

ORDINANCE NUMBER O- 19889 (NEW SERIES)

DATE OF FINAL PASSAGE JUL 31 2009

AN ORDINANCE OF THE CITY OF SAN DIEGO AUTHORIZING A 20-YEAR SOLAR POWER SERVICES AGREEMENT WITH SUN EDISON ORINATION1, LLC, FOR CITY PURCHASE OF ELECTRICITY FOR THE OTAY WATER TREATMENT PLANT; AND ALLOWING SUN EDISON TO INSTALL, OWN, OPERATE, MAINTAIN, AND GENERATE RENEWABLE ENERGY AT THE OTAY WATER TREATMENT PLANT.

WHEREAS, it is the policy of the City to reduce demand on the energy grid and to enhance energy reliability and independence for City facilities pursuant to City Council Policy No. 900-02; and

WHEREAS, on February 21, 2006, the Council authorized a power purchase agreement with Sun Edison-SD for the purchase of renewable photovoltaic energy at the Alvarado Water Treatment Plant pursuant to Ordinance No. O-19465; and

WHEREAS, Ordinance No. O-19465 further authorized the City to negotiate other power purchase agreements with Sun Edison to finance, own, install, operate and maintain photovoltaic systems at other City-owned facilities, subject to City Council approval; and

WHEREAS, the City and Sun Edison have negotiated an agreement to provide a photovoltaic system at the City's Otay Water Treatment Plant; NOW, THEREFORE,

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

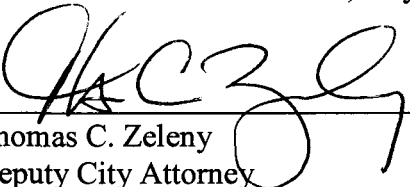
Section 1. That the Mayor or his designee is authorized to execute, for and on behalf of the City, a twenty-year agreement with Sun Edison Origination1, LLC, for the installation and operation of a solar photovoltaic system at the Otay Water Treatment Plant, and the City's purchase of energy from said system, under the terms and conditions set forth in the Solar Power & Services Agreement, on file with the City Clerk as Document No. OO- 19889.

Section 2. That pursuant to the terms of the Agreement, the City Council permits Sun Edison Origination1 to install, own, operate, maintain, and generate renewable energy from photovoltaic systems at the Otay Water Treatment Plant.

Section 3. That a full reading of this ordinance is dispensed with prior to passage, since a written copy was made available to the City Council and the public prior to the day of its passage.

Section 4. That this ordinance shall take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: JAN I. GOLDSMITH, City Attorney

By  _____
Thomas C. Zeleny
Deputy City Attorney

TCZ:FMO:mb
07/01/09
Aud.Cert: n/a
Or.Dept:ESD
O-2010-2

I hereby certify that the foregoing Ordinance was passed by the Council of the City of San Diego, at its meeting of JUL 28 2009

ELIZABETH S. MALAND, City Clerk

By  _____
Deputy City Clerk

Approved: 7-31-09
(date)

 _____
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor