

RESOLUTION NO. 140529

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, AUTHORIZING THE TERMINATION OF MEMBERSHIP IN THE FLORIDA GAS UTILITY; PROVIDING CERTAIN AUTHORIZATIONS; PROVIDING AN EFFECTIVE DATE; AND PROVIDING CERTAIN OTHER DETAILS WITH RESPECT THERETO.

WHEREAS, the City of Gainesville, Florida, entered into an Interlocal Agreement dated September 1, 1989, as amended on June 1, 1992 and restated by the Second Amended and Restated Interlocal Agreement dated July 27, 1999, as amended on March 25, 2011 and restated by the Third Amended and Restated Interlocal Agreement dated May 19, 2011, with other member cities, authorities and public agencies (“Members”) for the purpose of organizing Florida Gas Utility (“FGU”) as a public body corporate and politic, for the purchase of natural gas and the performance of other activities; and

WHEREAS, the City participated with FGU and the other Members with respect to the organization of FGU under the Florida Interlocal Corporation Act, Section 163.01, Florida Statutes, and the adoption of its policies and procedures, pursuant to which the City and the other Members are bound; and

WHEREAS, the City determined it is no longer in the City’s best interest to participate as a member in FGU and desires to terminate its participation as a member in FGU.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA, that:

Section 1. Authority. This Resolution is adopted pursuant to the Constitution and laws of the State of Florida, including, particularly, Section 163.01, Florida Statutes, and Chapter 166, Florida Statutes.

Section 2. Definitions. Unless the context otherwise requires, all terms used herein in capitalized form shall have the same meanings ascribed to such terms in the Third Amended and Restated Interlocal Agreement.

Section 3. Findings. It is hereby ascertained, determined and declared that the City is authorized under the authority cited above to terminate the City’s participation as a member in FGU.

Section 4. Repeal of Inconsistent Resolutions. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 5. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this ____ day of _____, 2014.

Edward B. Braddy, Mayor

ATTEST:

Kurt M. Lannon, Clerk of Commission

(SEAL)

Approved as to form and legality:

City Attorney
City of Gainesville, Florida