

**AN ORDINANCE
AUTHORIZING ALL ACTIONS NECESSARY TO
ACCEPT A NORTHEAST OHIO PUBLIC ENERGY
COUNCIL ENERGIZED COMMUNITY GRANT AND
DECLARING AN EMERGENCY.**

WHEREAS, the Village of Chagrin Falls of Cuyahoga County, Ohio (“Municipality”) is a member of the Northeast Ohio Public Energy Council (“NOPEC”) and is eligible for one or more NOPEC Energized Community Grants for 2019 (“NEC Grant(s)”) as provided for in the NEC Grant Program guidelines attached hereto and made a part hereof as Exhibit “A”;

WHEREAS, the Municipality has previously entered into a Grant Agreement with NOPEC on May 18, 2018 to receive one or more NEC Grant(s);

WHEREAS, the Municipality wishes to receive one or more NEC Grants for 2019; and

WHEREAS, NOPEC has advised the Village that the exact amount of the 2019 NEC Grant is Nineteen Thousand Nine Hundred Seventy-Two Dollars and Zero Cents (\$19,972.00).

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. The Village Council for the Village of Chagrin Falls (“Council”) finds and determines that it is in the best interest of the Municipality to accept the NEC Grant(s) for the sum of Nineteen Thousand Nine Hundred and Seventy-Two Dollars (\$19,972.00) and authorizes the Mayor to accept the 2019 NEC Grant.

SECTION 2. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 4. That this Ordinance be and is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the habitants of the Village and for the further reason that this Ordinance needs to take immediate

ORDINANCE NO. 2019-40
INTRODUCED BY: MR. NEWELL

effect in order to be able to obtain the benefits of the NEC Grant in the amount of Nineteen Thousand Nine Hundred Seventy Two Dollars and Zero Cents (\$19,972.00) awarded by NOPEC. Wherefore, provided it receives two-thirds (2/3) of the votes of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise it shall take effect and be in force after the earliest period allowed by law.

PASSED: June 10th, 2019



Nancy Rogoff, Council President

Submitted to the Mayor for
his approval on this

11th day of June, 2019

Approved by the Mayor this

11th day of June, 2019



Mayor William Tomko

I hereby certify that Ordinance No. 2019-40 was duly enacted on the 10th day of June, 2019, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.



Clerk of Council



Exhibit "A"

NOPEC Energized Community (NEC) Grant

2019 Program Policies

NOPEC, Inc. and NextEra Energy have established the NOPEC Energized Community Grant Program, which provides grants to existing NOPEC member electric and gas communities. The new grant program year will begin on January 1, 2019, with the primary goal of providing funds to help communities implement energy savings or energy infrastructure measures.

NEC grants are intended to be used by member communities primarily for energy related projects. Member communities will be permitted, on a case-by-case basis, to use grants for purposes other than energy efficiency or energy infrastructure improvements.

The policies governing the grant program have been approved by the Board of Directors. The Special Projects Manager (SPM) will have oversight and day-to-day management responsibility for the program.

Eligibility and Notification: Existing NOPEC member communities enrolled in both gas and electric on January 1 will be paid cash grants at the rate of [\$6] per enrolled account for gas and [\$8] per enrolled account for electric per year. Existing NOPEC member communities enrolled in the gas program only will be paid cash grants at the rate of [\$5] per enrolled account. Existing NOPEC member communities enrolled in the electric program only will be paid cash grants at the rate of [\$7] per enrolled account. Enrolled accounts will be determined based on an average, using Q2 and Q3, of metered accounts of the previous calendar year. If an existing community was not enrolled for both quarters of the previous year, an average of the metered accounts of months enrolled will be applied.

Member counties and regional council of governments will also receive grants based on the communities and programs enrolled through the county membership. Grants will be calculated using the same averaging method as the community grants. County and regional council of governments members will receive [\$1.50] for gas and [\$2] for electric, per enrolled account per year, in communities enrolled for both programs, and [\$.50] for gas or [\$1.00] for electric, in communities enrolled for a single aggregation program.

The Chief Elected Official and the Chief Financial Official of member communities, regional councils of governments and counties will be notified by letter in January of the grant amount available for its use. Each community must enter into a grant agreement, if it has not already done so, with NOPEC, Inc. Each year, the community must pass legislation accepting the grant

and identifying the position (with person currently holding that position) authorized to conduct on-line program activities on behalf of the community. All grant activities, including the application and disbursement request processes, will be completed and submitted online.

Processing: The first step for the NEC grant program is creating a community profile in the on-line grant program at www.nopecgrants.org for a new community. Communities that completed this step in a previous year should review the profile and update the information, as needed.

As part of the profile, all communities will upload a pdf file of the legislation approved by the member community accepting the NEC grant. Communities that are receiving a grant for the first time will also execute and upload a pdf file of executed Grant Agreement.

Communities must complete the application process to qualify a project for grant funds. New applications will be reviewed monthly. New applications include any received by the first of the month. Appropriate supporting documents (e.g., project quotes) should be attached. All applications must be submitted electronically.

Staff will review each application to determine if it meets the criteria and formally approve each project funded. Communities may begin the project during the review process but it does not guarantee funding approval. Projects that are determined to be emergencies, based on immediate health and/or safety issues, may be eligible to begin without formal approval.

Eligible projects include those that reduce electric and/or gas utility consumption through facility improvements and/or implementing infrastructure improvements. Examples include interior and exterior lighting, windows and doors, insulation, HVAC, geothermal and solar. Street lights and traffic lights are also eligible, if a demonstrated utility savings to the community will result. Grants may also be used to benefit commercial properties. Options include covering the cost of energy audits or set-up costs for establishing an Energy Special Improvement District. Programs benefitting residents are also eligible. Providing residents LED light bulbs or establishing a residential energy audit program funded by the NEC grant program are two examples. Other eligible project examples for infrastructure include natural gas filling stations, electric vehicle or other charging stations, and emergency generators.

Multi-jurisdictional projects are eligible. Each community must apply for its own grant funds in a multi-jurisdictional project. Non-NOPEC members may be part of a multi-jurisdictional project but will not be eligible for any grant funds from NOPEC.

If a community completed a project that meets the eligibility requirements within the previous calendar year it may submit that project for the grant. Communities may also choose to escrow the grant award (or a portion of it) for a future year, but the escrow period is not to exceed an additional two years from the original grant year.

If a member community conducts an energy audit for the proposed project, the community may obtain the audit service through NOPEC's Energy Advisor audit program. Audit costs may be

defrayed with grant funds, whether obtained through NOPEC's program or contracted with a third party. The audit must be performed by a credentialed professional.

Once the application is reviewed and approved, the community will receive written confirmation. Each approved project will become an exhibit to the Grant Agreement.

Project Completion and Funds Disbursement: Communities are responsible for contracting all work to be completed, in accordance with local requirements, with qualified professionals. Monthly disbursements will be made for approved projects until the funds have been depleted, with a minimum disbursement amount of \$5,000 for interim disbursements. For projects of \$5,000 or less, the grant will be disbursed upon project completion. All disbursements will be made by Automatic Clearing House (ACH) process to an account designated by the community.

This is not a reimbursement grant, i.e. communities are not required to pay the invoice prior to submitting it for a grant disbursement. Communities create the Disbursement Request(s) for each approved application with appropriate supporting documents (invoices, AIA forms) submitted on-line. The SPM will review all disbursement requests and submit them for processing to the NOPEC CFO. All disbursements are approved by the Executive Director or another authorized person.

Any grant dollars, including balances, not applied for or escrowed by the community by October 31 of the current grant year will be returned to the grant pool. The grant term will be for calendar year 2019. NOPEC will close out a community's grant when all grant funds have been disbursed or any remaining funds are returned to the grant pool.

Reports: Communities using grant funds for energy efficiency projects will submit an annual report to NOPEC for two years following project completion, if the project is selected for measurement and verification. The report will provide information on the energy saved (measured by units and dollars) in the previous year resulting from that project. This report will be prepared by a third-party consultant contracted by NOPEC, Inc. The community will agree to authorize NOPEC to provide the appropriate utility account information for the designated project site to the consultant for the purpose of completing the annual reports.

The SPM will track all open grants and provide periodic status reports to the NOPEC Executive Director and to both the NOPEC and NOPEC, Inc. Boards of Directors. Reports will include the number of communities with open grants available and the total funds disbursed to date.

All determinations made by NOPEC, Inc. and NOPEC in administering the NEC Grant Program shall be final, conclusive and binding on all grant recipients.