

ORDINANCE NO. O-04-12

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON APPROVING THE POWER SALES AGREEMENT BETWEEN THE CITY AND SOUTHERN CALIFORNIA PUBLIC POWER AUTHORITY FOR THE LA PAZ SOLAR TOWER PROJECT

WHEREAS, the City of Colton (“City”), pursuant to the provisions relating to the joint exercise of powers found in Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California, as amended (the “Joint Powers Act”), the City of Colton (the “City”), and certain other public bodies (collectively, the “Members”) have entered into a Joint Powers Agreement, as amended (the “Joint Powers Agreement”), which creates the Southern California Public Power Authority (“SCPPA”), a public entity separate and apart from the Members; and

WHEREAS, pursuant to the terms of the Joint Powers Act and the Joint Powers Agreement, SCPPA has the power, for the purpose of promoting, maintaining and operating electric generation and transmission on behalf of its Members, to plan, develop, contract for, finance, acquire, design, undertake, own, construct, operate and administer projects involving systems, methodologies and programs for the acquisition, supply, procurement and delivery of secure, long-term reliable supplies of renewable electric energy and to cause such projects to be planned, developed, contracted for, financed, acquired, designed, constructed, operated, maintained, and administered and to provide by agreement for the performance and carrying out of any such activities; and

WHEREAS, the City has need for a long-term source of renewable energy to satisfy City’s renewable portfolio standard requirements and desires to ensure the reliable delivery of solar energy to fulfill a portion of these requirements; and

WHEREAS, SCPPA and certain of its Members, to wit, currently the Cities of Anaheim, Azusa, Burbank, Colton, Glendale, Pasadena and Riverside and the Imperial Irrigation District (collectively, the “Project Participants”) have investigated the feasibility of the purchase of solar

1 or useful for purposes of firming, shaping, regulating, transmitting and delivering to the City's
2 electric system the Project energy purchased by the City from SCPPA.

3 **SECTION 4:** Should the City Manager of the City of Colton be absent or otherwise not
4 available to execute and deliver the agreements, documents or instruments or to carry out the
5 other responsibilities provided by or authorized in this Ordinance, the he or she may designate, in
6 writing, a representative to act in his or her stead.

7 **SECTION 5:** If any part of this Ordinance is held to be invalid for any reason, such
8 decision shall not affect the validity of the remaining portion of this Ordinance, and this City
9 Council hereby declares that it would have passed the remainder of this Ordinance, if such invalid
10 portion thereof has been deleted.

11 **SECTION 6:** Pursuant to Section 54241 of the Government Code of the State of
12 California, this Ordinance is subject to the provisions for referendum applicable to the City.

13 **SECTION 7:** The City Council shall certify to the enactment of this Ordinance and shall
14 cause this Ordinance to be published in accordance with Section 54242 of the Government Code
15 of the State of California.

16 // //

17

18 // //

19

20 // //

21

22 // //

23

24 // //

25

26 // //

27

28

1 **SECTION 8:** Unless a petition shall be filed requiring that this Ordinance be submitted to
2 referendum, thirty (30) days from and after its enactment, this Ordinance shall take effect and be
3 in full force, in the manner provided by law.

4

5 **PASSED, APPROVED, AND ADOPTED** this 20th day of March, 2012.

6

7

SARAH S. ZAMORA, Mayor

8

ATTEST:

9

10

11

EILEEN C. GOMEZ, CMC
City Clerk

12

13

14

STATE OF CALIFORNIA)

15

COUNTY OF SAN BERNARDINO) ss.

16

CITY OF COLTON)

17

18

19

20

21

22

23

24

25

26

27

28