

# **CITY OF OBERLIN, OHIO**

## **ORDINANCE No. 17-10 AC CMS**

**AN ORDINANCE ESTABLISHING A CITY OF OBERLIN COMMUNITY CHOICE PROGRAM FOR THE CITY OF OBERLIN, FORMALLY ESTABLISHING A FUND FOR ALL MONIES RECEIVED AS A RESULT OF THE PROGRAM, AND DIRECTING THAT ALL FUNDS SO RECEIVED BE UTILIZED IN ACCORDANCE WITH THIS ORDINANCE AND DECLARING AN EMERGENCY**

**BE IT ORDAINED**, by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

**SECTION 1.** That the City of Oberlin does hereby establish a program to be called the “City of Oberlin Community Choice Program.”

**SECTION 2:** The purpose of the City of Oberlin Community Choice Program shall be to enable and facilitate voluntary contributions by utility customers and any other individual or organization to a fund to be established and used in accordance with this Ordinance.

**SECTION 3.** That all monies generated or received under the City of Oberlin Community Choice Program, shall be deposited into a special fund which shall be called the “City of Oberlin Community Choice Fund,” said fund being hereby established, subject to approval by the Ohio Auditor of State’s Office.

**SECTION 4.** That in addition to the option to make direct voluntary donations to the City of Oberlin Community Choice Fund, City of Oberlin utility customers will be given the choice to make donations to said fund by choosing to forego all or part of any credit to their utility account arising from the sale and repurchase of renewable energy credits by the City of Oberlin. Eighty-five percent of the revenue from the sale and repurchase of certain REC transactions designated by City Council shall be returned in the form of a credit to the accounts of utility customers over a time frame to be determined by the Electric Director and Finance Director. The amount of each such donation shall be calculated on a monthly basis and shall appear on each utility bill. The City Finance Director shall establish regulations relating to the program.

**SECTION 5.** That all monies deposited into the City of Oberlin Community Choice Fund shall be utilized to further the City of Oberlin’s progress towards the goals outlined in the City of Oberlin’s Climate Action Plan in accordance with guidelines to be established by Ordinance of Council.

**SECTION 6.** That Oberlin City Council may designate by Resolution, in January of each year, up to twenty percent (20%) of the funds received in the immediate preceding calendar year, not to exceed the remainder of the proceeds received in the immediate preceding calendar year in the City of Oberlin Community Energy Choice Fund to establish a separate endowment fund to be used for the same purpose outlined in Section 5 of this Ordinance. Such endowment fund shall be established in accordance with applicable provisions of the Ohio Revised Code and Ohio Auditor of State guidelines.


SECTION 7. That the City of Oberlin Community Choice Program shall commence as soon as practicable.

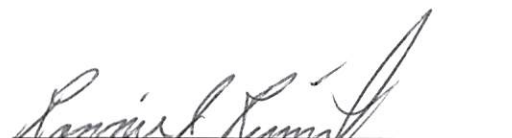
SECTION 8. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 9. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit: to facilitate obtaining the approvals necessary for the establishment of the City of Oberlin Community Choice Fund to enable the commencement of the City of Oberlin Community Choice Program as soon as practicable and shall take effect immediately upon passage.

PASSED: 1<sup>st</sup> Reading: 02/06/2017 Amended  
2<sup>nd</sup> Reading: 02/21/2017 S (effective in 30 days)  
3<sup>rd</sup> Reading: \_\_\_\_\_

ATTEST:

  
BELINDA B. ANDERSON, MMC  
CLERK OF COUNCIL

  
RONNIE J. RIMBERT  
PRESIDENT OF COUNCIL

POSTED: 02/22/20107

EFFECTIVE DATE: 03/23/2017