



CITY COUNCIL - SPECIAL WORK SESSION AGENDA

January 29, 2024 at 5:00 PM

Wilsonville City Hall & Remote Video Conferencing

PARTICIPANTS MAY ATTEND THE MEETING AT:

City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon

YouTube: <https://youtube.com/c/cityofwilsonvilleor>

Zoom: <https://us02web.zoom.us/j/81536056468>

CITY COUNCIL MISSION STATEMENT

To protect and enhance Wilsonville's livability by providing quality service to ensure a safe, attractive, economically vital community while preserving our natural environment and heritage.

EXECUTIVE SESSION [5:00 PM]

- A. ORS 192.660(2)(e) Real Property Transactions
- B. ORS 192.660(2)(h) Legal Counsel/Litigation

ADJOURN [5:45 PM]

Break to switch Zoom accounts [5 min.]

SPECIAL WORK SESSION [5:50 PM]

- C. [City Charter – Term Limits \(Continued\) \(Guile-Hinman\)](#)

ADJOURN [7:00 PM]

Time frames for agenda items are not time certain (i.e. agenda items may be considered earlier than indicated). The City will endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting by contacting the City Recorder at 503-570-1506 or CityRecorder@ci.wilsonville.or.us: assistive listening devices (ALD), sign language interpreter, and/or bilingual interpreter. Those who need accessibility assistance can contact the City by phone through the Federal Information Relay Service at 1-800-877-8339 for TTY/Voice communication.

Habr   int  rpretes disponibles para aqu  llas personas que no hablan Ingl  s, previo acuerdo. Comun  quese al 503-570-1506.



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: January 29, 2024		Subject: City Charter – Term Limits (Continued)	
		Staff Member: Amanda Guile-Hinman, City Attorney	
		Department: Legal	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable	
		Comments: N/A	
Staff Recommendation: N/A			
Recommended Language for Motion: N/A			
Project / Issue Relates To:			
<input type="checkbox"/> Council Goals/Priorities:	<input type="checkbox"/> Adopted Master Plan(s):	<input checked="" type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

Whether to consider advancing a charter amendment to the Wilsonville electorate to clarify mayoral term limits and to direct staff regarding next steps.

EXECUTIVE SUMMARY:

During public comment at the March 20, 2023 City Council meeting, members of the community requested that the Council consider a charter amendment to treat the mayoral term(s) separately from councilor term(s). Upon discussion with Council at the March 20, 2023 meeting regarding the community input received, staff reviewed information regarding term limits and the process to refer a charter amendment for a vote of the Wilsonville electorate, if so desired by the Council. This staff report discusses how to refer a ballot measure to amend the City Charter to separate the mayoral term(s) from the councilor term(s) and examines similar processes by surrounding jurisdictions.

If Council's direction is to move forward with a ballot measure to amend the City Charter, the next policy question is what type of terms is Council interested in exploring to refer to the voters? Currently, all members of Council are limited to 12 years in a 20 year period, regardless of position (mayor or councilor). The Council could consider separating the mayoral position from councilor position in several different ways. As explained below, Tualatin, where voters amended its charter to create council term limits following an initiative process, recently amended its Charter regarding the mayoral terms. Similarly, Tigard is referring a ballot measure to its voters in May 2024 to repeal and replace its charter, which includes revising its mayoral terms. There are many iterations of options available for calculating the mayoral terms if the Council is interested in treating mayoral terms separate from councilor terms. Upon Council's direction, staff can prepare appropriate authorizing legislation for Council consideration.

This staff report explores the steps necessary to pursue a charter amendment to the City Council term limits in light of recent public comment requesting the City consider proposing such charter amendment. Particularly, this staff report first provides background information regarding the current charter provision concerning term limits, then outlines the steps for Council to refer a ballot measure to the voters, and finally summarizes the steps that the City of Tualatin and City of Tigard took to refer to their respective voters revisions to their term limits provision of their city charters.

I. Background

In 2019, the City received an initiative petition from voters in Wilsonville to amend the Wilsonville City Charter to impose term limits on all members of the City Council. A similar term limit charter amendment had recently passed in the City of Tualatin in 2016. In the May 2020 primary election, a majority of voters voted in favor of term limits, which provision is now codified in Section 29 of the Wilsonville City Charter. This Section limits terms to 12 years in any 20 year period, regardless of position held (Councilor, Mayor, pro tem member, or any combination thereof). Section 29 states:

No person shall be eligible to serve on the City Council more than twelve (12) years in any twenty (20) year period, whether serving as Councilor, Mayor, a pro tem member, or a combination thereof. No person may be elected or appointed to an office on the City Council if completing that term of office would cause a violation of these term limits. The calculation of "years" shall include those

preceding the enactment of this Section, but shall not prevent any member of the City Council from completing a term of office. To be eligible for election or appointment to an office on the City Council, prior years of service on the City Council shall be calculated by first determining the aggregate number of days a person has previously served as a member of the City Council within the period of twenty calendar years prior to the commencement of the proposed term, and then attributing a year of service for every 365.25 days of service within that period.

During the March 20, 2023 City Council meeting, members of the community requested that the Council consider a charter amendment to treat the mayoral term(s) separately from councilor term(s). Staff offered to review the requests and provide information to Council regarding term limits and referring a charter amendment at a future work session.

II. Steps to Refer a Ballot Measure to the Voters

The requirements to refer a ballot measure are found in both the Wilsonville Code (WC) and state law. Attached hereto as **Attachment 1** is an excerpt of the State's Referral Manual concerning city referrals. While state law provides options with some of the steps, this staff report explains the steps staff recommends to follow to ensure sufficient time for completing the necessary processes.

Pursuant to WC 2.410, to begin the referral process, Council must approve a resolution calling for the referral of a ballot measure and designating either the regular election date or the special election date when the Council seeks to have the electorate vote on the ballot measure. For efficiency, such resolution should include a ballot title written by the City Attorney that complies with the requirements of ORS 250.035(1) that the Council approves as part of the resolution.

ORS 250.035(1) requires a ballot title to include a caption of not more than 10 words identifying the subject matter, a question of not more than 20 words that phrases the chief purpose of the measure so that an affirmative response corresponds to an affirmative vote on the measure, and a statement of not more than 175 words summarizing the measure and its major effect.

In addition to the ballot title, the city will also need to prepare an explanatory statement of 500 words or less describing the ballot measure, which must be approved by the Council to be included in the voters' pamphlet. See OAR 165-022-0040. This explanatory statement can be approved by Council via the same resolution as the ballot title.

Upon approval of the resolution, the City Recorder publishes notice in a newspaper of general circulation that any voter may challenge the ballot title, with information of the deadline for filing a petition for review of the ballot title and the ballot title provider or information on how to obtain a copy of the ballot title. In addition, the notice may also be published for a minimum of seven (7) days on the City's website.

Assuming no appeal within the allowed timeframe, or upon completion of an appeal of the ballot title, the final ballot title is then certified via a state elections form that is provided to the county elections official who then assigns a measure number.

The timeline for all work is based on the anticipated election date. Assuming a May election date, the above-described steps must be completed by the following dates:

- March 1, 2024 – Last day to file with City Recorder ballot title for publication of notice
- March 21, 2024 – Last day to file Notice of City Election Measure (Form SEL 801) with county elections officials (can only be filed after completion of ballot title challenge process, if any)
- March 25, 2024 – Last day to file arguments for inclusion in voters' pamphlet
- May 21, 2024 – Election Day

III. Tualatin Charter Amendment and Proposed Tigard Charter Replacement

After Tualatin voters approved a term limit charter amendment in 2016, its council referred a ballot measure to its voters in 2022 to separate the terms of the mayoral position from the councilor position. That ballot measure passed in the May 2022 election. For Council's reference, attached as **Attachment 2** is Tualatin's Resolution referring the amendment to the voters. The Tualatin Charter originally limited a person to serving in any position on Council for 12 years within a 20 year period (what the Wilsonville charter amendment was modeled after). The Tualatin charter amendment changed the term limits as follows:

- If a person served two consecutive terms as Councilor, the person could serve an additional two consecutive terms as Mayor, instead of just one term.

Tigard seeks to clarify confusing language in its current charter concerning term limits. Under Tigard's current charter, no Councilor may serve for more than 8 consecutive years and no Mayor may serve for more than 8 consecutive years, but in no case may any person serve on the Council for more than 12 consecutive years. Thus, Tigard's current charter precludes a person from serving 8 years as Councilor and 8 years as Mayor. Unlike Tualatin or Wilsonville, however, Tigard's charter does not count the filling of an unexpired term to these limitations. If approved by its voters, Tigard's proposed new charter will change the council term limits as follows:

- Setting term limits as two consecutively elected or appointed terms as Councilor and two consecutively elected or appointed terms as Mayor. And no more than four terms total.
- State that a two-year break in service is required to reset term limits.
- Defining that a 'term' is a length of service greater than 3 years.

The proposed new Tigard charter is attached as **Attachment 4**. Tigard's revisions retain the limitation of two terms as Councilor and two terms as Mayor, but removes the 12-consecutive-year limitation. It further requires a minimum of a two-year break before resetting. Defining a

“term” as being more than 3 years appears to avoid the issue of when a Mayor or Councilor is appointed or elected part way through an existing term.

EXPECTED RESULTS:

If Council is interested in pursuing a referral to amend the City Charter, staff recommends that staff relatively quickly begin drafting a proposed resolution to refer the matter, a ballot title, and an explanatory statement. Since Council will not hold its regular Council meeting on the first Monday of February, Council will need to consider a resolution to refer an amendment to the City Charter at its February 22, 2024 meeting.

Should Council direct staff to work on drafting the necessary documents, staff anticipates referring a City Charter amendment in the May 21, 2024 election.

TIMELINE:

As noted above, the deadline for submission to the City Recorder is March 1, 2024, so if Council wishes to move forward with a referral, staff plans to bring back a resolution for consideration at Council’s February 22, 2024 meeting.

CURRENT YEAR BUDGET IMPACTS:

N/A

COMMUNITY INVOLVEMENT PROCESS:

Once a ballot measure is referred, the City may only answer factual questions but cannot advocate any position on the measure. Factual information can be provided on the City’s website and in the Boones Ferry Messenger.

POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:

The separation of or additional term for the mayoral position may allow a mayor to serve additional time as mayor if they also served as city councilor. This can provide additional experience, consistency, and leadership to the mayoral role. Currently, if a councilor has served two terms (8 years) and then is elected mayor, that person can only serve as mayor for one term (four (4) years). Additionally, if a councilor who is in the middle of a first term (2 years) is elected mayor, as mayor, that person can only serve two terms (8 years) as mayor, because the City Charter currently prohibits any candidate from seeking election if they would not be able to serve the full term within the term limits. Similarly, if a councilor who is in the middle of a second term (6 years) is elected mayor, as mayor, that person can only serve only 1 term as mayor.

When the City of Tualatin referred its ballot measure to the voters, only arguments in favor were submitted for the voters’ pamphlet. Those statements are provided here as **Attachment 3** explaining the reasons community members in Tualatin believed that revising the term limits for the mayoral position was in the best interest of that community.

ALTERNATIVES:

Determine not to move forward with a referral.

CITY MANAGER COMMENT:

N/A


ATTACHMENTS:

1. Excerpt of State Referral Manual (with 2023 dates; 2024 dates are included at the end of Attachment 1)
2. City of Tualatin Resolution No. 5582-21
3. Excerpt of May 17, 2022 Washington County Voters Pamphlet regarding Tigard Ballot Measure
4. Tigard Proposed Charter

County, City, and District Referral Manual

Published by

Elections Division
255 Capitol St NE, Suite 501
Salem, OR 97310-0722

 503 986 1518
fax 503 373 7414
tty 1 800 735 2900
www.oregonvotes.gov

Adopted by





Oregon Administrative Rule No. 165-014-0005







Secretary of State

Elections Division Rev. 02/2022

2022 Local Elections Calendar

 District Measures	March 8	May 17	August 23	November 8
Last Day for County Elections Official to Publish → notice of district measure election	See ORS 255.085			
Last Day for County, City, or District Governing Body to File with Local Elections Official → ballot title for publication of notice or → referral text so a ballot title can be written	December 17	February 25	June 3	August 19
Last Day for Local Governing Body to File with County Elections Official → Form SEL 801 Notice of Measure Election - County  Form may only be filed upon completion of the ballot title challenge process.	January 6	March 17	June 23	September 8
→ Form SEL 802 Notice of Measure Election - City  Form may only be filed upon completion of the ballot title challenge process.	January 6	March 17	June 23	September 8
→ Form SEL 803 Notice of Measure Election – District  Form may not be filed until after the deadline for the immediately preceding election has passed and only upon completion of the ballot title challenge process.	January 6	March 17	June 23	September 8
Last Day to File with County Elections Official → arguments for inclusion in county voters' pamphlet	January 10	March 21	June 27	September 12

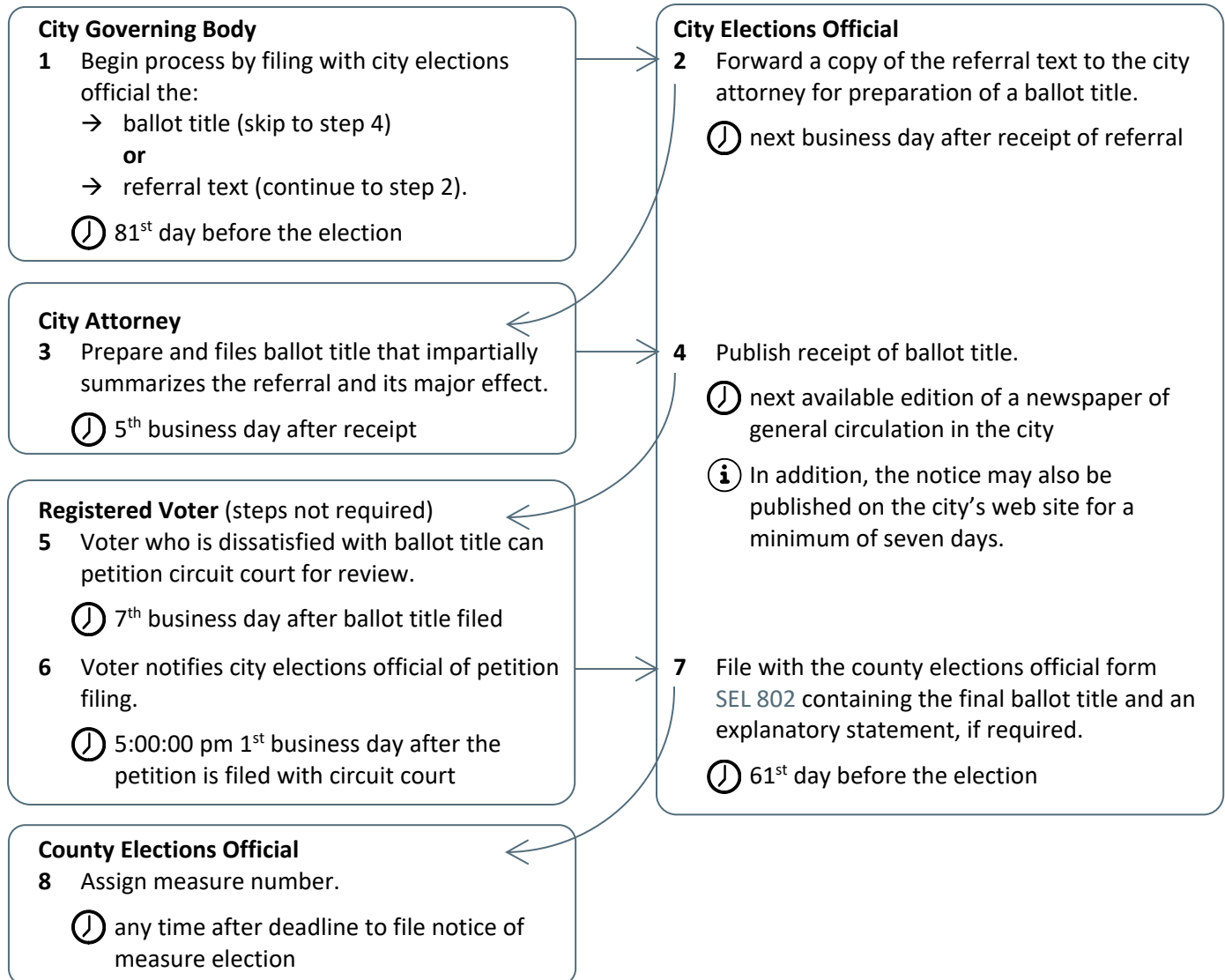
2023 Local Elections Calendar

 District Measures	March 14	May 16	August 22	November 7
Last Day for County Elections Official to Publish → notice of district measure election	See ORS 255.085			
Last Day for County or City Governing Body to File with Local Elections Official → ballot title for publication of notice or → referral text so a ballot title can be written	December 23	February 24	June 2	August 18
Last Day for Local Governing Body to File with County Elections Official → Form SEL 801 Notice of Measure Election - County  Form may only be filed upon completion of the ballot title challenge process.	January 12	March 16	June 22	September 7
→ Form SEL 802 Notice of Measure Election - City  Form may only be filed upon completion of the ballot title challenge process.	January 12	March 16	June 22	September 7
→ Form SEL 803 Notice of Measure Election – District  Form may not be filed until after the deadline for the immediately preceding election has passed and only upon completion of the ballot title challenge process.	January 12	March 16	June 22	September 7
Last Day to File with County Elections Official → arguments for inclusion in county voters' pamphlet	January 17	March 20	June 26	September 11

Notice of Local Option Tax Measure or General Obligation Bond

County elections officials must file with the Secretary of State a copy of the Notice of Measure Election for each local option tax measure or general obligation bond measure placed on the ballot by a municipal corporation.

City Referral Steps



Competing Measure

If a qualified initiative is filed by the city elections official at a city governing body meeting that occurs on the 90th day before the election and the governing body refers a competing measure, the ballot title process including the challenge period must be completed no later than the 61st day before the election.

City Referral Process



Local charter or ordinance requirements do not supersede ORS 250.035 relating to ballot title format or the statement of measures filed under ORS 254.095.

Once a city governing body refers a measure for the voters to decide, a ballot title must be written. All ballot titles must comply with the requirements in ORS 250.035.

Ballot Title Process

ORS 250.035, 250.275, 250.285, and 250.296

A ballot title is a concise and impartial statement prepared by the city governing body or the city attorney that will be printed on the ballot summarizing the referral and its major effect. Any voter may challenge the ballot title in circuit court and the referral may only appear on the ballot once this process is complete.

1 Preparation

For any referral, the city governing body may:

→ prepare and file a ballot title with the city elections official

or

→ file referral text with the city elections official.



Form [SEL 805 Request for Ballot Title – Preparation or Publication of Notice](#) may be used to file:

→ the text of the referral so a ballot title can be written

or

→ the ballot title written by the governing body or city attorney for publication of notice.

The city elections official will forward a copy of the referral text to the city attorney for preparation of a ballot title. After receiving the referral, the city attorney writes and files a ballot title with the city elections official.

2 Format

Each ballot title must contain all of the following elements:

→ a caption that does not exceed 10 words describing the subject of the referral;

→ a question that does not exceed 20 words plainly phrasing the main purpose of the referral so that an affirmative response to the question corresponds to a yes vote on the referral; and

→ a summary that does not exceed 175 words describing the major effect of the referral.



Additional ballot title requirements apply to referrals requesting a general obligation bond, a local option tax, or a permanent rate limit.



For further information you may contact the Elections Division, your bond counsel, or the Oregon Department of Revenue, Property Tax Division 800 356 4222.

3 Notice

After receiving a ballot title from the city governing body or the city attorney, the city elections official publishes notice in the next available edition of a newspaper of general circulation that any voter may challenge the ballot title. It is advisable to also publish the notice on the city website for a minimum of seven days. The notice must include all of the following:

- a statement that a ballot title has been received and that any voter may file a petition for review of the ballot title;
- the deadline for filing a petition for review of the ballot title with the circuit court; and
- the ballot title provided by the city governing body or city attorney or information on how to obtain a copy.



Notice must be published prior to the deadline to file a petition to review the ballot title.

4 Ballot Title Appeal

Any registered voter who is dissatisfied with the ballot title may petition the circuit court to review the ballot title. If a registered voter files a petition to review a ballot title with the circuit court, the voter must:

- name the city governing body or city attorney as respondent, depending who prepared the ballot title;
- state the reasons why the ballot title is insufficient, not concise or unfair; and
- notify the city elections official in writing that a petition has been filed.



If the notification of the city elections official is not timely filed, the petition to the circuit court may be dismissed.

5 Circuit Court Review

When a petition is filed, the circuit court conducts its review and renders its decision certifying a ballot title meeting the requirements of ORS 250.035. The review of the ballot title by the circuit court shall be the first and final review.



If the Circuit Court certifies a different ballot title, the city elections official forwards the final ballot title to the city official authorized to submit notice of measure election for preparation of form [SEL 802](#).

Explanatory Statement

ORS 251.067, 251.285, 251.345, and OAR 165-022-0040

An explanatory statement is an impartial, simple and understandable statement explaining the measure. The city governing body must prepare and file an explanatory statement of no more than 500 words for a referral **only** if:

- the county is producing a voters' pamphlet
- or
- the referral will appear in the state voters' pamphlet.



Cities are encouraged to adopt and comply with an ordinance that provides a judicial review procedure for an explanatory statement which is contested. If a city measure is to appear in the state voters' pamphlet, a judicial review procedure is required.



See the State Voters' Pamphlet Manual available at www.oregonvotes.gov for additional requirements for referrals appearing in the state voters' pamphlet.

Certification of Referral to Ballot

ORS 254.095

The city governing body must certify that the challenge process is complete and file the final ballot title on:



Form SEL 802 Notice of Measure Election – City.



If the county is producing a voters' pamphlet, the county elections official will reject any SEL 802 that is not accompanied by an explanatory statement.

After receiving a city referral, the county elections official assigns a measure number.



Ballot measure numbers will not be repeated. If the measure is later removed from the ballot, the measure number will not be re-used.

Withdrawal of Referral

To withdraw a referral, the city governing body must complete and file with the county elections official:



Form SEL 804 Withdrawal - Notice of Measure Election.



The SEL 804 must be submitted no later than the 61st day before the election.

Date	Description	Reference	Calculation	Election
February 12, 2024	Last day to designate official ballot dropsites. Adjusted under ORS 187.010(3).	OAR 165-007-0030	-30	March
February 12, 2024	First day to mail ballots to voters with a non-Oregon mailing address who are not military or overseas voters.	253.065; 254.470	-29	March
February 12, 2024	Last day to file explanatory statements, financial estimates and any statements explaining estimates.	250.127; 251.215; 251.225	-99	Primary
February 16, 2024	Last day to conduct hearings on explanatory statements, financial estimates and any statements explaining estimates.	250.127; 251.215	-95	Primary
February 19, 2024	President's Day	Federal Holiday		No Mail Delivery
February 20, 2024	Last day to register to vote. Registration cards postmarked by this date or submitted online no later than 11:59 pm are valid.	247.025	-21	March
February 20, 2024	Last day to cancel voters based on information from US Postal Service records.	247.296	-91	Primary
February 21, 2024	First day to mail ballots to voters.	254.470	-20	March
February 21, 2024	First day for political party to request free statewide voter file from Secretary	247.940	-3 Months	Primary
February 21, 2024	Last day to prepare and mail submarine ballot to military and overseas voters.	253.565	-90	Primary
February 21, 2024	Last day for major political party to file rules opening primary election.	254.365	-90	Primary
February 21, 2024	Last day to file revised explanatory statements, financial estimates and any statements explaining estimates.	250.127; 251.215	-90	Primary
February 23, 2024	Last day to mail ballots to voters without daily mail service.	254.470	-18	March
February 23, 2024	Last day for Secretary of State to file financial estimates and any statements explaining estimates, if financial estimate committee does not.	250.127	-88	Primary
February 26, 2024	Last day for Secretary of State to notify county clerks of open primary.	OAR 165-007-0030	-85	Primary
February 26, 2024	Last day to petition Supreme Court to review explanatory statements or process used to adopt financial estimates and any statements explaining	ORAP Rule 11.30; 250.131; 251.235	5	Revision Deadline
February 27, 2024	Last day to distribute county voters' pamphlet.	251.315	-14	March
February 27, 2024	Last day to mail ballots to voters.	254.470	-14	March
February 27, 2024	Last day to notify Secretary of State of intent to publish or not publish county voters' pamphlet.	OAR 165-007-0030	-84	Primary
February 29, 2024	Last day for candidate to register as nonaffiliated to meet 180 day registration requirement for general election.	249.720	-180	General Filing Deadline
February 29, 2024	Monthly initiative petition submission.	250.105		State Initiative
March 1, 2024	Last day for governing body to file referral text or prepared ballot title in order to complete challenge period by deadline to file notice of measure election.	OAR 165-014-0005	-81	Primary
March 5, 2024	Last day to conduct public certification test of vote tally system.	254.235	-7	March

Date	Description	Reference	Calculation	Election
March 7, 2024	Last day absentee or replacement ballots are required to be mailed to voters.	247.307; 253.545; 254.470	-5	March
March 7, 2024	Deadline to compile list of inactive voters with valid mailing addresses, including those who are inactive due to nonmatching signature or name	247.281	-75	Primary
March 12, 2024	Election Day. County Clerk's office open 7 am - 8 pm. Official dropsites open until 8 pm, for minimum of 8 hours.	254.470	Election Day	March
March 12, 2024	Seven day campaign finance transaction reporting ends.	260.057	Election Day	March
March 12, 2024	Last day for voter to return ballot. Ballots that are mailed must be postmarked by election day. Ballots deposited in an official drop box must be received by 8	253.070; 254.470	Election Day	March
March 12, 2024	Last day for major party or nonpartisan candidate to file declaration of candidacy or nominating petition.	249.037	-70	Primary
March 12, 2024	Last day for district candidate to file declaration of candidacy, nominating petition or to withdraw.	255.235	-70	Primary
March 12, 2024	First day to mail notice to voters who were inactive as of the 75th day before	247.281	-70	Primary
March 13, 2024	Last day for Secretary of State to complete random ordering of alphabet to determine candidate name placement.	254.155	-69	Primary
March 14, 2024	Last day for Secretary of State to distribute random alphabet.	254.155	-68	Primary
March 14, 2024	Last day to file or withdraw candidate statements or measure arguments for state voters' pamphlet.	251.065; 251.245; 251.255; 251.285	-68	Primary
March 14, 2024	Last day for candidate, who files candidacy with county clerk, to file statement for county voters' pamphlet.	OAR 165-022-0010	-68	Primary
March 15, 2024	Last day for candidate, other than district candidate, to withdraw.	249.170	-67	Primary
March 19, 2024	Last day to receive valid postmarked ballots by mail.	253.070; 254.470	7	March
March 19, 2024	Last day to review state voters' pamphlet filings for statutory compliance.	251.087; 251.260	3 business	VP Filing Deadline
March 20, 2024	Last Day to forward ballots.	253.070; 254.470	8	March
March 20, 2024	Material submitted for state voters' pamphlet available for public inspection.	251.145	4 business	VP Filing Deadline
March 20, 2024	Candidate voters' pamphlet statements, for candidates who file candidacy with county clerk, available for public inspection.	251.430	4 business	VP Filing Deadline
March 21, 2024	Last day for Secretary of State and city elections official to file ballot	254.085; 254.095	-61	Primary
March 21, 2024	Last day to file or withdraw notice of measure election and any required explanatory statement.	254.095; 254.103; 255.085; OAR 165-022-0010	-61	Primary
March 21, 2024	Last day to notify candidates and measure argument filers of required corrections to state voters' pamphlet material.	251.087; 251.260	5 business	VP Filing Deadline

Date	Description	Reference	Calculation	Election
March 22, 2024	Last day to mail notice to voters who were inactive as of the 75th day before	247.281	-60	Primary
March 25, 2024	Last day for candidate, who files candidacy with governing body other than county clerk, to file statement for county voters' pamphlet.	OAR 165-022-0010	-57	Primary
March 25, 2024	Last day to file measure arguments for county voters' pamphlet.	OAR 165-022-0010	2 business	Notice Deadline
March 25, 2024	Last day for candidate or measure argument filer to correct state voters'	251.087; 251.260	7 business	VP Filing Deadline
March 27, 2024	Information identifying voters with ballots challenged for missing or non-matching signatures available for public inspection.	254.431	15	March
March 29, 2024	Candidate statements, for candidates who file candidacy with governing body other than county clerk, and measure arguments available for public	251.430	4 business	VP Filing Deadline
March 29, 2024	Monthly initiative petition submission.	250.105		State Initiative
April 2, 2024	Last day to resolve ballot challenges.	254.426; 254.431	21	March
April 6, 2024	Last day to print and mail ballots to military and overseas voters.	253.065	-45	Primary
April 8, 2024	Last day to prepare and deliver abstracts to appropriate elections officials.	254.545; 255.295	27	March
April 8, 2024	First day the county clerk may provide, in person or by mail, a ballot to voter who will be away during an election.	254.470	-43	Primary
April 9, 2024	Seven day campaign finance transaction reporting begins.	260.057; 260.118	-42	Primary
April 16, 2024	Last day to issue proclamation if provisions of two or more approved county	254.545	35	March
April 18, 2024	Last day to prepare and electronically deliver precinct level results and Ballot Count Report to Secretary of State.	254.074; 254.545; OAR 165-007-0030	37	March
April 18, 2024	Last day to certify 50% turnout of eligible voters.	OAR 165-007-0130	37	March
April 19, 2024	Last day for elections official to prepare and deliver acceptance of office form to individuals nominated or elected by write-in.	254.548	38	March
April 22, 2024	Last day for city elections official to canvass votes for city measures and issue proclamation if provisions of two or more approved measures conflict.	254.565	40	March
April 22, 2024	Last day to file contest of election, if no recount. Adjusted under ORS 246.021.	258.036	40	March
April 22, 2024	Last day to establish or divide precincts. Adjusted under ORS 187.010(3).	246.410	-30	Primary
April 22, 2024	Last day to designate official ballot dropsites. Adjusted under ORS 187.010(3).	OAR 165-007-0030	-30	Primary
April 22, 2024	First day to mail ballots to voters with a non-Oregon mailing address who are not military or overseas voters.	253.065; 254.470	-29	Primary
April 23, 2024	Last day to file recount demand.	258.161	42	March
April 24, 2024	Last day for individuals nominated or elected by write-in to file acceptance	254.548	43	March
April 26, 2024	Last day to deliver a certificate of nomination or election to individuals who filed write-in acceptance forms and, if applicable, issue a proclamation declaring the election of those individuals.	254.548	45	March

Date	Description	Reference	Calculation	Election
April 26, 2024	Last day for district elections authority to determine result of election.	255.295	45	March
April 26, 2024	Election Day Report due.	DIR. 2006-7	45	March
April 30, 2024	Last day to register to vote or change party affiliation. Registration cards postmarked by this date or submitted online no later than 11:59 pm are valid.	247.025; 247.203	-21	Primary
April 30, 2024	Monthly initiative petition submission.	250.105		State Initiative
May 1, 2024	Last day to mail state voters' pamphlet.	251.175	-20	Primary
May 1, 2024	First day to mail ballots to voters.	254.470	-20	Primary
May 3, 2024	Last day to mail ballots to voters without daily mail service.	254.470	-18	Primary
May 6, 2024	Last day for political party to request free statewide voter file from Secretary	247.940	-15	Primary
May 7, 2024	Last day to distribute county voters' pamphlet.	251.315	-14	Primary
May 7, 2024	Last day to mail ballots to voters.	254.470	-14	Primary
May 14, 2024	Last day to conduct public certification test of vote tally system.	254.235	-7	Primary
May 16, 2024	Last day absentee or replacement ballots are required to be mailed to voters.	247.307; 253.545; 254.470	-5	Primary
May 21, 2024	Election Day. County Clerk's office open 7 am - 8 pm. Official dropsites open until 8 pm, for minimum of 8 hours.	254.470	Election Day	Primary
May 21, 2024	Last day to file write-in declaration or write-in nomination for precinct committeeperson. Must be filed no later than 8 pm.	248	Election Day	Primary
May 21, 2024	Last day for voter to return ballot. Ballots that are mailed must be postmarked by election day. Ballots deposited in an official drop box must be received by 8	253.070; 254.470	Election Day	May
May 21, 2024	Seven day campaign finance transaction reporting ends.	260.057; 260.118	Election Day	Primary
May 24, 2024	Last day to submit state initiative petition signatures for early verification.	250.105	-165	General
May 24, 2024	Seven day campaign finance transaction reporting begins for Initiative Petition Committees.	260.118	-42	Submission Deadline
May 27, 2024	Memorial Day	Federal Holiday		No Mail Delivery
May 28, 2024	Last day to receive valid postmarked ballots by mail.	253.070; 254.470	7	Primary
May 29, 2024	Last Day to forward ballots.	253.070; 254.470	8	Primary
May 31, 2024	Monthly initiative petition submission.	250.105		State Initiative
June 5, 2024	Information identifying voters with ballots challenged for missing or non-matching signatures available for public inspection.	254.431	15	Primary
June 5, 2024	First day to file declaration of candidacy or nominating petition for local offices filled at general election.	221.180	15	General
June 5, 2024	First day for nonaffiliated and minor political party candidates to file certificates of nomination for general election.	249.722	15	General

ATTACHMENT 2

RESOLUTION NO. 5582-21

A RESOLUTION REFERRING TO THE ELECTORS OF THE CITY OF TUALATIN THE QUESTION OF AMENDING THE CITY CHARTER TO MODIFY MAYORAL TERM LIMITS IN CERTAIN CIRCUMSTANCES.

WHEREAS, under Article XI, section 2 of the Oregon Constitution, the City of Tualatin has "home rule" authority over the civil affairs of its City;

WHEREAS, Article XI of the Oregon Constitution, and ORS Chapters 250 and 251, authorize the City to refer a matter to voters to amend the City's Charter;

WHEREAS, pursuant to Chapter II, section 4, Chapter III, section 6, Chapter VI, section 23, and other relevant provisions of the Charter and State law, the Council has the power to refer a matter to voters; and

WHEREAS, the Council wishes to refer a matter to the voters to consider amending the Charter, as set forth in this resolution.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. Measure. A measure election is hereby called for the purpose of submitting to the electors of the City of Tualatin a measure amending the City Charter to modify Mayoral term limits in certain circumstances, a copy of which is attached as "Exhibit 1," and incorporated herein by reference.

Section 2. Election Conducted by Mail. The measure election shall be held in the City of Tualatin on May 17, 2022, at the next statewide primary election. As required by ORS 254.465, the measure election shall be conducted by mail by the County Clerks of Washington & Clackamas Counties, according to the procedures adopted by the Oregon Secretary of State.

Section 3. Delegation. The City of Tualatin authorizes the City Manager, or the City Manager's designee, to act on behalf of the City and to take such further action as necessary to carry out the intent and purposes set forth herein, in compliance with the applicable provisions of law.

Section 4. Preparation of Ballot Title. The City Attorney has prepared the ballot title for the measure, which is attached as "Exhibit 2," and incorporated by reference. The ballot measure approved and the City Attorney is hereby directed to deposit the ballot title with the city elections officer within the time established by law.

Section 5. Notice of Ballot Title and Right to Appeal. Upon receiving the ballot title for this measure, the city elections officer must publish in the next available edition of a newspaper of general circulation in the city a notice of receipt of the ballot title, including notice that an elector may file a petition for review of the ballot title.

Section 6. Explanatory Statement. The explanatory statement for the measure, is attached as "Exhibit 3," and incorporated herein by reference, is hereby approved.

Section 7. Filing with County Elections Office. The city elections officer shall deliver the Notice of Measure Election to the County Clerks for Washington & Clackamas County for inclusion on the ballot for the May 17, 2022, election.

Section 8. Effective Date. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 8th day of November, 2021.

CITY OF TUALATIN OREGON

BY Frank Bubenik
Mayor

APPROVED AS TO LEGAL FORM

ATTEST

BY Sean Brady
City Attorney

BY Sherilyn Lombos
City Recorder

EXHIBIT 1

RESOLUTION NO. 5582-21

MEASURE LANGUAGE

Section 12(a) of the City of Tualatin Charter is amended as follows:

No person shall be eligible to serve on the City Council more than twelve (12) years in any twenty (20) year period, whether serving as Councilor, Mayor, a pro tem member, or a combination thereof, except if a person has served only two terms as a City Councilor, then that person shall be eligible to serve another two consecutive terms as Mayor. No person may be elected or appointed to an office on the City Council if completing that term of office would cause a violation of these term limits. The calculation of "years" shall include those preceding the passage of this Section, but shall not prevent any member of the City Council from completing a term of office that commenced prior to its passage. For the purposes of this Section, years of service on the City Council shall be calculated by first determining the aggregate number of days a person has served as a member of the City Council within an applicable window of twenty calendar years, and then attributing a year of service for every 365.25 days of service. This Section becomes effective immediately upon passage.

EXHIBIT 2

RESOLUTION NO. 5582-21

BALLOT TITLE

Amends Charter to Modify Mayoral Term Limits in Certain Circumstances.

QUESTION

Should the Charter be amended to allow a two-term City Councilor the opportunity to serve two consecutive terms as Mayor?

SUMMARY

The Measure would amend the City of Tualatin Charter to modify the term limits for the Office of Mayor. If passed, the Measure would allow a person to serve two terms (8 years) as a City Councilor followed by two consecutive terms (8 years) as Mayor, in a 20-year period.

The existing City Charter imposes term limits on a person serving on City Council as Mayor, a Councilor, or a combination of the two offices, to no more than 12 years in a 20-year period. Under the current Charter language, if a person previously served two terms (8 years) as a City Councilor, the person is limited to serving one term (4 years) as Mayor, in a 20-year period. The measure would modify the Charter such that a person who previously served two terms (8 years) as a City Councilor could serve two consecutive terms (8 years) as Mayor, for a total of 16 years on City Council in a 20-year period. In all other circumstances, the 12-year term limit in a 20-year period applies.

EXHIBIT 3

RESOLUTION NO. 5582-21

EXPLANATORY STATEMENT

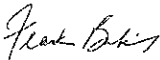
This Measure, if approved, would amend Section 12(a) of the City of Tualatin Charter ("Charter") to create a new term limits provision applicable to the Office of Mayor. If passed, the Measure would allow a person who has previously served two terms (8 years) as a City Councilor to be eligible to serve two consecutive terms (8 years) as Mayor, if elected, in a 20-year period.

The City Council consists of the Mayor and six City Councilors. The Charter provides that the Mayor is elected to a four-year term and each City Councilor is elected to a four-year term. The existing Charter language imposes term limits to prohibit a person from serving on City Council to no more than 12 years in any 20-year period. The 12-year limit in the Charter applies to the total amount of time a person serves on the City Council, whether the person is serving as a Mayor, a Councilor, or any combination of the two offices.

This Measure would amend the Charter to modify the term limits applicable to the Office of Mayor in the circumstance where the person has previously served two terms (8 years) as a City Councilor. Under the existing Charter language, if a person has previously served two terms (8 years) as a City Councilor, the person can only serve one term (4 years) as Mayor, in a 20-year period. If approved, this Measure would allow a person to serve as Mayor for two consecutive terms (8 years), instead of only one term (4 years).

The effect of the Measure would allow a person to possibly serve a total of 16 years on City Council in a 20-year period. In all other circumstances, the general term limits of 12 years in any 20-year period would apply to the Office of Mayor. The Measure does not change the term limits for City Councilors.

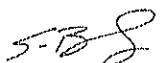
This Measure would become effective immediately upon passage.

Signature: 

Email: fbubenik@tualatin.gov

Signature: 
Sherilyn Lombos (Nov 9, 2021 13:14 PST)

Email: slombos@tualatin.gov

Signature: 

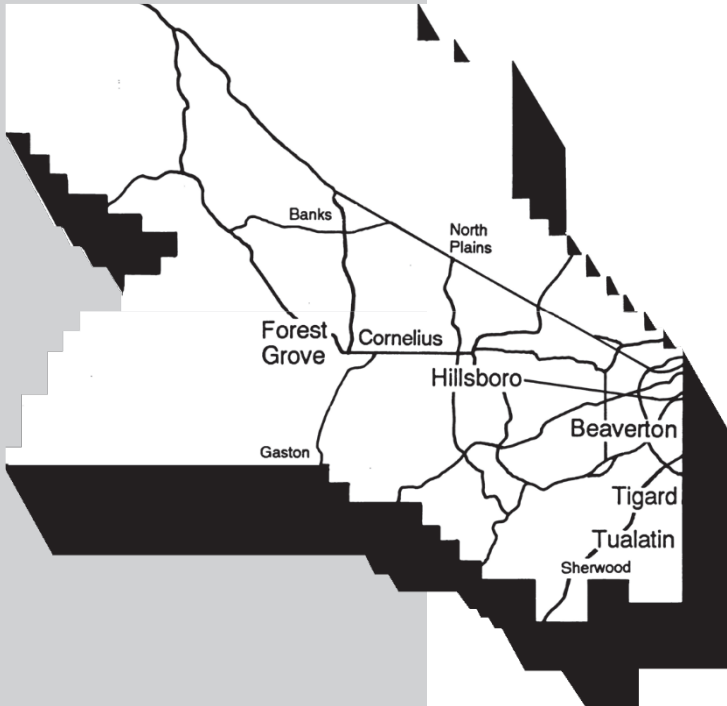
Email: sbrady@tualatin.gov



Elections Division
2925 NE Alcock Dr, Ste 170
Hillsboro, OR 97124-7523

www.co.washington.or.us

Washington County Voters' Pamphlet



**VOTE-BY-MAIL
SPECIAL
ELECTION
May 17, 2022**

Washington County Board of County Commissioners

Kathryn Harrington, Chair
Nafisa Fai, District 1
Pam Treece, District 2
Roy Rogers, District 3
Jerry Willey, District 4

ATTENTION

This is your county voters' pamphlet. Washington County Elections prints information as submitted. We do not correct spelling, punctuation, grammar, syntax, errors or inaccurate information. All information contained in this county pamphlet has been assembled and printed by Joe Nelson, Director Washington County Assessment Taxation.

Dear Voter:

This pamphlet contains information for several districts and there may be candidates/measures that are not included on your ballot. If you have any questions, call 503-846-5800.

Measure No. 34-309

Ballot Title

Amends Charter to Modify Mayoral Term Limits in Certain Circumstances.

Question: Should the Charter be amended to allow a two-term City Councilor the opportunity to serve two consecutive terms as Mayor?

Summary: The Measure would amend the City of Tualatin Charter to modify the term limits for the Office of Mayor. If passed, the Measure would allow a person to serve two terms (8 years) as a City Councilor followed by two consecutive terms (8 years) as Mayor, in a 20-year period. The existing City Charter imposes term limits on a person serving on City Council as Mayor, a Councilor, or a combination of the two offices, to no more than 12 years in a 20-year period. Under the current Charter language, if a person previously served two terms (8 years) as a City Councilor, the person is limited to serving one term (4 years) as Mayor, in a 20-year period. The measure would modify the Charter such that a person who previously served two terms (8 years) as a City Councilor could serve two consecutive terms (8 years) as Mayor, for a total of 16 years on City Council in a 20-year period. In all other circumstances, the 12-year term limit in a 20-year period applies.

Explanatory Statement

This Measure, if approved, would amend Section 12(a) of the City of Tualatin Charter ("Charter") to create a new term limits provision applicable to the Office of Mayor. If passed, the Measure would allow a person who has previously served two terms (8 years) as a City Councilor to be eligible to serve two consecutive terms (8 years) as Mayor, if elected, in a 20-year period.

The City Council consists of the Mayor and six City Councilors. The Charter provides that the Mayor is elected to a four-year term and each City Councilor is elected to a four-year term. The existing Charter language imposes term limits to prohibit a person from serving on City Council to no more than 12 years in any 20-year period. The 12-year limit in the Charter applies to the total amount of time a person serves on the City Council, whether the person is serving as a Mayor, a Councilor, or any combination of the two offices.

This Measure would amend the Charter to modify the term limits applicable to the Office of Mayor in the circumstance where the person has previously served two terms (8 years) as a City Councilor. Under the existing Charter language, if a person has previously served two terms (8 years) as a City Councilor, the person can only serve one term (4 years) as Mayor, in a 20-year period. If approved, this Measure would allow a person to serve as Mayor for two consecutive terms (8 years), instead of only one term (4 years).

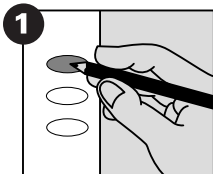
The effect of the Measure would allow a person to possibly serve a total of 16 years on City Council in a 20-year period. In all other circumstances, the general term limits of 12 years in any 20-year period would apply to the Office of Mayor. The Measure does not change the term limits for City Councilors.

This Measure would become effective immediately upon passage.

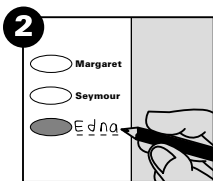
Submitted by:
Sherilyn Lombos, City Manager

Complete your ballot

Carefully read and follow all instructions printed on your ballot.



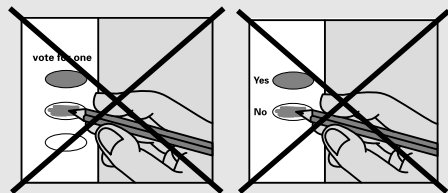
To vote, completely fill in the oval next to your choice.



To write-in a candidate:
→ Clearly print his or her name on the blank line provided on the ballot
-and-
→ Fill in the oval next to the name you wrote-in

Check for errors

You do not have to vote on all contests. Those you do vote on will still count.



If you vote for more than one option, your vote **will not count** for that candidate or measure.



Check your ballot carefully

You can not change your vote after you have returned your ballot

Contact your County Elections Office or call **1 866 673 VOTE** to request a replacement ballot if:

- you make a mistake
- you lose your ballot
- your ballot is damaged or spoiled
- or for any other reason.

City of Tualatin

Measure No. 34-309 Arguments

Argument in Favor

VOTE YES ON 34-309

Measure 34-309 does not overturn term limits in Tualatin, but instead proposes a narrow and significant improvement to the existing term limits. Since term limits were implemented in 2016, voters have elected a new mayor and the membership of the Council has seen a nearly complete turnover. The results have been intensely positive, but there soon could be one significant negative: the loss of experienced and effective leadership.

The premise behind 34-309 is that a councilor needs two terms (eight years) to get fully educated on the issues and to develop meaningful relationships with other elected officials. After that time, the councilor is able to effectively function as Mayor - the leader of our community. Under Tualatin's current term limits, that experienced and effective mayor is limited to a single term, essentially stopping the engine when it is running at its greatest efficiency, which is clearly not a good policy.

I do not believe that 34-309 represents a radical departure from the spirit of the existing term limits, which allow individuals to serve twelve years in any twenty-year period as a means of preventing any individual to become entrenched in power.

There are significant advantages to adopting 34-309, which will allow a seasoned mayor to be eligible to serve a second, consecutive term. After that second term and a total of sixteen years of service, the former mayor could not run for local office again for a period of eight years. The additional four-year term as mayor would not, therefore, allow the mayor to become entrenched in power. Moreover, if a first term mayor did not perform well, then that mayor would be eligible for another term, but unlikely to be re-elected, which is a form of de facto term limits.

Please join me in voting YES on Measure 34-309 and adopting a better policy for the long-term governance of Tualatin.

This information furnished by:
Robert E. Kellogg

Argument in Favor

Vote YES on Measure 34-309

I encourage you to support amending the City Charter regarding term limits to allow a mayor to serve two terms even if that person has already served two terms as a council member.

As others have pointed out, it takes time for a new councilor to learn what is required to be an effective council member. Beyond having to learn about and address the myriad of issues cities face every day, the cities in the Portland Metro area must work collaboratively on regional issues. That means a councilor must cultivate professional relationships with their counterparts in other cities, counties, Metro, Tri-Met, and special districts. That is even more true for the mayor. Mayors interact with other mayors in Oregon and nationally on a regular basis. The Mayor is the City's liaison not only regionally but at the State and Federal levels. It takes time for a mayor to establish the position of trust, ability, and knowledge necessary to be listened to on matters that affect Tualatin and other cities. A one-term mayor from a small city, such as Tualatin, will rarely have the time to have achieved the level of respect necessary to have others in power to address our concerns, proposed solutions, requests for legislation or Federal, State, or County funding.

This proposed amendment still serves the purpose of encouraging new residents to serve on the Council while assuring some turnover on the Council. The two-term limit is consistent with what other cities in our area have adopted. Please vote to amend the Charter to allow a person who has previously served two terms as a city councilor to serve two terms as mayor.

Respectfully submitted,

Brenda L. Braden
former Tualatin City Attorney (1994-2012)

This information furnished by:
Brenda Braden

Argument in Favor

YES ON 34-309

Cities with term limits rely on employees to run them. We are fortunate in Tualatin that these employees competently perform their jobs and avoid the bureaucracy that plagues other small towns. Still, we did not elect them. We did elect our councilors and Mayor for the purpose of providing leadership on local topics like transportation and housing which are important to Tualatin residents.

Tualatin has hundreds of city employees and we need a mayor to grow into their job so they can be as effective at cutting red tape as ceremonial ribbons. The new term limits being proposed will at least allow dedicated citizens to serve as Mayor for 8 years if they have served on city council for at least 8 years.

It's not perfect but it's a chance to give dedicated citizens—who we have selected—adequate time to design, develop, and deploy impactful changes for our community.

Please join me in voting YES on Measure 34-309.

Ross Baker

This information furnished by:
Ross Baker

Argument in Favor

VOTE YES ON TUALATIN CHARTER AMENDMENT 34-309

As a leader on the Tigard-Tualatin School Board since 2019 and the current Chair, I have seen how critical relationships are for local government leaders when it comes to accessing information and resources in a timely fashion—particularly in moments of crisis. Being able to pick up the phone to call key federal officials, state leaders, and colleagues in other jurisdictions is an important part of the job of locally elected officials.

While this function is especially valuable during crises, it is also true in more “normal” circumstances; having a mayor that is deeply engaged and well-connected to other officials, nearby jurisdictions, and relevant organizations benefits Tualatin's residents and small businesses tremendously—and these relationships are not built overnight.

In today's policy-making environment, cities cannot simply “go it alone.” Most of the major issues affecting residents' quality of life require collaboration with public partners: housing and homelessness, transportation, environmental protection,

City of Tualatin

Measure No. 34-309 Arguments

education, and more require collaboration and consultation with the state and federal government, the counties, neighboring cities, Metro, Trimet, the school district, and more. There are also nonprofits and membership associations that are critical for municipal leaders to be engaged with: the League of Cities, the Westside Economic Alliance, the Metropolitan Mayors' Consortium, chambers of commerce, and more.

That is a lot of ground to cover and people/processes to get to know in just four years as mayor.

This proposed charter change would give Tualatin a competitive advantage in regional affairs by providing more time for the mayor to:

- 1) Build working relationships with federal, state, and local leaders
- 2) Understand the overlapping jurisdictions and complex decision-making processes in the metro region
- 3) Gain status and experience in local and regional groups and committees to advance Tualatin's interests

I encourage voters to vote YES on 34-309 for a more effective and responsive local government.

Sincerely,

Ben Bowman
Chair, Tigard-Tualatin School Board

This information furnished by:
Ben Bowman



Update your registration if you are away from home

The post office will not forward your ballot.

You can request an **absentee ballot** if you will not be home during an election. The ballot will be sent to the alternate address you provide.

for more information about
voting in Oregon

 **oregonvotes.gov**



1 866 673 VOTE / 1 866 673 8683
se habla español

TTY 1 800 735 2900
for the hearing impaired

City of Tigard Charter of 2024

PREAMBLE

We the people of Tigard, Oregon, are a community that recognizes the value of all individuals. We exercise our power to the fullest extent possible under the constitution and laws of the State of Oregon and enact this home rule Charter.

ARTICLE I**Name and Boundaries**

Section 1.1. Title of Enactment. This enactment may be referred to as the City of Tigard Charter of 2024.

Section 1.2. Name. The municipality of Tigard, Washington County, Oregon, continues to be a municipal corporation with the name "City of Tigard."

Section 1.3. Boundaries. The City includes all territory within its boundaries as they now exist or are legally modified in the future.

ARTICLE 2**Powers of the City**

Section 2.1. Powers of the City. The City has all powers expressly or impliedly granted or allowed by the constitutions, statutes, and common law of the United States and State of Oregon as fully as if this Charter specifically enumerated each of those powers.

Section 2.2. Construction. This Charter is liberally construed so that the City may exercise fully all powers possible under this Charter and under United States and Oregon law.

Section 2.3. Where Powers Vest. All powers of the City are vested in the City Council, except as otherwise provided by law or this Charter.

ARTICLE 3**Council**

Section 3.1. Council Composition. The Council is comprised of a Mayor and six Councilors nominated and elected from the City at-large.

Section 3.2. Oath. Before carrying out the duties of office, the Mayor and each Councilor must subscribe and swear or affirm an oath to the effect that the person will faithfully discharge to the best of the person's ability the duties of the office being assumed and will support the constitutions and laws of the United States and the State of Oregon and the charter and

ordinances of the City of Tigard. The oath must be administered and attested to by a notary public or other person duly authorized to administer oaths. The oath may be taken up to 30 days prior to the scheduled date of assuming office.

Section 3.3. Mayor. Except as otherwise provided in this Charter, the Mayor is the elected, public policy head of City government. The Mayor is a voting member of Council and has no veto authority. In exercising the powers of the Mayor, the Mayor:

- a) Has authority over the agenda for Council meetings.
- b) Presides over and facilitates Council meetings as the chair, preserves order, enforces Council rules, and determines the order of business.
- c) Signs the authorized writings and records of Council decisions.
- d) Appoints members of City boards and committees, as provided by Council rules.

Section 3.4. Council President. Council will elect a Council President at its first meeting each year. The Council President will perform the duties of the office of Mayor in the Mayor's absence and may perform other duties of the Mayor at the Mayor's request. In the event the Mayor is unavailable to serve, the Council President will serve as the Mayor Pro Tempore. If the Council President vacates the position, the Council will elect a Council President to serve in that position until the next Council President is elected pursuant to this Section.

Section 3.5. Terms. The Mayor and each Councilor's term of office is four years and commences on the first day of January after the election to office. One of the new positions created by this 2024 Charter will be elected to a four-year term and the other to a two-year term in the 2024 general election. Council members currently serving at the time this 2024 Charter is adopted will continue to serve the remainder of their terms.

Section 3.6 Term Limits. A Mayor may not be elected or appointed to more than two consecutive terms, and a Councilor may not be elected or appointed to more than two consecutive terms, for a total of no more than four consecutive terms on Council. A partial term only applies to a Council member's term limit calculation if the Council member is elected or appointed to a term greater than three years. Terms are considered "consecutive" if there is less than a two-year break from the date last in office to the first date of the Council member's next term.

Section 3.7. No Interference. No Council member may directly or indirectly coerce or attempt to coerce the City Manager, City Attorney, or Municipal Court Judge, or a candidate for the office of City Manager, City Attorney, or Municipal Court Judge, in the appointment or removal of a City employee, in an administrative decision of the officer, or in otherwise executing the officer's powers and duties. Council will determine the appropriate penalty for violation of this prohibition, up to and including removal from office. A due process hearing of the full City Council and a unanimous vote of all Council members, with the exception of the member who is the subject of the vote, is required to remove a Council member. A majority vote of Council

is required to impose any other penalty. In Council meetings, Council members may discuss or suggest matters with the officer relating to City business.

Section 3.8. Council Rules. Every two years, Council will adopt ground rules by resolution. Ground rules will include a code of conduct, process for the selection of board and committee members, and will govern proceedings of the Council where they do not conflict with law or the provisions of this Charter. Council will determine, by majority vote, the appropriate penalty for a violation of the ground rules, up to and including a resolution of censure and removal from Council assignments. A violation of the ground rules will not be considered a basis for challenging the validity of any Council decision.

Section 3.9. Compensation. The Council will adopt, by resolution or ordinance, an independent review process for determining the compensation of the Mayor and Councilors.

ARTICLE 4

City Officers

This Charter establishes three City offices appointed and removed by a majority of Council—a City Manager, a City Attorney, and Municipal Court Judge. No member of Council may assign or direct the work of any of the following offices:

Section 4.1. City Manager. The City Manager is the administrative head of the City government. The City Manager is responsible to the City Council for the proper leadership and administration of all City business including serving as the Budget Officer; appointing and removing all City employees except the Municipal Court Judge and City Attorney; organizing departments; and carrying out all City operations, policies, resolutions, and ordinances.

Section 4.2. City Attorney. The City Attorney is the chief legal officer for the City. The City Attorney must be an active member in good standing of the Oregon State Bar. The City Attorney appoints, manages, and may remove any employees who work exclusively in and for the City Attorney's office.

Section 4.3. Municipal Court and Judges. The Tigard Municipal Court is established and continues to operate as the City's Municipal Court.

- a) All areas within the City and areas outside the City as permitted by state law are within the territorial jurisdiction of the court. The Municipal Court has subject matter jurisdiction over every offense created by City ordinance and to the fullest extent allowed by law over all misdemeanors and violations defined and made punishable under state law, unless limited by City ordinance.
- b) All municipal court judges, including judges pro tempore, must be active members in good standing of the Oregon State Bar. The Presiding Judge exercises general supervision over the judicial functions of the Municipal Court and its judges and has authority over the dockets and assignment of cases.

ARTICLE 5 Elections

Section 5.1. City Elections. City elections must conform to state law, unless this Charter or City ordinances provide otherwise. All elections for City offices are nonpartisan.

Section 5.2. Qualification of Electors. Every person who is a resident of the City and who qualifies as a legal voter under state law may vote in a City election.

Section 5.3. Eligibility. Each member of Council must be a qualified elector under state law, registered to vote in the City of Tigard, and have continuously resided within the City for at least one year immediately before the date of election or appointment to office. Except when a state trial court has jurisdiction over the matter, the Council is the final judge of the election and eligibility of its members.

Section 5.4. Conduct of Election. Elections to the office of Mayor and Councilor will be held at the general election, except as otherwise provided by this Charter for special elections to fill vacancies. The candidate receiving the highest number of votes for the office of Mayor is elected to the office. The three candidates receiving the highest number of votes for the office of Councilor are elected to the office. If a Council position for less than a full four-year term is on the ballot, the candidate receiving the highest number of votes for that position is elected to the office.

Section 5.5. Vacancies in Office. The office of Mayor or Councilor becomes vacant upon the Mayor or Councilor's:

- a) Death;
- b) Resignation from the office;
- c) Recall from office;
- d) Ceasing to reside in the city;
- e) Ceasing to be a qualified elector under state law or this Charter;
- f) Adjudicated incompetence;
- g) Conviction of a felony;
- h) Absence for 30 days from regular meetings of the Council without the consent of the Council and upon a declaration of vacancy approved by unanimous vote of all Council members except the member who is subject of the vote; or
- i) Removal pursuant to Section 3.7 of this Charter.

Section 5.6. Filling Vacancies. In the event the office of Mayor or Councilor becomes vacant before the normal expiration of the term, the Council may fill the vacancy for the remainder of the term by election or appointment. A special election may only be called if the election will be held at least one year before the term would otherwise expire.

ARTICLE 6

Council Meetings; Ordinances

Section 6.1. Rules and Meetings. The Council may adopt rules regarding Council meetings to the extent the rules do not conflict with law or this Charter. The Council will meet at a time and place designated by its rules and may meet at other times in accordance with its rules and state law.

Section 6.2. Quorum. A majority of the Council members is a quorum to conduct business. In the event of a vacancy pursuant to Section 5.5 of this Charter, or loss of contact during a state or federal state of emergency within the City, the quorum is reduced accordingly. Every Council member who is present must be counted for the purpose of constituting a quorum, even if the Council member does not vote on one or more issues.

Section 6.3. Record of Proceedings. A record of Council meetings must be kept in a manner prescribed by state law and the Council's rules.

Section 6.4. Voting. Except as otherwise provided in this Charter, the express approval of a majority of the Council members present and voting is necessary for any Council decision.

Section 6.5. Ordaining Clause. The council exercises its legislative authority by adopting ordinances. The enacting clause for all ordinances must state "The City of Tigard ordains as follows:"

Section 6.6. Adoption. Adoption of an ordinance requires:

- a) A duly noticed public hearing on the ordinance;
- b) Reading the ordinance, by title only, in an open Council meeting; and
- c) A roll call vote whether to adopt the ordinance.

Section 6.7. Record of Vote. After the adoption of an ordinance:

- a) The Mayor must sign the ordinance; and
- b) The City Recorder must attest to the adoption and date of adoption of the ordinance and enter into the Council minutes the vote of each member of Council on the ordinance.

Section 6.8. Effective Date of Ordinances. Ordinances normally take effect on the 30th day after adoption or on a later day provided in the ordinance. An ordinance may take effect as soon as adopted or on another date less than 30 days after adoption if the ordinance contains an emergency clause.

ARTICLE 7

Public Improvements; Debt

Section 7.1 Improvements. The procedure for making, altering, vacating, or abandoning a public improvement will be governed by state law.

Section 7.2 Special Assessments. The procedure for levying, collecting, and enforcing special assessments for public improvements or other services charged against real property will be governed by ordinance.

Section 7.3 Debt Limit. City indebtedness may not exceed debt limits imposed by state law.

ARTICLE 8

Miscellaneous Provisions

Section 8.1. Ordinance Continuation. All ordinances and other enactments consistent with this Charter, and in force when this Charter takes effect, remain in effect until amended or repealed.

Section 8.2. Pending Matters. All rights, claims, causes of actions, duties, contracts, and legal administrative proceedings that exist when this Charter takes effect continue and are unimpaired by this Charter, except as modified pursuant to the provisions of this Charter, and in each case will be maintained, carried on, or dealt with by the City department, office, or agency appropriate under this Charter.

Section 8.3. Severability. The terms of this Charter are severable. If any provision of this Charter is held invalid by a court, the invalidity does not affect the validity of the remaining parts of the Charter.

Section 8.4. Time of Effect. This Charter takes effect 30 days after the day on which it is approved by a majority of voters, and except as otherwise provided is operative July 1, 2024. The City may take any action before this Charter's operative date that is necessary to enable the City on or after the operative date to exercise all duties, functions, and powers conferred on the City by this Charter.

Section 8.5. Saving Clause. All Charter provisions adopted before this Charter takes effect continue in force and effect until repealed.

Section 8.6. Amendments. Amendments to this Charter proposed by initiative must be held at a primary or general election and must receive at least sixty percent approval of the popular vote.

Section 8.7. Repeal. All Charter provisions adopted before this Charter takes effect are repealed when this Charter becomes operative on July 1, 2024.

Notice of Measure Election

City

Notice

3-556

Date of Notice

February 19, 2020

Name of City or Cities

City of Wilsonville

Date of Election

May 19, 2020

Final Ballot Title The following is the final ballot title of the measure to be submitted to the city's voters. The ballot title notice has been published and the ballot title challenge process has been completed.

Caption 10 words which reasonably identifies the subject of the measure.

Charter Amendment Establishing Term Limits of City Council

Question 20 words which plainly phrases the chief purpose of the measure.

Should members of City Council be term limited to serving no more than 12 years in any 20-year period?

Summary 175 words which concisely and impartially summarizes the measure and its major effect.

The measure would amend the City Charter to impose term limits on all members of City Council. The measure would restrict a person from serving on City Council to no more than 12 years in any 20-year period. The 12-year term limit would apply to the total time served on City Council, regardless of whether a person served as an elected or appointed member, or as a Mayor, Councilor, or both, during the 20-year period. The measure would prohibit a person from being elected or appointed to City Council if completing that term of office would cause a violation of the foregoing term limits. The measure would apply term limits retroactively, including to all current members of City Council. The measure would not prohibit current members of City Council from fulfilling their current term of office. If voters approve the measure, the current Mayor and one current Councilor would be term limited upon conclusion of their current terms. The measure would calculate a year of service to mean 365.25 days.

Explanatory Statement 500 words that impartially explains the measure and its effect.

If the county is producing a voters' pamphlet an explanatory statement must be drafted and attached to this form for:

→ any measure referred by the city governing body; or
→ any initiative or referendum, if required by local ordinance.

Explanatory Statement Attached?

☒ Yes

☐ No

Authorized City Official Not required to be notarized.

Name

Kimberly Veliz

Title

City Recorder

Mailing Address

29799 SW Town Center Loop, East Wilsonville, OR 97070

Contact Phone

503-570-1506

By signing this document:

→ I hereby state that I am authorized by the city to submit this Notice of Measure Election; and
→ I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.

Signature Redacted

February 19, 2020

Signature

Date Signed

EXPLANATORY STATEMENT

This Measure, if passed by voters, would amend the City of Wilsonville Charter to add a “City Council Term Limits” section. The current Charter does not impose term limits.

If the Measure is passed, it would prohibit any person from serving as a mayor, city councilor, or combination of both, for more than 12 years in any 20-year period. This 12-year period applies to the total amount of time a person serves on the Wilsonville City Council, regardless of the position held. Under the Measure, during any 20-year period, a city councilor could run for mayor if doing so would not exceed the total 12-year limit, including time already served as a city councilor. Similarly, a mayor could run for city council if doing so would not exceed the total 12-year time limit, including time already served as a mayor.

The Measure would also apply to a person appointed to complete a term in office. For example, a person appointed to serve any portion of a four-year term caused by a vacancy would be eligible to serve two (2) additional four-year terms in any City Council office (mayor or city councilor) because running for a third term would exceed the 12-year limit. In such instance, the effect of the Measure would result in a term limit of less than 12 years. This would be the case for one current City Councilor.

This Measure is retroactive as to counting time of service of all current City Councilors. If the Measure passes, the current Mayor could finish his current term but would not be eligible to run or be re-elected in November 2020. The longest tenured City Council member, whose term expires in 2022, could serve until 2022 but would not be eligible for re-election in 2022. If re-elected in November 2020, the current City Council President would thereafter be eligible for one more term, in any capacity. The remaining two City Councilors would each be eligible to run for two more terms, in any capacity, from the date their current terms expire (2020 and 2022).

If the Measure fails, there would be no mandatory term limits in Wilsonville and re-election would remain up to the voters at the expiration of each four-year term. There would be no term restriction on who could run for office. Voters would continue to decide whether any mayor or city councilor running for re-election would continue in office.

ATTACHMENT 6

Possible Revisions to “Years of Service”

Part of Current Charter Provision:

“To be eligible for election or appointment to an office on the City Council, prior years of service on the City Council shall be calculated by first determining the aggregate number of days a person has previously served as a member of the City Council within the period of twenty calendar years prior to the commencement of the proposed term, and then attributing a year of service for every 365.25 days of service within that period.”

Option 1 – Less than one year not counted:

“To be eligible for election or appointment to an office on the City Council, prior years of service on the City Council shall be calculated by first determining the aggregate number of days a person has previously served as a member of the City Council within the period of twenty calendar years prior to the commencement of the proposed term, and then attributing a year of service for every 365.25 days of service within that period. **Notwithstanding the foregoing, if a person filled a vacancy of another person’s term for a period of less than 365.25 days, the days attributable to filling the vacancy are not counted toward years of service.**”

Option 1 Explanatory Scenarios:

- a. A Councilor vacates the position with six (6) months left in the term. The remaining members of the City Council appoint a community member to fill the remainder of the term. The community member then runs for the position in November, receives the most votes, and is sworn in at the first meeting in the following January. The number of days from the appointment to the January meeting will not be counted as a year of service. The Councilor is eligible to serve up to three (3) four-year terms as Councilor.
- b. A Councilor vacates a position eighteen (18) months into the term. The remaining members of the City Council appoint a community member to fill the position until the next November election, which represents year 2 of the term. The community member then runs for the position in November, but is not elected. That community member’s service during the appointment will not be counted as a year of service, and is eligible to serve up to three (3) four-year terms as Councilor if they choose to run again and win the election. The person who won the off-cycle election will only be eligible to serve two (2) additional four-year terms as Councilor.

Option 2 – Partial term due to vacancy not counted:

“To be eligible for election or appointment to an office on the City Council, prior years of service on the City Council shall be calculated by first determining the aggregate number of days a person has previously served as a member of the City Council within the period of twenty calendar years prior to the commencement of the proposed term, and then attributing a year of

service for every 365.25 days of service within that period. **Notwithstanding the foregoing, if a person filled a vacancy of another person's term, the days attributable to filling the vacancy are not counted toward years of service."**

Option 2 Explanatory Scenarios:

- a. Same result as first example in Option 1.
- b. In the second example in Option 1, both the person appointed to fill the vacancy until the next November election and the person elected to fill the remaining two years of the term would be eligible to serve up to three (3) four-year terms as Councilor.