

Council Communication

January 19, 2016, Business Meeting

Recommendation of the ad hoc Committee on the City Recorder Position

FROM:

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Stefani Seffinger, chair, ad hoc Committee on the City Recorder Position,
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SUMMARY

The ad hoc Committee on the City Recorder Position recommends that the City Council refer a charter amendment to the voters to make the Recorder an appointed position. The Committee recommends that this amendment be referred to the May 2016 election in order to take advantage of higher voter turnout. The committee further recommends that the Ashland Municipal Code, Chapter 2.08, be amended to remove from the recorder's duties those functions that more properly belong in other departments. If the position remains elected, the committee recommends a charter amendment to remove outdated language and duties in the charter and address minimum qualifications and salary structure.

BACKGROUND AND POLICY IMPLICATIONS:

The City Council held study sessions in May and August 2015 to discuss the structure of Ashland's city recorder position, which is one of only three elected city recorders in Oregon. Following the August 31, 2015, study session, the Council agreed that an ad hoc committee should be appointed to examine the question of whether the recorder should remain an elected position or become an appointed position.

The Council approved the Mayor's appointments to this ad hoc committee at its September 15, 2015, business meeting. The members of the committee were as follows:

- Councilor Stefani Seffinger (chair)
- City Recorder Barbara Christensen
- City Administrator Dave Kanner
- Former City Administrator Brian Almquist
- Budget Committee Member Pam Lucas

The charge of the committee is as follows:

The ad hoc Committee on the Ashland City Recorder Position is charged with examining the question of whether the Ashland City Recorder should be an elected or appointed position. The Committee's examination may lead to recommendations including but not limited to: referring a charter amendment to make the position appointed; referring a charter amendment that leaves the position elected but establishes minimum qualifications for the office; or leaving the position as is but removing the financial/treasury duties of the position, through charter amendment and/or code amendment. The Committee shall conduct its deliberations in duly noticed public meetings and shall provide opportunity for public input at each



meeting. The Committee will report its recommendations to the full Council no later than February 2, 2016.

Ms. Christensen withdrew from the committee at the committee's second meeting, but continued to provide input to the committee. The committee met four times beginning in October 2015 and approved its final recommendation at its meeting of January 7, 2016.

The Committee's recommendation is that the City would be best served if the city recorder became an appointed position.

Making this an appointed position requires voter approval of an amendment to the Ashland City Charter. The Committee recommends referring a charter amendment to the voters in the May 2016 primary election. Given the significance of this change, the Committee feels the City Council should refer this to a vote in a high turnout election. In addition, the Committee recommends that regardless of whether the position remains elected or becomes appointed, the Municipal Code should be amended to remove from the recorder's duties those functions that more properly belong in other departments.

The full text of the Committee's recommendation is attached.

COUNCIL GOALS SUPPORTED:

N/A

FISCAL IMPLICATIONS:

N/A

STAFF RECOMMENDATION AND REQUESTED ACTION:

The ad hoc Committee recommends that the Council move forward with implementing its recommendations.

SUGGESTED MOTION:

1. I move to accept the recommendations of the ad hoc Committee on the City Recorder Position and direct staff to prepare for Council approval the resolutions, charter amendment language and ballot title language necessary to refer to the May 2016 ballot the question of making the Ashland city recorder an appointed position.

2. I move to direct staff to prepare for Council consideration an ordinance to amend Ashland Municipal Code Chapter 2.08, to remove from the city recorder those duties that more properly belong in other departments.

ATTACHMENTS:

- Recommendation of the ad hoc Committee on the Ashland City Recorder Position
- Minutes of the ad hoc Committee on the Ashland City Recorder Position, October 28, 2015, November 4, 2015, December 9, 2015, and January 7, 2015.
- Minutes of City Council study sessions, May 4, 2015, and August 31, 2015.
- Draft Charter amendment from August 31, 2015, study session packet
- Draft position description for appointed recorder from August 31, 2015, study session packet
- Comparison of duties: Elected vs. appointed city recorder



- Draft ordinance amending AMC 2.08
- Review of city recorder support positions in Oregon cities pop. 15,000-30,000



Report of the ad hoc Committee on the City Recorder Position Recommendations to the City Council January 7, 2016

INTRODUCTION

Following a January, 2015, discussion of department head compensation, the Council requested a study session discussion of City Recorder compensation. This was subsequently conjoined with a request from multiple councilors for a discussion of referring to the voters a charter amendment to make the City Recorder an appointed position.

Following the August 31 study session, the Council requested that the mayor appoint an ad hoc committee to study the matter and make a recommendation to the Council. This committee was appointed at the September 15, 2015 business meeting, with the following members:

- Councilor Stefani Seffinger (chair)
- Barbara Christensen, city recorder
- Dave Kanner, city administrator
- Pam Lucas, Budget Committee member
- Brian Almquist, former city administrator

The committee met three times in October, November and December, 2015. Though she provided extremely valuable input at the first meeting, Ms. Christensen excused herself from the second meeting and preferred the role of liaison to the ad hoc Committee.

Please note that the ad hoc committee recommends that its proposed changes to the city recorder position not take effect until the current city recorder's term expires. The ad hoc committee also wishes to acknowledge the excellent work the current city recorder has provided to the citizens of Ashland.

RECOMMENDATIONS

The ad hoc committee recommends to the Council that the City would be best served if this position became an appointed position for the following reasons:

1. The city has been fortunate in having qualified candidates elected to this position in the past. There is no guarantee that this will be the case in the future, particularly in light of the pay and benefits and the fact that there are no minimum qualifications for the position. If this position is appointed, qualifications for the position and a selection process can be established to ensure having the best qualified person in the position.
2. The city recorder is an administrative position that makes administrative decisions. Administrative positions should be filled based on the knowledge, skills and abilities of the candidates who apply.
3. As an elected position, only registered voters of the City of Ashland are eligible to hold the position. This limits the number of qualified candidates for this position. As an elected position with a four year term, candidates may not pursue certification as a municipal clerk or

advanced training in this area. Better qualified candidates may be attracted if the position is appointed and has the potential of being a career option.

4. The city recorder position would better fit in with the city management structure if the position were appointed.
5. Work schedule, duties and coordination with other City functions would be more flexible and would be better managed within the administrative structure of city government.
6. The committee feels City government will be just as transparent and open with an appointed recorder as it is with an elected recorder.

Changing the recorder to an appointed position requires voter approval of a charter amendment. Although it has been common practice for Ashland to refer charter amendments in primary and general elections, this is probably done for reasons of cost. A charter amendment can be referred to any election, including a special election if called for by the Council.

Further recommendations

1. The committee recommends that the hiring and selection process be handled administratively with the selected candidate appointed by the mayor with approval by the city council.
2. A formal outline (or job description) of duties and qualifications for the city recorder position should be developed.
3. Wording changes for the charter amendment will be developed by City Attorney Dave Lohman.
4. The committee recommends submitting this to the voters in the May 2016 primary election. Given the significance of this change, the City should refer this to a vote in a high-turnout election. However, if referred in November 2016, the issue stands to be lost in the crush of the many other items (including the many ballot measures) that are sure to be on that ballot.
5. Regardless of whether the position remains elected or becomes appointed, the committee recommends that the Ashland Municipal Code, Chapter 2.08, be amended to remove from the recorder's duties those functions that more properly belong in other departments. If the position remains elected, the committee recommends a charter amendment to remove outdated language and duties in the charter and address minimum qualifications and salary structure.

MINUTES FOR THE ASHLAND CITY RECORDER POSITION ad hoc COMMITTEE
Wednesday, October 28, 2015
Siskiyou Room, 51 Winburn Way

1. Call to Order

Chair Stefani Seffinger called the meeting to order at 2:02 p.m. in the Siskiyou Room.

Committee members Bryan Almquist, Pam Lucas, Barbara Christensen, and Dave Kanner were present.

2. Public Forum

None.

3. Review of Committee Charge

Chair Seffinger welcomed the committee members. She asked if the members of the group had read the charge of the committee as presented in the packet and if they had any questions. No member had any questions. She asked if there were additional questions they felt should be added to this process. No members suggested any additional questions.

Seffinger explained that additional staff resources may be used during this process for research purposes. She stated that all committee members have equal right to express themselves in this process. She also stated that there is no intent for any of the outcomes of this process to effect the current recorder position, this process is only regarding the future of the City Recorder position.

4. Discussion of Work Plan

Seffinger reviewed the information provided in the packet. Christensen stated she had concerns with the information provided to Council for their August 31, 2015 study session. She stated she had expressed those concerns at that meeting.

Group discussed the differences with the descriptions of the duties of the position between the Charter and the Ashland Municipal Code (AMC). The AMC is more detailed than the Charter. Both were written over 20 years ago and so are very outdated, particularly with regard to new electronic processes and duties.

Group discussed the Charter requirement for periodic audits of all City accounting records. Christensen stated this is a very little used part of the position, largely because the City engages outside auditors who are experts in municipal auditing. This wasn't the case when the Charter was written. She has conducted, with staff assistance, smaller audits based on concerns brought forward by staff, Council or citizens. There was concern that an elected recorder may not have any audit experience and so may not be able to handle even the smaller-scale audits. The larger-scale ones would remain in the hands of professional auditors.

Group discussed both the Charter and AMC requirements for the recorder to handle finance and tax levy duties. Christensen stated she isn't very involved with any of this, as it is better suited to the Finance Division. Group agreed that this would be a good thing to be removed from both the Charter and AMC.

Group discussed the challenges of finding a singular city recorder position description. Every

city does a variation, dependent upon the size and needs of that city. There are some basics amongst all – essentially the duties listed in Ashland’s Charter, minus any financial or auditing duties. Kanner stated that when creating the potential job description which was part of the August 31 study session, staff looked at roughly twenty position descriptions and incorporated duties which were common to at least three.

Group discussed how most city recorder training is on-the-job as there is very little training available beforehand. Christensen described some of the trainings and certifications available through the Oregon Association of Municipal Recorders.

Christensen stated that there have been lots of non-statutory duties assigned to this position over the years. Group discussed whether those could be re-assigned to other departments. Christensen agreed that many could. Almquist reminded the group that they cannot make any major changes to the duties without a Charter amendment.

Group discussed whether there was anything which could be done to protect the City from errors or concerns regarding an unskilled recorder being elected into the position. Group expressed concerns about the lack of basic requirements for the position. The uncertainty of the skill or knowledge level of an elected official is not something most were comfortable with. Christensen stated that as a recorder there is the additional uncertainty of your job being up for election every four years. This uncertainty may keep qualified or highly skilled people from seeking the office.

Group discussed whether there were duties and responsibilities listed in the AMC which could be altered without needing to go for a Charter amendment vote. Both Christensen and Kanner agreed that AMC could be altered to better reflect current job duties.

Group discussed the Charter section which states, “The Recorder must draw all orders for the proper payment of monies against the proper funds...” They agreed this means the Recorder must, as she currently does, sign all checks. Other banking transactions and issues, however, are better suited and should be transferred to the Finance Division.

Group discussed the Recorder’s duties regarding investments as stated in the AMC. Christensen stated these duties used to be a much more involved, but with recent market issues, now is mostly handled by going through the State pool, and that Finance could easily take on these duties as well. Group agreed this would be a good transition.

Group discussed how much of Christensen’s current time is spent on Charter required duties such as; clerk of the Council, records maintenance, check signing and the AMC required elections officer duties. Christensen stated about 50% of her time is spent on these duties. She also stated that a good portion of her time is spent maintaining the AMC, which isn’t in either Charter or AMC, but is important to have someone be a centralized control.

Almquist asked if the current duties were reduced to only those in the Charter, would that reduce her workload to 50%? Christensen stated that it’s not clear if that’s the case, due to State regulations. She stated that her assistant handles all records management issues, but not records requests. Christensen handles the business meeting of the Council, her assistant attends the Study Session and assembles the minutes for both meetings, which are then reviewed by Christensen.

Seffinger requested that Christensen put together lists of all current duties – one list of those which are directly required by Charter, and one with all those duties performed which are outside the Charter requirements.

Group discussed what means were available to handle an elected recorder who may not be fulfilling their duties. The Charter states that the Council can remove this person, and have a new one appointed by Mayor until a new election. Additionally, citizens can vote for removal from office.

Group generally agreed that if the position is to remain an elected position it would be good idea to change the AMC to only reflect the duties listed only in the Charter or those which are now mandated by State laws.

Group discussed whether they could have minimum education requirements for the position. Determined it could be added into the AMC, but would not be enforceable without a Charter amendment.

Group determined there are three basic options they are working with:

- 1) Keep the position elected but have the Charter amended via vote to reflect current duties
- 2) Keep the position elected but update the AMC to reflect current duties
- 3) Amend both the Charter and the AMC to change the position to an appointed position and to reflect current duties.

Group expressed concerned with the compensation requirements for any future recorder. Should we be paying anyone over \$87,000 to only handle the three duties listed in the Charter?

Group discussed the possible concern of the position needing to remain an independent voice for citizens. Seffinger wondered if it would help alleviate those concerns if the position were appointed by the Mayor and Council, but managed by the City Administrator. Group agreed that as the City Administrator is a direct report to the Mayor and Council, this set up wouldn't really increase the independence of the position. Christensen stated that one of the current downsides of it being elected and having such independence is that the position isn't staff and so is not particularly connected to decision making. It's hard to be a member of the team if you're elected.

Group discussed the challenges with considering an elected position equal to a professional, appointed position because they have no minimum requirements and no supervisions. This is a possible argument for it needing to be appointed. On the other hand, citizens in previous Charter-related elections have preferred having an elected official. The group agreed this isn't a reason to stop consideration of the position being appointed, but wanted to clearly acknowledge the previous preferences and possible concerns of the community. Group discussed whether citizens feel comfortable approaching Christensen because she is an elected official or if it is because she has been a part of the community (and in the position) for over 20 years. They agreed that it is likely a bit of both, but may be more due to her familiarity than her being an elected official.

Group wondered if there were a way to improve citizen's confidence in an appointed position if there were strong, clear requirements for that position. Agreed that with the open-meetings laws, which were not in place when either the Charter or AMC were written, having the position be an

independent, elected official to maintain citizen trust might no longer be as necessary.

Almquist stated that it is impossible to predict what would happen in an election and that the group shouldn't base their decisions on what citizens may or may not feel, but rather on the best possible decision. Christensen stated she is trying to keep an open-mind about all possibilities in order to achieve what is best for the community. She agrees that both the Charter and the AMC are antique and must be changed but isn't sure yet about appointed versus elected.

Christensen wondered if there has been a history of this being successful as an elected position, would citizens see a need for change?

Group discussed whether, if Charter amendments are recommended, a plan needs to be in place for what to do if that amendment fails. Discussed whether or not the group needs to come up with multiple options for consideration. Kanner stated it is always better for clarity to have one, best option. Council wouldn't have asked for this ad hoc committee if they weren't looking for one best option with clear pros and cons to show how that option came about. All members of the group agreed with this, except Christensen, who stated that she prefers the group gives Council multiple options and let them choose which they believe is best.

Committee member Kanner left the meeting at 3:25 p.m.

Group continued to discuss whether putting forth one option or multiple options was the best approach for the Council and the community. Group determined that they would work through all the options available and see if one option clearly becomes the strongest. Seffinger stated that the group needs to know what can be done if the electorate does not agree with this group's recommendation. It might be wise to have a second best option in the group's proverbial hip-pocket.

5. Future Meetings Schedule

Group agreed that at the next meeting they would flesh out pros and cons of elected versus appointed. Additionally, they requested that Christensen bring a list of all current duties, broken out by Charter requirement, AMC requirement, State requirements, etc... They will also discuss what things have to stay in the Charter and agreed they may need the City Attorney at a future meeting to make sure their suggestions on this are legal.

The next meeting will be held on November 4 at 2:00 p.m., in the upstairs City Hall conference room.

6. Adjournment

Meeting adjourned at 3:41 p.m.

Respectfully submitted,
Diana Shiplet
Executive Assistant

MINUTES FOR THE ASHLAND CITY RECORDER POSITION ad hoc COMMITTEE
Wednesday, November 4, 2015
City Hall, 20 E. Main Street

1. Call to Order

Chair Stefani Seffinger called the meeting to order at 2:04 p.m. in the finance conference room in City Hall.

Committee members Bryan Almquist, Pam Lucas, Barbara Christensen, and Dave Kanner were present.

2. Approval of Minutes

Minutes of October 28, 2015, were approved by the group as presented.

3. Public Forum

None.

4. Departure of Committee Member

Christensen stated that after the first meeting it became clear to her that it probably wasn't appropriate for her to continue to be a member of this committee. The process makes her too uncomfortable and she finds it difficult to be unbiased. She would hate for a decision to be made based on her desires rather than what is best for the community. She stated she is happy to assist the committee in any way they may need. She believes the committee will come up with a good recommendation for Council, but she is going to step down as a member.

Almquist stated that Christensen's input has been valuable, but he understands her reluctance to remain on the committee. He believes it is important to run any recommendation from the group by her to get her thoughts before taking it to Council.

Group thanked her for her assistance.

Christensen departed the meeting at 2:10 p.m.

5. Discussion of Pros and Cons

Group discussed what changes would need to be made to the Charter and/or the Municipal Code (AMC) if the position were to remain elected. The point of this process is to set qualifications for the position. Group expressed concerns that if there were AMC changes, but no Charter changes, they wouldn't be binding. In other words, someone could meet the minimum qualifications set forth in the Charter, but not meet the updated requirements in the AMC and could legally challenge the City in order to get the position, despite not being qualified.

Group discussed why it would be negative to also put too many details or requirements in the Charter. Charter changes are difficult, and reduce the ability to be flexible as times and technologies change.

Group discussed appointed versus elected recorder positions throughout Oregon. Only two, in considerably smaller cities than Ashland, have elected recorder, so clearly there is success in having this as an appointed position. Group discussed concerns with the financial requirements

in the Charter. The Finance Director informed Kanner that he believes current staff can take on the finance duties that the Recorder does or those she currently doesn't do (due to technology or process changes) which are listed in either the Charter and Code. Group determined that, regardless of whether it's appointed or elected, with all the technology and department changes over the years the Charter needs to be updated to reflect those changes.

Seffinger asked group if anyone felt it was important that the position remain elected. Group was unanimous that the position should be appointed. An appointed position is what would best protect the community due to the fiduciary responsibilities, knowledge, professionalism, and attention to detail required for the position. These are traits you hire for, not things you elect. Positions which make political (policy-making) decisions should be elected, but this position makes no political (policy) decisions and therefore should be appointed.

Group discussed what a typical hiring process would be for a position of this type. As it is not a department head level position, there is no need for Council approval, rather it would be solely appointed by the City Administrator. This process may be complicated by the fact that we still have a Mayor and Council form of government, unlike most of the rest of the cities in Oregon. In most cities, all appointments of department head level and below go through the City Administrator, as all channels go through that position, but that is not always the process here. Department head level position hiring frequently go through Council here. Group discussed whether, despite this clearly not being a department head level position, it would be easier for the community and Council to accept the change from elected to appointed if it were appointed by the Mayor and Council. Almquist stated that ultimately, it should be appointed by the City Administrator but keeping it with the Mayor and Council may be a good interim solution. Group wondered if the best process would be to have an administrative hiring process (i.e. no involvement or interviews by Council) with a recommendation to Mayor and Council by the City Administrator for final approval. The only challenge to this model is that the City Administrator would be doing the day-to-day supervision of this position but would not have authority in hiring or firing due to Council's authority in the process. Lucas wondered if this is a problem, as this position is technically the clerk of the Council. Kanner stated that the Council would only deal with this position for a few hours a month at meetings but staff has to work with them for the rest of the regular working hours. He agreed to come up with some language regarding why having the position appointed by the City Administrator would be valuable.

Group discussed whether this position would be a separate department or part of another department. They determined that with the proposed job duties central to this position it's more likely that this will become a one-person job with no need for additional personnel and therefore, no need for it to be a separate department. Seffinger stated this is also another reason why an elected position is not good – it is more difficult to have an elected official integrated into staff. If it is appointed, it can be integrated into the entire staff group.

Group discussed whether they need to develop a job description. It was determined that the group should review the job description previously created to determine that the skill levels and qualifications match with the discussions of this group. Additionally, they would like to see the salary set in a range not too different from current levels, to make the transition easier for Council and the community to accept.

Group determined they need one more meeting to look at all the recommendations they have

worked on and make any adjustments.

Group discussed whether there should be a secondary recommendation, in case the proposed Charter changes fail in an election. They agreed that regardless of whether Charter changes are approved, the AMC needs to be amended to bring the job into the 21st century. The two difficult points are that both the salary formula and financial duties are set by Charter, which makes the ability to bring the position into this century more challenging. There is no way to guarantee this position, which requires accuracy and professionalism, would be filled appropriately by a person elected. There is no way to guarantee protection of the City's interests if the Charter update is not approved.

Group requested that Kanner and Seffinger come up with a draft recommendation for review by the group. They agreed to do so.

Group reiterated that this is in no way a reflection of who is currently in the position, and the work that they do, but this is only a way to provide the best structure for the City's future.

Group determined that a clear explanation, maybe in spreadsheet form, of all changes to duties in both the Charter and AMC something like:

Current AMC/Charter	Recommended Update	Reason for Change

Group discussed whether other parts of the AMC should be amended in relation to this position, such as who handles taxicab licensing. They determined that the whole AMC should be reviewed, but Council can make changes over time, there is no need to do it all at once.

Group discussed what election would be best to put these changes before the voters. They preferred either May or November of 2016. There was concern about other major measures being on the November ballot and there was also concern about how little time there is to get information out into the community for the May ballot.

Group discussed what would constitute a reason for firing in this type of position if appointed. Kanner stated there are HR policies in place which would apply to this and all city positions. Appointed positions are required to follow a strong code of ethics (from both city and State) and follow all City policies. This is an additional reason why having this position be appointed might be important.

Group discussed whether having a preamble to explain all the qualifications necessary for a person holding this office would be important. They determined that any clarification couldn't hurt.

Group discussed concerns regarding there being no requirement for an elected official holding this position to hold regular office hours, or even ever be in the office. The Group agreed that having no requirement to be on duty and yet still earn a substantial paycheck with benefits from the City is another reason the position should be appointed.

The Group agreed that the general recommendation should include the following:

- position should be appointed
- process for appointment
- outline of the duties of the office
- salary range
- timeline for election
- rationale for the proposed changes
- Charter language recommendations

6. Future Meetings Schedule

The next meeting will be On December 9th at 3:00 p.m.

7. Adjournment

Meeting adjourned at 3:45 p.m.

Respectfully submitted,
Diana Shiplet
Executive Assistant

MINUTES FOR THE ASHLAND CITY RECORDER POSITION ad hoc COMMITTEE
Wednesday, December 9, 2015
Siskiyou Room, 51 Winburn Way

1. Call to Order

Chair Stefani Seffinger called the meeting to order at 3:06 p.m. in the Siskiyou Room of the Community Development Department, located at 51 Winburn Way.

Committee members Bryan Almquist, Pam Lucas, and Dave Kanner were present.

2. Approval of Minutes

Almquist/Lucas m/s to approve the minutes of November 4, 2015, with two modifications; removal of the phrase, “..but the community also needs to change our form of government too,” as this is not pertinent to the discussion and with the addition of the word, “proposed” to the sentence, “They determined that with the [proposed] job duties central to this position it’s more likely that this will become a one-person job...”. Voice Vote: All Ayes. Motion Passes.

3. Public Forum

None.

4. Request of City Recorder

Seffinger informed the group that she had a request from the City Recorder for her to be able to give her input on the recommendations. Unfortunately, the City Recorder was unable to attend today’s meeting so Seffinger proposed that the group meet an additional time to hear her concerns. Group agreed to do so, provided the City Recorder understands that they will not automatically agree to change their recommendation based on her requests.

Seffinger stated that, as she understands it, the two main points of concern for the City Recorder are to whom the position will report (Mayor and Council vs. City Administrator) and the possibility that it will be a one-person job.

Almquist stated that, in regard to whom the position will report, the concern with having this position report to the Mayor and Council is that the Mayor is only in the office a few hours a week, which doesn’t provide particularly good direct supervision. Kanner stated that the types of positions who report directly to Mayor and Council should only be those who either review and make policy recommendations to the Mayor and Council or those who provide legal advice to the Mayor and Council.

Lucas stated that it is important to hear the City Recorder’s opinion, even if the recommendation doesn’t change.

5. Review of Draft Recommendations

Seffinger asked if the group had any questions or concerns regarding the draft recommendations as presented. Group had none, and all agreed that they were good as presented. Seffinger pointed out that they may need to either alter or remove the sentence, “She collaborated with the ad hoc group at the December meeting in an advisory role to develop the final recommendations.” based on the upcoming discussion with the City Recorder.

6. Future Meeting Schedule

Group will meet again, at the request of the City Recorder. The meeting was tentatively set (depending upon availability of City Recorder) for Thursday, December 17, 2015, at 3:00 p.m. Location TBD.

7. Adjournment

Meeting adjourned at 3:25 p.m.

Respectfully submitted,
Diana Shiplet
Executive Assistant

MINUTES FOR THE ASHLAND CITY RECORDER POSITION ad hoc COMMITTEE
Thursday, January 7, 2016
Siskiyou Room, 51 Winburn Way

1. Call to Order

Chair Stefani Seffinger called the meeting to order at 3:06 p.m. in the Siskiyou Room in Community Development, located at 51 Winburn Way.

Committee members Brian Almquist, Pam Lucas, and Dave Kanner were present.

City Recorder Barbara Christensen was also present.

2. Approval of Minutes

Minutes of December 9, 2015, were approved by the group as presented.

3. Public Forum

None.

4. City Recorder Input on Recommendations

Christensen apologized for being unable to attend the last meeting of the group and thanked them for being willing to meet an additional time with her present. She gave the group some history of her time in the position and expressed her concerns that the position is currently not a part of the staff “team.” She stated that being a part of the team is important no matter if the position stays elected or becomes appointed.

Christensen raised concerns regarding why the group, as reflected in past minutes, no longer consider the position a department head level position. This makes her concerned the group is getting ahead of itself regarding recommendations. She is also concerned the group doesn’t fully understand all the duties of the position and stated the position is not a one-person job, that an assistant is necessary. She described some of the ways city recorders in other cities are incorporated into staff. She stated this is a professional position and held in high regard in every other Oregon city but it feels Council’s respect and support of the position has been lost.

Christensen stated that she is also concerned about the position being under the authority of the City Administrator, as she has not had good working relationships with city administrators. She would prefer this position be appointed by the Mayor and managed by the Council. She believes that because the proposal to make the position appointed is such a major change, keeping it in the control of the Mayor is the only way the community will agree to the recommendation.

Almquist asked if Christensen understood that the recommendation was that the position be appointed by the Mayor. She stated she did, but that it would still be supervised by the City Administrator. Almquist stated this is because City Council is not a supervisory body, and, therefore, shouldn’t be supervising anyone. Christensen stated she wants the position to be like the City Attorney – directly reporting to Council.

Christensen stated that many of job duties handled by other departments are handled by the city recorder in other cities. She was upset that this connection between her office and other departments is lost and that she is not allowed to work as closely with staff as she feels is

necessary.

Group discussed the challenges of keeping the Charter as is it, as it supersedes any ordinance related to this position. Of particular concern to Almquist is the inability to ensure that someone in this position held regular office hours and had at least minimum skills to do the job. He stated there is no way to easily remove someone from the position for failure to do the job if the position remains elected.

Group agreed that what they are looking for most in this position is professionalism, expertise, and attention to detail – qualities that are typically appointed, not elected.

Seffinger stated she is sensitive the Christensen's concerns, and that she had done lots of research on the position. She stated that what the group most wants is to protect the city. This is why having the position appointed is so important. Additionally, this group is only making a recommendation. Council has the ability to approve, alter, or deny the recommendation as they see most appropriate.

5. Final Approval of Recommendations

Seffinger asked if the group had any suggested additions or changes to the recommendation. Group agreed they have no additions or changes.

Seffinger stated that in creating the recommendation she tried to not have too many specifics in the recommendation, in order to not tie-down the Council. She understands that losing an elected position may be challenging and she tried to be sensitive to those concerns. She also tried to make sure the recommendation is as positive as possible. In drafting the recommendation, she looked at what all cities across the state are doing. They overwhelmingly had this as an appointed position. As this position has become more complicated over the years, it is important to have the position be a long-term, professional position. Most importantly, this recommendation was never meant to denigrate or reduce the position or Christensen's work over the years in it.

Almquist stated he likes the recommendation as-is and reiterated his concerns in keeping it elected.

Lucas stated she approves the recommendation as well and feels that, considering how much the position pays in salary and benefits, this would be a very desirable position in the community. She wants to make sure that the city is protected, which is why it is important it become appointed.

Kanner stated that he is also fine with the recommendation as-is.

Group discussed how they would present the recommendation to Council. As Lucas will be unavailable, Almquist agreed to be present to answer questions from Council.

Group discussed the research Kanner was asked to do at the last meeting regarding whether recorders in other cities have full-time assistants (see attached). Christensen stated that, while these might reflect where positions are allocated in those city budgets, she doesn't believe the information is accurate. Kanner stated that he and Personnel Division staff spoke directly with

officials from each city listed to obtain the information. Almquist stated the difference between those cities listed and Ashland is that those cities all have appointed recorders, so specific job criteria and qualifications were able to be crafted. Without a Charter amendment we can't do that.

6. Adjournment

Meeting adjourned at 3:55 p.m.

Respectfully submitted,
Diana Shiplet
Executive Assistant

CITY	Population	Dedicated F/T Support	Dedicated P/T Support	No Dedicated Support	Comments
Ashland	20,684	X			F/T Admin. Assistant
Canby	17,010			X	
Central Point	17,724			X	
Coos Bay	16,039			X	City Recorder/Finance Director is one position. Deputy Finance Director backfills.
Dallas	15,102			X	Exec. Asst to City Manager, Mayor/Council, HR Manager backfills when needed.
Forest Grove	23,096			X	
Happy Valley	17,319			X	HR Director is also city recorder and has no direct reports. A support position may be hired in 2016 to allow the incumbent to focus on HR.
Hermiston	17,137			X	Finance Director/City Recorder is one position. Accounting Asst. and Executive Asst. backfill when needed.
Klamath Falls	21,119			X	
Lebanon	15,982		.25 FTE		Admin. Asst. to City Clerk (Recorder)- P/T .25 FTE
Milwaukie	20,640			X	City Recorder's Office provides general administrative support to the City Manager, HR, Finance and IT with three FTE who report to the City Recorder. No employee provides dedicated back-up to the city recorder.
Newberg	22,692			X	
Pendleton	16,904			X	
Redmond	27,941		.5 FTE		Assistant - P/T .5 FTE
Roseburg	21,903			X	Admin Asst to City Manager backfills when needed
Sherwood	18,978		.5 FTE		Admin. Assistant to City Recorder - P/T at .5 FTE
The Dalles	15,162			X	City Recorder is also Gen. Services Mgr/HR Director. Exec. Secretary offers support.
Troutdale	16,552			X	Troutdale has a position whose title is "Deputy City Recorder," but that position is the City Hall receptionist, secretarial support to City Manager, back-up to all other central service administration and not dedicated support to the City Recorder.
Tualatin	26,907			X	City Manager/City Recorder are one position - Deputy City Recorder performs council clerk and records management functions
West Linn	26,289			X	
Wilsonville	22,026			X	
Woodburn	24,734			X	

**MINUTES FOR THE STUDY SESSION
ASHLAND CITY COUNCIL
Monday, May 4, 2015
Siskiyou Room, 51 Winburn Way**

Mayor Stromberg called the meeting to order at 5:29 p.m. in the Siskiyou Room.

Councilor Lemhouse, Morris, Seffinger, Rosenthal, Voisin, and Marsh were present.

1. Public Input (15 minutes maximum)

Louise Shawkat/870 Cambridge Street/Wanted to know when the Conservation Commission's plan to develop and implement a Climate Action Plan would go before Council.

City Administrator Dave Kanner responded the Conservation Commission would present the plan at the June 2, 2015 Council meeting.

2. Look Ahead review

City Administrator Dave Kanner reviewed items on the Look Ahead.

3. Options for rehabilitation of the Pioneer Mike statue

Historic preservation consultant George Kramer from Kramer and Company provided background on the Pioneer Mike statue dedicated October 1910 as a gift to the city from the Carter family through a \$1,000 donation. The statue has stood at the plaza for 115 years and removed twice. Once in 1969 when someone lassoed Pioneer Mike, pulled the statue down breaking the boots and one arm, and since October 2014 when someone broke the arm off in the same place. Southern Oregon graduate Ron Reinmiller repaired the damage that occurred in 1969 using fiberglass and epoxy and the statue returned to the plaza in 1972.

The statue was made of zinc and soldered together. Zinc was brittle and over time, repairs weakened the statue. There were four examples of Pioneer Mike in the country. Ashland's was the only one in exterior display. Out of four, only two remained. One was in Ashland and the other in Stone Lake IA. The City of Storm Lake experienced similar issues with their statue that resulted in recasting Pioneer Mike in bronze for exterior display. The original is on interior display at the Buena Vista Historical Society.

The statue was originally in contrapposto posture but repaired flatfooted in 1969 for additional stability.

There were two options. One was continue to repair the statue as needed and if Council chose that option, Mr. Kramer strongly recommended the City have a mold made. The other option was accepting the City of Storm Lake's offer to allow the City to send a mold-maker and model their bronze casting. The City would display the bronze replica at the plaza, repair the original, and display it at an interior location. Pioneer Mike was on the national register. The Oregon State Historic Preservation office was aware of issues with cast zinc statues and was comfortable with the City replacing the statue with a bronze replica.

Mr. Kramer referenced page 25 of his report and clarified costs. Repair damage for exterior installation was \$10,000 and \$1,500 for interior display. With fountain repair costs included, the Repair Option was \$35,500. The Replication option would cost \$47,000-\$57,000.

Council supported replicating the statue in bronze and repairing the original for interior display. Mr. Kanner noted there was one-time money in the budget for possible replication, \$8,500 from the insurance company, and the insurance company would pay the \$10,000 deductible. Council suggested looking at the fountain in front of the library that did not work and restoring the Abraham Lincoln statue in Lithia

Park. The Public Arts Commission and Historic Commission could do an inventory of the current statues and fountains in need of repair and make recommendations, including the replacement of Pioneer Mike with a bronze statue. Mr. Kramer and Council discussed not repairing the flatfooted original and keeping it as part of Ashland's story.

4. Discussion of City Recorder compensation and Charter amendment

Councilor Lemhouse explained this was City Recorder Barbara Christensen's final term and she would not seek re-election when it ended. Councilor Lemhouse stated that the discussion should be focused on whether the salary and the formula used to set the pay for the City Recorder position was right and if the position should continue as an elected position.

Council confirmed the City Charter dictated the formula for salary calculation and it would require an amendment to change the salary formula or change the position from elected to appointed. There were two other cities in Oregon with elected city recorder positions.

City Administrator Dave Kanner compiled position descriptions for the city recorder from cities in the state that closely matched the City of Ashland City Recorder job duties and city size. The City considered all forms of increased compensation that management and supervisory employees received when calculating the average increase and applied it to the recorder and municipal judge. Ashland's city recorder was not a classified employee and did not have a pay range with steps. Both the city recorder and municipal judge received a salary and did not get cost of living adjustments.

Council noted the technical requirements required of the recorder's office and there was no guarantee the City would get an elected recorder that matched Ms. Christensen's high quality, character, and ethics. Council discussed paying the position like a department head if the position remained elected. Alternately, this was an opportunity to modernize the position, make it appointed, and get input from Ms. Christensen on how it should look. Mr. Kanner clarified if Council wanted to refer a charter amendment he recommended not making it effective until the expiration of the current city recorder's term. Mayor Stromberg added having the amendment go into effect at the end of the current incumbent's term or whenever that incumbent left the position. Other comments suggested changing the position but retaining the elected status and addressing qualification concerns, have the city recorder's salary relate to department head salaries, not supervisor pay, and when the amendment passed, offer that pay increase to the current city recorder. Council wanted to review the pros and cons.

Mr. Kanner further clarified the top of range for a current city recorder was similar to what Ms. Christensen was earning. An analysis of the required duties and what that type of position was paid in comparison to other city positions, along with an analysis of comparable positions in similarly sized jurisdictions would result in the top salary range close to the current recorder's salary. He did not consider the recorder a department head position. The scope of resources affected by the position, independent judgment, and decision making factored into a classification did not justify treating the city recorder position as a department head. It was a confidential-administrative position below a senior management or deputy police chief role. Staff would need to do a comprehensive analysis to determine actual classification.

If Council decided to pursue changing the position to appointed, they could remove the city recorder language from the Charter and create the city recorder position through a code amendment. Mayor Stromberg added the investment policy side of the city recorder and city treasurer would go into the Finance Department. The intention was a clean transition with the current elected recorder's era ending with Ms. Christensen and moving into a classified position in the City. Mr. Kanner noted almost all city recorder positions reported to the city administrator or city manager.

Council was interested in knowing the reasoning behind the 1974 change. In 2002, Council did not recommend changing the city recorder position because Ms. Christensen did not support the change. This time Ms. Christensen supported looking into changing the position from elected to appointed. Other Council comments wanted to look at options regarding electing or appointing the position.

Mr. Kanner commented elected offices in the country were reserved for policymaking positions and the city recorder was not a policy making position. It was an administrative, professional, technical position that worked within a prescribed set of rules regarding public meetings and information, and records retention. The city recorder implemented the policy of state and local legislative bodies. The elected county clerk ran the elections. The county needed someone who could exercise independence in the running of an election. The Ashland city recorder filed paperwork for the elections and did not run them.

Staff would provide the pros and cons regarding whether to keep the position elected or appointed along with options that preserved the position but modernized it in the City Charter.

5. Discussion of quorum requirements for boards and commissions

City Administrator Dave Kanner explained the request to change the codified definition of a quorum came from the Public Arts Commission. Council considered changing the quorum in 2012 and at that time elected not to make that change. Public Arts Commission member Margaret Garrington further explained the Commission's difficulties filling the 7-member maximum. Typically, the Commission had four people, and currently had six. Other issues were meeting quorum requirements on a monthly basis.

Council suggested changing quorum requirements to mandate a minimum number of votes required to make a recommendation or pass a motion. Currently the Planning Commission had the final vote in a decision unless appealed. Other decisions by commissions ultimately went through Council, there would never be a time three commissioners could make a decision that was final. The quorum could have a minimum of three votes to make a recommendation. Council noted there were twelve commissions and three, the Public Arts, Transportation, and Tree Commissions had challenges getting members and suggested reviewing and improving recruitment processes. Possible other reasons for low recruitment could be attendance requirements or retaining the interest of commissioners and keeping the commissions working.

Council majority directed staff to bring back an ordinance lowering quorum requirements with a minimum amount of votes to establish an action. Opposing comments did not want to give staff direction regarding quorum and wanted to address the root cause of quorum issues instead. Council also wanted to know the methodology on recruitment, other strategies to gain interest in commissions, and have someone contact commission chairs for their input.

Meeting adjourned at 7:00 p.m.

Respectfully submitted,
Dana Smith
Assistant to the City Recorder

**MINUTES FOR THE STUDY SESSION
ASHLAND CITY COUNCIL
Monday, August 31, 2015
Siskiyou Room, 51 Winburn Way**

Mayor Stromberg called the meeting to order at 5:30 p.m. in the Siskiyou Room.

Councilor Rosenthal, Voisin, Marsh, Morris, Lemhouse, and Seffinger were present.

1. Public Input

Huelz Gutcheon/2253 Hwy 99/China had twice as much greenhouse gas emissions than the United States. However, the United States had more per capita. The president wanted greenhouse gas emissions reduced 20% by 2030. He recommended watching President Obama's talk at the Natural Clean Energy Summit on YouTube.

2. Look Ahead review

City Administrator Dave Kanner reviewed items on the Look Ahead.

3. Discussion of City Recorder charter amendment

City Administrator Dave Kanner explained Council needed to review the information on changing the City Recorder position from elected to appointed and decide next steps if any. Alternately, some of the content in the City Charter was outdated and required updating.

Councilor Marsh addressed the Charter Commission that previously reviewed potential changes to the Charter and explained the commission never put a vote to the public. The City Recorder did not support changing the position to appointed at that time and the Commission did move forward knowing that information.

City Recorder Barbra Christensen explained it was an honor to serve the community as the elected City Recorder and Treasurer. She respectfully disagreed with the comments and opinion presented by the City Administrator but understood his reasons. She provided examples that showed her office was its own department and worked intricately with all City departments as well as banking and treasury management services. Independent judgement was important in the office and being able to make decisions based on law or information she had was part of the position.

She understood the concerns and issues on having the position appointed or elected. She had full confidence in the community. They were aware of who they elected into office. There was never an elected City Recorder unable to fulfill the duties of this office. Charter provisions allowed the Council to remove a Recorder not able to perform the duties.

The position and duties had evolved over the past twenty years. She was willing to discuss retaining some of the duties but reluctant to change the position from elected to appointed. It was important to have the advantage of a full time elected official at City Hall, to be impartial and autonomous. It was a perceived sense of security for the citizens and an honored historical part of the history. Having an elected city recorder was not normal in Oregon but was in other states throughout the country. If there were cons, they should figure out a way to resolve them. She wanted the office better utilized and to be part of the team like any other department. Since the Recorder's office was intricately involved with other departments, receiving updates on future projects would be helpful. Ms. Christensen attended Department Head meetings in the past but had not for several years.

The City Charter defined Recorder responsibilities while City Treasurer duties were written in the Charter regarding bonds and in the Ashland Municipal Code (AMC). Currently, banking was electronic, complicated, and had evolved almost into its own entity.

Ms. Christensen used an incident with a former City Administrator who did not follow contract rules as an example where an elected Recorder position was beneficial. A series of records requests through her office unveiled misconduct issuing contracts by the City Administrator at that time.

Council asked what Ms. Christensen thought about having the Recorder position appointed by the Mayor and Council. Ms. Christensen supported that slightly more than appointment by the City Administrator. The community ultimately made the decision. She thought whatever was decided had to have full support of the Council.

City Attorney Dave Lohman thought it might be possible to establish minimum qualifications for an elected position.

Council comment observed the Recorder position had been elected for over one hundred years without issue. Response noted the position was salaried, had evolved over time, and required qualifying skills. Council discussed forming a subcommittee to determine whether the position should be appointed or remain elected and possibly shifting duties to other departments. If a change went to the voters, it should go on a special election versus a primary, possibly with the school board election May 2017. Some Councilors did not support making the position appointed but were interested in possibly separating duties through an ordinance.

Mr. Lohman addressed establishing qualifications through an ordinance and clarified the Charter could not be overridden by an ordinance.

Council majority supported forming a subcommittee to review appointing the Recorder's position or keeping it elected and reviewing current duties. The subcommittee would also clean up areas in the Charter that required updating. Ms. Christensen would be a part of the subcommittee with the Mayor, one councilor, and citizens. The Mayor and Council discussed a subcommittee versus an ad hoc committee and decided on an ad hoc committee. Ms. Christensen suggested the City Administrator be part of the ad hoc committee as well.

4. Ashland Fire & Rescue operational and staffing information

Mayor Stromberg explained this was part two of the discussion begun at the August 3, 2015 Study Session regarding Ashland Fire & Rescue (AF&R). There was a core conflict between fire and emergency services and medical transport. Part 2 of the discussion encompassed options to resolve staffing through possibly adjusting, consolidating, or eliminating functions. Fire Chief John Karns explained the primary issue was not having enough staff to respond appropriately to the call load. For second or third alarm fires, AF&R used resources from Fire District 3 and Fire District 5. However, call load and staffing issues occurred daily.

There were three ways to address staffing and the increased call load. One was hire more personnel for line duty. The second was reduce the call load. The third was researching the possibility of replacing the municipal department with a special district concept where Fire District 5 absorbed AF&R or created a new special district with Fire District 5.

Funding for a Special District used taxes between the district and the taxpayer. The municipal property tax would decrease and the net funding would be greater. City Administrator Dave Kanner clarified the district would have a maximum tax rate set by the ballot measure that created the district. The City had no way of reducing Ashland's permanent tax rate. Any reduction in taxes the City collected would be voluntary and an annual or biennial budget decision. Chief Karns further clarified a special district would help fund the department and provide the resource level needed.

Battalion Chief David Shepherd explained AF&R and Fire District 5 requested support for one another weekly. Mr. Kanner clarified only taxpayers in Fire District 5 pay Fire District 5 taxes. County taxes did not pay for the district. Ambulance service was not a tax-based system. It was a fee for service system.

Refusing the non-emergent transport would result in lost revenue. Mercy Flights might be interested in taking over that call load but would not reimburse AF&R. Mercy Flights had similar resource challenges as well.

Chief Karns thought going to an 8-10 staffing level would keep initial costs down and provided a benefit of having ten people on duty during certain times. It was not a resolution but a reasonable starting point until the department was at a 9-10 staffing level. Currently AF&R was at 8-9 staffing level. Due to vacation time, AF&R allowed two employees off on any given day leaving a staff of seven. The department paid an employee overtime to maintain an eight person staffing level. The 8-10 staffing level would allow two people off without incurring overtime. An 8-10 staffing level meant hiring three firefighters, one for each shift and would eliminate 5,300 hours paid in overtime that totaled \$317,000. Salary and benefits for an entry-level firefighter was \$109,000 with a step increase at six months. The appropriate staffing level for AF&R was 10-11.

Going to a special district could cause the City to lose programs like the Fire Adapted Communities, emergency management preparedness, and fire inspections. A special district formed within Ashland would enable the programs to remain. Special districts minimized duplication of services and having borderless departments maximized resource deployment. Consultant costs to analyze the potential of forming a special district were approximately \$40,000.

Mr. Kanner noted other options that included hiring new employees at a level who were not certified but were Emergency Medical Technicians (EMTs) that did nothing but drive ambulances. Chief Karns explained transports required paramedics by contract. AFR transported approximately 1,700 people a year. Another option Mr. Kanner suggested was contracting with Fire District 5 to provide fire and emergency medical services (EMS). To have a viable fire department long-term required adding staff and that would be expensive. In the current budget process, it was a \$1,000,000 in add package requests and there was not enough funds. The City needed to focus on what was most critical at that time and preference was given to those things that did not incur ongoing costs beyond the current budget cycle. The present discussion on AF&R had implications for the next budget cycle and possibly the budget following. The City had outgrown its ability to fund the fire department at an adequate level. The demand for service had outgrown the available money.

Reducing the call load would eliminate the ambulance transport service with an approximate loss of \$671,000 in revenue. AF&R would still be understaffed. Response times would be similar. The time difference would occur with the transporting resource.

Council wanted information and options on forming a special district, merging with Fire District 5, a residential fire sprinkler ordinance, and achieving a staff level of 8-10 that included where the money would come from and what programs might get cut.

Meeting adjourned at 7:20 p.m.

Respectfully submitted,
Dana Smith
Assistant to the City Recorder

ASHLAND CITY CHARTER

INTRODUCTION 00 History of the Ashland Charter

The original Charter granted to the City of Ashland in 1874 was later supplanted by a Charter given to the City by the Oregon State Legislature in 1889. In 1898, a new Charter was approved by the voters of the City, which remained in effect until 1970, although amended numerous times over the years.

In 1906, a State constitutional amendment giving cities Home Rule meant that Charters could be adopted and amended without action by the State Legislature. A vote of the Ashland citizens to amend the City Charter or to adopt a new one can effect changes in the structure and powers of Ashland city government. For this purpose, the Council may call a special election on the Charter by initiative petition.

In May of 1970, as a result of study and recommendation by the Ashland League of Women Voters and the Charter Revision Committee, an amended Ashland City Charter was again approved by the voters of the City. As adopted, it retained all of the desirable provisions of the original Charter, while omitting obsolete provisions, thereby simplifying this important document and making it a more workable one.

Five amendments were enacted by the voters in May of 1972, dealing primarily with administrative refinements, and these amendments have been incorporated into the following compilation of the City Charter.

Amendment to the charter was enacted by the voters in November of 2006, requiring voter approval before any real property transfer tax could be enacted. This amendment has been incorporated into the following compilation of the City Charter.

Notes: 1) City incorporated 10-13-1874
2) First Ordinance passed 11-14-1874 -Setting Boundaries of the City of Ashland

ARTICLE 1 Name and Boundaries

Section 1. Title of Enactment This enactment shall be referred to as the Ashland Charter of ~~1970~~2016.

Section 2. Name The municipality of Ashland, Jackson County, Oregon, shall continue to be a municipal corporation with the name "City of Ashland".

Section 3. Boundaries The City shall include all territory encompassed by its boundaries as they now exist or hereafter are modified by the voters, by the Council, or by any other agency with legal power to modify them. The ~~Recorder shall keep in her/his office~~City shall maintain at City Hall at least two (2) copies of this Charter, in each of which ~~he/she shall maintain~~include an accurate and up-to-date description of the boundaries. The copies and descriptions shall be available for public inspection at any time during regular ~~office hours of the Recorder~~business hours.

ARTICLE 2 Powers

Section 1. Powers of the City The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

ASHLAND CITY CHARTER

Section 2. Construction of the Charter In this Charter, the mention of a particular power shall not be construed to be exclusive or to restrict the scope of the powers, which the City would have if the particular power were not mentioned. The Charter shall be liberally construed to the end that the City shall have all powers necessary or convenient for the conduct of its municipal affairs, including all powers that cities may assume pursuant to State laws and to the municipal Home Rule provisions of the State Constitution.

Section 3. Provisions for Amendment and Revision The Council shall have the power to call a special election upon a resolution passed by the Council for the purpose of amending the Charter or enacting a new Charter, or whenever petitioned to do so by the electors of said City, under any initiative or referendum ordinance of the City of Ashland, or the laws of the State of Oregon.

ARTICLE 3 Elective Officers

Section 1. Elective Officers The elective officers of the City shall be: a Mayor, ~~Recorder~~, six (6) Council Members, five (5) Park Commissioners and a Municipal Judge. (Charter amendment 5-23-78)

Section 2. Qualifications All elective officers except the Municipal Judge shall be residents and qualified voters in the City. (Charter amendment 5-23-78).

Section 3. Salaries Any change in the amount of the present compensation received by elective officers, except for the ~~Recorder and~~ Municipal Judge, shall be submitted to the vote of the people; however, ~~the salary of the elected Recorder shall be in the amount being paid in 1974 and be adjusted starting with the fiscal year 1974-75 in the same percentage as the average salary adjustments of the other supervisory employees and department heads of the City of Ashland; further, the salary of the Municipal Judge will initially be the same as for the year 1978-79 and thereafter to be adjusted in the same percentage as the average salary adjustment of the other supervisory employees and department heads of the City of Ashland.~~ (Charter amendment 5-23-78).

Section 4. Vacancies An office shall be deemed vacant upon the incumbent's death; adjudicated incompetence; conviction of a felony; other offense pertaining to his/her office, or unlawful destruction of public records; resignation; recall from office or ceasing to possess the qualifications for the office; or, in the case of the Mayor or Council Member, upon his/her absence from the City for thirty (30) days without the consent of the Council or upon his/her absence from meetings of the Council for sixty (60) days without like consent, and subsequent declaration of the vacancy by a two-thirds affirmative vote of the Council.

A vacant elective office in the City shall be filled within sixty (60) days by the Council electing some qualified person to fill such vacancy. The appointee's term of office shall begin immediately upon appointment and shall continue until a successor, elected at the next biennial election, takes office for the unexpired term. The Council shall have the power, by a two-thirds affirmative vote, to expel any member of the Council for disorderly conduct in Council or inattention to duties. No Council member shall be expelled without notice and a hearing by the Council.

Section 5. Term The term of all elective officers shall begin the first day of January following their election.

Section 6. Interest in City Contracts During the term of office, no elective officer shall violate any provision of the State of Oregon Code of Ethics as contained in ORS Chapter 244. (Amended by vote 11-8-94.)

ASHLAND CITY CHARTER

ARTICLE 4 Mayor

Section 1. Term The Mayor in office at the time this Charter is adopted shall continue in office until the end of his/her term of office as fixed by the Charter of the City in effect at the time this Charter is adopted. At the biennial general election held in ~~1972~~2016, and every fourth year thereafter, a Mayor shall be elected for a term of four (4) years.

Section 2. Powers and Duties The Mayor is the executive officer of the municipal corporation and shall exercise careful supervision over the general affairs of the City and over appointive officers. He/she shall sign all orders and warrants on the Treasury for claims authorized by the Council.

Section 3. Vote The Mayor shall not be entitled to vote on any ordinance or measure before the Council except in the case of a tie vote, in which case he/she shall have the power to vote, and must vote either in the affirmative or in the negative. The Mayor shall, within five days after the passage of any ordinance, either approve or veto the same, and no ordinance shall go into effect until approved by the Mayor or passed by the Council over his/her veto. The Mayor shall, in case he/she vetoes any ordinance or resolution, file such veto with the City Recorder, together with reasons for his/her disapproval, which veto and message of disapproval shall be read at the next meeting of the Council, and such ordinance or resolution be put upon its passage again; and, if two-thirds of the Council members shall vote in the affirmative, it shall become law without the Mayor's approval, but not otherwise. In passing all resolutions and ordinances, the ayes and nays shall be called and permanent record made of the vote thereon.

ARTICLE 5 Council Members

Section 1. Terms The Council members in office at the time this Charter is adopted shall continue in office, each until the end of his/her term of office as fixed by the Charter of the City in effect at the time this Charter is adopted. At each biennial general election after this Charter takes effect, three Council members shall be elected, each for a term of four (4) years.

ARTICLE 6 Recorder

Section 1. Term The Recorder in office at the time this Charter takes effect shall continue in office until the end of his/her term of office as fixed by the Charter of the City in effect at the time this Charter is adopted, ~~or until the Recorder resigns or is removed from office per Article 3, Section 4, above, whichever comes first.~~ At each biennial general election held in 1970, and every fourth year thereafter, a Recorder shall be elected for a term of four (4) years.

Section 2. The Council shall confirm the City Administrator's appointment of an individual to the position of City Recorder. The Recorder shall act as the clerk of the Council, attend all of its meetings unless excused therefrom, and shall keep plain and correct minutes of all business and proceedings of the Council and other duties as may be prescribed by state law, the City Charter, City ordinance or the City Administrator. In the Recorder's absence from a Council meeting, the City Administrator shall appoint a Clerk of the Council pro tem who, while acting in that capacity, shall have all the authority and duties of the Recorder. Powers and Duties ~~The Recorder shall act as Clerk of the Council and shall keep plain and correct records of all business and proceedings of the Council. He/she shall maintain a file of all papers~~

ASHLAND CITY CHARTER

~~presented to him/her officially, and safely keep all files, records and papers of the corporation pertaining to~~

ARTICLE 6A Judge

Section 1. Term At the biennial general election held in 1978, and every fourth year thereafter, a Judge shall be elected for a term of four (4) years. (Charter amendment 5-23-78)

ARTICLE 7 Elections

Section 1. Regular Elections Regular City elections shall be held at the same times and places as biennial general State elections, in accordance with applicable State election laws.

Section 2. Notice of Regular Elections The Recorder, pursuant to directions from the Council, shall give at least ten (10) days notice of each regular City election by posting notice thereof at a conspicuous place in the City Hall, and by publication in a newspaper of wide and general circulation published in the City of Ashland. The notice shall state the officers to be elected, the ballot title of each measure to be voted upon, and the time and place of the election.

Section 3. Special Elections The Council shall provide the time, manner and means for holding any special election which shall comply with applicable State laws. The Recorder shall give at least ten (10) days notice of each special election in the manner provided by the action of the Council ordering the election.

Section 4. Regulation of Elections Except as this Charter provides otherwise and as the Council provides otherwise by ordinances relating to elections, the general laws of the State shall apply to the conduct of all City Elections, recounts of the returns therefrom, and contests thereof.

Section 5. Nominations A qualified elector may be nominated for an elective City office to be filled at the election. The nomination must be by a petition that specifies the office sought and must be in a form prescribed by the Council. The petition shall be signed by not fewer than twenty-five (25) electors, and with the candidate's written acceptance of such nomination. No elector may sign more than one petition for each office to be filled at the election. If he/she does so, his/her signature will be valid only on the first sufficient petition filed for the office. The signatures to a nomination petition need not all be appended to one paper, but to each separate paper of the petition shall be attached an affidavit of the circulator thereof, indicating the number of signers of the paper and stating that each signature of the person appended thereto was made in his/her presence, and is the genuine signature of the person whose name it purports to be. Opposite each signature shall be stated the date of signing, the signer's place or residence, identified by its street and number or other sufficient designation. The Recorder shall make a record of the exact time at which each petition is filed and shall take and preserve the name and address of the person by whom it is filed. If the petition is not signed by the required number of qualified electors, the Recorder shall notify the candidate and the person who filed the petition within twelve (12) days after the filing. If the petition is insufficient in any other particular, the Recorder shall return it immediately to the person who filed it, certifying in writing wherein the petition is insufficient. The deficient petition may be amended and filed again as a new petition, or a substitute petition for the same candidate may be filed, within the regular time for filing nomination petitions. All nomination papers comprising a petition shall be assembled and filed in final form as one instrument with the Recorder not less than twelve (12) days before the date that the Recorder must file the same with the County Clerk. (Charter Amendment 11-2-82)

ASHLAND CITY CHARTER

Section 6. Canvass of Returns In all elections held in conjunction with State and County elections, the State laws governing the filing of returns by the County Clerk shall apply. In each special City election, the returns therefrom shall be filed with the Recorder on or before noon the day following; and, not later than five (5) days after the election, the Council shall meet and canvass the returns. The results of all elections shall be entered in the record of the proceedings of the Council. The entry shall state the total number of votes cast at the election, the votes cast for each person, and for and against each proposition, the name of each person elected to office, the office to which he/she has been elected, and a reference to each measure enacted or approved. Immediately after the canvass is completed, the Recorder shall make and sign a Certificate of Election of each person elected and deliver the Certificate to him/her within one (1) day after the canvass. A Certificate so made and delivered shall be "prima facie" evidence of the truth of the statements contained in it.

Section 7. Tie Votes In the event of a tie vote for candidates for an elective office, the successful candidate shall be determined by a public drawing of lots in the manner prescribed by the Council.

Section 8. Oath of Office Before entering upon the duties of his/her office, each officer shall take an oath or shall affirm that he/she will support the constitutions and laws of the United States, the State of Oregon, and the Charter and laws of the City of Ashland, and that he/she will faithfully perform the duties of his/her office.

ARTICLE 8 Council

Section 1. Where Powers Vested Except as this Charter provides otherwise, all powers of the City shall be vested in the Council and the Mayor.

Section 2. Composition The Council shall be composed of six (6) Council members elected in the City at large and by position number. Each position shall bear a number running from one (No. 1) through six (No. 6), and any candidate for Council shall, starting with his/her nominating petition, designate the number of the Council seat to which he/she seeks election; further, one candidate may only run for one position at an election.

The Council members whose terms of office expire with the end of 1972 shall be assigned seat numbers 1, 3 and 5; 1974 shall be assigned seat numbers 2, 4 and 6. Within the scope of the preceding provision, the Council shall forthwith determine by lot the numbers to be assigned to the incumbent Council members.

Section 3. Council Meetings and Rules The Council shall hold a regular meeting in the City at least once each month at a time and place which it designates. Other meetings may be called as the Council deems necessary, with notice given the Mayor and Council members and the public as provided by ordinance. Minutes of any such special meeting shall be presented at the next regular Council meeting. The Council shall adopt rules for its proceedings.

Section 4. Quorum The Mayor and not less than three (3) of the Council members, or four (4) of the Council members, shall constitute a quorum for conducting Council business.

Section 5. Journal The Council shall cause a record of its proceedings to be kept. Upon request of the Mayor or any of the Council members, the ayes and nays upon any question before it shall be taken and entered in the record.

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Section 6. Proceedings to be Public No action by the Council shall have legal effect unless the motion for the action and the vote thereon take place at proceedings open to the public.

Section 7. Mayor's Function at Council Meetings The Mayor shall preside over the deliberations of the Council. He/she shall have authority to preserve order, enforce the rules of the Council, and determine the order of business under the rules of the Council.

Section 8. Chair of the Council At the first regular meeting of the Council in January of each year, the Council shall by ballot elect a Chair of the Council from its membership to serve for one (1) year. He/she shall, during all times when the Mayor is absent or unable to attend to his/her duties or act in any matter, have and exercise the powers and perform the duties of the Mayor, except that he/she shall retain his/her Council member's right to vote. If, at any meeting of the Council, both Mayor and Chair are absent, the Council members present shall elect one of their number as Chair Pro Tem, who shall preside at that meeting.

Section 9. Vote Required Except as this Charter otherwise provides, the concurrence of a majority of the members of the Council present at a Council meeting shall be necessary to decide any question before the Council.

ARTICLE 9 Special Powers of the Council

Section 1. Violation of Charter, Ordinance and Laws The Council, at any regular or adjourned meeting, shall have the power within the limits of the City of Ashland to enact laws, ordinances and pass resolutions not in conflict or inconsistent with the laws of the United States, the State of Oregon, or the provisions of this Charter; and to provide for punishment of any person or persons found guilty by a competent tribunal of the violation of any such laws, ordinances, or any of the provisions of this Charter, by fine or imprisonment of such offender, until such fine and costs are paid; and to provide for the working of such persons so convicted on the streets of the City or at any other work, and to provide the compensation therefor to be applied on such fine and costs; but no fine shall exceed the sum of \$500 and the costs of prosecution, nor shall any imprisonment or term at hard labor exceed 60 days.

Section 2. Levy of Taxes The Council, by two-thirds vote of the Council at any regular or adjourned meeting, shall have the power within the limits of the City of Ashland to annually ordain and levy taxes on the taxable property of the City made taxable by law for County and State purposes, not to exceed fifteen mills on the dollar on the assessed valuation in any year for the expenses of the City; and also in such further amount as may be necessary for the payment of interest or principal on any bonded indebtedness now existing or hereafter to exist against the City and for payment of any judgment or judgments obtained against the City.

Commented [k1]: This section references a property tax system that no longer exists and it should be removed or amended.

Section 2a. Flood Damage Restoration Bonds In addition to the indebtedness otherwise authorized by law and by this Charter, the City Council of the City of Ashland shall have the power and authority to issue the general obligation bonds of the City in such amounts and with such maturity dates as the City Council shall, in its discretion, deem advisable in an aggregate amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00) for the purpose of financing the cost of repair and restoration in accord with current construction standards of the City's water, sewer, electrical and storm sewer systems; City streets and bridges and watershed roads and bridges; Lithia Park; the repair of riprap at the Ashland Airport; and the purchase of a dredge for the removal of present and continuous accumulations of silt in the City's water reservoir; and to further provide that all state or federal funds received to assist Ashland in repair of flood damage shall be used for that purpose or to pay principal and interest on these bonds and for no other purpose; and shall have the power and right to designate the manner and time of payment of said bonds and

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the interest thereon, provided that considering any discounts or premiums paid, the effective rate of interest on such bonds shall not exceed that allowable by the laws of the State of Oregon. The power herein granted shall be exercised by the Council without submitting the question to a further vote of the electors and the bonds issued in pursuance to this Article shall not be subject to the limitation on bond or other indebtedness elsewhere contained in the Charter of said City.

Section 2b. Hospital Improvement Bonds In addition to the indebtedness otherwise authorized by law and by this Charter, the City Council of the City of Ashland shall have the power and authority to issue the general obligation bonds of the City in such amounts and with such maturity dates as the City Council shall, in its discretion, deem advisable in an aggregate amount not to exceed Three Hundred Sixty Thousand Dollars (\$360,000.00) for the purpose of financing the design and construction of additions and improvements to the Ashland Community Hospital; and shall have the power and right to designate the manner and time of payment of said bonds and the interest thereon, provided that considering any discounts or premiums paid, the effective rate of interest on such bonds shall not exceed that allowable by the laws of the State of Oregon. The power herein granted shall be exercised by the Council without submitting the question to a further vote of the electors and the bonds issued in pursuance to this Article shall not be subject to the limitation on bond or other indebtedness elsewhere contained in the Charter of said City.

Section 3. Special Assessments The Council shall have the power at regular or adjourned meeting to levy such special benefit assessments for road, sewer or other special improvements as they deem reasonable and to prescribe the time when such assessments shall be paid and to assess penalties thereon, not exceeding ten percent (10%) when delinquent, which assessments and penalties may be collected under the provisions of Article XII, Sections 1 and 2.

Section 4. Reassessment The Council shall have the power to enact an ordinance to correct any administrative error in the levying of any special benefit assessment and to cause a reassessment to be made.

Section 5. Debt Limit The Council, by a two-thirds vote at any regular or adjourned meeting, shall have the power within the limits of the City of Ashland to borrow money upon the credit of the City and authorize the issue of orders or notes therefor to an amount not exceeding \$5,000.00 when required for municipal purposes, which orders and notes shall bear a reasonable rate of interest and shall not aggregate at any time to exceed \$5,000.00.

Section 6. Bonds The Council, by a two-thirds vote at any regular or adjourned meeting, shall issue bonds of the City for other purposes when duly voted and required by a majority of the electors of said City; or in rebonding any bonded indebtedness of the City when the same is due and payable and the City has not the funds on hand to pay the same, but in rebonding, bonds shall not be issued for a longer period or greater rate of interest than the bonds to be liquidated. All bonds issued hereafter shall be amended to this Article; that is, Article IX, Section 2, and at such time as they are retired shall be automatically repealed.

Section 7. Water System The Council, by a two-thirds vote of the Council at any regular or adjourned meeting, shall have the power within the limits of the City of Ashland to suppress, restrain, and prohibit any obstruction, pollution, diversion, waste, extravagant use of, waters of Mill or Ashland Creek, either within or above the City limits.

Commented [k2]: This should all come out.

ARTICLE 10 Ordinances

Section 1. Enacting Clause The enacting clause of all ordinances hereafter enacted shall be: The People of the City of Ashland do ordain as follows:".

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Section 2. Mode of Enactment

(a) Except as the second and third paragraphs of this Section provide to the contrary, every ordinance of the Council shall, before being put upon its final passage, be read first fully and distinctly in open Council meeting and then on a different date by title only, unless a Council member or the public requests that it be read in full for a second time, and it shall then be read fully and distinctly.

(b) Provided all conditions set forth in Paragraph (C) have been met, an ordinance may be enacted at a single meeting of the Council by unanimous vote of all Council members present upon being read first in full and then by title.

(c) The first reading may be by title alone if no Council member present at the meeting, or the public, requests to have the ordinance read in full, and if a copy of the ordinance is provided for each Council member and three (3) copies are provided for public inspection in the office of the City Recorder not later than one (1) week before the first reading of the ordinance and if notice of their availability is given forthwith upon the filing, by written notice posted at the City Hall and by advertisement in a newspaper of general circulation and published in the City. An ordinance enacted after being read by title alone may have no legal effect if it differs substantially from its terms as it was thus filed prior to such reading, unless each section incorporating such a difference is read fully and distinctly in open Council meeting as finally amended prior to being approved by the Council.

(d) Upon the final vote on an ordinance, the ayes and nays of the members shall be taken and entered into the record of the proceedings.

(e) Upon the enactment of an ordinance, the Recorder shall sign it with the date of its passage and his/her name and the title of his/her office, except as provided in Article IV, Section 3.

Section 3. When Ordinances Take Effect An ordinance enacted by the Council shall take effect on the thirtieth (30th) day after its enactment. When the Council deems it advisable, however, an ordinance may provide a later time for it to take effect; and, in case of emergency, it may take effect immediately.

ARTICLE 11 Public Improvements

Section 1. Condemnation Any necessity of taking property for the City by condemnation shall be determined by the Council and declared by resolution of the Council describing the property and stating the uses to which it shall be devoted. The procedure for the condemnation shall be as ordained by the Council or provided by State law.

Section 2. Improvements The procedure for making, altering, vacating or abandoning a public improvement shall be governed by general ordinance or to the extent not so governed, by applicable general laws of the State. Action on any proposed public improvement, except a sidewalk or except an improvement unanimously declared by the Council to be needed at once because of an emergency, shall be suspended for six months upon a remonstrance thereto by the owners of two-thirds of the land to be specially assessed therefor. In this section, "owner" shall mean the record holder of legal title or, where the land is being purchased under a land sale contract recorded or verified to the Recorder in writing by the record holder of legal title to the land, the purchaser shall be deemed the "owner".

Section 3. Special Assessments The procedure for the levying, collecting and enforcing the payment of special assessments for public improvements or other services to be charged against real property shall be

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as provided in Article XII, Sections 1 and 2 of this Charter.

Section 4. Bids All jobs or contracts for constructing, repairing, ornamenting or improving any public place in this City or out of it, the expenses of which are to be paid out of the City Treasury, and the probable cost of which will exceed \$500, shall be advertised in a newspaper of wide and general circulation published in the City of Ashland for ten days before the closing of the bids, and shall be done in accordance with the plans and specifications approved by the Council. The Council shall have the right to reject any or all bids without incurring any liability for such rejection.

Commented [k3]: Something else that should be changed. This entire section should come out.

ARTICLE 12 Taxation: Powers and Duties of the Council

Section 1. Duties It shall be the duty of the Council immediately after the receipt of the certificate of the County Clerk of the County Court of Jackson County, Oregon, showing the aggregate valuation of the assessable property in said City of Ashland, to meet, and by ordinance annually levy such taxes and assessments as permitted in this Charter against the taxable property of the City of Ashland, and such special assessments and penalties as may be due and unpaid, and cause the same to be certified to the County Court, as provided in Section 2 of this Article.

Commented [k4]: References a property tax system that no longer exists.

Section 2. Duties The Council shall, immediately after such levy, notify the Clerk of the County Court, under the certificate of the City Recorder, of the rate percent of the tax levy made by the Council and all delinquent special benefit assessments and the penalties thereon, and it shall be the duty of such Clerk to compute the taxes and extend the same by entering the aggregate tax in the appropriate columns on the tax roll, and such taxes, special assessments and penalties shall be collected by the same officer, in the same manner and at the same time as taxes for County purposes are collected, and the same shall be paid over by the County Treasurer to the City Recorder as provided by law for the paying over of city taxes.

Commented [k5]: References a property tax system that no longer exists.

Section 3. County Road Tax The territory within the limits of the City of Ashland as now existing and as may be hereafter extended is hereby excepted out of the jurisdiction of the County Court of Jackson County for licensing purposes and road purposes, and the City Council shall have full and exclusive jurisdiction over the same. The inhabitants of the City shall be exempt from the payment of road taxes and assessments of the property within the City for road work, except such taxes as may be levied and assessed by the City Council, and all such taxes shall be placed in a separate fund and used for street purposes within the limits of the City and not otherwise.

Section 4. Property Tax Transfer Tax Requires voter approval before any real property transfer tax is enacted in Ashland. (Amendment November 2007; 15-65)
(15-65, Amended, 11/07/2006, Ballot measure 15-65)

ARTICLE 13 Appointive Officers

Section 1. Appointive Officers The Mayor, with the confirmation by the Council, shall appoint a City Administrator, City Attorney and such other officers as the Council deems necessary. The Council may combine any two or more appointive offices. (Charter amendment 5-23-78)

Section 2. Separate Police and Fire Departments The City of Ashland shall maintain a fire department which is separate and distinct from the City police department. The employees of one department shall not be assigned to do the job functions of employees in the other department. (Charter amendment 1-4-86)

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Section 3. Qualifications, Duties, and Salaries The Council shall, by ordinances, prescribe the duties of appointive officers, and determine their compensation and qualifications, except the Municipal Judge shall be a member of the Oregon State Bar. The Council may designate any appointive officer to supervise any other appointive officer, except the Municipal Judge in the exercise of his/her judicial duties.

Section 4. Removal The Mayor, with the consent of the Council, may suspend and remove any appointive officer at any time.

Section 5. Interest in City Contracts Except as provided otherwise by law, no officer, agent or employee shall have any interest in any City contract made by him/her in his/her official capacity or by any public committee, board, commission or department of which he/she is a member, agent or employee, except that the employment of the officer, agent or employee shall not be considered a contract for the purposes of this section.

ARTICLE 14 Chief of Police: Powers and Duties

Section 1. The Chief of Police shall be the conservator of the peace within the limits of the City of Ashland and, in addition to the authority vested in him/her by the City Council, he/she shall have the authority and jurisdiction of a constable, and shall qualify and discharge the duties of constable, in the same manner and to the same effect as required of constables under the statutes of this State. He/she shall, within the County of Jackson, arrest any and all persons guilty of any breach of the peace committed in his/her presence, and take them before the judge of the City Court, or some Justice of the Peace for trial. He/she shall also have the power, under any warrant from the Judge, or any Justice of the Peace, to arrest any person in any part of the State of Oregon for any criminal offense or the violation of any City ordinance and, in case the Council shall establish a police force for the City, he/she shall by virtue of his/her office be Chief of such force.

Section 2. The Chief of Police shall attend all meetings of the City Council, and perform the duties of the Sergeant-at-Arms of that body, watch over, care for and preserve all the City property and good morals of the City; and it shall be his/her duty, and the duty of any and all police officers, to see that all the laws and ordinances of the City, and the provisions of this Charter, are enforced, to file complaint with the City Judge against any persons violating any of the provisions of this Charter, or the laws or ordinances of the City; and a failure or neglect to faithfully perform any or all of such duties shall be cause for removal from office by the City Council.

ARTICLE 15 Court

Section 1. Court A court is hereby created in the City of Ashland, Oregon, to be known as the Municipal Court. The court shall be open for the transaction of judicial business at regular times specified by the Council. All area within the City shall be within the territorial jurisdiction of the court. When not governed by ordinances or this Charter, all proceedings in the Municipal Court for the violation of a City ordinance shall be governed by the applicable general laws of the State governing District Courts.

Section 2. Judge The Municipal Judge shall be the judicial officer of the City. He/she shall exercise original and exclusive jurisdiction of all offenses defined and made punishable by ordinances and Charter of the City and all other offenses made punishable by State law over which the City is given concurrent jurisdiction. He/she shall have authority to issue process for the arrest of any person accused of an offense against the ordinances and Charter of the City, to commit any such person to jail or admit him/her to bail pending trial, to issue subpoenas, to compel obedience to such subpoenas, to issue any process necessary to

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carry into effect the judgments of the Court, and to punish witnesses and others for contempt of the Court. The Judge shall make a monthly report of the Court's proceedings in writing to the City Council.

Section 3. Term The term of the Municipal Judge shall be four (4) years. (Charter amendment 5-23-78).

Section 4. Jury A defendant may have a jury of six (6) members by demanding the same. Any jury chosen shall be governed by the laws of the State of Oregon relating to juries in the District Court, and shall have the qualifications of such jurors resident within the corporate limits of said City.

Section 5. Fines, Fees, Costs, and Cash Bail The City Council shall provide for the collection of all Court fines, fees, costs and cash bail which shall be turned over to the City ~~Recorder~~Administrator or Administrator's designee for safekeeping.

ARTICLE 16 Miscellaneous Provisions

Section 1. Public Utilities - Water Works The City of Ashland, a municipal corporation, shall have the power to provide the residents of said City with such services as water, sewer, electric power, public transportation and such other public utilities as the people desire by majority vote; and to exact and collect compensation from the users of such public utility; provided, however, that any and all water and water works and water rights now owned or which may hereafter be acquired by said City, for the purpose of supplying the inhabitants thereof with water shall never be rented, sold or otherwise disposed of; nor shall the City ever grant any franchise to any person or corporation for the purpose of supplying the inhabitants of said City with water.

Section 2. Torts The City's immunity or liability for torts shall be as determined by State law.

Section 3. Existing Ordinances, Acts, Proceedings All existing ordinances in force when this act takes effect and not inconsistent herewith shall be and remain in full force after this act takes effect and thereafter until repealed by the Council. All actions and proceedings pending and all unfinished business whatsoever when this act takes effect shall thereafter be proceeded with according to the provisions of this act or any City ordinance applicable thereto and continued in force by this act. No suit, action or proceeding now pending in any Court shall abate by virtue of this act, and all persons in office shall continue to receive such compensation for their services during the balance of their term as appertained to the office at the time they were respectively elected or appointed thereto; and all rights vested or liabilities incurred when this act takes effect shall not thereby be lost, impaired or destroyed; all bonds theretofore issued by said City are hereby declared to be valid and of full force and effect, and all acts of the Council heretofore done in good faith for the benefit of the City and on which proceedings shall not be instituted prior to July 1, 1970 are hereby legalized and made valid in every particular.

Section 4. Repeal of Previously-Enacted Provisions All Charter provisions of the City enacted prior to the time that this Charter takes effect are hereby repealed, except the provisions of the legislative Charter of 1898 relating to the Powers of the Chief of Police; that is, Article X, Section 1 compiled herein as Article XIV, Section 1; Powers and Duties of the Council - Taxation; that is, Article XII, Sections 1 and 2, compiled herein as Article XII, Sections 1 and 2; and Territory Excepted for Road Purposes and Licensing Purposes; that is, Article XVII, Section 1, compiled herein as Article XII, Section 3; and those provisions of the previous Charter Amendments included in the following:

- Article VII, Section 1, amended 11-2-54, compiled herein as Article IX, Section 1
- Article VII, Section 2, amended 1-28-09, compiled partially herein as Article IX, Sections 2 and 3
- Article VII, Section 3, of 1898 Charter, compiled herein as Article IX, Section 5
- Article XXVIII, Sections 1 and 2, amended 11-4-30 and 10-16-59, compiled herein as Article XVII, Sections 1 and 2
- Article XIX, Sections 1, 2, and 4, amended 12-15-08, and Section 3, amended 4-23-51, compiled herein as Article XIX, Sections 1, 2, 3 and 4

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- Article XXVII, Sections 1, 2, 3, and 4 amended 11-11-28, compiled herein as Article XVIII, Sections 1, 2, 3, and 4
- Article XXIX, Section 1, amended 11-4-30, compiled herein as Article XX, Section 1
- Article XXXI, Section 1, amended 1938, compiled herein as Article XXI, Section 1
- Article X, Section 2, amended 7-17-19, compiled herein as Article XIV, Section 2
- Article XIX, Section 1-C, amended 3-12-57, compiled herein as Article XIX, Section 1-C

Section 5. Time of Effect of Charter Amendment This amended Charter took effect on July 1, 1970, except that Amendments to Article III, Section 2; Article VIII, Section 2; Article X, Section 2; Article XIII, Section 1 and Article XXII took effect on June 6, 1972. Article IIX, Section 4 took effect on December 19, 2006.

ARTICLE 17 Hospital

Section 1. The City of Ashland is hereby authorized and empowered to own, operate and conduct a municipal hospital within the limits of said City of Ashland under the authority and direction of the Council.

Section 2. The Council is hereby authorized to issue and sell, in manner and form as in its judgment it may deem best, general obligation bonds of said City in a sum not to exceed \$350,000.00 for the purpose of providing funds with which to purchase real property for a hospital, construct a building or buildings to be used for hospital purposes, and equip and furnish said hospital in and for said City. Said bonds shall bear the date established by the Council, be serial in character, callable at any interest payment date in whole or in part on or after five (5) years from the date thereof after notice as provided by law, be retired by the said City in a period of not to exceed twenty-five (25) years, be in denomination of \$1,000.00 each, be signed by the Mayor and countersigned by the Recorder under the corporate seal of said City, have semi-annual interest coupons bearing the facsimile signatures of the Mayor and Recorder attached thereto, by the terms thereof pledge the full faith and credit of the said City for their repayment, and hold and promise to pay to the bearer of each of said bonds at maturity thereof, the sum therein named in legal tender of the United States of America, with interest thereon in like legal tender, at the office of the City Recorder in said City or at such other office as the Council may, in its judgment, determine, which bonds shall be known as "Hospital Bonds". The particular form of said bonds, the maturities thereof, the rate of interest thereon, and such other details of their issuance and sale as are not herein mentioned shall be determined by the Council in the exercise of its best judgment in order to carry out the intention hereof. That it shall be the duty of the Council to attend to the proper application of the funds derived from the sale of said bonds and the purchaser or purchasers thereof shall in no event be responsible or charged with the proper application of the funds derived from the sale thereof. That the Council is hereby authorized and empowered each year at the time of making the annual tax levy for City purposes to include in such levy a sufficient amount to meet the payment of principal and interest on said Hospital Bonds as same shall be come due, and this authority shall be in addition to all Charter and Oregon Constitution debt limitation.

ARTICLE 18 Cemeteries Trust Fund

Section 1. The Council is hereby authorized and empowered each year, at the time of making the annual levy for City purposes, to include in such levy a sum equal to but not to exceed one mill on each dollar of assessed valuation of property within the City, which sum shall be used for the purpose of maintenance and upkeep of cemeteries held by, or under control of the City of Ashland. Such levy shall not be within the limitation of taxation provided by law. Provided further that each year from the proceeds of such levy the Council shall set aside in a permanent trust fund the sum of \$500.00, the income from which shall be used to carry out the purposes mentioned herein. When such trust fund shall have accumulated to such an extent as to provide sufficient income for the purposes for which same was created, then no further tax levy shall be made thereafter.

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Section 2. The Council is hereby given authority to receive control, for and on behalf of the City of Ashland, or any privately-operated or owned cemetery within the said City for the purpose of providing proper upkeep and maintenance of any such cemetery, said Council to receive such control only upon conditions as to it may seem for the best interests of the City.

Section 3. The Council is hereby authorized to create such funds as, in its discretion, may be necessary for the purpose of keeping and maintaining in proper condition the cemeteries within or adjacent to the City of Ashland, and under the jurisdiction of said Council, and is further authorized from any monies received from sale of cemetery lots, to specifically create a trust fund for the perpetual upkeep of the lots so sold, and is further authorized to contract with the purchasers of any lots so sold, on behalf of the City of Ashland, for the perpetual upkeep of said lots on such terms and conditions as said Council may deem best for the protection of said City.

Section 4. The Council is hereby authorized to accept any bequests or donations for the purposes mentioned herein on behalf of the said City, which donations or bequests shall become a part of said permanent trust fund, unless specified otherwise when any such bequests or donations are given.

ARTICLE 19 Park Commission

Section 1. Dedication All those lands specified by the Charter Amendment of December 15, 1908 and May 13, 1912, are hereby reserved and forever dedicated to the people of the City for park purposes and shall never be sold, leased, encumbered or used for any purpose inconsistent therewith; provided, however, that such public buildings as may enhance the beauty of said park, or that shall not detract therefrom, may be constructed if so directed by a majority vote of the electors of said City; and provided further, that nothing contained in this act shall be construed so as to impair or interfere with proper construction or operation of the City's light, power or water system.

Section 1C. That the Ashland Park Commission, with the consent of the Common Council, shall have the authority to lease to the Oregon Shakespearean Festival Association, a non-profit corporation of the State of Oregon, any portion of Lithia Park described as follows, to-wit:

That certain property commencing at the northeast corner of the Chamber of Commerce building; thence, southerly along the base of the hill to southern side of pond in lower park; thence, east to ditch carrying water to waterfall; thence, southerly along ditch 150 feet; thence, east 110 feet to west side of Hargadine Street; thence, northerly on west line of Hargadine Street to northeast corner of park property; thence, following the meandering north line of park property to place of beginning, containing approximately two acres for the purpose of remodeling and expanding the present Festival theatre and the construction of additional buildings which are hereby designated as public buildings for use by the Oregon Shakespearean Festival Association for any of the purposes authorized by the corporate charter of said association, said use to be on such terms and conditions as the Ashland Park Commission, with the consent of the Common Council, deems in the best interests of the City; provided, however, that any lease shall not exceed a period of ninety-nine (99) years.

Section 2. Park Commission The certain board created by a vote of the qualified electors of the City of Ashland, Oregon, at a special election held on the 15th day of December, 1908, which became effective by the proclamation of the Mayor published on the 17th day of December, 1908, and known and designated as the "Ashland Park Commission", be and the same, as constituted and created by said Charter amendment,

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and as now existing, is hereby perpetuated and continued as five (5) members with all the powers conferred and duties imposed by said Charter amendment and ordinances of the City of Ashland.

Provided, that at the general biennial election to be held on the first Tuesday after the first Monday in November, 1920, two commissioners shall be elected to serve for the term of four (4) years from the first day of January, 1921, and that at the general biennial election to be held in November, 1922, three commissioners shall be elected to serve for the term of four (4) years from the first day of January, 1923, and that the term of office for each succeeding commissioner shall be four (4) years unless elected to fill a vacancy, in which event he/she shall be elected to serve until the first day of January following the next succeeding biennial election after any such vacancy. Provided, further, that each of the commissioners now constituting the present Ashland Park Commission shall hold office for the term for which he/she was elected, and until his/her successor is elected and qualified.

Section 3. Funding The said Park Commission shall have control and management of all the lands here dedicated for park purposes and of all other lands that may hereafter be acquired by the City for such purposes. They shall have control and management of all park funds, whether the same is obtained by taxation, donation or otherwise, and shall expend the same judiciously for beautifying and improving the City's parks.

It shall be the duty of said Commission and they shall, at the beginning of each month, file with the City Recorder for the information of the City Council and the public, a report of their doings for the preceding month. Such report shall specify all funds on hand and the source from whence obtained. It shall carry a clear statement of all monies expended and for what purpose. All purchases made and all labor performed, together with the cost thereof, shall be embodied in said report. At the time for making the tax levy for general City purposes in each year, the said Commission shall cause a careful estimate to be made of the money required for park purposes for the ensuing year and file the same with the City Recorder, whereupon there shall be included in said general levy not to exceed four and one half (4-1/2) mills on the dollar to meet such requirements, which, when collected, shall be deposited with the City ~~Recorder~~Treasury subject to the order of said Commission. The levy herein authorized shall be outside the limitation on taxation set forth in Article XI, Section II of the Constitution of Oregon.

Commented [k6]: References a property tax system that no longer exists.

Section 4. Salary; Government The said Commission shall serve without pay and shall have power to formulate and adopt rules and regulations for their government and for the purpose of carrying into effect the purposes of their creation as Park Commission. They shall enter upon the discharge of their duties immediately upon their organization and shall, as soon as may be expedient, cause a map or maps to be made of the lands herein dedicated, and shall make the same conform to the descriptions contained in the instruments by which said City obtained title thereto; which said instruments shall be considered as carrying a more specific description of said lands.

ARTICLE 19a Open Space Park Program

Section 1. Creation, Powers and Duties An Open Space Park Program is hereby created to be administered by the Ashland Park Commission. The Park Commission shall make recommendations to the City Council concerning priorities for land and easement acquisitions for the Open Space Park Program. After dedication of land to the Open Space Park Program, the Ashland Park Commission shall be responsible for the administration, development and operation of such lands.

Section 2. Land and Easement Acquisition Procedures Both the Ashland Park Commission and the City Council must agree upon land or easements to be acquired for open space park purposes. Before any land or easements that have been acquired for the Open Space Park Program are disposed of and released from

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the Program there shall be a public hearing. Disposal shall be by Ordinance, which shall not contain an emergency clause, thus giving to the people of the City of Ashland the opportunity to petition for a referendum. Land or easements acquired for open space park purposes shall be dedicated by the City Council for such purposes. Such dedicated lands or easement shall be under the control and management of the Ashland Park Commission. The City Council shall not use the power of condemnation to acquire fee simple ownership of any land for Open Space purposes or for trails. (Amended 8-14-90)

Section 3. Resources Monies dedicated to the Open Space Park Program shall be expended only for Open Space lands or easements, for costs of acquisition and for such other purposes pertinent to the Open Space Park Program as the Council and Park Commission may jointly determine. All monies dedicated for acquisition of Open Space Park Program lands shall remain under the financial management of the City of Ashland.

The tax measures for funding for land acquisition for the Open Space Park Program shall be approved by the voters, and the tax rates approved therein by the voters shall not be altered for Open Space purposes by the City Council without further approval by the electorate. Said tax measures for funding of the Open Space Park Program shall expire on December 31, 2010, unless extended by a vote of the electorate. (Amended 8-14-90)

Section 4. Definition and Purpose of Open Space Park Lands The definition and purpose of open space park lands shall be as defined in State Law, ORS 308.740, or as modified by Ordinance of the City of Ashland. (Amended 5-15-90).

ARTICLE 20 Municipal Airport

Section 1. Power The City of Ashland is hereby given the power and authority to acquire, own, conduct and operate a municipal airport either within or outside the limits of the City of Ashland, under the authority and direction of the Council.

ARTICLE 21 City Band

Section 1. At the time of making the tax levy for general City purposes each year, the Council shall cause a careful estimate to be made of the money required for the purpose of a City Band for the ensuing year, such estimate shall be presented and considered with the other items in the annual budget and there shall be included in the general levy for the ensuing year not to exceed six-tenths (.6) mills on the dollar for such band requirements, which fund, when collected, shall be deposited with the City ~~Recorder~~Treasury, subject to the order of the Council.

Commented [k7]: References a property tax system that no longer exists.

ARTICLE 22 Recreation Commission

Section 1. The Ashland Recreation Commission is hereby created to be composed of the five (5) Ashland Park Commissioners and their terms of office shall be the same.

Section 2. The powers and duties of the Recreation Commission shall be as set forth in this Charter, the Ordinances of the City of Ashland, and by any other applicable law.

Section 3. Any funds to be spent by the Recreation Commission for recreation purposes shall be from such funds as may be appropriated from time to time by the City Council, and in no event shall any funds be

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spent for recreation purposes that are received pursuant to Article XIX of this Charter and which relates to the Park Commission and a levy for park purposes.

DRAFT JOB DESCRIPTION



OVERTIME: Exempt Non-Exempt

JOB TITLE:	City Recorder
CLASSIFICATION:	Non-represented/Confidential
DEPARTMENT:	Administration
DATE:	August 10, 2015

PURPOSE OF POSITION:

Performs high-level professional administrative support to the Mayor and City Council, City Administrator and other City departments. Oversees public records retention and management for the City. Ensures compliance with applicable laws governing public meetings, retention of official records and documents, and coordinates local elections. Responsible for the coordination and appropriate noticing of City Council meetings and standing committee meetings and prepares and distributes agendas and informational packets. Updates the Ashland Municipal Code (AMC) to include ordinances and Charter amendments; interacts with the public and public officials from City and other agencies. Performs other related duties as required.

SUPERVISION RECEIVED:

Receives supervision and direction from the City Administrator.

SUPERVISORY RESPONSIBILITIES:

May directly supervise subordinate administrative/clerical staff if necessary, however supervision is not a regular function of this position. May also provide training and orientation to departments regarding records management.

ESSENTIAL JOB FUNCTIONS:

The duties listed below are only intended as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the classification if the work is similar, related and/or a logical assignment to the classification.

Serves as the ex-officio Clerk of the Council and attends all Council meetings and, as necessary, Council subcommittees to take minutes, conduct roll call votes, set up the meeting room before the meeting, and run recording devices. Oversees distribution of Council agenda and packets, assists departments with preparation of packet documentation and reviews agenda for completeness. Schedules and makes legal notifications of meetings, hearing and executive sessions.

Acts as support to the Council. May provide support to Budget Committee as requested. Works with the City Administrator, Mayor and City Attorney to ensure compliance with public meetings law; drafts, edits and submits council meeting minutes for approval and posting. Keep track of Ordinance and Resolution numbers; and assign numbers to new Ordinances and Resolutions and obtain Mayor's signature on Ordinances, Resolutions and contracts. Drafts, maintains, coordinates and distributes approved municipal code, ordinances and resolutions to appropriate commissions and staff. Prepares, records and posts Council-approved code, ordinances and resolutions. Produce minutes of the meeting capturing motions and actions of the City Council.

Functions as the City Elections Officer responsible for process of preparing, overseeing and filing of all pertinent election materials for candidates, measures and required finance/campaign reports in local elections in cooperation with the Jackson County officials responsible for conducting elections; works with candidates and newly elected officials providing election information and proper paperwork. Educates city staff on restrictions on political activity as public employees.

Custodian of official City records; oversees City-wide records management and retention. Establishes and monitors records management standards and retention schedules for all City departments. May conduct historical and records research for City Council and City Administrator.

Performs administrative support functions for City boards and commissions. Ensures that the Ashland Municipal Code (AMC) is updated and available electronically.

Provides information to the public regarding public records, and works with City Attorney to determine legal obligations for release of information under Oregon Public Records Law. Responds appropriately to the public regarding requests for information and provides cost estimates for requests that involve extensive staff research.

Keep City Charter available to the public with updated boundaries. May process certain business licenses and registrations as assigned. Performs other duties of a similar nature or level as assigned.

AUXILIARY JOB FUNCTIONS:

Maintain proficiency by attending training, conferences and meetings, and reading professional literature. Maintain work area in a clean and orderly manner and follow all safety rules and procedures established for work areas.

MINIMUM QUALIFICATIONS:

Education: Possession of an associate's degree or shall have completed a minimum of two years of post-secondary study in business administration, public administration, English, communications or closely related field, Bachelor's Degree preferred.

Experience: Up to five (5) years of public sector administrative/municipal government administrative experience with specific experience in local government operations in the area of records management, public/open meetings, elections and municipal codes.

Substitution: Any satisfactory equivalent combination of education, training and experience that demonstrates the knowledge, skills and abilities to perform the duties of the job proficiently may substitute for the above requirements.

Desirable Qualifications:

Certified Municipal Clerk (CMC) or Master Municipal Clerk (MCC) is preferred.

SPECIAL REQUIREMENTS

Possession or the ability to obtain and retain, a valid Oregon driver's license with an insurable driving record by the time of appointment. Notary Public (possession of or ability to obtain within 1 year of appointment)

PHYSICAL DEMANDS OF POSITION:

The physical and mental demands described here are representative of those that must be met by employees to successfully perform the essential functions of this classification. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

1) Mobility: frequent sitting for long periods of time; occasional bending or squatting. (2) Lifting: frequently up to 10 pounds; occasionally up to 25 pounds. (3) Vision: constant use of overall vision; frequent reading and close-up work; occasional color and depth vision. (4) Dexterity: frequent use of keyboard; frequent repetitive motion; frequent writing; frequent grasping, holding, and reaching. (5) Hearing/Talking: frequent hearing and talking, in person and on the phone. (6) Emotional/Psychological: frequent decision-making and concentration; frequent public and/or coworker contact; occasional working alone.

WORKING CONDITIONS:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this classification. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.



Work is performed in a typical office environment and is subject to moderate noise. Attendance at meetings outside of the normal work schedule is required.

DEPARTMENT HEAD SIGNATURE _____

CITY ADMINISTRATOR APPROVAL _____

Date _____



City Recorder Job Description Comparison

	Ashland – Elected City Recorder	Other Jurisdictions with non-elected City Recorder
Essential Job Functions:	<p><i>Duties are designated by City Charter(Ch.) and Ashland Municipal Code (AMC):</i></p> <p>(Ch.) The Recorder shall act as Clerk of the Council and shall keep plain and correct records of all business and proceedings of the Council. (AMC) Act as clerk of the Council, record and transcribe proceedings of the City Council, and sign and record ordinances and resolutions</p> <p>(Ch.) He/she shall maintain a file of all papers presented to him/her officially, and safely keep all files, records and papers of the corporation pertaining to his/her office, and these shall be open to the public. (AMC) Act as custodian of all City ordinances, resolutions, Council minutes, deeds, contracts, judgments, promissory notes and the City seal;</p> <p>(AMC) Conduct City elections in cooperation with the Jackson County officials responsible for conducting elections;</p> <p>(Ch.) The Recorder must draw all orders for the proper payment of monies against the proper funds that have been appropriated by the City Council, and, together with the Mayor, sign the same. He/she may make periodic audits of all city accounting records. The Recorder, shall, as soon as the Council shall make a general levy of the taxes for the city, certify the same, together with any and all special benefits and assessments then due, to the Clerk of the County Court.</p> <p>(Ch.) The Recorder shall record, in a book to be kept for that purpose, all ordinances and resolutions passed by the City Council, and the same shall be signed by the Recorder, as well as signed and approved by the Mayor therein.</p> <p>(AMC) Certify property tax levies and delinquent assessments to the County.</p> <p>(AMC) Process and issue taxicab certifications. Process liquor license applications.</p> <p>(AMC) Act as custodian of all City monies and securities; Prepare, issue and record all cemetery deeds;</p> <p>(AMC) Maintain daily and monthly bank account balances; secure signed Bancroft bonding applications; record and bank monies received by the City; issue checks and warrants necessary to pay valid claims on the City treasury;</p> <p>(AMC) Maintain docket of City liens and prepare lien reports as required; purchase investment securities in cooperation with the Director of Finance.</p>	<p><i>Performs a wide-variety of responsible, confidential and complex administrative duties including but not limited to:</i></p> <p>Attends and schedules all Council Meetings, special meetings, and work sessions. Records legislative actions including City ordinances, resolutions and minutes; coordinates City Council Agenda and packet distribution.</p> <p>Maintains custody of official records and archives of the City including ordinances, resolutions, contracts, agreements, deeds, insurance documents, Charter and meeting minutes; certify copies as required; maintain and update the City’s municipal code.</p> <p>Responsible for all aspects of local elections including issuing nomination papers, candidate statements, ballot measures, arguments, legal advertising and voter registration; distributes and processes financial and campaign disclosure statements; ensures compliance with State conflict of interest and campaign reporting laws.</p> <p>Serves as the public information officer responsible for responding to requests for public records and information insuring compliance with regulated laws. Maintains custody of official and legal documents</p> <p>Coordinates the orientation program for Mayoral and City Council candidates.</p> <p>Works with all city departments to ensure proper preparation of Council and Budget Committee Agendas and Minutes; makes necessary legal notifications of special meetings and public hearings of the City Council.</p> <p>Acts as a licensing officer in regard to business registration, liquor license applications, taxicabs, franchises and all other regulated business and processes certain land use matters such as annexations and street vacations.</p> <p>Serves as the City’s primary contact for Americans with Disabilities Act (ADA) Complaint reporting. Follows up with the appropriate staff member to ensure that complaints regarding accessibility are responded to and addressed.</p> <p>Performs research and prepares a variety of reports for the City Council, committees, commissions or boards and responds directly to their requests and issues or refers to the appropriate departments. Receives and responds to inquires and complaints to and from the Council tactfully and constructively.</p>

	(AMC) Allocate property tax receipts; Maintain warrant register; Maintain file of legal notices; keep Charter available to public, with updated boundaries; and maintain public relations between citizens and the City.	Assists the City Manager, Mayor and Council in external and internal City matters. Acts as a liaison between City Manager and Mayor/City Council and departments, other government agencies and citizen groups.
Qualifications:	Must be a registered voter of the City of Ashland.	<p>Knowledge of principles and practices of office procedures and applicable federal, state and local laws, rules and regulations pertaining to local government operations in the area of records management, public/open meetings, elections and municipal codes.</p> <p>Ability to analyze problems, identify alternative solutions, project consequences of proposed actions and implement recommendations in support of goals to improve operations, procedures, policies, or methods; apply laws, regulations, policies and procedures; maintain cooperative and collegial relationships with staff, the management team, vendors, contractors, City Council, other agencies and the general public; effectively communicate orally and in writing, including communicating technical or confusing information to other, presenting information in the form of accurate, understandable oral or written reports. Ability to discern and maintain confidentiality of sensitive information; a breach of confidentiality is grounds for disciplinary action up to and including immediate termination. Able to prioritize workload, be a self-starter, work independently of others, and complete work assignments in an accurate and timely manner. Ability to work evening hours and occasional weekends to accommodate council and committee meeting times.</p> <p>Skills necessary to effectively perform the duties and responsibilities of the position including: excellent communication skills; writing and presentation skills; computer skills sufficient to proficiently use word processing, spreadsheet and database application. Skill in the use of office machines and technology.</p>
Requirements:	Must be a registered voter of the City of Ashland.	<p>Bachelor's Degree in Business Administration, public administration, communications or related field; plus five years experience as City Recorder, Deputy City Recorder or administrative Assistant in a municipal government. A minimum of 3 years in a lead or supervisory role are required; or an equivalent combination of education and experience sufficient to successfully perform the essential duties of the job such as those listed above.</p> <p>Licenses/Certifications:</p> <ul style="list-style-type: none"> • Valid Oregon Driver's License with insurable driving record • Notary Public (possession of or ability to obtain within 1 year of appointment). • Certified Municipal Clerk (CMC) or Master Municipal Clerk (MMC) designation preferred.
Physical Demands and Working Conditions:	Not described.	<p><i>The Physical demands described are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to individuals with disabilities to perform the essential functions.</i></p> <p>Manual dexterity and coordination are required for more than half of the daily work period (about 50-60%) which is spend either sitting while operating office equipment or driving to meeting locations. While performing the duties of this position, the employee is frequently required to stand, walk, reach , bend, kneel, stoop, twist, crouch, crawl, climb, balance, see, talk, hear, smell and manipulate objects. The position requires a</p>

		<p>degree of mobility and moving materials weighing up to 5 lbs. frequently, up to 10 lbs. occasionally, and up to 40 pounds rarely. This position requires both verbal and written communication abilities.</p> <p><u>Work Environment:</u> While performing the duties of this position, the employee is working indoors in an office environment. The office setting does not expose the employee to hazardous conditions. The noise level in the office environment is usually moderate and lighting is adequate. Travel is required less than 10% of the work time.</p>
Reports to:	The Citizens of Ashland.	The City Manager or City Administrator

ORDINANCE NO. _____

AN ORDINANCE AMENDING AMC CHAPTER 2.08, RECORDER/TREASURER

Annotated to show deletions and additions to the code sections being modified. Deletions are **bold lined through** and additions are **bold underlined**.

WHEREAS, Article 2. Section 1 of the Ashland City Charter provides:

Powers of the City. The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or impliedly grant or allow municipalities, as fully as though this Charter specifically enumerated each of those powers, as well as all powers not inconsistent with the foregoing; and, in addition thereto, shall possess all powers hereinafter specifically granted. All the authority thereof shall have perpetual succession.

WHEREAS, the voters of the City of Ashland have approved an amendment to the City Charter to make the City Recorder an appointed position; and

WHEREAS, Chapter 2.08 of the Ashland Municipal Code applies to the duties of the City Recorder;

THE PEOPLE OF THE CITY OF ASHLAND DO ORDAIN AS FOLLOWS:

SECTION 1. Ashland Municipal Code Chapter 2.08 is hereby amended to read as follows:

2.08 Recorder/~~Treasurer~~

2.08.010 Duties - Generally

The duties of the City Recorder/Treasurer include those imposed by State law, the City Charter and City ordinances. (Ord. 1705 S2, 1971)

2.08.020 Duties - Designated

It shall be the duty of the City Recorder/~~Treasurer~~ to perform the following tasks:

A. Act as clerk of the Council, record and transcribe proceedings of the City Council, and sign and record ordinances and resolutions;

B. Act as custodian of all City ordinances, resolutions, Council minutes, ~~deeds,~~ ~~contracts,~~ ~~judgments,~~ ~~promissory notes~~ and the City seal **and other public records of the City.**

1. In conjunction with the City Attorney, the Recorder shall establish public

records retention schedules consistent with state law and shall ensure that all City departments properly store and retain public records.

~~C. Certify property tax levies and delinquent assessments to the County, receive property taxes paid over by the County;~~

~~D. Act as custodian of all City monies and securities;~~

~~E.~~**C.** Prepare, issue and record all cemetery deeds;

F.D. Conduct Coordinate the filing of candidates, measures and finance/campaign reporting requirements for City elections in cooperation with the Jackson County officials responsible for conducting elections;

~~G. Maintain daily and monthly bank account balances;~~

~~H. Redeem bonds, coupons and warrants, maintain bond registers;~~

~~I. Secure signed Bancroft bonding applications;~~

~~J. Record and bank monies received by the City;~~

~~K. Issue checks and warrants necessary to pay valid claims on the City treasury;~~

~~L. Maintain docket of City liens and prepare lien reports as required;~~

~~M. Purchase investment securities in cooperation with the Director of Finance;~~

~~N.~~**E.** Maintain docket of City liens and prepare lien reports as requested;

~~O. Maintain docket of water and sewer connect fees;~~

~~P. Allocate property tax receipts;~~

~~Q. Maintain warrant register;~~

~~R.~~**F.** Maintain file of legal notices;

~~S.~~**G.** Keep Charter available to public, with updated boundaries; and

~~T.~~**H.** Maintain public relations between citizens and the City. Respond promptly to citizen inquiries on matters relating to the duties of the City Recorder.

~~2.08.030 Other Officers~~

~~The City Recorder/Treasurer shall work with the Mayor, Council, City Administrator, and Director of Finance. (Ord. 1705 S4, 1971).~~

~~2.08.040 Substitute—Appointment~~

~~The Mayor shall appoint a Clerk of the Council pro tem to serve during a temporary absence of the City Recorder/Treasurer. (Ord. 1705 S5, 1971).~~

SECTION 2. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 3. Codification. Provisions of this Ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "code", "article", "section", "chapter" or another word, and the sections of this Ordinance may be renumbered, or re-lettered, provided however that any Whereas clauses and boilerplate provisions (i.e. Sections 2-3) need not be codified and the City Recorder is authorized to correct any cross-references and any typographical errors.

SECTION 4. Effective Date. This ordinance shall become effective on January 1, 2019, or upon such date as the City Recorder in office upon the passage of this ordinance resigns or is removed from office, whichever comes first.

The foregoing ordinance was first read by title only in accordance with Article X, Section 2(C) of the City Charter on the _____ day of _____, 201_, and duly PASSED and ADOPTED this _____ day of _____, 201_.

Barbara M. Christensen, City Recorder

SIGNED and APPROVED this _____ day of _____, 201_.

John Stromberg, Mayor

Reviewed as to form

David H. Lohman, City Attorney

CITY	Population	Dedicated F/T Support	Dedicated P/T Support	No Dedicated Support	Comments
Ashland	20,684	X			F/T Admin. Assistant
Canby	17,010			X	
Central Point	17,724			X	
Coos Bay	16,039			X	City Recorder/Finance Director is one position. Deputy Finance Director backfills.
Dallas	15,102			X	Exec. Asst to City Manager, Mayor/Council, HR Manager backfills when needed.
Forest Grove	23,096			X	
Happy Valley	17,319			X	HR Director is also city recorder and has no direct reports. A support position may be hired in 2016 to allow the incumbent to focus on HR.
Hermiston	17,137			X	Finance Director/City Recorder is one position. Accounting Asst. and Executive Asst. backfill when needed.
Klamath Falls	21,119			X	
Lebanon	15,982		.25 FTE		Admin. Asst. to City Clerk (Recorder)- P/T .25 FTE
Milwaukie	20,640			X	City Recorder's Office provides general administrative support to the City Manager, HR, Finance and IT with three FTE who report to the City Recorder. No employee provides dedicated back-up to the city recorder.
Newberg	22,692			X	
Pendleton	16,904			X	
Redmond	27,941		.5 FTE		Assistant - P/T .5 FTE
Roseburg	21,903			X	Admin Asst to City Manager backfills when needed
Sherwood	18,978		.5 FTE		Admin. Assistant to City Recorder - P/T at .5 FTE
The Dalles	15,162			X	City Recorder is also Gen. Services Mgr/HR Director. Exec. Secretary offers support.
Troutdale	16,552			X	Troutdale has a position whose title is "Deputy City Recorder," but that position is the City Hall receptionist, secretarial support to City Manager, back-up to all other central service administration and not dedicated support to the City Recorder.
Tualatin	26,907			X	City Manager/City Recorder are one position - Deputy City Recorder performs council clerk and records management functions
West Linn	26,289			X	
Wilsonville	22,026			X	
Woodburn	24,734			X	