



## MENDOCINO COUNTY *MEMORANDUM*

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**Date:** August 2, 2016  
**To:** Board of Supervisors  
**From:** Supervisor John McCowen  
**Subject:** Suggested edits to the Resolution for agenda item 5c

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I support adoption of a resolution requesting that Sonoma Clean Power Authority (SCPA) act as the Community Choice Aggregator (CCA) for Mendocino County. It is clear that this opportunity is the best available option for timely implementation of a CCA for Mendocino County. I also believe it is appropriate that the resolution memorialize comments made by SCPA representatives in response to questions from the BOS. The suggested edits (like the resolution) are non-binding and there are many details to be worked out, but they state important goals for Mendocino County. Your consideration of the suggested edits is appreciated.

## RESOLUTION NO. XX16-XX

### A RESOLUTION OF THE BOARD OF SUPERVISORS OF MENDOCINO COUNTY REQUESTING THAT THE SONOMA CLEAN POWER AUTHORITY ACT AS COMMUNITY CHOICE AGGREGATOR ON BEHALF OF THE COUNTY AND IMPLEMENT THE SONOMA CLEAN POWER COMMUNITY CHOICE AGGREGATION PROGRAM WITHIN THE UNINCORPORATED AREAS OF MENDOCINO COUNTY

**WHEREAS**, Mendocino County has been actively investigating options to provide electric services to constituents within its service area with the intent of achieving greater local involvement over the provision of electric services and promoting competitive and renewable energy; and

**WHEREAS**, on September 24, 2002, the Governor signed into law Assembly Bill 117 (Stat. 2002, Ch. 838; see California Public Utilities Code section 366.2; hereinafter referred to as the "Act"), which authorizes any California city or county, whose governing body so elects, to combine the electricity load of its residents and businesses in a community-wide electricity aggregation program known as Community Choice Aggregation ("CCA"); and

**WHEREAS**, the Act expressly authorizes participation in a CCA program through a joint powers agency, and on December 4, 2012, the Sonoma Clean Power Authority ("SCPA") was established as a joint powers authority pursuant to a Joint Powers Agreement, as amended from time to time ("SCPA Joint Powers Agreement"); and

**WHEREAS**, on October 4, 2013, the California Public Utilities Commission certified the "Implementation Plan" for SCPA's CCA program, and on February 20, 2015 approved a First Revised and Updated Implementation Plan, confirming SCPA's compliance with the requirements of the Act; and

**WHEREAS**, on July 16, 2015, the Board of Supervisors of Mendocino County adopted Ordinance No. 4337, determining that implementation of a CCA program is in the public interest and welfare of its residents, and elected to authorize and implement a CCA program within the County of Mendocino; and

**WHEREAS**, the Board of Supervisors supports the goals stated in the SCPA Joint Powers Agreement, which are to address climate change by reducing greenhouse gas emissions, to provide electric power at a competitive cost, to carry out programs to reduce energy use, to provide for long-term electric rate stability and energy security and reliability for residents through local control of electric generation resources, and to stimulate and sustain the local economy; and

**WHEREAS**, the Board of Supervisors supports SCPA's current electricity procurement plan, which increases the amount of renewable energy available to customers and reduces greenhouse gas emissions; and

**WHEREAS, SCPA representatives have stated a willingness to consider including one Mendocino County representative on the SCPA Board and a second Mendocino County representative (collectively representing the cities) if all eligible Mendocino County cities apply and are accepted for participation in the SCPA; and**

WHEREAS, SCPA representatives have stated a willingness to consider proportional and equitable use of program funds and mutually beneficial local partnerships; and

**WHEREAS**, in order to participate in SCPA's CCA program, the Act requires Mendocino County to individually adopt a resolution requesting that SCPA act as the community choice aggregator on behalf of Mendocino County; and

**WHEREAS**, the Board of Supervisors wishes to make such a request, so that SCPA can provide CCA service to the unincorporated areas in Mendocino County.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the County of Mendocino as follows:

1. The foregoing recitals are true and correct.
2. Based upon all of the above, the Board of Supervisors requests that the Sonoma Clean Power Authority act as Community Choice Aggregator on its behalf within the jurisdiction of the County, and authorizes the Authority to implement and carry out within the County the community choice aggregation program as generally described in the First Revised and Updated Implementation Plan.
3. The Board of Supervisors hereby designates and appoints \_\_\_\_\_ to serve as the representative of the County on the Board of Directors of the Sonoma Clean Power Authority, and hereby designates and appoints \_\_\_\_\_ as an alternate.
4. The Clerk of the Board is hereby directed to forward a copy of this resolution to the Sonoma Clean Power Authority.
5. The Chair of the Board is authorized to sign other documents as needed to implement this process.

The foregoing Resolution introduced by Supervisor \_\_\_\_\_, seconded by Supervisor \_\_\_\_\_, and carried this 12<sup>th</sup> day of July, 2016, by the following vote:

AYES:  
NOES:  
ABSENT:

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO  
Clerk of the Board

\_\_\_\_\_  
DAN GJERDE, Chair  
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has

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Deputy

been made.

*APPROVED AS TO FORM:*  
KATHARINE L. ELLIOTT  
County Counsel

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BY: CARMEL J. ANGELO  
Clerk of the Board

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Deputy