

ORDINANCE NO. 09-07 AC CMS

AN ORDINANCE AUTHORIZING AN EXTENSION OF THE AGREEMENT WITH QUEBECOR WORLD FOR INTERRUPTIBLE ELECTRIC SERVICE AND DECLARING AN EMERGENCY

WHEREAS, on April 5, 1999, Oberlin City Council passed Ordinance No. 99-26 authorizing execution of an Interruptible Electric Service Agreement between Oberlin Municipal Light and Power System (OMLPS) and Quebecor World; and,

WHEREAS, the Interruptible Electric Service Agreement provided Quebecor World two (2) discounts on retail electric service for a term of 9 years and 9 months terminating on December 31, 2008; and,

WHEREAS; the Midwest Independent System Operator is expected to release non-performance penalty rules for interruptible electric service arrangements in 2009; and,

WHEREAS, OMLPS and Quebecor World need additional time to consider any adverse impacts associated with the non-performance penalties before executing a long-term Interruptible Electric Service Agreement and therefore seek to extend the current agreement for a minimum period of six months, or until a successor agreement is approved and in force.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the agreement between Quebecor World and the Oberlin Municipal Light and Power System for interruptible electric service be, and hereby is, extended for a period of six months, until June 30, 2009, a copy of the agreement extension letter being attached hereto and incorporated herein by reference, and the City Manager is hereby authorized and directed to execute same on behalf of the City.

SECTION 2. That the City Manager is hereby further authorized to extend said agreement for up to an additional six months after June 30, 2009, to allow for the negotiation and approval of an appropriate successor agreement.


SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted 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 in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

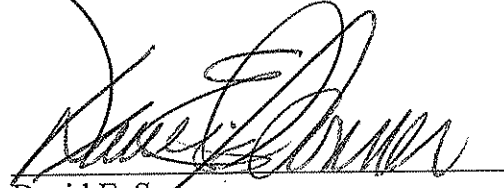
SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin Ohio, or to provide for the usual daily operation of a municipal department, to wit:

"to authorize said letter extension by February 1, 2009", and shall take effect immediately upon passage.

PASSED: 1st Reading - January 20, 2009(E)
2nd Reading-
3rd Reading-

ATTEST:


Belinda B. Anderson
CLERK OF COUNCIL


David E. Sonner
PRESIDENT OF COUNCIL

POSTED: 01/21/2009

EFFECTIVE DATE: 01/20/2009