RESOLUTION NO. 2014-03

A RESOLUTION OF THE BOARD OF DIRECTORS OF MARIN CLEAN ENERGY
APPROVING THE COUNTY OF NAPA AS A MEMBER OF
MARIN CLEAN ENERGY SUBJECT TO (1) THE ADOPTION BY THE COUNTY OF
NAPA OF THE ORDINANCE REQUIRED BY PUBLIC UTILITIES CODE
SECTION 366.2(C)(10) AND SUCH ORDINANCE BECOMING EFFECTIVE AND
(2) THE EXECUTION OF THE MARIN CLEAN ENERGY (FORMERLY MARIN
ENERGY AUTHORITY) JOINT POWERS AGREEMENT BY THE COUNTY OF NAPA.

WHEREAS, 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 (“CCA”); and,

WHEREAS, the Act expressly authorizes participation in a CCA program through
a joint powers agency, and on December 19, 2008, Marin Clean Energy (“MCE”),
(formerly the Marin Energy Authority) was established as a joint power authority
pursuant to a Joint Powers Agreement, as amended from time to time (“MCE Joint
Powers Agreement”); and,

WHEREAS, on February 2, 2010, the California Public Utilities Commission
certified the “Implementation Plan” of MCE, confirming MCE’s compliance with the
requirements of the Act; and,

WHEREAS, MCE members include the following communities: the
County of Marin, the City of Belvedere, the Town of Corte Madera, the Town of Fairfax,
the City of Larkspur, the City of Mill Valley, the City of Novato, the City of Richmond, the
Town of Ross, the Town of San Anselmo, the City of San Rafael, the City of Sausalito
and the Town of Tiburon; and

WHEREAS, the County of Napa adopted a Resolution requesting membership
in the Marin Clean Energy on June 3, 2014; and,

WHEREAS, the County of Napa approved the first reading of the required
Ordinance on June 3, 2014, electing to implement a Community Choice Aggregation
program within its jurisdiction through Marin Clean Energy.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the Board of
Directors of Marin Clean Energy that the County of Napa is approved as a member of
the Marin Clean Energy subject to (1) the adoption by the County of Napa of the
Ordinance required by Public Utilities Code Section 366.2(c)(10) and such ordinance
becoming effective and (2) the execution of the Marin Clean Energy Joint Powers
Agreement by the County of Napa.
PASSED AND ADOPTED at a regular meeting of the Marin Clean Energy Board of Directors on this Fifth day of June, 2014 by the following vote:

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CHAIR, MARIN CLEAN ENERGY BOARD

ATTEST:

SECRETARY, MARIN CLEAN ENERGY BOARD

APPROVED
JUN 05 2014
MARIN CLEAN ENERGY