

RESOLUTION
(28-2012)

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF FAIRVIEW
REFERRING A CHARTER AMENDMENT TO CITY VOTERS**

WHEREAS, the City of Fairview Charter was last comprehensively reviewed and amended in 1992; and

WHEREAS, the Fairview City Council formed an impartial Charter Review Committee comprised of citizens of the City to evaluate the existing charter and to determine if the charter should be updated or changed; and

WHEREAS, the Charter Review Committee determined that changes to the charter are warranted and prepared a draft amendment to the existing charter for review by City Council; and

WHEREAS, the City Council concurs with the recommendation of the Charter Review Committee and finds that the proposed amendment to the Charter will better meet the present and future needs of the City, and that it is in the best interests of the City to submit the recommended amendments to City voters for their approval or rejection.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAIRVIEW AS FOLLOWS:

- Section 1.** Pursuant to section 1.05.080 of the City of Fairview Municipal Code, an election is called for the City of Fairview, Multnomah County, Oregon for the purpose of submitting to City voters an amendment to section 32 of the City Charter as set forth in Exhibit A attached to this Resolution.
- Section 2.** November 6, 2012 is designated as the date for holding the election for voting on the measure.
- Section 3.** The election will be conducted by the Multnomah County Elections Office.
- Section 4.** The precincts for this election will include all of the territory within the corporate limits of the City of Fairview.

Section 5. Pursuant to section 1.05.100 of the City of Fairview Municipal Code, the Council adopts the following ballot title:

CAPTION CHARTER AMENDMENT REVISING PROCESS COUNCIL USES TO ADOPT ORDINANCES

QUESTION Shall Fairview amend the Charter to revise the process the City Council uses to adopt ordinances?

SUMMARY The Oregon Constitution gives City voters the right to adopt and amend home rule charters. Fairview voters adopted the current charter in 1992.

The current charter provides procedures for Council adoption of ordinances, which permit but do not require the reading of proposed ordinances on two different days. The procedures also permit, with the unanimous consent of the Council, the reading of proposed ordinances twice in one meeting and thereafter enactment by a majority vote of the Council at that same meeting.

The amendment would require only one reading of proposed ordinances, but would also require that the reading and enactment of ordinances occur on two separate days. The amendment would permit an ordinance to be read and enacted on the same day only if the Council enacts the ordinance by a unanimous vote of all members voting at that meeting.

The City's Charter Review Commission recommended this amendment, which was referred to the voters by the Council. If approved, the amendment would take effect January 1, 2013.

Section 6. The following explanatory statement is hereby adopted. The Mayor is authorized to sign and the Interim City Administrator is authorized to submit the explanatory statement for publication in the Multnomah County voters' pamphlet on behalf of the City.

Explanatory Statement:

The Oregon Constitution gives City voters the right to adopt and amend home rule charters. Fairview voters adopted the current charter in 1992.

The Fairview City Council formed an impartial Charter Review Committee comprised of citizens of the City to evaluate the existing charter and to determine if the charter should be updated or changed. The Charter Review Committee determined that changes to the charter were warranted and prepared draft amendments to the existing charter for review by City Council. The City

Council concurred with the recommendation of the Charter Review Committee and referred this measure to City voters for approval or rejection.

The current charter provides procedures for Council adoption of ordinances, which permit but do not require the reading of proposed ordinances on two different days. The procedures also permit, with the unanimous consent of the Council, the reading of proposed ordinances twice in one meeting and thereafter enactment by a majority vote of the Council at that same meeting.

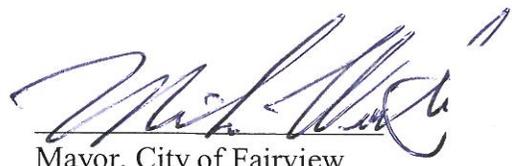
The amendment would require only one reading of proposed ordinances, but would also require that the reading and enactment of ordinances occur on two separate days. The amendment would permit an ordinance to be read and enacted on the same day only if the Council enacts the ordinance by a unanimous vote of all members voting at that meeting.

If approved by the voters, the Charter amendment would take effect January 1, 2013.

Section 7. The Interim City Administrator shall take all steps on behalf of the City as necessary to carry out the intent and purposes of this resolution in compliance with state and local law including but not limited to publishing the ballot title as provided by state law, publishing notice of the measure as required by section 1.05.110 of the City of Fairview Municipal Code and filing this measure with Multnomah County Elections.

Section 8. The resolution is and shall be effective from and after its passage by the Council.

Resolution adopted by the City Council of the City of Fairview, this 1st day of August, 2012.



Mayor, City of Fairview

Mike Weatherby



Date of Signing

ATTEST:



Recorder, City of Fairview

Samantha D. Nelson

Exhibit A
Resolution (28-2012)

CHARTER AMENDMENT SUBMITTED TO THE VOTERS BY THE CITY COUNCIL:

Section 1. Upon approval of the voters of the City of Fairview, Section 32 of the City's home rule charter is hereby amended as follows:

~~A. — Every Ordinance may be fully read in a Council meeting on two different dates before adoption; provided however that an ordinance may be read twice, once in full and once by title with the unanimous consent of the Council, there being present a quorum, and put up for final vote at the same meeting.~~

~~B. — A full reading of an Ordinance may be by title only if no Council member present at the reading requests that the Ordinance be read in full and provided that provision has been made to provide a copy of the Ordinance to each Council member, three copies be available for public inspection in the office of the custodian of City records, and notice of their availability is given by written notice.~~

~~C. — Upon the adoption or rejection of an Ordinance, the ayes and nays of the Council members shall be entered in the record of Council proceedings.~~

A. All Ordinances shall be read by title or in full prior to enactment by the Council. An Ordinance may be read by title only if at least three days before the reading a copy of the Ordinance was provided to each Council member and a copy of the Ordinance was available for public inspection in the office of the custodian of City records.

B. Except as authorized in subsection C, enactment of an Ordinance requires approval by a majority of the Council on a different day from the day the Ordinance is read by title or in full as required by subsection A.

C. An Ordinance may be enacted on the same day and at the same meeting it is read by title or in full as required by subsection A if the Ordinance is approved by the unanimous vote of all Council members voting when a quorum is present.

D. Any substantive amendment to a proposed Ordinance made between the reading required by subsection A and any approval under subsections B or C must be read aloud or made available in writing to the public before the Council enacts the Ordinance.

E. The Council shall establish in its rules procedures to permit public comment before it enacts any Ordinance.

F. After the adoption of an Ordinance, the vote of each member must be entered into the Council minutes.

DG. After adoption of an Ordinance, the recorder of City Records shall sign and endorse it with its date of adoption and the endorser's name and title of office. The Ordinance shall also be signed by the Mayor who must do so within three (3) days of its adoption by Council.

Section 2. This amendment, if approved by the voters at the November 6, 2012 general election, shall take effect January 1, 2013.