

ORDINANCE NO. 1919

INTRODUCED BY: BULLOCK, BENSON, DOUGLAS, ELLIOTT, FORD,  
MCELLOWNEY, MORENO, TETER

AN ORDINANCE APPROVING AND ADOPTING FRANCHISE AGREEMENT BETWEEN THE CITY OF COMMERCE CITY, COLORADO, AND PUBLIC SERVICE COMPANY OF COLORADO

WHEREAS, the 1986 franchise agreement between the City of Commerce City (the “City”) and Public Service Company of Colorado (“PSCo”) will expire upon certification of the vote of the November 2012 general election;

WHEREAS, the City and PSCo have negotiated a new franchise agreement to succeed the 1986 franchise agreement; and

WHEREAS, the City Council hereby finds and determines that approval and adoption of the attached Franchise Agreement between the City of Commerce City, Colorado and Public Service Company of Colorado is and will be in the best interests of the residents of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

**SECTION 1. Adoption.** Subject to the provisions of Section 2 herein, the attached Franchise Agreement between the City of Commerce City, Colorado and Public Service Company of Colorado (the “2012 Franchise Agreement”) is hereby adopted and approved.

**SECTION 2. Effective Date.** Provided the voters approve a grant of franchise to PSCo at the November 2012 general election, the effective date of the 2012 Franchise Agreement shall be the date upon which the results of the November 2012 general election are certified. If the grant of franchise is not approved at such election, the 2012 Franchise Agreement shall be of no force or effect.

**SECTION 3. Signature.** The Mayor and City Clerk are hereby authorized and directed to sign and attest the 2012 Franchise Agreement on behalf of the City of Commerce City.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 2<sup>ND</sup> DAY OF JULY, 2012.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS \_\_\_ DAY OF \_\_\_\_\_, 2012.

CITY OF COMMERCE CITY, COLORADO

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Sean Ford, Mayor

ATTEST:

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Laura J. Bauer, CMC, City Clerk