

MEASURES -
5/22/78

1/003

MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE

401 Wilcox Building, 506 S.W. 6th Avenue
Portland, Oregon 97204 · 227-1631



John R. Faust, Jr., Chairman
Robert A. Burkholder
Del Greenfield
Jean Haliski

Terry Hannon
Kenneth Innis
Norman Lindstedt
Robert L. Mitchell

Larry Mylnechuk
Jay K. Owen
Kay Pankratz
Vern B. Pearson

Anne F. Picco
Robert D. Scholz
William D. Williams
James W. Winters

Julie Keller Gottlieb,
Administrative Secretary

MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE

TIMETABLE

June 5 through 26	Public hearings on proposed charter amendments **
July	Review of testimony from public hearings and other sources by Review Committee to finalize amendments
late July/early August	Final public hearing on proposals
August 23	Review Committee submits proposed charter amendments to Multnomah County Board of Commissioners
November 8	Proposed charter amendments go before voters in General Election

**PUBLIC HEARING SCHEDULE

Monday, June 5, 7:30 p.m.	Roosevelt High School Cafeteria
Monday, June 12, 7:30 p.m.	Cleveland High School Cafeteria
Monday, June 19, 7:30 p.m.	Lincoln High School Cafeteria
Monday, June 26, 7:30 p.m.	Mt. Hood Community College Vista Room

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FACT SHEET

MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE

Under a plan prescribed by voters in the November, 1977, General Election, the state senator and two state representatives in each state senate district in Multnomah County have appointed two electors, who must be from different political parties, to the Committee.

SCOPE OF COMMITTEE REVIEW:

The Committee is charged to study the charter by all appropriate means, including public hearings and meetings, testimony and interviewing of witnesses.

The Committee is charged to specifically consider:

- 1. Whether or not Multnomah County Commissioners should be elected from single-member districts from within Multnomah County and, if so, the boundaries of such districts
- 2. Whether commissioners should be elected for two or four year terms
- 3. The method of choosing the chairman of the Multnomah County Board of Commissioners
- 4. The method by which vacancies on the Board of County Commissioners should be filled

The Committee may also consider any other issues relating to the charter.

The Committee will report to the public and the Multnomah County Board of Commissioners by August 23, 1978, "their findings, conclusions and recommendations" including any proposed charter amendments, which will be placed on the November, 1978 ballot.

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BACKGROUND: MULTNOMAH COUNTY GOVERNMENT

DECEMBER 22, 1854: Multnomah became a county. Through the first half of the 20th century it operated under a commission system similar to the City of Portland's. The chief executive, however, (County Commission Chairman) was selected by the three county commissioners from their own number, rather than by popular vote.

MAY, 1966: The Home Rule Charter (provisions currently in effect) was passed by the voters. This action

- Created five commission posts
- Provided for direct election of the county chairman through Commission Position 1
- Made several key administrative offices appointive, rather than elective positions

NOVEMBER, 1966: The public voted to go back to the original form, but the vote was set aside on a technicality.

NOVEMBER, 1976: Cook-Otto Amendments, placed on the ballot by initiative petition, were passed by voters. Provisions included:

- Election of county commissioners by single member districts
- Filling of vacancies by election only
- Length of term of office was shortened from four to two years
- County chairman must be elected from his/her own district AND if he/she had not received a county-wide majority vote, could be replaced by a constitutional majority of the entire board

NOVEMBER, 1977: The voters approved repeal of the amendments to the Multnomah County Home Rule Charter and directed appointment of the Multnomah County Charter Review Committee, charged to review the charter and submit proposed amendments, if any, for review by the Multnomah County Board of Commissioners and for placement on the November, 1978 Ballot.



MULTNOMAH COUNTY ELECTION PRECINCTS

MULTNOMAH COUNTY OREGON

PRIMARY
1978

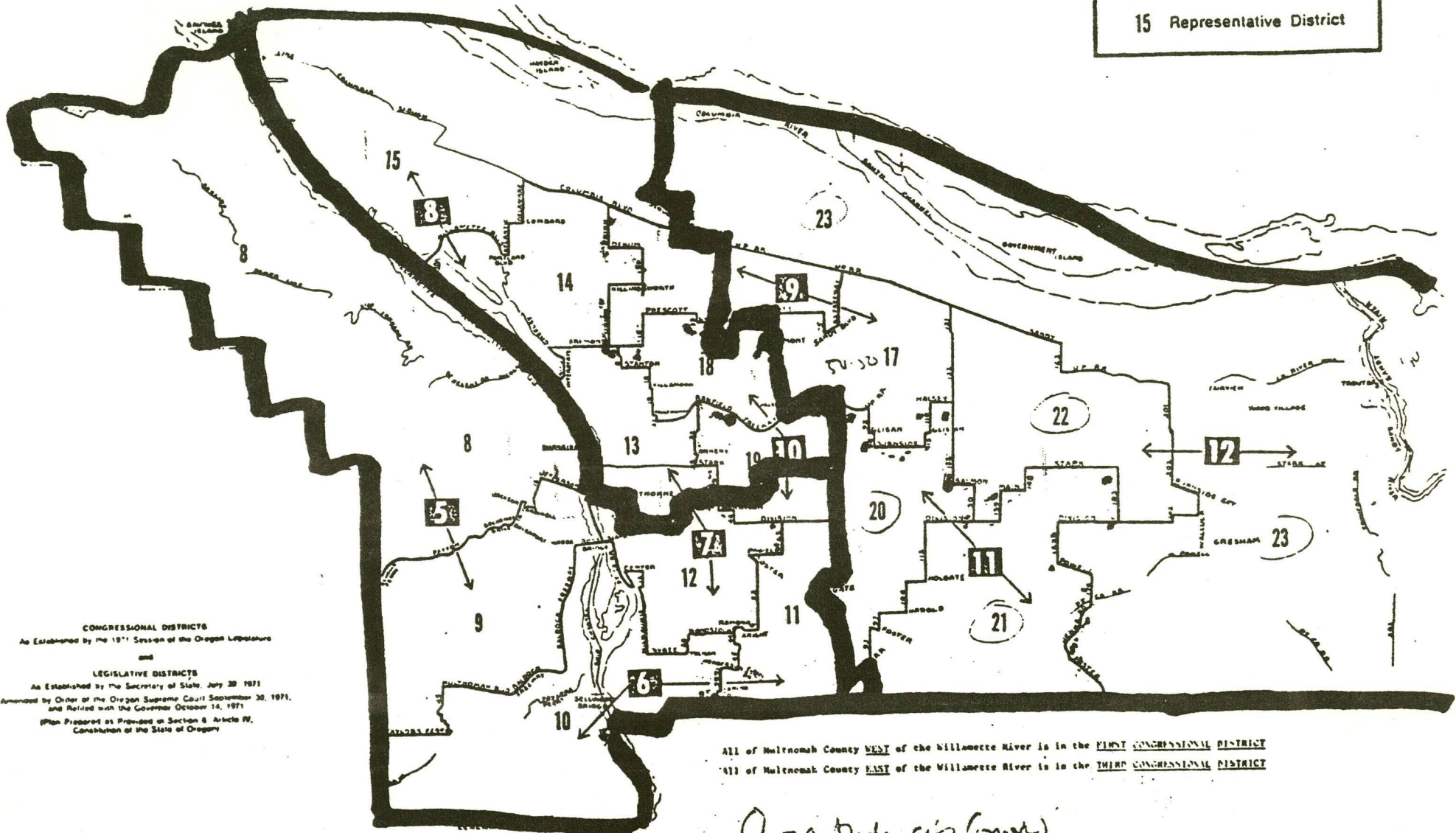
KEY



Senatorial District



Representative District



CONGRESSIONAL DISTRICTS

As Established by the 1971 Session of the Oregon Legislature
and

LEGISLATIVE DISTRICTS

As Established by the Secretary of State, July 28, 1971
Amended by Order of the Oregon Supreme Court September 30, 1971,
and Referred with the Governor October 15, 1971
(Plan Prepared as Provided in Section 6, Article IV,
Constitution of the State of Oregon)

All of Multnomah County WEST of the Willamette River is in the FIRST CONGRESSIONAL DISTRICT
All of Multnomah County EAST of the Willamette River is in the THIRD CONGRESSIONAL DISTRICT

O - outside city (mostly)

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SUMMARY OF PROPOSED COUNTY CHARTER AMENDMENTS

Julie Keller Gottlieb,
Administrative Secretary

Proposed Charter amendments approved by the Review Committee, in the form of proposed measures:

MEASURE 1: PROPOSED AMENDMENTS SEPARATING COUNTY EXECUTIVE FROM BOARD, CREATING DISTRICT REPRESENTATION:

Provides County Executive, elected at large, separate from Board, with veto power (4 votes on Board to override).
Establishes five full-time commission positions, two elected at large; three elected from districts.
Sets up procedures for redistricting after 1980 census through county auditor's office and board of commissioners.
Establishes staggered terms of office for commission posts.
Chairperson and Vice-Chairperson selected by board of commissioners annually.

MEASURE 4: REQUIRES CONTINUED RESIDENCE OF COMMISSIONERS. (This measure is contingent on the passage of Measure 1). At-large commissioners and County Executive must reside in county, district commissioners in district.

MEASURE 5: PROVIDES THAT ANY COUNTY ELECTIVE OFFICE BECOMES VACANT ON LONG-TERM DISABILITY OF THE OFFICER. BOARD DETERMINES DISABILITY.

MEASURE 6: REQUIRES SPECIAL ELECTION TO FILL VACANCIES.

Elections will be held within 60 days to fill vacancies occurring 15 months or MORE before the end of elected term. Board fills by appointment any vacancy occurring LESS than 15 months before the end of the elected term.

MEASURE 7: PROHIBITS PERSON APPOINTED TO FILL COMMISSION VACANCY FROM BEING CANDIDATE FOR THAT POSITION IN THE NEXT ELECTION.

MEASURE 8: ESTABLISHES THAT NO COUNTY EMPLOYEE SHALL BE REFUSED EMPLOYMENT OR BE DISCRIMINATED AGAINST IN ANY MANNER CONTRARY TO STATE LAW.

MEASURE 9: GRANTS REVENUE BONDING AUTHORITY TO BOARD OF COUNTY COMMISSIONERS. PROHIBITS REPAYMENT FROM TAXES. BONDS TO BE REPAYED FROM REVENUES OF THE PARTICULAR FACILITY FOR WHICH BONDS ARE ISSUED, OR SIMILAR FACILITIES.

MEASURE 10: SPECIFIES THAT ALL ELECTIVE COUNTY OFFICES SHALL BE NONPARTISAN.

MEASURE 11: ELIMINATES GENDER REFERENCES IN CHARTER AND PERMITS BOARD TO DELETE OBSOLETE AND UNNECESSARY MATERIAL FROM THE CHARTER.

PROPOSED AMENDMENT SUMMARY -2-

THE MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE REJECTED THE FOLLOWING
PROPOSED AMENDMENTS:

4.10(3): Prohibiting election of commissioner to more than two consecutive four-year terms. (MEASURE 2)

4.30: Limiting compensation of county officers, specifying the commissioners may fix salaries not to exceed two-thirds of the county executive's salary. (MEASURE 3)

8.10: Expanding functions of the county auditor's office and establishing an audit committee composed of three members of the board of county commissioners. (MEASURE 12)

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MEASURES APPROVED 5/22/78

MEASURE 1

PROPOSED AMENDMENTS SEPARATING COUNTY EXECUTIVE & LEGISLATIVE FUNCTIONS, CREATING DISTRICT REPRESENTATION AND PROVIDING FOR TRANSITION

Chapter III

GOVERNING BODY

3.10 Delete in its entirety.

3.10 MEMBERSHIP.

- (1) The governing body shall be a board of five county commissioners, two elected at large and three elected from districts as herein established.
- (2) Position No. 1 shall be occupied by that commissioner elected from the West District, the boundaries of which are as follows:
- (3) Position No. 2 and Position No. 4 shall be occupied by commissioners elected from the county at large.
- (4) Position No. 3 shall be occupied by that commissioner elected from the Central District, the boundaries of which are as follows:
- (5) Position No. 5 shall be occupied by that commissioner elected from the East District, the boundaries of which are as follows:

3.15 APPORTIONMENT OF COMMISSIONER DISTRICTS.

Within thirty days of the official release of each federal decennial census for Multnomah County, the auditor shall determine the population distribution among the commissioner districts specified by this charter. If the population of any commissioner district is more than 115 percent of the population of any other commissioner district, the auditor shall prepare and present to the board of county commissioners a plan for modifying the boundaries of the districts so that the population of no commissioner district will be more than 110 percent of the population of any other commissioner district, notwithstanding the delineation of commissioner districts by this charter. The board of county commissioners shall, within 45 days of the

submission of the report, alter the boundaries of the commissioner districts as necessary by ordinance to provide for an approximately equal population distribution. No change in boundaries of the districts shall affect the continuance in office of a commissioner or taking of office of a commissioner-elect with respect to the term of office for which elected prior to the adoption of the reapportionment. The auditor shall, as nearly as possible, retain the general geographic characteristics of districts in the plan as when districts were first established.

3.20 ELECTION. Except as this charter provides to the contrary,

- (1) each member of the board shall be nominated and elected from the county at large, or from a district, by position;
- (2) at the general November election in 1978 and every fourth year thereafter a commissioner shall be elected to each odd-numbered position on the board;
- (3) at the general November election in 1980 and every fourth year thereafter a commissioner shall be elected to each even-numbered position on the board; and
- (4) at each of the elections, of the candidates for position on the board, the one who receives the highest number of votes cast for any candidate for that position shall be the one elected to it.

3.40 CONCURRENCE REQUIRED FOR ACTION. Except as this charter provides to the contrary, the board may act only with the affirmative concurrence of a majority of its members[.] present at a meeting.

3.60 [VICE] CHAIRMAN AND VICE-CHAIRMAN. At its first meeting each calendar year the board shall choose a [vice] chairman and vice-chairman from its members. [He] The chairman shall preside at board meetings. The vice-chairman shall preside whenever the chairman is absent [therefrom and shall serve as chairman pro tem of the board when the chairman] or is incapacitated from serving. [as such, but his administrative acts as chairman pro tem shall have effect only if ratified by the other board members exclusive of the chairman.]

3.70 ADVISORY BOARDS AND COMMISSIONS.

- (1) The board may by ordinance create such advisory county boards and commissions as in its judgment the interests

MEASURE 5

PROPOSED AMENDMENT CREATING
NONPARTISAN ELECTIVE OFFICES

11.15 NONPARTISAN OFFICES.

- (1) All elective county offices shall be nonpartisan.
- (2) The manner of nominating and electing officers shall be the same as that established by state law for nominating and electing county officers, except as this charter provides to the contrary.
(partisan) (circuit court judges)
- (3) Petitions or declarations of candidacy shall contain no reference to any political party ballot or to the political party affiliation of the candidate. The petition or declaration may contain a statement of twelve words or less of any measure or principles the candidate advocates or of the candidate's qualifications for office and such statement shall appear on the election ballot.
- (4) When there is only one nominee for a vacant position, that person shall be the nominee for the office. The nominee's name shall not appear on the primary election ballot but shall appear on the general election ballot together with one space for write-in candidates.
- (5) Where there are two or more candidates for a position, all names shall appear on the primary election ballot. When any candidate receives a majority of all votes cast for the position, the name of that candidate shall be printed separately on the general election ballot and one space for write-in votes. If no candidate receives a majority of votes, the two candidates receiving the highest number of votes shall be declared nominees and their names shall appear on the general election ballot.
- (6) If a candidate dies, withdraws, or becomes ineligible on or after the primary election date, candidates for the office shall be nominated by petition or assembly in the manner provided by state law for the nomination of independent candidates.

MEASURE 2

PROPOSED AMENDMENT CLARIFYING DISCRIMINATION

7.40

- (2) No employee shall be refused employment or be discriminated against in any manner [because of race, religion, color, or national origin.] contrary to state law.

MEASURE 1

PROPOSED AMENDMENTS SEPARATING
COUNTY EXECUTIVE & LEGISLATIVE FUNCTIONS,
CREATING DISTRICT REPRESENTATION AND
PROVIDING FOR TRANSITION

Chapter III

GOVERNING BODY

3.10 Delete in its entirety.

3.10 MEMBERSHIP. The governing body shall be a board of five county commissioners, elected from districts as herein established.

- (1) Position No. 1 shall be occupied by that Commissioner elected from or appointed to the West District, the boundaries of which are as follows:
- (2) Position No. 2 shall be occupied by that Commissioner elected from or appointed to the North District, the boundaries of which are as follows:
- (3) Position No. 3 shall be occupied by that Commissioner elected from or appointed to the Central District, the boundaries of which are as follows:
- (4) Position No. 4 shall be occupied by that Commissioner elected from or appointed to the South District, the boundaries of which are as follows:
- (5) Position No. 5 shall be occupied by that Commissioner elected from or appointed to the East District, the boundaries of which are as follows:

3.15 APPORTIONMENT OF COMMISSIONER DISTRICTS.

in consultation with the Multnomah Co. Election Division
Within thirty days of the official release of each federal decennial census for Multnomah County, the auditor shall determine the population distribution among the commissioner districts specified by this charter. If the population of any commissioner district is more than 115 percent of the population of any other commissioner district, the auditor shall prepare and present to the board of county commissioners a plan for modifying the boundaries of the districts so that the population of no commissioner district will be more than 110 percent of the population of any other commissioner district, notwithstanding the delineation of commissioner districts by this charter. The

*Dick Roberts
change in language
this afternoon -
- mon 2.m.
- description of districts
- by notes & bounds
- by census tracts*

with this 30 day period

board of county commissioners shall, within 45 days of the submission of the report, alter the boundaries of the commissioner districts as necessary by ordinance to provide for an approximately equal population distribution. No change in boundaries of the districts shall affect the continuance in office of a commissioner or taking of office of a commissioner-elect with respect to the term of office for which elected prior to the adoption of the reapportionment. The auditor shall, as nearly as possible, retain the general geographic characteristics of districts in the plan as when districts were first established.

3.20 ELECTION. Except as this charter provides to the contrary,

- (1) each member of the board shall be nominated and elected ~~from the county~~ [at large,] from a district, by position;
- [(2) at the general November election in 1978 and every fourth year thereafter a commissioner shall be elected to each odd-numbered position on the board;
- (3) at the general November election in 1980 and every fourth year thereafter a commissioner shall be elected to each even-numbered position on the board; and]
- (2) commissioner terms shall be four years; and
- [(4)] (3) at each [of the] election[s], of the candidates for position on the board, the one who receives the highest number of votes cast for any candidate for that position shall be the one elected to it. nominated

3.40 CONCURRENCE REQUIRED FOR ACTION. Except as this charter provides to the contrary, the board may act only with the affirmative concurrence of a majority of its members[.] present at a meeting.

3.50 MEETINGS.

- (1) The board shall adopt and publish rules for the conduct of its meetings and shall conduct the meetings in accordance with the rules.
- (2) The board shall schedule its regular meetings in accordance with the rules.
- (3) The [chairman] presiding officer or three other board members may call special meetings of the board, provided each board member not issuing the call is sent notice of the call in accordance with the board's rules. No

board action at a special meeting, except adoption of an emergency ordinance, shall have effect after the next regular board meeting unless ratified at the meeting.

- (4) Notice of the time and place of a board meeting, including an agenda of all action to be considered at the meeting, shall be posted in a conspicuous place in the county courthouse

(a) at least 72 hours immediately preceding the meeting, in case of a regular meeting, and

(b) at least [3] 24 hours immediately preceding the meeting, in case of a special meeting.

Copies of the notice shall be available at the courthouse to interested persons throughout the time that the notice is required to be posted. The board may, however, take action on an item not on the agenda if the board deems that an emergency requires the action and if all the members of the board who are present affirmatively concur in the action.

- (5) The board shall keep a journal of its proceedings. The journal shall be accessible to the public during regular office hours.

3.60 [VICE CHAIRMAN.] PRESIDING OFFICER. At its first meeting each calendar year the board shall choose a [vice chairman] presiding officer and vice-presiding officer from its members. [He] The presiding officer shall preside at board meetings. The vice-presiding officer shall preside whenever the [chairman] presiding officer is absent [therefrom and shall serve as chairman pro tem of the board when the chairman] or is incapacitated from serving. [as such, but his administrative acts as chairman pro tem shall have effect only if ratified by the other board members exclusive of the chairman.]

3.70 ADVISORY BOARDS AND COMMISSIONS.

- (1) The board may by ordinance create such advisory county boards and commissions as in its judgment the interests of the county require.
- (2) Members of the boards and commissions shall be appointed by the [board chairman] County Executive with the approval of the board.

[3.80 BOARD MEMBERS AND ADMINISTRATIVE PERSONNEL. No board member except the chairman may give orders to an administrative officer or employee of the county.]

4.10 QUALIFICATIONS.

- (1) An elective officer of the county shall have been a qualified elector of the county for a year and a half immediately before becoming such an officer[.] *or appointed* and, if a candidate for county commissioner position, then a resident of the district for a year and a half immediately before becoming such a commissioner, except as provided in Section 13.20.

4.30 COMPENSATION. The compensation of all officers of the county shall be fixed by the board of county commissioners; provided, however, total appropriations for the board of county commissioners for the 1979-80 fiscal year shall not exceed the appropriations for the board of county commissioners (set forth in the county's approved budget) for the 1978-79 fiscal year, and annual increases thereafter shall be only such as are necessary and consistent with economical management.

4.40 VACANCIES -- CAUSES. An elective office of the county shall become vacant

- (1) upon the incumbent's
 - (a) death,
 - (b) adjudicated incompetence,
 - (c) conviction of a felony, other offense pertinent to his office, or unlawful destruction of public records,
 - (d) resignation from the office,
 - (e) recall from the office, or
 - (f) [ceasing to possess the qualifications required for the office;] ceasing to reside within Multnomah County, or, if a commissioner, ceasing to reside within the district from which elected or appointed except as otherwise provided by Sections 3.15 and 13.20, or inability to obtain a corporate surety bond as required by Section 4.10(2).
- (2) upon the failure of the person elected or appointed to the office to qualify for it within ten days after the time for his term of office to commence; or
- (3) in the case of a member of the board [of county commissioners,] or County Executive upon his absence

- (a) from the county for 30 consecutive days without the consent of the board or
- (b) from board meetings for 60 consecutive days without like consent.

4.50 [Delete in entirety]

4.50 VACANCIES-FILLING.

- (1) The board of county commissioners shall, by ordinance, provide for filling any vacancy in an elective office of the county.
- (2) If the vacancy occurs 15 months or more from the end of the term of the last person elected to the office, a special election will be called to be held within 60 days to elect an officer to complete the vacated term. *12 mo?*
- (3) Petitions for nomination or declaration of candidacy shall state that the candidate is partisan, if allowed by this charter, or non-partisan and the ballots shall so state. *17 can coordinate w/ reg. election w/in 150 of next reg. election*
- (4) If the vacancy occurs less than 15 months from the end of the term of the last person elected to the office, the board of county commissioners shall appoint an officer to complete the vacant term. *9 mo?*
- (5) If a vacancy occurs in the office of County Executive, the Auditor or, if the Auditor is incapacitated, the presiding officer of the board of county commissioners, shall perform the functions of the office of County Executive, without additional compensation, until the vacancy is filled.
- (6) Persons appointed to fill a vacancy as county commissioner shall not be a candidate for election to that position at the next election.

5.40 AUTHENTICATION. An ordinance adopted by the board shall, within three days of its adoption, be signed [by the presiding officer of the board] or vetoed by the County Executive. A veto shall be accompanied by a statement of objections and filed with the presiding officer of the board of commissioners. The board may override a veto by a vote of four members of the board no later than, or at, the next regular meeting of the board. The veto power shall extend only to legislative ordinances.

& provide for appointment to fill vac. in interim person takes office as soon as certified by dept. to elections of term. All balance of term.

Not less than 30 days from date of filing, with qualified voters. Noted while will vote in the election.

5.50 TIME OF EFFECT.

- (1) A nonemergency ordinance shall take effect on the thirtieth day after it is [adopted,] signed by the County Executive unless
 - (a) it prescribes a later date for it to take effect or
 - (b) it is referred to the voters of the county, in which event it shall take effect only upon receiving their approval.
- (2) An emergency ordinance may take effect immediately upon being [adopted] signed by the County Executive.

6.10 [CHIEF] COUNTY EXECUTIVE. The [chairman of the board of county commissioners] County Executive

- (1) shall be the chief executive officer of the county;
- (2) [shall preside over] ^{may} shall attend and be heard at meetings of the board [and have a vote on each matter before the board;] but shall have no vote;
- (3) [may] shall have sole authority to appoint, order, direct and discharge administrative officers and employees of the county, [except that his] except for the personal staff, employees, or agents of the commissioners, auditor, judges and district attorney. [a]Appointment of department heads shall be [with the board's approval] subject to consent of the board of commissioners;
- (4) shall execute the policies of the board and the ordinances of the county; [and]
- (5) shall sign all contracts, bonds, and other instruments requiring county consent;
- (6) shall prepare the county budget for submission to the board; and
- [(5)] (7) may delegate his administrative powers but shall retain full responsibility for the acts of his subordinates.

13.15 EFFECTIVE DATE OF AMENDMENT. This amendment shall take effect July 1, 1979; provided, however, it shall take effect

November 7, 1978 for the purpose of electing the county executive, and commissioners and determining the position for which elected or to be elected.

13.20 [delete existing]

- (1) The commissioner elected to Position No. 1 on November 7, 1978, shall occupy the position of County Executive for a term ending December 31, 1982. The County Executive shall be elected at large thereafter.
- (2) The commissioner occupying Position No. 2 prior to November 7, 1978, shall occupy Position No. 5 for a term ending December 31, 1980. *MOSEE (EAST DISTRICT) CORBETT*
- (3) The commissioner elected to Position No. 3 on November 7, 1978, shall occupy that position in which the commissioner resides at the time of that election for a term ending December 31, 1982, except as provided in Section 13.20(5).
- (4) The commissioner occupying Position No. 4 prior to November 7, 1978 shall occupy Position No. 1 for a term ending December 31, 1980. *BUCHANAN (WEST)*
- (5) The commissioner elected to Position No. 5 on November 7, 1978, shall occupy that position in which the commissioner resides at the time of that election for a term ending December 31, 1980; provided, however, if commissioners elected to Positions No. 3 and No. 5 reside in the same district, then the commissioner receiving the greater number of votes shall represent the most northerly district for the balance of the term to which elected. *ROBERTS*
- (6) The remaining district position shall be filled by a special election to be called by the board to be held no later than June 28, 1979, for a term ending December 31, 1982. Candidates may be nominated by a petition signed by 150 or more voters within the district in the manner prescribed by the ordinance adopted by the board which calls the election.

CURRENT POSITION #'S - : #1 - CLARK #4 - BUCHANAN
#2 - MOSEE
#3 - CORBETT #5 - ROBERTS

MEASURE 6

PROPOSED AMENDMENT REQUIRING
CHARTER REVIEW COMMITTEE IN 1988

12.40 APPOINTMENT OF COMMITTEE MEMBERS. The Charter Review Committee shall be composed as follows:

- (1) The Committee shall have 16 members, who will choose their chairperson from among themselves and who shall have authority to establish their own procedures and organization.
- (2) The state senator and the two state representatives who represent residents in each state senate district located in Multnomah County shall, ~~within 30 days after the adoption of this Section,~~ appoint two electors to the Committee. If the three appointers from any senate district cannot agree on either or both of the two persons they are to appoint, any two of the three appointers may choose one or both of the persons to be appointed.
- (3) The two electors appointed from each senate district shall not be registered in the same political party.
- (4) The following persons are not eligible for appointment to the Committee: The state senators and representatives who represent districts located in Multnomah County, [at the time of the adoption of this Section and], the Members of the Multnomah County Board of Commissioners [including Commission Chairman] and the County Executive, if any serving at the time of [adoption of this Section.] appointment.
- (5) Any vacancy in the Committee shall be filled by the senator and representatives from the senate district from which the previous member was appointed, using the same method as used for the original appointment.
- (6) Appointments shall be made not later than January 1, 1988.

12.50 SCOPE OF COMMITTEE REVIEW

- (1) [Sixty days after the adoption of this Section,]
The Committee shall commence study of the Charter
by all appropriate means including open hearings
and meetings, the taking of testimony and inter-
viewing witnesses.
- [(2) The Committee shall specifically consider each of
following four issues:
 - (a) Whether or not there should be commissioners
elected to the Multnomah County Board of
Commissioners from single-member districts
within Multnomah County, and, if so, the
boundaries of such districts;
 - (b) Whether or not commissioners should be elected
for two or four year terms;
 - (c) The method for choosing the chairman of the
Multnomah County Board of Commissioners;
 - (d) The method by which vacancies on the Board of
County Commissioners should be filled.
- (3) The Committee may also consider any other issue
relating to the Charter.]

12.60 REPORT OF COMMITTEE. Seventy-five days prior to the
general election of [1978] 1988, the Committee shall report to
the people and to the Board of County Commissioners their
findings, conclusions and recommendations including any amendments
they propose to the Charter.

12.70 SUBMISSION OF AMENDMENTS TO THE PEOPLE. All amendments
proposed by the Committee shall be submitted to the people of
Multnomah County at the [1978] 1988 general election.

MEASURE 7

PROPOSED AMENDMENT REVISING GENDER REFERENCES
AND AUTHORIZING NON-SUBSTANTIVE CHANGES

13.70

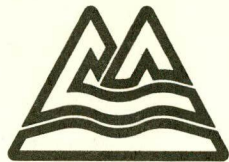
- (1) References to the masculine gender in this charter are amended to refer to the feminine, neuter, or applicable noun, or appropriate combination thereof, where appropriate. The board shall, upon advice of legal counsel, make such changes in the next printing of the charter.
- (2) The board may, upon advice of legal counsel, delete obsolete and transitional sections in the next printing of the charter.

specifics?

PROPOSED AMENDMENTS-MULTNOMAH
COUNTY CHARTER REVIEW COMMISSION

13.20 (Delete Existing)

- 13.20(1) The Commissioner elected to Position No. 1 on November 7, 1978, shall occupy the position of County Executive for a term ending December 31, 1982. The County Executive shall be elected at large thereafter.
- (2) The Commissioner occupying Position No. 2 prior to November 7, 1978, shall occupy Position No. 3 (Central District) for a term ending December 31, 1980.
- (3) The Commissioner elected to Position No. 3 on November 7, 1978 shall occupy Position No. 4 (South District) for a term ending December 31, 1982.
- (4) The Commissioner occupying Position No. 4 prior to November 7, 1978, shall occupy Position No. 1 (West District) for a term ending December 31, 1980.
- (5) The Commissioner elected to Position No. 5 on November 7, 1978 shall occupy Position No. 2 (North District) for a term ending December 31, 1982.
- (6) The remaining East District position No. 5, shall be filled by a special election to be called by the Board to be held no later than June 28, 1979, for a term ending December 31, 1980. Candidates may be nominated by a petition signed by 150 or more voters within the district in the manner prescribed by the ordinance adopted by the Board which calls the election.
- (7) Commissioners in office on January 1, 1979 may continue to hold the office to which elected for the balance of the term to which elected without being a resident of the district which corresponds to the position number to which elected.



MULTNOMAH COUNTY ELECTION PRECINCTS

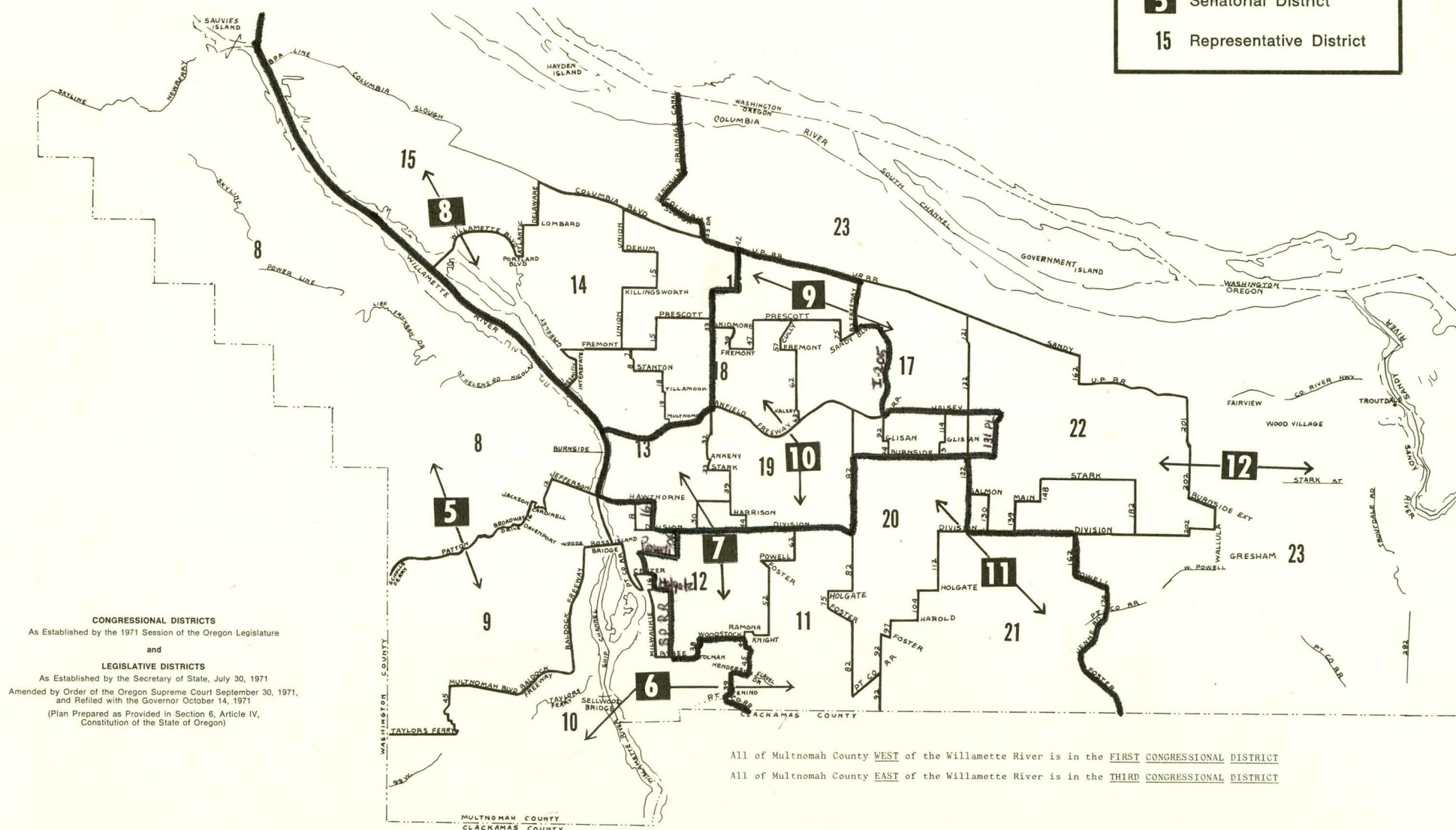
MULTNOMAH COUNTY OREGON

modified 7/21/78

PRIMARY 1978

KEY

- 5** Senatorial District
- 15** Representative District



MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE

401 Wilcox Building, 506 S.W. 6th Avenue
Portland, Oregon 97204 · 227-1631

John R. Faust, Jr., Chairman
Robert A. Burkholder
Del Greenfield
Jean Haliski

Terry Hannon
Kenneth Innis
Norman Lindstedt
Robert L. Mitchell

Larry Mylnechuk
Jay K. Owen
Kay Pankratz
Vern B. Pearson

Anne F. Picco
Robert D. Scholz
William D. Williams
James W. Winters

Julie Keller Gottlieb,
Administrative Secretary

SUMMARY OF ACTION TAKEN AT 5/22/78 MEETING

	PROPOSED AMENDMENT	PASS/FAIL	OPPOSED
#1	Measure #1 Separation of powers and districting	passed	4 opposed
#1	sec. 4.48(F) Measure #4 District residency requirement	passed	1 opposed
#1	sec. 4.30 Measure #3 Salary limitation (budget freeze)	failed	6 supported
	Measure #2 Limitation of Terms (as amended to eliminate grandfather clause for incumbents)	failed	6 supported
	Measure #5 Disability clause (B-list)	passed	3 opposed
#1	sec. 4.50(F) Measure #6 Filling of vacancies by election	passed	4 opposed
#1	sec. 4.50(G) Measure #7 Appointed commissioners ineligible to run for office	passed	1 opposed
#2	Measure #8 Adopting State non- discrimination clause	passed	unanimous
#4	Measure #9 Revenue Bonding authority	passed	unanimous
#5	Measure #10 Non partisan officers	passed	5 opposed 1 abstain
#7	Measure #11 Gender changes and Charter update authority	passed	unanimous
#3	Measure #12 Expanding Auditor functions	failed	5 supported

#6 - 1988 Charter Rev. Comm.

**13 committee members were in attendance and voting

MEASURES APPROVED

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MEASURES APPROVED 5/22/78

MEASURE 1

PROPOSED AMENDMENTS SEPARATING COUNTY EXECUTIVE & LEGISLATIVE FUNCTIONS, CREATING DISTRICT REPRESENTATION AND PROVIDING FOR TRANSITION

Chapter III

GOVERNING BODY

3.10 Delete in its entirety.

3.10 MEMBERSHIP.

- (1) The governing body shall be a board of five county commissioners, two elected at large and three elected from districts as herein established.
- (2) Position No. 1 shall be occupied by that commissioner elected from the West District, the boundaries of which are as follows:
- (3) Position No. 2 and Position No. 4 shall be occupied by commissioners elected from the county at large.
- (4) Position No. 3 shall be occupied by that commissioner elected from the Central District, the boundaries of which are as follows:
- (5) Position No. 5 shall be occupied by that commissioner elected from the East District, the boundaries of which are as follows:

3.15 APPORTIONMENT OF COMMISSIONER DISTRICTS.

Within thirty days of the official release of each federal decennial census for Multnomah County, the auditor shall determine the population distribution among the commissioner districts specified by this charter. If the population of any commissioner district is more than 115 percent of the population of any other commissioner district, the auditor shall prepare and present to the board of county commissioners a plan for modifying the boundaries of the districts so that the population of no commissioner district will be more than 110 percent of the population of any other commissioner district, notwithstanding the delineation of commissioner districts by this charter. The board of county commissioners shall, within 45 days of the

submission of the report, alter the boundaries of the commissioner districts as necessary by ordinance to provide for an approximately equal population distribution. No change in boundaries of the districts shall affect the continuance in office of a commissioner or taking of office of a commissioner-elect with respect to the term of office for which elected prior to the adoption of the reapportionment. The auditor shall, as nearly as possible, retain the general geographic characteristics of districts in the plan as when districts were first established.

3.20 ELECTION. Except as this charter provides to the contrary,

- (1) each member of the board shall be nominated and elected from the county at large, or from a district, by position;
- (2) at the general November election in 1978 and every fourth year thereafter a commissioner shall be elected to each odd-numbered position on the board;
- (3) at the general November election in 1980 and every fourth year thereafter a commissioner shall be elected to each even-numbered position on the board; and
- (4) at each of the elections, of the candidates for position on the board, the one who receives the highest number of votes cast for any candidate for that position shall be the one elected to it.

3.40 CONCURRENCE REQUIRED FOR ACTION. Except as this charter provides to the contrary, the board may act only with the affirmative concurrence of a majority of its members[.] present at a meeting.

3.60 [VICE] CHAIRMAN AND VICE-CHAIRMAN. At its first meeting each calendar year the board shall choose a [vice] chairman and vice-chairman from its members. [He] The chairman shall preside at board meetings. The vice-chairman shall preside whenever the chairman is absent [therefrom and shall serve as chairman pro tem of the board when the chairman] or is incapacitated from serving. [as such, but his administrative acts as chairman pro tem shall have effect only if ratified by the other board members exclusive of the chairman.]

3.70 ADVISORY BOARDS AND COMMISSIONS.

- (1) The board may by ordinance create such advisory county boards and commissions as in its judgment the interests

of the county require.

- (2) Members of the boards and commissions shall be appointed by the [board chairman] County Executive with the approval of the board.

[3.80 BOARD MEMBERS AND ADMINISTRATIVE PERSONNEL. No board member except the chairman may give orders to an administrative officer or employee of the county.]

4.10 QUALIFICATIONS.

- (1) An elective officer of the county shall have been a qualified elector of the county for a year and a half immediately before becoming such an officer[.] and, if a candidate for county commissioner to a district position, then a resident of the district for a year and a half immediately before becoming such a commissioner, except as provided in Section 13.20.

4.40 VACANCIES -- CAUSES. An elective office of the county shall become vacant

- (1) upon the incumbent's
 - (a) death,
 - (b) adjudicated incompetence,
 - (c) conviction of a felony, other offense pertinent to his office, or unlawful destruction of public records,
 - (d) resignation from the office,
 - (e) recall from the office, or
 - (f) ceasing to possess the qualifications required for the office;
- (2) upon the failure of the person elected or appointed to the office to qualify for it within ten days after the time for his term of office to commence; or
- (3) in the case of a member of the board [of county commissioners,] or County Executive upon his absence
 - (a) from the county for 30 consecutive days without the consent of the board or
 - (b) from board meetings for 60 consecutive days without like consent.

5.40 AUTHENTICATION. An ordinance adopted by the board shall, within three days of its adoption, be signed [by the presiding

officer of the board] or vetoed by the County Executive. A veto shall be accompanied by a statement of objections and filed with the chairman. The board may override a veto by a vote of four members of the board no later than, or at, the next regular meeting of the board.

5.50 TIME OF EFFECT.

- (1) A nonemergency ordinance shall take effect on the thirtieth day after it is [adopted,] signed by the County Executive unless
 - (a) it prescribes a later date for it to take effect or
 - (b) it is referred to the voters of the county, in which event it shall take effect only upon receiving their approval.
- (2) An emergency ordinance may take effect immediately upon being (adopted) signed by the County Executive.

6.10 [CHIEF] COUNTY EXECUTIVE. The [chairman of the board of county commissioners] County Executive

- (1) shall be the chief executive officer of the county;
- (2) [shall preside over] [may] shall attend and be heard at meetings of the board [and have a vote on each matter before the board] but shall have no vote;
- (3) [may] shall have sole authority to appoint, order, direct and discharge administrative officers and employees of the county, [except that his] except for the personal staff, employees, or agents or the commissioners, auditor, judges and district attorney. [a]Appointment of department heads shall be [with the board's approval] subject to consent of the board of commissioners;
- (4) shall execute the policies of the board and the ordinances of the county; [and]
- (5) shall sign all contracts, bonds, and other instruments requiring county consent;
- (6) shall prepare the county budget for submission to the board; and

- [(5)] (7) may delegate his administrative powers but shall retain full responsibility for the acts of his subordinates.

13.15 EFFECTIVE DATE OF AMENDMENT. This amendment shall take effect July 1, 1979; provided, however, it shall take effect November 7, 1978 for the purpose of electing the county executive, commissioners and determining the position for which elected or to be elected.

13.20 [delete existing]

- (1) The commissioner elected to Position No. 1 on November 7, 1978, shall occupy the position of county executive for a term ending December 31, 1982, and shall be elected at large thereafter.
- (2) The commissioners occupying Positions No. 2 and No. 4 shall continue to occupy those positions for terms ending December 31, 1980.
- (3) The commissioner elected to Position No. 3 on November 7, 1978, shall occupy that position in which the commissioner resides at the time of that election for a term ending December 31, 1982, except as provided in Section 13.20(4).
- (4) The commissioner elected to Position No. 5 on November 7, 1978, shall occupy that position in which the commissioner resides at the time of that election for a term ending December 31, 1980; provided, however, if commissioners elected to Positions No. 3 and No. 5 reside in the same district, then the commissioner receiving the greater number of votes shall represent the most westerly district for the balance of the term to which elected.
- (5) The remaining district position shall be filled by a special election to be called by the board to be held no later than June 28, 1979, for a term ending December 31, 1980. Candidates may be nominated by a petition signed by 150 or more voters within the district in the manner prescribed by the ordinance adopted by the board which calls the election.

MEASURE 4

PROPOSED AMENDMENT REQUIRING
CONTINUED RESIDENCE OF COMMISSIONERS

4.40(1)(f) [ceasing to possess the qualifications required for the office;] ceasing to reside within Multnomah County, or, if a commissioner elected from a district, ceasing to reside within that district, or inability to obtain a corporate surety bond as required by Section 4.10(2).

(This measure, if approved, shall take effect only if Measure No. 1 is approved.)

MEASURE 5

PROPOSED AMENDMENT DEFINING DISABILITY

4.40 VACANCIES--CAUSES. An elective office of the county shall become vacant

- (1) upon the incumbent's
 - (a) death,
 - (b) adjudicated incompetence,
 - (c) conviction of a felony, other offense pertinent to his office, or unlawful destruction of public records,
 - (d) resignation from the office,
 - (e) recall from the office, [or]
 - (f) ceasing to possess the qualifications required for the office[;] , or
 - (g) disability. Disability is defined as a physical or mental condition which renders an officer incapable of substantially performing the duties of his office for a continuous period of 180 days. The board of county commissioners shall declare any office vacant upon its determination that a disability exists as herein defined.
- (2) upon the failure of the person elected or appointed to the office to qualify for it within ten days after the time for his term of office to commence; or
- (3) in the case of a member of the board of county commissioners, upon his absence
 - (a) from the county for 30 consecutive days without the consent of the board or
 - (b) from board meetings for 60 consecutive days without like consent.

MEASURE 6

PROPOSED AMENDMENT REQUIRING
ELECTION TO FILL VACANCIES

4.50 (Delete in entirety)

4.50 VACANCIES-FILLING.

- (1) The board of county commissioners shall, by ordinance, provide for filling any vacancy in an elective office of the county.
- (2) If the vacancy occurs 15 months or more from the end of the term of the last person elected to the office, a special election will be called to be held within 60 days to elect an officer to complete the vacated term.
- (3) Petitions for nomination or declaration of candidacy shall state that the candidate is partisan, if allowed by this charter, or non-partisan and the ballots shall so state.
- (4) If the vacancy occurs less than 15 months from the end of the term of the last person elected to the office, the board of county commissioners shall appoint a commissioner to complete the vacant term.

MEASURE 7

PROPOSED AMENDMENT LIMITING
APPOINTED COMMISSIONER FROM BEING CANDIDATE

4.50

() persons appointed to fill a vacancy as county commissioner
shall not be a candidate for election to that position
at the next election.

MEASURE 8

PROPOSED AMENDMENT CLARIFYING DISCRIMINATION

7.40

- (2) No employee shall be refused employment or be discriminated against in any manner [because of race, religion, color, or national origin.] contrary to state law.

MEASURE 9

PROPOSED AMENDMENT
REVISING REVENUE BOND AUTHORITY

8.20

[(2) The board may issue and sell revenue bonds only for purposes and in amounts authorized by the voters of the county.]

(2) The board may, by ordinance, authorize the issuance and sale of revenue bonds to provide funds with which to acquire, construct, equip or improve revenue producing public purpose facilities. Such bonds shall be secured solely from the unobligated revenues produced by the facility, or similar facilities, and by, in the discretion of the board, mortgage or similar encumbrance upon the facility, and shall not be payable in any manner from taxes. The ordinance authorizing such issuance and sale shall be subject to referendum in accordance with Section 11.30 of this charter.

MEASURE 10

PROPOSED AMENDMENT
CREATING NONPARTISAN ELECTIVE OFFICES

11.15 NONPARTISAN OFFICES. All elective county offices
 shall be nonpartisan.

MEASURE 11

PROPOSED AMENDMENT REVISING GENDER REFERENCES
AND AUTHORIZING NON-SUBSTANTIVE CHANGES

13.70

- (1) References to the masculine gender in this charter are amended to refer to the feminine, neuter, or applicable noun, or appropriate combination thereof, where appropriate. The board shall, upon advice of legal counsel, make such changes in the charter in the next printing thereof.
- (2) The board may, upon advice of legal counsel, delete non-substantive, obsolete, transitional or other sections no longer required in the next printing of this charter.

MEASURES REJECTED

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MEASURES REJECTED 5/22/78

MEASURE 2

PROPOSED AMENDMENT LIMITING TERMS
OF OFFICE FOR COUNTY COMMISSIONERS

4.10(3) No commissioner shall be qualified to be elected for more than two consecutive four-year terms.

MEASURE 3

PROPOSED AMENDMENT REVISING
BASIS OF COMPENSATION OF COUNTY OFFICERS

4.30 COMPENSATION. The compensation of all officers of the county shall be fixed by the board of county commissioners[.], provided, however, the salary of county commissioners shall not exceed two-thirds of the salary established for the county executive, provided, further, this limitation shall not apply to the salary fixed for commissioners in office on or before July 3, 1979.

(This measure, if approved, shall take effect only if Measure No. 1 is approved.)

MEASURE 12

PROPOSED AMENDMENT EXPANDING AUDITOR FUNCTIONS

8.10 AUDITOR.

- (1) The office of county auditor is hereby established.
- (2) At the general November election in 1966 and at the general November election every four years thereafter an auditor shall be elected.
- (3) The auditor shall
 - [(a) maintain a continuous audit of the financial affairs of the county,
 - (b) maintain a continuous internal audit of each administrative office and department of the county,
 - (c) report to the board of county commissioners all irregularities that he finds in the financial affairs of the county, and
 - (d) affix responsibility for the irregularities.
- (4) The board shall retain each report of the auditor as a public record for at least three years after receiving the report.
 - (a) maintain a continuous internal audit of each department, section, program and function of the county; including financial, compliance, efficiency and economy, and program results audits;
 - (b) conduct all work with due professional care, assisted by technically proficient personnel; and
 - (c) be provided full access to all records, properties and personnel relevant to the subject under audit.
- (4) An audit committee of three members of the board of commissioners designated annually by the board shall monitor compliance with

recommendations made by the county auditor
and shall have the authority to

(a) order compliance with such recommendations
when and as they deem it to be appropriate;
and

(b) withhold the salary of responsible
non-classified administrative employees
who fail to correct deficiencies so
ordered within the period of time
designated by the audit committee, or
fail to allow access in accordance
with 8.10 (3) (c).

(5) Reports of the auditor shall be made available
to the public and shall be kept on file by
the Board for at least four years after date
of issuance.