RESOLUTION NO. 2014-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF MARIN CLEAN ENERGY 
APPROVING THE CITY OF SAN PABLO AS A MEMBER OF 
MARIN CLEAN ENERGY SUBJECT TO (1) THE ADOPTION BY THE CITY OF SAN 
PABLO 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 CITY OF SAN 
PABLO.

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 City of San Pablo requested membership in Marin Clean 
Energy on March 24, 2014; and,

WHEREAS, the MCE Board of Directors approved the membership request of 
the City of San Pablo on April 3, 2014 subject to a membership analysis yielding a 
positive result; and

WHEREAS, the membership analysis for the City of San Pablo was completed 
on June 12, 2014, and yielded a positive result.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the Board of 
Directors of Marin Clean Energy that the City of San Pablo is approved as a member of
the Marin Clean Energy subject to (1) the adoption by the City of San Pablo 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 City of San Pablo.

PASSED AND ADOPTED at a regular meeting of the Marin Clean Energy Board of Directors on this Third day of July, 2014 by the following vote:

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CHAIR, MARIN CLEAN ENERGY

ATTEST:

SECRETARY, MARIN CLEAN ENERGY BOARD

APPROVED
JUL 03 2014
MARIN CLEAN ENERGY