

1 RESOLUTION NO. 2017-525

Late Filing

2
3 SPONSOR Ms. Shapiro

4
5 DATE December 12, 2017

COMMITTEE Planning

6
7 **A Resolution authorizing the County Executive to execute the Fifth Amendment to the**
8 **Master Services Agreement with FirstEnergy Solutions, Corp., to supply electricity for the**
9 **County's opt-out electricity aggregation program to extend the Master Agreement for an**
10 **additional four-year term, from 5/1/18 until 4/30/2022, with a 6% discount for residential**
11 **customers and a 5.14 cents per kWh for commercial customers, for the Executive, and**
12 **declaring an emergency.**

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14 WHEREAS, in May 2002, voters in the townships of Bath, Boston, Copley, Coventry,
15 Franklin, Northfield, Richfield, Sagamore Hills, Springfield, Twinsburg and the Village of New
16 Franklin authorized the County of Summit to create an opt-out governmental aggregation
17 program for electricity on their behalf; and

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19 WHEREAS, in March 2006, Franklin Township and the Village of New Franklin
20 subsequently merged into the City of New Franklin; and

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22 WHEREAS, the aforementioned townships and the Village of New Franklin are
23 collectively the County's Aggregation Group for purposes of electrical aggregation; and

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25 WHEREAS, on August 28, 2002, the County Executive executed a four-year Master
26 Services Agreement with FirstEnergy Solutions Corp. to provide services to the County's
27 Aggregation Group ("Master Agreement"); and

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29 WHEREAS, through a series of Amendments, including the most recent Fourth
30 Amendment, the Master Agreement was extended until May 31, 2018; and

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32 WHEREAS, the County Executive's Office has solicited proposals for opt-out electric
33 aggregation services following the termination of the Master Agreement on May 31, 2018, has
34 reviewed the same, and has recommended that the County extend the Master Agreement for an
35 additional four-year term, from 5/1/18 until 4/30/2022, with a 6% discount for residential
36 customers and a 5.14 cents per kWh for commercial customers, through the execution of a Fifth
37 Amendment to the Master Agreement.

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39 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
40 that it is necessary and in the best interest of the County to authorize the County Executive to
41 execute the aforementioned Fifth Amendment to the Master Agreement with FirstEnergy
42 Solutions Corp.;

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44 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
45 of Ohio, that;

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Voice Vote: 11-0 YES: Crawford, Dickinson, Donofrio, Feeman, Hamilton, Koehler, Prentice, Rodgers, Schmidt, Walters, Wilhite

1 RESOLUTION NO. 2017-525

2 PAGE TWO

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4 SECTION 1

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6 The County Executive is hereby authorized to execute the Fifth Amendment to the
7 Master Agreement with FirstEnergy Solutions, Corp., attached hereto as Exhibit A and
8 incorporated herein as if fully restated, to supply electricity for the County's opt-out electric
9 aggregation program to extend the Master Agreement for an additional four-year term, from
10 5/1/18 until 4/30/2022, with a 6% discount for residential customers and a 5.14 cents per kWh
11 for commercial customers. The Fifth Amendment is approved with changes therein not
12 inconsistent with this Resolution and not substantially adverse to the County, which shall be
13 approved by the County Executive and conclusively evidenced by execution of the Fifth
14 Amendment.

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16 SECTION 2

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18 This Resolution is hereby declared an emergency in the interest of the health, safety and
19 welfare of the citizens of the County of Summit, and for the further purpose of immediately
20 authorizing the Executive to execute the Fifth Amendment to the Mater Agreement upon the
21 terms presently offered by FirstEnergy Solutions, Inc.

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23 SECTION 3

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25 Provided this Resolution receives the affirmative vote of eight members, it shall take
26 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
27 effect and be in force at the earliest time provided by law.

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29 SECTION 4

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31 It is found and determined that all formal actions of this Council concerning and relating
32 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
33 deliberations of this Council and of any of its committees that resulted in such formal action,
34 were in meetings open to the public, in compliance with all legal requirements, including Section
35 121.22 of the Ohio Revised Code.

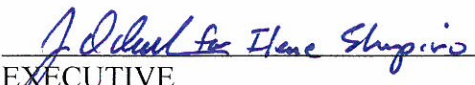
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38 INTRODUCED November 27, 2017

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40 ADOPTED December 12, 2017

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43 _____
44 CLERK OF COUNCIL

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48 PRESIDENT OF COUNCIL

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50 APPROVED December 13, 2017

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54 EXECUTIVE
55 December 13, 2017

56 ENACTED EFFECTIVE