

City of Wilsonville

City Council

Special Meeting

February 18, 2020



AGENDA

**WILSONVILLE CITY COUNCIL SPECIAL MEETING
FEBRUARY 18, 2020
7:30 P.M.**

**CITY HALL
29799 SW TOWN CENTER LOOP EAST
WILSONVILLE, OREGON**

Mayor Tim Knapp

Council President Kristin Akervall
Councilor Charlotte Lehan

Councilor Joann Linville
Councilor Ben West

CITY COUNCIL MISSION STATEMENT

To protect and enhance Wilsonville's livability by providing quality service to ensure a safe, attractive, economically vital community while preserving our natural environment and heritage.

THERE IS NO EXECUTIVE SESSION OR WORK SESSION SCHEDULED.

CITY COUNCIL MEETING

The following is a summary of the legislative and other matters to come before the Wilsonville City Council a regular session to be held, Tuesday, February 18, 2020 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on February 4, 2020. Remonstrances and other documents pertaining to any matters listed in said summary filed at or prior to the time of the meeting may be considered there with except where a time limit for filing has been fixed.

7:30 P.M. CALL TO ORDER

- A. Roll Call
- B. Pledge of Allegiance
- C. Motion to approve the following order of the agenda and to remove items from the consent agenda.

7:35 P.M. MAYOR'S BUSINESS

- A. None.

7:35 P.M. COMMUNICATIONS

- A. None.

7:35 P.M. CITIZEN INPUT AND COMMUNITY ANNOUNCEMENTS

This is an opportunity for visitors to address the City Council on items *not* on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

7:40 P.M. COUNCILOR COMMENTS, LIAISON REPORTS AND MEETING ANNOUNCEMENTS

- A. None.

7:40 P.M. CONSENT AGENDA

- A. None.

7:40 P.M. NEW BUSINESS

- A. None.

7:40 P.M. CONTINUING BUSINESS

- A. **Ordinance No. 840** – 2nd Reading
An Ordinance Of The City Of Wilsonville Authorizing The Preparation, Submittal, And Publication Of Explanatory Statements For Voters' Pamphlets; And Declaring An Emergency. (Jacobson/Cosgrove/Veliz)

7:45 P.M. PUBLIC HEARING

- A. None.

7:45 P.M. CITY MANAGER'S BUSINESS

- A. None.

7:45 P.M. LEGAL BUSINESS

- A. None.

7:45 P.M. ADJOURN

Time frames for agenda items are not time certain (i.e. Agenda items may be considered earlier than indicated.) Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting if required at least 48 hours prior to the meeting. The city will also endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting: Qualified sign language interpreters for persons with speech or hearing impairments. Qualified bilingual interpreters. To obtain services, please contact the City Recorder, (503) 570-1506 or cityrecorder@ci.wilsonville.or.us.



CITY COUNCIL MEETING STAFF REPORT

Meeting Date: February 20, 2020	Subject: Ordinance No. 840 – 2nd Reading Term Limits Initiative Petition Explanatory Statement Staff Members: Barbara Jacobson, City Attorney; Bryan Cosgrove, City Manager and Kimberly Veliz, City Recorder Department: Legal/Administration	
Action Required	Advisory Board/Commission Recommendation	
<input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Public Hearing Date: February 3, 2020 <input checked="" type="checkbox"/> Ordinance 1 st Reading Date: February 3, 2020 <input checked="" type="checkbox"/> Ordinance 2 nd Reading Date: February 18, 2020 <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: Pertains to Term Limits Petition to be on May 2020 Ballot	
Staff Recommendation: Staff recommends that Council adopt Ordinance No. 840 on second reading.		
Recommended Language for Motion: I move to approve Ordinance No. 840 on second reading.		
Project / Issue Relates To:		
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL:

Whether to pass Ordinance No. 840, on second reading, including an emergency clause, requiring staff to prepare an explanatory statement for voters’ pamphlet pertaining to initiative petitions placed on the ballot, including the initiative petition to be placed on the upcoming May 2020 ballot.

EXECUTIVE SUMMARY:

City Council unanimously passed this proposed Ordinance No. 840 at first reading on February 3, 2020. This is the second reading. This proposed ordinance has an emergency clause due to election timing. Thus, if passed on second reading it will go into effect immediately upon passage.

EXPECTED RESULTS:

A neutral explanatory statement will be submitted to the County Election Official for the May 2020 voters' pamphlet.

TIMELINE:

May 2020.

CURRENT YEAR BUDGET IMPACTS:

N/A

FINANCIAL REVIEW / COMMENT:

Reviewed by: CAR Date: 2/12/220

LEGAL REVIEW / COMMENT:

Reviewed by: BAJ Date: 2/11/2020

COMMUNITY INVOLVEMENT PROCESS:

Election in May 2020.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:

The explanatory statement is offered to help inform the voters of the impact if an initiative measure is passed and the impact if the initiative measure fails.

ALTERNATIVES:

Do not approve ordinance on second reading.

CITY MANAGER COMMENT:

N/A

ATTACHMENTS:

1. Ordinance No. 840
2. Draft Explanatory Statement

ORDINANCE NO. 840

AN ORDINANCE OF THE CITY OF WILSONVILLE AUTHORIZING THE PREPARATION, SUBMITTAL, AND PUBLICATION OF EXPLANATORY STATEMENTS FOR VOTERS' PAMPHLETS; AND DECLARING AN EMERGENCY.

WHEREAS, Oregon elections laws require that, for any initiative or referendum by petition, an impartial, simple, and understandable statement explaining the measure and its effect shall be submitted by the governing body of the local government to the County Elections Official, provided the City has an ordinance providing for the preparation and submittal of such statement; and

WHEREAS, the City Council believes it is important that the public be informed of the impact of any initiatives and referendums that will amend the City Charter or Wilsonville Code, through use of an impartial, simple, and understandable explanatory statement in the voters' pamphlets; and

WHEREAS, the City has not had an initiative petition in several years, but an initiative petition was presented to the City Council at the January 23, 2020 meeting that will be placed on the May 2020 election; and

WHEREAS, the initiative is retroactive and will therefore impact the mayor and each member of the City Council in a different way; and

WHEREAS, the City Council wishes to inform the citizens of what impact the initiative, if passed, will have on the November 2020 election, and elections in the future, in a concise and neutral manner.

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. In accordance with Oregon elections laws requirements, the City Council hereby directs the City Manager, City Attorney, and/or City Elections Official (City Recorder) to prepare, submit, and publish an impartial, simple, and understandable statement for the May 2020 voters' pamphlets, explaining the measure and its effects.
2. City Council further directs the City Manager, City Attorney, and/or City Elections Official (City Recorder) to prepare, submit, and publish an impartial, simple, and

understandable statement for subsequent voters’ pamphlets where a City initiative or referendum is on the ballot.

- 3. Due to the postponement of the City Council meeting caused by the President’s Day holiday, coupled with the short time allowed for City Council to prepare and provide the explanatory statement to the County Elections Official, it is necessary for the preservation of public health, safety, and welfare that an emergency be declared, and this Ordinance shall be in full force and effect on the date of passage, following second reading.
- 4. This Ordinance will be effective upon enactment.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 3rd day of February 2020, commencing at the hour of 7 p.m., at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon, and scheduled for second reading at the following City Council meeting commencing at the same place on February 18, 2020 at 7:30 p.m.

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 18th day of February 2020, by the following votes:

Yes: _____ No: _____

Kimberly Veliz, City Recorder

DATED and signed by the Mayor the 18th day of February, 2020.

TIM KNAPP, MAYOR

SUMMARY OF VOTES:

- Mayor Knapp
- Council President Akervall
- Councilor Lehan
- Councilor West
- Councilor Linville

DRAFT EXPLANATORY STATEMENT

This Measure, if passed by voters, would amend the City of Wilsonville Charter to add a “City Council Term Limits” section. The current Charter does not impose term limits.

If the Measure is passed, it would prohibit any person from serving as a mayor, city councilor, or combination of both, for more than 12 years in any 20-year period. This 12-year period applies to the total amount of time a person serves on the Wilsonville City Council, regardless of the position held. Under the Measure, during any 20-year period, a city councilor could run for mayor if doing so would not exceed the total 12-year limit, including time already served as a city councilor. Similarly, a mayor could run for city council if doing so would not exceed the total 12-year time limit, including time already served as a mayor.

The Measure would also apply to a person appointed to complete a term in office. For example, a person appointed to serve any portion of a four-year term caused by a vacancy would be eligible to serve two (2) additional four-year terms in any City Council office (mayor or city councilor) because running for a third term would exceed the 12-year limit. In such instance, the effect of the Measure would result in a term limit of less than 12 years. This would be the case for one current City Councilor.

This Measure is retroactive as to counting time of service of all current City Councilors. If the Measure passes, the current Mayor could finish his current term but would not be eligible to run or be re-elected in November 2020. The longest tenured City Council member, whose term expires in 2022, could serve until 2022 but would not be eligible for re-election in 2022. If re-elected in November 2020, the current City Council President would thereafter be eligible for one more term, in any capacity. The remaining two City Councilors would each be eligible to run for two more terms, in any capacity, from the date their current terms expire (2020 and 2022).

If the Measure fails, there would be no mandatory term limits in Wilsonville and re-election would remain up to the voters at the expiration of each four-year term. There would be no term restriction on who could run for office. Voters would continue to decide whether any mayor or city councilor running for re-election would continue in office.