

CITY OF FOSTORIA, OHIO

Ordinance No.: 2019 - \_\_\_\_\_

Introduced by: \_\_\_\_\_

Requested by:

AN ORDINANCE

Approving the Plan of Operation and Governance for the NOPEC electricity aggregation program, for the purpose of jointly establishing and implementing an electricity aggregation program and declaring an emergency.

**WHEREAS**, this Council previously enacted legislation authorizing the City of Fostoria ("City") to establish an electricity aggregation program pursuant to Section 4928.20, Ohio Revised Code (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**, 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 benefits of electricity deregulation through group purchasing efforts; and

**WHEREAS**, this Council, pursuant to Section 4928.20, Ohio Revised Code, has held two (2) public hearings on the Plan of Operation and Governance for the NOPEC Electricity Aggregation Program.

**NOW, THEREFORE**, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FOSTORIA, COUNTIES OF HANCOCK, SENECA AND WOOD, AND STATE OF OHIO, THAT:

**SECTION 1.** This Council hereby approves and adopts the Plan of Operation and Governance of the NOPEC Electricity Aggregation Program (in the form presented to this Council and on file with the Clerk).

**SECTION 2.** It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 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 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 Electric Program provided by NOPEC.

**THEREFORE,** upon the affirmative vote of two-thirds (2/3) of all members elected to Council, and signature by the Mayor, this ordinance shall go into immediate force and effect.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Steve Kauffman, Council President

ATTEST:

\_\_\_\_\_  
Tamara L. Drake, Clerk of Council

Filed with me and approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Eric J. Keckler, Mayor