

May 12, 2020

To: The People of the City of Gladstone
City Administrator Jacque Betz
City of Gladstone Attorney
The City Council of Gladstone Oregon

I _____ do solemnly swear that I will support the Constitution of the United States, and of the State of Oregon and the Charter and the Municipal Code of the City of Gladstone and that I will, to the best of my ability perform the duties of City Councilor/Mayor for the City of Gladstone Oregon during my entire term, so help me God.

I would like this council to remember back to the day they swore this oath, because clearly the exact words have been forgotten. Let me remind you of a portion of our City Charter that each of you swore to uphold.

City of Gladstone Charter / Chapter III / Section 12. Qualification of Officers

No person shall be eligible for an elected office of the city unless at the time of his election he is a qualified elector within the meaning of the state constitution and has resided in the city during the past 12 months immediately preceding the election and maintains continuous residency during the term of the office. The council shall be final judge of the qualifications and election of its own members.

Our charter reads; *maintains continuous residency during the term of the office.*

This is a clear requirement for all Councilors and not meant to be re-interpreted by anyone. The words, as written, were a decision of the people when voting in the current City Charter. And, after the failure to pass a new Charter in 2017, it is evident to me that the people in this city want the charter to read and mean just as it is.

The last line reads:

The council shall be final judge of the qualifications and election of its own members.

This line refers to the qualifications of being able to vote and our State Constitution is very specific in the section included below.

Section 2. Qualifications of electors.

(1) Every citizen of the United States is entitled to vote in all elections not otherwise provided for by this Constitution if such citizen:
(a) Is 18 years of age or older;
(b) Has resided in this state during the six months immediately preceding the election, except that provision may be made by law to permit a person who has resided in this state less than 30 days immediately preceding the election, but who is otherwise qualified under this subsection, to vote in the election for candidates for nomination or

election for President or Vice President of the United States or elector of President and Vice President of the United States; and (c) Is registered not less than 20 calendar days immediately preceding any election in the manner provided by law.

(2) Provision may be made by law to require that persons who vote upon questions of levying special taxes or issuing public bonds shall be taxpayers. [Constitution of 1859; Amendment proposed by initiative petition filed Dec. 20, 1910, and adopted by the people Nov. 5, 1912; Amendment proposed by S.J.R. 6, 1913, and adopted by the people Nov. 3, 1914; Amendment proposed by S.J.R. 6, 1923, and adopted by the people Nov. 4, 1924; Amendment proposed by H.J.R. 7, 1927, and adopted by the people June 28, 1927; Amendment proposed by H.J.R. 5, 1931, and adopted by the people Nov. 8, 1932; Amendment proposed by H.J.R. 26, 1959, and adopted by the people Nov. 8, 1960; Amendment proposed by H.J.R. 41, 1973, and adopted by the people Nov. 5, 1974; Amendment proposed by initiative petition filed July 20, 1986, and adopted by the people Nov. 4, 1986; Amendment proposed by H.J.R. 4, 2007, and adopted by the people Nov. 4, 2008]

Note: The leadline to section 2 was a part of the measure submitted to the people by initiative petition (Measure No. 13, 1986) and adopted by the people Nov. 4, 1986.

My point to this information is that Linda Neace has not been a resident of the City of Gladstone since June of 2019 when she vacated her home at 730 Riverdale Drive in Gladstone. She has not and does not live at her relatives' home on Exeter Street and a Post Office Box is certainly not a residence. While I can sympathize with Linda's misfortunes over the past year, I cannot understand her blatant disregard for the rules that guide and govern this city. Maintaining a home in this city is a rule not a choice, for a city council position. This current City Council has skirted this issue for almost a year now, and failure to uphold our Charter and call her out on this issue as a City Council member is no less than inexcusable.

I am demanding that Linda Neace immediately step down from her seat as a City Council member for the City of Gladstone and every single one of her votes beginning June of 2019 should be voided from the city records. And, should that result in a change in decision I would hand that task to the City Administration to correct. Should she refuse to vacate her position at this time, I ask that the City of Gladstone Administration immediately investigate.

I would also like for each remaining member of this council to make restitution via a formal apology to the citizens of this city for failure to uphold the oath of office that includes our City Charter. Swearing an oath to over 10 thousand people and then failing to uphold that oath should be an embarrassment to each and every one of you.

Sincerely,

Mindy Garlington
Gladstone Resident