

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 32 - 2011

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
8 PUBLIC SERVICE TO ENTER INTO AN ENERGY
9 PURCHASE AGREEMENT KNOWN AS THE "ECOSMART
10 CHOICE PROGRAM," WITH AMERICAN MUNICIPAL
11 POWER, INC., AND DECLARING AN EMERGENCY.
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13 WHEREAS, the City of Cuyahoga Falls ("City") operates a municipal electric utility
14 system; and
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16 WHEREAS, American Municipal Power, Inc. ("AMP") is an Ohio nonprofit
17 corporation that functions as a wholesale power supplier and services provider for
18 certain member municipalities, including the City, that operate electric systems
19 ("Members"); and
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21 WHEREAS, the City desires to offer its electric customers a "green energy" choice in
22 electric power sources, and
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24 WHEREAS, AMP has developed a green energy program named EcoSmart Choice®
25 ("EcoSmart Choice Program") that provides for the sale of green energy electricity
26 products, including energy generated from hydroelectric, wind and landfill gas facilities,
27 to certain consumers within Member communities, including Cuyahoga Falls; and
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29 WHEREAS, the City desires to participate, and AMP desires that the City participate
30 in the EcoSmart Choice Program, on terms and conditions as generally set forth in a
31 participating member agreement between AMP and the City ("Participating Member
32 Agreement"), on file with the Clerk; and
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34 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
35 County of Summit and State of Ohio, that:
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37 Section 1. The Director of Public Service is hereby authorized to enter into a
38 Participating Member Agreement between AMP and the City under which the City will
39 purchase from AMP and resell to participating customers such energy from renewable
40 energy sources as is indicated by the rate of customer participation, and otherwise
41 participate in the EcoSmart Choice Program, substantially in the form as is set forth in
42 the Participating Member Agreement.
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44 Section 2. It is found and determined that all formal actions of the Council
45 concerning and relating to the adoption of this Ordinance were adopted in an open
46 meeting of this Council, and that all deliberations of this Council and any of its
47 committees that resulted in such formal action, were in meetings open to the public, in
48 compliance with all legal requirements including Chapter 107 of the Codified
49 Ordinances.
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51 Section 3. This ordinance is hereby declared to be an emergency measure necessary
52 for the preservation of the public peace, health, safety, convenience and welfare of the
53 City of Cuyahoga Falls and the inhabitants thereof and provided it receives the
54 affirmative vote of two-thirds of the members elected or appointed to Council, it shall

55 take effect and be in force immediately upon its passage and approval by the Mayor;
56 otherwise it shall take effect and be in force at the earliest period allowed by law.

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Passed: 3-28-11

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Approved: 3/30/11

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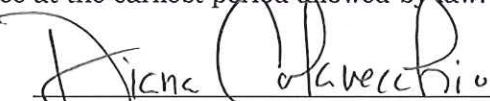
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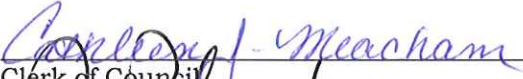
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Diane Colavicchio
President of Council



Carolyn Meacham
Clerk of Council



Robert
Mayor