

ORDINANCE 17-8

AN ORDINANCE OF THE CITY OF SULLIVAN, ILLINOIS  
AUTHORIZING THE EXECUTION AND IMPLEMENTATION OF AN  
AMENDMENT TO THE NATURAL GAS ALL-REQUIREMENTS SALES  
AGREEMENT WITH THE ILLINOIS PUBLIC ENERGY AGENCY

WHEREAS, the Illinois Public Energy Agency (“IPEA”) is organized under the Illinois Joint Municipal Natural Gas Act, 65 ILCS 5/119.2-1 *et seq.* as a municipal natural gas agency, and it provides natural gas supply and related services to its member municipalities that own and operate their own municipal natural gas distribution systems and other eligible utilities as defined in the Act; and

WHEREAS, the City of Sullivan, Illinois is a Member of IPEA and presently purchases the natural gas for its natural gas system from IPEA pursuant to a Natural Gas All-Requirements Sales Agreement, dated November 13, 2012, which has a term through March 31, 2019; and

WHEREAS, the City Council of the City of Sullivan has determined that it is necessary, desirable and in the best interest of the City to authorize the execution and delivery of an Amendment to IPEA Natural Gas All-Requirements Sales Agreement attached hereto and incorporated herein, which extends the term of the Agreement through March 31, 2024.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SULLIVAN, ILLINOIS, AS FOLLOWS:

Section 1: The findings and determinations set forth in the preamble to this Ordinance are hereby made findings and determinations of the City Council of the City of Sullivan and incorporated into the text of this Ordinance by this reference.

Section 2. The Mayor is hereby authorized and directed to execute and deliver and the City Clerk shall attest, pursuant to this Ordinance, the attached Amendment to IPEA Natural Gas All-Requirements Sales Agreement with the Illinois Public Energy Agency.

Section 3. The Mayor is hereby authorized to execute and deliver and to the extent necessary the City Clerk shall attest, pursuant to this Ordinance, any and all other agreements, instruments or documents reasonably required in connection with the execution and implementation of the Natural Gas All-Requirements Sales Agreement, including but not limited to agreements, transaction confirmations, addenda and guaranties with or in favor of IPEA’s underlying third-party gas supplier(s) and such instruments as are required by the City’s pipeline companies to designate IPEA or its underlying gas supplier, from time to time, as agent for the City under the City’s natural gas transportation contracts and/or storage contracts and for the day-to-day management of the rights under such transportation and/or storage contracts and the deliveries of natural gas for the City.

Section 4. Rick Barnes, Gas Foreman, is hereby authorized and designated to communicate directly with IPEA or its underlying gas supplier to place all nominations or orders

for all quantities of natural gas, including fixed-price quantities or quantities committed to under other gas hedging mechanisms, from IPEA and for IPEA or the underlying gas supplier to schedule and deliver natural gas for the City's needs and for services incidental thereto, and Ann Short, Mayor, is hereby authorized and designated as the alternate to perform such functions and duties in the event of the absence or inability to act of such person.

Section 5. This Ordinance shall be in full force and effect from and after its passage.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Sullivan, Moultrie County, Illinois, as required by law and approved by the Mayor this 27th day of March, 2017.

  
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MAYOR

ATTEST:

  
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CITY CLERK

(MUNICIPAL SEAL)