

ORDINANCE 2015-11

AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE LINES AND APPURTENANCES AND APPLIANCES FOR CONDUCTING ELECTRICITY IN, OVER, UNDER AND THROUGH THE STREETS, AVENUES, ALLEYS AND PUBLIC GROUNDS BELONGING TO OR UNDER THE CONTROL OF THE CITY OF LA FERIA TO MAGIC VALLEY ELECTRIC COOPERATIVE, INC., ITS SUCCESSORS AND ASSIGNS,; PROVIDING FOR COMPENSATION FOR THE GRANT OF SUCH NON-EXCLUSIVE FRANCHISE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 10.05 of Charter of the City of La Feria authorizes the granting of non-exclusive franchises by the City of La Feria (“the City”) related to the provision of, among other services, electricity within the City on such terms and conditions as determined by the City to be in the best interests of its citizens;

WHEREAS, pursuant to applicable laws, rules and regulations of the State of Texas, all or part of the City is contained within the certified service area of Magic Valley Electric Cooperative, Inc., (“the Company”) an authorized electric service provider in the State of Texas;

WHEREAS, the City and the Company have previously entered in such franchise agreements relating to the provision of such electric services;

WHEREAS, the City Commission of the City of La Feria hereby determines that it is in the best interest of all the citizens of La Feria to renew and extend the grant of a non-exclusive franchise to the Company;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LA FERIA, TEXAS, THAT:

- (1) The terms and conditions of the Franchise Agreement between the City of La Feria and Magic Valley Electric Cooperative, Inc., as set forth in Exhibit “A” attached hereto and made a part hereof, are adopted and approved in accordance with the requirements of the Charter of the City of La Feria. The designated representatives of the City of La Feria are authorized and directed to execute such Franchise Agreement.
- (2) The caption of this Ordinance 2015-11 shall be published in accordance with the requirements of Section 10.05 of the Charter of the City of La Feria.
- (3) This Ordinance 2015-11 shall become effective following such publication in accordance with the provisions of Section 10.05 of the Charter of the City of La Feria; provided however, all rights, duties and obligations of the Company shall be effective as of September 1, 2015.

PASSED AND APPROVED THIS THE 29TH DAY OF SEPTEMBER 2015.

APPROVED:



VICTOR GONZALEZ, JR., Mayor

ATTEST:



ESMERALDA R. SANCHEZ, City Secretary

APPROVED AS TO FORM:



RICHARD S. TALBERT, City Attorney