

101
1/23/06

(R-2006-561 Corrected)

RESOLUTION NUMBER R- 301175
DATE OF FINAL PASSAGE JAN 30 2006

RESOLUTION OF THE CITY OF SAN DIEGO AUTHORIZING A PARTNERSHIP AGREEMENT WITH SDG&E FOR CITY MANAGEMENT OF ENERGY EFFICIENCY PROGRAMS; FOR ALL NECESSARY ACTIONS IN CONNECTION THEREWITH; FOR A GRANT APPLICATION TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION; FOR THE EXPENDITURE OF \$2,883,768; AND FINDING NO ENVIRONMENTAL IMPACT.

WHEREAS, the City of San Diego and the Cities of Chula Vista, Oceanside, Carlsbad, and Escondido formed a San Diego Regional Energy Partnership in 2003 in agreement with the San Diego Regional Energy Office and San Diego Gas and Electric Company [SDG&E] for the management of energy efficiency programs and projects in 2004 and 2005, and

WHEREAS, as a result of the San Diego Regional Energy Partnership, the City of San Diego received \$660,000 from program funds authorized by the California Public Utilities Commission [CPUC] for the development of energy efficiency in the City in 2004-2005; and

WHEREAS, the CPUC energy efficiency program funding cycle supporting the San Diego Regional Energy Partnership expires on December 31, 2005; and

WHEREAS, On September 25, 2005 the CPUC issued Decision D 05-09-043, which reaffirmed the CPUC's commitment to fund energy efficiency program partnerships between utilities and local governments and created a new energy efficiency program funding cycle for 2006-2008; and,

WHEREAS, the City has since submitted a partnership program proposal to SDG&E to deliver energy efficiency services in 2006 through 2008, and SDG&E has recommended to the CPUC that the City's proposal be accepted and an amount not to exceed \$2,833,768 be made available to the City to support this purpose; and,

WHEREAS, the CPUC issued Decision No. D 05-11-011 on November 18, 2005, approving a budget of \$2,883,768 for the programs to be administered by the City from 2006 through 2008; and

WHEREAS, it is in the interest of the City and its citizens to enter into a new San Diego Energy Management Partnership with SDG&E for the receipt of CPUC-authorized funds by the City to further develop energy efficiencies in the City from 2006 through 2008; and

WHEREAS, the City would offer the following programs under this award: the Condo Conversion Energy Efficiency Package, the Residential Outreach/Education Program, the Peer to Peer Education Program, and the City Energy Project Facilitation Program, as set forth in detail in City Report No. 06-005; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. That the Mayor, or his designee, is hereby authorized, for and on behalf of the City, to execute a San Diego Energy Management Partnership Agreement with San Diego Gas & Electric Company providing for City management of specified energy efficiency programs under the form of terms and conditions set forth in the CPUC's master Statewide Energy Efficiency Program Partnership Agreement, on file in the office of the City Clerk as Document Number RR- 301175, and to amend or extend such agreement if additional funding becomes available for CPUC Energy Efficiency Program years 2006 through 2008.

2. That the Mayor, or his designee, is further authorized to take all actions to secure funding from the CPUC for those specified energy efficiency programs in the amount of \$2,883,768, per the Partnership Agreement.

3. That the City Auditor and Comptroller is hereby authorized to accept, appropriate, and expend such funds from the CPUC associated with energy efficiency programs and projects under the partnership with SDG&E.

4 That the expenditure of an amount not to exceed \$2,883,768 from Fund No 10231 is hereby authorized, solely and exclusively to provide funds for the above programs and projects.

5. That the City Auditor and Comptroller is further authorized to establish all required fund numbers, department numbers, and expense and revenue accounts to facilitate City record keeping associated with the partnership and as required by the CPUC.

6. That this activity is not subject to the California Environmental Quality Act pursuant to CEQA Guideline section 15378(b)(4), as this activity is a governmental fiscal activity, which is not committed to a specific project that may have a significant impact on the environment.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By Frederick M. Ortlieb
Frederick M Ortlieb
Deputy City Attorney

FMO:mb
12/14/05
01/17/06 Corrected
Aud.Cert:2600426
Or.Dept:ESD
R-2006-561

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of JAN 23 2008.

ELIZABETH S MALAND, City Clerk

By Elizabeth S. Maland
Deputy City Clerk

Approved 1-30-06
(date)

Jerry Sanders
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC 2600426
DEPT NO 514

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted

Amount \$2,883,768 00 Fund 10231

Purpose Authorizing to accept, appropriate, and expend CPUC Energy Efficiency Programs funds to pay for expenses associated with energy efficiency programs and projects under the San Diego Energy Management Partnership

Date November 22, 2005 By 

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG LINE	CY PY	FUND	DEPT	ORG	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
1	0	10231			9544					\$2,883,768 00
TOTAL AMOUNT										\$2,883,768 00

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego, and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered

Not to Exceed _____

Vendor _____

Purpose _____

Date _____ By _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

ACCTG LINE	CY PY	FUND	DEPT	ORG	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE

AC-361 (REV 2-92)

AC 2600426

R- 301175

JAN 24 2006