

RESOLUTION NO. 48-2022 (MS), *Second Reading*

By Mayor Seren

A Resolution authorizing the City to participate in the NOPEC Green Community Choice Program for the City's Electricity Aggregation Program Starting January 2023; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, this Council previously enacted legislation authorizing the City of Cleveland Heights, Ohio, ("City") to establish an electricity aggregation program pursuant to R.C. 4928.20 (the "Electricity Aggregation Program") for the residents, businesses, and other electric consumers in the City, and for that purpose, to act jointly with any other municipal corporation, township, county, or other political subdivision of the State of Ohio, as permitted by law; and

WHEREAS, in November 2001, the electors of the City approved the City's authority to automatically aggregate electricity in accordance with R.C. 4928.20; and

WHEREAS, the City is a member of the Northeast Ohio Public Energy Council ("NOPEC") and participates in NOPEC's "Electricity Aggregation Program;" and

WHEREAS, on December 7, 2020, the Council of the City of Cleveland Heights unanimously passed Resolution No. 138-2020, to encourage effective plans to address climate change, a pressing problem already affecting Cleveland Heights; and

WHEREAS, on June 7, 2021, the Council of the City of Cleveland Heights unanimously passed Resolution No. 62-2021, to enter into a partnership with Power a Clean Future Ohio and to commit to the goal of reducing greenhouse gas emissions in the City of Cleveland Heights by 30% by 2030, relative to 2021 levels; and

WHEREAS, the City has adopted or may be considering adopting a sustainability plan, a part of which includes or may include increasing the renewable content of the electricity consumed in the City; and

WHEREAS, NOPEC has developed a new green program offering for its member communities with a 100% renewable energy content standard default electricity aggregation product, that includes Renewable Energy Credits ("RECs") for 100% of the customer's energy usage, to any current or new NOPEC member community that selects this program for the upcoming three-year NOPEC electric aggregation term (from the January 2023 until January 2026 utility meter reads) ("Green Community Choice Program"); and

WHEREAS, the City believes that participation in the Green Community Choice Program will substantially assist Cleveland Heights in meeting its goal of greenhouse gas emission reduction and contribute to increasing the financial viability of renewable energy generation; and

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WHEREAS, the Green Community Choice Program will include the additional cost of 100% RECs for 100% of the City's eligible customers' energy usage; and

WHEREAS, the additional cost for the REC content included in the Green Community Choice Program price will be no higher than .425 cents/kWh or about \$3.55/month for the average residential household over the term of program; and

WHEREAS, the City's eligible customers will have the option to opt-in to the standard NOPEC default product not containing additional RECs at the lower Standard Program price or choose another NOPEC product offering; and

WHEREAS, the NOPEC Green Community Choice Program offering requires that a member community notify NOPEC in writing of its election to choose the Green Community Choice Program (100% REC standard default electricity aggregation product) for the upcoming three-year NOPEC Aggregation Program term with legislation adopted by the legislative authority of the community making the election.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

Section 1. This Council hereby approves the City's election to participate in NOPEC's Green Community Choice Program for the upcoming three-year NOPEC Aggregation Program term (from the January 2023 through January 2026 utility meter reads). This Council hereby authorizes and ratifies all actions of the Mayor in connection with execution of the City's election to notify NOPEC to participate in NOPEC's Green Community Choice Program.

Section 2. This Council hereby acknowledges that the City's election to participate in NOPEC's Green Community Choice Program for the upcoming three (3) year NOPEC Aggregation Program term (from the January 2023 until the January 2026 utility meter read(s) is binding and irrevocable for such three (3) year Aggregation Program term.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in open meetings 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 including the City's Charter and Codified Ordinances and R.C. 121.22.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to timely notify NOPEC of the City's election to choose the Green Community Program. Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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*Melody Joy Hart*  
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MELODY JOY HART  
President of the Council

*Amy Himmelien*  
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AMY HIMMELEIN  
Clerk of Council

PASSED: May 2, 2022

Presented to Mayor: May 4, 2022

Approved: May 10, 2022

*Kahlil Seren*  
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KAHLIL SEREN  
Mayor