

## RESOLUTION NO. 3937-2016

### RESOLUTION OF THE FORT BRAGG CITY COUNCIL REQUESTING THAT THE SONOMA CLEAN POWER AUTHORITY ACT AS COMMUNITY CHOICE AGGREGATOR ON BEHALF OF THE CITY AND IMPLEMENT THE SONOMA CLEAN POWER COMMUNITY CHOICE AGGREGATION PROGRAM WITHIN THE CITY OF FORT BRAGG

**WHEREAS**, the City of Fort Bragg has been actively investigating options to provide electric services to constituents within its service area with the intent of achieving greater local involvement in the provision of electric services and promoting competitive and renewable energy; and

**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 4, 2012, the Sonoma Clean Power Authority ("SCPA") was established as a joint powers authority pursuant to a Joint Powers Agreement, as amended from time to time ("SCPA Joint Powers Agreement"); and

**WHEREAS**, on October 4, 2013, the California Public Utilities Commission certified the "Implementation Plan" for SCPA's CCA program, and on February 20, 2015 approved a First Revised and Updated Implementation Plan, confirming SCPA's compliance with the requirements of the Act; and

**WHEREAS**, on June 16, 2015, the Board of Supervisors of Mendocino County adopted Ordinance No. 4337, determining that implementation of a CCA program is in the public interest and welfare of its residents, and elected to authorize and implement a CCA program within the unincorporated areas of the County of Mendocino; and

**WHEREAS**, on August 2, 2016, the Board of Supervisors of Mendocino County adopted a resolution requesting that SCPA act as the CCA on behalf of the County and implement SCPA's CCA program within the unincorporated areas of Mendocino County; and

**WHEREAS**, on September 13, 2016, the Board of Supervisors of Mendocino County adopted Ordinance No. 4363, authorizing the implementation of SCPA's CCA program within the unincorporated areas of Mendocino County; and

**WHEREAS**, the Fort Bragg City Council supports the goals stated in the SCPA Joint Powers Agreement, which are to address climate change by reducing greenhouse gas emissions, to provide electric power at a competitive cost, to carry out programs to reduce energy use, to provide for long-term electric rate stability and energy security and reliability for residents through local control of electric generation resources, and to stimulate and sustain the local economy; and

**WHEREAS**, the Fort Bragg City Council supports SCPA's current electricity procurement plan, which increases the amount of renewable energy available to customers and reduces greenhouse gas emissions; and

**WHEREAS**, SCPA representatives have stated a willingness to consider including one Mendocino County representative on the SCPA Board and another representative collectively representing the cities of Mendocino County if at least two eligible Mendocino County cities apply and are accepted for participation in the SCPA; and

**WHEREAS**, SCPA representatives have stated a willingness to consider proportional and equitable use of program funds and mutually beneficial local partnerships; and

**WHEREAS**, in order to participate in SCPA's CCA program, the Act requires Fort Bragg to adopt a resolution requesting that SCPA act as the community choice aggregator on behalf of the City; and

**WHEREAS**, the Fort Bragg City Council wishes to make such a request, so that SCPA can provide CCA service to electric utility customers in the City of Fort Bragg.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Fort Bragg as follows:

1. The foregoing recitals are true and correct.
2. Based upon all of the above, the Fort Bragg City Council requests that the SCPA act as Community Choice Aggregator on its behalf within the jurisdiction of the City of Fort Bragg, and authorizes the SCPA to implement and carry out within the City of Fort Bragg the community choice aggregation program as generally described in the First Revised and Updated Implementation Plan.
3. The City of Fort Bragg, in conjunction with other eligible cities in Mendocino County that participate in SCPA's CCA program, will designate and appoint a representative of the participating cities in Mendocino County to serve on the Board of Directors of the Sonoma Clean Power Authority, and will designate and appoint an alternate.
4. The City Clerk is hereby directed to forward a copy of this resolution to the Sonoma Clean Power Authority.
5. The City Manager is authorized to sign other documents as needed to implement this process.

**The above and foregoing Resolution was introduced by Councilmember Peters, seconded by Councilmember Cimolino, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 26<sup>th</sup> day of September, 2016, by the following vote:**

<b>AYES:</b>	<b>Councilmember Cimolino, Hammerstrom, Peters, and Mayor Turner.</b>
<b>NOES:</b>	<b>None.</b>
<b>ABSENT:</b>	<b>Councilmember Deitz.</b>
<b>ABSTAIN:</b>	<b>None.</b>

RECUSED: None.



DAVE TURNER,  
Mayor

ATTEST:

  
Brenda Jourdain  
Acting City Clerk