

AGENDA
May 17, 2022
Wadsworth City Council

Regular Meeting of the Wadsworth City Council, Tuesday, May 17, 2022, at 5:30 p.m., in-person at City Council Chambers:

1. Call to Order
2. Pledge of Allegiance
3. Invocation
4. Roll Call
5. Approval of City Council Minutes: *April 19, 2022 & May 4, 2022*
6. Visitors
7. Correspondence
8. *Executive Session: Collective Bargaining*
9. READING OF LEGISLATION:

ORDINANCE NO. 22-047 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE A BRINE MAKING SYSTEM WITH ALL STANDARD EQUIPMENT AND INSTALLATION FROM HENDERSON PRODUCTS, INC. THROUGH PARTICIPATION IN A SOURCEWELL CONTRACT AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by the Public Ways Committee May 9, 2022

ORDINANCE NO. 22-048 (1st RDG.): ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE THE 2022-2028 ENERGY SUPPLY SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. (“AMP”) AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington
- Forwarded by Public Service Committee May 11, 2022

ORDINANCE NO. 22-049 (1st RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE WASTEWATER TREATMENT PLANT DECANTING STATION PROJECT AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington
- Forwarded by Public Service Committee May 11, 2022

ORDINANCE NO. 22-050 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A RENEWAL OF THE FRANCHISE AGREEMENT AS SET FORTH BY ORDINANCE NO. 20-037 WITH FLIGHT SERVICES OF WADSWORTH LLC AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee May 9, 2022

ORDINANCE NO. 22-051 (1st RDG.): AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PERMANENT 10’ HIGHWAY EASEMENT ON PARCEL NO. 038-17C-25-014 FROM THE CITY OF WADSWORTH TO MEDINA COUNTY FOR THE INSTALLATION OF A SHOULDER, GUARDRAIL AND ASSOCIATED GRADING ON WALL ROAD AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee May 9, 2022

ORDINANCE NO. 22-052 (1st RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE THE 2022 SOLAR ENERGY SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. AND TAKING OF OTHER ACTIONS IN CONNECTION THEREWITH REGARDING SOLAR GENERATED ENERGY PURCHASES AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington
- Forwarded by Public Service Committee May 11, 2022

RESOLUTION NO. 22-07 (2nd RDG.): A RESOLUTION DETERMINING THAT IT IS NECESSARY TO LEVY A TAX OUTSIDE THE TEN-MILL LIMITATION FOR PROVIDING AMBULANCE AND EMERGENCY MEDICAL SERVICE AND REQUESTING THAT THE COUNTY AUDITOR CERTIFY THE CURRENT TAX VALUATION OF THE CITY OF WADSWORTH AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A TWO AND FIVE TENTH (2.5) MILLS RENEWAL LEVY

- Sponsored by Council Member Ralph Copley
- Forwarded by Public Safety Committee April 19, 2022

RESOLUTION NO. 22-08 (2nd RDG.): A RESOLUTION DETERMINING THAT IT IS NECESSARY TO LEVY A TAX OUTSIDE THE TEN-MILL LIMITATION FOR PROVIDING AMBULANCE AND EMERGENCY MEDICAL SERVICE AND REQUESTING THAT THE COUNTY AUDITOR CERTIFY THE CURRENT TAX VALUATION OF THE CITY OF WADSWORTH AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A RENEWAL OF A TAX OF TWO AND FIVE TENTH (2.5) MILLS WITH AN INCREASE OF THREE TENTH MILLS (0.3) TO CONSTITUTE A TAX OF TWO AND EIGHT TENTH (2.8) MILLS

- Sponsored by Council Member Ralph Copley
- Forwarded by Public Safety Committee April 19, 2022

RESOLUTION NO. 22-09 (2nd RDG.): A RESOLUTION DETERMINING THAT IT IS NECESSARY TO LEVY A TAX OUTSIDE THE TEN-MILL LIMITATION FOR PROVIDING AMBULANCE AND EMERGENCY MEDICAL SERVICE AND REQUESTING THAT THE COUNTY AUDITOR CERTIFY THE CURRENT TAX VALUATION OF THE CITY OF WADSWORTH AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A RENEWAL OF A TAX OF TWO AND FIVE TENTH (2.5) MILLS WITH AN INCREASE OF FIVE TENTH MILLS (0.5) TO CONSTITUTE A TAX OF THREE (3) MILLS

- Sponsored by Council Member Ralph Copley
- Forwarded by Public Safety Committee April 19, 2022

ORDINANCE NO. 22-046 (2nd RDG.): AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE SOUTH LYMAN STREET SIDEWALK REPLACEMENT PROJECT AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Forwarded by Public Ways Committee May 9, 2022

RESOLUTION NO. 22-06 (3rd RDG.): A RESOLUTION DOCUMENTING AND DECLARING THE USE AND EXPENDITURES OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS RECEIVED THROUGH THE AMERICAN RESCUE PLAN ACT BY THE CITY OF WADSWORTH; AND DECLARING AN EMERGENCY

- Sponsored by President of Council Bob Thurber

ORDINANCE NO. 22-034 (3rd RDG.): AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL ENGINEERING AND SMOKE AND DYE TESTING SERVICES FOR THE SANITARY SEWER OVERFLOW REMEDIATION PROGRAM AND DECLARING AN EMERGENCY

- Sponsored by Council Member Bruce Darlington
- Forwarded by Public Service Committee April 12, 2022

ORDINANCE NO. 22-035 (3rd RDG.): AN ORDINANCE DETERMINING TO PROCEED WITH REPAIRING, REPLACING OR CONSTRUCTING OF CERTAIN SIDEWALKS IN THE CITY OF WADSWORTH AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Discussed by Public Ways Committee April 11, 2022 and May 9, 2022

ORDINANCE NO. 22-036 (3rd RDG.): AN ORDINANCE TO MAKE A SUPPLEMENTAL APPROPRIATION OF \$233,364.00 IN VARIOUS FUNDS FOR THE FISCAL YEAR ENDING DECEMBER 31, 2022 AND DECLARING AN EMERGENCY

- Sponsored by President of Council Bob Thurber
- Discussed by Public Ways Committee April 11, 2022
- Amendment Discussed by Public Ways Committee May 9, 2022

ORDINANCE NO. 22-037 (3rd RDG.): AN ORDINANCE TO AMEND FINAL RESOLUTION NO. 22-02 IN REGARD TO FEDERAL PROJECT NO. E 161173 AND DECLARING AN EMERGENCY

- Sponsored by Council Member David Williams
- Amendment Discussed by Public Ways Committee May 9, 2022

ORDINANCE NO. 22-038 (3rd RDG.): AN ORDINANCE TO AUTHORIZE THE DRAWING OF A WARRANT IN AN AMOUNT NOT TO EXCEED \$289,170.00 FOR THE PAYMENT OF THE AMOUNT DUE UPON A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION AND TO DECLARE AN EMERGENCY

- Sponsored by President of Council Bob Thurber

10. Other Business

11. Recess or Adjournment

ORDINANCE NO. 22-047
Sponsored by Council Member David Williams

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE A BRINE MAKING SYSTEM WITH ALL STANDARD EQUIPMENT AND INSTALLATION FROM HENDERSON PRODUCTS, INC. THROUGH PARTICIPATION IN A SOURCEWELL CONTRACT AND DECLARING AN EMERGENCY

Whereas, section 9.48 of the Ohio Revised Code permits a political subdivision to participate in a joint purchasing program operated by or through a national or state association of political subdivisions in which the purchasing political subdivision is eligible for membership and the equipment is available under Sourcewell contract and section 125.04 of the Ohio Revised Code permits a political subdivision to participate in purchase contracts of the Ohio Department of Administrative Services, and

Whereas, the Director of Public Service has determined that a needed Brine Making System with all standard equipment plus installation is available for purchase from Henderson Products, Inc. through participation in a Sourcewell contract and that it is in the best interest of the City of Wadsworth to purchase said needed Brine Making System with all standard equipment plus installation through participation in the said Sourcewell contract, and

Whereas, pursuant to section 735.05 of the Ohio Revised Code, authorization of this Council is required for the Director of Public Service to make an expenditure exceeding fifty thousand dollars; **NOW THEREFORE**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:

Section 1. That the Director of Public Service is hereby authorized to purchase a Brine Making System with all standard equipment plus installation of up to \$7,000.00 at a total cost of \$84,569.20 for said equipment and installation from Henderson Products, Inc. through participation in a Sourcewell contract pursuant to section 9.48 of the Ohio Revised Code.

Section 2. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the City of Wadsworth in order to provide needed equipment for the department of public service; WHEREFORE, this ordinance shall go into immediate effect provided it receives a two-thirds vote of all members of City Council. If it receives approval by a majority of the members but less than a two-thirds vote, then it shall be effective at the earliest time permitted by law.

Passed: _____
President of Council

Attest: _____
Clerk of Council

Approved: _____
Mayor

1st Rdg. _____
3rd Rdg. _____
Vote: aye _____ nay _____

2nd Rdg. _____
Passed: yes _____ no _____
Immediate Effect: yes _____ no _____

CERTIFICATE OF PUBLICATION

I, Tammy L. Guenther, Clerk of Council of the City of Wadsworth, State of Ohio, do hereby certify that the forgoing ordinance was duly published in the *Medina Gazette* and at <http://publicnoticsohio.com/> on _____ and _____ which is for two consecutive weeks as required by section 731.21 of the Ohio Revised Code.

Tammy L. Guenther, Clerk of Council, City of Wadsworth

**ORDINANCE NO. 22-048
SPONSORED BY COUNCIL MEMBER BRUCE DARLINGTON**

ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE THE 2022-2028 ENERGY SUPPLY SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. (“AMP”) AND DECLARING AN EMERGENCY

WHEREAS, the City of Wadsworth, Ohio (the “Municipality”) is a political subdivision organized and existing pursuant to the laws of the State of Ohio, which owns and operates an electric utility system for the sale of electric power and associated energy for the benefit of its citizens and taxpayers;

WHEREAS, in order to satisfy the electric energy requirements of its electric utility system, the Municipality has heretofore purchased economical and reliable energy from AMP, an Ohio non-profit corporation, of which the Municipality is a member, or has heretofore purchased energy arranged by AMP;

WHEREAS, the Municipality, acting individually and, along with other municipalities which own and operate electric utility systems, jointly through AMP, endeavors to arrange for reliable, reasonably priced supplies of electric energy for ultimate delivery to its customers;

WHEREAS, Municipality has executed a Master Services Agreement with AMP which sets forth the general terms and conditions for the provision of power supply and other services by AMP to the Municipality;

WHEREAS, AMP will negotiate with one or more reputable and financially sound third party power suppliers to enter into an agreement(s) to purchase electric energy pursuant to either variable remaining requirements arrangements or block purchases for a term beginning on January 1, 2022 and ending no later than December 31, 2028, which will provide an economical source of electric energy (herein “Long-Term Energy Purchase(s)”) for Municipality;

WHEREAS, AMP, on behalf of the Municipality, desires to purchase from third party supplier(s) and then to resell the energy available from these Long-Term Energy Purchase(s) on a long term basis to Municipality at contract cost (excluding any taxes, transmission costs, replacement energy, losses, congestion costs, security costs, or AMP service fees) not to exceed the up-to price per MWh set forth in the Schedule.

WHEREAS, AMP, has prepared and delivered to the Municipality the form of a 2022-2028 Energy Supply Schedule, pursuant to which the Municipality may purchase energy; and

WHEREAS, AMP has provided and will continue to provide appropriate personnel and information regarding the Long-Term Energy Purchase(s) to the Municipality, as such officers and representatives of the Municipality deem necessary or appropriate, to enable the Municipality to evaluate the benefits and risks of the Long-Term Energy Purchase(s), to take actions contemplated by the resolution hereinafter set forth and to determine that the same are in the public interest.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, OHIO.

SECTION 1. That the form of the 2022-2028 Energy Supply Schedule between this Municipality and AMP, substantially in the form attached hereto as Exhibit 1 (“Schedule”), is approved, subject to and with any and all changes provided for herein and therein.

SECTION 2. That the Director of Public Service be authorized to execute the Schedule and to acquire the Municipality’s energy from one or more Long-Term Energy Purchase(s), each with a term beginning on January 1, 2022 and ending no later than December 31, 2028, and with a third party contract price (excluding any taxes, transmission costs, replacement energy, losses, congestion costs, security costs, or AMP service fees) not to exceed the up-to price per MWh for purchases set forth in the Schedule, from AMP, and is further authorized to execute and deliver any and all documents necessary to participate in one or more Long-Term Energy Purchase(s), pursuant to the conditions set forth herein and therein.

SECTION 3. That competitive bidding is not required on the Municipality’s acquisition of its right to secure energy under the Schedule, and in the event any competitive bidding requirements

are applicable, any such competitive bidding requirement that might otherwise be applicable, are hereby waived.

SECTION 4. That is it 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 a quorum of the Council, and that all deliberations of this Council and of any its committees that resulted in such formal action, were held in meetings open to the public, in compliance with all legal requirements.

SECTION 5. If any section, subsection, paragraph, clause or provision or any part thereof of this shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Ordinance shall be unaffected by such adjudication and all the remaining provisions of this Ordinance shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION 6. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the City of Wadsworth in order to provide the citizens affordable electricity rates; WHEREFORE, this ordinance shall go into immediate effect provided that it receives a two thirds vote of all members of city council. If it receives approval by a majority of the members but less than a two-thirds vote, then it shall be effective at the earliest time permitted by law.

Passed: _____
_____ President of Council

Attest: _____
Clerk of Council

Approved: _____
_____ Mayor

1st Rdg. _____
3rd Rdg. _____
Vote: aye _____ nay _____

2nd Rdg. _____
Passed: yes _____ no _____
Immediate Effect: yes _____ no _____

CERTIFICATE OF PUBLICATION

I, Tammy L. Guenther, Clerk of Council of the City of Wadsworth, State of Ohio, do hereby certify that the forgoing ordinance was duly published in the *Medina Gazette* and at <http://publicnoticsohio.com/> on _____ and _____ which is for two consecutive weeks as required by section 731.21 of the Ohio Revised Code.

Tammy L. Guenther, Clerk of Council, City of Wadsworth

EXHIBIT 1

**CITY OF WADSWORTH, OHIO
2022-2028 ENERGY SUPPLY SCHEDULE
AMP Contract No. 2022-007591-ESS**

**A Schedule to
American Municipal Power, Inc.
and
City of Wadsworth, Ohio
Master Service Agreement No. C-9-2005-4347**

WHEREAS, the City of Wadsworth, Ohio ("Municipality") and American Municipal Power, Inc. ("AMP") collectively ("Parties") have entered into a Master Service Agreement ("Agreement") under which certain services may be provided under schedules thereto;

WHEREAS, in order to obtain economical electric energy, the Municipality desires to purchase electric energy from AMP or have AMP arrange for the same on behalf of the Municipality; and,

WHEREAS, AMP will negotiate with one or more reputable and financially sound third party energy suppliers to enter into an agreement(s) to purchase electric energy pursuant to either variable remaining requirements arrangements or block purchases for a term beginning on January 1, 2022 and ending no later than December 31, 2028, which will provide an economical source of electric energy (herein "Long-Term Energy Purchase(s)") for Municipality.

NOW, THEREFORE, in consideration of the conditions, terms and covenants hereinafter contained, the Parties hereto do hereby mutually agree as follows:

**ARTICLE I
TERM**

SECTION 101 – CONTRACT TERM: Subject to the conditions contained herein, this Schedule shall be for a term beginning on January 1, 2022 and ending on December 31, 2028.

ARTICLE II
CONTRACT QUANTITIES AND RATE

SECTION 201 - CONTRACT QUANTITIES: For the compensation hereinafter set forth, and pursuant to the terms and conditions contained herein, AMP shall arrange for the delivery of energy to the Municipality. The Municipality shall be invoiced and responsible for paying, and AMP is entitled to receive as compensation, the following:

- A. Actual monthly transmission fees, congestion charges, ancillary services, unforced capacity charges, losses, customer charges, security costs, replacement energy, and taxes or other such costs incurred by AMP to deliver the energy to the Municipality's Delivery Point;
- B. AMP's Service Fee B, as defined in the Agreement, for all energy sold or arranged for and delivered pursuant to this Schedule, unless the same is paid for under another energy supply schedule; and
- C. The contract rates or fees that AMP pays or incurs for each megawatt ("MW") or megawatt hour ("MWh") of energy supplied to the Municipality.

The Long-Term Energy Purchases anticipated to be executed as a transaction confirmation between AMP and third party energy suppliers for the benefit of Municipality are subject to final pricing upon execution. Municipality authorizes AMP to purchase energy on behalf of Municipality pursuant to either block purchases or a remaining requirements product (subject to final pricing upon execution). Municipality authorizes AMP to purchase the Long-Term Energy Purchase on behalf of Municipality with a term beginning on January 1, 2022 and ending no later than December 31, 2028, so long as the third party energy supply contract price for energy purchased under this Schedule (excluding any taxes, transmission costs, replacement energy, losses, congestion costs, security costs or AMP service fees) does not exceed \$46.00 per MWh and subject to approval by Municipality's Authorized Representative (or his/her designee) using the procedures of Section 202. In the event that block energy is purchased, the blocks that may be purchased are summarized in the table below:

Term	Total Planned Purchase	Description	Days/Week	Hours/Day
1/1/2022 – 12/31/2028	N/A	5X16 Block Purchase	Monday-Friday	16
1/1/2022 – 12/31/2028	3.0 MW	7X24 Block Purchase	Monday-Sunday	24

SECTION 202 – PROCEDURES FOR ENERGY SUPPLY ACQUISITION AND SALE: It is understood and anticipated that AMP may throughout the term of this Schedule, enter into energy purchase transaction confirmations or other arrangements on behalf of the Municipality, subject to the approval of Municipality's Authorized Representative, to implement the Long-Term Energy Purchases contemplated in Section 201 of this Schedule. The steps that will be followed in securing such Long-Term Energy Purchases are set forth below.

At the time that AMP recommends that a Long-Term Energy Purchase should be finalized, the following shall take place:

1. Authorized personnel of AMP shall confer with the Municipality's Authorized Representative (or his/her designee) on a recorded telephone line or through email, regarding AMP's recommended Long Term Energy Purchases that meet the requirements of Section 201 prior to executing a transaction confirmation with a third-party energy supplier. AMP will provide energy supply recommendations to Municipality's Authorized Representative based upon the best market information available to AMP at the time any conferring takes place.

2. If the Municipality's Authorized Representative approves AMP's recommendation and authorizes acquisition of the Long-Term Energy Purchase over a recorded telephone line or through email, then AMP shall acquire the Long-Term Energy Purchase on behalf of the Municipality subject to the effective date and other terms and conditions approved by the Municipality's Authorized Representative.

3. AMP will enter into a transaction confirmation or other arrangement

with the authorized and approved third-party energy supplier as soon as reasonably possible after approval is received as set forth above.

4. Once a Purchase is finalized and transaction confirmation executed, AMP will send an acknowledgement of the transaction via email to Municipality's Authorized Representative that contains the commercial terms for Municipality's review and records.

ARTICLE III **DELIVERY POINT**

SECTION 301 – DELIVERY POINTS: The delivery point(s) for electric energy to be delivered hereunder ("Point of Delivery" or "Delivery Point") shall be the Municipality's interconnections with PJM, or its successor.

ARTICLE IV **GENERAL**

SECTION 401 - FIRMNESS OF SUPPLY: Firmness of supply under this Schedule shall be equal to the firmness provided by the energy supply schedules and transmission service arrangements executed by AMP, which are utilized to provide energy under this Schedule.

AMP's obligations hereunder are specifically dependent upon the performance of the suppliers with whom AMP transacts on behalf of the Municipality or as otherwise agreed to by the Parties. In the event of default of an energy supplier (hereinafter "Supplier Default"), AMP shall provide replacement energy to Municipality and Municipality shall pay any cost difference (if any) of the replacement energy (or, if the cost of replacement energy is less, then Municipality shall pay that lower cost). Should a third-party energy supplier default to such a degree that the agreement by and between that third-party energy supplier and AMP is terminated, AMP shall use its best efforts to execute an alternate energy supply agreement with another supplier unless otherwise agreed to in writing by Municipality.

Notwithstanding the foregoing, AMP agrees that it will notify Municipality promptly of any Supplier Default that may result in AMP's purchase of replacement energy for

Municipality. AMP also agrees that in an event of a Supplier Default, AMP shall take all appropriate legal action to enforce the terms of AMP's contracts with the defaulting supplier and/or seek appropriate damages from supplier on Municipality's behalf. Municipality is, and shall be, third-party beneficiary of such legal action and will be reimbursed or credited by AMP a *pro rata* share of any net recoveries against the defaulting supplier or Municipality's increased costs occasioned by the Supplier Default, whichever is less.

Municipality specifically acknowledges that although energy made available from the supplies purchased pursuant to this Schedule or otherwise agreed to by the Parties are intended to be the primary source of energy pursuant to this Schedule, AMP may, from time to time, substitute for actual delivery purposes, other energy; provided that such substitute energy be of a similar firmness and reliability as that made available under the third-party energy supplier transaction confirmation(s) and further provided that such substitution does not result in increased costs to Municipality.

When third-parties providing firm transmission service interrupt deliveries from AMP to Municipality, AMP will use commercially reasonable efforts to deliver energy across other parties' transmission systems if interruptions occur from the primary firm transmission provider's system.

All other terms and conditions of the Agreement between AMP and the Municipality that are not consistent with the terms and conditions of this Schedule shall be applicable as if fully repeated herein.

SECTION 402 – AUTHORIZED REPRESENTATIVE: The Municipality's Representative shall be the Director of Public Service or the Director of Public Service's designee until modified by written notice to AMP by the Municipality.

IN WITNESS HEREOF, each of the Parties has caused this Schedule to be duly executed.

CITY OF WADSWORTH, OHIO

AMERICAN MUNICIPAL POWER, INC.

By: _____

By: _____

Title:

Pamala M. Sullivan

Title: Chief Operating Officer

Date: _____

Date: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Legal Counsel

Lisa G. McAlister
Senior Vice President and General
Counsel for Regulatory Affairs

ORDINANCE NO. 22-049
Sponsored by Council Member Bruce Darlington

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE WASTEWATER TREATMENT PLANT DECANTING STATION PROJECT AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:

Section 1. That the Director of Public Service is hereby authorized and directed to advertise for, receive bids for and to enter into a contract for the Wastewater Treatment Plant Decanting Station Project in accordance with plans and specifications on file in the office of the Director of Public Service. The total price to be awarded pursuant to said contract shall not exceed \$247,000. If it becomes necessary after the contract is entered into, to authorize change orders, such change orders may be authorized so long as the total financial obligation of the city pursuant to the contract including change orders does not exceed the awarded bid amount plus ten percent of the awarded bid amount.

Section 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those 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 ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety in the City of Wadsworth in order to expedite improvements to the Wastewater Treatment Plant; WHEREFORE, this ordinance shall go into immediate effect provided it receives a two thirds vote of all members of city council. If it receives approval by a majority of the members but less than a two-thirds vote, then it shall be effective at the earliest time permitted by law.

Passed: _____
President of Council

Attest: _____
Clerk of Council

Approved: _____
Mayor

1st Rdg. _____
3rd Rdg. _____
Vote: aye _____ nay _____

2nd Rdg. _____
Passed: yes _____ no _____
Immediate Effect: yes _____ no _____

CERTIFICATE OF PUBLICATION

I, Tammy L. Guenther, Clerk of Council of the City of Wadsworth, State of Ohio, do hereby certify that the forgoing ordinance was duly published in the *Medina Gazette* and at <http://publicnoticesohio.com/> on _____ and _____ which is for two consecutive weeks as required by section 731.21 of the Ohio Revised Code.

Tammy L. Guenther
Clerk of Council, City of Wadsworth

ORDINANCE NO. 22-050
Sponsored by Council Member David Williams

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A RENEWAL OF THE FRANCHISE AGREEMENT AS SET FORTH BY ORDINANCE NO. 20-037 WITH FLIGHT SERVICES OF WADSWORTH LLC AND DECLARING AN EMERGENCY

WHEREAS, this Council has determined to now grant a renewal to Flight Services of Wadsworth LLC to operate and maintain the Wadsworth Municipal Airport for five (5) years; **NOW THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:

SECTION 1. The Director of Public Service is hereby authorized to enter into a renewal of the franchise agreement as set forth by Ordinance No. 20-037 with Flight Services of Wadsworth LLC to operate and maintain the Wadsworth Municipal Airport, for five (5) year in the monthly payments with a total amount not to exceed \$448,908.00 over the five year period.

SECTION 2. This ordinance is hereby determined to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the City of Wadsworth in order to provide a franchise for operation of the Wadsworth Municipal Airport to facilitate air transportation; **WHEREFORE**, this ordinance shall go into immediate effect provided it receives a two thirds vote of all members of city council. If it receives approval by a majority of the members but less than a two- thirds vote, then it shall be effective at the earliest time permitted by law.

Passed: _____
_____ President of Council

Attest: _____
Clerk of Council

Approved: _____
_____ Mayor

1st Rdg. _____
3rd Rdg. _____
Vote: aye _____ nay _____

2nd Rdg. _____
Passed: yes _____ no _____
Immediate Effect: yes _____ no _____

CERTIFICATE OF PUBLICATION

I, Tammy L. Guenther, Clerk of Council of the City of Wadsworth, State of Ohio, do hereby certify that the forgoing ordinance was duly published in the *Medina Gazette* and <http://publicnoticesohio.com> on _____ and _____, which is for two consecutive weeks as required by section 731.21 of the Ohio Revised Code.

Tammy L. Guenther
Clerk of Council
City of Wadsworth

ORDINANCE NO. 22-051
Sponsored by Council Member David Williams

AN ORDINANCE AUTHORIZING THE MAYOR AND DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PERMANENT 10' HIGHWAY EASEMENT ON PARCEL NO. 038-17C-25-014 FROM THE CITY OF WADSWORTH TO MEDINA COUNTY FOR THE INSTALLATION OF A SHOULDER, GUARDRAIL AND ASSOCIATED GRADING ON WALL ROAD AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:

Section 1. That the Mayor and the Director of Public Service are hereby authorized to execute a permanent 10' Highway Easement on parcel no. 038-17C-25-014 from the City of Wadsworth to Medina County for the installation of a shoulder, guardrail and associated grading on Wall Road. A description is attached to this ordinance as Exhibit A.

Section 2. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the City of Wadsworth in order to provide additional safety for the citizens of Wadsworth and surrounding communities; WHEREFORE, this ordinance shall go into immediate effect.

Passed: _____
President of Council

Attest: _____
Clerk of Council

Approved: _____
Mayor

1st Rdg. _____
3rd Rdg. _____
Vote: aye _____ nay _____

2nd Rdg. _____
Passed: yes _____ no _____
Immediate Effect: yes _____ no _____

CERTIFICATE OF PUBLICATION

I, Tammy L. Guenther, Clerk of Council of the City of Wadsworth, State of Ohio, do hereby certify that the foregoing ordinance was duly published in the *Medina Gazette* and at <http://publicnoticsohio.com/> on _____ and _____ which is for two consecutive weeks as required by section 731.21 of the Ohio Revised Code.

Tammy L. Guenther
Clerk of Council
City of Wadsworth

Exhibit A

LEGAL DESCRIPTION FOR A
PERPETUAL HIGHWAY EASEMENT

GRANTOR - The City of Wadsworth, Ohio

Situated in the State of Ohio, County of Medina, Township of Wadsworth and located in Lot 28 of Original Wadsworth Township, Township 1 North Range 13 West of the Connecticut Western Reserve, and being part of a record 85.1371 acre parcel of land conveyed to The City of Wadsworth, Ohio in Medina County Recorder's Document No. 2008OR003066 recorded February 12, 2008 and being more particularly bounded and described as follows:

Commencing at a 3/4" Iron Pin at the Northeast corner of said Lot No. 28; said Pin being on the centerline of T.H. 145, Wall Road, (sixty feet wide);

Thence South 88°53'57" West along the centerline of Wall Road a distance of 1360.84 feet to a point;

Thence South 01°06'03" East a distance of 30.00 feet to a point on the south right-of-way line of Wall Road said point being the "TRUE PLACE OF BEGINNING" of the easement and right-of-way herein described;

Thence South 01°06'03" East a distance of 10.00 feet to a point;

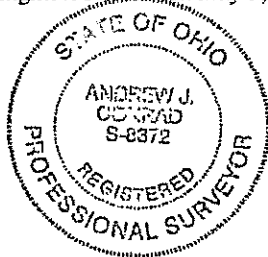
Thence South 88°53'57" West along a line parallel with and 10.00 feet south of the south right-of-way line of Wall Road to the Western boundary line of a record 85.1371 acre parcel conveyed to the City of Wadsworth, Ohio in Medina County Recorder's Document 2008OR003066 recorded February 12, 2008 and the Eastern boundary line of a record 54.3571 acre parcel conveyed to Merle R. and Bonnie S. Hartzler in Medina County Recorder's Document 2008OR003067 recorded February 12, 2008 a distance of 150.00 feet to a point;

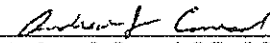
Thence North 09°44'10" West along the existing eastern boundary of said 54.3571 acre parcel and the western boundary of said 85.1371 acre parcel a distance of 10.11 feet to a point on the south right-of-way line of Wall Road;

Thence North 88°53'57" East along the existing south right-of-way of Wall Road a distance of 151.52 feet to the TRUE PLACE OF BEGINNING and containing within said bounds 0.0346 acres (1507.59 square feet), more or less, exclusive of the present road right-of-way.

Bearings are based on an assumed bearing and used to denote angles only.

The above description was prepared by Andrew J. Conrad, Registered Surveyor No. 8372, of the Medina County Engineer's Office, on May 5, 2022.




Andrew J. Conrad, P.E., P.S.
Reg. Surveyor No. 8372

END OF DESCRIPTION

STATE OF OHIO
COUNTY OF MEDINA

WADSWORTH TOWNSHIP

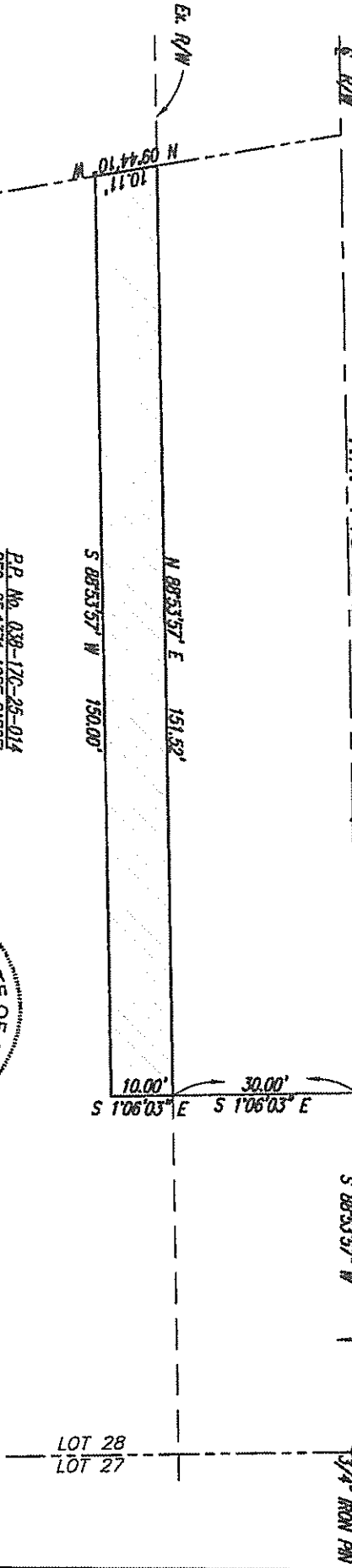
TOWNSHIP 1 NORTH, RANGE 13 WEST
OF THE CONNECTICUT WESTERN RESERVE

PERPETUAL HIGHWAY EASEMENT
& RIGHT-OF-WAY

SITUATED IN LOT 28
CONTAINING 0.0346 ACRES. (1507.59 SQ. FT.)

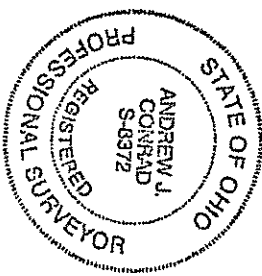


T.H. 145 WALL ROAD 60' R/W



P.P. No. 039-170-25-014
REG. 85.1371 ACRE PARCEL
NOW OWNED BY
THE CITY OF WADSWORTH, OHIO
FEBRUARY 12, 2008
DOC #2008080030065

P.P. No. 039-170-24-032
REG. 54.3751 ACRE PARCEL
NOW OWNED BY
MERLE R. & BONNIE S. HARTZLER
FEBRUARY 12, 2008
DOC #2008080030067



Andrew J. Conrad
ANDREW J. CONRAD, P.E., P.S.
REGISTERED SURVEYOR NO. 8372
MAY 5, 2022
PREPARED BY
THE MEDINA COUNTY ENGINEERS OFFICE
791 W. SMITH ROAD
MEDINA, OHIO

ORDINANCE NO. 22-052

SPONSORED BY COUNCIL MEMBER BRUCE DARLINGTON

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE THE 2022 SOLAR ENERGY SCHEDULE WITH AMERICAN MUNICIPAL POWER, INC. AND TAKING OF OTHER ACTIONS IN CONNECTION THEREWITH REGARDING SOLAR GENERATED ENERGY PURCHASES AND DECLARING AN EMERGENCY

WHEREAS, the City of Wadsworth, Ohio (“Municipality”) owns and operates an electric utility system for the sale of electric capacity and associated energy for the benefit of its citizens and taxpayers; and

WHEREAS, in order to satisfy the electric capacity and energy requirements of its electric utility system, Municipality has heretofore purchased, or desires to purchase in the future, economical, reliable and environmentally sound capacity and energy and related services from, or arranged by, American Municipal Power, Inc. (“AMP”), of which Municipality is a member; and

WHEREAS, AMP is an Ohio nonprofit corporation, organized to own and operate facilities, or to provide otherwise, for the generation, transmission or distribution of electric capacity and energy, or any combination thereof, and to furnish technical services on a cooperative, nonprofit basis, for the mutual benefit of AMP members (“Members”), such Members, including Municipality, being political subdivisions that operate municipal electric utility systems; and

WHEREAS, Municipality, acting individually and through AMP with other political subdivisions of this and other states that own and operate electric utility systems, jointly, endeavors to arrange for reliable, environmentally sound and reasonably priced supplies of electric capacity and energy and related services for ultimate delivery to its customers; and

WHEREAS, it is efficient and economical to act jointly in such regard; and

WHEREAS, Municipality has previously entered into a Master Services Agreement with AMP, AMP Contract No. C-9-2005-4347, which contemplates that Municipality shall enter into various schedules for the provision of capacity and associated energy and related services from AMP to Municipality; and

WHEREAS, certain Members, including the Municipality have determined that they can utilize additional sources of reliable and economical solar generated electric capacity and energy on a long-term basis at reasonable costs, and have requested that AMP arrange for the same by developing, purchasing or otherwise acquiring interests in certain solar energy facilities; and

WHEREAS, in furtherance of this purpose, AMP will enter into one or more agreements with a reputable solar power developer (“Developer”) (the “2022 Solar Purchased Power Agreement”

or “2022 Solar PPA”) under the terms of which AMP is to purchase and Developer is to supply and sell up to approximately 150 MWac of capacity and associated energy from solar generation project(s) located within the PJM Footprint for a period of fifteen (15) years; and

WHEREAS, it is necessary and desirable for Municipality to enter into the 2022 Solar Energy Schedule to Municipality’s Master Services Agreement with AMP to provide for an additional source of capacity and energy; and

WHEREAS, Members now have the right, but not the obligation by the enactment of this Ordinance to authorize and request AMP to acquire capacity and energy from one or more solar project(s) by approval and execution of the 2022 Solar Energy Schedule authorized below; and

WHEREAS, prior to the execution of the 2022 Solar Energy Schedule authorized through the adoption of this Ordinance AMP will have (i) informed the Municipality of the terms of the 2022 Solar Energy Schedule; (ii) provided the Municipality the opportunity to review the 2022 Solar PPA terms and conditions (subject to price); and (iii) offered representatives of the Municipality the opportunity to ask such questions, review data and reports, conduct inspections and otherwise perform such investigations with respect to, as applicable, the acquisition of capacity and energy and the terms and conditions of the 2022 Solar Energy Schedule authorized below as Municipality deems necessary or appropriate in connection herewith; and

WHEREAS, after due consideration, the Municipality has determined it is reasonable and in its best interests to proceed as authorized herein below and requests and authorizes AMP to acquire capacity and energy from the Project(s) upon those terms and conditions set forth in the 2022 Solar Energy Schedule.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, OHIO:

SECTION 1. That the 2022 Solar Energy Schedule between Municipality and AMP, substantially in the form attached hereto as Exhibit A or on file with the Clerk, including Exhibits thereto, are approved, and the of Municipality is hereby authorized to execute and deliver the 2022 Solar Energy Schedule with such changes as the Director of Public Service may approve as neither inconsistent with this Ordinance nor materially detrimental to the Municipality, his or her execution of the 2022 Solar Energy Schedule to be conclusive evidence of such approval.

SECTION 2. That the Director of Public Service is hereby authorized to (i) acquire under the 2022 Solar Energy Schedule, authorized above, a Contract Amount as defined in that Schedule of up to 3700 kW with a price of up to \$45.00/MWh(ac) for energy, capacity and environmental attributes made available thereunder without bid, and (ii) make any determinations and approvals required thereunder, if any, as the Director of Public Service shall deem necessary and advisable.

SECTION 3. If any section, subsection, paragraph, clause or provision or any part thereof of this Ordinance shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Ordinance shall be unaffected by such adjudication and all the remaining provisions of this Ordinance shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in conformance with applicable open

meetings laws and that all deliberations of this Council and of any committees that resulted in those formal actions were in compliance with all legal requirements including any applicable open meetings requirements.

SECTION 5. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the City of Wadsworth in order to provide the citizens affordable electricity rates; WHEREFORE, this ordinance shall go into immediate effect provided that it receives a two thirds vote of all members of city council. If it receives approval by a majority of the members but less than a two-thirds vote, then it shall be effective at the earliest time permitted by law.

Passed: _____
President of Council

Attest: _____
Clerk of Council

Approved: _____
Mayor

1st Rdg. _____

2nd Rdg. _____

3rd Rdg. _____

Passed: yes _____ no _____

Vote: aye _____ nay _____

Immediate Effect: yes _____ no _____

CERTIFICATE OF PUBLICATION

I, Tammy L. Guenther, Clerk of Council of the City of Wadsworth, State of Ohio, do hereby certify that the forgoing ordinance was duly published in the *Medina Gazette* and at <http://publicnoticesohio.com/> on _____ and _____ which is for two consecutive weeks as required by section 731.21 of the Ohio Revised Code.

Tammy L. Guenther
Clerk of Council
City of Wadsworth

**CITY OF WADSWORTH, OHIO
2022 SOLAR ENERGY SCHEDULE TO
AMERICAN MUNICIPAL POWER, INC.
AND
CITY OF WADSWORTH, OHIO
MASTER SERVICES AGREEMENT
(AMP CONTRACT NO. C-9-2005-4347)**

WHEREAS, the City of Wadsworth, Ohio ("Municipality") and American Municipal Power, Inc., ("AMP") have entered into a Master Services Agreement ("MSA") under which certain services may be provided, pursuant to schedules entered into between Municipality and AMP; and

WHEREAS, AMP will enter into one or more agreements with a reputable solar power developer ("Developer") (the "2022 Solar Purchased Power Agreement" or "2022 Solar PPA") under the terms of which AMP is to purchase and Developer is to supply and sell up to approximately 150 MWac of capacity and associated energy from one or more solar generation projects for a period of fifteen (15) years located with the PJM footprint; and

WHEREAS, the 2022 Solar PPA provides, among other things, significant opportunities for the Municipality to receive from AMP reliable, economic, solar-generated renewable, capacity, energy and renewable attributes through this schedule to the MSA (the "2022 Solar Energy Schedule").

SECTION 1 - TERM

The term of this 2022 Solar Energy Schedule shall be effective as of the Commercial Operation Date of the 2022 Solar PPA (expected to be _____) as defined therein and shall thereafter be coterminous with the same, which is a fifteen (15) year term; provided, however, that Municipality's obligation to purchase and AMP's obligation to deliver capacity, energy and renewable attributes pursuant to this 2022 Solar Energy Schedule are both contingent on Developer's performance pursuant to the 2022 Solar PPA.

SECTION 2 - SERVICES

AMP agrees to procure as Seller, pursuant to (and its obligations hereunder are specifically dependent upon) the 2022 Solar PPA, output up to approximately 150 MWac of capacity, associated energy ("MWh"), and renewable attributes for the benefit of the Municipality (the "Contract Amount"). Municipality agrees to take and pay for such capacity, energy and renewable attributes on a *pro rata* basis where and as available pursuant to the 2022 Solar PPA. Such *pro rata* amounts to be determined by multiplying

the Municipality's percentage Contract Amount, as set forth on Exhibit B hereto, times the actual capacity and energy available from time to time under the 2022 Solar PPA.

SECTION 3 - DELIVERY POINTS

The Delivery Point(s) for this 2022 Solar Energy Schedule shall be the "Point of Delivery" as defined in the 2022 Solar PPA - unless the same is modified in writing by the parties. The Delivery Point(s) will be within the PJM footprint. There may also be a Secondary Delivery Point, or Points of Delivery. Municipality may change the Secondary Delivery Point(s) set forth on Exhibit D with AMP's consent, such consent not to be unreasonably withheld, provided that transmission to any modified Secondary Delivery Point shall be pursuant to appropriate Federal Energy Regulatory Commission ("FERC") tariffs at Municipality's expense, including the costs of any/all required ancillary services.

SECTION 4 - SCHEDULING

A. AMP shall cooperate with the Municipality to schedule the capacity and energy to a delivery point as directed by the Municipality.

B. Notwithstanding any other provision of this 2022 Solar Energy Schedule and the MSA, Municipality shall, when available, take and pay for the solar-generated capacity and energy.

SECTION 5 - DEPENDENCE ON 2022 SOLAR PPA

Municipality recognizes that AMP's ability to supply solar-generated capacity, energy and renewable attributes under this 2022 Solar Energy Schedule is dependent upon AMP's ability to arrange for the same pursuant to the 2022 Solar PPA. Additionally, Municipality recognizes that AMP entered into the 2022 Solar PPA primarily for the benefit of Municipality and the other Members of AMP and that AMP, pursuant to the 2022 Solar PPA, has certain rights as well as certain obligations. Accordingly, Municipality warrants to cooperate with AMP in such a manner as to facilitate AMP's performance of its obligations thereunder and releases AMP from any liability due to Developer's failure to perform.

SECTION 6 - RATES, CHARGES AND BILLING

A. Capacity, energy and Environmental Attributes made available pursuant to this 2022 Solar Energy Schedule shall be charged at the base rates specified in the 2022 Solar PPA (such rate to be less than \$45.00/MWh) for the term of the 2022 Solar PPA as shown on Exhibit A and the costs set forth in Sections 6 (B) and (C) hereof, and the Capacity and Energy Rate Schedules as the same may be modified by AMP from time to time and pursuant to the billing provisions herein and in the MSA;

B. The net of the following costs shall be included as a component of a uniform rate adjustment to be charged hereunder for energy delivered or made available to

Municipality: any ancillary service, congestion and marginal loss charges by PJM or any other applicable Regional Transmission Organization (“RTO”), an appropriate allocation of AMP’s energy control center, metering and other common costs of AMP reasonably allocable to the Solar PPA in the rates set forth on Exhibit A (“Rate Adjustment”). This creates a Project Energy Rate for the 2022 Solar Energy Schedule consisting of the charges in Exhibit A as adjusted as set forth in this Section 6 (see Exhibit E – Example Project Energy Rate Calculation). The Municipality shall also be responsible for any additional ancillary service, congestion or marginal loss charges to its Secondary Delivery Point.

C. In addition to the other compensation to be paid to AMP pursuant to this 2022 Solar Energy Schedule, Municipality shall also pay the AMP Energy Control Center Charge and the Service Fee B specified in the MSA (currently at a rate of \$0.00058/kWh for Service Fee B).

SECTION 7 – INSTALLED CAPACITY CREDIT

Municipality will receive a pro-rata share of the net available Installed Capacity/RPM credits/charges (if any) from the RTO where the Solar Project is located.

SECTION 8 – RENEWABLE ENERGY CREDITS

All Environmental Attributes available to AMP under the 2022 Solar PPA may be monetized by AMP at Municipality’s direction and credited *pro rata*, to the Municipality. Such *pro rata* amounts to be determined by multiplying the Municipality’s percentage Contract Amount times the actual Environmental Attributes available to AMP from time to time under the 2022 Solar PPA. Alternatively, in the event that Municipality wishes to represent the energy supplied hereunder as “renewable, at the direction of Municipality, AMP may directly credit or retire the Environmental Attributes or like environmental credits.

Municipality’s election of actions to be taken in regard to Municipality’s pro rata share of the Environmental Attributes shall be shown on Exhibit C. Municipality may change its election at any point during the Term by providing written notice to AMP.

CITY OF WADSWORTH, OHIO

AMERICAN MUNICIPAL POWER, INC.

SAMPLE

LE

DATE: _____

DATE: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:

DO NOT

SIGN

Municipal Legal Council

BY: _____
Linda G. McAlister
SVP and General Counsel for
Regulatory Affairs

EXHIBIT A

RATE SCHEDULE for SOLAR ENERGY*

<u>Start Date</u>	<u>End Date</u>	<u>Price (\$/MWh)</u>
Commercial Operation Date	Fifteen Years after the Commercial Operation Date	[To Come - \$45.00 or less]

*Reflects only those amounts that AMP will pay to Developer. Service fees, or other applicable charges will have to be supplied and added.

EXHIBIT B

Capacity Schedule

	<u>kW</u>	<u>%</u>
Amount Of Total Capacity Under Avangrid PPA (up to)	Up to 150,000	100%
Contract Amount Of Municipality's Capacity	[XXXX]	[XX%]

EXHIBIT C

Environmental Attributes

For the years 202X through 20XX, Municipality elects the following actions be taken in regard of the Municipality's pro-rata share of Environmental Attributes available under the 2022 Solar PPA:

_____ Municipality requests that AMP sell Municipality's pro-rata share of Environmental Attributes and return proceeds of sale to Municipality.

_____ Municipality requests that AMP credit Municipality's pro-rata share of Environmental Attributes to Municipality's PJM GATS account.

EXHIBIT D

SECONDARY DELIVERY POINTS

[TO COME]

EXHIBIT E

EXAMPLE 2022 SOLAR SCHEDULE RATE CALCULATION

2023 Example Rate

Base Energy, Capacity and Environmental Attributes Rate = \$XX.00 / MWh

PJM Operating Reserves = \$0.10 / MWh

AMP Energy Control Center charge = \$0.75 / MWh

Final Project Energy Rate (example) - \$XX.XX / MWh

Service Fee B = \$0.58 / MWh