

August 6, 2021

TO: Ron Messer, City Council Member, Chair
Government Affairs Committee of City Council

FROM: Brian K. Riblet, City Manager *BKR*

SUBJECT: Government Affairs Committee Meeting of Monday, August 9, 2021

As a reminder, the Government Affairs Committee is scheduled to meet on Monday, August 9 at 4:30 p.m. at City Hall. Items to be discussed include:

1. 2023 Calendar Theme Discussion—Please see the attached correspondence from Matthew Vanderhorst, Community and Information Services Director providing suggested themes for the 2023 City Calendar. Staff would like the opportunity to discuss the themes and to obtain feedback from the Committee at the meeting.
2. Post-Bastille Day Discussion—Staff would like the opportunity to have a post Bastille Day discussion and to obtain feedback from the Committee.
3. Montgomery Quarter Park Name Discussion—Staff would like to opportunity to discuss the naming of the park to be located within the Montgomery Quarter and to obtain feedback from the Committee at the meeting.
4. Montgomery Roundabout Landscape Design RFQ Discussion—Staff would like the opportunity to discuss the Montgomery Roundabout Landscape Design RFQ with the Committee at the meeting.
5. Other Business—The purpose of this agenda item is to provide an opportunity to discuss any issue or ask questions that may be on your mind.

Also, attached are the minutes from the June 14, 2021 meeting of the Government Affairs Committee for review and approval at Monday's meeting.

Should you have questions or concerns pertaining to these topics or have additional items to be discussed at Monday's meeting, please do not hesitate to contact me.

C: Mayor and City Council Members (4)
Connie Gaylor, Administrative Coordinator
Department Heads
File



GOVERNMENT AFFAIRS COMMITTEE OF CITY COUNCIL
10101 Montgomery Road • Montgomery, Ohio 45242
(513) 891-2424 • Fax (513) 891-2498

Agenda
August 9, 2021
4:30 P.M.

1. Call to Order
2. Guests and Residents
3. New Business
 - a. 2023 Calendar Theme Discussion
 - b. Post-Bastille Day Discussion
 - c. Montgomery Quarter Park Name Discussion
 - d. Montgomery Roundabout Landscape Design RFQ Discussion
4. Old Business
5. Other Business
6. Approval of Minutes–June 14, 2021
7. Adjournment

August 5, 2021

TO: Brian K. Riblet, City Manager

FROM: Matthew Vanderhorst, Community and Information Services Director *my*

SUBJECT: 2023 Calendar Theme

Background

During the 2021 City Calendar process, it was decided that the theme should be approved by the Government Affairs Committee. Also, the Sycamore High School Art Teacher, Ms. Williams, asked if the theme could be chosen early in the school year to allow time for the students to complete the project.

Below is a list of potential calendar themes generated by the Calendar Planning Committee and Ms. Williams.

Calendar Committee Recommendations

1. Why do you love Montgomery?
 - a. Residents submit information on why they love Montgomery or Montgomery events.
 - b. Photos representing the resident feedback would be selected by staff and provided to the art teacher.
 - c. Include resident responses in quotes for each month.
2. Kid hot spots: From a kids perspective. Could solicit ideas on social media.

Other Ideas

1. Montgomery Parks: Highlight a different park each month. Some parks will be featured multiple months.
2. The Faces of our Commissions: Student art would feature commission projects.
3. Faces of the community: Focus on residents doing something in Montgomery, such as volunteer work, at an event, on a commission.
4. Award-winning residential properties
5. All about Montgomery Quarter
 - a. What would be the student art? Art assigned in Sept. 2022 and due May 2023.

Recommendation

Staff recommends the Government Affairs Committee provide feedback on the 2023 City Calendar theme.

These Minutes are a draft of the proposed minutes from the Government Affairs Committee of City Council meeting. They do not represent the official record of proceedings until formally adopted by the Government Affairs Committee of City Council.

City of Montgomery
Government Affairs Committee Minutes
June 14, 2021

Present

Brian Riblet, City Manager
Tracy Henao, Asst. City Manager/Acting Comm. Dev. Dir.
Connie Gaylor, Clerk of Council
Katie Smiddy, Finance Director

City Council Committee Members Present

Ron Messer, Chair
Lynda Roesch
Craig Margolis

The Government Affairs Committee of Council convened its meeting for June 14, 2021 at 4:35 p.m. in person and by telephone conference with Mr. Messer presiding. This remote access meeting was allowed by emergency legislation adopted last week by the Ohio General Assembly and approved by the Governor. The emergency legislation added language to RC Section 121.22 allowing public meetings by telephone conference during the current pandemic and declared State of Emergency. As required by the statute, notice of the telephonic meeting was publicized more than 24 hours in advance to allow public access through the same conference call in service. The public was also given a backup number to call in the event there were technical difficulties. This Notice was posted on the City's website and a similar Notice was sent to The Cincinnati Enquirer.

Guests and Residents

There were no guests or residents present at City Hall or on the phone line.

Discussion of an Energy Aggregation Program

Mr. Riblet explained to the Committee that over the years staff periodically receives requests to investigate and/or initiate energy aggregation within the city. He stated that a Montgomery resident made a similar request at the City Council Business Session on April 7, 2021. He stated that at that meeting it was conveyed that a Government Affairs Committee of Council meeting would be the appropriate format to have a discussion and allow the Committee to review and provide feedback.

Mr. Riblet explained that energy aggregation in its' simplest form is when a group or organization, in this case the City of Montgomery, brings a group of customers together to form a large buying group that has the potential to get better electric rate terms than can be realized on an individual basis. Ohio's law allows for local government aggregation by cities, townships or counties, with "opt-in" or "opt-out" provisions for their consumers. All aggregators must be certified by the Public Utilities Commission of Ohio (PUCO) to make sure they are qualified to provide electricity or natural gas in Ohio.

Mr. Riblet explained that "Opt-in" aggregation is a program that permits each resident to sign up individually to participate. The "opt-in" option does not require voter approval at an election.

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Mr. Riblet added that “Opt-out” aggregation is a program that does require voter approval at an election and automatically enrolls all local residents, unless they individually opt-out of the program and choose not to be included.

Mr. Riblet stated that if the local government chooses opt-in aggregation, it must pass a resolution in support of the program, develop a plan and hold two public hearings. It must also be certified by the PUCO before signing up customers. The plan must include all rates and terms for customers to consider when deciding to join.

Mr. Riblet explained that if the local government chooses opt-out aggregation, a number of additional requirements must be met, including the following:

- A majority of voters must authorize opt-out aggregation in an election. (*The deadline to put an initiative on the 2021 November election is August 4, 2021 at 4:00 p.m.*)
- If authorized by a majority of the vote, the local government must form a plan of operation and management. They must also hold at least two public hearings to allow consumers to voice any concerns over the proposed plan.
- Once the local government has adopted the plan, each consumer that is to be aggregated must be notified that they will be automatically enrolled in the program unless they specifically elect not to participate. This notification must also state the rates, charges, and other terms and conditions of enrollment in the program.
- The local government must allow anyone enrolled in the program an opportunity to opt-out. For natural gas aggregation consumers, the opt-out is available every two years without paying a switching fee. For electric aggregation consumers, the opt-out is available every three years without paying a switching fee.

Mr. Riblet added that some things to consider about government aggregation:

- Consumers in an area where government aggregation has been approved will not need to sign a contract; they are automatically enrolled unless they opt-out.
- Those who do not explicitly opt-out and are in a government aggregation area are automatically included in the municipality’s aggregation. If these consumers do not opt-out and then choose a new supplier, they remain customers of the government aggregation program.
- Consumers in an area with government aggregation who want to remain with their local utility will need to opt-out of the aggregation program and switch to their local utility.
- The potential for savings is only an estimate, therefore the City cannot guarantee a financial savings for residents choosing to enter the program.
- In some cases, inquiries and questions are not directed to the consultant/broker/aggregator, but to city staff. This could result in a redirect of staff resources from current responsibilities.

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Mr. Riblet reported that over the past few weeks staff has reached out to surrounding communities to solicit feedback. Out of 10 jurisdictions it was indicated that 7 communities were currently in an energy aggregation contract and 3 communities were not in an energy aggregation contract. Generally, the feedback received was in the early 2000's the rate differential between Duke Energy rates and aggregate rates were much more significant than they are today making it a less attractive option, however, residents like the jurisdiction doing the research for them.

Mr. Riblet explained that over the years staff has only received a few requests to explore the issues of energy aggregation. There is no guarantee of a positive financial impact as the competitive rates now offered by Duke Energy make it more challenging to realize savings through a third-party source, and residents currently are able to shop electric rates and negotiate their own contract with an electric provider without the help of the City, therefore staff is not certain there is a tangible benefit to pursuing this initiative.

Mr. Margolis stated that he felt that savvy residents can negotiate rates on their own. He stated that the broker needs to be carefully researched to determine authenticity. Mr. Margolis shared his experience of opting into a similar program and how his rates crept up being 60% higher than the rates with Duke Energy. He stated that he would not make a recommendation to support the city entering into a contract but to supply residents with information on how to research on their own.

Ms. Smiddy stated that in 2015 the City entered into a contract with Dynegy in which the City was able to get better rates but warned that in the opt-out method the rate is locked in so if the Duke Energy rates drop, the resident would be locked in for the term of the agreement.

Ms. Roesch stated that she did not like the opt-out method as it's a catch plan that takes advantage of the account holder not tracking the renewal date and actually paying higher rates because of that.

Mr. Margolis asked if this request was an Environmental Advisory Commission initiative.

Mr. Riblet responded that it was not, that it came from a resident.

Mr. Margolis stated that he felt the resident was looking for green energy.

Mr. Riblet stated that green energy could be misleading as that energy would not be obtained from the Cincinnati area. Mr. Riblet reiterated that residents do have the choice to select their own energy provider without the City having to place a opt-out initiative on the ballot. He stated that if it were to be supported by City Council, an application would have to be filed with the Board of Elections by August 4, 2021. He added that if the City were getting contacted by a number of residents that staff would be behind the issue but at this time there was minimal requests by residents.

Ms. Roesch made a motion to not support this issue at this time. Mr. Margolis seconded. The Committee unanimously agreed.

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Old Business

Mr. Riblet updated the Committee on the memorial project honoring Mrs. Harbison. He explained that Mr. Harbison would be holding a Celebration of Life event on July 5 at Montgomery Park. Mr. Riblet stated that he has reached out to residents and businesses to serve on a fundraising committee for the memorial. He stated that he sees the fundraising committee consisting of 6-8 people. Mr. Riblet explained that a rendering of the memorial project would be displayed at the July 3 festival for Mayor Dobrozsi and Ms. Roesch to unveil and kickoff the fundraising campaign with.

Mr. Margolis asked if the festival would be the opportunity for people to get in touch with the fundraising committee.

Mr. Riblet stated there would be people available that day to take information from those interested in contributing.

Ms. Roesch discussed the arrangements for the Staff Appreciation luncheon planned for Friday, July 30.

Mr. Riblet reminded the Committee of the Top Workplace picnic scheduled for Friday, August 13 from 11:00 to 2:00 p.m.

Minutes

Mr. Margolis moved to approve the May 10, 2021 Government Affairs Committee minutes. Ms. Roesch seconded. The Committee unanimously agreed.

Adjournment

Mr. Margolis moved for adjournment. Ms. Roesch seconded. The Committee unanimously agreed. The Governmental Affairs Committee of Council meeting was adjourned at 5:10 p.m.

Chair