

**RESOLUTION NO. 19-\_\_\_\_\_**

**A RESOLUTION  
APPROVING THE GENERATION SITING AND OPERATING AGREEMENT  
BETWEEN THE ILLINOIS MUNICIPAL ELECTRIC AGENCY AND  
THE CITY OF NAPERVILLE**

**WHEREAS**, IMEA is a body politic and corporate, municipal corporation and unit of local government of the State of Illinois created to serve the municipalities in the State that own and/or operate their own municipal electric utilities through joint action to achieve economies and efficiencies in the production and supply of electric energy not possible for municipalities acting alone; the City owns and operates its own municipal electric distribution system and utility; and the City is a Member-owner of IMEA; and

**WHEREAS**, IMEA has long-term Power Sales Contracts with the City and its other 31 Members to provide all of the electric power and energy required for the operation of the Members' municipal electric systems; and

**WHEREAS**, public policy in the country as it relates to the electricity industry is placing great pressure on load serving entities to meet larger portions of their electricity needs with carbon-free renewable generation resources and energy efficiency, including existing and proposed State and Federal legislation and regulations mandating or proposing to mandate minimum renewable resource and energy efficiency standards, and including proposed rules that would require reduction in greenhouse gas emissions; and

**WHEREAS**, in furtherance of its obligations under the Power Sales Contracts and to further the national goals and policies of acquiring power supply from carbon-free, renewable resources, IMEA has adopted a solar energy resource program pursuant to which it will sponsor one or more solar generation projects to be located on sites within and to be interconnected with the municipal electric distribution systems of one or more of its Members; and

**WHEREAS**, the City has offered to host a solar project under the program and to provide the site identified in this Agreement for installation of a solar generation facility to be interconnected with the City's distribution system and to provide the electricity therefrom to serve the citizens and businesses of the City on the terms and conditions set forth herein; and

**WHEREAS**, the City has the authority, pursuant to the laws of the State of Illinois and its home rule authority, to promote the health, safety, and welfare of the City and its residents and to enter into contractual agreements with third-parties for the purpose of achieving such objectives; and

**WHEREAS**, the City is authorized under the provisions of Article VII, Section 10 of the State of Illinois Constitution to contract and otherwise associate with corporations in any manner not prohibited by law; and

**WHEREAS**, the City is authorized under the provisions of Article VIII of the State of Illinois Constitution to use public property for public purposes; and

**WHEREAS**, the Corporate Authorities of the City, after due and careful consideration, have concluded that hosting a solar project under the program and providing the site identified in this Agreement for installation of a solar generation facility to be interconnected with the City's distribution system and to provide the electricity therefrom to serve the citizens and businesses of the City on the terms and conditions set forth herein, would serve the best interests of the City.

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, COUNTIES OF DUPAGE AND WILL, ILLINOIS**, in exercise of its home rule authority, as follows:

**SECTION 1:** The Generation Sitting and Operating Agreement between the Illinois Municipal Electric Agency and the City of Naperville regarding a one-megawatt solar array at the Springbrook Water Reclamation Facility located at 3712 Plainfield-Naperville Road, (hereinafter "Agreement") attached as "Attachment One" is hereby approved.

**SECTION 2:** The Mayor and City Clerk are directed to execute the Agreement on behalf of the City.

**SECTION 3:** This Resolution shall be in full force and effect upon its passage and approval.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

AYES

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

CITY OF NAPERVILLE, ILLINOIS

By: \_\_\_\_\_  
Steve Chirico  
Mayor

ATTEST:

\_\_\_\_\_  
Pam Gallahue, Ph.D.  
City Clerk