

CERTIFICATION


I, MARIE A. CALDERON, City Clerk of the City of Banning, California, do hereby certify that the foregoing Resolution No. 2007-24 was duly adopted by the City Council of the City of Banning, California at a regular meeting thereof held on the 27th day of March, 2007, by the following vote, to wit:

AYES: Councilmembers Botts, Franklin, Hanna, Machisic, Mayor Salas

NOES: None

ABSTAIN: None

ABSENT: None

  
Marie A. Calderon, City Clerk  
City of Banning, California

**RESOLUTION NO. 2007-24**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BANNING  
APPROVING THE LETTER OF INTENT BETWEEN THE CITY OF BANNING AND  
LIBERTY ENERGY**

**WHEREAS**, the City of Banning owns and operates its Municipal Electric Utility; and

**WHEREAS**, the City Council adopted a Renewable Portfolio Standard ("RPS") in March 2004 that established a renewable energy goal of 20% by 2017; and

**WHEREAS**, the City's electric load growth is estimated to be 19% by 2011 and an additional 15% by 2015; and

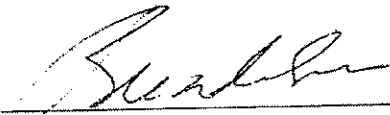
**WHEREAS**, Liberty Energy has proposed to build a renewable energy biomass generating facility in the City of Banning, and wishes to execute a Letter of Intent with the City of Banning (attached herewith as Exhibit "A") where the City would agree to purchase the renewable energy produced from the proposed generating facility; and

**WHEREAS**, the City desires to meet its RPS goals, plan and prepare for future electric load growth, and minimize the impact of the volatile energy market on the Banning Electric Utility customers;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Banning as follows:


1. Adopt Resolution No. 2007-24 approving the Letter of Intent between Liberty Energy and the City of Banning, and authorize the City Manager, or his designee, to execute said document.
2. Authorize the Mayor to execute Resolution No. 2007-24. Said authorization shall become void if not executed within 60 days of the effective date of this resolution.

**PASSED, APPROVED, AND ADOPTED** this 27<sup>th</sup> day of March 2007.

  
Brenda Salas, Mayor  
City of Banning

APPROVED AS TO FORM  
AND LEGAL CONTENT:

ATTEST:

  
Burke, Williams & Sorensen, LLP  
City Attorney

  
Marie A. Calderon, City Clerk