

ORDINANCE NO. 2312

AN ORDINANCE AMENDING THE FRANCHISE AGREEMENT WITH AVION WATER COMPANY BY AMENDING THE SERVICE TERRITORY OF THE FRANCHISE

Findings

- A. The City has granted a franchise to Avion Water Company (Avion) to provide water service within specific areas in the City by ordinance No. NS-1514, last amended by NS-2284.
- B. Avion's service to properties within the City is confined to the service territory approved by the City.
- C. The Bend-La Pine School District (BLSD) is developing a site in southeast Bend for a new high school and middle school. The site is located on the Deschutes County Assessor's Tax Map as Tax Lot 1812160000100, Deschutes County, Oregon. The site address is 60925 15th Street Bend, Oregon 97702.
- D. The southern portion of the site, where the high school will be constructed, is within Avion's current water service territory. The northern portion of the site, which will eventually see the development of a middle school, is in the City's water service territory. The City Engineer has determined it is appropriate for the City to serve the northern part of the site, and for Avion to serve the southern portion of the site.
- E. The development of the site will include a new collector road between SE 15th St. and Brosterhous Road.
- F. The City is willing to expand Avion's service territory (and adjust its own) by moving the service territory boundary to the north to include the new collector road. Doing so will facilitate water service to the new high school within Avion's current service territory.
- G. The City Council finds that the expansion of Avion's service territory to facilitate water service to the high school is reasonable, and that doing so will not negatively impact the City's water utility operations or business.
- H. To adjust the service territory, an amendment to the Avion franchise agreement to expand the service territory as shown in the attached Exhibit A is required.

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

Section 1: The Avion franchise agreement is amended as shown on attached Exhibit A to include the new collector road; City staff are authorized to carry out any actions necessary to effectuate the amendment to the Avion service territory in a manner consistent with this ordinance.

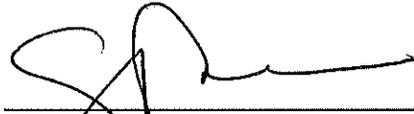
Section 2: This ordinance is effective (1) 30 days after adoption.

First Reading: August 1, 2018

Second Reading and Adoption by Roll Call: August 15, 2018

YES: Sally Russell
Bruce Abernethy
Bill Moseley
Justin Livingston
Barb Campbell

NO: none



Sally Russell, Mayor Pro Tem

ATTEST:

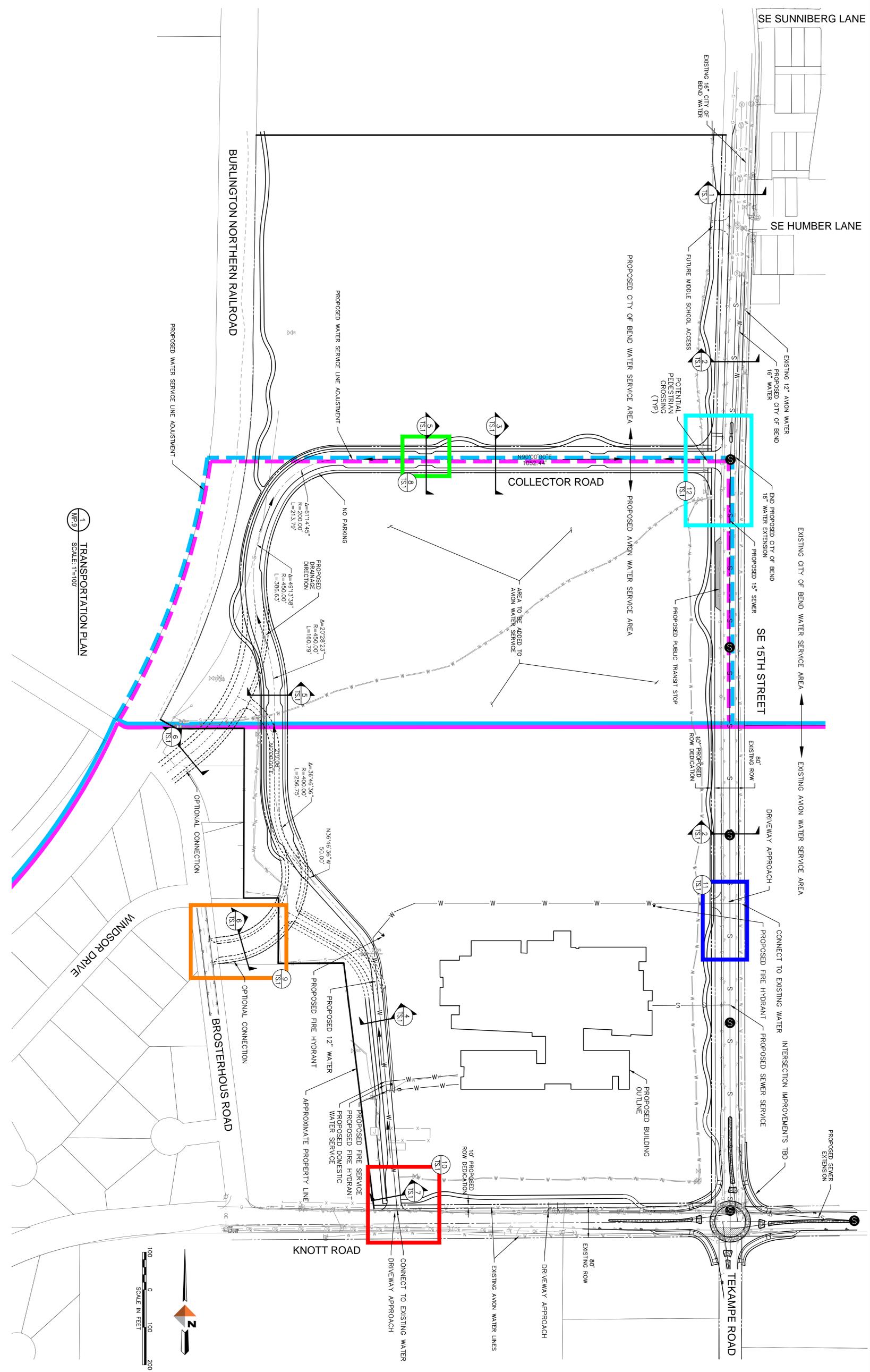


Robyn Christie, City of Bend Recorder

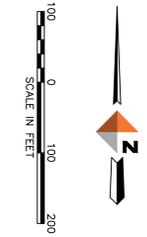
Approved as to form:



Mary A. Winters, City Attorney



1 TRANSPORTATION PLAN
MP.9 SCALE: 1"=100'



NOT FOR CONSTRUCTION

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BEND LAPINE SCHOOLS
NEW BEND HIGH SCHOOL

15TH ST & KNOTT RD
BEND, OR 97702

No.	Description	Date

Project Number 1707
Date 03/07/2018

100% SCHEMATIC DESIGN

TRANSPORTATION PLAN

MP.9