

**RESOLUTION NO. 14-1264-R**

**A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF ROGUE RIVER, OREGON, THE QUESTION OF WHETHER THE CHARTER SHOULD BE AMENDED TO PROVIDE FOR FORM OF GOVERNMENT AND POWER AND DUTIES OF OFFICERS AT THE GENERAL ELECTION BEING HELD ON NOVEMBER 4, 2014.**

**BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF ROGUE RIVER, OREGON.**

**WHEREAS**, the Common Council of the City of Rogue River, Oregon, has conducted a study and recommends that City Charter amendments be placed on the ballot of the General Election being held on November 4, 2014.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Rogue River that an election is hereby called to be held on November 4, 2014.

**BE IT FURTHER RESOLVED** that the following measure shall be voted upon at said election:

**CAPTION:** Proposed amendments to the Rogue River City Charter

**QUESTION:** Shall the Charter be amended to change vacancy appointments process, modify term limit provisions, specify duties of City Administrator?

**SUMMARY:** Proposed changes to Charter include: process to fill vacancies occurring in the offices of mayor and council; distinguish term limit provisions for office of mayor and office of councilor; creates the appointed position of City Administrator within the Charter and specifies the authority, duties, responsibilities, and limitations of same; provides sanctions after public hearing for attempting to coerce Administrator in performing official duties; clarifies process for filling of vacancies in elective offices; and distinguishes term limit provision for office of mayor and councilor regarding consecutive terms.

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**AMENDMENT TO CHARTER FOR CITY OF ROGUE RIVER, OREGON**

Chapter III "Form of Government", Section 8, "Council Members", Section 9, "Mayor:", Section 10, "Other Officers", Chapter V, and, Section 22 "City Recorder", of the Rogue River Charter of the City of Rogue River, Oregon, are amended to be as follows:

**CHAPTER III**  
**FORM OF GOVERNMENT**

**SECTION 8. Council Members.** The term of office of each City Council member in office when this Charter is adopted shall continue for the term for which each was elected. At each subsequent biennial general election, three (3) City Council members shall be elected each for a term of four (4) years and at each biennial general election the number of City Council members to be elected to fill vacancies pursuant to Section 29 of this Charter shall be elected. No person shall serve more than two (2) terms as City Council member, except that after two (2) terms, a Councilor shall sit out one (1) biennial general election cycle and then may be elected or appointed to serve additional terms. No person shall hold elective office for more than twelve (12) consecutive years. Time served in office by appointment, less than a full term, shall not apply toward the twelve (12) year limitation.

**SECTION 9. Mayor.** At each biennial general election a Mayor shall be elected for a term of two (2) years. No person shall serve more than two (2) terms as Mayor, except that after two (2) terms, a Mayor shall sit out one (1) biennial general election cycle and then may be elected or appointed to serve additional terms. No person shall hold elective office for more than twelve (12) consecutive years. Time served in any elective City office at any time shall apply toward the twelve (12) year limitation. Time served in office by appointment, less than a full term, shall not apply toward the twelve (12) year limitation.

**SECTION 10. Other Officers.** Additional officers of the City shall be a Municipal Judge, a City

Administrator, and such other officers as the City Council deems necessary. Each of these officers shall be appointed and may be removed by the Mayor with the consent of the City Council. The City Council may combine any two (2+) or more appointive City offices. The City Council may designate any appointive officer to supervise any other appointive officer except the Municipal Judge in the exercise of his/her judicial functions.

## **CHAPTER V POWERS AND DUTIES OF OFFICERS**

### **SECTION 22. City Administrator**

(1) The office of City Administrator is established as the administrative head of the city government. The City Administrator is responsible to the mayor and council for the proper administration of all city business. The City Administrator will assist the Mayor and Council in the development of city policies, and carry out policies established by ordinances and resolutions.

(2) A majority of the council must appoint and may remove the City Administrator. The appointment must be made without regard to political considerations and solely on the basis of education and experience in competencies and practices of local government management.

(3) The City Administrator need not reside in the city but must live within a distance that would allow him/her to respond to the City within 30-minutes in the event of an emergency.

(4) The City Administrator may be appointed for a definite or an indefinite term, and may be removed at any time by a majority of the council. The Council must fill the office by appointment as soon as practicable after the vacancy occurs.

(5) The City Administrator must:

- (a) Attend all council meetings unless excused by the Mayor or Council;
- (b) Make reports and recommendations to the Mayor and Council about the needs of the city;
- (c) Administer and enforce all city ordinances, resolutions, franchises, leases, contracts, permits;
- (d) Appoint, supervise and remove city employees;
- (e) Organize city departments and administrative structure;
- (f) Prepare and administer the annual city budget;
- (g) Administer city utilities and property;
- (h) Encourage and support regional and intergovernmental cooperation;
- (i) Promote cooperation among the Council, staff and citizens in developing city policies, and building a sense of community;
- (j) Perform other duties as directed by the council;
- (k) Delegate duties, but remain responsible for acts of all subordinates, and other city decisions;
- (l) Sign all orders on the Treasury;

(6) The City Administrator has no authority over the Council or over the judicial functions of the Municipal Judge.

(7) The City Administrator and other employees designated by the Council may sit at council meetings but have no vote. The City Administrator may take part in all Council discussions.

(8) When the City Administrator is temporarily disabled from acting as City Administrator or when the office of City Administrator becomes vacant, the Council must appoint a City Administrator Pro-tem. The City Administrator Pro-tem has the authority and duties of City Administrator, except that a Pro-tem City Administrator may appoint or remove employees only with Council approval.

(9) No Council member may directly or indirectly attempt to coerce the City Administrator or a candidate for the office of City Administrator in the appointment or removal of any city employee, or in administrative decisions regarding city property or contracts. Violation of this prohibition is grounds for removal from office by a majority of the Council after a public hearing. In council meetings, Councilors may discuss or suggest anything with the administrator relating to city business.

Charter Revision Note: References throughout the City Charter of "City Recorder" to be changed to "City Administrator or their designee" pursuant to the Charter amendment.

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**EXPLANATORY STATEMENT:** This measure proposes to amend and clarify the City Charter of Rogue River. The measure would only become effective if approved by the voters of the city.

The proposed measure modifies and clarifies the Charter provisions relating to terms limits of Council members. It provides that a Councilor may not serve more than two consecutive terms (8 years) on the Council. It provides that Councilors may not serve more than two consecutive terms n the Council without a two year break in service on the Council.

The proposed measure modifies and clarifies the Charter provisions relating to terms limits for the position of Mayor. It provides that the Mayor may not serve more than two consecutive terms (4 years) as Mayor. It provides that a Mayor may not serve more than two consecutive terms without a two year break in service of as Mayor.

The proposed measure establishes in the position of City Administrator. It describes the duties, authority, and responsibilities of the Administrator. It provides that the Administrator must be appointed, and may be removed, by the Council. The Administrator has no authority over the Council or the municipal judge. Provides that the Administrator may delegate the performance of certain ministerial functions.

The proposed measure modifies and clarifies the process and procedures for appointment where vacancies occur in the positions of the Mayor or City Council.

**BE IT FURTHER RESOLVED** that the polling place for the general election shall be held at the Jackson County Clerks' Office in Medford, Oregon and will remain open until 8:00 p.m.. Ballots mailed to electors by the Jackson County Clerk and must be received by 8:00 p.m. on Tuesday, November 4, 2014.