

1903

Jeff Roberts
SE Yamhill St
Portland, OR 97215

12-2-96

Dear Council members - I voted for prop 47
because it means I may be able to afford to
stay living in my home. My property taxes
went up \$550 this year - to over 3000 - plus
and I don't even have children in school.
The vote of the people said "yes" despite
massive opposition from various groups.
Please abide by the decision of the people
and do not challenge prop 47 in court.

Sincerely - Jeff Roberts

RECEIVED
DEC 3 9 20 AM '96
DATE RECEIVED
CITY OF PORTLAND
BY _____

December 4, 1996

Subject Proposed Lawsuit over Legality of Ballot Measure 47

Dear Members of the Council,

I am angered at your consideration of this proposal to file a lawsuit over the legality of Ballot Measure 47. It is an affront to democracy, an affront to the voters, and an affront to taxpaying citizens. The money we pay in taxes is NOT your money. It is our money. And we have decided we want less of our family budgets spent on wasteful government.

I cannot understand why it is you all feel you will be so short of money. You will be getting a 3% per year increase at the very least. You expect to attract 10% more people to Portland in the next 20 years, and are whining because you will only have 60% more money to serve those 10% more people. And that's worst case. Every time someone sells their home, builds a new home, or constructs to a new zoning designation (of which we know there will be many), their taxes will be re-set at the actual assessed value.

If you're concerned about inflation, you really should be going after things like the Governor's big government budget plan or the higher minimum wage. Those are the things which will destroy our economy.

Your real problem is not with Ballot Measure 47 but with how the State carves up its resources. The State will have a lot more money this year than last, and its budgetary growth will continue at an amazing rate. The Governor proposes a 15% increase in spending PLUS three new taxes. You ought to be working with the Legislature to get a bigger slice of that pie. There is plenty of money to go around.

And it's not as if you are all blameless in this tax revolt. This last budget you had something like \$18 million dollars in surplus that you didn't know what to do with. You had so much money you gave \$9 million to the schools, something which is not your responsibility - and some of you want to give the schools even more. The City budget is intended for other purposes, and you have inflated your programs to the point where you can't even take care of the things we hire you to take care of. Why didn't you invest that \$9 million in our infrastructure?

I have received huge amounts of very expensive 4-color printed material from various bureaus. Believe it or not, the information contained in a lot of it is pretty worthless, and I am intelligent enough to read things in black and white. Why are you wasting our money on such stuff? I used to temp for the City and have seen exorbitant waste. Once, while on a temp assignment as a secretary, I was paid to spend a day and a half drawing caricatures of every member of a department so they could be put on the wall for a party which lasted about half an hour. I observed one employee who, for all of the weeks I worked in the department, spent

about 5 hours a day writing a novel instead of working, my temp stint was lengthened by a couple of weeks because this poor person was so overburdened with work she couldn't get it all done

I've seen you guys sell off city property at far less than market value to developer friends. You've contracted with people who would build restrooms for \$60,000 in a park. You've allowed non-competitive bidding on projects. It's been an affront to struggling homeowners for a long time.

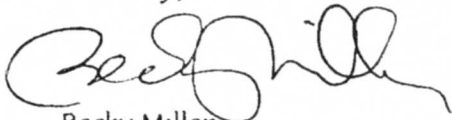
When we passed Measure 5 the first thing that happened was that all of our homes got new and higher assessments so you guys could get the money you've become accustomed to. The only things cut were things like the petting zoo, things that would make the public hurt a little without hurting your own inflated budgets.

Ballot Measure 47 is good for Portland. It will provide property tax relief for the elderly and those on a fixed income because long-term home owners will not see more than a 3% increase in taxes every year. Those who move or build, usually the younger and more financially sound, will pay higher taxes. This provides a tax incentive for people to settle into a neighborhood and stay for a long time. This is great. We want people to become part of our neighborhood communities, to invest themselves in the neighborhoods, and stay for a long time.

Ballot Measure 47 provides an answer to many long-standing concerns of this community. It provides tax relief, it encourages long-term residence, it forces government to get smaller and leaner, and it helps those on a fixed income be able to stay in their homes. It's a good measure.

Don't be so arrogant as to spend even more of our hard-earned money to sue us for telling you to cut the fat and save our communities. It's OUR money, not yours, and had you shown responsibility in spending and honesty in dealing with Ballot Measure 5, this measure wouldn't have passed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Becky Miller', with a stylized, flowing script.

Becky Miller
6049 SW Pendleton Ct
Portland, OR 97221

RESOLUTION No. 35572

Authorize filing of lawsuit to determine the validity and requirements of Ballot Measure 47 changes to the Oregon Constitution (Resolution)

- WHEREAS At the 1996 general election, the voters of Oregon approved Ballot Measure 47, adding several sections to Article XI of the Oregon Constitution. The measure was characterized as the "cut and cap" initiative to reduce property taxes and limit future increases in property taxes
- WHEREAS Portions of the measure which concern property taxes are ambiguous, and will need to be clarified so that the provisions of the measure can be implemented
- WHEREAS However, the measure does much more than reduce and restrict property taxes. For example, the measure potentially transfers substantial authority from Portland and its citizens to the State, the measure alters voting rights of citizens of Portland, the measure restricts the ability of Portland to recover costs of services used voluntarily by citizens, the measure directs City spending priorities, regardless of the will of the citizens of Portland, the measure impairs the ability of Portland's Fire and Police Disability and Retirement Fund to meet its contractual obligations to its beneficiaries, the measure creates inequalities between renters and property owners and between various classes of property owners, the measure locks in the present ratio in which homeowners pay a much higher portion of property taxes than businesses, the measure will likely affect land use law in unanticipated ways
- WHEREAS By combining all of these disparate elements in one measure, the drafters of Ballot Measure 47, in effect, compelled citizens to vote for many unrelated changes in our constitution and laws that they may not have wanted in order to obtain property tax relief. The combination of elements in the measure may make it unconstitutional. Furthermore, some of the individual elements may violate the Oregon or U.S. Constitutions
- WHEREAS If Measure 47 is unconstitutional in whole or in part, it is important to know that sooner rather than later
- WHEREAS Although the Council and city bureaus have been working consistently to improve the City's efficiency in providing services to its citizens and are committed to continuing to improve efficiency, improved efficiencies cannot alone make up for the revenue reductions anticipated from Measure 47

WHEREAS Measure 47 will require Portland to make substantial reductions in City services Significant City resources will have to be devoted to reducing services and implementing Measure 47 There would be considerable wasted effort and disruption if Measure 47 is determined later to be void in whole or in part

WHEREAS The Council recognizes and agrees that reform of the state's property tax system is a high priority However, the most prudent course is to have the courts review Measure 47 as soon as possible, to ensure that the actions taken by the City are lawful and not wasted

NOW THEREFORE, BE IT RESOLVED that the City Attorney is authorized to file a lawsuit to determine the validity and requirements of Ballot Measure 47, and if appropriate, to join with others in such a legal action

ADOPTED by the Council,

DEC 04 1996

Mayor Vera Katz
Jeffrey L. Rogers br
November 29, 1996

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BARBARA CLARK

Auditor of the City of Portland

By

Britta Olson
Deputy

1903

Agenda No

RESOLUTION NO. 35572

Title

Authorize filing of lawsuit to determine the validity and requirements of
Ballot Measure 47 changes to the Oregon Constitution (Resolution)

<p align="center">INTRODUCED BY</p> <p>Mayor Vera Katz</p> <p align="center">NOTED BY COMMISSIONER</p> <p>Affairs</p> <p>Finance and Administration <i>VK</i></p> <p>Safety</p> <p>Utilities</p> <p>Works</p> <p align="center">BUREAU APPROVAL</p> <p>Bureau</p> <p>Prepared by <i>Jeff L Rogers</i> Date 11/29/96</p> <p>Budget Impact Review</p> <p><input type="checkbox"/> Completed <input type="checkbox"/> Not Required</p> <p>Bureau Head.</p>	<p>DATE FILED NOV 29 1996</p> <p align="center">Barbara Clark Auditor of the City of Portland</p> <p>By <u><i>Beth Olson</i></u> Deputy</p> <p>For Meeting of _____</p> <p>ACTION TAKEN: DEC 04 1996 CONTINUED TO DEC 04 1996 2 P.M.</p>
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AGENDA		FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS		
Consent	Regular			YEAS	NAYS
		Blumenauer	Blumenauer <i>Sten</i>	✓	
NOTED BY		Hales	Hales	✓	
City Attorney	<i>JA</i>	Kafoury	Kafoury	✓	
City Auditor		Landberg	Landberg	✓	
City Engineer		Katz <i>Vera Katz</i>	Katz	✓	