

CITY OF OBERLIN, OHIO

ORDINANCE No. 25-58 AC CMS

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE THE 2026- 2030 FIXED VOLUME ENERGY SUPPLY SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. TO GO INTO IMMEDIATE EFFECT

WHEREAS, the City of Oberlin, Ohio (the “Municipality”) is a political subdivision organized and existing pursuant to the laws of the State of Ohio that owns and operates an electric utility system for the sale of electric power and associated energy for the benefit of its citizens and customers; and

WHEREAS, to satisfy the electric energy requirements of its electric utility system, the Municipality has heretofore purchased economical and reliable energy from American Municipal Power Inc., (“AMP”), an Ohio non-profit corporation, of which the Municipality is a member, or has heretofore purchased energy arranged by AMP; and

WHEREAS, the Municipality, acting individually and, along with other municipalities that own and operate electric utility systems, jointly through AMP, endeavors to arrange for reliable, reasonably priced supplies of electric energy for ultimate delivery to its customers; and

WHEREAS, the Municipality has executed a Master Services Agreement with AMP, which sets forth the general terms and conditions for the provision of power supply and other services by AMP to the Municipality; and

WHEREAS, AMP will negotiate with one or more reputable and financially sound third-party power suppliers to enter into an agreement(s) to purchase electric energy in various megawatt (“MW”) or megawatt hour (“MWh”) blocks for a term beginning on January 1, 2026 and ending no later than December 31, 2030, all of which will provide an economical source of electric energy (herein “Long-term Energy Purchase(s)”) for Municipality; and

WHEREAS, AMP, on behalf of the Municipality, desires to purchase from third-party supplier(s) and then to resell the energy available from these Long-term Energy Purchase(s) on a long-term basis to Municipality at contract cost (excluding any taxes, transmission costs, replacement energy, losses, congestion costs, security costs, or AMP service fees) not to exceed \$59.00 per MWh; and

WHEREAS, AMP, has prepared and delivered to the Municipality the form of a 2026-2030 Fixed Volume Energy Supply Schedule, pursuant to which the Municipality may purchase energy; and

WHEREAS, AMP has provided and will continue to provide appropriate personnel and information regarding the Long-term Energy Purchase(s) to the Municipality, as such officers and representatives of the Municipality deem necessary or appropriate, to enable the Municipality to

evaluate the benefits and risks of the Long-term Energy Purchase(s), to take actions contemplated by the Ordinance hereinafter set forth and to determine that the same are in the public interest.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OBERLIN, OHIO.

SECTION 1. That the form of the 2026-2030 Fixed Volume Energy Supply Schedule between this Municipality and AMP, substantially in the form attached hereto as Exhibit 1, is approved, subject to and with any and all changes provided for herein and therein.

SECTION 2. That the City Manager is authorized and directed to execute the 2026-2030 Fixed Volume Energy Supply Schedule attached hereto and to acquire the Municipality's energy from one or more Long-term Energy Purchase(s), each with a term beginning on January 1, 2026 and ending no later than December 31, 2030, and with a third-party contract price (excluding any taxes, transmission costs, replacement energy, losses, congestion costs, security costs, or AMP service fees) not to exceed \$59.00 per MWh for purchases, from AMP, and is further authorized to execute and deliver any and all documents necessary to participate in one or more Long-term Energy Purchase(s), pursuant to the conditions set forth herein, as set forth in the 2026-2030 Fixed Volume Energy Supply Schedule; provided, however, that the volume of such purchases under the 2026-2030 Fixed Volume Energy Supply Schedule shall not exceed 7 MWh per hour (*i.e.*, 7 MW) each hour.

SECTION 3. That competitive bidding is not required on the Municipality's acquisition of its right to secure energy under the 2026-2030 Fixed Volume Energy Supply Schedule, and in the event any competitive bidding requirements are applicable, any such competitive bidding requirements that might otherwise be applicable are hereby waived.

SECTION 4. If any section, subsection, paragraph, clause or provision or any part thereof of this Ordinance shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Ordinance shall be unaffected by such adjudication and all the remaining provisions of this Ordinance shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION 5. That it is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of its committees that resulted in such formal actions, were held in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. To assure that the electric capacity and energy requirements of the City of Oberlin's electric utility system are satisfied, and provided that at least five (5) members of Council are determined by motion, this Ordinance shall go into full force and effect immediately after its passage; otherwise, it shall take effect on the earliest date allowed by law.

PASSED: 1st Reading: December 1, 2025

2nd Reading: _____

3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



EBONI A. JOHNSON
PRESIDENT OF COUNCIL

POSTED: 12/02/2025

EFFECTIVE DATE: 12/01/2025