

CITY OF COOS BAY CITY COUNCIL
Agenda Staff Report

MEETING DATE August 16, 2016	AGENDA ITEM NUMBER
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TO: Mayor Shoji and City Councilors
FROM: Susanne Baker, Finance Director
THROUGH: Rodger Craddock, City Manager
ISSUE Resolution 16-18 Gas Tax Ballot Measure

BACKGROUND

At the June 21, 2016 City Council meeting, staff was directed to prepare the documents to file a local gas tax ballot measure for the November 8, 2016 election. The question approved at that time was:

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

Additionally, the ballot measure contains the following caveat:

“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. Staff has prepared the SEL 802, resolution, and the required advertisement for the local newspaper to place the question on the ballot.”

ADVANTAGES

Adopting the resolution will place the question on the November 8, 2016 ballot.

DISADVANTAGES

Without adoption of the resolution the question will not be on the November 8, 2016 ballot.

BUDGET

Including the question on the General election ballot in November, it will not result in a cost to the City other than advertising.

RECOMMENDATION

It is staff’s recommendation the City Council adopt Resolution 16-18 to refer to the electors the ballot measure question “shall the City of Coos Bay adopt a 4 cent per gallon fuel tax dedicated to street maintenance and repair” as summarized in the SEL 802.

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 16th day of August 2016.

Crystal Shoji, Mayor

ATTEST: _____
Susanne Baker, City Recorder

Notice of Measure Election

EXHIBIT A

SEL 802

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

City

Notice

Date of Notice

Name of City or Cities

Date of Election

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.

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

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

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

Title

Mailing Address

Contact Phone

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

Date Signed

Agenda Item #5

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.