

WHEREAS, the Los Angeles Department of Water and Power's (LADWP) Renewable Portfolio Standard Policy and Enforcement Program (RPS Policy) represents the continued commitment by LADWP to renewable energy resources in accordance with Section 399.30(e) of the Public Utilities Code, requiring the governing boards of publicly owned electric utilities to adopt a program for enforcement on or before January 1, 2012; and

WHEREAS, the RPS Policy established compliance targets for LADWP to supply 25 percent of its retail energy sales from eligible renewable energy resources by 2016 and 33 percent by 2020 in accordance with the California Renewable Energy Resources Act, also referred to as SB 2 (1X); and

WHEREAS, the strategies in LADWP's Integrated Resource Plan (IRP) include regulatory requirements, policy objectives, and increases in eligible renewable energy resources, while maintaining service reliability, using existing assets near eligible renewable energy resources, and minimizing the financial impact on ratepayers; and

WHEREAS, the LADWP and RE Barren Ridge 1, LLC entered into a Power Purchase Agreement No. BP 13-057 (PPA) on August 25, 2014, and sets forth mutual covenants and agreements between LADWP and Barren Ridge 1 for LADWP's acquisition of all the metered output, associated environmental attributes, and generating capacity rights associated with the solar project, which connects directly into LADWP's balancing authority with a guaranteed generation of 60 Megawatt Alternating Current for a 20-year term; and

WHEREAS, the "Solar Project," consisting of solar power generating facilities, to be developed and constructed by Barren Ridge 1 approximately 11 miles northeast of the community of Mojave in western Kern County, CA will be constructed and connected by a gen-tie line to the Barren Ridge Switching Station (BRSS); and

WHEREAS, the Solar Project is owned by RE Barren Ridge 1 LLC which is a wholly-owned subsidiary of Recurrent Energy Development Holdings, LLC, which is a wholly-owned subsidiary of Recurrent Energy, LLC; and

WHEREAS, LADWP proposes to enter into non-exclusive License Agreement for Transmission Road Access with Barren Ridge 1 for the Solar Project covering an approximately 7.54 acre area on real property owned by the City of Los Angeles (City of LA), acting by and through LADWP, in unincorporated Kern County to allow Barren Ridge 1 to have access to the existing road that will allow for construction, maintenance and operation of the gen-tie line for the interconnection to LADWP's BRSS (the License Agreement); and

WHEREAS, the License Agreement will facilitate LADWP's purchase of renewable electric energy from the Solar Project; and

WHEREAS, the term of the License Agreement will be for a period of 20 years with an option to extend to a total term of not to exceed 34 years and 11 months; and

WHEREAS, the LADWP staff represent that: (1) the property to be licensed is not presently needed for LADWP purposes; and (2) the grant of the non-exclusive License Agreement will not interfere with LADWP operations or future needs.

NOW, THEREFORE, BE IT RESOLVED that the Board finds that: (1) the property to be licensed is not presently needed for LADWP purposes; and (2) the grant of the non-exclusive License Agreement will not interfere with LADWP operations or future needs.

BE IT FURTHER RESOLVED that the License Agreement, approved as to form and legality by the City Attorney and now on file with the Secretary of the Board, be and the same is hereby approved.

BE IT FURTHER RESOLVED that the President or Vice President of this Board, or the General Manager, or such person as she shall designate in writing as her designee, and the Secretary, Assistant Secretary, or the Acting Secretary of this Board are hereby authorized, empowered and directed to execute said License Agreement on behalf of the City of Los Angeles, acting by and through its LADWP.

BE IT FURTHER RESOLVED that the City Council is requested to (1) find that the term (including the option term) of up to 34 years 11 months is in the best interest of the City of LA in accordance with Section 607 of the City of LA Charter and (2) approve the License Agreement by order or resolution in accordance with Section 606 of the LA City Charter.

BE IT FURTHER RESOLVED that in accordance with Section 15060 (c)(3) of the California Environmental Quality Act (CEQA) Guidelines, an activity is not subject to CEQA if it does not meet the definition of a project. The action of issuing a license agreement to accompany an existing Power Purchase Agreement, does not result in a direct or indirect physical change in the environment and described in Section 15378 and so does not meet the definition of the project. This action is not subject to CEQA.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of the resolution adopted by the Board of Water and Power Commissioners of the City of Los Angeles at its meeting held

SEP 08 2015


Secretary

APPROVED AS TO FORM AND LEGALITY
MICHAEL N. FEUER, CITY ATTORNEY

MAY 29 2015

BY


TIMOTHY J. CHUNG
DEPUTY CITY ATTORNEY