

REQUESTED BY: CITY MANAGER, BILL KOCHER

DATE OF FIRST READING: 12-5-17  
FINAL ACTION DATE: 12-19-17

WAIVE RULES?        YES  NO  
VOTE:  YES        NO

SUSPENSION OF TWO READING RULE:

YES	NO
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ADOPTION OF ORDINANCE:

YES	NO
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<u>ABSENT</u>	<u>      </u>
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DENISE LINGO  
JENNIFER MOODY  
ROBERT PARSONS  
JEANNE GEORGE  
JUDY PETERSEN  
JOE ROETTING  
KISHA DOSA  
TOTALS

ORDINANCE NO. 17-1836

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PERFORM ALL ACTIONS NECESSARY TO SUPPORT THE CONTINUATION OF A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26, OHIO REVISED CODE, DIRECTING THE CITY MANAGER TO EXTEND THE SUPPLY AGREEMENT WITH INTERSTATE GAS SUPPLY, INC. TO CONTINUE A NATURAL GAS AGGREGATION PROGRAM BEYOND MARCH 31, 2018 WHEN THE CURRENT SUPPLY AGREEMENT ENDS AND DECLARING AN EMERGENCY**

**WHEREAS,** the Ohio Legislature has enacted natural gas deregulation legislation ("H.B. No. 9") which authorizes the legislative authorities of cities to aggregate the retail natural gas loads located within their jurisdiction and to enter into service agreements to facilitate for those loads the purchase and sale of natural gas; and

**WHEREAS,** governmental aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of natural gas deregulation through lower natural gas rates which they would not otherwise be able to have individually; and

**WHEREAS,** this Council finds and determines that it is in the best interest of the City, its residents, businesses and other Natural Gas consumers located within the limits of the City to continue its Natural Gas Opt-Out Aggregation Program subject to the conditions of a Natural Gas Supply Agreement that will take effect on or about April 1, 2018.

**NOW, THEREFORE,** BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MT. HEALTHY, COUNTY OF HAMILTON, STATE OF OHIO:

**Section 1:** That the City Manager of Mt. Healthy is hereby authorized to take all actions necessary to support the ongoing administration of the City's Natural Gas Aggregation Program, including but not limited to, entering into a Master Services

Agreement ("MSA") with Interstate Gas Supply, Inc., (attached hereto and incorporated herein by reference as Exhibit A) to facilitate the sale and purchase of Natural Gas to consumers in the City's Opt-Out program.

**Section 2:** That it 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 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 is hereby declared to be an emergency measure necessary for the preservation of the public peace, safety and welfare of the citizens of the City of Mt. Healthy, and provided it receives the two-thirds vote of all members of Council elected thereto, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed this 19 day of December, 2017.

Ross Butters  
President of Council

Attest: Melanie B.D.  
Clerk of Council

Approved this 19 day of December, 2017.

James  
Mayor