

DOCKETED

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STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

RESOLUTION – FINDING BUILDING ENERGY EFFICIENCY STANDARDS CONTAINED IN
CITY OF DALY CITY'S ORDINANCE NO. 1448 SATISFY STATUTORY REQUIREMENTS
UNDER PUBLIC RESOURCES CODE SECTION 25402.1(H)(2)

WHEREAS, The City of Daly City adopted Ordinance No. 1448, which establishes certain locally adopted building energy efficiency standards; and

WHEREAS, Public Resources Code Sections 25402(a) and (b) establish that the California Energy Commission (CEC) shall prescribe, by regulation, statewide building energy efficiency standards; and

WHEREAS, Public Resources Code Section 25402.1(h)(2) provides that nothing in Public Resources Code Sections 25402(a) or (b) shall prohibit the enforcement of city or county building energy efficiency standards if: (1) the city or county files the basis of its determination that the standards are cost-effective with the CEC and (2) the CEC finds that the locally adopted standards will require the diminution of energy consumption levels permitted by the rules and regulations adopted pursuant to Public Resources Code Sections 25402(a) and (b); and

WHEREAS, California Code of Regulations, Title 24, Part 1, Sections 10-106 establishes a process for local governmental agencies to submit an application to the CEC for a determination that locally adopted building energy efficiency standards meet the requirements set forth in Public Resources Code Section 25402.1(h)(2); and

WHEREAS, The City of Daly City submitted an application to the CEC that included (1) the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 1448 are cost-effective and (2) documentation that the locally adopted energy efficiency standards contained in Ordinance No. 1448 will require the diminution of energy consumption levels compared to the 2019 Building Energy Efficiency Standards, as required by California Code of Regulations, Title 24, Section 10-106, on May 25, 2021; and

WHEREAS, The CEC has analyzed whether the locally adopted energy efficiency standards contained in Ordinance No. 1448 will require the diminution of energy consumption levels compared to the 2019 Building Energy Efficiency Standards, and determined that it will do so; and

WHEREAS, California Code of Regulations, Title 24, Part 1, Sections 10-106(b) require that the local governmental agency's application include any findings, determinations, declarations, or reports, including any negative declaration or

environmental impact report, required pursuant to the California Environmental Quality Act, Public Resources Code Section 21000 et seq; and

WHEREAS, The City of Daly City, in its application to the CEC, submitted the California Environmental Quality Act documentation required by California Code of Regulations, Title 24, Part 1, Section 10-106(b)(4); and

THEREFORE BE IT RESOLVED, CEC finds the following: (1) the City of Daly City has filed the basis of its determination that the locally adopted energy efficiency standards contained in Ordinance No. 1448 are cost-effective, and (2) Ordinance No. 1448 will require the diminution of energy consumption levels compared to the 2019 Building Energy Efficiency Standards; and

THEREFORE BE IT FURTHER RESOLVED, that the locally adopted energy efficiency standards contained in City of Daly City's Ordinance No. 1448 satisfy the requirements of Public Resources Code Section 25402.1(h)(2) and Title 24, California Code of Regulations, Sections 10-106; and

THEREFORE BE IT FURTHER RESOLVED, that the CEC directs the Executive Director to take all actions necessary to implement this Resolution.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the CEC held on July 15, 2021.

AYE: Douglas, McAllister, Monahan

NAY:

ABSENT: Hochschild, Gunda

ABSTAIN:



Liza Lopez
Secretariat