

## RESOLUTION NO. 2023-02

### **A RESOLUTION OF THE EXECUTIVE COMMITTEE OF MARIN CLEAN ENERGY AUTHORIZING REMOTE TELECONFERENCE MEETINGS FOR THE BOARD OF DIRECTORS AND EVERY COMMITTEE OF THE BOARD OF DIRECTORS PURSUANT TO GOVERNMENT CODE SECTION 54953(e)**

**WHEREAS**, Marin Clean Energy (“MCE”) is a joint powers authority established on December 19, 2008, and organized under the Joint Exercise of Powers Act, constituting Chapter 5 of Division 7 of Title 1 (commencing with Section 6500) of the California Government Code, as amended and supplemented (the “Act”); and

**WHEREAS**, MCE members include the following communities: the County of Marin, the County of Contra Costa, the County of Napa, the County of Solano, the City of American Canyon, the City of Belvedere, the City of Benicia, the City of Calistoga, the City of Concord, the Town of Corte Madera, the Town of Danville, the City of El Cerrito, the Town of Fairfax, the City of Fairfield, the City of Lafayette, the City of Larkspur, the City of Martinez, the City of Mill Valley, the Town of Moraga, the City of Napa, the City of Novato, the City of Oakley, the City of Pinole, the City of Pittsburg, the City of Pleasant Hill, the City of San Ramon, 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 Vallejo, the City of Walnut Creek, and the Town of Yountville; and

**WHEREAS**, MCE is subject to various provisions of the California Government Code; and

**WHEREAS**, Government Code section 54953(e), as amended by Assembly Bill No. 361, allows legislative bodies to hold open meetings by teleconference without reference to otherwise applicable requirements in Government Code section 54953(b)(3), so long as the legislative body complies with certain requirements, there exists a declared state of emergency, and one of the following circumstances is met:

1. State or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body is holding the meeting for the purpose of determining whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body has determined that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

**WHEREAS**, the Governor of California proclaimed a state of emergency pursuant to Government Code section 8625 on March 4, 2020; and

**WHEREAS**, the MCE Board of Directors previously adopted Resolution No. 2021-08 delegating authority to the MCE Executive Committee to adopt certain findings in accordance with Government Code section 54953(e), for remote teleconference meetings for the Board of Directors and any committee of the Board of Directors;

**WHEREAS**, the MCE Executive Committee desires to hold the MCE public meetings by teleconference consistent with Government Code section 54953(e);

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

- A. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
- B. The Executive Committee hereby finds and declares the following, as required by Government Code section 54953(e)(3):
1. The Governor of California proclaimed a state of emergency on March 4, 2020, pursuant to Government Code section 8625, which remains in effect.
  2. State and local officials have imposed or recommended measures to promote social distancing.
  3. The legislative body has determined that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

**PASSED AND ADOPTED** by the MCE Executive Committee on this 3rd day of February 2023, by the following vote:

	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
City of Belvedere	X			
City of Concord	X			
City of El Cerrito	X			
Town of Corte Madera	X			
Town of Danville				X
Town of Fairfax				X
City of Larkspur	X			
City of Mill Valley				X
City of Pinole	X			
City of Pittsburg				X
Town of Tiburon	X			

City of Walnut Creek				X
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DocuSigned by:

*Kevin Haroff*

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CHAIR, MCE

**Attest:**

DocuSigned by:

*Dawn Weisz*

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SECRETARY, MCE