



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 1/25/2021

Agenda Placement: 7B

Napa County Legislative Subcommittee Board Agenda Letter

TO: Napa County Legislative Subcommittee

FROM: Molly Rattigan for Minh Tran - County Executive Officer
County Executive Office

REPORT BY: Nelson Cortez, STAFF ASSISTANT II - BOS - 7072991478

SUBJECT: SB 52 (Dodd) State of Emergency: local emergency: sudden and severe energy shortage:
planned power outage

RECOMMENDATION

County Executive Officer seeks discussion and possible action on SB 52 (Dodd) that would make a deenergization event, also known as Public Safety Power Shutoff (PSPS), one of the conditions constituting a state of emergency and a local emergency.

EXECUTIVE SUMMARY

SB 52 (Dodd) expands the definition of "sudden and severe energy shortage" to include a "deenergization event," defined as a planned power outage (PSPS), as specified, and would make a PSPS one of those conditions constituting a state of emergency and a local emergency.

In 2020, Senator Dodd introduced a more expansive bill that included the provisions in SB 52, which the County co-sponsored because it would allow for possible reimbursements through the California Emergency Services Act.

Staff is requesting the Legislative Subcommittee direct staff to write a letter of support or co-sponsor, if requested by the author, consistent with the State Legislative and Regulatory Platform, bypassing the Board of Supervisors, and submitting it directly to interested parties.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

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**Synopsis and Background**

Under existing Law, the California Emergency Services Act (CESA), authorizes the State and local officials to proclaim a state of emergency or local emergency, when certain conditions exist. Existing law defines the terms "state of emergency" and "local emergency" to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state or local government, and among other things, a "sudden energy shortage." It is unclear whether a PSPS is considered a sudden energy shortage for purposes of utilizing the CESA, which could potentially provide reimbursements to local agencies for costs incurred during a PSPS.

SB 52 will clarify that a PSPS is one of the conditions constituting a state of emergency and a local emergency.

Status

Introduced, pending referral to committee.

Support and Opposition

CSAC: Support (2020)

RCRC: Support

NACo: N/A

Local: Napa County Board of Supervisors co-sponsored a more expansive measure (SB 862, Dodd) in 2020.

STAFF COMMENTS

Platform: Yes

Federal: N/A

State: Priority 1 - PSPS, Page 7

Recommendation

Direct staff to draft a letter of support and transmit it to the author, state representatives, and the County's lobbyists bypassing the Board of Supervisors, consistent with the County's State Legislative Platform.

SUPPORTING DOCUMENTS

A . Bill Text

Recommendation: Approve

Reviewed By: Molly Rattigan