

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA, ARIZONA,
AUTHORIZING THE CITY MANAGER TO ENTER INTO POWER PURCHASE
AGREEMENTS WITH SOLON DEVELOPMENT, LLC AN ARIZONA
CORPORATION.**

WHEREAS, the City of Mesa ("City") owns and operates a municipal electric distribution utility and is authorized by the provisions of the Laws of the State of Arizona and the City of Mesa City Charter to acquire, purchase and manage supplies of electric power and energy necessary to meet the requirements of the residential, commercial and industrial customers served by such utility; and

WHEREAS, the City issued a Request for Proposals ("RFP"), numbered RFP-2020192, and Solon Development, LLC, an Arizona Corporation ("Solon") was selected as the winning vendor in that RFP; and

WHEREAS, the City is the owner of the real properties located between N Center St, N Centennial Way, E Main St and E 1st St and desires to make a portion of such property available to Solon for the design, construction, operation and maintenance of four solar powered electric generating projects ("the Projects"); and

WHEREAS, the City further wishes for the Projects to create an aesthetically pleasing central governmental, lifestyle and event space and the Projects are integral to those aesthetics; and

WHEREAS, Solon desires to develop, finance, design, construct, own and operate the Projects and sell the Project's electric power and energy and associated environmental attributes (the "Output") to the City for a known price; and has further agreed to indemnify the City of Mesa from liability associated with the use of any third-party intellectual property rights; and

WHEREAS, City desires to purchase the Output generated by the Projects from Solon at a known price and for a period of twenty five years.

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

Section 1. The City hereby approves the Projects and the purchase of Project Output, and the City Manager, or his designee, is authorized to enter into Power Purchase Agreements with Solon for the Output, together with all other documents and amendments necessary ("Agreements") to carry out the provisions of such Agreements for operational periods of twenty-five (25) years at the amounts quoted by Solon in its initial bid (ASU Building: \$0.0903/kWh, Plaza Building: \$0.1387/kWh, Municipal Lot: \$0.0891/kWh, MCP Lot: \$0.1108/kWh) with those cost adjustments deemed reasonable by the City Manager, or his designee.

Section 2. Approval by the City Attorney or designee and signature by the City Manager or designee of such Agreements shall constitute conclusive evidence of this City Council's approval thereof.

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.

Section 4. That the City Clerk is authorized to attest to the signature of the City Manager, or his designee, on all such documents.

PASSED AND ADOPTED by the Council of the City of Mesa, Maricopa County, Arizona this 15th day of March, 2021.

APPROVED:

Mayor

ATTEST:

City Clerk