

Charter Amendment Referred to the Voters by the City Council
RESOLUTION NO. _____ ADOPTED _____

BE IT RESOLVED by the Council of the City of Portland, Oregon that an Act entitled:

AN ACT

An Act to amend an Act of the Legislative Assembly of the State of Oregon entitled: "An Act to incorporate the City of Portland, Multnomah County, State of Oregon, and to provide a charter therefore, and to repeal all Acts or parts of Acts in conflict therewith," approved by the Governor and filed in the office of the Secretary of State, January 23, 1903, as subsequently amended by said Legislative Assembly and by the people of the City of Portland from time to time, by amending section 11-105 thereof to authorize the provision of water at no charge to City bureaus for City services.

BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORTLAND, OREGON

Section 1. Section 11-105 of the Act of the Legislative Assembly of the State of Oregon entitled: "An Act to incorporate the City of Portland, Multnomah County, State of Oregon, and to provide a charter therefore, and to repeal all Acts or parts of Acts in conflict therewith," approved by the Governor and filed in the office of the Secretary of State, January 23, 1903, as subsequently amended by said Legislative Assembly and by the people of the City of Portland from time to time is hereby amended to read as follows:

CHAPTER 11 SPECIAL SERVICES

ARTICLE I. WATER WORKS

Section 11-105. **Rates and Charges.** For each fiscal year the Council shall fix water rates which will provide an estimated income to equal expenses and debt service relating to water bonds. No charge shall be made for water used in extinguishing fires in the City or for water used by any City bureau in providing city services, but this exemption shall not apply to Departments created by Chapters 14 and 15 of this Charter.

The Council may fix special charges for connections, disconnections, turn-ons, discontinuances of service, all special services or work, and other contingencies, situations or conditions, which it finds advantageous or appropriate from time to time. Charges and bills may be adjusted as found just and equitable.

and the same hereby is submitted to the legal voters of the City of Portland, Oregon for their adoption or rejection at the ensuing municipal election to be held in the City of Portland, Multnomah, Clackamas and Washington Counties on the 16th day of May, 1989. Each voter who votes on said proposed Act shall vote "yes" or "no" in the space indicated for such vote on the City ballot at said election.

The Ballot Title as prepared by the City Attorney reads as follows:

WATER BUREAU TO PROVIDE WATER WITHOUT CHARGE FOR CITY SERVICES.

QUESTION: Shall Charter be amended to require Water Bureau to provide water to other bureaus for City services at no charge?

YES ()

NO ()

Purpose and Explanation of Charter Amendment

Amends Charter Section 11-105, which now provides "no charge shall be made for water used in extinguishing fires in the City." This measure expands that exemption by providing there will be no charge to any City bureau for water used for City services, such as parks irrigation and street cleaning.

Amendment does not apply to Portland Development Commission, Exposition-Recreation Commission, or their facilities such as the Coliseum and the Performing Arts Center.

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WHEREAS, the City Charter was granted to the City of Portland by the State of Oregon in January 1903; and

WHEREAS, Charter Section 11-105 relates to Rates and Charges of the Water Bureau and provides that there shall be no charge for water used in extinguishing fires in the City; and

WHEREAS, other City bureaus have purchased water from the Water Bureau for City services; and

WHEREAS, the City bureaus are facing a limitation on the resources that they have to provide City services; and

WHEREAS, the City Council desires to ensure that the responsible bureaus have sufficient water for irrigating the City's parks, cleaning the City's streets and for other City services; and

WHEREAS, it is desired to maintain and upgrade the City's parks irrigation systems and related facilities to ensure that the necessary water can be delivered to the City's parks; and

WHEREAS, the City Council desires to ensure that the responsible bureaus have sufficient water to provide such City services as are necessary to protect the public's health, safety and welfare; and

WHEREAS, a Charter amendment is required to provide water at no charge to City bureaus for City services;

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Portland, Oregon, that an Act entitled:

"An Act to amend an Act of the Legislative Assembly of the State of Oregon entitled: 'An Act to incorporate the City of Portland, Multnomah County, State of Oregon, and to provide a charter therefore, and to repeal all Acts or parts of Acts in conflict therewith,' approved by the Governor and filed in the office of the Secretary of State, January 23, 1903, as subsequently amended by said Legislative Assembly and by the people of the City of Portland from time to time, by amending Section 11-105 thereof to authorize the provision of water at no charge to City bureaus for City services."

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be and the same hereby is submitted to the legal voters of the City of Portland, Oregon for their adoption or rejection at the ensuing municipal election to be held in the City of Portland, Multnomah, Clackamas and Washington Counties on the 16th day of May 1989. Each voter who votes on said proposed Act shall vote "yes" and "no" in the space indicated for such vote on the City ballot at said election.

Adopted by the Council, **MAR 29 1989**

Commissioner Lindberg
JM:11 ADE/RESOLUT-1
March 24, 1989

BARBARA CLARK
Auditor of the City of Portland
By *Mary E Newell* Deputy

Calendar No. **466**

RESOLUTION No. 34533

Title

Submit to the voters an Act to amend the City Charter by providing there will be no charge for water to City bureaus for City services.
(Resolution; amend Charter S11-105)

INTRODUCED BY

NOTED BY THE COMMISSIONER

Affairs

WOF

Finance and Administration

Safety

Utilities

Works

City Auditor

Bureau:

WATER WORKS

Prepared By:

McCormick

Date: 03-24-89

Bureau Head: ED TENNY, ADMINISTRATOR

CALENDAR

Consent

Regular

X

THE COMMISSIONERS VOTED AS FOLLOWS:

	Yeas	Nays
BILMEYER	<i>✓</i>	
BOGLE	<i>✓</i>	
KOCH		<i>✓</i>
LINDBERG	<i>✓</i>	
CLARK	<i>✓</i>	

Filed MAR 24 1989

BARBARA CLARK
Auditor of the CITY OF PORTLAND

By *W. L. Howard*
Deputy