

WHEREAS, the State of Texas has deregulated electricity and established the Texas Electric Choice Act; and,

WHEREAS, the City's current electric services contracts expire on December 31, 2013;

WHEREAS, amending and extending the existing contract with TXU Energy Retail Company, LLC., allows the City the opportunity to take advantage of lower prices beginning in 2013 and avoid potential higher prices for the contract period;

WHEREAS, TXU Energy Retail Company, LLC, presented the City the opportunity to retrofit City facilities with high efficiency lighting at no cost to the City;

WHEREAS, on December 3, 2012, the Budget, Finance, and Audit Committee was briefed on the electricity program;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the City Manager is authorized to negotiate final prices for the amended and extended contract beginning January 1, 2013 and ending on May 31, 2016.

Section 2. That the City Manager is authorized to enter into an electric services contract with TXU Energy Retail Company, LLC. (Vendor # VS0000016088).

Section 3. That the City Manager is authorized to accept a \$1.5 million lighting retrofit for City facilities from TXU Energy Retail Company, LLC.

Section 4. That the City Controller is authorized to disburse funds in an amount not to exceed \$ 223,800,000.00 for the contract term (subject to annual appropriations): from Fund 0001, Department BMS, Clearing Account BS 0541, and reimburse the clearing account from various other funds object code 2140.

Section 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

