

**CITY OF FLORENCE
RESOLUTION NO. 13, SERIES 2014**

A RESOLUTION CONSENTING TO THE ASSIGNMENT OF A WATER FRANCHISE AGREEMENT TO HECETA WATER PEOPLE'S UTILITY DISTRICT.

WHEREAS, Ordinance No. 16, Series 2010 granted to the Heceta Water District a non-exclusive franchise to operate a water utility within the City; and

WHEREAS, the entirety of Heceta Water District's territory has been transitioned to the recently formed Heceta Water People's Utility District; and

WHEREAS, as a result of the transition to the Heceta Water People's Utility District, through correspondence from the Board President dated May 15, 2014, Heceta Water District requested that the City allow the assignment of the franchise agreement to Heceta Water People's Utility District; and

WHEREAS, the franchise agreement allows for the transfer of the agreement pursuant to the following provision: "This franchise shall be binding upon and inure to the benefit of the successors, legal representatives and assigns of the Grantee; but no transfer of this franchise by merger, consolidation, sale, assignment or otherwise shall be made unless the City Council first consents by resolution."

NOW, THEREFORE, BE IT RESOLVED by the Florence City Council:

Section 1. The City Council hereby consents to the assignment by the Heceta Water District to the Heceta Water People's Utility District of the non-exclusive franchise granted by Ordinance No. 16, Series 2010. The Heceta Water People's Utility District shall hereinafter have all the rights, duties, and obligations of the franchisee under the franchise agreement.

Section 2. This resolution shall take effect upon passage by the City Council and the signature of the Mayor.

PASSED BY THE FLORENCE CITY COUNCIL, this 7th day of July, 2014.


Nola Xavier, MAYOR

ATTEST:


Kelli Weese, CITY RECORDER