



**Contra
Costa
County**

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: February 26, 2019

Subject: 2019 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 with the Association of Bay Area Governments (ABAG), to pay the County an amount not to exceed \$210,069 for energy efficiency program marketing, education, and outreach by County staff during the period from January 1, 2019 through December 31, 2019.

FISCAL IMPACT:

There will be no impact to the General Fund. The California Public Utilities Commission (CPUC) funding allocation is expected to cover all of the costs that would be incurred to support the BayREN program.

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 Governments (ABAG), for the purpose of facilitating the implementation of energy

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/26/2019** ☒ 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: Diane Burgis, 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: February 26, 2019

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

By: Laura Cassell, Deputy

Contact: Demian Hardman (925)
674-7826

cc:

efficiency programs throughout the Bay Area. On May 5, 2015, a Restated and Revised MOU was approved by the County to better define the roles and responsibilities of ABAG and the counties participating in BayREN.

BACKGROUND: (CONT'D)

In late 2012, the CPUC approved BayREN as a pilot program (effective January 1, 2013) to implement Energy Efficiency (EE) Programs for the purpose of filling gaps in EE Program activities not being offered by the Investor Owned Utilities (IOUs, such as PG&E) or Community Choice Aggregators (CCAs, such as MCE).

Since 2013, all BayREN counties have been receiving CPUC funding each calendar year to provide marketing, education and outreach for various EE Programs offered through BayREN. On May 31, 2018, the CPUC approved, among other things, the BayREN business plan that increased the annual BayREN budget by approximately \$5.8 Million and allocated a similar amount of funding each year thereafter through calendar year 2025 (Decision 18-05-041).

The BayREN business plan approved by the CPUC also included the design and implementation of a new commercial sector EE Program as well as the continuation of the following EE Programs: (1) Single-Family, (2) Multi-Family; (3) Building Codes and Standards; and (4) Energy Efficiency Financing. 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 program offers various resources (including training) to support local government officials with building energy code compliance and enforcement. The Energy Efficiency Financing program focuses on marketing various financing options to diverse commercial and residential consumer markets throughout the Bay Area. Continued implementation and expansion of these energy efficiency programs are 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 funding allocated to ABAG to implement BayREN programs throughout Contra Costa County. The amount specified in the agreement is not to exceed \$210,069 and will cover the period of January 1, 2019 through December 31, 2019. 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 overall BayREN budget approved by the CPUC.

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 (PG&E) 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. The County would also not have funding to support the energy efficiency activities specified in the County's Climate Action Plan.