



Santa Clara County Cities Association

Resolution Opposing the "New Two-Thirds Vote Requirement for Public Electricity Providers" Initiative

WHEREAS, the "New Two-Thirds Vote Requirement for Public Electricity Providers" Initiative (Initiative) has qualified for the June 8, 2010 Statewide Primary Election; and

WHEREAS, the Initiative is a Constitutional Amendment; and

WHEREAS, the Initiative would require a public power provider to obtain a 2/3 voter majority in both existing territory and proposed territory expansions prior to spending funds for a utility system expansion; and

WHEREAS, the Initiative would prevent elected representatives or a simple majority of citizens from determining whether they want to have public power in any newly annexed areas; and

WHEREAS, the Initiative would prevent a simple majority of citizens from determining whether they want Community Choice Aggregation, a program authorized by the state legislature in 2007 that allows a city, county or group of government agencies to procure and provide electricity to residents and businesses within its jurisdictions; and

WHEREAS, the Santa Clara County Cities Association, which was formed in 1990 in order to represent the mutual interests of the diverse fifteen cities of Santa Clara County, wishes to support citizens' ability to opt for locally controlled public power in communities throughout the state; and

WHEREAS, the proposed Initiative contains a number of ambiguities that could affect any cities' electric utility operations, including potentially requiring a 2/3 voter majority before any city can make investments in transmission or generation of facilities to serve its electric load; and

WHEREAS, the Legislative Analyst's Office concluded that the Initiative would create an unknown impact to state and local government costs and revenues, depending on future voter decisions, due to the potential impacts on electricity rates and publicly owned electric utility operations; and

WHEREAS, the Santa Clara County Cities Association Legislative Action Committee reviewed impartial informational materials on the Initiative at its May 13th scheduled meeting, and advised the Board of Directors of the Santa Clara County Cities Association to oppose the Initiative.

NOW, THEREFORE, the Santa Clara County Cities Association does resolve as follows:

1. By adopting this resolution the Cities Association does hereby oppose the Initiative on the June 2010 ballot.

2. The Cities Association and staff are authorized to provide impartial informational materials on the Initiative as may be lawfully provided by the City's representatives. No public funds shall be used to campaign for or against the initiative.

3. The residents of the 15 cities of Santa Clara County are encouraged to become well informed on the Initiative and its possible impacts.

INTRODUCED AND PASSED: May 13, 2010

AYES: Bryant, Casas, Furtado, Klein, Liccardo, Mahan, Miller, Hamilton, Perry, Pirzynski, Tucker, Wang,

NOES:

ABSENT: Livengood, Summit, Tate

ABSTENTIONS:

A handwritten signature in black ink, appearing to read "David Casas", is written over a horizontal line.

David Casas, President
Santa Clara County Cities Association
May 13, 2010