

RESOLUTION NO.2060

A RESOLUTION CALLING AN ELECTION TO SUBMIT TO CITY VOTERS CHARTER AMENDMENTS THAT DEFINE THE MAYOR'S FUNCTIONS AND THE CITY MANAGER'S DUTIES

THE TROUTDALE CITY FOUNCIL FINDS AS FOLLOWS:

1. The City Council appointed an Organization Improvement Study Group Subcommittee to review city structure.
2. The Subcommittee met on June 8 and June 15, 2010 to hear and consider possible amendments to the 1994 City of Troutdale Home Rule Charter relating to the Mayor's role and functions and City Administrator role and duties.
3. The Subcommittee recommends that the City Council submit a measure to City voters at the November 2, 2010 election that amends three sections of the City Charter relating to the functions of the Mayor and the duties of a City Manager and deletes one section relating to the Mayor.
4. The City Council agrees with the recommendation of its Subcommittee.
5. The City Council finds that the proposed amendments to the Home Rule Charter will better meet the present and future needs of the City, and that it is in the best interests of the City to submit the recommended amendments to City voters for their approval or rejection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TROUTDALE:

Section 1. An election is called for the City of Troutdale, Multnomah County, Oregon for the purpose of submitting to City voters the City Charter amendments to sections 12, 18 and 21, and deletes section 20 as set forth in Exhibit A attached to this Resolution.

Section 2. November 2, 2010 is designated as the date for holding the election for voting on the measure.

Section 3. The election will be conducted by the Multnomah County Elections Office.

Section 4. The precincts for this election will include all of the territory within the corporate limits of the City of Troutdale.

Section 5. The ballot title will read as follows:

CAPTION

**TROUTDALE CHARTER AMENDMENTS TO DEFINE MAYOR'S FUNCTIONS AND
MANAGER'S DUTIES**

QUESTION

Shall Troutdale amend Home Rule Charter to define Mayor's functions and Manager's duties?

SUMMARY

This measure would amend three sections and delete one section of the current City Charter. The City Council approved this measure for submission to City voters.

The Oregon Constitution gives City voters the right to adopt and amend charters. Charters grant legal authority to cities and assign duties to city officials. Troutdale voters adopted the current charter in 1994.

The Charter amendments are based on the 2004 League of Oregon Cities Model Charter. Amended section 18 defines the role and functions of the Mayor. Amended section 21 defines the office of City Manager and lists its duties. Section 20 of the current Charter relating to Mayor executive authority is deleted.

If approved by the voters, these Charter amendments take effect January 1, 2011.

Section 6. The City Administrator is authorized to sign and the City Recorder is authorized to submit an impartial explanatory statement for the Multnomah County voters' pamphlet on behalf of the City.


Section 7. The City Elections Officer will publish the ballot title as provided by state Law, and file this measure with the Multnomah County Elections Office.


Section 8. This resolution is effective immediately upon adoption by the City Council.

YEAS: 6


NAYS: 0

ABSTAINED: 0



Jim Kight, Mayor


Date



Debbie Stickney, City Recorder
Adopted: June 22, 2010

THE 1994 CITY OF TROUTDALE HOME RULE CHARTER IS AMENDED TO READ AS FOLLOWS:

SECTION 12. APPOINTIVE OFFICERS. A majority of the council must appoint and may remove the Municipal Judge and the City Attorney.

SECTION 18. MAYOR'S FUNCTIONS

- A. The mayor presides over and facilitates council meetings, preserves order, enforces council rules, and determines the order of council business.
- B. The mayor is a member of the council and has a vote on all council decisions.
- C. The mayor nominates and the council approves appointment of members for commissions, boards and committees established by ordinance or resolution. The mayor appoints councilors and others to represent the city before and on community and intergovernmental organizations.
- D. The mayor must sign all records of council decisions.
- E. The mayor serves as the political head of the city government.

SECTION 20. MAYOR. This section is repealed.

SECTION 21. CITY MANAGER

- A. The office of city manager is established as the administrative head of the city government. The city manager is responsible to the mayor and council for the proper administration of all city business. The city manager will assist the mayor and council in the development of city policies, and carry out policies set by ordinances and resolutions.
- B. A majority of the council must appoint and may remove the manager. The appointment must be made without regard to political considerations and solely on the basis of education and experience in competencies and practices of local government management.
- C. The manager need not reside in the city.
- D. The manager may be appointed for a definite or an indefinite term, and may be removed at any time by a majority of the council. The council must fill the office by appointment as soon as practicable after the vacancy occurs.
- E. The manager must:
 - (1) Attend all council meetings unless excused by the mayor or council;
 - (2) Make reports and recommendations to the mayor and council about the needs of the city;

- (3) Administer and enforce all city ordinances, resolutions, franchises, leases, contracts, permits, and other council decisions;
- (4) Appoint, supervise and remove city employees;
- (5) Organize city departments and administrative structure;
- (6) Prepare and administer the annual city budget;
- (7) Administer city utilities and property;
- (8) Encourage and support regional and intergovernmental cooperation;
- (9) Promote cooperation among the council, staff and citizens in developing city policies, and building a sense of community;
- (10) Perform other duties as directed by the council;
- (11) Delegate duties, but remain responsible for acts of subordinates.

F. The manager has no authority over the council or over the judicial functions of the municipal judge.

G. The manager and other employees designated by the council may sit at council meetings, but have no vote. The manager may take part in all council discussions.

H. When the manager is temporarily disabled from acting as manager or when the office of manager becomes vacant, the council must appoint a manager pro tem. The manager pro tem has the authority and duties of manager, except that a pro tem manager may appoint or remove employees only with council approval.

I. No council member may directly or indirectly attempt to coerce the manager or a candidate for the office of manager in the appointment or removal of any city employee, or in administrative decisions regarding city property or contracts. Violation of this prohibition is grounds for removal from office by a majority of the council after a public hearing. In council meetings, councilors may discuss or suggest anything with the manager relating to city business.