

# County Council of Cuyahoga County, Ohio

## Resolution No. R2016-0137

<p>Sponsored by: <b>County Executive Budish/Department of Sustainability</b></p> <p>Co-sponsored by: <b>Councilmembers Simon, Brady, Germana, Conwell, Jones, Brown and Miller</b></p>	<p><b>A Resolution</b> authorizing an Electric Service Agreement with City of Cleveland/Department of Public Utilities/ Division of Cleveland Public Power in the amount not-to-exceed \$68,000,000.00 for electric power services for various County-owned buildings for the period 9/1/2016 - 5/1/2028; authorizing the County Executive to execute the agreement and all other documents consistent with the agreement and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County, in cooperation with others, is developing a solar energy project on landfills comprising about 30 acres of land (the ‘Solar Project’); and

WHEREAS, Fred.Olsen Renewables USA, LLC (“FORUSA”) is developing an electrical generation project comprising of offshore wind-powered turbine-generators with an aggregate nominal generating capability of about twenty-one megawatts and related onshore electrical equipment (the “Project Icebreaker”); and

WHEREAS, Cleveland Public Power ("CPP") and FORUSA entered into a Power Purchase and Sale Agreement (“PPSA”) pursuant to which CPP will purchase a portion of the electrical output of the Project Icebreaker; and

WHEREAS, the County desires to support the Project Icebreaker by purchasing from CPP about 8.7% of the energy generated by such project; and

WHEREAS, the County desires to contract with CPP for the supply of energy for various County-owned buildings; and

WHEREAS, CPP desires to support the County’s participation in the Solar Project and Project Icebreaker by purchasing energy from both projects and including the County’s solar energy and wind energy allocation in the energy supplied by CPP to serve the County’s electricity accounts; and

WHEREAS, pursuant to County Council’s approval, the County Executive/ Department of Sustainability intends to enter into an Electric Service Agreement with Cleveland Public Power in the amount not-to-exceed \$68,000,000.00 for electric

power services for various County-owned buildings for the period of 9/1/2016 – 5/1/2028; and

WHEREAS, the Electric Service Agreement is funded by the General Fund; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby authorizes an Electric Service Agreement with City of Cleveland/Department of Public Utilities/Division of Cleveland Public Power in the amount not-to-exceed \$68,000,000.00 for electric power services for various County-owned buildings for the period 9/1/2016 - 5/1/2028.

**SECTION 2.** That the County Executive is authorized to execute the agreement and all other documents consistent with the agreement and this Resolution.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 4.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the 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.

On a motion by Ms. Simon, seconded by Mr. Brady, the foregoing Resolution was duly adopted.

Yeas: Germana, Gallagher, Conwell, Jones, Brown, Hairston, Simon, Greenspan, Miller and Brady

Nays: None

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County Council President

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Date

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County Executive

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: July 26, 2016

Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: October 24, 2016

Additional Sponsorship Requested on the Floor: November 15, 2016

Journal CC024

November 15, 2016