



**CORVALLIS
CITY COUNCIL AGENDA
SPECIAL MEETING**

**February 14, 2011
5:30 pm**

**Downtown Fire Station
400 NW Harrison Boulevard**

COUNCIL ACTION

I. ROLL CALL

II. VISITORS' PROPOSITIONS

III. UNFINISHED BUSINESS

A. Administrative Services Committee – February 9, 2011

1. Operating Levy Ballot Title

ACTION: A resolution forwarding a local option property tax levy for Library, Osborn Aquatic Center, Senior Center operations, and social services funding to the voters at the May 17, 2011 election, to be read by the City Attorney [direction]

III. ADJOURNMENT

For the hearing impaired, a sign language interpreter can be provided with 48 hours' notice prior to the meeting. Please call 541-766-6901 or the Oregon Communications Relay Service at 7-1-1 to arrange for TTY services.

A LARGE PRINT AGENDA CAN BE AVAILABLE BY CALLING 766-6901

A Community That Honors Diversity

**ADMINISTRATIVE SERVICES COMMITTEE
MINUTES
February 9, 2011**

Present

Councilor Joel Hirsch, Chair
Councilor Biff Traber

Staff

Jon Nelson, City Manager
Nancy Brewer, Finance Director
Jim Brewer, Deputy City Attorney
Carolyn Rawles-Heiser, Library Director
Carla Holzworth, City Manager's Office

Absent

Councilor Mark O'Brien (excused)

SUMMARY OF DISCUSSION

Agenda Item	Information Only	Held for Further Review	Recommendations
I. Operating Levy Ballot Title			Approve the operating levy ballot title for the May 2011 election and modify resolution language as recommended by the Committee.
II. Other Business	*		

Chair Hirsch called the meeting to order at 4:01 p.m.

CONTENT OF DISCUSSION

I. Operating Levy Ballot Title (Attachment)

A note from Councilor O'Brien indicating his possible absence and his support for the operating levy ballot title language as recommended by staff was shared with the Committee (Attachment A).

Ms. Brewer reviewed the staff report, noting that ballot title language is governed by State law and administrative rules; the City Attorney is involved in the review process to ensure compliance. She said Monday's special City Council meeting is to review the ballot title and possibly adopt a resolution to put the levy on the May 17, 2011 ballot. The City Recorder will publish a notice in the newspaper, and a protest period and review process will follow. The measure can then go to Elections office where a number will be assigned for ballot. Ms. Brewer said the question in the ballot title must be worded so a yes answer means the levy passes.

In response to Councilor Traber's inquiry, Mr. Brewer confirmed legal requirements apply only to the ballot title caption, question and summary, but not the resolution itself.

Councilor Traber suggested modifying resolution language in the fifth paragraph as follows:

*“...a 3-year tax levy with the use of the funds to keeping **not close** the Library open on Mondays, keeping **not close** the Osborn Aquatic Center open, and keeping **not close** the Chintimini Senior Center open, with the balance of the monies...”*

In response to Chair Hirsch’s inquiry, Ms. Brewer confirmed that citizens will be able to access minutes, videos, and other materials relating to the levy discussion at the Library; the materials will be removed from the City’s Web site to comply with election laws.

In response to Councilor Traber’s inquiry about including the cost breakdown per thousand in the ballot title summary to show the tax rate for each item, Ms. Brewer expressed concern about the numbers not rounding to whole cents. Councilor Traber said he is fine with not changing the language.

In response to Councilor Traber’s inquiry, Mr. Brewer confirmed the ballot title language must include the length of time the levy would be in effect.

In response to Chair Hirsch’s inquiry, Mr. Nelson confirmed that Monday’s special Council meeting begins at 5:30 pm in the Downtown Fire Station.

The Committee unanimously recommends that Council approve the operating levy ballot title language for the May 2011 election as recommended by staff with edits to the resolution as recommended by the Committee.

[A copy of the modified resolution is included (Attachment B)].

II. Other Business

The next regular Administrative Services Committee meeting is scheduled for 4:00 pm, Wednesday, February 23, 2011 in the Madison Avenue Meeting Room.

Respectfully submitted,

Joel Hirsch, Chair

MEMORANDUM

February 7, 2011

TO: Administrative Services Committee

FROM: Nancy Brewer, Finance Director *NB*
Jim Brewer, Deputy City Attorney *JB*

SUBJECT: Proposed Language for the May 17, 2011 Property Tax Levy Ballot

I. Issue

To develop the language for a ballot measure levying a local option property tax.

II. Background

On June 18, 2011 the City Council recommended the City place a local option property tax levy of \$0.45 per \$1,000 of assessed value for three years on the ballot. The City Council further voted to have the levy apply keeping the Osborn Aquatic Center open year-round, the Chintimini Senior Center open year-round, and to keep current Monday Library hours. The balance of the levy revenue would be used to fund the Library and social services with the program areas to be determined by the Budget Commission and City Council.

On January 27, 2011 the Budget Commission considered the funding allocation for the Library and Social Services, and voted to fund social services for \$102,870 and the Library to receive \$755,730 which is the balance of the projected levy income of \$1,790,000 in FY 11-12. Staff have used these votes to draft ballot language included in a proposed resolution (Attachment 1).

II. Discussion

Oregon Revised Statutes chapters 221 and 280 cover local government elections issues, as do a number of Oregon Administrative Rules. The Department of Revenue has developed a handbook to guide officials in writing ballot language. Staff used these sources to develop the language in the attachment.

The ballot language has three parts:

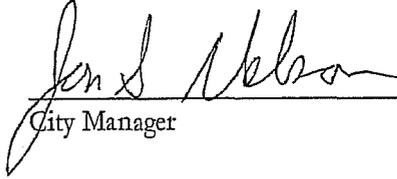
1. Caption – limited to 10 words, and not allowed to include the name of the levying entity or the amount.
2. Question – limited to 20 words, must be written in a manner where a “yes” vote would mean the voter approves the levy, and must include the statement that “This measure may cause property taxes to increase more than three percent” though this clause is not counted in the 20 word question. The question is also required to include the name of the government, the tax rate and the first fiscal year the tax will be imposed.
3. Summary – limited to 175 words, this must be written in plain, non-technical language, and without any advocacy language. The summary is also required to include a statement of the amount of revenue to be raised each year, though this statement does not count in the 175 word limit.

Discussion at both the City Council and the Budget Commission focused on whole dollars of programs/ services to fund based on the service packages developed by staff. As a rate based levy, the projected revenue is likely to be different (higher or lower) than the \$1,790,000 in projected revenue based on actual changes in assessed value. As a result, the proposed ballot language includes both the whole dollars as discussed and percentages to facilitate staff's allocation of both the actual first year revenues (higher or lower than anticipated) and amounts in future years.

III. Requested Action

Review the proposed language, discuss modifications if desired, and recommend ballot language for the City Council to consider.

Review & Concur:



City Manager

RESOLUTION 2011- _____

Minutes of the meeting of _____, continued.

A resolution submitted by Council person _____.

WHEREAS, for FY 2011-2012 the City of Corvallis is facing a deficit in the funds that use property taxes for operating costs; and

WHEREAS, the Corvallis City Council and Budget Commission held several meetings to review the financial challenge and to hear from citizens on preferences for addressing the deficit; and

WHEREAS, the Budget Commission recommended that part of the solution would be to place a local option property tax levy on the May 17, 2011 ballot to allow voters to decide whether certain services should be funded through the levy or should be eliminated/reduced; and

WHEREAS, the City Council, after meeting, taking public testimony and deliberating in a duly noticed public meeting on January 18, 2011, recommended proposing a measure for a 3-year tax levy with the use of the funds raised restricted to the keeping the Library open on Mondays, keeping the Osborn Aquatic Center open year-round, and keeping the Chintimini Senior Center open year-round, with the balance of the monies from the levy used for social services allocations and programs and services at the Library, as recommended by the Budget Commission and City Council; and

WHEREAS, the Budget Commission, in a meeting on January 27, 2011 recommended that of the balance, \$102,870 be used for social services allocations to local non-profits and \$755,730 be used for Library programs such as early literacy programs, books and other Library materials acquisition;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORVALLIS RESOLVES that the ballot title of the measure and the form in which it shall be printed on the official ballot is as follows:

Caption LOCAL OPTION TAX FOR LIBRARY, AQUATIC CENTER, SENIOR CENTER OPERATIONS

Question Shall Corvallis impose \$.45 per \$1,000 of assessed value, for three years beginning July 1, 2011, for operations? This measure may cause property taxes to increase more than three percent.

Summary: The tax revenue from this measure would be restricted as follows:

23.03% of the levy each year (approximately \$412,200 for fy 2011-12) for year-round operation of the Osborn Aquatic Center;

17.22% of the levy each year (approximately \$308,200 for fy 2011-12) for year-round operation of the Chintimini Senior Center;

11.79% of the levy each year (approximately \$211,000 for fy 2011-12) for year-round Library open hours on Mondays;

42.22% of the levy each year (approximately \$755,730 for fy 2011-12) for services and book and materials acquisitions at the Library; and

5.74% of the levy each year (approximately \$102,870 for fy 2011-12) for funding for social services.

The requested rate is estimated to raise approximately \$1,790,000 in fiscal year 2011-2012, \$1,850,870 in fiscal year 2012-2013, and \$1,924,900 in fiscal year 2013-2014 or a total of \$5,565,770 for all three years.

THE COUNCIL FURTHER RESOLVES that not later than March 17, 2011, the City Recorder, as the chief elections officer of the City, shall submit to the County Clerk for Benton County, Oregon a notice together with a certified copy of this Resolution and the Ballot Title, all in order that the ballot title may appear on the ballot for the regular election to be held on May 17, 2011. The City recorder shall submit to the County Clerk all necessary information, and shall do and perform all other acts and things necessary or appropriate, so that the ballot measure shall appear on the ballot for such regular election.

THE COUNCIL FURTHER RESOLVES that the City Manager, Recorder and Finance Director are hereby authorized, empowered and directed, for and on behalf of the City, to do and perform all acts and things necessary or appropriate to cause the ballot measure to appear on the ballot for the May 17, 2011 regular election and to otherwise carry out the purposes and intent of this resolution.

THE COUNCIL FURTHER RESOLVES that the City Recorder is directed to give notice of the election by publication in the Corvallis Gazette-Times, the official newspaper of the City of Corvallis, once a week for two successive and consecutive weeks within 30 days next preceding the election. The notice shall state the measure to be voted upon at the election, the ballot title thereof, the voting and/or polling places designated for the election, and the date and time of the election. The notice shall be posted in four locations within the City.

THE COUNCIL FURTHER RESOLVES that this resolution shall take effect immediately upon its adoption by the City Council.

Upon motion duly made and seconded, the foregoing resolution was adopted and the Mayor thereupon declared said resolution to be adopted.

Attachment A

2/9/2011

To: Administrative Services Committee
Re: Operating Levy Ballot Title-

Committee Members,

Personal business may prevent me from being present at today's meeting. Just in case, I wanted to tell you that I have fully reviewed the 2/9/2011 staff report and proposed ballot language. Having done so, I wholeheartedly recommend that A.S.C. affirms staff developed ballot language and also recommend as much to the full Council. Thank you.

Sincerely,
Mark O'Brien
Councilor, Ward 1

RESOLUTION 2011- _____

Minutes of the meeting of _____, continued.

A resolution submitted by Council person _____.

WHEREAS, for FY 2011-2012 the City of Corvallis is facing a deficit in the funds that use property taxes for operating costs; and

WHEREAS, the Corvallis City Council and Budget Commission held several meetings to review the financial challenge and to hear from citizens on preferences for addressing the deficit; and

WHEREAS, the City will have a reduction in property taxes levied for debt service beginning in 2012 that totals around \$0.30 per \$1,000 of assessed value and the City Council has found that as a result a new levy will have less of an impact on tax payers than otherwise might occur; and

WHEREAS, the Budget Commission recommended that part of the solution would be to place a local option property tax levy on the May 17, 2011 ballot to allow voters to decide whether certain services should be funded through the levy or should be eliminated/reduced; and

WHEREAS, the City Council, after meeting, taking public testimony and deliberating in a duly noticed public meeting on January 18, 2011, recommended proposing a measure for a 3-year tax levy with the use of the funds to not close the Library on Mondays, not close the Osborn Aquatic Center, and not close the Chintimini Senior Center, with the balance of the monies from the levy used for social services allocations and programs and services at the Library, as recommended by the Budget Commission and City Council; and

WHEREAS, the Budget Commission, in a public meeting on January 27, 2011 recommended that of the balance, \$102,870 be used for social services allocations to local non-profits and \$755,730 be used for Library programs such as early literacy programs, books and other Library materials acquisition.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORVALLIS RESOLVES that the ballot title of the measure and the form in which it shall be printed on the official ballot is as follows:

Caption: LOCAL OPTION TAX FOR LIBRARY, AQUATIC CENTER, SENIOR CENTER OPERATIONS

Question: Shall Corvallis impose \$.45 per \$1,000 of assessed value, for three years beginning July 1, 2011, for operations? This measure may cause property taxes to increase more than three percent.

Summary: The tax revenue from this measure would be restricted as follows:

23.03% of the levy each year (approximately \$412,200 for fy 2011-12) for year-round operation of the Osborn Aquatic Center;

17.22% of the levy each year (approximately \$308,200 for fy 2011-12) for year-round operation of the Chintimini Senior Center;

11.79% of the levy each year (approximately \$211,000 for fy 2011-12) for year-round Library open hours on Mondays;

42.22% of the levy each year (approximately \$755,730 for fy 2011-12) for services and book and materials acquisitions at the Library; and

5.74% of the levy each year (approximately \$102,870 for fy 2011-12) for funding for social services.

The requested rate is estimated to raise approximately \$1,790,000 in fiscal year 2011-2012, \$1,850,870 in fiscal year 2012-2013, and \$1,924,900 in fiscal year 2013-2014 or a total of \$5,565,770 for all three years.

THE COUNCIL FURTHER RESOLVES that not later than March 17, 2011, the City Recorder, as the chief elections officer of the City, shall submit to the County Clerk for Benton County, Oregon a notice together with a certified copy of this Resolution and the Ballot Title, all in order that the ballot title may appear on the ballot for the election to be held on May 17, 2011. The City Recorder shall submit to the County Clerk all necessary information, and shall do and perform all other acts and things necessary or appropriate, so that the ballot measure shall appear on the ballot for such election.

THE COUNCIL FURTHER RESOLVES that the City Manager, City Recorder and Finance Director are hereby authorized, empowered and directed, for and on behalf of the City, to do and perform all acts and things necessary or appropriate to cause the ballot measure to appear on the ballot for the May 17, 2011 election and to otherwise carry out the purposes and intent of this resolution.

THE COUNCIL FURTHER RESOLVES that the City Recorder is directed to give notice of the election by publication in the Corvallis Gazette-Times, the official newspaper of the City of Corvallis, once a week for two successive and consecutive weeks within 30 days next preceding the election. The notice shall state the measure to be voted upon at the election, the ballot title thereof, the voting and/or polling places designated for the election, and the date and time of the election. The notice shall be posted in four locations within the City.

THE COUNCIL FURTHER RESOLVES that this resolution shall take effect immediately upon its adoption by the City Council.



Upon motion duly made and seconded, the foregoing resolution was adopted and the Mayor thereupon declared said resolution to be adopted.

**CITY OF CORVALLIS
NOTICE OF RECEIPT OF BALLOT TITLE**

Notice is hereby given that the following ballot title for a proposed ballot measure was filed with the Assistant to City Manager/City Recorder of the City of Corvallis on February 14, 2011:

CAPTION: 02-____ Local Option Tax for Library, Aquatic Center, Senior Center Operations

QUESTION: Shall Corvallis impose \$.45 per \$1,000 of assessed value, for three years beginning July 1, 2011, for operations? This measure may cause property taxes to increase more than three percent.

SUMMARY: The tax revenue from this measure would be restricted as follows:

23.03% of the levy each year (approximately \$412,200 for fy 2011-12) for year-round operation of the Osborn Aquatic Center;

17.22% of the levy each year (approximately \$308,200 for fy 2011-12) for year-round operation of the Chintimini Senior Center;

11.79% of the levy each year (approximately \$211,000 for fy 2011-12) for year-round Library open hours on Mondays;

42.22% of the levy each year (approximately \$755,730 for fy 2011-12) for services and book and materials acquisitions at the Library; and

5.74% of the levy each year (approximately \$102,870 for fy 2011-12) for funding for social services.

The requested rate is estimated to raise approximately \$1,790,000 in fiscal year 2011-2012, \$1,850,870 in fiscal year 2012-2013, and \$1,924,900 in fiscal year 2013-2014 or a total of \$5,565,770 for all three years.

An elector may file petition for review of this ballot title in the Benton County Circuit Court no later than 5:00 pm on Monday, February 28, 2011.

Kathy Louie
Assistant to City Manager/City Recorder

Publish: February 17, 2011