

ORDINANCE NO. 70 (24-25)

An Ordinance to authorize and direct the Director of Public Safety and Service to enter into an agreement or agreements on behalf of the City of Marietta, Ohio, with Constellation Energy, for a governmental Electric Generation Aggregation Program, with opt-out provisions, pursuant to law, and declaring an EMERGENCY.

WHEREAS, pursuant to O.R.C. Section 4929.26, municipalities may aggregate customers within their jurisdiction in order to secure lower cost electric services with the municipality through collective purchasing; and

WHEREAS, the Council of the City of Marietta, Ohio has established a governmental aggregation program with opt-out provisions, according to law, for the residents, businesses, and other electric consumers in the City, to receive distribution service from Constellation Energy; now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARIETTA, OHIO:

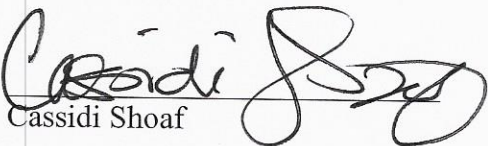
- Section 1: That the Director of Public Safety and Service shall be and is hereby authorized and directed to enter into an agreement or agreements on behalf of the City of Marietta, Ohio, with Constellation Energy, the selected electric supplier, through a request for proposal process, according to the terms and conditions of the agreement or agreements attached hereto as Exhibit A, which terms and conditions are hereby adopted and approved.
- Section 2: That this is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 3: That this Ordinance shall be and is hereby declared to be an EMERGENCY measure necessary for the immediate preservation of the public peace, health and safety of the City of Marietta, Ohio, and for the further reason that immediate action is necessary in order to provide the benefits of the various agreement, or agreements, to the City's residents, businesses, and other consumers, as expeditiously as possible.

WHEREFORE, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor, **but in no event prior to October 1, 2024.**

Introduced by two members of the Special Utilities Committee.

  
Brett Allphin

  
Cassidi Shoaf

Passed this 6<sup>th</sup> day of June, 2024.

  
President of Council  
Pro-Team

ATTEST:

Michelle Newbanks  
Clerk of Council

Approved this 6<sup>th</sup> day of June, 2024.

Jason L. Vissel acting  
Mayor

First Reading June 6, 2024

Second Reading Suspended

Third Reading Suspended