

REQUESTED BY:
GREATHOUSE

LAW DEPARTMENT
DRAFT NO. 0116

TITLE

AN ORDINANCE FOR THE PURPOSE OF AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE AND SAFETY, TO ACCEPT THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2021 ENERGIZED COMMUNITY GRANT(S) FUNDS(S) FOR PROVIDING SAID FUNDS TO ASSIST THE CITY OF WARREN, OHIO IN IMPLEMENTING ENERGY SAVINGS, ENERGY INFRASTRUCTURE MEASURES AND COMMUNITY ENERGY RELATED PROJECTS AND DECLARING AN EMERGENCY.

ORDINANCE NO. 13007/2021

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) and NEC Grant(s) for the year 2021 as provided for in the NEC Grant Program guidelines; and

WHEREAS, the City of Warren has previously entered in a Grant Agreement with the Northeast Ohio Public Energy Council (NOPEC), Inc. on October 15, 2020 to receive one or more NEC Grant(s) and wishes to accept said Grant funds and the 2021 program policies hereto attached as "Exhibit A" with the Northeast Ohio Public Energy Council (NOPEC) for the year 2021 to receive funds to assist the City of Warren, Ohio in implementing energy savings, energy infrastructure measures and community energy related projects; 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 to accept the Northeast Ohio Public Energy Council (NOPEC) and NEC Grant(s) funds for the year 2021; 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, Eddie L. Colbert, be and are hereby, authorized, for and on behalf of the City of Warren, to accept the Grant(s) funds and the 2021 program policies according to law with the Northeast Ohio Public Energy Council (NOPEC), Inc. and NEC Grant(s) for the year 2021 to assist the City of Warren, Ohio in implementing energy savings, energy infrastructure measures and community energy related projects.

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 10TH day of FEBRUARY, 2021.

SIGNED: [Signature]
PRESIDENT OF COUNCIL

ATTEST: [Signature]
CLERK

FILED WITH THE MAYOR: 2-11-2021

DATE APPROVED: 2/11/21

[Signature]
MAYOR, CITY OF WARREN, OHIO



NOPEC Energized Community (NEC) Grant 2021 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. Existing member communities are defined as those with metered accounts enrolled in NOPEC's electric and/or gas aggregation during the previous calendar year. The new grant program year will begin on January 1, 2021, 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 Economic Development Director (EDD) will have oversight and day-to-day management responsibility for the program.

Deadlines: NOPEC member communities that wish to accept the grant award must have a completed and approved profile by June 30, 2021. All grant funds must be secured by October 31, 2021. Secured funds include applications approved to escrow funds or complete a project. Any grant funds not accepted, with an approved community profile by June 30, 2021, or secured through the application process by October 31, 2021, will be returned to the grant pool.

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 [\$4] per enrolled account for gas and [\$6] 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 [\$3] per enrolled account. Existing NOPEC member communities enrolled in the electric program only will be paid cash grants at the rate of [\$5] 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 enrolled for a minimum of three consecutive months will be applied. The minimum community grant amount will not be less than \$250.00, Member counties and regional council of governments (COG) will also receive grants based on the communities and programs enrolled through the county or COG

membership. Grants will be calculated using the same averaging method as the community grants. County and regional COG 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 COG 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 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. The deadline to accept the grant and upload the required documents for the profile step is June 30, 2021. Any grant funds not accepted with an approved community profile will be returned to the grant pool.

Communities must complete the application process to qualify a project for grant funds. New applications will be reviewed on an ongoing basis. Appropriate supporting documents (e.g., project quotes) should be attached, if available. All applications must be submitted electronically in the grant system.

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. Examples of ineligible projects would include vehicles or equipment (other than an emergency generator) that are powered by battery, gasoline or diesel, and do not reduce utility costs. Project examples for eligible energy infrastructure include natural gas filling stations, electric vehicle charging

stations and emergency generators. Installing power to a facility such as a gazebo or baseball field are other examples of eligible energy infrastructure.

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.

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 for community-owned facilities or projects, 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. All disbursements for an approved project must be requested no later than the year following the original grant year. Projects approved for the 2021 grant year cycle must request all disbursements before December 10, 2022.

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 submitted on-line. Appropriate supporting documents include invoices or AIA forms for work completed, or signed contracts that specify an advance prior to the start of the project. Quotes or proposals are not acceptable documents for Disbursement Requests. The EDD will review all disbursement requests and submit them for

processing to the NOPEC CFO. All disbursements are approved by the Executive Director or other 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 forfeited by the community and returned to the grant pool. The grant term will be for calendar year 2021. 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 EDD 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.

All determinations made by NOPEC, Inc. and NOPEC in administering the NEC Grant Program shall be final, conclusive and binding on all grant recipients.



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RON MCVOY
Chairman

CHUCK KEIPER
Executive Director

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January 14, 2021
OF THE MAYOR
The Honorable William D. Franklin
Mayor
Warren
391 Mahoning Avenue NW
Warren, OH 44483

Dear Mayor Franklin:

Congratulations! Warren is receiving a NOPEC Energized Community (NEC) grant of \$75,129 for 2021. NOPEC and our supply partner NextEra value your community's membership and are awarding this grant to help your community achieve even greater savings. The NEC grants are offered to help you implement energy efficiency or energy infrastructure projects that will benefit your community for years to come. At the November 2020 General Assembly, I announced a change to the grant funding formula beginning with this year. This change is being implemented to ensure long-term viability of this important member benefit.

The NEC grant program features multiple options and tremendous flexibility for your community to get the greater benefit from your grant, while reducing the paperwork required. Funds can be used for community-owned facilities, for residents, for businesses, or escrowed for a future year's project. We're including examples of eligible activities, but this list is not all-inclusive. Take advantage of this year's grant - we'll work with you to find the right project!

We're excited to be able to offer the grant program again this year and we've designed it to make the whole process as streamlined as possible. All NEC grant program information and materials will be available online. There's no need for you to mail any documents with this grant program! Later this month, you'll receive an e-mail with detailed instructions on how to access this information and get started on completing the 2021 grant process.

Please note there is a profile submission deadline of June 30, 2021. Completing this step by the deadline will let us know you want to take advantage of the grant program this year.

Our staff is available to help at any point during the process. NOPEC's Loan and Grant Associate, Jessica Chiano, is managing the NEC grant program. Feel free to contact her by email at grants@nopec.org or by phone at 440-249-7072 if you have questions. Your Relationship Manager, Genny Costanzo, is also available to help you with any questions. We look forward to receiving your application!

Sincerely,

Chuck Keiper
Executive Director

cc: Tom Letson, Treasurer; Genny Costanzo, Relationship Manager

*The NEC grant program is funded and administered by NOPEC, Inc., an affiliate of the Northeast Ohio Public Energy Council (NOPEC).