

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: TASHA WRIGHT, ENERGY AND SUSTAINABILITY
COORDINATOR
SANTA ROSA WATER

SUBJECT: SUBMITTAL OF BP SOLAR CLASS ACTION SETTLEMENT
CLAIMS

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by Santa Rosa Water and Recreation & Parks Department staff that the Council, by resolution, approve the submittal of settlement claims in the BP Solar International, Inc. class action litigation and authorize the Water Department Director and the Recreation & Parks Director, or their designee, to sign the claim forms on behalf of the City.

EXECUTIVE SUMMARY

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. The settlement provides for removal and disposal of the solar panels, and reimbursement or replacement with new solar panels, upon review and approval of submitted claims.

The City has two solar photovoltaic (PV) systems that were installed between 2004 and 2007 which include BP solar panels. City staff requests Council approve the submittal of the settlement claim forms and authorize City staff to sign the forms on behalf of the City.

BACKGROUND

The City has two PV systems installed with BP solar panels which are located at Laguna Treatment Plant (LTP) and Bennett Valley Golf Course (BVGC).

SUBMITTAL OF BP SOLAR CLASS ACTION SETTLEMENT CLAIMS

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During recent inspection and cleaning, WestCoast Solar, the City's solar photovoltaic system maintenance and cleaning contractor, identified these panels as included in the class action settlement which allows claims to be filed for the panels.

ANALYSIS

City staff recommends Council approve the submittal of claims for each of the solar PV systems that have BP panels and authorize staff to sign the claims as the "Claimant/Legal Representative" of the City.

WestCoast Solar, the City's maintenance and cleaning contractor, has extensive experience submitting warranty claim forms and can provide administrative assistance and support for the process, as needed. The City's current contract with WestCoast Solar allows for this type of service to be provided to the City.

Upon approval of the claims, staff will coordinate the panel reimbursement process for BVGC and panel replacement process for LTP to bring the systems back to optimum working order.

FISCAL IMPACT

There is no immediate fiscal impact to the City for submittal of claims in this class action settlement. Reimbursement for and replacement of these panels will result in the maximum production of energy and save the City maintenance and energy costs, offset by the production of renewable energy.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Attachment 1 – BP Solar Class Action Settlement Claim Form for LTP
- Attachment 2 – BP Solar Class Action Settlement Claim Form for BVGC
- Resolution

CONTACT

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