

RESOLUTION NO. 18-2017 (MS)

By Council Member Yasinow

A Resolution amending Resolution No. 6-2017 to extend the term of the Letter of Intent with Evans Energy for an additional ninety (90) days; and declaring an emergency.

WHEREAS, on January 17, 2017, under Resolution No. 6-2017, this Council authorized the City Manager to execute a Letter of Intent with Evans Energy to negotiate an agreement for an energy conservation project; and

WHEREAS, the terms of that Letter of Intent is set to expire on March 17, 2017; and

WHEREAS, this Council has determined that it would be in the City's best interests to extend the term by an additional ninety (90) days to permit further negotiations.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The City Manager is hereby authorized to extend the term of the Letter of Intent between the City of Cleveland Heights and Evans Energy, which was executed under the authority of Resolution No. 6-2017, by an additional ninety (90) days from March 17, 2017, to June 15, 2017. The City Manager is further authorized to execute any needed amendments to the existing Letter of Intent with Evans Energy in a form approved by the Director of Law to bring about said extension. All remaining provisions of Resolution No. 6-2017 and the documents incorporated by reference therein shall remain in full force and effect.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to allow the City to continue to negotiate in good faith. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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CHERYL L. STEPHENS, Mayor
President of the Council

MITCH MICHALEC
Acting Clerk of Council

PASSED: March 6, 2017