ORIG. #50 2-21-06

(O-2006-89)

ORDINANCE NUMBER O	19465	(NEW SERIES)
DATE OF FINAL PASS.	AGE FEB	2 3 2006

AN ORDINANCE OF THE CITY OF SAN DIEGO AUTHORIZING A 20-YEAR POWER PURCHASE AGREEMENT WITH SUN EDISON SD, LLC, FOR THE PURCHASE OF ELECTRICITY AT THE ALVARADO WATER FILTRATION PLANT; ALLOWING SUN ENERGY SD TO FINANCE, INSTALL, OWN, OPERATE, MAINTAIN, AND GENERATE RENEWABLE ENERGY AT THE ALVARADO FILTRATION PLANT; AUTHORIZING OTHER POWER PURCHASE AGREEMENTS WITH SUN EDISON SD SUBJECT TO CITY COUNCIL APPROVAL; AND FINDING NO ENVIRONMENTAL IMPACT.

WHEREAS, in furtherance of the City's goal for energy independence and energy cost savings, Sun Edison SD, LLC, submitted a prevailing proposal to sell renewable photovoltaic energy at the City's Alvarado Water Filtration Plant; and

WHEREAS, a Power Purchase Agreement and Site License Agreement with Sun Edison SD, LLC, will result in energy cost savings to the Alvarado Water Filtration Plant over the term of the agreement and will further result in benefits to the environment; and

WHEREAS, it was the intent of the Request for Proposals issued in connection with said agreement that other similar projects would be negotiated between the City and Sun Edison SD, LLC, in the next five years; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of San Diego, as follows:

Section 1. That the Mayor or his duly authorized designee is authorized to execute, for and on behalf of the City, a twenty-year agreement with Sun Edison SD, LLC, for the purchase

of up to 1.39 million kilowatt hours annually of electricity for the City's Alvarado Water Filtration Plant, under the terms and conditions set forth in the Power Purchase Agreement and Site Lease Agreement, on file in the office of the City Clerk as Document Number OO- 19465

Section 2. That pursuant to the terms of said agreement, the Council allows Sun Edison SD, LLC, to finance, install, own, operate, maintain, and generate renewable energy from photovoltaic sources at the Alvarado Water Filtration Plant.

Section 3. That for five years from the effective date of this Ordinance, the Mayor or his duly authorized designee is further authorized to negotiate, for and on behalf of the City, other power purchase agreements with Sun Edison SD, LLC, for Sun Edison to finance, own, install, operate, and maintain photovoltaics at other City-owned facilities, provided that such future power purchase agreements are first submitted to the Council for consideration and approval.

Section 4. That this activity is categorically exempt from the California Environmental Quality Act, CEQA Guidelines section 15301(b), because it involves existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services.

Section 5. That a full reading of this ordinance is dispensed with prior to its final passage, a written or printed copy having been available to the City Council and the public a day prior to its final passage.

Section 6. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: MICHAEL J. AGUIRRE, City	Attorney
By Judevich W. Ortlieb Trederick M. Ortlieb Deputy City Attorney	·
FMO:mb 01/25/06 Aud.Cert:N/A Or.Dept:ESD	
O-2006-89	
I hereby certify that the foregoing Ordinance wat its meeting of FEB 2 1 2006.	ELIZABETH S. MALAND, City Clerk By Mausel E. Ketelann Deputy City Clerk
Approved: Feb 23,06	JERRY SANDERS, Mayor
Vetoed:(date)	JERRY SANDERS, Mayor

The City of San Diego CERTIFICATE OF CITY AUDITOR AND COMPTROLLER

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

AC	2600562	
DEPT.		١

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

moun	·• ,		·			·	Fund:	1		
urpos	e: _			-						
ate:						. By:		AUDITOR AND	COMPTROLL	ER'S DEPARTMENT
				*****	ACC	COUNTING DATA				
CCTG.	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQL	P FACILITY	AMOUNT
						<u> </u>	<u> </u>			
										
TAI	A N 4 C	UNT	· · · · · · · · · · · · · · · · · · ·	<u> </u>	<u> </u>	L		<u> </u>		
IAL	AIVIC	UNI								FUND OVERRIDE
here Die icier aid d	eto at go; a it mo contr	ttached res and I do he neys have act are act	solution, ca reby further been app ually in the	an be incuer certify, in the certify, in the certification of the certif	irred without n conformity for the purpo r, or are antic	t the violation with the request of said of the control of the con	n of any o puirements contract, the ome into the	f the provi of the Cha at sufficie e Treasun	sions of the arter of the at moneys or, to the cr	ne Charter of the City e City of San Diego, to to meet the obligative edit of the appropria
here Die licier aid on whicipa	eto at go; a st mo contra ich t ted to xcee	ttached restand I do he sheys have act are act he same a come into	solution, careby further been appually in the are to be continued to the Treas 0,040.00	an be incuer certify, in opriated to Treasury drawn, and sury, to the	urred without n conformity for the purpo v, or are antic d that the sa	t the violation with the request of said of the control of the con	n of any or puirements contract, the ome into the own actually	f the provi of the Chat sufficie e Treasun y in the Tr	sions of the arter of the at moneys t, to the creasury, to	ne Charter of the City e City of San Diego, to meet the obligati edit of the appropria gether with the mon
here n Die ficier said o m wh icipa t to E	eto at go; a et mo contr iich t ted to	ttached resided in displays have act are act he same act come into act. Sun Ediso	solution, careby further been appually in the are to be continued to the Treas 1,040.00	an be incuer certify, in propriated a Treasury drawn, and sury, to the	urred without n conformity for the purpor, or are anticed that the sale credit of sale.	t the violation with the requested of said of cipated to contain money not aid money not aid appropria	n of any o quirements contract, the ome into the ow actually tion, are of	f the provi of the Ch- nat sufficie e Treasun y in the Tr therwise u	sions of the arter of the at moneys t, to the cr easury, to hencumbe	ne Charter of the City of San Diego, to meet the obligation edit of the appropriate gether with the monered.
here n Die fficier said o m wh	eto at go; a et mo contr iich t ted to	ttached resident I do he serve act are act he same a come into the serve act are act a	solution, careby further been appually in the are to be continued to the Treas 7,040.00 an SD LLC ze the exp	an be incuer certify, in propriated a Treasury drawn, and sury, to the	urred without n conformity for the purpor, or are anticed that the sale credit of sale.	t the violation with the requested for the control of the control	n of any o quirements contract, the ome into the ow actually tion, are of	f the provi of the Ch- lat sufficie e Treasun y in the Tr therwise u	sions of the arter of the arter of the arter of the creasury, to the creasury, to hencumbe	greement authorized the Charter of the City of San Diego, to to meet the obligation of the appropriate gether with the monored.
heren Die heren	eto ar go; a go; a go; a go; a contri ich t ted to	ttached resident I do he serve act are act he same a come into the serve act are act a	solution, careby further been appually in the are to be continued to the Treas 7,040.00 an SD LLC ze the exp	an be incuer certify, in propriated a Treasury drawn, and sury, to the penditure comments of the penditure o	urred without n conformity for the purpor, or are anticed that the sate credit of sate 167,040.0	t the violation with the requested for the control of the control	n of any on purification of any of an	f the provi of the Ch- lat sufficie e Treasun y in the Tr therwise u	sions of the arter of the arter of the arter of the creasury, to the creasury, to hencumbe	ne Charter of the City of San Diego, to meet the obligation edit of the appropriate gether with the monered.
heren Die heren Die heren Die heren Die heren bestellt be	eto at go; a et mo contr iich t ted to	ttached resident I do he serve act are act he same a come into the serve act are act a	solution, careby further been appually in the are to be continued to the Treas 7,040.00 an SD LLC ze the exp	an be incuer certify, in propriated a Treasury drawn, and sury, to the penditure comments of the penditure o	urred without n conformity for the purpor, or are anticed that the sate credit of sate 167,040.0	t the violation with the requested of said conjugated to conjugate to conjugate the said appropriation of the purious said appropriation of the purious said appropriation of the said appropriation of	n of any o quirements contract, the ome into the ow actually tion, are of	f the provi of the Ch- lat sufficie e Treasun y in the Tr therwise u	energy for	ne Charter of the City of San Diego, to meet the obligation of the appropriate gether with the monered. The Alvarado Filtration of the City of
heren Die heren Die heren Die heren Die heren Die heren bei heren	eto a go; a go; a tr mo contr iich t ted to xcee	ttached resund I do he ineys have act are act he same a come into act. Sun Ediso To authori Plant.	solution, careby further been appually in the are to be continuous the Treas 0,040.00 an SD LLC ze the exp	an be incuer certify, in propriated to Treasury drawn, and sury, to the penditure of 25, 2006	urred without n conformity for the purpo y, or are anti- d that the sa e credit of sa	the violation with the requested of said of cipated to contide the requested to contide the requested of the	n of any on purification of any of an	f the provi of the Ch of t	energy for	ne Charter of the City of San Diego, to meet the obligative dit of the appropriate gether with the monered.
heren Die heren Die heren Die heren Die heren der heren Die heren der heren	eto a go; a go; a tt mo contr iich t ted to xcee	ttached resund I do he ineys have act are act he same a come into act act and act are act act are act act are act are act are act	solution, careby further been appually in the are to be continuous the Treas (,040.00) an SD LLC ze the exp	an be incuer certify, is propriated to Treasury drawn, and sury, to the enditure of 25, 2006	arred without n conformity for the purpor, or are anticed that the same credit of same credit of same ACCOUNT	the violation with the requested to continue the purpose of said of the purpose of said of the purpose of the p	n of any o puirements contract, the me into the ow actually tion, are of the own of the	f the provi of the Ch of t	energy for	ne Charter of the City of San Diego, to meet the obligative dit of the appropriate gether with the monered. The Alvarado Filtrative ER'S DEPARTMENT
heren Die heren Die heren Die heren Die heren der heren Die heren der heren	eto a go; a go; a tt mo contr iich t ted to xcee	ttached resund I do he ineys have act are act he same a come into act act and act are act act are act act are act are act are act	solution, careby further been appually in the are to be continuous the Treas (,040.00) an SD LLC ze the exp	an be incuer certify, is propriated to Treasury drawn, and sury, to the enditure of 25, 2006	arred without n conformity for the purpor, or are anticed that the same credit of same credit of same ACCOUNT	the violation with the requested to continue the purpose of said of the purpose of said of the purpose of the p	n of any on purification of any of an	f the provi of the Ch of t	energy for	ne Charter of the City of San Diego, to meet the obligative dit of the appropriate gether with the monered. The Alvarado Filtrative ER'S DEPARTMENT
here n Die icier aid con who cipa to E ador:	eto a go; a go; a tt mo contr iich t ted to xcee	ttached resund I do he ineys have act are act he same a come into act act and act are act act are act act are act are act are act	solution, careby further been appually in the are to be continuous the Treas (,040.00) an SD LLC ze the exp	an be incuer certify, is propriated to Treasury drawn, and sury, to the enditure of 25, 2006	arred without n conformity for the purpor, or are anticed that the same credit of same credit of same ACCOUNT	the violation with the requested to continue the purpose of said of the purpose of said of the purpose of the p	n of any on purification of any of an	f the provi of the Ch of t	energy for	ne Charter of the Cite City of San Diego, to meet the obligation to the appropriate gether with the monered. The Alvarado Filtration of the Alvarado Filtra
heren Die note in	eto a go; a go; a tr mo contri ich t ted to ted to	ttached resund I do he ineys have act are act he same a come into act and act are act	solution, careby further been appually in the are to be continuous the Treas (,040.00) an SD LLC ze the exp	an be incuer certify, is propriated to Treasury drawn, and sury, to the enditure of 25, 2006	arred without n conformity for the purpor, or are anticed that the same credit of same credit of same ACCOUNT	the violation with the requested to continue the purpose of said of the purpose of said of the purpose of the p	n of any on purification of any of an	f the provi of the Ch of t	energy for	ne Charter of the Cite City of San Diego, to meet the obligation of the appropriate gether with the more red. The Alvarado Filtrate ER'S DEPARTMENT

19465

FEB 2 1 2006