

ORDINANCE NO.: 129 -2014

INTRODUCED BY: Mayor Roche and All of Council

AN ORDINANCE APPROVING THE PLAN OF OPERATION AND GOVERNANCE FOR THE NOPEC GAS AGGREGATION PROGRAM FOR THE PURPOSE OF JOINTLY ESTABLISHING AND IMPLEMENTING A GAS AGGREGATION PROGRAM, AND DECLARING AN EMERGENCY

WHEREAS, this Council previously enacted legislation authorizing the City of Richmond Heights, Ohio (the "City") to establish a gas aggregation program pursuant to Section 4929.26, Ohio Revised Code (the "Gas Aggregation Program"), for the eligible residents, businesses and other natural gas consumers in the City, and for that purpose, to act jointly with any other municipal corporation, city, county or other political subdivision of the State of Ohio, as permitted by law;

WHEREAS, this Council previously enacted legislation authorizing the City to join the Northeast Ohio Public Energy Council so that the City will be able to act jointly with other member political subdivisions and thereby maximize the potential benefits of gas deregulation through group purchasing efforts; and

WHEREAS, on behalf of this Council, pursuant to Section 4929.26, Ohio Revised Code, two (2) public hearings have been held on the Plan of Operation and Governance for the NOPEC Gas Aggregation Program.

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 gas consumers located within the City to adopt the Plan of Operation and Governance of the NOPEC Gas Aggregation Program, for the purpose of establishing and implementing the Gas Aggregation Program in the City.

Section 2: 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 any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that this Ordinance is required to be immediately effective in order to maximize the potential benefits of gas deregulation through the Gas Aggregation Program of NOPEC, as provided herein; wherefore, provided this Ordinance receives affirmative vote of five members of the Council, it shall take

effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

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David H. Roche, Mayor

APPROVED: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Betsy Traben  
Clerk of Council

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Eloise Henry  
President of Council