

CITY OF OBERLIN, OHIO

ORDINANCE NO. 22-58 AC CMS

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BIO ENERGY (OHIO II), LLC TO PROVIDE ELECTRICAL SERVICE FOR THE OPERATION OF A RENEWABLE NATURAL GAS PROCESSING FACILITY AS AN EMERGENCY MEASURE.

WHEREAS, the City of Oberlin owns and operates an electric distribution system and related facilities, including a 69 kV transmission loop;

WHEREAS, BIO Energy (Ohio II), LLC, (“BEO”) will construct, own, and operate a facility, (“Facility”) at 520 Hill Creek Drive, to collect, process, and treat gas emitted as a by-product of the operation of the Lorain County Landfill to produce renewable natural gas (RNG);

WHEREAS, BEO’s production facility will require certain quantities of electricity for its operation; and

WHEREAS, the City of Oberlin and BEO desires to enter into an agreement through which the City will provide electrical energy to BEO for the operation of its Facility; and

WHEREAS, the proposed Facility will create environmental benefits to the City and region, increased fuel diversity and security, economic development and local revenue which are cited in the Oberlin 2019 Climate Action Plan.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, Lorain County, State of Ohio:

SECTION 1. That the City Manager is hereby authorized and directed to enter into Electric Service Agreement with BIO Energy (Ohio II), LLC to Provide Electrical Service for the Operation of a Renewable Natural Gas Processing Facility substantially in the form attached hereto as **Exhibit A**.

SECTION 2. 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 action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. 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 the creation of economic and environmental benefits to the City of Oberlin and provided that it is elevated to emergency status by the affirmative vote of at least five members of Council and receives the affirmative vote of at least five members of Council upon final passage, it shall

go into full force and effect from and immediately after its passage; otherwise, it shall take effect on the earliest date allowed by law.

PASSED: 1st Reading: September 19, 2022

2nd Reading: _____

3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



BRYAN BURGESS
PRESIDENT OF COUNCIL

POSTED: 09/20/2022

EFFECTIVE DATE: 09/21/2022