

BEREA CITY COUNCIL

City of Berea, Ohio

RESOLUTION NO. 2023- __

By: _____ Sponsor: Mayor Cyril M. Kleem

A RESOLUTION

AGREEING TO ALLOW CUYAHOGA COUNTY TO OPERATE A PUBLIC UTILITY IN THE CITY OF BEREA PURSUANT TO ITS POWERS UNDER THE CHARTER OF THE CITY OF BEREA, THE STATE OF OHIO AND THE LAWS ESTABLISHED BY THE GOVERNMENT OF CUYAHOGA COUNTY, OHIO.

WHEREAS, the City of Berea recognizes that Cuyahoga County has created a Public Utility pursuant to its authority established under the Constitution of the State of Ohio and laws of the State of Ohio; and

WHEREAS, in accordance with Ohio Attorney General Opinion 2021-015, Cuyahoga County is required to obtain consent with those municipalities in which it seeks to operate its Public Utility; and

WHEREAS, in passing this Resolution, Berea would join the cities of Lakewood, Brooklyn, Brook Park, Cleveland Heights and Euclid in passing similar permissive resolutions; and

WHEREAS, the County has great interest in developing energy microgrids in commercial, industrial and manufacturing districts which can utilize locally generated clean energy, on site battery storage and advanced technologies for resiliency; and

WHEREAS, the power flowing through a microgrid is created from sustainable sources, which will benefit Berea's commercial and industrial end-users by providing battery back-up power during power outages; and

WHEREAS, the County has identified the City of Berea as a strong geographic location and partner to work with to develop a microgrid district within; and

WHEREAS, the City of Berea does not have current franchise agreements with any electrical distribution utility which would hinder or foreclose its ability to allow Cuyahoga County to operate its Utility in the City and therefore be able to offer competition to customers; and

WHEREAS, the Council of the City of Berea and Administration strongly support regional efforts to provide clean energy to the public.

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NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Berea, State of Ohio:

SECTION 1. That the City of Berea hereby gives consent to Cuyahoga County to operate a public utility in the City of Berea pursuant to its powers under the State of Ohio and the laws established by the Charter of the County of Cuyahoga, Ohio.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the approval of this Resolution were approved in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

President of Council

ATTEST: _____
Clerk of Council

APPROVED:

Mayor

APPROVED AS TO FORM:

Director of Law