

RESOLUTION NUMBER R- 312232

DATE OF FINAL PASSAGE MAR 07 2019

A RESOLUTION OF THE SAN DIEGO CITY COUNCIL  
CONCERNING POSSIBLE FORMATION OF A JOINT  
POWERS AUTHORITY FOR A COMMUNITY CHOICE  
AGGREGATION PROGRAM TO PROVIDE ELECTRIC  
COMMODITY SERVICE.

WHEREAS, the City of San Diego adopted a Climate Action Plan in December 2015;  
and

WHEREAS, the Climate Action Plan contains objectives for the reduction of greenhouse  
gasses emitted from the sources that generate electricity city-wide; and

WHEREAS, the electric energy goal contained in Climate Action Plan Strategy 2, Clean  
& Renewable Energy is for 100% of the electricity consumed city-wide to be generated from  
renewable sources by 2035; and

WHEREAS, California's Assembly Bill 117 adopted in 2002 enables governments  
individually or through a Joint Powers Authority (JPA) to administer a Community Choice  
Aggregation (CCA) program to serve retail customers in their jurisdictions through sales of  
electricity procured on their behalf; and

WHEREAS, the Climate Action Plan identifies a CCA program as a potential mechanism  
to assist attainment of 100% renewable fueled electric generation city-wide because a CCA  
program allows local governments to determine the content of an electric generation portfolio,  
which could emphasize locally situated generation resources; and

WHEREAS, the City commissioned a CCA Feasibility Study by Willdan Financial Services / Enernex consulting consortium which analyzed the feasibility of implementing CCA in San Diego and the July 2017 report concluded that a CCA program is feasible; and

WHEREAS, the CCA Feasibility Study was followed by preparation of a CCA Business Plan by MRW and Associates, dated October 22, 2018; and

WHEREAS, the CCA Business Plan identifies two possible pathways toward implementation of CCA in the City of San Diego which are: (1) the City establishing a City of San Diego only enterprise CCA (Municipal Pathway), or (2) the City working cooperatively with other cities to establish a regional CCA via a JPA which would include participation of other local governments in the region (JPA Pathway); and

WHEREAS, the CCA Business Plan observes that the JPA Pathway to CCA has the advantage of isolating the CCA operation from the City's general operations and its general fund, thus providing protection for the City Treasury; and

WHEREAS, the CCA Business Plan indicates that in creating a CCA the City would need to choose between the Municipal Pathway and the JPA pathway; and

WHEREAS, the CCA Business Plan concludes that objectives of a CCA will include customer choice through the offering of competitive rates; and

WHEREAS, a CCA program can foster economic development, create local jobs, support a skilled and trained workforce, investment in communities of concern, and prioritize development of local renewable electric generating sources; and

WHEREAS, at the meeting of the Environment Committee on January 24, 2019 a coalition of civic and business organizations known as the San Diego Community Choice

Alliance (Alliance) presented a list of principles it desires the City to include in a CCA program;  
and

WHEREAS, it is desirable that certain of the principles urged by the Alliance be  
pursued by City as it seeks to form a JPA with other local governments for a CCA program; and

WHEREAS, it is in the City's interest to further pursue the creation of a CCA program  
via the JPA Pathway; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the Community Choice  
Aggregation Business Plan report by MRW and Associates dated October 22, 2018, on file in the  
Office of the City Clerk as Document No. RR-312232 is hereby accepted and adopted.

BE IT FURTHER RESOLVED, that between the two pathways identified in the CCA  
Business Plan as being available approaches to establishment of CCA in San Diego, the JPA  
Pathway is hereby adopted as the City's preferred approach to be further pursued.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, are hereby authorized to  
commence discussions and negotiations with other local governments in the San Diego region,  
including but not limited to Solana Beach, Chula Vista, Encinitas, Del Mar, La Mesa, Oceanside,  
and other cities in the San Diego Gas & Electric service territory for the purpose of exploring the  
interest and viability of creating a San Diego Regional Community Choice Aggregation Joint  
Powers Authority.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, are hereby authorized to  
pursue the objectives of 100% renewable electricity by 2035, including fiscal responsibility,  
competitive rates, economic development, local jobs, a skilled and trained workforce, investment  
in communities of concern, and prioritization of local renewable power development as City  
positions in negotiations to create a JPA.


BE IT FURTHER RESOLVED, that in negotiating the terms of a JPA for a CCA program with other local governments the Mayor or his designee shall advocate for all the following points of principle desired by the City of San Diego:

- (a) That the City of San Diego has an objective to submit the necessary CCA formation documents to the California Public Utilities Commission by December 31, 2019.
- (b) That the CCA program will seek to provide rates that are competitive with the incumbent utility to protect ratepayers and ensure fiscal responsibility.
- (c) That opportunities for public participation are provided as a JPA is developed.
- (d) That the JPA shall develop a Strategic Plan for the development, procurement and integration of renewable energy resources that will foster meaningful and equitable environmental and economic benefits in the San Diego region prior to procurement of power.
- (e) That the CCA program shall not procure energy from unbundled Renewable Energy Certificates (RECs) energy resources as defined under the California Renewable Portfolio Standard (RPS) and exclude coal and nuclear energy.
- (f) That the JPA shall pursue purposeful and focused investment in communities of concern, prioritization of local renewable power and workforce development, and policies and programs centered on economic, environmental and social equity.
- (g) That any CCA program shall notify potential customers of CCA formation, customer enrollment, and power content mix and sources to ensure customers are informed in a transparent manner.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, are required to provide reports and updates to the Environment Committee, as requested by the Environment Committee Chair, regarding JPA discussions and all other CCA matters during JPA formation.

BE IT FURTHER RESOLVED, that the Mayor, or his designee, are required to provide reports and updates to the full City Council, every other month regarding JPA discussions and all other CCA matters during JPA formation, to start in April 2019.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Frederick M. Ortlieb  
Deputy City Attorney


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02/08/19  
02/26/19 REV. COPY  
Or.Dept: Mayoral Office  
CC No.: N/A  
Doc. No.: 1927426\_2

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of FEB 25 2019.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 3/7/19  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on FEB 25 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 07 2019.

**(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)**

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By *Hinda Irwin*, Deputy

Office of the City Clerk, San Diego, California

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