

## **RESOLUTION CM-16-22**

### **A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT FOR RETAIL ELECTRICITY AND GAS WITH A COMPETITIVE RETAIL ELECTRIC AND GAS SERVICE PROVIDER**

**WHEREAS** the Village of West Milton, Ohio ("Village" hereinafter) Wishes to procure retail electricity and gas services; and,

**WHEREAS**, in accordance with the Public Utilities Commission of Ohio rules and regulations, the Village has the opportunity to maximize savings on the supply portion of their electric and gas service costs through the selection of a competitive retail electric and gas service provider; and,

**WHEREAS**, the Village desires to seek competitive pricing for a new retail electricity and gas service agreement ("Agreement") for their accounts; and,

**WHEREAS**, the Village desires to authorize AGE and its Principals to act as procuring agents, (the "Procuring Agents") to seek competitive pricing for retail electricity and gas services; and,

**WHEREAS**, time is of the essence in securing the best possible retail electricity rates and the Village will need to be able to sign a new Agreement immediately upon identifying the lowest and best competitive supplier due to market pricing requirements and deadlines; and,

**WHEREAS**, the Village desires to authorize the Village Manager to enter into a new Agreement with the lowest and best competitive supplier immediately after the Procuring Agents have identified and recommended such supplier; and,

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

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Municipality of West Milton, Ohio that:

**SECTION I:** That AGE and its Managing Partner are hereby authorized to act as Procuring Agents to identify a competitive retail electric and gas service provider for retail electricity and gas services. However, nothing in this Resolution shall authorize such Procuring Agents to contractually bind the Village to accept or enter into an Agreement with any such service provider, or to otherwise bind the Village.

**SECTION II:** That the Village Manager is hereby authorized to execute an Agreement and any other necessary documents on behalf of the Village for electric and gas supply services with a competitive retail electric and gas service provider.

**SECTION III:** That because the Village must be able to sign a new contract immediately upon identifying the lowest and best competitive supplier in order to secure such rate, this Resolution shall take effect immediately upon passage.

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**SECTION IV:** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this legislation were adopted in open meeting of this Council; and, that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Revised Code Section 121.22.

**SECTION V:** That this Resolution shall be in full force and effect from and after the earliest period allowed by law.

Passed this \_\_\_\_\_ day of July 2016.

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Fredric M. Francis, Mayor

Attest:

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Linda L. Cantrell, CAP/OM  
Clerk of Council

APPROVED AS TO FORM:

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Leneé M. Brosh  
Director of Law