



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 22-789, Version: 1

- a. Approve and authorize the Assistant County Administrative Officer, or his designee, to sign an amendment to remove certain payment provisions from the Agreement with Mynt Systems to undertake an Energy Assessment at both the Natividad Jail Complex and Schilling Place;
- b. Provide other direction to staff as appropriate.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a) Approve and authorize the Assistant County Administrative Officer, or his designee, to sign a no cost amendment to the Agreement with Mynt Systems to undertake an Energy Assessment at both the Natividad Jail Complex and Schilling Place;
- a) Provide other direction to staff as appropriate.

SUMMARY:

The amendment to this contract will remove the obligation of the County to reimburse Mynt Systems for the Application Fee associated with the Self Generation Incentive Program applications.

DISCUSSION:

On April 21, 2020, staff presented a potential project to the Board of Supervisors regarding a Net Zero pilot project to be implemented at the County Corrections facility or another facility. As part of the project's execution, staff requested and was approved to apply for Self-Generation Incentive Program (SGIP) funding for a battery storage system on May 5, 2020. Applications to the SGIP were submitted on May 12. Then, on October 27, 2020, the Board of Supervisors recommended entering into a Program Services Agreement with Mynt Systems to undertake an Energy Assessment at both the Natividad Jail Complex and Schilling Place with the goal of reducing energy costs and emissions while increasing resiliency. That agreement authorized the vendor to submit the requisite deposit value of five percent (5%) of the total requested SGIP rebate (the "Application Fee").

The agreement also stated that the County "will have no obligation to reimburse Contractor for the cost of the Application Fee *provided that* EITHER the County rejects the funds prior to the deadline of the SGIP requirements OR the County and Contractor enter into (i) the Energy Services Contract prior to the deadline to accept SGIP funding, and (ii) a Project Order (as defined in Section 1 below) for the Natividad Site and/or the Schilling Site that is materially consistent with the respective Recommendations within the same timeframe but not before thirty (30) calendar days after Contractor presents such Recommendations to the County."

On July 13, 2022, the County received notification from PGE that their SGIP application for a 2MW battery at 1410 Natividad Road was approved. The County will receive \$744,292 towards the purchase of this battery. Subsequently, Mynt submitted the required 5% deposit totalling \$33,312.00 on the County's behalf. One other location, 1444 Schilling Place also has a pending application with PGE's SGIP program. The County is still in negotiations with Mynt and has not entered into the Energy Services Contract. The County has 60 days to reject the SGIP funding, but in the event that such contract cannot be executed within 60 days, Mynt has proposed to amend the existing agreement to remove the County's obligation to pay the Application Fee. This will allow the

County to continue negotiations on the Energy Services Contract while removing the obligation to reimburse Mynt for the \$33,312 Application Fee in the event that the County and Mynt cannot reach agreement over the Energy Services Contract. Staff is working to bring the Energy Services Contract to the Board as soon as possible.

Staff is bringing this amendment forward today for approval.

OTHER AGENCY INVOLVEMENT:

PWFP

FINANCING:

This amendment will allow the County to continue to negotiate the Energy Services Contract while removing the obligation to pay the \$33,312 Application Fee in the event that such contract does not come to fruition. Should the County choose not to enter into an Energy Services Contract with Mynt, the County will still be required to pay \$25,000 per energy assessment site per the original agreement.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Sustainability Program is designed to support the environmental, social, and economic well-being of the County.

- ☐ Economic Development
- ☒ Administration
- ☒ Health & Human Services
- ☒ Infrastructure
- ☐ Public Safety

Prepared by: Ashley Paulsworth, Sustainability Program Manager, x 5344

Approved by: Nicholas E. Chiulos, Assistant County Administrative Officer, Ext. 5145

Attachments:

Staff Report

Amendment

Mynt Program Services Agreement