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R E S O L U T I O N

WHEREAS the water supply and distribution system of the City of Newberg, Oregon is in need of improvement and increased storage capacity and also additional and improved sources of supply and increased water treatment facilities and means of distribution and the storage, distribution and treatment facilities of said City are inadequate to provide for emergency requirements or future expansion and the entire water system of said City is presently inadequate to provide properly for the people of said City; and

WHEREAS it is necessary that said water supply and distribution system and the facilities thereof and the sources of supply of water, be improved, replaced and increased and that present storage facilities be revised and new and additional storage and transmission facilities be installed and additional sources of supply and water treatment plant facilities be provided and installed; and

WHEREAS it is also necessary that sites and tracts of land should be acquired by said City by purchase or condemnation or otherwise for use in connection with the aforesaid water supply and distribution system; and

WHEREAS it is necessary and desirable that the Charter of the City of Newberg, Oregon be amended so as to provide for the procurement of funds sufficient to defray the cost of the expansion, revision, improvement and repair of the water supply, distribution, storage and treatment system aforesaid and for the development and improvement of present sources of water supply and the acquisition and development of new sources of water supply and for the procurement of necessary sites and tracts of land as aforesaid; and

WHEREAS at the request of the Council of the City of Newberg, Oregon, Carl E. Green and Associates, Consulting Engineers of

510 Henry Building, Portland 4, Oregon have conducted a survey and investigation of the above described project and have prepared and submitted to the Council a general description thereof and a plan for the improvement of the water supply and distribution system of said City in accordance with the foregoing requirements, together with estimates of the cost thereof and that said estimates amount to the total sum of \$ 425,000.00

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEWBERG, YAMHILL COUNTY, STATE OF OREGON, that the following proposed amendment to the Charter of the City of Newberg, Oregon, as amended August 4, 1950 and August 22, 1955 be and the same hereby is proposed for submission to the legal voters of said City for their adoption or rejection at a special City Election to be held on the 12th day of October, 1959, as in this Resolution provided;

CHARTER AMENDMENT SUBMITTED
TO THE VOTERS BY THE COUNCIL

An Act

To amend the Charter of the City of Newberg, Oregon being "An Act entitled an act to incorporate the City of Newberg, in Yamhill County, State of Oregon, and to repeal an act entitled "An Act to incorporate the Town of Newberg, in Yamhill County, State of Oregon, and to grant, designate and define the powers thereof, filed in the office of the Secretary of State February 21, 1889, and all acts or parts of acts in conflict herewith", filed in the office of the Secretary of State, February 10, 1893, as amended by the Legislative Assembly in 1899, 1901, 1903, and 1905, and by the legal voters at elections held on July 5, 1910, October 4, 1910, October 21, 1918, December 2, 1920, May 18, 1928, September 30, 1930, October 24, 1933, July 10, 1934, June 7, 1940, November 3, 1942, February 25, 1946, August 4, 1950 and August 22, 1955 and to amend all other amendments enacted by the Legislative Assembly or by vote of the people, by adding thereto a new chapter entitled "Chapter XII" providing for the improvement of the water supply and distribution system of the City of Newberg, Oregon by providing increased storage, distribution and treatment facilities and new and improved sources of supply of water, and sites and easements therefor

BE IT ENACTED BY THE PEOPLE OF THE CITY OF NEWBERG, YAMHILL COUNTY, OREGON, That the Charter of the City of Newberg, Oregon, being "An Act entitled an act to incorporate the City of Newberg,

in Yamhill County, State of Oregon, and to repeal an act entitled 'An Act to incorporate the Town of Newberg, in Yamhill County, State of Oregon, and to grant, designate, and define the powers thereof' filed in the office of the Secretary of State, February 21, 1889 and all acts or parts of acts in conflict herewith", filed in the office of the Secretary of State, February 10, 1893, as amended by the Legislative Assembly in 1899, 1901, 1903, and 1905, and by the legal voters at elections held on July 5, 1910, October 4, 1910, October 21, 1918, December 2, 1920, May 18, 1928, September 30, 1930, October 24, 1933, July 10, 1934, June 7, 1940, November 3, 1942, February 25, 1946, August 4, 1950 and August 22, 1955 and as amended by all amendments enacted by the Legislative Assembly or by vote of the people, be amended by adding thereto Chapter XII to read as follows:

CHAPTER XII

Section 1: For the purpose of procuring funds in an amount sufficient to acquire a new site for a water reservoir for the City of Newberg, Oregon, and to construct and install thereon a new water reservoir for the storage of water for the use of the people of said City, and to provide for the revision of the present water reservoir adjacent thereto, and to construct and install new and additional water treatment facilities and water mains for the water supply and distribution system of said City and to construct and provide a new water well and source of water supply for said City with all necessary or desirable pumping or other equipment therefor and to provide all necessary rights of way and easements necessary or desirable for the above described improvements and additions to the water supply system of said City and to provide for such repairs, replacements, additions, and improvements to the existing water supply and distribution system of said City as may be necessary or desirable to integrate the above described additions and improvements and storage facil-

ities into said water supply and distribution system and for all other purposes necessary or desirable in order to carry out the purposes hereinabove set forth including but not confined to the acquisition of sites and real property where necessary or desirable for said purposes, the Council of the City of Newberg is hereby authorized and empowered to issue and dispose of General Obligation Bonds of the said City in the sum of FOUR HUNDRED TWENTY FIVE THOUSAND AND no/100 (\$425,000.00) DOLLARS

 , in denominations of ONE THOUSAND AND NO/100 (\$1,000.00) DOLLARS each, bearing interest at the rate of not to exceed 6 per cent per annum and providing for the payment of principal and interest in annual installments during a period of twenty years, starting five years from date of issue.

Said bonds shall provide for optional redemption by the City of Newberg at any time after the expiration of ten years from the time of first maturity.

Section 2: The purchaser or purchasers of said bonds shall in no way be required to see to the proper application of the purchase money therefor.

Section 3: The Council shall each year, at the time of making the annual tax levy for City purposes, make a special additional levy of a sum sufficient to pay interest on outstanding bonds of this issue and to retire the principal thereof at maturity.

Section 4: The City of Newberg is hereby authorized and empowered to do any and all things necessary or convenient to carry out the provisions and purposes of this act.

BE IT FURTHER RESOLVED that the following Ballot Title be, and the same hereby is, adopted for the Charter Amendment hereinabove set forth, to-wit:

CHARTER AMENDMENT SUBMITTED

TO THE VOTERS BY THE COUNCIL

VOTE YES OR NO. MARK ~~XX~~ IN THE SQUARE FOR THE ANSWER VOTED FOR.

An Act

To amend the Charter of the City of Newberg, Oregon, by adding thereto Chapter XII authorizing the issuance of \$425,000.00 in General Obligation

YES

Bonds of said City to defray the cost of providing additional storage and treatment facilities, and sources of supply and means of distribution of water for the water system of the City of Newberg; and to acquire easements, and sites for such improvements to said watersystem; and for the expenditures necessary or desirable for the foregoing and to provide for the levy of a special tax to pay principal and interest on said bonds.

NO

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BE IT FURTHER RESOLVED that this Resolution for the foregoing proposed Charter Amendment submitted to the voters by the Council be filed with the Recorder of the City of Newberg, Oregon, for submission to the legal voters of said City at a special City election to be held October 12, 1959, and such special City election is hereby called to be held on said date. The polls for the receipt of ballots shall be open between the hours of 8:00 o'clock a. m. and 8:00 o'clock p. m., Pacific Standard Time, on said date. The Recorder of said City is hereby directed to publish the foregoing proposed Charter Amendment, with the foregoing ballot title and number, in full, in the Newberg Graphic, a newspaper of general circulation, printed and published in the said City of Newberg, in two weekly issues of said newspaper within 20 days immediately preceding the date of said special election and said Recorder is also directed to post a notice of said election in at least one conspicuous place in said City of Newberg, at least 10 days prior to said election date. Said notice of election shall set forth the ballot title of said proposed Charter Amendment,

the location of the polling place for voting thereon and the names of the judges and clerks of election.

BE IT FURTHER RESOLVED, that the polling place for the receipt of ballots and for voting in the aforesaid special election of the City of Newberg, Oregon shall be the Council Chambers in the City Hall of said City at First and Howard Streets, Newberg, Oregon.

BE IT FURTHER RESOLVED that the following persons shall be and they are hereby named as judges and clerks of said election:

Voting Board

Judges	Chairman	Clerks
<u>Mabel Rush</u>		<u>Bertha Graham</u>
<u>Frances Baker</u>		<u>Mary Spaulding</u>
		<u>Mrs. Clifton Parrett</u>

Counting Board

Judges	Chairman	Clerks
<u>Dorothy Wanner</u>		<u>Mildred Colcord</u>
<u>Mabel Hornibrook</u>		<u>Rose Eddens</u>
		<u>Rosa Dent</u>

ADOPTED BY the Council of the City of Newberg, Oregon, on the 8th day of September, 1959 by the following votes:

YEAS 7

NAYS 0

ABSENT 1

Submitted to the Mayor on the 8th day of September, 1959

APPROVED by the Mayor on the 8th day of September, 1959

Samuel Hester
Mayor

ATTEST:

Thomas Beatty
Recorder