

ORDINANCE NO. 4648

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO CHAPTER 9.80 “ENERGY PURCHASES” AND AMENDING SECTION 9.80.200 “GAS PURCHASES” OF THE ELLENSBURG CITY CODE.

WHEREAS, a request for proposal procurement process was completed to determine the wholesale natural gas supplier that provides the best value to the City and to negotiate a base agreement and an asset management services agreement, and

WHEREAS, there have been wholesale natural gas supply industry changes since the prior request for proposal procurement process was completed in 2010 that no longer support a non-exclusive arrangement, and

WHEREAS, the terms and conditions of the asset management services agreement provide safeguards to the City in the event an exclusive arrangement fails to provide the best value to the City.

NOW, THEREFORE, the City Council of the City of Ellensburg, Washington does hereby ordain:

**Section 1. Section 9.80.200 of the Ellensburg City Code, as last amended by Section 2 of Ordinance 4503, is hereby amended to read as follows:**

**9.80.200 Gas purchases.**

A. The energy services director or his/her designee will analyze proposals and recommend entering into a base supply agreements and natural gas asset management services agreement with a credit-worthy gas suppliers. ~~Negotiated~~ The base agreements and natural gas management services agreement for gas supply will be reviewed by the utility advisory committee and approved by the city council.

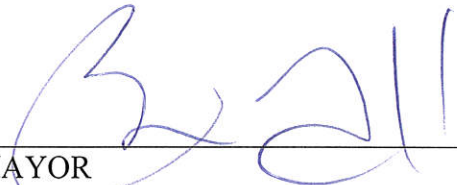
B. The energy services director or his/her designee, after determining that an opportunity exists to purchase necessary gas supplies, will solicit quotes from ~~qualified its suppliers (holders of base agreements)~~. Due to the nature of the natural gas commodities business, prices are volatile and ~~may~~ change rapidly. Therefore, purchase commitments must be made verbally with written confirmation. The energy services director or his/her designee will notify the city manager, utility advisory committee and city council at the first opportunity of any gas purchases.

~~C. Gas supply may be part of a gas asset management agreement between the city and a qualified management firm. Under such circumstances, daily and futures gas purchases may be provided for under the gas asset management agreement. [Ord. 4503 § 2, 2007.]~~

**Section 2. Severability.** If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion(s) of this ordinance.

**Section 3. Effective Date.** This ordinance shall take effect and be in force five (5) days after its passage, approval and publication.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 5th day of August, 2013.

  
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MAYOR

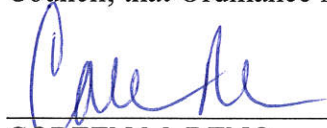
Attest:   
\_\_\_\_\_  
CITY CLERK

Approved as to form:

  
\_\_\_\_\_  
CITY ATTORNEY

Publish:

I, Coreen M. Reno, City Clerk of said City, do hereby certify that Ordinance No. 4648 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, that Ordinance No. 4648 was published as required by law.

  
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COREEN M. RENO