

RESOLUTION NO. 25-____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUSA REQUESTING MEMBERSHIP IN PIONEER COMMUNITY ENERGY AND APPROVING THE AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT AS AMENDED

WHEREAS, on September 24, 2002, the Governor of California signed into law Assembly Bill 117 (Statute 2002, Chapter 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 electricity load of its residents and businesses in a Community Choice Aggregation program (CCA). The Act expressly authorizes participation in a CCA through a joint powers authority; and

WHEREAS, on September 9, 2015, the County of Placer and the City of Colfax entered into the original Joint Exercise of Powers Agreement for the purpose of establishing the Sierra Valley Energy Authority as a joint powers authority under the Joint Exercise of Powers Act, Government Code section 6500, et seq.; and

WHEREAS, on February 22, 2017, the Amended and Restated Joint Powers Agreement became effective and authorized by the Cities of Auburn, Lincoln, Rocklin and the Town of Loomis to become Voting Members of the Sierra Valley Energy Authority and established a CCA program within the jurisdictions of all Voting Members; and

WHEREAS, Resolution No. 2017-3 of the Sierra Valley Energy Authority approved a name change from Sierra Valley Energy Authority to Pioneer Community Energy (“Pioneer”), as it is known today; and

WHEREAS, the California Public Utilities Commission has certified the “Implementation Plan” of Pioneer, confirming Pioneer’s compliance with the requirements of the Act; and

WHEREAS, subsequent amendments to the Amended and Restated Joint Powers Agreement have authorized the following to become Voting Members: Counties of El Dorado, Butte, Glenn, Nevada, Sutter and Tuolumne; and the Cities of Placerville, Grass Valley, Nevada City, Chico, Live Oak, Orland, Oroville, Sonora, Willows, Yuba City and the Town of Paradise; and

WHEREAS, currently electricity is generated and provided to the residents of the City of Colusa by Pacific Gas and Electric Company (PG&E) with no alternative provider for the City; and

WHEREAS, the City of Colusa finds it important that its residents, businesses and public facilities have alternative choices to energy procurement beyond PG&E; and

WHEREAS, in October 2025, the City of Colusa and Pioneer began an impact assessment study to consider the financial feasibility and assessed risk of the addition of the City of Colusa into the service area of Pioneer; and

WHEREAS, having conducted additional discussions with Pioneer and having reviewed the results of the impact analysis co-commissioned by the City of Colusa and Pioneer, the City believes joining Pioneer will provide financial and other advantages to businesses and residents of the City of Colusa by providing alternative choices to energy procurement beyond PG&E; and

WHEREAS, the Amended and Restated Joint Exercise of Powers Agreement requires a prospective member to individually adopt a resolution of intent expressing desire to become a member of the Joint Powers Authority, agree to be bound by the Joint Exercise of Power Agreement, and its intention to have the territory included in the service territory of the CCA; and

WHEREAS, the City of Colusa finds that adoption of this resolution is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines, as it is not a “project” since it has no potential to result in a direct or reasonably foreseeable indirect physical change to the environment. (14 Cal. Code Reg. § 15378). Further, the resolution is exempt from CEQA, because there is no possibility that the resolution or its implementation would have a significant effect on the environment. (14 Cal. Code Reg. § 15061(b)(3)).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLUSA HEREBY RESOLVES AS FOLLOWS:

Section 1. The recitals above are true and correct and are incorporated into this resolution by this reference.

Section 2. The City Council of the City of Colusa hereby expresses its desire to become a voting member of the Pioneer Community Energy Joint Powers Authority and have its territory included in the service territory of the Pioneer CCA.

Section 3. The City Council of the City of Colusa requests that the Board of Directors of Pioneer Community Energy approve the City as a voting member of the Pioneer Community Energy Joint Powers Authority, whose representative shall be seated on Pioneer’s Board in accordance with Pioneer’s rules and regulations.

Section 4. The City Council of the City of Colusa approves the Amended and Restated Joint Exercise of Powers Agreement, attached hereto as Exhibit A and incorporated by this reference as amended from time to time, and authorizes the Mayor of the City of Colusa to execute same.

Section 5. The City Council of the City of Colusa authorizes the City Manager, or designee, to execute other documents necessary or desirable to facilitate membership in Pioneer Community Energy, subject to review and approval by City of Colusa Counsel.

Section 6. This resolution shall take effect at the time Ordinance No. _____, Authorizing the Implementation of a Community Choice Aggregation Program in the City of Colusa, becomes effective.

Passed and adopted this 4th day of November 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RYAN CODORNIZ, MAYOR

Attest:

Shelly Kittle, City Clerk