



**COUNTY OF PLACER**  
**Community Development/Resource Agency**

Michael J. Johnson, AICP  
Agency Director

**PLANNING**

**MEMORANDUM**

**TO:** Honorable Board of Supervisors  
**FROM:** Michael J. Johnson, Director Community Development Resource Agency  
**DATE:** September 14, 2010  
**SUBJECT:** Green Communities Program - Memorandum of Understanding with the Sierra Business Council

**ACTION REQUESTED:**

The Planning Services Division is requesting that your Board execute a memorandum of understanding (MOU) with the Sierra Business Council to participate in the Green Communities Program, and to assist the Sierra Business Council in the preparation of green house gas emissions inventories.

**BACKGROUND:**

The *Green Communities Program* is a multi-phase program approved and overseen by the California Public Utilities Commission (CPUC) and administered by Pacific Gas and Electric Company (PG&E) using rate payer funds. The program is a collaborative effort to provide innovative energy efficiency and climate change solutions for local governments and communities in the Sierra Nevada region within PG&E service areas. Specifically, staff would coordinate with Sierra Business Council on quantifying the County's greenhouse gas emissions and developing a County operations greenhouse gas inventory, which would help to identify opportunities for energy savings and related operational cost savings, as well as serve as background information for the County's future planning efforts.

With a growing population and increasing demand for energy, California has set goals for reducing emissions related to the generation and use of energy and for reducing dependence on fossil fuels. In response to these goals, CPUC has refocused ratepayer-funded energy efficiency programs on achieving a long-term transformation in the way Californians use energy. The CPUC has long-recognized the unique role of local governments in fostering innovation and has directed utilities to develop programs that take advantage of the expertise of local governments in promoting the pursuit of energy efficiency and the reduction of GHGE. Accordingly, the *Green Communities Program* was established by PG&E and will be implemented in the Sierra Nevada region by the Sierra Business Council.

The purpose of the *Green Communities Program* is to engage, train and assist local governments to prepare greenhouse gas emissions inventories. Specifically, this program will offer a workshop training series at no cost to local government participants. Program participants will be paired with trained interns to provide additional staffing needed to conduct data collection, analysis, and inventory development. Local government program participants will also have free access to a software program, which will provide the participant with streamlined data collection and calculations of their

inventory of emissions. At program's end each participant will have a greenhouse gas inventory for their jurisdiction.

The *Green Communities Program* is a multiphase program. The first phase of the program is to assist local governments to inventory greenhouse gas emissions from their municipal operations. Subsequent phases, depending on funding, may include conducting community wide greenhouse gas emissions inventories and the development of or coordinated assistance in preparing Climate Action Plans for local governments. The Sierra Business Council is funded to assist ten local governments in the Sierra Nevada region for the first phase of the program, and has selected Placer County as one of the ten local governments to assist.

The ultimate goal of the Green Communities program is to reduce energy consumption and greenhouse gas emissions in the Sierra Nevada, while promoting economic development, social fairness, and long-term environmental quality. Through the implementation of several energy efficiency programs, Sierra Business Council has set specific goals related to energy conservation in the region and seeks to address and achieve these goals through a set of strategies that embrace and reinforce the broader sustainability objectives.

Emissions inventories help to identify opportunities for energy savings and related operational cost savings for the County. An end product of the inventory process is a "Master Data Workbook" containing all of the energy data from County operations for a chosen year. A green house gas inventory can be viewed as an energy audit tool for the County, pointing out where utility usage is highest; therefore a green house gas inventory is directly related to outflow of County funds. The County can use this information to analyze and understand operational inefficiencies, providing a metric for gaining efficiency and lowering energy related costs across the board.

Conducting emissions inventories is also consistent with Assembly Bill 32 and is favored by the State Attorney General's office as a way that local governments can begin to address climate action change at the land use planning level. With the passage of Senate Bill 97 in 2007, and the 2010 CEQA Guidelines Update, climate change has been considered an environmental impact within the scope of CEQA. Emission inventories will help with the County's CEQA analysis, while also demonstrating that the County is making a good faith effort to evaluate and mitigate impacts on climate from planned development.

Participating in the *Green Communities Program* and conducting emissions inventories will also assist the County in future planning efforts, such as the development of a Climate Action Plan and the update of the County's General Plan. Emissions inventories can provide the County with baseline data for which the County can establish community-wide emission reductions through a broad range of integrated goals, objectives, policies and implementation measures.

**FISCAL IMPACT:**

The Green Communities Program is funded by California utility customers and administered by PG&E under the auspices of the California Public Utility Commission. Through this effort, the Sierra Business Council will arrange technical tools, professional training and support for the County to complete a greenhouse gas emissions inventories.

There are no direct costs to the County associated with the development of the emission inventories; however, with the Board's authorization to participate, the County would commit in-kind staff hours to do the following:

- Provide Sierra Business Council with available data related to the inventory
- Encourage local government employees to complete a commute survey

- Attend training workshops and assist the Sierra Business Council intern in connecting with other key staff that may be necessary for collecting information
- Provide information on the jurisdiction and review the inventory final report

**RECOMMENDATION:**

The Planning Services Division recommends that the Board of Supervisors take the following action:

1. Authorize the Chairman of the Board to execute the Memorandum of Understanding on behalf of the Board of Supervisors.

Respectfully submitted,



**MICHAEL J. JOHNSON, AICP**  
Director of Community Development / Resource Agency

Attached to this report for the Board's information/consideration are:

**ATTACHMENTS:**

Attachment 1: MOU with Sierra Business Council

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE COUNTY OF PLACER AND THE SIERRA BUSINESS COUNCIL

WHEREAS, the Sierra Business Council proposes to arrange for technical tools, professional training and support to assist the County of Placer in quantifying greenhouse gas emissions of County facilities and operations utilizing the Local Government Operations Protocol, and

WHEREAS, Sierra Business Council's work is supported by the Pacific Gas and Electric Company's Green Communities Program, a program funded by California utility customers and administered by the Pacific Gas and Electric under the auspices of the California Public Utility Commission, and

WHEREAS, participation in the Green Communities Program as administered through the Sierra Business Council will provide the County of Placer with the opportunity to be able to develop greenhouse gas emissions inventories, establish a baseline and track progress and thereby undertake an analysis of its greenhouse gas emissions at minimal cost and commitment of staff resources, and

WHEREAS, the County of Placer desires to participate in the Green Communities Program on the terms and conditions as set forth in the Memorandum of Understanding,

NOW, THEREFORE, the County of Placer and Sierra Business Council hereby agree in this Memorandum of Understanding as follows:

SECTION ONE SIERRA BUSINESS COUNCIL RESPONSIBILITIES

The Sierra Business Council shall:

- Provide training for County staff in preparation and interpretation of the Local Government Operations Protocol
- Provide a paid intern trained to assist County staff to conduct the County greenhouse gas emissions inventory, process the data and complete the report. The inventory will include baseline emissions from County government operations, reported by sector. This agreement does not commit SBC to performing emissions analysis of specific plans or development projects.
- Disseminate climate protection resource materials as approved by the County of Placer
- Present the final report to the County.

SECTION TWO COUNTY RESPONSIBILITIES

The County shall:

- Provide available data related to the County's greenhouse gas inventory
- Encourage County employees to complete a commute survey
- Provide County staff personnel to attend training workshops, assist the Sierra Business Council intern in connecting with key staff for the purposes of data collection, provide information on the jurisdiction, and review the inventory final report.
- Approve release of 2005 government operations electricity and natural gas consumption data for the County (2005 DTL File) by PG&E to Sierra Business Council upon email request to assist with analysis.

SECTION THREE      EMPLOYEES AND COSTS

All persons performing services in connection with this Memorandum which are associated with, retained by or employed by Sierra Business Council shall be independent contractors of or employees of Sierra Business Council and not employees of the County of Placer. Sierra Business Council shall be solely responsible for the salaries and other applicable benefits, including Worker's Compensation, of all such personnel. The County of Placer shall be solely responsible for the salaries and other applicable benefits, including Worker's Compensation, of all County personnel.

Each party hereto shall bear any and all costs and expenses of furnish facilities, equipment, and other materials which may be required for performing its responsibilities as described in Sections 1 and 2, above.

SECTION FOUR      MUTUAL INDEMNIFICATION

Sierra Business Council shall indemnify, defend and hold harmless the County of Placer and its elected and appointed officials, employees, agents and contractors from and against any and all loss, liability, cost, claim, cause of action, judgment, expense, (including reasonable attorneys' fees) or damage arising from, or related to, Sierra Business Council's performance of its obligations pursuant to this Memorandum, except to the extent the same are attributable to the gross negligence or willful misconduct of the County.

County of Placer shall indemnify, defend and hold harmless Sierra Business Council and its, employees, agents and contractors from and against any and all any and all loss, liability, cost, claim, cause of action, judgment, expense, (including reasonable attorneys' fees) or damage arising from or related to County's performance of its obligations pursuant to this Memorandum, except to the extent the same are attributable to the gross negligence or willful misconduct of Sierra Business Council.

SECTION FIVE      TERMINATION

This Memorandum may be terminated by either party at any time without cause by providing the other party ten (10) days written notice.

SECTION SIX      NOTICE

Any notice required to be given hereunder shall be in writing and deemed given when personally delivered or deposited in the mail, postage prepaid, and addressed to the parties as follows:

COUNTY OF PLACER:

Placer County Planning Dept  
Attn: Loren Clark  
3901 County Center Drive  
Auburn, CA 95603

Phone: (530) 745-3000  
Fax: (530) 886-3080

SIERRA BUSINESS COUNCIL:

Steve Frisch  
P.O. Box 2428  
Truckee, CA 96160

Phone: (530) 582-4800  
Fax: (530) 582-1230

Any notice so delivered personally shall be deemed to be received on the date of delivery, and any notice mailed shall be deemed to be received five (5) days after the date on which it was mailed.

SECTION SEVEN

ENTIRE AGREEMENT

This Memorandum contains the entire agreement of County and Sierra Business Council with respect to the subject matter hereof, and no other agreement, statement, or promise made by any party, or to any employee, officer or agent of any party, which is not contained in this Memorandum shall be binding or valid.

IN WITNESS WHEREOF, the County of Placer and Sierra Business Council have authorized execution of this Memorandum of Understanding on the dates set forth below.

SIERRA BUSINESS COUNCIL

PLACER COUNTY

BY: \_\_\_\_\_  
Steven Frisch  
President  
Sierra Business Council

By: \_\_\_\_\_  
KIRK UHLER, Chairman  
Placer County Board of Supervisors

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

ATTEST:

BY: \_\_\_\_\_  
ANN HOLMAN  
Clerk of the Board

APPROVED AS TO FORM:

BY: \_\_\_\_\_  
County Counsel