

RESOLUTION NO. 18-03

A RESOLUTION TO AUTHORIZE THE VILLAGE ADMINISTRATOR TO SIGN AN AGREEMENT WITH FIRST ENERGY SOLUTIONS (FES) THAT SHALL AMEND OUR GOVERNMENTAL AGGREGATION AGREEMENT AND DECLARING AN EMERGENCY.

WHEREAS: Alternative Energy Source "Broker" is presenting an amendment regarding the Villages Governmental aggregation agreement with First Energy Solutions (FES) that shall last until April 2021, and

WHEREAS: FES and the Village of Crestline are parties to a certain Master Agreement to Provide Services to an Aggregated Group dated January 12, 2005 as amended by First Amendment dated May 12, 2009, and Second Amendment dated October 26, 2009 (collectively, the "Agreement"), and

WHEREAS: the Parties mutually agree to renew the Agreement for the term beginning with April 2018 meter read dates through April 2021 meter read dates ("Renewal Term"), and

WHEREAS: the Parties mutually agree to amend the Agreement by replacing paragraph 4.2 Additional Costs in its entirety describing the pass through of additional costs imposed by an ISO or a RTO on FES that are not otherwise reimbursed by the EDU to FES or included in the EDU's Price to Compare.

BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF CRESTLINE, OHIO:

SECTION 1. That the Village Administrator is authorized and directed to sign and complete the amendment regarding extending agreement with FES according to the terms and conditions approved by Council, attached agreement known as exhibit "A".

SECTION 2. That further it is agreed to that the renewal pricing for residential will improve from 4% to 6% reduction in cost. Further FES shall pay a grant to the Village of Crestline in the amount of \$0.0001 Per kWh delivered/consumed by members of the aggregation program.

SECTION 3. That administration fees paid to Alternative Energy source will be \$0.0005 per kWh over same period.

SECTION 4. That it is hereby determined that this Resolution is an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the residents of this Village and for the further reason that there is an immediate need to meet deadlines and established guidelines of this amendment, and this Resolution shall therefore go into immediate effect provided it receives a two-thirds (2/3) vote of all members elected to this Council, otherwise it shall go into effect in thirty (30) days if passed by a majority vote of Council.

DATE: \_\_\_\_\_

Aye \_\_\_\_\_ Nay \_\_\_\_\_ Abstain \_\_\_\_\_

\_\_\_\_\_  
Barry Byerly, Mayor

attest:

\_\_\_\_\_  
Annette Johnston, Clerk of Council

Approved as to form:

\_\_\_\_\_  
Jon K. Burton, Law Director