

**CITY COUNCIL RESOLUTION NO. 2021-157**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY FLORIDA, AUTHORIZING THE EXECUTION OF AN ADDENDUM TO THE GAS SERVICES AGREEMENT WITH THE FLORIDA GAS UTILITY, A PUBLIC BODY CORPORATE AND POLITIC; PROVIDING FOR THE PARTICIPATION IN A NATURAL GAS PRE-PAY TRANSACTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Florida Gas Utility (hereinafter the “FGU”) was formed by Interlocal Agreement on September 1, 1989, which was subsequently amended by the Amended Interlocal Agreement on June 1, 1992, and thereafter amended and restated by Amended and Restated Interlocal Agreement dates as of July 1, 1996, and thereafter amended and restated by Second Amended and Restated Interlocal Agreement dated as of July 27, 1999 (hereinafter the “Interlocal Agreement”); and

**WHEREAS**, in order to take advantage of perceived opportunities created by the restructuring of natural gas services, FGU was established between and among several public agencies for the purpose of achieving savings through joint services for its Members; and

**WHEREAS**, FGU will take or cause to be taken all steps necessary for the acquisition of, and will undertake such contractual arrangements necessary to secure, a suitable supply of Gas or a suitable pricing mechanism including Financial Products, or both, under one or more Gas Purchase Contracts or Financial Instruments; and

**WHEREAS**, the City and FGU entered into the All Requirements Gas Services Agreement dated October 1, 2016 (hereinafter the “Agreement”) and the

parties desire to amend said agreement to allow the City to participate in a gas pre-pay transaction initiated by the Municipal Gas Authority of Georgia (hereinafter “MGAG”); and

**WHEREAS**, the city administration has reviewed the terms and conditions of the *Directive Confirmation and Addendum*, attached hereto, and the documentation referred to therein; and

**WHEREAS**, the city administration recommends that the City Council execute the *Directive Confirmation and Addendum* to serve as an Addendum to the Agreement and to memorialize the City’s participation in the aforementioned gas pre-pay transaction; and

**WHEREAS**, the City Council finds that the execution of the *Directive Confirmation and Addendum* is in the best interests of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, AS FOLLOWS:**

**Section 1.** The above recitals are all true and accurate and are incorporated herein and made a part of this resolution.

**Section 2.** The Mayor is authorized to execute the *Directive Confirmation and Addendum* to serve as Addendum to the Agreement with FGU.

*[The remainder of the page was left blank intentionally.]*

**Section 3.** Effective Date. This resolution shall take effect immediately upon adoption.

**PASSED AND ADOPTED** at a meeting of the City Council this \_\_\_\_ day of November 2021.

**CITY OF LAKE CITY, FLORIDA**

By: \_\_\_\_\_  
Stephen M. Witt, Mayor

ATTEST:

APPROVED AS TO FORM AND  
LEGALITY:

By: \_\_\_\_\_  
Audrey E. Sikes, City Clerk

By: \_\_\_\_\_  
Frederick L. Koberlein, Jr.,  
City Attorney