

RESOLUTION NO. 16-153, SERIES 2016

**RESOLUTION APPROVING THE JOINT EXERCISE OF POWERS AGREEMENT
ESTABLISHING THE VALLEY CLEAN ENERGY ALLIANCE, AUTHORIZING THE
MAYOR TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY OF DAVIS,
AND APPOINTING TWO CITY COUNCILMEMBERS TO SERVE AS THE
CITY'S DIRECTORS ON THE BOARD**

WHEREAS, the City Council of the City of Davis has investigated options to provide electrical services to customers within the City of Davis and unincorporated areas of the County; and

WHEREAS, the City of Davis has prepared, in consultation of the County, a Technical Feasibility Study for a community choice aggregation ("CCA") program, otherwise known as a Community Choice Energy ("CCE"), program in the City of Davis and Yolo County under the provisions of the Public Utilities Code section 366.2. The Technical Feasibility Study shows that implementing a CCE program has the potential to provide multiple benefits, including:

- a. Increasing local control and involvement in and collaboration on energy rates and other energy-related matters;
- b. Providing cost-competitive clean electricity;
- c. Providing customers a choice of power providers and electricity power products;
- d. Providing more stable long-term electric rates that are competitive with those provided by the incumbent utility;
- e. Reducing greenhouse gas emissions arising from electricity use within Yolo County and the City of Davis;
- f. Increasing local renewable generation capacity;
- g. Increasing energy conservation and efficiency projects and programs; and

WHEREAS, the City wishes to be a community choice aggregator and has introduced the Ordinance required by Public Utilities Code Section 366.2 in order to do so; and

WHEREAS, Yolo County also wishes to be a community choice aggregator and has also introduced the Ordinance required by Public Utilities Code Section 366.2 in order to do so; and

WHEREAS, pursuant to Section 366.2 two or more entities authorized to be a community choice aggregator, may participate as a group in a community choice aggregation program through a joint powers agency established pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code, if each entity adopts the aforementioned ordinance; and

WHEREAS, the City Council has considered the proposed Joint Exercise of Powers Agreement, attached hereto as Exhibit A, under which the City of Davis and Yolo County will form the Valley Clean Energy Alliance ("VCEA") and both agencies will become the initial members of VCEA; and

WHEREAS, the Joint Exercise of Powers Agreement will create and establish VCEA, and Yolo County, the City of Davis, and other cities or counties that later choose to participate in VCEA and the CCE program will have membership on the Board of Directors of VCEA as provided in the Joint Exercise of Powers Agreement if they execute the Agreement and adopt the ordinance required by the Public Utilities Code; and

WHEREAS, VCEA will enter into agreements with electric power suppliers and other service providers, and based upon those agreements VCEA will be able to provide power to residents and business. Once the California Public Utilities Commission approves the implementation plan created by VCEA, VCEA will provide service to customers within Yolo County and within the jurisdiction of the City of Davis and those other cities and counties that choose to join VCEA and to participate in the CCA program; and

WHEREAS, under Public Utilities Code section 366.2, customers have the right to opt-out of the CCE program and continue to receive service from the incumbent utility. Customers who wish to continue to receive service from the incumbent utility will be able to do so.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Davis does hereby approve the Joint Exercise of Powers Agreement with Yolo County to form the Valley Clean Energy Alliance (VCEA); and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized and directed to execute the Joint Exercise of Powers Agreement on behalf of the City of Davis, which will establish VCEA with Yolo County as an initial member; and

BE IT FURTHER RESOLVED that Lucas Frerichs and Robb Davis are hereby appointed as the initial Directors on the VCEA Board representing the City of Davis; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute any and all other necessary documents to enter into the Joint Exercise of Powers Agreement to form VCEA.

PASSED AND ADOPTED by the City Council of the City of Davis on this 25th day of October, 2016, by the following vote:

AYES: Arnold, Frerichs, Lee, Swanson, Davis

NOES: None



Robb Davis
Mayor

ATTEST:



Zoe S. Mirabile, CMC
City Clerk