

RESOLUTION NO. LIII

A RESOLUTION SETTING A TIME FOR A COUNCIL HEARING ON THE QUESTION OF CREATING A STREET LIGHTING IMPROVEMENT DISTRICT FOR THE CITY OF WILSONVILLE, CLACKAMAS AND WASHINGTON COUNTIES, STATE OF OREGON; AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH HEARING.

WHEREAS, different ones who are residents of the City of Wilsonville have previously petitioned or otherwise requested of the City Council, that it provide or cooperate in providing street lights in certain areas of the City; and

WHEREAS, the City does not own or operate a municipal electric utility, but Portland General Electric Company is an Oregon public utility authorized to and engaged in the business of producing, transmitting, delivering or furnishing lighting in the City of Wilsonville, and has established a Street Lighting Schedule for municipalities which is known and referred to as "STREET AND HIGHWAY LIGHTING SCHEDULE" and has been approved by the Public Utility Commission as Rate Schedule 91, which is a lower rate schedule and less than the private street lighting rate; and

WHEREAS, Portland General Electric Company has expressed its willingness to cooperate with the City of Wilsonville and furnish electric power for street lighting purposes in those areas of the City and for those streets which the Council may approve from time to time, and would bill the City monthly at the established tariff rate schedule for all street light luminaires and posts which the City may require and are installed; and

WHEREAS, the City Council proposes and plans, with the approval of Portland General Electric Company, to divide the City's costs for all street lighting among the owners of the property which benefit from the street light system; and said costs would include the street lighting power charges, the City's actual administrative costs, plus a reasonable amount for contingencies; and these total costs would be divided between and billed separately to each of the benefited property owners on a regular basis as established by the

City; and the failure to pay either or any part or less than the whole thereof would be justification to terminate the City's water and/or sewer utility service to such property owners, and as may be provided in the City's Ordinances relating to such matters; and

WHEREAS, it is deemed necessary and advisable by the City Council that the entire City of Wilsonville be designated as a "STREET LIGHTING IMPROVEMENT DISTRICT" so that street lighting at lower rates can be made available to all areas of the City as the residents thereof may request and the Council may approve from time to time, and without the necessity of any ad valorem tax to pay the costs of such projects; and

WHEREAS, the City Council has the power and authority under its Charter to implement a street lighting program and it desires to obtain the feelings and reactions of the citizens of Wilsonville before proceeding further and therefore intends to call a public hearing to be held before the Council so that all residents of the City may appear and be heard on any objections to or remonstrances against such proposed street lighting plan and a STREET LIGHTING IMPROVEMENT DISTRICT; now, therefore,

BE IT RESOLVED, that a public hearing be held by the Wilsonville City Council in the Wilsonville City Hall at the hour of 8:00 o'clock p.m. on Monday, the 14th day of January, 1974, for the purpose of hearing and considering any objections to or remonstrances against the creation by Ordinance of a "STREET LIGHTING IMPROVEMENT DISTRICT," which would include all of the area within the boundaries of the City of Wilsonville, Clackamas and Washington Counties, Oregon, and within which said district the City Council could, on its own motion or on request of property owners and approval by the Council, contract with Portland General Electric Company for the installation and energizing of street lights and then divide and bill the lighting charges, administrative costs and contingencies between the owners of the benefited properties

in equitable proportions, but without any ad valorem tax for such street lighting service.

BE IT FURTHER RESOLVED, that the City Recorder be and she is hereby directed to prepare a Notice of said hearing and to have such Notice published in two (2) successive issues of The Tigard Times, a newspaper of general circulation in said City, the first publication of such Notice to be not less than ten (10) days preceding the date of the hearing, and that at least ten (10) days prior to said hearing, the City Recorder shall post Notices thereof in at least three (3) conspicuous public places in the City, one of such Notices must be posted at the City Hall. The following is a substantial copy of the Notice to be posted and published:

#### NOTICE OF PUBLIC HEARING

NOTICE HEREBY IS GIVEN, that, at the public hearing hereby called to be held at the City Hall, in and for the City of Wilsonville, Clackamas and Washington Counties, State of Oregon, on Monday, the 14th day of January, 1974, commencing at the hour of 8:00 o'clock p.m., the City Council will hear and consider any objections to or remonstrances against the proposition of creating by Ordinance a "STREET LIGHTING IMPROVEMENT DISTRICT," which would include all of the area within the boundaries of the City of Wilsonville, and within which said district the City Council could, on its own motion or on the request of any property owner and approval of the Council, contract with Portland General Electric Company for the installation and energizing of street lights, and the costs for which would be billed to the owners of the benefited properties, but without any ad valorem tax.

Written objections to or remonstrances against the proposed "STREET LIGHTING IMPROVEMENT DISTRICT" will also be considered by the City Council if delivered or mailed so as to be received by the City Recorder prior to 8:00 o'clock p.m. on the date of the hearing.

By order of the Wilsonville City Council and pursuant to its Resolution No. LIII adopted December 20, 1973.

This Notice is dated, posted and first published January 2, 1974.

  
MARJORIE A. HINTZ, City Recorder  
Wilsonville City Hall  
31240 S.W. Boones Ferry Road  
P. O. Box 314  
Wilsonville, Oregon 97070

Adopted by the Wilsonville City Council this 20th day of  
December, 1973.

  
PHILLIP R. BALSIGER - Mayor

ATTEST:

  
MARJORIE A. HINTZ - City Recorder