

RESOLUTION NO. 148

A RESOLUTION PROPOSING AN AMENDMENT TO THE CHARTER OF THE CITY OF STAYTON TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION WATER REVENUE BONDS IN THE AMOUNT OF \$875,000.

WHEREAS, The City of Stayton at the present time is in need of funds to expand the water distribution system of the City, and increase the water supply and filtering systems; and,

WHEREAS, The City of Stayton has made preliminary surveys and prepared prospective plans for such expansion and improvement of the water system, which will cost the City of Stayton the estimated total sum of \$875,000; and,

WHEREAS, It is deemed expedient, necessary, and proper to finance the cost and expense of constructing such water system improvement facilities by issuance and sale of negotiable general obligation revenue bonds of said City in an amount of not more than \$875,000, and by levying and collecting of monthly water user charges within and without said City; now therefore,

BE IT RESOLVED That the following proposed Charter amendment to the Charter of the City of Stayton, Oregon be submitted to the people of the City of Stayton for their approval or rejection:

CHARTER AMENDMENT SUBMITTED TO THE VOTERS BY THE CITY COUNCIL

AN ACT

To amend the Charter of the City of Stayton, Marion County, Oregon, by adding a new chapter thereto authorizing said City to construct and install improvements and additions to the City of Stayton water system, and to issue or sell general obligation revenue bonds of said City in the sum of not to exceed \$875,000 to finance the costs of such construction.

BE IT ENACTED By the people of the City of Stayton, Oregon, that the charter of said City be amended by adding a chapter thereto which will read as follows:

Section 1. The City of Stayton, Marion County, Oregon, acting by and through its City Council, is hereby authorized and empowered to construct, install and improve the water supply system and appurtenances thereof within and without the City by the purchase, construction, and installation of such pumps, filters, supply facilities, transmission facilities and such other structures or facilities as shall in the judgment of the Council be deemed expedient, convenient or necessary, and to secure by purchase, condemnation, or otherwise, within and without said City, all real estate, rights of way, easements, water and transmission rights, or licenses, and to purchase, construct, or otherwise secure and maintain such machinery, supplies, equipment, structures, or appliances reasonable or necessary therefor.

The City Council is further authorized and empowered to contract for and engage engineers to prepare plans and specifications for such water system improvements and to oversee the installation and construction thereof; to retain attorneys for the purpose of instituting and preparing the necessary papers incident to the bond issue; and to contract for any and all special work in connection with the construction of the water system improvements.

Section 2. For the purpose of providing sufficient funds for the payment of the construction of said water system improvements and for the purposes set out in Section 1 hereof, the City Council of the City of Stayton, Oregon, is hereby authorized and empowered to issue and sell, as may be convenient and necessary, negotiable general obligation revenue bonds of the City of Stayton in the amount of \$875,000, or so much thereof as shall be deemed necessary to be used with other available funds for the purpose set out herein.

Section 3. The bonds hereby authorized shall be general obligation bonds of said City, and may be in such form, denomination, maturity, due date, interest payment date, place of payment, and

bear such callable features and provisions as the City Council of the City of Stayton may deem most likely to enhance their value and insure their salability.

Section 4. For further funds, and as additional security for the payment of the bonds herein authorized, the City Council of the City of Stayton is hereby authorized and directed to levy and collect from each and every user of the municipal water supply system now existing and to be constructed within and without the city limits of the City of Stayton, Oregon, a monthly water user charge to be set out and determined by the City Council. The City Council of the City of Stayton is further authorized to levy and collect such water user charges and to fix such rates for households, business and commercial properties, and all other types of users of said water system in such amounts as it shall deem best for the City of Stayton in order to pay the interest and principal due on said bonds as they become due, and to defray operating costs, but in no event shall the monthly water user charge be less than the minimum amount of \$3.00 per month for any one water system hookup during the period that any of the bonds provided for by this charter amendment shall be outstanding and unpaid.

City Council is authorized and directed to place such portion of the water system user charges as collected within and without the City remaining after deducting the expenses of maintenance and operation of such water system facilities and extensions and betterments thereto and sufficient funds as may be necessary for the annual payments for the retirement of bonded indebtedness hereby created, both principal and interest, and to further provide for creation and maintenance of reserve and sinking funds deemed advisable by the City Council for such purposes, notwithstanding any other present provisions in the Charter of said City.

Section 5. Should the said pledged net revenues of the municipal water system be insufficient therefore, the City Council of the City of Stayton, Oregon, is hereby authorized and directed to

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include in its general municipal tax levy each year such sufficient special levy as shall aggregate, together with the net revenues of said municipal water system as foresaid, and any other available funds, in amount sufficient to pay the interest on the bonds and to pay the principal of such bonds as they annually mature, without regard to any tax limitation provided otherwise by this Charter, and over and above any tax limitation provided by the Constitution of the State of Oregon.

Section 6. The City Council is hereby authorized and directed to issue and sell the bonds from time to time as they may be needed for the purposes herein specified, said sales to be made after advertisement as provided by law.

Section 7. The funds derived from the sale of said bonds or any portion thereof shall constitute a special fund for the use and benefit of the municipal water supply system of said City, and shall be used for no other purpose or purposes than herein specified.

Section 8. The debt authorized by this amendment to the Charter of the City of Stayton shall be in addition to all other debt authorized by the charter of said City, and

BE IT FURTHER RESOLVED, That an election shall be held in the City of Stayton, Marion County, Oregon, on the 7th day of July, 1970, at which time the above proposed Charter amendment shall be submitted to the legal voters of said City for their approval or rejection.

The form of ballot and ballot title to be used at said election shall be as follows:

NO. _____

S T U B

To Be Torn Off By Clerk

B A L L O T

Special Election of the City of Stayton, Oregon

July 7, 1970

VOTE YES OR NO. Make an (X) or a check mark (/) below
between the number and the answer voted for.

CHARTER AMENDMENT AUTHORIZING WATER BONDS

Charter amendment submitted to the voters by the Council:

Shall the Charter of the City of Stayton be amended
to authorize the City Council to issue and sell
negotiable general obligation revenue bonds in an
amount not to exceed \$875,000 for the construction
and installation of improvements and additions to
the city water system, and to the extent net water
revenues are not sufficient therefore, to levy a
property tax sufficient to pay the bond principal
and interest payments?

51 _____ YES, I vote for the amendment.

51 _____ NO, I vote against the amendment.

The city recorder shall provide the necessary poll books,
ballot boxes, tally sheets, and other supplies for the election,
which supplies shall be delivered to the election board. The
polling place for Precinct No. 176 (The City of Stayton) shall
be the City Hall, 362 N. 3rd Ave. Stayton, Oregon.

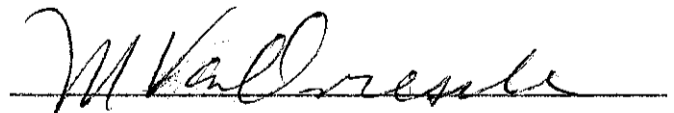
The judge and clerks for said election shall be as follows:

Mary B. Kerber, Judge
Angeline Gorman, Clerk
Dora Dozler, Clerk
Rose Bell, Clerk

The polls shall open at the hour of 8:00 a.m., and shall be kept open until 8:00 p.m. on said election date, and said election shall be conducted in accordance with the election laws and statutes of the state of Oregon, and in accordance with the terms and provisions of the Ordinances and Charter of the City of Stayton, Oregon. The ballots so cast in said election shall be counted, tabulated, and returned to the City Recorder of said City.

The City Recorder shall and he is hereby directed to give not less than 20 days notice of said election by posting notice thereof in not less than five public places within the City of Stayton, one of said notices being posted on the bulletin board of the City of Stayton City Hall, and shall further give notice by publication thereof in two consecutive issues of the Stayton Mail, a legal newspaper of general circulation in the City of Stayton, Oregon, the first publication being not less than 15 days preceding the election. Said notice shall contain notice of the date of the election, the hours and number and title of the measure to be voted upon, and the polling place designated for holding the election.

Passed by the Common Council this 15th day of June, 1970, and signed by the Mayor this 15th day of June, 1970.



Mayor

ATTEST:



Recorder