

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NO. 2015-46

3 INTRODUCED BY:

4
5 Councilor Peter N. Ives

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10 A RESOLUTION

11 DIRECTING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF
12 AGREEMENT BETWEEN THE NEW MEXICO ENERGY, MINERALS AND NATURAL
13 RESOURCES DEPARTMENT (EMNRD), ENERGY CONSERVATION AND
14 MANAGEMENT DIVISION AND THE CITY OF SANTA FE, WHOSE PURPOSE IS TO
15 PROVIDE THE CITY ACCESS TO SERVICES AND SUPPORT PROVIDED UNDER
16 EMNRD'S LOCAL ENERGY EFFICIENCY PERFORMANCE (LEEP) PROGRAM FOR
17 DEVELOPMENT AND IMPLEMENTATION OF GUARANTEED ENERGY SERVICE
18 PERFORMANCE CONTRACTS.

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20 WHEREAS, the State of New Mexico, Energy, Minerals and Natural Resources Department
21 (EMNRD), Energy Conservation and Management Division (Division) is responsible pursuant to
22 NMSA 1978, § 9-5A-4 for planning, administering, reviewing, providing technical assistance,
23 maintaining records and monitoring state and federal energy conservation and renewable energy
24 technology programs; and

25 WHEREAS, the Division is responsible for certification that qualified providers of energy

1 conservation measures pursuant to NMSA 1978, § 6-23-5B(2), to meet experience requirements and the
2 guaranteed energy savings from the energy conservation and renewable energy measures proposed in
3 guaranteed utility savings contracts with governmental units appear to be accurately estimated and
4 reasonable; and

5 **WHEREAS**, few local governments have the tools, technical knowledge, and financing to
6 pursue energy efficiency and renewable energy projects; and

7 **WHEREAS**, the US Department of Energy (DOE) has entered into a cooperative agreement
8 with EMNRD to implement a Local Energy Efficiency Performance (LEEP) Program to fill these
9 technical and financial gaps by creating a sustainable state-led program to support successful
10 implementation of energy service performance contracts (ESPCs) throughout all local government
11 facilities in New Mexico; and

12 **WHEREAS**, this MOA's purpose is to provide the City access to the services and support
13 provided under the LEEP Program for development and implementation of guaranteed ESPCs and to
14 help the City follow and adhere to the guidelines of the Program; and

15 **WHEREAS**, EMNRD and the City desire to enter into this MOA for administrative efficiency
16 so that the project can be carried out through a single program; and

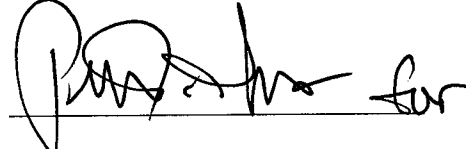
17 **WHEREAS**, the Division seeks to use its experience to support implementation of ESPCs
18 throughout local government facilities in New Mexico; apply lessons learned to continually improve
19 the LEEP Program; reduce facility energy use and carbon emissions; and ensure proper level of
20 financing accompanies each Project identified by the Program; and

21 **WHEREAS**, the Governing Body, through the adoption of Resolution 2014-85, the
22 Governing Body declared its intention of having 50 percent of its energy come from renewable
23 sources by 2025 and becoming carbon neutral by the year 2040.

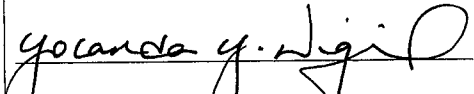
24 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
25 **CITY OF SANTA FE** that the City Manager is directed to enter into the Memorandum of

1 Agreement to provide the City access to the services and support provided under the LEEP Program
2 for development and implementation of guaranteed energy service performance contracts.

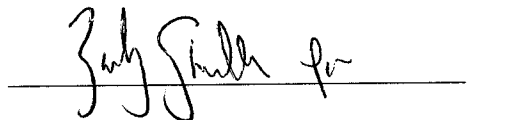
3 PASSED, APPROVED and ADOPTED this 27th day of May, 2015.

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6 JAVIER M. GONZALES, MAYOR

7 ATTEST:

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10 YOLANDA Y. VIGIL, CITY CLERK

11 APPROVED AS TO FORM:

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14 _____
14 KELLEY BRENNAN, CITY ATTORNEY