

RESOLUTION NO. 2018

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A WHOLESALE ELECTRIC POWER PURCHASE AGREEMENT WITH AEP ENERGY PARTNERS, INC. TO SUPPLY WIND ENERGY TO THE SAN MARCOS ELECTRIC UTILITY; DECLARING THE AGREEMENT TO BE A COMPETITIVE MATTER OF THE SAN MARCOS ELECTRIC UTILITY UNDER SECTION 552.133 OF THE TEXAS GOVERNMENT CODE; AND DECLARING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. The San Marcos City Council approves the terms and conditions of a Master Power Purchase and Sale Agreement and Confirmation Letter (collectively referred to as the “Agreement”) with AEP Energy Partners, Inc. to supply wind energy to the San Marcos Electric Utility (SMEU).

PART 2. The City Manager, Bert Lumbreras, is authorized to execute the Agreement on behalf of the City.

PART 3. The City Council hereby finds that the Agreement constitutes a utility-related competitive matter of the San Marcos Electric Utility (SMEU) that would, if disclosed, give advantage to competitors or prospective competitors of SMEU. Pursuant to Section 552.133 of the Texas Government Code, the Agreement is exempt from public disclosure and shall not be released or otherwise made public unless the City of San Marcos is directed to do so by the Attorney General of the State of Texas or a court of competent jurisdiction. A redacted version of the Agreement shall be made available upon request.

PART 4. This resolution shall be in full force and effect immediately from and after its passage.

ADOPTED on March 20, 2018

John Thomaides
Mayor

Attest:

Jamie Lee Case
City Clerk