[Accept and Expend Grant - American Recovery and Reinvestment Act GreenFinanceSF - $2,080,000]

Resolution amending Resolution No. 59-10 retroactively to substitute the Public Utilities Commission for the Department of the Environment as the department authorized to accept and expend a grant in the amount of $2,080,000 from the California Energy Commission's State Energy Program to provide financial assistance for GreenFinanceSF, the City and County of San Francisco's municipal financing program for energy and water retrofits of privately-owned buildings, and ratifying actions previously taken.

NOTE: Additions are single-underline italics Times New Roman; deletions are strike-through italics Times New Roman. Board amendment additions are double-underlined; Board amendment deletions are strikethrough normal.

Section 1. Board of Supervisors Resolution No. 59-10 is hereby amended, to read as follows:

WHEREAS, The City and County of San Francisco (the "City") recognizes that it is vital for local, regional, state, and federal agencies to stimulate the economy; create and retain jobs; reduce fossil fuel emissions; reduce total energy usage; and improve energy efficiency; and

WHEREAS, The City has committed to an ongoing, coordinated effort to reduce the emissions that cause global warming, improve air quality, reduce waste, reduce energy use and save money; and

WHEREAS, The City is committed to reducing these community-wide greenhouse gas emissions by 20% below its 1990 levels by 2012; and
WHEREAS, In 2004, San Francisco’s Department of the Environment (“SFE”) and Public Utilities Commission (“SFPUC”) released a “Climate Action Plan for San Francisco” identifying transportation, energy efficiency, renewable energy, and solid waste measures that could achieve significant greenhouse gas reductions; and

WHEREAS, The Climate Action Plan called for implementing energy efficiency programs and projects throughout the City; and

WHEREAS, This Board of Supervisors further finds and declares that growing population, climate change, and the need to protect and grow the City’s economy while protecting and restoring fish and wildlife habitats makes it essential that the City and County manage its water resources as efficiently as possible; and

WHEREAS, Reduced water use through conservation provides significant energy and environmental benefits, and can help protect water quality, improve streamflows, and reduce greenhouse gas emissions; and

WHEREAS, The California Energy Commission’s (“CEC”) State Energy Program (the “State Energy Program”) will provide funds to eligible local governments to assist in the development of financing programs to stimulate the implementation cost-effective renewable energy, energy efficiency and water efficiency projects based on a competitive selection process; and

WHEREAS, The State Energy Program has been funded as part of the American Recovery and Reinvestment Act; and

WHEREAS, The City and County of San Francisco is eligible for funding under the State Energy Program; and

WHEREAS, This Board of Supervisors has adopted legislation necessary to form an opt-in Mello-Roos special tax district and to establish legal mechanisms and policies to govern
the implementation of a municipal financing program for retrofits of privately-owned buildings, known as GreenFinanceSF; and

WHEREAS, SFPUC staff, working in conjunction with SFE and the Controller’s Office of Public Finance, submitted an application for State Energy Program financial assistance on behalf of the City and GreenFinanceSF; and

WHEREAS, On February 10, 2010, the CEC announced the awards under the State Energy Program, which included an award of up to $2,080,000 for GreenFinanceSF; and

WHEREAS, In its Resolution No. 008-10, this Board of Supervisors identified SFE as the administrator of the GreenFinanceSF program on behalf of the City; and

WHEREAS, SFE will collaborate with SFPUC and the Controller’s Office of Public Finance to ensure the successful implementation of the GreenFinanceSF program in general and the expenditure of State Energy Program funds in particular; and

WHEREAS, The City and County of San Francisco has considered the application of the California Environmental Quality Act (CEQA) to the implementation of the proposed GreenFinanceSF program and the utilization of the State Energy Program grant; and

WHEREAS, As described in the GreenFinanceSF application, the program will assist in the financing of energy- and water-saving retrofits of existing structures in conformance with existing building codes; provide incentive payments for qualifying retrofit projects; and monitor and evaluate environmental performance of projects; and

WHEREAS, All projects undertaken with this funding are in compliance with the California Environmental Quality Act (CEQA), California Public Resources Code Section 21000; and

WHEREAS, The term of the State Energy Program grant will be from March 15, 2010 through March 31, 2012; now, therefore, be it
RESOLVED, That this Board of Supervisors hereby authorizes the General Manager of the Public Utilities Commission, the Executive Director of SFF, to accept a State Energy Program grant award on behalf of the City, and to enter into all necessary contracts and agreements, and amendments thereto, on its behalf to implement and carry out the GreenFinanceSF municipal financing program project as generally described above and as further detailed in the GreenFinanceSF Application; and, be it

FURTHER RESOLVED, The General Manager of the Public Utilities Commission, Executive Director of SFF, is further authorized to furnish whatever additional information or assurances the funding agency may request in connection with this grant, and to execute any and all agreements necessary to carry out the purpose of the grant.

Section 2. The authorization granted the General Manager of the Public Utilities Commission to accept and expend the subject grant is granted retroactive to the original adoption of Resolution No. 59-10. The Board of Supervisors ratifies any actions previously taken by the Department of the Environment and the Public Utilities Commission to apply for, accept and expend the subject grant.

APPROVED: Gavin Newsom, Mayor
APPROVED: Ben Rosenfield, Controller
RECOMMENDED:
By: Ed Harrington, General Manager, Public Utilities Commission
Resolution amending Resolution No. 59-10 retroactively to substitute the Public Utilities Commission, for the Department of the Environment, as the department authorized to accept and expend a grant in the amount of $2,080,000 from the California Energy Commission's State Energy Program to provide financial assistance for GreenFinanceSF, the City and County of San Francisco's municipal financing program for energy and water retrofits of privately-owned buildings, and ratifying actions previously taken.

April 27, 2010 Board of Supervisors - ADOPTED

- Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar and Mirkarimi
- Excused: 1 - Maxwell

File No. 100474

I hereby certify that the foregoing Resolution was ADOPTED on 4/27/2010 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

May 6, 2010
Date Approved