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R E S O L U T I O N

WHEREAS the sewage treatment plant of the City of Newberg, Oregon is in need of modification and improvement to provide complete treatment of sewage in order to comply with the requirements of the Oregon State Sanitary Authority and said plant should be expanded in order to provide increased capacity by reason of present and expected expansion of the City of Newberg, Oregon and the sewer system of said City requires improvement by the addition thereto of a new trunk sewer and pumping station together with such sites and easements as may be necessary or desirable in connection therewith, to eliminate pollution of Chehalem Creek, a tributary of the Willamette River and to provide additional sewer service to the people of the City of Newberg and the said sewer system of said City is presently inadequate to provide properly for the people of said City or for the growth and expansion of said City; and

WHEREAS it is necessary that said sewage treatment plant be so expanded and modified and said sewer system be so improved and increased as aforesaid by the construction and installation of improvements and additions to said sewage treatment plant so as to provide for increasing the primary treatment capacity of said plant and also to provide complete sewage treatment at said plant and also by construction and installation of a new trunk sewer and pumping station and it is necessary that sites, easements, and tracts of land should be acquired by said City by purchase or condemnation or otherwise for use in connection with the aforesaid improvements and additions to said sewage treatment plant and sewer system and each of them; 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 aforesaid expansion, improvement and modification of the aforesaid

sewage treatment plant and sewer system of the City of Newberg, and for the erection and installation of additions thereto as aforesaid; and for the acquisition of sites, easements and rights-of-way 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 and modification of the sewage treatment plant and sewer 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 \$248,000.00.

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 XIII"

providing for the modification, improvement, and expansion of the sewage treatment plant and sewer system of the City of Newberg, Oregon by providing for additions thereto and for increased capacity of said sewage treatment plant and complete treatment of sewage thereat and for a new trunk sewer and pumping station, and for such sites and easements as may be necessary or desirable in connection therewith.

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 55, 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 XIII to read as follows:

#### CHAPTER XIII

Section 1: For the purpose of procuring funds in an amount sufficient to provide and pay for the construction and installation of improvements and additions to the sewage treatment plant of the City of Newberg, Oregon so as to provide for increasing the primary treatment capacity of said plant and also to provide complete sewage treatment at said plant and for the purpose of constructing and installing a new trunk sewer and sewage pumping station for said City and to provide all sites, easements and rights-of-way, necessary or desirable for the above described improvements, expansion and modification of the said sewage treatment plant of said City and

of the sewer system thereof and to provide for such repairs, replacements, additions and improvement to the existing sewage treatment plant and sewer system of said City as may be necessary or desirable to integrate the above described additions, expansions and improvements and modifications therewith and for all other purposes necessary or desirable in order to carry out the purposes hereinabove set forth, the Council of the City of Newberg is hereby authorized and empowered to issue and dispose of General Obligation Bonds of said City in the sum of \$ TWO HUNDRED FORTY EIGHT THOUSAND AND no/100 (\$248,000.00) DOLLARS, in denominations of ONE THOUSAND AND NO/100 (\$1000.00) 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 "X" IN THE SQUARE FOR THE ANSWER VOTED FOR.

An Act

To amend the Charter of the City of Newberg, Oregon, by adding thereto Chapter XIII authorizing the issuance of \$ 248,000.00

in General Obligation

Bonds of said City to defray the cost of increasing the capacity and providing for complete sewage treatment at the sewage treatment plant of said City; constructing and installing a new trunk sewer and sewage pumping station; and to acquire easements and sites for the aforesaid improvements 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.

YES

☐

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 a. m. and 8:00 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 preceeding 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		Clerks
<u>Mabel Rush</u>	Chairman	<u>Bertha Graham</u>
<u>Frances Baker</u>		<u>Mary Spaulding</u>
		<u>Mrs. Clifton Parrett</u>

Counting Board

Judges		Clerks
<u>Dorothy Wanner</u>	Chairman	<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.

Thomas Hester  
Mayor

ATTEST:

Thomas Deaty  
Recorder