

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 12- 33

A RESOLUTION OF THE TIGARD CITY COUNCIL SUBMITTING TO THE VOTERS A PROPOSED CHARTER AMENDMENT TO BE CONSIDERED AT THE NOVEMBER 6, 2012, GENERAL ELECTION, WHICH WOULD REQUIRE A PUBLIC VOTE PRIOR TO IMPOSING NEW LOCAL TAXES OR FEES TO FUND LIGHT RAIL CONSTRUCTION, SAID CHARTER AMENDMENT WILL EXPIRE TEN YEARS AFTER ITS EFFECTIVE DATE

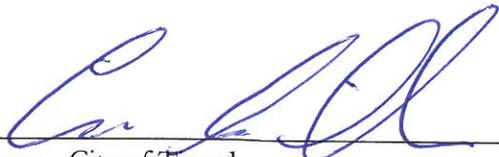
WHEREAS, after due consideration, the Tigard City Council has decided to forward a proposed Charter Amendment to the voters.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

- SECTION 1: An election is hereby called in and for the City of Tigard, Washington County, Oregon, for the purpose of submitting to the legal voters the question of requiring a public vote prior to imposing new local taxes or fees to fund light rail construction.
- SECTION 2: The measure election hereby called shall be held in the City of Tigard on the 6th day of November 2012. The election shall be conducted by mail pursuant to ORS 254.465 and 254.470.
- SECTION 3: The Tigard City Council authorizes the mayor, the city manager (each an “authorized representative”) or a designee of the authorized representative to act on behalf of the City of Tigard 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 4: Pursuant to ORS 250.275(5), the Tigard City Council directs the city elections officer to file a Notice of City Measure Election in substantially the form of Exhibit A with the Washington County Elections Office not earlier than the eighth business day after the date on which Exhibit A is filed with the city elections officer and not later than September 6, 2012. The Washington County Elections Office is required to produce and disseminate a facsimile of the ballot in accordance with ORS 254.205.
- SECTION 5: Pursuant to ORS 251.345, the Tigard 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 Washington County Elections Office at the same time the Notice of City Measure Election is filed by the city elections officer.
- SECTION 6: The Act, containing the full Charter amendment, is attached hereto as Exhibit B and included in this resolution by reference. The effective date of the Charter amendment, if approved by a majority of votes cast for the measure, shall be the date the certified election results are canvassed by the City Elections Official.

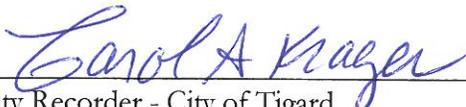
SECTION 7: This resolution is effective immediately upon passage.

PASSED: This 21st day of August 2012.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

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EXHIBIT A

NOTICE OF CITY MEASURE ELECTION

CITY OF TIGARD WASHINGTON COUNTY, OREGON

NOTICE IS HEREBY GIVEN that on November 6, 2012, a measure election will be held in the City of Tigard, Washington County, Oregon. The following shall be the ballot title of the measure to be submitted to the city's voters on this date:

CAPTION

VOTE REQUIRED TO USE CERTAIN FUNDS FOR LIGHT RAIL CONSTRUCTION

QUESTION

SHALL TIGARD BE REQUIRED TO GET VOTER APPROVAL BEFORE AUTHORIZING NEW OR ADDITIONAL TAXES OR FEES FOR LIGHT RAIL CONSTRUCTION?

SUMMARY

If approved by voters this measure would add a section to the Tigard Charter prohibiting the City of Tigard from increasing a current tax or fee or authorizing a new local tax or fee for construction costs to build or expand light rail transit line infrastructure without voter authorization. Tigard would be required to hold an election and state the amount of new or additional taxes or fees that would be used to construct the infrastructure for light rail. Tigard voters would authorize or decline to authorize the spending of the new or additional taxes or fees. This measure could, if passed, limit the City of Tigard's ability to provide the local funding match that might be necessary to access federal and state transportation funding. Today there has been no transit mode selected for high capacity transit to serve the southwest Metro region. This measure would apply if light rail is the mode selected. This Charter Amendment would automatically expire ten years after its effective date.

EXHIBIT B

AN ACT

A Charter amendment submitted to the voters by the Tigard City Council. The Charter of the City of Tigard is amended to read (new language is underlined) as shown below and referenced in City of Tigard Resolution No. 12-33.

Section 52.

The City of Tigard shall not increase a current tax or fee or impose a new local tax or fee for construction costs to build or expand light rail transit line infrastructure without voter authorization. If the City desires to increase or impose a new local tax or fee for construction costs to build or expand light rail transit line infrastructure, it will first call an election and state the amount of new or additional taxes or fees that would be used for construction costs to build or expand light rail transit line infrastructure. The voters of the City of Tigard would authorize or decline to authorize the spending of the new or additional taxes or fees. This Charter Section will automatically expire ten years after its effective date. This Charter Section became effective on (date to be determined as specified in Resolution No. 12-33, Section 6).