

Roll Call: 7 Ayes

0 Nays

Motion Carried

2. ANY CONCERNS THAT ARE NOT ON THE AGENDA MAY BE BROUGHT TO THE ATTENTION OF COUNCIL AT THIS TIME

Judy Wright, Director of Zion Community Development Corporation thanked the City for the Capital improvements that would be considered in the budget with regards to Sumner Street and MLK Park. In addition she invited everyone to the Zion CDC Community Forum that would be held at the Oberlin Public Library on December 13th at 6 p.m. Wright went on to remind Council of a previous request made by Zion CDC to have the City share in the water expense associated with Legion Fields Community Garden project. Wright commented that the remaining bill had been reduced to \$1750, and was now due. She asked that Council consider a request to assist with at least half of the bill in the amount of \$875 along with its 2011 budget.

Soucy advised that there had been a great deal of confusion about the water equipment costs associated with Legion Field and she would like to see the City split the cost.

Motion to provide Zion CDC with \$875 from 2010 funds for the purpose of assisting them with paying for the water tap installation was moved by Burgess and seconded by Soucy.

Pilacky further suggested that Zion CDC be reimbursed for a portion of the amount that it invested in the Community Garden if the City decided not to have the community garden at Legion Fields. Burgess responded that Pilacky's issue could be addressed in March when the contract was up for renewal.

Roll Call: 7 Ayes

0 Nays

Motion Carried

3. OLD BUSINESS apprise

(A). Ordinance No. 10 – 80 AC CMS – An Ordinance Amending the City of Oberlin Position Classification Plan to Account for the Position of Assistant Water Superintendent and Declaring an Emergency. (2nd)(E)

The Clerk read by number and title only.

Motion for passage on second reading moved by Broadwell seconded by Soucy.

Darlene Colaso, ACM/HRA Coordinator apprised Council of the updates that appeared on the proposed job description following concerns raised at the previous Council meeting.

She explained that under general duty, the previous job description stated that the Assistant Water Superintendent would “plan, organize, direct and control” operation and maintenance activities related to raw water supply, water treatment, distribution, metering and backflow prevention. The revised wording had been changed to say that the proposed position would “coordinate” operation and maintenance activities.

Sloane asked if this resolved the outstanding issues with the IBEW representative. Colaso advised that any outstanding issues of concern for the union were resolved in a previous meeting. The results of those discussions had been outlined in a memo submitted to Council.

Burgess asked if the transition from one water superintendent to another had ever been chaotic. Jeff Baumann, Public Works Director advised that the transition had never been chaotic. During the one transition that he had been through, they had actually created a transitional water superintendent position and had temporarily promoted the Lead Operator into that position. They knew well in advance that the position would come available and they had more than enough time to plan for it.

Meadows asked for clarification of correspondence which had implied a conflict of interest for a union employee to supervise another union employee.

Baumann advised that when the IBEW union was originally formed 12 - 15 years ago, there were some mid-level management positions that were included in the union. Because those people could be charged with assigning standby or overtime and because they are in the same union, there is the potential for conflict in managing, in the interest of running the operation as efficiently and cost effectively as possible.

Meadows explained that in some places this was a normal practice for a union employee of a higher labor grade to supervise another union employee. Baumann agreed, but in this case he was aware of supervisors in various divisions across the board, which had been overly generous in the amount of overtime that they had been given in lieu of following the established guidelines.

Peterson asked if Baumann would address how this position would impact the budget. Baumann advised that from a financial standpoint, the funds that were available within the enterprise fund - to fill the Assistant Water Superintendent position - would be the same pool of funds that they would use to fill the Distribution Operator position. In this case, however, they were not asking that the Distribution Operator position be taken out of the payroll classification plan, budget permitting, this would allow them to fill this position at some point. It was not their intent however, as implied at the previous meeting by union rep Charles Carfagna to replace this position with a non-union position. Furthermore, it appears that what they pay on average to a Distribution Operator, base plus overtime and stand-by time, is within the ball park of what they would pay an Assistant Water Superintendent at the mid-level pay range. A Distribution Operator is making about \$51,000 and at the mid-level range an Assistant Water Superintendent is making around \$62,000. There still remained however, a significant hourly pay rate differential between both positions that potentially could be made up by bringing someone in below mid-level pay for the Assistant Superintendent position. Baumann advised that the fiscal impact would be slim to none and in the longer range, if they were to later fill the Distribution Operator position as well, within two years they should be done with the conversion of their water meter to radio read, and this will effectively free up between 30K and 35K, that they currently pay out in wages and benefits specifically related to their meter reading program. Baumann felt that in about 18 months they would be in a much better position to analyze the cost and the benefit of filling that Distribution Operator position and assuming that the assistant supervising position is approved it will give them time to implement this revised organizational structure to see what the real need to fill the Distribution Operator position is at that time.

Pilacky recalled the Budget Work Session discussions where Burgess commented that the salary for the proposed position was too high. She asked if there were a way to reduce the rate of pay. Baumann advised that the number that appeared in the memorandum came from taking the mid range of the upper and lower end of a pay grade 5. Given that there is currently about a \$3.50 an hour difference between the mid-range of an assistant superintendent and the rate that the lead operators make, every dollar is equivalent to about \$2,000 in savings less. So if the Assistant Water Superintendent came in at \$.50 higher than what the lead operator at the plant makes then that would save approximately \$6000.

Sloane asked if there were a request to see this ordinance passed on emergency. Baumann advised that if it were passed on emergency that would give him an opportunity to begin making preparations to start filling the position.

Both Peterson and Burgess requested that the ordinance go another reading.

Roll Call: 7 Ayes

0 Nays

Motion Carried

4. New Business

Sloane said it appeared that critical to the financial feasibility of running the plant is the expense in running and maintaining it as well as the impact that EPA restrictions will have on both diesel and dual fuel generation units. Dupee concurred he explained that both types of generation units were affected by new emission requirements from the Federal EPA.

Sloane said it was nice to have the ability to generate electricity for our county in case of an emergency. Dupee noted that even though the City has a variety of assets that come along with capacity, and that they were looking into entering into arrangements with Waste Management (that will also have capacity bundled with it), Oberlin will still have capacity needs. So those capacity needs can be met with the power plant but to the extent that they have an over abundance: it is good for us to have this relationship with the pool to be able to sell that overabundance to offset the cost of the plant.

Following the discussion a motion to suspend the rules requiring three readings and elevate the ordinance to an emergency was moved by Soucy, seconded by Meadows.

Roll Call: 7 Ayes 0 Nays Motion Carried
(1st, Suspension of Rules/ Emergency)

Roll Call: 7 Ayes 0 Nays Motion Carried
(1st, Final)

(B). Ordinance No. 10 – 83 AC CMS – An Ordinance Accepting the Bid of Concord Road Equipment Manufacturing Inc. of Painesville, Ohio, for A Swaploader SL2418-HD Hooklift Hoist and Heavy Duty Dump Body for the City of Oberlin Public Works Department and Declaring an Emergency. (1st)(E)

Motion to have the ordinance read by number, title and substantive portions only was moved by Burgess and seconded by Soucy.

Roll Call: 7 Ayes 0 Nays Motion Carried

The Clerk read as directed.

Motion for passage on first reading moved by Burgess, seconded by Peterson.

Staff input was provided by City Manager Norenberg. He commented that earlier this year Council authorized the purchase of a 2010 International 7400 2½ ton truck chassis. The proposed ordinance is for hook lift equipment that will go on the back of that chassis. A detailed report has been previously submitted to Council.

Peterson asked if additional vehicle/equipment purchases would be requested or if this purchase would stabilize the fleet for a while. Baumann advised that in 2011 public works wasn't proposing to purchase any trucks at all.

Burgess asked if there were a plow on the front of this truck. Baumann advised that there will be one but at this time there was not. Burgess asked if a request would come to Council to purchase a plow for next year. Baumann responded in the negative.

Following the discussion a motion to suspend the rules requiring three readings and elevate the ordinance to an emergency was moved by Burgess, seconded by Peterson.

Roll Call: 7 Ayes 0 Nays Motion Carried
(1st, Suspension of Rules/ Emergency)

Roll Call: 7 Ayes 0 Nays Motion Carried
(1st, Final)

(C). Ordinance No. 10 – 84 AC CMS – An Ordinance Amending Ordinance 98-93 AC CMS Which Established a “Wastewater Treatment Tax Fund for the City of Oberlin”, and Declaring an Emergency. (1st)

Motion to have the ordinance read by number, title and substantive portions only was moved by Meadows, seconded by Broadwell.

Roll Call: 7 Ayes 0 Nays Motion Carried

The Clerk read as directed.

Motion for passage on first reading moved by Peterson, seconded by Broadwell.

Staff input was provided by the City Manager. He remarked that the proposed ordinance would allow staff to use funds that were in excess of what is necessary to pay off the debt service on the improvements at the Wastewater Treatment Plant for other capital improvements at the plant.

Meadows asked if they were still contributing to the Wastewater Treatment Tax Fund. Talarico advised that the levy was no longer in place it expired and was continued for capital improvements. So the rate is still the same at 1.9% but that 10-year levy for Wastewater plant improvements has ended and is now used for a different purpose. In total the income tax payments exceeded the debt service by approximately \$625,000. As a result, the surplus is available for uses compatible with the ballot language approved by the electorate. Talarico advised that the income tax levy was approved back in 1998 and then the fund was created later that year. But the purpose for the fund didn't match the ballot language so now they were expanding it to match the ballot language.

Burgess asked how much money would be left in the fund once they completed the Influent Flow Channel Capital Improvement Project was completed. Baumann advised that there would be approximately \$400,000 left in the fund. Burgess asked would it need to come to the Council every time they wanted to change the usage of the funds. Baumann advised that it would not.

Law Director Severs added that the original ordinance establishing the funds restricted the use of the fund to debt repayment. The ballot language was broader and allowed the funds to be used for capital improvements. So now that the debts are pretty much paid in order to use the monies for capital improvements, the ordinance has to be amended to allow it.

Following the discussion a motion to suspend the rules requiring three readings and elevate the ordinance to an emergency was moved by Broadwell, seconded by Peterson.

Roll Call: 7 Ayes 0 Nays Motion Carried
(1st, Suspension of Rules/ Emergency)

Roll Call: 7 Ayes 0 Nays Motion Carried
(1st, Final)

(D). Ordinance No. 10 – 85 AC CMS – An Ordinance Approving Amendments to the City of Oberlin Employee Policy Manual and Declaring an Emergency. (1st)(E)

Motion to have the ordinance read by number, title and substantive portions only was moved by Burgess, seconded by Soucy.

Roll Call: 7 Ayes

0 Nays

Motion Carried

The Clerk read as directed.

Motion for passage on first reading moved by Peterson, seconded by Meadows.

ACM /HRA Darlene Colaso, provided Council with an overview of the history of the City's employee policy manual as outlined in an accompanying memo to the ordinance. She noted that the nature of the changes to the Employee Policy Manual fall into several categories including:

- Compliance with federal, state and local standards/regulations /mandates for polices-including:
 - Family Medical Leave Act
 - Smoke –Free Environment
 - Drug Free Workplace Program
 - Military Leave
 - Public Records Policy
 - Ohio Ethics Law
 - ORC(Ohio Revised code) Sick Leave Provisions
- Modernizing existing provisions – revising outdated, obsolete sections or creating new policies to address specific concerns (such as technological advances, lack of formalized process).
- Housekeeping and organization – including identification of polices that were not part of the manual but support the policies set forth in the manual and creating a much more user – friendly index to name a few.

Colaso further remarked that in addition to the review of the manual itself, staff conducted a thorough review of the current management polices as they relate to current city programs, processes and procedures (i.e., formalizing existing practices for more transparency and clarification in processes). All Department Directors participated in multiple review sessions regarding the updates to this document, prior to the final review that included the City Manager, Law Director, Finance Director and City Clerk. The proposed manual was distributed to Superintendents and a meeting was held to answer any questions.

Broadwell asked how the references to “separate policies” worked. Colaso explained that references to separate policies meant that a separate City policy was in place that spoke to something that was in the manual (i.e., FMLA policies). The policy itself was often too large to place in its entirety in the manual or in some instances the policies were constantly changing. By noting that the policy existed in a different format this allowed for revisions to take place without having to come to Council to amend the employee manual each time a policy was updated.

Soucy asked fellow Council Members to observe pages 1 and 24 as they related to the employee grievance policy. Page 1 is the employee grievance policy in the current manual and page 24 is the proposed change. Soucy remarked that she had looked at this pretty closely and had much rather preferred page 1. She then asked if it ever came up to consider employee support for another employee that required extended sick leave.

Colaso advised that the term is bankable sick leave, where people can donate sick time if they have a lot of time left and it did come up but she would need to review her notes to see what the results of those discussions were.

Sloane asked what the projected impact on the reserve funds would be. Talarico advised that they were anticipating at the end of 2011, that after taking into account unspent appropriations they would end up using about \$770,000 of the reserve, which is currently a little over \$8 million dollars.

Burgess further commented that he had witnessed - at the National League of Cities Conference in Colorado - how other City's were handling their budget deficits. Her remarked that while other City's were scrapping just to make services available to their residents on a daily basis, we have an overabundance of funds available to us. This nation was in a budget crisis and one important lesson that he took from the conference was that the most optimistic projection that he heard at the conference was that the economic outlook for City's wouldn't turn around for at least three years. The pessimistic projection was that this was the new normal and we will have to deal with it. He commented that he would like to nurse the reserves in place as long as they could and while tapping into them by 10% seemed reasonable, they also had reason to believe that City revenues may not be as high as they would like them to be and as a result they may be tapping into the reserves more than 10% percent. For that reason he preferred that they not pass this budget but that they follow recommendations from the City Manager in terms of the list of priorities so that they can pare down the budget and attempt to draw less than the suggested amount from the reserves.

Pilacky asked if it would be appropriate to amend the budget to reduce the proposed reserves amount. Talarico advised that he and the City Manager have been reviewing that information and were looking to discuss it in January with Council.

Sloane advised that though Mr. Burgess brings up a good point, it was his opinion that they will have ample time to look at what is really necessary or unnecessary before the final budget numbers were announced in March.

Broadwell supported using the proposed budget at this time and felt that they should look at cutting the budget even more in January.

Talarico advised that some of the recommendations would take six months to a year to implement especially when dealing with issues of personnel.

Soucy recognized Burgess's concerns, but felt that they should pass this on first reading, and then follow the Finance Director's advice and schedule more work sessions to further discuss the budget.

Meadows commented on the City Manager's staff report that suggested the possibility of processing Wastewater for another municipality to bring in additional funds. The City Manager explained that though this project would bring in additional funds those funds would go towards an Enterprise Fund which would have consumer benefits. But the portion of the budget that they struggled with at this time was the General Fund, so those revenues wouldn't help with this issue. But certainly they needed to be looking at creative ways to enhance the revenues of our City and they needed to gain consensus around where the cuts should be. While he understood Councilor Burgess's desires to have a balanced budget and to have a General fund that is spending responsibly. He felt that what they didn't have at this point was consent from the Council as to what the spending priorities should be, so that they know where to make cuts. This was why he mentioned earlier that he hoped that he and Sal could come up with some different scenarios for Council to review to help them to make those decisions. Furthermore he felt that feedback received at the National League of City's conferences would be helpful to share.

Ashenurst, 260 Sumner Street suggested that they try a temporary appropriations ordinance as other City's do instead of passing the proposed ordinance given Councilor Burgess's concerns. They could do this and still have those conversations about budget priorities. At least if they indicated at Council's second reading that they

would be willing to look at a temporary appropriations ordinance as well as a budget approval ordinance then they wouldn't be in an awkward position that they have sometimes been in where people are trying to raise questions or ask things at that meeting that can't be changed at that time.

Sloane asked if they were to do that it would require more work sessions and a great deal of extra work. Talarico explained the process for filing a temporary appropriations ordinance. He advised that to go through the process of meeting with staff and holding work sessions again when he feels that they are down to a number where they want to reduce the budget next year in the first quarter wasn't necessary at this time but the choice was Council's and if they wanted to go that route then he would support their decision.

Peterson commented that he would like Council to set a specific date where they could come back and revisit these concerns, preferably on a night other than a regularly scheduled meeting night so that they can have ample time to review and discuss the material. Norenberg asked that members of Council to email dates to him so that they can figure out what date works best. At this time Soucy called the question and asked the vote go forth on first reading.

Roll Call: 5 Ayes
(First Reading)

2 Nays
(Burgess, Peterson)

Motion Carried

(F). Ordinance No. 10 – 87 AC CMS – An Ordinance Approving a Revised Loan Agreement Relating to the Loan to GreenField Solar from the Oberlin Business Assistance Revolving Loan Program. (1st)

Motion to have the ordinance read by number, title and substantive portions only was moved by Meadows, seconded by Broadwell.

Roll Call: 7 Ayes

0 Nays

Motion Carried

The Clerk read as directed.

Motion for passage on first reading moved by Burgess and seconded by Meadows.

Norenberg noted that the purpose of this ordinance was to discuss and consider a request to modify the terms of a Revolving Loan Fund account with GreenField Solar. He remarked that in the fall of 2009, GreenField Solar applied for and received a \$75,000 loan from the City of Oberlin's Revolving Loan Fund (RLF) program. The loan was approved to allow GreenField Solar to purchase and install equipment that enabled the company to start operation in Oberlin's Industrial Park, with Neil Sater, CEO and President of GreenField Solar being named as the personal guarantor of the loan. Since then some things had changed and it was now requested by GreenField Solar that they release Neil from his personal guarantee on the loan. The OCIC Review Committee met on multiple occasions to consider options and alternatives to satisfy both the OCIC Board and GreenField Solar in order to develop an alternative to secure the loan. On Wednesday, November 3, 2010, the OCIC board voted to develop and authorize two loan modification options for GreenField Solar to consider and they considered option two which is reflected in the ordinance. Frank Carlson, Counsel for OCIC has had the documents reviewed by the City Law Director, Greenfield Solar and First Merit. Following that review an amendment to Exhibit B was made on page 3 of 8 to delete the reference to Insecurity.

Neil Sater, CEO and President of GreenField Solar said that the original loan agreement was worked on by a member of executive management and fairly late in the process he reviewed the contract and saw the personal guarantee in the contract. He felt that it was inappropriate based on their corporate structure but didn't want to delay things by having that modified at the time. The corporate structure of the company is a C-Corp, which is a separation of liability between the shareholders and the company. He is 1 of 31 shareholders in the company and is also an employee of the company and can be terminated at anytime by the board of directors. He advised that

he wasn't even one of the largest shareholders of the company. Further review of the facts surrounding the structure of the company revealed that it was inappropriate for him to guarantee the loan. Later the board of trustees gave him authority to be removed as the guarantor by paying off the loan if he were unable to get it modified. His preference was not to pay the loan off in its entirety because that would dip into their working capital. As a result the loan modification avenue was taken, which why they were before Council at this time.

Severs advised that in place of Mr. Sater's personal pledge, would be \$50k Certificate of Deposit pledge. This had been accepted by OCIC and was now before Council for its approval.

A motion to suspend the rules requiring three readings and elevate the ordinance to an emergency in order to approve an amendment to a loan agreement as soon as possible in order to ensure positive commercial activity in a community was moved by Soucy and seconded by Pilacky.

Roll Call: 7 Ayes 0 Nays Motion Carried
(1st, Suspension of Rules/ Emergency)

Roll Call: 7 Ayes 0 Nays Motion Carried
(1st, Final)

5. Other New Business:

Pillars

A motion to encumber funds from the 2010 budget to repair or replace the brick and stone pillars located on the SE and NE corners of Smith and South Pleasant Streets was moved by Meadows and seconded by Soucy.

Burgess said that in addition to the motion put forth by Meadows he would like to see the utility pole moved from in front of the North Pillar if possible. Norenberg said he would pass the request on to the proper department to see if it were possible to have the pole moved.

Soucy felt that past Councils had made a commitment to pay attention to the Southeast quadrant and this was a piece of that along with some of the work that had been done with New Sunrise Properties and with some of the paving that had been done on Vine and South Pleasant Streets. She hoped that it could be done at a reasonable cost.

Peterson commented that he would not support this motion, though it was nice to have this improvement done, however, following the budget discussion that they had he wasn't sure how comfortable he was with encumbering additional expenditures at his time. In addition he wasn't sure that he agreed with relating this project to paving streets.

Ashenhurst asked what the outlined procedures were for encumbering general funds. Though the pillars were in the public right-of-way they were actually on property that belong to someone other than the City and he didn't feel that this project fell under the City's responsibility. Meadows said those pillars had been there for over 50 years and she wasn't sure who controlled them, but they were in the public right-of-way. Even though this has come up before previous Council's the pillars still stand and continue to deteriorate. She felt that it was time for the pillars to be addressed.

Peterson further commented that he could see himself supporting this motion if the neighborhood had at least attempted to raise the funds to repair the pillars, and the City agreed to match their efforts.

- Burgess said he would be attending the Environmental Policy Subcommittee at Amp headquarters with Doug McMillan.

Board's and Commission's Vacancies

- Pilacky announced that there were still vacancies on various boards and commissions. There will be advertisements in the newspaper and posted on the website.

(A). Referrals

(B). Advocacy

(C). Correspondence

(D). Reports

7. City Manager's Report:

Quick Reminders

- Look for reminder notice to shovel sidewalks which was placed in utility bills.
- LED lights on Main Street and more have been added on West College Street.

8. Finance Director's Report:

Updates

- Message on the back of utility bill flyer regarding storm water management.
- Advised Council that if they did not have 5/7ths of the members approving ordinance 10-86 AC CMS on emergency at the next meeting then Council would need to meet again to approve a budget before December 31st. If this is not done then the City will not have a budget for 2011 and will be unable to run.
- Community Organization Funding Schedule Update.
 - Meadows and Peterson volunteered to serve on the subcommittee again.

9. Public Participation: None

10. Adjournment: Being that there was no further business to come before Council the meeting adjourned at 10:34 p.m.

Attest:

BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL

KENNETH SLOANE
PRESIDENT OF COUNCIL

Approved: 12/20/2010

Posted: 12/21/2010

2011 Short-term Peaking Capacity Sale - OMLPS Power Plant

City Council Meeting

December 6, 2010

History of Power Plant Capacity Sale

- 1993 Peaking Capacity Agreement
 - Dedicated 12,000 kilowatts of plant capacity for two purposes
 - First purpose – Back-up to Belleville Hydro Plant on first call basis
 - Second purpose – Provide peaking power supply to Northeast Area Service Group Pool on second call basis
 - Term of Agreement (1996 to 2009)
 - All fuel costs paid for by AMP
 - Compensation
 - Prepaid 3.0 million + on Belleville first call to defease bonds on City's 69 KV distribution loop
 - 28.2 cents per kw month for overhaul maintenance (3% annual increase)
 - \$2.85 per mwh for energy delivered (3% annual increase)
 - Annual Estimated Value \$225,000

History of Power Plant Capacity Sale

- 1993 Peaking Capacity Agreement
 - Compensation – continued
 - \$2.00 per kw month for second call to NEASG pool
 - 28.2 cents per kw month for overhaul maintenance (3% inflation)
 - \$2.85 per mwh for energy delivered (3% inflation).
 - Annual estimated value = \$335,000
 - Revenues
 - Funded generator replacement reserve account
 - Offset operations/maintenance costs of power plant

History of Power Plant Capacity Sale

- 2001 Peaking Capacity Agreement
 - New agreement was necessary to add 5,000 kilowatts of new capacity installed at the power plant (\$3.75 million dollar capital project).
 - Major terms of 1993 agreement remained intact with following additions:
 - Agreement extended to December, 2010 (Original NEASG Pool Agreement Term).
 - Dedicated 5,000 kilowatts (total of 17,000 kw) of plant capacity.
 - Compensation for 5,000 kilowatts was \$5.00 per kw month plus a \$2.25 per mwh energy charge (3% annual adder).
 - Additional revenues were used to pay debt service on engine-generator project at plant between 2001 to 2008.
 - Estimated annual revenues of \$663,000 (2009).

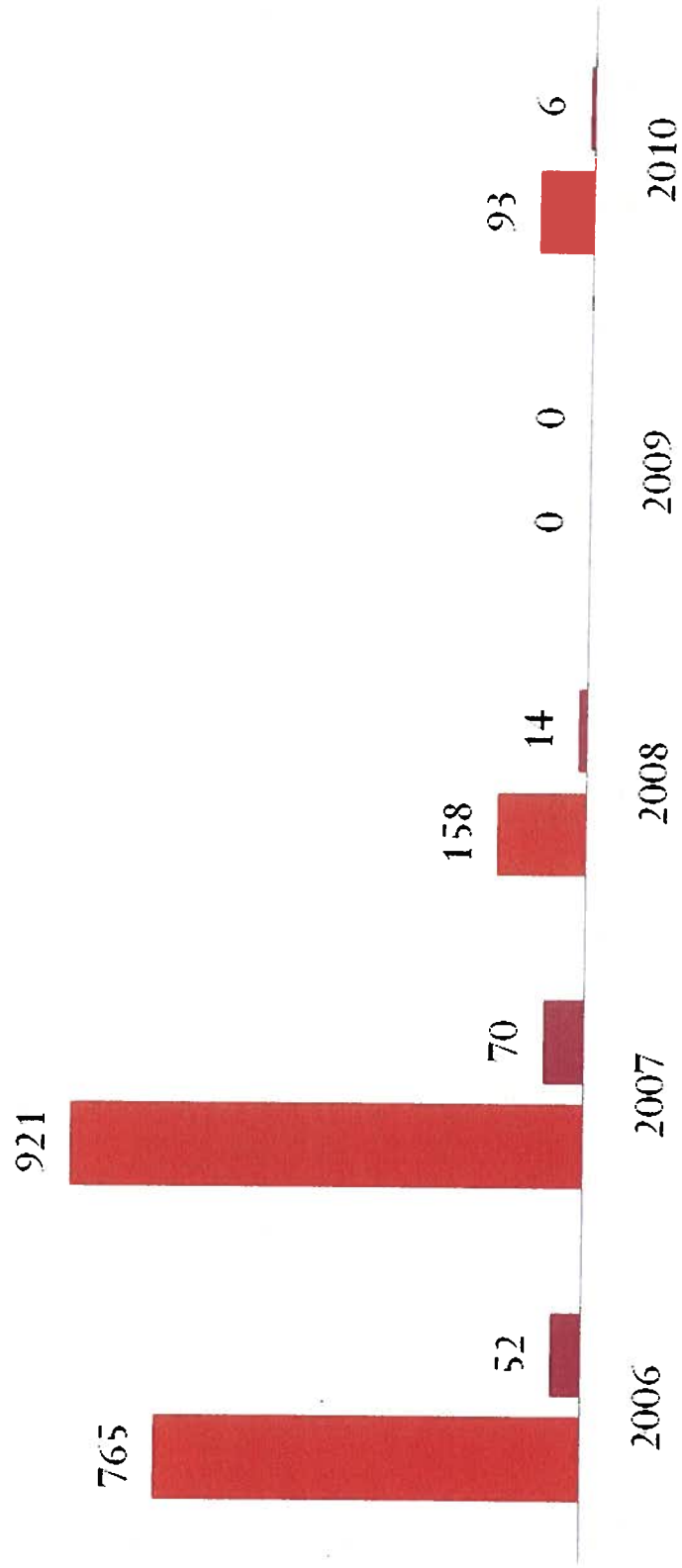
New Short-Term Peaking Capacity Agreement

- New short-term (5 month) agreement for 17,000 kilowatts
 - Short-term necessary due to transfer of NEASG pool's transmission provider (First Energy) from MISO RTO to PJM RTO requiring a new NEASG pool agreement in June, 2011.
 - Purpose of agreement is to provide peaking capacity and energy to NEASG pool members under MISO Schedule E.
 - Greater capacity value then energy hedge to pool
 - Older units with higher heat rates.
 - Significant peaking resources added in region since original agreement was executed.
 - Establishment of energy markets with formation of RTO's that members have access to on an hour by hour basis.

Plant Operating Statistics

Plant Hours and Generation Output

■ Megawatt-hours Generated ■ Operating Hours



New Short-Term Peaking Capacity Agreement

- Term – January, 2011 to May, 2011
- Compensation
 - \$2.25 per kw month (\$38,250)
 - \$20.00 per mwh variable operations and maintenance reimbursement
 - All fuel costs paid by AMP.
 - Estimated revenue \$191,250 (\$459,000 for 12 months)

• RECOMMENDATION

- Execute 5 month agreement
- Recovers monthly operations/maintenance expenses
- Seek longer term arrangement following execution of new pool agreement