

A RESOLUTION TO APPROVE THE FORM AND AUTHORIZE THE EXECUTION OF TALLGRASS SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. AND TAKING OF OTHER ACTIONS IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Hudson is a member of the American Municipal Power, Inc. ("AMP") and is authorized by ordinance to participate in AMP's power supply programs; and

WHEREAS, the City has previously entered into a Master Services Agreement with AMP, AMP Contract No. C-11-2005-4423 (the "MSA"), which contemplates that the City may enter into various schedules for the provision of capacity and associated energy and related services from AMP to the City; and

WHEREAS, in furtherance of this purpose, AMP has entered into purchase power agreements ("Waste Heat Power Agreements") with Tallgrass Muskingum Community Power, LLC and Tallgrass Columbus Community Power, LLC, ("Tallgrass") under the terms of which AMP will purchase up to 22.74 MWac of capacity and associated energy and environmental attributes from the Waste Heat Energy generation projects located in PJM footprint; and

WHEREAS, the City's power supply consultant has reviewed the terms of the Tallgrass Project and recommends that the City purchase 1.5 megawatts (MW) of energy from Tallgrass to help meet a portion of the City's remaining electric capacity requirements in a cost-effective and environmentally sustainable manner; and

WHEREAS, AMP has presented to the City a Tallgrass Schedule, which sets forth the terms and conditions by which participating members, including the City, will obtain energy from the Project, and

WHEREAS, it is in the best interest of the City and its residents to approve the form of the Tallgrass Schedule and to authorize the City Manager or other appropriate City officials to execute the Schedule and to take all the actions necessary and/or appropriate to effectuate the purposes of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hudson, Summit County, Ohio, as follows:

Section 1. The City Manager and his designee are hereby authorized to sign all necessary paperwork and to enter and administer a 16-year contract with American Municipal Power for green energy from the Tallgrass Muskingum Community Power, LLC and Tallgrass Columbus Community Power, LLC. The agreement shall be to purchase 1.5 MW from Tallgrass at a price of \$59.50/MWh for the first year of the term with a 2% annual escalation for the remaining 15 years and, otherwise, be in a form approved by the City Solicitor.

Section 2. The City Manager and his designee are further authorized to do all things necessary and appropriate to implement the terms of this Resolution.

Section 3. That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and 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 5. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare and for the further reason that it is immediately necessary to secure these terms as soon as possible and before they change; wherefore, this Resolution shall be in effect immediately upon its passage provided it receives the affirmative vote of five members of Council, except that six affirmative votes shall be required if all members are present; otherwise, it shall be in full force and effect from and after the earliest period allowed by law.

PASSED: _____

Jeffrey L. Anzevino, Mayor

ATTEST:

Aparna Wheeler, Clerk of Council

I certify that the foregoing Resolution No. 25-117 was duly passed by the Council of said Municipality on _____, 2025.

Aparna Wheeler, Clerk of Council