

ORDINANCE NO. 933

AN ORDINANCE AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF AN AGREEMENT REGARDING GAS SUPPLY POOL NO. 3 WITH NATIONAL PUBLIC GAS AGENCY; TO PRESCRIBE THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND RELATED MATTERS.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CENTRAL CITY, NEBRASKA:

Section 1. The City Council hereby finds and declares it to be in the public interest and in the interest of the customers of the gas utility of the City of Central City, Nebraska (the “City”) that the City becomes a party to the Agreement Regarding Gas Supply Pool No. 3 (“Pool 3 Agreement”) with National Public Gas Agency (“NPGA”).

Section 2. Subject to the last sentence of this Section 2, the Pool 3 Agreement is hereby approved in substantially the form of the draft attached to this Ordinance. It is hereby ordered and directed that the City, acting through its Mayor and City Clerk, execute and deliver the Pool 3 Agreement. The City Clerk is hereby authorized to and may attest to the Pool 3 Agreement and to such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

Section 3. The City of Central City, Nebraska, does hereby adopt and approve each of the objectives, terms and conditions set forth in the Pool 3 Agreement.

Section 4. The City of Central City, Nebraska, shall, and the Mayor and City Clerk are hereby authorized and directed to, take such further action, and to approve and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance, and to carry out, comply with and perform the duties of the City with respect to the Pool 3 Agreement.

Section 5. All prior ordinances of the City or any parts thereof in conflict with all or any part of this Ordinance are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall be in full force and take effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 9th DAY OF NOVEMBER, 2009.

Clayton Erickson, Mayor

ATTEST:

Linda Jensen, City Clerk