

ORDINANCE NO. 27-22

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH OHIO EDISON COMPANY (OE), AND THE CLEVELAND ILLUMINATING COMPANY (CEI), TO PROVIDE LIGHT-EMITTING DIODE (“LED”) STREET LIGHTING SERVICE TO THE COMPANY OWNED STREET LIGHTING FACILITIES LOCATED IN THE CITY OF AVON AND DECLARING AN EMERGENCY

WHEREAS, the Public Utilities Commission of Ohio (“PUCO”) has approved the companies’ “Experimental Company Owned LED Lighting Program” tariff in Case No. 19-1108-EL-ATA. (“companies” refers to (OE) Ohio Edison Company and (CEI) Cleveland Illuminating Company), and

WHEREAS, the City of Avon desires OE and CEI to provide light-emitting diode (“LED”) street lighting service to companies’ street lighting facilities (“Units”), situated in the City of Avon, Lorain County, State of Ohio, and

WHEREAS, the City of Avon may from time-to-time desire the companies to modify, add, replace and/or remove their company owned units; and

WHEREAS, the City of Avon desires to provide LED street lighting service to any existing, additional or replaced company units; and

WHEREAS, Council, having reviewed the LED Street Lighting Agreement provided by companies, deems it desirable and in the best interests of the health, safety and welfare of the citizens of Avon to authorize the Mayor to enter into said Agreement thereby facilitating the installation of LED Street Lighting to company owned street lighting facilities situated in the City as non-LED lights fail (Option 3).

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 – That the Mayor is hereby authorized to execute an Agreement with Ohio Edison Company (OE) and The Cleveland Illuminating Company (CEI) thereby facilitating the installation of LED Street Lighting on the Company owned street lighting facilities situated in the City, in substantially the form as set forth in Option 3 of the attached [Exhibit A](#), which is incorporated herein by this reference.

Section 2 - That the Mayor be, and he is hereby further authorized, to take such other action and execute such other documents and amendments thereto as may be deemed necessary once approved by the Law Director to effectuate Option 3 of said Agreement.

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage 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 actions 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, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to enter into an LED Street Lighting Agreement with OE and CEI for the installation of LED Street Lighting on failed non-LED street lighting facilities owned by these companies; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____

DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Barbara J. Brooks, Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director