RESOLUTION NO. 2006-22

A RESOLUTION PLACING ALL INCREASES IN THE TILLAMOOK PEOPLE'S UTILITY DISTRICT FRANCHISE FEE REVENUE INTO THE STREET FUND

WHEREAS, the City of Garibaldi pursuant to ORS 221.140, 221.475 and 758.470 has the legal authority to regulate publicly owned rights-of-way under its control and grant franchises and/or impose charges upon publicly and privately owned suppliers of utility services, and

WHEREAS, the City has historically charged a 2% franchise fee to the Tillamook People's Utility District ("District") that has been received through the City's General Fund, and

WHEREAS, the City has determined that a franchise fee rate increase of 3% is necessary to fund the asphalting of deteriorating city streets, and

WHEREAS, the City most recently, through Ord. No. 296, granted a five-year franchise to the District, NOW THEREFORE

THE COMMON COUNCIL OF THE CITY OF GARIBALDI RESOLVES AS FOLLOWS:

Section 1. Sixty percent (60%) of all District franchise fees shall be received by the Street Fund.

Section 2. Forty percent (40%) of all District franchise fees shall remain in the General Fund.

Section 3. This resolution shall take effect concurrently with Ordinance No. 296.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR, this 18th day of December 2006.

Everett M. Brown, Mayor

ATTEST:

John O'Leary, City Recorder