

**ORDINANCE NUMBER 1076
CONCERNING ESTABLISHMENT
OF AN ENERGY IMPROVEMENT DISTRICT**

Be it ordained by the City of Stamford that the following Ordinance be and hereby is adopted:

Whereas, Connecticut General Statutes Section 16-32g(9) – (24) authorizes any municipality, by vote of its legislative body, to establish an Energy Improvement District within such municipality; and,

Whereas, the City will benefit from the establishment of such an Energy Improvement District, insofar as it will increase the efficiency and reliability of energy sources and further the interests of commerce and industry within such District; and,

Whereas, the cost of business interruption and equipment damage due to power fluctuations and outages is particularly high and potentially life-threatening; and,

Whereas, it is in the best interests of the City to take local control of electric power via the establishment of such Energy Improvement District; and,

Whereas, the City wishes to promote the planning, development, funding, acquisition, purchase, construction, reconstruction, improvement, extension and operation of energy improvement district resources as set forth in Connecticut General Statutes Section 16-32g(9) – (24),

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Section 1. Establishment of Energy Improvement District.

In accordance with Connecticut General Statutes Section 16-32g(9) – (24), there is hereby established the City of Stamford Energy Improvement District within and for the area more particularly defined in Schedule A attached hereto and made a part hereof to be created and operated according to the procedures set forth in said statute.

Section 2. Definitions.

In the interpretation hereof, the following words and terms shall be taken to include the following meanings when context shall require or permit:

a) The term "Board" shall mean the Energy Improvement District Board created by this ordinance and as more particularly set forth in Connecticut General Statutes Section 16-32g(9) – (24);

b) The term "District" shall mean the District Energy Improvement District as outlined in Schedule A-Map;

c) The term "Energy Improvement District Distributed Resources" shall mean one or more of the following as defined in CGS Section 16-1:

- (i) Customer-side distributed resources;
- (ii) Grid-side distributed resources;
- (iii) Combined heat and power systems;
- (iv) Class III renewable energy sources; and
- (v) Microgrids, as defined in (g) below.

d) The term "Ex Officio" shall mean a non-voting member;

e) The term "State Agency" shall mean the State of Connecticut, any department of, or corporation agency, or instrumentality thereof, heretofore, of or hereafter created, designated, or established by the State of Connecticut

f) The term "Federal Agency" shall mean the United States of America, and any department of or corporation, agency, or instrumentality thereof, or hereafter created, designated or established by the United States of America.

g) The term "Microgrid" shall mean small, locally controlled electric systems interconnected with electric distribution company facilities;

h) The term "Project" shall mean the acquisition, purchase, construction, reconstruction, improvement or extension of one or more energy improvement district distributed resources.

i) The term "Purchaser" shall mean any person or entity that enters a contract to purchase power from the District.

Section 3. Board of the Energy Improvement District .

a) The Board of the District shall consist of a minimum of five (5) voting members. The Mayor shall be a member of the Board and serve as its Chairperson. The Board members shall serve without compensation, except for reasonable and necessary expenses. The Mayor may appoint a designee.

b) Members appointed by the Mayor shall number no more than four and shall initially be appointed for terms as follows: Two members shall have terms of two years, and two members shall have terms of four years. At the expiration of such terms, each member shall be appointed for a term of four years. Members appointed by the Mayor shall be approved by the Board of Representatives.

c) The Board may expand to include Purchasers.

Section 4. Powers and Duties of the Board.

The powers and duties of the Board are those set forth in Connecticut General Statutes Section 16-32(g) 11 – (g) 24. Additionally, the Board shall issue an annual report of its yearly activities and financial statement.

Section 5. Bonding.

The Board shall have the power to issue and secure bonds as more particularly set forth in Connecticut General Statutes Section 16-32(g) 12 and (g) 13. Such bonds will be the obligation of the Board and not the City of Stamford.

Section 6. District Properties.

The properties included in the District shall be bounded and described as set forth in Schedule A-Map annexed hereto and made a part hereof.

Section 7. Regulations by the Board.

The Board may make and enforce any reasonable regulations which it may determine necessary for the planning, development, funding, acquisition, purchase, construction, reconstruction, improvement, extension and operation of the District's facilities, provided that such regulations are consistent with federal, state and local statutes, ordinances, rules and regulations, as may be amended from time to time.

Section 8. Effective Date.

This ordinance shall be in full force and effect upon enactment.

Section 9. Separability.

If any section, dissection, paragraph, subparagraph, sentence, clause or phrase of this Ordinance is for any reason held to unconstitutional or invalid in accordance with Federal or State law, such holding shall not affect the validity of the remaining portions.

This ordinance shall take effect upon its enactment.

David R. Martin, President, and Annie M. Summerville, Clerk, do hereby certify that the foregoing ordinance was approved on the Consent Agenda by the 27th Board of Representatives at the Meeting held on Wednesday, November 7, 2007.



David R. Martin, President
Dated this 13th day of November, 2007



Annie M. Summerville, Clerk
Dated this 13th day of November, 2007



Dannel P. Malloy, Mayor
City of Stamford
Dated this 7 day of November, 2007

EFFECTIVE DATE: November 30th, 2007

cc: Mayor Dannel P. Malloy
Benjamin Barnes, Director of Operations
William Callon, Director of Public Safety, Health & Welfare
Sandra Dennles, Director of Administration
Thomas Cassone, Esq., Director of Legal Affairs
Donna Loglisci, Town & City Clerk