

ORDINANCE NO.: 141-2014
INTRODUCED BY: Mayor Roche and All of Council

AN ORDINANCE AUTHORIZING THE CITY TO EXECUTE
AND DELIVER THE AGREEMENT ESTABLISHING THE
NORTHEAST OHIO PUBLIC ENERGY COUNCIL (“NOPEC”),
TO JOIN NOPEC, AND TO APPROVE THE BYLAWS OF
NOPEC; AND DECLARING AN EMERGENCY.

WHEREAS, this Council wishes to establish a natural gas aggregation program pursuant to Section 4929.26, Ohio Revised Code (the “Natural Gas Program”), for the residents, businesses and other consumers located within the City, and for that purpose, to act jointly with any other village, city, township, municipal corporation, county or other political subdivision of the State of Ohio, as permitted by law; and

WHEREAS, by joining the Northeast Ohio Public Energy Council, the City will be able to act jointly with other member political subdivisions and thereby maximize the potential benefit of natural gas deregulation through group purchasing efforts.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RICHMOND HEIGHTS, STATE OF OHIO, THAT:

Section 1. This Council finds and determines that it is in the best interest of the City, including the natural gas consumers located within the City, to join and to adopt the NOPEC Bylaws, for the purpose of establishing and implementing the Natural Gas Program within the City.

Section 2. The Mayor of the City is hereby authorized to execute and deliver the Agreement Establishing the Northeast Ohio Public Energy Council (the “NOPEC Agreement”). The NOPEC Agreement shall be substantially in the form presented to this Council and on file with the Clerk, subject to such changes, insertions and omissions which are consistent with this Ordinance and are not substantially adverse to the City and as may be approved by the Mayor of the City, which approval shall be conclusively evidenced by the execution of the NOPEC Agreement.

Section 3. The Council hereby approves and adopts the Bylaws of NOPEC (in the form attached to the NOPEC Agreement).

Section 4. The Council finds and determines that all formal actions of this Council concerning and relating to the adoption 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 the law.

Section 5. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City, and for the further

reason that this Ordinance is required to be immediately effective in order to maximize the potential benefit through the Natural Gas Program provided by NOPEC; wherefore, this Ordinance shall be in full force and effect immediately upon its passage by the Council and the signature of the Mayor.

PASSED: _____, 2014

David H. Roche, Mayor

APPROVED: _____, 2014

ATTEST: _____
Betsy Traben
Clerk of Council

Eloise Henry
President of Council