

# OAKLAND CITY COUNCIL

OFFICE OF THE CITY ATTORNEY  
OAKLAND, CALIFORNIA

RESOLUTION No. 82449

C.M.S. 2009 NOV 24 PM 5:45

**RESOLUTION AUTHORIZING THE COUNTY OF SACRAMENTO 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 PROJECT FINANCING PROGRAM IN THE CITY OF OAKLAND THROUGH CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY (CSCDA), AND**
- 2) **ACCEPT SAID GRANT FUNDS AND ENTER INTO AGREEMENTS, ON BEHALF OF THE CITY OF OAKLAND, TO IMPLEMENT AND CARRY OUT THE ENERGY PROJECT FINANCING PROGRAM IN THE CITY OF OAKLAND**

**WHEREAS,** the City of Oakland is committed to providing leadership on encouraging construction of energy efficiency and renewable energy projects for residents and businesses 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 availability of financing encourages energy efficiency projects; and

**WHEREAS,** California Energy Commission (CEC) State Energy Program (SEP) Municipal Financing Program grant funds are designated for the implementation of a financing program for energy efficiency, energy conservation, renewable energy, and other energy related projects and are available to implement such a program in the City of Oakland; and

**WHEREAS,** Sacramento County is eligible for and proposes to apply to the SEP for the energy project financing program on behalf of a group of cities and counties, including Oakland through CSCDA; and

**WHEREAS,** Sacramento County will be responsible for implementing and running the California Energy Commission State Energy Program funded energy efficiency, energy conservation, renewable energy Municipal Financing Program in Oakland; and

**WHEREAS**, the City staff has considered the application of the California Environmental Quality Act (CEQA) to the energy project financing program description attached and labeled as **“Municipal Energy Financing Program Resolution: Exhibit 1” (Exhibit 1)** and has determined that the program for financing energy efficiency, energy conservation, renewable energy, and other energy related projects described in **Exhibit 1** is not a “project” under CEQA, because the program does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, as contemplated by Title 14, California Code of Regulations, Section 15378(b)(4); now, therefore, be it

**RESOLVED:** That in compliance with the CEQA and based on staff determinations, the City of Oakland finds that the program for financing energy efficiency, energy conservation, renewable energy, and other energy related projects described in **Exhibit 1** is not a “project” under CEQA, because the program does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, as contemplated by Title 14, California Code of Regulations, Section 15378(b)(4); and be it

**FURTHER RESOLVED:** That the City of Oakland authorizes Sacramento County to submit a collaborative application on its behalf to the California Energy Commission for up to fifteen million dollars (**\$15,000,000**) in total SEP funds for all participating public agencies for the program for financing energy efficiency, energy conservation, renewable energy, and other energy related projects as described in the application; and be it

**FURTHER RESOLVED:** That if California Energy Commission recommends funding, the City of Oakland authorizes Sacramento County, on Oakland’s behalf, to accept a grant award and to enter into all necessary contracts, agreements and amendments thereto and to implement an Energy Project Financing Program in the City of Oakland through the California Statewide Communities Development Authority, as described in the application.

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

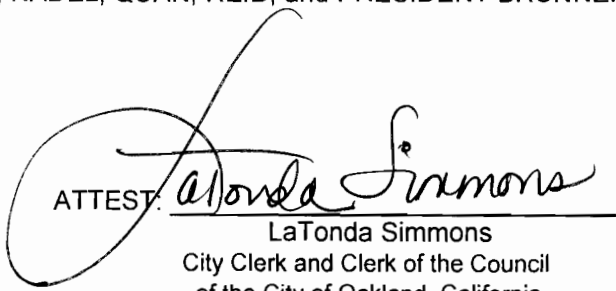
**PASSED BY THE FOLLOWING VOTE:**

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

## **Municipal Energy Financing Program Resolution: Exhibit 1**

### ***Municipal Energy Financing Program***

#### ***Program Description***

State Energy Program grant funds will be used by the California State Communities Development Authority to create the CaliforniaFIRST financing program for energy efficiency, energy conservation, renewable energy, and other energy related projects. The program will offer property-based financing for projects on residential and commercial properties.

Program elements will include, but not be limited to:

- Program start-up costs for the participating counties and cities
- Bond counsel and bond disclosure
- A fiscal agent for the program
- Legal fees and related costs for validating the program structure
- Reducing interest rates for participants
- Local marketing/education/training/outreach
- Local coordination, and grant administration to support the launch of the program.