

RESOLUTION NO. 35-1996

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON,
CALLING AN ELECTION ON NOVEMBER 5, 1996 FOR THE PURPOSE OF SUBMITTING A NEW
TAX BASE TO THE VOTERS OF THE CITY.**

WHEREAS, ORS 310.404 provides that:

“[E]ach taxing unit to which the power to levy an ad valorem property tax has been delegated shall submit to the electors the question of establishing a new tax base if:

- a) In three out of the four consecutive fiscal years immediately preceding the year in which a tax base proposal may be submitted to the electors, the taxing unit has submitted to the question to the electors, received approval, and has levied outside its tax base for general operations under section 11 (2)(a), Article XI, Oregon Constitution; and
- b) The taxing unit has not submitted to the electors and received approval of a new tax base in the even-numbered year immediately preceding.”

WHEREAS, the City of Milwaukie has received approval for and levied outside its tax base for library and public safety (fire and/or police) services beginning with fiscal year 1992-93; and

WHEREAS, the City of Milwaukie did not submit a new tax base to the voters in 1994; and

WHEREAS, pursuant to ORS 310.404, the City of Milwaukie must submit a new tax base to the voters in 1996 and

WHEREAS, ORS 310.402 requires that tax base elections be held only at regular statewide general or primary elections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Milwaukie, Oregon:

SECTION 1. An election is hereby called in and for the City of Milwaukie, Clackamas County, Oregon, on Tuesday, November 5, 1996, for the purpose of submitting to the qualified voters of the City the question of establishing a new tax base.

SECTION 2. The following ballot title is hereby approved and shall be printed on the official ballot as set forth below:

CAPTION: TO ESTABLISH A TAX BASE FOR THE CITY OF MILWAUKIE

QUESTION: Shall the City of Milwaukie be authorized a \$ 6,654,528 tax base beginning with the 1997-1998 fiscal year?

EXPLANATION: Pursuant to state law, the City must submit a new tax base to the voters this year. The proposed tax base will allow the City to continue to provide existing service levels. It will provide permanent funding for police, fire-rescue, library and general governmental services. Currently, funding for library and public safety services (police and fire-rescue) is supported by two serial levies which will expire on June 30, 1998. If the new tax base is approved, the City will cancel the last year of the two serial levies (1997-98).

The tax base for the City was last approved by the voters on November 6, 1984. The current tax base for the 1996-97 fiscal year is \$ 5,279,744. The estimated tax rate for the new tax base is \$ 4.9447 This compares to \$ 5.1886 for the current tax base plus the existing serial levies.

This tax levy is subject to the limits of section 11b, Article XI of the Oregon Constitution and the revenues raised will be used for governmental purposes other than schools.


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 the estimate.

SECTION 3. The election shall be conducted by the Clackamas County Elections Department, which department shall establish polling places, precincts, and election boards for such election. The election may be conducted by mail pursuant to ORS 254.465 et seq.


SECTION 4. The City Recorder is hereby authorized and directed to certify, in the manner provided for by law, to the Elections Director of Clackamas County, Oregon, the foregoing measure for inclusion as a part of the regular ballots to be prepared by the Elections Director for voting at all precincts within the City of Milwaukie at the general election on November 5, 1996.

SECTION 5. The City Recorder of the City of Milwaukie is hereby ordered and directed to post notice of said election in a conspicuous place in City Hall. This notice shall be posted at least ten (10) days before the date set for the election. The City Recorder shall give additional notice of the aforesaid City election by publication at least once in a newspaper of general circulation in the City of Milwaukie, Oregon, the first publication to be not less than ten (10) days before the election. The notice shall contain the ballot title under which the question will appear on the ballot and shall set forth the time and place of said election.

This Resolution adopted by the City Council of the City of Milwaukie, Oregon
on September 3, 1996


Craig Lomnicki, Mayor

ATTEST:


Pat DuVal, City Recorder

APPROVED AS TO FORM:
O'DONNELL, RAMIS, CREW, CORRIGAN & BACHRACH


City Attorney