

RESOLUTION NO. 2464

RESOLUTION REFERRING AN INITIATIVE CHARTER AMENDMENT REQUIRING
VOTER APPROVAL FOR TRANSFER OF CITY ASSETS TO THE NOVEMBER 8, 2016
BALLOT.

WHEREAS, an initiative petition has been filed with the Warrenton City Commission for a charter amendment that would require voter approval for the transfer of city assets; and

WHEREAS, it has been certified that the initiative petition contains a sufficient number of signatures to be referred to the November 8, 2016 ballot.

NOW, THEREFORE, THE CITY RESOLVES AS FOLLOWS:

Section 1: An election is hereby called in and for the City of Warrenton, Clatsop County, Oregon, to submit to the legal voters of the City the following question:

Shall charter require double majority voter approval before City may sell, trade, or transfer any asset valued more than \$100,000?

Section 2: Tuesday, November 8, 2016 is hereby designated as the date for holding the election for voting on the measure.

Section 3: The election shall be conducted by the Clatsop County Elections Department.

Section 4: The precincts for said election shall be and do constitute all of the territory included within the corporate limits of the City of Warrenton.

Section 5: The ballot title to appear on the ballots shall read as set forth in the initiative petition.

Section 6: The City Recorder is hereby authorized to submit an impartial explanatory statement for the Clatsop County Voters' Pamphlet on behalf of the City to read something substantially similar to the following:

EXPLANATORY STATEMENT:

If approved, this measure would amend the Warrenton City Charter to require double majority voter approval before the City may sell, trade, divest or otherwise dispose of any City asset valued more than \$100,000.00 in 2014 dollars. A "double majority" voter approval requires both: (1) more than 50% of eligible electors to vote in an election; and (2) a majority of those voting to vote in favor.

Currently, decisions related to the sale, trade, divestment or disposal of these types of assets are generally made by the City Commission. This measure would require the Commission to refer these decisions to the voters for double majority approval before the City could implement such decisions. Such elections may occur during a regularly scheduled election or at a special election

depending on the timing of the decision and any applicable deadlines for approval. The City would be responsible for the costs of special elections.

If this measure is approved, examples of actions City could not take without double majority voter approval would include:

- using a city-owned garbage truck or ladder fire truck as a trade-in for a new vehicle;
- replacing parts in the city's water system;
- selling city owned buildings; and
- disposing of certain outdated and surplus equipment, such as city-owned backhoe.

For the purposes of this measure, City assets would include:

- any interest in real property - owned or leased by the City;
- any tangible physical asset;
- any system, operation or infrastructure with a combined tangible value of \$100,000.00 or more or with a gross income stream of \$100,000.00 or more; and
- any contractual right.

Under the measure, the phrase "sell, trade, divest or otherwise dispose of" would include the ordinary meaning of these terms as well as the following:

- any lease of a term greater than 25 years;
- any lease that contains an option or similar term that would permit extension of the lease for a period of greater than 25 years; and
- any lease with a renewal option, which if exercised, would cause the total term to be exceed 25 years.

The amendment would not apply to Urban Renewal Agency owned assets.

Under the City's election code, in order to be approved, this measure must also receive double majority voter approval.

Section 7: The City Recorder shall take any and all steps necessary to place this measure on the ballot at the November 8, 2016 statewide general election including but not limited to filing the measure and explanatory statement with the Clatsop County Elections Department.

Section 8: This resolution is and shall be effective from and after its passage by the Council.

ADOPTED by the City Commission of the City of Warrenton this 14th day of June 2016.

APPROVED:



Mark Kujala, Mayor

ATTEST:


Linda Engbretson, City Recorder