

ORDINANCE NO. 2021-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS GRANTING AN EASEMENT TO BLUEBONNET ELECTRIC COOPERATIVE, INC. FOR THE INSTALLATION OF ELECTRIC UTILITY FACILITIES TO SERVE THE CITY'S NEW PUBLIC SERVICES CENTER ON CLOVIS BARKER ROAD; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE SAID EASEMENT ON BEHALF OF THE CITY; INCLUDING PROCEDURAL PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. The City's new Public Service Center on Clovis Barker Road requires electric utility service from Bluebonnet Electric Cooperative, Inc. ("Bluebonnet") for which an easement to Bluebonnet is necessary.

2. The City Council hereby finds and determines that the adoption of the following ordinance is in the interest of the public health, morals, welfare and safety.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The Easement to Bluebonnet for the installation of electric utility facilities to serve the City's new Public Service Center on Clovis Barker Road, attached as Exhibit A, and made a part hereof for all purposes, is hereby approved.

SECTION 2. The City Manager, or his designee, is authorized to execute said Easement on behalf of the City.

SECTION 3. If any word, phrase, clause, sentence, or paragraph of this ordinance is held to be unconstitutional or invalid by a court of competent jurisdiction, the other provisions of this ordinance will continue in force if they can be given effect without the invalid portion.

SECTION 4. All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are repealed.

SECTION 5. This ordinance will take effect after its passage, approval and adoption on second reading.

PASSED AND APPROVED on first reading on January 5, 2021.

PASSED, APPROVED AND ADOPTED on second reading on January 19, 2021.

Jane Hughson
Mayor

Attest:

Tammy K. Cook
Interim City Clerk

Approved:

Michael J. Cosentino
City Attorney

EXHIBIT A

[COPY OF EASEMENT TO BE ATTACHED]