

Notice of Measure Election

Measure Number: 15-210

SEL 802

City

rev 01/18 CPO 230, 235, 250, 261, 710, 779, 250, 285, 254, 293, 254, 422

Notice

Date of Notice

09/07/2022

Name of City or Cities

City of Ashland

Date of Election

November 8, 2022

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

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

Amend Ashland City Charter Article VIII-A

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

Shall Ashland amend its City Charter to delegate all authority to appoint, supervise, and remove employees to the City Manager?

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

This measure would amend the City Charter to extend the responsibilities of the City Manager to include supervision of employees in all City departments.

The current Charter language exempts one department from City Manager supervision; it assigns responsibility to the Parks and Recreation Commission for supervising its employees.

This measure would amend Subsection 4 of Article VIII-A, Section 4, with the following:

" Appoint, supervise, and remove all non-elected city employees, except employees who report directly to the Mayor and City Council who shall be appointed, supervised, and removed by the Mayor and City Council and shall be termed appointive officers."

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

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

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

Explanatory Statement Attached? [X] Yes [] No

Authorized City Official Not required to be notarized.

Name

Melissa Huhtala

Title

City Recorder

Mailing Address

20 East Main Street, Ashland, OR 97520

Contact Phone

541-488-5307

By signing this document:

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

Signature

[Handwritten signature]

2022 SEP - 8 - PM 3: 08

Date Signed

9/8/22

[Faint stamp]

EXPLANATORY STATEMENT FOR COUNTY VOTERS' PAMPHLET

NAME OF PERSON RESPONSIBLE FOR CONTENT: Douglas M McGeary, Acting City Attorney

NAME OF ORGANIZATION PERSON REPRESENTS, IF ANY: City of Ashland

BALLOT TITLE CAPTION: Amend Ashland City Charter Article VIII-A

MEASURE NUMBER: 22-002

(Explanatory Statement Shall Be Typed)

The City Charter of Ashland was amended by public vote in 2020 adding Article VIII-A to the City Charter that established the position of City Manager to oversee city business operations. The language of the City Manager amendment, however, includes language that exempts oversight and management of specific "employees" from management oversight by the City Manager. This exemption allows that employees assigned to the "Park and Recreation Commission" (the "Park Commission") are under its oversight subject to state law, the Ashland Municipal Code (AMC), City administrative policies, and written agreements between the City Council and the Commission which are evidenced by memorandums of understanding (MOUs) or City Council resolutions.

The City Charter establishes two separate commissions, the "Ashland Park Commission" and the "Ashland Recreation Commission." Except for the language in Article VIII-A of the Charter establishing the City Manager position, there are no other references to a "Park and Recreation Commission" in the City Charter. The two Charter established commissions are part of the City organization and not separate legal entities able to hire employees except as City of Ashland personnel. All City personnel are City employees regardless of where they are assigned within the City organization. Also, neither the Park Commission nor the Recreation Commission are entities specifically authorized under the City Charter to operate independent of the City or to hire or oversee employees.

The 2020 adoption of Article VIII-A in the City Charter establishing the City Manager position has presented a question over whether the Park Commission or City Manager should have administrative authority over the city's Park and Recreation Department and its employees. The Parks Commission has historically had operational oversight of the City's Park and Recreation Department under portions of the AMC and in MOUs between the City Council and the Park Commission. With the hiring of a City Manager, the City Council has moved towards considering a change so that all city operations, including the Park and Recreation Department, be addressed under the oversight of the City Manager. The City requests a public vote to clarify the City Charter language by removing the questioned Park Commission employee language from the City Manager amendment to the City Charter. It would become effective upon approval of Ashland voters.

Result of a "No" Vote

If this measure does not pass, the City Manager will not have direct authority under the City Charter to oversee Park and Recreation Department employees, and assignment of employees to the Park Commission will remain to be established by vote of the City Council in the AMC or MOUs.

WORD COUNT TOTAL: 426

THE TOTAL WORD COUNT CANNOT EXCEED 500 WORDS.

**Douglas M
McGeary**

Digitally signed by Douglas M
McGeary
DN: cn=Douglas M McGeary,
o=City of Ashland, ou=Asst City
Attorney,
email=doug.mcgeary@ashland.o
r.us, o=US
Date: 2022.09.08 13:57:07 -0700

09-08-2022

SIGNATURE OF PERSON RESPONSIBLE FOR THE CONTENT OF THE EXPLANATORY STATEMENT

DATE