

## **RESOLUTION NO. 958**

**A RESOLUTION AUTHORIZING AND DIRECTING THE CITY RECORDER TO CERTIFY TO THE CLACKAMAS COUNTY CLERK A MEASURE REFERRING TO THE ELECTORATE A PROPOSED REVISED HOME RULE CHARTER FOR THE CITY OF CANBY; AUTHORIZING THE CITY RECORDER TO SEND AN EXPLANATORY STATEMENT FOR THE VOTER'S PAMPHLET; AND DOING ALL OTHER NECESSARY ACTS TO PLACE THE MATTER BEFORE THE VOTERS OF THE CITY OF CANBY FOR THE NOVEMBER 6, 2007 ELECTION.**

**WHEREAS**, the Canby City Council has heretofore approved a revised home rule Charter for the City of Canby following a public hearing on July 18, 2007; and

**WHEREAS**, pursuant to the provisions of the Canby City Charter, the approval of the proposed home rule Charter must be referred to the electorate of the City of Canby for an election; and

**WHEREAS**, ORS 250.035 requires a Notice of Measure be prepared by the City and submitted to the Clackamas County Elections Department by September 6, 2007 in order to appear on the ballot for the November 6, 2007 election; and

**WHEREAS**, pursuant to the Canby Municipal Code, the Canby City Attorney has prepared a Notice of City Measure Election and Summary for Voter's Pamphlet to be submitted to the Elections Department;

**NOW THEREFORE, IT IS HEREBY RESOLVED** by the City Council of the City of Canby, as follows:

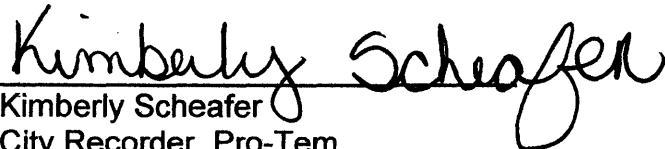
1. The City Recorder of the City of Canby is hereby authorized and directed to certify to the Clackamas County Clerk for submission to the voters at the November 6, 2007 election, the Notice of City Measure. Such Notice of City Measure Election is attached to this Resolution in proper form and adopted by the City.
2. The City Recorder of the City of Canby is further authorized and directed to submit a Summary of the Measure to be placed in the voter's pamphlet explaining in clear and concise language the affect of such ballot measure. Such summary is attached to this Resolution in proper form and adopted by the City.
3. The City Recorder, the City Administrator and the City Attorney are hereby authorized to do all other necessary and proper acts to place the ballot measure before the voters at the November 6, 2007 election.

This Resolution shall take effect on August 1, 2007.

ADOPTED this 1st day of August, 2007, by the Canby City Council.

  
\_\_\_\_\_  
Melody Thompson - Mayor

ATTEST:

  
\_\_\_\_\_  
Kimberly Scheafer  
City Recorder, Pro-Tem

**CITY OF CANBY  
NOTICE OF CITY MEASURE ELECTION  
FOR THE NOVEMBER 6, 2007 ELECTION**

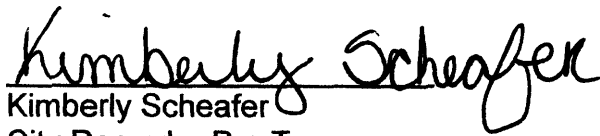
NOTICE IS HEREBY GIVEN that on Tuesday, November 6, 2007, an election will be held in the City of Canby, Clackamas County, Oregon. The following shall be the ballot title for the measure submitted to the City's voters on this date:

**CAPTION: MEASURE ADOPTING REVISED HOME RULE CHARTER FOR CANBY.**

**QUESTION:** Shall the City of Canby adopt a revised home rule Charter?

**SUMMARY:** The Canby City Charter is the governing document for the City of Canby. This measure would replace the current City Charter, adopted in 1984, with a new, revised home rule Charter. The City Council approved the new Charter for submission to City voters following a public hearing on July 18, 2007. The new Charter is combination of current Charter provisions and provisions from a "model Charter". The new Charter is consistent with recent changes in the Oregon Constitution, laws and court decisions. The proposed Charter eliminates the City Treasurer and City Recorder as officers, and makes those positions responsible to the City Administrator. The proposed Charter makes the Mayor a voting member of the Council. It changes the name of the Canby Electric Board to the Canby Utility Board and eliminates term limits a Board member may serve. It eliminates the requirement that the City Administrator live within the city limits. The proposed Charter raises the limit from \$15,000 to \$50,000 for expenditures that must be approved by City ordinance.

The following authorized local government official hereby certifies that the above ballot title is true and complete, which includes completion of the ballot title challenge process.

  
Kimberly Scheafer  
City Recorder Pro-Tem

8-1-07  
Date

## EXPLANATORY STATEMENT FOR VOTER'S PAMPHLET

### MEASURE ADOPTING HOME RULE CHARTER FOR THE CITY OF CANBY

Measure No. \_\_\_\_\_

Word Total 354 (500 max)

The Canby City Charter is the governing document for the City. This measure, if approved by the voters, would replace the current City Charter with a new, revised home rule Charter. The City Council approved the new Charter for submission to City voters following a public hearing held in Canby on July 18, 2007. The current City Charter was adopted in 1984 and is in need of updating and revision. The City Council and City staff revised the proposed Charter using a "model Charter" developed by the League of Oregon Cities (LOC). The new, proposed Charter is a combination of current Charter provisions and new provisions for the "model Charter". The new Charter is consistent with recent changes in the Oregon Constitution, laws and court decisions.

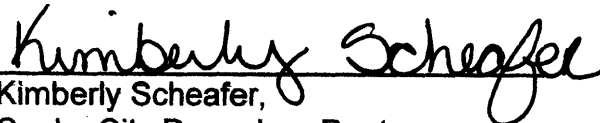
The proposed Charter eliminates two officers of the City, the City Treasurer and the City Recorder and makes them responsible to the City Administrator as provided in the "model Charter". The proposed Charter makes the Mayor a voting member of the City Council. Under the current Charter, the Mayor only votes to break a tie. It adopts the most recent election law provisions, condemnation law provisions, public contracting law provisions, debt limitation provisions and tort liability law provisions established by the State of Oregon.

The proposed Charter changes the name of the Canby Electric Board to the Canby Utility Board (CUB) and eliminates the term limitation on number of terms a CUB board member can serve. Under the current Charter CUB members can only serve two terms. The proposed Charter eliminates the requirement that the City Administrator live with the Canby city limits.

Finally, the new Charter raises the limit to \$50,000 for contracts and expenditures that must first be approved by City Ordinance. The current limitation is \$15,000.

The City Council held a public hearing for comments from local citizens regarding the proposed changes in the Charter on July 18, 2007 in the City Council chambers. There was no opposition to the new Charter as presented. The current Charter and the proposed Charter are available to view in their entirety on the City's web page located [www.ci.canby.or.us](http://www.ci.canby.or.us).

**CITY OF CANBY**

  
Kimberly Scheafer,  
Canby City Recorder - Pro tem

8-1-07  
Date