

# RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 2020-44

Passed December 10, 2020

## ORDINANCE 2020-44

### AN ORDINANCE AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A LETTER OF INTENT FOR THE POTENTIAL PURCHASE OF SOLAR-GENERATED ENERGY AND RELATED ELECTRIC CONSULTING AGREEMENT; AND DECLARING AN EMERGENCY.

**WHEREAS**, The City of Northwood has been a Public Utilities Commission of Ohio ("PUCO") certified governmental aggregator since 2000 and has offered various programs to residential and small commercial users over the years.

**WHEREAS**, The City is also a member of the Northwest Ohio Aggregation Coalition ("NOAC") as are several other neighboring communities, and the City's participation in NOAC has resulted in savings to all NOAC residential and small commercial participants.

**WHEREAS**, Discussions have occurred between NOAC's members and NOAC's energy consultant, Palmer Energy, regarding the potential opportunities to purchase energy generated by Ohio located utility scale solar facilities.

**WHEREAS**, In order for Palmer Energy to issue a Request for Proposal it is recommended that a Letter of Intent be executed permitting Palmer Energy to submit the request on behalf of the NOAC members.

**WHEREAS**, The Letter of Intent also provides that if an opportunity arises at or below a \$41.00 per MW-hour price the City of Northwood will use good faith efforts to consider and negotiate the purchase of energy and any other related attributes scale photovoltaic solar facility through a power purchase agreement.

**WHEREAS**, It also provides that the City agrees to have Palmer Energy provide the ongoing services for the purchase of the electricity and the facilities as more fully described in "Exhibit A", attached.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTHWOOD, WOOD COUNTY, OHIO THAT:**

**SECTION 1.** The City Administrator be, and is hereby authorized to enter into a Letter of Intent for the Potential Purchase of SolarGenerated Energy and Related Electric Consulting Agreement, subject to final review and approval of the Director of Law.

**SECTION 2.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting 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 of the City of Northwood and the State of Ohio.

**SECTION 3.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, property and welfare and for the further reason that the Letter of Intent for Potential Purchase of Solar-Generated Energy and Related Electric Consulting Agreement should be executed immediately so as to secure the best market pricing.

Vote to suspend rules: For: 1 Against: 0  
Vote on emergency clause: For: 1 Against: 0  
Vote on final adoption: For: 1 Against: 0

Adopted this 10 day of December, 2020 as an emergency measure.

Effective: December 10, 2020

ATTEST:

[Signature]  
Clerk of Council

[Signature]  
President of Council

APPROVED AS TO FORM:

[Signature]  
City Attorney

APPROVED:

[Signature]  
Mayor