

Medford City Charter Section 19 - Water Commission

1. Water Commission; Appointment; Terms; Officers. The board of water commissioners of the city of Medford, created in 1922, shall continue as presently constituted and shall consist of five members who are residents of the city and serve without compensation. Each commissioner is appointed by the mayor to serve for five years or until a successor is appointed and qualified, and, before assuming office, each must be confirmed by the city council and file with the city recorder a written oath to faithfully perform the duties of the office. Each commissioner in office on the effective date of this act shall remain in office until the expiration of the term for which appointed and each successor shall serve for five years or until another successor is appointed and qualified. Vacancies in the board shall be filled in like manner for the unexpired term. The city treasurer and city recorder shall be ex-officio treasurer and clerk of the board. As clerk of the board of water commissioners, the city recorder shall be the custodian of all official documents, papers and records thereof.
2. Authority
 1. The board of water commissioners, in the name of the city of Medford, shall have full power and authority to construct, extend, maintain and operate facilities and water systems within and without the city for the appropriation, diversion, treatment, transmission and distribution of water from Big Butte Creek, the Rogue River and all other sources; to protect and preserve the watersheds upon which such water sources rely; to distribute, furnish, sell and dispose of waters, and provide water service, to water users and distributors, both public and private, within and without the city on such terms and conditions as the board of water commissioners determines to be in the best interests of the city; to enter into contracts for periods not to exceed twenty (20) years for the furnishing of water service, the sale of water or the operation or ownership of water systems, provided that in connection with the execution of any contract for the furnishing of such services or water outside the city, the board shall first find that the water or water service, or system's capacity, thus furnished, provided or sold, is surplus to the needs of the inhabitants of the city; to exercise all authority granted by ORS 225.030 in connection with the ownership, operation and maintenance of water works and water systems; to acquire by purchase, gift or eminent domain any and all real and personal property of every kind and character, including real property, water rights, rights-of-way and all other property rights, which it may find to be necessary or convenient for the carrying out of its powers hereunder, and to possess and to use the said property and property rights for said purposes and to dispose of such as it may from time to time find to be surplus to the needs of the city water system.
 2. Except as provided in Paragraph (3) and subject to the duties imposed in Paragraphs (4) and (5), the board of water commissioners shall have full control of the Water Fund and the power to disburse the same for the carrying out of all of the powers herein granted the board; to establish rates to be paid by water users for the use of city water service and facilities, and to collect and enforce the collection of such amounts in the name of the city of Medford; and to make all necessary rules and regulations for the sale, disposition and use of the water and water service of and from said city water system or systems.
 3. The board shall also have such other duties and powers, not inconsistent with this charter and the provisions of this chapter, as may from time to time be provided by ordinance of the city council, and authority is hereby granted to the city council to grant to said board of commissioners such additional powers as shall be necessary to enable the board of water commissioners to fully manage and operate the city water system.
3. Water Fund. All monies received by the board of water commissioners from the sale of water service or from users of the services furnished from the water systems, or otherwise, shall be

deposited in the treasury of the city to the credit of a fund to be known as the "Water Fund" and shall be kept separate and apart from other monies of the city, and money shall be drawn from said fund only upon demand previously approved by vote of three members of the board taken with "ayes" and "noes" spread on the minutes; provided that the city council shall have the power to draw upon the said water fund for the payment of interest and principal amounts of general obligation bonds of the city issued for the construction, improvement or expansion of the water system as such interest and principal payments from time to time fall due.

4. Rate Policy. It shall be the duty of the board to fix and maintain water service rates adequate to raise funds sufficient to pay operating expenses of the system, the principal and interest on all bonds issued for the improvement and expansion of said system as the same fall due, and such replacements and additions to the water system as the board finds to be required by the needs of the users thereof. The board shall hold a public hearing sixty (60) days prior to any water service rate change.
5. Municipal Purposes. It shall be the duty of the board to furnish water to the city of Medford for fire protection and other like public purposes, and to receive into the water fund from the general fund of the city such amount as may be mutually agreed upon by the board and the city council for said services.
6. Reports. It shall be the duty of the board to make full reports to the city council of the business transacted by it and of the condition of its funds once every three months, and it shall also make special reports to the city council on matters relating to the water system when called for by the city council.