

*****REVISED*****

HOUSING AUTHORITY OF THE COUNTY OF KING

RESOLUTION NO. 5526

**A RESOLUTION OF THE HOUSING AUTHORITY OF THE COUNTY OF KING
AUTHORIZING ITS EXECUTIVE DIRECTOR TO NEGOTIATE AND CAUSE THE
WASHINGTON STATE DEPARTMENT OF ENTERPRISE SERVICES TO EXECUTE
ON ITS BEHALF AN ENERGY SERVICES AGREEMENT**

WHEREAS, in March 2015 the Board of Commissioners of the Housing Authority of the County of King (KCHA) adopted Resolution 5499 authorizing KCHA to enter into an inter-local agreement with the Washington State Department of Enterprise Services (DES) for the purpose of retaining Johnson Controls Inc. (JCI), a DES pre-qualified vendor, to perform energy savings analyses; and

WHEREAS, KCHA and JCI have completed an Investment Grade Audit (IGA), identifying projected savings to KCHA from installation of energy conservation measures (ECMs) at KCHA properties and from energy performance incentives offered by the Department of Housing and Urban Development (HUD); and

WHEREAS, JCI will prepare an Energy Services Proposal (ESP) based on the results of the IGA that will allow KCHA to realize approximately \$50.4 million over a 20 year period through installation of ECMs and HUD incentives, 75% of which savings will be guaranteed by JCI under the ESP (the Project); and

WHEREAS, the ESP will provide for KCHA to repay the costs of the Project (not to exceed \$25.440 million) over a 20 year period from HUD incentives and from energy consumption reduction based on the upgrades to KCHA properties, and shall otherwise be on such terms as are acceptable to KCHA; and,

~~WHEREAS, the exact scope of the ECMs to be installed shall not exceed those identified in the IGA and the Project shall be as reflected in the Executive Summary of Energy Services Proposal dated December 1, 2015; and,~~ subject to modifications made by the Authority and the final approval of the Executive Director, the scope of the Project shall be as reflected in the Executive Summary of the Energy Services Proposal dated December 1, 2015; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE COUNTY OF KING, THAT:

1. The Executive Director of the Housing Authority of the County of King is hereby authorized to negotiate and approve the execution of an ESP on KCHA's behalf by DES in accordance with DES procedures, which contains such terms and conditions as are customary in such transactions and as are deemed by the Executive Director to be in the best interests of KCHA.
2. The Executive Director is hereby authorized to arrange interim and permanent financing for the Project, provided that the terms of such financing shall be subject to final prior approval of the Board of Commissioners at a later meeting to be scheduled.
3. The Executive Director is authorized to take such additional steps and to execute and deliver any approvals for the ESP and any and all related forms, affidavits and documents related thereto that the Executive Director determines to be necessary or advisable to give effect to this resolution.

4. All actions heretofore taken by the Commissioners, officers or agents of KCHA in connection with energy performance and energy savings planning and contracting be, and such actions hereby are, ratified, approved and affirmed.

5. The Executive Summary of the Energy Services Proposal dated December 1, 2015 is attached hereto and made a part hereof.

ADOPTED AT A SPECIAL MEETING OF THE BOARD OF THE COMMISSIONERS OF THE HOUSING AUTHORITY OF THE COUNTY OF KING THIS 14TH DAY OF DECEMBER, 2015.

THE HOUSING AUTHORITY OF THE COUNTY OF KING, WASHINGTON

DOUGLAS J. BARNES, Chair
Board of Commissioners

STEPHEN NORMAN
Secretary