



RESOLUTION

25-061

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION REQUESTING MEMBERSHIP IN PIONEER COMMUNITY ENERGY AND APPROVING THE AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT THROUGH AMENDMENT NO. 6 THERETO

WHEREAS, on September 24, 2002, the Governor of California signed into law Assembly Bill 117 (Statute 2002, Chapter 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 electricity load of its residents and businesses in a Community Choice Aggregation program (CCA); and

WHEREAS, the Act expressly authorizes participation in a CCA through a joint powers authority; and

WHEREAS, on September 9, 2015, the County of Placer and the City of Colfax entered into the original Joint Exercise of Powers Agreement for the purpose of establishing the Sierra Valley Energy Authority as a joint powers authority under the Joint Exercise of Powers Act, Government Code section 6500, et seq.; and

WHEREAS the California Public Utilities Commission certified the “Implementation Plan” of Pioneer, confirming Pioneer’s compliance with the requirements of the Act; and

WHEREAS, on February 22, 2017, Pioneer Community Energy was established as a joint powers authority pursuant to an Amended and Restated Joint Powers Agreement, as amended from time to time, for the establishment of a CCA; and

WHEREAS, Resolution No. 2017-3 of the Sierra Valley Energy Authority approved a name change from Sierra Valley Energy Authority to Pioneer Community Energy (“Pioneer”), as it is known today; and

WHEREAS, subsequent amendments to the Amended and Restated JPA have authorized the County of El Dorado and the Cities of Grass Valley, Nevada City, and Placerville to become Voting Members; and

WHEREAS, currently electricity is generated and provided to the residents of unincorporated Nevada County by Pacific Gas and Electric Company (PG&E) with no alternative provider for unincorporated Nevada County; and

WHEREAS, the Nevada County finds it important that its residents, businesses and public facilities have alternative choices to energy procurement beyond PG&E; and

WHEREAS, in January 2022, Nevada County and Pioneer began discussions and studies to consider the financial feasibility and assessed risk of the addition of Nevada County into the service area of Pioneer; and

WHEREAS, having conducted additional discussions with Pioneer and having reviewed the results of the impact analysis co-commissioned by Nevada County and Pioneer, Nevada County believes joining Pioneer will provide financial and other advantages to businesses and residents of unincorporated Nevada County by providing alternative choices to energy procurement beyond PG&E; and

WHEREAS, the Pioneer Amended and Restated Joint Exercise of Powers Agreement requires a prospective member to individually adopt a resolution of intent expressing desire to become a member of the Joint Powers Authority; and

WHEREAS, the County of Nevada finds that adoption of this resolution is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines, as it is not a "project" since it has no potential to result in a direct or reasonably foreseeable indirect physical change to the environment. (14 Cal. Code Reg. § 15378); and

WHEREAS, further, the resolution is exempt from CEQA, as there is no possibility that the resolution or its implementation would have a significant effect on the environment (14 Cal. Code Reg. § 15061(b)(3)).

NOW THEREFORE, BE IT RESOLVED by the County of Nevada Board of Supervisors:

Section 1. The recitals above are true and correct and are incorporated by this reference and constitute findings in this matter.

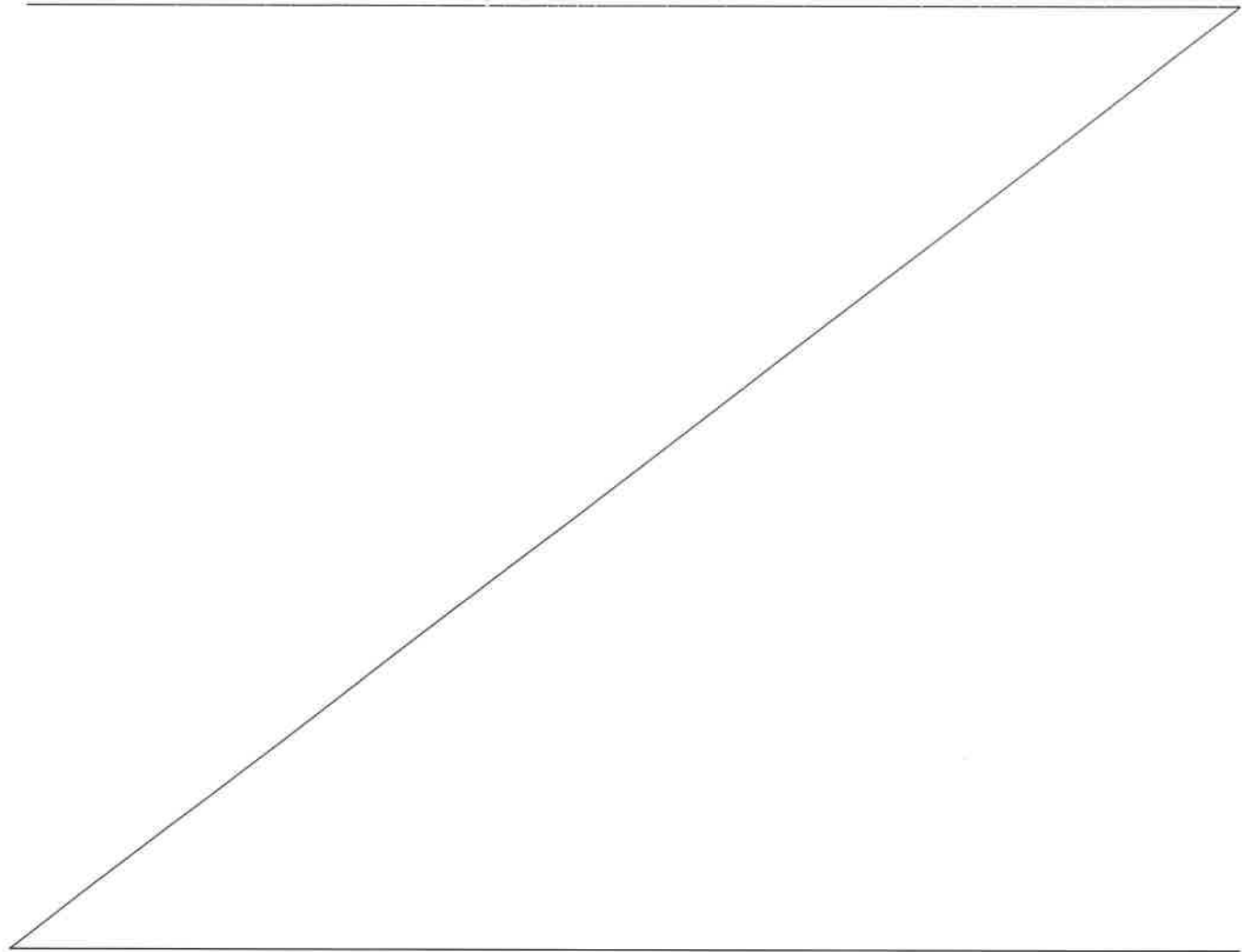
Section 2. The Board of Supervisors of the County of Nevada hereby expresses its desire to become a member of the Pioneer Community Energy Joint Powers Authority.

Section 3. The Board of Supervisors of the County of Nevada requests that the Board of Directors of Pioneer Community Energy approve the County as a member of the Pioneer Community Energy Joint Powers Authority.

Section 4. The Board of Supervisors of the County of Nevada approves the Amended and Restated Joint Exercise of Powers Agreement, as amended through Amendment No. 6 (attached hereto as Exhibit A and incorporated as if fully set forth herein) and authorizes the Chair of the Board of Supervisors to execute same.

Section 5. The Board of Supervisors of the County of Nevada authorizes the County Executive Officer, or designee, to execute other documents necessary or desirable to facilitate membership in Pioneer Community Energy, subject to review and approval by Nevada County Counsel.

Section 6. This Resolution shall take effect at the time Ordinance No. _____, Authorizing the Implementation of a Community Choice Aggregation Program in the County of Nevada, becomes effective.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 11th day of February 2025, by the following vote of said Board:

- Ayes: Supervisors Heidi Hall, Robb Tucker, Lisa Swarthout, and Hardy Bullock.
- Noes: None.
- Absent: Susan Hoek.
- Abstain: None.
- Recuse: None.

ATTEST:

TINE MATHIASSEN
Chief Deputy Clerk of the Board of Supervisors

By: Tine Mathiasen

Heidi Hall
Heidi Hall, Chair