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Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. 80311 C.M.S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH THE PORT OF OAKLAND AND CLEAN ENERGY FOR THE FUNDING, DESIGN, AND CONSTRUCTION OF A DOWNTOWN COMPRESSED NATURAL GAS REFUELING STATION FOR A PERIOD OF TEN YEARS WITH AN OPTION TO EXTEND AN ADDITIONAL FIVE YEARS; TO APPROPRIATE AN AMOUNT NOT TO EXCEED \$375,000 IN GRANT FUNDING FOR THE CONSTRUCTION OF A COMPRESSED NATURAL GAS REFUELING STATION AT 205-209 BRUSH STREET; AND TO ACCEPT ROYALTIES ON BEHALF OF THE CITY FROM CLEAN ENERGY'S SALE OF COMPRESSED NATURAL GAS

WHEREAS, the City of Oakland is committed to improving air quality and reducing its dependence on foreign energy sources; and

WHEREAS, the City of Oakland currently has 177 vehicles fueled by compressed natural gas, many of which are based out of downtown City administration offices; and

WHEREAS, the City of Oakland has been approved by the Alameda County Congestion Management Agency to receive \$225,000 in Transportation Fund for Clean Air funds to offset a portion of the cost to construct a compressed natural gas refueling station at 205-209 Brush Street in Oakland, as authorized by Council Resolution No. 79902 C.M.S.; and

WHEREAS, the City of Oakland has been approved by the California Energy Commission to receive \$150,000 in State Energy Program funds to offset a portion of the cost to construct a compressed natural gas refueling station at 205-209 Brush Street in Oakland, as authorized by Council Resolution 79903 C.M.S.; and

WHEREAS, both aforementioned grants are administered as matching funds for City expenditures, Fund 4100, Organization 92441 will be the accounting repository for funding and reimbursement,

WHEREAS, the City of Oakland has identified an opportunity to partner with the Port of Oakland to construct a compressed natural gas refueling station on Port property located at 205-209 Brush Street, Oakland; and

WHEREAS, Clean Energy, a California Corporation, has entered into a Space/Use Permit with the Port of Oakland to operate a CNG refueling station at 205-209 Brush Street; and

WHEREAS, Clean Energy will construct, operate and maintain a compressed natural gas refueling station at 205-209 Brush Street under an agreement with the City and the Port of Oakland for a term of ten years, with an option to extend an additional five years; and

WHEREAS, Clean Energy will sell compressed natural gas to the City and the Port of Oakland at a reduced market rate, and pay royalties to the City and the Port of Oakland of \$0.025 per gasoline gallon equivalent each; the City of Oakland's royalties to be deposited in Fund 4100, Org 30541, Account 45119, now, therefore, be it

RESOLVED: That the City Administrator is authorized to enter into an agreement with the Port of Oakland and Clean Energy for the funding, design and construction of a compressed natural gas refueling station located at 205-209 Brush Street in Oakland for a term of ten years, with an option to extend an additional five years, and, be it

FURTHER RESOLVED: The City Administrator is authorized to appropriate grant funds not to exceed \$375,000 to Clean Energy to offset the cost of construction of the refueling station, using Fund 4100, Org 92441, and accept royalties to the City from Clean Energy for deposit into Fund 4100, Org 30541, Account 45119.

In Council, Oakland, California, December 5, 2006


Passed By the Following Vote:

AYES- ~~BRUNNER~~, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- Brooks - 1

ABSTENTION- 0

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