

ORDINANCE NO. 2017 - _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENTON, A TEXAS HOME-RULE MUNICIPAL CORPORATION, PROVIDING FOR, AUTHORIZING, AND APPROVING THE EXECUTION BY THE CITY MANAGER, OR HIS DESIGNEE, OF AN INTERCONNECT AGREEMENT BETWEEN THE CITY OF DENTON AND ENTERPRISE PIPELINE TEXAS, LLC, A TEXAS LIMITED LIABILITY COMPANY, IN THE AMOUNT OF \$1,386,000.00 FOR THE CONSTRUCTION OF GAS SUPPLY AND METERING INFRASTRUCTURE IN CONJUNCTION WITH THE DENTON ENERGY CENTER PROJECT; APPROVING THE EXECUTION OF SUCH OTHER AND FURTHER RELATED DOCUMENTS DEEMED NECESSARY TO EFFECTUATE THIS AGREEMENT BY THE CITY MANAGER OR HIS DESIGNEE, WHICH ARE INCIDENT OR RELATED THERETO; AUTHORIZING THE EXPENDITURE OF FUNDS THEREFORE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Denton is a Texas home-rule municipal corporation governed by the constitution and laws of the State of Texas; and

WHEREAS, on March 13, 2017, Denton's Public Utilities Board ("PUB"), after due notice of the public meeting was provided as required by law, considered the Interconnect Agreement between the City of Denton and Enterprise Texas Pipeline, LLC, a Texas limited liability company, for the construction of the gas supply and metering infrastructure in conjunction with the Denton Energy Center Project; and

WHEREAS, the PUB, after discussion, consideration and deliberation, then recommended to Denton's City Council, unanimously, that the Interconnect Agreement between the City of Denton and Enterprise Texas Pipeline, LLC, be approved; and

WHEREAS, Denton's City Council has considered the Interconnect Agreement between the City of Denton and Enterprise Texas Pipeline, LLC, for the construction of the gas supply and metering infrastructure in conjunction with the Denton Energy Center Project, as well as the recommendation of the PUB and finds the Interconnect Agreement between the City of Denton and Enterprise Texas Pipeline, LLC, be approved; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF DENTON ORDAINS:

SECTION 1. The recitations contained in the above Preamble are incorporated herewith and are considered to be a part of this Ordinance.

SECTION 2. The City Council, approves and authorizes the City Manager and City Secretary, or their designees, to execute, and attest respectively, the Interconnect Agreement between the City of Denton, a Texas home-rule municipal corporation, and Enterprise Texas Pipeline, LLC, a Texas limited liability company, in the amount of \$1,386,000.00 and in the form and under the terms and conditions set forth in Exhibit "A" ("Agreement"), including all exhibits attached thereto, and made a part hereof, and to consummate the delivery thereof on behalf of the City of Denton by or at the direction of the City Manager, or his designee.

SECTION 3. The City Council, approves and authorizes the City Manager and City Secretary, and their respective designees, to execute and attest respectively, all other documents which are incident and related to the Agreement, and to take such additional actions as the City Manager, or his designee, shall determine to be necessary and advisable to effectuate the matters set forth in this Ordinance and the Agreement.

SECTION 4. The City Manager, the City Attorney, or their designees, be, and each of them individually is, authorized and empowered to perform all such acts and obligations as required with respect to the Agreement.

SECTION 5. The expenditure of funds as provided for in this ordinance is authorized.

SECTION 6. This ordinance shall become effective immediately upon its passage and approval.

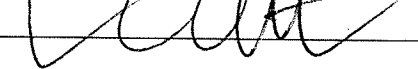
PASSED AND APPROVED this the ____ day of April, 2017.

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

By: _____

APPROVED AS TO LEGAL FORM:
AARON LEAL, INTERIM CITY ATTORNEY

By:  _____