

**ORDINANCE NO.:** 2021-25  
**SPONSOR:** MAYOR NEUGEBAUER  
**INTRODUCED:** OCTOBER 26, 2021

**ASSIGNED TO:** \_\_\_\_\_

**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.**

WHEREAS, Green City Council previously enacted legislation authorizing the City of Green, Green, Ohio (the "City") to establish an "opt-out" Gas Aggregation Program pursuant to Section 4929.27, 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; and

WHEREAS, Green City 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; and

WHEREAS, Green City Council has enacted legislation establishing an "opt-in" natural gas aggregation program pursuant to Section 4927.27(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 GREEN, SUMMIT COUNTY AND STATE OF OHIO, THAT:**

**SECTION ONE:**

Green City Council finds and determines that it is in the best interest of the City, including the gas consumers located within the City of Green, 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 TWO:**

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

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ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
Nichole Messner, Clerk of Council

\_\_\_\_\_  
Rocco Yeargin, Council President

APPROVED: \_\_\_\_\_, 2021

\_\_\_\_\_  
Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: \_\_\_\_\_, 2021

ON ROLL CALL:   Babbitt \_\_\_\_\_   Brandenburg \_\_\_\_\_   DeVitis \_\_\_\_\_   France \_\_\_\_\_  
                          Meager \_\_\_\_\_   Shaughnessy \_\_\_\_\_   Yeargin \_\_\_\_\_

*Southside Leader* publication on \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_  
Nichole Messner, Clerk of Council

10/21/2021 Approved as to form and content by Lisa Carey Dean, Director of Law \_\_\_\_\_