

RESOLUTION NO. 1431

**A RESOLUTION APPROVING A FRANCHISE AGREEMENT BETWEEN THE CITY OF CENTRAL POINT AND ROGUE VALLEY SEWER SERVICES.**

**RECITALS:**

1. The City of Central Point holds rights-of-way in trust for the public and has the responsibility and home-rule authority to manage and conserve the capacity of such rights-of-ways.
2. The City of Central Point is authorized by Chapter 221 of the Oregon Revised Statutes, the City of Central Point Charter and the Central Point Municipal Code to regulate, and receive compensation from, utilities occupying right-of-way within the City.
3. In *Rogue Valley Sewer Services v. City of Phoenix*, (SC-S062277: July 16, 2015), the Oregon Supreme Court upheld the authority of home-rule municipalities to impose a franchise fee or privilege tax on special districts defined by Oregon Revised Statute Chapter 450 (Sanitary Districts and Authorities; Water Authorities).

**Section 1. Franchise Agreement Adopted by City Council:** The Franchise Agreement between the City of Central Point and Rogue Valley Sewer Services is hereby adopted by the City Council and approved for signature by the City Manager.

13<sup>th</sup> Passed by the Council and signed by me in authentication of its passage this  
day of August, 2015



Mayor Hank Williams

ATTEST:



City Recorder