

**Dear Prospective City Council Candidates,**

Thank you for your interest in running for Gresham City Council! The November 3, 2026, General Election ballot will feature Council positions 2, 4, and 6, as well as the office of Mayor. Individuals elected to these positions will serve four-year terms beginning January 1, 2027, and ending December 31, 2030.

This guide provides an overview of the local election process, including:

- General Information about Elections
- Qualifications for Candidacy
- How to File for Elective Office
- Voter's Pamphlet
- Campaign Finance Reporting
- Withdrawal of Candidacy or Nomination
- Temporary Political Signs at Election Time
- Most Frequent Violations or Tips for Prevention
- Door-to-Door Campaigning
- Election Offices Contact Information

If you plan to file your papers or have questions about the filing process, please contact me at 503-618-2697 or [Christina.Still@greshamoregon.gov](mailto:Christina.Still@greshamoregon.gov). I look forward to working with you.

Respectfully,

*Christina Still*

Christina Still

City Recorder | Elections Officer

## General Information about Elections

Serving as a City Councilor or Mayor is a rewarding way to use your experience and insight to help shape Gresham's future. The City Council consists of the Mayor and six Councilors, all serving four-year terms with modest compensation. The Mayor presides over Council meetings, represents the city, and works closely with Councilors and staff to guide City policy.

At the **November 3, 2026, General Election**, the Mayor and three City Councilor positions will be on the ballot. These positions are currently held by **Mayor Travis Stovall** and **Councilors Eddy Morales, Jerry Hinton, and Janine Gladfelter**. The candidates receiving the highest number of votes will be elected to four-year terms.

Councilors typically attend 4–6 public meetings per month, plus staff briefings, committee meetings, and any special meetings. Responsiveness to staff communications is important to help facilitate scheduling and planning.

The Mayor and City Councilors are required to file a Statement of Economic Interest annually with the [Oregon Government Ethics Commission](#).

## Qualifications for Candidacy

Required qualifications for any individual to fill an elective office in the City of Gresham:

- 18 years of age by election day
- Resident of Gresham during the 12 months immediately preceding the election
- Registered to vote not less than 20 calendar days immediately preceding the election
- NOT an employee of the City or elected officer of another city, county, special district, or state.

## Important Dates

If you are interested in running for City Council, note these critical 2026 dates:

2026 General Election Key Dates	Date
Candidate filing begins	January 1, 2026
Candidate filing ends	August 20, 2026
Last date for candidate to withdraw	August 25, 2026
Last date to file statement for county voter's packet	September 3, 2026
Election Day	November 3, 2026

# How to File for Elective Office

Candidates are encouraged to make an appointment with the City Recorder in advance in order to review the process, paperwork, and deadlines for filing a prospective petition. Candidate filing forms are available from the City Recorder, or you may download them directly from the State Elections Division website at <http://sos.oregon.gov/elections/Documents/candidatequickguide.pdf>.

## **Step 1: File Your Prospective Petition with the City**

### **1. Schedule an Appointment**

Contact the City Recorder to make an appointment to file your prospective petition and receive important election information.

- Phone: 503-618-2697
- Email: [christina.still@greshamoregon.gov](mailto:christina.still@greshamoregon.gov)

### **2. Complete Required Forms**

Bring the following forms to your appointment:

- SEL 101 – Candidate filing form
- SEL 180 – Candidate residence confidentiality form (optional, if you want your home address kept private)
- City of Gresham Candidate Statement Form

### **3. Choose Your Filing Method**

Candidates may qualify for the ballot in one of two ways:

- Declaration – Pay a \$10 filing fee.
- SEL 121 – Candidate Signature Sheet, Nonpartisan – Collect a minimum of 20 signatures from qualified city electors.
  - Written approval to circulate a petition must be obtained from the City Elections Officer at the time of filing.

### **4. Bring Identification**

Bring your valid photo ID and the unsigned forms to your appointment.

**Prospective Petitions may be filed beginning January 1, 2026.**

## **Step 2: Verify Completed Signature Sheet with the County Elections Division (if applicable)**

Submit completed signature sheets (SEL 121) to the City Recorder, who works with the Multnomah County Elections Division to verify signatures.

The County Elections Division will check that each signature sheet certification is signed and dated by the circulator and that each signature sheet is numbered sequentially in the space provided. The County Elections Division will then verify the original signature sheet against voter registration records and return the certified signature sheet to the City Recorder. If the County is unable to validate 20 signatures, and the filing deadline of (blank) has not passed, the candidate may secure and submit additional signatures for verification. The County estimate a turnaround time of 48 hours excluding weekends.

## **Step 3: File your completed Petition with the City**

A completed petition will include:

- SEL 121 – Candidate Signature Sheets, Nonpartisan (with signature verification from the County Elections Division)
- And
- SEL 338 – Petition Submission, Candidate, Voter's Pamphlet (required if obtaining signatures)

**Completed Petitions may be filed between June 3, 2026, and August 26, 2026.**

## **Step 4: Campaign!**

- Campaign must remain nonpartisan
- Campaign signs must not be placed in public right-of-way
- Temporary signs can be posted for a maximum of 90 days
- Signs on private property must be posted with the owner's permission
- Candidate must follow all applicable state and federal campaign regulations.

## **Voter's Pamphlet Information**

- Submit your candidate statement to the **Multnomah County Voter's Pamphlet** after your filing is certified.
- A **\$300 filing fee** applies.
- Candidate statements must be filed **after certification for the ballot**.
- Statement deadline: **5:00 p.m. on September 8, 2026**
- [Multnomah County Candidate Filing](#)

- **Clackamas, Multnomah, and Washington Counties** each publish a voter's pamphlet. See each county's website for filing information and fees.

## Campaign Finance Reporting

Oregon campaign finance law requires candidates to file campaign finance information under certain circumstances. First-time candidates can consult the **Secretary of State's Candidate Quick Guide**. For detailed requirements, see the [Campaign Finance Manual](#) on the Secretary of State's website or contact the Elections Division.

- [County City District Candidate Manual](#)

## Withdrawal of Candidacy or Nomination

To withdraw, file **SEL 150 Candidate Filing – Withdrawal** with the City Elections Officer.

- Deadline for the **November 3, 2026, General Election: August 20, 2026**

## Temporary Political Signs at Election Time

### Guidelines for Political Signs

- Follow all City and state guidelines for political signs
- Maximum display period: **90 days**
- Signs must not block public rights-of-way
- Private property signs require owner permission

### Most Frequent Violations & Tips for Prevention

- Campaign signs in public right-of-way
- Unpermitted signage
- Late campaign finance reports
- Noncompliance with signature sheet requirements

## Door-to-door Campaigning

- Respect private property
- Adhere to no-solicitation notices
- Comply with all local ordinances

## Election Offices Contact Information

### City of Gresham

- Phone: 503-618-2697
- Christina Still, Elections Officer / City Recorder
- 1333 Eastman Parkway, Gresham, OR 97030
- Email: [Christina.Still@greshamoregon.gov](mailto:Christina.Still@greshamoregon.gov)

### Multnomah County Elections

- Phone: 503-988-3720 - 503-988-8613
- Website: [Filings@Multco.us](mailto:Filings@Multco.us)

### Clackamas County Elections

- Phone: 503-655-8510
- Website: <https://www.clackamas.us/elections>

### Washington County Elections

- Phone: 503-846-5800
- Website: [Elections@washingtoncountyor.gov](mailto:Elections@washingtoncountyor.gov)

**City of Gresham  
Candidate Statement**

Please provide a brief description (100 word limit) of yourself and your background (Residence, school, work, volunteerism, etc.) to be posted on the City's election page and on the successful candidate's Meet the Council page. This should be informational and not campaign-focused. The City cannot endorse candidates in Council races. The City Recorder will work with you to ensure that your statement is appropriate for our website.

Candidate Name: \_\_\_\_\_

Candidate Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# Candidate Filing

## Major Political Party or Nonpartisan

**SEL 101**

rev 09/25  
ORS 249.031

Filing Dates		Candidate Filing		Candidate Withdrawal
<b>General Election</b> <b>November 3, 2026</b>	First Day to File Last Day to File	January 1, 2026 *August 18, 2026	August 28, 2026	
<b>General Election</b> <b>November 3, 2026</b>	First Day to File Last Day to File	June 3, 2026 August 25, 2026	August 28, 2026	

\*An incumbent seeking re-election to the same office must file their declaration of candidacy or nominating petition at least seven days before applicable filing deadline for non-incumbent candidates. Incumbent candidates that were appointed to the position they are seeking election to are subject to the same filing deadline as non-incumbent candidates.

Filing Information	
This filing is an	<input type="checkbox"/> Original <input type="checkbox"/> Amendment

Office Information	
Filing for Office of:	
District, Position or County:	
Party Affiliation:	<input type="checkbox"/> Democratic Party <input type="checkbox"/> Republican Party <input type="checkbox"/> Nonpartisan
Incumbent:	<input type="checkbox"/> No <input type="checkbox"/> Yes         If Incumbent: <input type="checkbox"/> Elected** <input type="checkbox"/> Appointed

**\*\*If you are an Elected Incumbent, you are subject to an earlier filing deadline!**

Filing Method			
<input type="checkbox"/> Fee			
<b>Office</b>	<b>Filing Fee</b>	<b>Office</b>	<b>Filing Fee</b>
United States Senator	\$150	Justice of the Peace	n/a
United States Representative	\$100	County Office	\$50
Statewide Offices	\$100	City Office	Set by charter or ordinance
State Senator or Representative	\$25	MSD Executive Officer, MAD Director	\$100
Circuit Court, District Attorney	\$50	MSD Councilor	\$25
<input type="checkbox"/> Prospective Petition, in lieu of filing fee		Some circulators may be paid	<input type="checkbox"/> Yes <input type="checkbox"/> No

Candidate Information				
<b>Name of Candidate</b>				
First	MI	Last		
How you would like your name to appear on the ballot				
Candidate Residence / Route Address				
Street Address	City	State	Zip	County
Candidate Mailing Address and Contact Information Only one phone number and an email is required.				
Street Address or PO Box	City	State	Zip	
Work Phone	Home Phone	Cell Phone		
Email Address	Web Site, if applicable			
Race and Ethnicity Optional				

Continued on page 2 of this form

**Occupation (present employment)** If not employed, enter "Not Employed".

**Occupational Background (previous employment)** If no relevant experience, None or NA must be entered.

**Educational Background (schools attended)**

Complete name of School	Last Grade completed	Diploma/Degree/Certificate	Course of Study
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**Educational Background (other)** Attach a separate sheet if necessary.

**Prior Governmental Experience (elected or appointed)** If no relevant experience, None or NA must be entered.

**Campaign Finance Information** Not applicable to candidates for federal office.

A candidate must file a Statement of Organization not later than three business days of first receiving a contribution or making an expenditure and no later than the deadline for filing a nominating petition, declaration of candidacy, or certificate of nomination, whichever occurs first, unless they meet the criteria for an exemption. To meet the criteria, the candidate must serve as their own treasurer, not have an existing candidate committee, and not expect to spend or receive more than \$1,500 during the entire calendar year (including in-kind contributions and personal funds).

If you have an existing candidate committee you must amend the statement of organization not later than 10 days after a change in information. This includes changes to the election you are active in and the office you are running for.

See the [Campaign Finance Manual](#) for the procedural and legal requirements of establishing and maintaining a candidate committee.

**Residence Address Exemption**

To exempt your residence address from public disclosure, complete form [SEL 180 – Residence Address Exemption Request](#). The request for a Residence Address Exemption MUST include a publicly disclosable mailing address. See the Candidates Manual for further information.

☐ I don't want my residence address to be disclosed. I will be filing a separate [SEL 180 – Residence Address Exemption Request](#).

**Candidate Attestation**

*By signing this document, I hereby state that:*

- I will accept the nomination for the office indicated above;
- I will qualify for said office if elected;
- All information provided by me on this form is true to the best of my knowledge; **and**
- No circulators will be compensated based on the number of signatures obtained by the circulator on a prospective petition

**For Major Political Party Candidates**

- if not nominated, I will not accept the nomination or endorsement of any political party other than the one named
- I have been a member of said political party, subject to the exceptions stated in ORS 249.046, for at least 180 days before the deadline for filing a nominating petition or declaration of candidacy (ORS 249.031). Does not apply to candidates filing for the office of US President.



**Warning**

Supplying false information on this form may result in conviction of a felony with a fine of up to \$125,000 and/or prison for up to 5 years. (ORS 260.715). A person may only file for one lucrative office or not more than one precinct committee person at the same election. Unless the person has withdrawn from the first filing, **all** filings are invalid. (ORS 249.013 and ORS 249.170)

Candidate Signature


Date

Candidate Signature Sheet | Major Party| Local

Petition ID \_\_\_\_\_

☐ SOME Circulators    ☐ No Circulators    for this petition are being paid.


This is a candidate nominating petition. Signers of this page must be active registered voters in the county listed.

 Signatures must be verified by the appropriate county elections official before the petition can be filed with the filing officer.

County \_\_\_\_\_

Candidate Information	
Name	Office
Party	District or Position Number

To the Elections Official/Filing Officer, We the undersigned voters, as members of the party listed above, request the candidate’s name be placed on the ballot at the next primary election following the filing of this petition for nomination to the office indicated.

-  Signers must initial any changes the circulator makes to their printed name, residence address or date they signed the petition.
- It is against the law for signers to sign another person’s name under any circumstances, sign a petition more than one time, and sign a petition when not qualified to sign it.

Signature	Date Signed	mm/dd/yy	Print Name	Residence or Mailing Address	street, city, zip code	Precinct #	if known
1	_____						
2	_____						
3	_____						
4	_____						
5	_____						
6	_____						
7	_____						
8	_____						
9	_____						
10	_____						

**Circulator Certification** This certification **must** be completed by the circulator and additional signatures **should not** be collected on this sheet once the certification has been signed and dated!  
I hereby certify that I witnessed the signing of the signature sheet by each individual whose signature appears on the signature sheet, and I believe each person is a voter qualified to sign the petition (ORS 249.061). I also hereby certify that compensation I received, if any, was not based on the number of signatures obtained for this petition.

Circulator Signature	Date Signed	mm/dd/yy	
Printed Name of Circulator	Circulator’s Address		street, city, zip code

Sheet Number
Completed by
Candidate



# **So, You Want to Run for Local Office...**

A Guide for Prospective  
City Elected Officials

April 2020

Last Updated February 2024





# **So, You Want to Run for Local Office...**

## **A Guide for Prospective City Elected Officials**

What every person interested in becoming an elected official should know about roles, responsibilities, and representing their community and city government.

This guide is primarily intended for candidates for city council. It serves as a reference and deals with a variety of important topics. This guide is meant to serve as an orientation for those who wish to assume a leadership role at the local level. The guide will outline:

- How to file for elective office;
- What to expect once elected;
- Roles and responsibilities;
- The sources of local government law;
- Communications;
- Visioning and goal setting; and
- Resources.

This guide is not a substitute for legal advice. Candidates are encouraged to speak with their privately retained attorneys for specific legal advice.

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## Welcome Message from the 2020 LOC President

Welcome to the club! The number of people willing to run for elected local office is pretty small, and for good reason: it's not an easy job if you want to do it right. If you're just looking for a fancy title and all-expenses-paid junket to exotic locations, you're going to have a rough time of it, and you won't have much fun. But if you're looking for a way to use your knowledge, experience and wisdom to help make your community a better, more functional place, you may find that lending your hand to local government is one of the most rewarding endeavors you've ever undertaken.

If you haven't already gotten your feet wet by volunteering for your local planning commission, budget committee, or other municipal body, you should seriously consider doing so before you declare a candidacy. Having some experience doing "city stuff" is a good way to get a better idea about what you're likely to spend your time doing as a city councilor or mayor, and will better prepare you to answer the sorts of questions you're likely to get as a candidate.

If you haven't already started attending city council meetings, start doing so now. You're going to want to become as familiar as possible with both the issues in your city and the way the council conducts business before you're up there on the dais. If you're running because there's a single burning issue that's compelled you to run, remember that there are hundreds of other issues you're going to have to wrestle with during your term of office. If you want to do a good job, you'll want to know what those are, and tackle them with just as much energy and honest consideration as you would your pet issue.

Remember that your opponents (and your eventual fellow council members) are people too. Assume the best of them—that they're also running for office because of a genuine desire to help your community. The people you're meeting in this process tend to be good folks who remain involved with civic matters, so they're just not going to go away after the election (in fact, it's likely that you'll find yourself working with them in the not-so-distant future). So, feel free to explain why you disagree with their proposed policies, but resist any temptation to sling mud. Taking the high road is not only the right choice ethically, it's also likely to pay dividends later.

Once you've won the election and you're seated on the council, the work isn't over. Instead, that's when it begins in earnest, and the learning curve can be pretty steep. Luckily, the League of Oregon Cities has some fantastic training opportunities to help you be the best elected official you can be. Please don't hesitate to reach out, and we'll do our best to help you help your city.

– 2020 LOC President Jake Boone, Councilor, Cottage Grove

## Filing for Elective Office

Qualifications for various city offices differ. Before filing for candidacy, review the city charter and statutory requirements of the office for which you plan to declare your candidacy. Requirements for filing for city office are found under Oregon Revised Statutes (ORS) Chapters 221 and 249. The forms that you will need are available from the city's elections official and the Oregon Secretary of State's Office, Elections Division.

Every candidate and prospective candidate are required to establish a principal campaign committee within three business days of receiving or spending any money to support the candidacy. This includes expenditures of personal funds by the candidate. It also includes payment of the filing fee if the candidate files by declaration, any costs relating to circulating a nominating petition, or any voters' pamphlet costs. For more information on campaign finance reporting requirements please see the Secretary of State Elections Division Candidate Finance Reporting in Oregon Candidate "Quick Guide" available at:

<https://sos.oregon.gov/elections/Documents/candidatequickguide.pdf>.

## What to Expect

As a local elected official, you will have the opportunity to shape policy governing the future of your city. In addition to serving as a community leader, being a model of civility and cooperation, an educator and interpreter of public opinion – the role of an elected official will change the way you are viewed in your community. You'll rarely stop by the neighborhood coffee shop without someone complaining about roads or taxes. You may be cornered anywhere, at any time, on anything. Local elected leaders are in direct contact on a daily basis with the people they represent.

You will spend a lot of time attending meetings – not only city council meetings – but regional and statewide meetings as well. You will spend time preparing for meetings, reading any preparatory material in order to make informed decisions in the course of all meetings.

If elected, you will utilize the skills you already have, skills you never knew you had, and skills you wished you had. You may be called upon to facilitate meetings, speak to the press, respond to angry and sometimes hostile citizens, testify before legislative committees, and negotiate with contractors, bankers and engineers. You will make decisions on everything from who to hire as the next city manager, which bid to accept for paving the roads, how to pay for solid waste disposal, to joining with neighboring cities in a regional approach to providing dispatch services.

### SPOTLIGHT:

#### Policy Process Steps

1. Identification of problems or needs
2. Establishment of community goals
3. Determine objectives
4. Development/analysis of alternative solutions (including short-term and long-term implications)
5. Establishment of priorities
6. Development of programs and strategies
7. Implementation of programs and strategies
8. Monitoring and evaluation of programs or strategies
9. Feedback
10. Program or strategy improvement and modification

### SPOTLIGHT:

#### Basic City Services

The services provided by cities vary from community to community. However, some typical services include:

**Public Safety** – police, fire, and sometimes ambulance service

**Utilities** – water and sewer, trash collection, electricity, and natural gas

**Land Use** – planning, zoning, code enforcement, and other regulatory activities

**Transportation** – street construction and maintenance, traffic safety, and sometimes public transit

**Recreation and Cultural** – parks, recreation, libraries, and sometimes cultural facilities

**Legal** – ordinances protecting the public health, safety and welfare of the community



## Roles and Responsibilities

The specific roles and responsibilities of members of city leadership will vary from community to community. Each position plays a vital role in the governance of the city. The council serves as the city's legislative body by adopting a budget and adopting local laws – called ordinances – and regulations.

### Policy Role

The council is the highest authority within city government in deciding issues of policy. For a council to effectively assume a positive and active role in bringing issues forward for discussion in setting policy, councilors need a clear understanding of policy process and the stages at which council intervention is most effective.

### Administrative Role

The council, as a collective body, is responsible for the oversight of administration in every city, but the roles that the mayor and individual councilors play in city administration vary considerably, depending on city size and form of government. Typically, the only city staff overseen by the council is the city's chief executive and potentially a handful of department heads.

Council/Manager Form – The majority of Oregon cities follow this structure where the council is comprised of volunteers who decide the policy for the city, which is overseen by a paid city manager who serves as the chief executive. Approximately 55% of cities nationwide utilize this form of government, and it is most popular in the Southeast and Pacific Coast regions.<sup>1</sup>

Strong Mayor Form – The last city in Oregon to have a strong mayor structure was the city of Beaverton.<sup>2</sup> Under a mayor form of government, the mayor is elected but also serves as the city's chief executive. Approximately 34% of cities nationwide utilize this form of government and it is most popular in the Mid-Atlantic and Midwest regions.<sup>3</sup>

Commission Form – The city of Portland was the state's only true commission form of government – until the new form of government is phased in during 2024. The Commission form of government, elects commissioners to serve as the administrative head of selected city departments as assigned by the mayor. While the commission is the oldest form of local government in the country, only 1% of cities nationwide utilize a commission form of government.<sup>4</sup>

### SPOTLIGHT:

#### **Council-Manager Form of Government**

The chief characteristic of the council-manager form of government is that the council appoints a qualified professional person as city manager or administrator to take charge of the daily supervision of city affairs. The manager or administrator serves at the pleasure of the council – the council sets policy and the manager carries out that policy. While an absolute separation between policy and administration does not really exist, the council-manager form works best when the council exercises its responsibility for policy leadership and respects the manager's leadership role and responsibility for administration.

Council-manager charters commonly include specific provisions that prohibit individual councilors from giving orders to city employees and from attempting to influence or coerce the manager with respect to appointments, purchasing, or other matters. However, the charters do not prohibit, and may affirmatively provide for the council to discuss administrative matters with the manager in open meetings.

<sup>1</sup> National League of Cities, Cities 101 – Forms of Local Government, <https://www.nlc.org/resource/cities-101-forms-of-local-government/> (Last accessed June 2024).

<sup>2</sup> <https://www.beavertonoregon.gov/860/Ballot-Measure-34-298> (last accessed June 20, 2024).

<sup>3</sup> National League of Cities, Cities 101 – Forms of Local Government, <https://www.nlc.org/resource/cities-101-forms-of-local-government/> (Last accessed June 2024).

<sup>4</sup> *Id.*

## **The Mayor**

The mayor's role varies from city to city, depending on charter requirements. The mayor serves as the public face of the community by representing the city at community events or government functions. The mayor also serves as the spokesperson for the council. During council meetings, the mayor typically serves as the presiding officer and sets the agenda for meetings. Often, the mayor appoints individuals to committees and work groups and signs ordinances and resolutions on behalf of the council. Most importantly, the mayor serves as the chief facilitator between the city manager and the city council.

## **Quasi-Judicial Role**

Council members may act in a quasi-judicial capacity when sitting on land use hearings and other type of appeals. When acting in a quasi-judicial role, the council is acting like a court of a judge – it is applying the law to a set of specific facts.

## **Council as “One Voice” and Balance**

The council acts as a centralized body with one voice and not as individuals. While individual council members may make motions, the motion is only passed when a majority of the council votes in favor of its passage. Newly elected and veteran elected officials may find this structure challenging as it may be difficult to pass policy based on individual platforms.

The single most difficult job of a city council is to balance diverse interests with common interests. A councilor may react to groups in isolation without considering the larger consequence of their actions. It is important to recognize and consider citizen input, but it is equally important to develop perspective. A council can seldom do everything that everyone wants.

## **Intergovernmental Relations**

Beyond the myriad of issues that are specific to city government, city officials will quickly find that they play a pivotal role in the intergovernmental arena with other cities, county government, special districts, and public schools, as well as regional, state and federal governments. Understanding these relationships and their impact on a city government's ability to provide responsible, efficient, and effective governance and delivery of services is important, particularly when funding and staffing resources are limited. Exploring new and innovative ways of funding and providing public services is one of the challenging issues facing elected officials.

It is important to recognize that the reasons you are running for office will become part of a “full plate” of issues – many of which you are not yet familiar. Because of the urgency and the complexity of these issues, governments must work together to address them. Cities no longer do their government business in isolation. The key to success is cooperation and collaboration.

## **Sources of Law**

The main sources of law governing local government are the city charter and ordinances, the state constitution, state law and the decisions of state courts. Cities are also subject to federal laws and the United States Constitution. Local elected officials should be familiar with their city's charter and ordinances, as well as the state laws regarding open meetings, public records, budgeting, public contracting, and ethics, some of which are described below.

## **Home Rule and Limitations of Power**

The term “home rule” refers to the authority of a city to set policy and manage its own affairs. Without charter home rule, state law controls the existence, form of organization, functions, powers, and finances

of local government. Most home rule authority is conferred on a city by its charter. A charter can be thought of as the city's constitution and may be amended only by a vote of the citizens of that city.

Even in light of home rule, local governments are subject to statutory, constitutional, judicial and charter limitations. Under Oregon constitutional home rule provisions, the voters of the state have taken from the state Legislature, and reserved to the voters of cities, the power to adopt and amend their own city charters. Initiative and referendum powers are also reserved to the voters of the city under Oregon Constitution Article VI, section 10 and Article XI, section 2.

Article I, Oregon's Bill of Rights, also applies to local governments. Other constitutional limits and restrictions include property tax limitations, prohibitions against lending the credit of a city, and regulation of city elections.

### Government Ethics

Public official ethics are governed by various constitutional provisions, the common law, state statutes, and occasionally, charter or ordinance provisions.

Government ethics law is administered and enforced by the Oregon Government Ethics Commission. State law may require officials in your city to file a statement of economic interest each year with the Oregon Government Ethics Commission. State law also requires that public officials not use their official position or office to obtain financial gain other than their official salary, honorariums or reimbursements of expenses. The law limits the value of gifts that officials, candidates or members of their families may solicit or receive, or which any person may offer, and prohibits public officials from soliciting or receiving offers of future employment in return for their influence. The law prohibits public officials from furthering their personal gain by use of confidential information gained through their position with the city.

Public officials must also avoid a conflict of interest relating to taking official action that may or will result in financial benefit or detriment to the public official, the public official's relative, or a business with which the public official or their relative is associated. When a conflict of interest exists, the public official must take certain steps such as announcing the conflict and potentially recusing themselves from any participation in the discussion or vote on the issue.

### Public Meetings Law

The Oregon public meetings law that applies to public bodies is found in ORS 192.610 to 192.695. Under the public meetings law, a governing body's meetings are open to the public with certain exceptions. Meetings of other city bodies such as the planning commission, budget committee, library board, etc., are also open to the public. Except in emergencies, there must be reasonable notice of regular meetings and at

#### **RESOURCE:**

For a more in-depth explanation of Oregon Home Rule and Preemptions see [LOC's Guide to Statutory Preemption of Home Rule](#) and [White Paper on the Origins, Evolution and Future of Home Rule](#), available on LOC's online reference library accessible at: <https://www.orcities.org/resources/reference/reference-library>

#### **RESOURCE:**

##### **Oregon Government Ethics Commission Publications**

For more information and guidance on government ethics for public officials, see the Oregon Government Ethics Commission's [Guide for Public Officials](#), and related supplement available at: [https://www.oregon.gov/OGEC/Pages/forms\\_publications.aspx](https://www.oregon.gov/OGEC/Pages/forms_publications.aspx)

least 24-hour notice for special meetings. Minutes are required to be taken. Executive sessions – those meetings that may be closed to the general public – may be held for certain prescribed reasons, but the media must be allowed to attend these meetings and final decisions may not be made. All final decisions must be held in a public meeting.

### **Public Records Law**

The Oregon public records law applies to public bodies and is found in ORS 192.311 to 192.478. The public meetings law prescribes not only how local government officials and staff must handle public records, but also how the local government must respond to and handle requests for disclosure.

### **Budget and Finance**

Budgeting is an annual process by which cities identify the types and levels of services that can be provided within the constraints of available resources. The general budgeting process is prescribed by the Oregon local budget law found in ORS 294.305 to 294.565. The Oregon Department of Revenue's Finance and Taxation section administers and provides advice and assistance to cities regarding budget matters. The section publishes a local government budget manual that is the basic reference document for local budget procedures.

In its most basic form, the budget identifies city programs, services and activities. City budgets are organized, and expenditures are accounted for by “funds” such as the general fund or street fund, etc. or “activities” such as law enforcement or transportation, in order to permit identification and handling of revenue earmarked for such purposes. Additional resources on local budgeting may be accessible on the Oregon Department of Revenue's website at: <https://www.oregon.gov/DOR/programs/property/Pages/local-budget.aspx>.

### **Liabilities**

To some extent, Oregon governments are liable for torts (wrongs to private parties) such as personal injury, property damage, wrongful entry, false arrest and detention, abuse of process, invasion of privacy, and interference with contractual relations. The Oregon Tort Claims Act places a financial limit on the extent of the government's liability for torts.

The personal liability of public officials is governed primarily by the provisions of the Oregon Tort Claims Act. Federal civil rights law, the common law of torts, and specific Oregon statutes also may impose personal liability. Some examples of personal liability are budget law violations, conflicts of interests, actions outside the scope of official duty, malfeasance in office, public contracting violations, and public meetings law and public records law violations.

The council should routinely consult with the city attorney in making decisions on city affairs. In addition to providing professional and technical services such as preparation of formal opinions and drafting of legal documents, the city attorney can supply advice regarding many other matters.

### **RESOURCE:**

#### **Oregon Attorney General's Public Records and Meetings Manual**

Without doubt one of the most helpful resources on public meetings and records is the Attorney General's [Public Records and Meetings Manual](https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual/). The Manual provides guidance and explanations to the various laws that govern Oregon public records and meetings. The Manual is available online free of charge at:

<https://www.doj.state.or.us/oregon-department-of-justice/public-records/attorney-generals-public-records-and-meetings-manual/>

Some types of insurance are required by state law, and cities purchase other types for their own protection. Insurance policies are complex documents, and the advice of competent insurance advisors and the city's legal counsel should be sought to make certain that coverage is adequate for the exposures involved. For more information on risk management, contact Citycounty Insurance Services online at <https://www.cisoregon.org/Contact-CIS>.

## Communications – The Key to Success

Council effectiveness is dependent upon good group dynamics. Each new configuration of the council creates its own personality and style of operation. As with any group, each council must go through the usual evolution of forming, storming, norming, performing and, eventually, reforming. A number of city councils in Oregon have adopted internal rules of council procedure to promote effective governance and establish ground rules for working together.

### **RESOURCE:**

For sample rules of procedure, see LOC's [Model Rules of Procedure for Council Meetings](#) available on LOC's online reference library accessible at: <https://www.orcities.org/resources/reference/reference-library>

## Elected Officials and the Public Spotlight

Becoming an elected official means living in the public spotlight 24 hours a day. Elected officials come to realize that this is simply a condition that accompanies the position – for better or worse. Don't be alarmed if your personal life becomes front page news and the "talk of the town." It's bound to happen sooner or later. Media relations is a skill that can work in the city's favor. It is wise to develop a respectful relationship with a local reporter and attempt to create a reciprocal relationship. Be sensitive of the reporter's job and their need to meet deadlines. At the same time, be careful and never speak "off the record." Expect anything you say or write to be used. Don't assume the interview is over until the reporter has left the scene. Also, before speaking with the press on a matter related to the city, make sure you and your council have identified any needed protocols for interactions with the media. Some cities have identified, through their council rules of procedure, how elected officials communicate with the press – identifying what a councilor or mayor can do when they "speak for" the city as opposed to when they are "speaking for" themselves.

## Representing the Public

Two of the most important tasks of local government officials are to discover citizen opinion and to ensure that citizens have sufficient information to form knowledgeable opinions. For these tasks to be carried out successfully, elected officials must solicit public input and encourage citizen participation and involvement.

Communication is important in achieving effective citizen participation in local government. Success depends on both the attitudes and interests of citizens and city officials. Citizens need to know their efforts are recognized and valued in the decision-making process. Public hearings, advisory committees, town hall meetings, televised council meetings, volunteer participation, public opinion polls, and interest groups are ways to connect citizens with city government in a significant way.

### **SPOTLIGHT:**

#### **Guidelines for Surviving Life in the "Public Fishbowl"**

- ✓ Be truthful.
- ✓ If you don't know the answer, say so.
- ✓ Anticipate all situations and questions.
- ✓ Be prepared.
- ✓ Be accountable and responsible for everything you do and say.



## Community Visioning and Goal Setting

City councils should develop community visioning and conduct annual goal setting processes in order to provide a roadmap for all city decisions.

### Visioning: Sustaining Quality of Life

City governance is an institution that enables a community of citizens, through their elected representatives, to maintain safety and a good quality of life, which is accomplished by developing policy, adopting implementing laws and ordinances, and planning for the delivery and financing of public services. Success is dependent upon the ability to stay in touch with the public's needs and desires, to understand the issues, and to balance the short and long term social, economic and environmental impacts. A vision statement provides a blueprint for the future and helps the council, staff and citizens to set priorities, goals, and make decisions to achieve desired outcomes.

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*"Every city has an unbelievable talent pool that can help change a city from average to outstanding. However, members of the community must realize how important their involvement can be. I truly believe that King City is a great example of what can happen when a diverse group of dedicated residents are committed to helping the city government represent the people, as city councilors. Progress in a city can only be made by the people who represent the people in the community in which they live and deeply care about."*

- Ken Gibson, Mayor, King City

### Setting City Goals

A clear set of goals provides the framework within which nearly all city activities can be accomplished. Goals provide direction, reduce crisis management environments, develop cohesiveness among council members, allow managers and staff to manage their time and activities effectively, and permit periodic evaluation of progress to manage any necessary mid-course corrections.

Without goals, a council cannot distinguish between movement and progress. Individuals and groups can spend tremendous effort and resources performing activities that, in retrospect, were not necessary. Often the reason for this wasted effort is the absence of a clear set of priorities and specific plans for accomplishing them.

Typically, council goals are developed for a one to two-year period. They are a tool for focusing the council's efforts; communicating priority issues to the community; and providing clear direction to city staff. Council goals should be articulated in such a way that they are specific, realistic, outcome-based, within the city's control, and measurable. Once goals have been set and adopted by the council, they can be used as a measure for evaluating staff performance, guiding budget decisions, and managing unanticipated issues that arise during the year.

## About the League of Oregon Cities

The LOC is the trusted, go-to resource that helps Oregon city staff and elected leaders serve their cities well and speak with one voice. The LOC is here to provide cities what they need to build thriving

communities, through advocacy, training, and information. Created in 1925 through an intergovernmental agreement of incorporated cities, the LOC is essentially an extended department of all 241 Oregon cities.

### **Resources and Recommended Reading**

The LOC provides numerous resource available online at [www.orcities.org](http://www.orcities.org). The public can access reference materials such as “Topics A-Z” and the Reference Library under the “Resources” tab. Resources include white papers, guides, model ordinances, and FAQs.