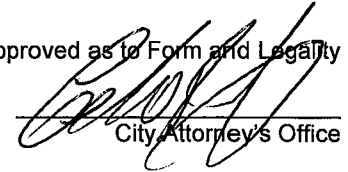


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Approved as to Form and Legality



City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION NO. 86535 C.M.S.

INTRODUCED BY COUNCIL PRESIDENT LYNETTE GIBSON MCELHANEY

**RESOLUTION (1) APPOINTING COUNCILMEMBER DAN KALB TO THE EXECUTIVE BOARD OF THE EAST BAY COMMUNITY ENERGY AUTHORITY JOINT POWERS AUTHORITY (EBCEA) AND; (2) APPOINTING COUNCILMEMBER ABEL GUILLEN AS AN ALTERNATE TO THE EXECUTIVE BOARD OF THE EAST BAY COMMUNITY ENERGY AUTHORITY JOINT POWERS AUTHORITY (EBCEA) FOR TERMS COMMENCING JANUARY 1, 2017 AND ENDING DECEMBER 31, 2018**

**WHEREAS**, City Council elected to implement a Community Choice Energy program within the City's jurisdiction by and through the City's participation in the East Bay Community Energy Authority; and

**WHEREAS**, Article 4.2.1 of the East Bay Community Energy Authority Joint Powers Agreement states that "The governing body of each Party shall appoint and designate in writing one regular Director who shall be authorized to act for and on behalf of the Party on matters within the powers of the Authority. The governing body of each Party also shall appoint and designate in writing one alternate Director who may vote on matters when the regular Director is absent from a Board meeting. The person appointed and designated as the regular Director shall be a member of the governing body of the Party. The person appointed and designated as the alternate Director shall also be a member of the governing body of the Party;" and

**WHEREAS**, the City of Oakland can appoint one Director and one Alternate to the East Bay Community Energy Authority JPA Board; and

**WHEREAS**, Councilmember Dan Kalb has a subject matter interest and expertise and he previously served on the Alameda County Community Choice Energy Steering Committee as an official City representative; and

**WHEREAS**, The first meeting of the JPA Board will be convened by late January 2017 (early February, 2017), it is recommended that Cities participating in the East Bay Community Energy Authority select their Directors and Alternates by December 31, 2016; and

**WHEREAS**, the City Council's Rules of Procedure (Resolution, No 82580 C.M.S.) state that "the President of the Council shall recommend appointments to regional and local boards and agencies, as appropriate, subject to confirmation by the Council"; now, therefore, be it

**RESOLVED:** That Councilmember Dan Kalb is appointed as a member of the Executive Board of the East Bay Community Energy Authority Joint Powers Authority (EBCEA) for terms commencing January 1, 2017 and ending December 31, 2018; and be it

**FURTHER RESOLVED:** That Councilmember Abel Guillen is appointed as an alternate to the Executive Board of the East Bay Community Energy Authority Joint Powers Authority (EBCEA) for terms commencing January 1, 2017 and ending December 31, 2018

IN COUNCIL, OAKLAND, CALIFORNIA,            **DEC 13 2016**

PASSED BY THE FOLLOWING VOTE:

AYES - *BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, AND PRESIDENT GIBSON McELHANEY, - 8*

NOES - *0*

ABSENT - *0*

ABSTENTION - *0*

ATTEST: *Latonda Simmons*  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the

City of Oakland, California