

RESOLUTION NO. 12922

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL
OPPOSING PROPOSITION 16, "NEW TWO-THIRDS VOTE
REQUIREMENT FOR PUBLIC ELECTRICITY PROVIDERS" ON JUNE
2010 BALLOT**

WHEREAS, California State Ballot Petition 009-0015, the "New Two-thirds Vote Requirement for Public Electricity Providers" has qualified for the June 2010 statewide ballot as Proposition 16; and

WHEREAS, the primary sponsor for the Proposition is Pacific Gas and Electric, an Investor Owned Utility; and

WHEREAS, if adopted, this Proposition would prevent a simple majority of citizens from determining whether they want Community Choice Aggregation, a program authorized by the State Legislature in 2007; and

WHEREAS, this Proposition would erode the autonomy of existing municipal utilities and potentially impacts the autonomy of other local governmental functions; and

WHEREAS, publically owned utilities including the City of Palo Alto, the City of Redding, the City of Glendale, and the Northern California Power Agency have opposed this Proposition; and

WHEREAS, the League of California Cities opposes the Proposition; and

WHEREAS, on February 22, 2010 the Marin County Council of Mayors and Councilmembers ("MCCMC") through its Legislative Committee voted to oppose the Proposition; and

WHEREAS, the City of San Rafael is a member of the Marin Energy Authority ("MEA") and this proposition would negatively impact MEA operations.

NOW, THEREFORE, BE IT RESOLVED that the San Rafael City Council hereby joins with other cities throughout the State and the League of California Cities in opposing Proposition 16.

BE IT FURTHER RESOLVED that the San Rafael City Council hereby directs staff to notify the League of California Cities regarding this action.

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I, **Esther C. Beirne**, City Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council held on the first day of March 2010, by the following vote, to wit:

AYES:	COUNCILMEMBERS:	Brockbank, Connolly, Heller & Levine
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	Mayor Boro, due to potential conflict of interest

Esther C. Beirne
ESTHER C. BEIRNE, City Clerk