

RESOLUTION NO. 15-44

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER ACTING AS THE GOVERNING BODY OF LANCASTER CHOICE ENERGY GRANTING AUTHORITY TO THE CITY MANAGER TO ENTER INTO CERTAIN CONTRACTS ON BEHALF OF LANCASTER CHOICE ENERGY

WHEREAS, the City of Lancaster (the “City”) is a charter city and municipal corporation duly organized and validly existing under and by virtue of the Constitution and laws of the State of California; and

WHEREAS, Lancaster Choice Energy (“LCE”), the City’s community choice aggregation, has been formed by the City for the purposes of serving the retail electric service customers residing and doing business in the City of Lancaster; and

WHEREAS, the City Council of the City of Lancaster (the “City Council”) is the local authority with jurisdiction over LCE and acts as the governing body of LCE (the “LCE Board”); and

WHEREAS, the City Council, acting as the LCE Board, finds and declares that for shorter-term transactions involving energy, resource adequacy capacity and/or renewable energy certificates, it is appropriate for LCE management to have discretion in contracting, consistent with its responsibilities and expertise in efficiently operating the LCE program; and

WHEREAS, the City Council, acting as the LCE Board, finds and declares that time is often of the essence in such transactions, and that such transactions are unlikely to raise policy considerations that require LCE Board input; and

WHEREAS, the City Council, acting as the LCE Board, finds and declares that for longer-term commitments, it is appropriate for the LCE Board to exercise a greater degree of oversight; and

WHEREAS, the City Council, acting as the LCE Board, wishes to grant the City Manager of the City of Lancaster authority to execute certain shorter-term LCE contracts that are consistent with LCE’s forecasted energy consumption.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANCASTER, ACTING AS THE GOVERNING BODY OF LANCASTER CHOICE ENERGY DOES HEREBY RESOLVE, DETERMINE AND ORDER, AS FOLLOWS:

Section 1. The foregoing recitals are true and correct.

Section 2. The City Manager of the City of Lancaster, or his or her designee, (collectively, the “City Manager”) is hereby authorized to enter into contracts on LCE’s behalf as follows:

- A. **Short-Term Agreements:** The City Manager may enter into Power Purchase Agreements (“PPAs”) (energy, resource adequacy capacity and/or renewable energy certificates) with terms of twelve (12) months or fewer. The City Manager shall report all such agreements to the LCE board on a monthly basis.
- B. **Medium-Term Agreements:** The City Manager, in conjunction with the City Attorney, may enter into PPAs (energy, resource adequacy capacity and/or renewable energy certificates) with terms of greater than twelve (12) months but not more than five (5) years. The City Manager shall report all such agreements to the LCE Board on a monthly basis.
- C. **Long-Term Agreements:** Approval by the LCE Board is required before the City Manager may enter into PPAs (energy, resource adequacy capacity and/or renewable energy certificates) with terms of greater than five (5) years.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

BRITT AVRIT, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF LANCASTER)

CERTIFICATION OF RESOLUTION
CITY COUNCIL

I, _____, _____ City of Lancaster, CA, do hereby certify that this is a true and correct copy of the original Resolution No. 15-44, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF, on this _____ day of _____, 2015.

(seal)
