

## RESOLUTION No. 2023-09

### A RESOLUTION OF THE BOARD OF DIRECTORS OF MARIN CLEAN ENERGY ACCEPTING CONGRESSIONALLY DIRECTED SPENDING PROJECT FROM THE GOLDEN FIELDS OFFICE OF THE U.S. DEPARTMENT OF ENERGY

**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 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**, the Golden Field Office of the U.S. Department of Energy (“DOE”) is responsible for processing and administering an award for the Congressionally Directed Spending project identified for funding in the Energy and Water Development and Related Agencies Appropriations Act, 2023 as part of the Federal budget for Fiscal Year 2023 (“FY2023 Act”); and

**WHEREAS**, MCE has been awarded one grant under the FY2023 Act for energy projects in support of energy efficiency and renewable energy in the amount for \$1,000,000 with a required match of 50% by MCE (“MCE Awarded Funds”). For an award that requires matching funds, the DOE would provide \$500,000 and MCE would be required to contribute \$500,000 to total an award of \$1,000,000; and

**WHEREAS**, MCE intends to use the MCE Awarded Funds in furtherance of MCE’s existing efforts to provide financial and technical support to install behind-the-meter battery energy storage paired with new or existing solar for at least 4 critical facilities or nonresidential customers that provide emergency services in MCE’s service area; and

**WHEREAS**, the DOE may approve funding allocations for the MCE Awarded Funds, subject to the terms and conditions of the FY2023 Act requirements, the grant agreement, and any other any other requirements between DOE and MCE.

**NOW, THEREFORE, BE IT RESOLVED**, by the MCE Board of Directors:

1. If MCE receives the MCE Awarded Funds from the DOE pursuant to the above referenced FY2023 Act, it represents and certifies that it will use all such funds in a manner consistent and in compliance with all applicable state

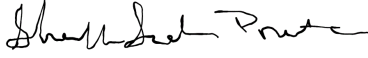
and federal statutes, rules, regulations, and laws, including without limitation all rules and laws regarding the FY2023 Act, as well as the grant agreement and any other requirements between DOE and MCE.

2. The Chief Executive Officer of MCE (“CEO”) is hereby authorized and directed to receive the MCE Awarded Funds, in an amount not to exceed \$500,000 from the DOE and provide a match fund of \$500,000 by MCE, in accordance with all applicable rules and laws.
3. The CEO hereby agrees to use the MCE Awarded Funds for eligible activities as approved by DOE and in accordance with all program requirements, and other rules and laws, as well as in a manner consistent and in compliance with the grant requirements.
4. The CEO is authorized to execute the necessary grant agreements and any subsequent or modifications thereto, as well as any other documents necessary to complete the receipt of the MCE Awarded Funds, as DOE may deem appropriate.


**PASSED AND ADOPTED** at a regular meeting of the MCE Board of Directors on this 17th day of August 2023, by the following vote:

	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
County of Marin	X			
Contra Costa County				X
County of Napa	X			
County of Solano				X
City of American Canyon	X			
City of Belvedere				X
City of Benicia	X			
City of Calistoga	X			
City of Concord	X			
Town of Corte Madera	X			
Town of Danville	X			
City of El Cerrito	X			
Town of Fairfax	X			
City of Fairfield	X			
City of Lafayette				X
City of Larkspur				X
City of Martinez	X			
City of Mill Valley	X			
Town of Moraga	X			

City of Napa	X			
City of Novato				X
City of Oakley	X			
City of Pinole				X
City of Pittsburg	X			
City of Pleasant Hill	X			
City of San Ramon	X			
City of Richmond	X			
Town of Ross	X			
Town of San Anselmo	X			
City of San Pablo	X			
City of San Rafael	X			
City of Sausalito	X			
City of St. Helena	X			
Town of Tiburon	X			
City of Vallejo				X
City of Walnut Creek	X			
Town of Yountville	X			

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CHAIR, MCE

**Attest:**

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SECRETARY, MCE