

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA, ARIZONA, APPROVING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO A POWER PURCHASE AGREEMENT WITH AMERESCO, INC., A DELAWARE CORPORATION.

WHEREAS, The City of Mesa (“City”) owns and operates a municipal utility governed by and through its Council which has all powers necessary and appropriate to a municipal corporation to establish, purchase and operate public works to furnish its customers with electrical power. Under this authority, City is engaged in the business of and buying electricity with the intention of routinely taking physical delivery of power and energy and to distribute to its customers in Mesa, Arizona.

WHEREAS, City issued a Request for Qualifications for Solar Services (RFQ), numbered RFQ-2016011, and Ameresco, Inc. was selected as a qualified contractor. Subsequently, the City solicited best and final offers for a solar and parking project to be located at the City’s Mesa Arts Center, and Ameresco was selected as the best offer for that solicitation.

WHEREAS, City is the owner of the Mesa Arts Center, located at 1 E. Main Street in Mesa, Arizona, and desires to make a portion on the south side of such property available to Seller for the construction, operation and maintenance of a solar powered electric generating project with an installed capacity of between 500 and 540 kW, which includes a parking structure which will also serve as covered parking and a premier performance and event space for the Arts Center (the “Project”).

WHEREAS, Ameresco desires to develop, finance, design, construct, own and operate the Project, and sell to City the green energy generated by the Project.

WHEREAS, Ameresco has agreed with Strategic Solar Energy LLC, the owner of the intellectual property and technology rights associated with the Power Parasol parking garage structure, to license use of the Power Parasol in the Project, which will allow for shaded parking as part of the Project.

WHEREAS, City wishes to purchase and receive the renewable electric power and energy generated by the Project at a known price of fourteen cents per kilowatt hour (\$0.145/kWh) and for a term of twenty-five (25) years, with an initial payment of fifty thousand dollars (\$50,000.00) (collectively, the “Terms”).

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That the City Manager, or his designee, is authorized to enter into a Power Purchase Agreement with Ameresco, Inc., regarding the Project materially consistent with the Terms set forth above, with such other terms and provisions as are necessary and appropriate. The City manager or designee is further authorized to enter such other documents and amendments necessary to carry out the provisions of such agreement, including but not limited to a license agreement authorizing the placement of the Project at the Mesa Arts Center.

Section 2: That the City Clerk is authorized to attest to the signature of the City Manager, or his designee, on all such documents.

Section 3. The various City officers and employees are hereby authorized and directed to execute such other documents or certificates and to perform all other acts necessary to carry out the intent and purpose of this Resolution.

PASSED AND ADOPTED by the Council of the City of Mesa, Maricopa County, Arizona this 11th day of December, 2017.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk