

ORDINANCE NO. 997

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF LANCASTER, CALIFORNIA ESTABLISHING  
A COMMUNITY CHOICE AGGREGATION  
PROGRAM.

WHEREAS, the City of Lancaster (“City”) is pursuing alternative energy solutions in hopes of bettering the current and future environmental and economic conditions of its community, region, country, and the world; and

WHEREAS, Assembly Bill 117 and California Public Utilities Code Sections 218.3, 331.1, 366, 366.2, 381.1, 394, and 394.25, allow the City of Lancaster to establish a Community Choice Aggregation Program; and

WHEREAS, an initial analysis concluded that a Community Choice Aggregation Program would serve the City and provide benefits to include the use of renewable energy at or above the required Renewables Portfolio Standard level while providing economic benefits to the City; and

WHEREAS, the City Council has determined that it is in the public interest and welfare to establish a Community Choice Aggregation Program.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANCASTER DOES ORDAIN AS FOLLOWS:

**SECTION 1.** The City of Lancaster has been actively investigating options to procure and provide electric power to citizens with the intent of achieving greater local involvement over the provision of electric services and promoting competitively priced 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.

**SECTION 3.** The Act expressly authorizes participation in a Community Choice Aggregation (CCA) program through and by local city government.

**SECTION 4.** Through Docket No. R.03-10-003, the California Public Utilities Commission has issued various decisions and rulings addressing the implementation of Community Choice Aggregation programs, including the issuance of a procedure by which the California Public Utilities Commission will review “Implementation Plans,” which are required for submittal under the Act as the means of describing the Community Choice Aggregation program and assuring compliance with various elements contained in the Act.

**SECTION 5.** Representatives from the City have developed an Implementation Plan (attached hereto as Exhibit A) that describes the formation of Lancaster Community Choice Aggregation program to be implemented by the City.

**SECTION 6.** As described in the Implementation Plan, Community Choice Aggregation by and through the City appears to provide a reasonable opportunity to accomplish all of the following:

- (a) To provide greater levels of local involvement in and collaboration on energy decisions.
- (b) To increase the amount of locally supplied renewable energy available to Lancaster citizens.
- (c) To provide initial price stability, long-term electricity cost savings and other benefits for the community.

**SECTION 7.** The Act requires Community Choice Aggregation program participants to adopt an ordinance (“CCA Ordinance”) electing to implement a Community Choice Aggregation program within the jurisdiction of the local government agency.

**SECTION 8.** Based upon all of the above, the Council hereby approves the City proceeding with the implementation of a Community Choice Aggregation program within the City’s jurisdiction, as described in the Implementation Plan in the form attached hereto as Exhibit A.

**SECTION 9.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held for any reason to be invalid or unconstitutional by the decision of any 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 Lancaster hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

**SECTION 10.** The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in that regard and this Ordinance shall take effect 30 days after its final passage.

I, Geri K. Bryan, CMC, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the 13<sup>th</sup> day of May, 2014, and placed upon its second reading and adopted at a regular meeting of the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2014 by the vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

\_\_\_\_\_  
GERI K. BRYAN, CMC  
City Clerk  
City of Lancaster

\_\_\_\_\_  
R. REX PARRIS  
Mayor  
City of Lancaster

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) ss  
CITY OF LANCASTER            )

CERTIFICATION OF ORDINANCE  
CITY COUNCIL

I, \_\_\_\_\_, \_\_\_\_\_ City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Ordinance No. 997, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_

(seal)