RESOLUTION NO. 2011-06

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLITS REJECTING THE MANNER IN WHICH PACIFIC GAS AND ELECTRIC IS ATTEMPTING TO IMPLEMENT THE SMARTMETER PROGRAM

WHEREAS, the City of Willits is bound by the Constitution to serve the people including, but not limited to, taking measures to protect the health, safety and well being of its citizens; and

WHEREAS, the City of Willits Municipal Code codifies the requirement that it is the responsibility of City government to take action to protect the public's health, safety and quality of life; and

WHEREAS, Section 2902 of the California Public Utilities Code authorizes municipal corporations to retain their powers of control to supervise and regulate the relationships between a public utility and the general public in matters affecting the health, convenience and safety of the general public; and

WHEREAS, Section 8363 of the California Public Utilities Code declares that providing electrical service should not compromise customer or worker safety or the integrity or reliability of the electrical transmission and distribution system in this State; and

WHEREAS, concerns about the impact and accuracy of SmartMeters have been raised locally and nationwide, leading cities, counties and states throughout the United States of America to declare moratoriums on the installation of SmartMeters, including over 30 cities and counties in California; and

WHEREAS, significant health concerns have been raised about the increased electromagnetic frequency radiation (EMF) emitted by the wireless technology in SmartMeters, and that FCC safety standards do not exist for chronic long-term exposure to EMF or from multiple sources; and

WHEREAS, because of untested technology, international scientists, environmental agencies, advocacy groups and doctors are calling for the use of caution in wireless technologies; and

WHEREAS, the City of Willits acknowledges that the California Public Utilities Commission (CPUC) has sole jurisdiction over Pacific Gas and Electric (PG&E), and that any ordinance or moratorium that the City might enact would, in fact, be unenforceable; despite this, the City has an obligation to protect the health, safety and well-being of its citizens; and

WHEREAS, in the absence of the ability to legally enforce a moratorium, the City of Willits can, nevertheless, make a public declaration of its displeasure of and opposition to the tactics being employed by PG&E to force acceptance of SmartMeters upon the citizens of Willits against their will; and

WHEREAS, despite evidence about the safety and accuracy of SmartMeters that has been presented by PG&E, recent natural and man-made disasters around the world, such as a potential nuclear meltdown in Japan and the natural gas pipeline explosion in San Bruno, California, serve to reinforce the concept that agencies, such as PG&E, should never attempt to shortcut the process of due diligence when public welfare and safety is at stake; and

WHEREAS, PG&E failed to adequately address the concerns of their customers, preferring instead to push aside these concerns with packaged, inadequate answers, thereby creating more questions and suspicion from the public; and

WHEREAS, while PG&E takes unilateral action, as with the deployment of SmartMeters, because they enjoy an apparent monopoly in the energy supply business, there is, in fact, a growing groundswell among local jurisdictions to create their own local utilities including 53 in California as of 2008 supplying nearly 27% of electricity in the state, thereby potentially cutting PG&E out of the picture; and

WHEREAS, while a resolution from a small community against a large, established corporation under the control of a state bureaucracy may seem futile and fruitless, nevertheless, many small communities with the same message can indeed affect change.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Willits, rejects the manner in which PG&E is attempting to implement the SmartMeter program, declaring that:

1) PG&E has failed in its program of forcing the installation of SmartMeters upon their customers in an open and fair manner;

2) PG&E has failed to adequately work with local jurisdictions to assure the smooth deployment of SmartMeters through a program of open, honest and respectful information to the public;

3) PG&E and CPUC should pay more attention to their responsibilities to the public, to listen to the public and act accordingly, instead of in the usual corporate-centric manner that values the interests of the corporation over the interests of their customers – that is to say, the public; and

4) Because there is no compelling reason to rush ahead with deployment of the SmartMeters, especially when there are still many unanswered questions about the safety and accuracy of these devices, PG&E and the CPUC should unilaterally stop installation of the SmartMeters until all issues have been completely and adequately answered by independent, non-biased sources.

The above and foregoing Resolution was introduced by Councilmember Hanson seconded by Councilmember Madrigal, and passed and adopted at a regular meeting of the City Council of the City of Willits, held on the 13th day of April, 2011, by the following vote:

AYES: Stranske, Orenstein, Madrigal, and Hanson
NOES: Burton
ABSENT: None

BRUCE BURTON, Mayor
City Council of the City of Willits

ATTEST:

ADRIENNE MOORE, City Clerk