

ORDINANCE NO. 2010- 12

An ordinance granting an extension to AEP Texas Central Company, a Texas corporation, and successors and assigns, an electric, light, heat and power franchise; and declaring an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VICTORIA, TEXAS:

1.

AEP TEXAS CENTRAL COMPANY ("AEP") and the CITY OF VICTORIA ("CITY") agree to extend Ordinance No. 79-33, extending the termination date from June 6, 2010 to December 31, 2010. This amendment is made at the request of the CITY, and under the authority of ARTICLE VI in the CITY Charter, in order to negotiate terms for a new electric, light, heat and power franchise.

2.

All other conditions and requirements of the Ordinance No. 79-33 between the AEP and CITY regarding the electric, light, heat, and power franchise, as well as any written amendments prior to the date below, remain unchanged, and shall apply to all services specified herein just as if those services had been included in the original scope of services of Ordinance No. 79-33.

3.

If any provision of this Ordinance, or the application thereof to any person or circumstances, shall be held invalid or unconstitutional by a Court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

4.

This ordinance shall take effect upon final approval and adoption by the City Council of the City of Victoria, Texas.

PASSED FIRST READING, this the 1st day of June, 2010.

AYES: 7
NAYS: 0
ABSTENTIONS: 0

PASSED SECOND READING, this the 15TH day of JUNE, 2010.

AYES: 7
NAYS: 0
ABSTENTIONS: 0

PASSED THIRD READING, this the 6TH day of JULY, 2010.

AYES: 5
NAYS: 0
ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 6TH day of JULY, 2010.



ATTEST:

Scarlet Swoboda
SCARLET SWOBODA, City Secretary

Will Armstrong

WILL ARMSTRONG, Mayor of the City of Victoria, Texas

APPROVED AS TO LEGAL FORM:

Thomas A. Gwosdz
THOMAS A. GWOSDZ, City Attorney

Distribution: Legal Department
Finance Department


Copies sent: JULY 7, 2010

THE STATE OF TEXAS §
COUNTY OF VICTORIA §

I, the undersigned, City Secretary of the City of Victoria, Texas, hereby **CERTIFY** that the above and foregoing is a true and correct copy of a franchise extension ordinance passed, adopted and approved by the City Council of the City of Victoria, Texas, at a meeting duly and regularly called and held on the 6th day of ~~June~~^{July}, 2010.

IN TESTIMONY WHEREOF, witness my hand and seal of office, this 7th day of July, 2010.




City Secretary of the City of
Victoria, Texas