RESOLUTION NUMBER 13-1978

A RESOLUTION PROVIDING FOR THE CALLING OF A CITY ELECTION IN THE CITY OF MILWAUKIE, OREGON ON THE 23RD DAY OF MAY, 1978, FOR THE PURPOSE OF SUBMITTING TO THE LEGAL VOTERS OF THE CITY OF MILWAUKIE, OREGON, THE QUESTION OF AUTHORIZING AND DIRECTING THE MILWAUKIE CITY COUNCIL TO LEVY TAXES IN THE SUM OF $522,180 FOR THE FISCAL YEAR 1978-79 FOR GENERAL CITY OPERATIONS, WHICH SUM EXCEEDS THE CONSTITUTIONAL SIX PERCENT LIMITATION ON TAXATION SET FORTH IN SECTION 11, ARTICLE XI OF THE CONSTITUTION OF OREGON.

WHEREAS, the City Council of the City of Milwaukie, Oregon, has determined that it is necessary and advisable that there be included in the budget and tax levy for the fiscal year 1978-79 for general city operations the sum of $522,180 which amount exceeds the constitutional six percent limitation on taxation set forth in Section 11, Article XI of the Constitution of Oregon, and

WHEREAS, before said amount so exceeding said constitutional limitation can be included in the budget and levy, it is necessary to submit the matter to the legal voters of the City of Milwaukie, Oregon, for the purpose of seeking their authorization and approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milwaukie, Oregon, that there shall be submitted in the manner prescribed in this resolution to the legal voters of the City of Milwaukie, Oregon, at an election to be held on the 23rd day of May, 1978, for their approval or rejection, the following proposition:

> "Shall the City Council of the City of Milwaukie, Clackamas County, Oregon, be authorized to levy taxes for the fiscal year 1978-79 in the sum of $522,180, representing an estimated tax rate per $1000 true cash value of $4.65, for general city operations, which sum exceeds the six percent limitation on taxation as set forth in Section 11 of Article XI of the Constitution of Oregon?"

Explanation: The City of Milwaukie has a tax base of $948,113. The tax base plus non-tax revenues available for use by the city for 1978-79 are insufficient to continue the existing level of public services to the community. The proposed tax levy of $522,180 in excess of the six percent property tax limitation represents an estimated tax rate of $4.65.

BE IT FURTHER RESOLVED that the election precincts for said city election shall be and constitute all of the territory included within the corporate limits of the City of Milwaukie, Oregon, and that there shall be fifteen polling places for said

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city election, namely:

1. Voters residing in precinct 50 shall vote at
   City Hall
   10722 S.E. Main Street
2. Voters residing in precinct 51 shall vote at
   Milwaukie Masonic Temple
   10626 S.E. Main Street
3. Voters residing in precinct 52 shall vote at
   Milwaukie Grange
   12015 S.E. 22nd Avenue
4. Voters residing in precinct 53 and 61 shall vote at
   Ardenwald Grade School
   8950 S.E. 36th Avenue
5. Voters residing in precinct 54 shall vote at
   Hillside Park Administration Building
   10203 S.E. D Street
6. Voters residing in precinct 55 shall vote at
   Milwaukie JC Dogwood Lodge
   3667 S.E. Roswell Street
7. Voters residing in precinct 56 shall vote at
   Milwaukie Fire Substation
   9909 S.E. 40th Avenue
8. Voters residing in precinct 57 shall vote at
   Milwaukie Grade School
   11250 S.E. 27th Avenue
9. Voters residing in precinct 58 shall vote at
   Rowe Junior High School
   3606 S.E. Lake Road
10. Voters residing in precinct 59 shall vote at
    Hector Campbell Grade School
    11326 S.E. 47th Avenue
11. Voters residing in precinct 60 shall vote at
    Lewelling Grade School
    5325 S.E. Logus Road
12. Voters residing in precinct 62 shall vote at
    Milwaukie First Baptist Church
    10750 S.E. 42nd Avenue
13. Voters residing in precinct 63 shall vote at
    St. Paul Methodist Church
    11631 S.E. Linwood Avenue
14. Voters residing in precinct 64 shall vote at
    Linwood Grade School
    11909 S.E. Linwood Avenue
15. Voters residing in precinct 65 shall vote at
    Milwaukie High School
    11300 S.E. 23rd Avenue."

BE IT FURTHER RESOLVED that the County Clerk, County of Clackamas, State of Oregon is hereby designated and empowered to cause to be initiated and hold a public election within the corporate limits of the City of Milwaukie, State of Oregon, on the date and at the time herein set by the City Council of the City of Milwaukie, and that the Chairman and Clerks of election and Judges thereof, acting as the election board supervising said election, be designated and appointed by the County Clerk of the County of Clackamas, State of Oregon; and that the Recorder of the City of Milwaukie be and hereby is empowered and ordered to make all necessary arrangements as requested by the County Clerk of Clackamas County, and to contract with the Clerk for Clackamas County and to pay for said County services incurred on account of said special election a reasonable sum.

BE IT FURTHER RESOLVED that it is not practicable to submit the foregoing proposition in the form and by ballot title required by subsection (1) of Section 20 of Article V of Ordinance No. 735 of the City of Milwaukie, Oregon, and that, in order to truly and impartially state the purpose and effect of the proposition in question, the proposition should be submitted to the voters in the following form and ballot title, to-wit:

"PROPOSED BY THE CITY COUNCIL AND REFERRED TO THE LEGAL VOTERS OF SAID CITY:

"AUTHORIZING CITY COUNCIL TO ADOPT BUDGET AND LEVY TAXES IN EXCESS OF CONSTITUTIONAL LIMITATION.

"Shall the City Council of the City of Milwaukie, Clackamas County, Oregon, be authorized to levy taxes for the fiscal year 1978-79 in the sum of $522,180, representing an estimated tax rate per $1000 true cash value of $4.65, for general city operations, which sum exceeds the six percent limitation on taxation as set forth in Section 11 of Article XI of the Constitution of Oregon?"

Explanation: The City of Milwaukie has a tax base of $948,113. The tax base plus non-tax revenues available for use by the city for 1978-79 are insufficient to continue the existing level of public services to the community. The proposed tax levy of $522,180 in excess of the six percent property tax limitation represents an estimated tax rate of $4.65.

BE IT FURTHER RESOLVED that the ballot for said election shall be in a form substantially as follows:

NO. _____
STUB

TO BE TORN OFF BY THE CHAIRMAN

OFFICIAL BALLOT
for
CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON
ELECTION.

Vote Yes or No. Mark (X) or (✓) in the square for the answer voted for.

PROPOSED BY THE CITY COUNCIL AND REFERRED TO THE LEGAL VOTERS OF SAID CITY:

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☐ YES I VOTE FOR THE PROPOSED TAX LEVY

☐ NO I VOTE AGAINST THE PROPOSED TAX LEVY

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BE IT FURTHER RESOLVED that the City Recorder be and she hereby is directed to give at least ten (10) days notice of the election hereby called by posting notices thereof in one (1) public place within the boundaries of each voting precinct as established by this resolution, within the boundaries of the City of Milwaukie, Oregon, and by publishing said notice once in a newspaper of general circulation within the city in the following form:

NOTICE OF ELECTION

On the 23rd day of May, 1978, in the City of Milwaukie, Oregon, from 8 o'clock a.m. until 8 o'clock p.m., Pacific Daylight Time, an election will be held at which the following proposition will be submitted to the legal voters of the City of Milwaukie, Oregon, for their approval or rejection:

"PROPOSED BY THE CITY COUNCIL AND REFERRED TO THE LEGAL VOTERS OF SAID CITY:

"AUTHORIZING CITY COUNCIL TO ADOPT BUDGET AND LEVY TAXES IN EXCESS OF CONSTITUTIONAL LIMITATION.

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The polling places for the said election will be as follows:

1. Voters residing in precinct 50 shall vote at
   City Hall
   10722 SE Main Street
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   Milwaukie Masonic Temple
   10626 SE Main Street
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    Milwaukie High School
    11300 SE 23rd Avenue."

The city budget is on file with the City Recorder at the Recorder's office in the City Hall at Milwaukie, Oregon, and is there available for inspection.

Published by order of the City Council of the City of Milwaukie, Oregon.

Dorothy E. Farrell, Recorder

Be it so resolved.

RESOLUTION NO. 13-1978

Introduced and adopted by the City Council on the 8th day of May, 1978, at a special meeting of the City Council.

Bill Hupp
BILL E. HUPP, Mayor

ATTEST:

Dorothy E. Farrell
Dorothy E. Farrell, Recorder

APPROVED AS TO FORM:

Myer Avedovech
Myer Avedovech, City Attorney