

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Study Session Worksheet

Presentation Date: July 31, 2012

Approximate Start Time: 2:30 p.m.

Approximate Length: 30 minutes

Presentation Title: The Formation of a Special Road District for Government Camp Village

Department: County Counsel
Clackamas County Development Agency

Presenters: County Counsel- Chris Storey and Scot Sideras
Clackamas County Development Agency- Dan Johnson

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Does the Board of County Commissioners wish to form a Special Road District in the community of Government Camp, and if so, when should the question be referred to the voters?

ISSUES AND BACKGROUND:

Due to the climate on the slopes of Mt. Hood extreme demands are placed upon infrastructure and certain County services, especially snow removal. Attempts have been made in the past to create a local funding source to match these local needs. In May of 2004 an attempt to form a County Service District was narrowly defeated. In November of 2010 an incorporation referral was unsuccessful. This third effort, in the form of a Special Road District, appears to address some of the elements the electorate identified as unattractive in the previous attempts to establish a permanent maintenance funding mechanism.

The request to form a Special Road District was initiated by the owners of 79 properties representing approximately 100 acres of land within Government Camp Village who presented a Petition in accordance with ORS 198.800. By statute the Board is required to act upon the Petition and decide whether or not to send the question on the formation of the Special Road District to the voters. However, the Board does have the ability to affect the timing of the election. Under ORS 198.835, the Board has the option of placing the question on the November 2012 ballot. If the Board does not elect to pursue this alternative the question would not be presented to the voters until May of 2013.

FINANCIAL IMPLICATIONS (current year and ongoing):

No financial implications for the current year.

For future years if the Board chooses to refer the question on the formation of a Special Road District to the electorate of Government Camp Village, and the measure were to pass, a permanent tax of \$0.40 per \$1,000 of assessed value would be created that

would fund the District's unique needs for local street maintenance; street lighting; snow plowing; signage maintenance; graffiti, vandalism, and litter control; trunk drainage system maintenance; and limited landscaping within the road right of way. If the Board were to so decide, the question could be referred to the ballot as soon as November 2012.

LEGAL/POLICY REQUIREMENTS:

The Board is obligated by ORS Ch. 198 to hold public hearings to consider the Petition and evaluate an Economic Feasibility Statement discussing the ability of the contemplated Special Road District to fund its operations through a specified permanent tax rate. Policy issues involve whether local needs should be funded through local funding, and what expenses should be paid from the General Fund.

PUBLIC/GOVERNMENTAL PARTICIPATION:

The public will be invited to two public hearings. A decision to forward the question on the Special Road District to the electorate will result in a vote by those registered in Government Camp Village. If approved the Department of Revenue will review the steps taken to form a permanent tax rate.

OPTIONS:

The Board has limited options in this situation. Due to the fact that a Petition complying with ORS 198.800 has been filed, the Board has the obligation to hold public hearings to consider the question of the formation of the Special Road District. The only option available to the Board is, if the Board should decide to refer the question to the electorate, whether the question would appear on either the November 2012 or May 2013 ballot.

RECOMMENDATION:

Staff respectfully recommends the Board commence the public hearings necessary to consider the question of the formation of the Special Road District. Should the Board decide the issue ought to be referred to a vote, this matter would be best considered during the November 2012 election, where an expected higher voter turnout would likely result in a more comprehensive test of the measure.

ATTACHMENTS:

None.

SUBMITTED BY:

County Counsel: Scot Sideras (Scot Sideras acting on behalf of County Counsel)
County Administrator Approval _____

For information on this issue please contact Scot Sideras at 503-742-4332 or scotsid@co.clackamas.or.us