

ORDINANCE NO. 283-2025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE
AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION
PROGRAM BY PARTICIPATING WITH THE SONOMA CLEAN POWER AUTHORITY

THE CITY COUNCIL OF THE CITY OF CLEARLAKE ORDAINS AS FOLLOWS:

SECTION 1. The City of Clearlake has been actively investigating options to provide electric services to constituents within its service area with the intent of achieving greater local involvement over the provision of electric services and promoting competitive and renewable energy.

SECTION 2. 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").

SECTION 3. The Act expressly authorizes participation in a CCA program through a joint powers agency, and on December 4, 2012, the Sonoma Clean Power Authority ("SCPA") was established as a joint powers authority pursuant to a Joint Powers Agreement, as amended from time to time ("SCPA Joint Powers Agreement").

SECTION 4. On October 4, 2013, the California Public Utilities Commission certified the "Implementation Plan" for SCPA's CCA program and on October 13, 2016, the SCPA Board of Directors approved a Second Revised and Updated Implementation Plan, confirming SCPA's compliance with the requirements of the Act.

SECTION 5. On September 30, 2025, the City Council of the City of Clearlake attended a special meeting and joint workshop at the County of Lake Courthouse in Lakeport where presentations were made and public comment was received regarding SCPA's CCA program. In order to participate in SCPA's CCA program, the Act requires the City to adopt an ordinance

electing to implement SCPA's CCA program in its jurisdiction. All public notices regarding consideration of this Ordinance were provided.

SECTION 6. Based upon all of the above, the City Council of the City of Clearlake elects to implement a Community Choice Aggregation program within the City, through the City's participation as a "Participant" in the SCPA CCA program as defined in the SCPA Joint Powers Agreement. The City Manager is hereby authorized to execute any documents necessary for the City's participation in the program.

SECTION 7. The passage of this Ordinance is not a project under the California Environmental Quality Act (CEQA) because it does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, as contemplated by Title 14, California Code of Regulations, Sections 15378 ("CEQA Regulations"), and is therefore not subject to CEQA pursuant to CEQA Guidelines Section 15060.

SECTION 8. If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Clearlake hereby declares it would have passed and adopted this Ordinance and each and all provisions hereof irrespective of the fact that any one or more of said provisions be declared invalid.

SECTION 9. This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage. The City Clerk shall publish the Ordinance or cause a summary of said Ordinance to be published as provided by law.

Introduced at a special meeting of the City Council on the 2nd day of October, 2025, by the following roll call vote:

MOTION:

AYES:

NOES:

ABSENT:

ABSTAINED:

Passed and approved at the regular meeting of the City Council on the ____ day of ____,
2025, by the following roll call vote:

MOTION:

AYES:

NOES:

ABSENT:

ABSTAINED:

Russell Cremer, Mayor

ATTEST:

City Clerk