

1 RESOLUTION NO. 2025-049

First Reading Passage Requested

2 (B. Nelsen)

3 SPONSOR Executive Shapiro

4
5 DATE March 3, 2025 COMMITTEE Planning

6
7 **A Resolution authorizing the Executive to execute a Master Services Agreement with Dynegy**
8 **Energy Services (East), LLC d/b/a Dynegy Energy Services, LLC., to supply electricity for the**
9 **County’s opt-out electricity aggregation program, for a thirteen-month term, from 5/1/25**
10 **through 5/31/26, at an estimated fixed price of .0892/kWh, for the Executive, and declaring an**
11 **emergency.**

12
13 WHEREAS, in May 2002, voters in the townships of Bath, Boston, Copley, Coventry,
14 Franklin, Northfield, Richfield, Sagamore Hills, Springfield, Twinsburg and the Village of New
15 Franklin authorized the County of Summit to create an opt-out governmental aggregation program
16 for electricity on their behalf; and

17
18 WHEREAS, in March 2006, Franklin Township and the Village of New Franklin
19 subsequently merged into the City of New Franklin; and

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21 WHEREAS, the aforementioned townships and the City of New Franklin are collectively the
22 County’s Aggregation Group for purposes of electrical aggregation; and

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24 WHEREAS, on January 8, 2018, Sagamore Hills Township adopted a Resolution exiting the
25 County’s opt-out electric aggregation program in order to join an electric aggregation program
26 offered by the Northeast Ohio Public Energy Council; and

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28 WHEREAS, in 2002 this Council previously authorized the Executive to execute a Master
29 Service Agreement with First Energy Solutions Corp. to supply electricity for the County’s opt-out
30 electricity aggregation program and subsequently authorized the Executive to execute eight
31 Amendments to the Master Service Agreement, including amending the Agreement due to First
32 Energy Solutions Corp.’s change to Energy Harbor; and

33
34 WHEREAS, Vistra, the parent company of Dynegy Energy Services (East), LLC d/b/a
35 Dynegy Energy Services, LLC, acquired Energy Harbor in 2024, and the Executive wishes to enter
36 into a new Master Services Agreement for electricity for the County’s opt-out electricity aggregation
37 program; and

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39 WHEREAS, the Master Services Agreement is exempt from competitive bidding as a utility
40 aggregation service under Section 177.07(a)(11) of the Codified Ordinances of the County of
41 Summit; and

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43 WHEREAS, this Council finds and determines, after reviewing all pertinent information, that
44 it is necessary and in the best interest of the County to authorize the Executive to execute the
45 aforementioned Master Services Agreement with Dynegy Energy Services (East), LLC d/b/a Dynegy
46 Energy Services, LLC.;

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

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1 RESOLUTION NO. 2025-049

2 PAGE TWO

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4 SECTION 1

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6 The Executive is hereby authorized to execute a Master Services Agreement with Dynegy
7 Energy Services (East), LLC d/b/a Dynegy Energy Services, LLC., 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 for a thirteen-month term, from 5/1/25 until 5/31/26, at an estimated fixed price
10 of .0892/kWh. The Master Services Agreement is approved with changes therein not inconsistent
11 with this Resolution and not substantially adverse to the County, which shall be approved by the
12 Executive and conclusively evidenced by execution of the Master Services Agreement.

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14 SECTION 2

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16 This Resolution is hereby declared an emergency in the interest of the health, safety and
17 welfare of the residents of the County of Summit, and for the further purpose of immediately
18 authorizing the Executive to execute the Master Services Agreement upon the terms presently offered
19 by Dynegy Energy Services (East), LLC d/b/a Dynegy Energy Services, LLC.

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21 SECTION 3

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

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27 SECTION 4

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

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36 INTRODUCED March 3, 2025

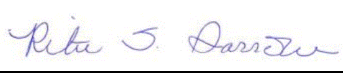
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38 ADOPTED March 3, 2025

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Signed by:


CLERK OF COUNCIL
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PRESIDENT OF COUNCIL
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44 APPROVED March 3, 2025

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Signed by:


EXECUTIVE
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Voice Vote – YES: 11 – 0: Darrow, Dickinson,
Donofrio, Ford, Higham, Kacyon, Licate,
McKenney, Schmidt, Walters, Wilhite

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50 March 4, 2025

51 ENACTED EFFECTIVE