

**ORDINANCE NO. 2013-279**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR  
AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE  
AGGREGATION PROGRAM**

**THE TOWN COUNCIL OF THE TOWN OF WINDSOR HEREBY ORDAINS AS  
FOLLOWS:**

**SECTION I.** The Town of Windsor has investigated options to provide electric services to customers within the Town, with the intent of achieving greater local control and involvement over the provision of electric services, competitive electric rates, the development of clean, local renewable energy projects, reduced greenhouse gas emissions, and the wider implementation of energy conservation and efficiency projects and programs.

**SECTION II.** The Sonoma County Water Agency prepared a Feasibility Study and a draft Implementation Plan for a community choice aggregation (“CCA”) program in Sonoma County under the provisions of Public Utilities Code §366.2. The Feasibility Study and draft Implementation Plan show that implementing a community choice aggregation program would provide multiple benefits, including:

- Providing customers a choice of power providers;
- Increasing local control and involvement in and collaboration on energy rates and other energy-related matters;
- Providing more stable long-term electric rates that are competitive with those provided by the incumbent utility;
- Reducing greenhouse gas emissions arising from electricity use within Sonoma County;
- Increasing local renewable generation capacity;
- Increasing energy conservation and efficiency projects and programs;
- Increasing regional energy self-sufficiency; and
- Improving the local economy resulting from the implementation of local renewable energy and energy conservation and efficiency projects.

**SECTION III.** On December 4, 2012, the County of Sonoma and the Sonoma County Water Agency approved a Joint Powers Agreement creating the Sonoma Clean Power Authority (“the Authority”). Under the Joint Powers Agreement, cities and towns within Sonoma County may participate in the Sonoma Clean Power CCA program by adopting the resolution and ordinance required by Public Utilities Code §366.2. Cities and towns choosing to participate in the CCA program will have membership on the Board of Directors of the Sonoma Clean Power Authority as provided in the joint powers agreement.

**SECTION IV.** The Authority has solicited bids from electric power suppliers and other service providers, in order to determine whether implementation of a CCA program in Sonoma County is financially viable. From those bids, the Authority has determined that a CCA program in Sonoma County could provide power to residents and businesses at rates that are competitive with those of the incumbent utility (PG&E).

**SECTION V.** Under Public Utilities Code §366.2, customers have the right to opt-out of a CCA program and continue to receive service from the incumbent utility. Customers who wish to continue to receive service from the incumbent utility will be able to do so.

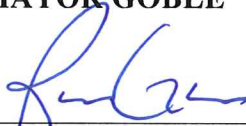
**SECTION VI.** Based upon the forgoing, and in order to provide business and residents within the Town of Windsor with a choice of power providers and with the benefits described above, the Council hereby affirmatively elects to implement a community choice aggregation program within the jurisdiction of the Town of Windsor by participating as a group with the County of Sonoma, the Sonoma County Water Agency, and other cities in Sonoma County in the Community Choice Aggregation program of the Sonoma Clean Power Authority, as generally described in the draft Implementation Plan, subject to the Authority's right to forego the implementation of a Community Choice Aggregation program in the event that the Board of Directors of the Sonoma Clean Power Authority determines not to finalize and approve an Implementation Plan for submission to the California Public Utilities Commission.

**SECTION VII.** If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Town Council hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

**SECTION VIII.** 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 and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Councilmembers voting for or against the same, in a newspaper of general circulation published in the County of Sonoma, State of California.

**PASSED, APPROVED, AND ADOPTED this 19<sup>th</sup> day of June 2013, by vote as follows:**

**AYES: COUNCILMEMBERS FUDGE, OKREPKIE AND SALMON**  
**NOES: COUNCILMEMBER ALLEN AND MAYOR GOBLE**  
**ABSTAIN: NONE**  
**ABSENT: NONE**

  
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**ROBIN GOBLE, MAYOR**

**ATTEST:**

  
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**MARIA DE LA O, TOWN CLERK**