

# CITY OF OVILLA MINUTES

**Monday, February 22, 2016**

**Called Special City Council Meeting**

**105 S. Cockrell Hill Road, Ovilla, TX 75154**

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Mayor Dormier called the Called Special Council Meeting of the Ovilla City Council to order at 6:00 p.m., with notice of the meeting duly posted. Mayor Dormier made the following public announcements: **(1)** Pursuant to section 30.06, penal code (trespass by holder of license to carry a concealed handgun), a person licensed under subchapter h, chapter 411, government code (concealed handgun law), may not enter this property with a concealed handgun. **(2)** Pursuant to Section 30.07 Penal Code (Trespass by License Holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

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The following City Council Members were present:

Rachel Huber	Council Member, Place 1
Larry Stevenson	Council Member, Place 2
David Griffin	Council Member, Place 3
Doug Hunt	Mayor Pro Tem, Place 4

Absent      Dean Oberg      Council Member, Place 5

Mayor Dormier announced present Council members, thus constituting a quorum. City Manager Dennis Burn and various department directors were also present.

Mayor Pro Tem Hunt gave the Invocation and PL1 Huber led the recitation of the Pledge of Allegiance.

## **REGULAR AGENDA**

**ITEM 1.**      **DISCUSSION/ACTION** – Consideration of and Action on Resolution R2016-01 of the City Council of the City of Ovilla, Texas, authorizing the Texas Coalition for Affordable Power, Inc. (TCAP) to negotiate an electric supply agreement for five years for deliveries of electricity, effective January 01, 2018; authorizing TCAP to act as an agent on behalf of the City of Ovilla to enter into a contract for electricity; authorizing the Mayor or City Manager or City Secretary to execute an electric supply agreement for deliveries of electricity, effective January 01, 2018, and committing to budget for energy purchases in 2018 through 2022 and to honor the energy purchases in 2018 through 2022 and to honor the City's commitments to purchase power for its electrical needs in 2018 through 2022 through TCAP.

Mayor Dormier asked if there was anyone wishing to speak on this item. MS. Margaret Somereve with TCAP and Mr. Rick Ausmus with Texzon, a licensed aggregator were both present and ready to speak with Council.

City Manager Dennis Burn stated that the City had been a member of the Texas Coalition for Affordable Power (TCAP) since May 2011. Ovilla's current pricing agreement expires December 31, 2017. Though this was almost two years in advance, Ovilla had the opportunity now to lock a fixed-price benchmark.

TCAP is a non-profit, political subdivision corporation, owned and controlled by its 171 political subdivision members. TCAP can go directly to the wholesale market. There is no legal requirement that requires Ovilla to engage in a competitive bidding process prior to contracting for electricity. By choosing option 1 on the agreement, Ovilla would be guaranteed a price not to exceed \$0.041 per kWh. Ovilla is currently paying \$0.06850 per kWh. The new price will save Ovilla \$15,487.00 based on 2013 usage of 545,323 kWh per year and based on the future indicative price of \$0.0401 per kWh.

The City Council took no action on the Resolution at their February 8, 2016 meeting and directed staff to return with the contract. City Manager Dennis Burn added that as a reminder the presented resolution was for the energy needs of City of Ovilla owned facilities only. City Attorney Ron MacFarlane reviewed, revised and approved the resolution and TCAP attorneys approved those revisions.

TCAP Representative Margaret Somereve was present to answer questions from Council. Mayor Pro Tem Hunt and the TCAP representative discussed the aggregation fee history. Staff surveyed Ovilla's neighboring municipalities that had recently continued an agreement with TCAP, resulting in most participating, with the exception of Red Oak signing on with Texzon.

Mr. Rick Ausmus spoke with Council in hopes that Council would reconsider and authorize Texzon to represent Ovilla to negotiate an electric supply agreement.

Amid continued conversation, PL3 Griffin moved for a privileged motion, seconded by Mayor Pro Tem Hunt. Mayor Dormier ceased further discussion.

PL3 Griffin moved that Council approve Resolution R2016-01 of the City Council of the City of Ovilla, Texas, authorizing the Texas Coalition for Affordable Power, Inc. (TCAP) to negotiate an electric supply agreement for five years for deliveries of electricity, effective January 01, 2018; authorizing TCAP to act as an agent on behalf of the City of Ovilla to enter into a contract for electricity; authorizing the Mayor or City Manager or City Secretary to execute an electric supply agreement for deliveries of electricity, effective January 01, 2018, and committing to budget for energy purchases in 2018 through 2022 and to honor the energy purchases in 2018 through 2022 and to honor the City's commitments to purchase power for its electrical needs in 2018 through 2022 through TCAP, seconded by PL2 Stevenson.

*No oppositions, no abstentions.*

***VOTE: The motion to approve carried unanimously: 4-0.***

**ADJOURNMENT**

There being no further business, Mayor Dormier adjourned the meeting at 6:54 p.m.

ATTEST:

  
Pamela Woodall, City Secretary



  
Richard A. Dormier, Mayor

***Approved March 14, 2016***