

January 28, 2014

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**SUBJECT:** First Reading on Renewal of Uncodified Ordinance Imposing A  
Temporary Moratorium on the Installation of Smartmeters  
and Related Equipment

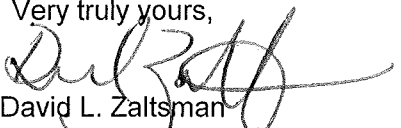
Dear Board Members:

**RECOMMENDATION:** Consider the attached uncodified ordinance which would  
impose a new temporary (one year) moratorium on the installation of Smartmeters  
and related equipment to replace Ordinance 3552 which has expired.

**BACKGROUND:** In July and October of 2010 your Board directed the  
President to send letters on your behalf to the President of the California Public  
Utilities Commission requesting that they immediately suspend deployment of so-  
called Smartmeters by PG&E in Marin County until certain conditions regarding their  
safety and accuracy had been confirmed. There was no response. However,  
several other cities, towns and at least one other County decided to address this lack  
of action by the CPUC by adopting urgency ordinances imposing moratoriums on the  
further installation of Smartmeters until these issues have been adequately  
addressed.

At your meeting on Dec. 14, 2010, following substantial public comment on this issue  
during open time, your Board directed our office to bring forward for consideration a  
similar urgency ordinance. Thereafter, on Jan. 4, 2011, your Board adopted  
ordinance 3552 which followed the format of those other ordinances, with updates  
obtained in the interim.

Ordinance 3552 expired on December 31, 2011. We were requested to update the  
ordinance for two additional years for your Board's consideration. Your Board  
adopted those ordinances on January 15, 2012 and January 22, 2013. Thereafter  
the CPUC has been working on options for allowing various opt-outs from  
Smartmeter installation and related fees. However, that process is still ongoing such  
that the CPUC has not yet formally approved any community opt-out provisions or  
final fees. Therefore, our office has again been requested to update the moratorium  
ordinance for another year. The attached ordinance is identical to last year's  
ordinance except that the expiration date has been changed to December 31, 2014.

Very truly yours,  
  
David L. Zaltsman  
Deputy County Counsel