



RESOLUTION 2014-057

APPROVING BALLOT TITLES AND EXPLANATORY STATEMENTS AND SUBMITTING PROPOSED CHARTER AMENDMENTS TO CITY VOTERS

WHEREAS, the Sherwood City Council appointed a Charter Review committee in December 2013 comprised of members of the community; and

WHEREAS, the Committee met several times to discuss potential charter amendments and receive public comment; and

WHEREAS, the City Council and Committee met in a work session on July 15, 2014 to discuss the results of the committee's work; and

WHEREAS, the Council held a public hearing on August 5, 2014 and has determined to submit to the voters of Sherwood ballot measures proposing amendments to the charter.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. An election is called for the City of Sherwood, Washington County, Oregon for the purpose of submitting to City voters various amendments to the home rule charter.

Section 2. Tuesday, November 4, 2014 is designated as the date for holding the election for voting on the measures.

Section 3. The election will be conducted by the Washington County Elections Department.

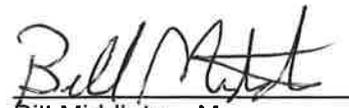
Section 4. The precincts for this election will include all of the territory within the corporate limits of the City of Sherwood.

Section 5. The Ballot Titles and Explanatory Statements will read as provided in the attached Exhibits A, C, D, F and G.

Section 6. The City Recorder will publish the Ballot Titles as required by State law.

Section 7. This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 5th day of August 2014.


Bill Middleton, Mayor

Attest:


Sylvia Murphy, MMC, City Recorder

Ballot Title
An Election on a Proposed Revision of the City Charter-Title and Effective Date

CAPTION: REVISION TO SHERWOOD CHARTER; TITLE, REVIEW AND EFFECTIVE DATE

QUESTION: Should the charter provisions pertaining to title, date and review be revised to be current and also require periodic review?

SUMMARY: This measure affects two sections of the current city charter; Chapter I, Section 1-Title, and Chapter XI, Section 47-Time of Effect. This change would take effect January 1, 2015.

Section 1 would be amended by eliminating the year "2005" from the title of the charter and substituting an effective date of January 1, 2015. In addition, Section 1 would include a new provision requiring review of the charter at least every 6 years by a charter review committee. Section 47 would be deleted.

The net effect would change the date of the charter to 2015. In addition, at least every six years, the council would appoint a committee to review whether the charter continues to meet the needs of the city's residents.

Section 1-Title would be amended to read as follows:

Title, Effective Date and Review. This charter shall be referred to as the Sherwood City Charter and takes effect January 1, 2015. This charter shall be reviewed at least every six years with the appointment of a charter review committee by the city council.

**CITY OF SHERWOOD
MEASURE TO AMEND CITY CHARTER**

EXPLANATORY STATEMENT

The Oregon Constitution gives city voters the right to adopt, amend and revise the City Charter. In 2013, the City Council formed a Charter Review Committee comprised of Sherwood residents to review and propose amendments to the City Charter. The Committee met several times in open public meetings and accepted public feedback. The Charter Review Committee then met with the City Council to review the amendments, and the City Council held a public hearing to receive citizen input. Several amendments were voted on at the May 2014 election and another set of amendments are being brought before city voters on the November 2014 Ballot.

This proposed measure would affect two sections of the current city charter: Chapter I, Section 1-Title, and Chapter XI, Section 47-Time of Effect.

The proposed revisions would amend Section 1 by eliminating the year "2005" from the title, add an effective date for the new charter of January 1, 2015, and add a provision requiring review of the charter at least every 6 years by a charter review committee.

The proposed revision would amend Section 47 by deleting it entirely. That section currently provides that "this charter takes effect July 1, 2005." With the new language in Section 1, there is no longer a need for this provision.

The charter review committee wanted to ensure that the date of the charter reflected its most recent amendment and to ensure that the charter would be reviewed periodically to ensure that it continues to meet the needs of the citizens of Sherwood.

The proposed amendments to Section 1-Title are as follows (language to be added is underlined; language to be deleted is shown in ~~strikethrough~~):

Title, Effective Date and Review. This charter ~~may~~ shall be referred to as the ~~2005~~ Sherwood City Charter ~~and takes effect January 1, 2015.~~ This charter shall be reviewed at least every six years, with the appointment of a charter review committee by the city council.

If approved by the voters, the revisions will take effect January 1, 2015.

Ballot Title
An Election on a Proposed Revision of the City Charter-Council Agenda Setting

CAPTION: REVISION TO SHERWOOD CHARTER; SECTION 7-COUNCIL ESTABLISHING AGENDA

QUESTION: Should the charter be revised to allow the council majority to add items to future council meeting agendas?

SUMMARY: The Oregon Constitution gives city voters the right to adopt, amend and revise a charter. The charter is the foundational document of the city and grants legal authority to the city and sets duties. Sherwood voters adopted the most recent revisions to the charter in May 2014. If this measure is approved, it would take effect on January 1, 2015.

This measure would amend Section 7-Council, Chapter III of the current city charter by adding language that would allow a majority of the council to cause an item to be added to a future meeting agenda.

The section would read in its entirety as follows:

The council consists of a mayor and six councilors nominated and elected from the City. A majority of the council may cause an item to be added to the agenda of a future meeting.

**CITY OF SHERWOOD
MEASURE TO AMEND CITY CHARTER**

EXPLANATORY STATEMENT

The Oregon Constitution gives city voters the right to adopt, amend and revise the City Charter. In 2013, the City Council formed a Charter Review Committee comprised of Sherwood residents to review and propose amendments to the City Charter. The Committee met several times in open public meetings and accepted public feedback. The Charter Review Committee then met with the City Council to review the amendments, and the City Council held a public hearing to receive citizen input. Several amendments were voted on at the May 2014 election and another set of amendments are being brought before city voters on the November 2014 Ballot.

This proposed measure would amend Section 7-Council, Chapter III of the current city charter by adding a provision allowing a majority of the council to cause an item to be added to the agenda of a future meeting. Currently, the Mayor, as the presiding officer of the city council, controls the agenda that comes before the city council. The proposed change would allow a majority of the council to require that a matter come before the council even if the mayor objected to considering the matter.

The text of Section 7 would be amended as follows (the new language is shown as underlined):

The council consists of a mayor and six councilors nominated and elected from the City. A majority of the council may cause an item to be added to the agenda of a future meeting.

If approved by the voters, the revisions will take effect January 1, 2015.

Ballot Title
An Election on a Proposed Revision of the City Charter-Ordinance Adoption

CAPTION: REVISION TO SHERWOOD CHARTER; SECTION 16-ORDINANCE ADOPTION

QUESTION: Should the charter section governing the process of ordinance adoption be revised?

SUMMARY: This measure amends Section 16(a)-Ordinance Adoption of the charter by deleting it and creating a new provision. That provision would impose new requirements on the adoption of new ordinances. If approved, it would take effect January 1, 2015.

The amendment is as follows:

(a) Except as this provision provides otherwise, adoption of an ordinance requires approval by a majority of the council at two separate meetings separated by at least six days.

(1) The text of the proposed ordinance shall be posted and available to the public at least six days in advance of the meeting at which the ordinance will be considered, and any amendment to the text as posted shall be read in full.

(2) At each meeting that the ordinance is considered, the title of the ordinance shall be read and public comments shall be accepted prior to the vote of the council.

(3) An ordinance may be adopted at a single meeting of the council by unanimous vote of all sitting councilors on the question upon being read by title twice.

**CITY OF SHERWOOD
MEASURE TO AMEND CITY CHARTER**

EXPLANATORY STATEMENT

The Oregon Constitution gives city voters the right to adopt, amend and revise the City Charter. In 2013, the City Council formed a Charter Review Committee comprised of Sherwood residents to review and propose amendments to the City Charter. The Committee met several times in open public meetings and accepted public feedback. The Charter Review Committee then met with the City Council to review the amendments, and the City Council held a public hearing to receive citizen input. Several amendments were voted on at the May 2014 election and another set of amendments are being brought before city voters on the November 2014 Ballot.

This proposed measure would amend Chapter IV, Section 16-Ordinance Adoption of the current city charter by deleting the current provision in its entirety and replacing it with a new provision. The new provision would require ordinances to be read by title at two council meetings separated by at least six days. In emergency situations, the council could adopt the ordinance at a single meeting if there was unanimous support to do so. In addition, the new provision would require the city to post any proposed ordinance at least six days in advance of the meeting where it will be considered and require the council to accept public comment on all ordinances prior to adoption.

The charter review committee wanted to ensure that interested persons could participate in the city's adoptions of new ordinances.

The proposed revision would read in its entirety:

~~(a) Adoption of an ordinance requires approval by a majority of the council at one meeting provided the proposed ordinance is available in writing to the public at least one week before the meeting.~~ (a) Except as this provision provides otherwise, adoption of an ordinance requires approval by a majority of the council at two separate meetings separated by at least six days.

(1) The text of the proposed ordinance shall be posted and available to the public at least six days in advance of the meeting at which the ordinance will be considered, and any amendment to the text as posted shall be read in full.

(2) At each meeting that the ordinance is considered, the title of the ordinance shall be read and public comments shall be accepted prior to the vote of the council.

(3) An ordinance may be adopted at a single meeting of the council by unanimous vote of all sitting councilors on the question upon being read by title twice.

If approved by the voters, the revisions will take effect January 1, 2015.

Ballot Title
An Election on a Proposed Revision of the City Charter-City Attorney

CAPTION: REVISION TO SHERWOOD CHARTER; SECTION 35-CITY ATTORNEY

QUESTION: Should the charter be revised to clarify that the city attorney may be a city employee or a contracted firm?

SUMMARY: This measure would amend Section 35-City Attorney, Chapter VII of the current city charter by adding language clarifying that the city attorney may be either an employee of the city or a contracted firm. If adopted by the voters, this measure would take effect on January 1, 2015.

If the amendment is adopted, the amended provision would read in its entirety:

The office of city attorney is established as the chief legal counsel of the city government. The city attorney shall be either an employee of the city or a firm under a written contract approved by the council. A majority of the council must appoint and may remove the attorney or contracted firm. If the attorney is an employee of the city, the attorney must appoint and supervise, and may remove, any city attorney office employee.

**CITY OF SHERWOOD
MEASURE TO AMEND CITY CHARTER**

EXPLANATORY STATEMENT

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This proposed measure would amend Section 35-City Attorney by clarifying current language in Chapter VIII of the current city charter to clarify that the City Attorney may be an employee of the city or a law firm that enters into a contract with the city that has been approved by the council.

The proposed amendment would delete the language shown in ~~strikethrough~~ and add the language shown as underlined to section 35 of the charter:

The office of the city attorney is established as the chief legal officer counsel of the city government. The city attorney shall be either an employee of the city or a firm under a written contract approved by the council. A majority of the council must appoint and may remove the attorney or contracted firm. If the attorney is an employee of the city, the attorney must appoint and supervise, and may remove any city attorney office employees.

If approved by the voters, the revisions will take effect January 1, 2015.

Ballot Title
An Election on a Proposed Revision of the City Charter-Compensation

CAPTION: REVISION TO SHERWOOD CHARTER; SECTION 37-COMPENSATION

QUESTION: Should the charter be revised to require that any council compensation requires voter approval?

SUMMARY: The Oregon Constitution gives city voters the right to adopt, amend and revise a charter. The charter is the foundational document of the city and grants legal authority to the city and sets duties. Sherwood voters adopted the most recent revisions to the charter in May 2014. If this measure is adopted, it would take effect on January 1, 2015.

This measure would amend Section 37–Compensation, Chapter IX of the current city charter by adding language prohibiting the mayor and councilors from receiving compensation for their service. The charter would continue to allow councilors to be reimbursed for actual expenses, but require that the reimbursements must be reasonable.

If approved, the revised provision would read in its entirety as follows:

The council must authorize the compensation of City appointive officers and employees as part of the approval of the annual City budget. The mayor and councilors shall not be compensated but may be reimbursed for actual and reasonable expenses.

**CITY OF SHERWOOD
MEASURE TO AMEND CITY CHARTER**

EXPLANATORY STATEMENT

The Oregon Constitution gives city voters the right to adopt, amend and revise the City Charter. In 2013, the City Council formed a Charter Review Committee comprised of Sherwood residents to review and propose amendments to the City Charter. The Committee met several times in open public meetings and accepted public feedback. The Charter Review Committee then met with the City Council to review the amendments, and the City Council held a public hearing to receive citizen input. Several amendments were voted on at the May 2014 election and another set of amendments are being brought before city voters on the November 2014 Ballot.

This proposed measure would amend Section 37 of Chapter IX of the City Charter by adding language that prohibits the mayor and councilors from receiving compensation for their service. In addition, Section 37 would continue to allow the mayor and councilors to be reimbursed for actual expenses, but that those expenses would explicitly be required to be reasonable.

The Charter Review Committee believed that the compensation and reimbursement of city officials needed to be clarified. The Charter Review Committee discussed the potential for compensation in the future and noted that it would require a vote of the electorate to amend this charter provision. The Committee also discussed reimbursable expenses and agreed that any "actual expenses" incurred by the mayor or councilors must also be reasonable to allow for compensation.

The proposed amendment would read in its entirety (with added language shown in underline):

The council must authorize the compensation of City appointive officers and employees as part of its approval of the annual city budget. The mayor and councilors shall not be compensated but may be reimbursed for actual and reasonable expenses.

If approved by the voters, the revisions will take effect January 1, 2015.