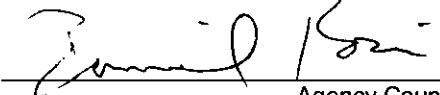


APPROVED AS TO FORM AND LEGALITY:



Agency Counsel

REDEVELOPMENT AGENCY
OF THE CITY OF OAKLAND

RESOLUTION No. 2004-41, C.M.S.

A RESOLUTION AUTHORIZING THE AGENCY TO ACCEPT A 337 KILOWATT SOLAR POWER SYSTEM AND OTHER ENERGY EFFICIENCY IMPROVEMENTS FOR THE OAKLAND ICE CENTER AT 519 18TH STREET AND TO PROVIDE FOR ANNUAL PAYMENTS NOT TO EXCEED \$130,000 TO THE CITY FOR FIFTEEN YEARS

WHEREAS, Mayor Brown and other Oakland leaders are encouraging development of solar power as part of Oakland's evolution toward sustainable living; and the California legislature, the California Public Utilities Commission (CPUC) and the California Energy Commission (CEC) are also supporting solar power development by funding major rebate programs that pay for up to 50% of project implementation costs, including the Pacific Gas and Electric (PG&E) Self-Generation Program; and

WHEREAS, three City Council resolutions, one for appropriation, allocation of project financing, a second for appropriation, allocation, design and construction, and a third which is a complement to the resolution, are being proposed simultaneously to facilitate implementation of the project described herein; and

WHEREAS, at the Mayor's direction, the Public Works Agency sought proposals from solar power companies for designing and constructing cost-effective solar powered electricity generation systems on City facilities and the Oakland Ice Center ("OIC"); and

WHEREAS, City staff negotiated with PowerLight Corporation of Berkeley ("PowerLight") to create a turnkey agreement to acquire 337 Kilowatts ("kW") of electrical power production on the rooftop of the OIC along with cost-effective energy efficiency improvements at the OIC (together the "Plan"); and

WHEREAS, the City will obtain funding for the Plan and will enter into agreements to implement the Plan; and

WHEREAS, as part of the funding for Plan the City will obtain a \$3,139,000 loan with a fifteen year term of which approximately \$1,350,165 will be attributable to the Plan, with annual payments to retire the Agency's share of an estimated \$126,065, and;

WHEREAS, the Agency believes the Plan will produce savings to the OIC in excess of the cost to the Agency and the OIC cost savings can be paid to the Agency as necessary to reimburse the Agency for its annual payments to the City; and

WHEREAS, the Agency desires to support City in obtaining funding and implementing the Plan by reimbursing the City for the Agency's share (\$1,350,165) of the City secured loan which would require annual subordinated debt payments not to exceed \$130,000 for fifteen years, now, therefore, be it

RESOLVED: that the Agency hereby authorizes the Agency Administrator or her designee to accept a 337 kilowatt solar power system and other energy efficiency improvements from the City that will be installed at the OIC; and be it further

RESOLVED: that the Agency hereby authorizes the Agency Administrator or her designee to make annual subordinated debt payments to the City not to exceed \$130,000 a year for fifteen years to help pay for the implementation of the Plan; and be it further

RESOLVED: that the Agency hereby appoints the Agency Administrator or her designee as agent of the Agency to conduct negotiations, execute documents, extend or modify the repayment terms, and take any other action with respect to the Plan consistent with this Resolution and its basic purpose.

IN AGENCY, OAKLAND, CALIFORNIA, JUL 20 2004, 2004


PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN, AND CHAIRPERSON DE LA FUENTE 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: 
CEDA FLOYD
Secretary of the Redevelopment Agency
of the City of Oakland