

EMERGENCY

City of Cincinnati

An Ordinance No. 10

KKF

AWB

- 2022

**AUTHORIZING** the City Manager to accept a rebate in the amount of up to \$100,000 from Dynegy Energy Services, LLC and deposit it in the General Fund; **AUTHORIZING** the City Manager to accept annual rebates in the amount of up to \$100,000 from Dynegy Energy Services, LLC and deposit them in the General Fund for each fiscal year from FY 2023 through FY 2026; and **AUTHORIZING** the Director of Finance to deposit rebates from Dynegy Energy Services, LLC into General Fund revenue account no. 050x8228.

WHEREAS, in 2011 Cincinnati voters approved a ballot initiative to implement an opt-out electric aggregation program that enables the City to negotiate reduced energy rates on behalf of program participants and take advantage of collective purchasing power; and

WHEREAS, the City entered into an agreement with Dynegy Energy Services, LLC (“Dynegy”) beginning in May 2021 to administer the electric aggregation program; and

WHEREAS, the City’s agreement with Dynegy includes the Dynegy Greenback Program, which offers up to \$100,000 in annual rebates for energy efficiency work performed and completed at City services locations each calendar year from 2021 to 2025; and

WHEREAS, due to the City’s fiscal year beginning in July and ending in June, the intent is for the calendar year rebates to be accepted in the City’s fiscal year containing the latter 6 months of the calendar year, so for example, the calendar year 2021 rebate acceptance is intended to occur in the City’s Fiscal Year 2022, which ends on June 30, 2022; and

WHEREAS, acceptance of the rebates requires no matching funds, and there are no FTEs associated with the rebates; now, therefore,

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

Section 1. That the City Manager is hereby authorized to accept a rebate in the amount of up to \$100,000 for calendar year 2021 from Dynegy Energy Services, LLC and deposit it in the General Fund in Fiscal Year 2022.

Section 2. That the City Manager is hereby authorized to accept annual rebates in the amount of up to \$100,000 from Dynegy Energy Services, LLC and deposit them in the General Fund in each fiscal year from Fiscal Year 2023 through Fiscal Year 2026.

Section 3. That the Director of Finance is authorized to deposit rebates from Dynegy Energy Services, LLC into General Fund revenue account no. 050x8228.

Section 4. That the proper City officials are hereby authorized to do all things necessary and proper to carry out the provisions of Sections 1 through 3 herein.

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to accept and deposit the first Dynegy Greenback Program rebate as soon as possible.

Passed: January 20, 2022

Jamichael Lemo Kearney  
VICE-Mayor

Attest: Nicole Conway  
Acting Clerk

I HEREBY CERTIFY THAT ORDINANCE NO 10-2022  
WAS PUBLISHED IN THE CITY BULLETIN  
IN ACCORDANCE WITH THE CHARTER ON 31-2022  
Melissa Betsy  
CLERK OF COUNCIL