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**THE CITY OF ROCHELLE**  
**Ogle County, Illinois**

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**RESOLUTION**  
**NO. \_\_\_\_\_**

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**A RESOLUTION AUTHORIZING AMENDED POWER PURCHASE AGREEMENTS  
WITH NEXTERA ENERGY MARKETING, LLC**

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**JOHN BEARROWS, Mayor**  
**ROSE HUERAMO, City Clerk**

**TOM McDERMOTT**  
**BIL HAYES**  
**KATE SHAW-DICKEY**  
**DAN McDERMOTT**  
**ROSAELIA ARTEAGA**  
**BEN VALDIVIESO**

**City Council**

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CITY OF ROCHELLE  
Ogle County, Illinois

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING AMENDED POWER PURCHASE AGREEMENTS  
WITH NEXTERA ENERGY MARKETING, LLC**

**WHEREAS**, Section 7 of Article VII of the 1970 Constitution of the State of Illinois provides that a municipality that is not a home rule unit shall only have the powers granted to them by law and as such the City of Rochelle, Ogle County, Illinois being a non-home rule unit pursuant to the provisions of said Section 7 of Article VII, and may exercise only the powers expressly granted by law; and

**WHEREAS**, the Illinois General Assembly granted non-home rule municipalities broad authority to “pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to municipalities.” 65 ILCS 5/1-2-1; and

**WHEREAS**, while “non-home rule municipalities have the authority to enact ordinances, such ordinances may in no event conflict with state law or prohibit what a state statute expressly permits . . . A local ordinance may impose more rigorous or definite regulations in addition to those enacted by the state legislature so long as they do not conflict with the statute.” (*Village of Wauconda v. Hutton*, 291 Ill. App. 3d 1058, 1060 (1997)); and

**WHEREAS**, the City of Rochelle, Illinois, an Illinois municipal corporation, operates an electric utility through its municipal enterprise known as Rochelle Municipal Utilities (“RMU”); and

**WHEREAS**, on October 3, 2017, the City entered into Power Purchase Agreements with NextEra Energy Marketing, LLC (“NEM”); and

**WHEREAS**, on July 31, 2018, the City and NEM entered into an Amended Power Purchase Agreements; and

**WHEREAS**, the existing agreements have provided reliable wholesale power and has supported the City’s electric utility operations and long-term resource planning objectives; and

**WHEREAS**, staff has negotiated Second Amendments to the Power Purchase Agreements with NEM in order to extend the agreement and ensure continued power supply beyond the current contract term (copies of the Second Amendment are attached herein as Exhibits A1, A2, and A3); and

**WHEREAS**, the proposed Second Amendments extend the contract term through December 31, 2034, update the total contract quantity to 338,720 megawatt-hours (MWh), and establish a pricing structure for future power delivery periods beginning June 1, 2026; and

**WHEREAS**, the amendments support the City’s long-term power supply strategy by

maintaining a balanced portfolio of contracted and market-based energy resources, reducing exposure to wholesale market volatility, and enhancing system reliability; 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 approve and enter into the Second Amendment to the Power Purchase Agreement with NextEra Energy Marketing, LLC.

**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 Second Amendments to the Power Purchase Agreements with NextEra Energy Marketing LLC, (in substantially the same form as attached herein as Exhibits A1, A2, and A3 are hereby approved. The City Manager or his designee is authorized to execute said Agreements, 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, ordinance, 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.

APPROVED THIS 13<sup>th</sup> day of April 2026.

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MAYOR

ATTEST:

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CITY CLERK

CERTIFICATE

I, Rose Huéramo, 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 AMENDED POWER PURCHASE AGREEMENTS WITH NEXTERA ENERGY MARKETING, LLC,” which was adopted by the Mayor and City Council of the City of Rochelle on April 13, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of Rochelle this 13<sup>th</sup> day of April 2026.

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CITY CLERK