

ORDINANCE NO. 5805

AN ORDINANCE CANVASSING THE VOTE OF THE MARCH 12, 2013 CHARTER AMENDMENT ELECTION CONCERNING INITIATIVE MEASURE 22-116, DETERMINING THE OUTCOME THEREOF, AND DECLARING AN EMERGENCY.

WHEREAS, Measure No. 22-116 was placed before the voters of the City of Albany on March 12, 2013, as the result of a citizen's initiative petition; and

WHEREAS, it is the duty of the Albany City Council to canvass the vote, determine the outcome of the election, and to take appropriate action; and

WHEREAS, the Abstract of Votes prepared by Steve Druckenmiller, the duly-elected, qualified Clerk of the County of Linn, State of Oregon, as to the ballots cast in the Linn County election, held Tuesday, March 12, 2013, regarding Initiative Measure 22-116 for the City of Albany have been received; and

WHEREAS, the Abstract of Votes prepared by Codi Trudell, the duly-appointed, qualified Elections Supervisor of the County of Benton, State of Oregon, as to the ballots cast in the Benton County election, held Tuesday, March 12, 2013, regarding Initiative Measure 22-116 for the City of Albany have been received.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The City of Albany hereby accepts the vote totals provided by Linn and Benton Counties with regard to Initiative Measure 22-116 as follows:

TOTAL CERTIFIED

22-116:

	<u>Linn County</u>	<u>Benton County</u>	<u>Total Votes</u>
Yes	4,220	1,037	5,257
No	2,971	1,020	3,991

Section 2: Measure 22-116 has received the votes required for passage.

Section 3: The City Recorder is instructed to take all appropriate action to codify the passed measure in the City Charter.

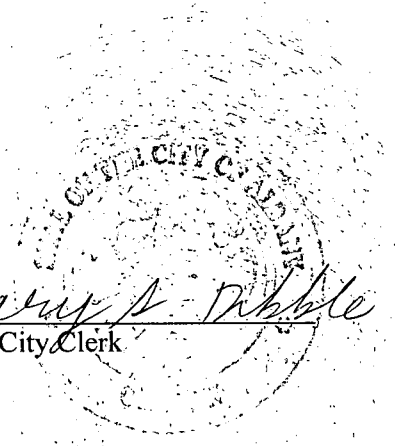
Section 4: Emergency Clause. In as much as this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Albany, an emergency is declared to exist; and this Ordinance shall be in full force and effect when signed by the Mayor.

Passed by the Council: April 10, 2013

Approved by the Mayor: April 10, 2013

Effective Date: April 10, 2013

ATTEST:


Mary A. Dibble
City Clerk


Mayor

ALBANY CITY CHARTER
CHAPTER VIII PUBLIC IMPROVEMENTS

Section 43.1 URBAN RENEWAL CITIZEN RIGHT TO VOTE

Voter Approval of Urban Renewal

A City urban renewal agency shall not be activated or authorized to exercise additional powers without the approval of the City electors at a general election. Every new urban renewal plan, or substantial change to an existing plan which would authorize new Urban Renewal Indebtedness shall be referred to City electors for their approval at a primary or general election.

Voter Notification

Whenever an election required by this Section is conducted the City shall determine the information required to complete the public notice statements A-D of this section. Public Notice Statements shall be posted on the City web site at least 45 days in advance of the election and mailed to City electors no more than ten days in advance of distributing ballots.

- (A) "ATTENTION VOTER: IMPORTANT INFORMATION ABOUT (insert local measure number)."
- (B) "If approved, this measure will authorize new Urban Renewal Indebtedness (URI). Repayment of such debt may significantly reduce the amount of property tax revenues that would be otherwise available for public schools, police, fire, library and other public services within Albany City for (insert maximum duration of URI, listed in years and months)."
- (C) "The maximum amount of new Urban Renewal Indebtedness permitted by this measure is (insert the maximum new URI permitted by proposed plan or amendment)."
- (D) "The maximum amount of interest payable for this debt is (insert the maximum amount of interest payments for the new URI over the life span of the debt)."

Public Notice Statements do not need to be mailed to the City electors if included within the beginning of the explanatory statement of the proposed measure within the County Voter's Pamphlet.

Approvals by Ordinance

The City shall not approve or amend a plan by any means other than by ordinance. Non-substantial changes to any plan may be approved by non-emergency ordinance of the City Council. Any ordinance approved by the Council shall not go into effect until voter approval is obtained.

Termination

Upon the retirement of all urban renewal indebtedness authorized by the City urban renewal plans, a City urban renewal agency will cease and it shall be terminated. Any continuing obligations or rights of a terminated agency shall be assumed by the city.

Definitions as used in this Section

Urban Renewal plan” and “plan” have the same meaning given those terms in ORS Chapter 457 as it now exists or may hereafter be amended, or a similar plan adopted under any other provision of law.

Substantial change” means any change proposed to be made to an existing urban renewal plan that:

- (A) Expands the boundary, duration or borrowing authority of any plan; or,
- (B) Alters the basic purpose, engineering or financing principles of a voter-approved plan.

“Urban Renewal Indebtedness” and “URI” mean debt incurred pursuant to an urban renewal plan where repayment is pledged from ad valorem taxes assessed within the City limits of Albany.

Implementation

This Section shall become immediately effective upon passage by the electors. Therefore the City may not use or pledge additional City revenues for repayment of URI unless the use of those City revenues:

- (A) was pledged by the City prior to the passage of this Chapter;
- (B) was approved by electors for that purpose; or,
- (C) is mandated by operation of law.

Prior to any public hearing to consider legislation that would conflict with provisions of this Chapter or prevent them from operating the City must provide at least two weeks notice of the proposed legislation and hearing date to all City electors. Any legislation passed in violation of this provision shall be void.

If any provision of this Chapter is barred from operation by superior law, the other provisions shall remain unaffected.

JURISDICTIONAL CANVASS

Final Certified Returns

Special Election
March 12, 2013

01 = BALLOTS CAST
22-116 CITY OF ALBANY
VOTE FOR 1
02 = Yes
03 = No
04 = OVER VOTES
05 = UNDER VOTES

VOTES PERCENT

2,068

1,037 50.41
1,020 49.59
0
11

22-117 CITY OF ALBANY

VOTE FOR 1

06 = Yes
07 = No
08 = OVER VOTES
09 = UNDER VOTES

VOTES PERCENT

990 47.97
1,074 52.03
0
4

01	02	03	04	05	06	07	08	09
2068	1037	1020	0	11	990	1074	0	4

0011 11

I, CERTIFY THAT THE VOTES RECORDED ON THIS
ABSTRACT CURRENTLY SUMMARIZE THE TALLY OF
VOTES CAST AT THE ELECTION INDICATED.

Codi Judell

BENTON COUNTY RECORDS & ELECTIONS



Ord. No. 5805 - attach

NAME HEADING CANVASS

LINN COUNTY, OREGON

Final and Official

SPECIAL ELECTION

MARCH 12, 2013

RUN DATE:03/22/13 05:08 PM

REPORT-EL111

PAGE 0001

WITH 23 OF 23 PRECINCTS REPORTING

RVT
 EOO
 GTT
 IBA BCT VTT
 SRL AAO OOO
 TS LST TRT
 E LTA ENA
 R O L ROL
 E T U
 D S T

0001 001	628	263	41.88
0003 003	546	240	44.04
0005 005	801	220	27.47
0008 008	995	281	28.24
0011 011	549	193	35.15
0014 014	716	178	24.86
0015 015	273	69	25.27
0016 016	734	262	35.69
0018 018	2245	743	33.10
0048 048	921	455	49.40
0084 084	951	205	21.56
0089 089	695	274	39.42
0091 091	1087	252	23.18
0092 092	1677	437	26.06
0093 093	1771	454	25.64
0094 094	693	219	31.60
0095 095	1081	352	32.56
0096 096	838	425	50.72
0100 100	1370	467	34.09
0102 102	1204	420	34.88
0105 105	642	197	30.69
0106 106	733	224	30.56
0107 107	1145	393	34.32
CANDIDATE TOTALS	22294	7223	32.40

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RECYCLABLE

NAME HEADING CANVASS

LINN COUNTY, OREGON

Final and Official

SPECIAL ELECTION

MARCH 12, 2013

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REPORT-EL111

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22-116 CITY OF ALBANY -- Urban Renewal

WITH 23 OF 23 PRECINCTS REPORTING

VOTE FOR 1

	Y e s (NON)		O V O N O N O N		U V O N O N O N	
	N O N		R E S		E E R S	
0001 001	87	174	1	1		
0003 003	85	152	0	3		
0005 005	101	119	0	0		
0008 008	183	97	0	1		
0011 011	195	97	0	1		
0014 014	121	57	0	0		
0015 015	41	28	0	0		
0016 016	128	134	0	0		
0018 018	462	277	0	4		
0048 048	252	201	1	1		
0084 084	125	177	0	3		
0089 089	176	98	0	0		
0091 091	155	94	0	3		
0092 092	265	172	0	0		
0093 093	293	157	0	4		
0094 094	133	86	0	0		
0095 095	231	120	0	1		
0096 096	210	212	0	3		
0100 100	298	167	0	2		
0102 102	281	137	1	1		
0105 105	135	62	0	0		
0106 106	122	101	0	1		
0107 107	241	152	0	0		
CANDIDATE TOTALS	4220	2971	3	29		
CANDIDATE PERCENT	58.42	41.13	.04	.40		

22-117 CITY OF ALBANY -- City Debt

WITH 23 OF 23 PRECINCTS REPORTING

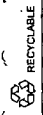
VOTE FOR 1

	Y e s (NON)		O V O N O N		U V O N O N	
	N O N		R E S		E E R S	
0001 001	77	182	1	3		
0003 003	77	163	0	0		
0005 005	98	122	0	0		

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0008 008	170	107	0	4
0011 011	94	99	0	0
0014 014	122	55	0	1
0015 015	42	26	0	1
0016 016	120	142	0	0
0018 018	413	328	0	2
0048 048	243	208	0	4
0084 084	112	93	0	0
0089 089	169	105	0	0
0091 091	148	103	0	1
0092 092	248	185	1	3

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NAME HEADING CANVASS

LINN COUNTY, OREGON
SPECIAL ELECTION
MARCH 12, 2013

Final and Official

RUN DATE:03/22/13 05:08 PM

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22-117 CITY OF ALBANY -- City, Debt

WITH 23 OF 23 PRECINCTS REPORTING

VOTE FOR 1


O V U V
V O N O

Y E T D T
e s N o R E E E
s o S R S

(CONTINUED FROM PREVIOUS PAGE)

	(NON)	(NON)		
0093 093	283	171	0	0
0094 094	127	92	0	0
0095 095	231	120	0	1
0096 096	193	227	0	5
0100 100	283	181	0	3
0102 102	263	154	0	3
0105 105	126	71	0	0
0106 106	123	100	0	1
0107 107	225	167	0	1
CANDIDATE TOTALS	3987	3201	2	33
CANDIDATE PERCENT	55.19	44.31	.02	.45

I hereby certify this copy to be a true, full and correct copy of the original now on record in my office.
STEVE BRUCKENMILLER


County Clerk
March 22, 2013
Deputy

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