



# City of Grand Island

Tuesday, October 12, 2021

Council Session

## Item G-4

**#2021-242 - Approving Amendment No. 1 to the Renewable Energy Credit Purchase and Sale Agreement with Nebraska City, Nebraska**

Staff Contact: Tim Luchsinger, Stacy Nonhof

# **Council Agenda Memo**

**From:** Timothy Luchsinger, Utilities Director  
Stacy Nonhof, Interim City Attorney

**Meeting:** October 12, 2021

**Subject:** Amendment No. 1 to Renewable Energy Credit Purchase and Agreement – City of Nebraska City

**Presenter(s):** Timothy Luchsinger, Utilities Director

## **Background**

On June 9, 2015, Council approved execution of a Power Purchase Agreement with Invenergy Inc., for the Prairie Breeze III (PBIII) Wind Energy Project. On September 8, 2015, Council approved an agreement with the City of Nebraska City for the sale of approximately 19.55% of the PBIII output including the Renewable Energy Credits (REC's). Currently, the Grand Island Utilities Department is maintaining Nebraska City's RECs in a subaccount of the Grand Island Utilities Department's REC registry account. Discussions by the Grand Island Utilities Department with Nebraska City Utilities management resulted in the request by Nebraska City to participate in the Grand Island Utilities Department's REC marketing process. A separate item for consideration by Council on tonight's meeting is an agreement with Evergy for the purchase and sale of RECs by the Department's wind facilities, including PBIII.

## **Discussion**

Based on the recommendation of Fraser Stryker, the outside legal counsel used in the original agreement with the PBIII power purchase agreement and the Nebraska city sale agreement, an amendment to the Nebraska City agreement, authorizing Grand Island to include Nebraska City RECs in the Evergy agreement with the revenue realized on transactions to be returned to Nebraska City, was drafted. Grand Island Utilities Department and Legal staff recommend approval of Amendment No. 1 to the Renewable Energy Credit Purchase and Sale Agreement executed with the City of Nebraska City.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to a future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council approve Amendment No. 1 to the Renewable Energy Credit Purchase and Sale Agreement executed with the City of Nebraska City.

## **Sample Motion**

Move to approve Amendment No. 1 to the Renewable Energy Credit Purchase and Sale Agreement executed with the City of Nebraska City.

RESOLUTION 2021-242

WHEREAS, at the September 8, 2015 meeting, Council approved an agreement with the City of Nebraska City for the sale of a percentage of the Prairie Breeze III output, including the Renewable Energy Credits; and

WHEREAS, Nebraska City has requested to participate in the Grand Island Utilities Department's Renewable Energy Credits marketing process.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Amendment to the Renewable Energy Credit Purchase and Agreement is hereby approved, and the Mayor is authorized to sign the Amendment on behalf of the City of Grand Island.

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Adopted by the City Council of the City of Grand Island, Nebraska, October 12, 2021.

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Roger G. Steele, Mayor

Attest:

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RaNae Edwards, City Clerk

Approved as to Form	☐ _____
October 21, 2021	☐ City Attorney