

ORDINANCE NO.: 142-2014
INTRODUCED BY: Mayor Roche and All of Council

AN ORDINANCE AUTHORIZING ENTERING INTO A NATURAL GAS PROGRAM AGREEMENT WITH THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (“NOPEC”); AND DECLARING AN EMERGENCY.

WHEREAS, under Section 4929.26, Ohio Revised Code, the City of Richmond Heights, Ohio (the “City”) is authorized to establish an opt-out natural gas aggregation program for the benefit of eligible natural gas consumers located within the City;

WHEREAS, under Section 4929.26, Ohio Revised Code, the City may exercise such authority jointly with other political subdivisions in the State of Ohio;

WHEREAS, governmental aggregation provides an opportunity for natural gas consumers collectively to participate in the potential benefits of natural gas deregulation through lower gas rates which they would not otherwise be able to have individually;

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

Section 1. Council finds and determines that it is in the best interest of the City and certain natural gas consumers located within the City, to establish an opt-out natural gas aggregation program (the “Gas Aggregation Program”) in the City, and to enter into a Natural Gas Program Agreement with NOPEC in order to establish a Gas Aggregation Program through NOPEC.

Section 2. The Mayor of the City is hereby authorized to execute and deliver the Natural Gas Program Agreement of NOPEC (the “Gas Program Agreement”). The Gas Program Agreement shall be substantially in the form presented to the Council 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 Council, which approval shall be conclusively evidenced by execution of the Gas Program Agreement.

Section 3. 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 4. 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