

**COUNCIL OF THE
VILLAGE OF HIGHLAND HILLS**

ORDINANCE NO. 2024-57

For the September 12, 2024
Council Meeting

Introduced by: Mayor Michael L. Booker

Supported by: Council President Cassandra Pride
and Councilpersons Greene, Mills, McManus and
Wright

**AN ORDINANCE APPROVING THE PLAN OF OPERATION AND
GOVERNANCE FOR THE NOPEC OPT-IN GAS AGGREGATION
PROGRAM FOR THE PURPOSE OF JOINTLY ESTABLISHING AND
IMPLEMENTING AN OPT-IN GAS AGGREGATION PROGRAM AS A
NOPEC MEMBER, AND DECLARING AN EMERGENCY.**

WHEREAS, this Council previously enacted legislation authorizing the Village of Highland Hills (the “Village”) to establish an “opt-out” Gas Aggregation Program pursuant to Section 4929.26, Ohio Revised Code (the “Opt-Out Gas Aggregation Program”), for the eligible residents, businesses and other gas consumers in the Village, 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, this Council previously enacted legislation authorizing the Village to join the Northeast Ohio Public Energy Council (NOPEC), to execute a Natural Gas Program Agreement and adopt the NOPEC Gas Aggregation Program Plan of Operation and Governance, so that the Village 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, this Council has enacted legislation establishing an “opt-in” natural gas aggregation program pursuant to Section 4927(A)(1), Ohio Revised Code, (the “Opt-In Natural Gas Aggregation Program”) for the eligible residents, business and other consumers located within the Village, 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-In Natural Gas Aggregation Program.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF HIGHLAND HILLS, CUYAHOGA COUNTY AND STATE OF OHIO, THAT:

Section 1: This Council finds and determines that it is in the best interest of the Village, including the gas consumers located within the Village, to adopt the Plan of Operation and Governance of the

NOPEC Opt-In Natural Gas Aggregation Program, for the purpose of establishing and implementing the NOPEC Opt-In Natural Gas Aggregation Program in the Village.

Section 2: Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an orderly meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were conducted in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: This Ordinance is declared to be an emergency measure necessary to provide for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of Highland Hills, and for the further reason that this Ordinance is required to be immediately effective in order to maximize the potential benefits of gas deregulation through the NOPEC Opt-In Natural Gas Aggregation Program of NOPEC, as provided herein and provided it receives the affirmative vote of two-third (2/3) of all members elected to Council, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this 16th day of October, 2024.

First Reading 9/12/24 Second Reading 10/16/24 Third Reading _____

Vote: Pride ☒ yea ☐ nay Greene ☒ yea ☐ nay Mills ☒ yea ☐ nay

McManus ☒ yea ☐ nay Wright ☒ yea ☐ nay

Cassandra Pride

Cassandra Pride
President of Council

10/16/24
Date

Attest: Margaret Sikon
Margaret Sikon, Clerk of Council

10/16/24
Date

Filed with the Mayor: _____

10/18/24
Date

Approved By: _____

Michael L. Booker, Mayor

10/18/24
Date

NOPEC - NOTICE OF PUBLIC HEARINGS

Notice is hereby given that on Thursday, October 3rd 2024, commencing at 12pm to 1pm and 5pm to 6pm p.m., at the Village of Highland Hills Village Hall, 3700 Northfield Road, Highland Hills, OH 44122 in Room #14, the Northeast Ohio Public Energy Council ("NOPEC"), on behalf of the Village of Highland Hills, a NOPEC member, will hold public hearings with respect to the Plan of Operation and Governance for the aggregation of competitive retail natural gas (the "Aggregation Program"), as authorized by such member pursuant to Ohio Revised Code Sections 4929.26 and 4929.27. The Aggregation Program will apply to all eligible customers of retail natural gas within the Village of Highland Hills, without the prior consent of each customer for NOPEC's natural gas opt-out natural gas program and with prior consent of each customer for NOPEC's natural gas opt-in program. NOPEC seeks to provide competitively priced natural gas for consumers by selecting a supplier through a negotiation process and leveraging the combined resources and buying power of member communities in NOPEC. The Plan of Operation and Governance addresses the following topics regarding the Aggregation Program: (1) goals, operations and funding; (2) consumer participation; (3) customer care; (4) organizational structure and management of NOPEC; and (5) the steps toward establishing the Aggregation Program.

Northeast Ohio Public Energy Council