

**RESOLUTION NO. 2010-04**

**A RESOLUTION OF THE CITY OF WASHINGTON, KANSAS, AUTHORIZING THE EXECUTION OF A FIRM ENERGY AND LOAD FOLLOWING AGREEMENT BETWEEN THE CITY OF WASHINGTON, KANSAS, AND THE KANSAS MUNICIPAL ENERGY AGENCY RELATING TO ELECTRIC FIRM ENERGY AND LOAD FOLLOWING SERVICES FOR THE CITY.**

**WHEREAS**, the Kansas Municipal Energy Agency ("KMEA") is a municipal energy agency organized and existing under the laws of the State of Kansas, including K.S.A. 12-885 *et seq.*, as amended and supplemented (the "Act"); and

**WHEREAS**, KMEA consists of members (the "Members"), which are cities located in the State of Kansas and authorized by state law to engage in the local distribution and sale of electric power and energy; and

**WHEREAS**, KMEA is authorized by the Act to plan, finance and construct projects for the purchase, sale, generation and transmission of electricity for the purpose of securing an adequate economical and reliable supply of electricity and other energy for its Members; and

**WHEREAS**, the City of Washington, Kansas (the "City") owns or operates a utility furnishing electricity, and the City is a Member in good standing of KMEA; and

**WHEREAS**, the City is authorized under the laws of the State, including particularly K.S.A. 12-825j, to contract to buy from KMEA power and energy to meet the City's present and future requirements; and

**WHEREAS**, to secure an adequate, economical and reliable supply of electric power and energy for the City's requirements, the City requires load following services to provide the difference between the City's hourly energy requirements and the energy otherwise generated and purchased by the City; and

**WHEREAS**, KMEA and the City have determined that it is in the City's best interest to have KMEA provide the City with firm energy and load following services through an agreement between KMEA and Mid-Kansas Electric Company, LLC ("Mid-Kansas"); and

**WHEREAS**, in conjunction with the load following services, the City will provide an option, through the agreement with KMEA, for Mid-Kansas to call on energy from the City's generation facilities; and

**WHEREAS**, to accomplish these electric supply goals, the City desires to approve a Firm Energy and Load Following Agreement (the "Load Following Agreement") with KMEA in substantially the form presented to the governing body with this Resolution;

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY  
OF THE CITY OF WASHINGTON, KANSAS:**

**Section 1.** The Load Following Agreement is hereby approved in substantially the form presented to the governing body this date.

**Section 2.** The Mayor and Clerk are hereby authorized to execute the Load Following Agreement in substantially the form presented to the governing body this date. The Mayor and Clerk are authorized and directed to execute any and all other documents or certificates necessary to effect the purposes set forth in this Resolution and the Load Following Agreement.

**Section 3.** This Resolution shall take effect and be in full force from and after its adoption by the governing body of the City.

ADOPTED by the governing body of the City and signed by the Mayor this 1<sup>st</sup> day of March, 2010.

(SEAL)

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Harold H. Jones, Jr, Mayor

ATTEST:

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Denise M. Powell, City Clerk