

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF MESA, ARIZONA,
("CITY") APPROVING AND AUTHORIZING THE PROCUREMENT OF FIRM
ELECTRIC POWER SUPPLIES**

WHEREAS, the City of Mesa 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 of Mesa Energy Resources Department issued an Electric Power Request for Proposals, EPRFP-2019-03 ("RFP") for electric power supplies; and

WHEREAS, CitiGroup Energy, Inc.; Exelon Generation Company, LLC; and Direct Energy Business Marketing, LLC (collectively the "Suppliers") in response to the City's RFP have offered to sell to the City a supply of electric power and energy; and

WHEREAS, the City desires to acquire firm electric power and energy for resale by its municipal electric distribution utility and further desires to enter into agreements with one or more of said Suppliers for such supplies to be delivered over the RFP stipulated period of up to three (3) years ("Supply Period");

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

Section 1. The City hereby approves the procurement for the Supply Period of an annual (January through December, inclusive) 7x24 sculpted base load (quantities of up to 11 MW per month) firm electric power supply, with final average pricing over the Supply Period of no greater than \$60/MWh, commencing on or after June 1, 2019.

Section 2. The City hereby approves entering Edison Electric Institute ("EEI") Master Power Purchase & Sales Agreement or similar agreement(s) ("Enabling Agreement") with Suppliers, with such additions, deletions and substitutions as shall be approved by the City Attorney or designee and the City Manager or designee. The City hereby further approves the modification to any existing Enabling Agreements with Suppliers as shall be approved by the City Attorney or designee and the City Manager or designee.

Section 3. The City hereby approves entering an associated transaction confirmation (collectively with Enabling Agreements, "Transaction Documents") for each supply listed in Sections 1 through 2, with such additions, deletions and substitutions as shall be approved by the City Attorney or designee and the City Manager or designee, pursuant to which the City will agree to purchase electric power and energy from one or more of said Suppliers, such deliveries to be made on the dates, at the volumes and within the contract prices set forth above and to be incorporated in such Transaction Documents.

Section 4. Approval by the City Attorney or designee and signature by the City Manager or designee of Enabling Agreements and Transaction Documents shall constitute conclusive evidence of this City Council's approval thereof.

Section 5. 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 City Council of the City of Mesa, Arizona, this 6th day of May, 2019.

APPROVED:

Mayor

ATTEST:

City Clerk