RESOLUTION 2014-21

A RESOLUTION OF THE GARIBALDI CITY COUNCIL ENTERING INTO A UTILITY ENCROACHMENT PERMIT AGREEMENT WITH THE PORT OF TILLAMOOK BAY FOR THE INSTALLATION OF A WATER MAIN

WHEREAS, the City of Garibaldi desires to construct a water main line between the City of Garibaldi and the Watseco-Barview Water District for the purpose of providing potable water to the district; and

WHEREAS, the City of Garibaldi requires the use of real property owned and managed by the Port of Tillamook Bay for the placement of said water main line; and

WHEREAS, the Port of Tillamook Bay has agreed to allow the installation of said water line per the terms of an agreement attached to this resolution as **Exhibit A**; and

WHEREAS, this agreement is made pursuant to ORS 190.010, which provides that units of local government may enter into agreements for the performance of any and all functions and activities that any party to the Agreement, or its officers or agents, has the authority to perform; and

WHEREAS, the Garibaldi City Council has reviewed and approves of this agreement;

NOW, THEREFOR, THE COMMON COUNCIL OF THE CITY OF GARIBALDI RESOLVES AS FOLLOWS:

Section 1. The Garibaldi City Council hereby authorizes the City Manager to prepare the Utility Encroachment Permit Agreement with the Port of Tillamook Bay, which is attached as **Exhibit A** and incorporated by reference into this resolution, for recording with the Tillamook County Clerk.

Section 2. The Mayor is hereby authorized to sign the Utility Encroachment Permit Agreement on behalf of the City of Garibaldi.

Section 3. This resolution is effective upon passage by the Garibaldi City Council.

PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR, this 25th Day of August, 2014.

Hon. Suzanne McCarthy, Mayor

ATTEST:

John O'Leary, City Manager

Exhibit A – Utility Encroachment Permit Agreement