



Legislation Details (With Text)

File #: ID 24-677 **Version:** 1 **Name:**

Type: Ordinance

File created: 3/21/2024 **In control:** City Council

On agenda: 4/16/2024 **Final action:**

Title: Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation (“Denton”) providing for, authorizing, and approving the execution by the City Manager of the Power Purchase Agreement (“PPA”) between Denton and Yellow Viking Development One, LLC (“Yellow Viking”); authorizing the acceptance and approval by the City Manager of the Letter of Credit, or other credit support issued on behalf of Yellow Viking, further securing the obligations of Yellow Viking to Denton for the benefit of Denton; approving the execution of such other and further related documents deemed necessary to effectuate the transactions allowed under this agreement by the City Manager, which are incident to or related to the PPA; finding that that the purchase of capacity and energy made by Denton under the terms of the PPA are in the public welfare; authorizing the expenditure of funds; determining that specific information contained in documents involved in this transaction pertain to a “Competitive Electric Matter” as set forth under the provisions of §551.086 and §552.133 of the Texas Government Code, as amended; allowing the public to inspect and reproduce the PPA as redacted; and providing an effective date. The Public Utilities Board recommends approval (3-1).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Agenda Information Sheet, 2. Exhibit 2 - Ordinance, 3. Exhibit 3 - Redacted Power Purchase Agreement, 4. Exhibit 4 - Presentation

Date	Ver.	Action By	Action	Result
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AGENDA CAPTION

Consider adoption of an ordinance of the City of Denton, a Texas home-rule municipal corporation (“Denton”) providing for, authorizing, and approving the execution by the City Manager of the Power Purchase Agreement (“PPA”) between Denton and Yellow Viking Development One, LLC (“Yellow Viking”); authorizing the acceptance and approval by the City Manager of the Letter of Credit, or other credit support issued on behalf of Yellow Viking, further securing the obligations of Yellow Viking to Denton for the benefit of Denton; approving the execution of such other and further related documents deemed necessary to effectuate the transactions allowed under this agreement by the City Manager, which are incident to or related to the PPA; finding that that the purchase of capacity and energy made by Denton under the terms of the PPA are in the public welfare; authorizing the expenditure of funds; determining that specific information contained in documents involved in this transaction pertain to a “Competitive Electric Matter” as set forth under the provisions of §551.086 and §552.133 of the Texas Government Code, as amended; allowing the public to inspect and reproduce the PPA as redacted; and providing an effective date. The Public Utilities Board recommends approval (3-1).