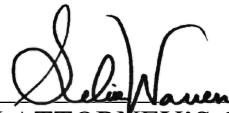


APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO
NEGOTIATE AND ENTER INTO A POWER PURCHASE AGREEMENT
WITH AVA COMMUNITY ENERGY FOR THE DEPLOYMENT OF
SOLAR AND BATTERY ENERGY SYSTEMS AT CRITICAL MUNICIPAL
FACILITIES**

WHEREAS, on May 15, 2018, the City Council approved Resolution No. 87183 C.M.S., adopting the greenhouse gas (GHG) emissions reduction target of 56 percent below 2005 emissions by 2030; and

WHEREAS, on October 30, 2018, the City Council approved Resolution No. 87397 C.M.S., declaring a climate emergency and calling for regional collaboration and an immediate just transition and emergency mobilization effort to reverse global warming and accelerate adaptation and resilience strategies in preparation for intensifying climate impacts; and

WHEREAS, on July 23, 2020, the City Council approved Resolution No. 84126 C.M.S., adopting the 2030 Equitable Climate Action Plan (ECAP), which calls for the reduction of climate impacts of City operations and the creation of resilience hubs; and

WHEREAS, on December 20, 2022, the City Council approved Resolution No. 89536 C.M.S., authorizing the City Administrator to evaluate the potential deployment of solar and battery energy systems at critical municipal facilities in partnership with East Bay Community Energy; and

WHEREAS, Resolution 89536 C.M.S. provides in pertinent part: “[T]he City Council authorizes and directs the City Administrator to evaluate the potential for deployment of solar and battery energy systems at critical municipal facilities in partnership with the city’s public power provider, EBCE, and installation of these systems through a standard Power Purchase Agreement with EBCE, should the City determine that the cost effectiveness of the project portfolio results in benefits to the City’s budget and service to the community.”; and

WHEREAS, East Bay Community Energy changed its name to Ava Community Energy on or about October 24, 2023 (<https://avaenergy.org/brand/>); and

WHEREAS, City Council elected to implement a Community Choice Energy program within the City's jurisdiction by and through the City's participation in the Ava Community Energy Authority; and

WHEREAS, Ava Community Energy, Oakland's local electricity generation provider, has the primary objectives of providing its member agencies local energy control and oversight, providing cleaner electricity at competitive rates, driving investment in renewable energy, and improving the resilience of local communities; and

WHEREAS, Ava Community Energy enables the City to purchase clean energy, supporting its GHG-reduction and ECAP goals; and

WHEREAS, this program will allow the City to use solar and battery energy storage systems to provide GHG-free renewable electricity, reduce time-of-use charges during peak pricing periods, and provide resilience benefits allowing critical facilities to operate on a limited basis during a power outage; and

WHEREAS, the City and Ava Community Energy have evaluated City facilities for their suitability for solar panels and batteries through site visits and plan reviews and have identified eleven City facilities for installation as set forth in the accompanying staff report; and

WHEREAS, the City used equity screening tools including the Racial Equity Impact Assessment developed as part of the ECAP and the Oakland Department of Transportation's Geographic Equity Toolbox to ensure equitable distribution of resilient solar and battery systems at City facilities; and

WHEREAS, the installations will be financed through the Power Purchase Agreement, which will allow a third-party developer to own, operate and maintain the generating equipment and the City would agree to host the systems and purchase the electric output for 25 years for a net savings in utility costs; now, therefore, be it

RESOLVED: That the City Council authorizes the City Administrator to negotiate and enter into an agreement for the deployment of solar and battery energy systems at critical municipal facilities in partnership with the City's public power provider, Ava Community Energy, and for the installation of these systems through a Power Purchase Agreement with Ava Community Energy, subject to the City Administrator's determination that the cost effectiveness of the project portfolio results in benefits to the City's budget and service to the community as set forth in Resolution No. 89536; and be it

FURTHER RESOLVED: That the City Administrator is authorized to modify or amend the Power Purchase Agreement and to take any other action necessary and consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California