

RESOLUTION NO. 433

A RESOLUTION PROPOSING THE SUBMISSION TO THE LEGAL VOTERS OF THE CITY OF BROOKINGS, OREGON, AN AMENDMENT TO THE CHARTER OF SAID CITY BY ADDING A NEW AND ADDITIONAL CHAPTER TO BE KNOWN AS CHAPTER XVII, AUTHORIZING THE COUNCIL OF SAID CITY TO ISSUE BONDS OF SAID CITY IN AN AMOUNT NOT TO EXCEED \$3,200,000.00 TO PROVIDE FUNDS WITH WHICH TO ACQUIRE, CONSTRUCT AND PROVIDE A SEWAGE DISPOSAL PLANT FOR THE CITY OF BROOKINGS TOGETHER WITH INTERCEPTING SEWERS, OUT-FALL SEWERS, PUMPING STATIONS, PRESSURE LINES AND EQUIPMENT NECESSARY, PROVIDING THAT THE DEBT LIMITATION OF THE CITY CHARTER SHALL NOT APPLY TO SAID BONDS, AUTHORIZING THE CITY TO CONSTRUCT AND MAINTAIN A SEWAGE DISPOSAL PLANT AND THE OTHER FACILITIES HEREIN MENTIONED TO PROVIDE FOR THE PAYMENT OF SAID BONDS, BOTH AS TO PRINCIPAL AND INTEREST, FROM TAXES, AUTHORIZING THE CITY TO SECURE FEDERAL AID, LOANS OR GRANTS TO PAY A PART OF THE COST OF SUCH SEWAGE DISPOSAL PLANT, AND DECLARING AN EMERGENCY FOR THE IMMEDIATE ADOPTION OF THIS RESOLUTION.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BROOKINGS, OREGON;

That the following Charter amendment to the Charter of the City of Brookings be and the same hereby is proposed for submission to the legal voters of said City for the adoption or rejection and that the same shall be filed with the City Recorder upon its adoption by the Council and approval by the Mayor.

CHARTER AMENDMENT

SUBMITTED AND REFERRED TO THE LEGAL VOTERS OF

THE CITY OF BROOKINGS, OREGON

AN ACT

To amend the Charter of the City of Brookings, Oregon, which was adopted by a vote of the people on August 7, 1954, to provide for the issuance and sale of bonds of the City of Brookings in an amount not to exceed \$3,200,000.00, which bonds shall be payable both as to principal and interest from taxes levied on taxable property within the City and from rates and charges as herein provided, for the purpose of providing funds with which to acquire, construct and provide a sewage disposal plant for the City of Brookings, authorizing said City to construct and maintain a sewage disposal plant, intercepting sewers, out-fall sewers, pumping stations, pressure lines and all equipment necessary therefor, all for the City of Brookings, providing that the debt limitation of said city shall not apply to and of said bonds.

BE IT ENACTED by the people of the City of Brookings, Oregon:

That the Charter of said City of Brookings be and the same hereby is amended by adding a new and additional chapter to be known as Chapter XVII to read as follows:

CHAPTER XVII

Section 1. For the purpose of providing funds with which to acquire, construct and maintain a sewage disposal plant for the City of Brookings, construct intercepting sewers, out-fall sewers, pumping stations, pressure lines and to purchase all equipment necessary therefor, all for the City of Brookings, and for the purposes, necessities, uses and conveniences of said City of Brookings and the inhabitants thereof, the Council of the City of Brookings is hereby authorized and empowered to issue and sell bonds of said City in an amount not to exceed \$3,200,000.00 notwithstanding any debt limitation or restriction now contained or provided in or by the Charter of the City of Brookings or any amendments thereof. The debt limitations or restrictions contained in or provided by the Charter of the City of Brookings or amendments thereof, may incur, or any provision or amendment of said Charter regulating the issuance and sale of bonds, shall not apply to the bonds hereby authorized or the indebtedness created by the issuance of such bonds.

Section 2. Said bonds shall be payable as to both principal and interest from taxes levied upon the taxable property within the corporate limits of the City of Brookings and from rates and charges established from time to time by the City Council. The bonds to be issued hereunder shall be known as "City of Brookings Sewage Disposal Bonds, Series of 1988". Said bonds shall be negotiable in form. The Council shall prescribe, fix and determine the form, date or dates, denomination or denominations, date or dates of maturity, rate of interest, time and place of payment of principal and interest, and all other matters not herein provided for or respecting said bonds. Said bonds shall be general obligations of the City of Brookings and shall be signed by the Mayor and countersigned by the City Recorder under the corporate seal of the City of Brookings and shall be sold by the Council from time to time in such amounts as the Council may, in its judgment, determine to be necessary to provide funds for the purposes for which said bonds are to be issued. The interest coupons shall bear facsimile signatures of both the Mayor and City Recorder.

Section 3. The proceeds from the sale of said bonds shall be deposited by the City Recorder in a special fund to be known as the "Brookings Sewage Disposal Construction Fund" and shall be used for no purpose other than to construct, build, equip, own, acquire, operate and maintain within and without the corporate limits of the City of Brookings, in whole or in part, a sewage treatment disposal plant and the facilities thereof, to provide a sanitary means of disposing of the sewage of said City with all appurtenances necessary, useful or convenient for the treatment and disposal of sewage for the use and benefit of the inhabitants thereof, and to acquire rights of way, easements, personal property and real property within and without the City for said purposes, necessities, uses and conveniences, and to construct out-fall and intercepting sewers, pumping stations, pressure lines and all equipment, and for legal and engineering expense in connection therewith.

Section 4. The Council of the City of Brookings is hereby authorized to adopt plans and specifications for such sewage disposal plant, sewers, and pumping stations and to estimate the cost of the same and of such work and to enter into such contracts as shall be necessary and proper to carry on such work, or to do said work, or any part thereof, with City forces and employees and equipment; to do any and all acts or things necessary or requisite to be done to that end, and to order the cost and expense thereof to be paid from said construction funds. The Council is further authorized and empowered in behalf of the City of Brookings to apply for and obtain such Federal aid, grants, funds or assistance to aid in paying the cost of said improvements, or any part thereof.

Section 5. The Council is hereby authorized and required at the time of making the annual tax levy for city purposes each year to levy, in addition to all other taxes upon taxable property of the City, such sum as shall be necessary to meet and pay the interest on said City of Brookings Sewage Disposal Bonds, Series of 1988, and the principal of said bonds as it matures, provided that the rates and charges herein established are at any time insufficient to pay such interest and principal amounts.

BE IT FURTHER RESOLVED that for the hereinabove proposed Charter amendment the following ballot title be and the same hereby is adopted by the Council, to-wit:

CITY OF BROOKINGS BOND AMENDMENT

A Charter amendment submitted and referred to the legal voters of the City of Brookings, Oregon, by the Council of said City.

AN ACT

To amend the Charter of the City of Brookings, Oregon, by adding thereto Chapter XVII authorizing the issuance and sale of not to exceed \$3,200,000.00 in bonds of said City to provide fund with which to acquire, construct and provide a sewage disposal plant for said City, together with intercepting sewers, out-fall sewers, pumping stations, pressure lines and equipment necessary, providing that the debt limitation of said Charter shall not apply to said bonds, providing for the repayment of principal and interest of said bonds from taxes and authorizing the City to secure Federal aid, loans or grants to pay a part of the cost of such sewage disposal plant, all for the City of Brookings.

BE IT FURTHER RESOLVED that the aforesaid Charter amendment shall be filed with the City Recorder of the City of Brookings for submission to the legal voters of said City.

BE IT FURTHER RESOLVED that a special city election be held in the city of Brookings, Oregon, on the 9th day of August, 198, for the submission to the legal voters of the City of Brookings the above proposed Charter amendment for adoption or rejection.

BE IT FURTHER RESOLVED THAT:

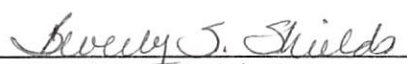
WHEREAS, the greatly increased population of the City of Brookings makes it imperative that adequate sewage disposal facilities be provided for the City and make it vitally necessary and essential to the health and well-being of the inhabitants of the City of Brookings and the City that adequate sewage disposal treatment facilities be provided, and it is necessary to provide funds therefore by the issuance of bonds, an emergency is hereby declared to exist and this Resolution may be introduced and placed upon its final passage at any one meeting of the Council and adopted at such meeting and shall be in full force and effect from and after such adoption and its approval by the Mayor.

ADOPTED by the Council and signed by the Mayor this 13TH day of JUNE, 1988.



Bob Kerr
Mayor

ATTEST:



Beverly S. Shields
City Recorder