

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANTA BARBARA
AUTHORIZING THE EXECUTION AND DELIVERY OF A
CALIFORNIA RENEWABLE ENERGY SMALL TARIFF
AGREEMENT WITH SOUTHERN CALIFORNIA EDISON, INC.,
FOR THE PURPOSE OF SELLING ELECTRICITY GENERATED
AT THE CITY'S CONDUIT HYDROELECTRIC PLANT, AND
AUTHORIZING RELATED ACTIONS

WHEREAS, the City received United States Bureau of Reclamation License and Agreement No. 20-07-20-L2148 (City Agreement No. 11,539), dated July 15, 1982, which permitted the construction, operation and maintenance of the City's Hydroelectric Plant on United States land adjacent to Lauro Reservoir; and

WHEREAS, the City's hydroelectric plant produced clean, renewable power from 1985 through 1998; and

WHEREAS, the City decommissioned the hydroelectric plant in 1998, when it was determined that project operation, maintenance, permit, and regulatory costs exceeded project revenues; and

WHEREAS, on November 2, 2010, the City Council adopted Resolution No. 10-086 to demonstrate the City's desire to resume operations at the hydroelectric plant, and to demonstrate intent by Council to accept ownership of the underlying land, if conveyed to the City by Reclamation; and

WHEREAS, the City Council has been presented with the form of a California Renewable Energy Small Tariff Agreement, and the City Council has examined and approved such document and desires to authorize and direct the execution of such documents, subject to minor changes; and

WHEREAS, on October 17, 2012, City staff filed an application for a California Renewable Energy Small Tariff Agreement with Southern California Edison, Inc., for the Purpose of Selling the City's Hydroelectric Conduit Plant Power;

WHEREAS, on January 7, 2013, the U.S. General Services Administration (GSA) issued a Notice that it had determined the land beneath the City's hydroelectric plant "to be Government surplus and available for disposal"; and

WHEREAS, on March 19, 2013, the City Council adopted Resolution No. 13-015 Authorizing Christine F. Andersen, Public Works Director, to Act on Behalf of the City in the Negotiated Purchase of the Real Property Beneath the City's Hydroelectric Plant and Verifies that Funds Have Been Budgeted for the Purchase, which will be based upon an Appraisal by a State Certified Appraiser; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

Section 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, that certain agreement between the City of Santa Barbara and Southern California Edison, Inc., which provides for the sale of power from the City's Hydroelectric Conduit Power Plant for a period of 20 years, is hereby approved.

Section 2. The Authorized Officers are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable in order to consummate the agreement herein authorized and otherwise to carry out the terms and intent of this Ordinance.

Section 3. All actions heretofore taken by the officers, employees and agents of the City with respect to the agreement set forth above are hereby approved, confirmed and ratified.

Section 4. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Council hereby orders that, in lieu of the publication of this Ordinance, once in the official newspaper of the City within 15 days after its adoption, this Ordinance shall be published by title only once in the official newspaper of the City within 15 days after its adoption, provided that the full text shall be available to the public at the City Clerk's Office, and such publication by title only shall so state. This Ordinance shall become effective 30 days from and after the date of its adoption.

CERTIFICATE OF CITY CLERK

I, Gwendolynn B. Peirce, City Clerk Services Manager of the City of Santa Barbara, do hereby certify as follows:

That the foregoing is a full, true and correct copy of Ordinance No. ____, which was duly introduced at a regular meeting of the City Council of the City of Santa Barbara duly and regularly and legally held at the regular meeting place thereof on April 9, 2013, of which meeting all of the members of the City Council of said City had due notice and at which a quorum was present, and which was thereafter duly adopted at a regular meeting of the City Council of the City Council of the City of Santa Barbara duly and regularly and legally held at the regular meeting place thereof on April __, 2013, of which meeting all of the members of the City Council of said City had due notice and at which a quorum was present.

That an agenda of each of said meetings was posted at least 72 hours before said meeting at 740 Anacapa Street, Santa Barbara, California, a location freely accessible to members of the public, and a brief description of said Ordinance appeared on said agenda.

That I have carefully compared the foregoing copy with the original minutes of said April __, 2013 meeting on file and of record in my office; that said copy is a full, true and correct copy of the original Ordinance adopted at said meeting and entered in said minutes; and that said Ordinance has not been amended, modified, rescinded or revoked in any manner since the date of its adoption, and the same is now in full force and effect.

Dated: _____, 2013

Gwendolynn B. Peirce
City Clerk Services Manager

[SEAL]