



## City of Grass Valley City Council Agenda Action Sheet

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**Title:** Pioneer Community Energy JPA Amendment

**CEQA:** Not a project

**Recommendation:** Adopt a Resolution of the City of Grass Valley Approving the Revised Second Amended and Restated Joint Powers Agreement for Pioneer Community Energy

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

**Council Meeting Date:** 09/10/2024

**Date Prepared:** 09/05/2024

**Agenda:** Consent

**Background:**

Pioneer Community Energy (“Pioneer”) is a Joint Powers Authority (“JPA”) 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 Pacific Gas & Electric (“PG&E”) transmits and delivers the power through PG&E’s infrastructure (poles and wires). PG&E continues to own, operate, and maintain the distribution infrastructure. PG&E also continues to provide meter reading and billing services for Pioneer’s customers.

At the January 18, 2024, the Pioneer Governing Board (“Board”) meeting, the Board adopted resolution approving the Second Amended and Restated JPA for Pioneer. The bulk of the changes were clarifying or clerical in nature. The most substantive change was to Section 19, Amendment. The current process requires all amendments to the JPA be individually approved by each Voting Member resulting in complications and delays and the proposed language provided remedy by eliminating this requirement for certain amendments and allowing the Board to approve such amendments to the JPA with a two-thirds vote after providing notice to Voting Members.

Subsequently, at the March 12, 2024 City of Grass Valley Council meeting, the Council adopted all of the proposed amendments. However, the City of Rocklin and the Town of Loomis provided additional amendments for consideration:

- Section 14.A and B (Rocklin): relates to the process to withdraw from the JPA. The proposed amendment requires any change to this section to be approved by

the Voting Members and include Section 14.A and B in Section 19.

- Section 19 (Loomis): amended to provide forty-five (45) days written note to all Members of amendments to the JPA from the current thirty (30) days.
- Title Change: Change the title of the Executive Director to Chief Executive Officer.

At the June 20, 2024, Pioneer Board meeting, the Board approved the amendments provided by the Town of Loomis and the City of Rocklin and an administrative amendment related to the title change.

Due to the Second Amended and Restated JPA not unanimously approved, the adoption of the Resolution at the March 12, 2024, City of Grass Valley Council meeting, is not in effect. The Revised Second Amended and Restated JPA includes prior amendments approved at Pioneer's Board meeting on January 18<sup>th</sup> and June 20<sup>th</sup>.

The Pioneer Board is expected to execute the Revised Second Amended and Restated JPA at the September 19, 2024, Pioneer Board meeting.

**Council Goals/Objectives:** N/A

**Fiscal Impact:** There is no fiscal impact to the City of Grass Valley.

**Funds Available:** N/A

**Account #:** N/A

**Reviewed by:** City Manager

**Attachments:**

1. R2024-69
2. Revised Second Amended and Restated Joint Exercise of Powers Agreement
3. Joint Powers Agreement Redline
4. Staff Report from June 20, 2024, Pioneer Community Energy Board Meeting