

TITLE: AN ORDINANCE PROVIDING FOR THE CALLING OF A SPECIAL ELECTION IN THE CITY OF ALBANY, OREGON, ON THE 20th DAY OF MAY, 1980, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF ALBANY, OREGON, THE QUESTION OF ESTABLISHING A NEW TAX BASE FOR THE PURPOSE OF APPLYING THE LIMITATION OF TAXATION SET FORTH IN SECTION 11, ARTICLE XI, OF THE OREGON CONSTITUTION AND DECLARING AN EMERGENCY

WHEREAS, it appears to the City Council of the City of Albany, Oregon, that a new tax base must be established as is authorized by Subsection 2, of Section 11, of Article XI, of the Oregon Constitution in order to permit a proper operation of City affairs within limitations contained in Section 11, Article XI, of the Oregon Constitution, and

WHEREAS, it is necessary to submit the question of establishing a new tax base to the legal voters of the City of Albany, Oregon, now, therefore,

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1:

The propositions set forth in Section 2 of this ordinance shall be submitted in the manner prescribed in this ordinance to the legal voters of the City of Albany, Oregon, at a special election to be held on the 20th day of May, 1980. There is a statewide primary election being held in the State of Oregon and in the City of Albany on the 20th day of May, 1980, and as a part thereof, this special election is called so as to be held concurrently therewith.

Section 2: Proposition to Be Voted.

At the election, there shall be submitted to the legal voters of the City of Albany, for their approval or rejection, the following proposition:

"Shall a new tax base of \$2,958,997.00 be established for the City of Albany, Oregon, to become effective in the 1980-81 fiscal year?"

Section 3: Designation of Polling Places, Poll Books and Judges.

The regular polling places designated by the County Clerk of Linn County, Oregon, in each voting precinct in the City of Albany are hereby designated as the polling places for the special City election. The poll books adopted by the County Clerk of Linn County, Oregon, as the poll books for the statewide primary election for the voting precincts in the City of Albany, are hereby adopted as the poll books for the special City election. The Judges and Clerks of the election appointed by the County Clerk of Linn County, Oregon, to serve at the statewide primary election are hereby designated as the Judges and Clerks of and for the special City election.

Section 4: Hours of Election.

The polls for the special City election shall be opened in each of the voting precincts at the same hour and shall be kept opened till the same hour as the polls are opened and closed for the statewide primary election that will be held on the same date.

Section 5: Notice of Election.

Notice of the election shall be given by publication twice in a newspaper of general circulation in the City of Albany, Oregon, not more than twenty (20) nor less than ten (10) days before the election. Notice of the election shall be posted for not less than twenty (20) days before the election in three (3) public places in the City. The notice in the newspaper and those posted in three (3) public places shall be substantially in the following form:

"NOTICE OF SPECIAL ELECTION: On the 20th day of May, 1980, in the City of Albany, Linn County, Oregon, from 8:00 a.m. to 8:00 p.m., a special election shall be held concurrently with the statewide primary election, at which time the following measure will be submitted to the voters of the City for their approval:

ESTABLISH A NEW TAX BASE

Shall a new tax base of \$2,958,997.00 be established for the City of Albany, Linn County, Oregon, to become effective in the 1980-81 fiscal year?

PURPOSE: It is necessary to establish a tax base in order to apply the limitation on taxation as set forth in Section 11, Article XI, of the Oregon Constitution. The tax base that is established will allow a Six Percent (6%) increase in future fiscal years without voter approval. If the tax base submitted herewith is approved, it will apply and become effective for the fiscal year beginning July 1, 1980. The existing tax base is \$595,645.10 and the new tax base, if adopted, would be \$2,958,997.00. The purpose of establishing a new tax base is to provide funds for general services of the City with the majority providing funds for fire protection and funds for police protection.

YES

NO

The City and County precincts within the City of Albany, Linn County, Oregon, shall have uniform boundaries and the same Election Boards. The polling places in the City for the special City election shall be at the same places as provided by the County of Linn for the statewide primary election to be held on the same day, May 20, 1980, and to such places as the Election Board may legally adjourn. The City Council, by ordinance, has appointed the identical officers appointed by the County Clerk of Linn County, Oregon, for the statewide primary election as the Judges and Clerks of the special City election to serve at each of the polling places in the respective precincts to which they are appointed by the County Clerk of Linn County, Oregon.

WITNESS my hand and seal in the City of Albany this _____ day of May, 1980.

City Recorder

The Recorder shall advertise and post, or cause to be posted, the notices required by this section. The Notice of Election required to be given by this ordinance shall constitute the only notice necessary and all ordinances and resolutions in conflict herewith shall not apply to notices required to be given of this election.

Section 6: Ballot Form.

The following is the number and form in which the question shall be printed on the official ballot:

ESTABLISHING A NEW TAX BASE

Shall a new tax base of \$2,958,997.00 be established for the City of Albany, Linn County, Oregon, to become effective in the 1980-81 fiscal year?

PURPOSE: It is necessary to establish a tax base in order to apply the limitation on taxation as set forth in Section 11, Article XI, of the Oregon Constitution. The tax base that is established will allow a Six Percent (6%) increase in future fiscal years without voter approval. If the tax base submitted herewith is approved, it will apply and become effective for the fiscal year beginning July 1, 1980. The existing tax base is \$595,645.10 and the new tax base, if adopted, would be \$2,958,997.00. The purpose of establishing a new tax base is to provide funds for general services of the City with the majority providing funds for fire protection and funds for police protection.

EXPLANATION: The existing tax base is \$595,645.10 and the proposed tax base is \$2,958,997.00. If this measure increasing the tax base is approved, \$2,958,997.00 of the taxes levied will be financed partially, up to Thirty Percent (30%), by the State of Oregon.

If a new tax base is approved, \$1,342,859.00 will be allocated for expenses to the Fire Department and \$1,152,527.00 will be allocated for the expenses of the Police Department. If adopted, the tax base would apply for the fiscal year 1980-81. The City requires property tax revenues to operate general City services and voters must approve any tax levy outside of Constitutional limitations.

YES

NO

Section 7: Emergency Clause.

WHEREAS, it is in the betterment of the public health, interest, safety and general welfare of the citizens of the City of Albany that this matter be disposed of at the earliest possible moment, therefore, an emergency is hereby declared to exist and this ordinance shall become immediately effective upon its passage by the Council and approval by the Mayor.

Passed by the Council: March 19, 1980

Approved by the Mayor: March 19, 1980

Effective Date: March 19, 1980

Richard S. Olsen
Mayor

ATTEST:

[Signature]
City Recorder