

ORDINANCE NO. 32-18

AN ORDINANCE AUTHORIZING AND DIRECTING THE SAFETY SERVICE DIRECTOR TO ENTER INTO AN ELECTRICITY SUPPLY AGREEMENT WITH CONSTELLATION NEWENERGY, INC., TO SUPPLY ELECTRICITY TO VARIOUS CITY FACILITIES AND DECLARING AN EMERGENCY

WHEREAS, the City enacted legislation pursuant to ORC 9.48 to participate in the Energy Purchasing programs sponsored by the Ohio Municipal League (OML), and

WHEREAS, pursuant to the prior legislation Palmer Energy Company, the authorized energy consultant for the OML Service Corporation's Energy Programs, issued a public request for proposal (RFP) to provide electricity service to various City of Port Clinton facilities, and

WHEREAS, the City received seven responses to the RFP and after a review and comparison of the responses the City finds and determines it should enter into an electricity supply agreement with the service provider recommended by Palmer Energy Company.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Port Clinton, County of Ottawa and State of Ohio:

Section 1. The Director of Safety and Service is hereby authorized and directed to execute and deliver an electricity supply agreement for the designated Port Clinton facilities with Constellation NewEnergy Inc., an electricity supply company, as recommended by Palmer Energy Company, the authorized energy consultant for OML Service Corporation, at the rates not substantially different from the rates set forth in the Electricity Supply Agreement attached hereto as Exhibit A, but subject to final approval of the form of the Agreement by the Law Director.

Section 2. That the funds for the purposes of the aforesaid Agreement and expenditures have been appropriated for the first year of the Agreement, and thereafter are to be appropriated from the Funds servicing the various City facilities being served.

Section 3. The Safety Service Director, the City Auditor, the Director of Law, the Clerk of Council, and other city officials, as appropriate, each are authorized and directed to sign such other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this ordinance.

Section 4. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or committees, and that all deliberations of this Council, and any of its committees, that resulted in those actions were in meetings open to the public, in compliance with the law.

Section 5. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective and for the further reason so that the City may immediately begin to receive the cost reduction for electrical services to be provided pursuant to the electricity supply agreement; **wherefore**, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: _____, 2018

President of Council

Attest: _ Clerk of Council

Approved _____, 2018

Mayor