

ORDINANCE NO. 03-12 N.S.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND 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 Richmond ordains as follows:

SECTION 1. The City of Richmond 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 provision 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 (CCA).

SECTION 3. The Act expressly authorizes participation in a CCA program through a joint powers agency, and on December 19, 2008, the Marin Energy Authority (MEA) was established as a joint power authority pursuant to a Joint Powers Agreement, as amended from time to time.

SECTION 4. On February 2, 2010, the California Public Utilities Commission certified the "Implementation Plan" of the MEA, confirming the MEA's compliance with the requirements of the Act.

SECTION 5. In order to become a member of the MEA, the Act requires the City of Richmond to individually adopt an ordinance electing to implement a Community Choice Aggregation program within its jurisdiction by and through its participation in the Marin Energy Authority.

SECTION 6. Based upon all of the above, the City Council elects to implement a Community Choice Aggregation program within the City of Richmond's jurisdiction by and through the City of Richmond's participation in the Marin Energy Authority. The Mayor is hereby authorized to execute the MEA Joint Powers Agreement.

SECTION 7. 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 City Council voting for and against the same in the West Contra Costa Times, a newspaper of general circulation published in Contra Costa County.

First read at a regular meeting of the Council of the City of Richmond, California, held June 5, 2012, and finally passed and adopted at a regular meeting thereof held June 19, 2012, by the following vote:

AYES: Councilmembers Beckles, Butt, Ritterman, Vice Mayor Rogers, and Mayor McLaughlin.

NOES: Councilmembers Bates and Booze.

ABSTENTIONS: None.

ABSENT: None.

DIANE HOLMES
CLERK OF THE CITY OF RICHMOND

(SEAL)

Approved:

GAYLE MCLAUGHLIN
Mayor

Approved as to form:

BRUCE REED GOODMILLER
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of Ordinance No. 03-12 N.S., finally passed and adopted by the City Council of the City of Richmond at a joint meeting held on June 19, 2012.