

MINUTES OF A SPECIAL MEETING
OF THE BUENA PARK CITY COUNCIL
HELD DECEMBER 15, 2020

Vol. 51 Pg. 367

CALL TO ORDER

The City Council met in a special meeting on Tuesday, December 15, 2020, at 9:00 a.m., in the Council Chamber of the Civic Center, 6650 Beach Boulevard, Buena Park, California, Mayor Traut presiding.

ROLL CALL

PRESENT: Brown, Park, Sonne, Swift, Traut
ABSENT: None

Also present were: Aaron France, City Manager; Chris Cardinale, City Attorney; and Adria M. Jimenez, MMC, City Clerk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Connor Traut.

ORAL COMMUNICATIONS

Mayor Traut announced the public may at this time address the members of the City Council on any matters within the jurisdiction of the City Council. There being none, Mayor Traut closed oral communications.

SUBSEQUENT NEED ITEM
ADDED ITEM

City Attorney Cardinale advised the City Council that a Subsequent Need Item (Conference with Real Property Negotiator, Pursuant to Gov. Code Section 54956.8), must be added to the agenda. The item was brought to the City's attention after the agenda was posted.

MOTION CARRIED to add Item No. 2 to the agenda.

MOTION: Brown
SECOND: Park
AYES: Brown, Park, Sonne, Swift, Traut
NOES: None

NEW BUSINESS (1)

1. CONSIDERATION OF AN ORDINANCE AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION PROGRAM, A RESOLUTION APPROVING A JOINT POWERS AGREEMENT (JPA) TO JOIN THE ORANGE COUNTY POWER AUTHORITY (OCPA), AND VARIOUS ACTIONS RELATED THERETO
Presented by Public Works

Purpose: Allow the City Council to consider joining the OCPA and implementation of a "community choice energy" program in Buena Park. The City may choose to withdraw from the OCPA without liability or cost, and for any reason, before March 1, 2021.

Recommendation: That the City Council discuss and consider: 1) Adopting an Ordinance authorizing the implementation of a community choice aggregation program within the City of Buena Park; 2) Adopting a Resolution approving a Joint Powers Agreement ("JPA") to join the Orange County Power Authority ("OCPA") for the implementation of a community choice energy program; 3) Authorizing the City Manager and the City Clerk to execute the JPA in substantially the form attached, subject to non-monetary changes approved by the City Manager and City Attorney; and 4) Appointing one regular Board

Member and one alternate to serve on the OCPA Governing Board on behalf of the City of Buena Park.

Doug Brodowski, Operations Manager, summarized the staff report noting Community Choice Energy (CCE) is a model that allows communities to purchase power to meet their electricity needs and thereby offers customer choice in the retail energy market. CCEs can provide the communities they serve with competitively-priced clean energy choices, while reinvesting revenues into projects and programs, thus supporting the local economy. A CCE can also offer rate discounts and/or rate stability programs to residents and local businesses.

Fewer and fewer customers are getting power from the traditional large regional utilities and the central decision making that we use for keeping the grid reliable, safe, and affordable is splintering, and has become the task of dozens of decision makers. There are 21 CCE programs throughout the State of California serving more than 10 million customers and this movement is growing. In 2018, the Irvine City Council approved a feasibility study to determine the pros and cons of implementing a CCE program within its jurisdiction, including the potential economic benefits for the community. The completed feasibility study indicated there could be a savings of \$7.7 million per year in citywide electricity cost for Irvine residents and businesses and \$112,000 per year savings for the City itself in municipal energy costs; as well as additional local economic development benefits such as new jobs and \$10 million in annual economic output. On July 14, 2020, the Irvine City Council directed staff to move forward and work with other cities to form a Community Choice Energy Joint Power Authority, prepare necessary JPA documentation, and file the Implementation Plan with the California Public Utility Commission (CPUC) by its deadline of December 31, 2020. Failure to meet this deadline means launch of the OCPA would be postponed to 2023. The City of Fullerton subsequently approved the JPA on these same terms and joined OCPA on November 2, 2020.

The City of Irvine continues to seek partnerships with other cities within Orange County, and this opportunity has been extended to the City of Buena Park. In discussions with consultants in the CCE field, it is estimated that participants in the JPA could see a 3 to 5% savings on the generation side. For this reason, these programs have become increasingly popular across municipalities in the State. If the City Council desires to join Irvine and Fullerton in implementing a community choice energy program, the City Council may adopt an ordinance authorizing the implementation of a community choice aggregation program in Buena Park; adopt a resolution approving a Joint Powers Agreement for the Orange Powers Authority; and authorize the City Manager to execute the JPA on the City's behalf. If the City Council takes these actions, it should take further action to appoint one regular member and one alternate member to serve on the OCPA Governing Board on behalf of Buena Park.

Additionally, if Buena Park joins the JPA prior to December 31, 2020, the City will be included on the Executive Board and may begin purchasing electricity through the JPA in Spring 2022. If Buena Park joins after January 1, 2021, Buena Park would not be permitted to join until Spring 2023. As referenced above, Buena Park may withdraw its participation and exit the JPA should the City decide, prior to March 1, 2021, that the program does not serve the best interests of the City or its local residents and businesses.

Mr. Ryan Baron, Best Best & Krieger, Irvine CA; Mark Steuer, Director of Public Works, City of Irvine and Gary Saleba, EES, Executive Consultant (via conference call) provided a presentation about the history of CCE's and how they operate. CCE goals are to lower energy costs for ratepayers, more renewables, less Greenhouse Gas (GHG) emissions, economic development, local control over resource portfolio options and programs and customer choice through opt-out or different resource portfolios.

RECESS

Mayor Traut recessed the meeting at 10:32 a.m. The meeting was reconvened at 10:37 p.m.

Jose Trinidad Castaneda, commented that he appreciates the City Council considering community choice energy and was supportive of the benefits associated with having a multiple array of choices, option of opting out, different energy mixes, and having a choice as a consumer.

Hoiyin Ip, Sierra Club volunteer, thanked the City Council and staff for the presentation. He expressed support for community choice energy and believes joining the CCE Joint Powers is a major step toward clean energy and clean air.

City Clerk Jimenez read a letter submitted by Jim Steward, PhD, Sierra Club, in support and appreciation of the City Council's efforts on community choice energy. CCE's work for the benefit of their constituents and serve their communities while improving service and the bottom line.

City Clerk Jimenez read a letter submitted by Denise Fachko, in support of community choice energy because she believes CCE's have the potential to bring local jobs, energy savings, and access to clean and renewable energy.

City Clerk Jimenez read public comment emails in support of the resolution approving a Joint Powers Agreement to join the Orange County Power Authority from the following: Suchitra Rao, Salome Campos, Keith Linker, Danny Gray, Craig Preston, Linda Kraemer, and Devin Berman.

The City Council discussed scope of voting today and being able to opt out, current solar power customer participation, which entity will be doing the work, rate comparisons between CCA's and Southern California Edison, and future costs to ratepayers.

- MOTION: Sonne
- SECOND: Traut
- AYES: Sonne, Traut, Swift, Park
- NOES: Brown

MOTION CARRIED to approve adopting an Ordinance authorizing the implementation of a community choice aggregation program within the City of Buena Park, adopting a Resolution approving a Joint Powers Agreement ("JPA") to join the Orange County Power Authority ("OCPA") for the implementation of a community choice energy program, authorizing the City Manager and the City Clerk to execute the JPA in substantially the form attached, subject to non-monetary changes approved by the City Manager and City Attorney; and authorize the City Manager to hire a consultant and return to the City Council with a report in February and ADOPT the following titled ordinance and resolution:

ORDINANCE NO. 1691

AN ORDINANCE OF THE CITY OF BUENA PARK, CALIFORNIA, AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION PROGRAM WITHIN THE CITY'S JURISDICTION

RESOLUTION NO. 14257

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, APPROVING THE ORANGE COUNTY POWER AUTHORITY JOINT POWERS AGREEMENT AND AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION PROGRAM IN THE CITY OF BUENA PARK

MOTION to appoint Council Member Sonne as regular Board Member and Mayor Traut as alternate Board Member to serve on the OCPA Governing Board on behalf of the City of Buena Park.

- MOTION: Traut
- SECOND: Sonne
- AYES: Traut, Sonne, Brown, Swift, Park
- NOES: None

MOTION CARRIED to appoint Council Member Sonne as regular Board Member and Mayor Traut as alternate Board Member to serve on the OCPA Governing Board on behalf of the City of Buena Park.

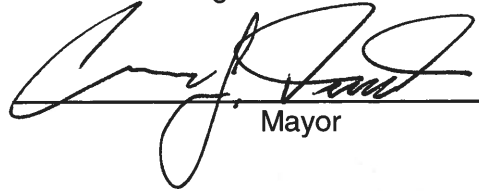
CLOSED SESSION (2)

- 2. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
Pursuant to Gov. Code Section 54956.8
Property: 6664 Knott Blvd.
Negotiating Parties: Aaron France, City Manager and Walden Glen Apartments
Under Negotiation: Price and Terms

Mayor Traut reconvened the meeting in open session and it was announced that no reportable action was taken for Item No. 2.

ADJOURNMENT

There being no further business, Mayor Traut adjourned the meeting at 11:21 a.m.



Mayor

ATTEST:



City Clerk