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**DECLARATION
of
COUNCIL DISTRICTS AND POSITIONS
for the
CITY OF NEWBERG**

CITY OF NEWBERG
CITY RECORDER INDEX NO. 1505

I, **Peggy R. Hall**, am the duly appointed City of Newberg Elections Officer. I hereby certify that on July 8, 1996, the Newberg Council adopted the following:

- Ordinance No. 96-2446 providing for a transition plan pursuant to Initiative Measure No. 36-38 establishing a six (6) member Council in lieu of the existing eight (8) member Council and providing that Councilmembers be nominated from districts in which they reside.
- Resolution No. 96-1981 assigning Council positions to districts.

Therefore, effective July 8, 1996, the following positions and districts are hereby assigned:

POSITION NO.	DISTRICT NO.	YAMHILL COUNTY VOTER PRECINCT NO.
Position #1	District #1	Precinct #4
Position #2	District #2	Precinct #3
Position #3	District #3	Precinct #5
Position #4	District #4	Precinct #36
Position #5	District #5	Precinct #2
Position #6	District #6	Precinct #31

Copies of Ordinance No. 96-2446 and Resolution No. 96-1981 are attached hereto.

DATED this 11th day of July, 1996.


Peggy R. Hall, Elections Officer

CERTIFICATE OF POSTING
DECLARATION
of
COUNCIL DISTRICTS AND POSITIONS
for the
CITY OF NEWBERG

I, **Peggy R. Hall**, Elections Officer, City of Newberg, hereby acknowledge that I personally posted the DECLARATION OF COUNCIL DISTRICTS at the following locations on July 12, 1996:

Newberg City Hall, 414 E. First Street, Newberg, Oregon

Newberg Fire Station, 414 E. Second Street, Newberg, Oregon

Newberg Public Library, 503 E. Hancock Street, Newberg, Oregon

Newberg Legal Department\Mayor's Office\Municipal Court, 115 S. Howard Street, Newberg, Oregon

Newberg Community Development Department, 719 E. First Street, Newberg, Oregon

DATED this th12 day of July, 1996.


Peggy R. Hall, Elections Officer

RESOLUTION NO. 96-1981

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWBERG ASSIGNING EACH COUNCIL POSITION TO A DISTRICT WHICH COINCIDES WITH VOTER PRECINCTS WITHIN THE CITY OF NEWBERG AND ASSIGNING THE POSITIONS THAT WILL BE ELECTED AT THE NOVEMBER, 1996 BIENNIAL GENERAL ELECTION.

RECITALS:

1. Initiative Measure 36-38 which was passed by the voters on May 21, 1996 established a six (6) member City Council nominated from districts and elected at large, in lieu of the existing eight (8) member Council.
2. The Measure specified that each Councilmember shall serve to the end of their present term and that the districts shall coincide with the present City voter precinct districts.
3. Four (4) Councilmember terms expire on December 31, 1996.
4. Three (3) Council positions shall be elected at the November, 1996 biennial general election and the elected members shall take office on January 1, 1997 for four (4) year terms.
5. On December 1st, 1998, the remaining four (4) Councilmembers terms shall expire. In the November, 1998 biennial general election, three (3) Council positions will be elected to begin a four (4) year term on January 1, 1999.
6. Beginning January 1, 1999, the Council shall consist of six (6) members and the transition from an eight (8) member Council to a six (6) member Council shall be completed.
7. The Council has considered a method of assigning Council positions to districts.
8. The Council has instructed the staff to prepare ORDINANCE NO. 96-2446 providing for a transition plan.
9. The Council has considered options that would assign the three (3) Council positions to three (3) districts which would be placed on the ballot at the November, 1996 biennial general election.

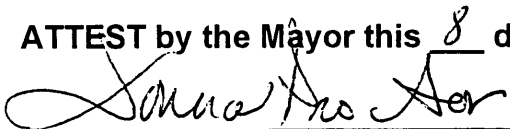
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newberg, Oregon, as follows:

1. The three (3) Council positions that will be placed before the voters at the November, 1996 biennial general election shall be assigned to three (3) districts by randomly selecting the three (3) districts from the four (4) voter precincts in which there are no continuing Councilmembers residing after conclusion of the four (4) terms of the present Councilmembers whose terms expire on December 31, 1996.
2. The random selection shall be done by drawing lots. The City Recorder or his/her designee shall prepare lots consisting of slips of paper or similar uniform objects, each containing the number of one (1) of the four (4) voter precincts that have no continuing Councilmembers in office after December 31, 1996 (voter precincts numbers NO. 3, NO. 4, NO. 5 and NO. 31). The slips of paper or objects shall be placed in a receptacle and the Chief of Police shall draw therefrom three (3) of the slips of paper or objects in succession. The first voter precinct drawn shall be assigned to Position #1 - District #1 for the City of Newberg. This shall be repeated in succession until all three (3) positions are assigned to districts.
3. The remaining three (3) positions shall be assigned as follows:
 - Position #4 - District #4 is assigned to Yamhill County Voter Precinct #36
 - Position #5 - District #5 is assigned to Yamhill County Voter Precinct #2
 - Position #6 - District #6 shall be assigned to the Yamhill County Voter Precinct which was not chosen in the above drawing lots.
4. Positions # 1, #2 and #3 shall be placed on the ballot for the biennial general election in November, 1996.

ADOPTED by the Newberg City Council this 8th day of July, 1996.


Duane R. Cole, City Recorder

ATTEST by the Mayor this 8 day of July, 1996


Donna Proctor, Mayor

DESIGNATION BY CITY RECORDER
PARTICIPATE IN DRAWING OF LOTS
FOR COUNCIL POSITIONS
PURSUANT TO INITIATIVE MEASURE 36-38

The City Manager of the City of Newberg is the City Recorder. As such, the City Recorder hereby designates the Chief Petitioner's of Initiative Measure 36-38 to participate in the drawing of lots with the Chief of Police to assign positions one (1), two (2) & three (3) to districts which coincides with the voter precincts in the City of Newberg.

Such drawing shall take place at the July 8th, 1996 Council meeting. The Chief Petitioner's on the Initiative Petition are:

Jim Morrison, 1717 East Sheridan Street, Newberg, Oregon
Anne Navetta, 709 East Sheridan Street, Newberg, Oregon

I would like to welcome their participation in this historic event as Newberg assigns its Council positions to districts and thank them for their participation in this ceremony.



Duane R. Cole, City Manager and City Recorder

7/8/1996
Date

ORDINANCE NO. 96-2446

AN ORDINANCE TO PROVIDE FOR A TRANSITION FROM THE PRESENT EIGHT (8) MEMBER COUNCIL TO A SIX (6) MEMBER COUNCIL WHICH IS NOMINATED FROM DISTRICTS AND ELECTED BY THE CITY AT LARGE AND DECLARING AN EMERGENCY.

RECITALS:

1. On May 21st, 1996, the voters of the City passed Initiative Measure 36-38 which amends the City Charter by establishing a six (6) member City Council nominated from districts and elected at large in lieu of the existing eight (8) member Council.
2. Three (3) of the Council positions shall be elected at the November, 1996 biennial general election. The filing deadline for that election is August 19th, 1996.
3. This ordinance is adopted to provide for an immediate implementation of the Initiative Measure in order to give time for citizens to place in nomination candidates names for the general election.
4. A more complete ordinance shall be presented to the Council in the future which shall provide for a nomination procedure, time and manner of holding elections, and other related matters, and penalties for violation thereof.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWBERG AS FOLLOWS:

Section One. ORDINANCE NO. 1027 Remains in Effect. ORDINANCE NO. 1027 which provides for a method of the nomination of candidates for municipal office, the time and manner of holding elections and penalties for violation thereof, shall remain in full force and effect except where specifically changed by the wording of this ordinance.

Section Two. Qualifications for Councilmembers. No person shall be eligible to fill the position of Councilmember of the City unless at the time of the election, such person is a qualified voter within the meaning of the State Constitution and has resided in the City for at least one (1) year immediately preceding the election. The Councilmember

must have and maintain their residence in the district from which they were nominated during the term of their office except as for provided for in reapportionment.

Section Three. Nomination Procedure for Councilmember Positions. Candidates for a position of City Council member shall be nominated by a petition for nomination for that position which shall be signed by and contain the valid signatures of not less than twenty-five (25) qualified, legal voters of the State of Oregon whose residence is within the district assigned to the position for which the candidate is being nominated.

Section Four. Qualification for Nominators for City Council Position. No person shall be qualified to sign a certificate of nomination as provided herein unless such a person is at the time of signing a legal voter of the State of Oregon and resides in the district to which the position has been assigned.

Section Five. Petition for Nomination for Council Positions and Circulator's Verification Form. The petition for nomination including the circulators verification which is attached and by this reference incorporated shall be substantially the form of the petition for nomination.

Section Six. EMERGENCY CLAUSE. The Initiative Measure 36-38 was placed before the voters at the May 21, 1996 general primary election. The Measure was originally reported to have failed. The County Clerk requested that the City request a recount due to misprint of the ballot. This Measure was subject to a recount on July 2, 1996. The Measure has been proclaimed to have passed. There are three (3) Council positions that will be placed before the voters at the November, 1996 biennial general election. In order to be placed on the ballot, the nomination petitions must be submitted to

the City no later than August 19, 1996. This ordinance needs to take immediate effect in order for citizens of the City to have a reasonable time to consider whether to be a candidate for the City Council position, to consider whether to nominate a citizen for a Council position and to gather the necessary signatures for such a nomination. Therefore, an emergency does exist and it is necessary for the immediate preservation of peace, health and safety of the City in order to provide for a reasonable time for candidates to be selected for the City Council positions, and that this ordinance has full force and effect immediately upon passage.

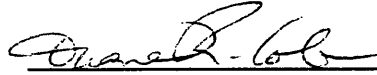
ADOPTED by the Newberg City Council this 8 day of July, 1996, by the following votes (requires six (6) affirmative votes):

AYE: 8

NAY: -0-

ABSENT: -0-

ABSTAIN: -0-



Duane R. Cole, City Recorder

ATTEST by the Mayor this day 8 of July, 1996.



Donna Proctor, Mayor

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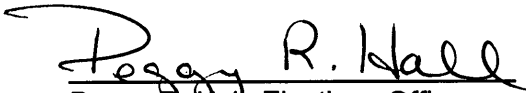
CANVASS OF VOTES
OF RECOUNTS HELD ON
JUNE 11, 1996 AND JULY 2, 1996
by
Peggy R. Hall
City of Newberg Elections Officer
of the
CITY OF NEWBERG ELECTION RESULTS
Primary Election: May 21, 1996

I, Peggy R. Hall, am the duly appointed City of Newberg Elections Officer, and I have reviewed and canvassed the certified true copy of the abstract of the May 21, 1996 City of Newberg Election results received from the Yamhill County Clerk's Office on June 11, 1996 and July 2, 1996. There were four ballot measures presented to the voters of the City of Newberg as follows:

Ballot No.	Title	Yes	/	No	Pass/Fail
36-35	Shall the City issue \$7,785,000 of general obligation bonds to remodel and construct City facilities?	1189	/	1619	Failed
36-36	Shall Newberg collect \$1.50/month per meter equivalent between July, 1996 through June, 2004, to purchase fire vehicles/rescue equipment?	1408	/	1403	Passed
36-37	Shall all future annexations (including delayed), unless mandated by law, require a majority vote of the electors to be valid?	1491	/	1307	Passed
36-38	Shall the City Council be composed of six members elected at large, but nominated from districts in which they reside?	1534	/	1220	Passed

Copies of the abstracts of the June 11, 1996 and July 2, 1996 recounts are attached hereto.

DATED this 2nd day of July, 1996.


Peggy R. Hall, Elections Officer

YAMHILL COUNTY, OREGON

May 21, 1996 Primary Election

RECOUNT SUMMARY

Measure 36-35 City of Newberg Facility Remodeling Bonds

PREC NUM	YES	NO	OVER- VOTE	UNDER- VOTE	REJECT BALLOT	TOTAL
2	251	241	0	32	0	524
3	157	247	0	9	0	413
4	163	228	1	8	0	400
5	205	302	0	20	0	527
31	179	292	1	21	0	493
36	234	309	0	9	0	552
						0
TOTA	1,189	1,619	2	99	0	2,909

Oliver Bannock
Chairperson

Norman H. Smith
Chairperson

Eva Little
Patricia Schrader

Pat Handberg
G. Boudreau

Emelyn Bach

David Payne

Date June 11, 1996

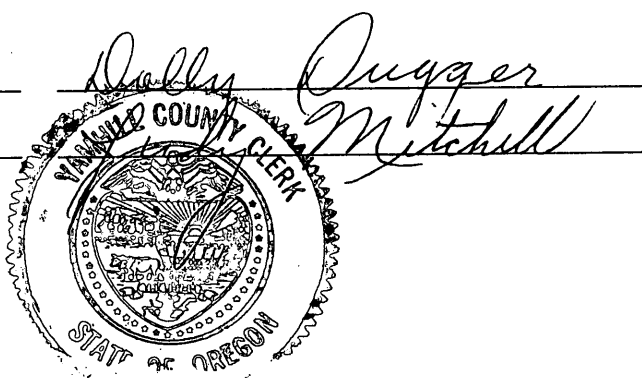
RECOUNT
July 2, 1996

Patricia Schroeder
 Richard Bennett
 CERTIFIED TO BE A TRUE COPY OF THE
 ORIGINAL
 BY CHARLES STERN, CO. CLERK
 DEPUTY

YAMHILL COUNTY CLERK
 STATE OF OREGON

Kelly Dwyer
 Rudy Mitchell

RECOUNT
July 2, 1996



RECOUNT
July 2, 1996

DEPUTY