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LOCAL LAW NO. 5 -2014

A LOCAL LAW AUTHORIZING THE INSTALLATION OF A SOLAR SYSTEM AND LEASE TO SOLAR CITY OF COUNTY PROPERTY LOCATED IN THE TOWN OF CLAY AT THE OAK ORCHARD WASTE WATER TREATMENT PLANT

BE IT ENACTED BY THE ONONDAGA COUNTY LEGISLATURE OF THE COUNTY OF ONONDAGA, NEW YORK, AS FOLLOWS:

Section 1. The County of Onondaga is the owner of property located in the Town of Clay at 0 Oak Orchard Road, utilized by Onondaga County Department of Water Environment Protection, containing the Oak Orchard Waste Water Treatment Plant.

Section 2. Solar City, a solar developer headquartered in San Mateo, California has proposed to construct 2.7 megawatt (2,700 kW) solar system and to lease from the County approximately nine (9) acres of ground space for the construction, operation and maintenance of solar panels, inverters and electrical equipment.

Section 3. The term of the proposed lease is twenty (20) years, with two (2) five (5) year renewal options.

Section 4. In return, the County will purchase the electricity produced by the solar system at prices defined in a Power Purchase agreement. The rate at which the electricity is purchased is fair and reasonable.

Section 5. An analysis of the potential environmental impacts, if any, of this proposed lease has been done under the State Environmental Quality Review Act (SEQRA).

Section 6. The County Legislature is hereby authorized, directed and designated to act as the lead agency.

Section 7. As lead agency, the County Legislature hereby determines that the proposed action is an Unlisted Action under SEQRA and a Short Environmental Assessment Form has been prepared.

Section 8. The Short Environmental Assessment Form prepared by and filed with this Legislature is satisfactory with respect to scope and content and adequacy in compliance with SEQRA and is hereby accepted by the County.

Section 9. The Onondaga County Legislature does hereby make and adopt a Negative Declaration for the project, and has determined that the proposed action will not have a significant effect on the environment.

Section 10. The Onondaga County Executive, or his designee, is authorized to take such action to comply with the requirements of SEQRA, including without limitation, the execution of documents and filing of same.

Section 11. The County Executive is hereby authorized to enter into agreements and execute documents for the construction of the solar system and lease of the above-described space to Solar City of San Mateo, California, its successors and assigns, for a period of twenty (20) years, with two (2) five (5) year renewal options, and to take any other actions to implement the intent of this Local Law.

Section 12. This Local Law shall take effect upon filing in accordance with the provisions of the Home Municipal Rule Law, and is subject to permissive referendum.

Solar City LL – Oak Orchard.docx
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ADOPTED
APR 01 2014

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF LEGISLATION DULY ADOPTED BY THE COUNTY LEGISLATURE OF ONONDAGA COUNTY ON THE

1st DAY OF April, 2014.

Deborah A. Maturo

CLERK, COUNTY LEGISLATURE
ONONDAGA COUNTY, NEW YORK

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LEGISLATURE