

CITY OF CLAYTON, OHIO

RESOLUTION NO. R – 04 – 16 – 29

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR ELECTRIC GENERATION SUPPLY WITH A COMPETITIVE RETAIL ELECTRIC SERVICE PROVIDER

WHEREAS, the City of Clayton is one of 11 municipalities currently participating in the Miami Valley Communications Council (“MVCC”) electric generation supply agreement with DPL Energy Resources, Inc. (“DPLR”) for the provision of electric generation and transmission supply services through December 31, 2016 (collectively referred to as the “Participating Municipalities”); and

WHEREAS, in accordance with the Public Utilities Commission of Ohio rules and regulations, the Participating Municipalities have the opportunity to maximize savings on the generation and transmission portion of their electric service costs through the selection of a competitive retail electric service provider; and

WHEREAS, the Participating Municipalities desire to seek competitive pricing for a new electric generation and transmission supply service agreement (“Agreement”) for municipal accounts; and

WHEREAS, the Participating Municipalities desire to authorize MVCC and its Executive Director to act as procuring agents, along with any consultant utilized by MVCC (collectively, the “Procuring Agents”) to seek competitive pricing for electric generation and transmission supply services; and

WHEREAS, the Participating Municipalities desire to authorize their respective City Managers to enter into a new Agreement with the lowest and best competitive supplier after the Procuring Agents have identified and recommended such supplier; and

WHEREAS, the City is authorized as a charter municipality to exercise all powers of local self-government.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That MVCC and its Executive Director, along with any consultant utilized by MVCC, are hereby authorized to act as Procuring Agents to identify a competitive retail electric

service provider for electric generation and transmission supply services. However, nothing in this Resolution shall authorize such Procuring Agents to contractually bind the City to accept or enter into an Agreement with any such service provider, or to otherwise bind the City.


2. The City Manager is hereby authorized to execute an Agreement and any other necessary documents on behalf of the City for electric generation and transmission supply services with a competitive retail electric service provider.
3. It is hereby found and determined that all formal actions of this City Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.
4. That this Resolution shall be in full force and effect at the earliest date allowed by law.

ADOPTED BY COUNCIL ON APRIL 7, 2016.

AUTHENTICATION:




Mayor (Presiding Officer of Council)



Clerk of Council

APPROVED AS TO FORM:



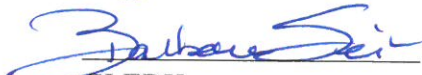
Law Director

CERTIFICATION OF PUBLICATION

This shall certify that that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper Date of publication

Englewood Independent April 10, 2016



CLERK