

REQUESTED BY:  
MACPHERSON

LAW DEPARTMENT  
DRAFT NO. 3846

TITLE

AN ORDINANCE FOR THE PURPOSE OF AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE AND SAFETY, TO ENTER INTO AN AGREEMENT(S) WITH THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) FOR THE 2019 ENERGIZED COMMUNITY GRANT(S) AND ACCEPT THE GRANT(S) FOR PROVIDING FUNDS TO ASSIST THE CITY OF WARREN, OHIO IN IMPLEMENTING ENERGY SAVINGS OR ENERGY INFRASTRUCTURE MEASURES AND DECLARING AN EMERGENCY.

ORDINANCE NO. 12851/19

WHEREAS, The Northeast Ohio Public Energy Council (NOPEC) and NextEra Energy have established the NOPEC Energized Community Grant Program, which provides grants to existing NOPEC members electric and gas communities; and

WHEREAS, the City of Warren, Ohio is a member of the Northeast Ohio Public Energy Council (NOPEC) and is eligible for one or more NOPEC Energized Community Grant(s) for the year 2019 as provided for in the NEC Grant Program guidelines; and

WHEREAS, the City of Warren wishes to enter into a Grant Agreement(s) hereto attached as "Exhibit A" with the Northeast Ohio Public Energy Council (NOPEC), Inc. to accept the Grant(s) to receive funds to assist the City of Warren, Ohio in implementing energy savings or energy infrastructure measures; and

WHEREAS, the Administration and Council of the City of Warren, Ohio finds and determines that it is in the best interest of the City of Warren, Ohio to accept the Northeast Ohio Public Energy Council (NOPEC) Grant(s) for the year 2019; NOW THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:

Section 1: That the Mayor, William D. Franklin and Director of Public Service and Safety, Enzo Cantalamessa, be and are hereby, authorized, for and on behalf of the City of Warren, to enter into an agreement(s) according to law with the Northeast Ohio Public Energy Council (NOPEC) for the 2019 Energized Community Grants(s) and accept the Grant(s) for providing funds to assist the City of Warren, Ohio in implementing energy savings or energy infrastructure measures.

Section 2: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety of the City of Warren. WHEREFORE, this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this 27TH day of February, 2019.

SIGNED: [Signature] ATTEST: [Signature]  
PRESIDENT OF COUNCIL CLERK

FILED WITH THE MAYOR: 2-27-19

DATE APPROVED: 2-27-19

[Signature]  
MAYOR, CITY OF WARREN, OHIO



### **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](http://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.

