

**ORDINANCE NO. 838**

**AN ORDINANCE PROPOSING A MEASURE FOR A THREE-YEAR LOCAL OPTION TAX IN THE AMOUNT OF \$236,300 PER YEAR BEGINNING FISCAL YEAR 2002-2003, TO BE PLACED ON THE MAY 21, 2002 PRIMARY ELECTION BALLOT FOR PARTIAL SUPPORT OF THE CITY'S LIBRARY, POOL AND PARKS PROGRAMS; AND, DECLARING AN EMERGENCY.**

WHEREAS, the City of Stayton has determined there will continue to be insufficient revenues in fiscal years 2002-2005 to ensure adequate funding of mandated programs and still properly allow for other programs directed toward providing or enhancing desirable levels of leisure-oriented City services to Stayton residents;

WHEREAS, the Stayton City Council has determined that \$236,300 in additional revenue sources, not presently available within the permanent tax rate imposed by State of Oregon Ballot Measures 47 and 50, are necessary, in each year over the next three fiscal years, to partially fund Library, Pool and Parks programs;

WHEREAS, State of Oregon Ballot Measures 47 and 50 provide the framework for voter-approved local option taxes;

WHEREAS, a similar ballot measure was passed at the November 6, 2001 Special Election by a margin of 955 "Yes" votes to 605 "No" votes, but narrowly failed to achieve a "double majority" requirement for property tax measures to be considered passed;

WHEREAS, it is the Stayton City Council's intent to submit a ballot measure for the May 21, 2002 Statewide Primary Election for a three year local option tax to the registered voters of the City of Stayton for approval; and,

WHEREAS, it is appropriate that an emergency be declared as to the enactment of this Ordinance so that it is in full force and effect immediately from and after its adoption by the Stayton City Council.

NOW THEREFORE, the Stayton City Council does ordain as follows:

**SECTION 1: TAX PROPOSED**

For the purpose of partial support of the City's Library, Pool and Parks programs for Stayton residents, a local option tax is proposed in the amount of \$236,300 each year for three years, within the limitations of State of Oregon Ballot Measure 5, beginning in Fiscal Year 2002-2003.

**SECTION 2: SUBMITTAL TO QUALIFIED ELECTORS OF THE CITY OF STAYTON**

This measure shall be submitted to the qualified electors of the City of Stayton, for their approval or rejection, at the statutorily provided State of Oregon Primary Election date on May 21, 2002.

### SECTION 3: BALLOT TITLE

For the purpose of submitting this measure to the Stayton electorate, the following ballot title is hereby approved and adopted:

a. Caption

Three Year Local Option Tax for Library, Pool, Parks Support

b. Question

Shall the City of Stayton implement a \$236,300 operating tax annually for three years, beginning in Fiscal Year 2002-2003?

This measure may cause property taxes to increase more than three percent.

c. Summary

This measure may be passed only at an election with at least a 50 percent voter turnout.

The City of Stayton is seeking a three-year local option tax of \$236,300 per year, beginning in Fiscal Year 2002-2003, to partially fund specific elements of the library, swimming pool and park programs.

A portion of the proposed tax will offset the loss of the previous 3-year library/pool local option tax passed in 1998. An allowance is also made for delinquent and uncollectible taxes. This tax would raise \$708,900 over the three year period.

Library support will include reinstating or increasing audio-visual, reference material and book budgets to former levels, replacing obsolete computers, deferred building maintenance and offsetting anticipated loss of regional library reimbursements.

Pool support will include offsetting increased utility costs, reinstating operating hours and, over three years, constructing a new boiler room, chlorination system replacement, refurbishing shower rooms and miscellaneous equipment repairs.

Parks program support will include replacement of playground equipment in Westown, North Slope and Community Center Parks (one each year).

It is estimated that this tax will result in a rate of \$.684 per \$1,000 of assessed value in the first year. The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at the time of estimate.

SECTION 4: VOTER PAMPHLET

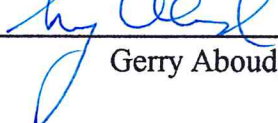
The City of Stayton shall file, prior to appropriate filing deadlines, an impartial Explanatory Statement for the local Voter's Pamphlet. The Explanatory Statement shall be not more than 500 words and shall be a fair and impartial statement describing the proposed measure and the reasons for it. There is no fee for filing the Explanatory Statement. The authority for this requirement is Oregon Revised Statutes Chapter 251.

SECTION 5: Upon adoption by the Stayton City Council and the Mayor's signing, this Ordinance shall become effective immediately.


ADOPTED BY THE STAYTON CITY COUNCIL this 4th day of February, 2002.

CITY OF STAYTON


Signed: FEBRUARY 5, 2002

By:   
Gerry Aboud, Mayor

Signed: Feb. 6, 2002

ATTEST:   
Chris Childs, City Administrator

APPROVED AS TO FORM:

  
David A. Rhoten, City Attorney