

**RESOLUTION NO. 10-14**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF DINUBA OPPOSING PROPOSITION 14, A  
PROPOSED CALIFORNIA CONSTITUTIONAL  
AMENDMENT, ENTITLED “NEW TWO-THIRDS VOTE  
REQUIREMENT FOR LOCAL PUBLIC ELECTRICITY  
PROVIDERS”**

**WHEREAS**, on September 24, 2002, the Governor signed into law Assembly Bill 117 (Stat. 2002, Ch. 838), 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; and

**WHEREAS**, Community Choice Aggregation enables any city or county or combination thereof to purchase electricity on behalf of its residences and businesses, and can require and obtain a higher percentage of renewable energy in its energy portfolio than that provided by investor-owned utility; and

**WHEREAS**, Community Choice Aggregation programs are certified by the California Public Utilities Commission and must comply with basic requirements in order to ensure public confidence in the program; and

**WHEREAS**, on May 28, 2009, a request for title and summary was made to the California Attorney General for an initiative to amend the California Constitution, entitled “New Two-Thirds Vote Requirement for Local Public Electricity Providers”, and a copy of which is attached hereto and incorporated by this reference; and

**WHEREAS**, Pacific Gas & Electric Company, the majority investor-owned utility for California’s Central Valley, which in recent years has become an opponent of Community Choice Aggregation, is the sole donor to the ballot initiative campaign entitled “New Two-Thirds Vote Requirement for Local Public Electricity Providers”; and

**WHEREAS**, The “New Two-Thirds Vote Requirement for Local Public Electricity Providers” would require submitting any Community Choice Aggregation proposal to the voters within the proposed jurisdiction of an aggregator for a two-thirds vote of approval, and would require a two-thirds vote of approval by the voters if any type of public finance is used, including bonds, cash, income, assets or equity to implement or expand a Community Choice Aggregation program; and

**WHEREAS**, The “New Two-Thirds Vote Requirement for Local Public Electricity Providers” would effectively preclude any entity from becoming an electricity aggregator as well as virtually prohibiting any existing Municipal utility, all of whom operate on non-profit, public interest basis, from entering into any new competitive market in California;

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Dinuba fully supports maintaining the consumer's right to choose energy from clean, renewable sources as provided for under the Community Choice Aggregation law; and

**BE IT FURTHER RESOLVED**, that the City Council of the City of strongly opposes "New Two-Thirds Vote Requirement for Local Public Electricity Providers" as being against the interest of California's electricity ratepayers, against the public interest, and a potential setback for renewable energy production.

This resolution was passed and adopted by the City Council of the City of Dinuba on this 23 day of March 2010, by the following vote:


**AYES:** PAYAN, SMITH, WALLACE, MCKITTRICK

**NOES:** NONE

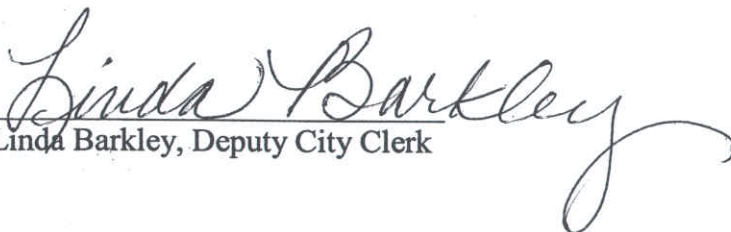
**ABSENT:** MORALES

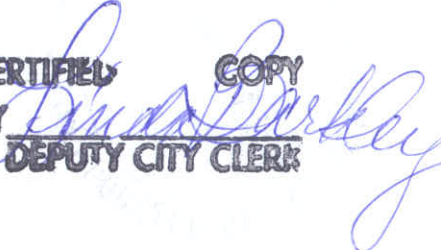
**ABSTAIN:** NONE

**BY:**

  
Mark Wallace, Mayor, City of Dinuba

**ATTEST:**

  
Linda Barkley, Deputy City Clerk

**CERTIFIED COPY**  
**BY**   
**DEPUTY CITY CLERK**