

Notice of Measure Election

City

3-552

Notice

Date of Notice
8/15/19

Name of City or Cities
West Linn

Date of Election
November 5, 2019

Final Ballot Title The following is the final ballot title of the measure to be submitted to the city's voters. The ballot title notice has been published and the ballot title challenge process has been completed.

Caption 10 words which reasonably identifies the subject of the measure.

Charter Amendment: Would provide City Council authority over legal advisors.

Question 20 words which plainly phrases the chief purpose of the measure.

Should West Linn's City Charter be amended to provide City Council authority to appoint all legal advisors to the City?

Summary 175 words which concisely and impartially summarizes the measure and its major effect.

The Measure would change City Charter Sections 8 and 23(c)(3) to provide City Council authority to appoint all legal advisors to the City. The Measure would add language removed from the Charter in 2013. Since removal of the language, authority to appoint some legal advisors has been undefined in the Charter. A yes vote: 1) would add to the Charter the following: "The Council may retain legal advisors as it deems prudent. The legal advisors shall report to and serve at the discretion of the Council;" and 2) would clarify management of the City Attorney.

The effect of the Measure is to

- place appointment of all City legal advisors within City Council authority
- place management of all City legal advisors under the Office of City Attorney
- retain Charter Section 23A establishing the Office of City Attorney and modify Section 23 regarding the limitations for the Office of City Manager over the positions of City Attorney and Municipal Judge
- clarify that the City Manager shall coordinate with Council and City Attorney on all legal matters.

Explanatory Statement 500 words that impartially explains the measure and its effect.

If the county is producing a voters' pamphlet an explanatory statement must be drafted and attached to this form for:

- any measure referred by the city governing body; or
- any initiative or referendum, if required by local ordinance.

Explanatory Statement Attached? Yes No

Authorized City Official Not required to be notarized.

Name
Eileen Stein

Title
City Manager

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By signing this document:

- I hereby state that I am authorized by the city to submit this Notice of Measure Election; and
- I certify that notice of receipt of ballot title has been published and the ballot title challenge process for this measure completed.

Signature Redacted

8-15-19

Signature

Date Signed

Explanatory Statement (500 Words)

If passed, the Measure would amend the Charter of the City of West Linn. The City Charter establishes the structure of City government and defines powers and responsibilities of the City Council and City Officers. The provisions of the Charter can be amended, but only with the approval of a valid measure by the City's voters at an election.

The proposed Measure up for voter consideration would amend the Charter to provide City Council authority to appoint all legal advisors to the City. Specifically, if passed, the Measure would change Charter Sections 8 and 23 to reestablish this Council authority.

The Measure would restore language removed from the Charter in 2013. That language provided that legal advisors report to the City Council. A yes vote would amend Charter Section 8, which defines City Council powers, by adding language authorizing the City Council to hire legal advisors as it deems prudent. The language also provides that the legal advisors will report to the Council and serve at its discretion.

The above language was removed from the City Charter at the September 17, 2013 election. Since that time, authority to appoint some legal advisors has been undefined in the Charter.

If passed, the Measure would restore the previously repealed language to Charter Section 8.

If passed, this 2019 Measure would also amend Charter Section 23 which establishes and limits the authority of the Office of City Manager. That section currently limits the City Manager's control regarding activities of the Municipal Judge. The Measure would add limitations on the City Manager related to the Office of the City Attorney. If passed, the Measure would revise the language on the limitation on City Manager authority to state that the City Manager will not control the office of City Attorney or the strictly judicial activities of the Municipal Judge.

If passed, the Measure would:

- place appointment of all City legal advisors within City Council authority
- place management of all City legal advisors under the Office of the City Attorney
- retain Charter Section 23A establishing the Office of City Attorney and modify Section 23 regarding the authority of the Office of City Manager over the positions of City Attorney and Municipal Judge
- clarify that the City Manager should coordinate with the City Council and the City Attorney on all legal matters.

If the Measure does not pass, the authority to appoint some legal advisors will continue to be undefined in the Charter. **(406 Words)**