

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE FINANCE AUTHORITY OF LONG BEACH AUTHORIZING THE EXECUTION OF CERTAIN CONSENTS AND OTHER NECESSARY DOCUMENTS RELATING TO A POWER PURCHASE AGREEMENT BETWEEN THE CITY OF LONG BEACH AND CALIFORNIA PV ENERGY 3, LLC

WHEREAS, the Finance Authority of Long Beach (the "Authority") is a joint powers entity duly organized and existing under and pursuant to a Joint Exercise of Powers Agreement by and between the City of Long Beach (the "City") and the Housing Authority of the City of Long Beach; and

WHEREAS, in connection with previous bond issuances, the Authority, as lessee, has executed a Site Facilities Lease dated as of January 1, 2016 with the City, as lessor (City Place Lot B) (as amended, the "Lease" and all premises leased thereunder the "Leased Premises"); and

WHEREAS, the City has executed a Solar Energy Power Purchase Agreement dated as of May 23, 2017(as amended, the "PPA") with California PV Energy 3, LLC (as successor-in-interest to PFMG Solar Long Beach, LLC) ("CPVE"), pursuant to which CPVE has agreed to place certain photovoltaic generation facilities (the "Facilities") on City-owned property and City has agreed to purchase electric power generated thereby in accordance with the terms and conditions of the PPA; and

WHEREAS, the City and CPVE have executed that certain Solar Site Easement Agreement dated as of May 13, 2020 ("Easement Agreement") in order for CPVE to fulfill its obligations to place the Facilities on City-owned property; and

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Long Beach, CA 90802-4664

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1                   WHEREAS, certain parcels of the City-owned property encumbered by the  
2 Easement Agreement are also the Leased Premises; and

3                   WHEREAS, the City and CPVE require the consent of the Authority to the  
4 recordation of the Easement Agreement and the placement of the Facilities on the  
5 Leased Premises in accordance with the PPA and the Easement Agreement;

6                   NOW, THEREFORE, the Board of Directors of the Finance Authority of  
7 Long Beach hereby resolves as follows:

8                   Section 1.     Consent. The Board hereby acknowledges the PPA and the  
9 Easement Agreement and consents to the placement of the Facilities on the Leased  
10 Premises and consents to the placement of the Facilities on any other premises leased  
11 by the Authority from the City, and authorizes the execution of whatever written consents  
12 are necessary in connection therewith. The Chair, the Executive Director or the Treasurer  
13 of the Authority (collectively, the "Designated Officers"), each acting alone, are hereby  
14 authorized and directed to execute, for and in the name of the Authority, any such  
15 consents in such form as approved by the City Attorney.

16                   Section 2.     Official Actions. The Chair, the Executive Director, the  
17 Treasurer, the Secretary and all other officers of the Authority are each authorized and  
18 directed in the name and on behalf of the Authority to execute any and all other  
19 documents which they or any of them deem necessary or appropriate in connection with  
20 the consents approved pursuant to this Resolution. Whenever in this resolution any  
21 officer of the Authority is authorized to execute or countersign any document or take any  
22 action, such execution, countersigning or action may be taken on behalf of such officer by  
23 any person designated by such officer to act on his or her behalf in the case such officer  
24 shall be absent or unavailable.

25                   Section 3.     Effective Date. This Resolution shall take effect from and after  
26 its adoption.

27                   I, the undersigned Secretary of the Finance Authority of Long Beach, hereby  
28 certify that the foregoing is a full, true and correct copy of a resolution duly adopted by the

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Board of Directors of the Authority at a meeting thereof on the \_\_\_\_th day of July, 2020, by  
the following vote of the members thereof:

Ayes: Boardmembers: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Noes: Boardmembers: \_\_\_\_\_  
\_\_\_\_\_

Absent: Boardmembers: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Secretary