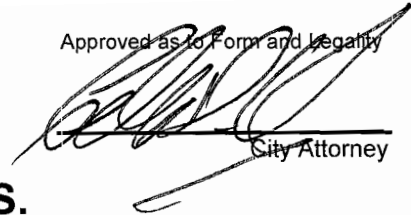


FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL



City Attorney

RESOLUTION No. 84201 C.M.S.
2013 JAN 17 AM 9:51

RESOLUTION APPROVING THE JOINT EXERCISE OF POWERS AGREEMENT CREATING THE ENERGY COUNCIL AND AGREEING TO BECOME A MEMBER OF THE ENERGY COUNCIL

WHEREAS, the City Council adopted an Energy and Climate Action Plan (ECAP) on December 4, 2012 via Resolution No. 84126 C.M.S. to identify a prioritized plan of action for achieving a thirty-six (36) percent reduction in greenhouse gas (GHG) emissions from 2005 levels; and

WHEREAS, enhancing energy efficiency in buildings throughout the city is a critical component of the ECAP; and

WHEREAS, the Alameda County Waste Management Authority (herein referred to as StopWaste.Org) in the course of implementing the Countywide Integrated Waste Management Plan has made an ongoing, coordinated effort to reduce the emissions that cause climate change, improve air quality, reduce waste, cut energy use and save money through its Green Building program, the Green Packages project, and the Energy Upgrade California program; and

WHEREAS, StopWaste.Org has successfully secured several energy-related grants, including approximately \$8 million in economic stimulus funding on behalf of its member agencies; and

WHEREAS, there is an opportunity to continue and expand the types of energy efficiency programs available in Oakland through funding from multiple sources, including regional, state and federal agencies, investor owned utilities and private foundations; and

WHEREAS, StopWaste.Org has received input from potential funders that a Joint Exercise of Powers agency that is expressly authorized to seek and expend energy-related funds -- separate from the existing Alameda County Waste Management Authority -- would provide a clear signal that local governments in our region desire to continue to collaborate for these purposes with each other and StopWaste.Org under an established and dedicated governance structure for this purpose; and

WHEREAS, the attached Joint Exercise of Powers Agreement would create an independent Energy Council to seek funding; develop and implement sustainable energy initiatives that reduce energy demand, increase energy efficiency; and advance the use of clean, efficient, and renewable resources available in the region for the benefit of the member agencies and their constituents; and

WHEREAS, Oakland will benefit by becoming a member of the proposed Energy Council because this form of collaboration is viewed positively by funders and has the potential to help Oakland secure resources and more efficiently coordinate energy-related initiatives; and

WHEREAS, participation in the Energy Council will not prevent the City from pursuing funding on its own or through other partnerships;

WHEREAS, no debt, liability, or obligation or obligation of the Energy Council shall constitute a debt, liability or obligation of the City of Oakland pursuant to Government Code section 6508.1 and the terms of the agreement; and

WHEREAS, Oakland represents more than twenty-five (25) percent of the residential population of Alameda County; and

WHEREAS, out of twenty (20) total votes among the existing Alameda County Waste Management Authority Board, each member currently receives one vote except that the member selected by the City of Oakland receives three (3) votes, equivalent to fifteen (15) percent of the total, and the member selected by the County of Alameda receives two (2) votes; now, therefore be it

RESOLVED: That the City Council approves the attached Joint Exercise of Powers Agreement for the Energy Council and authorizes and directs the City Administrator to execute the agreement for Oakland to become a member of the Energy Council, subject to the Joint Exercise of Powers Agreement being amended to provide that votes by Oakland’s representative shall be weighted to count for a minimum of fifteen (15) percent of the total weighted vote; and be it

FURTHER RESOLVED: That a copy of the agreement will be on file in the City Clerk’s Office and will be approved by the Office of the City Attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 5 2013

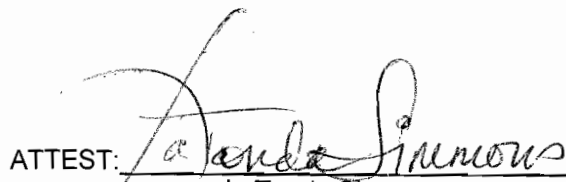
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, KALB, KAPLAN, McELHANEY, REID, SCHAAF and PRESIDENT KERNIGHAN - 8

NCES - 0

ABSENT - 0

ABSTENTION - 0

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

Date of Attestation: _____