

CONSERVATION FINANCE FEASIBILITY STUDY | OCTOBER 2017

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# CITY OF WEST LINN, OREGON



THE  
TRUST  
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**PUBLIC**  
**LAND**

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## City of West Linn

May 30, 2017

Dee Frankfourth, Associate National Director Conservation Strategies  
The Trust for Public Land  
901 Fifth Avenue, Suite 1520  
Seattle, WA 98164

Owen Wozniak, Oregon Program Director  
The Trust for Public Land  
400 SE 26<sup>th</sup>  
Portland, OR 97214

Dear Ms. Frankfourth and Mr. Wozniak:

By this letter, the City of West Linn requests technical advice and assistance from your organization in connection with the City's efforts to develop a program to finance parks and recreation, city facilities, and land conservation with a potential related ballot measure. As part of your advice and assistance, we understand you may provide feasibility research, conduct a public opinion survey, and develop strategies for our consideration.

We are interested not only in the factual information that you can provide to us, but also in your organization's opinions and recommendations on public financing mechanisms and measures available to the City. Although your submissions will be directed to the attention of Parks & Recreation Director Ken Worcester, we understand that your responses to this request will be for the general use of West Linn.

This request will continue in effect for any subsequent advice you offer or presentations you submit for the use of the City related to such matters. In addition, we would like to take this opportunity to request that you continue to be available to provide technical advice and assistance in this area and on related matters in the future.

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Thank you for your organization's contribution to the work of the City of West Linn.

Sincerely,

Russ Axelrod  
Mayor, City of West Linn

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CITY OF TREES, HILLS AND RIVERS

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## INTRODUCTION

The Trust for Public Land (TPL) is a national nonprofit land conservation organization working to protect land for human enjoyment and well-being. The Trust for Public Land helps conserve land for parks, greenways, recreation areas, watersheds and natural areas. Since 1972, the TPL has protected more than 3 million acres and completed more than 5,200 park and conservation projects. To help public agencies or land trusts acquire land, the Trust for Public Land's Conservation Finance program assists communities in identifying and securing public financing. The Trust for Public Land offers technical assistance to elected officials, public agencies, and community groups to design, pass, and implement public funding measures that reflect popular priorities.

Helping communities to secure dedicated parks and conservation can lead to more prudent land use, better-managed growth, and the increased protection of natural landscapes. To stimulate engagement across jurisdictions and constituencies, the Trust for Public Land has historically found effective partnerships among a broad spectrum of players, from the environmental left to the fiscally conservative right, and recognizes that it is important to consistently explore new tools that can encourage and strengthen the willpower of the voters to seek dedicated parks and conservation funds. This focused, up-front investment pays dividends over the long-term in voter-supported funding that is dedicated to conservation.

Since 1996, the Trust for Public Land has been involved in more than 500 successful ballot measures and 20 successful legislative campaigns that have created more than \$68 billion in new funding for parks, restoration, and land conservation. Voters have approved 81 percent of the ballot measures assisted by the Trust for Public Land, including 12 successful measures in Oregon since 1996. Recent successes include the passage of a \$68 million bond for park improvements and upgrades in the City of Portland in 2014, as well as the passage of a 5-year local option property levy of 9.6 cents per \$1,000 for park improvement, operations, and maintenance in the Metro Regional Government special district in 2013. These measures passed with 74 and 56 percent support, respectively. In 2012, voters in the Bend Park and Recreation District approved a \$29 million bond for the purpose of protecting natural areas, connecting trails, improving parks, and providing water safety. Also in 2012, a \$20 million bond for the acquisition and improvement of parks, trails, watersheds, habitat, and other natural areas was passed by voters in the Willamalane Park and Recreation District. These measures passed with 52 and 53 percent support, respectively.

The City of West Linn asked the Trust for Public Land to explore the potential for the city to issue bonds for capital improvements including parks and recreation facilities. Given the substantial investment of time and resources required for a successful conservation finance initiative, preliminary research is essential to determine the feasibility of such an effort. This research provides a stand-alone, fact-based reference document that can be used to evaluate this financing mechanism from an objective vantage point.<sup>1,2</sup>

If city officials decide to pursue bond funding, a possible next step would be testing voter attitudes toward a set of funding levels and expenditure priorities. The Trust for Public Land recommends conducting a public opinion survey that tests ballot language, tax tolerance, and program priorities of West Linn voters.

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<sup>1</sup> The contents of this report are based on the best available information at the time of research and drafting September 2017.

<sup>2</sup> This feasibility study is not a legal document and should not be relied upon as a legal opinion.



## EXECUTIVE SUMMARY

At the heart of the most successful capital improvement funding programs is a substantial, long-term, dedicated source of local revenue. With a reliable source of funds, local governments can establish meaningful parks and recreation priorities that protect the most valuable resources, are geographically distributed, and otherwise meet important goals and values. Furthermore, local governments with significant funds are much better positioned to secure and leverage funding from the federal government and attract other local and state government or private philanthropic partners.

Nationwide, a range of public financing options has been utilized to fund parks and open space preservation. These include general obligation bonds, the local sales tax, the property tax, and less frequently used mechanisms such as special assessment districts, real estate transfer taxes, impact fees, and income taxes. Communities in Oregon have traditionally been able to rely on a mix of funding due to the availability of state funding and local conservation funding measures.

The property tax and general obligation bonds are the principal local revenue sources utilized for conservation purposes in Oregon. Counties and municipalities are authorized to acquire land and easements for purposes including parks, trails, watershed protection, floodplain management, farmland, and cultural and historic preservation. In Oregon, municipalities and special districts rather than counties have largely undertaken conservation finance ballot measures. Oregon voters, in general, have shown moderate support for funding parks and open space measures – approving 18 of 31 local funding questions (58 percent) since 1996. The most common finance mechanism utilized by local jurisdictions in the state is general obligation bonds, which accounted for 14 of the successful ballot measures.

The City of West Linn has supported parks and recreation facilities with funding from bonds in the past. With some existing bonds retiring in the next year or so, the city has considered issuing up to \$18 million in new bonds for capital improvements, which would cost the owner of a median assessed value home (\$322,258) approximately \$135 a year in taxes (roughly the same as the cost of the expiring bonds). Generally, bond proceeds are limited to capital projects and may not be used for operations and maintenance purposes. Voter approval is required.

Creating a dedicated funding source in the city could help to support existing and projected needs. Next steps should include conducting a public opinion survey of West Linn voters to understand public support for a bond issue to support capital facilities, parks, and recreation.

## OVERVIEW

The City of West Linn, located approximately 20 miles south of Portland, Oregon, is primarily a residential community with a low amount of heavy industry and retail commercial activity. The city provides a small town atmosphere to its 25,615 residents, with distinct neighborhoods and views of surrounding rivers and mountains. According to the growth projections done in 2015 by Metro, West Linn in 2040 is expected to have 27,861 people within current boundaries, plus additional residents from future annexations.

Median household income, at \$98,018, is one of the highest of any city in the state, just behind Portland and Lake Oswego.<sup>3</sup> West Linn's citizens are among the most educated in the state. The percentage of West Linn residents 25 years or older who have graduated from high school is 98 percent. The percentage of residents 25 years or older holding a bachelor's degree or higher is 56 percent. The largest manufacturing employer in the city is Safeway Inc. The largest non-manufacturing employers are the West Linn Wilsonville School District and the city itself.<sup>4</sup>

## Governance

The West Linn City Council consists of the Mayor and four Councilors who act as the board of directors. The Council sets policies for the city; enacts ordinances; and hires and directs the City Manager. The Mayor and Councilors are elected at-large and serve staggered four-year terms. The West Linn City Council meets the first three Mondays of each month.

West Linn City Government	
Name	Term Ends
Russell Axelrod, Mayor	Dec. 2020
Brenda Perry, President	Dec. 2018
Terri Cummings	Dec. 2020
Bob Martin	Dec. 2018
Richard Sakelik	Dec. 2020

## Fiscal Status and Budget<sup>5</sup>

The city receives revenues from a variety of sources including taxes, intergovernmental revenues and charges for services. General government activities such as city administration are primarily supported by property taxes. Enterprises such as water and sewer facilities, are primarily supported by charges for services. The 2018-2019 Proposed Biennial Budget is balanced at \$93.8 million. West Linn's permanent tax rate of \$2.12 per thousand is applied to the projected taxable assessed value of property to generate revenues to support City of West Linn core operations. This is the lowest property tax rate for cities in the surrounding area according to the city's 2016 Comprehensive Annual Financial Report. The budget does not contain several notable capital outlay needs and requests such as projects being identified in the Park Master Plan update, the I-205 Trail, Library roof replacement, Robinwood and Bolton Station improvements, the Willamette Drive streetscape improvement project, and/or other possibilities.

The City of West Linn has a general obligation bond tax levy to fund debt service on general obligation bonds for parks and recreation; library services; and the police station. The end of the

<sup>3</sup> Sawyer, Brandon. The List: Wealthiest metro-area ZIP codes Ranked by Esri's 2015 wealth ranking based on income, net worth and home value data. *Portland Business Journal*, January 7, 2016.

<sup>4</sup> City of West Linn Adopted 2018-2019 Biennial Budget. Also, <http://westlinnoregon.gov/economicdevelopment/community-facts>.

<sup>5</sup> This section was largely excerpted from the City of West Linn Adopted 2018-2019 Biennial Budget.

upcoming 2018-19 biennium will also mark the expiration of West Linn's tax levy supporting a general obligation park bond.

### Future Debt Plans

City administrators have discussed requesting voter approval of a general obligation issue not to exceed \$20 million in May 2018 for capital improvements within the city including parks, recreational facilities and trails. The city may also consider issuing revenue bonds in the future to replace the city's water lines, if the Utility Advisory Board and the voters of the City of West Linn wish the Council to proceed with these plans.

### Capital Improvement Plan

The City of West Linn's Capital Improvement Plan (CIP) involves a process through which the City develops a multi-year plan for major capital expenditures that matches available resources with project needs. The CIP lists the highest priority proposed capital projects, the estimated time frame in which the project needs to be undertaken, the financial requirements of the project, and proposed methods of financing.

The CIP brings together a longer-term schedule of needed capital projects for:

- Parks, recreation facilities, and open space
- Transportation, including intersections, sidewalks, pathways, and streets
- Utilities, including water, sanitary sewer, and surface water management
- General government and public safety facilities

The 2018-2023 Capital Improvement Plan envisions approximately \$6.65 million in parks and trails capital projects. Projects totaling roughly \$4.39 million will be supported by system development charges, fees, and grants. Funding sources for remaining \$2.26 million have yet to be identified. As mentioned above, this budget does not contain some capital outlay needs that may be identified in the Park Master Plan update.

### Parks and Recreation

The City of West Linn has more than 600 acres of parkland, ranging from active-oriented parks with opportunities for sports, picnicking, and playing on playgrounds, to passive-oriented parks with opportunities for walking, biking, and watching wildlife.

The Parks and Recreation Fund is a special revenue fund in the city budget used to account for the maintenance and operation of the city's parks and open space, recreation activities, and special events and activities in the community. Principal sources of revenue include an allocation of the city's permanent property tax rate, a monthly maintenance fee charged to all residents, and program fees. The adopted 2018-2019 total biennial budget for Parks and Recreation totaled approximately \$8 million.

<b><u>PARKS &amp; RECREATION FUND</u></b>	
Parks & Recreation	\$ 5,970,000
Debt Service	72,000
Transfers to Other Funds	1,688,000
Contingency	225,000
Total Appropriations	<u>\$ 7,955,000</u>



The Systems Development Charges (SDC) Fund accounts for the city's system development charges. A systems development charge is a one-time fee imposed on new development and some types of redevelopment. The fee is intended to recover the full share of the costs of existing and planned infrastructure that provide capacity to serve growth. The parks SDC generates roughly \$400,000 annually.

Residents' utility bills include a park maintenance fee approved by the City Council in July 2007. Effective July 1, 2017, this monthly residential park maintenance fee is \$14.34 per month per household. The fee is projected to generate roughly \$1.78 million in FY 2019.

## CHOOSING A LOCAL FUNDING STRATEGY

Generally, there are three broad-based types of revenue sources available to local governments to pay for parks and recreation: discretionary annual spending (i.e. budget appropriation), creation of dedicated funding streams such as voter-approved special taxes or fees, and the issuance of bonds. The financing options utilized by a community will depend on a variety of factors such as taxing capacity, budgetary resources, voter preferences, and political will. While most local governments can create funding for parks and recreation through their budgetary process, this either happens infrequently or does not yield adequate funding.

In the Trust for Public Land's experience, local governments that create funding via the budget process provide substantially less funding than those that create funding through ballot measures. As elected officials go through the process of making critical budgetary decisions, funding for parks and recreation lags behind other public purposes and well behind what voters would support. It is often quite difficult to raise taxes without an indisputable public mandate for the intended purpose.

Nationwide, a range of public financing options has been utilized by local jurisdictions to fund parks and recreation, including general obligation bonds, the local sales tax, and the property tax. Less frequently used mechanisms have included real estate transfer taxes, impact fees, and income taxes. The ability of local governments and special districts to establish dedicated funding sources depends upon state enabling authority.

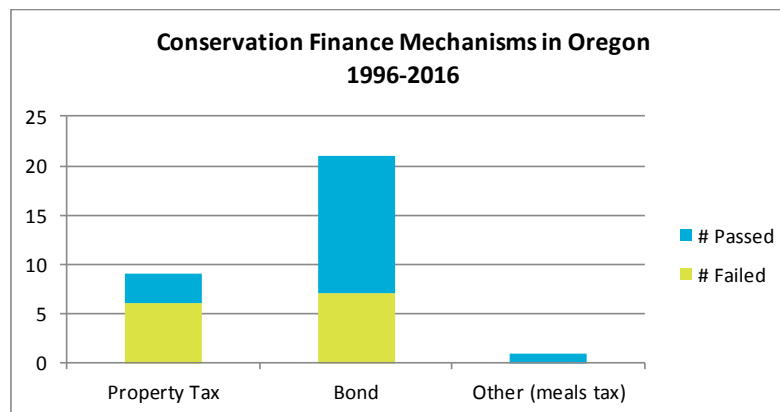
West Linn has requested that The Trust for Public Land evaluate the feasibility of a voter-approved bond measure that would effectively replace existing measures scheduled to sunset. We have advised and helped shape such measures elsewhere in the region – including Portland's 2014 "Fix It" bond measure – and around the county. We have found bond measures to be a compelling vehicle for ensuring robust and stable parks funding.

## Local Conservation Finance Ballot Measures in Oregon

The property tax and general obligation bonds are the principal local, voter-approved revenue sources that could be permitted for conservation purposes in Oregon. Counties and municipalities are authorized to acquire land and easements for purposes including parks, trails, watershed protection, floodplain management, farmland, and cultural and historic preservation. These

mechanisms have different requirements for authorization. In Oregon, municipalities rather than counties have largely undertaken conservation finance ballot measures. Most of these measures are bonds, which can only be used for capital expenses.<sup>6</sup> The property tax may be used to fund operations and maintenance.

Oregon voters have shown moderate support for funding parks and open space measures – approving 18 of 31 local funding questions (58 percent) since 1996. The most common finance mechanism utilized by local jurisdictions in the state is general obligation bonds, which accounted for 14 of the successful ballot measures. Three jurisdictions, the City of Portland, the Metro Regional Government, and the River Road Park and Recreation District, have passed local option property taxes for parks and land conservation.<sup>7</sup>



## General Obligation Bonds

Upon voter approval, a city may issue general obligation bonds to finance capital construction or capital improvements, such as land acquisition or building construction. Generally, bond proceeds are limited to capital projects and may not be used for operations and maintenance purposes.<sup>8</sup> An Oregon city may not issue or have outstanding at the time of issuance general obligation bonds in a principal amount that exceeds three percent of the real market value of the taxable property within its boundaries.<sup>9</sup> The city determines the maturity dates for bonds to provide for short-term, interim, or long-term borrowing and establishes the principal amounts, interest rates, and other terms and conditions of the bonds.<sup>10</sup>

In order to pay the principal of and interest on outstanding general obligation bonds, the city levies annually an ad valorem property tax on the taxable property within the boundaries of the city. The revenues of this levy may only be used to pay the principal of and interest on the general obligation bond.<sup>11</sup> Property taxes imposed to pay the principal and interest on voter-approved general

<sup>6</sup> The Trust for Public Land's Conservation Almanac Database

<sup>7</sup> The Trust for Public Land's LandVote Database

<sup>8</sup> Federal IRS rules governing the issuance of tax-exempt bonds limit the use of proceeds to capital purposes such that only a small fraction of bond funds may be used for maintenance or operations. State and local laws may further limit the use of bond proceeds.

<sup>9</sup> Unless the city charter provides a lesser limitation; Oregon Revised Statutes §287A.050

<sup>10</sup> Oregon Revised Statutes §287A.300

<sup>11</sup> Oregon Revised Statutes §287A.140

obligation bonds for capital construction or improvements are not subject to the property tax limits of Measure 5.<sup>12</sup>

General obligation bonds are a popular finance mechanism for funding land conservation in Oregon. Since 1996, several municipalities in Oregon have passed general obligation bonds for parks and recreation. See Appendix A for examples of municipal bond ballot language.

In 1998, West Linn voters approved an \$8 million bond to support parks and recreation facilities. Later, in 2013, a \$24 million bond to build an aquatics center failed at the ballot with just 25 percent voter support.

Successful Conservation Bonds in Oregon, 1996-present				
Jurisdiction Name	Date	Description	Total Funds Approved	% Yes
Portland	11/4/2014	Bond for park improvements and upgrades	\$68,000,000	74%
Bend Park and Recreation District	11/6/2012	Bond to protect natural areas, connect trails, improve parks and provide water safety	\$29,000,000	52%
Willamalane Park and Recreation District	11/6/2012	Bond for the acquisition and improvement of parks, trails, watersheds, wildlife habitat and other natural areas	\$20,000,000	53%
Tigard	11/2/2010	Bond for the acquisition of parkland	\$17,000,000	52%
Cannon Beach	5/19/2009	Bond for the protection of Ecola Creek watershed	\$4,000,000	51%
Tualatin Hills Park and Recreation District	11/4/2008	Bond for new parks, land acquisition, trails, and facility renovation	\$100,000,000	51%
Metro-Portland	11/7/2006	Bond to preserve natural areas, and protect water quality, fish and wildlife habitats	\$227,400,000	59%
Eugene	11/7/2006	Bond to acquire parks and open space	\$27,490,000	59%
Lake Oswego	11/5/2002	Measure 3-93; Bond for parks, open space and pathways	\$9,750,000	58%
Corvallis	11/7/2000	Bond issue for open space acquisition	\$7,900,000	65%
Roseburg	11/3/1998	Bonds for parks and trails	\$2,500,000	55%
Lake Oswego	11/3/1998	Measure No. 3-20, Bond for open space, sports field renovation	\$13,000,000	60%
Eugene	11/3/1998	Ballot Measure 20-30, Bond for Parkland Acquisition, Sports Field, Swimming Pool	\$25,305,000	67%
West Linn	11/3/1998	Measure 3-37, Bond for Parks, Recreation	\$8,000,000	51%
Lincoln City	11/3/1998	Bond measure for open space acquisition	\$3,000,000	52%

Source: The Trust for Public Land's LandVote Database

## Debt Capacity in the City of West Linn

As of June 30, 2017, the city had \$9.6 million outstanding in three general obligation bond issues and \$6.3 million outstanding in other credit obligations, for a total of \$15.9 million in long-term debt outstanding. Pursuant to Oregon Revised Statute 287.004, outstanding general obligation debt for cities may not exceed three percent of the real market value of all properties within city limits.

<sup>12</sup> Oregon Constitution Article XI Section 11b. Measure 5 constitutionally limits total non-school property taxes to one percent (\$10 per \$1,000 assessed value), which significantly limits local revenue options.

For West Linn, this maximum is \$113 million, of which the city is currently utilizing roughly 10 percent in general obligation debt outstanding.

In January 2012, Moody's Investor Services reaffirmed the City of West Linn's credit rating at Aa2 for its general obligation bonds outstanding stating "these rating assignments primarily reflect the City's improved managerial oversight and stronger financial position." Standard & Poor's also reaffirmed their AA+ rating noting the "City's use of a five-year financial forecast to build budgets and its quarterly reports on budgeted numbers compared to actual performance to the City Council."

### Issuing Debt for Parks and Recreation

According to the West Linn 2018-2019 Biennial Budget, the opportunity exists to finance approximately \$18-\$20 million in capital improvements while maintaining a level tax rate at current interest rates. Debt analysis from the city finance manager assumes the bond levy would be set to stay at the current rate of \$0.42 per \$1,000 of assessed value.

This scenario further assumes that the City will be borrowing extra money to pay interest in the first three years of the bond. This is a tool (called capitalized interest) to maximize the proceeds of the bond sale while staying under the \$0.42 per \$1,000 tax rate. Bond counsels have advised the city that if this tool is utilized it should be referenced in the bond measure language.<sup>13</sup>

The table below shows the estimated cost of a bond levy at \$0.42 per \$1,000 to the owner of a median assessed value home in the city (assumes a taxable value of \$322,258). See Appendix A for implementation procedures and ballot language requirements.

City of West Linn Estimated Bond Levy Cost per Household			
Mill Increase	Taxable valuation*	Annual revenue	Annual cost per household**
0.4200	\$3,508,615,871	\$1,473,619	\$135
*Clackamas County Assessor.			
**Median assessed value home = \$322,258, City of West Linn.			

The jurisdiction's officials, financial advisors, bond counsel and underwriters would establish the actual terms.

<sup>13</sup> Matt Donahue in personal communication with Ken Worcester, Parks and Recreation Director, August 3, 2017.

## ELECTION ANALYSIS

### Recent Results

Voters in the City of West Linn and Clackamas County have been largely supportive of local public finance measures. Since 2013, six of eight measures proposing tax levies or bonds were approved. Results of recent relevant elections are summarized in the table below.

West Linn & Clackamas County Election Results (selected examples since 2013)				
Date	Measure	Description	Results	%Yes
Nov-16	Ordinance	<b>Prohibits certain marijuana registrants, licensees, and businesses in West Linn.</b> Shall West Linn prohibit medical marijuana processors, medical marijuana dispensaries, recreational marijuana producers, processors, wholesalers, and retailers in West linn?	Pass	60%
Nov-16	Levy	<b>Renewal of Current County Sheriff Public Safety Local Option Levy.</b> Shall Clackamas County fund law enforcement; maintain rate of 24.8 cents per \$1,000 assessed value for five years beginning 2017-2022? This measure renews current local option taxes.	Pass	77%
Nov-16	Levy	<b>Temporary 6-Cent Per Gallon Vehicle Fuel Tax.</b> Shall Clackamas County adopt a seven-year, 6-cent-per-gallon motor vehicle fuel tax dedicated to road maintenance projects?	Fail	37%
Nov-16	Levy	<b>Imposing 3% county tax on retail sales marijuana.</b> Shall Clackamas County impose a 3% tax on the sale of recreational marijuana items in unincorporated areas of the county?	Pass	75%
May-16	Levy	<b>Advisory vote on voter approved funding of county road maintenance.</b> Shall the county pursue voter-approved funding for a limited number of years for deferred road maintenance?	Pass	62%
May-16	Bond	<b>General obligation bonds to replace obsolete emergency radio communication systems.</b> Shall the county replace obsolete first responders emergency radio communications system; expand coverage, reinforce for disasters; issue \$59 million in bonds?	Pass	64%
Nov-14	Ordinance	<b>Northern perimeter of Wilderness Park for pedestrian and bike access.</b> Shall the City of West Linn use the northern perimeter of Wilderness Park to provide pedestrian and bike access to the high school?	Pass	81%
Nov-14	Bond	<b>General obligation bond for school facility additions and improvements.</b> Shall West Linn-Wilsonville School District issue general obligation bonds totaling \$84.5 million to finance additions and improvements to facilities?	Pass	56%
Nov-14	Levy	<b>Five-year local option operating tax renewal.</b> Shall District renew its \$1.50 per \$1,000 of assessed value for general operations for five years?	Pass	67%
Nov-13	Bond	<b>Bond Measure for West Linn Aquatic and Community Center.</b> Shall the City sell bonds to refinance land and construct, equip and furnish a new indoor aquatic and community center?	Fail	25%

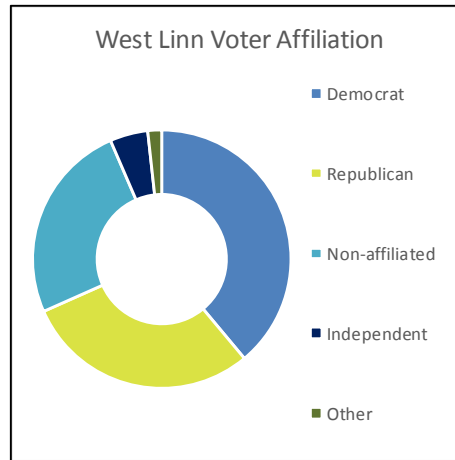
*Highlight indicates a City of West Linn measure.*



## Voter Registration and Turnout

As of October 2017, the City of West Linn had 19,019 registered voters. The tables below summarize party affiliation. Voter turnout for the May 17, 2016 election was 53 percent (17,284 registered voters and 9,188 ballots cast).

West Linn Voter Registration		
By Party Affiliation		
Democrat	7,410	39%
Republican	5,595	29%
Non-affiliated	4,779	25%
Independent	904	5%
Other	331	2%
<b>Total</b>	<b>19,019</b>	
<i>Source: Clackamas County Elections, 10/3/17.</i>		



## Upcoming Elections

There are four regularly scheduled elections every year.

- The 2nd Tuesday in March
- The 3rd Tuesday in May
- The 3rd Tuesday in September
- The 1st Tuesday, after the 1st Monday, in November

Whether an election is held depends on whether the local jurisdiction is putting something before the people to vote on.

- Primary elections are held in May, of even-numbered years, to select candidates for the general election.
- General elections are held in November, of even-numbered years.
- Cities are bound by the Oregon Constitution to hold regular elections for municipal officers on the same dates that state and county primary and general biennial elections are held: the third Tuesday in May and the first Tuesday after the first Monday in November in even-numbered years. (Oregon Constitution, Article II, section 14a.) State statutes provide for special elections for municipal officers on other dates.

## Procedures and Requirements for Council to Submit a Measure

In instances where a city council itself submits a measure to the voters, the procedure usually involves the following:

- Ordering submission of the measure at an election on a specified date;
- Preparation of a ballot title for the measure; and
- Submission of the measure at the election.

### Ballot Requirements

According to state law, all ballot titles must contain a caption with a maximum of 10 words, a description of not more than 20 words, and a summary of up to 175 words. Cities have the option of compiling, printing and distributing their own voters' pamphlets for measures and candidates to be voted upon exclusively by city voters. Provisions are made for inclusion of pictures and statements of municipal candidates in the state voters' pamphlet.<sup>14</sup>

Elections and Filing Deadlines					
Event	2018 Elections				
	March 13	May 15	Sept. 18	Nov. 6	Reference
Last day for county or city governing body to file text of referral or if governing body prepared a title, complete ballot title, in order for ballot title process to be complete by filing deadline (80th day before election).	22-Dec-2017	23-Feb-2018	29-Jun-2018	17-Aug-2018	165.014-0005
Last day for county governing body or city elections official to file notice of measure election (61st day before election).	12-Jan-2018	15-Mar-2018	19-Jul-2018	6-Sep-2018	254.095; 254.103
Last day to file measure arguments for inclusion in county voters' pamphlet (2 business days after deadline for notice of measure election).	16-Jan-2018	19-Mar-2018	23-Jul-2018	10-Sep-2018	165.022-0010
First day to mail ballots (20th day before election).	22-Feb-2018	25-Apr-2018	29-Aug-2018	17-Oct-2018	254.470

Source: Oregon Secretary of State, Elections Division

The table below outlines the filing deadlines for 2018 elections.

Six Ballot Measures will be on the November 2017 City Special Election.

- Four Ballot Measures are asking the question should the City use a portion of 19095 Willamette Drive Open Space, 21395 Willamette Drive Open Space, Hidden Springs Open Space, and Hammerle Park to construct road improvements within Highway 43.
- One Ballot Measure asks: Shall Charter authorize City Council members to provide input to City Manager relating to city business employee or department performance?
- One Ballot Measure asks: Shall Charter be amended to clarify City Council authority and City Attorney responsibilities and authority over legal matters?

A state referendum on health care funding (Ballot Measure 101) will be included on ballots due on January 23, 2018.

<sup>14</sup> League of Oregon Cities – City Handbook 2013

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## APPENDICES

## Appendix A: General Obligation Bond Implementation

### Implementation Procedure

General obligation bonds must be approved by a majority of the voters voting in a May or November general election, or at a special election with at least 50 percent voter turnout (i.e., approved by a “double majority” of voters).<sup>15</sup>

Bond measures can be submitted to voters on the following dates:

- second Tuesday in March (double majority required);
- third Tuesday in May;
- third Tuesday in September (double majority required); or
- first Tuesday after the first Monday in November.<sup>16</sup>

The general election is held on the first Tuesday after the first Monday in November of each even-numbered year.<sup>17</sup>

### Ballot Language Requirements and Examples

The ballot title of any measure, other than a state measure, to be initiated or referred shall consist of:

- A caption of not more than 10 words which reasonably identifies the subject of the measure;
- A question of not more than 20 words which plainly phrases the chief purpose of the measure so that an affirmative response to the question corresponds to an affirmative vote on the measure; and
- A concise and impartial statement of not more than 175 words summarizing the measure and its major effect.<sup>18</sup>

If the election is not the May or November election, and thus the “double majority” requirement applies, the ballot must include the following statement as the first statement of the ballot title summary:

- “This measure may be passed only at an election with at least a 50 percent voter turnout.”
- The words of this statement do not count towards the word limits described above.<sup>19</sup>

The ballot title of any measure requesting elector approval of bonds, the principal and interest on which will be payable from taxes imposed on property or property ownership that are not subject to the limitations of sections 11 and 11b, Article XI of the Oregon Constitution (including general obligation bonds), shall contain the following statement immediately after the ballot title question and appearing with it, in this manner:

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<sup>15</sup> League of Oregon Cities, Debt Issuance Manual, September 2007

<sup>16</sup> Oregon Revised Statutes §221.230

<sup>17</sup> League of Oregon Cities, Debt Issuance Manual, September 2007

<sup>18</sup> Oregon Revised Statutes §250.035

<sup>19</sup> Oregon Revised Statutes §250.036

- “Question: (herein the question is stated) If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution.”
- The words of this statement do not count towards the word limits described above.

The ballot title statement for any measure requesting elector approval of bonds, the principal and interest on which is to be payable from taxes imposed on property or property ownership that are not subject to the limitations of sections 11 and 11b, Article XI of the Oregon Constitution (including general obligation bonds), shall contain a reasonably detailed, simple and understandable description of the use of proceeds.

The front of the outer envelope in which the ballot title is delivered shall state, clearly and boldly printed in red, “CONTAINS VOTE ON PROPOSED TAX INCREASE.”<sup>20</sup>

<b>Portland, November 2014</b>
<p>Referred to the People by the City Council</p> <p>26-159 Bonds to fix playgrounds, trails; improve park facilities, safety, accessibility.</p> <p>Question: Shall Portland fix, improve park facilities by issuing bonds estimated to maintain current tax rate; require audits and public oversight? If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution.</p> <p>Yes No</p>
<b>Tigard, November 2010</b>
<p>Bond to Acquire Open Spaces, Protect Clean Water, Improve Parklands</p> <p>Question: Shall city issue \$17 million general obligation bonds to acquire, preserve and protect open spaces, water quality, habitat, and parks? If the Bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of Sections II and IIb, Article XI of the Oregon Constitution.</p> <p>Summary: If approved, this measure would authorize the City of Tigard to sell up to \$17 million in bonds for land acquisition, restoration, capital construction and improvements allocated as follows:</p> <ul style="list-style-type: none"> <li>• 80% or more to acquire land to preserve open space, parklands, and wildlife habitat, protect streams for improved local water quality to benefit fish and wildlife,</li> <li>• 20% or less to create and improve community parks, recreational areas and trails, and</li> <li>• Up to 10% of the total for downtown parkland.</li> </ul> <p>This investment is for the benefit of current and future generations.</p> <p>The Parks and Recreation Board would provide oversight; spending would be audited by the City's yearly audit.</p> <p>Bonds would mature in 21 years or less from issuance and may be issued in one or more series. The estimated additional annual cost to property owners would be \$0.29 per \$1,000 of assessed valuation. For a home with the median assessed value of \$207,000, the City estimates that the additional monthly cost would be about \$4.99 per month, or \$60 per year.</p>

<sup>20</sup> Oregon Revised Statutes §250.037



**Cannon Beach, May 2009**

Measure 4-144 - CITY OF CANNON BEACH

**BOND AUTHORIZATION ACQUIRE ECOLA TRACT TO PROTECT WETLANDS, STREAMS, FORESTLANDS**

Question: Shall City acquire Ecola Tract to protect wetlands, streams, salmon habitat, forestlands; issue up to \$4 million general obligation bonds?

If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of sections 11 and 11b, Article XI of the Oregon Constitution.

Summary: This measure would authorize the City of Cannon Beach to sell up to \$4 million in bonds to acquire the 800-acre Ecola Tract from the Oregon Department of Forestry for the protection of wetlands, streams, forestlands, salmon, trout and wildlife habitat. Acquired lands would expand the existing City-owned Ecola Creek Forest Reserve. Additionally, proceeds would pay associated bond issuance costs.

The City would establish a citizen oversight committee and require a yearly independent financial audit, as well as create a management plan with input from citizens for the acquired land. The management plan would focus on conservation, restoration and passive recreation.

Bonds would mature in 21 years or less from issuance and may be issued in one or more series. The estimated additional annual cost to property owners if all \$4 million in bonds are sold would be \$0.36 per \$1,000 of assessed valuation. For the owner of a home with the median assessed value of \$200,516, the additional annual cost would be approximately \$75 per year.

With any questions or for more information please contact:

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