



RESOLUTION 2016-046

APPROVING BALLOT TITLE AND EXPLANATORY STATEMENT AND SUBMITTING TO THE VOTERS A PROPOSED CHARTER AMENDMENT REGARDING ORDINANCE ADOPTION

WHEREAS, the Sherwood City Council met in public work sessions on February 16, 2016 and June 7, 2016 to discuss a number of possible amendments to the City Charter; and

WHEREAS, the Council further considered said amendments during a public meeting on July 19, 2016 and has determined to submit to the voters of Sherwood a ballot measure proposing to amend the charter with regard to ordinance adoption;

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 an amendment to the City's home rule charter regarding ordinance adoption.
- Section 2.** Tuesday, November 8, 2016 is designated as the date for holding the election for voting on the measure.
- 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 Title and Explanatory Statement attached as Exhibits 1 and 2, respectively, are hereby approved and certified.
- Section 6.** The City Recorder will publish the Ballot Title as required by state law. The City of Sherwood authorizes the City Recorder or her designee to act on behalf of the City and to take such further action as is necessary to carry out the intent and purposes set forth herein, in compliance with the applicable provisions of law.
- Section 7.** This Resolution shall be effective upon its approval and adoption.

Duly passed by the City Council this 19th day of July, 2016.


Krisanna Clark, Mayor

Attest:


Sylvia Murphy, MMC, City Recorder

Exhibit 1
Ballot Title

CAPTION: Revision to Sherwood Charter Regarding Ordinance Adoption

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

SUMMARY: Referred by City Council. Effective January 1, 2017, amends Section 16(a) to read:

(a) Except as this provision provides otherwise, adoption of an ordinance requires reading of the proposed ordinance by title at two separate meetings separated by at least six days, and approval by a majority of council, which approval may occur at the meeting at which the second reading is conducted or a subsequent meeting.

(1) The text of the proposed ordinance shall be posted and available to the public on the City's website at least six days in advance of each meeting at which the ordinance will be read or considered pursuant to this section.

(2) At each meeting that the ordinance is read or considered pursuant to this section, the title of the ordinance shall be read and public comments shall be accepted, prior to any vote of the council on adoption.

(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.

Exhibit 2 Explanatory Statement

The Oregon Constitution gives city voters the right to adopt, amend, and revise the City Charter. The Sherwood City Council met several times in open public meetings to discuss a number of possible amendments to the City Charter, and determined to refer this measure proposing a charter amendment to the voters.

This measure would amend Section 16(a) of the City Charter to provide that proposed ordinances shall be posted to the City's website and that, generally, adopting an ordinance requires readings at two separate meetings, but a single vote. It would also remove language from Section 16(a) that Council determined is redundant with Section 16(b).

Section 16(a) would read in its entirety (with added language shown in underline and removed language shown in ~~strikethrough~~):

(a) Except as this provision provides otherwise, adoption of an ordinance requires ~~approval by a majority of the council reading of the proposed ordinance by title~~ approval by a majority of the council, which approval may occur at the meeting at which the second reading is conducted or a subsequent meeting. at two separate meetings separated by at least six days, ~~and approval by a majority of council, which approval may occur at the meeting at which the second reading is conducted or a subsequent meeting.~~

(1) The text of the proposed ordinance shall be posted and available to the public on the City's website at least six days in advance of ~~the each~~ the each meeting at which the ordinance will be read or considered ~~pursuant to this section, and any amendment to the text as posted shall be read in full.~~

(2) At each meeting that the ordinance is read or considered pursuant to this section, the title of the ordinance shall be read and public comments shall be accepted, prior to ~~the any~~ the any vote of the council on adoption.

(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.

For context, Section 16(b), which is not affected by this measure, reads:

(b) Any substantive amendment to a proposed ordinance must be read aloud or made available in writing to the public before the council adopts the ordinance at that meeting.

If approved by voters, this measure would take effect January 1, 2017.