

A RESOLUTION AUTHORIZING A POLITICAL SUBDIVISION TO PARTICIPATE IN AXEON INTERLOCAL INC.

WHEREAS, Section 304.001 of the Local Government Code (the “Act”) 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;

WHEREAS, pursuant to the provisions of the Act, Axeon Interlocal Inc. (“AI” or “Corporation”) has been formed as a Texas non-profit political subdivision corporation; and

WHEREAS, the undersigned Political Subdivision may obtain electricity for its public facilities, at the best value through participation in AI, thereby benefiting its citizens and taxpayers;

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

Section 1. The Political Subdivision, agrees to join AI and may participate in AI from time to time as deemed in the best interest of the Political Subdivision.

Section 2. The Political Subdivision hereby approves the Certificate of Formation and Bylaws of the Corporation, as well as the Interlocal Participation Agreement with AI attached hereto as Exhibit A.

Section 3. The Political Subdivision agrees to cooperate with AI in providing data related to electricity demand for its accounts, and other information that may assist in preparing bid solicitations or requests for proposals and agrees to the use of its name as a Participating Member in explanations and marketing of AI.

Section 4. Approving this resolution does not create an exclusive obligation for the Political Subdivision, nor does it authorize AI to actually purchase energy or related equipment and services (i.e. electricity, demand management, generators, energy storage, or natural gas) on its behalf without the Political Subdivision's prior consent to specific purchases. AI will provide information detailing procurement terms prior to the Political Subdivision’s authorizing the purchase of electricity through contracts negotiated by AI. The Political Subdivision may then purchase electricity through contract(s) negotiated by AI on its behalf by issuing an order, resolution, purchase order, or other binding agreement under terms that are materially the same as the terms AI originally 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 _____, **2024** at a regular meeting of the Political Subdivision's governing body.

Aransas Pass Independent School District

By: _____

Name: _____

Title: _____