

HAYWARD CITY COUNCIL

RESOLUTION NO. 25-__

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH SYSERCO ENERGY SOLUTIONS, INC. FOR ENERGY CONSERVATION MEASURES REIMBURSABLE UNDER THE PACIFIC GAS & ELECTRIC'S (PG&E) ON-BILL FINANCING PROGRAM, IN AN AMOUNT NOT-TO-EXCEED \$2,196,973; AND AMENDING THE FY 2025 BUDGET RESOLUTION IN ORDER TO APPROPRIATE AND TRANSFER \$2,087,504 FROM THE MEASURE C FUND TO THE FACILITIES CAPITAL IMPROVEMENT FUND, PROJECT 07235

WHEREAS, the City of Hayward is a City that is proud to commit to actions against climate change and committed to energy conservation and Operational efficiencies; and

WHEREAS, the California legislature seeks to encourage the implementation of energy projects at public facilities through legislation designed to provide flexibility to public agencies in structuring agreements for alternative energy projects (Government Code sections 4217.10 et seq.); and

WHEREAS, California Government Code Section 4217.10 to 4217.18, authorizes the City Council to enter into an Energy Services Contract for the implementation of energy related improvements if the 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 thermal or electrical energy or conservation services provided by Syserco Energy Solutions, Inc., under the contract will be less than the anticipated marginal cost to the City of thermal, electrical, or other energy that would have been consumed by the City in absent of those purchases; and

WHEREAS, the proposed Energy Service Contract by and between the City and Syserco Energy Solutions, Inc., for the implementation of certain energy measures whose cost to the City such for thermal or electrical energy or conservation services provided under the Energy Service Contract will be less than the anticipated marginal cost to the City of thermal, electrical, or other energy that would have been consumed by the City in absence of the implementation of the improvements under the Energy Service Contract.

WHEREAS, the City proposes to engage the Design-Build Services of Syserco Energy Solutions, Inc. for the purpose of Designing and Building an Energy Conservation Project in compliance with California Government Code 4217; and

WHEREAS, the City intends to enter into an OBF Loan Agreement with PG&E for 95% funding of the project; and

WHEREAS, the FY 2025 budget includes \$ 109,469 in the Facilities Capital Fund towards this project; and

WHEREAS, an additional appropriation in the amount of \$2,087,504 is required to complete the energy conservation project in City facilities in the total amount of \$2,196,973; and

WHEREAS, in accordance with Government Code section 4217.10 et seq., not less than fourteen days before the meeting where this Resolution was considered, the City posted notice of a public hearing at which the City Council would consider this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that that 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 thermal or electrical energy or conservation services provided by Syserco Energy Solutions, Inc., under the contract will be less than the anticipated marginal cost to the City of thermal, electrical, or other energy that would have been consumed by the City in absent of those purchases f.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute an agreement with Syserco Energy Solutions, Inc., in a form approved by the City Attorney for Energy Conservation Measures not-to-exceed \$2,196,973, as set forth in detail in the report dated April 1, 2025, and incorporated herein as part of the administrative record.

BE IT FURTHER RESOLVED that the FY 2025 budget is amended to appropriate and transfer \$2,087.504 from the Measure C Fund to the Facilities Capital Improvement Fund, for a total allocation of \$2,196.973.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2025

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward