



# Charter Amendment Discussion

City of Sweet Home

# Mayoral Duties – Charter

## By Charter:

- Chairperson of Council meetings (Chapter V, Section 16)
- Appoint committee members (Chapter VI, Section 19; currently already largely relegated to the Administration, Finance & Property Committee)
- Signing Ordinances/Resolutions and any other agreements authorized by the Charter (Chapter VI, Section 19)
- Signing checks (Chapter VI, Section 19; second signatory always required)
- Able to call for a special meeting with no other consensus (Chapter V, Section 14)

# Mayoral Duties – Council Rules

By Council Rules:

- Ceremonial head of the City (Section 8)
- Required to refer any questions regarding administration to the City Manager (Section 24a.vii)
- Able to cancel or reschedule a meeting with City Manager agreement due to inclement weather, unforeseen circumstances, or emergency situations (Section 2c)

# Three Options to Amend the Charter

1. Direct referral to the ballot by City Council
2. Citizen-initiated petition
3. Charter Review Committee → recommendations to Council  
→ Council referral to the ballot

# Direct Referral

- City Council, by a majority vote, may refer a charter amendment directly to the ballot
- Referred to voters by resolution
- Council must provide a ballot title, or fill out a form to request a ballot title to the Local Elections Official (City Manager)
- City Attorney will review or prepare the title and file it with the Local Elections Official
- Local Elections Official places notice in the paper and allows a seven business day challenge period at the Circuit Court

# Direct Referral

- If there are no challenges, Local Elections Official files paperwork with the County Elections Official no later than 61 days before the desired election (for May election, that is March 20<sup>th</sup>; for November election, that is September 4<sup>th</sup>)
- To allow for maximum required legal review periods, ballot title or referral text would need to be submitted to the City Manager no later than March 3<sup>rd</sup> to qualify for the May election

# Petition

- A prospective petition was filed on February 4<sup>th</sup>
- Currently in the mandatory seven business day challenge period
- Petitioner may file cover sheet and signature sheet after February 14<sup>th</sup> if there are no challenges
- Local Elections Official approves cover sheet and signature sheet, after which petitioner may begin gathering signatures

# Petition

- 1,153 valid signatures (registered voters within City limits) needed
- Signatures may be submitted to the Local Elections Official up to two years after the initial approval to circulate
- Linn County Elections does the signature verification on behalf of the City
- Linn County has 30 days to verify signatures once at least 1,153 are gathered and submitted



# Petition

- Linn County will notify Local Elections Official if there are sufficient valid signatures
- If so, Local Elections Official must file the measure with the governing body at their next meeting
- Filing with the government body must occur by February 19<sup>th</sup> for the May election or August 6<sup>th</sup> for the November election

# Charter Review Committee

- Mayor convened Charter Review Committee
- Current charge is to examine topics including but not limited to:
  - Mayoral role, term, appointment, etc.
  - Council members' term of office end date
  - Reading of ordinances
  - Filling Council vacancies
  - Oath of Office
  - Management of City Attorney/Municipal Judge
  - Quorum definition
  - Clarify agenda setting process

# Charter Review Committee

- Allows for a public meeting process
- Committee may determine public comment process
- Includes Charter topics outside the scope of the current petition and proposed direct referral
- Timeline is longer (and yet to be determined)
- Committee will make recommendations to Council; Council can choose to refer or not refer any of the recommendations to the voters
- Any referral timelines are subject to the same rules as a direct referral

# Election Costs

- Per ORS 254.046, a City is only responsible for the expense of a special election if it is held on a date other than a primary election (May of even years) or general election (November of even years)
- If this item appears on the May or November 2025 ballot, the City will incur costs
- It is not possible to estimate the cost because the final cost is based on the total cost of administering the election, divided by the number of initiatives and then charged to each electoral district depending on how many initiatives they have
- There are public noticing requirements that also have costs but this would apply regardless of the timing of the election

# Questions to Consider

- Can you run for Council and Mayor at the same time?
  - No – running for two local offices is prohibited by ORS 249.013.
- If you choose to run for Mayor while in the middle of your term, do you have to vacate your Council seat right away or if you lose the Mayoral election?
  - No – Oregon does not have a “resign-to-run” law.
- Is the intent that all Councilors have four-year terms (vs. currently one has a two-year term)?
  - The language as presented currently eliminates the two-year term for any Councilor.

# General FAQs

- When was the last time the Charter was changed?
  - The last changes were approved in the November 2014 election and became effective January 1, 2015. A Charter Review Committee was convened in 2021 but ultimately did not recommend any changes.
- I own property in Sweet Home. Why can't I vote there?
  - ORS 247.035 governs residency for purposes of voting. Your primary "habitation" determines where you may be registered to vote. You may not be registered to vote in multiple local, county, or state jurisdictions.
- I want to sign the petition – where is it on the City's website?
  - This is not a City petition and the City does not collect signatures, so you will not be able to sign through the City. It is the responsibility of the Chief Petitioner(s) to make contact with eligible voters.

# General FAQs

- Who is going to verify the petition signatures?
  - Linn County Elections will verify the petition signatures on behalf of the City.
- Does the Mayor have the power to distribute funds for any programs?
  - No. The City Council as a whole authorizes the budget and the Mayor does not have any power over programs, grants, or any other funding.



# DISCUSSION