



City of Oregon City

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Staff Report

File Number: 18-341

Agenda Date: 7/18/2018

Status: Agenda Ready

To: City Commission

Agenda #: a1.

From:

File Type: Communication

SUBJECT:

Home Rule Authority, Voter Approval for Annexation and Senate Bill 1573

RECOMMENDED ACTION (Motion):

Informational - no action requested.

BACKGROUND:

In 2016, the Oregon Legislature adopted Senate Bill 1573, which requires a city to annex lands without voter approval, notwithstanding any city charter limitation to the contrary in certain cases as identified in the legislation. Concerns have been raised that the City's processing of an annexation pursuant to Senate Bill 1573 is a violation of not only the City Charter, but also the Oregon Constitution, which protects a municipal home rule authority from state inference, in certain cases. This issue is currently the subject of litigation between the Cities of Corvallis and Philomath and the State of Oregon. The attached memorandum from Deputy City Attorney Carrie Richter, dated July 11, 2018, provides a summary of the issues along with an update on the current litigation.