

# OAKLAND CITY COUNCIL

RESOLUTION No. 82452 C.M.S.

*[Signature]*  
CITY ATTORNEY  
OAKLAND  
2009 NOV 24 PM 5:46

## RESOLUTION AUTHORIZING ENERGY SOLUTIONS TO:

- 1) **APPLY TO THE CALIFORNIA ENERGY COMMISSION STATE ENERGY PROGRAM AUTHORIZED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT (FEDERAL GOVERNMENT'S "STIMULUS PACKAGE") FOR FUNDS TO IMPLEMENT AN ENERGY TECHNOLOGY ASSISTANCE PROGRAM IN THE CITY OF OAKLAND, AND**
- 2) **ACCEPT SAID GRANT FUNDS AND ENTER INTO AGREEMENTS TO IMPLEMENT AND CARRY OUT THE ENERGY TECHNOLOGY ASSISTANCE PROGRAM IN THE CITY OF OAKLAND**

**WHEREAS**, the City of Oakland is committed to providing leadership on encouraging implementation of energy efficiency and renewable energy projects as part of becoming a model city; and

**WHEREAS**, the City of Oakland recognizes that it is in the interest of the local, regional, state and national economy to stimulate the economy, create and retain jobs, reduce fossil fuel emissions and reduce total energy usage and improve energy efficiency within our jurisdiction; and

**WHEREAS**, the City of Oakland adopted a preliminary planning greenhouse gas (GHG) emissions reduction target equivalent to 36% below 2005 levels on July 7, 2009 in Resolution 82129 C.M.S.; and

**WHEREAS**, the California Energy Commission (CEC) State Energy Program (SEP) Municipal and Commercial Building Targeted Measure Retrofit (MCR) Program grant funds are designated for the implementation of a municipal building energy efficiency improvement program and are available to implement such a program in the City of Oakland; and

**WHEREAS**, Energy Solutions, an Oakland business, has provided valuable technical assistance to the City of Oakland to improve the energy efficiency of City buildings in the past, and has developed the Energy Technical Assistance Program (ETAP) to provide targeted technical assistance that will aid the City in its continuing efforts to optimize the energy efficiency of its facilities; and

**WHEREAS**, Energy Solutions is eligible for and proposes to apply to the SEP for the ETAP behalf of a group of municipal governments, including the City of Oakland; and

**WHEREAS**, Energy Solutions will be responsible for implementing and running the California Energy Commission State Energy Program Energy Technical Assistance Program in the City Oakland; and

**WHEREAS**, the City staff has considered the application of the California Environmental Quality Act (CEQA) to the energy efficiency improvement project descriptions attached and labeled as **“Energy Technical Assistance Program Resolution: Exhibit 1” (Exhibit 1)** and has determined that the program for improving energy efficiency in existing municipal facilities described in **Exhibit 1** is a “project” under CEQA that is exempt under Title 14, California Code of Regulations, Sections 15301 and 15268 because the energy efficiency projects will involve negligible or no expansion of an existing use, will mainly involve minor alterations to mechanical and electrical conveyances and equipment, and most work will be accomplished solely through issuance of a ministerial building permit; now, therefore, be it

**RESOLVED:** That in compliance with the CEQA and based on staff determinations, the City of Oakland finds that the approval of the program for improving energy efficiency in existing municipal facilities described in **Exhibit 1** is a “project” under CEQA that is exempt under Title 14, California Code of Regulations, Sections 15301 and 15268 because the energy efficiency projects will involve negligible or no expansion of an existing use, will mainly involve minor alterations to mechanical and electrical conveyances and equipment, and most work will be accomplished solely through issuance of a ministerial building permit; and be it

**FURTHER RESOLVED:** That the City of Oakland authorizes Energy Solutions to submit a collaborative application on its behalf to the California Energy Commission for up to five million dollars (\$5,000,000) in total SEP funds for all participating public agencies for the ETAP that will aid the City with its energy efficiency improvement efforts as described in the application; and be it

**FURTHER RESOLVED:** That if the California Energy Commission recommends funding, the City of Oakland authorizes Energy Solutions, on Oakland’s behalf, to accept a grant award and to enter into all necessary contracts, agreements, and amendments thereto, and to carry out the ETAP program for municipal energy efficiency improvement projects as described in the application.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 8 2009, 20    

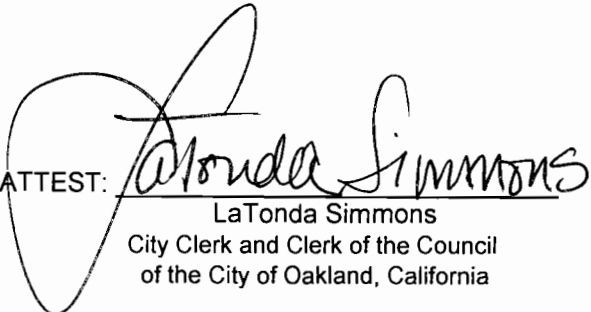
**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:   
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

## Energy Technical Assistance Program Resolution: Exhibit 1

### *Energy Technical Assistance Program*

#### *Project Description*

The ETAP program proposes providing project identification and implementation services under a program that is free to participating cities. The ETAP program will provide free, robust technical assistance for the measures listed below and may provide monetary incentives for installed projects.

The proposed targeted measures under ETAP are:

- Occupancy sensor controlled bi-Level lighting in existing parking lots
- Occupancy sensor controlled bi-level lighting in existing parking garages
- Wireless lighting controls in existing interior spaces
- Wireless control for heating, ventilating air conditioning system in existing City facilities

The City will obtain building permits and adhere to applicable laws, codes, rules and regulations when implementing projects related to this program.