

# RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON

STATE OF OHIO

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## ORDINANCE NO. 46-2023

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### **AN ORDINANCE APPROVING THE PLAN OF OPERATION AND GOVERNANCE FOR THE SUSTAINABLE OHIO PUBLIC ENERGY COUNCIL (SOPEC) ELECTRIC AGGREGATION PROGRAM, AND FOR THE PURPOSE OF JOINTLY ESTABLISHING AND IMPLEMENTING AN ELECTRIC AGGREGATION PROGRAM**

**WHEREAS**, this City Council of Upper Arlington, Ohio (the “City”) previously enacted legislation authorizing the City to establish an opt-out electric aggregation program pursuant to Section 4928.20, Ohio Revised Code (the “Electric Aggregation Program”), for the residents, businesses, and other electric consumers located within the City, and for that purpose, to act jointly with 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 Southeast Ohio Public Energy Council (DBA Sustainable Ohio Public Energy Council) (“SOPEC”), the City will be able to act jointly with other member political subdivisions and thereby maximize the potential benefits of electric deregulation through group purchasing efforts; and

**WHEREAS**, pursuant to Section 4928.20, Ohio Revised Code, the two (2) required public hearings on the Plan of Operation and Governance (the “Plan”) for the SOPEC Electric Aggregation Program are being held on September 11, 2023 and September 18, 2023; and

**WHEREAS**, for the immediate preservation of the public peace, property, health, and safety, and for the further reason that this Ordinance is required to be immediately effective in order to maximize the potential benefit through the Electric Aggregation Program, it is necessary that this Ordinance take effect at the earliest possible date.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Upper Arlington, Ohio:

**SECTION 1.** This City Council hereby approves and adopts the Plan of Operation and Governance of the SOPEC Electric Aggregation Program in the form presented to this City Council and on file with the City Clerk.

**SECTION 2.** It is found and determined that all formal actions of this City Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City 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 including the City’s Codified Ordinances and Section 121.22 of the Ohio

Revised Code.

**SECTION 3.** This ordinance is effective immediately upon passage.