

## RESOLUTION NO. 22-08

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### **A RESOLUTION SUBMITTING A MEASURE AMENDING SECTIONS 7 AND 9 OF THE OREGON CITY CHARTER TO REMOVE TERM LIMITS FOR COMMISSION POSITIONS TO THE ELECTORS OF OREGON CITY**

**WHEREAS**, the City Commission has proposed a measure that would amend the Oregon City Charter, Sections 7 and 9 to remove term limits for the City Commissioner and Mayor positions; and

**WHEREAS**, the City Commission has, in an open public meeting convened on January 11, 2022, and February 2, 2022 proposed and deliberated on potential charter amendments; and

**WHEREAS**, the City Commission believes that the amendments to the City Charter are appropriate at this time to enhance voting in City elections and to empower voters to choose the length a Commission members serves by voting rather than candidates being limited by the Charter; and

**WHEREAS**, the City Commission has reviewed the Charter and determined that the proposed amendments are necessary and appropriate for its adequacy and suitability to the needs of the City of Oregon City;

**WHEREAS**, because the City Commission does not have the power to adopt an amendment to the Oregon City Charter, that power is reserved to the electors of Oregon City;

### **NOW, THEREFORE, OREGON CITY RESOLVES AS FOLLOWS:**

**Section 1.** An election is called in and for the City of Oregon City, to be held Tuesday, May 17, 2022. The Clackamas County Clerk shall conduct the election.

**Section 2.** At that election, the question of whether to remove term limits for the City Commissioner and Mayor positions shall be submitted to the voters of Oregon City.


**Section 3.** The City Commission adopts the ballot title attached to this resolution in Exhibit A to describe the measure and directs the City Manager to file the ballot title with the City Recorder.

**Section 4.** The City Commission adopts the explanatory statement attached to this resolution in Exhibit B and directs the City Manager to file the explanatory statement with the City Recorder.

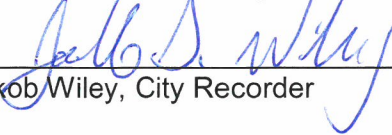
**Section 5.** The City Commission directs the City Recorder to take all actions necessary to hold the election, including publication of the notice of receipt of the ballot title.

**Section 6.** This resolution shall take effect immediately upon its adoption by the City Commission.

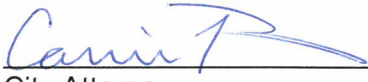
Approved and adopted at a regular meeting of the City Commission held on the 2nd day of February 2022.

  
\_\_\_\_\_  
Rachel Lyles Smith, Mayor

Attested to this 2nd Day of January 2022

  
\_\_\_\_\_  
Jakob Wiley, City Recorder

Approved as to legal sufficiency:

  
\_\_\_\_\_  
Carrie T.  
City Attorney

**EXHIBIT A**  
**BALLOT TITLE**

CAPTION: CHARTER AMENDMENT: REMOVE TERM LIMITS FOR COMMISSION POSITIONS

QUESTION: Shall City Charter be amended to remove term limits for City Commissioners and Mayor?

SUMMARY: This measure would amend two sections of the City Charter to remove limitations of term limits for City Commissioners and the Mayor. Section 7 of the City Charter currently prohibits people who have served more than two terms of office as a City Commissioner in the previous ten years from running for a position on the Commission and Section 9 provides a similar limitation for the position of Mayor. A yes vote would change the Charter and remove the limitation on a City Commissioner or Mayor serving only two-terms of four years in any ten-year period. A no vote would not change the Charter and the existing term limits would remain.

EXHIBIT B  
MEASURE EXPLANATORY STATEMENT FOR COUNTY VOTERS' PAMPHLET

This measure would amend the City Charter to remove the provisions limiting the ability of City Commissioners and the Mayor to serve multiple consecutive terms of office. The current City Charter prohibits people who have served more than two terms of office as a City Commissioner in the previous ten years from running again for the City Commission. This same limitation exists with respect to the Mayor. The four-year term of office will not change under this amendment and therefore, an elected official will have to be reelected every four years to remain in office.

If the measure is approved, the language below would be deleted from Sections 7 and 9 of the Charter respectively:

**Section 7 – Commission.**

\* \* \* \* \* No person shall be elected to the office of Commissioner for more than two terms of four years in any ten year period.

**Section 9 – Mayor.**

\* \* \* \* \*

If a prospective candidate for election to the office of Mayor has been elected either to the office of Mayor or City Commissioner for more than two terms of four years in the previous ten years, that prospective candidate shall not be eligible for election to the office of Mayor.

## **EXHIBIT C CHARTER PROVISIONS**

### **Section 7 – Commission.**

In addition to the Mayor, the Commission shall be composed of four Commissioners elected from the City at large for terms of four years each. The term of office of each member in office at the date of amendments to this charter in May, 1990 shall continue until expiration; provided, however, that the term of City Commission position number 5 shall cease as of January 2, 1991. At the 1990 general biennial election, two members shall be elected, and at the 1992 general biennial election, two members shall be elected, and in each case on each fourth year thereafter, a like number shall be elected. The term of office of each Commissioner shall commence on the 2nd day of January after the election of that Commissioner in the preceding November, unless such date shall fall on a legal holiday, in which case such term shall commence on the following day. ~~No person shall be elected to the office of Commissioner for more than two terms of four years in any ten year period.~~

### **Section 9 – Mayor.**

At the 1990 general biennial election, and at every general election each four years thereafter, a Mayor shall be elected from the city at large for a four year term. The Mayor in office at the time this charter is amended in May 1990, shall continue in office until January 2, 1991. The Mayor shall have been a resident of the city for at least twelve months preceding election to that office and shall remain a resident of the city as a condition of holding such office. No person may file for the position of Mayor and City Commissioner at any single election. The term of office of the Mayor shall commence on the 2nd day of January after the election of that position the preceding November, unless such date shall fall on a legal holiday, in which case such term shall commence the following day.

Notwithstanding section 32 of this charter, if at any time after January 2, 1991, the office of Mayor shall become vacant before the normal expiration of that term, a special election shall be held at the next available date to fill that office for the unexpired term; provided, however, if one hundred eighty (180) days or fewer remain in such term vacated, the commission shall appoint a person to fill such vacancy for the remainder of the unexpired term.

~~If a prospective candidate for election to the office of mayor has been elected either to the office of mayor or city commissioner for more than two terms of four years in the previous ten years, that prospective candidate shall not be eligible for election to the office of mayor.~~

(Strikethrough language deleted)