

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESA, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE A SOLAR SERVICES AGREEMENT AND A PERFORMANCE GUARANTEE AGREEMENT WITH SOLAR CITY.

WHEREAS, the CITY OF MESA (“City”), and SOLAR CITY CORPORATION (“SOLAR CITY”) desire to enter into a Solar Services Agreement for the purchase and sale of solar energy through the finance, design, installation, operation and maintenance of a solar panel system on the land located at 2430 South Ellsworth Road in Mesa, Arizona (“Property”), as well as an associated Performance Guarantee Agreement.

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

Section 1: The City Council hereby authorizes the purchase of solar energy for twenty years, with options for up to two additional terms of five years each, at \$0.067 per kilowatt hour from Solar City, as well as the granting of an associated license to Solar City for the construction, operation and maintenance of a solar facility of approximately 185 DC kW on the Property.

Section 2: That the City Manager or his designated representative is hereby authorized on behalf of the City to execute a Solar Services Agreement and Exhibits thereto as well as a Performance Guarantee Agreement. The City Clerk or her designated representative is further authorized and directed to attest to the signature of the City Manager or his authorized designated representative on such documents. Approval by the City Attorney and execution by the City Manager with attestation by the City Clerk shall constitute conclusive evidence of this City Council’s approval thereof.

Section 3: That the various City officers and employees be and hereby are authorized and directed to perform all acts necessary to give effect to this Resolution.

PASSED AND ADOPTED by the City Council of the City of Mesa, Maricopa County, Arizona, this 20th day of May, 2013.

APPROVED:

Mayor

ATTEST:

City Clerk