



## City of Grass Valley City Council Agenda Action Sheet

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**Title:** Second Amended and Restated Joint Powers Agreement for Pioneer Community Energy

**CEQA:** Not a project

**Recommendation:** Adopt a resolution 2024-10 of the City Council of the City of Grass Valley approving the second amended a restated Joint Powers Agreement of Pioneer Community Energy.

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**Prepared by:** Taylor Day, Deputy City Manager I

**Council Meeting Date:** 03/12/2024

**Date Prepared:** 03/06/2024

**Agenda:** Consent

**Background Information:** Pioneer Community Energy (“Pioneer”) is a Joint Powers Authority formed between the Counties of Placer and El Dorado, the Town of Loomis, and the Cities of Auburn, Colfax, Grass Valley, Lincoln, Nevada City, Placerville, and Rocklin. Pioneer is a Community Choice Aggregation Program (“CCA”) authorized under Assembly Bill 117 (2002). The CCA provides local control over the electricity supply with a primary goal of providing stable and competitive electricity rates to the residents and businesses within its member jurisdictions. Pioneer purchases the electricity supply and PG&E transmits and delivers the power through PG&E’s infrastructure (poles and wires). PG&E continues to own, operate, and maintain its distribution infrastructure. PG&E also continues to provide meter readings and billing services for Pioneer’s customers.

On December 19, 2023, the City of Grass Valley received notice from Pioneer of a proposed vote to adopt a Second Amended and Restated Joint Powers Agreement (JPA). The majority of the proposed amendments to the JPA would clarify language and correct clerical errors. The primary substantive change would be to amend Section 19, Amendments, to streamline the adoption of amendments to the JPA that do not directly impact the member agencies or change the nature of Pioneer or its powers.

Currently, notice of a proposed amendment must be sent to each member agency 30 days in advance of the Pioneer Governing Board’s consideration of the amendment. A two-thirds majority of the Board is required to approve an amendment. Further, the amendment must be approved by separate resolution of each of the member agencies, and finally, notice must be provided to members after the amendment is final.

The proposed change would specify that only amendments to Section 4, Powers, and the addition of new member agencies would require member agency approval by resolution. Other amendments could be approved by the Pioneer Governing Board with a two-thirds vote, with notice provided to the member agencies 30 days prior to and after the action. This is intended to allow amendments that are more internal in nature (affecting board membership, agency governance, etc.) to proceed with solely a two-thirds vote by the Pioneer Governing Board. That said, under the proposed process, the City of Grass Valley would still be given notice and an opportunity to object to any proposed amendment.

**Council Goals/Objectives:** The item executes portions of work tasks towards achieving/maintaining Strategic Plan - High Performance Government and Quality Service.

**Fiscal Impact:** No fiscal impact

**Funds Available:** N/A

**Account #:** N/A

**Reviewed by:** City Manager

**Attachments:**

1. Resolution Approving the Second Amended and Restated Joint Powers Agreement for Pioneer Community Energy
2. November 16, 2023 -Staff Report by Pioneer Community Energy on Proceeding with Adopting of Second Amended and Restated Joint Powers Agreement for Pioneer Community Energy