

**ORDINANCE NO. 411**

**AN ORDINANCE AMENDING ORDINANCE NO. 406, THE GAS FRANCHISE FEE ORDINANCE BETWEEN THE CITY OF VICTORIA AND CENTERPOINT ENERGY RESOURCES CORPORATION.**

**THE CITY OF VICTORIA, CARVER COUNTY, MINNESOTA, DOES ORDAIN:**

**Section 1. Purpose.** The Victoria City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide gas services within the City of Victoria. Pursuant to City Ordinance No. 406, a Franchise Agreement between the City of Victoria and CenterPoint Energy Resources Corp. d/b/a CenterPoint Energy Minnesota Gas, a Delaware corporation, its successors and assigns, ("Company") the City has the right to impose a franchise fee on the Company.

**Section 2. Amendment.** This Amendment to Ordinance No. 406 hereby removes and replaces in its entirety, Exhibit A, the franchise fee schedule as attached hereto.

**Section 3. Terms and Enforcement.** All other terms and provisions of Ordinance No. 406 not amended by this ordinance shall remain in effect. Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 2.5 of the Franchise Agreement.

**Section 4. Effective Date of Fee Schedule Amendment.** The effective date of fee collection according to the amended fee schedule shall be January 26, 2017 or after the City sends written notice enclosing a copy of this adopted Ordinance to the Company by certified mail, whichever date is later.


**Section 5. Effective Date of Ordinance.** This ordinance becomes effective from and after its passage and publication.

Adopted in regular session of the City Council of the City of Victoria, Minnesota held this 12th day of December, 2016.

CITY OF VICTORIA

  
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Tom O'Connor, Mayor

ATTEST:

  
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Cindy Patnode, City Clerk

**ORDINANCE 411 - EXHIBIT A**

**CENTERPOINT ENERGY GAS FRANCHISE**

**FEE SCHEDULE**

<u>Class</u>	<u>Monthly Fee per Customer</u>
Residential	\$3.00
Com-A Less than 1,500 therms/yr	\$10.00
Com/Ind B 1,500 > or < 5,000 therms/yr	\$10.00
Com/Ind C > 5,000 therms/yr	\$10.00
Small Volume Dual Fuel A < 120,000 therms/year	\$10.00
SVDF B > 120,000 therms/yr	\$10.00
Large Volume Dual Fuel > 1,999 therms Peak Day	\$10.00

Franchise fees are to be collected monthly by the Company in the amounts set forth in the above schedule, and remitted to the City on a quarterly basis as follows:

- January – March collections due by April 30.
- April – June collections due by July 31.
- July – September collections due by October 31.
- October – December collections due by January 31.