

ORDINANCE NO. 43-21

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

WHEREAS, this Council previously enacted legislation authorizing the City of Conneaut (the "City") to establish an "opt-out" Gas Aggregation Program pursuant to Section 4929.26, Ohio Revised Code (the "Opt-Out Gas Aggregation Program"), for the eligible residents, businesses and other 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 (NOPEC), and to execute a Natural Gas Program Agreement, so that the City would be able to act jointly with other member political subdivisions and thereby maximize the potential benefits of gas deregulation through group purchasing efforts;

WHEREAS, this Council has enacted legislation establishing an "opt-in" natural gas aggregation program pursuant to Section 4927(A)(1), Ohio Revised Code, (the "Opt-In Natural Gas Aggregation Program") for the eligible residents, business and other consumers located within the City, and to conduct the Opt-In Natural Gas Aggregation Program jointly through NOPEC as a NOPEC member; and

WHEREAS, on behalf of this Council pursuant to Section 4929.27(B), Ohio Revised Code, two (2) public hearings have been held on the Plan of Operation and Governance for the NOPEC Opt-Out and Opt-In Natural Gas Aggregation Program (collectively, the "NOPEC Natural Gas Aggregation Program").

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CONNEAUT, ASHTABULA COUNTY AND 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 Natural Gas Aggregation Program, for the purpose of establishing and implementing the NOPEC Natural Gas Aggregation Program in the City.

SECTION 2. This 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 3. 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 benefits of gas deregulation through the NOPEC Natural Gas Aggregation Program, as provided herein; wherefore, this Ordinance shall be in full force and effect immediately upon its adoption and approval by the City.

DATED ADOPTED: June 14, 2021

Jan A. ...
President of Council

City Manager
City of Conneaut

ATTEST:
this 14th day of June, 2021.

Pamela O'Connell
Council Clerk

I, *Pamela O'Connell*, Clerk of the Council of the City of Conneaut, Ohio, do hereby certify that the foregoing is a true and accurate copy of *Ord. No. 43 21* passed on the *14th* day of *June*, 20 *21* by said Council.

Pamela O'Connell
Clerk of Council *6/14/21*