

CITY OF MOAB RESOLUTION NO. 17-2021

**A RESOLUTION OF THE MOAB CITY COUNCIL APPROVING
AN INTERLOCAL COOPERATION AGREEMENT
AMONG PUBLIC ENTITIES REGARDING THE
COMMUNITY RENEWABLE ENERGY PROGRAM**

WHEREAS, the Moab City Council (“Council”) met in regular session on April 13, 2021, to consider, among other things, approving an Interlocal Cooperation Agreement Among Public Entities Regarding the Community Renewable Energy Program; and

WHEREAS, in 2019, the Utah State Legislature enacted H.B. 411 that was codified at Utah Code Ann. § 54-17-901 et seq. and is known as the “Community Renewable Energy Act” (“Act”); and

WHEREAS, the Act authorizes the Utah Public Service Commission to establish a community renewable energy program whereby municipalities may cooperate with qualified utilities to provide electric energy for participating customers from renewable energy resources, in an amount that equals their annual consumption; and

WHEREAS, the Act provides that to participate in the renewable resources program that a community (“Participating Community”) must adopt a resolution that establishes a goal of a net 100% renewable energy supply for that community by 2030; and

WHEREAS, on or about August 13, 2019 the City of Moab adopted the applicable resolution to be a potential Participating Community and 22 other Utah communities adopted similar resolutions; and

WHEREAS, the Act contemplates (as supplemented by rules adopted by the Utah Public Service Commission) that the Participating Communities collaborate to develop a Community Renewable Energy Program and adopt a governance agreement (which is this Interlocal Agreement, a copy of which is attached hereto); and

WHEREAS, the City of Moab is a public agency, and the services contemplated in the Interlocal Agreement are joint and cooperative actions, as contemplated in the Utah Local Cooperative Act; and

WHEREAS, the Interlocal Agreement contemplates a concept known as an Anchor Community that creates a critical mass to make decisions and provides a financial mechanism to assure funding of critical components of the Program implementation; and

WHEREAS, the City of Moab desires to become an Anchor Community and commit to contribute no more than \$12,735.60 toward Phase 1 and Phase 2 Initial and Anchor Payments, in accordance with the Interlocal Agreement, to continue to implement the Program, however, such amount may be reduced depending on the number of other entities who become Anchor Communities; and

WHEREAS, the Interlocal Agreement has been presented to the Council for

review and approval; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the City's residents to so act;

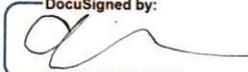
NOW, THEREFORE, BE IT RESOLVED that the Interlocal Agreement is approved, and that the Mayor and Recorder are hereby authorized and directed to execute and deliver the same.

BE IT FUTHER RESOVED, that the Mayor is hereby authorized and directed to approve a revised Schedule 2 provided that the aggregate of the Phase 1 and 2 Initial and Anchor Payment as defined therein does not exceed \$12,735.60 paid in accordance with the Interlocal Agreement.

This Resolution assigned No. 17-201 shall take effect immediately on passage.

PASSED AND APPROVED by the Moab City Council this 13 day of April 2021.

MOAB CITY COUNCIL

DocuSigned by:
By: 
64BEB4724ECB4DD
Emily Niehaus, Mayor

ATTEST:


Sommar Johnson, City Recorder

