

# **Attachment 1**

RESOLUTION NO. 15-R-\_\_\_\_\_

RESOLUTION OF THE COUNCIL OF THE CITY OF  
BEVERLY HILLS ADOPTING CERTAIN FINDINGS AND  
AUTHORIZING EXECUTION OF AN ENERGY SERVICE  
CONTRACT WITH CLIMATEC, LLC PURSUANT TO  
GOVERNMENT CODE SECTION 4217.10 ET SEQ

The Council of the City of Beverly Hills does resolve as follows:

A. California Government Code sections 4217.10 *et seq.* authorize cities to enter into energy service contracts for the implementation of energy related improvements if (1) a city finds that it is in the best interest of the city to enter into such energy service contracts, and (2) the anticipated cost to the city for thermal, electrical and other energy will be less than the anticipated marginal cost to the city of the thermal, electrical and other energy that would have been consumed by the city absent these improvements.

B. The cost to the City for the energy service contract by and between the City and Climatec, LLC (“Energy Service Contract”) for the implementation of certain energy measures for thermal or electrical energy or conservation services 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 absent the implementation of the improvements under the Energy Service Contract.

C. On August 18, 2015, the City Council conducted a duly noticed public hearing as required by Government Code section 4217.12.

The Council of the City of Beverly Hills does hereby resolve as follows:

Section 1. The City Council hereby finds that it is in the best interest of the City to enter into the Energy Service Contract with Climatec LLC for the implementation of certain energy related improvements to City facilities. The anticipated cost to the City will be less than the anticipated marginal cost to the City of the thermal, electrical and other energy that would have been consumed by the City absent the implementation of the improvements as described in the agenda report dated August 18, 2015.

Section 2. The City Council hereby authorizes the City Manager or his designee to execute the Energy Services Contract with Climatec, LLC and to perform such other tasks as are reasonably necessary for the implementation of the energy related improvements to the City facilities in accordance with California Government Code sections 4217.10 et seq.

Section 3. The City Clerk shall certify to the adoption of this resolution and shall cause this resolution and his certification to be entered in the Book of Resolutions of the Council of this City.

Adopted:

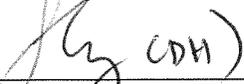
\_\_\_\_\_  
JULIAN A. GOLD, M.D.  
Mayor of the City of Beverly Hills,  
California

ATTEST:

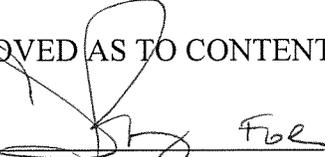
\_\_\_\_\_  
(SEAL)  
BYRON POPE  
City Clerk

[Signatures continue]

APPROVED AS TO FORM:

  
\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
GEORGE CHAVEZ  
Director of Public Works Services

  
\_\_\_\_\_  
CHAD LYNN  
Assistant Director Public Works Services

  
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KARL KIRKMAN  
Risk Manager