

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) RESOLUTION
5 Public Utility District and Calling)
6 An Election on District Formation) #89-214
7 And Related Matters)

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

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

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

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

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

25 WHEREAS, the Board has received and considered the
26 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

30 Page 2 of 2