

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 770

(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 PRODUCTION AND DISTRIBUTION FACILITIES TO SUPPLEMENT THE PRE-EXISTING WATER SUPPLY SYSTEM, INCLUDING THE ACQUISITION OF LANDS FOR A WELL 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. It is necessary and in the best interests of the people of the City of Sherwood that there be submitted to the legal voters of the city at the election to be held throughout the city, including all voting precincts within the city, on September 21, 1982, the proposition hereinafter stated with respect to amendment of the City Charter.

Section 2. 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)", 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 fifth well 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 production and distribution facilities to supplement the pre-existing water supply system, including the acquisition of lands for a well 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 supply 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 \$ 216,453.00 to mature within twenty (20) years from the date thereof, 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 repaying 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 3. The question of approving or rejecting the foregoing charter amendment shall be submitted to the legal voters of the City of Sherwood at the election of September 21, 1982 in accordance with the provisions of the Charter of the City of Sherwood and the applicable election laws of the State of Oregon, for which purpose the following ballot caption, question, explanation and number to be printed upon the official ballot is prescribed:

SUBMITTED TO THE QUALIFIED VOTERS BY THE SHERWOOD CITY COUNCIL

CAPTION

Amendment to Chapter XXIV, Sec. 256, City Charter

QUESTION

Shall the City Charter be amended to authorize \$ 216,453.00 bond issue for construction of additional well and water supply facilities?

EXPLANATION

The purpose of this proposal amending the charter is to authorize construction, operation, and maintenance of additional water production and distribution facilities to supplement the existing water system, including acquisition of a new well site. The measure authorizes a general obligation bond issue in a sum not to exceed \$ 216,453.00 and pledging the net revenue and the city's general credit and taxing power, subject to existing bonded obligations, for repayment of said bonds.

MARK X OR ✓ IN THE SQUARE OPPOSITE THE ANSWER VOTED FOR:

YES ()

NO ()

Section 4. The foregoing proposition shall be submitted to the legal voters of the City of Sherwood by separate ballot, at each precinct or part thereof, in the City of Sherwood at said election of September 21, 1982.

Section 5. In all respects the conduct of the election on the foregoing propositions shall conform to the procedures established pursuant to the laws for the conduct of the elections, and the polls shall be opened at the same hour and closed at the same hour, and all other applicable provisions in accordance with the election laws of the State of Oregon.

Section 6. Notice of the foregoing proposals in form substantially as hereinafter set forth shall be given by three consecutive publications in the Tigard Times on August 31, September 2, and September 7, 1982, and by posting notices substantially in the following form at each of the following designated places, such posting to be accomplished not later than Sept. 3, 1982.

- (a) At the front door of the City Hall conspicuously exposed to the public view, Sherwood, Oregon
- (b) At the front door of the U.S. Post Office in the City of Sherwood, conspicuously exposed to public view.
- (c) At the front door of the Tualatin Rural Fire District station in the City of Sherwood, conspicuously exposed to the public view.
- (d) At least one other public place to be selected by the City Recorder, conspicuously exposed to public view.

The City Recorder is directed to cause to have published and posted said notice and shall file in the records of said election an affidavit of posting in usual form prior to September 10, 1982.

The form of notice shall be substantially as follows:

NOTICE OF CHARTER AMENDMENT ELECTION

Notice is hereby given that pursuant to Ordinance No. 770 enacted by the City Council of Sherwood on Aug. 11, 1982 at the election date of September 21, 1982 between the hours of 8:00 o'clock A.M. and 8:00 o'clock P.M. there will be submitted to the qualified voters of the City of Sherwood for their approval or rejection, the following proposition:

Submitted to the qualified voters by the Sherwood City Council

CAPTION

Amendment to Chapter XXIV, Sec. 256, City Charter

QUESTION

Shall the City Charter be amended to authorize \$ 216,453.00 bond issue for construction of additional well and water supply facilities?

EXPLANATION

The purpose of this proposal amending the charter is to authorize construction, operation and maintenance of additional water production and distribution facilities to supplement the existing water system, including acquisition of a new well site. The measure authorizes a general obligation bond issue in a sum not to exceed \$ 216,453.00 and pledging the net revenue and the city's general credit

and taxing power, subject to existing bonded obligations,
for repayment of said bonds.

MARK X OR ✓ IN THE SQUARE OPPOSITE THE ANSWER VOTED FOR:

YES ()

NO ()

The polling places in the City of Sherwood for purposes
of this election will be those designated by the County
Clerk or Elections Officer.

WITNESS my hand and the seal of the City of Sherwood, Oregon
this ___ day of _____, 1982.

CITY RECORDER

Section 8. The City Council of the City of Sherwood deems it necessary for the City
of Sherwood, or any officer thereof, to furnish election pamphlets con-
taining the text of the propositions or arguments in support of or in opposition to
the propositions.

Section 9. The City Recorder be and she is hereby authorized and directed to cause
the county elections officer to have ballots prepared in due and legal
form as herein prescribed, to appoint an election board, and to furnish to the elec-
tion board a proper ballot box and all necessary election materials, and to take any
and all other and further actions necessary to conduct this election in accordance
with the laws regulating and governing elections.

Section 10. It is necessary for the preservation of the public peace, health and
safety of the people of the City of Sherwood that this ordinance take
effect immediately in order that the charter amendment proposal may be properly
submitted to the people of the City of Sherwood at the statutory election date of
September 21, 1982, and therefore an emergency is hereby declared to exist.
This ordinance shall be effective upon its passage by the Council and signature
by the Mayor.

PASSED:

By the Council, by unanimous vote of all
Council members present, after being read three
times by caption, this 11 day of August, 1982.



Polly Blankenbaker
City Recorder of the City of Sherwood, Oregon

APPROVED:

By the Mayor this 11 day of August, 1982.



Clyde List
Mayor