

ORDINANCE NO. 10629 (N.S.)

**AN ORDINANCE OF THE COUNTY OF SAN DIEGO ELECTING TO IMPLEMENT
A COMMUNITY CHOICE AGGREGATION PROGRAM**

WHEREAS, the County of San Diego (“County”) has investigated options to provide electricity services to constituents within its jurisdictional boundaries to achieve greater local involvement and choice and to promote use of renewable energy; and

WHEREAS, California Assembly Bill 117, enacted September 24, 2002, authorizes any California city or county to combine the electricity load of its residents and businesses in a community-wide electricity aggregation program known as Community Choice Aggregation (“CCA”); and

WHEREAS, California Public Utilities Code sections 331.1 and 366.2 authorize establishment of a CCA program independently or with other agencies in a joint powers agency; and

WHEREAS, a Feasibility Study and Business Plan (“Study and Business Plan”) prepared for the County by EES Consulting, Inc., and presented to the Board on September 10, 2019, determined that formation of a CCA program in San Diego County is financially and technically feasible and could yield considerable benefits for County constituents; and

WHEREAS, California Public Utilities Code section 366.2 requires adoption of an ordinance to elect to implement a CCA program; and

NOW THEREFORE, the Board of Supervisors of the County of San Diego ordains as follows:
Section 1. The Board finds the foregoing recitals are true and correct.

Section 2. The Board elects to implement a CCA program within the County’s jurisdictional boundaries.

Section 3. If any portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction or regulatory agency with jurisdiction over CCA programs, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary of this ordinance shall be published once with the names of the members of the Board voting for and against it in a newspaper of general circulation in the County of San Diego.

APPROVED AS TO FORM AND LEGALITY
COUNTY COUNSEL

By: Nathan Slegers, Senior Deputy County Counsel

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of San Diego this 29th day of October, 2019.



DIANNE JACOB
Chairwoman, Board of Supervisors
County of San Diego, State of California

The above Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Fletcher,
NOES: Gaspar, Desmond

ATTEST my hand and the seal of the Board of Supervisors this 29th day of October, 2019.

ANDREW POTTER
Clerk of the Board of Supervisors

By 
Chrystal Rodriguez, Deputy



Ordinance No.: 10629 (N.S.)
Meeting Date: 10/29/19 (27)