

**AUTHORIZING THE NEGOTIATION AND EXECUTION OF A MUNICIPAL ELECTRICAL AGGREGATION AGREEMENT FOR RESIDENTIAL ELECTRICITY FOR A PERIOD NOT TO EXCEED 36-MONTHS.**

**WHEREAS**, the City of DeKalb (the "City") is a home rule unit of local government which may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

**WHEREAS**, ComEd is currently the default provider for the supply of electricity to City residents who are not under contract with an alternative electric supplier; and

**WHEREAS**, City residents may realize potential energy savings by utilizing an alternate energy supplier through municipal electrical aggregation; and

**WHEREAS**, bids received from the alternative electrical supplier are only valid for a one-day period requiring prompt authorization to enter into an agreement on an expedited basis; and

**WHEREAS**, the City's corporate authorities find that approving this resolution is in the City's best interests for the protection of public health, safety, morals and welfare; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DEKALB, ILLINOIS:**

**SECTION 1:** The City's corporate authorities authorize, approve, and direct the Director of Utilities and Transportation or his designee to solicit bids through Rock River Energy Services for the provision of municipal electrical aggregation services residents for a term not to exceed 36-months, and for the City Manager to negotiate and execute said municipal electrical aggregation services agreement, subject to such terms and conditions as may acceptable to him.

**SECTION 2:** This resolution and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such resolution should (a) contain terms contrary to the provision of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the corporate authorities of the City of DeKalb that to the extent that the terms of this resolution should be inconsistent with any non-preemptive state law, that this resolution shall supersede state law in that regard within its jurisdiction.

**SECTION 3:** This resolution shall be in full force and effect from and after its passage and approval as provided by law.

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois at a Regular meeting thereof held on the 23<sup>rd</sup> day of August 2021 and approved by me as Mayor on the same day. Passed by 7-0-1 roll call vote. Aye: Morris, Larson, Smith, Perkins, McAdams, Faivre, Barnes. Nay: None. Absent: Verbic.



  
COHEN BARNES, Mayor

ATTEST:



Ruth A. Scott, Executive Assistant