

**AFFIDAVIT OF POSTING**

**ORDINANCE CB-0-93-87**

STATE OF OREGON )  
COUNTIES OF CLACKAMAS )  
AND WASHINGTON )  
CITY OF WILSONVILLE )

I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:

On the 30th day of March, 1988, I caused to be posted copies of the attached Ordinance CB-O-93-87, an Ordinance amending Chapter 2 of the Wilsonville Code and adding Section 2.1010 pertaining to the election of City Councilors, in the following four public and conspicuous places of the City, to wit:


WILSONVILLE CITY HALL

WILSONVILLE POST OFFICE

LOWRIE'S FOOD MARKET

KOPPER KITCHEN

The ordinance remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 4th day of April, 1988.

  
\_\_\_\_\_  
VERA A. ROJAS, City Recorder

Subscribed and sworn to before me  
this 11<sup>th</sup> day of April, 1988.

  
\_\_\_\_\_  
NOTARY PUBLIC, STATE OF OREGON

My Commission expires: 8-23-89

**ORDINANCE NO. 325**

**AN ORDINANCE AMENDING CHAPTER 2 OF THE WILSONVILLE CODE AND ADDING SECTION 2.010 PERTAINING TO THE ELECTION OF CITY COUNCILORS.**

WHEREAS, Chapter VII of the City Charter provides a method for filling vacancies in office of elected offices of the City; and

WHEREAS, Section 30 of the City Charter allows an appointee to office to serve only until the next biennial general election; and

WHEREAS, the City Charter does not specify a position or ward system for City Council vacancies; however, it does otherwise provide for an election to office by the person receiving the greatest number of votes; and

WHEREAS, ambiguity exists over the length of term for persons elected to the City Council in cases where an office is vacated during the first two years of office and when there also is a vacancy in an office involving a four year term; and

WHEREAS, it is necessary to clarify the intent of election procedures.

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1. Section 2.010 is hereby added to the Wilsonville Code to read as follows:

Section 2.010 ELECTION OF CITY COUNCILORS:

In cases where both two and four-year terms for City Councilors are available due to vacancies in office, the candidate(s) receiving the highest number of votes shall be elected to the longer term(s). In cases of tie votes, Section 25 of the City Charter shall apply.

SUBMITTED to the Wilsonville City Council and read the first time at a regular meeting thereof on the 21st day of March, 1988, and scheduled for a second reading at a regular meeting of the City Council on the 4th day of April, 1988, commencing at the hour of 7:30 o'clock p.m. at the Wilsonville City Hall.

Vera A. Rojas

VERA A. ROJAS, City Recorder

ENACTED by the Council on the 4th day of April, 1988, by the following votes:

YEAS: 4 NAYS: 0

Vera A. Rojas

VERA A. ROJAS, City Recorder

DATED and signed by the Mayor this 5<sup>th</sup> day of April, 1988.

William E. Stark

WILLIAM E. STARK, Mayor


SUMMARY of Votes:

Mayor Stark	<u>AYE</u>
Councilor Edwards	<u>AYE</u>
Councilor Braymen	<u>AYE</u>
Councilor Clarke	<u>AYE</u>
Councilor Jameson	<u>ABSENT</u>

# CITY OF WILSONVILLE

## MEMO

TO: Honorable Mayor and City Council

FROM: Pete Wall  
City Manager 

SUBJECT: Ordinance Re: Council Terms

DATE: March 16, 1988

This ordinance is a housekeeping measure to clarify the election of city councilors. When the new charter was drafted in 1986 the Council decided that Council positions by number should be eliminated. As a result, the Council positions are at large and the highest vote getters are elected. The Council also wanted an appointee to office to serve no more than two years without having to stand election. A person appointed to office during the second two years of a term could serve the remainder, but a person appointed during the first two years would be only able to serve those first two years. The result of this is that although Council terms are normally four years, it is possible to have a two-year term up for election. We have this situation currently. Councilor Braymen was appointed as Ken Stokes' replacement when he resigned. He was in the first two years of his term when he resigned. The opposite is true of Councilor Jameson's appointment. He replaced Marina Gardiner who was in her last two years of office. So, at the November general election we will have two four-year terms for election and one two-year term.

The charter is silent on which candidates would receive which terms. It is only logical that the highest vote getter(s) should receive the longer terms and this ordinance clarifies this process.

pw:lb

petition is filed and shall take and preserve the name and address of the person by whom it is filed.

## CHAPTER VII

### VACANCIES IN OFFICE

Section 29. VACANCY. An office shall be deemed vacant upon the incumbent's death, adjudicated incompetence, conviction of a felony, resignation or recall or upon the incumbent's ceasing to possess the qualifications necessary for the office; or upon the failure of the person elected or appointed to an office to qualify therefor within ten days after the time for the term of office to commence; and in the case of Mayor or Councilor, upon the absence from meetings from the Council for 60 days or absence from the city for 30 days without consent of the Council; and upon a declaration by the Council of the vacancy. !

Section 30. FILLING OF VACANCIES. Vacancies in elective offices of the city shall be filled by appointment by a majority of the incumbent membership of the Council. The appointee's term of office shall begin immediately upon appointment and shall continue until the first day of January following the next biennial election; and if the term of office does not then expire, the remainder thereof shall be filled by election at such biennial election. During the temporary disability of any officer or during the absence temporarily from the city for any cause, the office may be filled pro tem, in the manner provided for filling vacancies in office permanently.

otherwise by ordinance, the general laws of the state shall apply to city elections.

Section 25. 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 a manner prescribed by the Council.

Section 26. COMMENCEMENT OF TERMS OF OFFICE. The term of office of a person elected to a city office at a regular city election commences on January 1st of the year immediately following the election.

Section 27. OATH OF OFFICE. Before commencing the duties of elective office, each officer shall take an oath or shall affirm faithful performance of the duties of the office and support for the constitutions and laws of the United States and the State of Oregon.

Section 28. NOMINATIONS. A qualified elector who shall have resided in the city during the 12 months immediately preceding the election may be nominated for an elective city position. Nomination shall be by petition specifying the position sought in a form prescribed by the Council. Such petition shall be signed by not fewer than 20 electors. Nomination petitions shall be in the form and filed in the manner and within the time prescribed by ordinance and state law. The City Recorder shall make a record of the exact time at which each