

11-13 #58  
01/10/17  
(O-2017-85)

ORDINANCE NUMBER O- 20784 (NEW SERIES)

DATE OF FINAL PASSAGE JAN 18 2017

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING A GE INTELLIGENT LIGHTING MASTER LEASE AGREEMENT WITH GE GOVERNMENT FINANCE, INC., A SUBSIDIARY OF GENERAL ELECTRIC COMPANY, AND A PURCHASE AND SERVICE AGREEMENT WITH CURRENT, POWERED BY GE, A SUBSIDIARY OF GENERAL ELECTRIC COMPANY.

WHEREAS, the City of San Diego is committed to meeting the future needs of citizens on City streets through initiatives to deploy energy efficient lighting and modern adaptive control technologies which enhance interconnectivity; and

WHEREAS, the City has requirements for energy efficient adaptive controlled street lighting and for advanced technologies which will expand the practical uses of street light pole networks; and

WHEREAS, the City's Climate Action Plan manifests its commitment to the control and reduction of greenhouse gas emissions; and

WHEREAS, the City participated in a pilot of General Electric Company's (GE) Intelligent Cities Program where the benefits of adaptive controlled intelligent street lighting were demonstrated; and

WHEREAS, the City has already retrofitted over 30,000 street lights with GE energy efficient broad spectrum LED components and has an interest in maintaining uniformity of equipment type; and

WHEREAS, City desires to install approximately another 14,000 LED street lights and to have these retrofits provided with adaptive controls and intelligent systems; and

WHEREAS, GE Government Finance, Inc. (GEGF), a GE affiliate, offers terms for the finance of GE's energy efficient adaptive controlled LED street lighting with intelligent systems on light poles, which will allow for expanded uses of the poles including for purposes of traffic control, parking optimization, and public safety; and

WHEREAS, the energy efficient lighting retrofits will support the implementation of the City's Climate Action Plan by reducing greenhouse gas emissions by avoiding approximately 11,600 megawatt hours per year in electricity consumption, with an estimated annual avoided utility cost of \$2.4 million; and

WHEREAS, the GE Intelligent Cities Program furthers the objectives of Resolution No. R-305594, adopted February 24, 2010, which authorized integration of adaptive control technology with SDG&E smart grid technology to capture additional energy savings by dimming at selected areas and times; and

WHEREAS, the terms offered by GEGF under a tax-exempt equipment lease-purchase mechanism are favorable in view of the savings on utility costs, reduced energy consumption, and greenhouse gas reductions; and

WHEREAS, under the San Diego Charter section 99, a two-thirds vote of the Council is required for passage of this ordinance. NOW, THEREFORE,

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

Section 1. That the Mayor or his designee, is authorized to execute the GE Government Finance, Inc. (GEGF) California Master Lease Agreement in amount not to exceed \$30,273,755 for the lease finance of the GE Intelligent Cities Project for energy efficient street lighting and adaptive controls, under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. OO- 20784, together with any reasonably necessary

modifications or amendments thereto which do not increase project scope or cost and which the Mayor shall deem necessary from time to time in order to carry out the purposes and intent of this Project and Agreement.

Section 2. That the Chief Financial Officer is authorized to accept funds in an amount up to \$30,273,755 from GEGF California Master Lease Agreement funding in accordance with the terms of said document.

Section 3. That it is hereby intended by the Council of the City of San Diego that funds from said GEGF California Master Lease Agreement in an amount up to \$30,273,755 will be used to reimburse the City of San Diego for eligible GE Intelligent Cities Project expenses paid in advance by the City.

Section 4. That the chief Financial Officer is hereby authorized to establish a special account for the GEGF California Master Lease Agreement funding authorized by this ordinance.

Section 5. That subject to receipt of a fully executed GEGF California Master Lease Agreement and certification by the City Auditor and Comptroller that sufficient funds are or will be on deposit with the City Treasurer, and further subject to the letting of procurement and installation contracts under applicable laws, the City Auditor and Comptroller is hereby authorized to expend an amount not to exceed \$30,273,755 for the purpose of implementing the GE Intelligent Cities Project for energy efficient lighting and adaptive controls.

Section 6. That the Mayor, or his designee, is authorized to execute an Intelligent Cities Purchase and Services Agreement with Current, a subsidiary of the General Electric Company, under the terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. OO- 20784, together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the Mayor shall deem

necessary from time to time in order to carry out the purposes and intent of this Project and Agreement.

Section 7. That a full reading of this ordinance is dispensed with prior to its passage, a written or printed copy having been made available to the City Council and the public prior to the day of its final passage.

Section 8. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Frederick M. Ortlieb  
Frederick M. Ortlieb  
Deputy City Attorney

FMO:mt  
November 18, 2016  
Or.Dept: Environmental Services  
Doc. No. 1391105

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at this meeting of JAN 10 2017

ELIZABETH S. MALAND  
City Clerk

By Jenda Brown  
Deputy City Clerk

Kevin L. Faulconer  
KEVIN L. FAULCONER, Mayor

Approved: 1/17/17  
(date)

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

(Please note: The date of final passage is January 18, 2017, which represents the day this ordinance was returned to the Office of the City Clerk with the Mayor's signature of approval.)

JAN 10 2017

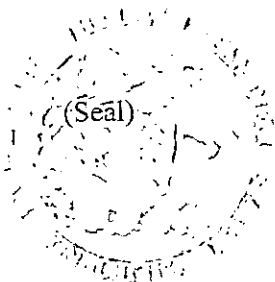
Passed by the Council of The City of San Diego on \_\_\_\_\_, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

JAN 18 2017

Date of final passage \_\_\_\_\_

AUTHENTICATED BY:



\_\_\_\_\_  
KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

\_\_\_\_\_  
ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By *Ginda Bruin*, Deputy

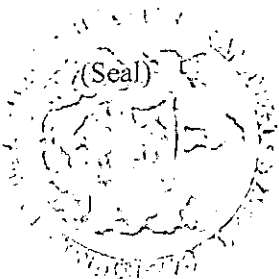
I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

DEC 13 2016

, and on

JAN 18 2017

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.



\_\_\_\_\_  
ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

By *Ginda Bruin*, Deputy

Office of the City Clerk, San Diego, California
Ordinance Number O- <u>20784</u>