



# CHARTER REVIEW COMMITTEE MEETING

Wednesday, January 17, 2024  
Community Auditorium, 1915 Main Street

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Isaac Echeverria  
Bryan Dennis  
Adolph Valfre  
Elysha Johnson  
Dale Thaler  
LaAna Littlefield  
Wolanda Groombridge

Tammi McLaughlin  
Tacy Steele  
Kate MacDonald  
Vacant  
Ashley Driscoll, City Attorney  
Joyce Phillips, Staff Liaison

Zoom Webinar:

Link:

<https://us06web.zoom.us/j/89049693557?pwd=okdG8ktMQE7QgzU1RSYloc4ArRoj0J.1>

Meeting ID: 890 4969 3557

Passcode: 223615

## A. Call to Order

1. Roll Call

**B. Public Comment:** Anyone wishing to speak to the City Council on an item not on the agenda or on the agenda and not scheduled for a public hearing may be heard. Comments are limited to two (2) minutes. All testimony is recorded. Written comments may be submitted by 3:00 p.m. on the day of the meeting to [CityCouncilors@forestgrove-or.gov](mailto:CityCouncilors@forestgrove-or.gov).  
**Zoom Attendees:** Use the "Raise Hand" option to be called on.

**C. Consent Agenda:** Items under the Consent Agenda are considered routine and will be adopted with a single motion, without separate discussion. Councilors who wish to remove an item from the Consent Agenda may do so prior to the motion. Any item(s) removed will be discussed and acted upon following the approval of the remaining item(s).

1. Approve Meeting Minutes of 12.27.2023

## D. Additions/Deletions

1. N/A

## E. Discussion Items:

1.
  1. Meeting Decorum
  2. CRC Conversation - Timeline

3. 12.27.23 Meeting recap
  - Term of Appointments
  - Appointment Procedure
  - Section 32
  - Term Limits
4. Ranked Choice Voting
  - Single Winner RCV
  - Proportional RCV

#### **F. Reports**

1. N/A  
Staff:

#### **G. Future Agenda Items**

1. Ranked Choice Voting continued, Residency Requirement, Draft Final Report

#### **H. Adjournment**

**Americans with Disabilities Act (ADA) Notice:** The City of Forest Grove will make reasonable accommodations for participation in the meeting. Requests for assistance can be made by contacting the City Recorder's Office, 503-992-3235, [mwoods@forestgrove-or.gov](mailto:mwoods@forestgrove-or.gov), at least 48-hours in advance of the meeting.

**TO:** Charter Review Committee

**FROM:**

**PROJECT TEAM:**

**MEETING DATE:** January 17, 2024

**SUBJECT TITLE:** N/A

**ACTION REQUESTED:**

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**ISSUE STATEMENT:**

**BACKGROUND:**

**FISCAL IMPACT:**

**STAFF RECOMMENDATION:**

**ATTACHMENT(S):**

None

# Agenda

## Meeting Decorum

## CRC Conversation Timeline

### 12.27.23 Conversation Recap

- Term of Appointment
- Appointment Procedure
- No term limits
- Amendments to Vacancies

### Ranked Choice Voting

- Single Winner RCV
- Proportional RCV

# CRC Conversation Timeline

## Substantive Areas to Cover

- Ranked Choice Voting
- Residency Requirement

## Timeline

1/17/24	Ranked Choice Voting Introduction
1/24/24	Ranked Choice Voting
1/31/24	CM residency
2/14/24	Additional time (if necessary) Draft Final Report
2/28/24	Public hearing
3/13/24	Public hearing
3/27/24	Final Meeting

# FG Charter Review Committee

Section	Title	Yes Change	No Change	Scope of Review Potential Changes	Differences from LOC Model Charter
	Chapter III. Council				
7	Council		X	Geographic representation Qualification of councilors Change of district/ward boundaries	
8	Mayor	X		Role of the Mayor	
9	Council President	X		Role of the Council President	
12	Quorum		X	Instead of making change to Section 12, making a limited exception to the quorum and voting requirements for filling vacancies in Section 32.	FG charter provides the quorum stays the same in the event of vacancies  Model charter: "In the event of vacancy due to resignation or other events, the quorum is reduced accordingly."

# FG Charter Review Committee

Section	Title	Yes Change	No Change	Scope of Review Potential Changes	Differences from LOC Model Charter
	Chapter IV. Legislative Authority				
16	Ordinance Enactment		X		<p>Section (b) requires 5 votes to pass; model charter provides for a majority of the quorum</p> <p>Section(c) requires all substantive amendments be read aloud at the meeting; model charter provides that substantive amendments just need to be available in writing to the public before the council adopts the ordinance at that meeting</p> <p>NOTE: this was discussed and changed during the last Charter review</p>
	Chapter V. Administrative Authority				
19	Resolution Adoption	X		Can be read aloud or made available in writing prior to adoption	
	Chapter VI. Quasi-Judicial Authority				
22	Order Adoption	X		Any substantive amendments are either read aloud or made available in writing prior to adoption	Section(b) requires all substantive amendments be read aloud at the meeting; model charter provides that substantive amendments just need to be available in writing to the public before the council adopts the ordinance at that meeting
24	Councilors			Term Limits Review Proportional RCV Single Winner RCV	

# 12.27.23 CRC Conversation Recap

- Term of Appointment – Fairview Model
- Appointment Procedure—vacancy filled as soon as possible
- No term limits—reevaluate in the future
- Amendments to Vacancies—amended to align with LOC

# Section 32 – Filling Vacancies

- (a) A Mayor or Councilor vacancy will be filled by appointment by a majority of the remaining Council members, notwithstanding any quorum or voting requirements of this Charter. ~~The term of office for the appointee runs from appointment until expiration of the term of office of the last person elected to that office.~~
- (b) The appointee's term of office shall begin immediately upon appointment and qualification and shall continue until after the next general election is certified by county election officials; and if the term of office does not then expire, the remainder of the term shall be filled by election at such general election.
- (c) The Council must adopt by ordinance a process for appointing members to vacant council positions.
- (d) If a disability prevents a Council member from attending Council meetings or a member is absent from the City, a majority of the Council may appoint a Councilor pro tem.

# Section 32 – Filling Vacancies

- Vote on amendments

# Ranked Choice Voting – Implementation Options

## **City Council can implement ranked choice voting via an ordinance**

Example: City of Corvallis

Caveat:

- Corvallis piggy-backed off much of the work done by Benton County.
- Benton County implemented RCV via a Charter amendment in 2016, effective for the 2020 election
- Benton County conducted voter education and developed the necessary election system updates

## **City can implement ranked choice voting through a Charter amendment**

# Ranked Choice Voting – Background Information

Single-winner RCV – to select a consensus candidate with broad support

Proportional RCV – to fill multiple seats on a legislative body in proportion to the electorate.

# Single Winner RCV

- The ballot provides electors with the option of ranking as many choices of qualified candidates and qualified write-in candidates as practicable.
- Each ballot that is cast counts as one vote for the highest-ranked active candidate on that ballot. The tallying of ballots proceeds in rounds, with each round proceeding sequentially as follows:
  - If an active candidate has a majority of votes in a round, the candidate with the greatest number of votes is nominated or elected and the tallying of ballots is complete for that office.
  - If no active candidate has a majority of votes in a round:
    - The active candidate with the fewest votes is defeated and is no longer an active candidate;
    - Votes that had been counted for the defeated candidate are transferred to each ballot's next highest-ranked active candidate; and
    - A new round of vote tallying begins with ballots retallied.

# Single Winner RCV



**What is Single-Winner Ranked Choice Voting?**

# Single Winner RCV – Forest Grove

- Forest Grove elects 3 councilors every two 2 years
- Per Section 24 – “At each general election after adoption of this Charter, three Councilors will be elected for four-year terms.”
- In past, the City has used one multi-seat contest, with the top three voter-getters being elected.
- The Charter can be interpreted to allow for three single seat contests

# Election History for Forest Grove

Year	Number of Candidates for Three Open Council Positions	Candidates Per Seat
2012	5	1.6
2014	7	2.3
2016	5	1.6
2018	6	2
2020	5	1.6
2022	7	2.3* (one candidate withdrew late)

# Single Winner RCV – Forest Grove

- Using the data for the last ten years, if the City had been single seat contests very few contests would have had more than 2 candidates
- RCV only impacts selection when there are 3 or more candidates in the contest
- It is conceivable that in some election years, 3 people will run for one seat, and only one candidate will run for another
- Will likely create more one-on-one contests

# Proportional RCV

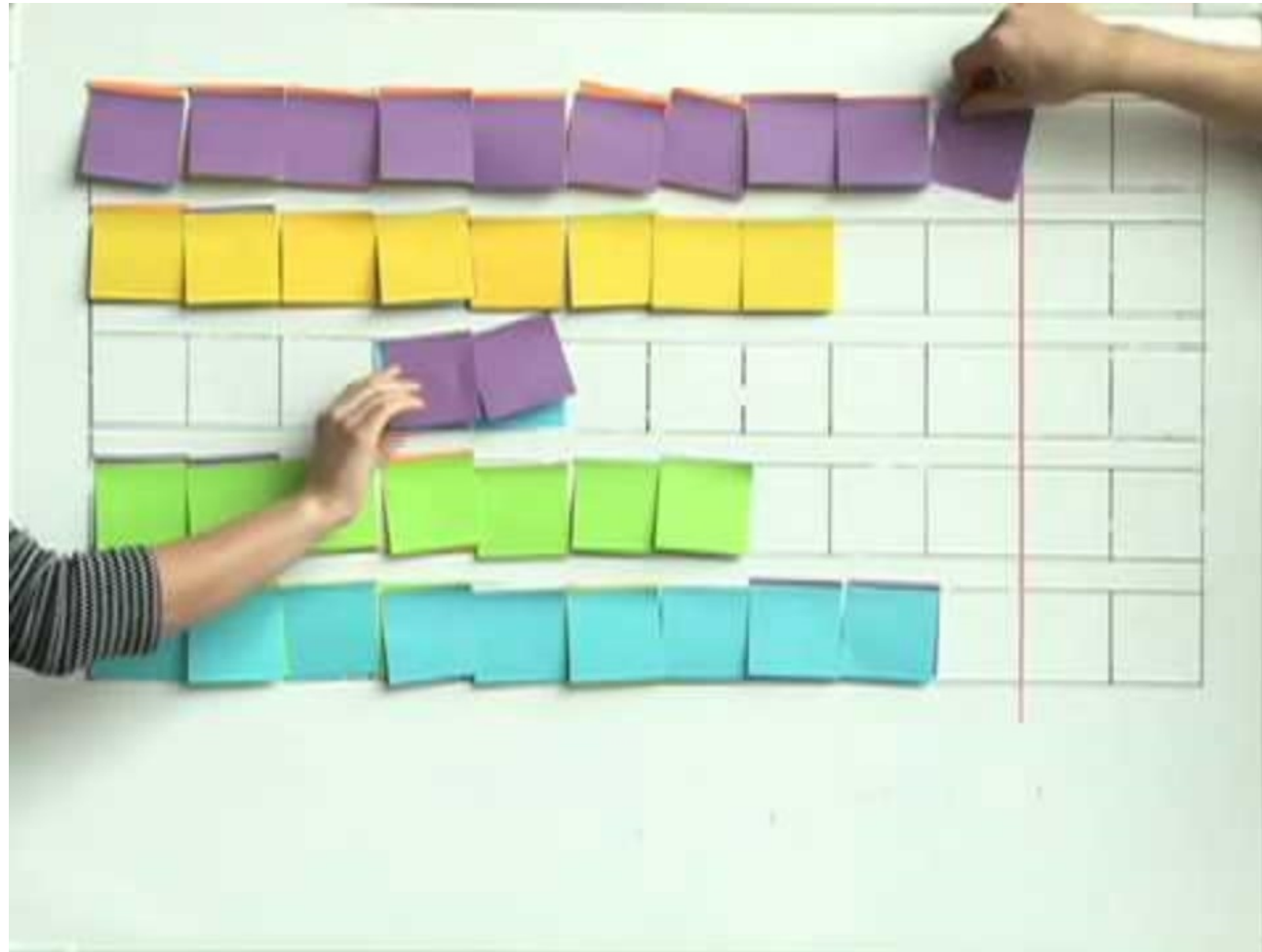
- The ballot provides electors with the option of ranking as many choices of qualified candidates and qualified write-in candidates as practicable.
- Ballots are reviewed and first choices are then counted to determine if any candidates have enough votes to win, also known as the threshold. The threshold is determined based on the number of seats to be filled.
- For example, when electing three candidates the threshold would be 25% plus one vote. That is the smallest number of votes that guarantees that no more candidates can reach the threshold than the number of seats available to be filled.
- After the first round of counting, the city can determine whether additional rounds of counting are needed to fill each seat up for election.
- There are options for the next step

# Proportional RCV – Option #1

- Surplus Transfer/Minnesota Method/Portland Method
- If a candidate wins with more votes than they need – a surplus – any extra votes are counted proportionally towards voters' next choices.
- If no candidate has a surplus, the candidate with the fewest votes is eliminated and voters have their ballot count for their next viable preference.
- Transferring surplus votes and eliminating candidates continues until all seats are filled.

# Proportional RCV

[Proportional RCV option #1 – Surplus Transfer/Minnesota Method](#)

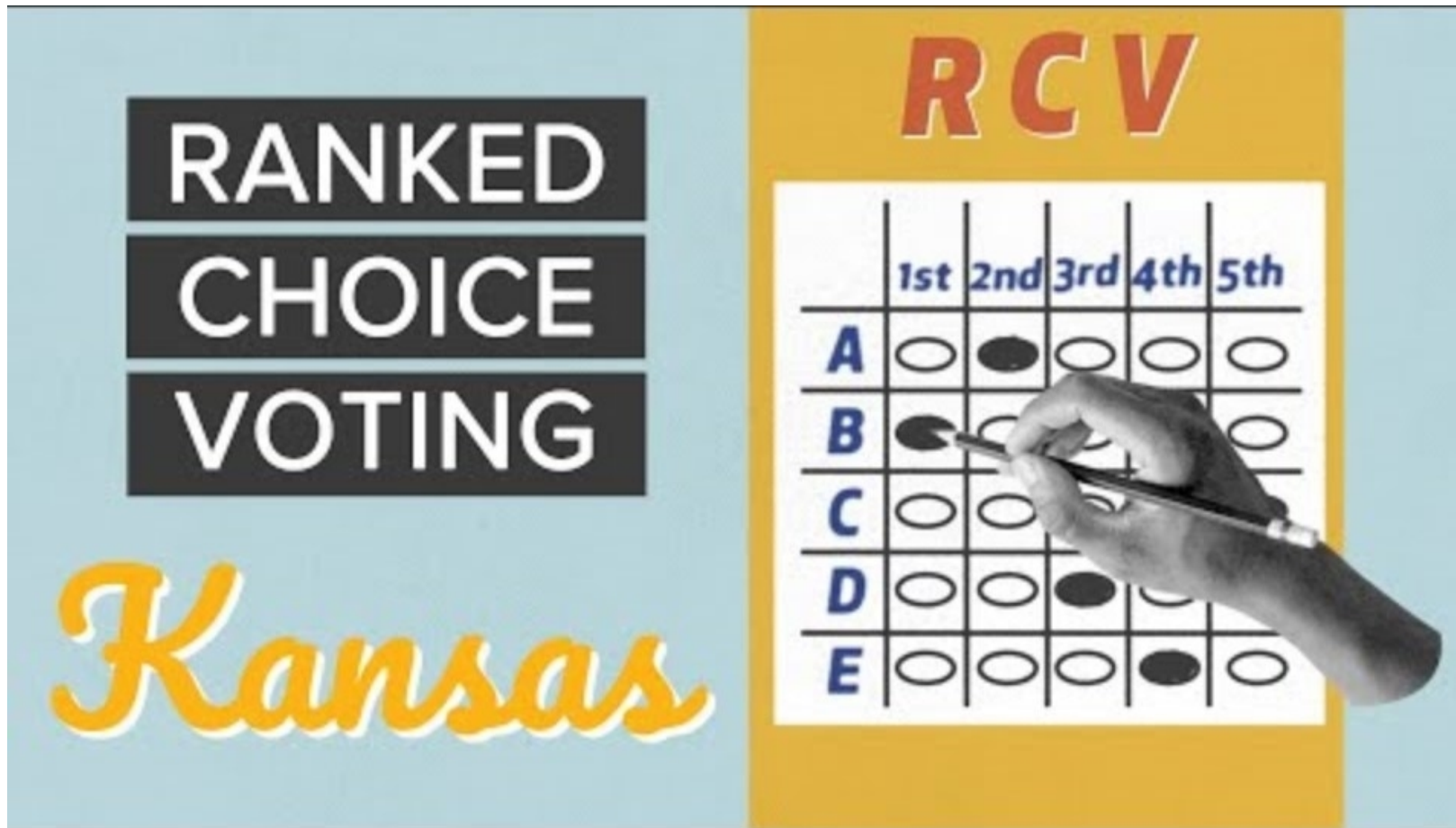


# Proportional RCV – Option #2

- Bottoms up RCV
- If a candidate wins with more votes than they need (above the threshold) they are elected.
- If other candidates do not reach the threshold:
  - The active candidate with the fewest votes is defeated and is no longer an active candidate;
  - Votes that had been counted for the defeated candidate are transferred to each ballot's next highest-ranked active candidate; and
  - A new round of vote tallying begins with ballots retallied.

# Proportional RCV

Proportional RCV option #2 – Bottoms up IRV – Kansas Method



# How to implement RCV?

- The City Council can implement ranked choice voting through amending the current code – no Charter amendment necessary
- The City can amend the Charter to require ranked choice voting
  - Options for which chapter to amend in the Charter:
    - Section 7 (Council) in Chapter 3, Council or
    - Section 24 (Councilors) in Chapter 7, Elections
  - Options for level of specificity in Charter amendments:
    - Simply provide that the City adopt “ranked choice voting” and allow the Council to implement the exact procedures through adopting an ordinance
    - Provide more proscriptive procedure (i.e. requiring a specific proportional RCV method, or single winner RCV)

# Implementation - RCV

- If the voter approve the RCV charter amendments, the City Council would need to evaluate if a new chapter of the FGMC is necessary
- The amendments should be effective no sooner than the 2026 election
- The City Council and city staff will have 2 years to adopt a new code chapter, coordinate the ballot and election process, and implement a public education program

# Implementation - RCV

- For example, here is the schedule the City of Portland used:
  - November 2022: Voters passed charter reform, including ranked-choice voting
  - December 2022- February 2023: City and County research and development of needed changes
  - March 2023: Public input on proposed code changes.
  - April 2023: Portland City Council approved code changes
  - Spring 2023 - Summer 2024: County incorporates changes into voting system.
  - Summer 2023 - ongoing: Voter education on ranked-choice voting
  - November 2024: Voters vote using ranked-choice voting

# Implementation - RCV

- City Obligations
  - Develop and implement changes to the FGMC (if necessary)
  - Provide final process to County with time for County to implement changes
  - Voter education
    - See Benton County website: <https://bentonbetterballot.com/>
- County Obligations - Election System Changes
  - Update voting system software
  - Update ballot design
  - Update process for certification of election

# Oregon Ballot Measure 2004 (Nov. 2024)

- In November 2024 all Oregon voters will be asked to vote on HB 2004
- If approved by voter, the law would authorize cities, counties, school districts, other local governments, and local districts to use ranked-choice voting for local elections unless home rule charters preempt it. The law would also require the secretary of state to establish a program to educate voters about ranked-choice voting.
- The law would also require the secretary of state to establish a program to educate voters about ranked-choice voting.
- The law would take effect on January 1, 2028

# Oregon Ballot Measure 2004 (Nov. 2024)

- Concerns for Forest Grove:
  - If the RCV Charter amendments are also on the ballot for November 2024, some voters may be confused regarding if Forest Grove can adopt RCV if HB 2004 fails
  - If voters approve HB 2004, the state will pay for the education campaign, but not until 2028.

# Questions for Charter Review Committee

- Does the CRC want to explore amending the Charter to include RCV?
- If yes, does the CRC want to provide a simple amendment or a proscriptive amendment regarding the type of RCV?
- If the CRC wants to provide a proscriptive amendment, which type of RCV does the CRC prefer?
- Does the CRC want to request the Council look into an ordinance after the 2024 election?

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None