

RECORD OF ORDINANCES

Ordinance No. 2654-06

BPA 3-06-06
Passed Council 2-20-06, _____

AN ORDINANCE AND JOINT RESOLUTION OF THE COUNCIL OF THE VILLAGE OF LODI, MEDINA COUNTY, OHIO AND THE LODI BOARD OF PUBLIC AFFAIRS AUTHORIZING THE SUPERINTENDENT OF THE LODI BOARD OF PUBLIC AFFAIRS TO EXECUTE A MUTUAL AID AGREEMENT WITH INTERSTATE AND INTRASTATE PARTICIPATING MUNICIPALITIES WITH MUNICIPAL ELECTRIC SYSTEMS, IN ORDER TO BE ABLE TO RECEIVE AND PROVIDE MUTUAL ASSISTANCE DURING TIMES OF EMERGENCIES THROUGH THE INTERCHANGE AND USE OF PERSONNEL AND EQUIPMENT AND DECLARING AN EMERGENCY.

WHEREAS, Section 735.051 of the Ohio Revised Code authorizes Ohio municipalities to enter into contracts in the case of real and present emergencies without formal bidding and advertising for work to be done and supplies to be purchased from municipal utilities, and;

WHEREAS, Section 715.02 of the Ohio Revised Code provides that two or more municipal corporations may enter into joint agreements relating to the operation of public utilities; and

WHEREAS, Sections 735.051 and 715.02, along with express and inherent authority granted by Articles XVIII of the Ohio Constitution to construct, operate and maintain utilities, provide the authority to for the Village of Lodi, Ohio (herein "Municipality") to execute a Mutual Aid Agreement with other interstate and intrastate municipalities; and

WHEREAS, American Municipal Power-Ohio, Inc. (herein "AMP-Ohio") organizes and manages a Mutual Aid Program among its member municipalities wherein members experiencing an emergency in the provision of electricity to customers of the municipal electric system can request assistance from other participating member municipalities, both intrastate and interstate, to assist Municipality in expediting repairs to its electric system to restore electric service as soon as possible; and

WHEREAS, Municipality is a member of AMP-Ohio and operates a municipal electric system; and

WHEREAS, Municipality deems it prudent to enter into a Mutual Aid Agreement with AMP-Ohio and other participating member municipalities to participate in the AMP-Ohio Mutual Aid Program so that it can provide and receive aid and assistance in times of emergency; and

WHEREAS, a Mutual Aid Agreement to receive and provide assistance in times of emergency to preserve the public health, safety and welfare is a valid public purpose.

NOW THEREFORE, BE IT ORDAINED AND RESOLVED BY THE COUNCIL OF THE VILLAGE OF LODI, OHIO AND THE LODI BOARD OF PUBLIC AFFAIRS:

SECTION 1. That the form of the Mutual Aid Agreement, substantially in the form attached hereto, is approved.

SECTION 2. That the Superintendent of the Lodi Board of Public Affairs is authorized and directed to execute the Mutual Aid Agreement, substantially in the form of the mutual agreement attached hereto.

SECTION 3. That any and all competitive bidding requirements are hereby waived.

SECTION 4. That the Municipality agrees to reimburse any Signatory to the Mutual Aid Agreement all eligible costs for services provided to the Municipality in accordance with the terms and conditions of the Mutual Aid agreement in response to a request for aid from the

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BARRETT BROTHERS, PUBLISHERS, SPRINGFIELD, OHIO

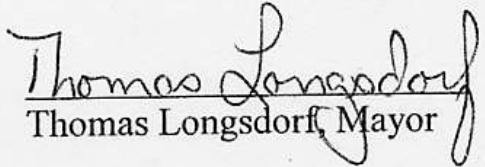
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Passed _____, _____

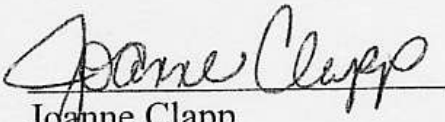
Municipality.

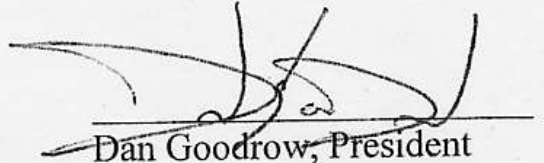
SECTION 5: This Ordinance is hereby declared to be an emergency measure necessary for the preservation of public peace, health, safety and welfare of the inhabitants of the Village of Lodi; the specific reason for the emergency being the immediate need to enter into a mutual aid agreement to provide the Village residence with continued electric service in times of emergency, and therefore this Ordinance shall take effect immediately upon its passage.

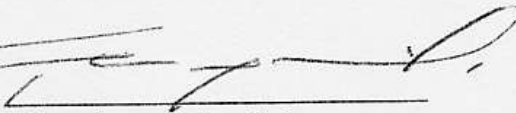
PASSED: _____

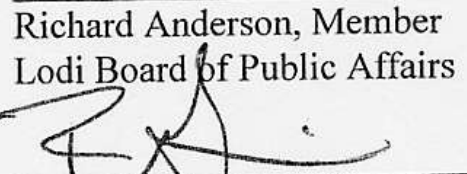

Thomas Longsdorf, Mayor

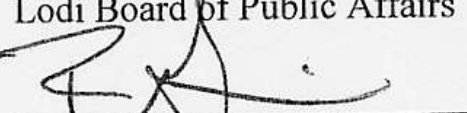
ATTEST:


Joanne Clapp
Clerk/Treasurer


Dan Goodrow, President
Lodi Board of Public Affairs


Theodore J. Lesiak
Village Solicitor and
Counsel to Lodi Board of
Public Affairs


Richard Anderson, Member
Lodi Board of Public Affairs


Robert Geissman, Member
Lodi Board of Public Affairs