

RESOLUTION NO. 74059

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE DIRECTOR OF ENVIRONMENTAL SERVICES TO NEGOTIATE AND EXECUTE A SELF GENERATION INCENTIVE PROGRAM AGREEMENT WITH PACIFIC GAS AND ELECTRIC COMPANY TO INSTALL AND OPERATE A FUEL CELL SYSTEM AT SAN JOSE/SANTA CLARA WATER POLLUTION CONTROL PLANT AND TO RECEIVE A REBATE OF UP TO \$4.5 MILLION FROM PACIFIC GAS AND ELECTRIC COMPANY**

**WHEREAS**, the City is in the process of acquiring a fuel cell system to replace one of the failed engine generators at the San Jose/Santa Clara Water Pollution Control Plant (SJ/SC WPCP); and

**WHEREAS**, the City is eligible to receive a Self Generation Incentive Program (SGIP) rebate of up to \$4.5 M from Pacific Gas & Electric Company (PG&E) for installation and operation of the fuel cell system; and

**WHEREAS**, the City desires to negotiate and execute a SGIP Agreement with PG&E in order to receive the SGIP rebate;

**NOW, THEREFORE**, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The Director of Environmental Services is hereby authorized to negotiate and execute a Self Generation Incentive Program Agreement with PG&E for installation and operation of a fuel cell system at the SJ/SC WPCP and to receive a rebate of up to \$4.5million from PG&E.

ADOPTED this 16th day of October 2007, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, CORTESE,  
LICCARDO, OLIVERIO, PYLE, WILLIAMS, REED;

NOES: NONE

ABSENT: NGUYEN

DISQUALIFIED: NONE

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk