



RESOLUTION NO. 2011-14

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MARIN ENERGY AUTHORITY APPROVING THE CITY OF LARKSPUR AS A MEMBER OF THE MARIN ENERGY AUTHORITY SUBJECT TO (1) THE ADOPTION BY THE CITY OF LARKSPUR OF THE ORDINANCE REQUIRED BY PUBLIC UTILITIES CODE SECTION 366.2(C)(10) AND SUCH ORDINANCE BECOMING EFFECTIVE AND (2) THE EXECUTION OF THE MARIN ENERGY AUTHORITY JOINT POWERS AGREEMENT BY THE CITY OF LARKSPUR.

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 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 ("MEA Joint Powers Agreement"); and,

WHEREAS, 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; and,

WHEREAS, MEA members include the following Marin communities: the County of Marin, the City of Belvedere, the Town of Fairfax, the City of Mill Valley, the Town of San Anselmo, the City of San Rafael, the City of Sausalito and the Town of Tiburon; and

WHEREAS, on July 7, 2011, the MEA Board approved an amnesty period for non-member cities and towns in Marin to join MEA with no fee between July 7 and November 7, 2011; and,

WHEREAS, the amnesty period requires that any non-member city or town in Marin must approve a Resolution requesting membership in the MEA and complete a first reading of the Ordinance required by Public Utilities Code Section 366.2(c)(10) before November 7, 2011; and,

WHEREAS, the City of Larkspur adopted a Resolution requesting membership in the Marin Energy Authority on September 21, 2011; and,

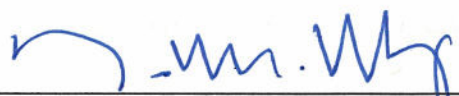
WHEREAS, the City of Larkspur approved the first reading of the required Ordinance on September 21, 2011, electing to implement a Community Choice Aggregation program within its jurisdiction through the Marin Energy Authority.



NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the Board of Directors of the Marin Energy Authority that the City of Larkspur is approved as a member of the Marin Energy Authority subject to (1) the adoption by the City of Larkspur of the Ordinance required by Public Utilities Code Section 366.2(c)(10) and such ordinance becoming effective and (2) the execution of the Marin Energy Authority Joint Powers Agreement by the City of Larkspur.

PASSED AND ADOPTED at a regular meeting of the Marin Energy Authority Board of Directors on this Third day of November 2011 by the following vote:

	AYES	NOES	ABSTAIN	ABSENT
City of Belvedere	✓			
Town of Fairfax	✓			
County of Marin				✓
City of Mill Valley	✓			
Town of San Anselmo	✓			
City of San Rafael	✓			
City of Sausalito				✓
Town of Tiburon	✓			



CHAIR, MARIN ENERGY AUTHORITY BOARD

ATTEST:



SECRETARY, MARIN ENERGY AUTHORITY BOARD