

RESOLUTION NO. _____ (2021 SERIES)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN LUIS OBISPO, CALIFORNIA, MAKING FINDINGS ON ENERGY SAVINGS AND DETERMINING OTHER MATTERS IN CONNECTION WITH ENERGY EFFICIENCY RETROFITS

WHEREAS, it is the policy of the State of California and the intent of the State Legislature to promote all feasible means of energy conservation and all feasible uses of alternative energy supply sources; and

WHEREAS, the City of San Luis Obispo ("City") desires to reduce energy costs at its facilities; and

WHEREAS, the City proposes to enter into an On-Bill Financing Agreement ("OBF Agreement") and related contract documents with PG&E ("Utility"), who in turn will use Electricraft Inc. ("Contractor") as the Contractor for facilities at the City's real property sites, pursuant to which Contractor will remove old lighting fixtures and install new LED lighting in the City's facilities; and

WHEREAS, through the Utility On-Bill Financing Program the City will have \$7,590.07 capital outlay and will continue to pay their utility bills through the loan's existence; and

WHEREAS, Contractor has provided the City with analysis showing the financial and other benefits of entering into the OBF Agreement, which analysis is attached here to as Exhibit A and made part hereof by this reference; and

WHEREAS, Exhibit A includes data showing that the anticipated cost to the City for the electrical energy saved by the LED upgrades will be equal to/or less than the anticipated cost of the project thus making these projects bill neutral; and

WHEREAS, Contractor was the selected vendor for the On-Bill Financing project due to their low bid and Contractor's carrying the costs and structuring of the project to have minimal capital outlay to the City; and

WHEREAS, the City proposes to enter into the On-Bill Financing Agreements and related contract documents in substantially the form presented at this meeting, subject to such changes, insertions or omissions as the City Manager and City Attorney reasonably deems necessary following the Council's adoption of this Resolution; and

WHEREAS, pursuant to Government Code section 4217.12, this Council held a public hearing, public notice of which was given two weeks in advance, to receive public comment.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of San Luis Obispo that:

SECTION 1. The terms of the OBF Agreement and related agreements are in the best interests of the City.

SECTION 2. In accordance with Government Code section 4217.12, and based on data provided by Exhibit A, the Council finds that the anticipated cost to the City for lighting retrofits provided by the OBF Agreements will be less than or equal to the anticipated cost to the City of electrical energy that would have been consumed by the City in the absence of the OBF Agreements.

SECTION 3. The City Manager and City Attorney are hereby authorized and directed to negotiate any further changes, insertions and omissions to the OBF Agreement as they reasonably deem necessary, and thereafter to execute and deliver the OBF Agreement following the Council's adoption of this Resolution. The City Manager is further authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this Resolution and said Agreements.

SECTION 4. Environmental Review. The City Council hereby determines that the execution of an OBF Agreement with Utility are statutorily and categorically exempt from environmental review on the basis that the projects are: installation of LED upgrades in and on existing facilities or at existing parking lots (Public Resources Code § 21080.35; new construction or conversion of small structures (CEQA Guidelines § 15303); minor alterations to land (CEQA Guidelines § 15304); projects which consist of the construction or placement of minor accessory structures to existing facilities (CEQA Guidelines § 15311); and activities which can be seen with seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment (CEQA Guidelines § 15061(b)(3)).

SECTION 5. City staff are hereby authorized to file and process a Notice of CEQA Exemption for the project in accordance with CEQA and the State CEQA Guidelines, and the findings set forth in this Resolution.

Upon motion of Council Member _____, seconded by Council Member _____, and on the following roll call vote:

AYES:

NOES:

ABSENT:

The foregoing resolution was adopted this _____ day of _____ 2021.

Mayor Heidi Harmon

ATTEST:

Teresa Purrington
City Clerk

APPROVED AS TO FORM:

J. Christine Dietrick
City Attorney

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on _____.

Teresa Purrington
City Clerk

R _____