

RESOLUTION NO. 2274-08

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
ACCEPTING THE PROPOSAL OF WWST-WINDSOR, LLC TO PROVIDE POWER TO
THE TOWN OF WINDSOR WATER RECLAMATION PLANT AND AUTHORIZING THE
TOWN MANAGER TO EXECUTE A POWER PURCHASE AGREEMENT AND A LEASE
AGREEMENT SUBSTANTIALLY SIMILAR TO THOSE ON FILE WITH THE TOWN
CLERK'S OFFICE**

WHEREAS, On January 16, 2008, the Town Council of the Town of Windsor adopted Resolution 2218-08, selecting the Power Purchase Agreement (PPA) procurement approach for the Town's Water Reclamation Plant Site Solar Power Project; and

WHEREAS, proposals to enter into a PPA with the Town were solicited from 18 PPA providers and 6 proposals were received; and

WHEREAS, after review of the proposals received and follow-up interviews of the top three proposers, the proposal of WWST-Windsor, LLC was determined to be the most advantageous to the Town; and

WHEREAS, negotiations of the draft PPA and Lease Agreement with WWST-Windsor, LLC on file with the Town Clerk's office have been substantially completed and the draft PPA and Lease Agreement on file with the Town Clerk's office are recommended to the Town Council for approval, subject to such minor modifications as the Town Manager may determine to be in the interests of the Town prior to execution; and

WHEREAS, if Option 2 is selected by the Town Council, under the PPA, WWST-Windsor, LLC will construct, operate and maintain a 471 kWAC solar power system at the Town's Water Reclamation Plant Site and will sell the electricity produced to the Town at a rate of \$0.1450 per kilowatt hour with 3.5 percent escalation for a period of 25 years; and

WHEREAS, if Option 3 is selected by the Town Council, under the PPA, WWST-Windsor, LLC will construct, operate and maintain a 663 kWAC solar power system at the Town's Water Reclamation Plant Site and will sell the electricity produced to the Town at a rate of \$0.1495 per kilowatt hour with 3.5 percent escalation for a period of 25 years; and

WHEREAS, the Solar Power Project will meet multiple Town objectives including improved energy security, stabilized energy costs, and reduced greenhouse gas emissions;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Windsor approves a Power Purchase Agreement and a Lease Agreement with WWST-Windsor, LLC for the construction, operation, and maintenance of a Solar Power System at the Town's Water Reclamation Plant Site and the sale of the electricity produced to the Town for a period of 25 years, and authorizes the Town Manager to finalize and execute a Power Purchase Agreement and a Lease Agreement substantially similar to the draft agreements on file with the Town Clerk's office for a 663 kWAC system as described above for Option 3.

PASSED, APPROVED AND ADOPTED this 7th day of May 2008, by the following vote:

AYES: COUNCILMEMBERS ALLEN, GOBLE, PARKER AND MAYOR FUDGE
NOES: NONE
ABSTAIN: NONE
ABSENT: COUNCILMEMBER SALMON



DEBORA FUDGE, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK