

**ORDINANCE NUMBER O2020-43**

**APPROVING THE PLAN OF OPERATION AND GOVERNANCE FOR THE SOPEC ELECTRICITY AGGREGATION PROGRAM, FOR THE PURPOSE OF JOINTLY ESTABLISHING AND IMPLEMENTING AN ELECTRICITY AGGREGATION PROGRAM, AND DECLARING AN EMERGENCY.**

**WHEREAS**, this Commission previously enacted legislation authorizing the City of Gallipolis to establish an electricity aggregation program pursuant to Section 4928.20, Ohio Revised Code (the “Electricity Aggregation Program”), for the residents, businesses and other electric consumers in the City, and for that purpose, to act jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law; and

**WHEREAS**, by joining the Southeast Ohio Public Energy Council, the City will be able to act jointly with other member political subdivisions and thereby maximize the potential benefits of electricity deregulation through group purchasing efforts; and

**WHEREAS**, this Commission, pursuant to Section 4928.20, Ohio Revised Code, has held two (2) public hearings on the Plan of Operation and Governance for the SOPEC Electricity Aggregation Program.

**WHEREAS**, the City Manager has recommended in writing the passage of this Ordinance as an emergency measure as it is necessary for the immediate preservation of the public peace, health, safety, and property and in order to provide for the usual operations of the municipal departments.

**NOW, THEREFORE**, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF GALLIPOLIS, COUNTY OF GALLIA AND STATE OF OHIO, THAT:

**SECTION 1.** This Commission hereby approves and adopts the Plan of Operation and Governance of the SOPEC Electricity Aggregation Program (in the form presented to this Commission and on file with the Clerk).

**SECTION 2.** It is found and determined that all formal actions of this Commission concerning and relating to the passage of this Ordinance were adopted in open meetings of this Commission, and that all deliberations of this Commission 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 declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City, 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 provided by SOPEC.

DATED ADOPTED: October 27, 2020

[Signature]  
President of Commission

Submitted to the City Manager for his  
Approval on this 27<sup>th</sup> day of  
October, 2020

ATTEST:  
this 27 day of October, 2020

Approved by the City Manager  
[Signature], 2020  
October 28, 2020

[Signature]  
Clerk of Commission

[Signature]  
City Manager, City of Gallipolis

The foregoing Ordinance is approved as to form.

[Signature]  
Gallipolis City Solicitor  
Brynn Saunders Noe