

ORDINANCE NO. 10-2017

**TITLE: CONSULTING AGREEMENT
INDEPENDENT ENERGY CONSULTANTS**

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A CONSULTING AGREEMENT WITH INDEPENDENT ENERGY CONSULTANTS, INC. TO SUPPORT THE GOVERNMENTAL ELECTRIC AGGREGATION PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO SUPPORT THE CONTINUATION OF THE CITY'S GOVERNMENTAL ELECTRIC AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4928.20, OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Legislature has enacted electric deregulation legislation ("Am. Sub S.B. No. 3") which authorizes the legislative authorities of cities to aggregate the retail electrical loads located within their jurisdiction and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

WHEREAS, governmental aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of electricity deregulation through lower electric rates which they would not otherwise be able to have individually; and

WHEREAS, The City of Barberton is certified by the Public Utilities Commission of Ohio as a Governmental Aggregator of electricity; and

WHEREAS, Independent Energy Consultants, Inc. is an energy-consulting firm certified by the Public Utilities Commission of Ohio as a Broker and Aggregator of Electricity and has proven experience in the purchase of electricity, and the construction and administration of government aggregation programs; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. The Mayor is hereby authorized to enter into an agreement with Independent Energy Consultants, Inc. for consulting services and any other required services related to the opt-out Electric aggregation program for the City of Barberton.

SECTION 2. The Mayor of The City of Barberton is hereby authorized to perform all actions necessary to support the continuation of the city's governmental aggregation program, including but not limited to, entering into a Master Services Supplier Agreement brokered by Independent Energy Consultants, to facilitate the sale and purchase of electricity to consumers in the City's Opt-Out Program.

SECTION 3. That 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 of its committees that resulted in such formal action were meetings open to the public in compliance with all legal requirement, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, in order to facilitate required timeliness, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2017

_____	_____
Clerk of Council	President of Council

Approved _____ 2017

Mayor