

Council Communication

August 2, 2016, Business Meeting

A Resolution to Submit Ballot Title to City Elections Officer of Election on a Measure to Amend AMC 4.34, Food and Beverage Tax at the November 8, 2016, General Election

FROM:

Dave Kanner, city administrator, dave.kanner@ashland.or.us

SUMMARY

This is a resolution that allows the City Recorder, the City's elections officer, to initiate the noticing required for the City to refer amendments to the Food & Beverage Tax ordinance to the November ballot. Although the Council has not yet officially referred the amended ordinance, the timelines for doing so are tight, and giving the City Recorder a two-week head start will help facilitate the process of placing the matter on the ballot within the mandated deadlines.

BACKGROUND AND POLICY IMPLICATIONS:

The City Council is considering amendments to Ashland's Food and Beverage Tax ordinance and has expressed a desire to refer those amendments to the voters in the November 8, 2016, general election. In light of the tight timeline and pending deadlines for public notice and submission of the ballot title, the City Recorder and the City Attorney have suggested a two-step process for placing this matter on the ballot. The first step, which is accomplished by this resolution, is to have the City Recorder give notice of the receipt of ballot title. The second step, which will be taken at the August 16, 2016, Council meeting, is the formal adoption of the ballot title and the adoption of a resolution referring the matter to the ballot. Should the Council decide to not refer the ordinance, that second step would simply not be taken. However, there is no harm in taking this first step.

COUNCIL GOALS SUPPORTED:

N/A

FISCAL IMPLICATIONS:

N/A

STAFF RECOMMENDATION AND REQUESTED ACTION:

Staff recommends approval of this resolution.

SUGGESTED MOTION:

I move approval of a resolution titled, "A resolution of the City of Ashland to submit ballot title to City Elections Officer of election on a measure to amend AMC 4.34, food and beverage tax at the November 8, 2016, general election".

ATTACHMENTS:

Resolution with proposed ballot title language



RESOLUTION NO. 2016-_____

**RESOLUTION OF THE CITY OF ASHLAND TO SUBMIT BALLOT
TITLE TO CITY ELECTIONS OFFICER OF ELECTION ON A
MEASURE TO AMEND AMC 4.34, FOOD AND BEVERAGE TAX AT THE
NOVEMBER 8, 2016, GENERAL ELECTION**

THE CITY OF ASHLAND RESOLVES AS FOLLOWS:

SECTION 1. The City Council wishes to submit to the qualified voters of the City the Question of approving or rejecting “An Ordinance Amending AMC 4.34, Food and Beverage Tax” in the November 8, 2016, general election.

SECTION 2. The City Recorder shall give notice of the receipt of the Ballot Title as provided in the laws of the State of Oregon and the charter and ordinances of the City of Ashland.

SECTION 3. The proposed ballot title for this measure is set forth in Exhibit A, attached.

SECTION 4. The City Attorney is authorized to alter the text of the ballot to comply with any rules, procedures or practices of the Elections Officer of Jackson County to implement the requirement of Oregon law.

The resolution is effective upon signing by the Mayor.

PASSED and ADOPTED this ____ day of _____, 2016:

Barbara Christensen, City Recorder

SIGNED and APPROVED THIS ____ day of _____, 2016:

John Stromberg, Mayor

Reviewed as to form:

David Lohman, City Attorney

EXHIBIT A

City of Ashland, Ballot Measure, November 8, 2016, General Election
Approval of an ordinance amending AMC Chapter 4.34, Food and Beverage Tax, and referring the ordinance to the voters of Ashland in the November 8, 2016 general election

Caption:

Approving use of food and beverage tax for street maintenance

Total 10 words (10 words permitted per ORS 250.035)

Question:

Shall Ashland voters enact a Council-approved ordinance to use food and beverage tax revenue for street repair and rehabilitation?

Total 19 words (20 words permitted per ORS 250.035 20)

Summary:

The Ashland City Council has approved an ordinance increasing the share of Ashland Parks and Recreation Commission food and beverage tax revenue and dedicating a share of food and beverage tax revenue to a street repair and rehabilitation program. The ordinance becomes effective upon approval by the voters of Ashland. The ordinance does not change the current tax rate of 5% and does not change the tax's current sunset date of December 31, 2030.

The City's current food and beverage tax ordinance directs 20% of all tax revenues to park land acquisition and development, and 80% of all tax revenues to debt service on the City's waste water treatment plant. The ordinance for which the City seeks approval would increase the share of tax revenue for parks to 25% and would set aside a fixed amount of revenue for waste water debt, with any revenues not required for that debt directed to the Street Fund for a pavement management program.

Total 160 words (175 words permitted per ORS 250.035)