

RESOLUTION NO 16-18

**A RESOLUTION OF THE CITY OF COOS BAY, COOS COUNTY, OREGON, CALLING A MEASURE ELECTION TO SUBMIT TO THE ELECTORS THE QUESTION OF SHALL THE CITY OF COOS BAY ADOPT A 4 CENT PER GALLON FUEL TAX DEDICATED TO STREET MAINTENANCE AND REPAIR.**

WHEREAS, the City Council of the City of Coos Bay, Coos County, Oregon (the "City"), has determined that a need exists to fund the costs of capital construction and maintenance of city streets (Projects); and

WHEREAS, the summary of the ballot measure provides:

A "yes" vote approves creation of funding dedicated to street maintenance and repair through a 4 cent per gallon tax on motor vehicle fuels sold in Coos Bay. The tax is estimated to raise \$300,000 annually, and it will only be used for street repairs and maintenance. Funds collected by this tax will not be used for other street related improvements such as sidewalks, traffic signs, traffic signals, or city maintenance staff.

Vehicles subject to "weight-mile tax" (trucks over 26,000 pounds not required to pay diesel fuel tax) or having a "use fuel" (approved PUC tax exempt for diesel, propane, CNG or other fuel that is not gasoline) certificate will be exempt from the tax.

The City of North Bend has proposed the same motor vehicle fuels tax measure. If passed by the electorate, Coos Bay's fuels tax measure will be implemented only upon passage by North Bend of its fuels tax measure.

BE IT RESOLVED by the City Council of the City of Coos Bay, Coos County, Oregon, that:

A. A measure election is hereby called for the purpose of submitting to the electors of the City the question of Shall the City of Coos Bay adopt a 4 cent per gallon fuel tax dedicated to street maintenance and repair.

B. The measure election hereby called shall be held on the 8th day of November, 2016.

C. The City authorizes the City Manager, Finance Director, or the designee of either of those officials (each an "Authorized Representative") to act on behalf of the City and to take such further action as is necessary to carry out the intent and purposes herein in compliance with the applicable provisions of law.

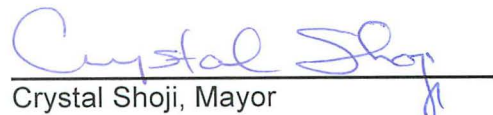
D. Pursuant to ORS 250.275(5) and 250.296 the City Elections official shall publish the ballot title, by August 25, 2016, in The World or in some other newspaper of general distribution within the City, a notice of receipt of the ballot title including notice that a dissatisfied registered voter may file a petition with the Circuit Court for review of the ballot title not later than the seventh business day after the ballot title is filed in substantially the form of Exhibit B.

E. Pursuant to ORS 254.095 the City Elections official will deliver a Notice of City Measure Election in substantially the form of Exhibit A to the Coos County Elections Office.

The foregoing resolution was duly adopted by the City Council of the City of Coos Bay, Coos County, Oregon, this 16<sup>th</sup> day of August 2016.

ATTEST:

  
\_\_\_\_\_  
Susanne Baker, City Recorder

  
\_\_\_\_\_  
Crystal Shoji, Mayor

# Notice of Measure Election

EXHIBIT A

SEL 802

rev 01/16 ORS 250.035, 250.041,  
250.275, 250.285, 254.095, 254.465

## Notice

Date of Notice  
August 29, 2016

Name of City or Cities  
City of Coos Bay

Date of Election  
November 8, 2016

**Final Ballot Title** The following is the final ballot title of the measure to be submitted to the city's voters. The ballot title notice has been published and the ballot title challenge process has been completed.

**Caption** 10 words which reasonably identifies the subject of the measure.

Motor Vehicle Fuel Tax for Street Repair

**Question** 20 words which plainly phrases the chief purpose of the measure.

Shall the City of Coos Bay adopt a 4 cents per gallon fuel tax dedicated to street maintenance and repair?

**Summary** 175 words which concisely and impartially summarizes the measure and its major effect.

A "yes" vote approves creation of funding dedicated to street maintenance and repair through a 4 cents per gallon tax on motor vehicle fuels sold in Coos Bay. The tax is estimated to raise \$300,000 annually, and it will only be used for street repairs and maintenance. Funds collected by this tax will not be used for other street related improvements such as sidewalks, traffic signs, traffic signals, or city maintenance staff.

Vehicles subject to "weight-mile tax" (trucks over 26,000 pounds not required to pay diesel fuel tax) or having a "use fuel" (approved PUC tax exempt for diesel, propane, CNG or other fuel that is not gasoline) certificate will be exempt from the tax.

The City of North Bend has proposed the same motor vehicle fuels tax measure. If passed by the electorate, Coos Bay's fuels tax measure will be implemented only upon passage by North Bend of its fuels tax measure.

**Explanatory Statement** 500 words that impartially explains the measure and its effect.

If the county is producing a voters' pamphlet an explanatory statement must be drafted and attached to this form for:

→ any measure referred by the city governing body; or

→ any initiative or referendum, if required by local ordinance.

Explanatory Statement Attached? ☐ Yes

☒ No

**Authorized City Official** Not required to be notarized.

Name

Rodger Craddock

Title

City Manager

Mailing Address

500 Central Ave, Coos Bay, Oregon, 97420

Contact Phone

541-269-8915

*By signing this document:*

→ I hereby state that I am authorized by the city to submit this Notice of Measure Election; and

→ I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.



Signature

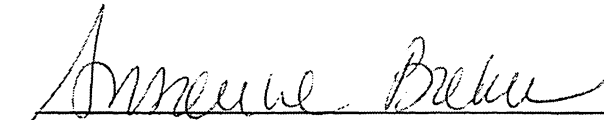
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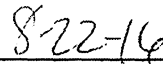
Date Signed

EXHIBIT B

NOTICE OF RECEIPT OF BALLOT TITLE

Notice is hereby given that a ballot title for a measure referred by the City has been filed with the City Recorder on August 16, 2016. The ballot title caption is Motor Vehicle Fuel Tax for Street Repair. An elector may file a petition for review of this ballot title in Coos County Circuit Court no later than 5:00 p.m., August 25, 2016 (seven (7) business days after filing of this notice with the City Recorder) under ORS 250.296.

  
\_\_\_\_\_  
Signature of authorized City Elections Officer

  
\_\_\_\_\_  
Date signed

Susanne Baker  
\_\_\_\_\_  
Printed name of authorized City Election Authority

City Recorder  
\_\_\_\_\_  
Title

This legal notice is to be published by the City Recorder in The World, Coos Bay, Oregon, or in another newspaper of general distribution within the City.