

Before the Governing Board of Pioneer Community Energy

**In the matter of: RESOLUTION APPROVING
AMENDMENT NO. 7 TO THE AMENDED AND
RESTATED JOINT EXERCISE OF POWERS
AGREEMENT FOR PIONEER COMMUNITY
ENERGY EXPANDING PIONEER COMMUNITY
ENERGY'S JOINT POWERS AUTHORITY
MEMBERSHIP**

Resolution No.: 2025-8

The following Resolution was duly passed by the Governing Board of Pioneer Community Energy at a regular meeting held February 27, 2025, by the following vote on roll call:

Ayes: Carter, DeMattei, Dowdin Calvillo, Ivy, Janda, Jones, Lomen, Pearl, Ring.

Noes: None.

Absent: Parlin, Petersen.

Signed and approved by me after its passage.



Chair of the Governing Board

Attest:



Secretary

WHEREAS, the Sierra Valley Energy Authority was established on September 9, 2015, between the County of Placer and the City of Colfax; and

WHEREAS, the Sierra Valley Energy Authority was originally created for the purpose of providing a financing conduit and program expansion platform for the mPOWER Program; and

WHEREAS, counties and cities have the power under California law to aggregate electric load, to purchase and supply electricity for themselves and customers within their jurisdictions, by providing a Community Choice Aggregation Program, pursuant to Public Utilities Code Sections 331.1 and 366.2; and

WHEREAS, the Amended and Restated Joint Exercise of Powers Agreement for the Sierra Valley Energy Authority (the "Amended and Restated JPA") became effective on February 22, 2017; and

WHEREAS, the Amended and Restated JPA allowed for the establishment of a Community Choice Aggregation Program within the jurisdiction of the Voting Members and authorized the Cities of Auburn, Lincoln, Rocklin, and the Town of Loomis to become Voting Members; and

WHEREAS, on July 17, 2017, the Governing Board of the Sierra Valley Energy Authority took action to rename and brand Sierra Valley Energy Authority as Pioneer Community Energy ("Pioneer"); and

WHEREAS, the current members of Pioneer include the Cities of Auburn, Colfax, Grass Valley, Lincoln, Nevada City, Placerville, and Rocklin, the Town of Loomis, and unincorporated Placer and El Dorado Counties; and

WHEREAS, prior to providing service pursuant to an expansion, Public Utilities Code Section 366.2 requires that Pioneer prepare and adopt a Revised Implementation Plan to be filed with the California Public Utilities Commission; and

WHEREAS, the Cities of Chico, Live Oak, Orland, Oroville, Sonora, Willows, and Yuba City, the Town of Paradise, and Unincorporated Counties of Butte, Glenn, Nevada, Sutter, and Tuolumne expressed a desire to join Pioneer for the purpose of participating in Pioneer's Community Choice Aggregation Program ("CCA Program") and

WHEREAS, the Cities of Chico, Live Oak, Orland, Oroville, Sonora, Willows, and Yuba City, the Town of Paradise, and Unincorporated Counties of Butte, Glenn, Nevada, Sutter, and Tuolumne took appropriate steps toward offering CCA service within their respective communities, adopting requisite resolutions and ordinances at duly noticed meetings of the agencies' governing bodies; and

WHEREAS, an impact assessment study was performed to analyze the feasibility of expanding Pioneer's CCA Program service territory to include these prospective members, the results of which showed such an expansion to be beneficial to both existing Pioneer ratepayers, and potential ratepayers in the Cities of Chico, Live Oak, Orland, Oroville, Sonora, Willows, and Yuba City, the Town of Paradise, and Unincorporated Counties of Butte, Glenn, Nevada, Sutter, and Tuolumne; and

WHEREAS, the City Councils of the Cities of Chico, Live Oak, Orland, Oroville, Sonora, Willows, and Yuba City, the Town Council of the Town of Paradise, and the Board of Supervisors of Unincorporated Counties of Butte, Glenn, Nevada, Sutter, and Tuolumne, have adopted respective resolutions approved the Amended and Restated JPA; and

WHEREAS, pursuant to section 8 of the Amended and Restated JPA, an amendment requires an affirmative vote of at least two-thirds of the Pioneer Board Members; and

WHEREAS, Pioneer provided written notice to each Member 30 days prior to the date the Pioneer Board intended to vote on an amendment to the Amended and Restated JPA as required by section 19 of the Amended and Restated JPA; and

WHEREAS, to these ends, the Pioneer Board desires to approved Amendment No. 7 to the Amended and Restated JPA to provide for the Cities of Chico, Live Oak, Orland, Oroville, Sonora, Willows, and Yuba City, the Town of Paradise, and Unincorporated Counties of Butte, Glenn, Nevada, Sutter, and Tuolumne to become Voting Members under the Amended and Restated JPA for Pioneer Community Energy conditioned on an effective upon receipt of certification of Addendum No. 3 to the Implementation Plan and Statement of Intent from the California Public Utilities Commission; and

WHEREAS, representatives of the New Members will assume their seat as a Voting Member of the Pioneer Community Energy Board of Directors in compliance with Pioneer's JPA, Bylaws, and other applicable policies and rules.

BE IT RESOLVED, the Governing Board of Pioneer Community Energy, State of California, hereby finds, declares, and resolves as follows:

1. The above recitals are true and correct.
2. This Amendment No. 7 to the Amended and Restated Joint Exercise of Powers Agreement for Pioneer Community Energy provides for admission of the Cities of Chico, Live Oak, Orland, Oroville, Sonora, Willows, and Yuba City, the Town of Paradise, and Unincorporated Counties of Butte, Glenn, Nevada, Sutter, and Tuolumne as Voting Members.
3. The Pioneer Community Energy Board of Directors hereby approves Amendment No. 7 to the Amended and Restated Joint Exercise of Powers Agreement for Pioneer Community Energy under the Joint Exercise of Powers Law, which amends Exhibit A to the Amended and Restated Joint Exercise of Powers Agreement in the form attached hereto as Exhibit A.
4. Pioneer Staff is hereby authorized to file Amendment No. 7 to the Amended and Restated Joint Powers Agreement for Pioneer Community Energy with the Secretary of State, LAFCos with jurisdiction over Pioneer's service territory, and to take all other necessary steps to implement Amendment No. 7.
5. This Resolution shall take effect immediately upon certification of Addendum No. 3 to the Implementation Plan and Statement of Intent.

Exhibit A: Exhibit A of the Amended and Restated JPA listing of Voting Members and Associate Members

**AMENDMENT NO. 7 TO THE AMENDED AND RESTATED JOINT EXERCISE OF
POWERS AGREEMENT FOR PIONEER COMMUNITY ENERGY**

Exhibit A to the Agreement listing Voting and Associate Members of Pioneer Community Energy is hereby amended to reflect the current membership as follows:

Exhibit A

Voting Members and Associate Members

Section A.1 Voting Members

City of Auburn

City of Chico

City of Colfax

City of Grass Valley

City of Lincoln

City of Live Oak

City of Nevada City

City of Orland

City of Oroville

City of Placerville

City of Rocklin

City of Sonora

City of Willows

City of Yuba City

County of Butte

County of El Dorado

County of Glenn

County of Nevada

County of Placer

County of Sutter

County of Tuolumne

Town of Loomis

Town of Paradise

Section A.2 Associate Members

City of Folsom

County of Sacramento

Town of Truckee