



RESOLUTION NO. 2010-39

RESOLUTION OF THE CITY OF FRESNO AUTHORIZING COLLABORATION, AND RECEIPT OF CALIFORNIA ENERGY COMMISSION -STATE ENERGY PROGRAM GRANT FUNDING, UNDER FRESNO COUNTY AS LOCAL COLLABORATING AGENCY, AND SACRAMENTO COUNTY AS LEAD APPLICANT, AND EXECUTION OF DOCUMENTS

WHEREAS, the City of Fresno recognizes that it is in the interest of the regional, state, and national economy to stimulate the economy; create and retain jobs; reduce fossil fuel emissions; and reduce total energy usage and improve energy efficiency within our jurisdiction; and

WHEREAS, State Energy Program (SEP) funds are available through the California Energy Commission's SEP for grants to eligible local governments for energy efficiency, energy conservation, renewable energy, and other energy related projects and activities authorized by the American Recovery and Reinvestment Act of 2009 ("ARRA"); and

WHEREAS, SEP allows for cities, counties, or groups of cities and counties in California to apply for SEP funds on behalf of eligible local governments; and

WHEREAS, the County of Fresno, by its Resolution 10-019 has authorized the County of Sacramento to submit a SEP grant application and receive SEP funding on behalf of Fresno County in an amount up to \$682,000; and

WHEREAS, the City of Fresno is eligible for SEP funding under the California Energy Commission's SEP; and

WHEREAS, the City of Fresno is proposing to collaborate with Fresno County, and Sacramento County as lead applicant, to implement a program for financing the energy efficiency, energy conservation, renewable energy, and other energy related projects and activities authorized by ARRA, which program is described in Exhibit A for the purpose of qualifying for SEP funds from the California Energy Commission; and

WHEREAS, on January 14, 2010, the City of Fresno adopted its Resolution No. 2010-6, authorizing participation in the CaliforniaFIRST energy efficiencies financing program referenced in Exhibit A and to be funded thereunder; and

WHEREAS, the City of Fresno staff have determined that the program for financing energy efficiency, energy conservation, renewable energy, and other energy related projects and activities authorized by ARRA described in Exhibit A is not a "project" under CEQA, because the program does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, as contemplated by Title 14, California Code of Regulations, Section 15378(b)(4)).

Adopted \_\_\_\_\_  
Approved \_\_\_\_\_  
Effective 03-04-10 \_\_\_\_\_

2010-39



NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fresno as follows:

Section 1. That the City of Fresno hereby authorizes collaboration with Fresno County, and Sacramento County as lead applicant, and application for and receipt of California Energy Commission – State Energy Program grant funds of up to \$667,000, on behalf of the City of Fresno, for the program for financing energy efficiency, energy conservation, renewable energy, and other energy related projects and activities authorized by ARRA described in Exhibit A, subject to constitution and local law requirements and this resolution.

Section 2. That, if recommended for funding by the California Energy Commission, the City of Fresno authorizes Fresno County and Sacramento County and each of them to accept a grant award on its behalf and to enter into all necessary contracts and agreements, and amendments thereto, on its behalf to implement and carry out the program for financing the project(s) described in Exhibit A, subject to constitutional and local law requirements and this resolution.

Section 3. That adoption of this resolution is not a "project" under the California Environmental Quality Act, because the resolution does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, as contemplated by Title 14, California Code of Regulations, Section 15378(b)(4)).

Section 4. That the Director of the Planning and Development Department and designee(s) thereof and each of them, as agents of the City, are hereby authorized and directed to execute and deliver such applications, instruments, funding award agreements and related documents as are reasonably required to implement and carry out the purposes of the grant award, subject to City Attorney approval to form.

Section 5. This resolution shall take effect immediately upon its final adoption.

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STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the 4<sup>th</sup> day of March, 2010.

AYES : Borgeas, Brand, Perea, Sterling, Xiong, Westerlund

NOES : None

ABSENT : Dages

ABSTAIN : None

REBECCA E. KLISCH  
City Clerk

By: Rebecca Klisch  
Deputy

APPROVED AS TO FORM:  
CITY ATTORNEY'S OFFICE

By: R 2-24-10  
Robert R. Coyle  
Sr. Deputy