



Deschutes County Board of Commissioners
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(541) 388-6570 - Fax (541) 385-3202 - www.deschutes.org

AGENDA REQUEST & STAFF REPORT

For Board Business Meeting of February 25, 2015

DATE: February 11, 2015

FROM: David Doyle Legal 388-6625

TITLE OF AGENDA ITEM:

Board Resolution No. 2015-013, A Resolution submitting to the voters in the Black Butte Ranch Service District an election on renewal of a five-year local option levy to fund law enforcement services.

PUBLIC HEARING ON THIS DATE? Yes.

BACKGROUND AND POLICY IMPLICATIONS:

See Resolution 2015-013. Passage of this measure at this election will not require a 50 percent voter turnout. The District will use the revenue from the five-year local option tax to maintain 24-hour patrols, 7 days a week.

FISCAL IMPLICATIONS:

None.

RECOMMENDATION & ACTION REQUESTED:

Consideration and signature of Resolution 2015-013 submitting to the voters in the Black Butte Ranch Service District an election on renewal of a five-year local option levy to fund law enforcement services. [Action undertaken as the governing body of the Black Butte Ranch Service District.]

ATTENDANCE: Chief Denny Kelley, BBR PD

DISTRIBUTION OF DOCUMENTS:

County Counsel
County Clerk
Chief Kelley

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON
AS THE GOVERNING BODY OF THE BLACK BUTTE RANCH SERVICE DISTRICT

A Resolution Submitting to the Voters in the *
Black Butte Ranch Service District an Election on * RESOLUTION NO. 2015-013
Renewal of a Five-Year Local Option Levy to *
Fund Law Enforcement Services *

WHEREAS, the Governing Body of the Black Butte Ranch Service District (“Governing Body”), has determined that renewal of a five year levy should be submitted to the qualified voters of the Black Butte Ranch Service District (“District”) as established by Section 11, Article XI of the Oregon Constitution in order to permit the proper operation of the District; and

WHEREAS, the Governing Body considers adequate funding to maintain law enforcement services in the District as necessary and in the public interest; and

WHEREAS, the Governing Body finds that anticipated revenues are insufficient to provide adequate services without the funds generated by a special tax levy; and

WHEREAS, the Governing Body determines that a renewal levy with \$0.55 per \$1,000 of assessed value levied within the District is necessary to maintain current service levels; and

WHEREAS, it is necessary to submit the question of authorizing renewal of a five-year levy to the registered voters of the District, now, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, as the GOVERNING BODY OF THE BLACK BUTTE RANCH SERVICE DISTRICT, as follows:

Section 1. *Findings.* The Governing Body makes the findings/arguments set forth in Exhibit “A,” attached hereto and by this reference incorporated herein.

Section 2. *Form of Question.* The County Clerk shall submit to the registered voters of Black Butte Ranch Service District, Deschutes County, Oregon, for their approval or rejection, the measure set forth in Exhibit “B,” attached hereto and by this reference incorporated herein.

Section 3. *Date of Election.* The measure set forth in Exhibit “B” shall be submitted in the manner prescribed herein to the qualified voters of the District, at the election to be held May 19, 2015.

Section 4. *Ballots.* The County Clerk shall clearly and boldly print the words "CONTAINS VOTE ON RENEWAL OF CURRENT LOCAL OPTION TAXES" in red ink on the outer envelope of ballots to be mailed to registered voters.

Dated this _____ of February, 2015

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON, as the
GOVERNING BODY OF THE BLACK BUTTE
RANCH SERVICE DISTRICT

ANTHONY DeBONE, Chair

ALAN UNGER, Vice Chair

ATTEST:

Recording Secretary

TAMMY BANEY, Commissioner

EXHIBIT "A"

FINDINGS/ARGUMENTS

The current assessed value of Black Butte Ranch is \$586,946,736. The District's current tax levy has a cap of \$1.0499 per \$1,000 assessed value. In 2010 the voters approved a local option levy of an additional \$.55 which expires this year. State law limits increases in assessed valuation to 3% per year. In addition, the assessed value of houses that are upgraded by remodeling may go up more than 3% and newly constructed houses are added to the tax base. Since Black Butte Ranch is nearly built out, assessed values are limited to 3% plus an amount based on remodels and new construction. The expected increase in assessed value is anticipated to be approximately 3.25% per year. Once the current local option levy expires this year, revenues would no longer cover operating expenses at current service levels.

In addition, the District has a five year contract with the police officer's union that expires on June 30, 2015. By state law, police are not allowed to strike, but in return, they must be compensated commensurate with other departments of similar size located in similarly populated communities. A new contract based upon an increase in compensation levels would increase the cost of operations. Maintaining tax revenues through renewal of this local option levy is necessary in order for the department to sustain its current police staffing level.

Approximately 150 of the 1251 home sites are occupied year round. That leaves 1101 vacant homes during much of the year. Vacant homes are vulnerable to theft, burglary or persons who unlawfully take up residence and occupy them. The District's population is aging and its patrol officers are often first on the scene in the event of a medical emergency. They are equipped with, and are trained to use, defibrillators which may be needed by a resident placing an emergency call. During the busy months, Black Butte Ranch also has many children using its recreational facilities and a police presence is necessary to discourage those who may harm these children.

Since approximately 74% of the District budget relates to payroll items, if revenues are not maintained, a reduction in personnel may be necessary. Currently the District provides 24-7 patrols, but if renewal of the levy does not pass, there may be periods of time when no officer is on duty. A reduction of police presence on the Ranch might result in unacceptable delays in response time and increased risk of injury to persons and property.

Passage of this tax measure would enable the District to maintain around the clock patrols, and current levels of security service on behalf of Black Butte Ranch homeowners, guests and their property.

Submitted by
Black Butte Ranch Service District Managing Board

NOTICE OF MEASURE ELECTION
District

SEL 803

rev. 01/14: ORS 250.035, 250.041,
 255.145, 255.345

Notice

Date of Notice	Name of District	Name of County or Counties	Date of Election
February 25, 2015	Black Butte Ranch Service District	Deschutes	May 19, 2015

The following is the final ballot title of the measure to be submitted to the district's voters.

Ballot Title (Prepare with assistance from the district attorney or an attorney employed by the district.)

CAPTION (10 words which reasonably identifies the subject of the measure)

Black Butte Ranch Service District Five-Year Local Option Levy Renewal

QUESTION (20 words which plainly phrases the chief purpose of the measure)

Shall the District renew its five-year local option tax at \$.55 per \$1000 for operations starting in 2015-2016?

This measure renews current local option taxes.

SUMMARY (175 words which concisely and impartially summaries the measure and its major effect)

The District would use revenue from renewal of the five-year local option tax to maintain 24-hour patrols, 7 days a week. The District's current yearly revenue increases are approximately 3-3.5% per year. Approval of the proposed renewal rate would generate approximately \$315,133 in 2015-2016, approximately \$325,375 in 2016-2017, approximately \$335,950 in 2017-2018, approximately \$346,868 in 2018-2019, and approximately \$358,141 in 2019-2020. On a \$500,000 home, the assessment would be \$22.92 per month or \$275 per year. The estimated tax cost for this measure is an ESTIMATE ONLY based on the best information available from the county assessor at the time of estimate.

EXPLANATORY STATEMENT (500 words that impartially explains the measure and its effect, if required attach to this form)

If the county is producing a voters' pamphlet an explanatory statement must be submitted for any measure referred by the district governing body and if required by local ordinance, for any initiative or referendum.

Measure Type	County producing voters' pamphlet		Local ordinance requiring submission		Explanatory statement required	
<input checked="" type="checkbox"/> Referral	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Not applicable		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Initiative	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Referendum	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Authorized District Official (not required to be notarized)

By signing this document, I hereby state that I am authorized by the district elections authority to submit this Notice of Measure Election and I certify the above ballot title is true and complete.

Name	Title	Work Phone
Anthony DeBone	Chair, Deschutes County BOCC	541-388-6568
		February 25, 2015

Signature

Date Signed

EXPLANATORY STATEMENT FOR COUNTY VOTERS' PAMPHLET (2015)

Ballot Title Caption: Black Butte Ranch Service District Five-Year Local Option Levy

Measure Number: _____ Word Total (500 Maximum) 210

(Explanatory Statement Shall Be Typed)

The Black Butte Ranch Service District (the "District") provides police services to its residents. The District's current tax levy is \$1.0499 per \$1000 of the assessed value of property in the District.

In 2010 the voters within the District approved a local option levy of \$0.55 per \$1000 of assessed value. That levy expires in 2015; the District is now requesting a renewal of the local option tax to maintain existing operations. The proposed renewal of the local option tax is \$0.55 per \$1000 of assessed value of property which is the same rate as the expiring levy. On a \$500,000 home, the assessment would be \$22.92 per month or \$275 per year. The proposed renewal levy will generate approximately \$315,133 in 2015-2016, approximately \$325,375 in 2016-2017, approximately \$335,950 in 2017-2018, approximately \$346,868 in 2018-2019, and approximately \$358,141 in 2019-2020.

Approximately 74% of the District's budget is spent on payroll and related costs. The District currently has seven sworn law enforcement officers and one administrative person on staff. There is a minimum of one officer on patrol at all times.

The District has a \$0.55 local option tax that expires this year. If this local option tax renewal is not approved, there will be a budget shortfall. One option to address the shortfall would be a reduction in patrol hours.

Person responsible for the content of the Explanatory Statement:

(Typed) Anthony DeBone, Chair

(Signed) X _____

BOCC of Deschutes County, Oregon as the Governing Body of the Black Butte Ranch Service District
Name of the Governing Body the person represents.