

BEFORE THE BOARD OF COMMISSIONERS OF LANE COUNTY, OREGON

ORDER NO: 13-03-12-03

IN THE MATTER OF APPROVING THE
BALLOT LANGUAGE FOR
FORMATION OF THE HECETA
WATER PEOPLE'S UTILITY DISTRICT
AND THE ELECTION OF DISTRICT
DIRECTORS

WHEREAS, on October 16, 2012, the Board of County Commissioners referred to the May 21, 2013 election the question of whether the Heceta Water People's Utility District should be formed; and

WHEREAS, ballot language for formation of the district has been drafted and approve by the petitioners, and is attached and incorporated as Exhibit A; and

WHEREAS, ORS 261.190 requires that the initial board of directors be elected at the time of the formation election to manage and transact the business of the district; and

WHEREAS, Candidates for the office of director must be electors of this state, must have resided in the proposed district continuously for not less than two years prior to the May 21, 2013 special election, and must continue to reside in the district during their term of office.

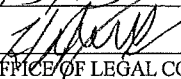
NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. That the ballot language attached as Exhibit A, calling for the formation of the Heceta Water People's Utility District, is approved for the May 21, 2013 special election.
2. That at the May 21, 2013 special election an election also be held for the initial 5 directors of the Heceta Water People's Utility District who will serve as the initial directors should the district formation be approved.
3. That the County Clerk provide notice for and conduct the election in the manner provided by law, including publication of notice of this election in the Siuslaw News.

ADOPTED this 12th day of March, 2013.



Sid Leiken, Chair, Lane County Board of Commissioners

APPROVED AS TO FORM
Date 3/5/13 Lane County


OFFICE OF LEGAL COUNSEL

BALLOT TITLE

CAPTION:

Formation of Heceta Water People's Utility District

QUESTION

Should the Heceta Water People's Utility District be formed?

SUMMARY

This measure would create a People's Utility District to provide domestic water service in the area currently served by Heceta Water District. The PUD is intended to replace Heceta Water District as the water service provider and its formation is intended to avoid unilateral withdrawal of territory by the City of Florence.

The PUD would be governed by a five-member board of directors elected from the PUD. The PUD would have power to acquire property, including by eminent domain, to issue voter-approved bonds, and set water rates.

For the area that is within both the City of Florence and the proposed PUD boundary (the overlap area), a majority of the electors in the overlap area must approve formation of the PUD for the overlap area to be included within the PUD.