

**RESOLUTION NO. 2011-02**

**A RESOLUTION SUBMITTING A MUNICIPAL CHARTER TO THE LEGAL VOTERS OF THE CITY OF LA PINE FOR APPROVAL AND ADOPTING A BALLOT TITLE AND EXPLANATORY STATEMENT.**

WHEREAS, Article XI, Section 2 of the Oregon Constitution grants the legal voters of every city the power to enact their municipal charter;

WHEREAS, the City of La Pine (the "City") was incorporated in 2006, but the legal voters of the City have yet to enact a municipal charter; and

WHEREAS, the La Pine City Council (the "City Council") has prepared a municipal charter, a copy of which is attached hereto as Exhibit A, to present to the legal voters of the City for their approval at a general election to be held on May 17, 2011.

NOW, THEREFORE, BE IT RESOLVED, by and through the City Council meeting in regular session, as follows:

1. An election is called in and for the City for the purpose of submitting to its legal voters the following question:

Shall the legal voters of the City of La Pine enact a municipal charter?

2. Tuesday, May 17, 2011 is designated as the date for holding the election on the question stated in Section 1.

3. The election will be conducted by the Deschutes County Clerk's Office in accordance with Oregon law.

4. The precincts for the election will include all territory within the City and no other territory.

5. The Ballot Title to appear on the ballot shall be:

**CAPTION:** Proposed City of La Pine Municipal Charter

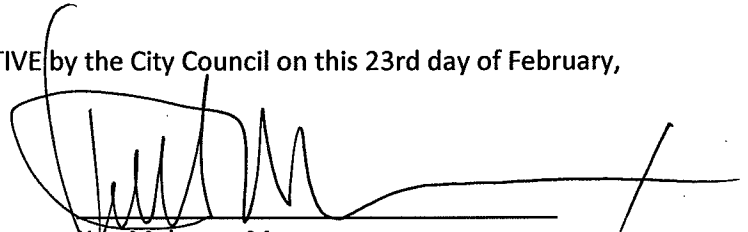
**QUESTION:** Shall the legal voters of the City of La Pine enact a municipal charter?

**SUMMARY:** Analogous to a constitution, a municipal charter is a written instrument governing how a municipal government functions. If this measure is approved, the City would be governed by its municipal charter. Among other things, the proposed municipal charter would (a) clarify the City's powers and how such powers would be distributed, (b) set forth the make-up of the council, how and when the council would meet, and how the council would take action, (c) set forth how the council would exercise its legislative, administrative, and quasi-judicial authority, (d) set forth the qualifications and term lengths for councilors and the mayor, (e) set forth the requirements for a valid election, (f)

set forth the process by which the council would appoint a city manager and his or her duties and responsibilities, and (g) set forth the process by which the council may appoint a municipal judge and his or her jurisdiction and authority. A copy of the proposed municipal charter is available at <http://www.ci.la-pine.or.us/>.

6. The City Council approves and adopts the Explanatory Statement for the Voters' Pamphlet attached hereto as Exhibit B.

APPROVED, ADOPTED, AND MADE EFFECTIVE by the City Council on this 23rd day of February, 2011.



Ken Mullenex, Mayor

ATTEST:



Richard L. Allen, City Manager

## **NOTICE OF FILING OF BALLOT TITLE**

The following notice must be published in the Bend Bulletin on Thursday, February 24, 2011 (or the next available edition following adoption of the ballot title by the City Council):

"At a special meeting on February 23, 2011, the La Pine City Council approved, adopted by resolution, and filed with the City of La Pine Elections Official the following ballot title:

### **BALLOT TITLE**

**CAPTION:** Proposed City of La Pine Municipal Charter

**QUESTION:** Shall the legal voters of the City of La Pine enact a municipal charter?

**SUMMARY:** Analogous to a constitution, a municipal charter is a written instrument governing how a municipal government functions. If this measure is approved, the City would be governed by its municipal charter. Among other things, the proposed municipal charter would (a) clarify the City's powers and how such powers would be distributed, (b) set forth the make-up of the council, how and when the council would meet, and how the council would take action, (c) set forth how the council would exercise its legislative, administrative, and quasi-judicial authority, (d) set forth the qualifications and term lengths for councilors and the mayor, (e) set forth the requirements for a valid election, (f) set forth the process by which the council would appoint a city manager and his or her duties and responsibilities, and (g) set forth the process by which the council may appoint a municipal judge and his or her jurisdiction and authority. A copy of the proposed municipal charter is available at <http://www.ci.la-pine.or.us/>.

Any legal voter of the City of La Pine dissatisfied with the ballot title set forth above may petition the Deschutes County Circuit Court seeking a different ballot title and stating the reasons the ballot title set forth above is insufficient, not concise, or unfair. **The petition must be filed not later than Friday, March 4, 2011.**"