

# Notice of Measure Election

City

## SEL 802

rev 01/18 ORS 250.035, 250.041,  
250.275, 250.285, 254.095, 254.465

**Notice**

**Date of Notice**

August 20, 2019

**Name of City or Cities**

Sherwood

**Date of Election**

November 5, 2019

**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.

Revisions to Sherwood City Charter Regarding Council Votes and Vacancies

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

Should the Sherwood City Charter language be amended regarding requirements relating to Council votes and filling Council vacancies?

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

This measure affects sections 7, 10, 11, 12, 13, 16, 17, and 32 of the City Charter and adds a new section 48. If approved, this measure would clarify the procedure and requirements for filling vacancies on City Council. It would also clarify the number of affirmative votes required for City Council to approve of certain actions by establishing four categories (unanimous, supermajority, majority of council, and simple majority vote) and assigning vote type requirements to specific actions. Additionally, this measure would add a new section 48 to the charter, which would require supermajority approval by City Council before the city could sell or subdivide any parcel of real property owned by the city which is greater than five acres in size and which is being used primarily for park or recreation purposes. Finally, this measure would make housekeeping changes to consolidate and clarify the sections of the Charter related to voting and vacancies listed above. This measure was referred to the voters by the City Council based on recommendations of the Charter Review Committee.

**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**

Sylvia Murphy

**Title**

City Recorder/Elections Official

**Mailing Address**

22560 SW Pine Street, Sherwood, OR 97140

**Contact Phone**

503-625-4246

*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.

Signed

Signature

August 20, 2019  
Date Signed

# Joint County Voters' Pamphlet Measure Explanatory Statement

**!** Important! Read all instructions before completing this form.

Use this form when filing a 'JCVP-05 Joint County Voters' Pamphlet Measure Explanatory Statement' with your County Elections office. If a local government/jurisdiction is located in more than one county, the County Elections office of the county in which the city hall of the City or the administrative office of the local government is located shall be the filing officer for the JCVP-05.

### Filing Information

Election:  Primary \_\_\_\_\_  General \_\_\_\_\_  Special 11/5/2019

Measure # \_\_\_\_\_ - \_\_\_\_\_

### Ballot Title Caption

Revisions to Sherwood City Charter Regarding Council Votes and Vacancies

Name of Person responsible for content of 'Measure Explanatory Statement' (as it should appear in the Voters' Pamphlet):

**Sylvia Murphy, City Recorder/Elections Official**

Name of Jurisdiction/Organization the person is authorized to represent (as it should appear in the Voters' Pamphlet):

**City of Sherwood**

### Contact Information:

Phone: Cell: \_\_\_\_\_ Work: 503-625-4246 Home: \_\_\_\_\_

Email: Murphys@Sherwoodoregon.gov

### Signature

Signed

\_\_\_\_\_  
Signature of person responsible for the content of "Measure Explanatory Statement"

August 20, 2019  
Date

### Measure Explanatory Statement

See attached for "Measure Explanatory Statement" (500 word/number MAX)

### For Office Use only:

County: \_\_\_\_\_

Signed?  Yes  No

Explanatory Statement attached?  Yes  No

Intake Staff Initials: \_\_\_\_\_

Word Count (500 max): \_\_\_\_\_

Providing digital copy?  Yes  No

Received digital copy?  Yes  No

Review Staff Initials: \_\_\_\_\_

**Exhibit 2**  
**Explanatory Statement – Votes and Vacancies**

This is one of three separate ballot measures based on the recommendations of a citizen Charter Review Committee and referred by the Sherwood City Council to city voters at the November 2019 election. This measure relates to requirements for City Council votes and for filling City Council vacancies; it affects sections 7, 10, 11, 12, 13, 16, 17, and 32 of the current City Charter and adds a new section 48.

If approved, this measure would clarify the procedure and requirements for filling vacancies on City Council by amending Section 32 as follows (proposed deletions in ~~strikethrough~~ and proposed additions underlined):

~~A mayor or councilor vacancy will be filled by an election if 13 months or more remain in the office term or by appointment of the majority of the council within 45 days if less than 13 months remain. The election will be held at the next available election date to fill the vacancy for the remainder of the term.~~

(a) A mayor or councilor vacancy shall be filled by appointment by a majority of the remaining council members within 45 days of the date of vacancy. The appointee's term of office runs from appointment until the vacancy is filled by election or until expiration of the term of office if no election is required to fill the vacancy.

(b) An election is required if 13 months or more remain in the office term. The election must be held at the next available election date. The person elected will fill the vacancy for the remainder of the term.

This measure would also clarify the number of affirmative votes required for City Council to approve of certain actions by amending section 13 as follows (proposed deletions in ~~strikethrough~~ and proposed additions underlined) and assigning vote types to specific actions:

(a) The express approval of a majority of a quorum of the councilors voting on a motion is necessary for any council decision, except when this charter requires unanimous approval, supermajority approval, or approval by a majority of the council.

(b) Unanimous approval shall mean approval by all of the council and mayor positions that are not vacant.

(c) Supermajority approval shall mean approval by not less than five council and/or mayor positions.

(d) Approval by a majority of the council shall mean approval by a majority of the council and mayor positions that are not vacant.

Additionally, this measure would add a new section 48 to the charter, which would read as follows:

*Before the city may sell or subdivide any parcel of real property owned by the city which is greater than five acres in size and which is being used primarily for park or recreation purposes, the city council must authorize such sale or subdivision by supermajority vote.*

Finally, this measure would make housekeeping changes to consolidate and clarify the sections of the charter related to voting and vacancies, as listed above. The full text of the proposed changes are on file at Sherwood City Hall.