

JOSEPH ANDAYA
JOHN ARDNER
JACOB CLEVERLEY
TIM FIER
AMANDA GAYKEN
JACK HOLLIS

CATHY KEATHLEY
DIANA MARCELA WASH
BRITT MCCONN
MICHELLE REID
NANCY SEEBERT
DANA STROUD

GRESHAM CITY CHARTER REVIEW COMMITTEE

January 10, 2022

OPEN SESSION – 6 PM

VIA ZOOM MEETING (SEE INSTRUCTIONS BELOW)

COVID-19 EMERGENCY ORDER MEETING PROCEDURE

Due to the restrictions in place established by the Governor's Stay-at-Home Order
The Gresham City Charter Review Committee will be holding the
January 10, 2022, Meeting at 6 PM. Via Zoom Meeting.

Please click the link below to join the webinar:

<https://greshamoregon.zoom.us/j/84292521844?pwd=dEV3eHVCUGIGWkRYUTISMENVQnU1dz09>

Passcode: e71rdA

One Touch Telephone: US: +12532158782,,84292521844#,,,,*540050#

Telephone: US: +1 253 215 8782

Webinar ID: 842 9252 1844

Passcode: 540050

International numbers available: <https://greshamoregon.zoom.us/u/kzJEXZu02>

Persons who desire to access the meeting and are unable to access the meeting via Zoom are encouraged to contact Dara Halligan, Paralegal, by calling 503-618-2505 or emailing Dara.Halligan@GreshamOregon.gov by 5:00 pm two business days before the meeting, so that the City can provide alternate arrangements.

Persons who desire translation services for this meeting must notify Dara Halligan, Paralegal, by calling 503-618-2505 or emailing Dara.Halligan@GreshamOregon.gov by 5:00 pm three business days before the meeting, so that the City can make arrangements for translation services.

If you wish to receive notices of future meetings, please contact Dara Halligan, Paralegal at Dara.Halligan@GreshamOregon.gov or (503) 618-2505.

GRESHAM CITY CHARTER REVIEW COMMITTEE
JANUARY 10, 2022

AGENDA ITEMS

1. **WELCOME AND INTRODUCTIONS OF COMMITTEE MEMBERS AND STAFF**
2. **ELECTION OF CHAIR AND VICE-CHAIR**
3. **CITY ATTORNEY PRESENTATION: OVERVIEW OF THE GRESHAM CHARTER OF 1978**
4. **GENERAL DISCUSSION REGARDING FUTURE CRC MEETINGS: AGENDA ITEMS, PUBLIC PARTICIPATION, ETC.**
5. **SCHEDULE FOR FUTURE MEETINGS**

From: [Cathy Keathley](#)
To: [Dara Halligan](#)
Subject: RE: January 10, 2022 CRC Meeting Chair Bio
Date: Tuesday, January 4, 2022 11:37:57 AM

CAUTION: External Email

I am interested and willing to serve as the Chair or Vice Chair of the Committee. My experience includes currently serving on the Gresham Barlow School Board and Vice President of a supporting organization to Pacific University. I also have experience as a former elected Gresham City Councilor. These roles have provided me with a familiarity with Roberts Rules of Order and how a chair of a committee can best keep the agenda on track. My personal skills include an approach that encourages input and also respectfully keeps the discussion relevant. In order for the committee to be successful, we need to be open to every idea presented, encourage respectful discussions, and support the consensus of the group.

I look forward to working with each of you, regardless of the role.

Cathy Keathley

From: [joseph_andaya](#)
To: [Dara Halligan](#)
Subject: Chair Bio for the CRC Committee
Date: Wednesday, January 5, 2022 4:38:34 PM

CAUTION: External Email

I would like to put forth my candidacy for the Chair position of the Charter Review Committee of Gresham.

This committee will be my first official role in politics, but I have been involved with politics for several years now. I have canvassed, written letters to get out the vote, and phone banked.

My core values are empathy, facts, equity, and logic. One of my biggest strengths is being able to graciously admit when I am wrong and the other person is right.

Presently, I work as an educator at an alternative high school for disenfranchised youth. Overall, I have 4 years of experience as an educator. I know how to solicit input from members, keep a group on track and discussions relevant and respectful.

I stringently follow and enforce rules in my professional and private life whether it be reminding a student of the school rules or a friend during a board game. I don't imagine any issues utilizing Robert's Rules of Order.

I believe that having a new perspective as Chair would be beneficial for this Committee and for Gresham.

Thank you for reading and for your consideration.

Best,

Joseph A

CITY OF GRESHAM

COLLABORATIVE

PRACTICAL

INVENTIVE

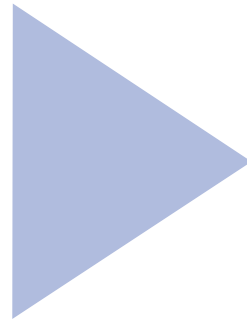
NIMBLE

EQUITABLE



2021 Charter Review
Committee

The City's "Constitution"



Establishes the framework for how our City government operates- including its structure, form of government and powers

CITY OF GRESHAM

The Gresham Charter of 1978

- Establishes the name of the City and its boundaries;
- Vests power of the City in its City Council;
- Establishes our form of government (Council-Manager);
- Establishes qualifications for Council and powers and duties of City officers;
- Establishes when an elective office is deemed vacant and procedure to fill a vacancy;
- Establishes a procedure for the enactment of ordinances.

Gresham Charter of 1978

City of Gresham Charter Provision

Chapter III, Section 7:

The Council shall consist of a mayor and six councilors elected from the city at large. All elections for city officers must be nonpartisan.

City of Gresham Ordinance

GRC 7.15.120 Vehicle Repair

No person shall perform vehicle repair on property with a single family dwelling or duplex on more than two days within a seven-day period

Requires the Council to appoint a Charter Review Committee to review the Charter every 8 years.

Charters ensure that a municipality can:

- Generally govern its own affairs; and

- Address the specific needs of its citizens without having to ask permission from the state legislature.



19th/Early 20th Century- Legal View of City Power (Dillon's Rule)

Courts deemed cities to be mere creatures of the state.



Possessed only the powers delegated to them under state law.


19th/Early 20th- Century: Legal View of City Power

In practice, this meant that the city's
could not...

Enact laws to address matters of local
concern without the express approval
from the state.

This lack of local control led to Oregon's Home Rule Amendments.


In 1906, the people adopted two constitutional amendments:

1. Article XI, section 2 of the Oregon Constitution grants the electorate the power to enact and amend a municipal charter.
 2. Article IV, section 1(5) of the Oregon Constitution reserves the initiative and referendum powers to the voters in each municipality as to local legislation.
-
- 

These provisions constitute the basis for Home Rule Authority:

- Chapter II, section 6 of the Charter specifically recognizes this Home Rule Authority by affording the City of Gresham all powers that cities may assume pursuant to state laws and to municipal home rule provisions of the state constitution.
- This power frees the City from seeking state approval before enacting laws and policies needed to address local issues.

The Town of Gresham was created by the Legislature in 1905.



Chapter 271 of the Oregon Special Laws (1905) constituted the initial Charter for Gresham.



1921- Voters amended the Charter to change the name to “The City of Gresham.”



Voters have adopted new Charters twice, and amended it 10 times.

For a Charter amendment to be effective, it must be approved by at least **60 percent** of the City voters casting votes for or against the measure.

Past CRC’s have generally addressed:

- “Cleanup” issues (*i.e.*, typographical errors/outdated language);
- Policy issues (*i.e.*, making substantive changes to the Charter).

- Term of office for councilors
- Filling vacancies in office
- Qualifications for Council
- Annual report of citizen involvement
- Nonpartisan elections
- Qualifications of appointed councilor
- Timing of elections
- Council compensation
- At large or ward/district election of councilors
- Requirement for Council to adopt and be governed by code of ethics

2019 CRC Priority Worksheet

Low Priority	Medium Priority	High Priority
9A. Citizen Involvement	9. Mayor	7. City Council
12. Meetings	10. Compensation	8. Councilors
13. Quorum	11. Qualifications for Council	Auditor (Add 21B)
16. Mayor's Functions at City Council Meetings	17. President of the Council	Term Limits
19. Mayor	21. Judges, Powers, Procedures.	Campaign Finance (Add to Chapter VI – Elections)
20. City Manager	42B. Budget Committee	Primary Elections
31. Office Vacancies	45A. Charter Amendments	
32. Filling of Vacancies		

If the CRC recommends that the Charter be amended, it will forward the proposed amendments to the Council for review- in the form of a final report.

The Council may decide to place one or more of the CRC's recommended changes on the ballot.

Developments Since the 2019 CRC was Disbanded

- Council passed Resolution 3478:
 - The Report shall be completed and delivered to the Manager on or before January 31, 2023 (the CRC may be extended if necessary);
 - The CRC must consider and make a recommendation whether to place a ward/districting system measure on the ballot (preferred type of ward/districting system; potential drawbacks and benefits of each ward/districting system considered and the City's current at-large system; information deemed necessary to successfully transition to a ward/district election system);
 - The CRC is free to recommend any other proposed Charter changes it deems necessary.

Developments Since the 2019 CRC was Disbanded

- City Attorney engaged qualified, unbiased experts in the field of local government election systems:
 - Dr. Todd Lochner- Dr. Robert B. Pamplin Jr. Associate Professor of Government at Lewis & Clark College;
 - Dr. Ellen Seljan- Associate Professor of Political Science and Department Chair at Lewis & Clark College.

Developments Since the 2019 CRC was Disbanded

DELIVERABLES:

1. Advise the CRC on municipal election systems and the drawbacks/benefits of each;
2. Submit a substantive report to the CRC detailing a recommended City election system; and
3. Provide advice and guidance to the CRC as needed per the statement of work.

Goals for this Meeting and Moving Forward

- Identify next steps- where do you go from here? (Review each charter provision similar to how the 2019 CRC did; issues to tackle first, etc.).
- City Staff may want to make presentations for potential charter changes.
- Extent of public outreach- how to obtain public input?
- Questions?