| City of Boerne | AGENDA ITEM SUMMARY District Impacted 1 = Anzollitto 2 = Woolard 3 = Boyd 4 = Cisneros 5 = Colvin X All |
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| AGENDA DATE | January 9, 2018 |
| DESCRIPTION | CONSIDER ON SECOND READING ORDINANCE NO. 2018-02; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BOERNE, TEXAS, GRANTING A TRANSMISSION AND DISTRIBUTION ELECTRIC UTILITY FRANCHISE TO PEDERNALES ELECTRIC COOPERATIVE, INC. FOR A TEN YEAR TERM COMMENCING ON THE EFFECTIVE DATE; CONTAINING VARIOUS TERMS AND CONDITIONS WITH REGARD TO THE GRANT OF SUCH FRANCHISE; CONTAINING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ANY AND ALL KINDS OF ORDINANCES, REGULATIONS, RULES, OR POLICIES THAT ARE IN CONFLICT WITH THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE. |
| STAFF'S | Approve on second reading Ordinance No. 2018-02, granting a |
| RECOMMENDED | transmission and distribution electric utility franchise to Pedernales |
| ACTION (be specific) | Electric Cooperative, Inc. |
| CONTACT PERSON | Kirsten Cohoon, City Attorney / Sandy Mattick, Finance Director |
| SUMMARY | As Council is aware, we have two electric cooperatives that serve within the City Limits: Bandera Electric Cooperative (BEC) and Pedernales Electric Cooperative (PEC). In order to do so, both entities must have an ordinance with us allowing them to serve in our City Limits and for the City to collect a Franchise Fee. We have already passed an ordinance with BEC and now we are presenting a similar Ordinance with PEC for Council's consideration. |
| | The term of the Ordinance is for ten years; Allows PEC to construct, operate and maintain facilities within the City and remove obstructions that endanger or interfere with the efficiency of such facility; Any City facilities disturbed by PEC will be restored to substantially the same condition existing prior to the work; The City may perform audits with 45 days advance notice; PEC shall collect and shall pay the City a fee of four and a half percent (4.5%) of the gross receipts received from the sale of energy and power to customers residing within the city limits of the City during the previous month; PEC is entitled to list the franchise fee as a separate line item on monthly bills of Cooperative members who have meters |

within the City limits.

| | This Ordinance was negotiated at length by both the City and Pedernales Electric Cooperative. |
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| COST | None |
| SOURCE OF FUNDS | None |
| ADDITIONAL INFORMATION | None |

This summary is not meant to be all inclusive. Supporting documentation is attached.