

RESOLUTION NO. 2013-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMOORE APPROVING AN ENERGY SERVICES CONTRACT BY AND BETWEEN THE CITY OF LEMOORE AND CHEVRON ENERGY SOLUTIONS COMPANY

WHEREAS, the City Council of the City of Lemoore has received a proposal from Chevron Energy Solutions (“Chevron”) for a multifaceted solar project in the City of Lemoore that would provide significant savings to the city in avoided utility costs; and

WHEREAS, the City Council has considered presentations during its meetings of September 18, 2012, October 2, 2012, March 19, 2013, April 2, 2013, April 16, 2013, and on May 7, 2013; and

WHEREAS, the Council conducted a public hearing on April 16, 2013, which had been noticed pursuant to the provisions of Government Code §§ 4217.10 through 4217.18; and

WHEREAS, no public testimony was received during the public hearing in opposition to the proposed Chevron solar project or the Chevron Energy Services contract; and

WHEREAS, the City Council has received significant evidence that the best interest of the City will be served by entering into an Agreement with Chevron for the proposed solar project and that the proposed solar project will produce significant cost savings to the City over and above the cost of the project itself; and

WHEREAS, Government Code §§ 4217.10 through 4217.18 authorize the City Council to enter into an Energy Service Contract for the implementation of energy related improvements if the City Council finds that it is in the best interest of the City to enter into such Energy Service Contract and that the anticipated cost to the City for energy or conservation services provided by the Energy Conservation Facilities under the contract will be less than the marginal cost to the City of electrical or other energy that would have been consumed by the City in the absence of Solar Facility; and

WHEREAS, the City Council has concluded that such savings have been demonstrated to the satisfaction of the Council.

NOW, THEREFORE, be it resolved by the City Council of the City of Lemoore as follows:

1. The City Council finds that:
 - a. A public hearing was held consistent with the provisions of Government Code §§ 4217.10;
 - b. Notice of the public hearing was published on March 28, 2013 and March 30, 2013 in advance of said public hearing;
 - c. The proposed Energy Services Contract by and between the City of Lemoore and Chevron Energy Solutions Company is in the best interest of the City of Lemoore because the anticipated cost to the City for electrical energy or conservation services provided by the Energy Conservation Facilities under the Contract will be less than the anticipated marginal cost to the City of electrical, or other energy that would have been

consumed by the public agency in the absence of those purchases and, further, that the cost of financing for the Energy Conservation Facilities is more than offset by the benefits and cost savings provided under the Energy Services Agreement.

2. The facilities to be constructed and installed under the Energy Services Agreement, as described in attachments C and D to the Proposed Energy Services Agreement, have been approved by the Planning Commission during its meeting of May 6, 2013, and included appropriate approvals under the California Environmental Quality Act (CEQA).

3. The Energy Services Agreement presented to the City Council by and between Chevron Energy Solutions Company and the City of Lemoore is hereby approved.

4. The Mayor and/or Acting City Manager are authorized to execute the Energy Services Agreement and take such other actions as may be required of the City under the Energy Services Agreement to carry out and implement the Energy Services Program described therein.

The foregoing Resolution was approved and adopted at a regular meeting of the City Council of the City of Lemoore held on the _____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

APPROVED:

ATTEST:

William Siegel, Mayor
City of Lemoore

Kristie Baley, City Clerk
City of Lemoore