
THE CITY OF ROCHELLE
Ogle County, Illinois

RESOLUTION
NO. _____

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN
AMENDED POWER PURCHASE AGREEMENT**

CHET OLSON, Mayor
SUE MESSER, City Clerk

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DON BURKE
KATE SHAW-DICKEY
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JOHN BEARROWS
City Council

Published in pamphlet form by authority of the Mayor and City Council of the City of Rochelle
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200 W. Adams, Suite 2125 Chicago, IL 60606

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Ogle County, Illinois

RESOLUTION NO. ____

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN
AMENDED POWER PURCHASE AGREEMENT**

WHEREAS, the City of Rochelle is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 511-1, et seq.; and

WHEREAS, City of Rochelle (“City”) currently owns certain utility poles for the distribution of electricity (“Utility Poles”); and

WHEREAS, the City has previously negotiated and executed a Confirmation of Power Purchase and Sale Transaction Agreement (“Agreement”) with Nextera Energy Marketing, LLC (“Nextera”) on or about October 3, 2017; and

WHEREAS, the Agreement allows the City to purchase power at a set price June 1, 2018 through May 31, 2021; and

WHEREAS, staff and the City Manager have determined that substantial savings can be realized by the City of Rochelle if the Agreement and the terms can be extended; and

WHEREAS, it has been determined by the Corporate Authorities of the City of Rochelle that it is in the best interest of the City and its residents to enter into and executed an extension to the existing Agreement with Nextera Marketing, LLC; and

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
ROCHELLE, ILLINOIS:**

SECTION ONE: That the City hereby incorporates all of the recitals above into this Resolution as if fully set forth herein.

SECTION TWO: The Mayor and City Council of the City of Rochelle authorize the City Manager to execute an amended Confirmation of Power Purchase and Sale Transaction Agreement for a term of up to an additional eight (8) years and for a price not to exceed the current agreed prices per megawatt hour (“MWh”), subject to review and revision by the City Attorney.

SECTION THREE: If any provision of this Resolution or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this resolution that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this Resolution is severable.

SECTION FOUR: Where the conditions imposed by any provisions of this Resolution are more restrictive than comparable provisions imposed elsewhere in any other local law, resolution, rule or regulation, the regulations of this Resolution will govern.

SECTION FIVE: The City Clerk shall publish this Resolution in pamphlet form.

SECTION SIX: This Resolution shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED THIS ____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

APPROVED THIS ____ day of _____, 2018.

MAYOR

ATTEST:

CITY CLERK

STATE OF ILLINOIS)
)
COUNTY OF OGLE) SS.

CERTIFICATE

I, _____, City Clerk of the City of Rochelle, County of Ogle and State of Illinois, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. _____, “A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDED POWER PURCHASE AGREEMENT” which was adopted by the Mayor and City Council of the City of Rochelle on _____, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this _____ day of _____, 2018.

CITY CLERK