

**RESOLUTION 2010-19**

**A RESOLUTION REVISING THE BALLOT TITLE FOR A PROPOSED AMENDMENT TO THE GARIBALDI CITY CHARTER; APPROVING AN EXPLANATORY STATEMENT FOR THE VOTERS PAMPHLET; AND AMENDING RESOLUTION NO. 2010-18**

**WHEREAS**, on June 21, 2010, the City Council approved Resolution No. 2010-18, a resolution referring to the voters the question of amending the Garibaldi City Charter to create the position of city manager; and,

**WHEREAS**, the revised Ballot Title provides additional clarity; **NOW THEREFORE**,

**THE COMMON COUNCIL OF THE CITY OF GARIBALDI RESOLVES AS FOLLOWS:**

**Section 1.** The Ballot Title attached to Resolution No. 2010-18 as "Exhibit B" is revised as follows:

**BALLOT TITLE**

Caption: Amending City of Garibaldi Charter to Create City Manager Position

Question: Should the City of Garibaldi Charter be amended to create the position of City Manager?

Statement: The City Council proposes this amendment. City of Garibaldi Charter ("Charter") authorizes the City Council to create staff positions. When the City Administrator position was established, the City Council retained authority over personnel. The City Council proposes to have a City Manager with clear authority over management and personnel. The City Council will retain authority over the City Manager.

The business of city government has become more complex since the Charter was adopted. City executives now handle complex public administration including water, sewer and other public utilities, property transactions, finance, budget, construction, urban renewal, and other programs. The City Manager should have the authority to directly supervise personnel. Establishing the position by Charter will help keep the city competitive in recruiting and retaining qualified personnel.

If adopted, the amendment will create a City Manager position in the Charter. The amendment is based on the League of Oregon Cities model city charter.

"Yes" vote approves the Charter amendment.

"No" vote rejects the Charter amendment and retains the current Charter.

**Section 2.** City Council approves the following explanatory statement of the proposed Charter amendment, to be published in the Tillamook County Voters Pamphlet, as required by ORS 251.345:

The Garibaldi City Charter approved by the voters in 1991 establishes the city's basic powers, form of government, the city council, and the powers and duties of the mayor, the municipal court and judge, and the city recorder. The Charter may be amended by the city voters.

The Charter currently provides for the mayor and city council to perform policy and legislative functions, including the authority by ordinance to create positions to serve the city. The city has adopted ordinances establishing a city administrator position and authorizing city councilors to act as liaisons to department heads. Recently the city council approved ordinance amendments to clarify responsibility of the city administrator over personnel. The city council decided the Charter should clearly separate the

legislative and administrative functions of the city and in particular establish the authority of the administrator over all personnel matters.

The proposed amendment is based on the League of Oregon Cities model city charter. The text of the amendment provides for the city manager to carry out the policies approved by the city council, to administer and enforce city ordinances, appoint and remove personnel, and to serve other necessary and related functions. The city council is authorized to appoint the city manager and may remove the city manager at any time.

If the amendment is approved by the voters it will take effect December 1, 2010 with no financial impact to the city. However, establishing the city manager position in the Charter will help keep the city competitive in recruiting and retaining qualified personnel by defining the executive role and separating administration from the legislative and policy-making functions of the city council.

**Section 3.** The City Administrator and City Recorder are hereby authorized and directed to cause this Resolution and the Ballot Title, subject to any revisions made in accord with ORS 250.296, and the Explanatory Statement, to be submitted to the Tillamook County Elections Officer in a timely manner as required by law, for inclusion on the November 2, 2010 election ballot and in the Tillamook County Voters Pamphlet; and to perform all other acts which may be required or convenient to submit the measure to the voters.

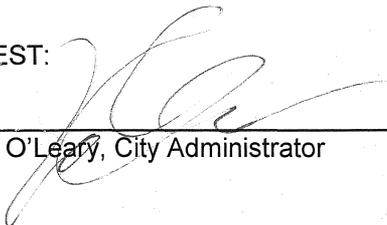
**Section 4.** Resolution No. 2010-18, Exhibit B, is amended as shown in Section 1 above.

**Section 5.** This Resolution is effective July 19, 2010.

**PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAYOR**, this 19<sup>th</sup> day of July, 2010.

  
Hon. Suzanne McCarthy, Mayor

ATTEST:

  
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John O'Leary, City Administrator