

**A RESOLUTION
OF THE SARATOGA SPRINGS CITY COUNCIL
DECLARING ITS INTENT TO CONTINUE DISCUSSIONS
WITH GRAVITY RENEWABLES, LLC WITH RESPECT TO A PROPOSED
POWER PURCHASE AGREEMENT**

WHEREAS, since 1998, the Municipal Electric and Gas Alliance (MEGA), now including more than 30 New York State county governments, has collectively shopped through a public bid process for electricity and natural gas supplies, securing savings in energy costs for more than 250 participating municipalities and others, and

WHEREAS, by resolution of one or more county governments, MEGA periodically bids the electricity and natural gas supplies so that participating municipalities and others can obtain the lowest cost for such supplies through New York State “piggybacking” law, and

WHEREAS, in 2012 New York State amended Section 66-j of the Public Service Law, allowing for the off-site production of up to 2 MW of solar, micro-hydroelectric, and farm waste-to-energy, and the purchase of the energy generated therefrom on a net metering basis, and

WHEREAS, as a part of MEGA’s commitment to bring clean, renewable energy at a reasonable cost to its customers, MEGA has implemented a program to provide public sector customers with a long-term, price-certain supply of electric energy from renewable sources under NYSPSL Section 66-j, and

WHEREAS, the potential outcomes of this initiative include fostering the development of small, renewable energy facilities in New York State, enabling MEGA participants to directly purchase electricity produced by such facilities, thereby stabilizing and potentially reducing the cost of electricity for such participants, while supporting private investment in renewable energy, and contributing to the reduction of greenhouse gasses, and

WHEREAS, MEGA requested and Tompkins County agreed to serve in the role of the Procuring Municipality for this renewable energy procurement, a designation that allows other municipalities, including the City of Saratoga Springs, to receive the same terms and conditions as are provided to the Procuring Municipality, and

WHEREAS, Gravity Renewables LLC of Boulder, Colorado, (the Company) was selected through such procurement to be MEGA’s designated provider of renewable power from micro-hydroelectric generating facilities, and

WHEREAS, Tompkins County by resolution on September 13, 2013 approved the procurement and authorized all political subdivisions in the state to participate in the contracts awarded as a result of Tompkins County’s procurement with MEGA, recognizing that specific authority must be provided by any other participating legislative

body to enter into a final power purchase agreement between such participant and the Company, and

WHEREAS, rules regarding the terms by which other political subdivisions and districts participate have been established by MEGA and are reflected in a Program Agreement between the Company, Tompkins County and MEGA,

NOW, THEREFORE, BE IT RESOLVED that the City Council finds that it is in the public interest for the City and Gravity Renewables, LLC to continue negotiations concerning a power purchase agreement, including consideration of appropriate sites, the potential costs and benefits to the City, and other matters, recognizing that final terms and conditions would be embodied in a Power Purchase Agreement subject to final approval by the City Council.

AYES_____

NAYS_____

Dated:

CITY COUNCIL OF THE CITY OF
SARATOGA SPRINGS, NY

By:_____

John P. Franck, City Clerk