

# Ordinance No. 676-2022

By Council Member Griffin  
(by departmental request)

## AN EMERGENCY ORDINANCE

To authorize the Director of Finance to withdraw the City of Cleveland from Northeast Ohio Public Energy Council's (NOPEC) electric aggregation program.

**FOR PASSAGE**  
**July 13, 2022**

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WHEREAS, pursuant to the April 2, 2018 Original Letter Agreement and the October 15, 2019 Supplemental Letter Agreement (the "Agreement") between the City and Northeast Ohio Public Energy Council ("NOPEC"), the City currently participates in NOPEC's electric aggregation program; and

WHEREAS, under that Agreement, the City's commitment to participate in the electric aggregation program is until January 2023 meter read date unless the City provides NOPEC with an opt-out notice six months' before that date, in which case there is no administrative fee to opt-out; and

WHEREAS, due to the volatile energy market and as steward for the citizens of Cleveland, the City has decided to withdraw from NOPEC's electric aggregation program; and

WHEREAS, on June 30, 2022, the Director of Finance provided notice to NOPEC by e-mail and certified mail that the City is withdrawing from the electric aggregation program which is within the six-month requirement as stated in the Agreement; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of Finance is authorized to withdraw the City of Cleveland from NOPEC's electric aggregation program.

Section 2. That the Director of Finance is authorized to file all papers and execute any documents necessary to terminate the Agreement and withdraw from NOPEC's electric aggregation program, which expires with the January 2023 meter read date.

Section 3. That the Clerk of Council is authorized and directed to send a certified copy of this legislation to Charles W. Keiper, II, Executive Director of NOPEC, 31360 Solon Road, Suite 33, Solon, Ohio 44139.

Section 4. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

# Ord. No. 676-2022

REPORT  
after second Reading

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READ FIRST, SECOND AND THIRD TIME

and referred to

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME on JULY 13, 2022

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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