

RESOLUTION NO. 2014-04

MARIN CLEAN ENERGY

**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

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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:

	AYES	NOES	ABSTAIN	ABSENT
City of Belvedere	✓			
Town of Corte Madera	✓			
Town of Fairfax	✓			
City of Larkspur	✓			
County of Marin	✓			
City of Mill Valley	✓			
City of Novato	✓			
City of Richmond				✓
Town of Ross	✓			
Town of San Anselmo	✓			
City of San Rafael	✓			
City of Sausalito	✓			
Town of Tiburon	✓			

CHAIR, MARIN CLEAN ENERGY

ATTEST:

SECRETARY, MARIN CLEAN ENERGY BOARD

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