



RESOLUTION 2019-062

APPROVING BALLOT TITLE AND EXPLANATORY STATEMENT AND SUBMITTING TO THE VOTERS A PROPOSED CHARTER AMENDMENT REGARDING ELECTION DATES FOR CERTAIN MEASURES

WHEREAS, in 2018, the Sherwood City Council formed a Charter Review Committee for the purpose of reviewing and proposing amendments to the City Charter; and

WHEREAS, said Committee met several times in open public meetings to develop recommended changes to the Charter and receive public feedback, then met with the City Council on June 4, 2019 to review its recommended amendments; and

WHEREAS, Council subsequently met in a work session on June 18, 2019 to discuss the Committee's proposals in further detail; and

WHEREAS, as a result of the above, Council has determined to submit to the voters of Sherwood a ballot measure proposing to amend the Charter with regard to election dates for certain types of measures.

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 amendments to the City's home rule Charter regarding election dates for certain types of measures.

Section 2. Tuesday, November 5, 2019 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.

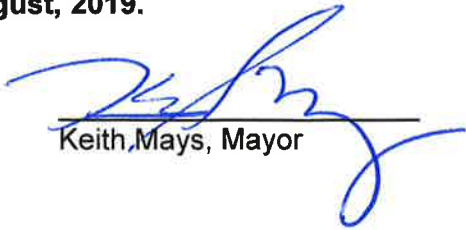
Section 4. The precincts for this election will include all of the territory within the corporate limits of the City of Sherwood.

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 are 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 6th day of August, 2019.



Keith Mays, Mayor

Attest:



Sylvia Murphy, MMC, City Recorder

Exhibit 1
Ballot Title – Election Dates

CAPTION: Revisions to Sherwood City Charter Regarding Certain Election Dates

QUESTION: Should the Sherwood City Charter be amended to change the dates on which elections may be held on certain issues?

SUMMARY: Currently, the City Charter requires an election to authorize creating certain types of taxes, charges, and fees, or increasing them by more than two percent. If the election is held in November of even numbered years, a simple majority vote is required for approval. However, if the election is held at any other time, even if a majority of voters support the measure, the vote has no effect if voter turnout is below fifty percent.

If this measure is approved, the voter approval described above would still be required. However, the City would have the flexibility to be able to hold the required elections in May of even numbered years and November of any year, regardless of whether voter turnout reached fifty percent. This measure would also relocate the language on this subject from Section 16 of the Charter to a new Section 47. No other changes would be made to the existing charter language.

This measure was referred to the voters by the City Council based on recommendations of the Charter Review Committee.

Exhibit 2 Explanatory Statement – Election Dates

In 2018, the Sherwood City Council formed a Charter Review Committee for the purpose of reviewing and proposing amendments to the City Charter, comprised of the following residents:

Mark Cottle (Chair)
Dave Grant (Vice Chair)
Brian Amer
Linda Henderson
Laurie Holm
Randy Mifflin
Bob Silverforb
Bernie Sims
Nancy Taylor

The Committee met several times in public meetings to develop recommendations and receive public feedback. As a result of this process, the City Council has referred three separate measures to city voters. This measure would make amendments to the Charter regarding certain election dates.

Currently, the Charter requires an election to authorize new taxes, charges, and fees affecting certain residential properties, or to authorize increases of more than two percent in these taxes, charges, and fees. If the election is held in November of even numbered years, a simple majority vote is required for approval. However, if the election is held at any other time, even if a majority of voters support the measure, the vote has no effect if voter turnout is below fifty percent. Voter turnout at elections held on dates other than November of even numbered years rarely reaches fifty percent.

The Charter Review Committee and City Council believe that some additional flexibility is necessary, especially in the event of circumstances that may result in a more urgent need for voter approval.

If this measure is approved, the voter approval described above would still be required. However, the City would be able to hold the required elections in May of even numbered years and November of any year, regardless of whether voter turnout reached fifty percent.

In 2008, Oregon voters approved a similar amendment to the Oregon Constitution, which expanded the number of elections at which certain tax measures could be approved regardless of voter turnout. Those elections can now occur in May or November of any year.

This measure would also relocate the language on this subject from Section 16 of the charter (regarding ordinance adoption) to a new Section 47, titled "Vote Required on Certain Taxes, Charges, and Fees." No other changes would be made to the existing charter language.

The existing charter language is as follows, with proposed deletions in ~~striketrough~~ and proposed additions underlined:

After July 1, 2015, any ordinance, resolution or order approved by a majority of the City Council that imposes a new city tax, charge, or fee and/or increases by more than two percent annually any city utility

tax, charge, or fee including but not limited to water charges, sewer and surface water charges, and street utility fees that are imposed on residential properties occupied by owners and/or occupants within the City of Sherwood boundaries, shall not be effective unless ratified by a majority vote of the City's qualified electors voting in an election where at least 50 percent of the registered voters cast a ballot, or the election is ~~a general election in an even-numbered year~~ held in May of an even numbered year or November of any year.