 days pre-enrollment, 30 days pre-enrollment, 30 days post-enrollment and 60 days post-enrollment in an effort to inform each customer about the switch in electric service provider. The County may want to consider additional outreach to supplement MBCPA activities. MBCPA would officially launch service sometime in 2021.

In addition to the County, the Cities of Del Rey Oaks, Paso Robles, Pismo Beach, Grover Beach, Arroyo Grande, Santa Maria, Solvang, Guadalupe, Goleta, and Carpinteria will also be executing the Agreement.

Fiscal and Facilities Impacts:

The County will provide \$6000 to MBCPA for costs associated with updating their IP. Existing CCE funds will be used to cover this expense.

Special Instructions:

Please send one copy of the signed Agreement \With wet signatures; and the minute order to Ashley Watkins. After execution of the Agreement by all parties, staff will return a copy of the signed Agreement to the Clerk of the Board.

Attachments:

Attachment A: Amended MBCPA Joint Exercise of Povvers Agreement

Authored by:

Ashley Watkins, Division Chief, Sustainability