

BREAKING DOWN THE MARCH 9, 2010 SPECIAL ELECTION

By Jim Bennett, City Manager

There are going to be four local measures on the ballot at the March 9, 2010 special election. Only the citizens of Damascus will vote on these measures. I am going to break down each of them to explain what they do, what they don't do, and what the financial impact of each measure, if any, could be to both the citizens and the city of Damascus. My job as the city manager of Damascus is to be impartial. So you won't see me making any judgments or recommendations on the measures. My goal is to provide you with the information that you need to make an informed decision on the future of our city.

Measure 3-350

This measure would amend the city charter. First, it would prohibit granting monopoly status to any public or private provider of transport or transit. This simply means that the city could not contract exclusively with any one provider for transit services, such as buses, taxis and rail. Second, it would prohibit public mass transit rail within the city limits. Public transit services are generally provided by mass transit districts, such as Tri-Met. Their authority to operate and provide services is established under Oregon Revised Statutes, Chapter 267. This measure would not have any financial impact on the city. However, it could affect uses and users who rely upon public transit or rail services.

Measure 3-351

This measure would amend the city charter. First, it would require each member of the city council to submit written testimony any time that the city council votes to approve an ordinance with an emergency clause. The written testimony would explain what each council member felt was the principle threat requiring an emergency clause and why it was necessary to protect the public health and safety. An emergency clause causes an ordinance to take effect immediately instead of thirty days after it is adopted. Second, it would make all legislative or administrative acts of the city subject to referendum for a period of thirty days after adoption. The referendum power is reserved to the people by Article IV of the Oregon Constitution. However, it specifically refers to legislative acts. It is uncertain how this would affect administrative acts of the city. Third, it would void all previously adopted ordinances with emergency clauses unless they were re-approved within thirty days after certification of the results of the election. This measure would not have any financial impact on the city as long as previously adopted ordinances subject to this measure were re-approved as required.

Measure 3-352

This measure would amend the city charter. First, it would require that the city submit any proposed intergovernmental agreement to the voters for approval before entering into such an agreement. An intergovernmental agreement is an agreement between the city and another government agency. It is used for many purposes, such as providing services like law enforcement to the city, for mutual aid during emergencies, and spelling out the responsibilities of the city and another government agency when they are working on a project together. This would require approval by a majority of the city's voters at either an election where at least 50 percent of the voters turn out, frequently referred to as a

double majority, or at a general election, which occurs in November of each even-numbered year. Second, it would void all existing intergovernmental agreements that have been entered into by the city. This could result in an interruption of city services or delays to city projects until such agreements were submitted to and approved by the voters. There could be a financial impact to the city if the city were to take over providing services or contract with a private enterprise for services currently provided by a government agency.

Measure 3-353

This measure would amend the city charter. First, it would limit total spending by the city each year to no more than two and a half percent more than the previous year. For example, if the city spent \$4 million in one year, the next year the city could spend no more than \$4.1 million dollars, or an additional \$100,000. Total spending is not the same as the adopted city budget. Each year the city appropriates a certain amount of money that becomes the city budget for that year. It includes all of its reserve funds, contingencies and transfers from one fund to another as well as actual spending. For example, the city adopted a budget of \$10.4 million for fiscal year 2008-2009, but actual spending that year was \$4.3 million. The measure excludes certain disbursements from its definition of total spending, including emergency and rainy day funds, federal funds, tax refunds, donations, voter approved bond proceeds and the sale of real property to private parties. The two and one half percent limitation on total spending for any given year can be exceeded if approved by both the city council and then the voters at a general election, which is held in November of each even-numbered year. Second, the measure established that total spending in fiscal year 2010-2011 shall not exceed \$8 million. This measure would reduce the amount of city funds available for expenditures and could impact the type and level of services provided by the city.

I hope this clearly explains the measures that are going to be before the voters of Damascus at the March 9, 2010 special election. There will be other opportunities to learn about and discuss these measures in the weeks preceding the election. The important thing is for voters to be well-informed about and clearly understand what these measures do and what they don't do so that you can make the decision that is best for you and your vision for our city. Stay involved and don't forget to vote!