

**FIRST AMENDMENT AND EXTENSION OF
EMERGENCY RESPONSE INTERLOCAL COOPERATION AGREEMENT**

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This *First Amendment and Extension Of Emergency Response Interlocal Cooperation Agreement* (hereinafter referred to as "Extension") is made and entered into by and between the **CITY OF SAN ANTONIO** (hereinafter referred to as "City"), a Texas Municipal Corporation acting by and through its City Manager or City Manager's designee and **City Public Service Board** (herein after referred to as "CPS Energy"), acting by and through its authorized representative, both of which may be referred to herein collectively as the "Parties".

WHEREAS, the Parties previously entered into an Emergency Response Interlocal Cooperation Agreement (hereinafter referred to as "Agreement"), approved by San Antonio City Council in Ordinance 2009-05-14-0389, under which City agreed to provide emergency response to events occurring at Calaveras Lake and the Calaveras Power Station; and

WHEREAS, pursuant to Section 1 Services, Article 1.01 of the Agreement, City began providing Services on May 15, 2009 until April 30, 2020; and

WHEREAS, the Parties now wish to extend the Agreement for a period from May 1, 2020 through April 30, 2021;

NOW, THEREFORE, for and in consideration of the mutual premises contained herein and other good and valuable consideration, the Parties severally and collectively agree, and by the execution hereof are bound, to the mutual obligations herein contained and to the performance and accomplishment of the tasks hereinafter described.

I. AMENDMENT AND EXTENSION OF AGREEMENT

- 1.1 SECTION I. SERVICES, Article 1.01 Services Provided** of the Agreement is hereby amended to read as follows:

"1.01 Services Provided. The City agrees to provide emergency response to events occurring at Calaveras Lake and the Calaveras Power Station that require fire

protection, firefighting, HAZMAT and EMS services ("Services") in the same manner and to the same extent as if the Calaveras Power Station were located within the city limits of San Antonio, except as limited by the provisions of this Agreement. City shall provide these Services beginning on May 15, 2009 and ending on April 30, 2021, unless one of the parties terminates this Contract earlier than that date pursuant to the provisions of this Agreement."

II. REMAINDER OF AGREEMENT UNCHANGED AND IN FULL FORCE AND EFFECT

- 2.1** Except as amended by Section I of this Extension, all other the terms and conditions of the Agreement shall remain unchanged and in full force and effect.

III. EFFECTIVE DATE

- 3.1** This Effective Date shall mean the latest date on which this Extension is signed by both Parties following approval of the Extension by an ordinance of the San Antonio City Council.

***** Remainder of Page Intentionally Left Blank *****
Signatures on the Following Page

EXECUTED and AGREED TO by the Parties this the 30th day of April, 2020, to be effective as of the date set forth above.

CITY OF SAN ANTONIO

CITY PUBLIC SERVICE BOARD

By: _____
City Manager or Assistant City Manager
City of San Antonio

By: _____
Senior V.P. Power Generation

Date _____

Date 9/14/2020

Attest:

City Clerk

Approved as to Form:

Assistant City Attorney