

PASSED: October 12, 2010

BY: Katz

RESOLUTION NO. 2010-11

RESOLUTION APPOINTING EAGLE ENERGY, LLC AS AGENT AND
CONSULTANT TO ASSIST IN THE EFFORT OF SECURING AN
ALTERNATIVE ELECTRIC ENERGY SUPPLY PURSUANT TO SECTION
4928.20 O.R.C.

WHEREAS, Eagle Energy, LLC is certified with the Public Utilities Commission of Ohio as a broker and aggregator; and,

WHEREAS, Eagle Energy, LLC has the necessary expertise to investigate, evaluate and, if warranted, accomplish the required tasks to implement an alternative electric supply for the benefit of Amberley Village residents; and

WHEREAS, the Village Council desires to authorize Eagle Energy, LLC to act as its agent and consultant for the purpose of determining the nature and extent of the potential savings to Amberley Village residents by utilizing an electric generation source other than Duke through a governmental aggregation program in accordance with section 4928.20 O. R. C., and, a potential endorsement plan that may be authorized by the Village Council; and

WHEREAS, Eagle Energy, LLC shall take steps necessary to implement the a governmental aggregation program in accordance with section 4928.20 O. R. C., including but not limited to the preparation of customer education materials, the preparation of a Request For Proposal (RFP) and the administrative requirements of the Public Utilities Commission of Ohio; and

WHEREAS, Eagle Energy, LLC shall be responsible for all costs and expenses incurred pursuant to this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE Council of Amberley Village, State of Ohio, five (5) members elected thereto concurring:

SECTION 1-A:

That the Council hereby authorizes and appoints Eagle Energy, LLC to act as its agent and consultant for the purpose of determining the nature and extent of the potential savings to Amberley Village residents by utilizing an electric supplier other than Duke through a governmental aggregation program in accordance with section 4928.20 O. R. C.

SECTION 1-B:

That Eagle Energy, LLC shall take steps necessary to investigate electric energy suppliers in accordance with section 4928.20 O. R. C. including but not limited to the preparation of a RFP subject to the approval of the Village Solicitor on terms not adverse to the Village.

SECTION 1-C:

That Eagle Energy, LLC shall serve as agent and consultant to Amberley Village without compensation and shall be responsible for all costs and expenses incurred pursuant to this Resolution.

SECTION 1-D:

That Eagle Energy, LLC shall periodically report to the Village Council its findings concerning alternative supplies of electricity and the necessary tasks to implement a governmental aggregation program in sequential order.

SECTION 1-E:

That the Village Manager be, and hereby is, authorized and directed to enter into a contract on behalf of the Village with Eagle Energy, LLC substantially in the form as set forth in the proposed Consulting Service Agreement attached hereto as Exhibit A, pursuant to approval by the Village Solicitor as to form.

SECTION 2:

That this Resolution shall go into effect and become law from and after the earliest period allowed by law.

SECTION 3:

It is hereby determined that all formal actions of the Village Council relating to the adoption of this Resolution were taken in an open meeting of the Village Council and that all deliberations of such Council were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 O. R. C.

Passed this 12th day of October, 2010.

Mayor Merrie Stillpass

ATTEST:

Nicole Browder, Clerk of Council

I, Clerk of Council of the Village of Amberley Village, Ohio, certify that on the ___ day of October, 2010, the foregoing Resolution was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Resolution at all the places of public notice as designated by Sec. 31.40 (B), Code of Ordinances.

Nicole Browder, Clerk of Council