

Notice of City Measure Election

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MAR 06 2019

SEL 802

rev 1/12: ORS 250.035, 250.041, 250.275, 250.285, 254.095, 254.485

JOSEPHINE COUNTY CLERK

City and Notice Information

Notice is hereby given on March 6, 2019, that a measure election will be held in

Grants Pass

Oregon on May 21

, 2019.

Name of City or Cities

Date of Election

The following shall be the ballot title of the measure to be submitted to the city's voters:

Caption 10 words

Proposed Amendments to the Grants Pass City Charter

Question 20 words

Shall the City Charter be amended to provide Council/Mayor payment, change special meeting requirements, and other changes?

Summary 175 words

The City Council proposes changes be made to the City Charter. Proposed changes include: payment of the Mayor and Councilors in the amount of \$1,000 per month, which may be increased according to the CPI-U index; permitting three Councilors to call a special meeting; removing the Mayor's de facto veto power for City Manager appointment or termination; remove automatic office forfeiture provision for meeting attendance; clarification of language pertaining to vacancies and appointments; and other minor changes.

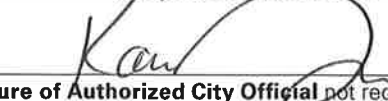
The following authorized city official hereby certifies the above ballot title is true and complete, which includes publication of notice and the completion of the ballot title challenge process.

Signature of Authorized City Official not required to be notarized

Date Signed mm/dd/yy

Printed Name of Authorized City Official

Title


Karen Frerk

March 6, 19
City Recorder

Notice of receipt of Explanatory Statement

The City of Grants Pass Elections Officer received the Explanatory Statement for a measure to be placed on the ballot for election on May 21, 2019 in the city of Grants Pass for the purpose of submitting to the voters of the city a proposal to change the City Charter.

EXPLANATORY STATEMENT FOR MEASURE: PROPOSED AMENDMENTS TO THE GRANTS PASS CITY CHARTER.

The proposed measure makes amendments to the City Charter. The City Charter defines roles and authority for the governance of the City.

The proposed amendments to the Charter include:

- I. The Mayor and City Councilors would receive compensation in the amount of \$1,000 per month, which shall be adjusted each January based on the CPI-U index;
- II. Three Councilors may call a special meeting;
- III. Removes Mayor veto power in appointment and termination of City Manager;
- IV. Removes automatic removal of Councilors for lack of meeting attendance;
- V. Clarifies language pertaining to vacancies and appointments;
- VI. Other minor revisions.

A "yes" vote would favor making the amendments. A "no" vote would be against making amendments.

Charter

City of Grants Pass, Oregon

Council-Manager Form of Government

A CHARTER

To provide for the government of the City of Grants Pass, Josephine County, Oregon; and to repeal all Charter provisions of the City enacted prior to the time this Charter takes effect, with the exceptions set forth herein.

Be it enacted by the people of the City of Grants Pass, Josephine County, Oregon:

CHAPTER I

NAME AND BOUNDARIES

Section 1. TITLE OF ENACTMENT. This enactment may be referred to as the City Charter of ~~2013~~2019.

Section 2. NAME OF CITY. The municipality of Grants Pass, Josephine County, Oregon shall continue to be a municipal corporation with the name "City of Grants Pass." The City of Grants Pass shall have and use a seal.

Section 3. BOUNDARIES. The City of Grants Pass shall include all territory encompassed by its boundaries as they now exist or as modified as provided herein. Unless mandated by State law, all annexations, by whatever means to the City of Grants Pass must be approved by a majority vote of the electors of the City. The City Recorder shall keep on file at least one copy of this Charter in which shall be maintained an accurate, up-to-date description of the boundaries. The copy and description shall be available for public inspection at any time during regular office hours of the City Recorder. ~~(Amended by voters, November 7, 2000, Measure 17.77) (Amended by voters, May 21, 2013, Measure 17-50)~~

CHAPTER II

POWERS

Section 1. POWERS OF THE CITY. The City shall have all powers which the constitutions, statutes, and common law of the United States and of this State expressly or implied grant or allow municipalities, as fully as though this Charter specifically enumerated each of these powers.

Section 2. CONSTRUCTION OF CHARTER. In this Charter, no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the City would have if the particular power were not mentioned. The Charter shall be liberally construed to the end that the City shall have all powers necessary or convenient for the conduct of its municipal affairs, including all powers that cities may assume pursuant to State laws and to the municipal home rule provisions of the State constitution.

CHAPTER III
FORM OF GOVERNMENT

Section 1. WHERE POWERS VESTED. Except as this Charter provides otherwise, all powers of the City shall be vested in the Council.

Section 2. COUNCIL. The Council shall be composed of eight Council Members elected from the City at large on a nonpartisan ballot.

Section 3. WARDS ESTABLISHED. The City of Grants Pass, Josephine County, Oregon, is hereby divided into four wards, designated and bounded as follows:

- A. Ward No. 1 shall consist of all that portion of the City lying north of the center line of Bridge Street and 'M' Street and west of the center line of Sixth Street extended north under Interstate 5 and following Scoville Road.
- B. Ward No. 2 shall consist of all that portion of the City lying north of the Rogue River and east of the center line of Sixth Street extended north of Interstate 5 and following Scoville Road.
- C. Ward No. 3 shall consist of all that portion of the City lying south of the Rogue River and southeast of a line formed by connecting the center line of 6th Street from the Rogue River to Highway 199 and the center line of Highway 199 from their intersection to the southwest.
- D. Ward No. 4 shall consist of all that portion of the City lying south of the center line of Bridge Street and 'M' Street, north of the center line of Highway 199, and west of the center line of Sixth Street.

The boundaries of the ward lines as herein prescribed may hereafter be changed by ordinance. (~~Boundaries revised by Ordinance No. 13-5588 December 4, 2013.~~)

There shall be two Council Members from each ward herein established.

Section 4. COUNCIL MEMBERS. The members of the Council shall be elected for a term of four years and shall hold their respective offices until their successors are elected and qualified. There shall be elected at large eight Council Members, one from each of the four wards at each biennial general election. The offices of Council Members shall always be filled so that one Council Member shall be elected from each ward for the full term of four years at each biennial general election. The term of office of Council Members incumbent at the time this Charter is adopted shall continue through their current terms of office.

Section 5. MAYOR. At the biennial general election held in 1980 and every fourth year thereafter, a Mayor shall be elected for a term of four years. The term of office of the Mayor incumbent at the time this Charter is adopted shall continue through the Mayor's current term of office.

Section 6. QUALIFICATIONS OF ELECTED OFFICERS. No person shall be eligible for the office of Mayor unless, at the time of their election, that person is a qualified elector within the meaning of the State constitution and has resided in the City during the twelve months immediately preceding the election. No person shall be eligible for Council office unless, at the time of their election or appointment, that person is a qualified elector within the meaning of the State constitution and has resided in the ward for which that person is seeking office during the six months immediately preceding the election. The Council shall be the final judge of the qualifications and election of its own members and the office of Mayor.

Section 7. SALARIES. The Mayor and Council Members shall receive ~~no pay~~ \$1,000.00 per month in total compensation for their services (including any retirement contribution or other benefits, if applicable), which shall be adjusted annually each January based on the United States Bureau of Labor and the Statistics, Cost of Living Index, CPI-U All Cities publication and shall be determined by averaging the 12-month Cost of Living figures ending with the immediately previous January. The compensation of each other City officer and each employee shall be ~~provided~~ fordetermined by the Council.

Section 8. APPOINTIVE OFFICES. Appointive offices of the City shall be the City Manager, the Municipal Judge and Municipal Judges Pro Tem, which shall be filled by appointment of the Council. The Council may create and abolish boards and commissions as it deems necessary and may make such appointments to and removal from such boards and commissions as provided by State law, resolution, City Charter, ordinance or resolution.

CHAPTER IV

COUNCIL

Section 1. MEETINGS. The Council shall hold a regular meeting at least once each month in the City at a time and at a place which it designates. It shall adopt rules for the governmentgovernance of its members and proceedings, and shall provide for keeping a journal of its proceedings. This journal shall be a public record. All records of the proceedings shall be approved by the Council at a meeting of the Council. -The Mayor ~~may,~~ or at the request of three Council Members shall, by giving notice thereof to all Council Members then in the City, members may call a special meeting of the Council ~~to, which shall~~ be held not earlier than twenty-four (24) hours after ~~notice is given~~ the Mayor or three Council members provide notice of such special meeting. In the event of an actual emergency, a meeting of the Council may be held

upon such notice as is appropriate to the circumstances. No action by the Council shall have legal effect unless the motion for the action and vote by which it is disposed of takes place at proceedings open to the public.

Section 2. **VOTING.** Voting, except on procedural motions, shall be by roll call and the ayes and nays shall be recorded in the journal. Five Council Members shall constitute a quorum, but a small number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the Council. No action of the Council, except as otherwise provided in this Charter, shall be valid unless adopted by the affirmative vote of a majority of the quorum of the Council. No Council Member shall be liable or questioned in any other place for words uttered in debate therein.

Section 3. **CONFLICT OF INTEREST.** Neither the Mayor nor any Council Member shall, during the period for which each person is elected or serving as such, be financially interested in any contract affecting the City.

Section 4. **MAYOR'S FUNCTIONS AT COUNCIL MEETINGS.** The Mayor shall chair Council meetings and preside over its deliberations. The Mayor shall have a vote on all questions before the Council resulting in a tie vote. The Mayor shall have authority to preserve order, enforce the rules of the Council, and determine the order of business under the rules of the Council. The Mayor must sign all records of Council decisions. The Mayor serves as the political head of the City government.

Section 5. **PRESIDENT OF THE COUNCIL.** At first regular meeting of the common Council in January of each year, or as soon thereafter as practicable, the Council shall choose by ballot one of its members to preside over the Council and perform the duties of Mayor in the absence of the Mayor from the City, or if the Mayor be, from any cause, unable to act as Mayor, the president of the Council shall preside over the Council meetings and shall have and exercise the power and perform all the duties of the Mayor.

CHAPTER V

POWERS AND DUTIES OF OFFICERS

Section 1. **MAYOR.** No ordinance passed by the Council shall go into effect or be of any force until approved by the Mayor, except as provided in the following sections.

1. Upon the passage of any ordinance or resolution the enrolled copy thereof, attested by the City Recorder, shall be submitted to the Mayor by the City Recorder, and if the Mayor approves the same, the Mayor shall write thereon "approved" with the date of such approval, and sign the same officially and

thereupon, unless otherwise provided therein, such ordinance shall become law and be of force and effect. ~~(Amended by voters May 21, 2013, Measure 17-50)~~

2. If the Mayor does not approve of an ordinance or resolution so submitted, the Mayor must, within three (3) days from the receipt thereof, return the same to the City Recorder, with the Mayor's written reasons for not approving it; and if the Mayor does not return it within three (3) days, such ordinance or resolution shall become law as if the Mayor had approved it. Within three (3) days of return of a disapproved ordinance or resolution, the City Recorder must notify the Council of such action. ~~(Amended by voters May 21, 2013, Measure 17-50)~~
3. At the first meeting of the Council after the return by the Mayor of any ordinance or resolution not approved, the City Recorder shall present the same to the Council, with the written reasons of objections of the Mayor, all of which must be read to the Council, and such ordinance or resolution shall then be put upon its passage again, and if three-fourths of all members constituting the Council shall vote in favor of such ordinance or resolution, it shall thereupon become a law without the approval of the Mayor. ~~(Amended by voters May 21, 2013, Measure 17-50)~~

Section 2. CITY MANAGER

1. Qualifications. The City Manager shall be the administrative head of the government of the City. The City Manager shall be chosen by the Council without regard to political considerations and solely with reference to the candidate's executive and administrative qualifications. The City Manager need not be a resident of the City or of the State at the time of appointment, but promptly thereafter shall become and, during the incumbency, remain a resident of the City. Before taking office, the City Manager candidate shall be bonded in such amounts and with such surety as may be approved by the Council. The premiums on such bonds shall be paid by the City.
2. Term. The Manager shall be appointed for a definite or an indefinite term and may be removed at any time by a majority of the Council currently holding office. The Council must fill the office by appointment as soon as practicable after the vacancy occurs. ~~(Amended by voters May 21, 2013, Measure 17-50)~~ Council appointment and termination of the Manager shall not be subject to approval or rejection by the Mayor, except in cases where the Mayor votes due to a tie.
3. Powers and Duties. The powers and duties of the Manager shall be as follows:
 - a. Devote all time to the discharge of official duties, attend all meetings of the Council unless excused therefrom by the Council or the Mayor,

keep the Council advised at all times of the affairs and needs of the City and make reports as requested by the Council of all the affairs and Departments of the City.

- b. See that all ordinances are enforced and that provisions of all franchises, leases, contracts, permits and privileges granted by the City are observed.
- c. Designate a City Recorder ~~and the~~. The Manager shall hire and may remove City employees except as the Charter otherwise provides and shall have general supervision and control over them and their work with power to transfer an employee from one department to another. The Manager shall supervise the departments to the end of obtaining the utmost efficiency in each of them. The Manager shall have no control, however, over the Council or over the judicial activities of the municipal judge. All personnel actions affecting the appointment, removal, transfer, demotion, layoff or disciplinary action of court employees shall have the consent of the municipal judge. In the event the Manager and judge shall disagree on any aforementioned proposed personnel action, the Council shall determine the appropriate action. (~~Amended by voters May 21, 2013, Measure 17-50~~)
- d. Act as purchasing agent for all departments of the City.
- e. Be responsible for preparing and submitting to the Budget Committee the annual budget estimates and such reports as that body requests.
- f. Supervise the operation of all public utilities owned and operated by the City and shall have general supervision over all City property.
- g. Appoint, in his discretion, a Manager Pro Tem in the event of his absence from the City. (~~Amended by voters May 21, 2013, Measure 17-50~~)

4. Seats at Council Meetings. The Manager, and such other officers as the Council designates, shall be entitled to sit with the Council but shall have no vote on questions before it. The Manager may take part in all Council discussions.

5. Manager Pro Tem. If the Manager is temporarily disabled from acting as Manager or when the office of Manager becomes vacant, the majority of the Council currently holding office must appoint a Manager Pro Tem. The Manager Pro Tem has the authority and duties of Manager, except that a Pro Tem Manager may only appoint or remove department heads with the approval of the majority of Council currently holding office. (~~Amended by voters May 21, 2013, Measure 17-50~~)

6. Interference in Administration and Elections. No member of the Council shall directly or indirectly, by suggestion or otherwise, attempt to coerce the Manager in making of any appointment or removal of any employee or in the purchase of supplies; or attempt to exact any promise relative to any appointment from any candidate for Manager; or discuss directly or indirectly with the Manager the matter of specific appointments to any City employment. Violation of the foregoing shall constitute grounds for removal from office by a majority of the Council holding office following a public hearing. Nothing in this section shall be construed to prohibit the Council, during any regular or special meeting, from fully and freely discussing with or suggesting to the Manager anything pertaining to the foregoing matters or City affairs and for the best interests of the City. ~~(Amended by voters May 21, 2013, Measure 17-50)~~

7. Ineligible Persons. Neither the Manager's spouse nor any person related to the Manager or Manager's spouse by consanguinity or affinity within the third degree may hold any appointive office or employment with the City.

Section 3. MUNICIPAL JUDGE.

1. The Municipal Judge shall be the judicial officer of the City, shall be and remain a member of the Oregon State Bar and shall hold within the City a court known as the Municipal Court for the City of Grants Pass, Josephine County, Oregon. Except on non-judicial days, the court shall be open for the transaction of judicial business as prescribed by the laws of the State. The territorial jurisdiction of the court shall include the entire area within the boundaries of the City as now or hereafter established. The municipal court shall have original jurisdiction of all offences defined and made punishable by ordinances of the City and of all actions brought to recover or enforce forfeitures or penalties defined or authorized by ordinances of the City. The municipal court shall also have such jurisdiction and authority as may now exist, or hereafter be granted or created by the laws of the State of Oregon. The functions of the Municipal Judge and municipal court may be fulfilled by a State court when so appointed and designated by the Council.

2. The Municipal Judge shall have authority to issue process for the arrest of any person accused of any offense against the ordinances of the City, to commit any such person to jail or admit such person to bail pending trial, to issue subpoenas, to compel witnesses to appear and testify in court on the trial of any cause before the Municipal Judge to compel obedience to such subpoenas, to issue any process necessary to carry into effect the judgments of the court, and to punish witnesses and others for contempt of court. When not governed by ordinances or this Charter, all proceedings in the municipal court for the violation of the City ordinance shall be governed by the applicable general laws of the State governing justices of the peace and justice courts, or by the general laws of the State governing any State court designated or appointed by the Council.

3. The Municipal Judges Pro Tem shall have the same qualifications as the Municipal Judge and a Municipal Judge Pro Tem shall serve as Municipal Judge during the absence or disability of the Municipal Judge.

Section 4. CITY ATTORNEY. The City Attorney shall be the Chief Legal Officer of the City. The City Manager shall hire and/or terminate the City Attorney subject to the consent of the majority of the Council currently holding office. ~~(Amended by voters May 21, 2013, Measure 17-50)~~

CHAPTER VI ELECTIONS

Section 1. VOTER QUALIFICATIONS. Every legal voter of the State who has been a resident of the City for thirty (30) days immediately preceding the election shall be entitled to vote at a City election.

Section 2. REGULAR ELECTIONS. Regular City elections shall be held at the same times and places as the biennial general State election, in accordance with applicable State elections laws. The City Recorder shall, not later than the last day on which such certificate may be filed, prepare and furnish to the County Clerk of Josephine County a certified statement showing the City measures to be voted on at said election and the City offices to be filled in the City at the election, and the names and other information concerning all candidates for such offices to be voted on at the election. Notice of such election shall be that provided by law to be given by the County Clerk of the County. ~~(Amended by voters May 21, 2013, Measure 17-50)~~

Section 3. SPECIAL ELECTIONS. The Council shall provide the time, manner, and means for holding any special election. The City Recorder shall give at least ten days' notice of each special election in the manner provided by the action of the Council ordering the election. ~~(Amended by voters May 21, 2013, Measure 17-50)~~

Section 4. REGULATION OF ELECTIONS. Except as this Charter provides otherwise and as the Council provides otherwise by ordinances relating to elections, the general laws of the State shall apply to the conduct of all City elections, recounts of the returns therefrom, and contests thereof.

Section 5. 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 6. CANVASS OF RETURNS. In all elections held in conjunction with State and County elections, the State laws governing the filing of returns by the County

Clerk shall apply. In each special City election, the returns therefrom shall be filed with the City Recorder on or before noon of the day following, and not later than ten days after the election, the Council shall meet and canvass the returns. The results of all special elections shall be entered in the record of the proceedings of the Council. The entry shall state the total number of votes cast at the election, the votes cast for each person and for and against each proposition, the name of each person elected to office, the office to which each person has been elected, and a reference to each measure enacted or approved. Immediately after the canvass is completed, the City Recorder shall make and sign a certificate of election of each person elected and deliver the certificate to each person elected within one day after the canvass. A certificate so made and delivered shall be prima facie evidence of the truth of the statements contained in it. ~~(Amended by voters May 21, 2013, Measure 17-50)~~

Section 7. ELECTION CONTEST. The common Council is the judge of election and qualification of the Mayor and Council Members, and in case of a contest between two or more persons claiming to be elected thereto, must determine the same. An election contest for any office other than Mayor and Council Member must be determined according to the laws of the State regulating contest for County officers.

Section 8. COMMENCEMENT OF TERMS OF OFFICE. The term of office of a person elected in a regular City election shall commence the first Monday of the following year.

Section 9. OATH OF OFFICE. Before entering upon the duties of an office, each officer shall take an oath or shall affirm that they will support the constitutions and laws of the United States and of Oregon and that they will faithfully perform the duties of that office.

Section 10. NOMINATIONS.

1. Names for all candidates for City office shall be presented for nomination by individual nominating petitions or by declaration or candidacy and payment of the fee.

2. In any petition filed by or on behalf of, or declaration of candidacy made by, a candidate for election to a City elective office at the general election, no reference shall be made to any political party ballot or to the political party affiliation of a candidate. The petition for nomination shall contain the signatures of not ~~less~~fewer than fifty registered electors of the City.

3. All such nominating petitions and declarations of the candidacy must be filed with the City Recorder at least five (5) days prior to the date on which the City Recorder is required to certify candidates and measures to the County Clerk for election. ~~(Amended by voters May 21, 2013, Measure 17-50)~~

Section 11. ELECTION PROCEDURE.

1. Except as herein expressly provided, the manner of election and preparing the general election ballot shall be the same as the State provisions now or hereafter in effect for the non-partisan election of district attorneys, subject to such change as the Council may hereafter make by ordinance.
2. When there are three (3) or more candidates for an office, the candidate receiving the highest number of votes shall be declared elected. A plurality of the votes cast shall be sufficient for election.

CHAPTER VII

VACANCIES IN OFFICE

Section 1. WHAT CREATES VACANCY. An elective office shall be vacant upon the death, removal from the City, or resignation of the incumbent, or upon such incumbent's ceasing to possess the qualifications of an elector. ~~The office of the Mayor and Council Member shall be vacated whenever the incumbent thereof shall fail to attend any three (3) consecutive regular meetings of the Council.~~

Section 2. FILLING OF VACANCIES. Vacant elective office in the City shall be filled by appointment made by a majority of the Council currently in office. ~~In the event of a Council vacancy, an~~ An election shall be conducted to fill the ~~vacancy~~ appointed office at the next regular general biennial election, unless the vacancy occurs ~~less~~ fewer than 100 days from the next regular general biennial election. If the vacancy occurs ~~less~~ fewer than 100 days from the next regular general biennial election, the City shall conduct an election to fill the ~~vacancy~~ appointed office at the next May special election. The ~~term of the~~ newly elected Councilor or Mayor shall ~~run concurrently with~~ complete the term of the vacating Councilor. ~~(Amended by voters May 21, 2013, Measure 17-50) or Mayor.~~

CHAPTER VIII

ORDINANCES

Section 1. ENACTING CLAUSE. The enacting clause of all ordinances hereinafter enacted shall be: "The City of Grants Pass hereby ordains:"

Section 2. ENACTMENT PROCEDURE.

1. Except as the second and third paragraphs of this section provide to the contrary, every ordinance of the Council shall, before being put upon its final

passage, be read fully and distinctly in open Council meetings on two (2) different days.

2. Except as the third paragraph of this section provides to the contrary, an ordinance may be enacted at a single meeting of the Council by unanimous vote of all Council Members present, upon being read first in full and then by title.

3. Any of the readings may be by title only if no Council Member present at the meetings requests to have the ordinance read in full, or if a copy of the ordinance is provided for each Council Member and three (3) copies are provided for public inspection in the office of the City Recorder not later than one week before the first reading of the ordinance and if notice of their availability is given forthwith upon the filing, by written notice posted at the City Hall and two other public places in the City or by advertisement in a newspaper of general circulation in the City. An ordinance enacted after being read by title alone may have no legal effect if it differs substantially from its terms as it was thus filed prior to such reading, unless each section incorporating such a difference is read fully and distinctly in open Council meetings as finally amended prior to being approved by the Council. ~~(Amended by voters May 21, 2013, Measure 17-50)~~

Section 3. EXISTING ORDINANCES CONTINUED. All ordinances of the City in force and effect when this Charter takes effect shall remain in effect until amended or repealed.

CHAPTER IX

PUBLIC IMPROVEMENTS

Section 1. IMPROVEMENTS. The procedure for making, altering, vacating or abandoning a public improvement shall be governed by general ordinance, or to the extent not so governed, by the applicable general laws of the State.

Section 2. REMONSTRANCE. If a written remonstrance be filed with the City Recorder prior to the first public hearing on public improvements for improvement of a street, installing curb, gutter, sidewalk and other assessment projects, other than installation of water or sanitary sewer, and such written remonstrance shall be filed by the owners of two-thirds of the property abutting on said street or alley to be so improved or repaired, computed on a lineal foot basis, no improvement shall be made but such project may be considered again by the Council ~~not less~~ no fewer than six (6) months after the filing of a remonstrance. The Council shall have authority to install water or sanitary sewer improvements over 100% objections. In this section, "owner" shall mean the record holder of the legal title or, where land is being purchased under a land sale contract, recorded, the purchaser shall be deemed the "owner". ~~(Amended by voters May 21, 2013, Measure 17-50)~~

CHAPTER X

MISCELLANEOUS PROVISIONS

Section 1. STREET VACATION. Prior Charter language, which provided that the Council shall have the power and authority within the limits of Grants Pass to provide for the vacation of any street or alley upon the petition or with the consent of ~~not less~~ no fewer than 3/4 of all of the owners of the property adjoining or abutting upon such street or alley, or any part thereof so vacated, is specifically continued in full force and effect. The aforesaid fraction pertaining to property owners shall be computed on a lineal foot basis. The Council shall prescribe by general ordinance the procedure to be followed in such vacation. ~~—(Amended by voters May 21, 2013, Measure 17-50)~~

Section 2. CHARTER. All Charter provisions of the City enacted prior to the time that this Charter takes effect are hereby repealed, save and except any portions necessary to sustain action previously taken under the prior Charter or action or procedure in the process of completion under the prior Charter, set forth hereinabove, is specifically continued in force and effect.

Section 3. This Charter shall take effect ~~on the 1st day of June, 2013.~~ ~~(Amended by voters May 21, 2013, Measure 17-50)~~ ~~(Charter originally adopted January 1977)~~ upon certification of election results from the May 21, 2019 election.