

RESOLUTION NO. 5636-22

A RESOLUTION CALLING A MEASURE ELECTION TO SUBMIT TO THE ELECTORS OF THE CITY THE QUESTION OF AUTHORIZING UP TO \$25,000,000 OF GENERAL OBLIGATION BONDS FOR TRAILS, PARKS AND RIVER ACCESS; DECLARING INTENT TO REIMBURSE EXPENDITURES; AND RELATED MATTERS

The City Council of the City of Tualatin, Oregon, finds as follows:

WHEREAS, the City Council of the City of Tualatin, Oregon (the "City"), determines that it will benefit the City to obtain the authority to issue up to \$25,000,000 of general obligation bonds (the "Bonds") for trails, parks and river access, as more fully described in the draft ballot title attached Exhibit A (the "Project"); and

WHEREAS, the Oregon Constitution and Oregon Revised Statutes Chapter 287A allow the voters of the City to authorize the City to issue general obligation bonds to provide funds to finance the costs of the Project; and

WHEREAS, ORS 287A.050 limits the amount of general obligation bonds for certain types of general obligation bonds to three percent of the real market value of taxable property in the City, and issuing the Bonds will not cause the City to exceed this limit; and

WHEREAS, the City anticipates incurring expenditures (the "Expenditures") to finance the costs of the Project and wishes to declare its official intent to reimburse itself for any Expenditures it may make from its general funds on the Project from the proceeds of voter-approved general obligation bonds which may be issued as tax-exempt obligations;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, RESOLVES AS FOLLOWS:

**Section 1. Measure.** A measure election is hereby called for the purpose of submitting to the electors of the City the question of issuing up to \$25,000,000 in general obligation bonds for the Project. Bond proceeds will be used to finance capital costs related to the Project.

**Section 2. Election.** The measure election hereby called shall be held in the City on the 8th day of November, 2022. The election shall be conducted by mail pursuant to ORS 254.465 and 254.470.

**Section 3. Delegation.** The City of Tualatin authorizes the City Manager, or the City Manager's designee, to act on behalf of the City to take such further action as is necessary to carry out the intent and purposes in this resolution, in compliance with the applicable provisions of law.

**Section 4. Ballot Title.** Pursuant to ORS 250.285, the City Council approves the ballot title that is attached as Exhibit A, in substantially the form attached but with such changes as the City Manager may approve, and directs that this ballot title be filed with the City Elections Officer.

**Section 5. Explanatory Statement.** The City Council approves the explanatory statement that is attached as Exhibit C, in substantially the form attached but with such changes as the City Manager may approve.

**Section 6. Notice of Ballot Title and Right to Appeal.** Pursuant to ORS 250.275(5) and 250.285, the City Elections Officer shall publish in the next available edition of the *Tigard Tualatin Times* a notice of receipt of the ballot title including notice that an elector may file a petition for review of the ballot title pursuant to ORS 250.296 not later than the seventh business day after the title is filed with the City Elections Officer. The notice shall be in substantially the form attached to this resolution as Exhibit B.

**Section 7. Filing with County Elections Office.** Pursuant to ORS 254.095(2), the City directs the City Elections Officer to file a Notice of City Measure Election with the Washington County Elections Office. If no petition is filed pursuant to ORS 250.296 to change the ballot title, the Notice of City Measure Election shall be filed in substantially the form of Exhibit A, but with such changes as may be approved by the City Manager, with the Washington County Elections Office no later than September 8, 2022 (sixty-one (61) days prior to the election date), and no earlier than the eighth business day after the date on which Exhibit A is filed with the City Elections Officer. If a petition is filed pursuant to ORS 250.296 to change the ballot title, the Notice of Measure Election, in substantially the form of Exhibit A, but with any changes required by the circuit court, shall be filed as soon as the circuit court certifies the ballot title to the City Elections Officer.

**Section 8. Reimbursement from Proceeds.** The City hereby declares its official intent to reimburse itself with the proceeds of the Bonds for any of the Expenditures incurred by it prior to the issuance of the Bonds. This Resolution is adopted as official action of the City in order to comply with Treasury Regulation Section 1.150-2 and any other regulations of the Internal Revenue Service relating to the qualification for reimbursement of Expenditures of the City incurred prior to the date of issue of the Bonds.

**Section 9. Effective Date.** This resolution is effective immediately upon its adoption.

INTRODUCED AND ADOPTED by the City Council this 8th day of August, 2022.

CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

APPROVED AS TO LEGAL FORM

ATTEST:

BY \_\_\_\_\_  
City Attorney

BY \_\_\_\_\_  
City Recorder

**EXHIBIT A**  
**NOTICE OF CITY MEASURE ELECTION**  
**NOTICE OF BOND ELECTION**

**CAPTION (10 words)**

AUTHORIZES GENERAL OBLIGATION BONDS FOR TRAILS, PARKS AND RIVER ACCESS

**QUESTION (20 words)**

Shall Tualatin issue \$25,000,000 in general obligation bonds for trails and natural areas, sports fields, parks, and Tualatin River access? *If the bonds are approved, they would 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 (175 words)**

The measure would authorize up to \$25,000,000 in principal amount of general obligation bonds to finance capital costs related to trails, natural areas, sports fields, parks, and river access; and is expected to include a new east-west trail corridor and public access point on the Tualatin River, new and improved sports fields, and parks improvements citywide.

New trails would create connections to reduce traffic, improve pedestrian safety, and promote healthy transportation options. Expanding trail connections would make parks, schools, and transit stops accessible to more community members.

Access to and creation of sports fields in City parks and through cost-effective partnerships with the School District, would provide places for youth health and wellness.

Creating a new riverfront destination in Tualatin's downtown would enhance local businesses, provide environmental education opportunities, and create a place for river access.

If approved, the tax rate is estimated to increase by 29 cents per \$1,000 of taxable value. Actual rates may differ based upon interest rates incurred and changes in assessed value.

**EXHIBIT B**

**NOTICE OF RECEIPT OF BALLOT TITLE**

Notice is hereby given that a ballot title for a measure referred by the City of Tualatin has been filed with the City Elections Officer on August 8, 2022. The ballot title caption is **AUTHORIZES GENERAL OBLIGATION BONDS FOR TRAILS, PARKS AND RIVER ACCESS**. A copy of the ballot title is available from the City's Elections Officer. An elector may file a petition for review of this ballot title in the Washington County Circuit Court no later than 5:00 p.m., August 17, 2022, under ORS 250.296.

Signature of City Elections Officer

Date signed

Printed name of City Elections Officer

Title

This legal notice is to be published by the City Elections Officer in the *Tigard Tualatin Times*, Tualatin, Oregon, or in another newspaper of general distribution within the City.

## EXHIBIT C

### FORM OF EXPLANTORY STATEMENT

The measure would authorize up to \$25,000,000 in principal amount of general obligation bonds to finance capital costs related to trails, natural areas, sports fields, parks, and river access.

Creating new trail connections, providing areas for community sports, connecting with the Tualatin River, and acquiring natural areas are high priorities for the Tualatin community. Proposed projects to be funded by the bond would meet these priorities.

Based on community feedback, several high priority projects have been identified. The measure is expected to fund the following:

- Create new trail connections to improve access and pedestrian safety
- Create new and improved sports fields in city parks and in a cost-saving partnership with the Tigard-Tualatin School District
- Establish a new accessible waterfront destination point on the Tualatin River in the downtown area that would create a place for river access and water sports
- Upgrade existing parks citywide
- Renovate the plaza at the Lake of the Commons into a space that will recognize and honor Veterans
- Acquire and protect natural areas

This list of projects was identified and screened to best align with community needs and desires.

These local connections and community health and wellness investments cannot be constructed in a timely manner without the proceeds from this proposed park bond measure.

Current funding only allows for basic maintenance each year, limiting Tualatin's ability to address critical needs and community priorities identified by residents and businesses. The bond would allow Tualatin to provide new parks improvements citywide.

If approved, the tax rate is estimated to increase by 29 cents per \$1,000 of assessed taxable value. Actual rates may differ based upon interest rates incurred and changes in assessed value.