

APPROVED

RESOLUTION NO. 2017-05

JUN 02 2017

A RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE BOARD OF DIRECTORS OF MARIN CLEAN ENERGY AUTHORIZING THE CHIEF EXECUTIVE OFFICER AND EXECUTIVE COMMITTEE CHAIR TO EXECUTE A GRANT AGREEMENT WITH THE CALIFORNIA ENERGY COMMISSION UNDER GRANT FUNDING OPPORTUNITY GFO-16-404

WHEREAS, Marin Clean Energy (MCE) is a joint powers authority established on December 19, 2008, and organized under the Joint Exercise of Powers Act (Government Code Section 6500 et seq.); and

WHEREAS, MCE members include the following communities: the County of Marin, the County of Napa, the City of American Canyon, the City of Belvedere, the City of Benicia, the City of Calistoga, the Town of Corte Madera, the City of El Cerrito, the Town of Fairfax, the City of Lafayette, the City of Larkspur, the City of Mill Valley, the City of Napa, the City of Novato, the City of Richmond, the Town of Ross, the Town of San Anselmo, the City of San Pablo, the City of San Rafael, the City of Sausalito, the City of St. Helena, the Town of Tiburon, the City of Walnut Creek, and the Town of Yountville; and

WHEREAS, on February 16, 2017, the Board of Directors of MCE adopted Resolution No. 2017-02 delegating contract approval and executory authority to its Executive Committee and the Chief Executive Officer (CEO), in relevant part as follows: that the Executive Committee has all necessary and proper authority to approve and direct the CEO to execute all contractual agreements or amendments thereto; provided that any agreement with total consideration greater than \$25,000 shall also be executed by the Executive Committee Chair; and

WHEREAS, on March 3, 2017, the Executive Committee authorized MCE staff to submit an application entitled MCE's "Building Efficiency Optimization" Project to the California Energy Commission ("CEC") for funding under the CEC's Local Government Challenge grant program GFO-16-404, in which MCE proposed to develop a replicable model for deploying Distributed Energy Resources that optimize energy efficiency in buildings on a community scale, with a total budget of \$1,720,343 million for the proposed project; and

WHEREAS, on April 11, 2017, the CEC issued a Notice of Proposed Award awarding MCE a grant in the amount of \$1,720,343 for the proposed project.

NOW, THEREFORE, BE IT RESOLVED, by the MCE Executive Committee:

A. The Executive Committee finds that, in compliance with the California Environmental Quality Act (CEQA), the activities and tasks described and/or proposed in MCE's "Building Efficiency Optimization" Project, whether wholly or partially funded by the CEC grant award or other source(s), are categorically exempt from further CEQA review under one or more CEQA Guidelines, including sections 15301 (minor alteration of existing structures or facilities), 15302 (replacement or reconstruction of existing structures and facilities, such as existing utility facilities), 15303 (replacement or repair

APPROVED

of facilities in, conversions of uses of, or minor modifications to small structures), 15304 (minor alterations to land) and 15306 (information collection and resource evaluation activities). Additionally, statutory exemption from CEQA review shall apply to the extent that any and all permits required for the Demonstration Projects are ministerial in nature (Public Resources Code Section 21080; 14 CCR Section 15300.1).

B. The Executive Committee approves the proposed Scope of Work, Budget, and applicable Terms and Conditions of CEC grant award GFO-14-404 for MCE's "Building Efficiency Optimization" Project; accepts the proposed grant award in the amount of \$1,720,343, and authorizes the CEO and Executive Committee Chair to execute the grant agreement upon receipt from the CEC of an approved final form of such agreement.

C. The Executive Committee hereby authorizes and directs MCE staff, in coordination with the CEC, to add to or modify any such non-material or technical provisions of the grant agreement as may be required under applicable local, state and federal contracting laws or grants management requirements in order to effectuate timely CEC approval and execution of the approved final grant agreement.

PASSED AND ADOPTED at a regular meeting of the MCE Executive Committee on this 2nd day of June, 2017, 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 Novato | ✓ | | | |
| City of Richmond | ✓ | | | |
| Town of San Anselmo | | | | ✓ |

CHAIR, MCE EXECUTIVE COMMITTEE

APPROVED

JUN 02 2017

Attest:

MARIN CLEAN ENERGY

SECRETARY