

RESOLUTION NO. 2022-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA FERIA TEXAS, AUTHORIZING TCAP TO NEGOTIATE AN ELECTRIC SUPPLY AGREEMENT; AUTHORIZING TCAP TO ACT AS AN AGENT ON BEHALF OF THE CITY TO ENTER INTO A CONTRACT FOR DELIVERIES OF ELECTRICITY EFFECTIVE ON OR AFTER JANUARY 1, 2023; AND COMMITTING TO BUDGET FOR ENERGY PURCHASES AND TO HONOR THE CITY'S COMMITMENTS TO PURCHASE POWER FOR ITS ELECTRICAL NEEDS THROUGH TCAP; APPROVING THE PROFESSIONAL SERVICES AGREEMENT.

WHEREAS, TCAP members work collaboratively with the assistance of attorneys and procurements experts hired by TCAP to negotiate stable, reliable electric power; and

WHEREAS, the negotiation for electricity by the corporation should result in more stable electricity costs to the City of La Feria Texas; and

WHEREAS, TCAP has prepared a Professional Services Agreement ("PSA"), attached as Exhibit A, that, in addition to enumerating services and benefits to members of TCAP, provides TCAP with specific authority to procure power in the wholesale market on behalf of members

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA FERIA TEXAS:

Section 1. The recitals contained in the preamble of this Resolution are determined to be true and correct and are hereby adopted as a part of this Resolution.

Section 2. That the City Manager or Mayor is authorized to sign TCAP's Professional Services Agreement attached as Exhibit A.

Section 3. The TCAP Board of Directors and its consultants and advisors are agents authorized to negotiate for the City's electricity needs as a member of TCAP for the period beginning no earlier than January 1, 2023 at a price not to exceed _____ cents per kWh.

Section 4. Assuming this resolution is passed and NextEra is able to provide TCAP an opportunity prior to January 1, 2023 to contract for power to be delivered to the City, any one of the following individuals is hereby authorized to sign an electric supply agreement for the City within 24 hours of receipt of a contract that has been approved and recommended by the TCAP Board of Directors: City Manager.

Section 5. The City will commit to purchase power to meet all of its electricity needs eligible for competition pursuant to the TCAP approved supply agreement and approve funds necessary to pay electricity costs proportionate to the City's load under the supply agreement

(whether wholesale or retail) arranged by TCAP and signed by TCAP's Executive Director or President or other TCAP representatives authorized by the TCAP Board.

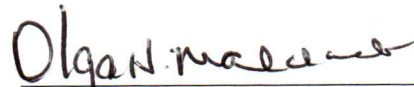
Section 6. All Resolutions and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict herewith.

Section 7. That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

Section 8. This Resolution shall take effect immediately from and after its adoption and it is accordingly so resolved.

Section 9. A copy of this Resolution along with the Professional Services Agreement shall be sent to TCAP, 15455 Dallas Parkway, Suite 600, Addison, Texas 75001.

PRESENTED AND PASSED on this the 26th day of April 2022, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of La Feria, Texas.



Mayor Olga H. Maldonado

ATTEST:



City Secretary Amanda Morales

APPROVED AS TO FORM:
City Attorney

BY _____

Printed Name