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2 **Resolution Relating to**
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6 **APPROVAL OF PURCHASE POWER AGREEMENT**
7 **BETWEEN SOUTH FORTY SOLAR, LLC AND**
8 **BURLINGTON ELECTRIC DEPARTMENT.**
9

RESOLUTION 8.

Sponsor(s): Councilors Bushor,
Aubin - Board of Finance)

Introduced: 10/21/13

Referred to: _____

Action: adopted as amended

Date: 10/21/13

Signed by Mayor: 10/30/13

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12 **CITY OF BURLINGTON**
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14 In the year Two Thousand Thirteen.....

15 Resolved by the City Council of the City of Burlington, as follows:

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17 That WHEREAS, South Forty Solar, LLC is developing a two and a half megawatt (2.5 MW)
18 photovoltaic solar panel electric generating facility located on Sunset Cliff Road in Burlington,
19 Vermont ("Project"); and

20 WHEREAS, South Forty Solar, LLC desires to sell 100% of the Project's electricity and
21 other products related to electric generation to Burlington Electric Department ("BED"); and

22 WHEREAS, BED's General Manager has determined that purchasing 100% of the
23 Project's electricity and other products related to electric generation will be in the best interest of
24 BED's customers and BED; and

25 WHEREAS, BED's General Manager has determined that it is in the best interest of BED
26 to enter into a Purchase Power Agreement with South Forty Solar, LLC that calls for a term of
27 25 years from the date of Project commissioning at a rate of \$0.195 per kWh of electricity
28 produced; and

29 WHEREAS, on July 10, 2013, the City of Burlington Electric Commission approved the
30 terms of the Purchase Power Agreement between BED and South Forty Solar, LLC; and

31 WHEREAS, in approving the Purchase Power Agreement the City of Burlington Electric
32 Commission instructed BED to take no position in any future permitting proceedings relative to
33 the suitability of the proposed location for the South Forty Solar, LLC project for solar
34 development; and

* * * * *

ORIGINAL

DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

RESOLUTION RELATING TO

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Adopted by the City Council

....., 20.....

..... Clerk

Approved....., 20.....

..... Mayor

Attest:

Vol. Page

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38 **Resolution Relating to**

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43 **BETWEEN SOUTH FORTY SOLAR, LLC AND**
44 **BURLINGTON ELECTRIC DEPARTMENT.**

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49 WHEREAS, at its regularly scheduled meeting on September 30, 2013, the City

50 Council's Board of Finance voted to send this Resolution to the City Council with no

51 recommendation.

52 NOW THEREFORE, BE IT RESOLVED THAT upon City Council approval, BED

53 General Manager Barbara L. Grimes, on behalf of the City, is authorized to negotiate and

54 execute the Purchase Power Agreement and any documents necessary to facilitate the Purchase

55 Power Agreement subject to the following:

56 a) that the final Agreement is in substantial compliance with the draft Agreement

57 submitted to the BOF and City Council;

58 b) that BED adheres to the Burlington Electric Commission condition regarding

59 neutrality in the permitting process for the Project;

60 c) that all other required permits, licenses, or approvals from any other City, state, or

61 federal entity be obtained prior to BED taking any deliveries under the Agreement;

62 d) that the Agreement is subject to any applicable City Purchasing Procedure; and

63 e) that the final Agreement be subject to prior review by the Chief Administrative

64 Officer and the City Attorney, as appropriate and;

65 BE IT FURTHER RESOLVED that the applicant has committed to meet with the

66 Conservation Board to address the storm water run-off issues and wetland buffer zones in

67

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..... Clerk

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Vol. Page

Attest:

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72 APPROVAL OF PURCHASE POWER AGREEMENT
73 BETWEEN SOUTH FORTY SOLAR, LLC AND
74 BURLINGTON ELECTRIC DEPARTMENT.

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78 conformance with applicable state rules prior to submitting their petition for a certificate of

79 public good with the Public Service Board.

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84 NAME/PURPOSE OF CONTRACTS:	Purchase Power Agreement
85 ADMINISTRATIVE DEPARTMENT:	Burlington Electric Department
86 CONTRACT AMOUNTS:	\$0.195 (nineteen and one half cents) per kWh of
87	electricity produced
88 CONTRACT TERM:	25 years from the date of Project commissioning
89 DESIGNATION OF FUNDS:	Electric Department revenues
90 FISCAL YEAR:	2013 and future
91 ACCOUNT NAME:	BED Power Supply Budget
92 ACCOUNT NUMBER:	

93

94

211150 86 Resolution - Purchase Power Agreement Southforty Solar and BED amendedadopted102113lo

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ORIGINAL

DISTRIBUTION:

I hereby certify that this resolution has been sent to the following department(s) on

BED, Ken Nolan
Colin McNeil, Esq.
City Attorney's Office, Linda Blanchard

*Kim Stroutmont, BSD
Scott Gustin, PIZ*

RESOLUTION RELATING TO

Approval of Purchase Power Agreement Between South-Forty Solar, LLC and Burlington Electric Department.

Adopted by the City Council

October 21, 2013

[Signature] Clerk

Approved October 30, 2013

[Signature] Mayor

Attest:
[Signature]
Lori Olberg
Licensing, Voting and Records Coordinator

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