

**TOWN OF SNOWMASS VILLAGE
TOWN COUNCIL**

**RESOLUTION NO. 27
SERIES OF 2008**

**ESTABLISHING PROTOCOLS FOR EXPENDITURES FROM THE
RENEWABLE ENERGY OFFSET PROGRAM (REOP) FUND.**

WHEREAS, on September 8, 2008, the Town Council of the Town of Snowmass Village adopted Ordinance No. 11, Series of 2008, an Ordinance to be Implemented into Chapter 18 of the Town of Snowmass Village Municipal Code to Establish Building Efficiency Standards and a Renewable Energy Offset Program (REOP), and

WHEREAS, Sections 18-224.2 and 18-224.3 of Ordinance No. 11, Series of 2008 establish optional in-lieu fees to be collected pursuant to the Renewable Energy Offset Program, and

WHEREAS, Section 18-224.5 of Ordinance No. 11, Series of 2008 states that fees collected pursuant to the Renewable Energy Offset Program shall be deposited to the Town's Renewable Energy Offset Program Fund, and

WHEREAS, Section 18-224.6 of Ordinance No. 11, Series of 2008 states that expenditures of REOP funds shall be used for the following purposes:

- a. planning, design, and implementation of renewable energy generation projects,
- b. purchase of renewable energy offsets (credits),
- c. providing a community grant and/or rebate program for energy efficiency enhancements or renewable energy generation projects, and
- d. funding other resources and administrative costs associated with green building and environmental sustainability-oriented efforts, and

WHEREAS, Section 18-224.6 of Ordinance No. 11, Series of 2008 further states that expenditures of REOP funds shall be consistent with the Renewable Energy Offset Program Protocols, as such Protocols shall be described and approved by Resolution of the Town Council of the Town of Snowmass Village prior to November 1, 2008.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Snowmass Village, as follows:

Section One:

Expenditures of Renewable Energy Offset Program (REOP) funds shall be made in accordance with the Renewable Energy Offset Program Protocols described as follows:

Within one year of the effective date of Ordinance No. 11, Series of 2008, the Town of Snowmass Village may solicit and accept written REOP funding applications from Snowmass Village residents, property owners, and businesses, as well as from builders, developers, public agencies, special districts, and non-profits conducting business or providing services within the Town of Snowmass Village. Funding applications shall be accepted and reviewed on an annual basis thereafter.

Town staff will review and present recommendations to Town Council regarding funding applications received. The Town Council will decide, by majority vote, which funding applications to approve. Expenditures shall be limited to the funding purposes, and to those projects demonstrating consistency with the funding criteria, described below.

Expenditures of REOP funds shall be for the following **purposes**:

1. Planning, design, and/or implementation of a renewable energy generation project,
2. Purchase of renewable energy offsets (credits),
3. Providing a community grant and/or rebate program for energy efficiency enhancements or renewable energy generation projects, and
4. Funding other resources and administrative costs associated with green building or sustainability-oriented efforts.

Expenditures of REOP funds shall be limited to projects demonstrating consistency with the following **criteria**:

1. The application demonstrates a quantifiable return on investment in terms of:
 - a. Reduced demand for energy derived from non-renewable sources, or
 - b. Reduced emissions of greenhouse gases, or
2. Considering annual REOP fund balances available, the Town Council may choose to spend the full amount of available REOP funds, or may choose to reserve and roll-over available funds for future appropriations.

Section Two: Effective Date. This Resolution shall become effective on October 21, 2008.

Section Three: Severability. If any provision of this Resolution or application hereof to any person or circumstance is held invalid, the invalidity shall not affect any other provision or application of this Resolution which can be given effect without the invalid provision or application, and, to this end, the provisions of this Resolution are severable.

READ, APPROVED AND ADOPTED, by the Town Council of the Town of Snowmass Village on October 20, 2008 upon a motion by Council Member Mordkin, the second of Council Member Sparhawk, and upon a vote of 4 in favor and 0 opposed. Mayor Mercatoris.

TOWN OF SNOWMASS VILLAGE

John Wilkinson, Mayor Pro Tem

ATTEST:

Rhonda Coxon, Town Clerk

APPROVED AS TO FORM:

John Dresser, Town Attorney