

THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.

AN ORDINANCE

AUTHORIZING THE CITY OF SAN ANTONIO'S PARTICIPATION IN CPS ENERGY'S SOLARHOSTSA PROGRAM FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF SOLAR INSTALLATIONS ON CITY FACILITIES, APPROVAL FOR CITY DEPARTMENTS TO ENTER INTO A SOLAR LICENSE AGREEMENT WITH POWERFIN SOLARMUNDO, LLC, FOR A TERM OF TWENTY YEARS, WITH TWO FIVE-YEAR RENEWAL OPTIONS, AND ACCEPTANCE OF HOST CREDITS IN AN AMOUNT NOT TO EXCEED \$0.03 TIMES THE TOTAL KILOWATT HOURS OF THE NET ELECTRICITY RECEIVED BY CPS ENERGY FROM THE SOLAR INSTALLATION.

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WHEREAS, CPS Energy, through power purchase agreements with operators from across the country, has eleven solar farms generating 446 megawatts of renewable power located in and around the San Antonio area, the most solar generation capacity in the state; and

WHEREAS, in an effort to make solar power more accessible, CPS Energy developed the Simply Solar Program which offers customers the opportunity to lease their roof for solar power generation or to purchase a share of the solar power produced at a centralized solar farm; and

WHEREAS, on August 12, 2015, CPS Energy and PowerFin SolarMundo, LLC (PowerFin) entered into a Power Purchase Agreement that provides for the purchase by CPS Energy from PowerFin of the electrical output from solar power generation systems to be installed and operated by PowerFin on the rooftops of CPS customers (Solar Hosts), both residential and commercial; and

WHEREAS, the installation of solar on municipal facilities is consistent with the goal of the SA Tomorrow Sustainability Plan, adopted by City Council in August 2016, for the City to Lead by Example by purchasing or producing renewable energy for government operations to help meet long-term renewable electric generation goals; and

WHEREAS, the Office of Sustainability and PowerFin have completed a desktop solar assessment to identify city facilities that can potentially serve as the most suitable Solar Hosts, including facilities from the Parks and Recreation Department, the Fire Department and the Human Services Department, and will identify alternative city facilities if these facilities are not suitable Solar Host candidates; and

WHEREAS, this ordinance authorizes the City of San Antonio’s participation in CPS Energy’s SolarHostSA Program for the installation, operation and maintenance of solar installations on city facilities; authorizes city departments opting into the program to enter into a solar license agreement with PowerFin SolarMundo, LLC, for a term of twenty years, with two five-year renewal options; and authorizes the acceptance of host credits on their monthly CPS Energy bill in an amount not to exceed \$0.03 times the total kilowatt hours (kWH) of the “Net Electricity” received by CPS Energy from the solar installation; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Council approves participation in CPS Energy’s SolarHostSA Program for the installation, operation and maintenance of solar installations on city facilities, up to a maximum designed aggregate output of 300 kilowatts alternating current (300 kW AC), and the acceptance of Host Credits for city facilities participating in the SolarHostSA Program on their monthly CPS Energy bill in an amount not to exceed \$0.03 times the total kilowatt hours (kWH) of the “Net Electricity” received by CPS Energy from the solar installation. The Host Credits will be budgeted within the “gas and electricity” line item for each participating city facility.

SECTION 2. The City Manager, or her designee, is hereby authorized to take all actions necessary to negotiate and execute a Solar License Agreement, and any other documents necessary to effectuate the purpose of this Ordinance, for each City facility opting into the program with **POWERFIN SOLARMUNDO, LLC**, for a term of twenty years, with two five-year renewal options. A copy of the Solar License Agreement, in substantially final form, is attached and incorporated herein for all purposes as **ATTACHMENT I**. The execution authority granted by this ordinance shall expire 120 days from the effective date of this Ordinance.

SECTION 3. This ordinance shall be effective immediately upon passage by eight affirmative votes; otherwise it shall be effective on the tenth day after passage hereof.

PASSED and APPROVED this 22nd day of June, 2017.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney