

ORDINANCE NO.:

2018-05

SPONSOR:

MAYOR NEUGEBAUER

INTRODUCED:

MARCH 27, 2018

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 FIRSTENERGY SOLUTIONS CORP. FOR THE PURPOSE OF CONTINUING THE EXISTING ELECTRICITY AGGREGATION PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, FirstEnergy Solutions Corp. ("FES") and the City of Green ("City") are parties to a certain Master Agreement to Provide Services to an Aggregated Group 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 (collectively, the "Agreement"); and

WHEREAS, FES and City mutually agree to renew the Agreement for the term beginning with May 2018 meter read dates through May 2021 meter read dates ("Renewal Term").

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

SECTION ONE:

City Council authorizes the Mayor to enter into the Fifth Amendment to the Master Service Agreement ("MSA") with FirstEnergy Solutions Corp., 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:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety, and welfare of the citizens of Green and for the further reason that the electricity aggregation program continues to provide service and so that the Agreement may be effective as soon as possible but no than May 1, 2018. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

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ADOPTED: _____, 2018

Molly Kapeluck, Clerk

Chris Humphrey, Council President

APPROVED: _____, 2018

Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: _____, 2018

ON ROLL CALL:	Babbitt	Dyer	Humphrey	Shaughnessy
	Speight	Yeargin	Young	

Suburbanite publication on _____ and _____

Molly Kapeluck, Clerk

03/20/2018 Approved as to form and content by Diane A. Calta, Director of Law _____