

ORDINANCE NO. 2537

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2  
3 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF**  
4 **CHICO AUTHORIZING THE IMPLEMENTATION OF A**  
5 **COMMUNITY CHOICE AGGREGATION PROGRAM, AMENDING**  
6 **TITLE 15 “WATER AND SEWERS” AND ADDING CHAPTER 15.60**  
7 **TITLED “COMMUNITY CHOICE AGGREGATION” TO TITLE 15**  
8 **OF THE CHICO MUNICIPAL CODE**

9 **WHEREAS**, Assembly Bill 117 passed in 2002 established the Community Choice  
10 Aggregation (CCA) program as an option to create greater competition, reliable power, power  
11 portfolio options, and transparency in the energy wholesale market; and

12 **WHEREAS**, a CCA allows cities and counties to aggregate the electricity buying power  
13 (electrical load) of residential, commercial, and municipal customers within their jurisdiction to  
14 purchase power on the whole sale market to meet their community electricity needs; and

15 **WHEREAS**, the County of Butte and the City of Chico (Agencies) have been working  
16 together to establish a CCA for Butte County; and

17 **WHEREAS**, the Agencies are in the process of entering into an Agreement to form the  
18 Butte Choice Energy Joint Powers Authority pursuant to the provisions of Title 1, Division 7,  
19 Chapter 5, Article 1 (Section 6500 et seq.) of the California Government Code related to the joint  
20 exercise of powers among public agencies; and

21 **WHEREAS**, the California Public Utilities Code section 366.2 (c) (12) requires an  
22 ordinance from each member agency authorizing the implementation of a CCA for their  
23 respective jurisdiction.

24 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE**  
25 **CITY OF CHICO AS FOLLOWS:**

26 **SECTION 1.** Purpose.

27 The purpose of this ordinance is to authorize the implementation of a Community  
28 Choice Aggregation program called “Butte Choice Energy”, as required by California  
Public Utilities Code section 366.2 (c) (12).

1 **SECTION 2.** That the title of Title 15 of the Chico Municipal Code is hereby amended  
2 to read as follows:

3 **“Title 15 ~~WATER AND SEWERS~~ UTILITY SERVICES”**

4 **SECTION 3.** That Chapter 15.60 entitled “COMMUNITY CHOICE AGGREGATION”  
5 is added to Title 15 of the Chico Municipal Code as follows:

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7 **“Chapter 15.60 - COMMUNITY CHOICE AGGREGATION**

8 **15.60.010 - Authorization to Implement Community Choice Aggregation Program**

9 In order to provide businesses and residents within City of Chico city limits with a choice  
10 of power providers, the City of Chico hereby elects to implement a community choice  
11 aggregation program within the jurisdiction of the City of Chico city limits by participating  
12 in the Community Choice Aggregation Program of Butte Choice Energy.”

13 **SECTION 4.** Severability. If any section, subsection, sentence, clause, phrase or word of  
14 this Ordinance is for any reason held to be invalid and/or unconstitutional by a court of  
15 competent jurisdiction, such decision shall not affect the validity of the remaining portions  
16 of this Ordinance.

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18 **SECTION 5.** Effective Date. This Ordinance shall be effective 30 days after adoption by the  
19 City Council.

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21 **SECTION 6.** Certification. The City Clerk shall certify to the passage and adoption of this  
22 Ordinance and shall cause the same to be published or posted in the manner required by law.

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1           **THE FOREGOING ORDINANCE** was adopted by the City Council of the City of  
2 Chico, California at its City Council meeting held on October 1, 2019, by the  
3 following votes:

4 AYES :           Huber, Morgan, Ory, Reynolds, Schwab, Brown, Stone

5 NOES :           None

6 ABSENT:         None

7 ABSTAIN:        None

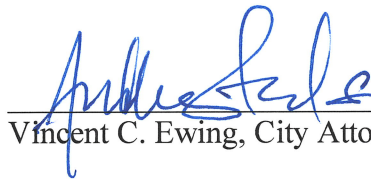
8 DISQUALIFIED:  None

9 ATTEST:

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11 \_\_\_\_\_  
12 Deborah R. Presson, City Clerk

APPROVED AS TO FORM:

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14 \_\_\_\_\_  
15 Vincent C. Ewing, City Attorney\*

16 \*Pursuant to The Charter of the City of Chico,  
17 Section 906(E)  
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