



**CITY COUNCIL MEETING  
STAFF REPORT**

<p><b>Meeting Date:</b> February 22, 2024</p>	<p><b>Subject: Resolution No. 3125</b>  A Resolution of the City of Wilsonville Referring to the Electors of the City of Wilsonville the Question of Amending the City Charter to Refine Mayoral Term Limits in Certain Circumstances</p> <p><b>Staff Member:</b> Amanda Guile-Hinman, City Attorney</p> <p><b>Department:</b> Legal</p>	
<p><b>Action Required</b></p> <p><input checked="" type="checkbox"/> Motion</p> <p><input type="checkbox"/> Public Hearing Date:</p> <p><input type="checkbox"/> Ordinance 1<sup>st</sup> Reading Date:</p> <p><input type="checkbox"/> Ordinance 2<sup>nd</sup> Reading Date:</p> <p><input checked="" type="checkbox"/> Resolution</p> <p><input type="checkbox"/> Information or Direction</p> <p><input type="checkbox"/> Information Only</p> <p><input type="checkbox"/> Council Direction</p> <p><input type="checkbox"/> Consent Agenda</p>	<p><b>Advisory Board/Commission Recommendation</b></p> <p><input type="checkbox"/> Approval</p> <p><input type="checkbox"/> Denial</p> <p><input type="checkbox"/> None Forwarded</p> <p><input checked="" type="checkbox"/> Not Applicable</p> <p><b>Comments:</b> N/A</p>	
<p><b>Staff Recommendation:</b> Staff recommends Council adopt Resolution No. 3125.</p>		
<p><b>Recommended Language for Motion:</b> I move to adopt Resolution No. 3125.</p>		
<p><b>Project / Issue Relates To:</b></p>		
<p><input type="checkbox"/> Council Goals/Priorities:</p>	<p><input type="checkbox"/> Adopted Master Plan(s):</p>	<p><input checked="" type="checkbox"/> Not Applicable</p>

**ISSUE BEFORE COUNCIL:**

Whether to refer a ballot measure to the Wilsonville electorate to refine mayoral term limits in certain circumstances.

## EXECUTIVE SUMMARY:

During public comment at the March 20, 2023 City Council meeting, and in additional written comments received thereafter, members of the community requested that the Council consider a charter amendment to treat the mayoral term(s) separately from councilor term(s). Upon discussion with Council at the March 20, 2023 meeting regarding the community input received, staff reviewed information regarding term limits and the process to refer a charter amendment for a vote of the Wilsonville electorate, if so desired by the Council. The City Council has analyzed the concerns identified by Wilsonville community members and possible options to refer a ballot measure to the Wilsonville electorate to refine the term limits as applied to the Mayor position. As discussed below, the City Council seeks to refer a ballot measure to refine mayoral term limits only in the circumstance when an individual has served two terms (up to 8 years) as City Councilor to allow that person to potentially (if elected) serve an additional two consecutive terms (8 years) as Mayor. This approach is modeled after a 2022 City of Tualatin ballot measure that similarly refined the mayoral term limits.

### I. Proposed Ballot Measure

The proposed ballot measure is modeled off of the City of Tualatin ballot measure that also amended its term limits in the same manner – that is, to allow a two-term (up to 8 years) City Councilor to potentially serve an additional two consecutive terms as Mayor, for a total of 16 years in a 20-year period. The proposed Measure language is attached as **Exhibit A** to Resolution No. 3125 (**Attachment 1** to this Staff Report). For comparison, the City of Tualatin’s ballot measure language is attached as **Attachment 2** to this Staff Report.

In all other circumstances, the proposed ballot measure has no effect on the current term limits, and thus, the limit of serving 12 years in a 20-year period is retained. For example, a three-term City Councilor would not be eligible to run for Mayor until 8 years has passed, thus limiting the City Councilor to 12 years of service in a 20-year period. A one-term City Councilor who has served two terms thereafter as Mayor would also not be eligible to serve any additional terms as a City Councilor or Mayor in the 20-year period.

### II. Prior Council Discussions

The City Council met in work session on January 18, 2024 and January 29, 2024 to discuss whether to refer a ballot measure to the Wilsonville electorate regarding mayoral term limits. The City Council reviewed the reasons that community members identified regarding why separating the mayoral and city councilor terms may be advantageous to the Wilsonville community. Community members identified the following concerns with limiting City Council positions to a combined term limit of 12 years in a 20 year period, including the following:

- **Lack of Experienced Leadership:** The combined term limit of 12 years in a 20 year period means that individuals serving as Mayor will either be limited to only one term if they served two terms as City Councilor or will have limited experience on City Council before stepping into the role of Mayor. Community members noted, and the City Council agreed,

that a significant learning curve exists when joining City Council to learn about all the City does locally, regionally, statewide, and federally. Individuals who may eventually run for Mayor often seek to serve two terms as City Councilor to learn about city governance before attempting to run for the position of Mayor. However, the current term limits require individuals to either forgo a second term as City Councilor in order to potentially serve two terms as Mayor or be limited to only serving one term as Mayor. This limitation leads to a lack of experienced leadership on the City Council and in the mayoral position.

- **Lack of Consistent Presence and Relationship-Building:** As noted above, community members commented that the potential lack of experienced leadership harms the City's ability to assert its priorities, vision, and goals with regional, state, and federal entities. Being able to establish relationships and a statewide presence aids the City's ability to further its local priorities. The Mayor is the primary person to assert the City's priorities, and constant turnover of the position weakens Wilsonville's regional, statewide, and federal presence.
- **Distinction between Mayor and City Councilor Positions:** Public comments also highlighted, and the City Council noted, that the position of Mayor has significantly more demands than that of City Councilor and has a different, more expansive, scope of work and authority than City Councilor. Constant one-term Mayors means that individuals serving in those positions have little time to establish themselves in the new, expanded role.

During the work sessions, the City Council noted that community members in the City of Tualatin, that has term limits after which Wilsonville's term limits is modeled, identified the same issues with Tualatin's term limits after the term limits were approved by the voters. The City of Tualatin referred a ballot measure to the Tualatin electorate to refine mayoral term limits to allow a two-term City Councilor to potentially serve, if elected, an additional two consecutive terms as Mayor in a 20-year period. That ballot measure passed in 2022.

The City Council also reviewed the proposed charter amendment of the City of Tigard that completely separated the Mayor term limits from the City Councilor term limits. City Council directed staff to follow Tualatin's approach for a few reasons:

- The City Council wanted to ensure that the ballot measure referred to the voters would, in most circumstances, retain the original term limit of serving 12 years in a 20-year period. The City Council wanted to narrowly address the community members' concerns by referring a ballot measure that only allows a two-term City Councilor to potentially serve two consecutive terms as Mayor. A three-term City Councilor or a City Councilor who serves one term as City Councilor and then is elected to serve two terms as Mayor will still be limited to the 12-year term limits.
  - The City Council opted not to completely separate the Mayor and City Councilor positions with regard to term limits to retain the essence of the term limits as approved by the Wilsonville electorate.

- Wilsonville’s original term limits ballot measure was modeled after Tualatin’s, and so modeling an amendment to the term limits after Tualatin was a logical option.

The City Council considered many different options for how to structure a possible ballot measure to refer to the voters to refine the mayoral term limits. The City Council directed staff to pursue the narrow Charter amendment that the City of Tualatin referred to its voters. The City Council saw the Tualatin approach as a balance between: (1) retaining, as much as possible, the prior Charter language approved by the Wilsonville voters; and (2) addressing the likely circumstance of one-term mayors under the current Charter language.

**EXPECTED RESULTS:**

If Council adopts Resolution No. 3125, then Exhibits A-C will be provided to the City Recorder for publication of notice.

**TIMELINE:**

The timeline for all work is based on the anticipated election date. Assuming a May election date, the above-described steps must be completed by the following dates:

- March 1, 2024 – Last day to file with City Recorder ballot title for publication of notice
- March 21, 2024 – Last day to file Notice of City Election Measure (Form SEL 801) with county elections officials (can only be filed after completion of ballot title challenge process, if any)
- March 25, 2024 – Last day to file arguments for inclusion in voters’ pamphlet
- May 21, 2024 – Election Day

**CURRENT YEAR BUDGET IMPACTS:**

N/A

**COMMUNITY INVOLVEMENT PROCESS:**

Once a ballot measure is referred, the City may only answer factual questions but cannot advocate any position on the measure. Factual information can be provided on the City’s website and in the Boones Ferry Messenger.

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

The separation of or additional term for the mayoral position may allow a mayor to serve additional time as mayor if they also served as city councilor. This can provide additional experience, consistency, and leadership to the mayoral role. Currently, if a City Councilor has served two terms (up to 8 years) and then is elected mayor, that person can only serve as mayor for one term (four (4) years). The City Charter currently prohibits any candidate from seeking election if they would not be able to serve the full term within the term limits.

When the City of Tualatin referred its ballot measure to the voters, only arguments in favor were submitted for the voters' pamphlet. Those statements are provided here as **Attachment 3** explaining the reasons community members in Tualatin believed that revising the term limits for the mayoral position was in the best interest of that community.

**ALTERNATIVES:**

Determine not to move forward with a referral.

**CITY MANAGER COMMENT:**

N/A

**ATTACHMENTS:**

1. Resolution No. 3125
  - A. Measure Language
  - B. Ballot Title
  - C. Explanatory Statement
2. City of Tualatin Resolution No. 5582-21
3. Excerpt of May 17, 2022 Washington County Voters Pamphlet regarding Tualatin Ballot Measure