

Resolution No. _____, Second Series

Before the City Council of Marshall, Minnesota

A RESOLUTION APPROVING THE CONTRACT FOR ADMINISTRATIVE SERVICES WITH MISSOURI BASIN MUNICIPAL POWER AGENCY DBA MISSOURI RIVER ENERGY SERVICES (MRES)

WHEREAS, pursuant to previous action taken, the City of Marshall has entered into an agreement to obtain an allocation of Federal hydroelectricity from the United States Department of Energy, Western Area Power Administration, Pick-Sloan Missouri Basin Program, Eastern Division (“WAPA”) pursuant to a Contract for Firm Electric Service to the City of Marshall, MN; and

WHEREAS, the current Contract for Firm Electric Service is, by its terms, set to expire on December 31, 2050; and

WHEREAS, City of Marshall, by prior action taken, has previously entered into an agreement for administrative services with Missouri Basin Municipal Power Agency dba Missouri River Energy Services (MRES), being contract 12-UGPR-1000 dated August 24, 2004; and

WHEREAS, WAPA is recommending that a replacement Administrative services Agreement be entered between WAPA, MRES and the City of Marshall for administrative services, which services agreement would coincide with the dates of services coordinating with the Firm Electric Service Agreement providing services through December 31, 2050; and

WHEREAS, Chapter 13.04 subd. 1 of the Charter for the City of Marshall, requires that the Marshall City Council approve all municipal utility contracts exceeding 10 years in length; and

WHEREAS, the Marshall Municipal Utilities (MMU) Commission has met to review the replacement Administrative Services Agreement and has recommended to the City Council the approval of the agreement as witnessed by MMU Commission Resolution No. _____, approved by the Commission on January 21, 2020; and

WHEREAS, the City Attorney has reviewed the agreement and has concluded that this governing body has the authority and right to enter into the replacement Administrative Services Agreement; and

WHEREAS, the Administrative Services Agreement continues to provide arrangements for administrative services between City of Marshall and MRES. The contract authorizes City of Marshall to allow MRES to continue to provide power and energy schedules to WAPA on Marshall’s behalf. Further, Marshall shall also allow MRES to continue to administer payment to WAPA on its behalf as outlined in the Administrative Services Agreement; and

WHEREAS, the City Council finds that it is in the public interest to enter into this long-term agreement to provide for the efficient administration of services between the City of Marshall, MRES and WAPA.

NOW, THEREFORE, be it RESOLVED by the City Council of Marshall, MN that:

1. That the Administrative Services Agreement 19-UGPR-99 between the City of Marshall, MRES and WAPA, and its associated exhibits; be and hereby is approved.
2. That the Mayor and the City Clerk are authorized to sign said Agreement on behalf of the City of Marshall.

Adopted this 28th day of January, 2020.

Robert J. Byrnes
Mayor

ATTEST:

Kyle Box
City Clerk