

## **RESOLUTION 19-16**

A RESOLUTION APPROVING REFERRAL TO THE ELECTORS OF THE CITY OF SCAPPOOSE AT THE NOVEMBER 5, 2019 ELECTION, THE QUESTION OF WHETHER TO ENACT A FUEL TAX OF 3 CENTS PER GALLON FOR STREET SYSTEM IMPROVEMENTS, REPAIRS, AND MAINTENANCE

**Whereas,** ORS 319.950 authorizes the City to enact or amend an ordinance taxing fuel for motor vehicles after submitting the proposed tax to the electors of the local government for their approval; and

**Whereas,** the City Council of Scappoose adopted Ordinance No. 883, which enacts a three cents per gallon fuel tax, for street improvements, repairs and maintenance, and;

**Whereas,** the City Council of Scappoose, pursuant to ORS 319.950, desires to refer Ordinance No. 833, to the electors of the City of Scappoose.

**Now, therefore, be it resolved:**

Section 1: Measure. A measure election is called in and for the City of Scappoose, Columbia County, Oregon, for the purpose of submitting a measure that would enact a fuel tax of three cents per gallon for street improvements, repairs and maintenance. A copy of the measure is attached and incorporated as "Exhibit 1."

Section 2: Election Conducted by Mail. The measure election shall be held on Tuesday, November 5, 2019, which is the next election. The precinct for the election shall be all of the territory within the corporate limits of the City of Scappoose. As required by ORS 254.465, the measure election will be conducted by mail by the Columbia County Elections Department, according to the procedures adopted by the Oregon Secretary of State.

Section 3: Notice of Ballot Title. The City Elections Officer is directed to publish notice of receipt of the ballot title in the Columbia County Spotlight in compliance with ORS 250.275(5).

Section 4: Ballot Title. Pursuant to ORS 250.285 and ORS 254.095, the Scappoose City Council directs the City Elections Officer to file a notice of the City Measure Election in substantially the form of Exhibit 2, with the Columbia County Elections Office, unless, pursuant to a valid ballot title challenge, the Scappoose City Council certifies a different Notice of City Measure Election to be filed, such filing will occur no earlier than the eighth business day after the date on which Exhibit 2 is filed with the city elections officer and not later than September 5, 2019.

Section 5: Explanatory Statement. Pursuant to ORS 251.345, the Scappoose City Council directs the City Manager to prepare a Measure Explanatory Statement for

publication in the county voters' pamphlet; said statement shall be filed with the Columbia County Elections Office at the same time the Notice of City Election is filed by the city elections officer.

Section 6: Delegation. The Scappoose City Council authorized City Manager or a designee of the City Manager to act on behalf of the City of Scappoose 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.

Section 7: Effect of "Yes" Vote. If a majority of eligible voters vote "yes" on the measure, Ordinance No. 883, will become operative, and the City will enact a fuel tax of three cents per gallon for street improvements, repair and maintenance.

**PASSED AND ADOPTED** by the Scappoose City Council and signed by me, and the City Recorder, in authentication of its passage on this 12<sup>th</sup> day of August 2019.

CITY OF SCAPPOOSE, OREGON



Scott Burge, Mayor

Attest:

  
Susan M. Reeves, MMC  
City Recorder

# Notice of Measure Election

City

# SEL 802

rev 01/18 ORS 250.035, 250.041,  
250.275, 250.285, 254.095, 254.465

## Notice

Date of Notice

Name of City or Cities

Date of Election

City of Scappoose

November 5, 2019

**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.

3 cent fuel tax for street repairs, traffic safety projects

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

Shall Scappoose adopt a 3 cent per gallon fuel tax to fund street repairs and pedestrian safety projects including sidewalks?

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

Measure raises revenue for street repairs and pedestrian safety projects by imposing a 3 cent per gallon tax on all motorists purchasing motor vehicle fuel in the City of Scappoose, unless the fuel is exempted from taxation under state or federal laws. Many of the city's streets were built more than forty years ago and are deteriorating. The tax revenue may only be used for construction, reconstruction, improvement, repair, and maintenance of streets and sidewalks within the city.

In addition to being used for pothole repairs and overlay paving on an as needed basis, community priority projects identified during the annual town meeting include:

Completing sidewalks and pavement overlay on SW Old Portland Rd., from Highway 30 to Havlik;

Installing sidewalks and pavement overlay on SE 3rd from Grant Watts Elementary to SE Elm St.; and

Installing sidewalks and pavement overlay on SW JP West from Highway 30 to SW 4th St.

Funds can be used to provide the match for grant programs like ODOT's Safe Routes to Schools program.

Tax sunsets after 10 years.

**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

Michael J. Sykes

Title

City Manager

Mailing Address

33568 East Columbia Avenue

Contact Phone

503-543-7146

*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

## **Explanatory Statement**

In 2017, the City did an assessment of the condition of the city's streets, the steps needed to maintain them, and developed cost estimates to do those repairs and paving projects. The City also looked at past revenue that it had received from state and federal fuel taxes in order to plan for future costs identified in the assessment.

Based on the amount of state and federal fuel taxes that the City traditionally receives, the assessment found that those projected federal and state monies will not sufficiently fund the projects on the recommended schedule.

If passed, this Measure raises revenue for street repairs and pedestrian safety projects by implementing a 3 cent per gallon tax on all motorists purchasing motor vehicle fuel in the City of Scappoose, unless the fuel is exempted from taxation under state or federal laws.

The tax revenue collected may only be used for the construction, reconstruction, improvement, repair, and maintenance of streets and sidewalks within the City.

Many of the City's streets were built more than forty years ago and are deteriorating. The City's 2017 pavement assessment determined that every \$1 spent on pavement preservation saves up to \$5 for pavement rehabilitation or \$28 for pavement reconstruction.

In addition to pothole repairs and overlay paving on an as needed basis, community priority projects identified during the annual town meeting include:

Completing sidewalks and street overlay paving on SW Old Portland Rd., from Highway 30 to Havlik;

Installing sidewalks on SE 3<sup>rd</sup> from Grant Watts Elementary to SE Elm St.; and

Installing sidewalks on SW JP West from Highway 30 to SW 4<sup>th</sup> St.

Funds can also be used to provide the local match for grant programs like the Oregon Department of Transportation's Safe Routes to Schools program.

The Oregon Department of Transportation estimates that about 30,000 vehicles per day through Scappoose on Highway 30. Some of those drivers buy fuel in the City.

The proposed tax would be paid by anyone who purchases motor vehicle fuel in the City, whether they are a resident or a nonresident, unless they are exempted from paying the tax under state or federal law.

Last year, approximately 10 million gallons of fuel were sold within Scappoose. Based on that amount, estimated annual revenue generated if this measure passes is expected to be approximately \$300,000.

Tax sunsets after 10 years unless reauthorized by voters.

## NOTICE OF RECEIPT OF BALLOT TITLE

Notice is hereby given that a ballot title for a measure referred by the City of Scappoose will be filed with the Columbia County Clerk on August 22, 2019.

The ballot title is: **Caption (10 word limit) (10)**

3 cent fuel tax for street repairs, traffic safety projects

**Question (20 word limit) (20)**

Shall Scappoose adopt a 3 cent per gallon fuel tax to fund street repairs and pedestrian safety projects including sidewalks?

**Summary (175 word limit) (175)**

Measure raises revenue for street repairs and pedestrian safety projects by imposing a 3 cent per gallon tax on all motorists purchasing motor vehicle fuel in the City of Scappoose, unless the fuel is exempted from taxation under state or federal laws.

Many of the city's streets were built more than forty years ago and are deteriorating.

The tax revenue may only be used for construction, reconstruction, improvement, repair, and maintenance of streets and sidewalks within the city.

In addition to being used for pothole repairs and overlay paving on an as needed basis, community priority projects identified during the annual town meeting include:

Completing sidewalks and pavement overlay on SW Old Portland Rd., from Highway 30 to Havlik;

Installing sidewalks and pavement overlay on SE 3<sup>rd</sup> from Grant Watts Elementary to SE Elm St.; and

Installing sidewalks and pavement overlay on SW JP West from Highway 30 to SW 4<sup>th</sup> St.

Funds can be used to provide the match for grant programs like ODOT's Safe Routes to Schools program.

Tax sunsets after 10 years.

An elector may file a petition for review of this ballot title in the Columbia County Circuit Court no later than **5:00 p.m., August 21, 2019** (which is the 7<sup>th</sup> business day after receipt.)

Published pursuant to OR 250.296 by Susan M Reeves, MMC, City Recorder.

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