

## RESOLUTION 11-43

### CITY OF MILLBRAE, COUNTY OF SAN MATEO STATE OF CALIFORNIA

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#### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILLBRAE APPROVING A FY 2011-2012 CLEAN ENERGY PROJECT WITH SIEMENS INDUSTRY, BUILDING TECHNOLOGY DIVISION

**WHEREAS**, at its June 14, 2011 meeting City Council authorized a letter of intent (LOI) with Siemens Building Technologies to pursue a clean energy project to reduce citywide energy consumption, reduce the overall carbon footprint, explore renewable energy solutions and find ways to implement energy projects with minimum upfront capital investment; and

**WHEREAS**, at its October 25, 2011 meeting, Council provided direction to staff to include the following the energy saving facilities improvement measures (FIM) in the project which are estimated at about \$2 million in total construction costs: install new induction lighting technology in the City's streetlights, install new lighting technology internally and externally in City facilities, add new irrigation controllers in certain City parks, install a solar photovoltaic system on the Library, and replace the heating, ventilation, and air conditioning systems (HVAC) at the Community Center; and

**WHEREAS**, the law concerning the application of California Environmental Quality Act (CEQA) requirements to the installation of new solar systems will change effective January 1, 2012 and thus specific approval of the solar FIM will be delayed to a second phase of this Clean Energy Project which is planned for January, 2012; and

**WHEREAS**, the other elements of the Clean Energy Project are categorically exempt from review under CEQA under the Class 1, 2 and 3 exemptions; and

**WHEREAS**, a properly noticed Public Hearing was conducted on November 22, 2011, and based on the entire record, the Council hereby finds that this Clean Energy Project is in the best interests of the City because the costs of the project will be paid over time from the energy savings and this project provides a means for improving the HVAC at the Community Center which otherwise would not be possible; and

**WHEREAS**, there are costs associated with Siemens providing guarantees for certain levels of energy savings from each implemented FIM and such costs are determined by the complexity of the required pre-construction and post-construction measurements and verifications of the energy savings, and thus the City and Siemens would negotiate and mutually agree to the required measurements and verifications and guarantees which would be implemented as a separate service contract executed by the City Manager; and

**WHEREAS**, staff recommends that this project be internally financed using other than General Funds because the City can reduce long term financing costs and increase the rate of return for internal funds by internally financing this project and that such financing be at the best available rates and terms and be memorialized in loan documents which would be prepared by staff and the City Attorney and executed by the City Manager; and

**WHEREAS**, working with City staff and incorporating the City's requirements, Siemens' engineering staff has provided and recommended a plan, design and technical specifications, and locations for the new street lighting, and Siemens' work includes consideration of the 278 LED lights already installed in 2010-2011; and,

**WHEREAS**, City engineering staff have worked closely with Siemens to ensure that the City's objectives for the street lighting are met, and City engineering staff recommend the Siemens plan, design and technical specifications, and locations for the new street lighting, including the consideration of the 278 LED lights already installed in 2010-2011, as a reasonable and appropriate way to address the City's objectives; and,

**WHEREAS**, the design work with regard to the new internal and external lighting technology, the new irrigation controllers in certain City parks, and the heating/ ventilation/ air conditioning (HVAC) systems at the Community Center is still in process. Staff will continue to work with personnel from Siemens to determine the appropriate equipment, designs, capacities, locations and placement, etc. for these additional projects. This design and planning work will be ongoing and may be completed at different times for these distinct projects. When completed, Staff proposes to return to the Council to obtain design approval for the new internal and external lighting technology, the new irrigation controllers in certain City parks, the Library solar photovoltaic system, and the heating/ ventilation/ air conditioning (HVAC) systems at the Community Center.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Millbrae hereby:

1. Approves of a Clean Energy Project with Siemens Industry, Building Technologies Division and determines that this Project is in the best interests of the City based on the findings recited above;

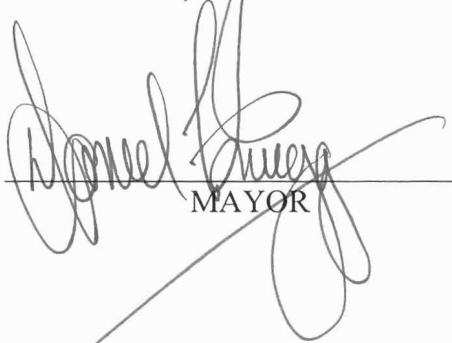
2. Authorizes the City Manager to execute a Services Agreement with Siemens excluding the solar photovoltaic system facility improvement measure once the Contract is approved as to form by the City Attorney and to file a Notice of Exemption pursuant to CEQA;

3. Authorizes the City Manager to execute the financing/loan documents for this project not to exceed \$1.63 million once such documents are approved by the City Attorney and Finance Director and authorizes the necessary budget amendments to construct this Clean Energy Project; and

4. Approves the plan, design and technical specifications, and locations for the new street lighting, which includes consideration of the 278 LED lights already installed under in 2010-2011, as recommended by Siemens' engineering staff and the City's engineering personnel, as a reasonable and appropriate manner in which to achieve the City's objectives; and,

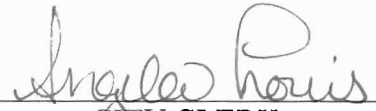
5. Directs Staff to reasonably and appropriately work with Siemens to balance considerations of safety, convenience and cost effectiveness, as well as all benefits, advantages, and potential risks involved in the development and completion of the designs for the project components of new internal and external lighting technology, the new irrigation controllers in certain City parks, the Library solar photovoltaic system, and the heating/ ventilation/ air conditioning (HVAC) systems at the Community Center and to bring these completed designs back to the City Council for design approval.

**REGULARLY PASSED** and adopted this 22nd day of November, 2011.



MAYOR


ATTEST:



CITY CLERK

I do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Millbrae this 22<sup>nd</sup> day of November 2011, by the following vote:

AYES:	COUNCILMEMBERS:	Quigg, Colapietro, Papan, and Holober
NOES:	COUNCILMEMBERS:	Seto
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
EXCUSED:	COUNCILMEMBERS:	None

  
CITY CLERK