

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

WHEREAS, the City owns and operates an electric utility system for the sale of electric capacity and associated energy for the benefit of its citizens; and

WHEREAS, the City is a member of the America Municipal Power, Inc. (“AMP) and is authorized by ordinance and a Master Services Contract (AMP Contract No. C-11-2005-4423) to participate in AMP’s power supply programs; and

WHEREAS, in order to satisfy the electric capacity and energy requirements of its electric utility system, the City has historically purchased and desires to continue purchasing in the future, economical, reliable and environmentally sound capacity and energy and related services from, or arranged by AMP; and

WHEREAS, AMP has negotiated a Power Purchase Agreement (“PPA”) to procure a competitively priced green energy and capacity from the Bright Mountain Solar Project, a renewable energy facility located in eastern Kentucky; and

WHEREAS, the City’s power supply consultant has reviewed the terms of Bright Mountain Solar PPA and recommends that the City purchase 2.5 megawatts (MW) of energy from Bright Mountain Solar Project to help meet a portion of the City’s remaining electric capacity requirements in a cost-effective and environmentally sustainable manner; and

WHEREAS, it is in the best interest of the City and its residents to approve the form of the Bright Mountain Solar Schedule and to authorize the City Manager or his designee to execute the Schedule and to take all the actions necessary 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 25-year contract with and/or through American Municipal Power for energy from Bright Mountain Solar Project. The agreement shall be to purchase 2.5 MW from Bright Mountain Solar Project and, otherwise, be in a form approved by the City Solicitor.

Section 2. That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

Section 3. 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 4. This Resolution is declared to be an emergency measure necessary for the immediate preservation of life, property, public health, safety, public peace, and the general welfare of the City and for the further reason that it is immediately necessary to enter this agreement in a timely fashion due to market and favorable rates and pricing conditions and to secure the necessary energy to provide safe and reliable power to the community; wherefore, this legislation shall take effect and be in force immediately upon its passage, provided it receives five (5) affirmative votes of members of Council, except that six (6) affirmative votes are 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 was duly passed by the Council of said Municipality on _____, 2026.

Aparna Wheeler, Clerk of Council