

PROPOSED CCA JPA LANGUAGE: SIERRA CLUB/IBEW 569/SAN DIEGO COMMUNITY CHOICE ALLIANCE

Recitals

Written Communications
Item # 9 Name Newsom

By establishing the Authority, the Parties seek to:

Provide electricity rates that are lower or competitive with those offered by the incumbent utility for similar products;

Offer differentiated energy options (minimum 50% qualified renewable) for default service and a 100% renewable content option in which customers may “opt-up” and voluntarily participate;

Develop an electric supply portfolio with a lower greenhouse gas (GHG) intensity than the incumbent utility and one that supports the achievement of the parties’ greenhouse gas reduction goals and the comparable goals of all participating jurisdictions;

Establish an energy portfolio that prioritizes the use and development of local renewable resources and excludes Category 2 or 3 energy resources as defined under the RPS, coal and nuclear energy;

Demonstrate quantifiable economic benefits to the region (e.g. union and prevailing wage jobs, local workforce development, new energy programs, and increased local energy investments);

Recognize the value of workers in existing jobs that support the energy infrastructure of San Diego County. The Authority, as a leader in the shift to clean energy, commits to ensuring it will take steps to minimize any adverse impacts to these workers to ensure a “just transition” to the new clean energy economy.

Deliver clean energy programs and projects using a stable, skilled workforce through such mechanisms as project labor agreements, or other workforce programs that are cost effective, designed to avoid work stoppages, and ensure quality.

Create an administering agency that is financially sustainable, responsive to regional priorities, well managed, and a leader in fair and equitable treatment of employees through adopting appropriate best practices employment policies, including, but not limited to, promoting efficient consideration of petitions to unionize, and providing appropriate wages and benefits.

Pursue purposeful and focused investment in communities of concern, prioritization of local renewable power and workforce development and policies and programs centered on economic, environmental and social equity.

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Powers

The Authority shall have all powers common to the Parties and such additional powers accorded to it by law. The Authority is authorized, in its own name, to exercise all powers and do all acts necessary and proper to carry out the provisions of this Agreement and fulfill its purposes, including, but not limited to, each of the following:

To negotiate project labor agreements, community benefits agreements and collective bargaining agreements with the local building trades council and other interested parties.

Community Advisory Committee

See p. 10 East Bay JPA for sample language.

Strategic Plan

The Authority shall cause to be prepared a Strategic Plan, which will include a roadmap for the development, procurement and integration of renewable energy resources. The Strategic Plan shall include a description of how the CCA Program will foster meaningful and equitable environmental and economic benefits in the San Diego Region. The Strategic Plan shall identify opportunities for local power development and how the CCA program can identify the goals outlined in Recitals ___ and ___ of this Agreement. The Strategic Plan shall include specific language detailing community benefits, equity, employment and labor standards that relate to the execution of the CCA Program as referenced in this Agreement. The Strategic Plan shall identify clear and transparent marketing practices to be followed by the CCA Program, including the identification of the sources of its electricity and explanation of the various types of electricity procured by the Authority. The Strategic Plan shall cover the first five (5) years of the operation of the CCA Program with an update every subsequent five (5) years. The Strategic Plan shall be completed by the Authority no later than one year after the seating of the Authority Board of Directors. Progress on the implementation of the Strategic Plan and any subsequent plans shall be subject to annual public review.

Procurement. The Authority shall provide its customers renewable energy primarily from Category 1 eligible renewable resources, as defined under the California RPS and consistent with the goals of the CCA Program. The Authority shall not procure energy from Category 2 or 3 eligible renewable resources, nuclear or coal.

Labor Organization Neutrality

The Authority shall agree in writing to neutrality in the event employees or contractor employees wish to unionize.

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Inclusive and Sustainable Workforce Policy

The Authority shall adopt, prior to issuance of any requests for proposals to purchase power, an Inclusive and Sustainable Workforce Policy that includes, at minimum, the same elements as the Peninsula Clean Energy Inclusive and Sustainable Workforce Policy, as revised on October 25, 2018.

The Policy shall further require that:

- (a) All contractors and subcontractors on construction and maintenance projects undertaken by or for the Authority must use a skilled and trained workforce, as defined in Section 2601 of the California Public Contract Code.
- (b) The Authority's requests for proposals and agreements with developers or suppliers of power, including for feed-in tariffs, shall require, to the maximum extent legally permissible and practically feasible, that all contractors and subcontractors performing construction, alteration, demolition, installation, and repair work in connection with the construction or maintenance of the energy generating capacity must pay the workers performing such work at least the prevailing rate of wages, as defined in Article 2 (commencing with Section 1770) of Chapter 1 of Part 7 of Division 2 of the California Labor Code.
- (c) The Authority shall, to the maximum extent legally permissible and practically feasible, give priority to projects and proposals in which the construction and maintenance of the energy generating capacity will be performed under a multi-craft project labor agreement that requires the use of apprentices enrolled in state-approved apprenticeship programs in the Counties of San Diego or Imperial.