

Resolution No. _____

WHEREAS, the Windy Point/Windy Flats Project (Project) is a renewable wind energy generation facility located in Goldendale, WA; and

WHEREAS, on June 24, 2009, the Southern California Public Power Authority (SCPPA) and Windy Flats Partners, LLC entered into a Power Purchase Agreement (PPA) for SCPPA to purchase all of the energy produced from the 262 megawatts (MW) Project for a 20-year delivery term, including purchase option provisions and the option to extend the delivery term for an additional four years; and

WHEREAS, the Project Power Sales Agreement, No. BP 09-17 (PSA), sets forth mutual covenants and agreements between LADWP and SCPPA for LADWP's acquisition of 92.37 percent, 242 MW, of the metered output and associated environmental attributes as produced by the Project; and

WHEREAS, PSA, No. BP 09-17, incorporates the Project PPA as Appendix F to the PSA; and

WHEREAS, the Project Agency Agreement, No. BP 09-18, provides for the designation of LADWP as the Project manager to administer the scheduling of the project energy, planning, development, acquisition, maintenance, improvement, administration, and operation of the Project on behalf of the Project participants (LADWP and City of Glendale); and

WHEREAS, on August 1, 2009, the City of Glendale sold and assigned its 7.63 percent of the metered output and associated environmental attributes as produced by the Project to LADWP under the PSA, leaving LADWP as 100 percent off-taker and the sole participant; and

WHEREAS, on November 29, 2022, the Board of Water and Power Commissioners (Board) approved Amendment No. 1 to the PPA to extend the delivery term for an additional four years as contemplated in the PPA; and

WHEREAS, SCPPA executed Amendment No. 1 to the PPA, effective March 16, 2023; and

WHEREAS, LADWP seeks to extend the PSA and the PPA (Appendix F to the PSA) for an additional two years beyond the original term and four-year extension to receive cost-effective renewable energy for a total term of 26 years; and

WHEREAS, the additional two years added by the amendment (First Amendment to PSA, No. BP 09-17) will increase the length of the contract beyond the term initially approved by the City Council in Ordinance No. 180866, requiring further City Council approval in accordance with City Charter Section 373.

NOW, THEREFORE, BE IT RESOLVED that the First Amendment to PSA, No. BP 09-17, now on file with the Secretary of the Board and approved as to form and legality by the City Attorney, be and the same is hereby approved.

BE IT FURTHER RESOLVED that the Board requests that the City Council approve by ordinance the First Amendment to PSA, No. BP 09-17.

BE IT FURTHER RESOLVED that the Project PSA, as amended, is exempt pursuant to the General Exemption described in California Environmental Quality Act Guidelines Section 15061(b)(3).

BE IT FURTHER RESOLVED that the Chief Accounting Employee of the LADWP, upon proper certification, is authorized and directed to draw demands on the Fuel and Purchased Energy Renewable Budget Revenue Funds, in accordance with the terms of PSA, No. BP 09-17, as amended, and this resolution.

BE IT FURTHER RESOLVED that the President or Vice President, or the General Manager, or such person as the General Manager shall designate in writing, and the Secretary, Assistant Secretary, or the Acting Secretary of the Board are hereby authorized and directed to execute said amendment for and on behalf of LADWP, upon approval by the City Council by ordinance pursuant to Sections 101 and 674 of the Los Angeles City Charter.

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

APPROVED AS TO FORM AND LEGALITY
HYDEE FELDSTEIN SOTO, CITY ATTORNEY
MARCH 19, 2025

BY 
NIRVESH SIKAND
DEPUTY CITY ATTORNEY

Secretary