

**CITY OF ENGLEWOOD**

**IN**

**MONTGOMERY COUNTY, OHIO**

**ORDINANCE NO: 16-02**

**Passed: March 22, 2016**

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

**WHEREAS**, Englewood is one of \_\_\_ municipalities currently participating in the Miami Valley Communications Council ("MVCC") electric generation supply agreement with DPL Energy Resources, Inc. ("DPLER") 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 ORDAINED BY THE COUNCIL OF THE CITY OF ENGLEWOOD, MONTGOMERY COUNTY, OHIO, AS FOLLOWS:**

**SECTION I** 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 Ordinance 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.

**SECTION II** 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.


**SECTION III** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with all legal requirements.

**SECTION IV** This Ordinance/Resolution shall be in full force and effect at the earliest date allowed by law.

**PASSED** this 22nd day of March, 2016.

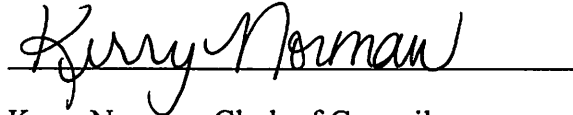
  
\_\_\_\_\_  
Patricia Burnside, Mayor

ATTEST:

  
\_\_\_\_\_  
Kerry Norman, Clerk of Council

## C E R T I F I C A T E

**I, Kerry Norman, Clerk of Council of the City of Englewood, Montgomery County, Ohio,** do hereby certify the foregoing is a true and correct copy from the *Record of Proceedings* of said City. **WITNESS** my signature this 22nd day of March, 2016.

A handwritten signature in cursive script, reading "Kerry Norman", is written over a solid horizontal line.

Kerry Norman, Clerk of Council

## C E R T I F I C A T E O F P O S T I N G

**I, Kerry Norman, Clerk of Council of the City of Englewood, Montgomery County, Ohio,** do hereby certify publication of the foregoing **ORDINANCE** was made as designated by Sections 224.01 and 24.02 of the Englewood Code.

A handwritten signature in cursive script, reading "Kerry Norman", is written over a solid horizontal line.

Kerry Norman, Clerk of Council