

A RESOLUTION

BY: MR. STEPHENS

NO: 1804

AUTHORIZING THE CITY MANAGER TO NEGOTIATE JOINTLY WITH OTHER CITIES IN THE REGION, THROUGH THE MIAMI VALLEY COMMUNICATIONS COUNCIL ("MVCC") AS PROCURING AGENT, ON ONE PRICE SCHEDULE UNDER WHICH ELECTRIC LIGHT SERVICES SHALL BE FURNISHED TO THE RESIDENTS OF THE CITY FOR THE PURPOSE OF STREET LIGHTING.

WHEREAS, the City is currently under contract with Miami Valley Lighting, LLC and DPL Energy Resources, Inc., for the provision of electric street lighting services; and

WHEREAS, the current contracts expire on or about December 31, 2015; and

WHEREAS, Section 743.28(B) of the Ohio Revised Code allows two or more municipalities to negotiate jointly on a single pricing schedule under which an electric lighting company will furnish services to the residents of the municipalities; and

WHEREAS, Council has determined that a single pricing schedule, negotiated jointly with other communities in the region, will benefit the public health, safety and welfare of the city of Oakwood by maximizing cost savings for the provision of electric street lighting; and

WHEREAS, time is of the essence in securing the best possible electric street lighting rates, and the city 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, Council wishes to authorize MVCC, through its Executive Director, to act as procuring agent on the city's behalf, along with any consultant utilized by MVCC (collectively, the "Procuring Agents") to seek competitive pricing for electric street lighting services; and

WHEREAS, Council desires to authorize the City 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 City is authorized as a charter municipality to exercise all powers of local self-government, and Council has determined that the best interests of the city will be served by the arrangement described herein;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OAKWOOD, 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 electric street lighting service provider for the city, provided however, that nothing in this Resolution shall authorize such Procuring Agents to contractually bind the city to accept or enter into an Agreement with any such service provider.

SECTION II.

The City Manager is hereby authorized to execute an Agreement and any other necessary documents on behalf of the city for electric street lighting services with the competitive electric street lighting service provider identified by the Procuring Agents.

SECTION III.

Council hereby declares that the best interests of the city will be served by the arrangement set forth herein.

SECTION IV.

It is hereby found and determined that all formal actions of this City Council concerning and relating to the passage of this Resolution were taken in an open meeting of this Council, and that all deliberations of this Council and any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

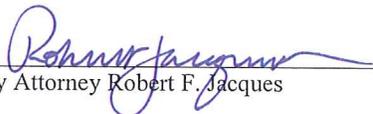
ADOPTED BY THE COUNCIL OF THE CITY OF OAKWOOD, this 20<sup>th</sup> day of July 2015.

  
Forz Mayor William D. Duncan      Vice Mayor

ATTEST:

  
Clerk of Council

To the Clerk:  
No publication is required.

  
City Attorney Robert F. Jacques