

**A RESOLUTION AUTHORIZING A POLITICAL SUBDIVISION
TO PARTICIPATE IN THE H-GAC ENERGY PURCHASING CORPORATION**

WHEREAS, Senate Bill 7, enacted by the 76th Texas Legislature, restructures electric power within the State of Texas; and

WHEREAS, Section 303.001 of the Local Government Code authorizes political subdivisions to join together to form a political subdivision corporation to negotiate the purchase of electricity or to aid or act on behalf of the political subdivisions for which the corporation is created with respect to their own electricity use for their respective public facilities; and

WHEREAS, the Houston-Galveston Area Council, a political subdivision of the State under Chapter 391 of the Local Government Code, has conducted a cooperative purchasing program for more than twenty-five years and has formed the H-GAC Energy Purchasing Corporation (“Corporation”) as a political subdivision corporation; and

WHEREAS, the Political Subdivision wishes to obtain electricity for its public facilities, at the lowest cost providing the best value, thereby benefiting its citizens and taxpayers; and

NOW THEREFORE BE IT RESOLVED BY THE POLITICAL SUBDIVISION’S GOVERNING BODY THAT:

Section 1. The Political Subdivision agrees to join with the Houston-Galveston Area Council and other participating political subdivisions and participate in the Corporation.

Section 2. The Political Subdivision hereby approves the H-GAC Energy Purchasing Corporation Articles of Incorporation, attached as Exhibit A, and Bylaws, attached as Exhibit B.

Section 3. The Political Subdivision agrees to cooperate with the Corporation in providing data related to electricity demand for its accounts, and other information that may assist in preparing bid solicitations or requests for proposals.

Section 4. By approving this resolution, the Political Subdivision does not create an obligation for the Political Subdivision, nor does it authorize the Corporation to actually purchase electricity on its behalf without the Political Subdivision’s prior consent to specific purchases. The Political Subdivision understands that prior to authorizing the purchase of electricity through contracts negotiated by the Corporation, information detailing procurement terms will be provided. The Political Subdivision may then purchase electricity through contract(s) negotiated by the Corporation on its behalf by issuing an order, resolution, purchase order or other binding agreement under terms that are materially the same as the terms the Corporation originally described in the information presented to the Political Subdivision.

Section 5. The Political Subdivision agrees to allow the Corporation to use its name as a participant in descriptions of the Corporation.

PASSED AND APPROVED this _____ day of _____, 20__ at a regular meeting of the Political Subdivision’s governing body.

Name of Political Subdivision:

By: _____

Title: _____