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Resolution No. 2025-06

A Resolution of the City of Lincoln City Creating a Charter Review Committee

Whereas, the City Charter for the City of Lincoln City is the equivalent to the constitution for the City; and

Whereas, amendments to a city charter must be approved by voters; and

Whereas, the voters of Lincoln City adopted the current City Charter January 1, 1989.; and

Whereas, the City Council desires to establish a City Charter Review Committee to evaluate the existing City Charter and to determine if the charter should be updated or changed; and

Whereas, the City Council of Lincoln City desires to establish a charter review committee to assist the City Council in the evaluation and preparation of the City’s charter and assist the City in its efforts to educate the community about the process and purpose of the Charter.

The City of Lincoln City Resolves as follows:

Section 1: A City Charter Review Committee is hereby established for the purpose of advising the City Council on proposed changes to the City Charter and the possible referral of said changes to City voters at a future 2026 election.

Section 2. The Committee may consist of up to seven (7) members appointed by the City Council. The committee will be comprised of the following members: three (3) City Council Members one from each ward, three (3) citizens who are residents of the City, one from each ward, and one (1) member from either the Budget Committee or the Planning Commission.

Section 3. The Committee is an official public body governed by Oregon Public Meeting Law and other applicable statutes. Meetings shall be publicly noticed and minutes shall be kept of all committee meetings in accordance with applicable law.

Section 4. If the Committee determines changes to the City Charter are warranted, it shall recommend draft amendments to the existing charter for review by the City Council to

1 place on the ballot for the voters of Lincoln City.

2
3 Section 5. The Committee shall be subject to, and shall follow, to the greatest extent
4 feasible, the attached document, Exhibit A, entitled "Expectations of the Charter Review
5 Committee".

6
7 Section 6. The Committee shall terminate at the time charter amendments are voted on
8 by the people of Lincoln City, unless the Committee determines changes are not
9 warranted. In such case, the Committee shall terminate when it makes such report to the
10 City Council.

11
12 Section 7. Removal, declaration of vacancy, and replacement of Members. Charter Review
13 Committee Members serve at the pleasure of the Council and may be removed by a
14 Council by majority vote with or without cause. Council members who serve on the
15 Charter Review Committee may vote to remove a Charter Review Committee Member.
16 Upon removal, the Council shall declare the Committee Vacancy and appoint a
17 replacement prioritizing ward residency. Upon appointment, the replacement Charter
18 Review Committee Member may receive a briefing of the Committee's work up to the
19 time of the replacement's appointment but shall not reopen and edit work that has
20 already been completed by the Committee without consent of a quorum of the
21 Committee.

22
23 Section 8: The recitals/findings contained in the Whereas Clauses of this resolution,
24 together with Exhibit A, as well as the competent substantial evidence in the whole
25 record of this proceeding are incorporated into this section by reference as if fully set
26 forth herein, and are adopted in support of this action.

27
28 Section 9: Resolution Effective Date is the date of its approval.

29
30
31 Passed and Approved by the City Council of the City of Lincoln City this 28th day of April
32 2025.

33
34 

35 _____
36 Susan Wahlke, Mayor

37
38
39 Attest:
40

1 *Jamie Young*

2 _____
3 Jamie Young, City Recorder
4

5
6 Approved as to form:

7 *David James Robinson*

8 _____
9 David Robinson, City Attorney
10
11

1
2
3 **Exhibit A**
4

5 **Purpose**

6 The primary function of the City Charter Review Committee is to review the existing City
7 Charter to determine if it will adequately serve the Lincoln City community into the future. If
8 necessary, the committee will recommend draft amendments to the City Charter. The
9 proposed charter amendments will ultimately be reviewed by the City Council for placement
10 on the ballot for the voters of Lincoln City to approve or reject.

11
12 The committee must be impartial non-biased, and free of any perceived political gain and may
13 approach the task in whatever means results in a document that best serves the citizens
14 of Lincoln City.
15

16 **Council Expectations**

17 The Council expects the committee to follow proper decorum and be civil at all times. The Charter
18 Review Committee is an extension of the City Council and as such, Committee Member represent
19 the Council while in committee and in the public. The work of a Charter Review Committee is of
20 utmost importance. The Committee's work product will serve to advise Council and go before
21 voters for approval. The work of the Charter Review Committee must be thoughtful, thorough,
22 based on research and training, be apolitical, and keep the best interests of Lincoln City in the
23 forefront.
24

25 **Membership**

26 The Committee may consist of up to seven (7) members pursuant to Resolution 2025-06. Three
27 Council Members, one from each ward; three community members, one from each ward; and one
28 additional community member who also serves either on the Budget Committee or Planning
29 Commission. Preference will be given to applicants who have experience in government,
30 constitutional law, or other professional experience relative to the operation of a municipal
31 corporation.
32

33 Members will receive no compensation.
34

35 **Terms of office**

36 Except as otherwise provided in this resolution, each member will be appointed for a limited term
37 of approximately fourteen (14) months. Any vacancy in the Committee will be filled by the City
38 Council for the unexpired term of the predecessor in office.

39 *The tentative schedule is to complete appointments to the committee in May 2025 and begin*
40 *committee work no later than June 1, 2025.*
41

42 **Member Responsibilities**

43 In addition to any other duties or responsibilities assigned to the members under this Resolution,
44 each member must attend Committee meetings and must notify the City Recorder when they will
45 be unable to attend a Committee meeting. In addition, if requested by the City Council,
46 the Committee will attend any City Council meeting that relates to charter issues that may impact
47 or affect the City. Prior to each Committee meeting, members will review all pertinent written

1 documents in preparation for deliberation and decision making. All Committee recommendations
2 and suggestions made to the City Council will be in writing.

3
4 The Committee will act as an advisory body to the City Council. To this end, and except as
5 otherwise provided or directed by the City Council from time to time, the Committee will have the
6 following advisory duties and responsibilities:

- 7 a. prepare a draft charter to present to Council by July 13, 2026
- 8 b. serve as an advisory body to the City Council concerning the preparation and adoption
9 of the charter;
- 10 c. inform and educate the community about the process and purpose of the city charter
11 and the importance of the city charter; and
- 12 d. solicit community and professional input concerning the city charter

13
14 The Committee will review charter-related issues that have been referred to the Committee by the
15 City Council; will review each Charter section independent of Council direction; may seek
16 outside advice from professionals; and, will make recommendations to the Council.

17
18 ***Members of the Charter Review Committee are public officials for the purposes of Oregon***
19 ***Government Ethics law. As such, Committee Members must adhere to Oregon Public Records***
20 ***Law (ORS 244) and are required to take a mandatory training during their term offered by the***
21 ***Oregon Government Ethics Commission about public meetings.***

22 23 **Election of Officers**

24 The Committee will, at its first meeting, elect a chair and vice-chair. The chair and vice-chair
25 will hold office at the pleasure of the Committee. A city staff will serve as the secretary
26 of the Committee.

27 28 **Duties of the Chair and Vice-Chair**

29 The chair presides at all meetings and signs all correspondence on behalf of the Committee.
30 The vice-chair will perform the duties of the chair in the absence of the chair and such other
31 duties as may be assigned by the chair from time to time. In the absence of the chair and
32 vice-chair, the Committee will elect a temporary chair for the particular meeting in question.

33 34 **Operating policies and procedures**

35 Minutes shall be kept of all committee meetings in accordance with applicable law. Committee
36 minutes are a public record available for public inspection. At the request of the City Council, the
37 Committee will prepare and deliver to the City Council a written report summarizing all
38 Committee activities, actions, and matters before the Committee (and any other information
39 requested by the City Council). The Committee will follow informal but professional rules for a
40 business meeting. Robert's Rules of Order are not necessary but may be used at the direction of
41 the Chair to establish order and efficiency.

42 43 **Staff to the Committee**

44 The City Manager and/or Assistant City Manager, the City Attorney, and/or the City Recorder
45 will support the work of the Committee, serve as primary staff, attend all meetings and act
46 in an advisory role. The City Attorney will act as the Committee's legal advisor in the conduct of

1 all hearings and matters.

2

3 **Committee Meetings**

4 The Committee will meet twice per month unless canceled at the direction of the chair due to lack
5 of Committee business or other reason. In addition to the regular meetings, the Committee will
6 meet at such other times and dates as may be deemed necessary or appropriate to carry out
7 Committee business.

8 Meetings of the committee will occur in the Council Chambers so that they may be open to the
9 public, televised (if available) and allow for remote attendance and participation.

10 *It is anticipated that the Charter review process will require two meetings per month, each*
11 *meeting lasting 90 minutes, and will take a minimum of twelve (12) months.*

12

13 **Attendance, Quorum**

14 1. Due to the tight timeframe of the committee's work, attendance by committee members is
15 critical to the success of this effort. Members unable to attend shall notify the City Recorder
16 by phone or email in advance of the regular meeting.

17 2. A majority of the members of the committee will constitute a quorum.

18 3. A quorum of the committee members must be present to conduct business at any meeting.

19

20 **Quorum and Voting**

21 A majority vote of a quorum will be necessary to act on any matter before the Committee.

22

23 **Final Report**

24 1. The committee will prepare a final report with recommendations to City Council and
25 present it at a regular meeting of the City Council.

26 2. The final report will be balanced and represent the majority opinions of the committee.

27 3. The final report will be reviewed by the entire committee and approved by motion prior
28 to being submitted to Council.

29 4. The motion approving the final report must be approved by a quorum of the committee.

30

31 **Authority and Expenditures**

32 The Committee will operate at the direction of the City Council and in conformance with and
33 subject to this resolution, Oregon law, and any and all City rules, procedures, resolutions, and
34 ordinances now in force and/or which may hereafter be created, amended, modified, enacted,
35 or promulgated.

36 The Committee has no authority to bind the City or represent to any person that the Committee
37 may bind the City.

38 The Committee has no authority to make expenditures on behalf of the City, or to obligate the
39 City for payment of any sums of money, unless and until the City Council has authorized
40 such expenditures by resolution or budget appropriation.

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