

## RESOLUTION NO. 17-14

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### **A RESOLUTION CALLING FOR AN ELECTION AND REFERRING TO THE ELECTORS OF THE CITY OF OREGON CITY THE QUESTION OF AUTHORIZING UP TO \$16 MILLION IN BONDS TO FINANCE A POLICE AND MUNICIPAL COURT FACILITY**

**WHEREAS**, sections 47 and 57 of the Oregon City ("City") Municipal Charter require the City to obtain an affirmative vote of its electors to authorize certain borrowings; and

**WHEREAS**, it will benefit the City to obtain the authority to issue up to \$16 million of bonds to finance costs related to providing the community safety facility that is described in the attached Exhibit A (the "Facility").

### **NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:**

**Section 1.** A special City election is called in and for the City, to be held Tuesday, September 19, 2017. The Clackamas County Clerk shall conduct the election.

**Section 2.** At that election a measure shall be submitted to the voters of the City to authorize up to \$16 million in bonds to finance the Facility. The City will secure the bonds with the full faith and credit of the City, as provided in ORS 287A.315, may secure the bonds with a pledge of any of its legally available revenue as provided in ORS 287A.310, and may establish the terms for the bonds and sell them as provided in ORS 287A.300 and other relevant provisions of ORS Chapter 287A. If the measure is approved, the City Commission will need to authorize issuance of the bonds before they can be sold.

**Section 3.** The City Commission adopts the ballot title, attached as Exhibit A, and the explanatory statement, attached as Exhibit B, to describe the measure and to be placed before the voters at the September 19, 2017 special City election. The City Manager is directed to file the ballot title and explanatory statement, in substantially the form attached but with such changes as may be approved by the City Manager, with the City Recorder as the City's Elections Official. The City Recorder is directed to timely file the election documents with the Clackamas County Elections Office.

**Section 4.** Pursuant to Section 25 of the City Charter, the City Recorder shall give at least ten days' notice of the election called by this resolution in a newspaper of general circulation in the City. The notice shall state the ballot title of the measure to be voted upon, and the time and place of the election.

**Section 5.** Pursuant to ORS 250.275(5) and 250.285 the City Elections Officer shall publish in the next available edition of a newspaper of general distribution in the City, a notice of receipt of the ballot title including notice that an elector may file a petition for review of the ballot title pursuant to ORS 250.296 not later than the date in the notice. The notice shall be in substantially the form attached to this resolution as Exhibit C.

**Section 6.** If the voters approve the bonds, the City expects that the bonds will bear low, "tax-exempt" interest rates because interest on the bonds will be excluded from gross income under Section 103 of the Internal Revenue Code of 1986, as amended. The United States Internal Revenue Service requires the City to declare its official intent to reimburse itself for amounts that the City will spend before the tax-exempt bonds are issued, and the City hereby declares its

official intent to reimburse itself with the proceeds of the bonds for any amounts the City spends on the Purposes before the bonds are issued.

**Section 7.** This resolution shall take effect immediately upon its adoption by the City Commission.

Approved and adopted at a regular meeting of the City Commission held on the 17th day of May, 2017.

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DAN HOLLADAY, Mayor

Attested to this 17th day of May, 2017

Approved as to legal sufficiency:

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Kattie Riggs, City Recorder

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City Attorney

**EXHIBIT A**  
**BALLOT TITLE**

**Measure No.** \_\_\_\_\_

**CAPTION:** OREGON CITY BONDS FOR POLICE AND MUNICIPAL COURT FACILITY

**QUESTION:** Shall Oregon City issue bonds in a principal amount up to \$16 million to provide police and municipal court facility?

**SUMMARY:** Approval of this measure will not authorize the City to impose additional taxes or additional fees.

If approved, the bonds will finance a new police and municipal court facility on land Oregon City already owns.

The new police facility is expected to include separate entrances for those seeking police help and suspects of crimes, private interview rooms for victims, a modern emergency operations center and associated community spaces. Improvements to the municipal court are expected to include better security, a larger courtroom, and private meeting rooms for attorneys and their clients. The new police and municipal court facility would also be more easily accessible to disabled citizens.

If this measure is approved, the new police and municipal court facility will comply with state required seismic safety standards before the deadline of 2022. The revenue bonds would be secured by the City's full faith and credit, and regulated by Oregon Revised Statutes Chapter 287A.

The bonds may be issued in one or more series, and the City may refinance any bonds authorized by this measure.

**EXHIBIT B**  
**EXPLANATORY STATEMENT**

Approval of this measure would not allow the City to raise taxes or raise fees, it only authorizes the City to borrow money.

After studying alternatives for years, the City Commission resolved that a modern police department, municipal court, and emergency operations center should be constructed at the Mt. Pleasant School property, which was purchased by the City in January of 2015. The cost of the construction is estimated to be \$20 million. This ballot measure seeks authorization to allow the City to borrow up to \$16 million, over 20 years or less and to issue revenue bonds to finance a portion of the new police and municipal court facility. Repayment of the bonds would come from fees already being collected by the City. Those fees will continue to be collected by the City regardless of whether this measure passes. The remaining amount for the project would come from the sale of the current building and funds collected prior to the bond issuance. Approval of this measure would not allow the City to raise taxes or raise fees.

The new police and municipal court facility is expected to include separate entrances for those seeking police help and suspects of crimes, private interview rooms for victims, a modern emergency operations center and a public meeting space. Improvements to the municipal court are expected to include better security, a larger courtroom, and private meeting rooms for attorneys and their clients. The new police and municipal court facility would also be more easily accessible to disabled citizens.

Oregon law (ORS 455.400) requires that police and other emergency buildings meet seismic requirements by the year 2022. The existing building does not meet those requirements and would likely collapse during a significant seismic event. A functioning police department will play a key role in keeping the community safe following an earthquake or other natural disaster.

The current Oregon City Police Department building was purchased by the City in the 1980s. It houses the police department, the municipal court and code enforcement. The building is 12,000 square feet. In the 1980s, the population in Oregon City was under 16,000 and there were approximately 30 total police employees. Today, the population of Oregon City has more than doubled to over 35,000 residents with 58 full time police employees. There are 4 full time and 8 part-time municipal court employees. Severe space limitations have forced police staff to house essential services in three double-wide trailers on the back of the property.

I'm the person submitting this Measure Explanatory Statement for the City of Oregon City.

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Kattie Riggs, Election Official and City Recorder for the City of Oregon City

**EXHIBIT C**  
**NOTICE OF BALLOT TITLE REFERRAL BY CITY COMMISSION OF**  
**THE CITY OF OREGON CITY**

NOTICE IS HEREBY GIVEN that the City Recorder of Oregon City has received a proposal from the City Commission of Oregon City to refer to the electors of the City the question of issuing bonds to provide a police and municipal court facility. The City Recorder has determined that the proposal contains only one subject, as required by section 1(2)(d), Article IV of the Oregon Constitution.

NOTICE IS FURTHER GIVEN that the Oregon City Commission has submitted the following ballot title for the proposal:

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If this measure is approved, the new police and municipal court facility will comply with state required seismic safety standards before the deadline of 2022. The revenue bonds would be secured by the City's full faith and credit, and regulated by Oregon Revised Statutes Chapter 287A.

The bonds may be issued in one or more series, and the City may refinance any bonds authorized by this measure.

NOTICE IS FURTHER GIVEN that any elector of the City who believes the proposed measure contains more than one subject or who believes the ballot title is insufficient, not concise, or unfair may file a petition for judicial review with the Circuit Court for Clackamas County no later than [insert date that is 7 business days after the title is filed with the city elections officer], under ORS 250.296. Notification must also be given to the City Recorder not later than 5 p.m. on the business day following filing with the Circuit Court.

KATTIE RIGGS,  
Oregon City Recorder & Elections Officer