

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 612

(PROPOSED AMENDMENT TO CHARTER)

AN ORDINANCE AUTHORIZING AND APPROVING AN AMENDMENT TO THE CHARTER OF THE CITY OF SHERWOOD, OREGON, BY ADDING A NEW SECTION AUTHORIZING THE CONSTRUCTION, RECONSTRUCTION, REPAIR, OPERATION AND MAINTENANCE OF ADDITIONAL WATER STORAGE AND DISTRIBUTION FACILITIES TO SUPPLEMENT THE PRE-EXISTING WATER SUPPLY SYSTEM, INCLUDING THE ACQUISITION OF LANDS FOR A RESERVOIR SITE AND EASEMENTS FOR WATER LINES, BOTH WITHIN AND OUTSIDE THE CORPORATE LIMITS OF SAID CITY; AUTHORIZING A BOND ISSUE TO FINANCE SAID ACTIVITIES; CALLING A SPECIAL ELECTION AT WHICH THE PROPOSED CHARTER AMENDMENT SHALL BE SUBMITTED TO THE VOTERS, AND DECLARING AN EMERGENCY.

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: There shall be, and there is hereby, adopted, approved and authorized an amendment to the City Charter of the City of Sherwood, Oregon, by adding a new section thereto to be numbered "256 (e)" and reading as follows:

"Section 256 (e). The City of Sherwood shall be, and it is hereby, empowered and authorized to construct, reconstruct, repair, operate and maintain additional water production and distribution facilities to supplement the pre-existing water supply system, including the acquisition of lands for a reservoir site and easements for water lines, both within and outside the corporate limits of said City, together with all necessary water lines, pumps, reservoirs, machinery, structures and other equipment and accessories necessary or desirable in connection therewith, and to sell and supply water to persons, firms and corporations both within and outside the corporate limits of the City of Sherwood; the City of Sherwood and the Council thereof shall be, and are hereby, authorized to perform any and all acts necessary and desirable to accomplish and carry out the foregoing. Without limiting the foregoing general authority, the City of Sherwood and the City Council thereof are hereby specifically authorized and empowered to do and perform the following acts:

"1. To construct, reconstruct, repair, operate and maintain itself, or to contract for the construction or reconstruction of, additional water storage and distribution facilities to supplement the pre-existing water supply system, including the acquisition of lands for a reservoir site and easements for water lines, both within and outside the city limits, and to repair, operate and maintain said water works, water pipes and all appurtenances thereof, for the purpose of supplying water to users both within and outside the city limits.

"2. To provide for the payment of costs of construction of said additional water storage and distribution system and water pipes, and the reconstruction, repair and operation and maintenance thereof together with all appurtenances. The City Council is authorized to approve, issue and sell additional water bonds in the total amount of \$520,000.00, to mature within twenty (20) years from the date thereof, and bearing interest at such rates and with such other terms and conditions as may be approved by the Council of the City of Sherwood.

"3. The City of Sherwood shall be authorized, without limitation and subject only to existing outstanding water bonds and the requirements for payment thereof, to pledge the net revenue to be derived from the operation and use of the City's water system and the sale of water therefrom and to pledge its general credit and taxing power, subject to existing outstanding bonds for which previous pledges exist, for the repayment of such bond issue.

"4. Any and all matters that may require action or approval by the City Council in connection with the authority and activities hereby authorized and/or granted, are to be approved either by ordinance or by resolution of the City Council."

Section 2: A special election is hereby called to be held on the 12th day of October, 1971, in the Council Room of the Sherwood City Hall for the purpose of submitting to the legal voters the question of approving or rejecting the foregoing charter amendment, and said election on said question shall be held in accordance with provisions of the Charter of the City of Sherwood and the applicable election laws of the State of Oregon.

Section 3: The City Recorder is hereby authorized and directed to cause to have published in the Tri-City Times, a newspaper published and of general circulation in the City of Sherwood, Oregon, notice of said election, and shall further post notices thereof in public places in the City of Sherwood, Oregon, both in the manner provided by law.

Section 4: The following persons are hereby designated to serve as clerks of the said election, who shall take an oath to support the Constitution of the State of Oregon, and of the United States and to faithfully perform the duties of said office:

CLARA KREBS, Chairman; EMILY COCHRAN; ESTHER OLSEN.

Section 5: The official ballot title for the foregoing measure as it shall appear upon the official ballot used at the special election called to be held on said 12th day of October, 1971, is hereby provided, authorized and approved as follows:

CITY OF SHERWOOD, OREGON

Charter Amendment Submitted to the Voters by the
City Council:

Vote YES or NO

51. Amendment to the Charter of the City of Sherwood adding section numbered 256 (e), authorizing construction, repair, operation and maintenance of water storage and distribution facilities supplementing pre-existing water supply system; including acquisition of reservoir site and water line easements, both within and outside the City corporate limits; authorizing a bond issue in a sum not to exceed \$520,000. to finance the same, and authorizing the pledging of the net revenue and the City's general credit and taxing power, both subject to existing bonded obligations of the City for the repayment of said bonds, including principal and interest.
- YES _____
- NO _____

Section 6: Inasmuch as the existing water lines and water facilities of the City of Sherwood are insufficient to provide an assured supply of water at all times to the present patrons of the water system, both within and outside the corporate limits of the City, and the existing storage and distribution systems are inadequate to assure recommended fire flows requirements, and to assure uninterrupted minimum domestic supply, and the entire water supply of persons dependent thereon may be seriously impaired by any delay in remedial action, and it is therefore necessary that this charter amendment be submitted to the voters of the City of Sherwood at the earliest possible date, and it is necessary for the peace, health and safety of the City that this amendment to the City Charter be submitted without delay, an emergency is hereby declared to exist, and this ordinance shall take effect immediately upon its passage by the Council and its approval by the Mayor.

PASSED: By the Council after being read by caption three times and in body once, this 8th day of September, 1971.


Marjorie Stewart, Recorder City of
Sherwood

APPROVED: By the Mayor; this 8th day of September, 1971.


Mayor - City of Sherwood