

NEW LEGISLATION

October 26, 2026

Temp. No.	Introduced	Committee	Description
A-84	10/26/26	PZ	An ordinance accepting the Planning Commission's recommendation for a conditional zoning certificate for the construction of a Clean Express car wash facility located at 581 Howe Avenue, and declaring an emergency.
A-85	10/26/26	PZ	An ordinance accepting the Planning Commission's recommendation for the vacation of a portion of Elmwood Trail right-of-way at 3 rd Street between Parcel No. 0215287 and Parcel No. 0208109, and declaring an emergency.
A-86	10/26/26	Fin	An ordinance authorizing the Mayor to enter into an amendment of Contract No. 9127 with the Utility Workers' Union of America, Local 399, and declaring an emergency.
A-87	10/26/26	Fin	An ordinance amending Ordinance No. 104-2025, authorizing the Mayor, as Director of Public Safety, to enter into a contract or contracts for the purchase of annual requirements for certain services, materials, supplies, and equipment for use by the Fire Department during 2026, and declaring an emergency.

A-88	10/26/26	Fin	An ordinance establishing annual appropriations of money for the current expenses, capital expenditures and other expenses of the City of Cuyahoga Falls for the fiscal year ending December 31, 2027, and declaring an emergency.
A-89	10/26/26	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the purpose of raising street light poles in the median of State Route 8, and declaring an emergency.
A-90	10/26/26	PA	An ordinance authorizing the Mayor to execute an intergovernmental agreement with the County of Summit for direct indictment services, and declaring an emergency.
A-91	10/26/26	SEE	An ordinance authorizing Advanced Solar Products, Inc. to replace CS Energy as the engineering, procurement, and construction (EPC) partner to CEP Renewables, LLC for the 20 MW AC solar array located at the Hardy Road Landfill, and to provide the required performance bond and payment bond for the solar project, and declaring an emergency.

CALENDAR

October 26, 2026

The following legislation will be up for passage at the Council Meeting on October 26, 2026.

Temp. No.	Introduced	Committee	Description
------------------	-------------------	------------------	--------------------

There is no legislation up for passage at the Council meeting on October 26, 2026.

PENDING LEGISLATION

October 26, 2026

Temp. No.	Introduced	Committee	Description
A-60*	9/14/26	PZ	An ordinance approving text amendments to the Cuyahoga Falls Development Code regarding data centers, as more fully described and depicted herein, and declaring an emergency.
A-61*	9/14/26	PZ	An ordinance approving text amendments to the Cuyahoga Falls Development Code regarding nursing homes, assisted living and independent living facilities, as more fully described and depicted herein, and declaring an emergency.
A-79	10/12/26	Fin	A resolution accepting the amounts and rates of taxation as certified by the Summit County Budget Commission, authorizing the necessary tax levies, certifying such authorization to the County Fiscal Officer, and declaring an emergency.
A-80	10/12/26	Fin	An ordinance authorizing the Mayor to enter into contracts with Moxfive, LLC, Storm7 Labs, LLC, and Mullen Coughlin, LLC for cybersecurity protection and related services; and declaring an emergency.

A-81	10/12/26	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, waiving competitive bidding, for the purchase, installation, and maintenance of light fixtures which will illuminate City-owned property on the banks of the Cuyahoga River; and declaring an emergency.
A-82	10/12/26	Fin	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, without competitive bidding, with Virginia Transformer for the purchase of a substation transformer, and declaring an emergency.
Sub A-83	10/19/26	PI	An ordinance authorizing the Director of Public Service to enter into a contract or contracts, according to law, for the Blossom Glen Detention Basin Retrofit, and declaring an emergency.

A-78

10/12/26

CD

An ordinance creating the Park Ridge Incentive District; declaring improvements to the parcels within the Incentive District to be a public purpose and exempt from real property taxation; requiring the owners of those parcels to make service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund for the deposit of those service payments; specifying the public infrastructure improvements that benefit or serve parcels in the incentive district; providing for compensation payments; and declaring an emergency.

*A public hearing for Temp. Ord. A-60 and Temp. Ord. A-61 will be held on October 26, 2026.

Committee Meeting Schedule October 26, 2026	
Planning & Zoning	6:30
Finance	6:35
Public Improvements	6:40
Public Affairs	Subject to Call
Community Development	6:45
Sustainability, Energy, & Environment	Subject to Call

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. - 2026

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION FOR A CONDITIONAL ZONING CERTIFICATE FOR THE CONSTRUCTION OF A CLEAN EXPRESS CAR WASH FACILITY LOCATED AT 581 HOWE AVENUE, AND DECLARING AN EMERGENCY.

WHEREAS, the Charter of the City of Cuyahoga Falls requires that all decisions made by the Planning Commission be submitted to Council; and

WHEREAS, on October 20, 2026, the Planning Commission recommended approval of the conditional zoning certificate for the construction of a 3,782 square foot Clean Express car wash facility located at 581 Howe Avenue; and

WHEREAS, such approval is given subject to all Planning Commission findings and provisions contained in Project File CZ-26-00034.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and State of Ohio, that:

Section 1. City Council approves the conditional zoning certificate for the construction of a Clean Express car wash facility located at 581 Howe Avenue. The project will also include additional landscaped areas. The approved site plan is depicted in Attachment A, herein and as fully described in Project File CZ-26-00034, which are incorporated into this ordinance.

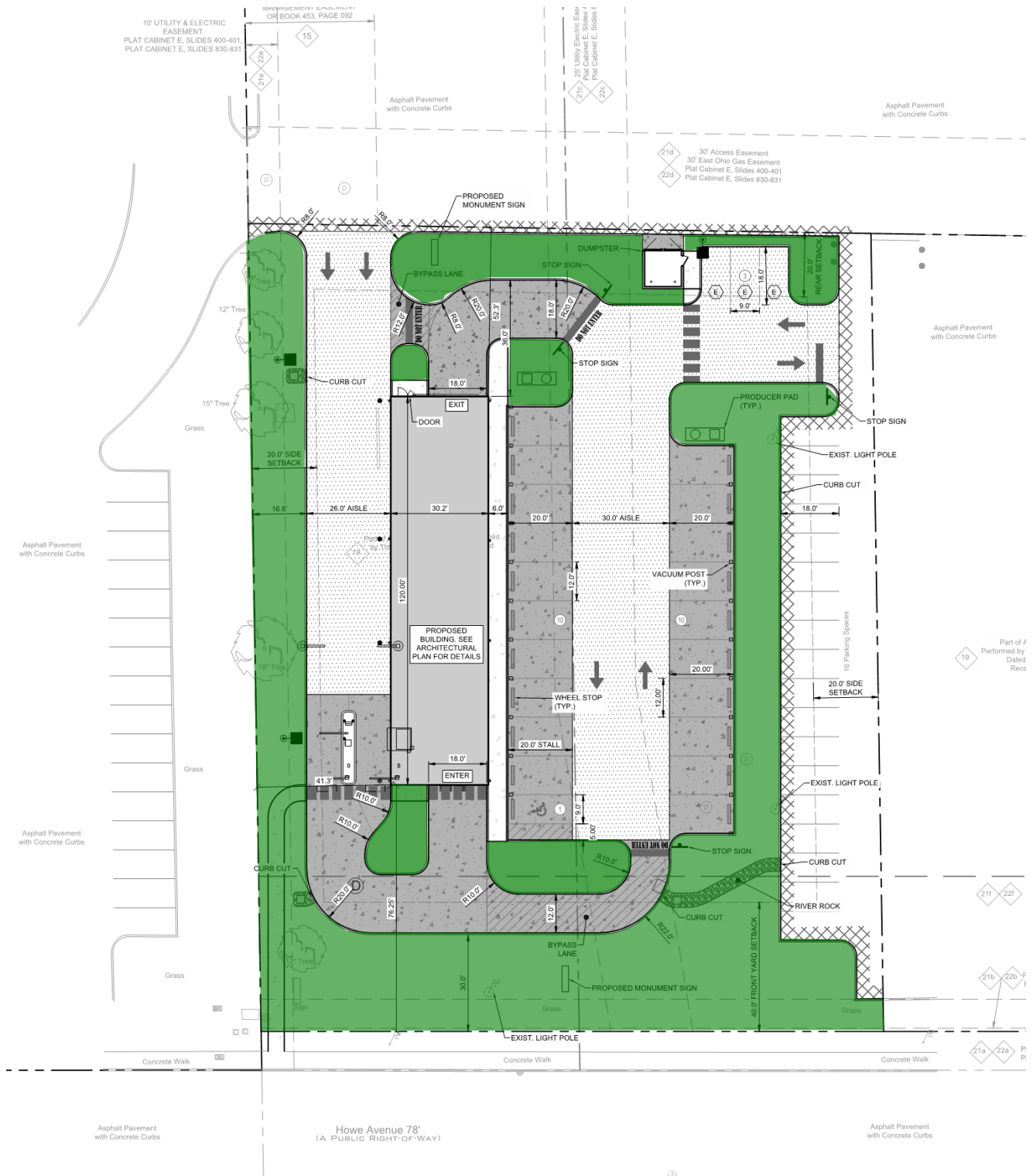
Section 2. Any other ordinances or resolutions or portions of ordinances or resolutions inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

Section 3. 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 of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and for the reason that it is necessary to permit timely development of this property, and provided it receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

56	Passed: _____	_____
57		President of Council
58		
59		
60		_____
61		Clerk of Council
62		
63		
64	Approved: _____	_____
65		Mayor
66	10/26/26	

ATTACHMENT A





Exit Elevation
Scale: 3/16" = 1'-0"



Entry Elevation
Scale: 3/16" = 1'-0"



Side Elevation
Scale: 3/16" = 1'-0"



Side Elevation
Scale: 3/16" = 1'-0"

Clean Express Auto Wash

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. - 2026

AN ORDINANCE ACCEPTING THE PLANNING COMMISSION'S RECOMMENDATION FOR THE VACATION OF A PORTION OF ELMWOOD TRAIL RIGHT-OF-WAY AT 3RD STREET BETWEEN PARCEL NO. 0215287 AND PARCEL NO. 0208109, AND DECLARING AN EMERGENCY.

WHEREAS, the Charter of the City of Cuyahoga Falls requires that all decisions made by the Planning Commission be submitted to Council; and

WHEREAS, on October 20, 2026, the Planning Commission recommended approval of the vacation of the Elmwood Trail right-of-way at 3rd Street between Parcel No. 0215287 and Parcel No. 0208109; and

WHEREAS, the subject right-of-way serves no public purpose and the vacation of such right-of-way will eliminate any potential future City maintenance; and

WHEREAS, such approval is given subject to all Planning Commission findings and provisions contained in Project File PZ-26-00033.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and State of Ohio, that:

Section 1. City Council approves the vacation plat that is depicted in Attachment A, herein and as fully described in Project File PZ-26-00033, and incorporated into this ordinance.

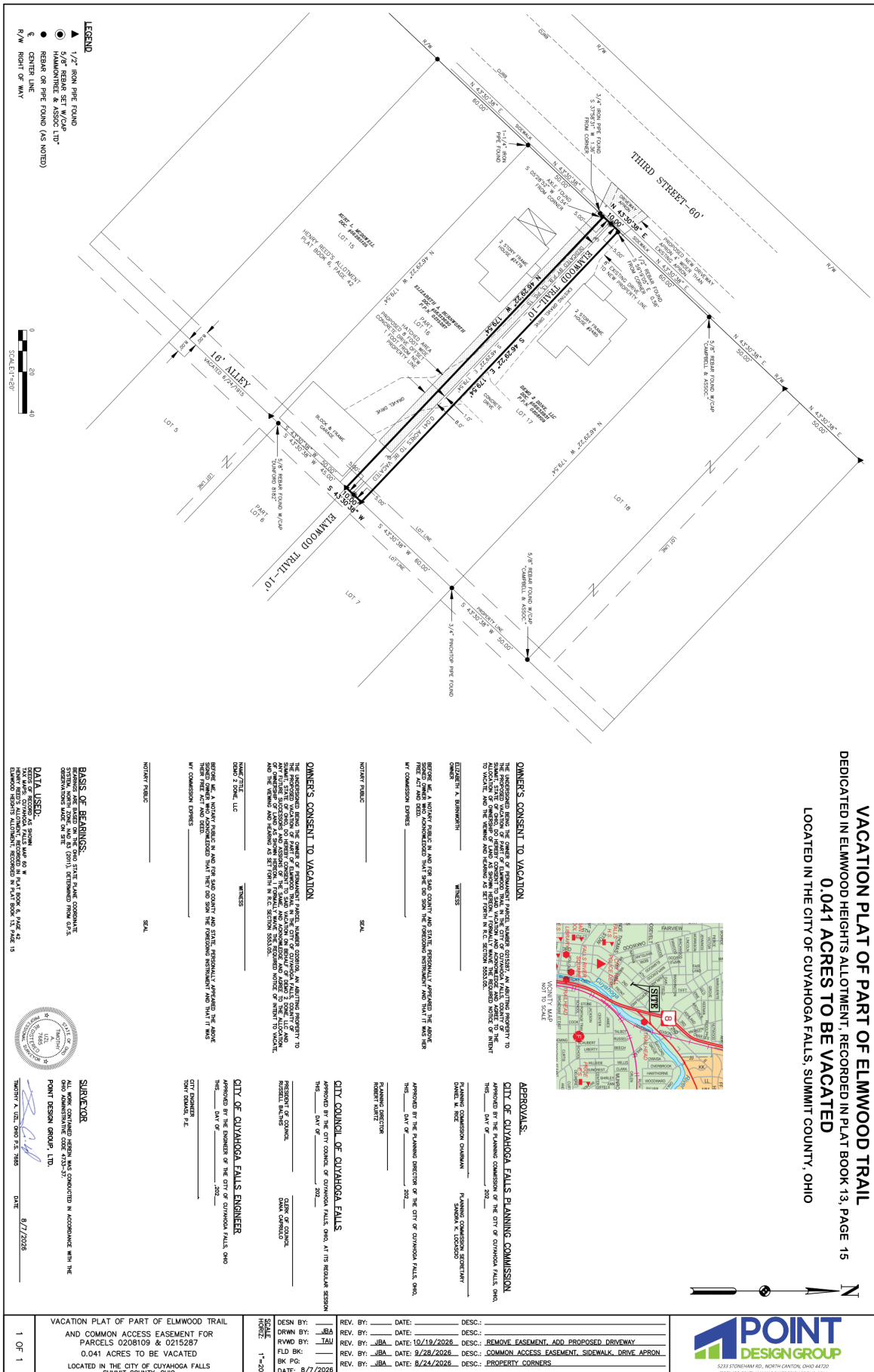
Section 2. Any other ordinances or resolutions or portions of ordinances or resolutions inconsistent herewith be and the same are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

Section 3. 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 of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof and provided it receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

56	Passed: _____	_____
57		President of Council
58		
59		
60		_____
61		Clerk of Council
62		
63		
64	Approved: _____	_____
65		Mayor
66	10/26/26	

ATTACHMENT A



CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. - 2026

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
INTO AN AMENDMENT OF CONTRACT NO. 9127 WITH
THE UTILITY WORKERS' UNION OF AMERICA, LOCAL
399, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to the authority of Ord. 81-2024, the Mayor entered into a collective bargaining agreement (Contract No. 9127), effective July 1, 2024 to June 30, 2027, with the Utility Workers' Union of America, Local 399 (UWUA), representing various classifications of employees; and

WHEREAS, the Mayor and his representatives and UWUA have bargained collectively and in good faith and said bargaining has resulted in a tentative agreement on an amendment to Contract No. 9127; and

WHEREAS, on or about _____, 2026, the membership of UWUA ratified said amendment.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and State of Ohio, that:

Section 1. The Mayor is hereby authorized to enter into an amendment of Contract No. 9127 with the Utility Workers' Union of America, Local 399.

Section 2. Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

Section 3. 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 of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof and provided it receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

56	Passed: _____	_____
57		President of Council
58		
59		
60		_____
61		Clerk of Council
62		
63		
64	Approved: _____	_____
65		Mayor
66	10/26/26	

2
3
4 CITY OF CUYAHOGA FALLS, OHIO5
6 ORDINANCE NO. – 2026
78 AN ORDINANCE AMENDING ORDINANCE NO. 104-2025,
9 AUTHORIZING THE MAYOR, AS DIRECTOR OF PUBLIC
10 SAFETY, TO ENTER INTO A CONTRACT OR CONTRACTS
11 FOR THE PURCHASE OF ANNUAL REQUIREMENTS FOR
12 CERTAIN SERVICES, MATERIALS, SUPPLIES, AND
13 EQUIPMENT FOR USE BY THE FIRE DEPARTMENT
14 DURING 2026, AND DECLARING AN EMERGENCY.
1516
17 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit
18 and State of Ohio, that:
1920 Section 1. The Mayor, as Director of Public Safety, is hereby authorized to enter into
21 a contract or contracts, according to law, for the purchase of safety and turnout gear by
22 the Fire Department during 2026.
2324 Section 2. The Mayor, as Director of Public Safety, is hereby authorized to enter into
25 a contract or contracts, without competitive bidding, with Atlantic Emergency Solutions,
26 Inc. in amount not to exceed \$425,000.00 for certain services, materials, supplies, and
27 equipment for use by the Fire Department during 2026.
2829 Section 3. The Director of Finance is hereby authorized to make payment for same
30 from Capital Projects Fund, line item Capital Outlay and General Fund, Fire Department,
31 line item Other Operations.
3233 Section 4. Any other ordinances or resolutions or portions of ordinances and
34 resolutions inconsistent herewith are hereby repealed, but any ordinances and
35 resolutions not inconsistent herewith and which have not previously been repealed are
36 hereby ratified and confirmed.
3738 Section 5. It is found and determined that all formal actions of this Council
39 concerning and relating to the adoption of this ordinance were adopted in an open
40 meeting of this Council, and that all deliberations of this Council and of any of its
41 committees that resulted in such formal action, were in meetings open to the public, in
42 compliance with all legal requirements, to the extent applicable, including Chapter 107
43 of the Codified Ordinances.
4445 Section 6. This ordinance is hereby declared to be an emergency measure necessary
46 for the preservation of the public peace, health, safety, convenience and welfare of the
47 City of Cuyahoga Falls and the inhabitants thereof, and for the reason it is necessary to
48 timely purchase these items for Fire Department operations, and provided it receives the
49 affirmative vote of two-thirds of the members elected or appointed to Council, it shall take
50 effect and be in force immediately upon its passage and approval by the Mayor; otherwise
51 it shall take effect and be in force at the earliest period allowed by law.
52
53
54
55

56	Passed: _____	_____
57		President of Council
58		
59		
60		_____
61		Clerk of Council
62		
63		
64	Approved: _____	_____
65		Mayor
66	10/26/26	

2
3
4 CITY OF CUYAHOGA FALLS, OHIO5
6 ORDINANCE NO. - 20267
8 AN ORDINANCE ESTABLISHING ANNUAL
9 APPROPRIATIONS OF MONEY FOR THE CURRENT
10 EXPENSES, CAPITAL EXPENDITURES AND OTHER
11 EXPENSES OF THE CITY OF CUYAHOGA FALLS FOR THE
12 FISCAL YEAR ENDING DECEMBER 31, 2027, AND
13 DECLARING AN EMERGENCY.
1415
16 WHEREAS, Ohio Revised Code §5705.38 requires local taxing authorities to pass an
17 annual appropriations measure classified so as to set forth the amounts appropriated to
18 each office, department and division of the taxing authority; and
1920 WHEREAS, Article VI, Section 6 of the City Charter requires the Mayor to submit an
21 estimated budget for the coming fiscal year showing the requested allotments of the
22 appropriations and estimated income for each office or department for the calendar year.
2324 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
25 County of Summit and State of Ohio, that:
2627 Section 1. In order to provide for the current expenses, capital expenditures, and
28 other expenses of the City of Cuyahoga Falls for the fiscal year ending December 31,
29 2027, the sums summarized in Exhibit A, which is attached hereto incorporated herein
30 by reference, are hereby appropriated and authorized for encumbrance and/or
31 expenditure as provided therein.
3233 Section 2. The fund transfers set forth in detail in Exhibit A2, and incorporated herein
34 by reference, are hereby authorized and approved.
3536 Section 3. The budget for each office and department of the City is hereby determined
37 and approved as set forth in Exhibit B, which is attached hereto and incorporated herein
38 by reference, and the expenditures authorized therein, and the amount authorized, shall
39 be made in accordance with the line items identified in Exhibit B, and any disbursements
40 within any line item set forth in Exhibit B may be paid out of the appropriations made
41 therefor.
4243 Section 4. No transfers of sums shall be made between departments. Transfers of
44 sums from one line item listed in Exhibit B to another line item, within the same
45 department, at any time within the fiscal year which exceed in the aggregate seven
46 percent (7%) of the amount originally appropriated in the line item from which the
47 transfer is made, or \$10,000.00, whichever is less, shall be prohibited unless authorized
48 by ordinance or resolution of Council.
4950 Section 5. Any amounts encumbered in a fiscal year prior to fiscal year 2027 in any
51 and all funds of the City, are hereby re-appropriated for the purpose of expenditure in
52 2027 or thereafter.
53
54
55

56 Section 6. All funds not individually listed in this ordinance but included in the 2027
57 Alternative Tax Budget Information of the City of Cuyahoga Falls and included in the
58 Amended Official Certificate of Estimated Resources for 2027 as issued by the County of
59 Summit Budget Commission are hereby appropriated for the purpose of encumbrance
60 and/or expenditure.

61
62 Section 7. Any other ordinances or resolutions or portions of ordinances and
63 resolutions inconsistent herewith are hereby repealed, but any ordinances and
64 resolutions not inconsistent herewith and which have not previously been repealed are
65 hereby ratified and confirmed.

66
67 Section 8. It is found and determined that all formal actions of this Council
68 concerning and relating to the adoption of this ordinance were adopted in an open
69 meeting of this Council, and that all deliberations of this Council and of any of its
70 committees that resulted in such formal action, were in meetings open to the public, in
71 compliance with all legal requirements, to the extent applicable, including Chapter 107
72 of the Codified Ordinances.

73 Section 9. This ordinance is hereby declared to be an emergency measure necessary
74 for the preservation of the public peace, health, safety, convenience and welfare of the
75 City of Cuyahoga Falls and the inhabitants thereof for the reason that authority is
76 required for the payment of operations, other and capital expenses of the City of
77 Cuyahoga Falls and provided it receives the affirmative vote of two-thirds of the members
78 elected or appointed to Council, it shall take effect and be in force immediately upon its
79 passage and approval by the Mayor; otherwise it shall take effect and be in force at the
80 earliest period allowed by law.

81
82
83 Passed: _____

President of Council

84
85
86
87
88 _____
Clerk of Council

89
90
91 Approved: _____

Mayor

92
93 10/26/26

2
3
4 CITY OF CUYAHOGA FALLS, OHIO5
6 ORDINANCE NO. - 2026
78 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
9 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR
10 CONTRACTS, ACCORDING TO LAW, FOR THE PURPOSE
11 OF RAISING STREET LIGHT POLES IN THE MEDIAN OF
12 STATE ROUTE 8, AND DECLARING AN EMERGENCY.
1314
15 WHEREAS, the Electric Department will be raising street light poles to the top of the
16 median wall on State Route 8 to be mounted on top of the concrete barrier wall; and
1718 WHEREAS, the Electric Department will be contracting out the labor, equipment, and
19 materials, excluding poles and light fixtures, necessary raise the poles to the top of the
20 median; and
2122 WHEREAS, the Electric Department has solicited and received public bids for this
23 work and the Ruhlin Company has been determined to be the lowest and best bidder.
2425 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
26 County of Summit and State of Ohio, that:
2728 Section 1. The Director of Public Service is hereby authorized to enter into contract
29 or contracts, according to law, for the purpose of raising street light poles in the median
30 of State Route 8.
3132 Section 2. The Director of Finance is hereby authorized to make payment for same,
33 from the Electric Fund, line item Capital Outlay.
3435 Section 3. Any other ordinances or resolutions or portions of ordinances and
36 resolutions inconsistent herewith are hereby repealed, but any ordinances and
37 resolutions not inconsistent herewith and which have not previously been repealed are
38 hereby ratified and confirmed.
3940 Section 4. It is found and determined that all formal actions of this Council
41 concerning and relating to the adoption of this ordinance were adopted in an open
42 meeting of this Council, and that all deliberations of this Council and of any of its
43 committees that resulted in such formal action, were in meetings open to the public, in
44 compliance with all legal requirements, to the extent applicable, including Chapter 107
45 of the Codified Ordinances.
4647 Section 5. This ordinance is hereby declared to be an emergency measure necessary
48 for the preservation of the public peace, health, safety, convenience and welfare of the
49 City of Cuyahoga Falls and the inhabitants thereof, and for the reason that raising the
50 street light poles will increase public safety, and provided it receives the affirmative vote
51 of two-thirds of the members elected or appointed to Council, it shall take effect and be
52 in force immediately upon its passage and approval by the Mayor; otherwise it shall take
53 effect and be in force at the earliest period allowed by law.
54
55

56	Passed: _____	_____
57		President of Council
58		
59		
60		_____
61		Clerk of Council
62		
63		
64	Approved: _____	_____
65		Mayor
66	10/26/26	

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. – 2026

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE
AN INTERGOVERNMENTAL AGREEMENT WITH THE
COUNTY OF SUMMIT FOR DIRECT INDICTMENT
SERVICES, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit,
and State of Ohio, that:

Section 1. The Mayor is hereby authorized to execute an Intergovernmental Agreement
with the County of Summit for direct indictment services, effective January 1, 2027
through December 31, 2027, with 4 one-year renewal options.

Section 2. The Mayor, Director of Law, Director of Finance and other necessary City
officials are authorized to provide such other information and to execute such other
documents, and do all other actions as are necessary for and incidental to carrying out
the requirements of this ordinance.

Section 3. The Director of Finance is hereby authorized to make payment for the same
from the General Fund – Police Department, line item Other Operations.

Section 4. Any ordinances or resolutions or portions of ordinances and resolutions
inconsistent herewith are hereby repealed, but any ordinances and resolutions not
inconsistent herewith and which have not previously been repealed are hereby ratified
and confirmed.

Section 5. It is found and determined that all formal actions of this Council concerning
and relating to the passage of this ordinance were taken in an open meeting of this
Council and that all deliberations of this Council and of any committees that resulted in
those formal actions were in meetings open to the public, in compliance with all legal
requirements including Chapter 107 of the Codified Ordinances.

Section 6. This ordinance is hereby declared to be an emergency measure necessary
for the preservation of the public peace, health, safety, convenience and welfare of the
City of Cuyahoga Falls and the inhabitants thereof and for the reason that it is necessary
to continue direct indictment services so that individuals receive due process in a timely
manner as mandated by law, and provided it receives the affirmative vote of two-thirds of
the members elected or appointed to Council, it shall take effect and be in force
immediately upon its passage and approval by the Mayor; otherwise it shall take effect
and be in force at the earliest period allowed by law.

56 Passed: _____

57

58

59

60

61

62

63

64 Approved: _____

65

66 10/26/26

President of Council

Clerk of Council

Mayor

CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. – 2026

AN ORDINANCE AUTHORIZING ADVANCED SOLAR PRODUCTS, INC. TO REPLACE CS ENERGY AS THE ENGINEERING, PROCUREMENT, AND CONSTRUCTION (EPC) PARTNER TO CEP RENEWABLES, LLC FOR THE 20 MW AC SOLAR ARRAY LOCATED AT THE HARDY ROAD LANDFILL, AND TO PROVIDE THE REQUIRED PERFORMANCE BOND AND PAYMENT BOND FOR THE SOLAR PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 86-2025 authorized the City to enter into a contract, after receiving public proposals, for the purpose of constructing a City-owned 20 MW AC solar array located at the Hardy Road Landfill; and

WHEREAS, CEP Renewables, LLC (CEP) was selected based upon its proposal; and

WHEREAS, CEP's proposal contemplated a partnership with CS Energy to provide engineering, procurement and construction (EPC) services for the solar project, with CS Energy also securing the project's performance bond and payment bond, consistent with the standard model commonly used in the solar industry; and

WHEREAS, due to a change in circumstances, CS Energy is no longer able to participate in the solar project, and the parties have determined that Advanced Solar Products, Inc. (ASP) is a qualified, experienced, and financially stable replacement engineering, procurement, and construction (EPC) contractor capable of providing the necessary services and securing the required performance bond and payment bond for the solar project; and

WHEREAS, ASP is a leading solar energy and related sustainable technologies company developing and performing EPC work on commercial and industrial solar PV projects; and

WHEREAS, ASP has the resources, personnel and expertise necessary to facilitate completion of the project within the federal deadline, thereby preserving the City's ability to obtain the applicable federal tax credits.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit, and State of Ohio, that:

Section 1. Advanced Solar Products, Inc. is authorized to replace CS Energy as the engineering, procurement, and construction (EPC) partner to CEP Renewables, LLC for the 20 MW AC solar array at the Hardy Road Landfill and to provide the required performance bond and payment bond for the solar project.

Section 2. The Mayor, Director of Law, Director of Public Service, Director of Finance and any other necessary City officials are hereby authorized to provide such information and to execute such other documents and do all other actions as are necessary for and incidental to carrying out the requirements of this ordinance.

56 Section 3. Any ordinances or resolutions or portions of ordinances and resolutions
57 inconsistent herewith are hereby repealed, but any ordinances and resolutions not
58 inconsistent herewith and which have not previously been repealed are hereby ratified
59 and confirmed.
60

61 Section 4. It is found and determined that all formal actions of this Council concerning
62 and relating to the passage of this ordinance were taken in an open meeting of this
63 Council and that all deliberations of this Council and of any committees that resulted in
64 those formal actions were in meetings open to the public, in compliance with all legal
65 requirements including Chapter 107 of the Codified Ordinances.
66

67 Section 5. This ordinance is hereby declared to be an emergency measure necessary
68 for the preservation of the public peace, health, safety, convenience and welfare of the
69 City of Cuyahoga Falls and the inhabitants thereof and for the reason that it is necessary
70 to secure an EPC partner so that the project is completed by the federal deadline
71 necessary to secure the federal tax credit, and provided it receives the affirmative vote of
72 two-thirds of the members elected or appointed to Council, it shall take effect and be in
73 force immediately upon its passage and approval by the Mayor; otherwise it shall take
74 effect and be in force at the earliest period allowed by law.
75

76
77 Passed: _____

President of Council

78
79
80
81
82 _____
Clerk of Council

83
84
85 Approved: _____

Mayor

86
87 10/26/26