

1 RESOLUTION NO. 2026-083

First Reading Passage Requested

2

(B. Nelsen)

3 SPONSOR Executive Shapiro

4

5 DATE March 30, 2026

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 twenty-four month term, from 6/1/26**
10 **through 5/31/28, at an estimated fixed price of .0995/kWh, for the Executive, and declaring an**
11 **emergency.**

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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

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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

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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 wished 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, this Council subsequently adopted Resolution No. 2025-049, which authorized
40 the Executive to execute a Master Services Agreement with Dynegy Energy Services (East), LLC
41 d/b/a Dynegy Energy Services, LLC., to supply electricity for the County’s opt-out electricity
42 aggregation program, for a thirteen-month term, from 5/1/25 through 5/31/26, at an estimated fixed
43 price of .0892/kWh; and

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

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49 WHEREAS, based on the current economic and global events occurring, the Executive
50 wishes to enter into a new Master Services Agreement for electricity for the County’s opt-out
51 electricity aggregation program. It is due to the high likelihood that prices will continue to increase
52 that First Reading Passage has been requested; and

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

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

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12 SECTION 1

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14 The Executive is hereby authorized to execute a Master Services Agreement with Dynegy
15 Energy Services (East), LLC d/b/a Dynegy Energy Services, LLC., attached hereto as Exhibit A and
16 incorporated herein as if fully restated, to supply electricity for the County's opt-out electric
17 aggregation program for a twenty-four month term, from 6/1/26 until 5/31/28, at an estimated fixed
18 price of .0995/kWh. The Master Services Agreement is approved with changes therein not
19 inconsistent with this Resolution and not substantially adverse to the County, which shall be
20 approved by the Executive and conclusively evidenced by execution of the Master Services
21 Agreement.

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23 SECTION 2

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

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30 SECTION 3

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

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36 SECTION 4

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

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5 INTRODUCED March 30, 2026

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7 ADOPTED March 30, 2026

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9 Signed by:
10 Monique Willis

11 CLERK OF COUNCIL

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13 APPROVED March 30, 2026

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15 Signed by:
16 Gene Shapiro

17 EXECUTIVE DIRECTOR

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19 ENACTED EFFECTIVE March 31, 2026

Signed by:

Erin Dickinson

PRESIDENT OF COUNCIL

Voice Vote – YES: 9 – 0: Darrow, Donofrio,
Higham, Kacyon, Licate, McKenney, Schmidt,
Walters, Wilhite
Absent: Dickinson, Ford