

VILLAGE OF OTTAWA HILLS, OHIO

RESOLUTION No. 2009-20

AUTHORIZING AN AMENDMENT TO THE MASTER AGREEMENT BETWEEN THE VILLAGE OF OTTAWA HILLS, OHIO AND FIRST ENERGY SOLUTIONS CORPORATION, AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Ottawa Hills has created an Opt-Out Program for the purchase of electricity serving the residents and businesses in the Village of Ottawa Hills through an agreement with First Energy Solutions Corporation through May of 2012, and

WHEREAS, First Energy Solutions has offered to extend and enhance the existing agreement for an additional six years, through May 2018, and

WHEREAS, the Village of Ottawa Hills wishes to modify the existing agreement with First Energy Solutions in a manner which is advantageous to citizens of this community.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF OTTAWA HILLS, THAT:

SECTION 1. Authorization is hereby provided to enter into a third amendment to the master agreement between the Village of Ottawa Hills and First Energy Solutions Corporation. The third amendment will include a program in which:

1. First Energy Solutions offers guaranteed savings to all eligible residential (6%) and commercial (4%) rate codes.
2. First Energy Solutions agrees to an extension of the existing agreement which is authorized by Resolution 2009-7 for an additional six years through May of 2018.
3. First Energy Solutions will continue to provide the necessary aggregation services needed to maintain the Village of Ottawa Hills certification with the Public Utilities Commission of Ohio.
4. First Energy Solutions will provide a one time grant payment to the Village in 2009 that is estimated to be \$75,000 as part of the First Energy Solutions "Powering Our Community" program. **The Village intends that proceeds from the grant will be applied in the form of a credit against the electric bills of residential and commercial electric users in Ottawa Hills.**
5. First Energy Solutions will include all former special heating rate customers in the program at a 4% discount.

SECTION 2. If there is not substantial participation in the "Powering Our Community" program by other jurisdictions in northwest Ohio, or if the program offered to other jurisdictions in northwest Ohio is materially different, the mayor may elect not to proceed as authorized in Section 1.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution 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 actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. This legislation is hereby declared to be an emergency made necessary for the continued peace, health, safety and welfare of the community and for the further reason that the proposal from First Energy Solutions must be accepted in the month of October 2009. As an emergency it shall be in full force and effect immediately upon its passage.


Vote on emergency measure

Yeas 5 Nays 0

Passed as an emergency measure

Yeas 5 Nays 0

10/5/09
Date of passage



President of Council

Attest: Kathleen B O Connell
Clerk of Council