

***CITY OF KEIZER MISSION STATEMENT***  
***KEEP CITY GOVERNMENT COSTS AND SERVICES TO A MINIMUM BY PROVIDING CITY***  
***SERVICES TO THE COMMUNITY IN A COORDINATED, EFFICIENT AND LEAST COST***  
***FASHION***

# **A G E N D A**

## **KEIZER CITY COUNCIL WORK SESSION**

**Monday, July 8, 2019**

**6:00 p.m.**

**Robert L. Simon Council Chambers**

**930 Chemawa Road NE**

**Keizer, Oregon 97303**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. DISCUSSION**

**a. Charter Review Committee**

**4. ADJOURN**

*The City of Keizer is committed to providing equal access to all public meetings and information per the requirements of the ADA and Oregon Revised Statutes (ORS). The Keizer Civic Center is wheelchair accessible. If you require any service that furthers inclusivity to participate, please contact the Office of the City Recorder at least 48 business hours prior to the meeting by email at [davist@keizer.org](mailto:davist@keizer.org) or phone at (503)390-3700 or (503)856-3412. Most regular City Council meetings are streamed live through the City's website and cable-cast on Comcast Channel 23 within the Keizer City limits. Thank you for your interest in the City of Keizer.*

**COUNCIL WORK SESSION  
JULY 8, 2019**

**TO: MAYOR CLARK AND COUNCIL MEMBERS**

**THROUGH: CHRISTOPHER C. EPPLEY, CITY MANAGER**

**FROM: E. SHANNON JOHNSON, CITY ATTORNEY**

**SUBJECT: CHARTER REVIEW COMMITTEE**

The Mayor called this work session to review Charter issues generally, as well as the Charter Review Committee appointment process.

A short explanation of charters and Home Rule cities may be helpful. Cities are divided into General Law or Home Rule cities. General Law cities are given their powers solely from the State. Home Rule cities have the right to decide the form of government and provide which powers they have by adopting a charter. City of Keizer is a Home Rule city.

The Charter is the City's Constitution. It delineates the basic form of government and describes the powers and duties of the elected officials and charter officers. The Charter also describes a method for adoption of ordinances. The Charter usually describes the method of voting, how a quorum is determined and how Council vacancies are filled.

A Charter does not enact specific laws or policies. Ordinances and resolutions are the appropriate tools for these type of tasks. The Charter provisions usually should be broad, allowing for ordinances and resolutions to more specifically define the issues. For example, the Keizer Charter has direction with regard to voting on council matters. However, Council Procedures define these issues with a little more in detail. This is appropriate, because if there is a problem, changing the Charter requires a ballot measure before all the voters. However, changing the Council Procedures requires a Council vote.

With regard to the Charter Review Committee, this matter came to Council on May 20. The resolution establishing such committee indicated that the non-councilor members were to be electors (registered voters) of the city of Keizer. It is my understanding that the word "electors" was not understood by some councilors and this requirement caused some difficulty at the Volunteer Coordinating Committee (VCC) meeting.

I have enclosed a copy of the existing resolution. The key paragraph is in Appendix A (Membership). The existing language calls for a seven member committee with two councilors and five "citizen electors". This language was taken from the budget committee resolution and is required for the budget committee under state law.

As alternatives, I have attached two more examples.

Alternative A stays with the current language regarding five citizen electors, but adds an additional position that is chosen by the council directly. This additional member

would be required to be a Keizer resident, but not an elector. This would result in an eight-member committee. Though an odd number of members is usually preferable, it is in this instance not a critical issue.

Alternative B would create a nine-member committee with two Councilor members. The seven members-at-large would be required to be residents of the city for six months. They would be nominated by the Volunteer Coordinating Committee.

I have attached a copy of Mayor Clark's email on this subject at her request.

## **RECOMMENDATION:**

Council should review the matter and determine how it wishes to move forward. Here are some options:

1. Make no changes and allow the current resolution to stand. This would require all members to be electors.
2. Choose Alternative A which adds one member that would be chosen directly by the Council without VCC nomination and require such member to be a resident for no less than six months.
3. Choose Alternative B which creates a nine member committee with seven members-at-large who must be residents of the city for at least six months prior to the date of the resolution. These members would be nominated by the VCC. In this latter alternative, VCC would nominate two additional potential members.

The Council is free to choose other alternatives as well with regard to the make-up of the committee or the appointment process.

If Council chooses Option 3, I would recommend the matter be sent back to VCC for selection of two additional candidates. Council should also determine whether the application process should be reopened.

Please let me know if you have any questions. Thank you.

ESJ/tmh

1 CITY COUNCIL, CITY OF KEIZER, STATE OF OREGON

2  
3 Resolution R2019-2977

4  
5  
6 ESTABLISHING CHARTER REVIEW COMMITTEE

7  
8  
9 WHEREAS, the Charter of the City of Keizer was adopted by the voters on March 29, 1983;

10 WHEREAS, the Charter has been amended by the voters on March 26, 1985, November 3,  
11 1992, and November 9, 1993;

12 WHEREAS, the Keizer City Council finds it necessary and appropriate to appoint a  
13 committee to review and make recommendations regarding proposed revisions to the current  
14 Charter;


15 NOW, THEREFORE,


16 BE IT RESOLVED by the City Council of the City of Keizer that the Charter Review  
17 Committee is hereby established as outlined in Appendix "A", which is attached hereto and by this  
18 reference made a part hereof.

19 BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon the  
20 date of its passage.

21 PASSED this 20th day of May, 2019.

22  
23 SIGNED this 20th day of May, 2019.

24  
25  
26  
27 Mayor 

28  
29 Deputy City Recorder   
30

Appendix "A"  
City Council Committee

**Name:** Charter Review Committee

**Purpose:** The Committee will serve in an advisory capacity to the City Council relating to Charter revisions. The Committee will receive recommendations for changes to the Charter, hold public hearings on proposed changes to the Charter and recommend appropriate changes to the City Council. The Committee will provide a written report with the proposed changes to the City Council on or before December 9, 2019.

**Membership:** The Committee will consist of seven (7) voting members: Two (2) members shall be Keizer City Councilors to be appointed by the Mayor and announced at a regularly scheduled Council meeting, and five (5) citizen electors of the City of Keizer. The five (5) citizen electors shall be nominated by the Volunteer Coordinator Committee and appointed as outlined by the City Council Rules of Procedure. The Committee will be staffed by the City Attorney and any other staff as appointed by the City Manager.

Since all members are non-liaison voting members, no member may have a substitute or proxy appear for them.

**Term of Office:** Each member shall be appointed for the duration of the Committee.

**Chair and Vice-Chair:** The Committee shall elect a Chair and Vice-Chair at the first meeting.

**Meetings:** Members of the Committee shall establish a regular meeting date and shall meet as deemed necessary by the Chair. All meetings of the Committee shall follow Roberts Rules of Order Newly Revised and the Oregon Public Meeting Laws.

**Attendance:** It is the duty of each member to attend at least 75% of the meetings each calendar year. When a member is unable to attend a meeting, the member shall notify the Chair. Members of the Committee may be removed by a two-thirds majority vote of the City Council.

**Duration:** This Committee shall be dissolved no later than December 16, 2019, unless extended by City Council action. However, the Committee may make recommendations to the City Council at any time.

Alternative A

Appendix “A”  
City Council Committee

**Name:** Charter Review Committee

**Purpose:** The Committee will serve in an advisory capacity to the City Council relating to Charter revisions. The Committee will receive recommendations for changes to the Charter, hold public hearings on proposed changes to the Charter and recommend appropriate changes to the City Council. The Committee will provide a written report with the proposed changes to the City Council on or before December 9, 2019.

**Membership:** The Committee will consist of eight (8) voting members: Two (2) members shall be Keizer City Councilors to be appointed by the Mayor and announced at a regularly scheduled Council meeting, and six (6) members-at-large. Five (5) members-at-large must be **electors** in the City of Keizer and shall be nominated by the Volunteer Coordinator Committee and appointed as outlined by the City Council Rules of Procedure. One member-at-large shall be directly appointed by the City Council. This member must be a resident of the City of Keizer for not less than six (6) months prior to the date of this Resolution and remain a resident until the Committee is dissolved. The Committee will be staffed by the City Attorney and any other staff as appointed by the City Manager.

Since all members are non-liaison voting members, no member may have a substitute or proxy appear for them.

**Term of Office:** Each member shall be appointed for the duration of the Committee.

**Chair and Vice-Chair:** The Committee shall elect a Chair and Vice-Chair at the first meeting.

**Meetings:** Members of the Committee shall establish a regular meeting date and shall meet as deemed necessary by the Chair. All meetings of the Committee shall follow Roberts Rules of Order Newly Revised and the Oregon Public Meeting Laws.

**Attendance:** It is the duty of each member to attend at least 75% of the meetings each calendar year. When a member is unable to attend a meeting, the member shall notify the Chair. Members of the Committee may be removed by a two-thirds majority vote of the City Council.

**Duration:** This Committee shall be dissolved no later than December 16, 2019, unless extended by City Council action. However, the Committee may make recommendations to the City Council at any time.

Alternative B

Appendix "A"  
City Council Committee

**Name:** Charter Review Committee

**Purpose:** The Committee will serve in an advisory capacity to the City Council relating to Charter revisions. The Committee will receive recommendations for changes to the Charter, hold public hearings on proposed changes to the Charter and recommend appropriate changes to the City Council. The Committee will provide a written report with the proposed changes to the City Council on or before December 9, 2019.

**Membership:** The Committee will consist of nine (9) voting members: Two (2) members shall be Keizer City Councilors to be appointed by the Mayor and announced at a regularly scheduled Council meeting, and seven (7) members-at-large. The members-at-large must be **residents** of the City of Keizer for not less than six (6) months prior to the date of this Resolution and remain residents until the Committee is dissolved. The seven (7) members-at-large shall be nominated by the Volunteer Coordinator Committee and appointed as outlined by the City Council Rules of Procedure. The Committee will be staffed by the City Attorney and any other staff as appointed by the City Manager.

Since all members are non-liaison voting members, no member may have a substitute or proxy appear for them.

**Term of Office:** Each member shall be appointed for the duration of the Committee.

**Chair and Vice-Chair:** The Committee shall elect a Chair and Vice-Chair at the first meeting.

**Meetings:** Members of the Committee shall establish a regular meeting date and shall meet as deemed necessary by the Chair. All meetings of the Committee shall follow Roberts Rules of Order Newly Revised and the Oregon Public Meeting Laws.

**Attendance:** It is the duty of each member to attend at least 75% of the meetings each calendar year. When a member is unable to attend a meeting, the member shall notify the Chair. Members of the Committee may be removed by a two-thirds majority vote of the City Council.

**Duration:** This Committee shall be dissolved no later than December 16, 2019, unless extended by City Council action. However, the Committee may make recommendations to the City Council at any time.

**Harms, Tammie**

---

**From:** Cathy Clark  
**Sent:** Thursday, June 27, 2019 7:56 AM  
**To:** Kim Freeman; Johnson, Shannon; Marlene Parsons; Eppley, Christopher  
**Cc:** Harms, Tammie  
**Subject:** RE: Charter Review Committee draft memo

Good morning all,

After an in depth conversation with Council President Kim Freeman, it is our recommendation (Kim please correct anything below to better reflect what we discussed) that we have a work session on Monday, July 8. I know that Councilor Parsons will be out of town and we request that a call in be set up so she can participate to the greatest extent possible. We believe that it is important for the whole Council to hear the same information at the same time and bring our collective experience and insight to determining the most constructive course of action. And we believe this needs to happen in a timely fashion.

Please note that this is not about simply adding a person to the Charter Review Committee. In my conversation with the non-electoral applicant, she made it clear she was not interested in creating any controversy or being considered for any other reason than her qualifications. According to my VCC representative, she was the most prepared, was a very articulate applicant who has a unique perspective of being a person in the process of obtaining her US citizenship, and would, in her opinion, under any other circumstances, have been recommended by the VCC. The erroneous staff statement that the electoral provision was state statute precluded any discussion of recommending an alternative consideration for including such a uniquely qualified applicant.

Topic: Charter Review Process

Discussion points:

1. the charter review process over all, from committee to election, to make sure everyone is on the same page as far as the process goes.
2. the charter review committee - the resolution we adopted and clarity about the role they will play in this process (i.e. advisory to Council)
3. the volunteer coordinating committee meeting and issues around the electoral provision and other considerations (my earlier memo and note above outline some of my thoughts on why we should have this conversation; I can revise it to use in our discussion)
4. options that the council would like to consider for next steps for the charter review committee
5. options that the council would like to keep in mind for the overall charter review process.

We believe that having this open conversation will ensure that we are all working together on this important work on the Charter. And we will avoid the pitfall of factions developing if we keep communication strong. If we have to have this conversation in a public setting, so be it. Our transparent humanity can set the example of how we expect to come and reason together.

Cathy

Cathy Clark, Mayor  
clarkc@keizer.org  
503-932-1731

---

From: Kim Freeman  
Sent: Wednesday, June 26, 2019 5:33 PM  
To: Johnson, Shannon; Cathy Clark; Marlene Parsons; Eppley, Christopher  
Cc: Harms, Tammie  
Subject: RE: Charter Review Committee draft memo

Everyone,  
I would like this on the July 1 agenda.