

RESOLUTION NO.

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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**RESOLUTION AUTHORIZING AND DIRECTING THE PRESIDENT OF THE BOARD
OF SUPERVISORS TO EXECUTE THE JOINT EXERCISE OF POWERS
AGREEMENT, WHICH WILL ESTABLISH THE PENINSULA CLEAN ENERGY
AUTHORITY WITH THE COUNTY AS A CHARTER MEMBER**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, the Board of Supervisors of the County of San Mateo has investigated options to provide electric services to customers within the County, including incorporated and unincorporated areas, with the intent of achieving greater local control and involvement over the provision of electric services, competitive electric rates, the development of clean, local, renewable energy projects, reduced greenhouse gas emissions, and the wider implementation of energy conservation and efficiency projects and programs; and

WHEREAS, the County of San Mateo has prepared a Feasibility Study for a community choice aggregation (“CCA”) program in San Mateo County under the provisions of the Public Utilities Code section 366.2. The Feasibility Study shows that implementing a community choice aggregation program would provide multiple benefits, including:

- a. Providing customers a choice of power providers;
- b. Increasing local control and involvement in and collaboration on energy rates

- and other energy-related matters;
- c. Providing more stable long-term electric rates that are competitive with those provided by the incumbent utility;
 - d. Reducing greenhouse gas emissions arising from electricity use within San Mateo County;
 - e. Increasing local renewable generation capacity;
 - f. Increasing energy conservation and efficiency projects and programs;
Increasing regional energy self-sufficiency; and
 - g. Improving the local economy resulting from the implementation of local renewable and energy conservation and efficiency projects; and

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

WHEREAS, the County believes that other cities and towns within San Mateo County also wish to be community choice aggregators;

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.

WHEREAS, there has been presented to this Board of Supervisors for its consideration and acceptance a Joint Powers Agreement, reference to which is hereby made for further particulars, whereby the County of San Mateo shall participate in the creation of the Peninsula Clean Energy Authority (“Authority”) with at least two other cities and/or towns and become a charter member;

WHEREAS, the Joint Powers Agreement entered into between the County of San Mateo and the participating cities of the Peninsula will create and form the Peninsula Clean Energy Authority (“Authority”). Under the Joint Powers Agreement, the County and cities and towns within San Mateo County choosing to participate in the CCA program will have membership on the Board of Directors of the Authority as provided in the Joint Powers Agreement if they execute the Agreement and adopt the ordinance required by the Public Utilities Code;

WHEREAS, the newly created Authority will enter into Agreements with electric power suppliers and other service providers, and based upon those Agreements the Authority will be able to provide power to residents and business at rates that are competitive with those of the incumbent utility (“PG&E”). Once the California Public Utilities Commission approves the implementation plan created by the Authority, the Authority will provide service to customers within the unincorporated area of San Mateo County and within the jurisdiction of those cities who have chosen to participate in the CCA program; and

WHEREAS, under Public Utilities Code section 366.2, customers have the right

to opt-out of a CCA 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; and

WHEREAS, this Board has been presented with a form of such Agreement and said Board has examined and approved same as to both form and content and desires to enter into same.

NOW THEREFORE, IT IS HEREBY RESOLVED THAT the Board of Supervisors of San Mateo County wishes to enter into the Joint Exercise of Powers Agreement with participating Cities and Towns of the Peninsula to form the Peninsula Clean Power Agency and the President of the Board is authorized and directed to execute the Joint Exercise of Powers Agreement, which will establish the Authority with the County as a charter member; and

NOW THEREFORE, LET IT BE FURTHER RESOLVED THAT the County Manager is authorized to execute any and all other necessary documents to enter into the Joint Exercise of Powers Agreement to form Peninsula Clean Energy.

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