

ORDINANCE NO. 421

AN ORDINANCE CREATING SPECIAL FUNDS FOR THE CANBY CITY LIGHT DEPARTMENT; DETERMINING THE SOURCE FROM WHICH THE SUMS SHALL COME; LIMITING THE USE THEREOF; AND DECLARING AN EMERGENCY.

WHEREAS the City of Canby, a municipal corporation of Clackamas County, Oregon, now has money on hand and accounts receivable from outstanding loans in the Light Department account of the General Fund totaling \$61,949.44 as of the 1st day of December, 1958 and which said funds have accumulated over a period of time from the sale by the City to its residents of electricity, and

WHEREAS it is required, according to the terms and conditions of an agreement between the City of Canby and the Bonneville Power Administration, from whom the City purchases electrical power, that a reserve of money shall be set aside from the profits derived by the City's Light Department from the resale of electricity and said fund to be maintained for the sole purpose of defraying the costs that would arise to the City and its Light Department in the event of a disaster, calamity or accident which would destroy or seriously damage the City's Light Department facilities, and

WHEREAS it is deemed prudent by the Common Council for the City of Canby and to be in the best interests of the residents of the City of Canby that a long range financing program be commenced to provide for the future expansion and further development of the City's Light Department so that the electrical energy and power needs of a growing community can be adequately provided for, now therefore,

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1: In addition to any other funds heretofore created and which may now exist two (2) separate funds for money are hereby created for the City's Light Department. One fund shall be known as "LIGHT DEPARTMENT DISASTER FUND", and the other

fund shall be known as "LIGHT DEPARTMENT BUILDING AND EXPANSION FUND".

Section2: LIGHT DEPARTMENT DISASTER FUND

A. This Fund shall consist of an initial sum of \$45,000.00 which shall be transferred to the account of said Fund from money now on hand in the City's Light Department General Fund account. All increases of the Fund accruing from interest, dividends or other earnings shall remain a part of the Fund; and the City Council may, by resolution, appropriate from time to time from other sources or funds then available for such purpose additional sums for transfer and deposit to this Fund.

B. The said Fund shall be used only for the following purposes and the need for such use shall be determined by resolution of the Canby City Council:

a. Planning, repairing, reconstructing, rebuilding, restoring, renewing or remodeling any or all of the facilities which are a part of the City's Light Department, including, though not exclusively, poles, transmission lines, transformers, meters, tools, repair parts, equipment, apparatus, real property (including easements and rights of way) and any other kind of property which is connected with or incidental to the use and operation of said facilities, and all of which is hereinafter referred to as the "facilities", and which may be injured, destroyed or damaged either directly or indirectly as the result of fire, floods, storms, war, riots, power overloads or the acts of any person or persons whomsoever, or by any other cause whatsoever.

C. The said Fund shall be deposited to an interest paying savings account in such bank or other depository as the City Council may approve; provided however that the Council may by resolution from time to time direct the investments of said Fund, or any part thereof, in those classes of securities as set forth in Oregon Revised Statutes 294.035

Section 3: LIGHT DEPARTMENT BUILDING AND EXPANSION FUND

A. This Fund shall consist of an initial sum of \$1,000.00 which shall be transferred to the account of said Fund from money now on hand in the City's Light Department General Fund account. All increases of the Fund accruing from interest, dividends or other earnings shall remain a part of the Fund. Any and all sums of money heretofore loaned from the Light Department Funds to the City Fire Department and/or City Street Department shall be credited to and become a part of this Fund upon repayment. In addition the sum of \$250.00 shall be paid into the said Fund each month, commencing with the first month immediately following the final passage and adoption of this Ordinance. The said monthly sum shall be applied to the Fund from the monthly earnings and general receipts of the Light Department, and the monthly application of said sum to said Fund shall continue until terminated or changed by resolution of City Council.

B. Except with respect to investments of the Fund it shall be used only for the following purposes and the need for such use shall be determined by resolution of the City Council:

a. Planning, constructing, reconstructing, repairing, remodeling and expanding any or all of the said "facilities" which are now or may in the future become a part of the City's Light Department.

b. Purchasing equipment and apparatus (including office equipment), and real property (including easements and rights of way), which are in the nature of a capital asset and necessary for the expansion and further development of the City's Light Department and its said "facilities".

C. The said Fund and its accumulations shall be

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deposited and kept in an interest paying savings account in such bank or other depository as the City Council may approve; provided however, that the Council may by resolution, loan on interest from time to time the said Fund or any part thereof to other Departments of the City of Canby, providing such loans are for short terms and adequate measures are taken by the Council to insure repayment of said loans; and provided also, that the Council may from time to time, by resolution, direct the investment of said Funds, or any part thereof, in those classes of securities as set forth in Oregon Revised Statutes 294.035.

Section 4: The City Recorder and City Treasurer for the City of Canby shall do all things necessary for the creation of accounts for the said Funds, and they shall cause the transfer of money to be made to said accounts as herein provided and shall make all necessary bookkeeping entries in the records and files of their respective offices and as may be required to clearly show the establishment of said Funds and the amounts thereof.


Section 5: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section 6: It being deemed by the Council for the City of Canby that an emergency exists, this Ordinance shall take effect immediately upon its final passage and approval by the Mayor.

Passed on its first reading at a regular meeting of the Canby City Council held on the 15th day of December, 1958; ordered posted in three public and conspicuous places in the City of Canby for a period of two (2) full calendar weeks as required by the Canby City Charter, and to come up for final reading and action at the regular meeting of the City Council to be held on the 5th day of January, 1959.

ATTEST:


BERTHA E. DEDMAN - Mayor


F. G. LAWRENCE - City Recorder

Passed on final reading this 5th day of January, 1959 by

the following vote:

YEAYS 6

NAYS 0

Approved by the Mayor for the City of Canby this 5th
day of January, 1959.

Geo. W. Irvine

- Mayor

ATTEST:

F. G. Lawrence

F. G. LAWRENCE - City Recorder