

RECORD OF ORDINANCES

Ordinance No. 2019-7Passed January 16, 2019

SPONSOR: MAYOR RICK

AN EMERGENCY ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO SUPPORT THE CONTINUATION OF A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26, OHIO REVISED CODE, AUTHORIZING THE MAYOR TO EXTEND THE SUPPLY AGREEMENT WITH CONSTELLATION ENERGY SERVICES TO CONTINUE A NATURAL GAS AGGREGATION PROGRAM BEYOND MARCH 31, 2020 WHEN THE CURRENT SUPPLY AGREEMENT ENDS.

WHEREAS, the Ohio Legislature has enacted natural gas deregulation legislation ("H.B. No. 9") which authorizes the legislative authorities of Cities, Villages, Townships and Counties to aggregate the retail natural gas loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of natural gas; and

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

WHEREAS, this Council found and determined that it was in the best interest of Mogadore, its residents, businesses and other Natural Gas consumers located within the limits of Mogadore to continue its Natural Gas opt-out Aggregation Program subject to the conditions of a Natural Gas Supply Agreement that took effect on April 1, 2018; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MOGADORE, SUMMIT AND PORTAGE COUNTIES, STATE OF OHIO THAT:

Section 1: The Mayor is hereby authorized to take all action necessary to support the ongoing administration of Mogadore's Natural Gas Aggregation Program, including but not limited to, extending the Master Services Agreement ("MSA") with Constellation Energy Services for a period of up to 36 months beyond the current contract end date of March 31, 2020 if Constellation can offer a rate less than \$3/Mcf for the extended term, prior to February 28, 2019.

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.

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Section 3: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the citizens of the Village of Mogadore, and provided it receives the two-thirds vote of all members of Council elected thereto, 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.

Michael Raddish 1-16-19
 President of Council Date

Michelle 1-16-19
 Mayor Date

Attest:

[Signature]
 Clerk-Treasurer