

1                   BEFORE THE BOARD OF COUNTY COMMISSIONERS

2                   FOR MULTNOMAH COUNTY, OREGON

3   In the Matter of Determining the                   )  
4   Boundaries of the Rockwood Water                )  
5   Public Utility District and Calling              )  
6   An Election on District Formation                )  
7   And Related Matters                                )  
8    #89-214  
9    RESOLUTION

10                   WHEREAS, the Multnomah County Board of Commissioners  
11   received a petition requesting formation of a public utility  
12   district to be known as Rockwood Water Public Utility District  
13   (P.U.D.); and

14                   WHEREAS, ORS 261.161(2) requires the Board of County  
15   Commissioners to determine the boundaries of the proposed  
16   P.U.D.; and

17                   WHEREAS, a hearing on the boundaries was held on  
18   November 21, 1989 and December 12, 1989; and

19                   WHEREAS, the Board of County Commissioners has  
20   received two petitions for inclusion of additional land within  
21   the boundaries of the proposed P.U.D. (Ducks Moorage and  
22   Dorothy Weatherston properties); and

23                   WHEREAS, the Multnomah County Department of Assessment  
24   and Taxation has reviewed the legal description of the  
25   boundaries as proposed in the P.U.D. petition and found them to  
26   be correct; and

                  WHEREAS, the Board has received and considered the  
Oregon Department of Energy's report on the proposed P.U.D.; and

                  WHEREAS, although public policy arguments for reducing  
the boundaries were made by city representatives, the Board  
believes that it does not have the option of considering such  
arguments under ORS Chapter 261; and

                  WHEREAS, approving the boundaries as proposed by  
petitioners protects the right of initiative and the right of  
property owners within the boundaries to vote. Opponents of  
the boundaries as proposed by the petitioners retain the right  
to be heard through the campaign process.

1 NOW, THEREFORE, BE IT RESOLVED that

2 1. Subject to point 2 below, the boundaries of the  
3 Rockwood Water Public Utility District shall be those presented  
4 in the petition. A legal description of those boundaries is  
5 attached as Exhibit 1.

6 2. The boundaries shall include the Ducks Moorage  
7 Property and The Weatherston property described in Exhibit 2.

8 3. Exhibits 1 and 2 are incorporated into this  
9 resolution.

10 4. The question of whether the district should be  
11 formed, the election of district directors, and the proposal  
12 for authorization of the district to impose a special levy of  
13 \$3,000 shall be submitted to the voters at the May 15, 1990  
14 election.

15 5. The Director of Elections shall publish the  
16 notices required by law and place the P.U.D. proposal on the  
17 May 15, 1990 ballot.

18 ADOPTED this 19th day of December, 1989.

19 BOARD OF COUNTY COMMISSIONERS  
20 FOR MULTNOMAH COUNTY, OREGON

21 By Gladys McCoy  
22 Gladys McCoy, Chair  
23 Multnomah County, Oregon

24 REVIEWED:

25 Laurence Kressel  
26 Laurence Kressel, County Counsel  
27 of Multnomah County, Oregon

28 (12/19/89)

29 6582R/mc