



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

A Guide for Prospective
City Elected Officials

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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.

Strong Mayor Form – The only city in Oregon with a strong mayor structure is the city of Beaverton. Under this 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.

Commission Form – The city of Portland is the state's only true commission form of government. In this form, elected commissioners 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.

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

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.

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

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](#). 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 coverages are 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.

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 an 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.

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>

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.

“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. 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.