

**CITY COUNCIL RESOLUTION NO. 2021-139**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE CITY, FLORIDA, REAPPOINTING STEVE BROWN AS THE DIRECTOR TO SERVE ON THE FLORIDA GAS UTILITY BOARD OF DIRECTORS ON BEHALF OF THE CITY AND REAPPOINTING PAUL DYAL, EXECUTIVE DIRECTOR OF UTILITIES, AS ALTERNATE DIRECTOR IN THE ABSENCE OF STEVE BROWN; PROVIDING FOR THE REPEAL OF ALL PRIOR RESOLUTIONS IN CONFLICT WITH THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lake City, Florida (hereinafter the "City") desires to reappoint the current Director and alternate Director on the Florida Gas Utility Board of Directors (hereinafter the "Board"); and

**WHEREAS**, by City Council Resolution 2018-001, Steve Brown, Director of Natural Gas, was appointed to serve as a Director on the Board and Paul Dyal, Executive Director of Utilities, was appointed as an Alternate Director; and

**WHEREAS**, the City desires to reappoint Steve Brown, the City's Director of Natural Gas, as Director on the Board and to reappoint Paul Dyal, current Executive Director of Utilities as the Alternate Director to serve on the Board in the event of the Director's absence; and

**WHEREAS**, the City Council finds it is in the best interest of the City to reappoint Steve Brown as Director and Paul Dyal, as Alternate Director to the Board pursuant to the terms and conditions found in the *Certificate of the City of Lake City as to Appointment of Director*, attached hereto as "Exhibit A".

**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 hereby made a part of this resolution.

**Section 2.** Steve Brown, the City's Natural Gas Director, is hereby designated as Director to serve on the Florida Gas Utility Board of Directors and Paul Dyal, the Executive Director of Utilities is hereby designated as an Alternate Director to serve on the Florida Gas Utility Board of Directors in the event the Natural Gas Director is absent or unable to attend any Board meeting.

**Section 3.** The City Clerk is authorized to provide a copy of this resolution to the Florida Gas Utility.

**Section 4.** All resolutions in conflict with this resolution are hereby repealed.

**Section 5.** Effective Date. This resolution shall take effect immediately upon adoption.

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

**CITY OF LAKE CITY, FLORIDA**

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

ATTEST:

APPROVED AS TO FORM AND  
LEGALITY:

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

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

**CERTIFICATE OF THE CITY OF LAKE CITY AS TO  
APPOINTMENT OF DIRECTOR**

The City of Lake City, Florida ("City"), HEREBY CERTIFY as follows:

A. The City has by resolution dated as of \_\_\_\_\_, 2021 appointed \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_, \_\_\_\_\_ to serve as a Director and Alternate Director(s), respectively, of FGU until his or her successors shall be duly appointed under that certain Third Amended and Restated Interlocal Agreement dated as of March 25, 2011 (the "Interlocal Agreement").

B. The Director or Alternate Director shall be authorized to exercise all powers and duties on behalf of the City as shall be authorized pursuant to the Interlocal Agreement and the Act and the said Director and Alternate Director are hereby designated as agents of the City in connection with the taking of all actions and the execution of all documentation on behalf of the City which shall be authorized by the Interlocal Agreement and the Act. FGU may conclusively rely on the power and authority of such representatives in taking action on behalf of the City until it receives written notice to the contrary.

"Act" means the Constitution and laws of the State of Florida, including, particularly, Section 163.01, Florida Statutes, Chapter 166, Florida Statutes, and other applicable provisions of law.

WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

THE CITY OF LAKE CITY, FLORIDA

(SEAL)

\_\_\_\_\_  
(name), (title)