

**NEW LEGISLATION**

November 10, 2014

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-101	11/10/14	P&Z	An ordinance accepting the Planning Commission approval, findings and conditions of the Riverwalk Mixed-Use Development-Phase 1 at 1749 S. Front Street and 1797 S. Front Street, 1803 S. Front Street and located on existing parcels 02-17769, 02-03122, 02-03123, 02-03124, 02-17696 and 02-1770 and declaring an emergency.
A-102	11/10/14	Fin	An ordinance amending Chapter 933 "Electricity" of Title 5 "Public Utilities" of Part 9 "Streets and Public Services" of the Codified Ordinances of the City of Cuyahoga Falls, Ohio relating to electric rates, and declaring an emergency.
A-103	11/10/14	Fin	An ordinance to adopt the Cuyahoga Falls Electric System Cash Reserve Policy, and declaring an emergency.
A-104	11/10/14	Fin	An ordinance authorizing the Director of Finance to enter into a contract or contracts without competitive bidding with Wichert Insurance Services, Inc. for the professional services necessary to manage the City's risk management and insurance program and for the purchase of public entity insurance coverages, and declaring an emergency.
A-105	11/10/14	CD	An ordinance authorizing the Mayor to enter into a contract or contracts, according to law, for cost sharing and reimbursement for environmental mitigation at 1745 S. Front Street with Falls River, LLC, and declaring an emergency.

## CALENDAR

November 10, 2014

The following legislation will be up for passage at the Council Meeting on November 10, 2014.

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
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No legislation for vote

## PENDING LEGISLATION

November 10, 2014

<b>Temp. No.</b>	<b>Introduced</b>	<b>Committee</b>	<b>Description</b>
A-51	5/12/14	PA	An ordinance amending Ordinance 95-2004 which implemented Sections 3735.65 through 3735.70 of the Ohio Revised Code, and established and described the boundaries of a Community Reinvestment Area in the City of Cuyahoga Falls, and declaring an emergency.
A-91*	10/13/14	P&Z	An ordinance approving a map amendment for Parcels 35-03376 and 35-03375 from MU-4 Suburban Corridor to C-1 Commercial and approximately 9.2986 acres of Parcel 35-03455 from R-5 Mixed Residential to C-1 Commercial, as more fully described and depicted herein, and declaring an emergency.
A-100	11/3/14	Fin	An ordinance establishing annual appropriations of money for the current expenses, capital expenditures and other expenses of the City of Cuyahoga Falls for the fiscal year ending December 31, 2015, and declaring an emergency.

\*Public Hearing 12/1/14

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5 CITY OF CUYAHOGA FALLS, OHIO

6  
7 ORDINANCE NO. - 2014

8  
9 AN ORDINANCE ACCEPTING THE PLANNING COMMISSION  
10 APPROVAL, FINDINGS AND CONDITIONS OF THE RIVERWALK  
11 MIXED-USE DEVELOPMENT-PHASE 1 AT 1749 S. FRONT  
12 STREET AND 1797 S. FRONT STREET, 1803 S. FRONT STREET  
13 AND LOCATED ON EXISTING PARCELS 02-17769, 02-03122,  
14 02-03123, 02-03124, 02-17696 AND 02-1770 AND  
15 DECLARING AN EMERGENCY.

16  
17 WHEREAS, the Charter of the City of Cuyahoga Falls requires that all decisions made by the  
18 Planning Commission be submitted to Council, and

19  
20 WHEREAS, on November 4, 2014 the Planning Commission recommended approval of the  
21 site plan for the construction Riverwalk Mixed-Use Development-Phase 1 which consists of two  
22 mixed-use buildings at 1749 and 1797 S. Front Street and one restaurant building at 1803 S.  
23 Front Street and located on existing parcels 02-17769, 02-03122, 02-03123, 02-03124, 02-  
24 17696 and 02-1770, and

25  
26 WHEREAS, such approval is given subject to conditions subsequent to be satisfied, and

27  
28 WHEREAS, such approval is necessary to determine that the allotment is satisfactory,  
29 serves the public interest, and is acceptable for recording.

30  
31 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County  
32 of Summit, and State of Ohio, that:

33  
34 Section 1. The City Council approves the Riverwalk-Phase 1 Site Plan for the  
35 construction of a 5,100 square foot mixed-use building with 6 second floor apartments at 1749  
36 S. Front Street and a 5,100 square foot mixed-use building with 6 second floor apartments at  
37 1797 S. Front Street and a 6,980 square foot restaurant at 1803 S. Front Street, in Cuyahoga  
38 Falls, Ohio, and located on existing parcels 02-17769, 02-03122, 02-03123, 02-03124, 02-  
39 17696 and 02-1770 in accordance with Cuyahoga Falls General Development Code regulations  
40 as stipulated in the Codified Ordinances of the City of Cuyahoga Falls and as approved by the  
41 Planning Commission as per the plans and final stipulations contained in Project File MSP-14-  
42 00045.

43  
44 Section 2. Any other ordinances or resolutions or portions of ordinances and resolutions  
45 inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent  
46 herewith and which have not previously been repealed are hereby ratified and confirmed.

47  
48 Section 3. It is found and determined that all formal actions of this Council concerning  
49 and relating to the adoption of this ordinance were adopted in an open meeting of this Council,  
50 and that all deliberations of this Council and of any of its committees that resulted in such

51 formal action, were in meetings open to the public, in compliance with all legal requirements, to  
52 the extent applicable, including Chapter 107 of the Codified Ordinances.

53  
54 Section 4. This ordinance is hereby declared to be an emergency measure necessary for  
55 the preservation of the public peace, health, safety, convenience and welfare of the City of  
56 Cuyahoga Falls and the inhabitants thereof, for the reason that it is immediately necessary to  
57 permit timely and appropriate development of this property, and provided it receives the  
58 affirmative vote of two thirds of the members elected or appointed to Council, it shall take effect  
59 and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take  
60 effect and be in force at the earliest period allowed by law.

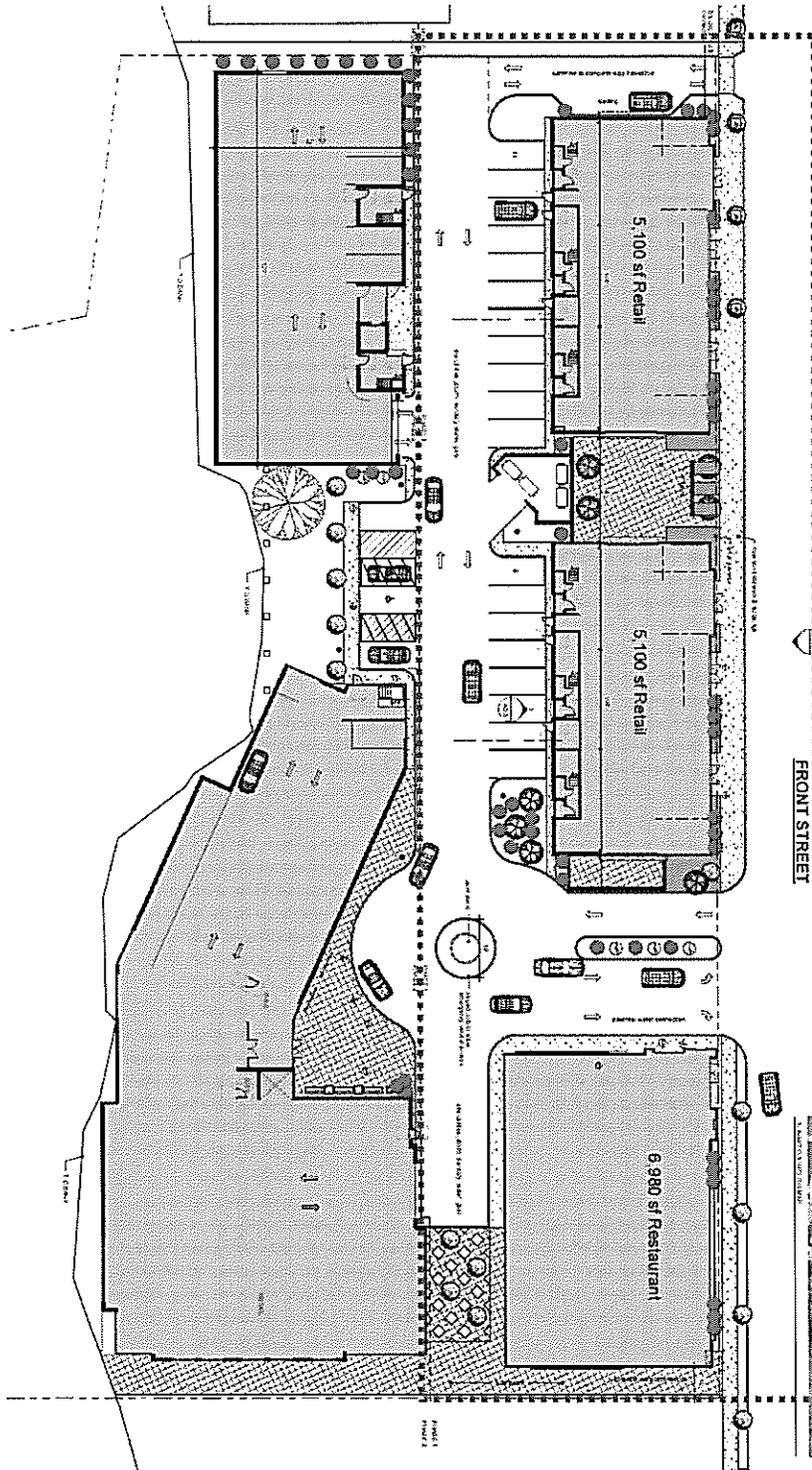
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63 Passed: \_\_\_\_\_  
64 \_\_\_\_\_  
65 President of Council

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67 \_\_\_\_\_  
68 Clerk of Council

69 Approved: \_\_\_\_\_  
70 \_\_\_\_\_  
71 Mayor

72 11/10/14  
73 O:\2014ords\MSP-14-00045 Riverwalk Site Plan.doc

MASTER SITE PLAN  
 SHEET NO. 1



FRONT STREET



<b>Project Site Plan</b> A0.1 SHEET NO. 1	Date: 08/14/2014 Project: 2331 Second Street Client: Testa Enterprises
	Scale: 1/8" = 1'-0" Drawing No.: 2331-01

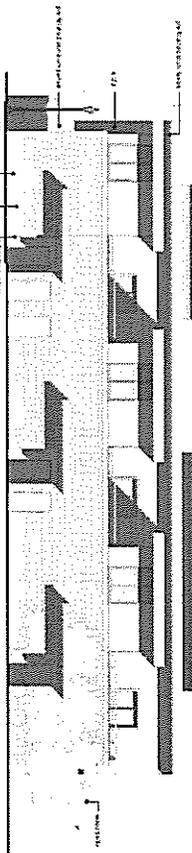
**Riverwalk Development**  
 Testa Enterprises  
 2331 Second Street  
 Cuyahoga Falls, Ohio 44221



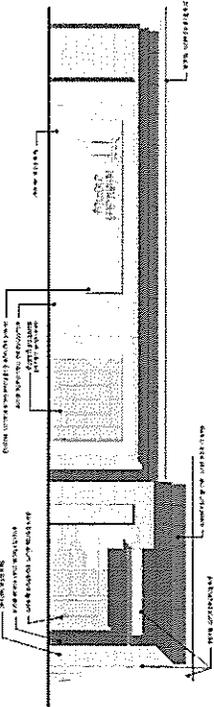
**PRELIMINARY**  
 ONLY FOR REFERENCE  
 NOT FOR CONSTRUCTION



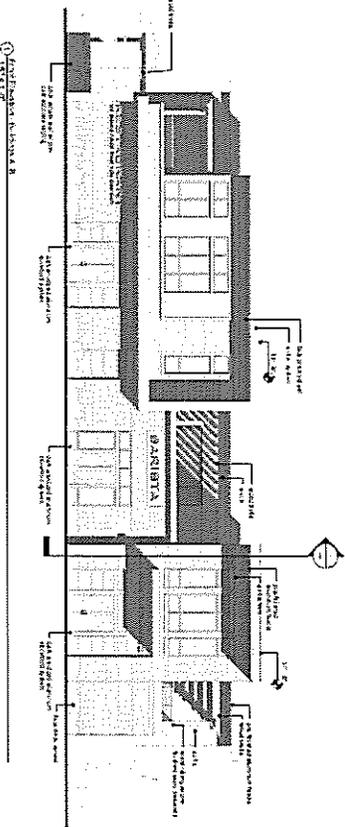
② Elevations - North East Street Elevation



③ Elevations - West Second Street Elevation



④ Elevations - West Second Street Elevation



⑤ Elevations - West Second Street Elevation

**PRELIMINARY**  
 For Reference  
 Not for  
 Construction



## Riverwalk Development

Testa Enterprises  
 2331 Second Street  
 Cuyahoga Falls, Ohio 44221

NO.	DATE	DESCRIPTION
1	10/14/14	ISSUED FOR PERMIT
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From Testa Enterprises  
**Exterior Elevations**

DATE: 10/14/14  
**A0.3**  
 CUYAHOGA

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4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 ORDINANCE NO. - 2014

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9 AN ORDINANCE AMENDING CHAPTER 933 "ELECTRICITY" OF  
10 TITLE 5 "PUBLIC UTILITIES" OF PART 9 "STREETS AND PUBLIC  
11 SERVICES" OF THE CODIFIED ORDINANCES OF THE CITY OF  
12 CUYAHOGA FALLS, OHIO RELATING TO ELECTRIC RATES,  
13 AND DECLARING AN EMERGENCY.  
14

15  
16 WHEREAS, a recently completed electric rate study indicates the need to revise  
17 the City's retail electric rates in order to accurately reflect the existing costs of  
18 furnishing electric service; and

19  
20 WHEREAS, the recommended revision will result in a better representation to  
21 our retail customers of the cost of providing such electric services; and

22  
23 WHEREAS, the cause for the revision is founded in the fact that the cost of  
24 providing electric service has risen since the rates were last established;

25  
26 WHEREAS, electric rates must be revised to meet the Cuyahoga Falls electric  
27 system debt covenants.

28  
29 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,  
30 County of Summit and State of Ohio, that:

31  
32 Section 1. Chapter 933 "Electricity" of Title 5 "Public Utilities" of Part 9 "Streets and  
33 Public Services" of the Codified Ordinances of the City of Cuyahoga Falls be amended to read as  
34 follows (new text double underlined; deleted text in ~~strike through~~):  
35

36 933.01 RATE SCHEDULES ESTABLISHED.

37 The following rate schedules in this chapter for the sale of electric service, to  
38 the consumers thereof within the corporate limits, by the electric utility of the  
39 City are hereby established.  
40

41 933.02 SCHEDULE RS-RESIDENTIAL SERVICE.

42 (a) Availability. Available where secondary distribution lines are adjacent to  
43 the premises to be served. Applies to electric service, other than three phase  
44 service, all domestic purposes in private residences and single occupancy  
45 apartments. Where a portion of a residential unit is used for a purpose of  
46 commercial or public nature, the appropriate general service rate applies to all  
47 service. However, if the wiring is so arranged that the service for residential  
48 purposes can be metered separately this rate shall be applied to the residential  
49 service. The residential service rate does not apply to a commercial, institutional  
50 or industrial establishment.  
51

52 (b) Service. Alternating current, sixty hertz, single phase, nominal 120/240  
53 volts.  
54

55 (c) Monthly Charge. The monthly charge per customer shall be computed  
56 in accordance with the following rates:  
57

	<u>Effective 1-1-156-1-87</u>	<u>Effective 1-1-1688</u>
Customer charge	<u>\$3.751-65</u> per month	<u>\$5.751-67</u> per month
All KWH	<u>10.4117-59¢</u> per KWH	<u>10.3557-58¢</u> per KWH

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	<u>Effective 1-1-1789</u>	<u>Effective 1-1-90</u>
Customer charge	\$7.751.69 per month	\$1.71 per month
All KWH	<u>10.30257.66¢ per KWH</u>	<u>7.74¢ per KWH</u>

(d) Minimum Charge. Shall be the customer charge.

(e) Power Cost Adjustment. The monthly charge shall be adjusted according to the Power Cost Factor (PCF).

(f) Contract. A written application is required.

(g) Rules and Regulations. This rate schedule is subject to the general rules and regulations of the electric utility which rules and regulations are a part of this schedule, the same as if copied herein verbatim.

933.021 SCHEDULE RS/AE-RESIDENTIAL SERVICE/ALL ELECTRIC.

(a) Availability. Available where secondary distribution lines are adjacent to the premises to be served. Applies to electric service to all-electric homes, other than three phase service, for all domestic purposes in private residences and single occupancy apartments where electricity is the primary source of space heating utilizing electric heat pumps, electric baseboard heat, or other permanent type of electric heating system. Where a portion of a residential unit is used for a purpose of commercial or public nature, the appropriate general service rate applies to all service. However, if the wiring is so arranged that the service for residential purposes can be metered separately, this rate shall be applied to the residential service. The residential service rate does not apply to a commercial, institutional or industrial establishment.

(b) Service. Alternating current, sixty hertz, single phase, nominal 120/140 volts.

(c) Monthly Charge. In each month as delineated below the charge per customer shall be computed in accordance with the following rates:

(1) Winter Months (October through May)

	<u>1-1-15</u>	<u>1-1-16</u>	<u>1-1-17</u>
Customer charge	\$3.751.71 per month	\$5.75 per month	\$7.75 per month
First 900 KWH	<u>10.4117.74¢ per KWH</u>	<u>10.355¢ per KWH</u>	<u>10.302¢per KWH</u>
Balance of KWH	<u>7.890 5.2¢ per KWH</u>	<u>8.327¢ per KWH</u>	<u>8.675¢per KWH</u>

(2) Summer Months (June, July, August, and September)

	<u>1-1-15</u>	<u>1-1-16</u>	<u>1-1-17</u>
Customer charge	\$3.751.71 per month	\$5.75 per month	\$7.75 per month
All KWH	<u>10.4117.74¢ per KWH</u>	<u>10.355¢ per KWH</u>	<u>10.302¢ per KWH</u>

(d) Minimum Charge. Shall be the customer charge.

(e) Power Cost Adjustment. The monthly charge shall be adjusted according to the Power Cost Factor (PCF).

(f) Contract. A written application is required.

(g) Rules and Regulations. This rate schedule is subject to the general rules and regulations of the electric utility which rules and regulations are a part of this schedule, the same as if copied herein verbatim.

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933.03 SCHEDULE GSS- GENERAL SERVICE, SMALL, SINGLE PHASE.

(a) Availability. Available where secondary distribution lines are adjacent to the premises to be served. Applies to electric service supplied at one point on one premises. This rate does not apply to standby service.

(b) Service. Alternating current, sixty hertz, and where available, single phase, nominal 120/240 volts.

(c) Monthly Charge. The monthly charge per customer shall be computed in accordance with the following rates:

	<u>Effective 1-1-156-1-87</u>	<u>Effective 1-1-1688</u>
Customer charge	\$ <del>12.00</del> 7.60 per month	\$ <del>16.00</del> 7.68 per month
All KWH	<u>10.863</u> 7.95¢ per KWH	<u>10.815</u> 8.03¢ per KWH

	<u>Effective 1-1-1789</u>	<u>Effective 1-1-90</u>
Customer charge	\$ <del>20.00</del> 7.76 per month	\$ <del>7.84</del> per month
All KWH	<u>10.775</u> 8.11¢ per KWH	<del>8.19</del> ¢ per KWH

(d) Minimum Charge. Shall be the customer charge.

(e) Power Cost Adjustment. The monthly charge shall be adjusted according to the Power Cost Factor (PCF).

(f) Contract. A written application is required.

(g) Rules and Regulations. This rate schedule is subject to the general rules and regulations of the electric utility, which rules and regulations are a part of this rate schedule, the same as if copied herein verbatim.

933.04 SCHEDULE GSM- GENERAL SERVICE, MEDIUM, THREE PHASE.

(a) Availability. Available where secondary distribution lines are adjacent to the premises to be served. Applies to electric service supplied at one point on one premises. This rate does not apply to standby service.

(b) Service. Alternating current, sixty hertz, and where available, three phase, nominal 480 volts, 240 volts or 120/208 volts. This rate also applies to temporary service poles.

(c) Monthly Charge. The monthly charge per customer shall be computed in accordance with the following rates:

	<u>Effective 1-1-156-1-87</u>	<u>Effective 1-1-1688</u>
Customer charge	\$ <del>14.00</del> 7.60 per month	\$ <del>19.50</del> 7.68 per month
All KWH	<u>10.848</u> 7.95¢ per KWH	<u>10.785</u> 8.03¢ per KWH

	<u>Effective 1-1-1789</u>	<u>Effective 1-1-90</u>
Customer charge	\$ <del>25.00</del> 7.76 per month	\$ <del>7.84</del> per month
All KWH	<u>10.725</u> 8.11¢ per KWH	<del>8.19</del> ¢ per KWH

(d) Minimum Charge. Shall be the customer charge.

(e) Power Cost Adjustment. The monthly charge shall be adjusted according to the Power Cost Factor (PCF).

(f) Contract. A written application is required.

185 (g) Rules and Regulations. This rate schedule is subject to the general rules  
186 and regulations of the electric utility, which rules and regulations are a part of  
187 this rate schedule, the same as if copied herein verbatim.  
188

189 933.05 SCHEDULE GSL - GENERAL SERVICE, LARGE.

190 (a) Availability. Available where secondary distribution lines are adjacent to  
191 the premises, where the billing demand is greater than fifty KW. This rate does  
192 not apply to standby service.  
193

194 (b) Service. Alternating current, sixty hertz, and where available, three  
195 phase, four wire, 240 volts, 480 volts or 120/208 volts.  
196

197 (c) Monthly Charge. The monthly charge per customer shall be the sum of  
198 the demand and energy charges in accordance with the following rate:  
199

200  
201 Demand Charge

	<u>Effective 1-1-156-1-87</u>	<u>Effective 1-1-1688</u>
202 First 100 KW	<u>\$13.58</u> <del>12.45</del>	<u>\$14.30</u> <del>12.57</del>
203 demand per month		
204 All over 100 KW	<u>\$12.55</u> <del>11.45</del>	<u>\$13.30</u> <del>11.56</del>
205		
206		
207	<u>Effective 1-1-1789</u>	<u>Effective 1-1-90</u>
208 First 100 KW	<u>\$14.80</u> <del>12.70</del>	<u>\$12.83</u>
209 demand per month		
210 All over 100 KW	<u>\$13.80</u> <del>11.68</del>	<u>\$11.80</u>
211 demand per month		

212  
213 Energy Charge

	<u>Effective 1-1-156-1-87</u>	<u>Effective 1-1-1688</u>
214		
215		
216 First 250 KWH	<u>6.395</u> <del>3.60¢</del>	<u>6.330</u> <del>3.64¢</del>
217 per KW billing		
218 demand		
219 Next 150 per KWH	<u>6.095</u> <del>3.35¢</del>	<u>6.026</u> <del>3.38¢</del>
220 per KW billing		
221 demand		
222		
223 All additional KWH	<u>5.556</u> <del>2.83¢</del>	<u>5.479</u> <del>2.86¢</del>
224		
225		
226	<u>Effective 1-1-1789</u>	<u>Effective 1-1-90</u>
227 First 250 KWH	<u>6.341</u> <del>3.68¢</del>	<u>3.72¢</u>
228 per KW billing		
229 demand		
230 Next 150 per KWH	<u>6.023</u> <del>3.41¢</del>	<u>3.44¢</u>
231 per KW billing		
232 demand		
233		
234 All additional KWH	<u>5.455</u> <del>2.89¢</del>	<u>2.92¢</u>
235 First 100 KW		

236  
237 (d) Kilowatt (KW) Billing Demand. The minimum charge shall be the  
238 demand charge. The billing demand for the month shall be the greatest of:

239 (1) The highest measured fifteen minute KW demand during the  
240 month.

241 (2) Sixty percent (60%) of the highest billing demand during the  
242 preceding eleven months.

243 (3) Fifty KW.

244 When metering capable of measuring on-peak and off-peak demands is in  
245 use, the customer's measured demand shall be the greater of the on-peak  
246 demand or twenty-five percent (25%) of the off-peak demand. On-peak periods

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are from 8:00 a. m. to 9:00 p.m. on normal business days. All other periods shall be off-peak.

(e) Power Cost Adjustment. The monthly charge shall be adjusted according to the Power Cost Factor (PCF).

(f) Power Factor. The customer shall so arrange and equip his installation that the power factor of his load at the time of maximum demand will be not less than 0.8 lagging. However, if the power factor as determined by measurement is less than 0.8 the measured demand shall be modified by the ratio of 0.8 to the measured power factor.

(g) Metering. In the event the electric utility elects to meter the service on the high voltage side of the transformation equipment, the kilowatt-hours as registered on the meter and read by the meter reader will be reduced in quantity by three percent (3%) prior to calculating the monthly charge.

(h) Contract. A written application is required.

(i) Rules and Regulations. This rate schedule is subject to the general rules and regulations of the electric utility which rules and regulations are a part of this rate schedule, the same as if copied herein verbatim.

933.06 SCHEDULE GSD- GENERAL SERVICE, DISTRIBUTION.

(a) Availability. Available where distribution lines are adjacent to the premises to be served. Applies to electric service supplied at one point on one premises where the demand is greater than fifty KW and where the consumer owns and maintains all transforming, controlling, regulating and protective equipment. This rate does not apply to standby-service.

(b) Service. Alternating current, sixty hertz, and where available, 3 phase nominal 2400/4160 volts, three phase, 4 wire, grounded, ~~or 7200/12,470 volts, 4 wire grounded, or 13,800 / 23,900 volts, 4 wire grounded.~~

(c) Monthly Charge. The monthly charge per customer shall be the sum of the demand and energy charges in accordance with the following rates:

<u>Demand Charge</u>	<u>Effective 1-1-156-1-87</u>	<u>Effective 1-1-1688</u>
First 100 KW demand per month	\$ <u>12.70</u> <del>10</del>	\$ <u>13.00</u> <del>12.22</del>
All over 100 KW	\$ <u>11.90</u> <del>10</del>	\$ <u>12.10</u> <del>11.21</del>
	<u>Effective 1-1-1789</u>	<u>Effective 1-1-90</u>
First 100 KW demand per month	\$ <u>13.10</u> <del>12.34</del>	\$ <u>12.46</u>
All over 100 KW demand per month	\$ <u>12.25</u> <del>11.32</del>	\$ <u>11.43</u>
<u>Energy Charge</u>	<u>Effective 1-1-156-1-87</u>	<u>Effective 1-1-1688</u>
First 250 KWH per KW billing demand	<u>6.25</u> <del>33-50¢</del>	<u>6.25</u> <del>3-54¢</del>

309	Next 150 per KWH	<u>6.0713.25¢</u>	<u>6.1443.28¢</u>
310	per KW billing		
311	demand		
312			
313	All additional KWH	<u>5.5272.75¢</u>	<u>5.6402.78¢</u>
314			
315			
316		<u>Effective 1-1-1789</u>	<u>Effective 1-1-90</u>
317	First 250 KWH	<u>6.2313.58¢</u>	<u>3.62¢</u>
318	per KW billing		
319	demand		
320			
321	Next 150 per KWH	<u>6.2013.31¢</u>	3.34¢
322	per KW billing		
323	demand		
324			
325	All additional KWH	<u>5.7362.81¢</u>	<u>2.84¢</u>
326			

(d) Kilowatt (KW) Billing Demand. The minimum charge shall be the demand charge. The billing demand for the month shall be the greatest of:

(1) The highest measured fifteen minute KW demand during the month.

(2) Sixty percent (60%) of the highest billing demand during the preceding eleven months.

(3) Fifty KW.

When metering capable of measuring on-peak and off-peak demands is in use, the customer's measured demand shall be the greater of the on-peak demand or twenty-five percent (25%) of the off-peak demand. On-peak periods are from 8:00 a.m. to 9:00 p.m. on normal business days. All other periods shall be off-peak.

(e) Minimum Charge. The minimum charge shall be the demand charge. The minimum demand shall be sixty percent (60%) of the highest demand during the preceding eleven months or fifty KW whichever is greater.

(f) Power Cost Adjustment. The monthly charge shall be adjusted according to the Power Cost Factor (PCF).

(g) Power Factor. The customer shall so arrange and equip his installation that the power factor of his load at the time of maximum demand will be not less than 0.8 lagging. However, if the power factor as determined by measurement is less than 0.8 lagging, the measured demand shall be modified by the ratio of 0.8 to the measured power factor.

(h) Contract. A written application is required.

(i) Rules and Regulations. This rate schedule is subject to the general rules and regulations of the electric utility which rules and regulations are a part of this rate schedule, the same as if copied herein verbatim.

~~933.07 SCHEDULE SBS—STANDBY SERVICE.~~

~~(a) Availability. Available within the corporate limits where adequate facilities are adjacent to the premises to be served. Applies to auxiliary or standby service supplied at one point and as contracted for upon a definite demand in increments of 5 KW, but not less than 25 KW.~~

~~(b) Service. Alternating current, sixty hertz, and where available single phase, nominal 120/240 volts, three phase, nominal 480 volts, 240 volts, or 120/208 volts.~~

369

~~(c) Monthly Charge. The monthly charge per customer shall be the sum of the demand and energy charges in accordance with the following rates:~~

~~Demand Charge \_\_\_\_\_  
Per contract demand — \$12.50 per KW—~~

~~Energy Charge—  
\_\_\_\_\_ Effective 6-1-87 \_\_\_\_\_ Effective 1-1-88  
All KWH usage \_\_\_\_\_ 5.00¢ \_\_\_\_\_ 5.05¢~~

~~\_\_\_\_\_ Effective 1-1-89 \_\_\_\_\_ Effective 1-1-90  
All KWH usage \_\_\_\_\_ 5.10¢ \_\_\_\_\_ 5.15¢~~

~~(d) Minimum Charge. The minimum charge shall be the demand charge.~~

~~(e) Power Cost Adjustment. The monthly charge shall be adjusted according to the Power Cost Factor (PCF).~~

~~(f) Determination of Contract Demand. The initial contract demand in KW shall be sufficient to meet the estimated requirements of the customer, but not less than twenty-five KW. The electric utility may determine the customer's demand by test or by means of a thermal demand indicator or a block interval KW demand meter, in which case the demand interval shall be fifteen minutes. Should the demand as determined by test or by a demand indicator or meter exceed the initial contract demand then the demand so determined shall be the contract demand. For billing use, the contract demand for any month shall be not less than the highest demand in KW as determined above during the preceding eleven months and in no event less than twenty-five KW.~~

~~(g) Term of Contract. Service will be supplied for a minimum term of one year upon written application.~~

~~(h) Rules and Regulations. The general rules and regulations of the electric utility shall apply to the installation and use of electric service.~~

933.08 SCHEDULE SCS - SCHOOLS AND CITY SERVICE.

All public schools and property within the City corporation limits and under the jurisdiction of the City Board of Education and all parochial or sectarian schools within the City corporation limits shall be considered subject to the rules and regulations same as provided for the rate schedules applicable to the type of service rendered, except that the charge shall be:

	<u>Effective 1-1-156-1-87</u>	<u>Effective 1-1-1688</u>
Per KWH: Meter and billed monthly	<u>9.6746.48¢</u>	<u>9.9556.54¢</u>
Per KWH: Metered and billed monthly	<u>10.2356.61¢</u>	<u>6.68¢</u>

Education institutions for children of pre-school age are specifically excluded from this rate classification.

The Taylor Memorial Library, a public library, shall be charged the electric rate of school or City service.

Chargeable City services may use this schedule or the appropriate rate schedule.

432 Power Cost Adjustment. The monthly charge shall be adjusted according to  
433 the Power Cost Factor (PCF).  
434

435 933.09 SERVICE CHARGES. (REPEALED)

436 (EDITOR'S NOTE: Former Section 933.09 was repealed by Ordinance 79-  
437 2007, passed June 18, 2007.)  
438

439 933.10 RATES OUTSIDE THE CITY.

440 The rates, charges and fees for the sale of electric service to the consumers  
441 thereof, on the lines of the Electric Utility outside the corporate limits, shall be  
442 the same as the rate schedules applying to electric service to consumers thereof  
443 within the corporate limits, except that Rate Schedule RS - Residential Service  
444 and the Rate Schedule GSS - General Service Small, and GSM - General Service  
445 Medium, shall be five percent greater than the rate schedules applying to  
446 electric service to consumers within the corporate limits. In addition the bills of  
447 all customers outside the corporate limits, regardless of rate class, will include  
448 the amount of kilowatt-hour tax levied on the distribution company by Ohio  
449 R.C. 5727.81 beginning with the billing period that encompasses May 1, 2001.  
450

451 933.11 SUPPLYING ELECTRICITY.

452 The electric utility shall supply electric service for street lighting purposes,  
453 for the use of the City Municipal Building, for the use of the Fire and Police  
454 Departments including their respective signal systems and for public parks and  
455 playgrounds free of charge. The use of electric service for the above purposes in  
456 the City constitutes a use for public purposes, free use of which is authorized by  
457 Ohio R.C. 743.27.  
458

459 933.12 SERVICE TO GOVERNMENT INSTITUTIONS.

460 (a) The electric utility will supply electric service to any state, county or  
461 other governmental institution located within the corporate limits but such  
462 governmental units shall be billed for electric current consumed in the same  
463 manner as other customers and in accordance with the rates established herein.  
464

465 (b) Power Cost Factor. The Power Cost Factor (PCF) will be determined  
466 monthly by dividing the monthly kilowatt-hour sales to ultimate consumers into  
467 the difference between the monthly charge for wholesale purchases and the  
468 product derived by multiplying the monthly kilowatt-hours purchased by 4.98  
469 cents/KWH.  
470

471 933.121 POWER COST FACTOR.

472 (a) The Power Cost Factor (PCF) will be determined monthly by multiplying  
473 the monthly number of kilowatt hours purchased by the Set Cost (SC),  
474 subtracting this product from the cost of the monthly power purchased, which  
475 may include energy efficiency programs and dividing this difference by the  
476 monthly number of kilowatt hours purchased.  
477 (Ord. 70-2014. Passed 7-28-14.)  
478

479 Effective starting January 2015, the Power Cost Factor (PCF) will be  
480 determined monthly by summing the previous 6 months of power purchase  
481 costs, which may include energy efficiency programs, dividing that sum by the  
482 sum of the number of KWH sold to customers in those same 6 months, and then  
483 subtracting the Set Cost (SC) from that quotient.  
484

485 (b) The Set Cost (SC) shall initially be 4.5 cents. Effective in 2015, the Set  
486 Cost (SC) shall be \$0.0789. Effective starting in 2016, the Set Cost (SC) shall be  
487 \$0.08. The Set Cost may be adjusted upon approval of City Council.  
488

489  
490 Section 2. That any other ordinances or resolutions or portions of ordinances and  
491 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions not  
492 inconsistent herewith and which have not previously been repealed are hereby ratified and  
493 confirmed.

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Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this 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 Section 121.22 of the Ohio Revised Code.

Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health or safety for the stabilization of electric rates and provided this ordinance receives the affirmative vote of two-thirds of the members elected or appointed 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 at the earliest period allowed by law.

Passed: \_\_\_\_\_

\_\_\_\_\_  
President of Council

\_\_\_\_\_  
Clerk of Council

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

11/10/14  
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4 CITY OF CUYAHOGA FALLS, OHIO

5  
6 ORDINANCE NO. - 2014

7  
8 AN ORDINANCE TO ADOPT THE CUYAHOGA FALLS  
9 ELECTRIC SYSTEM CASH RESERVE POLICY, AND  
10 DECLARING AN EMERGENCY.

11  
12 WHEREAS, the City of Cuyahoga Falls seeks to establish a Cash Reserve Policy to ensure  
13 financial stability, timely completion of capital improvements and to enable the Electric  
14 Department to meet requirements for large unexpected expenditures;

15  
16 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,  
17 County of Summit and State of Ohio, that:

18  
19 Section 1. That this Council hereby adopts the Cuyahoga Falls Electric System Cash  
20 Reserve Policy as prepared by Utility Financial Solutions, LLC, dated September 21, 2014  
21 and attached to this ordinance as Exhibit A.

22  
23 Section 2. Any other ordinances or resolutions or portions of ordinances and resolutions  
24 inconsistent herewith are hereby repealed, but any ordinances and resolutions not  
25 inconsistent herewith and which have not previously been repealed are hereby ratified and  
26 confirmed.

27  
28 Section 3. It is found and determined that all formal actions of this Council concerning  
29 and relating to the adoption of this ordinance were adopted in an open meeting of this  
30 Council, and that all deliberations of this Council and of any of its committees that resulted  
31 in such formal action, were in meetings open to the public, in compliance with all legal  
32 requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.

33  
34 Section 4. This ordinance is hereby declared to be an emergency measure necessary for  
35 the preservation of the public peace, health, safety, convenience and welfare of the City of  
36 Cuyahoga Falls and the inhabitants thereof, for the reason that it is immediately necessary  
37 to establish a Cash Reserve Policy to ensure financial stability, and provided it receives the  
38 affirmative vote of two thirds of the members elected or appointed to Council, it shall take  
39 effect and be in force immediately upon its passage and approval by the Mayor; otherwise it  
40 shall take effect and be in force at the earliest period allowed by law.

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43 Passed: \_\_\_\_\_

\_\_\_\_\_  
President of Council

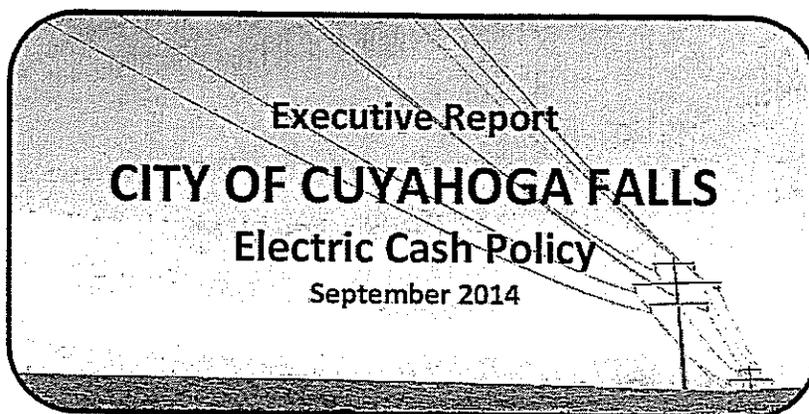
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48 \_\_\_\_\_  
Clerk of Council

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51 Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

52  
53 11/10/14

Exhibit A



**Specializing in Cost of Service,  
Rate Design, and Financial Analysis**

**CASH RESERVE POLICY FOR THE CITY OF CUYAHOGA FALLS ELECTRIC UTILITY**

**Purpose**

To help ensure financial stability, timely completion of capital improvements and enable the utility to meet requirements for large unexpected expenditures, a minimum cash reserve policy should be established. Minimum cash reserves attempts to quantify the minimum amount of cash the utility should keep in reserve. Actual cash reserves may vary substantially above the minimum and is dependent on the life cycle of assets, future capital plan, rate setting policies, and debt policies.

**Methodology**

The methodology outlined in this ordinance is based on certain assumptions related to percent of:

1. Operation and maintenance
2. Purchase/production electric costs
3. Historical investment in assets
4. Debt service
5. Five-year capital plan

After the reserve minimum is determined, management should consider the minimum "in total" and not each individual category. For example; catastrophic events can occur and the amount may far exceed the amount set aside under "Historical investment in assets".

**Calculation and Risk Factors Used**

- **Operating Expenses:** The cash reserve policy will include 12.3% of annual operating expenses excluding depreciation expense and purchased/production electric expenditures.
  - 12.3% was derived by assuming a 45 day lag between billing and payment receipt from customers. (45 days/365 days).
- **Power Supply Expenses:** The cash reserve policy will include 50% of the max month or 5.0% of Annual Power Supply costs.
  - 5.0% was derived by dividing the max month power cost by 30 days and multiplying that total by a 15 day lag time.

<b>Power Supply Risk</b>	<b>2015</b>	<b>Forecasted Dollars</b>
January		\$ 3,013,447
February		2,895,106
March		2,983,381
April		2,785,127
May		2,972,081
June		3,445,120
July		3,795,974
August		3,506,825
September		3,182,648
October		3,142,329
November		3,072,193
December		3,271,555
<b>Total</b>		<b>\$ 38,065,786</b>
Days to bill from P/S due date		15
Days to collect from customers		30
Days lag		15
Max P/S Bill in year		\$ 3,795,974
Max P/S bill / 30 days * days lag		\$ 1,897,987
Annual Power Supply Cost		38,065,786
<b>Risk to carry</b>		<b>5.0%</b>
<b>Total</b>		<b>\$ 1,897,987</b>

**CASH RESERVE POLICY FOR THE CITY OF CUYAHOGA FALLS ELECTRIC UTILITY**

- **Historical Investments:** The cash reserve policy will include 2.0% of the historical investment in assets as recorded in the financial statements.
  - The typical range for set aside under this category is 1.0 – 3.0%. The following table will be used to determine the risk factor as assets are added and depreciated:

Risk Table		
Depreciation Percent	0 - 49%	1.0%
Depreciation Percent	50 - 55%	2.0%
Depreciation Percent	Over 55%	3.0%

- Cuyahoga Falls Electric Utility Assets are currently depreciated at 52.6%.

Historical Rate Base	\$	56,253,534
Accumulated Depreciation		29,593,868
Percent Depreciated		52.6%

<b>Risk Associated with Historical Assets</b>	<b>2.0%</b>
---	-------------

- **Debt Payments:** The cash reserve policy will include 94% of the current portion of debt service.
  - The City of Cuyahoga Falls Electric Utility bonds are set up on a monthly and annual payment schedule. The analysis should include the percentage of the maximum payment of the year. Below is the example of The City of Cuyahoga Falls Electric Utility's debt payments:

Payment Date	Principal	Interest	Total
Various	\$ 896,721	\$ 200,623	\$ 1,097,344
<b>Total</b>			<b>\$ 1,097,344</b>
<b>Highest Payment Risk</b>			<b>\$ 1,031,564</b>
<b>Percent of Yearly Total</b>			<b>94.0%</b>
<b><u>Total Debt Schedules</u></b>			
JCI (2008 Capital Lease) - Annual		\$ 1,025,584	
COMDOC Capital Lease - Monthly		5,980	
<b>Total</b>		<b>\$ 1,031,564</b>	

**CASH RESERVE POLICY FOR THE CITY OF CUYAHOGA FALLS ELECTRIC UTILITY**

- **Capital Requirements:** The cash reserve policy will include 20% (1/5<sup>th</sup>) of the five-year capital improvement program less any improvements funded through the issuance of bonds.

**Cuyahoga Falls Calculation Based on 2013**

<b>Recommended MINIMUM Reserves</b>	<b>Annual Cost</b>	<b>Percent Allocated</b>	<b>Projected 2015</b>
Operations and Maintenance Risk	\$ 7,795,864	12.3%	\$ 961,134
Power Supply Risk	38,065,786	5.0%	1,897,987
Historical Investment Risk	56,253,534	2.0%	1,125,071
Debt Service Risk	1,097,344	94.0%	1,031,564
Five-Year Capital Plan Risk	14,581,667	20%	2,916,333
<b>Recommended MINIMUM Reserves</b>			<b>\$ 7,932,089</b>

**Action/Restoration**

If certain events occur that results in cash reserves falling below the minimum cash reserve levels, the City Council should take action to restore cash reserves to the minimum levels over the subsequent three years. These actions may include a number of options:

1. Rate Adjustments
2. Cost reductions
3. Issuance of bonds to fund capital improvement programs (The utility should strive to fund normal capital improvements through electric rates and cash generation)
4. Modification of the assumptions used to determine the cash reserve levels

The methodology outlined in this policy should be used to update the minimum cash calculation as part of the annual budget process.

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5 CITY OF CUYAHOGA FALLS, OHIO

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7 ORDINANCE NO. - 2014

8  
9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF  
10 FINANCE TO ENTER INTO A CONTRACT OR  
11 CONTRACTS WITHOUT COMPETITIVE BIDDING WITH  
12 WICHERT INSURANCE SERVICES, INC. FOR THE  
13 PROFESSIONAL SERVICES NECESSARY TO MANAGE  
14 THE CITY'S RISK MANAGEMENT AND INSURANCE  
15 PROGRAM AND FOR THE PURCHASE OF PUBLIC  
16 ENTITY INSURANCE COVERAGES, AND DECLARING  
17 AN EMERGENCY.  
18

19  
20 BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit  
21 and State of Ohio, that:  
22

23 Section 1. The Director of Finance is hereby authorized to enter into a contract or  
24 contracts, without competitive bidding, with Wichert Insurance Services, Inc., on the  
25 basis of its proposal dated October 22, 2014, for the professional services necessary  
26 to manage the City's risk management and insurance program, including purchase  
27 of comprehensive public entity insurance coverages, for a period of one year.  
28

29 Section 2. The Director of Finance is hereby authorized and directed to make  
30 payment for same from funds properly appropriated to the various departments of  
31 the City for these purposes, according to an apportionment of costs as between the  
32 departments.  
33

34 Section 3. Any other ordinances or resolutions or portions of ordinances and  
35 resolutions inconsistent herewith are hereby repealed, but any ordinances and  
36 resolutions not inconsistent herewith and which have not previously been repealed  
37 are hereby ratified and confirmed.  
38

39 Section 4. It is found and determined that all formal actions of this Council  
40 concerning and relating to the adoption of this ordinance were adopted in an open  
41 meeting of this Council, and that all deliberations of this Council and of any of its  
42 committees that resulted in such formal action, were in meetings open to the public,  
43 in compliance with all legal requirements, to the extent applicable, including Chapter  
44 107 of the Codified Ordinances.  
45

46 Section 5. This ordinance is hereby declared to be an emergency measure  
47 necessary for the preservation of the public peace, health, safety, convenience and  
48 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason that

49 it is immediately necessary to purchase public entity insurance coverages, and  
50 provided it receives the affirmative vote of two thirds of the members elected or  
51 appointed to Council, it shall take effect and be in force immediately upon its  
52 passage and approval by the Mayor; otherwise it shall take effect and be in force at  
53 the earliest period allowed by law.

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56 Passed: \_\_\_\_\_  
57 \_\_\_\_\_  
58 President of Council

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60 \_\_\_\_\_  
61 Clerk of Council

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64 Approved: \_\_\_\_\_  
65 \_\_\_\_\_  
66 Mayor

67 11/10/14  
68 O:\2014ords\Insurance program renewal

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CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. - 2014

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR COST SHARING AND REIMBURSEMENT FOR ENVIRONMENTAL MITIGATION AT 1745 S. FRONT STREET WITH FALLS RIVER, LLC, AND DECLARING AN EMERGENCY.

WHEREAS, this Council approved the 2014 Community Development Block Grant Annual Action Plan ("Annual Action Plan") pursuant to Ordinance 46-2014, and

WHEREAS, the Annual Action Plan set forth a certain amount of programming costs to be used for brownfield cleanup and economic development, and

WHEREAS, Falls River, LLC is developing a mixed-use complex at 1745-1783 S. Front Street and that requires environmental mitigation, and

WHEREAS, the development will be known as Riverwalk and will be a 5-building mixed use development that includes housing and retail, and

WHEREAS, the Planning Commission approved Phase 1 of the site plan on November 4, 2014.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit and State of Ohio, that:

Section 1. The Mayor is hereby authorized to enter into a contract or contracts, according to law, for cost sharing and reimbursement with Falls River, LLC for environmental mitigation in the Riverwalk Development.

Section 2. The Director of Finance is hereby authorized and directed to make payment for same in an amount not to exceed \$100,000 from the Community Development Block Grant Fund, line item Capital Outlay.

Section 3. Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

50        Section 4. It is found and determined that all formal actions of this Council  
51 concerning and relating to the adoption of this ordinance were adopted in an open  
52 meeting of this Council, and that all deliberations of this Council and of any of its  
53 committees that resulted in such formal action, were in meetings open to the public,  
54 in compliance with all legal requirements, to the extent applicable, including Chapter  
55 107 of the Codified Ordinances.

56  
57        Section 5. This ordinance is hereby declared to be an emergency measure  
58 necessary for the preservation of the public peace, health, safety, convenience and  
59 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason that  
60 it is immediately necessary to permit timely and appropriate development of this  
61 property, and provided it receives the affirmative vote of two thirds of the members  
62 elected or appointed to Council, it shall take effect and be in force immediately upon  
63 its passage and approval by the Mayor; otherwise it shall take effect and be in force  
64 at the earliest period allowed by law.

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66 Passed: \_\_\_\_\_  
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\_\_\_\_\_ President of Council

\_\_\_\_\_ Clerk of Council

Approved: \_\_\_\_\_  
\_\_\_\_\_ Mayor

