

RESOLUTION 2011-8

WHEREAS, the City of Central City is a party to the Amended and Restated Interlocal Agreement (Interlocal Agreement) creating the National Public Gas Agency (NPGA), and

WHEREAS, on March 17, 2011, pursuant to Article VII of the Interlocal Agreement, an NPGA Member filed with the chairperson of the NPGA Board of Directors proposed amendments to the Interlocal Agreement, and

WHEREAS, the Interlocal Agreement provides that, in voting on any proposed amendment, each Member shall have one vote which must be received by the chairperson of NPGA within 60 days after the date of filing, and

WHEREAS, the Interlocal Agreement provides that if two-thirds of the Members approve the proposed amendment to the Interlocal Agreement, as evidenced by resolution of the governing body of each Member, such amendment will become effective 30 days after approval by the Members.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of City of Central City, Nebraska, that the city **approves** of the amendments to the NPGA Amended and Restated Interlocal Agreement which are shown on Exhibit A to this Resolution.

Dated this 11th day of April, 2011.

Clayton Erickson, Mayor

Attest:

Linda Jensen, City Clerk

EXHIBIT A

Amendments to National Public Gas Agency Amended and Restated Interlocal Agreement

3/17/11

NATIONAL PUBLIC GAS AGENCY

Summary of proposed amendments to NPGA Interlocal Agreement

The following is a summary of the proposed amendments to the NPGA Interlocal Agreement:

1. Expand objectives and purposes of the Interlocal Agreement to include carrying out those public powers, duties and obligations of the governing bodies of the Members relating to the acquisition, management, distribution and sale of natural gas through cooperation in regulatory matters and to conduct any other Board-approved activities authorized under the Interlocal Cooperation Act of the State of Nebraska
2. Delete provisions allowing early termination by Members without the required advance notice
3. Provide for expulsion, suspension or termination of membership under the procedure set forth in the Bylaws
4. Delete provision clarifying that the right of the Board to terminate membership for a Member's failure to perform shall not limit the right of any other Member to enforce the rights and obligations established by the Interlocal Agreement
5. Provide that the Interlocal Agreement shall terminate on January 1, 2099
6. Other miscellaneous minor changes