

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A SOLAR POWER PURCHASE AGREEMENT AND A PROPERTY EASEMENT AGREEMENT WITH HUDSON SHINES LLC.

WHEREAS, pursuant to Resolution No. 17-166, passed by this Council on October 17, 2017, staff solicited proposals for the Hudson Public Power Solar Project, to include a solar power generation system to be interconnected with Hudson's electric grid for the purpose of reducing the City's peak load, thereby reducing the amount of power purchased from the market and also reducing the City's carbon footprint, and reducing the City's peak load to realize savings in capacity and transmission charges (the "Project") at the City owned property located at 996 Hines Hill Road, Hudson, Ohio (the "Project Site"); and

WHEREAS, after consideration of the proposals received, City Staff recommends that the City execute a solar power purchase agreement with Hudson Shines LLC whereby Hudson Shines LLC will provide 100% of the power generated at the Project Site at a fixed price for a twenty-five (25) year term; and

WHEREAS, City Staff further recommends that, as part of the solar power purchase agreement, Hudson Shines LLC be given a right of access to the Project Site to allow Hudson Shines LLC to access, construct, operate, and maintain the Project.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hudson, County of Summit, State of Ohio, that:

Section 1: The City Manager is authorized to enter into a solar power purchase agreement with Hudson Shines LLC at a fixed price for a twenty-five (25) year term in an amount to be appropriated by Council, and the agreement shall be in a form acceptable to the City Manager and City Solicitor.

Section 2: The City Manager is further authorized, as a part of the above referenced agreement, to permit Hudson Shines LLC a limited right of access to the City's property located at 996 Hines Hill Road in Hudson, Ohio, for the express purposes of constructing, operating and maintaining the Project; and the agreement shall be in a form acceptable to the City Manager and City Solicitor.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 4. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

David A. Basil, Mayor

ATTEST:

Elizabeth Slagle, Clerk of Council

I certify that the foregoing Ordinance No. 18-122 was duly passed by the Council of said Municipality on _____, 2018.

Elizabeth Slagle, Clerk of Council