

ORDINANCE NO. 170-2017

TITLE: ELECTRICITY AGGREGATION PROGRAM

AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO SUPPORT THE CONTINUATION OF A GOVERNMENTAL ELECTRIC AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4928.20, OHIO REVISED CODE, DIRECTING THE MAYOR OF THE CITY OF BARBERTON TO EXECUTE AN ELECTRIC SUPPLY AGREEMENT WITH FIRSTENERGY SOLUTIONS, AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Legislature has enacted electric deregulation legislation (“Am. Sub. S.B. No. 3”) which authorizes the legislative authorities of cities, villages, townships and counties to aggregate the retail electrical loads located within their jurisdiction and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

WHEREAS, governmental aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of electricity deregulation through lower electric rates which they would not otherwise be able to have individually; and

WHEREAS, the City of Barberton is certified by the Public Utilities Commission of Ohio as a Governmental Aggregator of electricity and through the efforts of its consultant, Independent Energy Consultants, Inc., has solicited electric supply offers to serve its Electric Aggregation Program.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Barberton, State of Ohio, that:

SECTION 1. The Mayor of the City of Barberton is hereby authorized to perform all actions necessary to support the implementation and continuation of a governmental aggregation program and to enter into a Master Services Agreement for electric supply, (attached hereto and incorporated herein by reference as Exhibit A), with First Energy Solutions to facilitate the sale and purchase of electricity to consumers in the City’s Opt-Out Program. Such agreement when signed will be effective as of the date of this Ordinance.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, for the further reason that this Ordinance is required to be immediately effective in order to begin realizing the savings sought by the Electric Aggregation Program, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2017

Clerk of Council

President of Council

Approved _____ 2017

Mayor