**TOWN OF OAK CREEK**

**ORDINANCE NO. 665**

**AN ORDINANCE AUTHORIZING AND DIRECTING EXECUTION OF THE GREEN ENERGY PROGRAM SUBSCRIPTION CONFIRMATION BY THE TOWN OF OAK CREEK, WITH THE MUNICIPAL ENERGY AGENCY OF NEBRASKA, ALSO KNOWN AS "MEAN"**

**Whereas**, the Board has determined it will participate in the Routt County Climate Action Plan and seek ways to reduce the Town's impacts on the environment; and

**Whereas,** MEAN's Board of Directors on January 19, 2023 approved replacing the existing MEAN renewable energy and attributes pools with the Green Energy Program; and

**Whereas,** the Town, as a participant in MEAN's renewable energy and attributes pools received an allocation equal to two percent of the Town's electrical supply from MEAN's wind generated electrical supply sources in MEAN's FY 2021-22; and

**Whereas,** the Town can continue to receive an equal annual allocation of wind generated electrical supply by requesting to enroll in the MEAN Green Energy Program by adopting an ordinance authorizing and directing execution of the Green Energy Program Subscription Confirmation; and

**Whereas,** there is currently more MEAN member interest in the Green Energy Program than available energy so if the Town chooses to not subscribe, or to subscribe at a lower amount, it is likely that the Town will not be able to enter, or gain a greater supply from, the Green Energy Program until additional qualifying resources are added to MEAN's power supply; and

**Whereas,** Trustee _____ made a motion to approve the MEAN Green Energy Program Subscription Confirmation at the current annual allocation amount as the Town has ascribed in the Amended and Restated Supplemental Agreement for Wind-Generated Energy Purchase executed on or about January 6, 2009 between the Town of Oak Creek and MEAN. Trustee _____ seconded the motion. The motion passed _____.

**NOW, THEREFORE,** be it ordained by the Board of Trustees of the Town of Oak Creek as follows:

**Section 1.** The Town Board hereby finds and declares it to be in the public interest and in the interest of the customers of the Town's electric utility that the Town adopt and execute the Green Energy Program Subscription Confirmation at the current annual allocation amount with the Municipal Energy Agency of Nebraska.

**Section 2.** It is hereby ordered and directed that the Town of Oak Creek, Colorado, acting through its Mayor and Town Clerk, execute the Green Energy Program Subscription Confirmation, a copy of the Subscription Confirmation being attached hereto as Attachment A and made a part hereof.

**Section 3.** The Town of Oak Creek, Colorado does hereby adopt and approve each of the objectives, terms and conditions set forth in the Green Energy Program Subscription Confirmation.

**Section 4**. **SEVERABILITY, CONFLICTING ORDINANCES REPEALED**. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. All other ordinances in conflict with the provisions of this Ordinance are hereby repealed.

**Section 5.** **Effective date**. This ordinance shall take effect and be in full force and effect thirty (30) days after adoption and publication pursuant to C.R.S. § 31-16-105.

**INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED** this 13th day of April, 2023.

_____
Nikki Knoebel, Mayor

ATTEST:

_____
David Torgler
Town Administrator/Clerk