

ORDINANCE NO.

30-2010

Offered by All of Council

AN ORDINANCE AUTHORIZING THE VILLAGE TO ENTER INTO THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (“NOPEC”) AND THE EXECUTION AND DELIVERY OF THE AGREEMENT ESTABLISHING NOPEC AND APPROVING THE BYLAWS OF NOPEC, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the Village of Richfield wishes to establish an electric aggregation program pursuant to Section 4928.20, Ohio Revised Code (the “Electric Program”), for the residents, businesses and other consumers located within the Village, and for that purpose, to act jointly with any other village, city, township, municipal corporation, 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 Village will be able to act jointly with other member political subdivisions and thereby maximize the potential benefit of natural electric deregulation through group purchasing efforts.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, Summit County, State of Ohio, that:

SECTION 1. The Council of the Village (the “Council”) finds and determines that it is in the best interest of the Village, including the electric consumers located within the Village, to join and adopt the NOPEC Bylaws, for the purpose of establishing and implementing the Electric Program within the Village.

SECTION 2. The Mayor and the Finance Director be, and they hereby are, authorized and directed to execute and deliver the Agreement Establishing the Northeast Ohio Public Energy Council, as amended (the “NOPEC Agreement”). The NOPEC Agreement shall be substantially in the form presented to this Council and 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 Village and as may be approved by the Mayor, which approval shall be conclusively evidenced by the execution of the NOPEC Agreement.

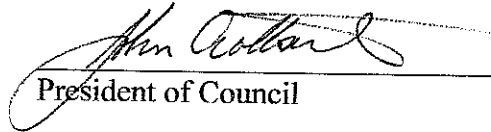
SECTION 3. The Council hereby approves and adopts the Bylaws of NOPEC (in the form attached to the NOPEC Agreement).

SECTION 4. 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 5. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare 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 by NOPEC; wherefore, provided this Ordinance receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

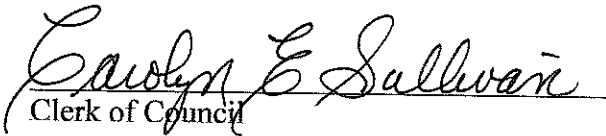
PASSED: 8-3-10

  
\_\_\_\_\_  
President of Council

  
\_\_\_\_\_  
Mayor

Dated: 8/3/10

ATTEST:

  
\_\_\_\_\_  
Clerk of Council