



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: March 29, 2016

Subject: 2016 Bay Area Regional Energy Network Subcontract Agreement between Association of Bay Area Governments and Contra Costa County

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Conservation and Development Director, or designee, to execute a subcontract agreement, including modified indemnification language, with the Association of Bay Area Governments (ABAG) to accept grant funding in the amount not to exceed \$176,334 from the California Public Utilities Commission (CPUC), through ABAG, to support marketing, education, and outreach for energy efficiency programs for the period January 1 through December 31, 2016.

FISCAL IMPACT:

There will be no impact to the General Fund. The CPUC grant funding is expected to cover all of the costs that would be incurred as a result of this energy efficiency program. No matching funds are required.

BACKGROUND:

In July 2012, the County entered into a Memorandum of Understanding (MOU) establishing the Bay Area Regional Energy Network (BayREN), a collaborative partnership among the nine Bay Area counties (Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties) and led by the Association of Bay Area

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/29/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: March 29, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Chris Heck, Deputy

Contact: Demian Hardman, (925)
674-7826

cc:

Governments (ABAG), for the purpose of facilitating the implementation of energy efficiency programs throughout the Bay Area. On May 5, 2015, a Restated and Revised MOU was approved by the County in order to better define the roles and responsibilities of ABAG and the counties participating in BayREN.

BACKGROUND: (CONT'D)

Since 2013, all BayREN counties have been receiving CPUC grant funding each calendar year to provide marketing, education and outreach for the following four energy efficiency subprograms: (1) Single-Family, (2) Multi-Family; (3) Building Codes and Standards; and (4) Energy Efficiency Financing. Both the Single-Family and Multi-Family subprograms offer free technical services and financial incentives (rebates) if owners/contractors make specific energy efficiency improvements to existing residential structures. The Building Codes and Standards subprogram offers various resources (including training) to support local government officials with building energy code compliance and enforcement. The Energy Efficiency Financing subprogram focuses on marketing various financing options to diverse commercial and residential consumer markets throughout the Bay Area. Continued implementation of energy efficiency programs is consistent with the County's Climate Action Plan adopted in 2015.

The proposed subcontract agreement between ABAG and Contra Costa County will allow the County continued access to CPUC grant funds awarded to ABAG in order to offer and raise awareness about BayREN subprograms throughout Contra Costa County. The amount specified in the agreement is not to exceed \$176,334 and will cover the period of January 1, 2016 through December 31, 2016. These funds are to cover County costs associated with promoting the program for both incorporated and unincorporated areas of the County. Technical services and rebates offered by BayREN for these activities are directly administered by ABAG and are funded separately.

Under the subcontract, the County must indemnify the other counties and ABAG for claims alleging intellectual property infringement related to materials the County prepares. The County also must indemnify the CPUC and Pacific Gas and Electric for claims that arise from the County's performance of its obligations under the subcontract.

CONSEQUENCE OF NEGATIVE ACTION:

The County will not receive funding to participate in BayREN activities or provide the associated energy efficiency program services to local residents and property owners.