

**RESOLUTION NO. R-16-41**

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF WILMINGTON TO EXECUTE AMENDMENT AGREEMENT WITH VOLUNTEER ENERGY SERVICES, INC

**WHEREAS**, the CITY OF WILMINGTON and VOLUNTEER ENERGY SERVICES, INC (VESI), executed a Governmental Aggregation Program Agreement ("GAPA") for the term of April 1, 2014 through September 30, 2015; and

**WHEREAS**, pursuant to said GAPA, VESI has been and continues to be designated the natural gas supplier for the City's Opt-Out Municipal Aggregation Program; and

**WHEREAS**, the terms and conditions of this GAPA, specifically Exhibit A of such GAPA, require a renegotiation of the retail adder for the contract term beginning flow month October 1, 2016 no less than four months prior to the anniversary date; and

**WHEREAS**, pursuant to the above terms and conditions, the attached Amendment Agreement, incorporated herein by reference as Exhibit A, representing the renegotiated retail adder, requires the signature of an authorized agent of the City of Wilmington, specifically, the Mayor of said City.

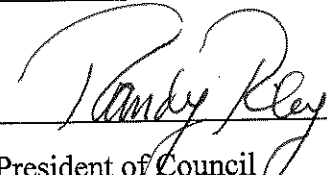
**NOW THEREFORE**, be it Resolved by the Council of the City of Wilmington, Ohio, County of Clinton, State of Ohio that:

**Section 1.** The Mayor of the City of Wilmington is hereby authorized to enter into the Attached Amendment Agreement on behalf of said City of Wilmington and duly execute the same.

**Section 2.** That the rules requiring the reading of this ordinance in its entirety on three separate days are hereby suspended upon a vote of three-fourths of the members of council, pursuant to R.C. 731.17(A)(2)

**Section 3.** That this ordinance is hereby declared to be an emergency measure necessary to the immediate preservation of the public health, safety and welfare, and accordingly, shall be in full force and effect immediately upon its passage.

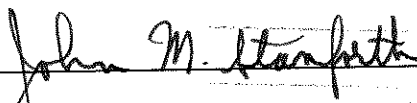
Passed this 18th day of August, 2016.

  
\_\_\_\_\_  
President of Council

ATTEST:

  
\_\_\_\_\_  
Clerk of Council

Approved by me this 18th day of August, 2016.

  
\_\_\_\_\_  
Mayor

## AMENDMENT AGREEMENT

This Amendment Agreement, entered into the last date written below by and between, Volunteer Energy Services, Inc. ("VESI") and the City of Wilmington ("City") collectively referred to as the "Parties"

### WITNESSETH

**WHEREAS**, the Parties executed a Governmental Aggregation Program Agreement ("GAPA") for the term of April 1, 2014 through September 30, 2015

**WHEREAS**, pursuant to this GAPA, VESI has been designated the natural gas supplier for the City's Opt-Out Municipal Aggregation Program; and

**WHEREAS**, the terms and conditions of this GAPA, specifically Exhibit A of such GAPA, require a renegotiation of the retail adder for the contract term beginning flow month October 1, 2016 no less than four month prior to the anniversary date; and

**WHEREAS**, the Parties have renegotiated said retail adder.

**NOW, THEREFORE**, the Parties, intending to be bound hereby and in consideration of the mutual promises and covenants herein, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, agree as follows:

1. Term: October 1, 2016 through September 30, 2017. Customers that join the aggregation program and then leave during the term of this service period will not be charged a termination fee.
2. Volunteer Energy will deliver natural gas at a fixed price of \$.44 per Ccf. for the term of October 2016 through September 2017 (12 months).
3. **Affirmation of Terms and Conditions:** In all other respects, the Parties affirm the terms and conditions of the GAPA.

The Parties acknowledge their agreement to the terms herein by their signatures below.

#### City of Wilmington

By: JOHN M STANFORTH

Print

[Signature]

Signature

Date: 8-19-16

#### Volunteer Energy Services, Inc.

By: \_\_\_\_\_

Print

Signature

Date: \_\_\_\_\_

R-16-41  
Exhibit A