

ORDINANCE NO.: 2025-05
SPONSOR: MAYOR YEARGIN
INTRODUCED: FEBRUARY 25, 2025

ASSIGNED TO: _____

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO SUPPORT THE CONTINUATION OF A GOVERNMENTAL ELECTRICITY AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4928.20 OF THE OHIO REVISED CODE, WITH DYNEGY ENERGY SERVICES (EAST), LLC D/B/A DYNEGY ENERGY SERVICES, LLC. FOR THE PURPOSE OF CONTINUING THE EXISTING ELECTRICITY AGGREGATION PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, Dynegy Energy Services (“DESE”) formerly FirstEnergy Solutions (“FES”) and the City of Green are parties to a certain Master Agreement to Provide Services to an Aggregated Group (“MSA”).

WHEREAS, FES and the City of Green mutually agreed to the MSA dated August 18, 2003, as amended by the First Amendment dated August 2, 2007, Second Amendment dated November 20, 2008, Third Amendment dated April 29, 2009, and Fourth Amendment dated November 3, 2009, and Fifth Amendment dated April 10, 2018 (collectively, the “MSA”) last authorized through Ordinance 2018-05.

WHEREAS, FES now DESE and the City of Green want to continue its relationship for the purpose of continuing the existing electricity aggregation program.

WHEREAS, the Administration is requesting first reading passage in order to secure the best pricing options in a limited timeframe due to the commodity markets.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO, THAT:

SECTION ONE:

Green City Council authorizes the Mayor to enter into the new Master Service Agreement to Provide Electric Generation Supply and Related Services with Dynegy Energy Services, a copy of which is attached hereto and incorporated herein as Exhibit “A”, for the purpose of continuing the existing electricity aggregation program.

SECTION TWO:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meeting of this Council and any deliberations of this City and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION THREE:

This Ordinance shall take effect and be in force from and after the earliest time allowed by law.

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ADOPTED: _____, 2025

Nichole Messner, Clerk

Jeff Noble, Council President

APPROVED: _____, 2025

Rocco Yeargin, Mayor

ENACTED EFFECTIVE: _____, 2025

ON ROLL CALL: Babbitt _____ DeVitis _____ Miller _____ Neugebauer _____
 Noble _____ Meager _____ Speight _____

PUBLICATION CERTIFICATION

I, Nichole Messner, Clerk of Council of the City of Green, County of Summit and State of Ohio, whose custody the original files and records of said council are required to be kept by the laws of the State of Ohio, do hereby certify that the above legislation was duly published in the *Southside Leader* on _____ and _____, 2025.

Nichole Messner, Clerk of Council