

26-165

# Notice of City Measure Election

SEL 802  
REV 1/08 MS 250.035, 250.041,  
250.225, 250.265, 254.095, 254.465  
RECEIVED  
5 MAR 12 AM 9:47  
TIM SCOTT  
DIRECTOR OF ELECTIONS

### City and Notice Information

Notice is hereby given on February 25, 2015, that a measure election will be held in

Wood Village

Oregon on May, 19

Name of City or Cities

Date of Election

The following shall be the ballot title of the measure to be submitted to the city's voters:

Caption 10 words

**CHARTER AMENDMENT TO UPDATE PROCEDURES, CLARIFY PROVISIONS.**

Question 20 words

Shall the Wood Village City Charter be amended to update and clarify certain procedural and administrative provisions?

Summary 175 words

This measure would make several housekeeping amendments to the Charter to update provisions and clarify terms. The amendments:

- Add a provision reserving initiative and referendum to the City voters as required by the Oregon Constitution.
- Clarify that the council adopts legislation by ordinance, administrative rules by resolution, and quasi-judicial decisions (for example permit appeals) by order, consistent with most cities.
- Revise language from the 1953 charter to eliminate inferences that the mayor or a councilor cannot attend a meeting electronically.
- Change the title of the chief executive officer from "city administrator" to "city manager" to reflect the duties of office approved by the city voters in 2002.
- Eliminate the requirement that an ordinance be read twice by title prior to enactment as long as the proposed ordinance is made available to the public at least a week in advance of the meeting.
- Eliminate provisions relating to elections now governed by state law.
- Revise language, correct grammar, and reorganize some provisions to improve clarity.

The following authorized city official hereby certifies the above ballot title is true and complete, which includes publication of notice and the completion of the ballot title challenge process.

  
Signature of Authorized City Official not required to be notarized

03/09/15  
Date Signed mm/dd/yy

Greg Dickler  
Printed Name of Authorized City Official

HR/Records Manager  
Title

### Measure Explanatory Statement for County Voters' Pamphlet

**Important!** Please read all instructions before completing this form. This form is to be used when filing a 'Measure Explanatory Statement for County Voters' Pamphlet' with your County Elections office. If a local government is located in more than one county, the county clerk of the county in which the city hall of the city or the administrative office of the local government is located shall be the filing officer for the 'Measure Explanatory Statement for County Voters' Pamphlet'.

#### Filing Information

Election:  Primary 20\_\_\_\_  General 20\_\_\_\_  Special May 19, 2015 Measure # \_\_\_\_ - \_\_\_\_

Ballot Title Caption

**CHARTER AMENDMENT TO UPDATE PROCEDURES, CLARIFY PROVISIONS.**

Name of Person responsible for content of 'Explanatory Statement' (as it should appear in the Voters' Pamphlet):

**Jeffery Condit: City Attorney**

Name of Jurisdiction/Organization Person is authorized to represent (as it should appear in the Voters' Pamphlet):

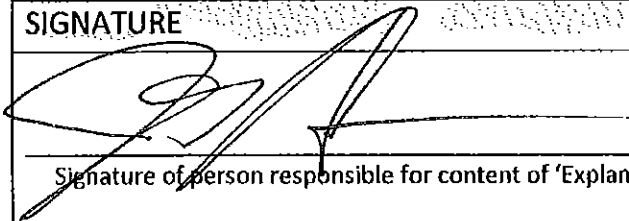
City of Wood Village

#### CONTACT INFORMATION

Phone: Cell: \_\_\_\_\_ Work: (503) 224-5858 Home: \_\_\_\_\_

E-Mail: Jeff.Condit@millernash.com

#### SIGNATURE



Signature of person responsible for content of 'Explanatory Statement'

2/24/2015  
Date

#### MEASURE EXPLANATORY STATEMENT

See attached for 'Measure Explanatory Statement' (500 word/number MAX).

#### For Office Use only:

County: \_\_\_\_\_

Signed?  Yes  No

'Measure Explanatory Statement' attached?

Yes  No

Intake Staff Initials: \_\_\_\_\_

Word Count (500 max): \_\_\_\_\_

Digital copy?  Yes  No

Review Staff Initials: \_\_\_\_\_

## EXPLANATORY STATEMENT

This Wood Village Charter amendment is referred to the voters by the City Council. Under the Oregon Constitution, city voters are empowered to enact or amend a home rule charter for their city. The charter establishes the structure and functions of city government and the powers and duties of the elected and appointed city officers. The charter was first adopted in 1953.

The City Council periodically reviews the charter to determine whether updates should be referred to the voters. The last comprehensive update was in 2002. Since that time, state law has changed, the League of Oregon Cities has updated the Model Charter for Oregon Cities, and several interpretational questions have arisen under the existing language. If approved, the measure would:

- Add a provision reserving the powers of initiative and referendum to the City voters. City voters have this right under the Oregon Constitution, but that right has not been referenced in the charter.
- Clarify that the council adopts legislation by ordinance, administrative rules and expressions of policy by resolution, and quasi-judicial decisions (for example permit decisions) by order. Currently the city council enacts legislation by ordinance and makes other official decisions by resolution. The amendment will bring Wood Village into conformance with standard practice and avoid unnecessary litigation over form of enactment.
- Revise language from the 1953 charter to eliminate inferences that the mayor or a councilor cannot attend a meeting electronically without being considered absent. This language does not take into account that the mayor or any councilor may attend meetings electronically under Public Meetings Law.
- Change the title of the city's chief executive officer from "city administrator" to "city manager." In 2002, the voters changed the powers and duties of the city administrator to that of a city manager, but did not change the title. The title "city manager" has a generally understood meaning in municipal government. Changing the title will eliminate potential external confusion as to the City's governance and could assist with recruitment of qualified individuals.
- Eliminate the requirement that an ordinance be read twice by title prior to enactment as long as the ordinance is made available to the public at least a week in advance of the meeting. The new language is from the Model Charter.
- Eliminate provisions in the Elections Chapter that are now governed by state law. The deleted provisions date to when cities ran their own elections. Now all local elections are run by the county elections office under the Oregon Secretary of State.
- revise language, correct grammar, and reorganize some provisions to improve clarity and readability. These changes include combining the two provision relating to the mayor into a

single provision, moving ordinance enforcement into the ordinance chapter, editing improper capitalization, and replace less clear language relating to the city manager and city attorney and vacancies in office. The new language is from the model charter and generally does not make any substantive change to existing powers, duties, or roles.