

THE VILLAGE OF SOUTH BARRINGTON

ORDINANCE NO. 2025- 1425

**AN ORDINANCE AUTHORIZING THE RENEWAL OF AN AGGREGATION
PROGRAM FOR ELECTRICAL LOAD FOR THE VILLAGE OF
SOUTH BARRINGTON, ILLINOIS**

**ADOPTED BY
THE PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF SOUTH BARRINGTON**

THIS 13TH DAY OF FEBRUARY, 2025

Published in pamphlet form by authority
of the President and Board of Trustees
of the Village of South Barrington, this
13th day of FEBRUARY, 2025

Village of South Barrington

ORDINANCE NO. 2025 - 425

AN ORDINANCE AUTHORIZING THE RENEWAL OF AN AGGREGATION PROGRAM FOR ELECTRICAL LOAD FOR THE VILLAGE OF SOUTH BARRINGTON, ILLINOIS

WHEREAS, the Village of South Barrington (the “Village”) is a home rule unit of local government pursuant to the provisions of Article VII, Section 6 of the Constitution of the State of Illinois of 1970; and

WHEREAS, the President of the Village (the “President”) and the Board of Trustees of the Village (collectively with the President, the “Corporate Authorities”) are committed to promoting public health, safety, comfort, morals and welfare; and

WHEREAS, under Section 1-92 of the Illinois Power Agency Act, 20 ILCS 3855/1-1, et seq., (the “Act”) a municipality may operate an electric aggregation program as an opt-out program for residential and small commercial retail customers, if a referendum is passed by a majority vote of the residents pursuant to the requirements under the Act; and

WHEREAS, the Village submitted the question to referendum in the March 20, 2012 election and a majority of the electors voting on the question voted in the affirmative; and

WHEREAS, the Village subsequently implemented its initial opt-out aggregation program in 2012 with the term of the first supplier agreement to end based on scheduled final meter read dates in August 2014; and subsequently implemented opt-out aggregation programs in ensuing years with a term end of the supplier agreement to end based on scheduled final meter read dates in October 2022; and

WHEREAS, the Corporate Authorities hereby find that it is in the best interest of the Village to again operate the aggregation program under the Act as an opt-out program (the “Aggregation Program”) and to enter into an additional contract with a supplier pursuant to the

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terms of the Act. However, the final decision will be based upon market offers and the Village retains the option of declining any offer.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of South Barrington, Cook County, Illinois:

SECTION 1: That the foregoing recitals of the preamble are hereby incorporated in this Ordinance as findings of the Corporate Authorities.

SECTION 2: Pursuant to Section 1-92 of the Act, the Corporate Authorities of the Village are hereby authorized to aggregate, in accordance with the terms of the Act, residential and small commercial retail electrical loads located within the corporate limits of the Village, and for that purpose may solicit bids and enter into service agreements to facilitate for those loads the sale and purchase of electricity and related services and equipment.

SECTION 3: The Aggregation Program for the Village shall continue to operate as an opt-out program for residential and small commercial retail customers.

SECTION 4: As an opt-out program, the Corporate Authorities of the Village shall fully inform residential and small commercial retail customers in advance that they have the right to opt-out of the Aggregation Program before the resident or commercial account is renewed. The disclosure and information provided to the customers shall comply with the requirements of the Act.

SECTION 5: The Corporate Authorities hereby grant the Mayor or her designee the specific authority to execute a contract without further action by the Corporate Authorities and with the authority to bind the Village.

SECTION 6: The Village will engage Illinois Aggregation Consultants (“IAC”), who will solicit bids from multiple suppliers and consult with the Village in our decision to select the

Village of South Barrington

supplier that best meets our needs. IAC will also assist with the conversion process, and provide assistance to residents with questions.

SECTION 7: The officers, employees, and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and effectuate the purpose of this Ordinance.

SECTION 8: That all past, present and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this Ordinance are hereby, in all respects, ratified, approved, authorized and confirmed.

SECTION 9: That the provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 10: In the event of any conflict between the terms of this Ordinance and the terms of the Village Code, or any other code, ordinance or regulation of the Village, the terms of this Ordinance shall control and prevail in all instances.

SECTION 11: All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 12: A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 13: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Village of South Barrington

PASSED: This 13th day of FEBRUARY, 2025.

APPROVED: This 13th day of FEBRUARY, 2025.

ATTEST:



Daniel Zierk, Village Clerk

APPROVED:



Paula McCombie, Village President

AYES/YEAS: 4 NAYS/NOES: 0 ABSTAIN: 0 ABSENT: 2

PUBLISHED: _____

Village of South Barrington

STATE OF ILLINOIS)
)
COUNTY OF COOK) SS

CLERK'S CERTIFICATE
(ORDINANCE)

I, Daniel Zierk, the duly qualified and acting Village Clerk of the Village of South Barrington, Cook County, Illinois, do hereby certify that I am currently the keeper of its books and records and that the attached hereto is a true and correct copy of an Ordinance titled:


AN ORDINANCE AUTHORIZING THE RENEWAL OF AN AGGREGATION PROGRAM FOR ELECTRICAL LOAD FOR THE VILLAGE OF SOUTH BARRINGTON, ILLINOIS

which Ordinance was duly adopted and passed by the Board of Trustees of South Barrington (or the Corporate Authorities, if required by law) at a regular meeting held on the 13th day of February 2025, approved by the Village President on the 13th day of February 2025 and thereafter published in pamphlet form to the extent required by law.

I do further certify, in my official capacity, that a quorum of said Board of Trustees was present at said meeting and that the meeting was held in compliance with all requirements of the Open Meetings Act (5 ILCS 120/1, *et seq.*).

IN WITNESS WHEREOF, I have hereunto set my hand this 13th day of February 2025.





Village Clerk
Village of South Barrington