



ORDINANCE: No. 1427

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CIBOLO, TEXAS AMENDING ORDINANCE NO. 592 AND 1090; PROVIDING FOR ADOPTION; THERETO; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE OF ALL OTHER ORDINANCES OF THE CITY NOT IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance 592, adopted in May 2003, established an electric and gas franchise between the City of Cibolo and the City of San Antonio, acting by and through the City Public Service Board (CPS Energy); and

WHEREAS, Ordinance 1081, approved by Cibolo City Council in December 2012, amended the terms of the existing franchise agreement established under Ordinance 592 by amending the term of the agreement until February 2024; and

WHEREAS, Ordinance 1090, approved by Cibolo City Council in March 2014, was the last amendment to the terms of the existing CPS Energy franchise established under Ordinance 592, which extended the franchise agreement until February 2024; and

WHEREAS, CPS Energy has offered to extend the existing franchise an additional ten (10) years without interruption, commencing on February 1, 2024, and continuing until February 1, 2034;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CIBOLO TEXAS:

ARTICLE I. AMENDMENTS

SECTION I. Description. The agreement hereby extends CPS Energy's existing franchise an additional ten (10) years commencing without interruption on February 1,

2024, for transmission, distribution and sale of electricity and gas within CPS Energy's certificated service area and within the City of Cibolo, Texas (Franchise Agreement). CPS Energy may construct, operate and maintain in, upon, over, under, and across the present and future streets, alleys, public ways, and places within the City of Cibolo, Texas (City), all the facilities CPS Energy deems reasonably necessary for the rendition of safe, reliable and economical electric and gas service (CPS Energy Facilities).

SECTION 2. Payment for Street Rental. No revision is made to this Section.

SECTION 3. Limitation on Assessments. No revision is made to this Section.

SECTION 4. Audits. No revision is made to this Section.

SECTION 5. Construction, Operation and Maintenance of Facilities. No revision is made to this Section.

5.1 No revision is made to this Subsection

5.2 No revision is made to this Subsection

SECTION 6. Civic Improvements. No revision is made to this Section.

SECTION 7. Use of Pole Space. No revision is made to this Section.

SECTION 8. Rate Schedules. No revision is made to this Section.

SECTION 9. Furnishing of Information. No revision is made to this Section.

SECTION 10. Uniform Franchise Benefits. No revision is made to this Section.

SECTION 11. Limited Indemnity. No revision is made to this Section.

SECTION 12. Effective Date. No revision is made to this Section.

SECTION 13. Headings. No revision is made to this Section.

SECTION 14. Continuation of Agreement. No revision is made to this Section.

SECTION 15. Assignment No revision is made to this Section

Exhibit A: Confidentiality Agreement for an Intergovernmental transfer of Information. No revision is made to this Exhibit.

ARTICLE II. MISCELLANEOUS


SECTION 1. AGREEMENT NOT OTHERWISE AMENDED. Except as set forth in this Amendment outlined in Article I, Section 1, the Franchise Agreement, is not otherwise amended and remains in full force and effect.

SECTION 2. GOVERNING LAW. This Amendment shall be construed in accordance with the laws of the State of Texas and venue shall be in Bexar County.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption by the City Council.

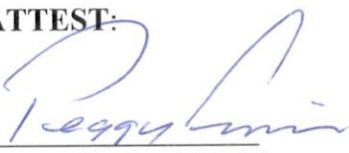
SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not effect the validity of the remaining sections of this ordinance.

APPROVED AND ADOPTED on this the 9 day of JANUARY, 2024..



Mark Allen
Mayor

ATTEST:



Peggy Cimics, TRMC
City Secretary

