**RESOLUTION NO. 2021-\_\_\_**

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# **RESOLUTION OF THE COUNCIL OF THE CITY OF**

# **PARLIER APPROVING AND AUTHORIZING EXECUTION**

# **OF MASTER SOLAR POWER PURCHASE AGREEMENT**

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WHEREAS, individual homeowners in Parlier have expressed interest in entering into Power Purchase Agreements whereby their homes are equipped with solar power and other energy saving features and many homeowners have been victims of fraud or other unlawful activity involving the misrepresented promise of providing solar power for their homes; and

WHEREAS, numerous homeowners have expressed interest in entering into a Power Purchase Agreement with a solar provider, Parlier Home Solar LLC (the “Seller”) to provide solar power to their homes at stated rates pursuant to a Power Purchase Agreement; and

WHEREAS, the City Council has been requested, and by this Resolution does, enter into a Master Solar Power Purchase Agreement, a copy of which is attached and incorporated by reference as a Programmatic Participant and agrees to provide those services as specified in the Agreement relating to the promotional or programmatic services to be provided by the City as identified in the Agreement and has determined the Solar Power Purchase Agreements, being provided to homeowners by Seller, to the extent possible by virtue of an agreement, is a legitimate and lawfully enforceable obligation of the Seller to the homeowner subject to applicable law concerning rescission or termination of contracts or the assignment of the contracts and other law depending on the circumstances; and

WHEREAS, because many homeowners in Parlier do not have the financial wherewithal to purchase solar power outright, City has reviewed the Master Solar Power Purchase Agreement, the qualifications of the Seller and has concluded that the Power Purchase Agreement being offered to homeowners by Seller is a legitimate product being provided by a legitimate Seller and that the arrangement being offered to homeowners is a lawfully enforceable obligation of the Seller.

NOW, THEREFORE, be it resolved as follows:

1. The foregoing recitals are true and correct.

2. The City Council approves the Master Solar Power Purchase Agreement and authorizes the City Manager to execute the same on behalf of the City of Parlier.

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The foregoing Resolution was adopted and approved at a regular meeting of the City Council of the City of Parlier held on \_\_\_\_\_\_\_\_\_ \_\_\_, 2021 by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

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Alma Beltran, Mayor, City of Parlier

ATTEST:

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Bertha Augustine, City Clerk, City of Parlier