

REQUESTED BY: CITY MANAGER, SCOTT BAUER

DATE OF FIRST READING: ~~11/9/23~~ ^{12/9/2023} WAIVE RULES? YES NO
FINAL ACTION DATE: 12/9/23 VOTE: YES NO

SUSPENSION OF TWO READING RULE:

ADOPTION OF ORDINANCE:

YES	NO
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DENISE LINGO
ROBERT PARSONS
JOE ROETTING
KISHA DOSA
CORDEL GEORGE
PAUL YOUNG III
PEGGY RISSEL
TOTALS

YES	NO
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ORDINANCE NO. 23-2029

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PERFORM ALL ACTIONS NECESSARY TO SUPPORT CONTINUATION OF A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS TO SECTION 4929.26, OHIO REVISED CODE, DIRECTING THE CITY MANAGER TO EXTEND THE SUPPLY AGREEMENT WITH DIRECT ENERGY SERVICES, LLC TO CONTINUE A NATURAL GAS AGGREGATION PROGRAM, EXECUTE ANY CONTRACT OR DOCUMENTS AS REQUIRED, AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Legislature has enacted natural gas deregulation legislation ("H.B. No. 9") which authorizes the legislative authorities of cities to aggregate the retail natural gas loads located within their jurisdiction and to enter into service agreements to facilitate those loads for 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 obtain individually; and

WHEREAS, this City Council finds and determines that it is in the best interest of the City, its residents, businesses and other Natural Gas consumers located within the limits of the City to continue its Natural Gas Opt-Out Aggregation Program subject to the terms and conditions of a Natural Gas Supply Agreement.

NOW THEREFORE, BE IT ORDAINED BY A MAJORITY OF THE COUNCIL OF THE CITY OF MT. HEALTHY, STATE OF OHIO:

Section 1. That the City Manager is hereby authorized to take all actions necessary to support the ongoing administration of the City's Natural Gas Aggregation Program including, but not limited to, extending the Master Services Agreement ("MSA") with Direct Energy Services, LLC, (attached hereto and incorporated herein by reference as Exhibit (A)) to facilitate the sale and purchase of Natural Gas to consumer in the City's Opt-Out program.

Section 2. That Council finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting and that all deliberations of Council which resulted in the passage of this Ordinance were taken in meetings open to the public, in full compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3. That this Ordinance is hereby declared to be an emergency necessary for the immediate preservation of the public peace, health, safety, and welfare of the citizens of Mt. Healthy, Ohio. That this Ordinance shall be in full force and effect from its passage and approval and after the earliest date provided by law.

Passed this 19 day of December, 2023.

Ran Bittner
President of Council

Attest: [Signature]
Clerk of Council

Approved this 19 day of December, 2023.

[Signature]
Mayor

Approved as to form:
[Signature]
Scott A. Sollmann, City Law Director