

**RESOLUTION NO. 16-03**

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**A RESOLUTION CALLING FOR AN ELECTION TO APPROVE THE CHANGE IN STATUS  
AND CONSTRUCTION OF IMPROVEMENTS FOR A PORTION OF THE WESLEY LYNN  
PARK UNDER SECTION 41 OF THE OREGON CITY CHARTER, AND ADOPTING A  
BALLOT TITLE**

**WHEREAS**, Wesley Lynn Park is a City park located on the south side of the City that was created through the purchase of property for use as a park; and

**WHEREAS**, Wesley Lynn Park is subject to the protection of Chapter X of the Oregon City Charter, including a prohibition on the change in status of a park or the construction of improvements on park land without a vote of the people; and

**WHEREAS**, the owner of property adjacent to undeveloped northwestern portion of Wesley Lynn Park, who also has an easement for the use of a portion of Wesley Lynn Park for road purposes; and

**WHEREAS**, the owner of the property adjacent to the undeveloped northwestern portion of Wesley Lynn Park would like to develop a nine lot subdivision and use the easement area to construct a public road to serve the development and install an underground stormwater drain across a portion of Wesley Lynn Park at no cost to the City; and

**WHEREAS**, the public road would likely provide future access to Wesley Lynn Park and the stormwater facility may also be used by the Park in the future, but the City is not currently in a position to construct that access or otherwise improve the Park; and

**WHEREAS**, the City Commission has determined that it would be in the public interest to change the status of a portion of Wesley Lynn Park to allow a portion of Wesley Lynn Park to be used for road and utility purposes; and

**WHEREAS**, the City Commission considered this matter on January 12, 2016, and, after reviewing the information presented, reached consensus to continue with further City process and subject to this referral; and

**WHEREAS**, Section 41 of the City Charter of Oregon City requires voter approval of the sale, lease, transfer, or change in status of park land.

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

**Section 1.** A regular City election is called in and for the City of Oregon City, to be held Tuesday, May 17, 2016. The Clackamas County Clerk shall conduct the election.

**Section 2.** At that election a measure shall be submitted to the voters of Oregon City to allow the change in status of a portion of Wesley Lynn Park to allow for the construction of a public road and to allow the granting of an easement for stormwater facilities to serve a subdivision on adjacent property and for potential future use by the Park.

**Section 3.** The City Commission adopts the following ballot title to describe the measure to be placed before the voters at the May 17, 2016 regular City election. The City Manager is directed to file the following ballot title with the City Recorder:


Measure No. \_\_\_\_\_:

CAPTION: Changes status of Wesley Lynn Park; allows easement, public road.

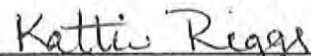
QUESTION: Shall the status of a portion of Wesley Lynn Park change to allow construction of a public road and utilities?

SUMMARY: The City Charter requires voter approval for the change in status of a city park and to allow improvements (other than for recreation) in a park. A property owner who owns the property adjacent to the northwest of an undeveloped portion of Wesley Lynn Park wishes to develop a nine lot subdivision and would like to use a portion of the park to build a public road and install utilities at no cost to the City. The road would be located largely in an existing easement and would likely also serve the park in the future, but the City is not in a position to develop the park at this time. In addition, the developer would be granted a fifteen foot wide easement to allow the installation of an underground stormwater drainage facility. Approval of this measure would allow the construction of a public road and utilities in the park, but would not foreclose the use of those roads and utilities by the park in the future or impact the current use of the park.

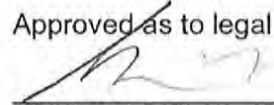
Approved and adopted at a regular meeting of the City Commission held on the 3rd day of February 2016.

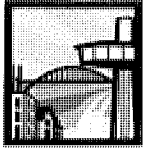
  
\_\_\_\_\_  
DAN HOLLADAY, Mayor

Attested to this 3<sup>rd</sup> day of February 2016:

  
\_\_\_\_\_  
Kattie Riggs, City Recorder

Approved as to legal sufficiency:

  
\_\_\_\_\_  
City Attorney



**OREGON  
CITY**

**Office of the City Recorder**

625 Center Street | Oregon City OR 97045  
Ph (503) 657-0891 | Fax (503) 657-7026

March 11, 2016

*Hand-delivered and e-mailed on 03/11/2016*

Steve Kindred  
Clackamas County Elections  
1710 Red Soils Court, Ste. 100  
Oregon City, OR 97045

Re: Submittal of Ballot Documents from City of Oregon City for May 17, 2016 Election

Dear Steve:

In accordance with State Statute requirements for submittal of election materials, enclosed are the following documents certifying one measure for the May 17, 2016 Election.

1. Measure authorizing the change in status of a city park and allowing improvements
  - SEL 802 – Notice of Measure Election
  - Explanatory Statement

If you have any questions on these matters, please do not hesitate to contact me at 503-496-1505.

Sincerely,

Kattie Riggs  
City Recorder – City of Oregon City  
Election Official



# Notice of Measure Election

City

SEL 802

rev 01/16 ORS 250.035, 250.041,  
250.275, 250.285, 254.095, 254.465

## Notice

Date of Notice

March 11, 2016

Name of City or Cities

City of Oregon City

Date of Election

May 17, 2016

**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.

Changes status of Wesley Lynn Park; allows easement, public road.

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

Shall the status of a portion of Wesley Lynn Park change to allow construction of a public road and utilities?

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

The City Charter requires voter approval for the change in status of a city park and to allow improvements (other than for recreation) in a park. A property owner who owns the property adjacent to the northwest of an undeveloped portion of Wesley Lynn Park wishes to develop a nine lot subdivision and would like to use a portion of the park to build a public road and install utilities at no cost to the City. The road would be located largely in an existing easement and would likely also serve the park in the future, but the City is not in a position to develop the park at this time. In addition, the developer would be granted a fifteen foot wide easement to allow the installation of an underground stormwater drainage facility. Approval of this measure would allow the construction of a public road and utilities in the park, but would not foreclose the use of those roads and utilities by the park in the future or impact the current use of the park.

**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

Kattie Riggs

Title

City Recorder / Elections Officer

Mailing Address

P.O. Box 3040, Oregon City, OR 97045

Contact Phone

503-496-1505

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

EX. E

## Measure Explanatory Statement for County Voters' Pamphlet

**Important! Please read all instructions before completing this form.** This form is to be used when filing a 'Measure Explanatory Statement for County Voters' Pamphlet' with your County Elections office. If a local government is located in more than one county, the county clerk of the county in which the city hall of the city or the administrative office of the local government is located shall be the filing officer for the 'Measure Explanatory Statement for County Voters' Pamphlet'.

### Filing Information

Election: ☐ Primary 20\_\_\_\_ ☐ General 20\_\_\_\_ ☐ Special\_\_\_\_ Measure #\_\_\_\_ - \_\_\_\_

### Ballot Title Caption

Changes status of Wesley Lynn Park; allows easement, public road.

Name of Person responsible for content of 'Explanatory Statement' (as it should appear in the Voters' Pamphlet):

**Kattie Riggs, City Recorder**

Name of Jurisdiction/Organization Person is authorized to represent (as it should appear in the Voters' Pamphlet):

City of Oregon City

### CONTACT INFORMATION

Phone: Cell: \_\_\_\_\_ Work: (503) 496-1505 Home: \_\_\_\_\_

E-Mail: kriggs@orc.org

### SIGNATURE

Kattie Riggs  
Signature of person responsible for content of 'Explanatory Statement'

3-11-2016  
Date

### MEASURE EXPLANATORY STATEMENT

See attached for 'Measure Explanatory Statement' (500 word/number MAX).

### For Office Use only:

☐ County: \_\_\_\_\_

Word Count (500 max):

Signed? ☐ Yes ☐ No

Digital copy? ☐ Yes ☐ No

'Measure Explanatory Statement' attached?

Review Staff Initials:

☐ Yes ☐ No

Intake Staff Initials:

EX. E



## **MEASURE EXPLANATORY STATEMENT FOR COUNTY VOTERS' PAMPHLET**

This measure would allow a property owner adjacent to the northwest end of Wesley Lynn Park to build a new public road on park property and to use a portion of the park to drain stormwater via an underground pipe. These improvements require voter approval because Chapter X of the Oregon City Charter prohibits improvements on park property, other than for recreational purposes, without a vote of the people. It is likely that these improvements would also serve park purposes in the future, but because no improvements are currently planned, the improvements require a vote.

Wesley Lynn Park was created through two purchases of property, the first in 1998 and the second in 2010. The city used funds from park system development charges and other park specific funds. Since the park was purchased, the southeast side of the park was improved with ball fields, but no improvements have taken place on the northwest end of the park. When the City acquired the property, it was subject to an access easement for the property to the west and that property owner now wants to subdivide its property.

At the request of the adjacent property owner, the Oregon City Commission approved sending this measure to the voters and the City's Park and Recreation Advisory Committee has reviewed the proposed road improvements and stormwater improvements and has no objections. The City is likely to improve the northwest side of the park in the future and the improvements authorized by this measure could be used to serve the park uses at that time, but any improvements related to this measure would be made at the sole cost of the neighboring property owner.