



# City of Pflugerville

## Legislation Details (With Text)

<b>File #:</b>	ORD-0549	<b>Version:</b>	3	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>		Approved	
<b>File created:</b>	10/14/2020	<b>In control:</b>		City Manager Office	
<b>On agenda:</b>	5/25/2021	<b>Final action:</b>		5/25/2021	
<b>Title:</b>	Approving an ordinance on third reading with the caption reading: An ordinance of the City of Pflugerville, Texas granting to One Gas, Inc., acting by and through its Texas Gas Service Company Division, and its successors and assigns, for a period of fifteen (15) years from approval and acceptance of this ordinance, a non-exclusive franchise and right to enter the public ways to install, operate and maintain a distribution system within, along, across, over and under the public ways of the City of Pflugerville, Travis County, Texas for the transportation, distribution and/or sale of gas to customers and the public generally in the city; defining the words and phrases therein; providing for assignment, sale or lease of the franchise; providing that the city may enact an ordinance charging persons transporting gas through grantee's distribution system a fee on the calculated value of such transported gas; providing for use and repair of the public ways; providing for regulation of service; establishing depth of pipelines; establishing rights and duties in the movement and alteration of pipelines; providing for indemnification of the City of Pflugerville; providing for grantee's rules and regulations; providing for inspection of grantee's records; requiring grantee to pay a franchise fee; providing for conditions of the franchise; providing for construction of this ordinance upon the invalidity of any part thereof; providing for acceptance of this franchise by grantee and both an effective and an operative date thereof; repealing all other ordinances directly in conflict herewith; providing for severability; and publication.				

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Map of Lakeside Meadows, 2. Pflugerville TGS Franchise Ordinance (4847-6670-7142.5) TF 4-19-21\_TGS\_final 4\_20

Date	Ver.	Action By	Action	Result
5/25/2021	3	City Council	Adopted	Pass
5/11/2021	2	City Council	Approved on Second Reading	Pass
4/27/2021	1	City Council	Approved on First Reading	Pass

Approving an ordinance on third reading with the caption reading: An ordinance of the City of Pflugerville, Texas granting to One Gas, Inc., acting by and through its Texas Gas Service Company Division, and its successors and assigns, for a period of fifteen (15) years from approval and acceptance of this ordinance, a non-exclusive franchise and right to enter the public ways to install, operate and maintain a distribution system within, along, across, over and under the public ways of the City of Pflugerville, Travis County, Texas for the transportation, distribution and/or sale of gas to customers and the public generally in the city; defining the words and phrases therein; providing for assignment, sale or lease of the franchise; providing that the city may enact an ordinance charging persons transporting gas through grantee's distribution system a fee on the calculated value of such transported gas; providing for use and repair of the public ways; providing for regulation of service; establishing depth of pipelines; establishing rights and duties in the movement and alteration of pipelines; providing for indemnification of the City of Pflugerville; providing for grantee's rules and regulations; providing for inspection of grantee's records; requiring grantee to pay a franchise fee; providing for conditions of the franchise; providing for construction of this ordinance upon the

invalidity of any part thereof; providing for acceptance of this franchise by grantee and both an effective and an operative date thereof; repealing all other ordinances directly in conflict herewith; providing for severability; and publication.

The purpose of this item is to grant a franchise agreement to One Gas, Inc. for the utilization of City rights of way in order to serve the Lakeside Meadows development that is generally located between Lake Pflugerville, Weiss Lane, E. Pecan, and SH 130.

As presented, the agreement is the first with Texas Gas and is for a fifteen (15) year term. As consideration for use of the right of way and waiver of permits, fees and etc, 5% of gross receipts will be remitted to the City. Payments would be due on January 31 and July 31 each year for the preceding six months.

#### **Prior City Council Action**

This ordinance was approved on first reading on April 27, 2021 and second reading on May 11, 2021.

#### **Deadline for City Council Action**

There is no deadline for action. This Ordinance requires three affirmative readings to be effective.

**Funding Expected:** Revenue ☒ Expenditure ☐ N/A ☐

**Budgeted Item:** Yes ☐ No ☒ N/A ☐

**Amount:** 5% of gross receipts

**1295 Form Required?** Yes ☐ No ☒

**Legal Review Required:** N/A ☐ Required ☒ Date Completed: April 19, 2021

#### **Supporting documents attached:**

Map of Lakeside Meadows  
Ordinance

#### **Recommended Action**

Approve the ordinance as presented.