

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

RESOLUTION No. 79207 2005 APR 13 PM 6:18
C.M.S.

Donna M. Niska

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR: 1) TO ALLOCATE AND EXPEND \$500,000.00 FROM THE DUKE SETTLEMENT FOR ALTERNATIVE ENERGY AND ENERGY EFFICIENCY PROJECTS, 2) TO MAKE SEVERAL GRANTS TO FUND PROJECTS THAT PROMOTE ALTERNATIVE ENERGY PRODUCTION AND ENERGY EFFICIENCY IN THE CITY OF OAKLAND, AND 3) TO WAIVE COMPETITIVE RFP REQUIREMENTS AND NEGOTIATE, AWARD AND EXECUTE PROFESSIONAL SERVICES CONTRACTS WITH NAVIGANT CONSULTING, INC., UP TO \$180,000.00, AND WITH POWER FACTORS UP TO \$100,000.00, WITHOUT RETURN TO COUNCIL, FOR SERVICES RELATED TO ALTERNATIVE ENERGY PRODUCTION AND ENERGY EFFICIENCY

WHEREAS, the Attorney General of the State of California, on behalf of the City of Oakland and other entities, negotiated a settlement of legal claims against Duke Energy Corporation and other Duke entities (Duke); and

WHEREAS, pursuant to the terms of the settlement Duke has provided the City of Oakland with \$500,000 to fund activities that promote alternative energy production or improved energy efficiency in the City; and

WHEREAS, Mayor Brown, City Council members and other Oakland leaders have expressed interest in alternative energy and energy efficiency for many years; and

WHEREAS, pursuant to Resolution No. 78998, adopted January 4, 2005, the City Council accepted and appropriated the Duke settlement funds to be used for activities that promote alternative energy production or improved energy efficiency in the City; and

WHEREAS, the allocation of these funds will allow the city to launch additional energy efficiency and alternative energy initiatives; and

WHEREAS, an overall increase in the demand for electricity throughout the State has resulted in rolling blackouts within the City of Oakland and the potential for continuing shortages in the supply of electricity; and

WHEREAS, it is in the best interest of all parties to expeditiously reduce energy consumption and to identify ways to permanently cut back on the use of electricity through alternative energy production and energy efficiency initiatives; and

WHEREAS, The expenditures set forth below address categories and specific projects for alternative energy production and energy efficiency projects that are aligned with Council goals, objectives and initiatives highlighted in the following documents: Sustainable Community Development Initiative; Mayor/Council Goals and Citywide Objectives in the FY 2003-2005 Adopted Policy Budget; and proposed initiatives highlighted in the Sustainability Oriented Economic Development agenda report to be delivered to the CEDA committee on April 26, 2005. These

initiatives and recommended expenditures are highlighted in the attached agenda report, and summarized below:

1. Youth Job Training via Energy Efficiency

Rising Sun Energy Center – for California Youth Energy Services program: \$45,000 of \$80,000 budget (balance from CPUC via Rising Sun Energy Center)

2. Energy Efficiency Projects

- A. Improve Energy Efficiency at City of Oakland Facilities: \$75,000 - \$125,000
- B. Promote Green Cleaners: \$65,000 - \$85,000
- C. Center for Neighborhood Technology – for Equity Express project: \$110,000

3. Renewable Energy Projects

- A. Navigant Consulting, Inc - for a Community Choice Aggregation Implementation Plan: \$92,000 - \$180,000 (depending on the number of communities Oakland might aggregate with)
- B. Train Solar Inspectors: \$5,000

4. Community Awareness and Dialogue

- A. Public Relations Campaign to Promote Solar: \$10,000 - \$30,000
- B. Promote Energy Efficient Mortgages via a conference with Wells Fargo: \$10,000

5. Research & Planning

- A. Join Chicago Climate Exchange - Fees: \$2,000 - \$5,000
- B. Join California Climate Registry - Fees: \$2,000 - \$3,500
- C. Foster Local Energy Production: \$25,000 - \$45,000
- D. Study Feasibility of a Solar Rebate Program: \$10,000 - \$30,000
- E. Power Factors - for a Clean Energy Bond Feasibility Study: \$100,000 (to be returned if bond financing is secured)

WHEREAS, the City Administrator has determined that it is in the best interests of the City to waive competitive RFP requirements for 2 contracts with Navigant Consulting, Inc. and Power Factors, has set forth the basis for her determination in the agenda report accompanying this resolution and recommends waiver of the applicable competitive process; now, therefore, be it

RESOLVED: That the City Administrator is authorized to allocate and expend five hundred thousand dollars (\$500,000.00) from the Duke Settlement that has been set aside in the Duke Energy Settlement project (C256520) in the Self Insurance Liability Fund (1100), for alternative energy and energy efficiency projects previously identified in the Sustainable Community Development Initiative, the Mayor/Council Goals and Citywide Objectives, as documented in the FY 2003-2005 Adopted Policy Budget, the Sustainability Oriented Economic Development agenda report, and highlighted in the agenda report for this resolution; and, be it

FURTHER RESOLVED: That the City Administrator is authorized to make grants to Rising Sun Energy Services, Inc. in an amount not to exceed forty five thousand dollars (\$45,000.00) to fund a California Youth Energy Services program, and to the Center for Neighborhood Technology in an amount not to exceed one hundred ten thousand dollars (\$110,000.00) for an Equity Express project; and, be it

FURTHER RESOLVED: That pursuant to the Oakland Municipal Code Chapter 2.04, Article 2.04.051.B, the City Council finds and determines that it is in the best interests of the City to

waive the competitive RFP requirements based on the findings and recommendations of the City Administrator in the agenda report accompanying this resolution, and hereby waives such competitive requirements for contracts with Navigant Consulting, Inc. and Power Factors (items 3.A and 5.E, above); and, be, it

FURTHER RESOLVED: That the City Administrator is hereby authorized to negotiate, award and execute a contract with Navigant Consulting, Inc., in an amount not to exceed one hundred eighty thousand dollars (\$180,000.00) for preparation of a community choice aggregation implementation plan, and a contract with Power Factors in an amount not to exceed one hundred thousand dollars (\$100,000.00) for a solar bond feasibility study; and, be it

FURTHER RESOLVED: That all grants and professional services contracts authorized herein shall be paid with Duke Energy Settlement funds (Project C256520, Fund 1100); and, be, it

FURTHER RESOLVED: That staff will return to the City Council for award of other contracts listed above that exceed the City Administrator's contract authority; and, be it

FURTHER RESOLVED: That all grantees and contractors will be bound by all applicable Oakland laws and policies including the Living Wage Ordinance; the Local Employment Program; the 15% Apprenticeship Policy; the Local and Small Business Enterprise Program; the Equal Benefits Ordinance; the Local Construction Employment referral Program and the Disadvantaged Business Enterprise Program; and, be it

FURTHER RESOLVED: That all contracts shall be reviewed and approved for form and legality by the Office of the City Attorney and a final copy shall be placed on file in the Office of the City Clerk.

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IN COUNCIL, OAKLAND, CALIFORNIA, MAY 03 2005, 20

PASSED BY THE FOLLOWING VOTE:

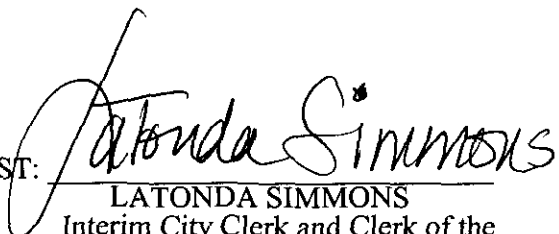
AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, ~~YOS~~
~~PRESIDENT DE LA FUENTE~~ - 6

NOES- 0

ABSENT- 0

ABSTENTION- 0

EXCUSED- President DeLaFuente - 1

ATTEST: 
LATONDA SIMMONS
Interim City Clerk and Clerk of the
Council of the City of Oakland, California