

RESOLUTION NO. 816

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES RECOMMENDS THAT THE COUNCIL OF THE CITY OF SANTA ROSA APPROVE THE FIRST AMENDMENT TO THE CONSTRUCTION AND OPERATING AGREEMENT FOR THE SANTA ROSA GEYSERS RECHARGE PROJECT

WHEREAS, the City entered into the Construction and Operating Agreement for the Santa Rosa Geysers Recharge Project (Agreement) with Union Oil Company (Unocal), NEC Acquisition Company (NEC) and Thermal Power Company (TPC) on April 18, 1998, to provide for the construction and operation of the necessary facilities for the Geysers Recharge Project; and

WHEREAS, Calpine Corporation (Calpine), parent company of TPC, subsequently acquired Unocal's and NEC's interests in the Geysers; and

WHEREAS, on May 5, 1999, the City consented to the assignment of the Agreement to Geysers Power Company (GPC), a wholly owned subsidiary of Calpine; and

WHEREAS, GPC and Calpine now propose the First Amendment to the Construction and Operating Agreement to the Santa Rosa Geysers Recharge Project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities recommends that the Council of the City of Santa Rosa approve the First Amendment to the Construction and Operating Agreement to the Santa Rosa Geysers Recharge Project.

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 20<sup>th</sup> day of May, 2004.

AYES:

NOES:

ABSENT:

ABSTAIN: