

ORDINANCE NO. 2284

AN ORDINANCE AMENDING THE FRANCHISE AGREEMENTS WITH AVION WATER COMPANY AND ROATS WATER SYSTEM, INC. BY AMENDING THE SERVICE TERRITORY OF THE FRANCHISEES

Findings

- A. The City has, by ordinance, granted franchises to Roats Water System, Inc. (Roats) and Avion Water Company (Avion) to provide water service within specific areas in the City.
- B. Each franchise includes an Exhibit A that shows the water service territory of the franchisee.
- C. The City of Bend has entered into agreements with both Roats and Avion to transfer water service territory to the two franchisees. This will increase their service territory and the franchise agreements need to be amended to reflect the enlarged service territory.
- D. The need to coordinate several actions relating to the transfer of assets and obtain needed approvals from other governmental entities has created a need to adopt this ordinance and make it effective to avoid an inconsistency in legal obligations, which could affect the legal authority for water service in the transferred areas.

Based on these findings, **THE CITY OF BEND ORDAINS AS FOLLOWS:**

Section 1: Section 6(4) of Ordinance NS-1747 Water Service Franchise – Roats Water System, Inc., is amended to read:

Company's service to properties within the City shall be confined to the properties shown on the attached Exhibit A. Company shall not serve any other properties within the City except by written agreement with the City.

Section 2: Exhibit A to Ordinance NS-1747 is amended by deleting the Existing Exhibit A and replacing it with Exhibit A to this Ordinance.

Section 3. Section 6(4) of Ordinance No. NS-1514 Water Service Franchise – Avion Water Company is amended to read:

Company's service to properties within the City shall be confined to the properties shown on the attached Exhibit A. Company shall not serve any other properties within the City except by written agreement with the City.

Section 4. Exhibit A to Ordinance NS-1514 is amended by deleting the existing Exhibit A and replacing it with Exhibit A to this Ordinance.

Section 5. This ordinance is effective (1) 30 days after adoption or (2) when all conditions to the agreements mentioned in Recital C are met and the transfer of service areas occurs, whichever occurs last.

First Reading: December 7, 2016

Second Reading and Adoption by Roll Call: December 21, 2016

Yes: Jim Clinton, Mayor
Doug Knight
Sally Russell
Nathan Boddie

No: Barb Campbell



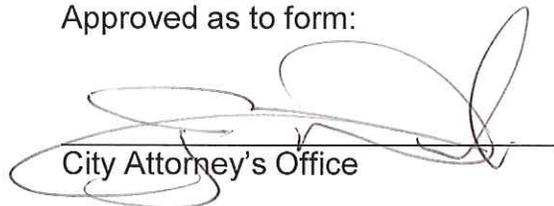
Jim Clinton, Mayor

ATTEST:



Robyn Christie, City Recorder

Approved as to form:



City Attorney's Office

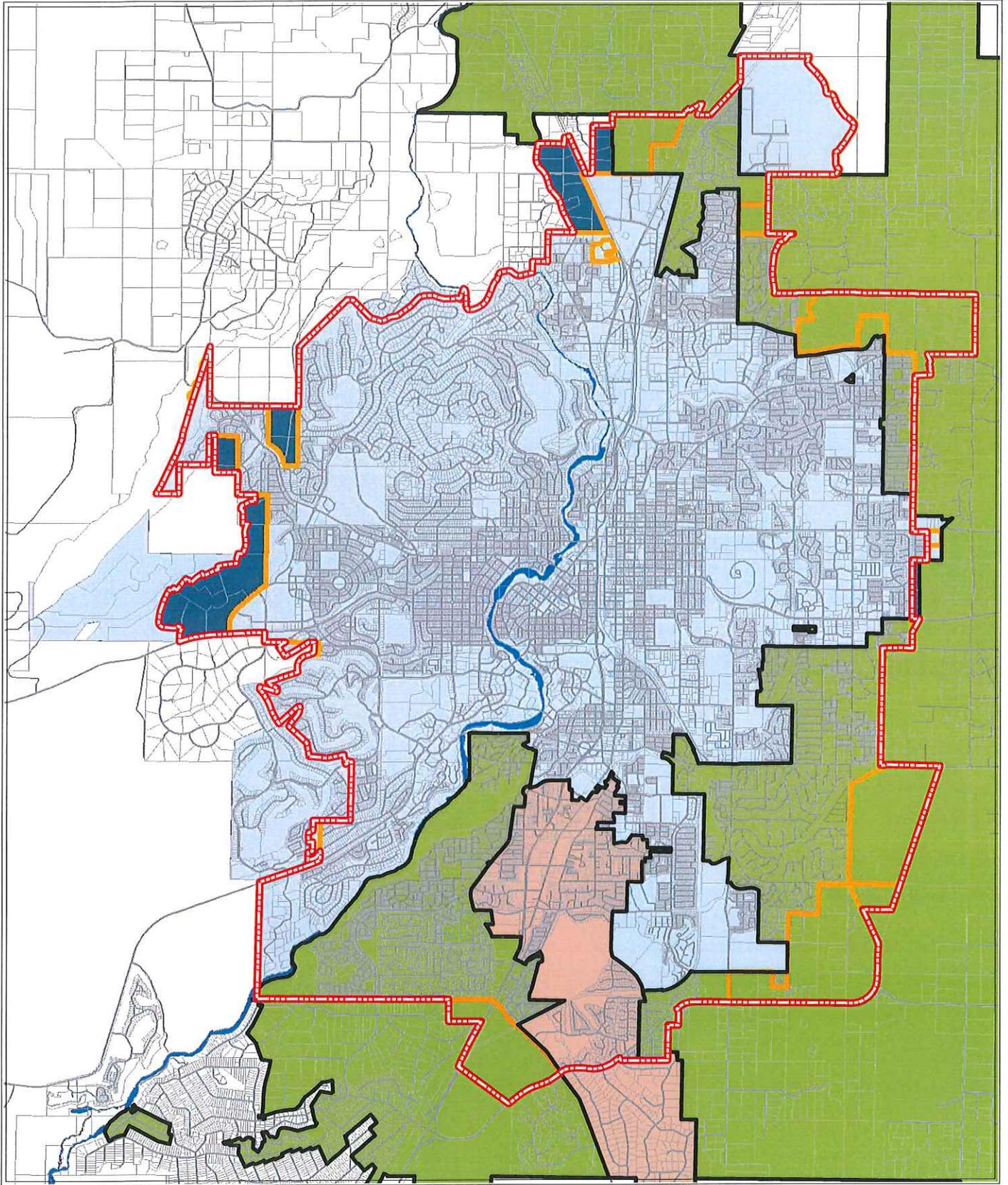


EXHIBIT - A

-  Proposed UGB Expansion
-  City Limit
-  Prop COB Service Area Add (UGB Expansion)
-  City of Bend Water Service
-  Avion Water System
-  Roats Water System

