

RESOLUTION 2014-199

RESOLUTION AUTHORIZING THE DISTRICT TO GRANT AUTHORITY TO OSISOFT TO REQUEST AND RECEIVE THE DISTRICT'S BILLING AND USAGE INFORMATION FOR THE DISTRICT'S ADMINISTRATION BUILDING ON FILE WITH SAN DIEGO GAS AND ELECTRIC COMPANY (SDG&E) AND TO PROVIDE A RELATED INDEMNITY TO SDG&E, AS A PART OF THE DISTRICT'S PILOT PROJECT FOR THE CITIES AS SYSTEMS REGIONAL ENERGY MANAGEMENT INITIATIVE

WHEREAS, the San Diego Unified Port District (District) is a public corporation created by the legislature in 1962 pursuant to Harbors and Navigation Code Appendix 1, (Port Act); and

WHEREAS, Section 21 of the Port Act states that the Board of Port Commissioners (BPC) may pass all necessary ordinances and resolutions for the regulation of the District; and

WHEREAS, at the July 8, 2014 meeting of the BPC, CleanTECH San Diego (CleanTECH), presented information on the Cities as Systems regional approach to monitoring and managing energy use in buildings throughout the San Diego region; and

WHEREAS, a goal of Cities as Systems is to consider energy use and energy management on a regional scale, potentially resulting in increased energy efficiency and reduced greenhouse gas emissions; and

WHEREAS, Cities as Systems partners include OSISOFT, Intel, Dell, FrontStreet, and San Diego Gas & Electric Company (SDG&E); and

WHEREAS, the District's Administration building has been identified as the location of an initial Cities as Systems deployment project, which would include the installation of sensors and monitoring software to evaluate energy usage patterns and analytics to identify opportunities for energy conservation by the District; and

WHEREAS, as part of this initial deployment project, OSISOFT will analyze information regarding energy usage in the District's Administration Building; and

WHEREAS, District staff desires that OSISOFT receive District Administration Building energy usage information directly from SDG&E; and

WHEREAS, SDG&E requires the District to execute a form titled "Authorization To: Receive Customer Information or Act on a Customer's Behalf" (Authorization Form) (on file with the Office of the District Clerk) prior to releasing energy usage information related to the District's Administration Building to OSIssoft; and

WHEREAS, the Authorization Form would authorize OSIssoft to request and receive the District's billing records and meter usage information for the Administration Building on file with SDG&E; and

WHEREAS, the Authorization Form also includes the following indemnity: "I [District] hereby release, hold harmless, and indemnify [SDG&E] from any liability, claims, demands, causes of action, damages, or expenses resulting from: 1) any release of information to my Agent [OSIssoft] pursuant to this Authorization; 2) the unauthorized use of this information by my Agent [OSIssoft]; and 3) from any actions taken by my Agent [OSIssoft] pursuant to this Authorization, including rate changes. I understand that I may cancel this authorization at any time by submitting a written request."

WHEREAS, District staff recommends that the Board authorize execution of the Authorization Form to grant OSIssoft the authority to request and receive the District's billing records and meter usage information for the Administration Building on file with SDG&E.

NOW, THEREFORE, BE IT RESOLVED by the Board of Port Commissioners of the San Diego Unified Port District, as follows:

Executive Director or the Executive Director's authorized designee may enter into the Authorization To: Receive Customer Information or Act on a Customer's Behalf, a copy of which is on file in the Office of the District Clerk, in order to grant authority to OSIssoft to request and receive the District's billing and usage information for the District's Administration Building on file with SDG&E, and to provide a related indemnity to SDG&E, as part of the District's pilot project for the Cities as Systems regional energy management initiative.

APPROVED AS TO FORM AND LEGALITY:
GENERAL COUNSEL



By: ~~Assistant~~ Deputy

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PASSED AND ADOPTED by the Board of Port Commissioners of the San Diego Unified Port District, this 14th day of October 2014, by the following vote:


AYES: Bonelli, Castellanos, Malcolm, Merrifield, Moore, Nelson, and Valderrama.

NAYS: None.

EXCUSED: None.

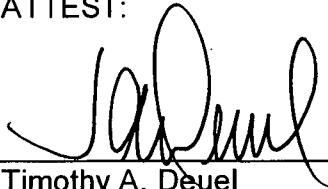
ABSENT: None.

ABSTAIN: None.



Robert E. Nelson, Chairman
Board of Port Commissioners

ATTEST:



Timothy A. Deuel
District Clerk

(Seal)