

RECORD OF ORDINANCES

Ordinance No. 2021-16

Passed MARCH 3, 2021

SPONSOR: UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND CLERK-TREASURER TO ENTER INTO AN AGREEMENT WITH ENERGY HARBOR TO PROVIDE ELECTRICITY AGGREGATION FOR RESIDENTS AND BUSINESSES WITHIN THE VILLAGE OF MOGADORE AND DECLARING AN EMERGENCY

WHEREAS, FirstEnergy Solutions Corp. and the Village of Mogadore (“Village”) are parties to a certain Master Agreement to Provide Services to an Aggregated Group dated June 9, 2001 (“Agreement”) as amended by First Amendment dated December 30, 2004, Second Amendment Dated July 7, 2009, Third Amendment dated November 9, 2009 and Fourth Amendment dated November 6, 2017 (collectively, the “Agreement”); and,

WHEREAS, FirstEnergy Solutions Corp. is now Energy Harbor; and,

WHEREAS, whereas the current Agreement expires May 2022; and,

WHEREAS, the parties now mutually agree to renew the Agreement for the term beginning May 2022 meter reads through May 2024 meter read dates (“Renewal Term”).

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Mogadore, Counties of Portage and Summit, Ohio as follows:

SECTION 1: That the Mayor of the Village of Mogadore and the Clerk-Treasurer are hereby authorized and directed to enter into a Fifth Amendment to the Master Agreement to Provide Services to An Aggregated Group Between the Village of Mogadore and Energy Harbor, attached hereto as Exhibit “A.”

SECTION 2: That, to the extent not already done so, the funds required for the payment of the obligations incurred are hereby appropriated for the purposes described.

SECTION 3: That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

SECTION 4: That it is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in a duly noticed virtual, open meeting of this Council and that all deliberations which resulted in formal action were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code and HB 404 during the state-declared COVID-19 emergency.

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SECTION 5: This Resolution is declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience, and welfare of the Village of Mogadore and the inhabitants thereof, and for the further purpose of continuing the electricity aggregation program administered by Energy Harbor. This Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

Michael Raddato 3-3-21

President of Council

Date

Michael 3-3-21

Mayor

Date

Attest:

[Signature]
Clerk-Treasurer