



Legislation Details (With Text)

File #: 17-0524 **Version:** 1

Type: *Consent - Staff Report **Status:** Agenda Ready

In control: City Council Regular Meeting

On agenda: 12/19/2017 **Final action:**

Title: Second Reading and Adoption of Ordinance No. 17-0022 Authorizing the Implementation of a Community Choice Aggregation (CCA) Program in the City; Appointment of Second Alternate Director (Community Development Director McIntosh).
ADOPT ORDINANCE NO. 17-0022 AND APPOINT SECOND ALTERNATE DIRECTOR

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance No. 17-0022

Date	Ver.	Action By	Action	Result
12/19/2017	1	City Council Regular Meeting		
12/19/2017	1	City Council Regular Meeting	approved	Pass
12/19/2017	1	City Council Regular Meeting	accept	Pass

TO:
Honorable Mayor and Members of the City Council

THROUGH:
Mark Danaj, City Manager

FROM:
Anne McIntosh, Director of Community Development
Dana Murray, Environmental Programs Manager

SUBJECT:
Second Reading and Adoption of Ordinance No. 17-0022 Authorizing the Implementation of a Community Choice Aggregation (CCA) Program in the City; Appointment of Second Alternate Director (Community Development Director McIntosh).
ADOPT ORDINANCE NO. 17-0022 AND APPOINT SECOND ALTERNATE DIRECTOR

RECOMMENDATIONS:

1. Adopt Ordinance No. 17-0022
2. Appoint City's Environmental Manager to serve as second alternate to take the place of the primary appointment and first alternate when they are unavailable.

FISCAL IMPLICATIONS:
No fiscal implications associated with the recommended action.

BACKGROUND:
On December 5, 2017, the City Council introduced an enabling ordinance to implement a Community

Choice Aggregation (CCA) and authorized the Mayor to execute a Joint Powers Agreement to join the Los Angeles Community Choice Energy Authority (LACCE). Later that evening, the Mayor, with the concurrence of the City Council, appointed Mayor Amy Howorth as board director and Mayor Pro Tem Steve Napolitano as the Alternate. Staff now recommends that the City Council appoints Environmental Manager Dana Murray as second alternate.

DISCUSSION:

According to the terms of the LACCE JPA: “The governing body of each Party shall appoint and designate in writing one regular Director who shall be authorized to act for and on behalf of the Party on matters within the powers of the Authority. The governing body of each Party shall appoint and designate in writing up to two alternate Directors who may vote on matters when the regular Director is absent from a Board meeting. The person appointed and designated as the regular Director shall be an elected or appointed member of the governing body of the Party. The persons appointed and designated as the alternate Directors may be an elected or appointed member of the governing body of the Party, an appointed member of an advisory body of the Party, a staff member of the Party or a member of the public who meets criteria.”

Currently, the LACCE Board meetings have been held on the first Thursday of each month. During the January and February 2018 meetings, the LACCE Board will cover: 1) strategic planning; 2) the hiring of an Executive Director; 3) the formation of a Community Advisory Committee; 4) procurement and environmental goals. In March, LACCE will initiate an RFP process to procure power for commercial, industrial and municipal accounts in member cities, with an intent to serve by June.

The JPA allows each member city to occupy one seat on the LACCE Board by appointing one primary Council Member and up to two alternates to fill in for the primary when unavailable. Although the JPA allows for up to two alternates, due to potential Brown Act implications, it is recommended that a maximum of only one other City Council Member be selected as an alternate in this case. Therefore, the composition of the alternates may be one Council Member and one non-Council Member (i.e. City staff); or the alternates may consist of two non-Council Members.

POLICY ALTERNATIVES:

Not applicable.

PUBLIC OUTREACH/INTEREST:

After analysis, staff determined that public outreach was not required for this issue.

ENVIRONMENTAL REVIEW

This is not a project pursuant to the California Environmental Quality Act (CEQA.)

LEGAL REVIEW

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

Attachment

1. Ordinance No. 17-0022