

November 2



# MULTNOMAH COUNTY OREGON

MULTNOMAH COUNTY HOME RULE CHARTER REVIEW COMMITTEE

3RD FLOOR, FORD BUILDING  
2505 S.E. 11TH AVENUE  
PORTLAND, OREGON 97202  
(503) 248-5018

## MEMBERS

Florence Bancroft  
Tanya Collier  
Chad Debnam  
Marlene Johnsen  
Penny Kennedy  
Carol Kirchner, Vice-Chair  
Leeanne MacColl  
Roger Parsons  
Ann Porter  
Linda Rasmussen  
Rev. Frank Shields, Chair  
Paul Thalhofer  
John Vogl

## STAFF

Robert J. Castagna,  
Project Manager  
Maribeth McGowan,  
Secretary

## PUBLIC MEETING NOTICE

October 27, 1983

Wednesday, November 2, 1983

7:00 P.M.

The Portland Building  
Hearing Room C  
1120 S.W. 5th Avenue  
Portland, Oregon 97204

### Agenda

#### Testimony of County Commissioners

7:00: Commissioner Arnold Biskar, District 1  
7:30: Commissioner Gladys McCoy, District 2  
8:00: Commissioner Caroline Miller, District 3  
8:30: Commissioner Earl Blumenauer, District 4  
9:00: Commissioner Gordon Shadburne, District 5  
9:30: Break  
9:40: Committee Business

Approval of Minutes of October 26, 1983

Discussion of Committee Work Session--January 7, 1984

Additional Business

Adjournment

Charter Review Committee  
2505 S.E. 11th Avenue  
Portland, Oregon 97202



OREGON STATE BOARD OF EDUCATION



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November 2, 1983

TO: COMMITTEE MEMBERS  
FROM: ROBERT J. CASTAGNA  
RE: MATERIALS FOR THE NOVEMBER 2nd  
MEETING

The following materials were mailed  
to you on October 28, 1983.

1. Minutes of the October 26th meeting.
2. Agenda for the November 2nd meeting.



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Charter Review Committee  
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BOARD OF DIRECTORS





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## MINUTES

Public Meeting: November 2, 1983

Pursuant to notice by press release to newspapers of local circulation throughout Multnomah County and on the mailing list of the Committee and members of the Committee, a public meeting of the Multnomah County Home Rule Charter Review Committee was held at The Portland Building, Hearing Room C, 1120 SW 5th Avenue, Portland, Oregon. The meeting convened at 7:00 p.m.

Present were Chair Frank Shields and Committee members Chad Debnam, Marlene Johnsen, Penny Kennedy, Carol Kirchner, Leeanne MacColl, Roger Parsons, Ann Porter, Linda Rasmussen, Paul Thalhofer, John Vogl, Florence Bancroft, and Tanya Collier. Staff present were Robert Castagna and Maribeth McGowan.

The agenda included testimony from the five Multnomah County Commissioners:

Commissioner Arnold Biskar, District 1

Commissioner Gladys McCoy, District 2

Commissioner Caroline Miller, District 3

Commissioner Earl Blumenauer, District 4

Commissioner Gordon Shadburne, District 5

Presentation by Commissioner Arnold Biskar:

Commissioner Biskar provided a written statement (see Exhibit A) which included the following:

- 1982 Charter Amendments
  - Compensation for elected officials
  - Additional elected officials
  - Lobbyist prohibition
  - 8-year limitation
  - Mid-term candidacy prohibition
- 1978 Charter Amendments
  - Restriction on appointed Commissioners
  - Other Charter issues
    - Resubmit bonding issue
    - Repeal unique runoff election requirement
    - Reject any proposal to establish minimum policy levels in the county

Ann Porter requested Biskar to be more specific about the workload of a Commissioner. (She referred to page 6, 1st complete paragraph of his written statement.)

Biskar replied by commenting on the vast amount of reading material which must be read in order for a Commissioner to understand and be fluid in what he/she is doing. He also commented that the complexity for being fair makes it difficult to decide which is the right side. The lobbying which is done with the other Commissioners takes a great deal of time. When there is an amendment/resolution for mid-county, Biskar feels that the Commissioners should go out there and see what they are voting for.

Chad Debnam referred to the prohibition of a lobbyist issue - what has been hurt by not having a lobbyist for Multnomah County?

Biskar answered by citing <sup>that</sup> the Board of County Commissioners is <sup>considering</sup> a Bancrofting process for a part of the expense for putting in the sewers in mid-county. The Bancrofting is available to the citizens of mid county up to the property line. From the property line to the house the citizens must pay for it in cash. Biskar stated he will introduce a resolution to the legislature that they consider Bancrofting. If the Board of County Commissioners were allowed to have a lobbyist who has technical knowledge that goes along with presenting a Bancrofting issue before the Legislature, it would be very helpful, according to Biskar.

Paul Thalhofer posed the question regarding the Board of County Commissioners having access to the County Counsel as the County Executive does.

Biskar stated that whenever the Board of County Commissioners (the Board) has made requests of the County Counsel's office, County

Counsel John Leahy has responded. The Board has recently introduced an ordinance where the County Counsel will receive additional funding so that he can hire people and, therefore, be more responsive to the Board. Biskar cited that one of the conditions of the funding is that there be one attorney from the County Counsel's office that will do nothing but have liason with the Board. Biskar stated that he does not know how much the County Executive uses the County Counsel, but the County Counsel is available to the Board when they need him.

Thalhofer asked about whether he (Biskar) would recommend the form of government the city of Portland has.

Biskar said that he is in favor of that form. He would prefer that as a Commissioner to be the administrator of a department than just being a liason to a department.

Roger Parsons requested clarification on that which is cited on the last part of page (6) and the first part of page (7) concerning the minimum policing level - what would he (Biskar) propose as an alternative to having some type of level of service that most people would consider a minimum level of policing that is necessary for those who are in the unincorporated area?

Biskar stated that the reason he is opposed is that he does not want to see anything as an amendment to a Charter establishing either 1.3, 1.7 or how many officers per 1000 population. He does not feel that it is a healthy situation as far as the county is concerned the way it is presently structured because , if they establish it too high, he thinks the people of the unincorporated city areas would be paying far too much for police service for which they do not receive the benefits. When the Board passed Measure A this year, Biskar said that he had affected a compromise that would allow the Sheriff's Office to remain at very near its present level while informing them that this would be for one year only - that by then either Columbia Ridge would be a city or annexed to the city of Portland - but some method had to be worked out. While the unincorporated areas should not be without police protection, Biskar does not think the county can continue to stay in the business of providing an urban police service to an unincorporated county area.

Parsons asked about what assurances will the people in the unincorporated area have that their basic needs will be provided.

Biskar answered by saying that if they are an incorporated area or become Columbia Ridge then they will probably have to contract with Multnomah County (or someone) in order to have police protection. Biskar further stated that he assumes that the Sheriff's Department will stay reasonably intact. However, if this unincorporated area is annexed to either the cities of Portland or Gresham, then the city police force would be the provider of the police service. Biskar assured this Committee that these areas would not be left unprotected.

John Vogl asked about the role of the county - increasing or diminishing - as a result of mid-county's being incorporated.

Biskar responded by stating that if mid-county becomes a part of a city, the same services are to be delivered, probably to the same numbers of people. If it becomes Columbia Ridge, the people may want to contract out to the county's Human Services Department to continue to deliver those services. He does not think the county's responsibility will diminish because those people will continue to have to be serviced by the Human Services, police, etc. If, however, the citizens of the new city want to set up they own services, then the county will have fewer citizens to service. If they become a part of the city of Portland, some mutual service plans will have to be worked out.

In answering Carol Kirchner's question, Biskar said that all the officials on Ballot Measure #6 should be appointed.

Frank Shields asked if police protection districts in the unincorporated areas could contract out for additional services and Biskar answered yes, it would be possible.

Presentation by Gladys McCoy:

Commissioner McCoy provided a sheet which lists Charter changes of 1978 and of 1982 and a sheet regarding the role of the Board. (See Exhibit B.)

McCoy believes that knowledge of the history of counties is important in determining what our future will be.

1978 Charter changes:

1. Five Commissioners by district: McCoy believes that, generally speaking, the Board has tried to consider the entire county and the impact of its decisions on all the county rather than on just its districts. One compromise which has merit and may be considered is that districts are retained and that people live in a district but are elected county-wide.
2. Commissioners' 4-year term: McCoy said that this makes sense as it does take a period of four (4) years to be effective in this position.
3. Appointed person who fills a vacancy: McCoy feels that this should continue as it is outlined in the Charter.

"Shall not be a candidate", however, should be repealed according to McCoy. If it were contested in the courts it probably would be struck down as being unconstitutional. She recommends that this Committee either obtain legal counsel regarding it or just on its own volition, recommend its being repealed.

4. County Executive: McCoy feels that this position might be better served by a professional person who brings professional skills as an administrator. The County Executive is the administrator for the county. When it is an elected position, the fear is that it may become more political than pragmatic and that the person is not necessarily the best administrator for the county, but really the best campaigner. For this reason she would like it secured in the Charter that the County Executive is an appointed official, appointed by the Commissioners who are elected, and, therefore, are accountable.

5. The gender change should be retained.

6. This Charter Review Committee should be retained and scheduled systematically - so that it is not piecemealed.

7. Partisan/Nonpartisan offices: McCoy's personal feeling is that it should be partisan; there would be more interest generated and more people interested from a partisan standpoint. Since the city is nonpartisan, there is also some merit in having both these jurisdictions have the same requirements.

8. In terms of the general obligation bonds, which did not pass, McCoy said that there is new legislature that would have an impact on whether that should be continued or not. She urged this Committee to look very carefully at this and to make recommendations because she thinks there is a lot more flexibility in the new legislature than there was in the 1978 one.

#### 1982 Charter Changes:

1. Compensation for elected officials: According to McCoy, on the surface it sounds like a good idea, but it really is not. McCoy feels strongly that people know less about their county government than about other levels of government, and, therefore, are in less of a position to know what these positions are worth. The idea of having an impartial panel review the comparability of this county's Commissioners and those in other jurisdictions of similar size makes a lot of sense. McCoy thinks that it is one that ought to be pursued so that there is some basis on which some salaries are established - and not by popular vote. McCoy stated that she has no problem with the fact that after the panel makes a recommendation that people have an opportunity to approve or not to approve it. To have someone arbitrarily determine the salaries of elected officials is not desirable, according to McCoy.

2. Electing the Sheriff, County Clerk, District Court Clerk, and the County Assessor should all be repealed. McCoy commented that the Sheriff's position should be clearly defined as found in state law. The election of a Sheriff should be adhered to if there is strong feeling for this. McCoy feels that the Sheriff should be a professional person whose office is not politicized.

The other mentioned positions are strictly administrative functions which can be best performed by those who have the skills, talent, and experience.

3. Not to have a paid lobbyist is one of the greatest errors made and should be repealed. McCoy stated that in this particular legislative session there was a loss by the county's not having a lobbyist. Basically, according to McCoy, the lobbyists are people who are knowledgeable about the issues and take the time to share with the legislators so that their decisions are based on the best available information. McCoy emphasized that Multnomah County ought to have a lobbyist (paid).

4. The eight-year limitation has merit not in terms of one's full-term service throughout the county, but in terms of each position.

5. No elected official of Multnomah County may run for another office in mid-term is an unconstitutional issue on which a legal opinion should be obtained. McCoy feels that it does limit the potential leadership of people who see for themselves the possibility of a different office and of making a contribution.

Additional Changes:

1. For a candidate to appear only on the ballot in November (election) is confusing to people and needs to be clarified, according to McCoy. She stated that also a person who wins 51% of the primary vote should not have to campaign in the (November) General Election.

2. McCoy hopes that this Committee makes recommendations re: how the Charter Committee members are appointed. She cited the lack of representation in Committee member Leeanne MacColl's district. McCoy thinks that a good portion of the county has been disenfranchised.

3. County Commissioners living in districts, but voted in on a county-wide basis could be compromised for districting if there are strong feelings about it.

McCoy advised this Committee:

1. To be sensitive to the fact that change is occurring in this county and annexation or a new city is going to have a serious impact on Multnomah County and its structure, and also

2. To perhaps have some recommendations about how this Committee sees Multnomah County providing services if in fact much of the territory is annexed or becomes a new city.

Porter requested McCoy to share with this Committee what the role of the county government might be.

McCoy stated that there are still mandated services for the county to provide which are not provided by any other jurisdiction. Regardless

of what happens - comprehensive annexation or a new city - there will be roles for the county to perform. The fact that the county structure will be so much smaller might indicate fewer Commissioners. McCoy emphasized that with the present structure five full-time Commissioners are needed.

Debnam posed a question about still having districts and five Commissioners and changing the structure of the Charter.

McCoy stated that it is obvious to her that a part of mid-county is not going to be in the County. She continues to believe that the size of the county is going to be different, and, therefore, the legislative needs may be altered. Until the structure changes appreciably she thinks five Commissioners are needed since there is a great deal to do. McCoy referred to the third page of her comments sheets (Exhibit B) regarding the duties of the Board.

Thalhofer commented on the eight-year term limit for the Commissioners and that there are those who feel that the 1982 amendments were aimed more at personalities than on structure.

McCoy said that it is a matter of personal choice - as long as citizens approve of those who are elected, the elected officials should continue to serve. McCoy commented that the eight-year limit has some merit because in that time a great deal of changes occur. The needs continue to escalate, especially in an urban area, and resources continue to dwindle from both the federal and state levels. To have all these proliferations of jurisdictions means, McCoy believes, that we are spending more money than necessary on administration, and that we could redeploy those funds if we did not have so many levels of government. When it is considered that 68% of Multnomah County consists of the city Portland, McCoy cited that there is a lot of duplicating of services which could be more cost effectively implemented if there were not all those layers of administration to deal with. In terms of what that has to do with a person running for office, McCoy commented that if there is that much change there is also a number of people who have different perceptions which allows them an opportunity to run. McCoy thinks that in a democratic society people have a choice of choosing whom to elect.

John Vogl asked for clarification of point #5 on the Charter changes of 1982.

McCoy emphasized that people should feel free and be free to run whenever and however the law allows and the electorate should have the opportunity to vote for or against an incumbent or a new person in any position.

Shields asked McCoy to interpret point #4 re: Ballot Measure #6: eight years in office or eight years in terms of county service?

McCoy stated that it is not for her to interpret. She feels that those who initiated that measure (8-year term limit) were not clear. She believes this was more in terms of personality than structure of county government. McCoy suggested repealing this eight-year limitation, then this Committee would not have to consider it.

Robert Castagna posed a question regarding who would compromise a blue ribbon panel which would suggest a salary ordinance to the Board.

McCoy answered by stating that there had been a proposal regarding this blue ribbon panel: Several jurisdictions, who would be concerned about the same kind of thing, would get together, pool their resources, and appoint the committee jointly so that the research would be available to all of the Commissions.

McCoy said that this panel would need CPAs, an economist, a former elected person - not necessarily from Multnomah County - , a current elected official from the state, someone from higher education. The panel would consist of 5 to 9 members (sufficient). McCoy stated that she hopes one of this Committee's members would serve.

Kirchner asked for comments on the Auditor's Office.

McCoy responded by saying that it should be an appointed position because it is a professional job that needs to be done and the Auditor ought to have the skills, talent, experience to do that job. McCoy feels that when you elect a person you run the risk of electing the best campaigner and not necessarily the best qualified person to do that job. McCoy thinks that the fewer elected people we have the greater the sense of accountability because we have fewer people who must be accountable. Having eleven (11) elected officials is spread so thin it is hard to know who is responsible, according to McCoy. The Auditor ought to be an appointed position from the standpoint of professionalism.

If there is strong sentiment to have the Auditor an elected position then, McCoy feels, that there ought to be some requirement to have certified people in the Auditor's Office.

Presentation by Commissioner Earl Blumenauer:

Mr. Blumenauer's handout materials included his prepared statement (from which he testified) and his 8/22/83 memo to this Committee. (See Exhibit C.)

Blumenauer recommends the following:

1. This Committee should make major structural changes contingent upon certain events occurring.
2. The Sheriff, Assessor, and Clerk should be made administrative positions under the direction of a County Administrator and the County Executive should either be designated as the County

Administrator

or the Board should be delegated to hire a professional manager.

3. The prohibition of a paid lobbyist for Multnomah County should be deleted. Blumenauer feels the change to the county's having no lobbyist was a pernicious one and was a distinct disservice to the people of Multnomah County. He emphasized that a single legislative voice is essential.

Blumenauer focused his testimony on the county's being in an era of transition. He feels that in the course of two to three years the county will qualitatively be a different type of government than it is today. Now may be an appropriate time to radically change the nature and extent of county government and that this change ought to be keyed to some particular series of circumstances: We have not set up cause and effect relationships.

If this transition does take place during the next couple of years, there may be a good case of not needing five full-time Commissioners. Blumenauer thinks that this Committee could offer an alternative that would in fact be triggered by a change in the responsibilities of the county, that would change the nature and responsibility of the office of County Commissioner. He suggests that this may be more like a State Senate position--in terms of staffing and responsibilities and the district size--because then it becomes more of a policy-making function and less onerous in terms of the constituent responsibility; and there will be more uniformity in dealing with county functions (e.g., health care and law enforcement, library service). Similarly, Blumenauer noted that the County Executive's position is also in a state of transition - from a chairman of a three-member Board to a strong chairman of a five-member one, with a separation of powers between the County Executive and the administration positions. It may well be that if the extent of county services changes then that may be an appropriate time to have either an appointed Administrator or an elected one or hire a county manager. This may be the time to trigger that, Blumenauer emphasized.

Blumenauer believes that this transition should be of sufficient duration - two to three years - so that people will know what they are easing into, rather than having abrupt changes. He thinks that the "lead time" is important to allow a smooth transition. Blumenauer would concentrate on the notion of fragmentation of Executive power at the county, as alluded to on page 4 of his written statement.

Parsons posed a question regarding the appointed official's having to answer to someone and the voters' having input/influence - and still have a functional government.

Blumenauer replied by saying that there are those - including Blumenauer himself - who have tried to streamline government to the point that one knows who is responsible. He commented on the question of who is responsible now when there are four county executives (County Executive, Sheriff, Assessor, and the County Clerk) and an elected Board. Blumenauer supports unequivocally the notion of pinpointing responsibility so people know that they can hold a small number of Commissioners or a single Executive responsible - but not have so many people out there that they do not know who is in charge.

Right now, according to Blumenauer, there are any number of issues where it is not known who is in charge.

Porter asked Blumenauer to comment on what he sees as the ideal form of government for this region that might be the best system to deliver services.

Blumenauer would like to see a system that allows us to bring decisions down to the lowest common denominator. Issues which are of simply municipal interest are ideally handled by the city. Blumenauer stated that he is not opposed to having a new city in east county if the people want it. Blumenauer feels that the county should be dealing exclusively with county-wide services - those which are provided to everyone in the county - and that there should be a regional government for those things which are regional in scope: administration of the zoo, transit decisions.

Blumenauer feels that the people of Multnomah County have more government than they want, need, can afford, and deserve. And by this Committee's help to streamline the county government and its functions, it can help move in this direction.

Leeanne MacColl asked Blumenauer to specifically say how this Committee's job will be done if the county were shrunk in size.

Blumenauer thinks that in two or three years a lot of the work will be done. Depending on the individual Commissioner, between 15% and 40% of his/her time will be redirected towards county-wide concerns, i.e., human services, juvenile services, which will take a more central role. Alternatively, to shrink government, you should shrink the responsibilities of these individuals.

Blumenauer added that there are a number of little things that make a difference to politicians but do not make that much difference as far as the ongoing function of government is concerned. An example is the two-term limitation - there will always be someone to run for office.

Blumenauer advised this Committee not to worry too much about the convenience of the politician, and not to confuse this with the overall structural changes and to give a rational picture.

Thalhofer asked about which type of representation would serve the county better - district or county-wide?

Blumenauer answered by saying that as long as we have our present system it is better to have the district representation. He thinks it allows for accessibility. He admitted that there are lots of problems with district representation in terms of getting people to run and the potential for logrolling. Blumenauer thinks that in the short term, the accessibility is probably more important because of the local concerns of the people. As long as we have the mixture of services, Blumenauer would urge continuation of individual districts which makes the individual Commissioner more accountable and accessible.

Blumenauer commented that if the county goes over that mechanism where the urbanized unincorporated area is taken care of by cities (via a new city or annexation) then at-large representation may be considered.

Presentation by Commissioner Caroline Miller:

In her opening remarks Miller stated that she feels strongly about the loss of the lobbyist for Multnomah County and encourages this Committee to recommend to repeal it.

Miller stated that what works in government is the good will of the people.

Miller feels the a definition of "county" is needed with regard to implementing the budget, signing contracts, and pursuing law suits.

Miller stated the following :

1. As far as Board representation to boards and commissions, Miller feels there should be something in the Charter that says that those shall be selected by the boards themselves.
2. Miller supports the limitation of office and feels that it is better to have more people who have leadership experience.
3. Miller thinks there needs to be clarification of retroactivity.
4. She disagrees with the idea of the Board being part-time.
5. Miller cited that under the current provision of the Charter there is only one branch through which all the elected officials pass - the legislative branch, which reviews all policies in all fiscal management. All budgets and policies that control the Sheriff, County Executive, District Attorney, and Auditor come through the legislative branch. It is the only "hinge pin" that holds this government together, according to Miller.

Miller commented on the County Counsel's relationship with the Board: she thinks that the County Counsel is the backbone of wise decisions made by the Board. The County Counsel needs to be available to the Board when needed and not as a lower agenda item for someone who is hired and fired by the County Executive.

Miller recommends a return to either the old system where there was a general counsel in the DA's Office or that something be put in the Charter that requires the Board to contract out for their own counsel.

Miller replied to a Parsons' question re: the County Counsel by

stating that she recommends having the County Counsel come from the DA's Office. Miller stated that other elected officials need the services of a legal county counsel.

Parsons asked if she has any recommendations for this Committee to do re: the County Executive position.

Miller feels that it should be left alone. She stated that for efficiency in government - spend as little money as possible, then have a Manager and eliminate the County Executive position. Miller stressed that she is not advocating this. She feels the debate between the County Executive and the legislative branch is healthy. She hopes that this internal debate generates external debate so the public is aware of what is happening.

Miller commented that she is making an appeal to change government as little as possible because she believes that the legislative branch may need an opportunity to mature. She thinks there is not a total balance in the legislative branch. She would like to see less change and more opportunity to grow.

Porter asked for a comment on the role and the results of the Citizens' Congress.

Miller said that the staff discussed a need to get back to what the people perceive as the role of the county. The Congress felt they could focus on the mission of the county if they had a greater feeling of what the people would be willing to endorse and perhaps a consensus could be built. Miller sees the mission of the county coming out of this Congress. Once this mission statement is crafted Miller hopes it will help this Committee.

Kirchner asked for comments about the Auditor's Office.

Miller commented that she likes the independent Auditor's Office and would leave it there. It has been a valuable independent tool which Miller has used for making budget recommendations. She feels the Auditor's Office is independent and reliable.

Thalhofer asked how she feels election of County Commissioners is working.

Miller replied that she thinks districting is a good thing in that it gives her a sense of ownership. Running county-wide would be an onerous task. She commented on the bad points of districting, such as an opportunity to be parochial.

Tanya Collier asked when the Citizen's Congress will submit its report.

Miller stated that it will be in February or March 1984. The Steering Committee will determine the structure of this Congress.

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Presentation by Commissioner Gordon Shadburne:

Mr. Shadburne provided a written statement (Exhibit D) which addressed:

1. Charter changes brought about by Ballot Measure #6:
  - a. Section 6.50 (1) - Sheriff should be elected.
  - b. Section 6.50 (2) - Abolish the office of District Court Clerk; make the other three position appointed as they are administrative, must have training and technical knowledge; and there is a savings which managers have brought.
2. Suggestions regarding general Charter changes:
  - a. Maintain five full-time Commissioners, elected by district.
  - b. Eliminate the County Executive's office and assign departments to the offices of Commissioners.
  - c. Continue city/county specialization. Shadburne does not support city/county consolidation nor a powerful, large regional government.

Porter asked for comment on the role of Presiding Officer.

Shadburne stated that the Presiding Officer is the channel to the agenda and does the managing of the Board. Free discussion is ensued.

In responding to Thalsofer's question regarding an appointed Administrator, Shadburne replied by stating that the departments do not answer to an elected official, they answer to an appointed official. He stated that there comes a point where the elected individual must find out what is happening. If one of the Commissioners has a problem with management, one of the tools used is the press. Shadburne commented that the County Executive must be concerned about this because he faces election. There is pressure on the administration because the overseer is elected in accordance with our present system. But in an appointed system - as long as he has 3 or 2 votes - the Administrator does not have to worry about the general population. Shadburne recommended that this Committee look at Washington County or Gresham regarding their managers.

Vogl asked for a recommendation of how compensation of county officials would be done.

Shadburne mentioned an independent board of commission and getting neighborhood group involved. Concern is to get as close to the people as possible.

In response to Porter's question, Shadburne stated that he prefers nonpartisan elections: It is good to deal with issues - not party loyalties.

Committee Business:

Approval of the October 26 minutes:

Porter moved and Marlene Johnsen seconded that the minutes of October 26, 1983, be approved as written.

The motion passed unanimously.

Castagna reported that the work session will be held at Room 333 of Smith Center at Portland State University on Saturday, January 7, 1984.

Additional Business:

Commissioner Shadburne invited this Committee's members to attend the Board of County Commissioners' meetings.

The meeting adjourned at approximately 10:05 p.m.

Respectly submitted,

*Maribeth McGowan*

Maribeth McGowan  
Secretary

Erased Bond

25% COTTON FIBER

EXHIBIT A

STATEMENT BY COMMISSIONER ARNOLD BISKAR  
BEFORE THE  
MULTNOMAH COUNTY HOME RULE CHARTER REVIEW COMMITTEE

November 2, 1983

Mr. Chairman, Committee members, thank you for the opportunity to join your discussion about possible amendments to the Multnomah County Charter.

As you know, I was appointed to the Board of County Commissioners last January, to replace Dennis Buchanan as the commissioner from District 1. During these ten months, I've experienced an intensive on-the-job training in county government, which has changed many of the perceptions I had, as an outside observer.

Multnomah County government is a strange environment. There seems to be a small segment of our population which is vitally interested in our deliberations and actions. This segment often seems bitter and angry about its county government; it often appears determined to limit or punish the officials who serve it. However, repeated surveys and personal observation convince one that most of our citizens are confused or uninformed with regard to our programs and responsibilities.

It is also a traumatic environment -- you often have the sense of a government under siege. Like most local governments, ours has suffered from severe budget shortfalls. We continue to reduce or cut more and more services which once were considered essential for the citizens of a modern county. I believe it's no coincidence we also continue to lose the best and brightest of our managers and employees. They're simply terminally frustrated and burned out.

I believe your discussions and recommendations can provide therapy for this ailing government. As Ned Look, in his appearance before you, correctly stated: "...the Multnomah County Home Rule Charter is an uncoordinated hodge-podge of political views, many of which are ambiguously stated...". With the guidance provided by your recommendations, our citizens can enact the sensible changes in our Charter needed to enable a more efficient and effective county government.

The difficulty of your assignment was vividly demonstrated to me last week, when I met with my personal advisory committee. These people, whose political sensitivity and judgment I respect, are from varied backgrounds in both the public and private sectors. We devoted all of our recent meeting to the county charter and the possible changes in the document. Although there was unanimous agreement on a couple of issues, I was somewhat surprised by the diversity of opinion on a number of issues. There is no easy path to wisdom on the county charter.

From the viewpoint of a private citizen suddenly thrust into county government, here are my thoughts on the various issues you are considering. Let me begin with the changes made in 1982.

#### Compensation for Elected Officials

Compensation is probably the most controversial issue. But I think the 1982 amendment, which requires salary levels be approved by the voters, unfairly impacts public officials. At best, it means their compensation will always suffer from a considerable time lag.

I would prefer a return to the prior system, where officials set their own salaries but had to answer to the voters for any abuses. However, I doubt if the voters will be willing to support a straight repeal. But they might support a repeal tied to the establishment of a salary review board or commission.

#### Additional Elected Officials

The requirement of four additional county officials should be repealed. These additional positions are unnecessary and expensive. I believe these added fiefdoms dilute authority and accountability to effectively operate county government.

#### Lobbyist Prohibition

This was one of the most ill-advised amendments. The prohibition severely limits the county in arguing its needs, particularly before the Oregon Legislature. It should be repealed.

#### 8-Year Limitation

Realistic limitation on the terms of elected officials seems an idea whose time has come. I support an 8-year limitation, but I think the intent should be made clear: the limit should be on each elective office, not on total county service. I also think it would be appropriate to put the limit on consecutive terms; to permit a person to run again for the same office, after the person has been out of that office for at least the length of the term.

Mid-Term Candidacy Prohibition

I would strongly urge your recommendation to repeal the 1982 amendment which prohibits county officials from running for another office in mid-term. I simply don't think the public interest is served by placing a near-impossible hurdle before qualified officials who may wish to run for higher office. The prohibition also gives pause to qualified persons in the private sector who might consider running for county office.

This leads me into comments on some of the 1978 amendments which you are also reconsidering.

Restriction on Appointed Commissioners

The 1978 amendment, which prohibits a person appointed to a commission vacancy from running in a subsequent election for that position, is the one I have the most difficulty in viewing objectively. I was aware of the restriction when I sought and accepted the appointment, and I have to abide it. But I think it's a mistake, because it automatically excludes retention of a person who has learned the job, just as the job ends.

Actually, if you look at all the restrictions the various amendments have placed on county offices -- uncertain compensation, limitation on service, prohibition on mid-term candidacy, restrictions on appointees -- it will soon be a marvel if we get any qualified candidates. The intent clearly seems to be to punish county office holders for past mistakes or attitudes, real or imagined. I don't believe you can get or retain good public officials

with all these barriers.

Although special elections are expensive, the committee might also consider the elective process for filling vacancies, particularly if the district system is retained. I'm told the cost for a county-wide election is currently about \$120,000, so the cost for a district special election would be about \$30,000.

#### County Governmental Structure

I believe the public was better served by the system, prior to the 1978 amendments, when the county executive served on the board as chairperson. His performance was more visible as one of five commissioners, routinely making decisions in a public forum; the board/chairperson relationship also forced better cooperation. Too often, I think, the present system promotes an adversarial relationship between the executive and the board.

I don't know that the voters would support a return to the old system. But one strong selling point would be the elimination of one office holder and staff.

My second choice would be the retention of the current system of five district commissioners, except I would favor an appointed rather than an elected county executive. This is no reflection on the incumbent executive; I think he's doing a good job, and he's trying hard to work with the board, rather than against them or around them.

But the county executive is actually the county's manager. Future executives will probably not possess Mr. Buchanan's unique

background and training for the job. The public interest would be better served by a professional, appointed by the board, to manage and operate the county.

Whatever system prevails, and at least for the present, I think it would be a mistake to recommend part-time service by commissioners. I earlier mentioned my perceptions had changed during my ten months on the board. One change of perception involves a commissioner's workload. I can honestly say that I have never worked as hard as I have as a county commissioner. The present complexity of problems and the size of the budget demand fulltime attention.

#### Other Charter Issues

I would also comment briefly on several other issues before you.

I believe you should resubmit the bonding issue to the voters. The board should have the flexibility to move without undue delay, where public financing is necessary to serve a public need. The city of Portland and the Port Authority possess this tool; so should the county.

You should also recommend the repeal of the unique runoff election requirement, passed in 1978. It unreasonably prolongs the electoral process and, in reality, is probably more beneficial to an incumbent than to a challenger.

I would also hope you reject any proposal to establish minimum policing levels in the county. The cuts in policing levels to date have been hard but fair. The residents of the incorporated areas

can no longer be expected to subsidize municipal services delivered solely in the unincorporated areas.

In closing, I would like to express my appreciation for your willingness to take on this assignment. Just to reconstruct a coherent and effective charter is challenge enough for any group. But you must do this in the context of broader implications: the awareness that significant changes in government are bearing down on us, with little certitude of what the changes will be or their timing; a need to exhibit fairness to all the citizens of the county, whether they reside in one of the various cities or in the unincorporated areas; the realization that revenue shortfalls will be a continuing fact of life for local governments. You have an awesome task.

Thank you for the opportunity to share my views with you.

EXHIBIT B



Gladys M&Coy  
Multnomah County Commissioner  
District Two  
County Courthouse, Room 605  
Portland, Oregon 97204 (503) 248-5219

November 2, 1983

COMMENTS BEFORE THE CHARTER REVIEW COMMISSION

I would first like to express my personal thanks and appreciation to all of you for your willingness to provide this very valuable service to the community. I know that it is time consuming, but it is vital and the choices which you must make are critical. I appreciate your willingness to do so.

Secondly, I wish to share with you an outline of my comments, rather than a speech, from which we can talk together about the issues. I will confine my areas of interest to the Charter Review changes of 1978 and 1982.

I have read with interest the very thorough and excellent minutes provided by the secretary. They have been most informative. Further, I would wish to refer you to the historical comments made by Ned Look, who appeared before you October 17. I believe history is important in determining where we should go in the future. County government is immensely more complex than it was when Counties were created as agents of the state. As we see, changes are ongoing and is the one thing we can count on. The status quo is neither acceptable nor desirable. It is our task to initiate change for the better in an orderly and timely fashion.

I have included in my packet for you a brief description of the role of the Commissioners, the Legislative branch of County government. Further, I would remind you the form of County government we presently enjoy is still quite new and I would wish that your recommendations for change, if that occurs, would at least allow some discussion about the potential value of the structure we presently have.



Gladys McCoy  
Multnomah County Commissioner  
District Two  
County Courthouse, Room 605  
Portland, Oregon 97204 (503) 248-5219

November 2, 1983

#### CHARTER CHANGES 1978

1. 5 Commissioners by districts
2. Commissioner term 4 years
3. Vacancies:
  - a. Appointed to full vacancy, shall not be a candidate.
4. County Executive, elected.
5. Masculine feminine gender.
6. Charter Review Committee
7. Non partisan offices.
8. The BCC may issue and sell general obligation bonds.  
This did not pass.

#### CHARTER CHANGES 1982

1. Compensation for elected officials.
2. Elect:
  - a. Sheriff
  - b. County Clerk
  - c. District Court Clerk
  - d. County Assessor
3. Not employ or hire a paid lobbyist.
4. Eight year limitation.
5. No elected official of Multnomah County may run for another office in mid-term.

#### ADDITIONAL CHANGES

1. 50.01% elected in Primary election.
2. Method by which Charter members are appointed.
3. County Commissioners live in district, but voted on county-wide.

The Board of County Commissioners conducts the legislative business of the County during two formal Board meetings per week. Public testimony is invited. In addition, the Board holds one informal meeting per week for the purpose of reviewing the formal agenda and hearing informational briefings from staff, departments, and affected outside agencies. For the convenience of the residents of Multnomah County, meetings are often held at locations other than the Courthouse within the districts represented by the Commissioners. Night meetings are also held to provide greater citizen access. The Board's staff functions as a research and analytical resource on matters that come before the Board.

The Board:

- Conducts official business of the County as required by State law.
- Conducts official business and adopts budgets of established service districts.
- Hears Land Use appeals from cases reviewed by the Hearings Officer, Planning Commission, and Planning staff.
- Adopts policies to provide direction for the administration of County programs and other functions.
- Reviews the Executive Budget, holds hearings, and adopts final County Budget.
- Creates such Boards and Commissions as it deems necessary for advice on matters of concern to the County, recruits and recommends citizens to serve on same, and confirms appointments by the County Executive to Boards and Commissions.
- Acts as liaison to County Departments, Advisory Boards, and Commissions.
- Monitors activities of the Board of Equalization as established by law. One member of the Board serves as the Chairperson for the Board of Equalization.
- Monitors and supervises the functions of the Clerk of the Board and Assistant who serve as official recorders of Board Actions and as a repository for Board files.
- Provides a Civil Service System under the Charter.
- Consults with labor negotiator for the County and adopts final labor agreements.
- May exercise bonding authority as prescribed by Charter and State law.
- May establish County Service Districts as prescribed by Charter.
- Is empowered to make changes in county administrative departments.
- Fills vacancies in elective county offices.
- Responds to citizen complaints.

EARL BLUMENAUER  
Multnomah County Commissioner



County Courthouse  
Portland, Oregon 97204  
(503) 248-5218

TESTIMONY OF EARL BLUMENAUER, MULTNOMAH COUNTY COMMISSONER  
BEFORE THE CHARTER REVIEW COMMISSION  
WEDNESDAY, NOVEMBER 2, 1983

I appreciate the opportunity to share my analysis of the interesting challenge you face suggesting modifications of Multnomah County's structure for the voters to consider. I have attached a copy of an earlier memorandum you received from me outlining an approach to this issue. I would like to begin by summarizing those points and then dealing with some specific structural recommendations.

Your mission is all the more significant today because of the changes that have occurred in public attitudes regarding government and its financial support on the local level. We have passed the time when Multnomah County can be all things to all people. It cannot. Very few people today, whether or not they are in cities, live in an urbanized unincorporated area or a rural community feel that the County can or should continue to provide municipal services. That is better handled by a city. Within two years I would hazard the guess that we will have

resolved that matter. If that resolution occurs and we have either a new city or dramatic expansion of Gresham and Portland and perhaps the mini-cities, then the nature of the governance of the County will substantially change. Certainly within three years you will no longer need 11 fulltime elected officials.

I would recommend that you make major structural changes contingent upon certain events occurring. This will make it easy for the voters to know what you are trying to achieve. It will allow us to blunt criticism from people who feel that politicians would oppose changes only to hold onto their jobs. And speaking as someone who has tried to reduce the number of both elected and appointed positions throughout my career, I think it would also reduce the opposition of people who are simply trying to hold onto their elected or appointed positions.

If the County is to phase out at least 50 percent of the municipal responsibilities that it currently must exercise within the next two years, then the Board of County Commissioners could become a five-person part-time position, structurally similar in terms of staff, district size and time commitment to a current State Senator. The transition could be made effective January 1, 1986, and certainly no later than January 1, 1987. The only impediment to making it effective earlier is that you may, in

fact, not encounter those changes. You would continue to have a great deal of upheaval, substantial change in the number of county-wide responsibilities and zoning, planning and constituent pressures that occupy virtually everyone. You may, however, wish to force the issue by making an earlier effective date. This may discourage competent candidates, because of the uncertainty of the nature of the office, from making a commitment to a year-long campaign. You can probably verify for yourselves that some people in the political process have already modified their electoral behavior because of uncertainty regarding the County structure.

The Sheriff, Assessor and Clerk should be made administrative positions under the direction of a County Administrator and the County Executive should either be designated as the County Administrator or the Board should be delegated to hire a professional manager. By this recommendation I do not mean any disrespect for the stewardship of Mike Gleason, Don Clark or Dennis Buchanan. Each in his own way made, and in Dennis' case is making, substantial contributions to the community. The issue is how the government of the future may be more economically and efficiently managed. There will be less politics and policy-related controversy surrounding the County Executive's role within two or three years. Those decisions will have been made. If the developments that I have mentioned do occur, then there

should be a transition of the County Executive's position at that time. Until then, administrative responsibility should revert to the County Executive and all three of those talented professionals, Pearce, Wilcox and Radakovich, should be retained in their positions as appointed managers.

There is a very real problem with having four elected executives. I will just use the Sheriff as an example because his is the largest sub-budget within the General Fund, because his powers are the functional equivalent to the County Executive, and because there have been a number of the illustrations of the problems that I foresaw in campaigning against the charter changes making the position elected.

1. Increasingly, decisions are made that have political orientation. That is entirely appropriate because the Charter has made the Sheriff a political creature. Obviously, he is going to take politics into account much more strongly. For instance, we had a liquor license recommended for denial, not on law enforcement grounds but on political grounds. It appeared as though a majority of immediate neighbors, as well as the school district, opposed the granting of the liquor license. In the grand scheme of things one liquor license more or less would not make much difference to the County. Perhaps we could argue that we would all be better off with fewer liquor licenses. But to

that one individual store owner who wished to sell beer and wine, the change from professional to political grounds for denial would have proven economically disastrous.

2. Last year (and currently) the County as a whole had a surplus of available space. In the past, a single executive would have looked at the County-wide problem during a difficult financial year and moved to occupy vacant space adjacent to the Courthouse in downtown Portland (where the function in question had traditionally resided). An elected Sheriff chose to change his budget and create additional space and locate it adjacent to him. Additional space never could have been justified on the basis of County-wide priorities, but easy to do if all you are looking at is your own operation.

3. Similarly the County did not have a unified position on the issue of engineering entrances and exits from I-205. The County Engineer who is professionally trained in traffic circulation and has always been the lead agent had a different recommendation from the Sheriff, whose orientation is a more narrow one and who was faced with strong public, political pressure. Previously, the County would have had a single position, probably coordinated by the County Engineer, balancing all safety and traffic circulation, and leaving to the County Executive and the

Board the matter of dealing with the politics.

4. We now have a situation where the greatest constituency for these particular elected officials is their own administrative structure. They can be made to look bad by nonperformance. In specialized areas like the Assessor and the Sheriff, the most likely political opposition will come from the professionals within the ranks.

In recent years in order to deal with changing County priorities and budgets, Public Safety and Assessment and Taxation have absorbed staff reductions. These have been reductions that have been crafted, in large, by the managers because they were responsible for their job to a higher elected official in job performance, budget and support for a County-wide scheme. I will state flatly that the reductions of positions on the part of A & T and the converting of command positions to patrol deputies probably never would have taken place. if elected officials had been in charge.

Let me conclude by sharing my feelings about one of the most pernicious changes, the prohibition of a paid lobbyist for Multnomah County. It is a distinct disservice to the people of Multnomah County. The provisions of the charter amendment literally forbid anyone who is in the hire of Multnomah County from

doing any sustained Legislative contact. To the best of my knowledge Multnomah County is the only jurisdiction in the United States that is disenfranchised before not just the Legislature but Congress, state agencies and other local government jurisdictions. Why are we the only governmental or private group that is unable to have professional coordinated representation? I have a suspicion as to why and it has nothing to do with the merits of lobbying per se.

Multnomah County has a larger population with more diverse interest at stake with the Legislature and federal government than any other jurisdiction in Oregon. With the increasing complexity of the governmental process and the seeming inability of our elected officials to agree on anything, that difficulty was compounded by increasing the number of elected positions on the County level.

A single Legislative voice is essential. The last Legislative Session could be described as "damage mitigation", pure and simple. We survived simply because so many of our Legislative friends went out of their way to help us and because we had an extraordinary coordinator who went out of her way to do her job.

It was achieved at tremendous cost. Things that could have been

better coordinated at the County, information that could have been more effectively communicated and work that could have been done on more fronts was curtailed because of the requirement to so carefully record hours and because it was so much harder to assemble a position.

If you do nothing else other than clarify ambiguities in the existing structure and give the voters a chance along with your strong recommendation to delete this pernicious charter provision, you will have made your tenure worthwhile.

I will be happy to answer questions about any specific element of the charter should you wish, either now or at a later time. Thank you again for your attention and for the service you are performing for the citizens of Multnomah County.

EARL BLUMENAUER  
Multnomah County Commissioner



County Courthouse  
Portland, Oregon 97204  
(503) 248-5218

August 22, 1983

MEMORANDUM

TO: Multnomah County Home Rule Charter Review Committee Members

FROM: Earl Blumenauer

RE: Philosophical Approach to Charter Revision

I have taken the liberty to draft, in broad terms, points that may be useful in your deliberations. My perspective is shaped by 11 years of government as both a state legislator and a county commissioner. During that time, I have continually dealt with questions of how organizational structures should be shaped to yield the most effective service for the public.

A major consideration for you should be the continuity and stability of local services provided by the County. In less than 20 years, nine different votes have affected the structure of County government; half have been successful. These successful votes (1966, 76, 77, 78 and 82) have had a significant impact on how this government delivers services. They also have diverted efforts away from substance to organization. The extent to which the form and structure of County government can be stabilized, even for a period of five years, will have had a significant impact on how we deliver services to our citizens. Our community needs the security of a known organizational structure in order to utilize the various services the County offers.

Continuity is equally important for our policymakers, management and line staff. Long range planning cannot be effective if the various structures of the government keeps changing. During the last 20 years, Multnomah County has been in the forefront of urban counties and municipal agencies. A number of national awards and significant attention have been directed towards our innovative programs. From Planning to Human Services, Corrections and the Sheriff's Office to management innovation, the Assessor's Office to Elections, Multnomah County has done a good job. Our roads are perhaps the highest quality in the State of Oregon. Financial planning has been jealously maintained despite no tax base increase for almost 30 years. The energy and efforts of all County employees should be directed towards better serving the community rather continually redefining the structure by which it delivers those services.

County employees, both line and management staff, have played an important role in the community for provision of service. A significant degree of professionalism has been exhibited despite the results of four attempts to dramatically reduce County resources through tax limitation and charter votes. This has taken a significant toll on the morale of employees, particularly since during the same time period the County budget has been steadily whittled away and state and federal resources have declined.

For three successive budget years, the number of positions available to serve the public has declined. The Charter Review Committee needs to understand the troubled nature of what the County has faced as well as the nature and quality of the County's programs. Any recommendations on your part should attempt to maintain the quality and minimize the disruption to our services for the sake of both our community and our employees.

These concerns fall into three basic types of decisions that face the Charter Review Committee:

The first decision is the nature and extent of County government. Should we remain a home-rule county or return to general law? Should we have a three- or five-member Board of County Commissioners? Do we want to retain an elected County Executive or have an appointed professional administrator?

The second level of decisions has to do with clarifying responsibilities under the existing structure. A number of present ambiguities need to be settled. For instance, should any elected official be able to obligate the County for contracts without the consent of the governing board? What should the prohibition against a paid lobbyist mean in our charter, forgetting for a moment the separate policy question of whether or not it is desirable. Exactly how does the prohibition affect our ability to represent the public and to whom does the prohibition apply?

Finally, minor and technical amendments can be dealt with in advance of next year to potentially save time, money and confusion. For example, voters can decide at the next county-wide election whether to retain the "automatic run-off" provision or allow a contested primary to be won outright with a vote of over 50 percent.

I will attempt, in later communications, to share my views on these three general categories. I strongly recommend that the Charter Review Committee consider preparing potential charter changes early on minor technical and intermediate policy questions. This raises the possibility that such changes be submitted to voters prior to November, 1984. This might make your task easier by involving County voters more deeply in the subject at hand and resolving minor, but nonetheless significant, questions sooner so as to improve County operations.

For additional background, I have also included material on the history of the urban subsidy issue and my version of what Multnomah County's mission should be for the early 1980's. Additional information on specifics ranging from budget to County organization is available from my office for anyone who may wish it.

Please feel free to call upon me or my staff for any other information you may need for your task. You are performing a substantial service for the community and ought not be bashful if we can do anything to make your efforts more effective.

EB:ps



GORDON E. SHADBURNE · MULTNOMAH COUNTY COMMISSIONER

STATEMENT OF GORDON E. SHADBURNE  
MULTNOMAH COUNTY COMMISSIONER - District 5  
November 2, 1983

Mr. Chair, Ladies and Gentlemen of the Commission:

I am dividing my presentation into two parts, the first addressing the Charter changes brought about by Ballot Measure 6, the second dealing with general Charter changes.

BALLOT MEASURE 6 CHANGES TO CHARTER:

Section 6.50(1): I agree with the election of the Sheriff for the following reasons:

- a) The large budget that office has to administer;
- b) The Sheriff can be a free advocate for law enforcement needs to the Board of County Commissioners and the public. He can address needs without being muzzled.
- c) It helps decentralize and broaden the responsibility.

Section 6.50(2): I feel the District Court Clerk position should be abolished and the other three offices appointed. The jobs are primarily administrative and require individuals who are professionally trained and experienced and have a technical knowledge. The positions should not become political.

Section 6.50(4): Consistent with our country's political tradition, there should be a limit on a powerful executive office, but not the legislative body, similar to our State and Federal governments. Thus, if the office of County Executive is centralized and given more power, there should be a two-term limitation. I am opposed to the eight-year limitation for Commissioners and other elected officials of the County for the reason that it is harder to encourage and keep candidates in office that represent the general welfare. It is easier for special interests to recruit candidates for elective office, where candidates change but policies don't.

It is my understanding that the sponsors of this limitation changed the Charter to remove specific people from office. I disagree with that process for making change; I feel that is the people's responsibility through the electoral process.

Each Commissioner, including myself, is affected by the retroactivity clause. While some legal experts have stated to me that this clause is probably challengeable in a court of law as an "ex post facto" law, I would instead challenge Multnomah County citizens on their sense of fair play. What this amounts to is changing the rules in the middle of the game.

An additional effect has been that because East County pushed for a district representative, a special election was held in 1979 for an 18-month term. Now District 5 is the only district being penalized by this limitation.

Section 6.50(5): This section should be modified to limit only filings for offices outside the County. Prudence would suggest that if you have an individual with a background in County service, it is to the County residents' advantage to utilize that experience by allowing them to file for another office within the County.

Additionally, it is of benefit to the public to encourage more candidates in a race, allowing a greater choice. The limitation decreases the likelihood of qualified officeholders running for other office.

#### GENERAL CHARTER CHANGES

County Commissioners: It is my recommendation that the current Charter provisions for five (5) full-time Commissioners, elected by district, be maintained. Speaking from my own experience in office, there is more than enough work for a full-time commissioner and staff. Preparation for the weekly board meetings involves reading all agenda material, research into background and impact (particularly of a budgetary nature), contacting appropriate interested parties, and if a matter is very involved, meetings with involved individuals. During the County's budget process, months are spent in review, research and evaluation, in addition to the month of almost daily budget hearings. Additionally, we serve as liaison to County departments (which involves many meetings and constant followup); respond to citizen concerns; serve on many advisory committees such as Juvenile Services Committee, Citizen Involvement Steering Committee, Justice Coordinating Council, East County Transportation Committee, etc.; establish and track task forces and advisory committees; speak to groups on issues of concern to them; draft resolutions and ordinances; and meet with citizens.

A potential problem with a three-member Board is lack of a quorum if for any reason a Board member is absent. Additionally, if two Commissioners wished to discuss any County business, it would require a public meeting or have to be accomplished through staff. This is not a very efficient manner in which to conduct the business of such an urban government. You could wind up having government by staff and administrative bureaucracy, not by the people.

Through election by the district system, there is greater grass roots involvement, both in campaigns and in the government process. The district system promotes easier and greater accessibility to each Commissioner. With a change to three Commissioners, there would be larger districts, making it harder for citizens to be involved or to access their Commissioner.

I have heard individuals state that if the East County area is incorporated to form a new city or is annexed to Gresham or Portland, the County would no longer be responsible for services, and thus could be greatly reduced or even eliminated. This is not true. The State mandates the County to act as provider of certain services, such as Sheriff, corrections, roads and human services. If a new city were formed and such services as police protection and planning were contracted for, it would take several years for such contracts to be finalized, still leaving the County as the provider of those services. Even when contracted, the County would still provide the service and manage the budget for those services. Most of the services are countywide, and our present budget of \$200 million would be reduced only minimally by such action. If annexation were to occur, most probably the limited money that would be freed up by the City assuming such services as police and land use planning would quickly be absorbed in unmet areas of need, such as juvenile delinquency.

County Executive: As you know, I ran for the office of County Executive. In the midst of that race, the responsibilities of the office were reduced by passage of Ballot Measure 6, mandating the creation of four new elected offices. What I am suggesting to you now is what I was suggesting while running for County Executive, following the passage of Measure 6.

The County Executive serves only as manager of the County, at the cost of \$300,000+ per year. That position could be deleted, and

with no additional money, department heads could be assigned to the offices of Commissioners, similar to the City of Portland structure. With five Commissioners and four departments, each of the four Commissioners would then be responsible for a department, leaving the presiding officer in charge of the Board's agenda matters. The policy makers who have to make budget decisions would have a better day-to-day working knowledge of the departments. Budget cuts and decisions would be more responsive. The end result would be:

- a) Savings to the County by cutting the Executive's office budget;
- b) More responsive administration because the department heads are directly responsible to the elected Commissioners; and
- c) A better-informed Board. Under the existing structure, by its very nature, the Board is at a disadvantage to the executive office because of its lack of detailed knowledge of the inside workings of the departments.

If the executive office is maintained, it should not be given line-item veto authority. This gives legislative authority to the Executive, the County manager.

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Thank you for this opportunity to address you, and if you have any questions, I would be happy to answer them.

\* \* \* \* \*

Statement of Gordon Shadburne

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- A) Section 6.50(1). Sheriff should be elected.
- B) Section 6.50(2). Abolish office of District Court Clerk; make other two positions appointed.
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  - 2) If eight-year limitation is retained, retroactivity should be eliminated.
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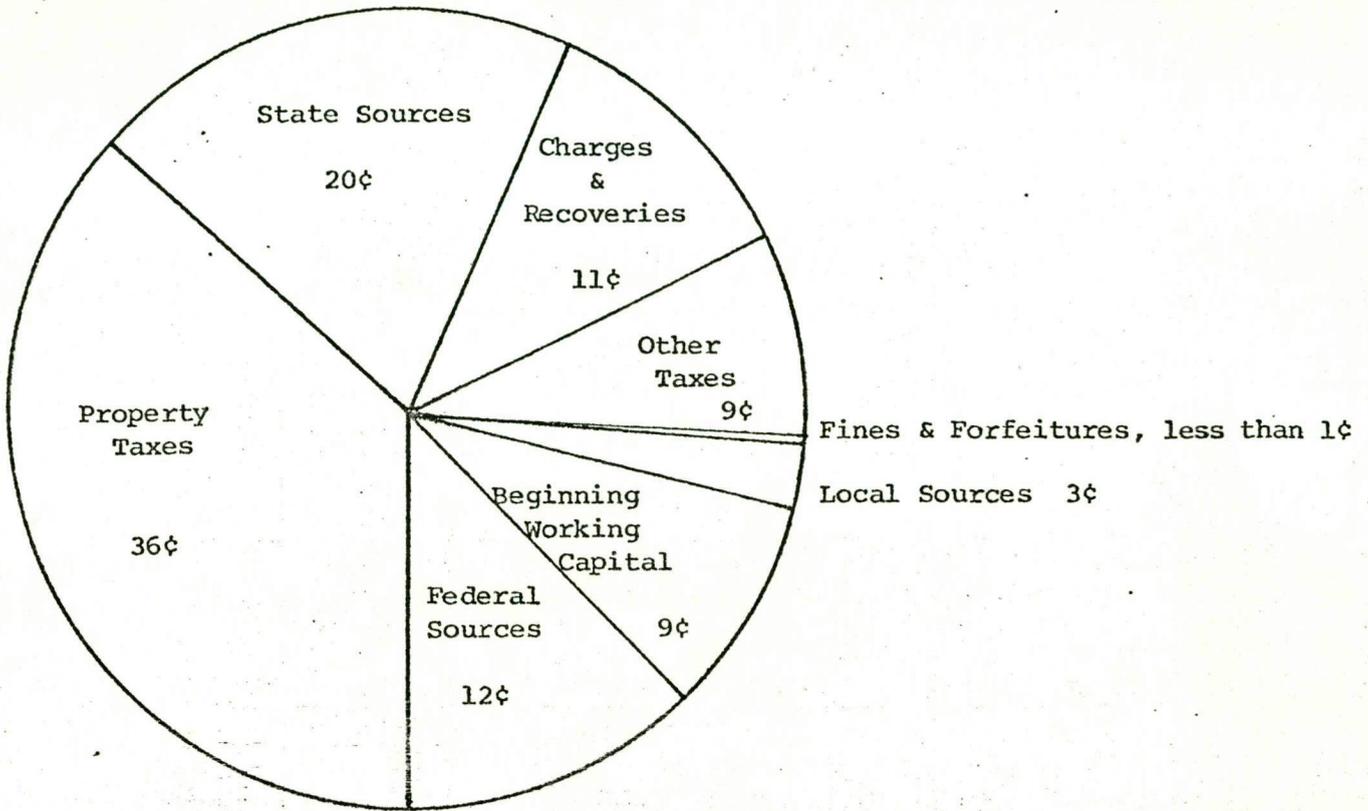
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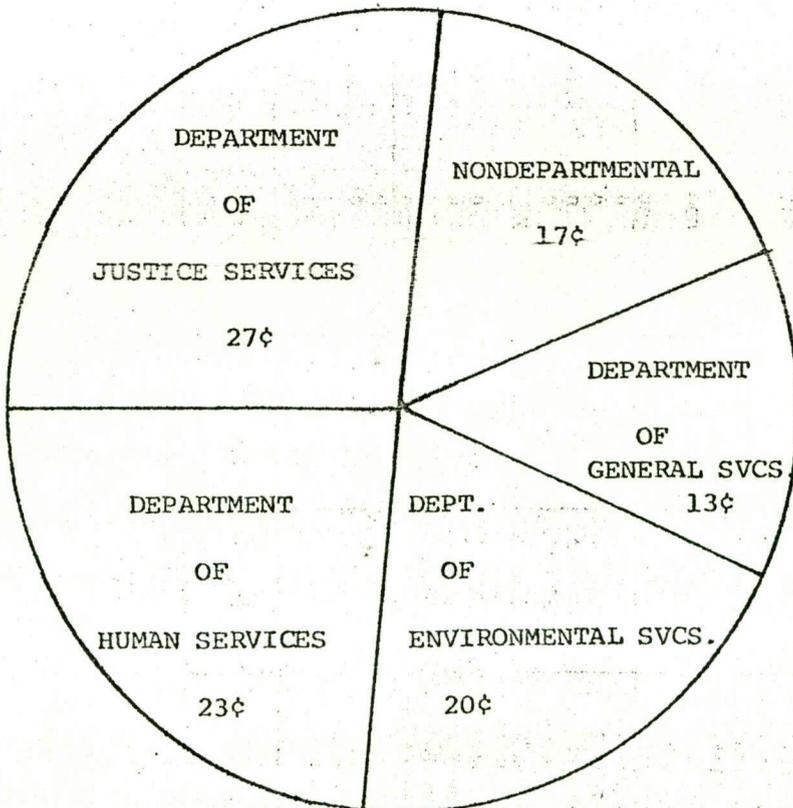
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# YOUR COUNTY DOLLAR

## WHERE IT COMES FROM



## WHERE IT GOES





GORDON E. SHADBURNE • MULTNOMAH COUNTY COMMISSIONER

STATEMENT OF GORDON E. SHADBURNE  
MULTNOMAH COUNTY COMMISSIONER - District 5  
November 2, 1983

Mr. Chair, Ladies and Gentlemen of the Commission:

I am dividing my presentation into two parts, the first addressing the Charter changes brought about by Ballot Measure 6, the second dealing with general Charter changes.

BALLOT MEASURE 6 CHANGES TO CHARTER:

Section 6.50(1): I agree with the election of the Sheriff for the following reasons:

- a) The large budget that office has to administer;
- b) The Sheriff can be a free advocate for law enforcement needs to the Board of County Commissioners and the public. He can address needs without being muzzled.
- c) It helps decentralize and broaden the responsibility.

Section 6.50(2): I feel the District Court Clerk position should be abolished and the other three offices appointed. The jobs are primarily administrative and require individuals who are professionally trained and experienced and have a technical knowledge. The positions should not become political.

Section 6.50(4): Consistent with our country's political tradition, there should be a limit on a powerful executive office, but not the legislative body, similar to our State and Federal governments. Thus, if the office of County Executive is centralized and given more power, there should be a two-term limitation. I am opposed to the eight-year limitation for Commissioners and other elected officials of the County for the reason that it is harder to encourage and keep candidates in office that represent the general welfare. It is easier for special interests to recruit candidates for elective office, where candidates change but policies don't.

It is my understanding that the sponsors of this limitation changed the Charter to remove specific people from office. I disagree with that process for making change; I feel that is the people's responsibility through the electoral process.

Each Commissioner, including myself, is affected by the retroactivity clause. While some legal experts have stated to me that this clause is probably challengeable in a court of law as an "ex post facto" law, I would instead challenge Multnomah County citizens on their sense of fair play. What this amounts to is changing the rules in the middle of the game.

An additional effect has been that because East County pushed for a district representative, a special election was held in 1979 for an 18-month term. Now District 5 is the only district being penalized by this limitation.

Section 6.50(5): This section should be modified to limit only filings for offices outside the County. Prudence would suggest that if you have an individual with a background in County service, it is to the County residents' advantage to utilize that experience by allowing them to file for another office within the County.

Additionally, it is of benefit to the public to encourage more candidates in a race, allowing a greater choice. The limitation decreases the likelihood of qualified officeholders running for other office.

#### GENERAL CHARTER CHANGES

County Commissioners: It is my recommendation that the current Charter provisions for five (5) full-time Commissioners, elected by district, be maintained. Speaking from my own experience in office, there is more than enough work for a full-time commissioner and staff. Preparation for the weekly board meetings involves reading all agenda material, research into background and impact (particularly of a budgetary nature), contacting appropriate interested parties, and if a matter is very involved, meetings with involved individuals. During the County's budget process, months are spent in review, research and evaluation, in addition to the month of almost daily budget hearings. Additionally, we serve as liaison to County departments (which involves many meetings and constant followup); respond to citizen concerns; serve on many advisory committees such as Juvenile Services Committee, Citizen Involvement Steering Committee, Justice Coordinating Council, East County Transportation Committee, etc.; establish and track task forces and advisory committees; speak to groups on issues of concern to them; draft resolutions and ordinances; and meet with citizens.

A potential problem with a three-member Board is lack of a quorum if for any reason a Board member is absent. Additionally, if two Commissioners wished to discuss any County business, it would require a public meeting or have to be accomplished through staff. This is not a very efficient manner in which to conduct the business of such an urban government. You could wind up having government by staff and administrative bureaucracy, not by the people.

Through election by the district system, there is greater grass roots involvement, both in campaigns and in the government process. The district system promotes easier and greater accessibility to each Commissioner. With a change to three Commissioners, there would be larger districts, making it harder for citizens to be involved or to access their Commissioner.

I have heard individuals state that if the East County area is incorporated to form a new city or is annexed to Gresham or Portland, the County would no longer be responsible for services, and thus could be greatly reduced or even eliminated. This is not true. The State mandates the County to act as provider of certain services, such as Sheriff, corrections, roads and human services. If a new city were formed and such services as police protection and planning were contracted for, it would take several years for such contracts to be finalized, still leaving the County as the provider of those services. Even when contracted, the County would still provide the service and manage the budget for those services. Most of the services are countywide, and our present budget of \$200 million would be reduced only minimally by such action. If annexation were to occur, most probably the limited money that would be freed up by the City assuming such services as police and land use planning would quickly be absorbed in unmet areas of need, such as juvenile delinquency.

County Executive: As you know, I ran for the office of County Executive. In the midst of that race, the responsibilities of the office were reduced by passage of Ballot Measure 6, mandating the creation of four new elected offices. What I am suggesting to you now is what I was suggesting while running for County Executive, following the passage of Measure 6.

The County Executive serves only as manager of the County, at the cost of \$300,000+ per year. That position could be deleted, and

with no additional money, department heads could be assigned to the offices of Commissioners, similar to the City of Portland structure. With five Commissioners and four departments, each of the four Commissioners would then be responsible for a department, leaving the presiding officer in charge of the Board's agenda matters. The policy makers who have to make budget decisions would have a better day-to-day working knowledge of the departments. Budget cuts and decisions would be more responsive. The end result would be:

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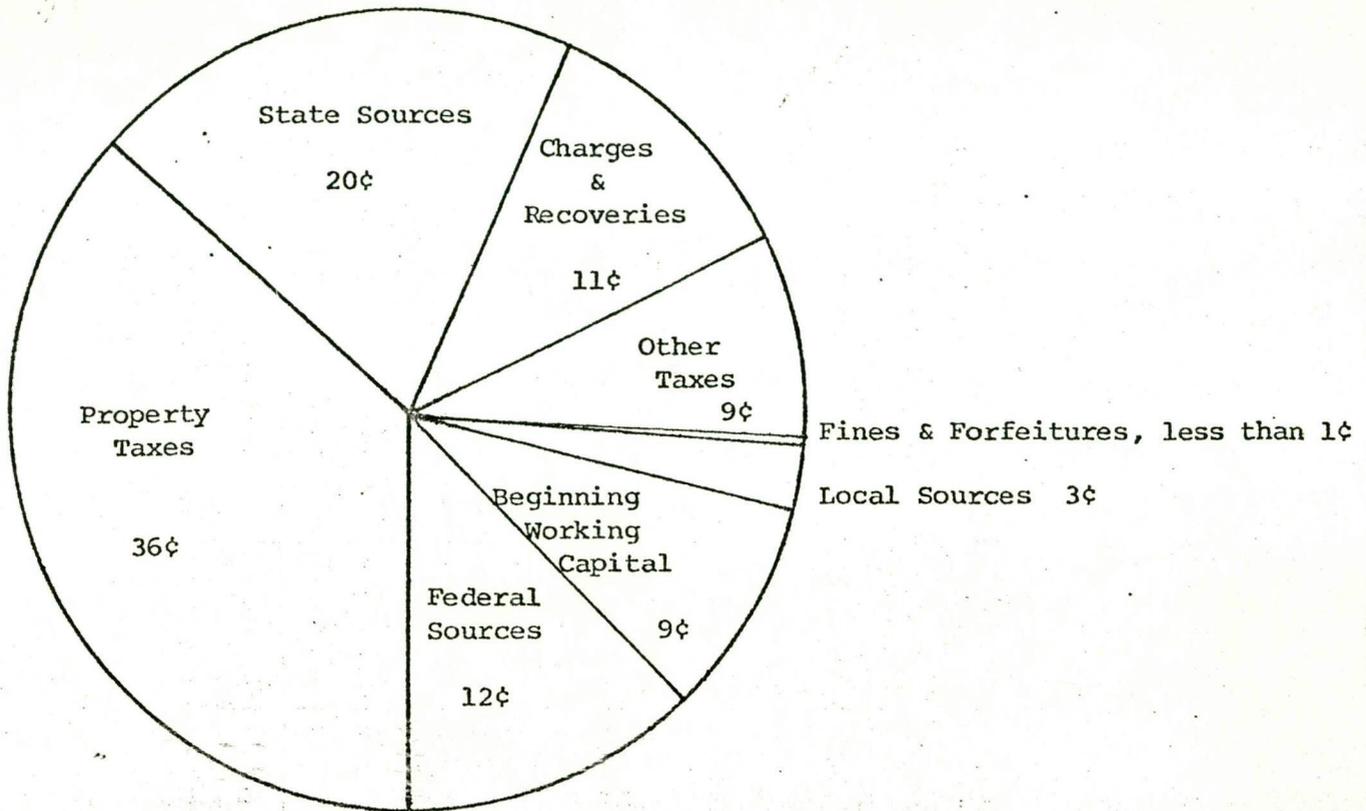
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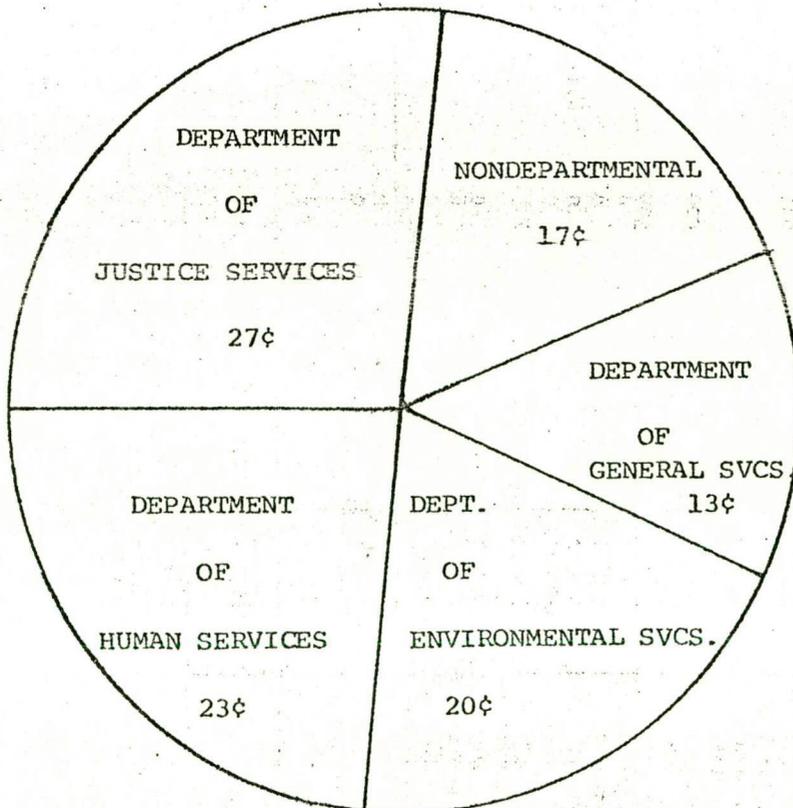
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# YOUR COUNTY DOLLAR

## WHERE IT COMES FROM



## WHERE IT GOES



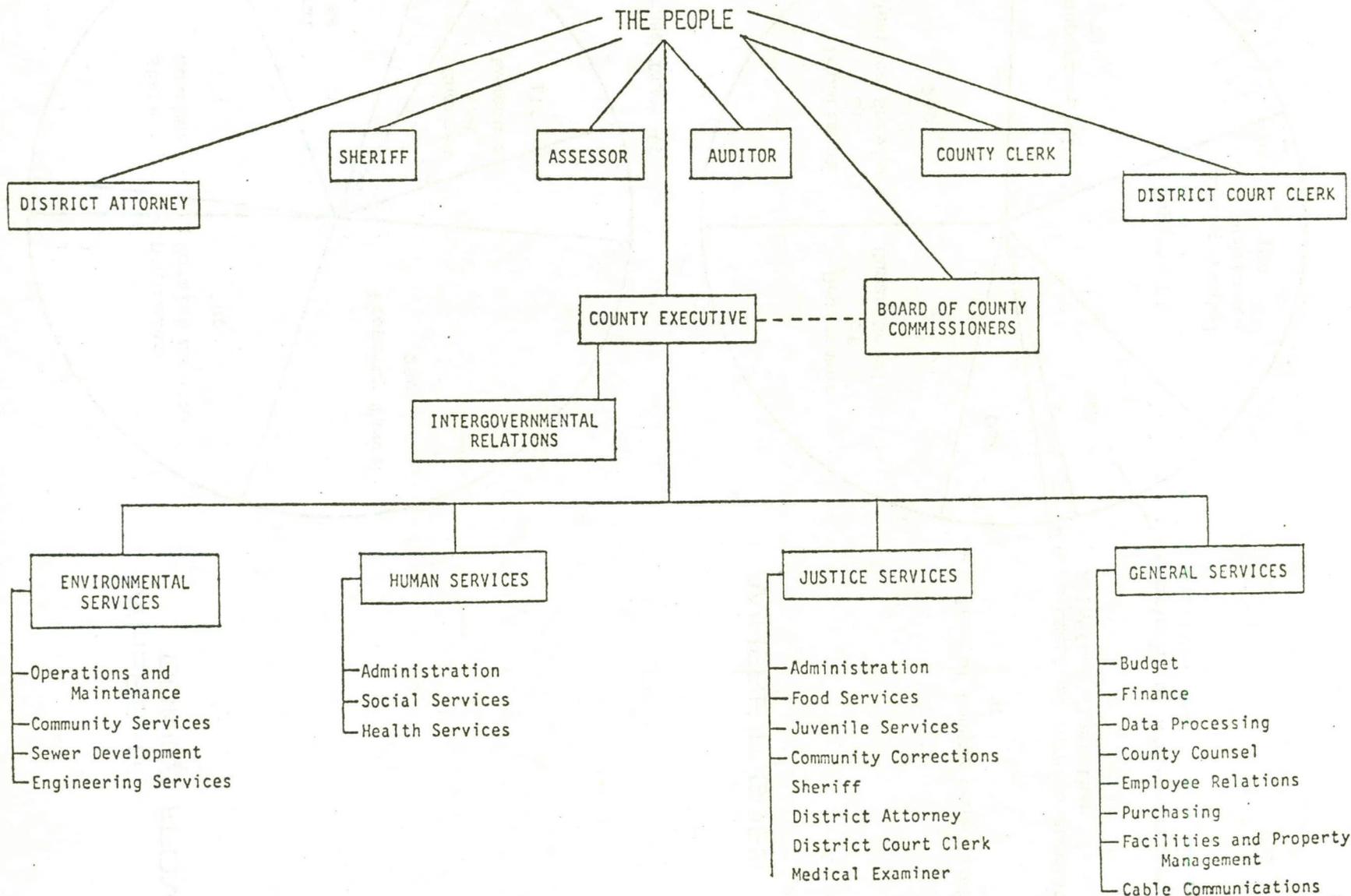
# MULTNOMAH COUNTY ORGANIZATION CHART

COUNTY COURTHOUSE  
PORTLAND, OREGON 97204  
PHONE 248-7213  
RESIDENCE - 667-0505

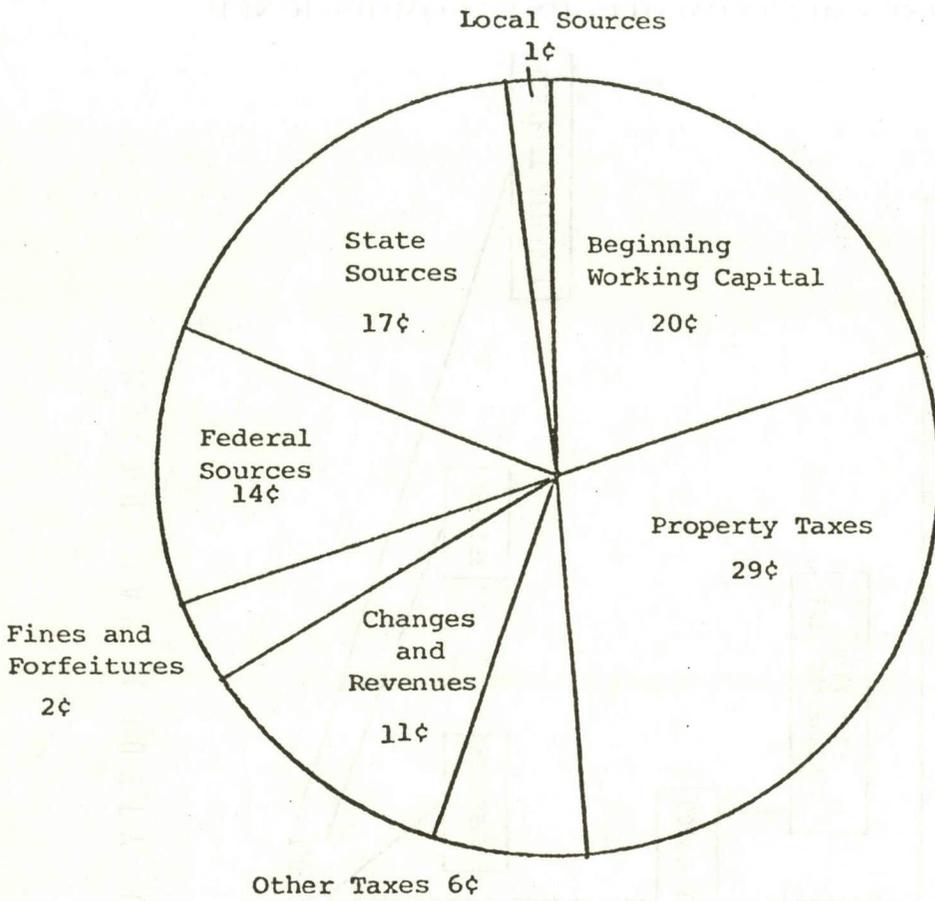


MULTNOMAH COUNTY OREGON  
BOARD OF COUNTY COMMISSIONERS  
DISTRICT FIVE

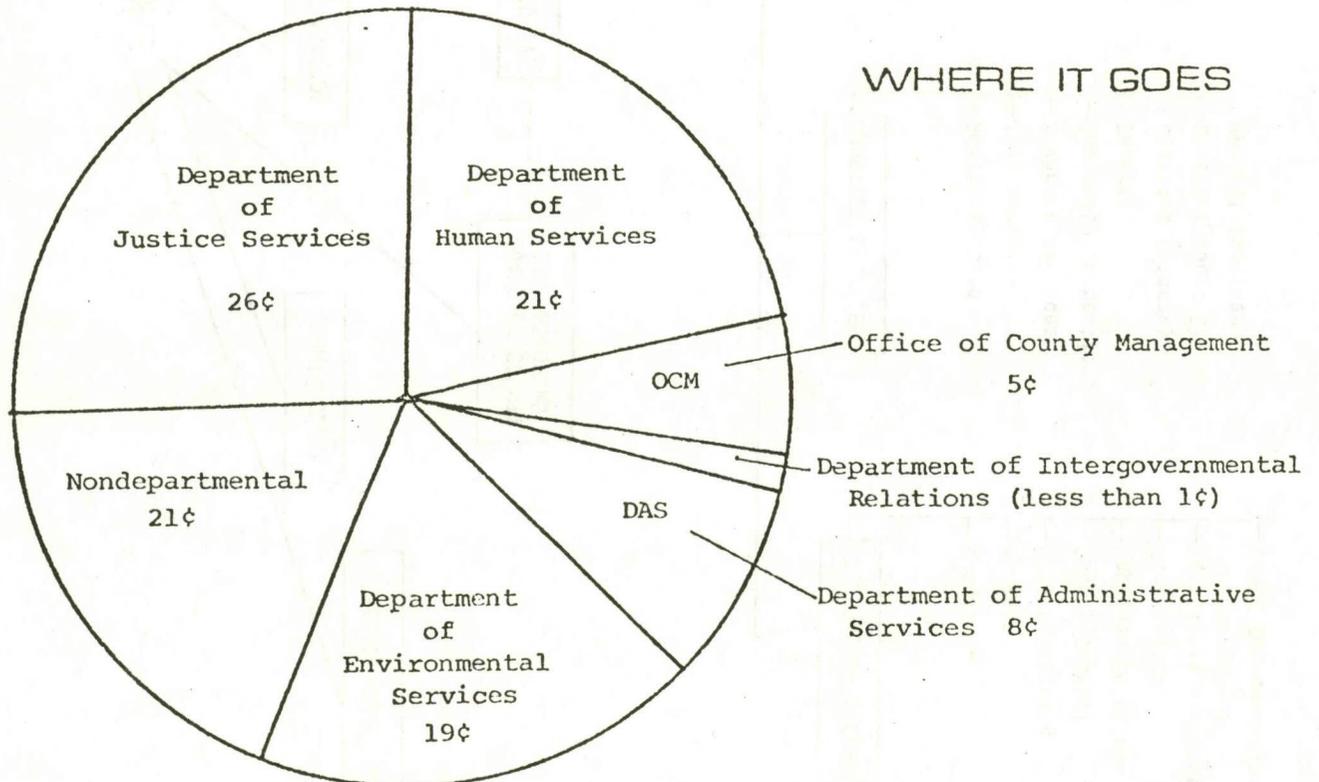
GORDON E. SHADBURN - MULTNOMAH COUNTY COMMISSIONER



# your county dollar



WHERE IT COMES FROM



WHERE IT GOES

EARL BLUMENAUER  
Multnomah County Commissioner



County Courthouse  
Portland, Oregon 97204  
(503) 248-5218

TESTIMONY OF EARL BLUMENAUER, MULTNOMAH COUNTY COMMISSONER  
BEFORE THE CHARTER REVIEW COMMISSION  
WEDNESDAY, NOVEMBER 2, 1983

I appreciate the opportunity to share my analysis of the interesting challenge you face suggesting modifications of Multnomah County's structure for the voters to consider. I have attached a copy of an earlier memorandum you received from me outlining an approach to this issue. I would like to begin by summarizing those points and then dealing with some specific structural recommendations.

Your mission is all the more significant today because of the changes that have occurred in public attitudes regarding government and its financial support on the local level. We have passed the time when Multnomah County can be all things to all people. It cannot. Very few people today, whether or not they are in cities, live in an urbanized unincorporated area or a rural community feel that the County can or should continue to provide municipal services. That is better handled by a city. Within two years I would hazard the guess that we will have

resolved that matter. If that resolution occurs and we have either a new city or dramatic expansion of Gresham and Portland and perhaps the mini-cities, then the nature of the governance of the County will substantially change. Certainly within three years you will no longer need 11 fulltime elected officials.

I would recommend that you make major structural changes contingent upon certain events occurring. This will make it easy for the voters to know what you are trying to achieve. It will allow us to blunt criticism from people who feel that politicians would oppose changes only to hold onto their jobs. And speaking as someone who has tried to reduce the number of both elected and appointed positions throughout my career, I think it would also reduce the opposition of people who are simply trying to hold onto their elected or appointed positions.

If the County is to phase out at least 50 percent of the municipal responsibilities that it currently must exercise within the next two years, then the Board of County Commissioners could become a five-person part-time position, structurally similar in terms of staff, district size and time commitment to a current State Senator. The transition could be made effective January 1, 1986, and certainly no later than January 1, 1987. The only impediment to making it effective earlier is that you may, in

fact, not encounter those changes. You would continue to have a great deal of upheaval, substantial change in the number of county-wide responsibilities and zoning, planning and constituent pressures that occupy virtually everyone. You may, however, wish to force the issue by making an earlier effective date. This may discourage competent candidates, because of the uncertainty of the nature of the office, from making a commitment to a year-long campaign. You can probably verify for yourselves that some people in the political process have already modified their electoral behavior because of uncertainty regarding the County structure.

The Sheriff, Assessor and Clerk should be made administrative positions under the direction of a County Administrator and the County Executive should either be designated as the County Administrator or the Board should be delegated to hire a professional manager. By this recommendation I do not mean any disrespect for the stewardship of Mike Gleason, Don Clark or Dennis Buchanan. Each in his own way made, and in Dennis' case is making, substantial contributions to the community. The issue is how the government of the future may be more economically and efficiently managed. There will be less politics and policy-related controversy surrounding the County Executive's role within two or three years. Those decisions will have been made. If the developments that I have mentioned do occur, then there

should be a transition of the County Executive's position at that time. Until then, administrative responsibility should revert to the County Executive and all three of those talented professionals, Pearce, Wilcox and Radakovich, should be retained in their positions as appointed managers.

There is a very real problem with having four elected executives. I will just use the Sheriff as an example because his is the largest sub-budget within the General Fund, because his powers are the functional equivalent to the County Executive, and because there have been a number of the illustrations of the problems that I foresaw in campaigning against the charter changes making the position elected.

1. Increasingly, decisions are made that have political orientation. That is entirely appropriate because the Charter has made the Sheriff a political creature. Obviously, he is going to take politics into account much more strongly. For instance, we had a liquor license recommended for denial, not on law enforcement grounds but on political grounds. It appeared as though a majority of immediate neighbors, as well as the school district, opposed the granting of the liquor license. In the grand scheme of things one liquor license more or less would not make much difference to the County. Perhaps we could argue that we would all be better off with fewer liquor licenses. But to

that one individual store owner who wished to sell beer and wine, the change from professional to political grounds for denial would have proven economically disastrous.

2. Last year (and currently) the County as a whole had a surplus of available space. In the past, a single executive would have looked at the County-wide problem during a difficult financial year and moved to occupy vacant space adjacent to the Courthouse in downtown Portland (where the function in question had traditionally resided). An elected Sheriff chose to change his budget and create additional space and locate it adjacent to him. Additional space never could have been justified on the basis of County-wide priorities, but easy to do if all you are looking at is your own operation.

3. Similarly the County did not have a unified position on the issue of engineering entrances and exits from I-205. The County Engineer who is professionally trained in traffic circulation and has always been the lead agent had a different recommendation from the Sheriff, whose orientation is a more narrow one and who was faced with strong public, political pressure. Previously, the County would have had a single position, probably coordinated by the County Engineer, balancing all safety and traffic circulation, and leaving to the County Executive and the

Board the matter of dealing with the politics.

4. We now have a situation where the greatest constituency for these particular elected officials is their own administrative structure. They can be made to look bad by nonperformance. In specialized areas like the Assessor and the Sheriff, the most likely political opposition will come from the professionals within the ranks.

In recent years in order to deal with changing County priorities and budgets, Public Safety and Assessment and Taxation have absorbed staff reductions. These have been reductions that have been crafted, in large, by the managers because they were responsible for their job to a higher elected official in job performance, budget and support for a County-wide scheme. I will state flatly that the reductions of positions on the part of A & T and the converting of command positions to patrol deputies probably never would have taken place. if elected officials had been in charge.

Let me conclude by sharing my feelings about one of the most pernicious changes, the prohibition of a paid lobbyist for Multnomah County. It is a distinct disservice to the people of Multnomah County. The provisions of the charter amendment literally forbid anyone who is in the hire of Multnomah County from

doing any sustained Legislative contact. To the best of my knowledge Multnomah County is the only jurisdiction in the United States that is disenfranchised before not just the Legislature but Congress, state agencies and other local government jurisdictions. Why are we the only governmental or private group that is unable to have professional coordinated representation? I have a suspicion as to why and it has nothing to do with the merits of lobbying per se.

Multnomah County has a larger population with more diverse interest at stake with the Legislature and federal government than any other jurisdiction in Oregon. With the increasing complexity of the governmental process and the seeming inability of our elected officials to agree on anything, that difficulty was compounded by increasing the number of elected positions on the County level.

A single Legislative voice is essential. The last Legislative Session could be described as "damage mitigation", pure and simple. We survived simply because so many of our Legislative friends went out of their way to help us and because we had an extraordinary coordinator who went out of her way to do her job.

It was achieved at tremendous cost. Things that could have been

better coordinated at the County, information that could have been more effectively communicated and work that could have been done on more fronts was curtailed because of the requirement to so carefully record hours and because it was so much harder to assemble a position.

If you do nothing else other than clarify ambiguities in the existing structure and give the voters a chance along with your strong recommendation to delete this pernicious charter provision, you will have made your tenure worthwhile.

I will be happy to answer questions about any specific element of the charter should you wish, either now or at a later time. Thank you again for your attention and for the service you are performing for the citizens of Multnomah County.

EARL BLUMENAUER  
Multnomah County Commissioner



County Courthouse  
Portland, Oregon 97204  
(503) 248-5218

August 22, 1983

MEMORANDUM

TO: Multnomah County Home Rule Charter Review Committee Members

FROM: Earl Blumenauer

RE: Philosophical Approach to Charter Revision

I have taken the liberty to draft, in broad terms, points that may be useful in your deliberations. My perspective is shaped by 11 years of government as both a state legislator and a county commissioner. During that time, I have continually dealt with questions of how organizational structures should be shaped to yield the most effective service for the public.

A major consideration for you should be the continuity and stability of local services provided by the County. In less than 20 years, nine different votes have affected the structure of County government; half have been successful. These successful votes (1966, 76, 77, 78 and 82) have had a significant impact on how this government delivers services. They also have diverted efforts away from substance to organization. The extent to which the form and structure of County government can be stabilized, even for a period of five years, will have had a significant impact on how we deliver services to our citizens. Our community needs the security of a known organizational structure in order to utilize the various services the County offers.

Continuity is equally important for our policymakers, management and line staff. Long range planning cannot be effective if the various structures of the government keeps changing. During the last 20 years, Multnomah County has been in the forefront of urban counties and municipal agencies. A number of national awards and significant attention have been directed towards our innovative programs. From Planning to Human Services, Corrections and the Sheriff's Office to management innovation, the Assessor's Office to Elections, Multnomah County has done a good job. Our roads are perhaps the highest quality in the State of Oregon. Financial planning has been jealously maintained despite no tax base increase for almost 30 years. The energy and efforts of all County employees should be directed towards better serving the community rather continually redefining the structure by which it delivers those services.

County employees, both line and management staff, have played an important role in the community for provision of service. A significant degree of professionalism has been exhibited despite the results of four attempts to dramatically reduce County resources through tax limitation and charter votes. This has taken a significant toll on the morale of employees, particularly since during the same time period the County budget has been steadily whittled away and state and federal resources have declined.

For three successive budget years, the number of positions available to serve the public has declined. The Charter Review Committee needs to understand the troubled nature of what the County has faced as well as the nature and quality of the County's programs. Any recommendations on your part should attempt to maintain the quality and minimize the disruption to our services for the sake of both our community and our employees.

These concerns fall into three basic types of decisions that face the Charter Review Committee:

The first decision is the nature and extent of County government. Should we remain a home-rule county or return to general law? Should we have a three- or five-member Board of County Commissioners? Do we want to retain an elected County Executive or have an appointed professional administrator?

The second level of decisions has to do with clarifying responsibilities under the existing structure. A number of present ambiguities need to be settled. For instance, should any elected official be able to obligate the County for contracts without the consent of the governing board? What should the prohibition against a paid lobbyist mean in our charter, forgetting for a moment the separate policy question of whether or not it is desirable. Exactly how does the prohibition affect our ability to represent the public and to whom does the prohibition apply?

Finally, minor and technical amendments can be dealt with in advance of next year to potentially save time, money and confusion. For example, voters can decide at the next county-wide election whether to retain the "automatic run-off" provision or allow a contested primary to be won outright with a vote of over 50 percent.

I will attempt, in later communications, to share my views on these three general categories. I strongly recommend that the Charter Review Committee consider preparing potential charter changes early on minor technical and intermediate policy questions. This raises the possibility that such changes be submitted to voters prior to November, 1984. This might make your task easier by involving County voters more deeply in the subject at hand and resolving minor, but nonetheless significant, questions sooner so as to improve County operations.

For additional background, I have also included material on the history of the urban subsidy issue and my version of what Multnomah County's mission should be for the early 1980's. Additional information on specifics ranging from budget to County organization is available from my office for anyone who may wish it.

Please feel free to call upon me or my staff for any other information you may need for your task. You are performing a substantial service for the community and ought not be bashful if we can do anything to make your efforts more effective.

EB:ps

Louis Turnidge  
18144 S. E. Pine St.  
Portland, Oregon 97233

November 2, 1983

To the Multnomah County Charter Review Commission:

In my testimony before you on October 17, 1983 I used a pronoun that might easily prove to be disastrously ambiguous by way of intended and probably perceived antecedents.

"It", in the sentence, "It has a disastrous effect on crime statistics." was intended to refer to urban high population densities. The statement reflects an awareness of U. S. Bureau of the Census 's historical statistics on homicide rates in the United States for years prior to 1910 when urban and rural populations were nearly equal and those subsequent to that time. My contention that people require familiarity with the out of door life is reminiscent of an article in the Oregonian by a volunteer counselor who was one or several that took problem juveniles for a session of camping out.

You should be able to get more details on the urban Vs. rural crime rates per capita from the sheriffs crime analysis unit. When I took business Law in high school and at a business college one of the principles that stuck is that statute law just like business contracts, that run contrary to the public interests are invalid. I believe that a sound case can be made that government policy to increase urban density is contrary to the public good and, therefore, invalid from an examination of crime statistics, psychology reports, and a proper interpretation of the book of Genesis. Public acknowledgement of the matter should be made.

Sincerely yours,

*Louis Turnidge*  
Louis Turnidge



Gladys McCoy  
Multnomah County Commissioner  
District Two  
County Courthouse, Room 605  
Portland, Oregon 97204 (503) 248-5219

November 2, 1983

COMMENTS BEFORE THE CHARTER REVIEW COMMISSION

I would first like to express my personal thanks and appreciation to all of you for your willingness to provide this very valuable service to the community. I know that it is time consuming, but it is vital and the choices which you must make are critical. I appreciate your willingness to do so.

Secondly, I wish to share with you an outline of my comments, rather than a speech, from which we can talk together about the issues. I will confine my areas of interest to the Charter Review changes of 1978 and 1982.

I have read with interest the very thorough and excellent minutes provided by the secretary. They have been most informative. Further, I would wish to refer you to the historical comments made by Ned Look, who appeared before you October 17. I believe history is important in determining where we should go in the future. County government is immensely more complex than it was when Counties were created as agents of the state. As we see, changes are ongoing and is the one thing we can count on. The status quo is neither acceptable nor desirable. It is our task to initiate change for the better in an orderly and timely fashion.

I have included in my packet for you a brief description of the role of the Commissioners, the Legislative branch of County government. Further, I would remind you the form of County government we presently enjoy is still quite new and I would wish that your recommendations for change, if that occurs, would at least allow some discussion about the potential value of the structure we presently have.



Gladys MøCoy  
Multnomah County Commissioner  
District Two  
County Courthouse, Room 605  
Portland, Oregon 97204 (503) 248-5219

November 2, 1983

#### CHARTER CHANGES 1978

1. 5 Commissioners by districts
2. Commissioner term 4 years
3. Vacancies:
  - a. Appointed to full vacancy, shall not be a candidate.
4. County Executive, elected.
5. Masculine feminine gender.
6. Charter Review Committee
7. Non partisan offices.
8. The BCC may issue and sell general obligation bonds.  
This did not pass.

#### CHARTER CHANGES 1982

1. Compensation for elected officials.
2. Elect:
  - a. Sheriff
  - b. County Clerk
  - c. District Court Clerk
  - d. County Assessor
3. Not employ or hire a paid lobbyist.
4. Eight year limitation.
5. No elected official of Multnomah County may run for another office in mid-term.

#### ADDITIONAL CHANGES

1. 50.01% elected in Primary election.
2. Method by which Charter members are appointed.
3. County Commissioners live in district, but voted on county-wide.

The Board of County Commissioners conducts the legislative business of the County during two formal Board meetings per week. Public testimony is invited. In addition, the Board holds one informal meeting per week for the purpose of reviewing the formal agenda and hearing informational briefings from staff, departments, and affected outside agencies. For the convenience of the residents of Multnomah County, meetings are often held at locations other than the Courthouse within the districts represented by the Commissioners. Night meetings are also held to provide greater citizen access. The Board's staff functions as a research and analytical resource on matters that come before the Board.

The Board:

- Conducts official business of the County as required by State law.
- Conducts official business and adopts budgets of established service districts.
- Hears Land Use appeals from cases reviewed by the Hearings Officer, Planning Commission, and Planning staff.
- Adopts policies to provide direction for the administration of County programs and other functions.
- Reviews the Executive Budget, holds hearings, and adopts final County Budget.
- Creates such Boards and Commissions as it deems necessary for advice on matters of concern to the County, recruits and recommends citizens to serve on same, and confirms appointments by the County Executive to Boards and Commissions.
- Acts as liaison to County Departments, Advisory Boards, and Commissions.
- Monitors activities of the Board of Equalization as established by law. One member of the Board serves as the Chairperson for the Board of Equalization.
- Monitors and supervises the functions of the Clerk of the Board and Assistant who serve as official recorders of Board Actions and as a repository for Board files.
- Provides a Civil Service System under the Charter.
- Consults with labor negotiator for the County and adopts final labor agreements.
- May exercise bonding authority as prescribed by Charter and State law.
- May establish County Service Districts as prescribed by Charter.
- Is empowered to make changes in county administrative departments.
- Fills vacancies in elective county offices.
- Responds to citizen complaints.

STATEMENT BY COMMISSIONER ARNOLD BISKAR  
BEFORE THE  
MULTNOMAH COUNTY HOME RULE CHARTER REVIEW COMMITTEE

November 2, 1983

Mr. Chairman, Committee members, thank you for the opportunity to join your discussion about possible amendments to the Multnomah County Charter.

As you know, I was appointed to the Board of County Commissioners last January, to replace Dennis Buchanan as the commissioner from District 1. During these ten months, I've experienced an intensive on-the-job training in county government, which has changed many of the perceptions I had, as an outside observer.

Multnomah County government is a strange environment. There seems to be a small segment of our population which is vitally interested in our deliberations and actions. This segment often seems bitter and angry about its county government; it often appears determined to limit or punish the officials who serve it. However, repeated surveys and personal observation convince one that most of our citizens are confused or uninformed with regard to our programs and responsibilities.

It is also a traumatic environment -- you often have the sense of a government under siege. Like most local governments, ours has suffered from severe budget shortfalls. We continue to reduce or cut more and more services which once were considered essential for the citizens of a modern county. I believe it's no coincidence we also continue to lose the best and brightest of our managers and employees. They're simply terminally frustrated and burned out.

I believe your discussions and recommendations can provide therapy for this ailing government. As Ned Look, in his appearance before you, correctly stated: "...the Multnomah County Home Rule Charter is an uncoordinated hodge-podge of political views, many of which are ambiguously stated...". With the guidance provided by your recommendations, our citizens can enact the sensible changes in our Charter needed to enable a more efficient and effective county government.

The difficulty of your assignment was vividly demonstrated to me last week, when I met with my personal advisory committee. These people, whose political sensitivity and judgment I respect, are from varied backgrounds in both the public and private sectors. We devoted all of our recent meeting to the county charter and the possible changes in the document. Although there was unanimous agreement on a couple of issues, I was somewhat surprised by the diversity of opinion on a number of issues. There is no easy path to wisdom on the county charter.

From the viewpoint of a private citizen suddenly thrust into county government, here are my thoughts on the various issues you are considering. Let me begin with the changes made in 1982.

#### Compensation for Elected Officials

Compensation is probably the most controversial issue. But I think the 1982 amendment, which requires salary levels be approved by the voters, unfairly impacts public officials. At best, it means their compensation will always suffer from a considerable time lag.

I would prefer a return to the prior system, where officials set their own salaries but had to answer to the voters for any abuses. However, I doubt if the voters will be willing to support a straight repeal. But they might support a repeal tied to the establishment of a salary review board or commission.

#### Additional Elected Officials

The requirement of four additional county officials should be repealed. These additional positions are unnecessary and expensive. I believe these added fiefdoms dilute authority and accountability to effectively operate county government.

#### Lobbyist Prohibition

This was one of the most ill-advised amendments. The prohibition severely limits the county in arguing its needs, particularly before the Oregon Legislature. It should be repealed.

#### 8-Year Limitation

Realistic limitation on the terms of elected officials seems an idea whose time has come. I support an 8-year limitation, but I think the intent should be made clear: the limit should be on each elective office, not on total county service. I also think it would be appropriate to put the limit on consecutive terms; to permit a person to run again for the same office, after the person has been out of that office for at least the length of the term.

Mid-Term Candidacy Prohibition

I would strongly urge your recommendation to repeal the 1982 amendment which prohibits county officials from running for another office in mid-term. I simply don't think the public interest is served by placing a near-impossible hurdle before qualified officials who may wish to run for higher office. The prohibition also gives pause to qualified persons in the private sector who might consider running for county office.

This leads me into comments on some of the 1978 amendments which you are also reconsidering.

Restriction on Appointed Commissioners

The 1978 amendment, which prohibits a person appointed to a commission vacancy from running in a subsequent election for that position, is the one I have the most difficulty in viewing objectively. I was aware of the restriction when I sought and accepted the appointment, and I have to abide it. But I think it's a mistake, because it automatically excludes retention of a person who has learned the job, just as the job ends.

Actually, if you look at all the restrictions the various amendments have placed on county offices -- uncertain compensation, limitation on service, prohibition on mid-term candidacy, restrictions on appointees -- it will soon be a marvel if we get any qualified candidates. The intent clearly seems to be to punish county office holders for past mistakes or attitudes, real or imagined. I don't believe you can get or retain good public officials

with all these barriers.

Although special elections are expensive, the committee might also consider the elective process for filling vacancies, particularly if the district system is retained. I'm told the cost for a county-wide election is currently about \$120,000, so the cost for a district special election would be about \$30,000.

### County Governmental Structure

① I believe the public was better served by the system, prior to the 1978 amendments, when the county executive served on the board as chairperson. His performance was more visible as one of five commissioners, routinely making decisions in a public forum; the board/chairperson relationship also forced better cooperation. Too often, I think, the present system promotes an adversarial relationship between the executive and the board.

I don't know that the voters would support a return to the old system. But one strong selling point would be the elimination of one office holder and staff.

② My second choice would be the retention of the current system of five district commissioners, except I would favor an appointed rather than an elected county executive. This is no reflection on the incumbent executive; I think he's doing a good job, and he's trying hard to work with the board, rather than against them or around them.

But the county executive is actually the county's manager. Future executives will probably not possess Mr. Buchanan's unique

background and training for the job. The public interest would be better served by a professional, appointed by the board, to manage and operate the county.

Whatever system prevails, and at least for the present, I think it would be a mistake to recommend part-time service by commissioners. I earlier mentioned my perceptions had changed during my ten months on the board. One change of perception involves a commissioner's workload. I can honestly say that I have never worked as hard as I have as a county commissioner. The present complexity of problems and the size of the budget demand fulltime attention. AP

#### Other Charter Issues

I would also comment briefly on several other issues before you.

I believe you should resubmit the bonding issue to the voters. The board should have the flexibility to move without undue delay, where public financing is necessary to serve a public need. The city of Portland and the Port Authority possess this tool; so should the county.

You should also recommend the repeal of the unique runoff election requirement, passed in 1978. It unreasonably prolongs the electoral process and, in reality, is probably more beneficial to an incumbent than to a challenger.

I would also hope you reject any proposal to establish minimum policing levels in the county. The cuts in policing levels to date have been hard but fair. The residents of the incorporated areas

can no longer be expected to subsidize municipal services delivered solely in the unincorporated areas.

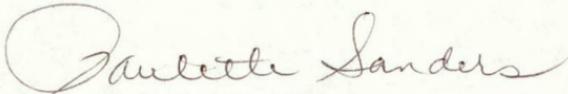
In closing, I would like to express my appreciation for your willingness to take on this assignment. Just to reconstruct a coherent and effective charter is challenge enough for any group. But you must do this in the context of broader implications: the awareness that significant changes in government are bearing down on us, with little certitude of what the changes will be or their timing; a need to exhibit fairness to all the citizens of the county, whether they reside in one of the various cities or in the unincorporated areas; the realization that revenue shortfalls will be a continuing fact of life for local governments. You have an awesome task.

Thank you for the opportunity to share my views with you.

August 23, 1983

Bob:

This is the final version of the draft memo that Earl gave you when you met with him. It was sent out today to all the Charter Review Committee members.

A handwritten signature in cursive script that reads "Paulette Sanders". The signature is written in dark ink and is positioned above the typed name.

Paulette Sanders  
Earl Blumenauer's Office

EARL BLUMENAUER  
Multnomah County Commissioner



County Courthouse  
Portland, Oregon 97204  
(503) 248-5218

August 22, 1983

MEMORANDUM

TO: Multnomah County Home Rule Charter Review Committee Members  
FROM: Earl Blumenauer  
RE: Philosophical Approach to Charter Revision

I have taken the liberty to draft, in broad terms, points that may be useful in your deliberations. My perspective is shaped by 11 years of government as both a state legislator and a county commissioner. During that time, I have continually dealt with questions of how organizational structures should be shaped to yield the most effective service for the public.

A major consideration for you should be the continuity and stability of local services provided by the County. In less than 20 years, nine different votes have affected the structure of County government; half have been successful. These successful votes (1966, 76, 77, 78 and 82) have had a significant impact on how this government delivers services. They also have diverted efforts away from substance to organization. The extent to which the form and structure of County government can be stabilized, even for a period of five years, will have had a significant impact on how we deliver services to our citizens. Our community needs the security of a known organizational structure in order to utilize the various services the County offers.

Continuity is equally important for our policymakers, management and line staff. Long range planning cannot be effective if the various structures of the government keeps changing. During the last 20 years, Multnomah County has been in the forefront of urban counties and municipal agencies. A number of national awards and significant attention have been directed towards our innovative programs. From Planning to Human Services, Corrections and the Sheriff's Office to management innovation, the Assessor's Office to Elections, Multnomah County has done a good job. Our roads are perhaps the highest quality in the State of Oregon. Financial planning has been jealously maintained despite no tax base increase for almost 30 years. The energy and efforts of all County employees should be directed towards better serving the community rather continually redefining the structure by which it delivers those services.

August 22, 1983

County employees, both line and management staff, have played an important role in the community for provision of service. A significant degree of professionalism has been exhibited despite the results of four attempts to dramatically reduce County resources through tax limitation and charter votes. This has taken a significant toll on the morale of employees, particularly since during the same time period the County budget has been steadily whittled away and state and federal resources have declined.

For three successive budget years, the number of positions available to serve the public has declined. The Charter Review Committee needs to understand the troubled nature of what the County has faced as well as the nature and quality of the County's programs. Any recommendations on your part should attempt to maintain the quality and minimize the disruption to our services for the sake of both our community and our employees.

These concerns fall into three basic types of decisions that face the Charter Review Committee:

The first decision is the nature and extent of County government. Should we remain a home-rule county or return to general law? Should we have a three- or five-member Board of County Commissioners? Do we want to retain an elected County Executive or have an appointed professional administrator?

The second level of decisions has to do with clarifying responsibilities under the existing structure. A number of present ambiguities need to be settled. For instance, should any elected official be able to obligate the County for contracts without the consent of the governing board? What should the prohibition against a paid lobbyist mean in our charter, forgetting for a moment the separate policy question of whether or not it is desirable. Exactly how does the prohibition affect our ability to represent the public and to whom does the prohibition apply?

Finally, minor and technical amendments can be dealt with in advance of next year to potentially save time, money and confusion. For example, voters can decide at the next county-wide election whether to retain the "automatic run-off" provision or allow a contested primary to be won outright with a vote of over 50 percent.

I will attempt, in later communications, to share my views on these three general categories. I strongly recommend that the Charter Review Committee consider preparing potential charter changes early on minor technical and intermediate policy questions. This raises the possibility that such changes be submitted to voters prior to November, 1984. This might make your task easier by involving County voters more deeply in the subject at hand and resolving minor, but nonetheless significant, questions sooner so as to improve County operations.

For additional background, I have also included material on the history of the urban subsidy issue and my version of what Multnomah County's mission should be for the early 1980's. Additional information on specifics ranging from budget to County organization is available from my office for anyone who may wish it.

Please feel free to call upon me or my staff for any other information you may need for your task. You are performing a substantial service for the community and ought not be bashful if we can do anything to make your efforts more effective.

EB:ps

EARL BLUMENAUER  
Multnomah County Commissioner



County Courthouse  
Portland, Oregon 97204  
(503) 248-5218

## Multnomah County 1982-85

As Multnomah County faces one of its toughest years financially, it would be helpful if its elected officials and citizens could have a common set of goals by which to guide their budgetary priorities and decisions. These basic assumptions about the role of the County can then act as criteria against which to measure the increasingly complex issues facing local government today.

The following is my attempt to put into words what I think the role of County government is. I would welcome your comments.

### 1. It is the primary deliverer of services which impact people.

There need be no distinction between "justice" services and "human" services, between "juvenile" services and "elderly" services. They are all part of a broader "social" service and protection system which is of Countywide concern.

With the removal of the courts function from County jurisdiction, the elements of the justice system we are left with are really part of this broader context. The County's role is considerably enlarged by the loss of services formerly provided by State and Federal governments. The President's proposals in the State of the Union message further underscore this transfer to the local level.

### 2. It is the provider of minimal level services for rural areas.

All areas of the County should receive some form of police protection, road construction and maintenance, and planning. The County has historically performed these services for those areas which cannot provide them on a municipal level, where population density is so sparse that public improvements would be prohibitively expensive.

### 3. It is the provider of short-term municipal services on a transitional basis.

For areas which have become urban, transition is often necessary before they can manage themselves and provide their own services. The County can serve in this role on an interim basis, without becoming the permanent source of such services.

4. It is an administrative arm of State government.

Functions such as Assessment & Taxation and Elections are mandated by State law but handled locally. These services will continue unless there is a change in State law.

5. It is an important element in the State's transportation system.

Counties, as the recipient of 20% of the State's gas tax revenue, are clearly envisioned by the State as playing an active role in transportation. Historically, counties served as a connecting link among municipalities through their operation of highways and bridges. More recently, the County has assumed a role with neighborhood streets because of a service vacuum. This role needs redefinition in order to benefit every Multnomah County resident.

6. It is the provider of discretionary services on a large scale.

Services such as the library, animal control and parks are not mandated by State law but are desired by the public and are best provided on a Countywide basis. These are local options which can be adjusted at any time.

We must not lose sight of the fact that all these functions require sound and effective administration. Administration should never become an object in itself, but must naturally grow out of the functions the County is asked to assume. Any approach which ignores the reality of the need for sound management and its associated costs jeopardizes the County's mission.

BRIEF HISTORY OF MULTNOMAH COUNTY'S EFFORTS  
TO RESOLVE THE URBAN SUBSIDY ISSUE

1

DATE	ACTIVITY	DESCRIPTION
April 1976	Internal memo prepared by Sonny Conder working in Office of County Management	Estimated that 61.1% of the general and federal/state program funds were spent on services provided to city residents while a distribution proportional to population would require 68.4%. Used low estimate on project health and did not pro rate roads or regional parks in 61.1% figure.
October 1976	County Executive Don Clark gave speech to Gresham Chamber of Commerce	Promised to analyze the equity in the distribution of county services in more detail.
March 1977	Fiscal Planning Report (FPR) #8 completed	Defined municipal services (delivered in unincorporated area) and general services (delivered countywide). Findings suggested that: <ol style="list-style-type: none"><li>1. Expenditures for municipal services in the unincorporated areas are subsidized from revenues collected in the incorporated portions of the county</li><li>2. Expenditures for general services are evenly distributed according to need in the county and due to federal transfers, jurisdictions receive more than they contribute.</li><li>3. Total expenditures for municipal services per capita within unincorporated areas are 40-45% below those in incorporated areas</li><li>4. Revenues contributed per capita for municipal services within the unincorporated area are 60-65% below those of incorporated areas</li><li>5. In 74-75 the unincorporated area received \$81 per person subsidy for municipal services from incorporated areas (\$28 per capita from Portland and \$20 per capita from the other cities). Estimated \$12.1million subsidy was mostly for sheriff patrol and environmental services</li></ol>

Property tax capacity was used at the same level as incorporated areas but the unincorporated area was not eligible for revenues available to cities.

Recommendations were:

1. Promote incorporation of the urban unincorporated area (annexation or formation of new city) and share county tax revenues with the area
2. Establish functional consolidation of county and city municipal services (public safety and road maintenance) or rearrange service areas so county is responsible for larger areas within cities

April 1977                      Executive Budget  
for FY 77-78 proposed

Contained funds to contract with Portland State University to conduct further analysis of the issue. Funding was approved by Board of County Commissioners

March 1979                      Multnomah County  
Municipal Services  
Reexamined completed  
by Center for Urban  
Studies at Portland  
State University

Report used more precise calculations than the FPR #8 regarding service beneficiaries, revenue sources and expenditures. Supported FPR #8's findings but reduced subsidy from \$12.1 million to \$10.4 million. Various options were analyzed (incorporation, annexation, consolidation, regional government, service districts, user fees, municipal service taxing units) and in all, unincorporated residents would have to pay more.

April 1980                      Executive Budget  
for FY 80-81 proposed

Described FY 80-81 as a transitional year. Proposed switching \$2.4 million in public safety and parks appropriations (urban subsidy) to one time only funds and asking unincorporated voters within the urban growth boundary to vote on special district for law enforcement and neighborhood parks. If rejected, proposed reducing service in FY 81-82 to level actually supported by the areas' tax revenues (similar to service levels in rural portions of the county).

April 1980	Board of County Commissioners' action on the budget	Board's budget message stated "The strategy correctly identified in the Executive Budget for halting erosion of County services was to eliminate the subsidy for the 'urban increment' of services in the unincorporated areas." Decided to implement phased cutback. Felt service district option should be examined by citizens from the affected area.
April 1980	<u>Preliminary Analysis: Multnomah County Urban Area Service Delivery System Public Safety Alternatives</u> completed by Hayworth and Anderson, Inc.	Found that 80% of the County's annual law enforcement budget paid for service to the unincorporated area and city taxpayers were responsible for 66% of the law enforcement budget. Looked again at service options and established a preference for a service district.
June 1980	Revenue Alternatives and Delivery of Governmental Services (RAGS) formed	Charged with looking into the service district option
September 1980	<u>Economic Feasibility Analysis: Proposed Multnomah County Public Safety Service District</u> completed by Multnomah County Department of Justice Services	Predicted massive impact if voters did not support service district (25% loss of patrol force, etc) Suggested service district could be formed by February 1981 and special levy could be established by November 1981
September 1980	RAGS recommendation presented on service district	RAGS did not support service district and instead recommended a county wide tax increase.
September 1980	Board of County Commissioners' action	Based on September 1980 report, submitted an application to the Boundary Commission for a service district election. Withdrew it one week later and asked staff to prepare another financing alternative which would not add a level of government and would not inhibit new city effort.

October 1980	<u>Survey of Mid County Residents: Options for the Future</u> completed by Oregon Attitudes	Results of August 1980 public opinion survey of 300 registered voters in unincorporated area showed: <ol style="list-style-type: none"> <li>1. People were willing to pay more to maintain level of service for sheriff, road maintenance, library and community health (top four)</li> <li>2. People would pay to raise the level of service for sheriff, community health, park maintenance, and road maintenance (top four)</li> <li>3. People preferred to join an existing city over other options for keeping service at existing levels</li> </ol>
October 1980	<u>Five Year Fiscal Action Plan for Multnomah County 1981-86</u> completed by Don Barney and Associates	No new calculations were done on the urban subsidy. Recommended that the county pursue new revenues including a gas tax increase from 1 to 3¢ with 1¢ per gallon shared with cities on a per capita basis. Possible courses of action were: continue present services with new revenue, cut back services, transfer service provision to another government or the private sector
December 1980 January 1981	Board of County Commissioners considered revenue alternatives for FY 81-82	Endorsed "zone of benefit" charter amendment with election set for February 17, 1981. The amendment was not approved.
April 1981	Executive Budget for FY 81-82 proposed	Proposed \$9 million in program cuts (including 24 positions in public safety and 17 in parks--urban subsidy). Recommended revenue package to restore funding for programs: a 2¢ increase in the gas tax, a .2% increase in the business tax, and a 3 year serial levy of \$5.3 million
April 1981	Board of County Commissioners action on the budget	Introduced a two part 3 year \$5.0million serial levy and chose a two year budget strategy including gas tax increase and some program reductions. Public safety was on A ballot and parks on the B ballot.

April 1981	Commissioner Dennis Buchanan proposed ordinance	Ordinance, if it had passed, would have prevented funds collected in cities to be spent for services delivered exclusively in the unincorporated area two years from the date of approval by voters at a special election
May 1981	Gas tax increase	Gas tax increased from 1 to 3¢ effective October 1, 1981. None of the gas tax revenues were shared with cities.
June 1981	Election results	The A ballot of \$2.1 million passed. Subsidy situation became more pronounced as gas tax and serial levy supported county municipal services
December 1981	Fiscal Status Task Force formed	Charged with review of county financial policies and procedures
March 1982	Fiscal Status Task Force report issued	Recommended that the county "investigate the charge that there are specific areas which are inadequately taxed, and deal with them so that the cost of delivery of services is fairly charged to those who benefit from those services."
April 1982	Executive Budget for FY 82-83 proposed	Anticipated no large scale program reductions or revenue increases due to budget balancing solutions adopted in FY 81-82.
May 1982	Board of County Commissioners action on the budget	Approved transferring ownership of Inverness plant and lines to the Central County Service District and repaying the general fund for costs of plant construction. Reduced the permits budget. Did not approve a proposal to share \$1 million of county gas tax funds with cities on a per capita basis
Fall 1982	Future of Local Governments Group formed by Commissioner McCoy	Members, who are elected officials, are reviewing five basic options for governing Multnomah County including city/county merger, comprehensive annexation, new city, consolidated services, contracting

January 1983

Multnomah County  
Government Service  
Provision: The Change  
Between 1976-77 and  
1981-82 completed  
by Center for Urban  
Studies at Portland  
State University

Findings were:

1. Multnomah County budget rose from \$85 million to \$148 million and the disparity between costs and benefits in Portland rose from \$9.2 million to \$13.8 million while for the other cities it rose from \$1.6 million to \$5.2 million
2. For FY 81-82 municipal services in the unincorporated area were subsidized \$17 million from Portland and \$1.8 million from other cities
3. Subsidy for Portland fell in 79-80 and then rose after gas tax increase and serial levy
4. In constant dollar, Portland subsidy rose 9% between 76-77 and 81-82 and that paid by the smaller cities doubled
5. Portland supported \$5.5 million of road related work in 81-82 (close to an estimate produced by a city study)

February 1983

Technical Report #3  
Review of Road Maintenance  
Subsidy Studies completed  
by Don Barney and Assoc.  
and Tabletop Computations  
(part of County Roadway  
Policy Study)

Reviewed previous subsidy studies and concluded:

1. There is a transportation service subsidy from Portland taxpayers
2. The city subsidy is growing
3. The precise level of the subsidy is debated
4. There is a mismatch between geographic source of revenue and location of expenditures plus resources available to cities and their workloads (i.e. state allocation formula, county gas tax authority but not cities, county allocation of services)

March 1983

Resolution A , proposed  
by County Executive  
Dennis Buchanan,  
approved by Board of  
County Commissioners

Resolution defined municipal services as government services usually provided by cities and including but not limited to police services, neighborhood parks, land use planning, permits. Provided for proportional reduction of municipal services from urban level to rural level between FY 83-84 and FY 86-87 in the mid county area

April 1983

Executive Budget  
for FY 83-84 proposed

Recommendations relating to urban subsidy included:

1. Reduction of 8% for sheriff
2. Budget notes about exploring contracts with Portland and Gresham to perform permits and land use planning functions
3. An amount of \$195,000 for intergovernmental agreements to transition responsibilities to cities for services currently provided by Multnomah County
4. Reducing maintenance and development of Oxbow and Blue Lake by 30% and eliminating maintenance of neighborhood parks

April 1983

Board of County  
Commissioners action  
on the budget

Approved recommendations 2,3,4 above. Added back 2% to the sheriff's budget. Increased fees for permits and planning services so as to add them back into the budget (avoiding the use of general funds)

May 1983

Board of County  
Commissioners  
approved resolution  
introduced by  
Commissioner Blumenauer

Resolution requested the Sheriff to negotiate an intergovernmental agreement with the City of Portland to provide police services to the unincorporated west side

Prepared by:

Commissioner Blumenauer's Office  
May 1983