



**City of Brookings**  
898 Elk Drive, Brookings, OR 97415  
(541) 469-1102 Fax (541) 469-3650 TTY (800) 735-1232  
[www.brookings.or.us](http://www.brookings.or.us)

## **Public Notice**

NOTICE IS HEREBY GIVEN that on August 8, 2022, at 7:00 PM in City Hall Council Chambers, 898 Elk Drive, during a regular Common Council meeting, Brookings City Council will consider for adoption, by title only, the following:

- In the matter of Ordinance 22-O-799, an Ordinance adding amending Chapter 3.25, Motor Vehicle Fuel Sales Tax, of Brookings Municipal Code Title 3, Revenue and Finance, Operative July 1, 2023, Only Upon Voter Approval of the City's Measure to Authorize the \$0.05 per Gallon Motor Vehicle Fuel Sales Tax for 5 Years to be Placed on the November 8, 2022 General Election Ballot.

All persons wishing to address these matters may do so in person at the meeting, or by submitting written evidence to the City Manager, Brookings City Hall, 898 Elk Drive, Brookings, 97415, prior to the meeting. Copies of the ordinance and associated staff report are available for inspection at City Hall, on the City's website at [www.brookings.or.us](http://www.brookings.or.us), and at the Chetco Community Public library. Copies of the documents may also be purchased.

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with advance notification. Please contact 469-1102 if you have any questions regarding this notice.

*For: Monday, August 8 2022, City Council Meeting*

## **Advance Packet Information**

Dated: August 8, 2022

Included in this packet is documentation to support the following Agenda items:

### **PUBLIC HEARINGS/ORDINANCES**

1. Reauthorize Fuel Tax Ordinance [Pg. 1]
  - a. Ordinance 22-O-799 [Pg. 2]

\*Obtain Public Comment Forms and view the agenda and packet information on-line at [www.brookings.or.us](http://www.brookings.or.us), or at City Hall. Return completed Public Comment Forms to the City Recorder before the start of meeting or during regular business hours.

All public meetings are held in accessible locations. Auxiliary aids will be provided upon request with at least 72 hours advance notification. Please contact 541-469-1102 if you have any questions regarding this notice.

If you would like to view the City Council Meeting live, you can via:

- Television – Charter Channel 181
- Internet – Go to the City of Brookings website at <http://www.brookings.or.us>

Watch Meeting Live instructions: 1. Visit the City of Brookings website home page. 2. Click on Government (top page). 3. Click on City Council (right side). 4. Under Agenda & Meetings click Watch Meeting Live. 5. You will need to download the VLC Media Player. Follow directions and links for your device.


On computers, it is possible to stream the meetings LIVE by copying and pasting the following link inside your web browser: <mms://68.185.2.46:8080>

# CITY OF BROOKINGS

## COUNCIL AGENDA REPORT

Meeting Date: August 8, 2022

Originating Dept: Elections Officer

  
\_\_\_\_\_  
Signature (submitted by)  
\_\_\_\_\_  
City Manager Approval

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Subject:

Reauthorize Fuel Tax Ordinance

Recommended Motion:

Motion to adopt Ordinance 22-O-799, amending Chapter 3.25 Motor Vehicle Fuel Sales Tax, of Brookings Municipal Code Title 3, Revenue and Finance, operative July 1, 2023, only upon voter approval of the City's measure to reauthorize the \$0.05 per gallon motor vehicle fuel sales tax for five years to be placed on the November 8, 2022 general election ballot.

Financial Impact:

This Ordinance would reauthorize the enactment of administrative procedures for the proposed \$0.05 per gallon sold fuel tax measure which is to be placed on the November 8, 2022 ballot, retaining current revenue levels.

Background/Discussion:

At the June 13, 2022 City Council Meeting, the Council directed the City Recorder and City Attorney to prepare a Resolution calling for a measure proposing a local tax on motor vehicle fuel sales to be placed before the qualified electors of the City of Brookings on the November 8, 2022 general election ballot, with the tax rate to be \$0.05 for a duration of five years and there to be no maximum revenue cap.

The attached Ordinance is a counterpart to the Resolution and amends the Brookings Municipal Code Chapter 3.25, Motor Vehicle Fuel Sales Tax, extending the fuel tax for an additional five years and changing the tax rate to \$0.05 per gallon sold. It further stipulates the amendment will take affect only if a majority of the city electorate voting in the general election vote in favor of reauthorizing said Motor Vehicle Fuel Tax.

Attachment(s):

- a) Ordinance 22-O-799

**IN AND FOR THE CITY OF BROOKINGS**  
**STATE OF OREGON**  
**ORDINANCE 22-O-799**

**IN THE MATTER OF ORDINANCE 22-O-799, AN ORDINANCE AMENDING CHAPTER 3.25, MOTOR VEHICLE FUEL SALES TAX, OF BROOKINGS MUNICIPAL CODE TITLE 3, REVENUE AND FINANCE, OPERATIVE JULY 1, 2023, ONLY UPON VOTER APPROVAL OF THE CITY'S MEASURE TO AUTHORIZE THE \$0.05 PER GALLON MOTOR VEHICLE FUEL SALES TAX FOR 5 YEARS TO BE PLACED ON THE NOVEMBER 8, 2022 GENERAL ELECTION BALLOT.**

Sections:

- Section 1. Ordinance identified.
- Section 2. Amend Chapter 3.25, Motor Vehicle Fuel Sales Tax.
- Section 3. Effective Date.

**The City of Brookings ordains as follows:**

Section 1. Ordinance Identified. This ordinance amends Chapter 3.25. Motor Vehicle Fuel Sales Tax of Brookings, Municipal Code, Title 3, Revenue and Finance, Operative July 1, 2023, only upon voter approval of the City's Measure to Authorize the \$0.05 per gallon motor vehicle fuel sales tax for 5 years to be placed on the November 8, 2022 ballot.

Section 2. Amend Chapter 3.25 Sections 3.25.010, Purpose, and 3.25.290, Effective Date and Expiration of Fuel Tax, Chapter 3.25, Motor Vehicle Fuel Sales Tax, are hereby amended to read as follows:

**3.25.010 Purpose**

The purpose of the motor vehicle fuel tax is to raise revenues necessary for the construction, reconstruction, improvement, repair, maintenance, operation, and use of the public streets system in the City. The City's estimates revenue from the fuel tax at \$375,000 adjusted annually by the Engineering News Record Construction Cost Index for the preceding May to May, twelve (12) month period.

**3.25.040 Amount and payment.**

In addition to any fees or taxes otherwise provided for by law, every dealer engaging in his own name, or in the name of others, or in the name of his representatives or agents with the city, in the sale, use or distribution of motor vehicle fuel, shall:

A. Not later than the twenty-fifth day of each calendar month, render a statement to the tax administrator or duly authorized agent of all motor vehicle fuel sold, used, or distributed by him/her in the city as well as all such fuel sold, used, or distributed in the city by a purchaser thereof upon which sale, use or distribution the dealer has assumed liability for the applicable motor vehicle fuel tax during the preceding calendar month.

B. Pay a motor vehicle fuel tax computed on the basis of \$0.05 per gallon of such motor vehicle fuel so sold, used or distributed as shown by such statement in the manner and within the time provided in this chapter.

**3.25.290 Effective Date and Expiration of Fuel Tax**

The Motor Vehicle Fuel Sales Tax will become effective July 1, 2023 and will expire at 11:59PM on June 30, 2028.

First Reading: \_\_\_\_\_ Passage: \_\_\_\_\_  
Second Reading: \_\_\_\_\_ Effective Date: \_\_\_\_\_

Signed by me in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2022

ATTEST:

\_\_\_\_\_  
Mayor Ron Hedenskog

\_\_\_\_\_  
City Recorder Janell K Howard