



## Legislation Text

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**TO:** Board of Supervisors

**FROM:** Brian Bordona, Director of Planning, Building and Environmental Services

**REPORT BY:** Ryan Melendez, Planner II - Sustainability

**SUBJECT:** Approval of a Funding and Implementation Agreement with the Association of Bay Area Governments (ABAG)/Metropolitan Planning Commission (MTC)

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### **RECOMMENDATION**

Director of Planning, Building and Environmental Services requests approval of and authorization for the Chair to sign Agreement No. 240224B with the Association of Bay Area Governments (ABAG) for a maximum of \$1,056,770 for the term January 1, 2024 through December 31, 2027 to deliver services related to the Bay Area Regional Energy Network (BayREN) Program.

### **EXECUTIVE SUMMARY**

In November of 2012, the California Public Utilities Commission (CPUC) issued Final Decision D.12-11-015 approving the 2013-2014 Energy Efficiency Programs and Budgets. The 2012 CPUC Final Decision created the Bay Area Regional Energy Network (BayREN) and approved over \$26 million for various programs. A number of other CPUC decisions have extended the program annually. On July 3, 2023, the CPUC issued Decision (D.) 23-06-055 ("Portfolio Application Decision") approving, among other things, budget to fund BayREN's proposed implementation activities through December 31, 2027. ABAG, as the program administrator of BayREN, and Pacific Gas and Electric Company (PG&E), as BayREN's fiscal agent, have entered into a contract to provide funding for the implementation activities approved by CPUC D. 23-06-055. The agreement is denominated under PG&E's nomenclature as Change Order 3 to Contract Work Authorization (CWA) C21158, which provides funding from January 1, 2024, to December 31, 2027, issued under and pursuant to Master Service Agreement C657. The budget for Napa County and the other BayREN counties has now been finalized through the end of calendar-year 2027.

Napa County has been participating in the BayREN program since 2013. This amendment approves funding to a total of \$1,056,770 available to Napa County for the years 2024-2027. The funds support marketing and local outreach for the implementation of rebates and other energy efficiency education across the following programs: Single Family, Multi-Family, Codes and Standards, Commercial, Water Bill Savings, Green Labeling, Integrated Energy Services, Targeted Decarbonization Services, Refrigerant Replacement Program, and Climate Careers Program.

Napa County serves as the local representative to BayREN and is responsible for coordinating the scope of work across all BayREN subprograms in Napa County. Scopes of work were developed by consensus of the ten

participating agencies, with administration provided by ABAG. Participation in BayREN is key to reducing greenhouse gas (GHG) emissions related to energy use in the County and Bay Area region.

### **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Fund 1000, Subdivision 1704000 Natural Resources
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Participation in the Bay Area Regional Energy Network (BayREN) provides Napa County access to California Public Utilities Commission (CPUC) funding through the Association of Bay Area Governments (ABAG)/Metropolitan Transportation Commission (MTC). The funds support implementation of energy efficiency incentives and other climate change activities across the following programs: Single Family, Green Labeling, Multi-Family, Codes and Standards, Commercial, Water Upgrades Save, Integrated Energy Services, Targeted Decarbonization Services, Refrigerant Replacement Program, and Workforce Education and Training Program.
Is the general fund affected?	Yes
Future fiscal impact:	Since the agreement is based on a calendar year, not a fiscal year (FY), reimbursement for grant funded staff costs will occur for the first six months of FY 27-28 (through December 31, 2027). The revenue and expenses related to this grant funding will be budgeted accordingly in future fiscal years.
Consequences if not approved:	If not approved, the County will not be able to participate in the BayREN Energy Efficiency Programs and would not be able to market these programs to property owners, residents, jurisdictions, and building departments.
County Strategic Plan pillar addressed:	Vibrant and Sustainable Environment

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

In November 2012, the California Public Utilities Commission (CPUC) issued Final Decision D.12-11-015 approving 2013-2014 Energy Efficiency Programs and Budgets. The Decision created the Bay Area Regional Energy Network (BayREN) and approved funding for programs including Single Family, Multifamily, Commercial, Financing and Codes and Standards.

A number of other CPUC decisions have extended the program annually.

On July 3, 2023, the CPUC issued Decision (D.) 23-06-055 (“Portfolio Application Decision”) approving, among other things, budget to fund BayREN’s proposed implementation activities through December 31, 2027. ABAG, as the program administrator of BayREN, and Pacific Gas and Electric Company (PG&E), as BayREN’s fiscal agent, have entered into a contract to provide funding for the implementation activities approved by CPUC D. 23-06-055. The agreement is denominated under PG&E’s nomenclature as Change Order 3 to Contract Work Authorization (CWA) C21158, which provides funding from January 1, 2024, to December 31, 2027, issued under and pursuant to Master Service Agreement C657: ABAG-MTC Contract for Services - ABAG and the Metropolitan Transportation Commission (MTC) entered into a Contract for Services under which MTC provides administrative and program services to ABAG.

Effective July 1, 2017, the staffs of ABAG and MTC were consolidated. MTC staff now serve both the ABAG and the MTC. As such, all interactions between ABAG and BayREN Member Agency contained within this Agreement, shall be conducted by MTC staff on behalf of ABAG. The budget for Napa County and the other BayREN counties has now been finalized through the end of calendar-year 2027.

A single jurisdiction in each of the nine counties in the Bay Area region is responsible for local coordination of the regional programs. Administration of the BayREN program is provided by ABAG/MTC. Napa County is serving as the jurisdictional representative to BayREN and will be responsible for implementing the scopes of work for all BayREN subprograms in the County. The Napa County funding amount for 2024, 2025, 2026, and 2027 in the proposed agreement is \$296,282; \$310,746; \$219,883; and \$229,859, respectively, for a total of \$1,056,770. Additionally, ABAG/MTC will hold an escrow of funds to be used in 2026 and 2027 should the County reach the budgeted funding amounts for BayREN programs in these years. This is an average increase of \$65,071 per year over 2023 funds related to the expansion of BayREN programs to include four (4) new subprograms, increases in marketing and implementation of the BayREN programs in Napa, as well as cost of living adjustments. Participation in BayREN aids in reducing GHG emissions related to energy use in existing buildings in the County. The proposed agreement also updates the attachments describing the subprograms with updated budget amounts.

The scope of work requires Napa County to be responsible for the local delivery of services for all BayREN programs. The range of services required under the BayREN program include, but are not limited to:

#### Administration/Governance

- \*Participate in the BayREN coordination and steering committees
- \*Coordinate with local governments in Napa County on the implementation of energy efficiency programs by providing access to and information about BayREN programs
- \*Provide monitoring, tracking, and reporting necessary to comply with grant requirements
- \*Coordinating with local PG&E energy efficiency programs, applicable Community Choice Aggregator (CCA) programs, and other BayREN Member Agency programs

#### Single Family Program

- \*Coordinate with BayREN members
- \*Communicate with Napa County stakeholders about BayREN programs and activities
- \*Coordinate with other local energy efficiency programs
- \*Organize local realtor and contractor networking event(s) to promote the BayREN Single Family Program
- \*Conduct Napa County contractor recruitment, education, and training
- \*Support regional marketing strategy development and deliver local marketing campaigns
- \*Conduct outreach to homeowners including: workshops, tabling events, mail and emails, and presentations

### Green Labeling Program

- \*Promote Home Energy Score (HES) and real estate education trainings to local stakeholders
- \*Promote and attend BayREN real estate trainings in Napa County and/or adjacent counties to provide information on BayREN and build connections with local real estate professionals
- \*Promote HES rebates through workshops, mailings, social media, or other outreach campaigns
- \*Identify local venues or homes for trainings and tours

### Multi-Family Program

- \*Recruit multifamily property owners to the program through local activities and events
- \*Coordinate with other local energy efficiency and water programs
- \*Coordinate with local jurisdictions and industry associations to foster relationship-building between local municipal governments and multifamily property owners
- \*Assist with data collection and reporting
- \*Host technical workshops and trainings

### Codes and Standards Program

- \*Attend and participate in Codes & Standards calls and meetings, including sharing information on relevant county projects, best practices, and similar codes-related topics
- \*Coordinate with local Chief Building Officials and building department staff
- \*Host local and regional trainings and recruit local governments for hosting BayREN trainings, ensuring that all arrangements are made for training sessions, and providing feedback from participants
- \*Promoting quarterly Forum events, including providing email, phone, and other marketing assistance
- \*Support energy policy consideration and adoption at the local government level
- \*Explore, identify, and support activities to encourage and enable adoption and implementation of local government reach codes and other local, regional and state energy policies
- \*Provide support for local governments within the County interested in adopting a reach code or energy policy

### Water Upgrades Save (WUSave) Program

- \*Support WUSave partner utilities in outreach to officials, staff, customers and other stakeholders
- \*Analyze the Water Bill Savings program performance to identify gaps and provide recommendations
- \*Participate in monthly WUSave Committee phone meetings
- \*Assess local water, climate, and housing policy for alignment with WUSave
- \*Facilitate access to County Tax Assessor and other property data to support targeted marketing
- \*Identify local leaders/champions in water saving
- \*Assist in development of local multifamily and commercial property leads

### Commercial Program

- \*Aid in the development of marketing strategies and messaging for the Commercial Program
- \*Recruit property owners, contractors and business decision-makers through local activities and events facilitating introductions to local Chambers of Commerce, local merchant associations, etc.
- \*Plan and organize at least one local outreach event, such as street campaigns, presentations to groups like Chambers of Commerce, outreach partnerships with Community Based Organizations, etc.
- \*Report on best and highest performing activities to the Commercial Program circle

(BayREN) Refrigerant Replacement (BRR) Program (NEW)

- \*Recruit property owners, contractors, and business decision-makers through local activities and events
- \*Coordinate and partner with department and agencies to uncover efficiencies in marketing, such as including a BayREN Refrigerant Replacement Program with each newly issued Business License, etc.
- \*Gather and research information, such as demographic and geographic characteristics to develop high-impact marketing lists and optimizing marketing campaign development and execution
- \*Coordinate with local jurisdictions on ways to select and recognize program participants publicly

Integrated Energy Services (IES) Program (NEW)

- \*Coordinate with Energy Watch/Local Government Partnership, local Community Choice Aggregator (CCA), and other local programs, and facilitate coordination between these offerings and the IES program
- \*Analyze local program performance to identify gaps and recommendations to Program Lead
- \*Support local governments who are engaging in the Energy Roadmapping process
- \*Promote the Energy Concierge and Energy Roadmapping services to local government staff in all jurisdictions within Napa County
- \*Host program information on local website(s) and suggesting local media and social media outlets for program content
- \*Create and maintain relationships with local government staff and organization of staff members, and presenting about the program at meetings as appropriate
- \*Share outreach and marketing materials, approaches, and outcomes with the IES Committee circle

Targeted Decarbonization Services (TDS) Program (NEW)

- \*Coordinate with Energy Watch/Local Government Partnership, local Community Choice Aggregator, and other local programs, and facilitating coordination between these offerings and the TDS program
- \*Analyze local program performance to identify gaps and recommendations to Program Lead
- \*Support local governments who have buildings participating in the Decarbonization Showcase
- \*Aid in the development of marketing strategies, messaging, and collateral as needed
- \*Promote the Energy Concierge and Energy Roadmapping services to local government staff in all jurisdictions within the member county (towns, cities, and the unincorporated county)
- \*Host program information on local website(s) and suggest local and social media outlets for program content
- \*Attend decarbonization program trainings to provide information on BayREN and build connections with local government staff

Workforce Education & Training (WE&T) Program (NEW)

- \*Participate in quarterly calls on workforce education, development and implementation
- \*Identify potential externship opportunities for Climate Careers youth within the County as well as long-term placements for green jobs
- \*Promote Climate Careers summer job opportunities to other County stakeholders such as CBOs, schools, workforce development departments, colleges, etc.
- \*Promote in-person Green House Calls and virtual energy efficiency kits to residents through websites, newsletters, social media, ads, etc.
- \*Identify in-person offices site location (if applicable to host summer Green House Call program)