

RESOLUTION NO. RES-2017-167

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING SUBMITTAL OF BP SOLAR CLASS ACTION SETTLEMENT CLAIM FORMS AND AUTHORIZING THE WATER DEPARTMENT DIRECTOR AND RECREATION AND PARKS DIRECTOR TO SIGN THE CLAIM FORMS

WHEREAS, a settlement has been approved by the court in the class action lawsuit regarding the failure of solar panels manufactured by BP Solar International, Inc. (“BP”) between 1999 and early 2007; and

WHEREAS, the settlement provides for removal and disposal of the solar panels, and reimbursement or replacement with new solar panels; and

WHEREAS, the City has two photovoltaic (PV) systems that include BP solar panels, located at Laguna Treatment Plant (LTP) and Bennett Valley Golf Course (BVGC); and

WHEREAS, WestCoast Solar, the City’s PV system maintenance and cleaning contractor identified these panels as included in the class action settlement which allows claims to be filed for the panels; and

WHEREAS, Santa Rosa Water and Recreation and Parks Department staff recommend submitting settlement claims in the BP Solar International, Inc. class action litigation for the two eligible systems.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa, by resolution, approves the submittal of settlement claims in the BP Solar International, Inc. class action litigation for the solar photovoltaic systems at LTP and BVGC.

BE IT FURTHER RESOLVED that the Council authorizes the Water Department Director and the Recreation and Parks Director or their designee, to sign the claim forms on behalf of the City.

IN COUNCIL DULY PASSED this 29th day of August, 2017.

AYES: (7) Mayor Coursey, Vice Mayor Tibbetts, Council Members Combs, Olivares, Rogers, Sawyer, Schwedhelm

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____
City Clerk

APPROVED: _____
Mayor

APPROVED AS TO FORM:

City Attorney