



# Revision to ASR and/or Attachments

**Date:** 11/30/2021  
**To:** Clerk of the Board of Supervisors  
**CC:** County Executive Office  
**From:** Chairman Andrew Do, First District  
Vice Chairman Doug Chaffee, Fourth District

RECEIVED  
2021 DEC - 1 PM 2:48  
CLERK OF THE BOARD  
ORANGE COUNTY  
BOARD OF SUPERVISORS

*[Handwritten signature of Doug Chaffee]*  
Doug Chaffee

**Re:** ASR Control #: N/A, Meeting Date 12/7/21, Item No. # 35  
**Subject:** Add Resolution Attachment to Item #35 – Consider second reading and adoption of “An Ordinance of County of Orange, California Adding Division Seven of Title Five Authorizing the Implementation of a Community Choice Aggregation Program” - All Districts (Continued from 11/16/21, Item S35A)

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## Explanation:

Include an additional recommended action #9 to the staff report.

☒ Revised Recommended Action(s)

Approve resolution requesting participation in, and stating an intention to join, the Orange County Power Authority, and authorize County Executive Officer to execute Orange County Power Authority Joint Powers Agreement

☐ Make modifications to the:

☐ Subject      ☐ Background Information      ☐ Summary      ☐ Financial Impact

☐ Revised Attachments (attach revised attachment(s) and redlined copy(s))

Add resolution as an attachment.

RESOLUTION NO. 2021-\_\_\_\_

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF ORANGE REQUESTING PARTICIPATION IN AND  
AN INTENT TO JOIN THE ORANGE COUNTY JOINT POWERS  
AGREEMENT AND AUTHORIZING THE IMPLEMENTATION  
OF A COMMUNITY CHOICE AGGREGATION PROGRAM

December 7, 2021

WHEREAS, the County of Orange (the "County") has been actively investigating options to provide electric services to constituents within its service area with the intent of providing rate savings and consumer choice, encouraging adoption of renewable energy, reducing energy consumption, fostering local control, and providing unincorporated County residents and businesses with alternatives to Southern California Edison Company ("SCE") and San Diego Gas & Electric ("SDG&E"); and

WHEREAS, on September 24, 2002, the Governor signed into law Assembly Bill 117 (Migden, 2002; codified at California Public Utilities Code section 366.2), which authorizes any California city or county, whose governing body so elects, or cities or counties through a joint powers authority, to combine the electricity load of its residents and businesses in a community-wide electricity aggregation program known as Community Choice Aggregation; and

WHEREAS, on November 20, 2020, the Orange County Power Authority ("Authority") was established as a joint powers authority pursuant to that certain document entitled *Orange County Power Authority Joint Powers Agreement*, as amended from time to time ("Agreement"); and

WHEREAS, the County is committed to the purposes of the Authority; and

WHEREAS, electricity in the County unincorporated area is currently generated and provided by SCE and SDG&E and there is not presently an alternative provider in the County; and

WHEREAS, the County finds it important that its customers — residents, businesses, and public facilities — have alternative choices to energy procurement beyond SCE and SDG&E; and

WHEREAS, in order to become a member of the Authority, Section 4.1.1 of the Agreement requires the County to adopt a resolution requesting participation in and stating an intent to join the Authority.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE HEREBY FINDS, DETERMINES, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1. The above recitals are true and correct.

SECTION 2. Based upon the foregoing recitals, the Board of Supervisors of the County of Orange hereby requests participation in and states an intent to join the Authority, and further elects to implement a Community Choice Aggregation program within the County's jurisdiction by and through the County's participation in the Authority. The County Executive Officer, or designee, is

hereby authorized to execute the Agreement and take all actions necessary to establish County membership in the Authority.

SECTION 3. This Resolution shall be effective upon its adoption.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Orange on this 7<sup>th</sup> day of December, 2021.

ATTEST:

By: \_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:

Digitally signed by Leon Page  
DN: cn=Leon Page, c=Office of  
County Counsel, ou=County Counsel,  
**Leon Page**  
\_\_\_\_\_  
County Counsel