

CITY OF STRUTHERS
Ordinance

NO. 26-006

***AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF
STRUTHERS TO ENTER INTO A CONTRACT WITH DYNEGY AS THE
ELECTRIC SUPPLIER FOR THE RESIDENTIAL AND SMALL
COMMERCIAL MEMBERS OF THE CITY OF STRUTHERS'S ELECTRIC
AGGREGATION PROGRAM, WITHOUT THE NECESSITY OF PUBLIC
BIDS AND DECLARING AN EMERGENCY.***

WHEREAS, it is in the interest of sound public policy for the City of Struthers to contract with a supplier for residential and small commercial members of the City of Struthers Aggregation Program; and

WHEREAS, the City of Struthers is not purchasing a service, product or commodity pursuant to this contract, and therefore may enter into this contract without public bidding; and

WHEREAS, a real and present emergency exists, which requires the immediate establishment of such a contract for the small commercial members to realize the maximum amount of savings; and such emergency is of a nature that the contract may be entered into without the necessity of bidding, if it is determined bidding would have otherwise been required by law; and

WHEREAS, the subject matter of this ordinance constitutes an emergency in that the same provides for the preservation of the public peace, safety and welfare of the citizens of the City of Struthers, and for the daily operation of a municipal department.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Struthers, Ohio, $\frac{3}{4}$'s of all members elected thereto concurring:

SECTION 1: That the Mayor of the City of Struthers is hereby authorized to make and enter into a Master Agreement. If the contract is executed, a notice will be sent by Dynegy to all of the electric aggregation small commercial members informing them of the electric rates, terms and conditions of the program.

SECTION 2: That approval of this contract is not subject to a public bidding requirement. A real and present emergency exists due to the need to act quickly to maximize member savings during the summer months. This emergency is of such a nature that the contract may be entered into without the necessity of bidding, even if it is determined bidding would have otherwise been required by law.

SECTION 3: 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 4: 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 Struthers, 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.

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PASSED IN COUNCIL THIS 11th DAY OF February, 2026.
[Signature] Michael S. Patrick
CLERK OF COUNCIL PRESIDENT OF COUNCIL

FILED WITH THE MAYOR THIS 11th DAY OF February, 2026.
[Signature]
CLERK OF COUNCIL

APPROVED BY THE MAYOR THIS 11th DAY OF February, 2026.
[Signature]
MAYOR

POSTED ON STRUTHERS CITY WEBSITE & STRUTHERS SOCIAL MEDIA

DATE: February 13, 2026
[Signature]
CLERK OF COUNCIL