

CITY OF BELVEDERE

ORDINANCE NO. 2008-5

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELVEDERE
APPROVING THE MARIN ENERGY AUTHORITY JOINT POWERS
AGREEMENT AND AUTHORIZING THE IMPLEMENTATION OF
A COMMUNITY CHOICE AGGREGATION PROGRAM**

**THE CITY COUNCIL OF THE CITY OF BELVEDERE DOES ORDAIN AS
FOLLOWS:**

SECTION 1. The City of Belvedere has been actively investigating options to provide electric services to constituents within its service area with the intent of achieving greater local involvement over the provisions of electric services and promoting competitive and renewable energy.

SECTION 2. On September 24, 2002, the Governor signed into law Assembly Bill 117 (Stat. 2002, ch. 838; see California Public Utilities Code section 366.2; hereinafter referred to as the "Act"), which authorizes any California city or county, whose governing body so elects, to combine the electricity load of its residents and businesses in a community-wide electricity aggregation program known as Community Choice Aggregation.

SECTION 3. The Act expressly authorizes participation in a Community Choice Aggregation (CCA) program through a joint powers agency, and to this end the City has been participating since 2003 in the evaluation of a CCA program for the County of Marin and the cities and towns within it.

SECTION 4. On June 22, 2006, the City joined a Local Government Task Force (LGTF), which was comprised of elected officials and representatives of the County of Marin and each municipality in the County. The purpose of the LGTF was to jointly participate in the investigation of CCA for Marin communities and customers. The LGTF had five meetings with the final meeting taking place on March 6, 2008. The LGTF meetings looked at issues including:

- A. The costs, benefits and risks of a CCA including legal liability issues.
- B. The governance and business planning of a CCA.
- C. The feasibility of a CCA and deciding whether to pursue formation of a countywide CCA organization.
- D. Public education.

SECTION 5. Through Docket No. R.03-10-003, the California Public Utilities Commission has issued various decisions and rulings addressing the implementation of Community Choice Aggregation programs, including the recent issuance of a procedure by which the California Public Utilities Commission will review "Implementation Plans," which are required for submittal under the Act as the means of describing the Community Choice Aggregation program and assuring compliance with various elements contained in the Act.

SECTION 6. Representatives from the City along with the other LGTF members have developed the Marin Energy Authority Joint Powers Agreement ("Joint Powers Agreement") (attached hereto as Exhibit A) in order to accomplish the following:

- A. To form a Joint Powers Authority (JPA) known as "Marin Energy."
- B. To specify the terms and conditions by which participants may participate as a group in energy programs, including but not limited to the preliminary implementation of a Community Choice Aggregation program.

SECTION 7. Representatives from the City along with the LGTF members have developed a Business Plan (attached hereto as Exhibit B) that describes the formation of Marin Clean Energy and the Community Choice Aggregation program to be implemented by and through the Marin Energy Authority.

SECTION 8. A final Implementation Plan will be submitted for review and adoption by the Board of Directors of the Marin Energy Authority as soon after the formation of the Authority as reasonably practicable.

SECTION 9. As described in the Business Plan, Community Choice Aggregation by and through the Marin Energy Authority appears to provide a reasonable opportunity to accomplish all of the following:

- A. To provide greater levels of local involvement in and collaboration on energy decisions.
- B. To increase significantly the amount of renewable energy available to Marin customers.
- C. To provide initial price stability, long-term electricity cost savings and other benefits for the community.
- D. To reduce green house gases that are emitted by creating electricity for the community.

SECTION 10. The Act requires Community Choice Aggregation program participants to individually adopt an ordinance ("CCA Ordinance") electing to implement a Community Choice Aggregation program within its jurisdiction by and through its participation in the Marin Energy Authority.

SECTION 11. The Joint Powers Agreement expressly allows the City to withdraw its membership in the Marin Energy Authority (and its participation in the Community Choice Aggregation program) prior to the actual implementation of a Community Choice Aggregation program through Program Agreement 1.

SECTION 12. A city, town or county may not participate in the Marin Energy Joint Powers Authority without also participating in the Community Choice Aggregation program unless the Board of Directors of the Marin Energy Joint Powers Authority decides to not implement or operate a Community Choice Aggregation program after the Authority is established.

SECTION 13. Based upon all of the above, the Council approves the Joint Powers Agreement attached hereto as Exhibit A and elects to implement a Community Choice Aggregation program within the City's jurisdiction by and through the City's participation in the Marin Energy Authority, as described in the Business Plan in substantially the form attached hereto as Exhibit B, and subject to the City's right to forego the actual implementation of a Community Choice Aggregation program pursuant to specified withdrawal rights described in the Joint Powers Agreement. The Mayor is hereby authorized to execute the attached Joint Powers Agreement.

SECTION 14. This ordinance shall take effect and be in force thirty (30) days after the date of its passage. Within fifteen (15) days following its passage, a summary of the ordinance shall be published with the names of those city council members voting for and against the ordinance and the city clerk shall post in the office of the city clerk a certified copy of the full text of the adopted ordinance along with the names of the members voting for and against the ordinance.

INTRODUCED AT A PUBLIC HEARING on November 10, 2008, and adopted at a regular meeting of the Belvedere City Council on December 8, 2008, by the following vote:

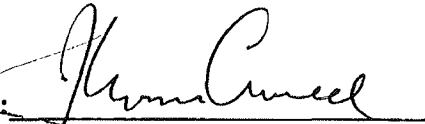
AYES: Gerald Butler, Sandra Donnell, John C. Telischak, and Mayor Thomas Cromwell

NOES: None

ABSENT: Barbara Morrison

ABSTAIN: None

APPROVED:


Thomas Cromwell, Mayor

ATTEST:


Leslie Carpentiers, Deputy City Clerk

ORDINANCE NO. 739

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX APPROVING
THE MARIN ENERGY AUTHORITY JOINT POWERS AGREEMENT AND AUTHORIZING
THE IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION
PROGRAM

The Town Council of the Town of Fairfax ordains as follows:

SECTION 1. The Town of Fairfax has been actively investigating options to provide electric services to constituents within its service area with the intent of achieving greater local involvement over the provisions of electric services and promoting competitive and renewable energy.

SECTION 2. On September 24, 2002, the Governor signed into law Assembly Bill 117 (Stat. 2002, ch. 838; see California Public Utilities Code section 366.2; hereinafter referred to as the "Act"), which authorizes any California city or county, whose governing body so elects, to combine the electricity load of its residents and businesses in a community-wide electricity aggregation program known as Community Choice Aggregation.

SECTION 3. The Act expressly authorizes participation in a Community Choice Aggregation (CCA) program through a joint powers agency, and to this end the Town has been participating since 2003 in the evaluation of a CCA program for the County of Marin and the cities and towns within it.

SECTION 4. On June 22, 2006, the Town joined a Local Government Task Force (LGTF), which was comprised of elected officials and representatives of the County of Marin and each municipality in the County. The purpose of the LGTF was to jointly participate in the investigation of CCA for Marin communities and customers. The LGTF had five meetings with the final meeting taking place on March 6, 2008. The LGTF meetings looked at issues including:

- (a) The costs, benefits and risks of a CCA including legal liability issues.
- (b) The governance and business planning of a CCA.
- (c) The feasibility of a CCA and deciding whether to pursue formation of a countywide CCA organization.
- (d) Public education.

SECTION 5. Through Docket No. R.03-10-003, the California Public Utilities Commission has issued various decisions and rulings addressing the implementation of Community Choice Aggregation programs, including the recent issuance of a procedure by which the California Public Utilities Commission will review "Implementation Plans," which are required for submittal under the Act as the means of describing the Community Choice Aggregation program and assuring compliance with various elements contained in the Act.

SECTION 6. Representatives from the Town along with the other LGTF members have developed the Marin Energy Authority Joint Powers Agreement ("Joint Powers Agreement") (attached hereto as Exhibit A) in order to accomplish the following:

- (a) To form a Joint Powers Authority (JPA) known as "Marin Energy" and

(b) To specify the terms and conditions by which participants may participate as a group in energy programs, including but not limited to the preliminary implementation of a Community Choice Aggregation program.

SECTION 7. Representatives from the Town along with the LGTF members have developed a Business Plan (attached hereto as Exhibit B that describes the formation of Marin Clean Energy and the Community Choice Aggregation program to be implemented by and through the Marin Energy Authority.

SECTION 8. A final Implementation Plan will be submitted for review and adoption by the Board of Directors of the Marin Energy Authority as soon after the formation of the Authority as reasonably practicable.

SECTION 9. As described in the Business Plan, Community Choice Aggregation by and through the Marin Energy Authority appears to provide a reasonable opportunity to accomplish all of the following:

- (a) To provide greater levels of local involvement in and collaboration on energy decisions,
- (b) To increase significantly the amount of renewable energy available to Marin customers,
- (c) To provide initial price stability, long-term electricity cost savings and other benefits for the community, and
- (d) To reduce green house gases that are emitted by creating electricity for the community.

SECTION 10. The Act requires Community Choice Aggregation program participants to individually adopt an ordinance ("CCA Ordinance") electing to implement a Community Choice Aggregation program within its jurisdiction by and through its participation in the Marin Energy Authority.

SECTION 11. The Joint Powers Agreement expressly allows the Town to withdraw its membership in the Marin Energy Authority (and its participation in the Community Choice Aggregation program) prior to the actual implementation of a Community Choice Aggregation program through Program Agreement 1.

SECTION 12. A city, town or county may not participate in the Marin Energy Joint Powers Authority without also participating in the Community Choice Aggregation program unless the Board of Directors of the Marin Energy Joint Powers Authority decides to not implement or operate a Community Choice Aggregation program after the Authority is established.

SECTION 13. Based upon all of the above, the Council approves the Joint Powers Agreement attached hereto as Exhibit A and elects to implement a Community Choice Aggregation program within the Town's jurisdiction by and through the Town's participation in the Marin Energy Authority, as described in the Business Plan in substantially the form attached hereto as Exhibit B, and subject to the Town's right to forego the actual implementation of a Community Choice Aggregation program pursuant to specified withdrawal rights described in the Joint Powers Agreement. The Mayor is hereby authorized to execute the attached Joint Powers Agreement.

SECTION 14. This ordinance shall take effect and be in force 30 days after its adoption.

Copies of the foregoing ordinance shall, within fifteen (15) days after its final passage and adoption, be posted in three public places in the Town of Fairfax, to wit: Bulletin Board, Fairfax Town Offices, Town Hall; Bulletin Board, Fairfax Post Office; and Bulletin Board, Fairfax Women's Club Building, which said places are hereby designated for that purpose.

The foregoing ordinance was duly and regularly introduced at a regular meeting of the Town Council of the Town of Fairfax held in said town on the 5th day of November, 2008, and thereafter adopted on the 19th day of November, 2008 by the following vote, to wit:

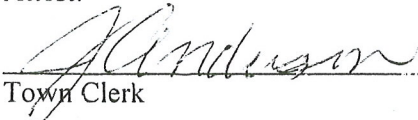
AYES: Bragman, Brandborg, Maggiore, Tremaine

NOES: None

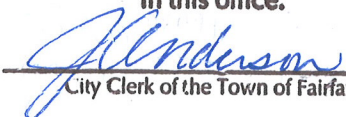
ABSENT: Weinsoff


MARY ANN MAGGIORE, MAYOR

Attest:


Town Clerk

The foregoing document is a correct
copy of the original on record
in this office.


City Clerk of the Town of Fairfax

ORDINANCE NO. 1237

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF MILL VALLEY APPROVING THE
MARIN ENERGY AUTHORITY JOINT POWERS AGREEMENT
AND AUTHORIZING THE IMPLEMENTATION OF
A COMMUNITY CHOICE AGGREGATION PROGRAM**

The City Council of the City of Mill Valley ordains as follows:

SECTION 1. The City of Mill Valley has been actively investigating options to provide electric services to constituents within its service area with the intent of achieving greater local involvement over the provisions of electric services and promoting competitive and renewable energy.

SECTION 2. On September 24, 2002, the Governor signed into law Assembly Bill 117 (Stat. 2002, ch. 838; see California Public Utilities Code section 366.2; hereinafter referred to as the "Act"), which authorizes any California city or county, whose governing body so elects, to combine the electricity load of its residents and businesses in a community-wide electricity aggregation program known as Community Choice Aggregation.

SECTION 3. The Act expressly authorizes participation in a Community Choice Aggregation (CCA) program through a joint powers agency, and to this end the City has been participating since 2003 in the evaluation of a CCA program for the County of Marin and the cities and towns within it.

SECTION 4. On June 22, 2006, the City joined a Local Government Task Force (LGTF), which was comprised of elected officials and representatives of the County of Marin and each municipality in the County. The purpose of the LGTF was to jointly participate in the investigation of CCA for Marin communities and customers. The LGTF had five meetings with the final meeting taking place on March 6, 2008. The LGTF meetings looked at issues including:

- (a) The costs, benefits and risks of a CCA including legal liability issues.
- (b) The governance and business planning of a CCA.
- (c) The feasibility of a CCA and deciding whether to pursue formation of a countywide CCA organization.
- (d) Public education.

SECTION 5. Through Docket No. R.03-10-003, the California Public Utilities Commission has issued various decisions and rulings addressing the implementation of Community Choice Aggregation programs, including the recent issuance of a procedure by which the California Public Utilities Commission will review "Implementation Plans," which are required for submittal under the Act as the means of describing the Community Choice Aggregation program and assuring compliance with various elements contained in the Act.

SECTION 6. Representatives from the City along with the other LGTF members have developed the Marin Energy Authority Joint Powers Agreement (“Joint Powers Agreement”) (attached hereto as Exhibit A) in order to accomplish the following:

- (a) To form a Joint Powers Authority (JPA) known as “Marin Energy” and
- (b) To specify the terms and conditions by which participants may participate as a group in energy programs, including but not limited to the preliminary implementation of a Community Choice Aggregation program.

SECTION 7. Representatives from the City along with the LGTF members have developed a Business Plan (attached hereto as Exhibit B that describes the formation of Marin Clean Energy and the Community Choice Aggregation program to be implemented by and through the Marin Energy Authority).

SECTION 8. A final Implementation Plan will be submitted for review and adoption by the Board of Directors of the Marin Energy Authority as soon after the formation of the Authority as reasonably practicable.

SECTION 9. As described in the Business Plan, Community Choice Aggregation by and through the Marin Energy Authority appears to provide a reasonable opportunity to accomplish all of the following:

- (a) To provide greater levels of local involvement in and collaboration on energy decisions.
- (b) To increase significantly the amount of renewable energy available to Marin customers,
- (c) To provide initial price stability, long – term electricity cost savings and other benefits for the community, and
- (d) To reduce green house gases that are emitted by creating electricity for the community.

SECTION 10. The Act requires Community Choice Aggregation program participants to individually adopt an ordinance (“CCA Ordinance”) electing to implement a Community Choice Aggregation program within its jurisdiction by and through its participation in the Marin Energy Authority.

SECTION 11. The Joint Powers Agreement expressly allows the City to withdraw its membership in the Marin Energy Authority (and its participation in the Community Choice Aggregation program) prior to the actual implementation of a Community Choice Aggregation program through Program Agreement 1.

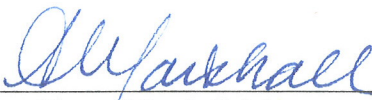
SECTION 12. A city, town or county may not participate in the Marin Energy Joint Powers Authority without also participating in the Community Choice Aggregation program unless the Board of Directors of the Marin Energy Joint Powers Authority decides to not implement or operate a Community Choice Aggregation program after the Authority is established.

SECTION 13. Based upon all of the above, the Council approves the Joint Powers Agreement attached hereto as Exhibit A and elects to implement a Community Choice Aggregation program within the City's jurisdiction by and through the City's participation in the Marin Energy Authority, as described in the Business Plan in substantially the form attached hereto as Exhibit B, and subject to the City's right to forego the actual implementation of a Community Choice Aggregation program pursuant to specified withdrawal rights described in the Joint Powers Agreement. The Mayor is hereby authorized to execute the attached Joint Powers Agreement.

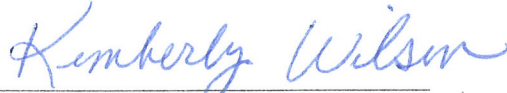
SECTION 14. This ordinance shall take effect and be in force 30 days after its adoption, and, before the expiration of 30 days after its passage, a summary of this ordinance shall be published once with the names of the members of the Council voting for and against the same in the Marin Independent Journal, a newspaper of general circulation published in the County of Marin.

THE FOREGOING ORDINANCE was first read at a regular meeting of the Mill Valley City Council on 17th day of November, 2008, and adopted at a regular meeting of the Mill Valley City Council on 1st day of December, 2008, by the following vote:

AYES:	Councilmember Berman, Lion, Wachtel and Mayor Marshall
NOES:	None
ABSTAIN:	Councilmember Moulton-Peters
ABSENT:	None


Shawn Marshall, Mayor

ATTEST:


Kimberly Wilson, Deputy City Clerk

TOWN OF ROSS

ORDINANCE NO. 612

ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF ROSS APPROVING THE MARIN ENERGY AUTHORITY JOINT POWERS AGREEMENT AND AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION PROGRAM

The Town Council of the Town of Ross ordains as follows:

SECTION 1. The Town of Ross has been actively investigating options to provide electric services to constituents within its service area with the intent of achieving greater local involvement over the provisions of electric services and promoting competitive and renewable energy.

SECTION 2. On September 24, 2002, the Governor signed into law Assembly Bill 117 (Stat. 2002, ch. 838; see California Public Utilities Code section 366.2; hereinafter referred to as the "Act"), which authorizes any California city or county, whose governing body so elects, to combine the electricity load of its residents and businesses in a community-wide electricity aggregation program known as Community Choice Aggregation.

SECTION 3. The Act expressly authorizes participation in a Community Choice Aggregation (CCA) program through a joint powers agency, and to this end the Town has been participating since 2003 in the evaluation of a CCA program for the County of Marin and the cities and towns within it.

SECTION 4. On June 22, 2006, the Town joined a Local Government Task Force (LGTF), which was comprised of elected officials and representatives of the County of Marin and each municipality in the County. The purpose of the LGTF was to jointly participate in the investigation of CCA for Marin communities and customers. The LGTF had five meetings with the final meeting taking place on March 6, 2008. The LGTF meetings looked at issues including:

- (a) The costs, benefits and risks of a CCA including legal liability issues.
- (b) The governance and business planning of a CCA.
- (c) The feasibility of a CCA and deciding whether to pursue formation of a countywide CCA organization.
- (d) Public education.

SECTION 5. Through Docket No. R.03-10-003, the California Public Utilities Commission has issued various decisions and rulings addressing the implementation of Community Choice Aggregation programs, including the recent issuance of a procedure by

which the California Public Utilities Commission will review “Implementation Plans,” which are required for submittal under the Act as the means of describing the Community Choice Aggregation program and assuring compliance with various elements contained in the Act.

SECTION 6. Representatives from the Town along with the other LGTF members have developed the Marin Energy Authority Joint Powers Agreement (“Joint Powers Agreement”) (attached hereto as Exhibit A) in order to accomplish the following:

- (a) To form a Joint Powers Authority (JPA) known as “Marin Energy” and
- (b) To specify the terms and conditions by which participants may participate as a group in energy programs, including but not limited to the preliminary implementation of a Community Choice Aggregation program.

SECTION 7. Representatives from the Town along with the LGTF members have developed a Business Plan (attached hereto as Exhibit B that describes the formation of Marin Clean Energy and the Community Choice Aggregation program to be implemented by and through the Marin Energy Authority.

SECTION 8. A final Implementation Plan will be submitted for review and adoption by the Board of Directors of the Marin Energy Authority as soon after the formation of the Authority as reasonably practicable.

SECTION 9. As described in the Business Plan, Community Choice Aggregation by and through the Marin Energy Authority appears to provide a reasonable opportunity to accomplish all of the following:

- (a) To provide greater levels of local involvement in and collaboration on energy decisions,
- (b) To increase significantly the amount of renewable energy available to Marin customers,
- (c) To provide initial price stability, long – term electricity cost savings and other benefits for the community, and
- (d) To reduce green house gases that are emitted by creating electricity for the community.

SECTION 10. The Act requires Community Choice Aggregation program participants to individually adopt an ordinance (“CCA Ordinance”) electing to implement a Community Choice Aggregation program within its jurisdiction by and through its participation in the Marin Energy Authority.

SECTION 11. The Joint Powers Agreement expressly allows the Town to withdraw its membership in the Marin Energy Authority (and its participation in the Community Choice

Aggregation program) prior to the actual implementation of a Community Choice Aggregation program through Program Agreement 1.

SECTION 12. A city, town or county may not participate in the Marin Energy Joint Powers Authority without also participating in the Community Choice Aggregation program unless the Board of Directors of the Marin Energy Joint Powers Authority decides to not implement or operate a Community Choice Aggregation program after the Authority is established.

SECTION 13. Based upon all of the above, the Council approves the Joint Powers Agreement attached hereto as Exhibit A and elects to implement a Community Choice Aggregation program within the Town's jurisdiction by and through the Town's participation in the Marin Energy Authority, as described in the Business Plan in substantially the form attached hereto as Exhibit B, and subject to the Town's right to forego the actual implementation of a Community Choice Aggregation program pursuant to specified withdrawal rights described in the Joint Powers Agreement. The Mayor is hereby authorized to execute the attached Joint Powers Agreement.

SECTION 14. This ordinance shall take effect and be in force 30 days after its adoption, and, before the expiration of 30 days after its passage, a summary of this ordinance shall be published once with the names of the members of the Council voting for and against the same in the Marin Independent Journal, a newspaper of general circulation published in the county of Marin.

The foregoing ordinance was introduced at a meeting of the Town Council of the Town of Ross held on November 13, 2008, and adopted at a meeting held on December 11, 2008, by the following vote:

AYES: Council members Cahill, Hunter, Martin, Skall, Strauss

NOES:


ABSENT:

ABSTAIN:



William R. Cahill, Mayor

ATTEST:



Gary Broad, Town Manager

ORDINANCE NO. 1067

ORDINANCE OF THE TOWN COUNCIL
OF THE TOWN OF SAN ANSELMO APPROVING THE
MARIN ENERGY AUTHORITY
JOINT POWERS AGREEMENT AND AUTHORIZING THE
IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION
PROGRAM

The Town Council of the Town of San Anselmo ordains as follows:

SECTION 1. The Town of San Anselmo has been actively investigating options to provide electric services to constituents within its service area with the intent of achieving greater local involvement over the provisions of electric services and promoting competitive and renewable energy.

SECTION 2. On September 24, 2002, the Governor signed into law Assembly Bill 117 (Stat. 2002, ch. 838; see California Public Utilities Code section 366.2; hereinafter referred to as the "Act"), which authorizes any California city or county, whose governing body so elects, to combine the electricity load of its residents and businesses in a community-wide electricity aggregation program known as Community Choice Aggregation.

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SECTION 4. On June 22, 2006, the Town joined a Local Government Task Force (LGTF), which was comprised of elected officials and representatives of the County of Marin and each municipality in the County. The purpose of the LGTF was to jointly participate in the investigation of CCA for Marin communities and customers. The LGTF had five meetings with the final meeting taking place on March 6, 2008. The LGTF meetings looked at issues including:

- (a) The costs, benefits and risks of a CCA including legal liability issues.
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- (c) The feasibility of a CCA and deciding whether to pursue formation of a countywide CCA organization.
- (d) Public education.

SECTION 5. Through Docket No. R.03-10-003, the California Public Utilities Commission has issued various decisions and rulings addressing the implementation of Community Choice Aggregation programs, including the recent issuance of a procedure by which the California Public Utilities Commission will review "Implementation Plans," which are required for submittal under the Act as the means of describing the Community Choice Aggregation program and assuring compliance with various elements contained in the Act.

SECTION 6. Representatives from the Town along with the other LGTF members have developed the Marin Energy Authority Joint Powers Agreement (“Joint Powers Agreement”) (attached hereto as Exhibit A) in order to accomplish the following:

- (a) To form a Joint Powers Authority (JPA) known as “Marin Energy” and
- (b) To specify the terms and conditions by which participants may participate as a group in energy programs, including but not limited to the preliminary implementation of a Community Choice Aggregation program.

SECTION 7. Representatives from the Town along with the LGTF members have developed a Business Plan (attached hereto as Exhibit B that describes the formation of Marin Clean Energy and the Community Choice Aggregation program to be implemented by and through the Marin Energy Authority.

SECTION 8. A final Implementation Plan will be submitted for review and adoption by the Board of Directors of the Marin Energy Authority as soon after the formation of the Authority as reasonably practicable.

SECTION 9. As described in the Business Plan, Community Choice Aggregation by and through the Marin Energy Authority appears to provide a reasonable opportunity to accomplish all of the following:

- (a) To provide greater levels of local involvement in and collaboration on energy decisions.
- (b) To increase significantly the amount of renewable energy available to Marin customers,
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SECTION 10. The Act requires Community Choice Aggregation program participants to individually adopt an ordinance (“CCA Ordinance”) electing to implement a Community Choice Aggregation program within its jurisdiction by and through its participation in the Marin Energy Authority.

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SECTION 12. A city, town or county may not participate in the Marin Energy Joint Powers Authority without also participating in the Community Choice Aggregation program unless the Board of Directors of the Marin Energy Joint Powers Authority decides to not

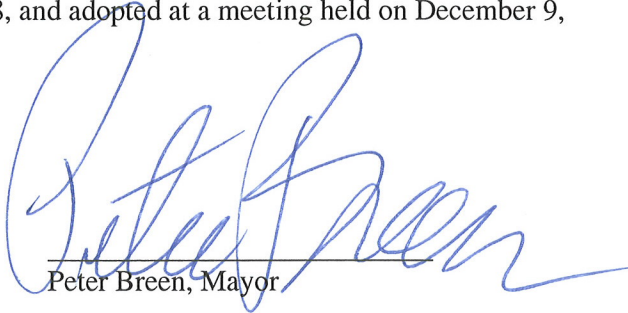
implement or operate a Community Choice Aggregation program after the Authority is established.

SECTION 13. Based upon all of the above, the Council approves the Joint Powers Agreement attached hereto as Exhibit A and elects to implement a Community Choice Aggregation program within the Town's jurisdiction by and through the Town's participation in the Marin Energy Authority, as described in the Business Plan in substantially the form attached hereto as Exhibit B, and subject to the Town's right to forego the actual implementation of a Community Choice Aggregation program pursuant to specified withdrawal rights described in the Joint Powers Agreement. The Mayor is hereby authorized to execute the attached Joint Powers Agreement.

SECTION 14. This ordinance shall take effect and be in force 30 days after its adoption, and, before the expiration of 30 days after its passage, a summary of this ordinance shall be published once with the names of the members of the Council voting for and against the same in the Marin IJ, a newspaper of general circulation published in the County of Marin.

The foregoing ordinance was introduced at a meeting of the Town Council of the Town of San Anselmo, held on November 25, 2008, and adopted at a meeting held on December 9, 2008, by the following vote:

AYES:	Freeman, Greene, Thornton
NOES:	Breen, House
ABSENT:	None



Peter Breen, Mayor



Barbara Chambers, Town Clerk

ORDINANCE NO. 1871
(Uncodified)

AN ORDINANCE OF THE CITY OF SAN RAFAEL
APPROVING THE MARIN ENERGY AUTHORITY
JOINT POWERS AGREEMENT AND
AUTHORIZING THE IMPLEMENTATION OF
A COMMUNITY CHOICE AGGREGATION PROGRAM

The City Council of the City of San Rafael does hereby ordain as follows:

SECTION 1. The City of San Rafael has been actively investigating options to provide electric services to constituents within its service area with the intent of achieving greater local involvement over the provisions of electric services and promoting competitive and renewable energy.

SECTION 2. On September 24, 2002, the Governor signed into law Assembly Bill 117 (Stat. 2002, ch. 838; see California Public Utilities Code section 366.2; hereinafter referred to as the "Act"), which authorizes any California city or county, whose governing body so elects, to combine the electricity load of its residents and businesses in a community-wide electricity aggregation program known as Community Choice Aggregation.

SECTION 3. The Act expressly authorizes participation in a Community Choice Aggregation (CCA) program through a joint powers agency, and to this end the City of San Rafael has been participating since 2003 in the evaluation of a CCA program for the County of Marin and the cities and towns within it.

SECTION 4. On June 22, 2006, the City of San Rafael joined a Local Government Task Force (LGTF), which was comprised of elected officials and representatives of the County of Marin and each municipality within the County of Marin. The purpose of the LGTF was to jointly participate in the investigation of CCA for Marin communities and customers. The LGTF had five meetings with the final meeting taking place on March 6, 2008. The LGTF meetings looked at issues including:

- (a) The costs, benefits and risks of a CCA including legal liability issues.
- (b) The governance and business planning of a CCA.
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SECTION 5. Through Docket No. R.03-10-003, the California Public Utilities Commission has issued various decisions and rulings addressing the implementation of Community Choice Aggregation programs, including the recent issuance of a procedure by which the California Public Utilities Commission will review "Implementation Plans," which are required for submittal under the Act as the means of describing the Community Choice Aggregation program and assuring compliance with various elements contained in the Act.

SECTION 6. Representatives from the City of San Rafael along with the other LGTF members have developed the Marin Energy Authority Joint Powers Agreement (“Joint Powers Agreement”, attached hereto as Exhibit A) in order to accomplish the following:

(a) To form a Joint Powers Authority (JPA) known as “Marin Energy Authority” and,

(b) To specify the terms and conditions by which participants may participate as a group in energy programs, including but not limited to the preliminary implementation of a Community Choice Aggregation program.

SECTION 7. Representatives from the City of San Rafael along with the LGTF members have developed a Business Plan (attached hereto as Exhibit B) that describes the formation of Marin Clean Energy and the Community Choice Aggregation program to be implemented by and through the Marin Energy Authority.

SECTION 8. A final Implementation Plan will be submitted for review and adoption by the Board of Directors of the Marin Energy Authority as soon after the formation of the Authority as reasonably practicable.

SECTION 9. As described in the Business Plan, Community Choice Aggregation by and through the Marin Energy Authority appears to provide a reasonable opportunity to accomplish all of the following:

(a) To provide greater levels of local involvement in and collaboration on energy decisions.

(b) To increase significantly the amount of renewable energy available to Marin customers,

(c) To provide initial price stability, long – term electricity cost savings and other benefits for the community, and

(d) To reduce green house gases which are emitted by creating electricity for the community.

SECTION 10. The Act requires Community Choice Aggregation program participants to individually adopt an ordinance (“CCA Ordinance”) electing to implement a Community Choice Aggregation program within its jurisdiction by and through its participation in the Marin Energy Authority.

SECTION 11. The Joint Powers Agreement expressly allows the City of San Rafael to withdraw its membership in the Marin Energy Authority (and its participation in the Community Choice Aggregation program) prior to the actual implementation of a Community Choice Aggregation program through Program Agreement 1.

SECTION 12. A city, town or county may not participate in the Marin Energy Joint Powers Authority without also participating in the Community Choice Aggregation program

unless the Board of Directors of the Marin Energy Joint Powers Authority decides to not implement or operate a Community Choice Aggregation program after the Authority is established.

SECTION 13. Based upon all of the above, the City Council of the City of San Rafael approves the Joint Powers Agreement attached hereto as Exhibit A and elects to implement a Community Choice Aggregation program within the City's jurisdiction by and through the City's participation in the Marin Energy Authority, as described in the Business Plan in substantially the form attached hereto as Exhibit B, and subject to the City's right to forego the actual implementation of a Community Choice Aggregation program pursuant to specified withdrawal rights described in the Joint Powers Agreement. The Vice Mayor is hereby authorized to execute the attached Joint Powers Agreement.

SECTION 14. A summary of this Ordinance shall be published and a certified copy of the full text of this Ordinance shall be posted in the office of the City Clerk at least five (5) days prior to the City Council meeting at which it is adopted. This Ordinance shall be in full force and effect thirty (30) days after its final passage, and the summary of this Ordinance shall be published within fifteen (15) days after the adoption, together with the names of the Councilmembers voting for or against same, in the Marin Independent Journal, a newspaper of general circulation published and circulated in the City of San Rafael, County of Marin, State of California. Within fifteen (15) days after adoption, the City Clerk shall also post in the office of the City Clerk, a certified copy of the full text of this Ordinance along with the names of those Councilmembers voting for or against the Ordinance


CYR N. MILLER, Vice Mayor

ATTEST:


ESTHER BEIRNE, City Clerk

The foregoing Ordinance No. 1871 was read and introduced at a Regular Meeting of the City Council of the City of San Rafael, held on the 1st day of December, 2008 and ordered passed to print by the following vote, to wit:

AYES: Councilmembers: Brockbank, Connolly and Heller

NOES: Councilmembers: Vice-Mayor Miller

ABSENT: Councilmembers: Mayor Boro, due to potential conflict of interest.

and will come up for adoption as an Ordinance of the City of San Rafael at a Regular Meeting of the Council to be held on the 15th day of December, 2008.


ESTHER BEIRNE, City Clerk

ORDINANCE NO. 1193

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF SAUSALITO APPROVING THE
MARIN ENERGY AUTHORITY
JOINT POWERS AGREEMENT AND AUTHORIZING THE
IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION
PROGRAM**

The City Council of the City of Sausalito ordains as follows:

SECTION 1. The City of Sausalito has been actively investigating options to provide electric services to constituents within its service area with the intent of achieving greater local involvement over the provisions of electric services and promoting competitive and renewable energy.

SECTION 2. On September 24, 2002, the Governor signed into law Assembly Bill 117 (Stat. 2002, Ch 838; see California Public Utilities Code section 366.2; hereinafter referred to as the "Act"), which authorizes any California City or County, whose governing body so elects, to combine the electricity load of its residents and businesses in a community-wide electricity aggregation program known as Community Choice Aggregation.

SECTION 3. The Act expressly authorizes participation in a Community Choice Aggregation (CCA) program through a joint powers agency, and to this end the City has been participating since 2003 in the evaluation of a CCA program for the County of Marin and the cities and towns within.

SECTION 4. On June 22, 2006, the City joined a Local Government Task Force (LGTF), which was comprised of elected officials and representatives of the County of Marin and each municipality in the County. The purpose of the LGTF was to jointly participate in the investigation of CCA for Marin Communities and customers. The LGTF had five meetings with the final meeting taking place on March 6, 2008. The LGTF meetings looked at issues including:

- (a) The costs, benefits and risks of a CCA including legal liability issues.
- (b) The governance and business planning of a CCA.
- (c) The feasibility of a CCA and deciding whether to pursue formation of a countywide CCA organization.
- (d) Public education.

SECTION 5. Through Docket No. R.03-10-003, the California Public Utilities Commission has issued various decisions and rulings addressing the implementation of community choice Aggregation programs, including the recent issuance of a procedure by which the California Public Utilities commission will review “Implementation Plans”, which are required for submittal under the Act as the means of describing the Community Choice Aggregation program and assuring compliance with various elements contained in the Act.

SECTION 6. Representatives from the City along with the other LGTF members have developed the Marin Energy Authority Joint Powers Agreement (“Joint Powers Agreement”) (attached hereto as Exhibit A) in order to accomplish the following:

- (a) To form a Joint Powers Authority (JPA) known as “Marin Energy” and
- (b) To specify the terms and conditions by which participants may participate as a group in energy programs, including but not limited to the preliminary implementation of a Community Choice Aggregation program.

SECTION 7. Representatives from the City along with the LGTF members have developed a Business Plan (attached hereto as Exhibit B) that describes the formation of Marin clean Energy and the Community Choice Aggregation program to be implemented by and through the Marin Energy Authority.

SECTION 8. A final Implementation Plan will be submitted for review and adoption by the Board of Directors of the Marin Energy authority as soon after the formation of the authority as reasonably practicable.

SECTION 9. As described in the Business Plan, Community Choice Aggregation by and through the Marin Energy authority appears to provide a reasonable opportunity to accomplish all the following.

- (a) To provide greater levels of local involvement in and collaboration on energy decisions,
- (b) To increase significantly the amount of renewable energy available to Marin customers,
- (c) To provide initial price stability, long-term electricity cost savings and other benefits for the community, and
- (d) To reduce green house gases that are emitted by creating electricity for the community.

SECTION 10. The Act requires Community Choice Aggregation program participants to individually adopt an ordinance (“CCA Ordinance”) electing to implement a Community Choice Aggregation program within its jurisdiction by and through its participation in the Marin Energy Authority.

SECTION 11. The Joint Powers Agreement expressly allows the city to withdraw its membership in the Marin Energy Authority (and its participation in the Community Choice Aggregation program) prior to the actual implementation of a Community Choice Aggregation program through Program Agreement 1.

SECTION 12. A city, town or county may not participate in the Marin Energy Joint Powers Authority without also participating in the Community Choice Aggregation program unless the Board of Directors of the Marin Energy Joint Powers Authority decides to not implement or operate a Community Choice Aggregation program after the Authority is established.

SECTION 13. Based upon all of the above, the Council approves the Joint Powers Agreement attached hereto as Exhibit A and elects to implement a Community Choice Aggregation program within the City's jurisdiction by and through the City's participation in the Marin Energy Authority, as described in the Business Plan in substantially the form attached hereto as Exhibit B, and subject to the City's right to forego the actual implementation of a Community Choice Aggregation program pursuant to specified withdrawal rights described in the Joint Powers Agreement. The Mayor is hereby authorized to execute the attached Joint Powers Agreement.

SECTION 14. This ordinance shall take effect and be in force 30 days after its adoption, and, before the expiration of 30 days after its passage, a summary of this ordinance shall be published once with the names and the members of the Council voting for and against the same in the Marin Scope, a newspaper of general circulation published in the City of Sausalito.

The foregoing ordinance was introduced at a meeting of the City Council of the City of Sausalito held on November 18, 2008, and adopted at meeting held on November 25, 2008, by the following vote:

AYES:	Councilmembers:	Albritton, Kelly, Leone, Weiner, and Mayor Belser
NOES:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None
ABSENT:	Councilmembers:	None



MAYOR OF THE CITY OF SAUSALITO

ATTEST:



DEPUTY CITY CLERK

ORDINANCE NO. 513 N.S.

AN ORDINANCE OF THE TOWN COUNCIL
OF THE TOWN OF TIBURON APPROVING THE
MARIN ENERGY AUTHORITY
JOINT POWERS AGREEMENT AND AUTHORIZING THE
IMPLEMENTATION OF A
COMMUNITY CHOICE AGGREGATION PROGRAM

The Town Council of the Town of Tiburon ordains as follows:

SECTION 1. The Town of Tiburon has been actively investigating options to provide electric services to constituents within its service area with the intent of achieving greater local involvement over the provisions of electric services and promoting competitive and renewable energy.

SECTION 2. On September 24, 2002, the Governor signed into law Assembly Bill 117 (Stat. 2002, ch. 838; see California Public Utilities Code section 366.2; hereinafter referred to as the "Act"), which authorizes any California city or county, whose governing body so elects, to combine the electricity load of its residents and businesses in a community-wide electricity aggregation program known as Community Choice Aggregation.

SECTION 3. The Act expressly authorizes participation in a Community Choice Aggregation (CCA) program through a joint powers agency, and to this end the Town has been participating since 2003 in the evaluation of a CCA program for the County of Marin and the cities and towns within it.

SECTION 4. On June 22, 2006, the Town joined a Local Government Task Force (LGTF), which was comprised of elected officials and representatives of the County of Marin and each municipality in the County. The purpose of the LGTF was to jointly participate in the investigation of CCA for Marin communities and customers. The LGTF had five meetings with the final meeting taking place on March 6, 2008. The LGTF meetings looked at issues including:

- (a) The costs, benefits and risks of a CCA including legal liability issues.
- (b) The governance and business planning of a CCA.
- (c) The feasibility of a CCA and deciding whether to pursue formation of a countywide CCA organization.
- (d) Public education.

SECTION 5. Through Docket No. R.03-10-003, the California Public Utilities Commission has issued various decisions and rulings addressing the implementation of Community Choice Aggregation programs, including the recent issuance of a procedure by which the California Public Utilities Commission will review "Implementation Plans," which are required for submittal under the Act as the means of describing the Community Choice Aggregation program and assuring compliance with various elements contained in the Act.

SECTION 6. Representatives from the Town along with the other LGTF members have developed the Marin Energy Authority Joint Powers Agreement (“Joint Powers Agreement”) (attached hereto as Exhibit A) in order to accomplish the following:

- (a) To form a Joint Powers Authority (JPA) known as “Marin Energy” and
- (b) To specify the terms and conditions by which participants may participate as a group in energy programs, including but not limited to the preliminary implementation of a Community Choice Aggregation program.

SECTION 7. Representatives from the Town along with the LGTF members have developed a Business Plan (attached hereto as Exhibit B) that describes the formation of Marin Clean Energy and the Community Choice Aggregation program to be implemented by and through the Marin Energy Authority.

SECTION 8. A final Implementation Plan will be submitted for review and adoption by the Board of Directors of the Marin Energy Authority as soon after the formation of the Authority as reasonably practicable.

SECTION 9. As described in the Business Plan, Community Choice Aggregation by and through the Marin Energy Authority appears to provide a reasonable opportunity to accomplish all of the following:

- (a) To provide greater levels of local involvement in and collaboration on energy decisions.
- (b) To increase significantly the amount of renewable energy available to Marin customers,
- (c) To provide initial price stability, long-term electricity cost savings and other benefits for the community, and
- (d) To reduce green house gases that are emitted by creating electricity for the community.

SECTION 10. The Act requires Community Choice Aggregation program participants to individually adopt an ordinance (“CCA Ordinance”) electing to implement a Community Choice Aggregation program within its jurisdiction by and through its participation in the Marin Energy Authority.

SECTION 11. The Joint Powers Agreement expressly allows the Town to withdraw its membership in the Marin Energy Authority (and its participation in the Community Choice Aggregation program) prior to the actual implementation of a Community Choice Aggregation program through Program Agreement 1.

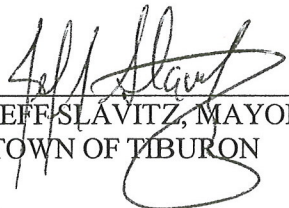
SECTION 12. A city, town or county may not participate in the Marin Energy Joint Powers Authority without also participating in the Community Choice Aggregation program unless the Board of Directors of the Marin Energy Joint Powers Authority decides to not implement or operate a Community Choice Aggregation program after the Authority is established.

SECTION 13. Based upon all of the above, the Council approves the Joint Powers Agreement attached hereto as Exhibit A and elects to implement a Community Choice Aggregation program within the Town's jurisdiction by and through the Town's participation in the Marin Energy Authority, as described in the Business Plan in substantially the form attached hereto as Exhibit B, and subject to the Town's right to forego the actual implementation of a Community Choice Aggregation program pursuant to specified withdrawal rights described in the Joint Powers Agreement. The Mayor is hereby authorized to execute the attached Joint Powers Agreement.

SECTION 14. This ordinance shall take effect and be in force 30 days after its adoption, and, before the expiration of 30 days after its passage, a summary of this ordinance shall be published once with the names of the members of the Council voting for and against the same in a newspaper of general circulation published in the Town of Tiburon.

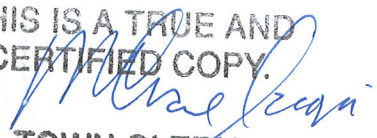
The foregoing ordinance was introduced at a meeting of the Town Council of the Town of Tiburon held on November 5, 2008, and adopted at a meeting held on November 19, 2008, by the following vote:

AYES:	COUNCILMEMBERS:	Berger, Fredericks, Gram, Slavitz
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Collins


JEFF SLAVITZ, MAYOR
TOWN OF TIBURON

ATTEST:


DIANE CRANE-IACOPI, TOWN CLERK

THIS IS A TRUE AND
CERTIFIED COPY.

TOWN CLERK

ORDINANCE NO. 3505

**ORDINANCE OF THE MARIN COUNTY BOARD OF SUPERVISORS
APPROVING THE MARIN ENERGY AUTHORITY JOINT POWERS AGREEMENT
AND AUTHORIZING THE IMPLEMENTATION OF A
COMMUNITY CHOICE AGGREGATION PROGRAM**

THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN ORDAINS AS
FOLLOWS:

SECTION 1. The County of Marin has been actively investigating options to provide electric services to constituents within its service area with the intent of achieving greater local involvement over the provisions of electric services and promoting competitive and renewable energy.

SECTION 2. On September 24, 2002, the Governor signed into law Assembly Bill 117 (Stat. 2002, ch. 838; see California Public Utilities Code section 366.2; hereinafter referred to as the "Act"), which authorizes any California city or county, whose governing body so elects, to combine the electricity load of its residents and businesses in a community-wide electricity aggregation program known as Community Choice Aggregation.

SECTION 3. The Act expressly authorizes participation in a Community Choice Aggregation (CCA) program through a joint powers agency, and to this end the County has been participating since 2003 in the evaluation of a CCA program for the County and the cities and towns within it.

SECTION 4. On June 22, 2006, the County of Marin joined a Local Government Task Force (LGTF), which was comprised of elected officials and representatives of each municipality in the County. The purpose of the LGTF was to jointly participate in the investigation of CCA for Marin communities and customers. The LGTF had five meetings with the final meeting taking place on March 6, 2008. The LGTF meetings looked at issues including:

- (a) The costs, benefits and risks of a CCA including legal liability issues.
- (b) The governance and business planning of a CCA.
- (c) The feasibility of a CCA and deciding whether to pursue formation of a countywide CCA organization.
- (d) Public education.

SECTION 5. Through Docket No. R.03-10-003, the California Public Utilities Commission has issued various decisions and rulings addressing the implementation of Community Choice Aggregation programs, including the recent issuance of a procedure by which the California Public Utilities Commission will review "Implementation Plans," which are required for submittal under the Act as the means of describing the

Community Choice Aggregation program and assuring compliance with various elements contained in the Act.

SECTION 6. Representatives from the County along with the other LGTF members have developed the Marin Energy Authority Joint Powers Agreement ("Joint Powers Agreement") (attached hereto as Exhibit A) in order to accomplish the following:

- (a) To form a Joint Powers Authority (JPA) known as "Marin Energy" and
- (b) To specify the terms and conditions by which participants may participate as a group in energy programs, including but not limited to the preliminary implementation of a Community Choice Aggregation program.

SECTION 7. Representatives from the County along with the LGTF members have developed a Business Plan (attached hereto as Exhibit B that describes the formation of Marin Clean Energy and the Community Choice Aggregation program to be implemented by and through the Marin Energy Authority.

SECTION 8. A final Implementation Plan will be submitted for review and adoption by the Board of Directors of the Marin Energy Authority as soon after the formation of the Authority as reasonably practicable.

SECTION 9. As described in the Business Plan, Community Choice Aggregation by and through the Marin Energy Authority appears to provide a reasonable opportunity to accomplish all of the following:

- (a) To provide greater levels of local involvement in and collaboration on energy decisions.
- (b) To increase significantly the amount of renewable energy available to Marin customers,
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SECTION 10. The Act requires Community Choice Aggregation program participants to individually adopt an ordinance ("CCA Ordinance") electing to implement a Community Choice Aggregation program within its jurisdiction by and through its participation in the Marin Energy Authority.

SECTION 11. The Joint Powers Agreement expressly allows the County to withdraw its membership in the Marin Energy Authority (and its participation in the Community Choice Aggregation program) prior to the actual implementation of a Community Choice Aggregation program through Program Agreement 1.

SECTION 12. A city, town or county may not participate in the Marin Energy Joint Powers Authority without also participating in the Community Choice Aggregation program unless the Board of Directors of the Marin Energy Joint Powers Authority decides to not implement or operate a Community Choice Aggregation program after the Authority is established

SECTION 13. Based upon all of the above, the Board approves the Joint Powers Agreement attached hereto as Exhibit A and elects to implement a Community Choice Aggregation program within the County's jurisdiction by and through the County's participation in the Marin Energy Authority, as described in the Business Plan in substantially the form attached hereto as Exhibit B, and subject to the County's right to forego the actual implementation of a Community Choice Aggregation program pursuant to specified withdrawal rights described in the Joint Powers Agreement. The Chairman of the Board is hereby authorized to execute the attached Joint Powers Agreement.

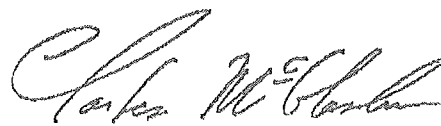
SECTION 14. This ordinance shall take effect and be in force 30 days after its adoption, and, before the expiration of 30 days after its passage, a summary of this ordinance shall be published once with the names of the members of the Board of Supervisors voting for and against the same in the Marin Independent Journal, a newspaper of general circulation published in the County of Marin.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin held on this 18th day of November, 2008, by the following vote:

AYES: SUPERVISORS Steve Kinsey, Harold C. Brown, Jr., Judy Arnold,
 Susan L. Adams, Charles McGlashan

NOES: NONE

ABSENT: NONE



PRESIDENT, BOARD OF SUPERVISORS

ATTEST:



CLERK