

# Request for Ballot Title Preparation or Publication of Notice

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OAR 165-014-0005

No later than the **81<sup>st</sup> day before an election**, a governing body that has referred a measure must prepare and file with the local elections official the text of the referral for ballot title preparation or the ballot title for publication of notice of receipt of ballot title. This form may be used to file the text of the referral and request the elections official begin the ballot title drafting process or file a ballot title and request the elections official publish notice of receipt of ballot title.

## Filing Information

**Election Date**

May 21, 2024

**Authorized Official**

Courtney Snead

**Contact Phone**

541-475-4253

**Email Address**

info@macrecdistrict.com

## Referral Information

**Title, Number or other Identifier**

Madras Aquatic Center Recreation District Resolution No. 2024-09

**This Filing is For**

☐ Drafting of Ballot Title Attach referral text.

☒ Publication of Notice Ballot title below.

## Ballot Title Additional requirements may apply

**Caption** 10 words which reasonably identifies the subject of the measure.

Dissolution of MACRD upon formation of new recreation district.

**Question** 20 words which plainly phrases the chief purpose of the measure.

Shall MACRD be dissolved, liquidated, and assets disposed of in accordance with MACRD's dissolution plan upon formation of new district?

**Summary** 175 words which concisely and impartially summarizes the measure and its major effect.

This measure would approve dissolution of the Madras Aquatic Center Recreation District ("MACRD") contingent upon voter approval of the formation of a new aquatic center recreation district ("New District").

MACRD's current funding is insufficient to sustain continued District operations. State law does not permit MACRD's electors to vote on whether to increase the current permanent tax rate to fund MACRD's operations. A new park and recreation district may be formed with a new permanent tax rate subject to voter approval. Jefferson County has initiated formation of New District with a permanent tax rate limit subject to voter approval.

New District's boundaries are identical to those of the existing MACRD. New District will provide the same or similar services currently provided by MACRD. If formed, all MACRD's operations, assets, contractual agreements, obligations, liabilities, and debts will be assigned and/or transferred to, and assumed and performed by, New District consistent with MACRD's plan of dissolution and liquidation. MACRD's plan of dissolution and liquidation is available for examination at the office of the Jefferson County Clerk.

*By signing this document:*

→ I hereby state that I am authorized by the county or city governing body, or district elections authority to submit this Request for Ballot Title – Preparation or Publication of Notice.

Signature

Date Signed

02/19/2024

## RESOLUTION NO. 2024-09

### A RESOLUTION OF MADRAS AQUATIC CENTER RECREATION DISTRICT APPROVING REFERRAL TO DISTRICT'S ELECTORS THE QUESTION OF DISSOLVING DISTRICT.

WHEREAS, Madras Aquatic Center Recreation District ("District") is an Oregon special district formed under ORS chapter 198, and existing and exercising legal authority under ORS chapter 266; and

WHEREAS, District's funding is insufficient to sustain continued District operations; and

WHEREAS, state law does not permit District's electors to vote on whether to increase the current permanent tax rate to fund District's operations; and

WHEREAS, a new park and recreation district may be formed with a new permanent tax rate subject to voter approval; and

WHEREAS, on January 10, 2024, the Jefferson County ("County") Board of Commissioners initiated formation of a new park and recreation district with a permanent tax rate limit, subject to voter approval, that will provide the same or similar services and serve the same or similar territory currently served by District; and

WHEREAS, pursuant to ORS 198.920(1)(b), District's board of directors (the "Board") (a) initiated District's dissolution on January 10, 2024 by adoption of Resolution No. 2024-06, and (b) declared its intention to dissolve and liquidate District on the condition that County's eligible electors approve District's dissolution and formation of a new park and recreation district at the May 21, 2024 election; and

WHEREAS, pursuant to ORS 198.925(1) and ORS 198.925(2), on February 8, 2024, the Board adopted District's findings of fact and plan of dissolution and liquidation by adoption of Resolution No. 2024-08.

NOW, THEREFORE, the Board resolves as follows:

1. Findings. The above-stated findings contained in this Resolution No. 2024-09 (this "Resolution") are hereby adopted.

2. Measure. A measure election is hereby called for the purpose of submitting to District's electors the question of District's dissolution contingent upon voter approval of the formation of a new park and recreation district. If formed, all District's operations, assets, contractual agreements, obligations, liabilities, and debts will be assigned and/or transferred to, and assumed and performed by, the new park and recreation district consistent with District's plan of dissolution and liquidation.

District's plan of dissolution and liquidation is available for examination at the office of the Jefferson County Clerk.

3. Election. In accordance with ORS 198.935, an election will be held on May 21, 2024 for the purpose of District's dissolution. The election will be conducted by the Jefferson County Clerk according to the procedures adopted by the Oregon Secretary of State and applicable Oregon law.

4. Ballot Title. District's legal counsel has prepared a ballot title concerning the proposed measure in the form attached hereto as Exhibit A. The ballot title in the form attached hereto as Exhibit A is approved.

5. Delegation. The executive director (or her designee) is authorized to act on behalf of District to take such further action as the executive director (or her designee) deems necessary or appropriate to effect and carry out the intent of this Resolution, including without limitation, providing proper public notice and submitting the required forms with the county elections officer.

6. Miscellaneous. All pronouns contained in this Resolution will be deemed to refer to the masculine, feminine, or neutral, singular or plural, as the identity of the parties may require. The singular includes the plural and the plural includes the singular. The word "or" is not exclusive. The words "include," "includes," and "including" are not limiting. The provisions of this Resolution are hereby declared severable. If any section, subsection, sentence, clause, and/or portion of this Resolution is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Resolution. This Resolution may be corrected by order of the Board to cure editorial and/or clerical errors. This Resolution will be in full force and effect from and after its approval and adoption.

**ADOPTED** by the Board on this 19<sup>th</sup> day of February, 2024.

Ayes: 5

Nays: 0

Abstentions: 0

Absent: 0

Vacancies: 0

  
Deanna Seibold, Board Chair

Attest:

  
Courtney Snead, Executive Director

Exhibit A  
Ballot Title

CAPTION: Dissolution of MACRD upon formation of new recreation district.

QUESTION: Shall MACRD be dissolved, liquidated, and assets disposed of in accordance with MACRD's dissolution plan upon formation of new district?

SUMMARY: This measure would approve dissolution of the Madras Aquatic Center Recreation District ("MACRD") contingent upon voter approval of the formation of a new aquatic center recreation district ("New District").

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