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**City Council Work Session Meeting Minutes
Charter Review Process Part I**

**Monday, September 26, 2022
Zoom Community Auditorium**

***Minutes are unofficial until approved by City Council.
Council approved minutes as presented October 10, 2022.***

1. **ROLL CALL: COUNCIL PRESENT:** Donna Gustafson; Kristy Kottkey; Timothy Rippe; Elena Uhing (via Zoom); Mariana Valenzuela; Malynda Wenzl, Council President; and Peter Truax, Mayor.
2. **STAFF PRESENT:** Jesse VanderZanden, City Manager; Paul Downey, Assistant City Manager/Finance Director; Ashley Driscoll, City Attorney's Office; and Anna Ruggles, City Recorder.

A. 6:10 PM – COUNCIL WORK SESSION (CHARTER REVIEW PROCESS):

Mayor Truax called the work session meeting to order at 6:14 p.m. via in-person and Zoom Webinar Video Conference.

Staff Report:

Driscoll and VanderZanden facilitated the work session, noting the purpose of the work session was to address City Council Goal: Review City Charter, Objective 14. Driscoll presented a PowerPoint presentation overview of the Charter review process as outlined below:

1. Overview of charter review.
 - Charter review is the process by which a city considers the language in its current charter and determines what changes, if any, should be made to better fit the needs of the city.
 - Some city charters specify a process and a required frequency of review. Forest Grove's does not, which means Council can choose a process.
 - Processes can take many forms and varying lengths of time to complete—from months to years.
 - Regardless of the process used, any proposed changes must be referred by Council to city voters for a final decision.
2. Who conducts the review?
 - City Council, or a subcommittee of Council, can conduct the review itself.
 - City Council can appoint, or designate the mayor to appoint, a Charter Review Committee.
 - A Charter Review Committee can be composed in many different ways, including:
 - Soliciting interest from the public at large, with or without qualifications/categories
 - Representatives from city boards and commissions.

- Representatives from various community groups
 - Generally, legal counsel will assist with drafting and providing other necessary legal guidance to facilitate the process, and city staff will provide administrative support (minutes, etc.).
- 3. How is the scope of review determined?
 - The review can be completely open-ended and include any and all subjects related to the charter.
 - The review can be based on comparison to a model charter (e.g., League of Oregon Cities' Model Charter).
 - Council can limit the scope of review to certain subjects.
 - A combination of the above is also possible—for example, an open-ended review, but with Council direction to consider certain subjects in particular.
 - The review can be based on modifications to the existing charter or essentially starting over, typically based on a model charter.
- 4. What is the outcome of the review?
 - If the review is by a Charter Review Committee or a Council subcommittee, a report with recommendations is generally provided to Council.
 - Council can then forward the recommendations as presented to city voters in the form of one or more ballot measures, make modifications to the recommendations before referring to city voters, or choose not to refer anything to city voters.
 - In order to be adopted, city voters must approve the measure.
 - Changes to the charter can be referred as a single ballot measure or split into multiple measures by subject, allowing voters to approve of some but not others.
 - Considerations in this regard include:
 - Is there one proposal that is more controversial and may prevent the other proposals from passing in an all-or-nothing vote?
 - Are proposals inter-related such that approval of some without others will be problematic?
 - Will referring too many separate measures cause voter fatigue or confusion?
- 5. Examples from the past – Forest Grove:
 - In 2008, Forest Grove Council appointed a Charter Review Committee with eleven members, consisting of at least two former elected officials.
 - The committee was subject to the “Expectations of the Charter Review Committee” (refer to attachment provided).
 - The committee had broad authority to either recommend a new charter, make amendments to the existing charter and/or make no changes.
 - The committee operated on a strict timeline that included at least two public hearings where the committee took oral and written testimony.
 - The committee recommended a new charter based on the 2004 League of Oregon Cities' Model Charter.
 - The new charter was approved by voters in March 2009.

6. Examples from other Cities – Sherwood (refer to attachment provided).
7. Options for consideration:
 - Option 1: Council review with narrow scope.
 - Council conducts the review itself.
 - Scope is limited to a few key issues identified by Council.
 - Option 2: Charter Review Committee with narrow scope.
 - Council appoints a Charter Review Committee.
 - Scope is limited to a few key issues identified by Council.
 - Option 3: Charter Review Committee with broad scope.
 - Council appoints a Charter Review Committee.
 - Committee has authority to review the entire Charter, but Council has the opportunity to direct attention to a few key issues.
 - The Charter Review Committee in Option 2 and 3 consists of members of the public appointed by Council after soliciting applications from interested persons.
 - Whether to refer one or multiple ballot measures to be determined based on the result of the review.
8. Direction from Council:
 - What process would Council like to use?
 - Who conducts the review?
 - Council
 - Subcommittee of Council
 - Charter Review Committee
 - What is the scope of review?
 - Narrow.
 - Open-ended, but based on comparison to a model charter and/or with recommended topics for consideration.
 - Completely open-ended, with or without recommended topics for consideration.
9. Next steps:
 - Refine committee composition (if applicable).
 - Solicit and appoint members to the committee (if applicable).
 - If Council would like to limit the scope of review or recommend topics, determine which topics Council would like to include.

Council Discussion:

Mayor Truax opened the floor and roundtable discussion ensued as the Council had an opportunity to discuss the above-noted charter review process, options and next steps. At the conclusion of the roundtable discussion, Council collectively concurred to proceed with Option 3, appoint a Charter Review Committee with broad scope, and direct attention to key issues (in no specific order):

- Review entire existing Charter.
- DEI principles.

- District or precincts versus at-large representation.
- Filling Council vacancies and Council selection and appointment process.
- Roles, responsibilities and authority of Mayor and Council President.
- City Manager residency requirement.
- Term limits.

Additionally, Uhing asked to consider amending Required Signatures (City Code §30.21), i.e., The prospective candidate must collect 25 signatures from active city registered voters or pay a filing fee of \$50 (?) in lieu of gathering signatures. In conclusion of the above-noted discussion, VanderZanden advised staff will report back to Council in work session pertaining to the Charter Review Process Part II at a later date, to which Council collectively concurred.

Council took no formal action nor made any formal decisions during the work session.

B. Adjournment:

Mayor Truax adjourned the work session at 6:56 p.m.

Respectfully submitted,



Anna D. Ruggles, CMC, City Recorder