

AN ORDINANCE NO. 19-21

To grant to Columbia Gas of Virginia, Inc. a nonexclusive franchise authorizing Columbia, its successors, and assigns, to construct, repair, replace, operate, and maintain a system for the transmission, distribution, and sale of natural gas in, under, along, and across the City's public rights-of-way.

WHEREAS, on March 14, 1989, the City Council approved Ordinance No. 89-7 on second reading, granting a franchise to Commonwealth Gas Services, Inc. to construct, maintain, and use gas pipes, mains, and appliances in, along, and under public rights-of-way and public places for the purpose of supplying gas; and

WHEREAS, Columbia Gas of Virginia, Inc. ("Columbia") has replaced Commonwealth Gas Services, Inc. as operator of the franchise; and

WHEREAS, Columbia is a Virginia Public Service Corporation and a subsidiary of Ni Source Inc.; and

WHEREAS, the franchise needs to be renewed; and Columbia desires to enter into a new franchise agreement with the City; and

WHEREAS, City and Columbia representatives have negotiated a new Natural Gas Franchise Agreement and have requested that the City Council approve the Agreement; and

WHEREAS, at the September 10, 2019 City Council meeting, Council's presiding officer summarized the bid from Columbia, inquired if any other bids were being offered, noted that no other bids were offered, declared the bidding closed, and received the staff's recommendation on the Columbia bid; and

WHEREAS, the Council properly advertised notice of a public hearing on this Ordinance and the approval of one or more natural gas franchises in the City and held such a public hearing; and

WHEREAS, the Council believes it is appropriate to renew Columbia's franchise; NOW, THEREFORE,

THE CITY OF COLONIAL HEIGHTS HEREBY ORDAINS:

1. That Columbia's bid is accepted; Columbia is awarded a 20-year nonexclusive franchise; and the Natural Gas Franchise Agreement Between The City Of Colonial Heights, Virginia And Columbia Gas of Virginia, Inc. (the "Agreement") is approved, subject to Columbia's timely posting of the bond required by Section 17 of the Agreement.
2. That pursuant to Virginia Code Section 15.2-2101, Columbia shall reimburse the City its cost for advertising in a newspaper the invitation for bids and the public hearing.
3. That a copy of the Agreement is attached to and made a part of this Ordinance.
4. That the City Manager is authorized and directed to executive the Agreement, and the City Attorney shall approve it as to form.
5. That this Ordinance shall be effective upon approval on second reading.

Approved:

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

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I certify that the above ordinance was:

Adopted on its first reading on \_\_\_\_\_.

Ayes: \_\_\_\_\_. Nays: \_\_\_\_\_. Absent: \_\_\_\_\_. Abstain: \_\_\_\_\_.

The Honorable Michael A. Cherry, Councilman: \_\_\_\_\_.

The Honorable Kenneth B. Frenier, Councilman: \_\_\_\_\_.

The Honorable W. Joe Green, Jr., Councilman: \_\_\_\_\_.

The Honorable John E. Piotrowski, Councilman: \_\_\_\_\_.

The Honorable John T. Wood, Councilman: \_\_\_\_\_.

The Honorable Elizabeth G. Luck, Vice-Mayor: \_\_\_\_\_.

The Honorable T. Gregory Kochuba, Mayor: \_\_\_\_\_.

Adopted on its second reading on \_\_\_\_\_.

Ayes: \_\_\_\_\_. Nays: \_\_\_\_\_. Absent: \_\_\_\_\_. Abstain: \_\_\_\_\_.

The Honorable Michael A. Cherry, Councilman: \_\_\_\_\_.

The Honorable Kenneth B. Frenier, Councilman: \_\_\_\_\_.

The Honorable W. Joe Green, Jr., Councilman: \_\_\_\_\_.

The Honorable John E. Piotrowski, Councilman: \_\_\_\_\_.

The Honorable John T. Wood, Councilman: \_\_\_\_\_.

The Honorable Elizabeth G. Luck, Vice-Mayor: \_\_\_\_\_.

The Honorable T. Gregory Kochuba, Mayor: \_\_\_\_\_.

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney