

7/18 Meeting



# MULTNOMAH COUNTY OREGON

## MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE

1120 S.W. Fifth Avenue  
Suite 1500  
Portland, Oregon 97204  
(503) 248-3525

### MEMBERS

Ann Porter, *Chair*  
Mark Johnson, *Vice-Chair*  
Florence Bancroft  
Lana Butterfield  
David J. Chambers  
Liberty Lane  
Monica Little  
Bruce McCain  
Paul Norr  
Marcia Pry  
Casey Short  
Nicholas Teeny  
LaVelle VandenBerg

### STAFF

William C. Rapp  
*Administrator*  
Shirley Winter  
*Secretary*

### PUBLIC MEETING NOTICE

Wednesday, July 11, 1990  
7:00 p.m.  
Multnomah County Courthouse  
Board Room (Room 602)  
1021 S.W. Fourth Avenue  
Portland, Oregon 97204

### AGENDA

- I. PUBLIC HEARING
- II. WORK SESSION
  - A. Approval of minutes of June 6 and June 13, 1990 meetings.
  - B. First review of Multnomah County Charter Review Committee Report
- III. OTHER BUSINESS

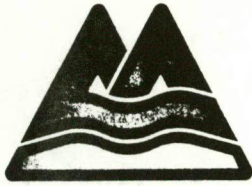
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Wednesday, July 18, 1990  
7:00 p.m.  
Multnomah County Courthouse  
Board Room (Room 602)  
1021 S.W. Fourth Avenue  
Portland, Oregon 97204

### AGENDA

- I. PUBLIC HEARING
- II. WORK SESSION
  - A. Second and final review of Multnomah County Charter Review Committee Report
- III. OTHER BUSINESS



# MULTNOMAH COUNTY OREGON

## MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE

1120 S.W. Fifth Avenue  
Suite 1500  
Portland, Oregon 97204  
(503) 248-3525

### MINUTES JULY 18, 1990

#### MEMBERS

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Shirley Winter  
*Secretary*

Pursuant to notice by press release to newspapers of local circulation throughout Multnomah County and mailed to persons on the mailing list of the committee, a public meeting of the Multnomah County Charter Review Committee was held at the Multnomah County Courthouse Board Room, 1021 S.W. 4th Avenue, Portland, Oregon. The meeting convened at 7:05 p.m.

#### Members Present

Ann Porter, *Chair*  
Mark Johnson, *Vice-Chair*  
Florence Bancroft  
Lana Butterfield  
David Chambers  
Liberty Lane  
Monica Little  
Bruce McCain  
Paul Norr  
Marcia Pry  
Casey Short  
Nicholas Teeny  
La Velle Vanden Berg

#### Staff Present

Bill Rapp, *Administrator*  
Ginger Hawkins, *Secretary*

#### COMMITTEE WORK SESSION:

##### Approval of Minutes

The June 6, 1990 and June 13, 1990 minutes were approved as written.

##### Review of Second Draft of Charter Review Committee Report

Dick Roberts began discussion by reviewing a letter from County Counsel Larry Kressel dated July 18, 1990. Roberts stated that the letter indicates how Kressel would respond to questions by the county commissioners if asked for his legal opinion on the ballot measures.



Roberts continued by stating that Kressel's letter includes concerns with the format of the ballot measures. Roberts stated that Bill Rapp will make style changes to the ballot measures to comply with Kressel's recommendations where appropriate.

Roberts went on to state that Kressel's second recommendation regarding whether the committee should be listed in the caption, includes a compromise. Kressel recommends that the committee be listed on the ballot (but not in the caption). Roberts explained that Kressel's argument is that state law requires that the caption identify the subject of the amendment and that by including the committee's name in the caption the committee is instead identifying the sponsor of the amendment.

Ann Porter asked Roberts if he were explaining Kressel's reasoning, but not necessarily advocating it. Roberts responded in the affirmative. He added that it is a policy decision for the charter review committee to make.

Roberts then explained that in previous meetings he had stated that the board does not have the authority to make changes to the ballot measures submitted to the board and the voters. Roberts continued by stating that county counsel's position is that there is a distinction between the amendment and the ballot title. In other words, according to this reasoning, the board may change the wording of the ballot titles but not the text of the amendments themselves.

Porter asked whether the board of commissioners has changed any of the ballot titles submitted by previous charter review committees. Roberts responded in the negative.

Roberts explained that the charter was intended to provide the charter review committee the ability to act independently. He stated that although an argument could be made to distinguish between the amendments themselves and the ballot titles, he does not believe that argument would prevail if challenged.

Nevertheless, Roberts stated that once the committee has come to a conclusion on this issue, it needs to decide whether it would be beneficial to accommodate county counsel to avoid confrontation on these issues.

Regarding Ballot Measure No. 1, the county manager measure, Kressel's suggestions are to better inform the voters of the measure. Kressel wishes to better define the functions of the county manager and the chair. Kressel believes that "administrative" and "non-administrative" can be misunderstood by voters. However, Roberts explained that problems could arise if only some of the duties of the manager and the chair are explained.



Roberts then stated that Kressel's concern with Ballot Measure No. 2 is with the way the question is phrased. Roberts stated that Kressel believes that repeal of the lobbyist provision is implicit in the ability to employ an advocate and therefore does not need to be in the question.

Porter explained that the intent of the committee was to allow the county to appoint an lobbyist. Porter went on to explain that the committee felt that the repeal of the current provision should be included in the question to correctly inform the voters of the intent of the ballot measure.

Roberts then explained that the sheriff's office and county counsel have also submitted recommendations to him for the report.

Roberts stated that the sheriff's office recommends a change in the new section on the county manager. The sheriff's office would prefer that Section 6.15(4)(e), after the word "facilities" include "except as provided by Section 6.50 (1) of the charter" in order to make clear that this new provision is not making any change in the sheriff's current responsibility for administration of county jails and correctional institutions.

Porter noted that the committee had already discussed this issue and agreed that the new provision is not intended to make any change in the sheriff's current responsibilities. Furthermore, the phrase "except as otherwise specifically provided in this county charter" is already included in Section 6.15(4) and does not need to be repeated in Section 6.15(4)(e).

Finally, Roberts stated that Larry Kressel recommends that if the committee intends that county counsel be responsible to the board, Section 6.15(4)(b) should be clarified to reflect that. The committee agreed to that recommendation.

Marcia Pry asked if the points made in Kressel's letter are merely suggestions or if the report submitted by the committee can be changed by the board. Porter responded that a charter review committee report has never been changed by the board in the past. Porter went on to state that the suggestions made by Kressel are his recommendations and the committee thanks him for his input.

Bruce McCain stated that anyone can challenge the ballot titles within a certain number of days. McCain asked if a conclusion had been reached as to whether the county commissioners can make changes prior to the publication date.



Roberts responded that in the past the committee has relied on Section 12.70 of the charter which states that all amendments proposed by the committee shall be submitted to the people of the county. Roberts explained that the opinion of county counsel is that the board of county commissioners has the right to revise the ballot titles which are the vehicle presenting the measures to the voters. Roberts went on to state that he respectfully disagrees with that opinion.

Casey Short stated that he feels that the ballot title captions could be clearer. Short continued that he is reluctant, however, to make any changes at this late date.

Porter added that in the past there have been initiative petition charter amendments, charter amendments from the board of county commissioners and charter amendments from the charter review committee. Porter explained that the intent of the ballot captions was to identify the source of the recommendations.

Porter reviewed the new language reflecting the concept adopted at the last meeting restricting next fiscal year's budget for the chair, the board of county commissioners and the newly created county manager to 90% of this year's budget.

Chambers asked how the measure to increase the commissioners' salaries will effect this measure. Porter responded that Ballot Measure No. 4 does not imply that the salary commission will recommend a salary increase.

Chambers then asked if a salary increase for the commissioners could create a hardship on the chair, the board of commissioners and the newly created county manager. Casey Short responded that both the existing and proposed language call for the salary commission to give its report no later than January 1 of even numbered years, therefore the effects of a salary increase, if one were recommended, would probably not be felt until fiscal year 1992-93.

Chambers asked if the annual cost of living increase for staff would be affected by the budget restriction. Paul Norr stated that the board will have to deal with that issue. Norr continued by stating that if the board does decide to increase their own salaries, they may have to cut back on staff elsewhere.

La Velle Vanden Berg asked how the committee arrived at the 90% figure. Porter stated that the committee wanted to ensure a budget cut but also wanted to be reasonable.

Nicholas Teeny added that the rationale for the action was to show the voters a cost savings.



Lana Butterfield stated that she would like to see the language of Ballot Measure No. 1 read "reduce" the total budget for the Chair, the Board and the County Manager instead of "restrict."

The committee accepted Butterfield's change.

Johnson asked where the \$180,000 in cost savings came from. Bill Rapp explained that the figure is 10% of the budget.

Short clarified that at a previous meeting, Rapp had stated the total budget for the board as being \$1.8 Million; 10% of that is \$180,000.

Short then recommended language that would read "reduce by 10% the total budget..."

Rapp noted that currently there are 85 words in the statement of purpose. Rapp added that he would reword the statement of purpose to allow inclusion of the recommended changes.

McCain asked how the measure would work if passed. McCain explained that the county manager will inherit the budget prepared by the chair and that there could be the potential to under-budget the newly created county manager position. Porter stated that the board will have to make those decisions.

Norr asked if the effective date of the newly created county manager position is significant enough so that it should be included in the statement of purpose. Porter stated that the information will either be on the ballot itself or posted in the voting booth.

Short stated that in the text of Ballot Measure No. 1, Section 6.10(3), he would feel more comfortable with the word "directed" rather than "delegated."

Norr agreed with Short.

Roberts explained that he is accustomed to a "delegation" of power or authority. Roberts stated that both words perform the same function.

Monica Little agreed but added that to her the word "direct" indicates a one time decision, whereas to "delegate" is a continuing effort.

Vanden Berg agreed and added that those associated with government are familiar with the term "delegate."



Johnson added that he feels that the intent of the language is that the chair "direct" and not "delegate."

Porter stated that she felt the intent was that the board could allow the manager to sign contracts on an ongoing basis without having to give the manager that authority every single time.

The committee agreed to leave the language unchanged.

Norr stated that on Page 1, Finding #7, the language should read "reduction of at least 10 percent." The committee agreed with the change.

Mark Johnson stated that he liked Larry Kressel's question for Ballot Measure No. 2 and that he has long been bothered by the question as it now stands. He also noted that although Kressel's question does not refer to the repeal of the prohibition, both the caption and the statement of purpose do refer to it.

Vanden Berg agreed with Johnson.

Porter responded that everyone has worked long and hard on this particular ballot measure and while she respects the concerns expressed, the majority of the committee has already decided to include language in the question to refer to the repeal of the prohibition of a county lobbyist.

McCain stated that all of the information on the ballot will be seen by the voters. McCain asked if it is necessary that all of the text of the amendment be covered in the question. Roberts stated that it is a matter of style whether all three parts of the ballot title cover the text of the amendment.

McCain stated that the repeal is noted in Kressel's statement of purpose and he agrees with Johnson and Vanden Berg in favoring a new question.

Norr stated that Kressel's language should also reflect that the lobbyist will be able to speak with other administrative agencies. Norr noted that language is not referred to in Kressel's statement. Norr added that it is his preference to address the prohibition in the question.

After further discussion, the committee decided that the Ballot Measure No. 2 question should not be changed.

Norr stated that he does not like the word "conform" on Ballot Measure No. 3, when referring to state law; the committee is not attempting to align the charter provisions with state law.



McCain suggested the word "reflect."

Johnson answered that Norr's concern is answered in the text of the amendment. Johnson continued by stating that the ballot measure language is conforming with the concept of current state law.

Regarding the statement in the Ballot Measure No. 3 explanation that the sheriff's position has "required professional qualifications," Short noted that it has not been determined if there are any professional requirements outside the county charter for the Multnomah County Sheriff. Short stated that the committee does not want to have language in the explanation that is not accurate.

McCain stated that up until the 1987 legislative session, a person running for the Office of Multnomah County Sheriff had to be at least a certified police officer. McCain continued that the law was changed to allow non-certified individuals to be elected. McCain explained that currently, if elected, the sheriff must become certified within the first year.

The committee decided to allow Rapp to research this issue, resolve it to his satisfaction and to make the appropriate changes in the report as needed.

Rapp stated that the actual difference between the current sheriff's salary and his highest paid deputy is \$15,074.00. This will be reflected in the report.

Norr stated that on Ballot Measure No. 4 he prefers the phrase "not to exceed" after the word "salaries" in the ballot question.

The committee agreed to this recommendation.

#### OTHER BUSINESS:

Porter noted that the charter review committee's final report will be informally presented to the board of county commissioners on Tuesday, July 31, 1990. Formal action approving the report will occur on Thursday, August 2, 1990. Committee members are invited to appear at both meetings.

Porter then explained that the committee has tentatively scheduled a final committee meeting on August 1, 1990; committee members will be informed of any changes.

Marsha Pry expressed the charter review committee's warm regards and condolences to Arlene Collins on the recent loss of her husband, Eugene, who was a faithful participant in county affairs and in charter review committee activities particularly.

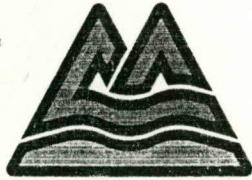
Ann Porter noted that the past year has gone quickly. Porter, along with the committee, thanked Bill Rapp, Ginger Hawkins and Dick Roberts for their hard work and efforts.

Porter also thanked three stalwart followers of the charter review committee who were present: Blanche Schroeder, Merlin Reynolds and Bob Goldstein.

The (final!!!) meeting of the 1989-1990 Multnomah County Charter Review Committee adjourned at 8:10 p.m., July 18, 1990.



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**CHARTER REVIEW COMMITTEE**  
**1120 S.W. 5th AVE., SUITE 1500**  
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# MULTNOMAH COUNTY OREGON

2-0 Draft

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*Administrator*  
Shirley Winter  
*Secretary*

REPORT OF THE  
MULTNOMAH COUNTY  
CHARTER REVIEW COMMITTEE

AUGUST 2, 1990



# TABLE OF CONTENTS

Section	Page
LETTER OF TRANSMITTAL . . . . .	i
PART I: FINDINGS, CONCLUSIONS AND RECOMMENDATIONS . . .	1 - 14
Chair/County Manager . . . . .	1 - 2
<i>Allocate</i> Lobbyist . . . . .	3 - 4
Salaries . . . . .	5 - 6
Charter Review Committee . . . . .	7 - 9
Running for Office Mid-Term . . . . .	10 - 11
Limitations on Terms . . . . .	12
Regional Issues . . . . .	13 - 14
PART II: CHARTER AMENDMENTS . . . . .	15 - 40
Ordinance . . . . .	15 - 17
Exhibit A . . . . .	18 - 40
Chair/County Manager . . . . .	18 - 22
<i>Adv.</i> Lobbyist . . . . .	23 - 25
Sheriff's Salary . . . . .	26 - 28
Chair and Commissioner Salaries . . . . .	29 - 31
Charter Review Committee . . . . .	32 - 34
Running for Office Mid-Term . . . . .	35 - 37
Limitations on Terms . . . . .	38 - 40

PART I: FINDINGS, CONCLUSIONS AND RECOMMENDATIONS



## CHAIR/COUNTY MANAGER

### Findings

The committee finds:

1. The Multnomah County Home Rule Charter provides for the structure of government in Multnomah County.
2. The current structure of government with the chair as the executive and a member of the board of commissioners was adopted by the people in 1984 and is now in its fourth year of existence.
3. The current structure of government causes a conflict because the chair is both a policy-maker and the elected official responsible for putting that policy into effect.
4. County government is not currently as effective as it would be if the legislative functions were separate from the day-to-day administration of the county.
5. Multnomah County has the potential to be run more efficiently with a professional county manager administering the day-to-day operations of the county.
6. The hiring of a county manager will result in the need for fewer administrative personnel in the legislative branch of county government.
7. The potential savings in imposing a ~~limit~~ <sup>reasonable</sup> on the budget for the chair, the board of commissioners and the county manager is approximately \$180,000.

### Conclusions:

The committee concludes:

1. The governmental structure of Multnomah County should operate in an efficient, business-like manner.
2. Multnomah County should not continue to allow the conflict of having the chair as both a policy-maker and administrator of the county.
3. A council/manager structure is a compromise between the current structure, with minimal separation of powers, and the elected executive form of government which existed prior to 1987.
4. The chair should continue to be the spokesperson for the county but the chair should not continue to occupy the dual role of policy-maker and administrator for the county.
5. A professional county manager should be hired to administer the county in an efficient, business-like manner.
6. The total budget for fiscal year 1991-92 for the board chair, the board of county commissioners and the county manager should not exceed 90% of funds budgeted for the board chair and the board of county commissioners in fiscal year 1990-91.
7. To allow a reasonable period of transition for this form of county government, these recommended changes should go into effect July 1, 1991.

### Recommendations:

The committee recommends the following ballot measure for charter amendments to the people and to the board of county commissioners:  
Ballot Measure No. 1. Chair, County Manager Responsibilities.



## LOBBYIST

### Findings

The committee finds:

1. Section 6.50(3) of the charter, adopted by the people in 1982 as part of ballot measure #6, provides:  

Multnomah County shall not employ or hire a paid lobbyist.
2. Public sector lobbying is the conveying of information of a public policy nature and the advocating of a position.
3. Prior to ballot measure #6, Multnomah County was able to represent the county's interests before other bodies of government at state and national levels in accordance with statutory provisions.
4. Subsequent to the passage of ballot measure #6, Multnomah County has not been able to adequately represent the county's interests before other governmental bodies making decisions affecting Multnomah County and its citizens.
5. By virtue of the lobbyist prohibition, Multnomah County is restricted more than any other government in the state, if not the country, in being able to represent its current interests. Not having a lobbyist drastically reduces the county's ability to represent local interests in the state legislature. Without a lobbyist, the county's citizens have a limited ability to influence state fiscal and statutory changes which may increase costs and reduce the effectiveness of county government.
6. The lobbyist prohibition diminishes the ability of the county to more efficiently and completely perform an essential function already being performed.

7. Neither Multnomah County Commissioners, nor Multnomah County State Legislators, have the time, resources or expertise to serve as lobbyists for the county.
8. As a result of Section 6.50(3) of the charter, Multnomah County's ability to represent the interests of the county and its residents before the Oregon Legislative Assembly is diminished.

### Conclusions

The committee concludes:

1. Since the state and federal governments make decisions affecting Multnomah County, it is in the best interests of Multnomah County for the county to be able to represent its interests before other bodies of government.
2. The charter should be amended to repeal the lobbying restriction in Section 6.50(3) of the charter and to permit the county to employ an advocate to represent county interests.

### Recommendations

The committee recommends the following ballot measure for a charter amendment to the people and to the board of county commissioners:  
Ballot Measure No. 2, County Lobbyist.



## SALARIES

### Findings

The committee finds:

1. Section 4.30 of the charter, amended by the last charter review committee and approved by the voters in 1984, provides for a salary commission appointed by the auditor to recommend salary adjustments which are voted on by the people for all county elected officials, except the auditor.
2. The current structure has not proved successful in that the voters have rejected the salary commission's recommendation three times since 1986. The result is that the commissioners have not had a salary increase since 1981 and the sheriff has not had a salary increase since 1982.
3. Although voters have a demonstrated ability to make policy decisions, they do not have sufficient objective information to make decisions effecting the day-to-day operations of the county.
4. A salary commission's objectivity is a valuable component in the setting of commissioners' salaries.
5. Allowing the board of commissioners to set chair and board salaries based upon the recommendation of a salary commission would comply with state law for counties without charters.
6. The position of sheriff in Multnomah County is the highest position in the Sheriff's Office and is of a professional nature; it is primarily an administrative or managerial position. The current salary for the sheriff's position is \$14,000 less than the highest paid employee in the Sheriff's Office. If the board of commissioners sets the sheriff's salary in an amount which is not less than any other member of the sheriff's office, that salary would be set in accordance with current procedures for exempt personnel. State law for general law counties (counties without charters)

currently requires that the board of commissioners set the salary of the sheriff in an amount not less than any other member of the sheriff's office.

### Conclusions

The committee concludes:

1. A salary commission should provide the independent and objective judgement necessary to recommend reasonable salary levels for the county chair and the board of commissioners.
2. The county chair and commissioners should set their own salaries at levels not to exceed those recommended by the salary commission.
3. The sheriff's salary should be set by the board of commissioners at an amount which is not less than that of any other member of the sheriff's office.

### Recommendations

The committee recommends the following ballot measures for charter amendments to the people and to the board of county commissioners: Ballot Measure No. 3, Sheriff's Salary and Ballot Measure No. 4, Chair and Commission Salaries.



## CHARTER REVIEW COMMITTEE

### Findings

The committee finds:

1. Sections 12.30 to 12.70 of the charter relate to the charter review committee:

12.30 CHARTER REVIEW COMMITTEE. There shall be convened a Charter Review Committee for the purpose of making a comprehensive study of the Multnomah County Home Rule Charter and, if the committee chooses, submitting to the people of Multnomah County amendments to the Charter.

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

- (1) The Committee shall have two electors appointed from each senatorial district having the majority of its voters within Multnomah County, and shall have one elector appointed from each senatorial district having less than a majority of its voters within Multnomah County. The Committee shall choose their chairperson from among themselves and 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 appoint the electors for the district. Appointees shall reside in the district and

Multnomah County. If the three appointers from any Senate district cannot agree upon an appointment, any two of the three appointers may make the appointment.

- (3) If two electors are appointed from a Senate district, they 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, the members of the Multnomah County Board of Commissioners, and the chair of the board of commissioners, if any, serving at the time of 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 June 30, 1989.

#### 12.50 SCOPE OF COMMITTEE REVIEW.

- (1) The Committee shall commence study of the Charter by all appropriate means including open hearings and meetings, the taking of testimony and interviewing witnesses.
- (2) The Committee shall review the county charter and any issues relating thereto.

12.60 REPORT OF COMMITTEE. At least ninety-five days prior to the primary or general election or both of 1990, 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 1990 primary or general election, or both.

2. The charter does not provide for a future charter review committee.
3. A charter review is a valuable process ensuring that the charter provides for the most effective governing structure for the county.
4. An eight year interval between charter reviews would provide the optimal balance between necessity for a review and stability in county government.

#### Conclusions

The charter should be formally reviewed again and a report issued to the people and to the board of county commissioners prior to the 1998 primary or general elections.

#### Recommendations

The committee recommends the following ballot measure for charter amendments to the people and to the board of county commissioners:  
Ballot Measure No. 5, 1997 Charter Review Committee.

## RUNNING FOR OFFICE MID-TERM

### Findings

The committee finds:

1. Section 6.50(5) of the charter prohibits any elected official from running for another office in mid-term:

No elected official of Multnomah County may run for another office in mid-term. Filing for another office in mid-term shall be the same as resignation, effective as of date of filing. "Midterm" does not include the final year of an elected official's term. Filing for another office in the last year of an elective term shall not constitute a resignation.

2. The prohibition against running for office in mid-term has a detrimental effect on attracting qualified and competent political candidates.
3. A prohibition against running for office in mid-term creates a hardship on office-holders and on the county which must fill vacancies in elective county offices.
4. Present charter language prohibits an office-holder from running for another office not only in the middle of a term, but during the first three years of the term.
5. Allowing an elected official to run for another elective office during the last eighteen months of the term would provide a reasonable period of time for that official to prepare for a primary election.



### Conclusions

The charter prohibition against running for office in mid-term should be modified so that elected officials are allowed to file for another elective office during the last eighteen months of their terms.

### Recommendations

The committee recommends the following ballot measure for charter amendments to the people and to the board of county commissioners:  
Ballot Measure No. 6, Running for Office Mid-Term.

## LIMITATIONS ON TERMS

### Findings

The committee finds:

1. Section 6.50(4) of the charter speaks to the two-term limit:

Effective January 1, 1985, no incumbent or future elected officer of the county shall be eligible to serve more than two full consecutive four-year terms in any one elective county office within any twelve year period. If an officer of the county is elected or appointed to an elective county office for a term of less than four years, the time so served shall not be counted against the limitation on terms within any twelve-year period.

2. The two-term limit precludes the voters from retaining an elected official whom the voters would otherwise retain.
3. The current provision deprives the public of desirable expertise in county government by forcing elected officials to retire after two terms.

### Conclusions

The provision restricting elected officials to two terms should be repealed.

### Recommendations

The committee recommends the following ballot measure for a charter amendment to the people and to the board of county commissioners:  
Ballot Measure No. 7, Limitations on Terms.



## REGIONAL ISSUES

### Findings

The committee finds:

1. There is some discontent with delivery of county services including police, roads, planning, parks and human services.
2. Municipal services are currently being delivered in the metropolitan area by three counties, 32 incorporated cities, 137 special districts (not including school districts) and one regional government.
3. There is currently a lack of cooperation among local governments in the tri-county area which hinders the most efficient delivery of services.

### Conclusions

The committee concludes:

1. Efficient and orderly delivery of services in the tri-county area is a desirable goal and the means to achieve that goal is cooperation among local governments and a logical local government organizational plan in the tri-county area.
2. In order to facilitate the efficient delivery of services in the tri-county area, the board of county commissioners should initiate a study of service delivery and local government organization in the tri-county area.

### Recommendations

The committee recommends that the Multnomah County Board of Commissioners appoint a citizens commission to study the issue of service delivery in the tri-county area, including the study of

local government organization. The commission should encourage the participation of Washington and Clackamas Counties.

The citizens commission should have the authority to study this issue by all appropriate means including open hearings and meetings, the taking of testimony and interviewing witnesses.

The citizens commission should report to the board of county commissioners their findings, conclusions and recommendations at the completion of their study.



BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR  
MULTNOMAH COUNTY, OREGON  
ORDINANCE NO. \_\_\_\_\_

An ordinance submitting proposed County Home Rule Charter amendments to the voters at the general election to be held November 6, 1990; and declaring an emergency.

Multnomah County ordains as follows:

Section I.     Purposes

A.     The Multnomah County Home Rule Charter creates a Charter Review Committee and directs the Committee to make its report to the Board, including any amendments proposed to the charter, at least ninety-five (95) days prior to the 1990 primary or general election.

B.     The Committee has concluded its review and has submitted its report to the board. The Committee recommends that seven (7) separate measures containing amendments to the Charter be submitted to the voters at the 1990 general election.

C.     The Charter requires that amendments proposed by the Committee be submitted to the voters at the 1990 primary or general election or both.

Section II.    Submission of Proposed Charter Amendments to Voters.

A.     There shall be submitted to the voters of Multnomah County at the election to be held November 6, 1990, seven (7) measures containing amendments to the Multnomah County Charter. The election shall be held concurrently with the statewide general

election and notice thereof shall be given as required by law.

B. Exhibit A, attached hereto and by this reference incorporated herein, contains the proposed measures, proposed ballot titles and explanatory statements.

C. The Clerk of the Board shall promptly certify the proposed measures, ballot titles and explanatory statements to the Director of the Elections Division who shall publish the notice required by the county code.

D. The Board hereby determines that the aforementioned measures, ballot titles and explanatory statements shall be included in the state voters' pamphlet for the November, 1990 election. The Director of Elections shall file them with the Secretary of State as required by law.

Section III. EMERGENCY CLAUSE.

This Ordinance, being necessary for the health, safety, and general welfare of the people of Multnomah County, an emergency is declared and the Ordinance shall take effect upon its execution by the County Chair, pursuant to Section 5.50 of the Charter of Multnomah County.



ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 1990 being the date of its  
\_\_\_\_\_ reading before the Board of County Commissioners of  
Multnomah County, Oregon.

By \_\_\_\_\_  
GLADYS McCOY, CHAIR  
MULTNOMAH COUNTY, OREGON

REVIEWED:

\_\_\_\_\_  
Laurence Kressel, County Counsel  
of Multnomah County, Oregon.

EXHIBIT A

BALLOT MEASURE NO. 1

TITLE:

Multnomah County Charter Review Committee's  
Recommendations: Chair, County Manager Responsibilities.

QUESTION:

Shall the Board of County Commissioners appoint a  
professional County Manager to perform the administrative functions  
of the County?

STATEMENT OF PURPOSE:

If this measure is approved: (1) The County  
Charter will be amended to transfer the administrative functions  
of the Chair of the Board to a professional County Manager who  
shall be appointed by the Board. The Chair of the Board will  
retain the non-administrative functions and will be the chief  
spokesperson for the Board. ~~(2) The Charter will be amended to  
restrict the total budget for the Chair of the Board, Board of  
County Commissioners and the newly created County Manager for next  
fiscal year.~~

reduce →

leave  
in

Amendment also limits budgets for  
Chair, Commission and County Manager for  
fiscal year 199-92  
by 10%.



TEXT OF AMENDMENT FOR BALLOT MEASURE NO. 1

6.10 CHAIR OF THE BOARD. *Effective July 1, 1991, +* The Chair of the Board of County Commissioners:

- (1) [shall be chief executive officer and personnel office of the County;]  
shall be the chief spokesperson for the Board;
- (2) shall preside over meetings of the Board and have a vote on each matter before the Board; and
- [(3) shall have sole authority to appoint, order, direct and discharge administrative officers and employees of the County, except for the personal staff, employees or agents of elective county offices. Appointment of department heads shall be subject to consent of a majority of the board of commissioners;]
- [(4) shall execute the policies of the Board and ordinances of the County;]
- (3) [(5)] shall sign all contracts, bonds and other instruments requiring county consent[;]except as otherwise delegated by the Board.
- [(6) shall prepare the county budget for submission to the Board;]
- [(7) may delegate his or her administrative powers but shall retain full responsibility for the acts of his or her subordinates; and]
- [(8) shall perform all functions assigned in this County Charter to the County Executive. The Chair shall receive the same salary as the County Executive unless changed in accordance with Section 4.30 of this Charter. This Charter may be restated by the office of County Counsel to replace all references to the County Executive with references to the Chair of the Board Commissioners.]

6.15 COUNTY MANAGER.

- (1) The Board of County Commissioners shall, effective July 1, 1991, appoint, and thereafter employ, a County Manager to serve at the pleasure of the Board.
- (2) The Manager shall be the head of the administration of the county government and shall be responsible to the Board for proper administration of the affairs of the County and for carrying out the policies of the Board.

- (3) The Board shall select the Manager on the basis of his or her professional qualifications.
- (4) Except as otherwise specifically provided in this County Charter, the Manager shall:
- (a) Submit an annual report on the affairs of the County and otherwise keep the Board informed about the affairs and needs of the County;
  - (b) Appoint, supervise, transfer and remove all county department heads, administrative officers and employees except for the staff and employees of elected officials and the County Counsel; provided, however, the appointment of department heads shall be subject to confirmation by the Board; *and co. counsel shall be hired by the Bd*
  - (c) See that county ordinances are enforced and that the terms of all county franchises, leases, contracts, permits and licenses are observed;
  - (d) Prepare the annual budget estimates to submit to the Board, including the manager's recommendations as to proposed expenditures and the revenue necessary to balance the budget;
  - (e) Have charge of all county purchases and custody and management of all county property and facilities; and *except as otherwise provided in section 6.506 of the Charter*
  - (f) Perform such other duties and exercise such other responsibilities as the Board deems necessary and appropriate to the Manager's function as head of County administration.
- (5) The total budget for the Board Chair, the Board of County Commissioners and the office of the County Manager for FY 1991-92 shall not exceed 90% of funds budgeted for the Board Chair and the Board of County Commissioners for FY 1990-91.

7.10 CLASSIFIED SERVICE. The classified service of the County shall consist of all positions in the government of the County except those of:

- (1) elective officers,
- (2) their personal assistants and secretaries,
- (3) department heads, [and]

*and co. counsel shall be appointed by, and serve at the pleasure of, the Bd.*



(4) the County Manager, and

[(4)](5) employees excluded by County Ordinance.



## EXPLANATION

This measure amends the county charter provisions concerning the Multnomah County Chair.

The measure transfers the administrative functions of the chair of the board to a professional county manager who shall be appointed by the board. The chair of the board will retain non-administrative functions and will remain the chief spokesperson for the board.

This measure also restricts the total budget for the chair of the board, the board of county commissioners and the newly created office of the county manager for fiscal year 1991-92 to no more than 90% of funds budgeted for the chair and board of commissioners for fiscal year 1990-91.

The measure provides an effective date of July 1, 1991.

The Charter Review Committee found that county government is not currently as effective as it would be if legislative/policy functions were separate from day-to-day administration of the county.

The Committee also found that the county has the potential to be run more efficiently, and in a more cost-effective manner, if a professional county manager administers the day-to-day operations of the county.

The Committee further found that the current structure of government causes a conflict because the chair is both a policy-maker and the elected official responsible for putting that policy into effect. For example, the chair is the elected official responsible for preparing the county budget and then also presents that budget to the entire board, including the chair, for approval.

Finally, the Committee found that the hiring of a county manager will result in the need for fewer administrative personnel in the legislative branch of county government.

In terms of cost savings, the Committee found that the potential savings in imposing a limit on the budget for the chair, the board of commissioners and the county manager is approximately \$180,000.

The Committee concluded that the conflict of interest should be reduced by eliminating the dual role of the county chair.

The Committee further concluded that county government would be more cost-effective if administrative tasks were performed by a professional county manager together with the imposition of a cap on the budgets of the board chair, the board of county commissioners and the county manager.

BALLOT MEASURE NO. 2

TITLE:

Multnomah County Charter Review Committee's  
Recommendation: Advocate, County Lobbyist.

QUESTION:

Shall the County be permitted to employ an advocate to represent County interests by repealing the prohibition of County lobbyist?

STATEMENT OF PURPOSE:

If this measure is approved: the County will be permitted to employ an advocate to represent the County's interests before the state legislature and other governmental bodies; and, the County Charter's prohibition on employing or hiring a paid lobbyist will be repealed.



TEXT OF AMENDMENT FOR BALLOT MEASURE NO. 2

6.50 SHERIFF--[PAID LOBBYIST] ADVOCATE. The people of Multnomah County shall elect:

- (1) A County Sheriff for the function of said office as prescribed by State Law and he or she shall have sole administration of all county jails and correctional institutions located in Multnomah County.
- (2) (This section was repealed in 1984).
- [(3)] [Multnomah County shall not employ or hire a paid lobbyist.]
- (3) The County may employ an advocate to represent the County's interests before the state legislature and other governmental bodies.
- (4) Effective January 1, 1985, no incumbent or future elected officer of the County shall be eligible to serve more than two full consecutive four-year terms in any one elective county office within any twelve-year period. If an officer of the County is elected or appointed to an elective county office for a term of less than four years, the time so served shall not be counted against the limitation on terms within any twelve-year period.
- (5) No elected official of Multnomah County may run for another office in mid-term. Filing for another office in mid-term shall be the same as a resignation, effective as of date of filing. "Midterm" does not include the final year of an elected official's term. Filing for another office in the last year of an elective term shall not constitute a resignation.



## EXPLANATION

This measure amends the county charter provision concerning a lobbyist.

This measure permits the county to employ an advocate to represent the county's interests before the state legislature and other governmental bodies. The measure also repeals the prohibition on employing or hiring a paid lobbyist.

The Charter Review Committee found that lobbying is the conveying of information and the advocating of a position on issues.

The Committee also found that because of the current charter provision, Multnomah County has not been able to adequately represent the county's interests before other governmental bodies making decisions affecting Multnomah County and its citizens.

The Committee also found that the lobbyist prohibition diminishes the ability of the county to more efficiently and completely perform an essential function already being performed.

The Committee further found that without an advocate, the county's citizens are not adequately represented which may increase costs and reduce the effectiveness of county government.

Finally, the Committee found that neither Multnomah County Commissioners, nor Multnomah County State Legislators, have the time, resources or expertise to serve as lobbyists for the county.

The Committee concluded that since the state and federal governments make decisions affecting Multnomah County, it is in the best interests of Multnomah County citizens for the county to be able to have an advocate to represent the county's citizens' interests.

BALLOT MEASURE NO. 3

TITLE:

Multnomah County Charter Review Committee's  
Recommendations: Sheriff's Salary.

QUESTION:

Shall the salary of the Sheriff be fixed at not less  
than any other member of the Sheriff's Office?

STATEMENT OF PURPOSE:

If this measure is approved: the County Charter  
will be amended to conform with current state law for counties  
without charters. The Board of County Commissioners would set the  
salary of the Sheriff in an amount which is not less than any other  
member of the Sheriff's Office.

TEXT OF AMENDMENT FOR BALLOT MEASURE NO. 3

6.50 SHERIFF--PAID LOBBYIST. The people of Multnomah County shall elect:

- (1) A County Sheriff for the function of said office as prescribed by State Law and he or she shall have sole administration of all county jails and correctional institutions located in Multnomah County.
  - (a) The salary for the Sheriff shall be fixed by the Board of County Commissioners in an amount which is not less than that for any member of the Sheriff's Office.
- (2) (This section was repealed in 1984).
- (3) Multnomah County shall not employ or hire a paid lobbyist.
- (4) Effective January 1, 1985, no incumbent or future elected officer of the County shall be eligible to serve more than two full consecutive four-year terms in any one elective county office within any twelve-year period. If an officer of the County is elected or appointed to an elective county office for a term of less than four years, the time so served shall not be counted against the limitation on terms within any twelve-year period.
- (5) No elected official of Multnomah County may run for another office in mid-term. Filing for another office in mid-term shall be the same as a resignation, effective as of date of filing. "Mid-term" does not include the final year of an elected official's term. Filing for another office in the last year of an elective term shall not constitute a resignation.

*I respect it as the provision of  
this charter.*

*Notwithstanding any other charter  
provision to the contrary,*



## EXPLANATION

This measure amends the county charter provision concerning setting the Multnomah County Sheriff's salary.

The measure would require the board of commissioners to set the salary of the sheriff in an amount which is not less than the salary of any other member of the sheriff's office.

The Charter Review Committee found that the position of sheriff is the highest position in the sheriff's office and is a professional position with required professional qualifications.

The Committee also found that the current salary for the sheriff's position is \$14,000 less than the highest paid employee in the Sheriff's Office.

The Committee further found that if the board of commissioners sets the sheriff's salary in an amount which is not less than the salary of any other member of the sheriff's office, that salary would be set in accordance with current procedures for exempt personnel.

Finally, the Committee found that if this measure is approved, the county charter will be amended to comply with current state law for counties without charters.

The Committee concluded that since the position of sheriff is a professional/managerial position, the board of commissioners should be required to set the sheriff's salary in an amount not less than the salary of any other member of the sheriff's office in accordance with state law for counties without charters.

3  
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61,074  
46,000  
-----  
15,074

BALLOT MEASURE NO. 4

TITLE:

Multnomah County Charter Review Committee's  
Recommendation: Chair and Commissioner Salaries.

QUESTION:

Shall the Board of County Commissioners establish  
Chair and Commissioner salaries ~~based upon~~ a salary commission's  
recommendation?

*did not to exceed*

STATEMENT OF PURPOSE:

If this measure is approved: the County Charter  
would continue to require the County Auditor to appoint a salary  
commission which would be required to report to the Board. The  
Board would be allowed to establish salaries of the Board Chair and  
Commissioners, but only after receiving a salary commission report.  
No salaries could exceed the salaries recommended by the salary  
commission.

TEXT OF AMENDMENT FOR BALLOT MEASURE NO. 4

4.30        COMPENSATION[.] OF THE CHAIR AND COMMISSIONERS. [Except as provided in Section 8.10(2), the compensation of all holders of elective office of Multnomah County shall be fixed by the registered voters of Multnomah County at a primary or general election only.] The auditor shall appoint a five member salary commission, composed of qualified people with personnel experience, by January 1, 1986, and by January 1 in each even year thereafter. The commission's salary adjustment recommendations, if any, for [elected officials] the Chair of the Board of County Commissioners and the Commissioners shall be submitted to the [voters at each subsequent primary election.] Board. The Board shall establish salaries for the Chair and the Commissioners, and such salaries shall not exceed the salaries recommended by the salary commission. All elected or appointed Multnomah County officials and employees are prohibited from serving on the salary commission.



## EXPLANATION

This measure amends the county charter concerning the salaries of the chair and commissioners.

The measure would allow the board to establish salaries of the board chair and commissioners, but only after receiving a salary commission report. No salaries could exceed the salaries recommended by the salary commission.

The Charter Review Committee found that the current structure has not proved successful in that the salary commission's recommendations have been rejected three times since 1986. The result is that the chair and the commissioners have not had a salary increase since 1981.

The Committee also found that the salary commission's independent judgment is necessary in establishing salary adjustment recommendations for elected officials.

The Committee also found that allowing the board of commissioners to set chair and board salaries based upon the recommendation of a salary commission would ~~comply with~~ state law for counties without charters. *reflect*

The Committee further found that the board of commissioners has sufficient objective information to set chair and commission salaries at an amount not to exceed the salary commission's recommendations.

Finally, the Committee found that prohibiting the board of commissioners from setting the chair and commissioners' salaries above those recommended by the salary commission provides a reasonable restraint on the authority of the board of commissioners.

The Committee concluded that the board of county commissioners should set chair and commission salaries at an amount not to exceed the salary commission's recommendations.

31 34

BALLOT MEASURE NO. 5

TITLE:

Multnomah County Charter Review Committee's  
Recommendation: 1997 Charter Review Committee.

QUESTION:

Shall a Charter Review committee be convened to  
recommend County Charter changes to the voters at the 1998  
elections?

STATEMENT OF PURPOSE:

If this measure is approved: the County Charter  
will be amended to provide for the appointment of another Charter  
Review Committee in 1997 which will prepare recommendations to be  
submitted to the voters at the 1998 primary or general election.



TEXT OF AMENDMENT FOR BALLOT MEASURE NO. 5

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

- (1) The Committee shall have two electors appointed from each senatorial district having the majority of its voters within Multnomah County, and shall have one elector appointed from each senatorial district having less than a majority of its voter within Multnomah County. The Committee shall choose their chairperson from among themselves and 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 appoint the electors for the district. Appointees shall reside in the district and Multnomah County. If the three appointers from any Senate district cannot agree upon an appointment, any two of the three appointers may make the appointment.
- (3) If the two electors are appointed from a Senate district, they 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 state representatives who represent districts located in Multnomah County, the members of the Multnomah County Board of County Commissioners, and the chair of the Board, if any, serving at the time of 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 June 30, [1989] 1997.

12.60 REPORT OF COMMITTEE. At least ninety-five days prior to the primary or general election or both of [1990] 1998, 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 County Charter.

12.70 SUBMISSION OF AMENDMENTS TO THE PEOPLE. All amendment proposed by the Committee shall be submitted to the people of Multnomah county at the [1990] 1998 primary or general election, or both.



## EXPLANATION

This measure amends the county charter provision concerning the charter review committee.

The measure provides for the appointment of another charter review committee in 1997 which will prepare recommendations to be submitted to the voters at the 1998 primary or general election.

The Charter Review Committee found that a charter review is a necessary and valuable process ensuring that the charter provides for the most effective governing structure for the county.

The Committee also found that an eight year interval between charter reviews would provide the optimal balance between necessity for a regular review and stability in county government.

The Committee concluded that the charter should be formally reviewed again and a report issued to the people and to the board of commissioners prior to the 1998 primary or general election.

BALLOT MEASURE NO. 6

TITLE:

Multnomah County Charter Review Committee's  
Recommendation: Running for Office Mid-term.

QUESTION:

Shall County elected officials be allowed to file  
for another elective office during the last eighteen months of  
their terms?

STATEMENT OF PURPOSE:

If this measure is approved: the County Charter  
will be amended to allow elected officials to file for another  
elective office in the last eighteen months of their term of  
office. The County Charter currently prohibits filing except  
during the final twelve months of a term of office. The amendment  
is recommended to allow elected officials more time to prepare for  
primary elections.

TEXT OF AMENDMENT FOR BALLOT MEASURE NO. 6

6.50 SHERIFF--PAID LOBBYIST. The people of Multnomah County shall elect:

- (1) A County Sheriff for the function of said office as prescribed by State Law and he or she shall have sole administration of all county jails and correctional institutions located in Multnomah County.
- (2) (This section was repealed in 1984.)
- (3) Multnomah County shall not employ or hire a paid lobbyist.
- (4) Effective January 1, 1985, no incumbent or future elected officer of the County shall be eligible to serve more than two full consecutive four-year terms in any one elective county office within any twelve-year period. If an officer of the County is elected or appointed to an elective county office for a term of less than four years, the time so served shall not be counted against the limitation on terms within any twelve-year period.
- (5) No elected official of Multnomah County may run for another office in mid-term. Filing for another office in mid-term shall be the same as a resignation, effective as of date of filing. "Midterm" does not include the final [year] eighteen months of an elected official's term. Filing for another office in the last [year] eighteen months of an elective term shall not constitute a resignation.



## EXPLANATION

This measure amends the county charter provision concerning running for another elective office in mid-term.

The measure allows elected officials to file for another elective office in the last eighteen months of their term of office. The charter currently prohibits filing for another office except during the final twelve months of a term of office.

The Charter Review Committee found that present charter language prohibits an office-holder from running for another office not only in the middle of a term, but during the first three years of the term.

The Committee also found that allowing an elected official to run for another elective office during the last eighteen months of the term would provide a reasonable period of time for that official to prepare for a primary election.

The Committee further found that prohibiting an elected official from running for another public office except during the final twelve months of office puts a sitting elected county official at a disadvantage to a member of the public seeking office.

The Committee concluded that the current charter provision should be modified so that an elected official is allowed to run for another elective office during the final eighteen months of a term of office.

BALLOT MEASURE NO. 7

TITLE:

Multnomah County Charter Review Committee's  
Recommendations: Limitation on Terms.

QUESTION:

Shall the County Charter limitation on serving two consecutive four-year terms in any one elective County office be repealed?

STATEMENT OF PURPOSE:

If this measure is approved: the County Charter will be amended to repeal the existing prohibition of elected officials from serving more than two consecutive four-year terms in any one elective County office.

TEXT OF AMENDMENT FOR BALLOT MEASURE NO. 7

6.50 SHERIFF--PAID LOBBYIST. The people of Multnomah County shall elect:

- (1) A County Sheriff for the function of said office as prescribed by State Law and he or she shall have sole administration of all county jails and correctional institutions located in Multnomah County.
- (2) (This section was repealed in 1984).
- (3) Multnomah County shall not employ or hire a paid lobbyist.
- [(4) Effective January 1, 1985, no incumbent or future elected officer of the County shall be eligible to serve more than two full consecutive four-year terms in any one elective county office within any twelve-year period. If an officer of the County is elected or appointed to an elective county office for a term of less than four years, the time so served shall not be counted against the limitation on terms within any twelve-year period.]
- [(5)](4) No elected official of Multnomah County may run for another office in mid-term. Filing for another office in mid-term shall be the same as a resignation, effective as of date of filing. "Midterm" does not include the final year of an elected official's term. Filing for another office in the last year of an elective term shall not constitute a resignation.



## EXPLANATION

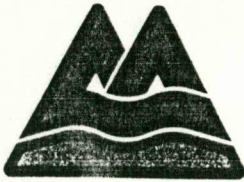
This measure amends the county charter provision concerning limitations on terms of office for elected officials.

The measure repeals the current charter provision which prohibits elected officials of the county from serving more than two consecutive four-year terms in any one elective office within any twelve year period.

The Charter Review Committee found that the two-term limit precludes the voters from retaining an elected official whom the voters would otherwise retain.

The Committee also found that the current provision deprives the public of desirable expertise in county government by forcing elected officials to retire after two terms.

The Committee concluded that the provision restricting elected officials to two terms should be repealed.



# MULTNOMAH COUNTY OREGON

OFFICE OF COUNTY COUNSEL  
1120 S.W. FIFTH AVENUE, SUITE 1530  
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BOARD OF COUNTY COMMISSIONERS  
GLADYS McCOY, CHAIR  
PAULINE ANDERSON  
RICK BAUMAN  
GRETCHEN KAFOURY  
SHARRON KELLEY

July 18, 1990

Richard Roberts  
Lindsay, Hart, Neil Weigler  
Attorneys at Law  
700 Benj. Franklin Plaza  
222 SW Columbia Street  
Portland, OR 97201

Re: Charter Review Committee's Proposed  
Ballot Titles

Dear Dick:

In the tight time frame available, I've looked at the ballot titles for the Charter Review Committee's proposed amendments. Overall, I have little comment. There are a few form changes and two specific rewordings I recommend.

## Form

1. I recommend using the following headings: CAPTION, QUESTION, SUMMARY. These correspond with the statutory terms in ORS 250.035. The drafts don't use these headings.

2 Many of the captions use the phrase: "Multnomah County Charter Review Committee's Recommendations. . ." According to ORS 250.035(1)(a), however, the caption is to identify "the subject" of the measure. The phrase used in the draft identifies the sponsor of the measure instead. By deleting that phrase, we would have room within the ten word limit to accurately convey the subject of each measure.

The County Code requires that a measure referred by the Board be designated on the ballot (not necessarily in the

COUNTY COUNSEL  
LAURENCE KRESSEL  
CHIEF ASSISTANT  
JOHN L. DU BAY  
ASSISTANTS  
SANDRA N. DUFFY  
J. MICHAEL DOYLE  
GERALD H. ITKIN  
H. H. LAZENBY, JR.  
PAUL G. MACKEY  
MATTHEW O. RYAN  
MARK B. WILLIAMS

Richard Roberts  
July 18, 1990  
Page 2

ballot title text) as follows: "Referred to the People by the Board of County Commissioners." MCC 4.51.080 (E). In this instance, I don't see why that language cannot be supplemented by a statement that the measure is the recommendation of the Charter Review Committee. Such a statement would convey the same message as the current captions.

3. Finally, I feel the draft ballot titles for measures 1 and 2 omit some key points about the actual measures. I've attached alternative language for these two ballot titles.

I hope you find the above comments helpful. I've responded as quickly as possible to the draft I received.

Sincerely,

LAURENCE KRESSEL, COUNTY COUNSEL  
FOR MULTNOMAH COUNTY, OREGON

cc Bill Rapp

1ATTY.213/mw



BALLOT MEASURE NO. 1

CAPTION:

Amends Home Rule Charter to provide for appointed county manager.

QUESTION:

Effective July 1991, shall an appointed manager rather than the Chair of County Commission be in charge of county administration?

SUMMARY:

Measure amends County Charter to transfer administrative functions now performed by elected Chair of the County Commission to an appointed County Manager. Manager would hire and supervise county employees, enforce ordinances, prepare annual budget and report to County Commission. Chair of Commission would be chief spokesperson for County Commission. Amendment also limits budgets for Chair, Commission and County Manager for fiscal year 1991-92 to 90% of prior year's budgets for Chair and Commission. Amendment would be effective July 1, 1991.

BALLOT MEASURE NO. 2

CAPTION:

Amends Charter to allow County to hire legislative advocate.

QUESTION:

Shall County be permitted to employ an advocate to represent County interests before legislative bodies?

SUMMARY:

Measure permits County to employ an advocate to represent County interests before state legislature and other governmental bodies. Measure repeals portion of present Charter that prohibits County from employing or hiring a paid lobbyist.