

MINUTES

1/004

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

MINUTES

July 31, 1978
General Meeting
Grant High School

Absent: Winters

The general meeting of the Committee was called to order by Chairman Faust at the conclusion of the public hearing. He asked that Robert's Rules of Order be followed for procedure. He then proposed that the business be conducted as follows: first, in accordance with his statement at the preceding meeting, he would entertain motions for reconsideration of any of the main motions, provided that they are made by a party who had voted on the majority side at the July 24 meeting. Next would be the reconsideration of any motions that were voted to be reconsidered. Next would be finalizing the exact wording of the proposed ordinances with non-substantive changes. Finally, the Committee would consider his proposals on how to handle preparation of the final drafts of ordinances and the Committee's report.

Jean Haliski asked for reconsideration of the nonpartisan issue stating the vote of only one person had determined whether over 300,000 registered voters in Multnomah County would be allowed to decide the issue themselves. She feels the issue is not whether races should be partisan or nonpartisan but whether the voters should be allowed to make this determination on the issue. Haliski urged the Committee to look at the issue with impartiality and devoid of self interest. Ken Innis seconded the motion. Those favoring the motion to reconsider were: Burkholder, Greenfield, Haliski, Hannon, Innis, Mitchell, Mylnechuk, Owen, Pankratz, Pearson. Opposing were: Lindstedt, Picco, Scholz, Williams. The motion carried 11 votes to 4.

Discussion on the issue followed. Norm Lindstedt stated his view has changed on the issue and he now feels partisan elections are important to the preservation of the two party system. He urged the Committee to retain the status quo, saying the nonpartisan issue was not specifically included in the Committee's original charge. Del Greenfield countered Lindstedt's remarks stating candidates would have to make themselves known in districts and this could be accomplished without the party system. She also stated independent voters would gain from a nonpartisan system. Kay Pankratz stated the decision on the issue needed to be made by the voters, not the Committee. Terry Hannon agreed with Pankratz, and urged the Committee to debate the issue publicly calling attention to the other Measures as well. Bill Williams felt the Committee is not obligated to put the issue on the ballot if they so decide. He recalled for the Committee they had decided not to include the Auditor on the ballot. Others expressed views as well, stating and restating the problems and considerations of the issue. The question was called for and the vote was taken. Voting in support of having the nonpartisan measure appear on the November

ballot were: Burkholder, Greenfield, Haliski, Hannon, Innis, Mitchell, Pankratz, Pearson. Voting no were: Lindstedt, Mylnechuk, Owen, Picco, Scholz, Williams. Chairman Faust abstained. The Measure passed 8 votes to 6 with 1 abstain.

Bob Scholz made a motion to reconsider the Revenue Bonding measure, asking that it be removed from the November ballot. Voting no were: Burkholder, Greenfield, Haliski, Hannon, Innis, Lindstedt, Mitchell, Mylnechuk, Pankratz, Picco. Voting yes were: Owen, Pearson, Scholz, Williams. The motion to reconsider failed 9 votes to 4, with the Chairman not voting.

There was then discussion on defining the district boundaries. Dick Roberts, Legal Counsel, suggested in Measure #1, Sec. 3.10, "enumeration districts" be deleted. The Department of Elections has submitted rough boundaries based on streets and census tracts, Roberts said. The meeting continued with suggestions made by various Committee members for nonsubstantive changes in language of the amendments to be incorporated into the final drafts of the amendments. Changes were adopted by unanimous consent of the Committee.

Chairman Faust presented the Committee with the proposed ballot titles and accompanying statements for scrutiny. He urged Committee members to phone him with additions or corrections, or attend a meeting Tuesday at noon at his office in order to complete work in time for the Wednesday deadline. He asked for the Committee to officially delegate the Chairman, Vice Chairman, and Legal Counsel to draft the final version and to prepare and submit the Committee's report. It was so moved, and the motion passed unanimously. A motion was also made to authorize the Chairman, Vice Chairman, and Treasurer to make the necessary disbursements for completion of Committee business and return the remaining funds to the County. The motion passed unanimously. A Treasurer's Report was requested.

The Committee expressed its gratitude and appreciation to Chairman Faust for bearing the burdens of the Committee.

The meeting and session of the Multnomah County Home Rule Charter Review Committee was then officially adjourned.

Respectfully Submitted,
Julie Keller Gottlieb

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MINUTES

July 31, 1978
Public Hearing
Grant High School

Absent: Winters

Chairman Jack Faust opened the public hearing. He asked those testifying to limit their remarks to 6 minutes each due to time constraints as the Committee would conduct a regular business meeting following testimony.

Mr. Ned Look, 1703 S. W. Myrtle St., representing the Portland Chamber of Commerce, presented the Committee with a written statement and copies of recent editorials from the Oregonian, Journal and Gresham Outlook. In his statement he commended the Committee for their efforts and said the Chamber is most supportive of the separation of powers, at large executive, commissioners representing districts, and full-time positions. He urged the Committee, however, to reconsider their earlier vote in favor of partisan elections and allow the voters the opportunity to decide the issue by placing it on the November ballot.

Mr. Clyde Brummell, 2212 S. E. Lambert, told the Committee he supported the Committee's recommendations on the separation of powers, districting, and the budget freeze. He urged the Committee to reconsider their decision on nonpartisan elections and allow the voters to decide. Brummell also would like to see the Committee call itself into session in 1980 for the purpose of evaluating the success or failure of the recommendations. He also asked the Committee to consider allowing the voter to approve any bond issue, and, to reconsider giving the Auditor some autonomy.

Ms. Phoebe Friedman, 2845 N. E. 56th, addressed the Committee on the nonpartisan issue. She stated she has long been active in party politics, and feels local issues seem to cross party lines. She also feels major issues are often decided in primaries where the independent voter is excluded. She feels this discourages citizen participation in local issues. It is her opinion that nonpartisan elections at the county level would remedy this. She urged the Committee to reconsider their earlier decision on nonpartisan elections.

Mr. Dave Sylvan, 1137 N. E. 192nd, stated he feels the local parties have tended to concern themselves with planks, platforms, and programs that have little relevance to local government issues. One argument in favor of partisanship, said Sylvan, is that it provides "loyal opposition", however, he feels on local issues parties have little importance or influence. He would like the Committee to submit the nonpartisan issue to the voters. He asked the Committee to also look at a minor housekeeping item in Sec. 12.60 on establishing a future Charter Review Committee. He feels 75 days prior to the election is not adequate for submitting recommendations to the Board of Commissioners and that in light of Ord. #159 90 to 95 days would be more realistic.

On behalf of the Committee, Chairman Faust thanked Mr. Sylvan for his continued interest in the activities of the Committee and particularly for calling attention to the time constraints imposed on the Committee by ordinance #159.

Mr. Tom Dennehy, 16421 N. E. Holladay, expressed concern over an item in Sec. 12.40 (1) calling for two members of the future Charter Review Committee to come from each senatorial district in Multnomah County. Chairman Faust said the Committee was interpreting this to mean electors are to be appointed resident of Multnomah County if a majority of residents in that district reside in Multnomah County. Dennehy said his concern would be with a district with a minority resident of Multnomah County ineligible to serve on the Committee. He then asked the Committee to consider two resolutions: 1) that all future elections in Multnomah County be nonpartisan, 2) this November the voters of Multnomah County will decide if all future elections will be nonpartisan. He pointed out to the Committee they are deciding on the second resolution and this alone is the issue to decide. He stated Bill Radakovich, Director of Elections for the County, had assured him the cost of adding one more ballot measure in November was minimal. It is his opinion only Measure #1, reorganization, and Measure #3, revenue bonding, go to the heart of governmental reform. The rest Dennehy said, were merely housekeeping items, unless the non-partisan issue were also included.

Mr. W. F. Brown, 2416 N. E. 18th, spoke to the Committee in favor of partisan elections. He is opposed to adding a sixth commissioner with the title of executive officer and he would like to see the Chairman of the Commission elected by the people in November.

Mr. Rex Snook, 5914 N. E. Davis, urged the Committee to submit a non-partisan measure to the voters in November. He commended the Committee for their work and is pleased he will have the opportunity to agree or disagree with the recommendations in November. He feels the 1983 Charter Review is too far in the future.

Rep. Glenn Otto, 1225 E. Columbia, Troutdale, thanked the Committee for their dedication and work. He favors partisan elections feeling it produces better candidates for elections and provides party funding for those candidates. He would have liked to see the Auditor's role strengthened. He feels the revenue bonding proposal may be in trouble, and feels the Committee was correct in letting the Commissioners set their own salaries. He stated he will support the proposals and actively work for their passage. Otto then made several housekeeping suggestions on the language of the amendments. He is concerned only two members of the Board can adopt an ordinance under the proposals.

Ms. Carol Burright, P. O. Box 66257, told the Committee she continues to favor filling of vacancies by election, but finds the caretaker clause recommended by the Committee acceptable. She requested the special election for an extra commissioner be held in East County with assurances that the electee actually reside in East County.

Mr. C. A. Neuburger, 1523 S. E. Tolman, commended the Committee Chairman for maintaining his excellent sense of humor for the duration of the long Committee meeting and public hearing process. He favors submitting the nonpartisan proposal to the people for a decision.

Mr. Tom Magee, 2406 N. E. 40th, complimented the Committee on their long hours of service, and stated he favors the nonpartisan provision being submitted to the people. He pointed out, as a member of the Chamber of Commerce, that Mr. Look's comments do not represent total Chamber membership, but reflect a decision of the Chamber Board.

Mr. John McCabe, 4011 S. E. Nehalem, had some questions for the Committee regarding the transition to districts and expressed concern as to where current Commissioners and candidates reside. He would like to see district lines moved to accomodate incumbents. He then called attention to Sec. 13.2 paragraph 6, concerning candidates being nominated by petition with 250 signatures. McCabe stated the new MSD Board will require 500 signatures on their petitions and they are smaller districts than the proposed County districts. He would urge 500 signatures be a requirement for County districts. McCabe stated five amendments on the ballot would decrease the chances of passage to less than 50%. He said his studies indicate people will generally oppose at least one measure and due to uncertainty, will tend to vote "no" on all of them. He recommended four amendments, as this would increase chances for a few passing.

The public hearing was then adjourned.

Respectfully Submitted,
Julie Keller Gottlieb

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MINUTES

July 24, 1978
General Meeting
Multnomah County E. S. D.

Absent: Pankratz,
Winters

The meeting was called to order by Chairman Jack Faust. He began by addressing himself to the timing of Committee activities for the next several weeks. He advised the Committee that in order to be in compliance with new local regulations (Multnomah County Ordinance #159) providing for County measures to be included in the Voter's Pamphlet, the Committee would have to have its report completed and submitted to the Board of County Commissioners on August 2, 1978.

He then submitted an Agenda for the meeting proposing the Committee clarify options as yet unresolved pertaining to Measures #1 and #5. The Committee first clarified Measure #1. They agreed by a vote of ten to three to not include a limitation on terms in Measure #1, Sec. 3.20. Sec. 4.10, .40, calling for a district residency requirement was next considered. After some discussion the Committee voted on Sec. 4.40 (f) and by a vote of 13 to 1 agreed to delete language saying, "...ceasing to reside within the district from which elected or appointed except as otherwise provided by Sections 3.15 and 3.20."

The Committee next agreed to freeze appropriations for the Board of County Commissioners and the executive officer in a lump sum and include it as Sec. 13.25 of Measure #1. Seven Committee members supported the lump sum alternative, with one person favoring the executive and Board appropriations being frozen separately, and four favoring the Board alone being frozen. In answer to a question by Ken Innis, Chairman Faust stated the language contemplates the freeze would be determined by the appropriations for the coming year including any transfers that might be made from the contingency fund. Vern Pearson expressed some concern about the legislative staff of the executive officer who would no longer have legislative responsibilities under the proposed amendments. Faust felt reluctant to specifically cramp the executive in that he will be the only at large representative and will retain the veto and thus need to be aware of county legislative activities. There was also some question as to the meaning of "increases thereafter shall be only such as are necessary and consistent with economical management."

Bob Burkholder requested the Committee consider a provision to not allow salaries of elected officials to be raised or lowered during their terms of office. A vote was taken with only one person supporting the idea. The Committee next considered Sec. 4.50, filling of vacancies. Faust told the Committee those working on the drafting of the alternatives to be considered had agreed it was virtually impossible to have two elections to fill a vacancy. No one on the Committee endorsed the proposal calling for special elections with a caretaker clause attached and no one supported the special elections proposal without the caretaker clause. Ten Committee members favored having the caretaker clause attached to

present language of the Charter for filling vacancies. Larry Mylnechuk, Chairman of the Term and Vacancy Subcommittee, stated he felt the special elections proposals were much too confusing, and that he personally had come full-circle in his thinking on the issue. He supported the caretaker clause being attached to present Charter language. The Committee then agreed to leave the language as is by not including the County executive officer or the Auditor in the caretaker clause.

The Committee then took up Sec. 13.20 dealing with the transition of the present system to the proposed system. Chairman Faust presented the Committee with three options that would allow for the residents of East Multnomah County to elect their own Commissioner: a) keeping the district lines drawn by the Elections Dept. originally, b) keeping those originally drawn district lines to include Comm. #2 in the Central District with a waiver of the residency clause, or c) gerrymandering the district lines to include position #2 in the Central District. Commissioner #2, Dan Mosee, in attendance at the meeting, was asked to comment as to his preference. Mosee replied that any of the alternatives would be acceptable to him and that he may not be seeking reelection. The Committee tended to agree something needed to be done to insure that East County was able to elect its own Commissioner. Faust again outlined the criteria by which the Elections Dept. had drawn up the proposed district lines: a) one person, one vote, b) East County generally fitting into two districts, c) use of recognizable boundaries, d) retaining neighborhood identities whenever possible, e) keeping the Albina community in one district. After further discussion and clarification the Committee agreed to the second option, allowing for those in office in January, 1979, to run one time to succeed themselves without having to establish residence in a district. Eight Committee members supported that option.

Relating to Measure #5, the Committee considered Sec. 11.15(5). One option provided for a candidate's election in Spring if a majority of votes are received, the other called for the top two vote getters in the Spring to run-off in the Fall, regardless of the percentage of the vote received. The Committee supported the later option calling for the Fall election with nine favorable votes.

The next item on the Committee agenda was to vote on approval of the six proposed measures. Measure #1, separating County executive and legislative functions, creating district representation and providing for transition, was voted on first. The Measure passed with 13 supporting votes and one opposing (Scholz).

Measure #2, clarifying discrimination, providing for the inclusion of the feminine gender by Charter changes, was next passed unanimously by the Committee with 14 supporting votes.

Measure #3, relating to authority of the Auditor was next considered by the Committee. Terry Hannon moved to amend proposed Sec. 8.10(3)(c), to delete, "...who shall have authority to order compliance with audit recommendations when and as they deem it appropriate." Hannon felt the Board audit committee in itself could be a subtle assistance to the Auditor without spelling it out. Discussion followed and the Hannon amendment passed 10 to 4. Measure #3, as amended, was then rejected by the Committee with ten opposed and four favoring. Those indicating their support: Mitchell, Picco, Haliski, Hannon.

Measure #4, revising revenue bonding authority, was briefly discussed and voted on by the Committee. Ten voted to support the Measure, two voted against it, and two abstained. Williams and Pearson indicated they voted no, Haliski indicated she abstained, and one abstain is unaccounted for.

Measure #5, creating nonpartisan elective offices was considered next.

Again, there was some discussion. The Measure was voted on with five supporting, six opposed and three abstaining. The Measure failed. Those indicating their support for nonpartisan elections were: Greenfield, Mitchell, Picco, and Hannon. One supporting vote is unaccounted for. Abstaining were: Faust, Burkholder. During the course of discussion those speaking in favor of partisan elections were: Mylnechuk, Owen, Innis, and Williams.

Measure #6, requiring a Charter Review Committee be established in 1988 was then voted on by the Committee. It passed by a vote of 13 to 1. Scholz voted no.

The Committee voted to approve Measure #1, #2, #4, and #6, and rejected Measures #3 and #5. Ken Innis moved the four Measures be placed on the November 1978 ballot. It was seconded and the vote was 13 to 1. (Haliski was out of the room at the time of the vote)

The Committee then took up discussion on several options concerning Measure #6. The Committee voted 9 to 4 to set the next review in 10 years (1988). Also considered were specific issues which might be stipulated for the 1988 review. County Auditor Jewel Lansing urged the Committee to include the Auditor's office for a mandatory review. It was moved and seconded to stipulate the Auditor's office be included in the 1988 Charter Review. The motion carried 12 to 2. It was next moved to include a stipulation for study of part time vs. full time commissioners. The motion was defeated by a vote of 9 to 4.

There followed some discussion on how to handle a recommendation for a study of merger of services with other local governments, including MSD. It was agreed this should be included in the Committee report as a recommendation to the Board of County Commissioners. Terry Hannon moved to officially recommend in the Committee report a nonsalaried, nonpartisan study commission be formed to study merger of services. Ten Committee members supported the motion, one opposed, and three abstained.

Vern Pearson made a motion to change the Charter Review dates saying appointments to the future Charter Review Committee should be made no later than June 30, 1983 and that recommendations be submitted for the November, 1984 ballot. The Committee favored the motion with 10 supporting and four opposing.

The meeting was then adjourned.

Respectfully Submitted,
Julie Keller Gottlieb

Note: The Chairman's notes indicate the following vote on Measure #5: Linstedt, Hannon, Mitchell, Greenfield and Picco in the affirmative; Haliski, Pearson, Mylnechuk, Owen, Scholz and Williams in the negative; Burkholder, Innis, and Faust abstaining.

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MINUTES

July 17, 1978
General Meeting
Multnomah County E. S. D.

Absent: Haliski, Pankratz,
Winters

The meeting was opened by Chairman Jack Faust who presented remarks on his meeting on this date with Larry Hildebrand of the Oregonian Editorial Board. Hildebrand indicated to Faust the 7/8/78 Editorial on the Charter Review Committee did not represent the unanimous view of the Board, but represented the majority view at this time. According to Hildebrand, the Oregonian's major concern is with the need for full time commissioners. Faust indicated he had explained his feelings on the issue indicating to Hildebrand it was beyond the Committee's time and resources, and that that the Committee's original charge had not included a time or efficiency study for individual commissioners. Hildebrand told Faust the Editorial Board had not been aware of the budget freeze proposal at the time the Editorial was written. Faust said Hildebrand seemed interested and impressed when he was advised of the proposed budget freeze.

Faust then asked the Committee to first discuss Measure #3, relating to the Auditor's authority. He is concerned about it, feeling it blurs the authority given the executive through the proposed separation of powers. Ed Capon, County lobbyist and liaison with the Committee then remarked on the scope of the Auditor's duties. He relayed the message that the Chairman and the Board have been most impressed with the separation of powers proposal. He said they support it. However, he pointed out several problems concerning them with the proposed Measure #3 relating to the Auditor's authority. They are concerned, according to Capon, that the Committee is not aware of the fact the County Auditor does not perform external audits, and they fear the Measure is not consistent in maintaining the separation of powers as proposed. Capon stressed that Ms. Lansing is the internal Auditor only, and told the Committee the County's external audits are performed by an outside firm (Coopers & Lybrand). Capon contended Measure #3 gives the Auditor administrative power which is inconsistent with the intent of Measure #1, separating powers. He recommended the Committee put aside Measure #3 in its entirety.

Vern Pearson told Capon it was his belief the Committee never interpreted the Auditor's function as performing external audits. Bill Williams and Jay Owen agreed. Faust expressed his concern that the new language would allow the board of commissioners to order compliance with audit recommendations, a power the Chairman currently has. Capon restated his belief the Measure was granting administrative power to the Auditor & board by allowing statements of noncompliance which implies the power to suggest how to be in compliance. Capon suggested this creates a vested interest in the success or failure of compliance recommendations.

Bill Williams expressed the opinion this authority blurs the separation no more than the board's ability to override a veto. Terry Hannon suggested

Sec. 8.10(c) be limited to creation of an audit committee, excluding authority to order compliance. Discussion followed, with Faust indicating Ms. Lansing was optimistic the separation of powers would help her to achieve the goals she desired. Both Faust and Capon contended under the Charter as it now states, the board and Auditor would be able to affix responsibility and should no compliance occur, it would be up to the voters to make changes. Capon referred to the "budget modification" process which requires continued board scrutiny and approval, implying the board has continued leverage on the budget. Del Greenfield suggested the Committee make a recommendation in their report that an audit committee be formed composed of three board members. Faust expressed reluctance to submit an amendment for something of that nature and tended to support Greenfield's idea.

Capon conceded to the Committee his earlier remarks had been in response to previous comments made by the Auditor to the Committee which he believed implied she was making external audits. Other comments centered around external audit compliance and the value of continuous internal audits. Faust suggested the next Charter Review Committee thoroughly study the Auditor's office.

Bob Mitchell expressed reservations on the length of Measure #1, and was assured only a 75 word summary would appear on the ballot. Counsel was requested to determine what input the Committee could have in determining the ballot title. Counsel felt the District Attorney's office would write the title, but saw no reason why the Committee could not submit their own recommendations.

The Committee then took up discussion on Measure #1. Jay Owen recommended p. 2, Sec. 3.20 (1) be revised to read, "...nominated and elected from a district, by position;". Del Greenfield recommended (3) in Sec. 3.20 the word "election" be designated "general" or "special" election and the sentence be further changed to, "...shall be the one nominated to it," deleting the word elected. Also, she suggested Sec. 4.10 (1) be revised to read, "...and, a candidate for or appointee to a county commissioner position...". Ken Innis suggested Sec. 3.15 sentence 4, be revised to read, "Changes in boundaries of the districts shall not affect...".

At this point, Bob Scholz expressed concern about the number of house-keeping items which could be included in Measure #1 without being included in the ballot title. The Chairman felt most were germane to the intent of Measure #1, and could not foresee problems.

Terry Hannon called attention to a typographic error in Sec. 6.10 (3). He also suggested the Committee reconsider adding a provision stipulating salaries of commissioners be tied to the salary of the executive officer as a percentage of it in order to prevent the board from setting the executive's salary at an unreasonably low figure. He felt the board could be limited to a salary of 3/4 of that allocated for the executive. It was also suggested the Auditor might be included in such a provision. Vern Pearson and Chairman Faust disagreed, feeling a strong executive, under the separation of powers proposal, would be able to withstand efforts to decrease his salary. Tom Dennehy suggested a provision be included which would specify salaries of county officers be neither increased nor decreased during their terms of office. No conclusion was reached on the matter.

Bob Scholz requested the Committee further consider Sec. 4.50 on filling of vacancies. Counsel was asked to clarify exactly what kind of elections would be held. Dick Roberts stated the section was attempting to establish guidelines, with ordinances to follow which would set up specific procedures for the elections. There was general agreement as to the complexity of the subject, and the feeling was expressed the Committee needed to keep the language on the procedures clear and simple.

Faust recommended a single election be held to fill a vacancy, determined by a plurality in a nonpartisan situation with candidates permitted to indicate their party on the ballot (a quasi nonpartisan system). Sec. 4.50 could stand as is stated for either partisan or nonpartisan elections, Faust said. He also indicated it would be possible to provide for a nonpartisan special election to fill vacancies regardless of partisan general elections. Were this the case, (3) would be changed or eliminated to provide specification as to what kind of election would be held, leaving the board of commissioners to determine specifics such as the date and so forth. Bill Williams expressed a philosophical concern about elections being determined by a plurality. Faust suggested language might be included which could provide for a run-off if a certain percentage of the vote were not received by any one candidate. Larry Mylnechuk indicated it was his Subcommittee's intent to provide a simple procedure for filling a vacancy, and it has become very complicated. Greenfield said she would like to see a person elected to fill a vacancy early in a term by a special election be required to face election again at the next regular election. She would also like to see (6) eliminated feeling districts will require appointees be very carefully selected, and (6) might deny a competent person from seeking the office. (5) was questioned and Hannon indicated there would be no conflict in having the Auditor temporarily fill in for the executive because the phrase "...without compensation" had been included.

Faust recommended 6.10(2) be revised to read "...may attend and be heard at meetings."

Terry Hannon noted the district lines as presented in the most recent draft place Commissioner Mosee in the East County district. Hannon implied the residents of East County might not be satisfied with their district representative a resident of Portland. He strongly urged the Committee to consider redrawing the East County district line so that Position #5 might be filled by special election. Chairman Faust agreed this needed to be done in order to satisfy what he believes has been the intent of the Committee all along, that is, to allow the residents of East County the opportunity to elect their own representative to the board of commissioners.

Discussion next turned to the partisan vs. nonpartisan provision. Norm Lindstedt indicated he favored partisan elections with the districting proposal. Faust said filling of vacancies by election under a partisan system would be difficult if not impossible. He suggested filling a vacancy by election including a 1/3 of the votes requirement or a run-off in 30 days. He asked Mylnechuk to come to the next meeting with a firm recommendation on how this should be handled. Commissioner Mosee asked the Committee to consider the 31,000 registered independents in Multnomah County who are unable to vote in a partisan primary. Faust suggested Mylnechuk develop a provision for a single election with estimated costs and a provision for two elections and a time frame with costs in the hopes of clarifying the process for the Committee; he also suggested the Subcommittee cut down the 15 month limit for special elections to a lesser period of time. Bill Williams suggested appointments be made only until the next regularly scheduled general election. Bob Burkholder supported that concept, and there was some discussion that the Committee was coming full-circle in its thoughts on filling of vacancies. Tom Dennehy suggested the top two candidates at all times run-off at the November election.

A correction was noted in Measure #6, creating another Charter Review Committee. Sec. 12.40 ought to have the words, "...within 30 days after adoption of this section," deleted. Faust asked that the Committee consider specific items that might be recommended for consideration by this future

committee. It was suggested also that 10 years seemed like a long time to wait for another review of the Multnomah County Home Rule Charter. Tom Dennehy noted for the Committee that by 1988 there may be more than 8 Senators in Multnomah County. It was agreed to take out the specific reference to 16 committee members.

There were no suggested changes to Measure #6 on revenue bonding authority. Counsel stated his opinion that Measure #7, revising gender references and authorizing non substantive changes could not be combined with Measure #2, the nondiscrimination clause.

The Committee agreed to meet Monday, July 24, 1978, at 7:30 pm, to begin voting on the revised measures.

Commissioner Mosee again urged the Committee to allow the board authority to remove administrative appointees, and to move the County Counsel to the District Attorney's office. Terry Hannon, Chairman of the Wildcard Subcommittee responded, saying the Subcommittee had considered these suggestions and felt the District Attorney's office did not generally concern itself with the civil business of the County, but rather had the primary task of prosecuting criminals. Hannon also indicated the board of commissioners would be setting budgetary constraints for the County Counsel's office under the new system. He believes this may be the answer to Commissioner Mosee's concern.

Tom Dennehy recommended the Committee alter Sec. 4.30 in Measure #1 to include line item appropriations for the executive officer (Chairman) as well as for the board making for a budget of approximately \$780,000. He fears the separation of powers will be jeopardized by just putting the board under the budget freeze. Discussion followed with Faust arguing the board could have the opportunity to freeze the executive officer's budget if they chose to do so. Vern Pearson indicated he saw some problems with the executive's extra legislative staff. Under the new system, Pearson said, the legislative staff could be eliminated. Commissioner Mosee agreed with Mr. Dennehy's arguments.

The meeting was then adjourned.

Respectfully Submitted,
Julie Keller Gottlieb

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MINUTES

July 10, 1978
General Meeting, I. E. D.

Absent: Faust, Mylnechuk, Pankratz,
Picco, Scholz, Williams, Winters

Committee Vice Chairman Terry Hannon called the meeting to order in the absence of Chairman Faust. Hannon briefly went over the recommendations of the Wildcard Subcommittee. The Subcommittee is recommending an amendment creating a Charter review committee, appointed in the same way the present Committee has been selected, to meet every ten years (next deadline: Nov. 1988), with a broad direction to recommend any needed improvements and changes in the Charter. The Subcommittee would also recommend to the Board of Commissioners that an advisory study commission be appointed immediately, to serve a two year term, with the purpose of making recommendations to the Board on the subject of merger of various County services with cities and/or regional governments such as MSD. They recommend this commission also be appointed in the same manner as the present Charter Review Committee. Vern Pearson expressed concern that merger of County services with MSD is not strictly a Multnomah County problem and that both Clackamas and Washington counties ought to be involved as well. Hannon suggested this was being recommended as a beginning only, and there was no attempt to do anything more than merely create a commission to offer suggestions to the Multnomah County Board of Commissioners on likely services to be merged regionally.

Hannon then advised the Committee of the schedule for the next several weeks. He indicated Chairman Faust hoped to have draft amendments to the Committee this week for perusal and consideration Monday, July 17, with voting to occur Monday evening, July 24.

The final recommendation of the Wildcard Subcommittee is to adopt the revised language on the Auditor's office as proposed by Jewel Lansing in her draft of 5/25/78. This would create an audit committee composed of three commissioners with authority to order compliance with audit recommendations. Harry Conway suggested the word "financial" in Sec. 8.10 (3)(a) of the Lansing memo be eliminated giving the Auditor authority to audit the general "affairs" of the County. Some reservations were expressed that this would be giving the Auditor excessive power. The Committee tended to agree the language ought to remain as it is. Hannon indicated this language could be included in the separation of powers-districting amendments. Also, residency requirements and filling of vacancy might be included to create one very large amendment. Hannon was of the opinion everything except the non discrimination clause, gender changes and revenue bonding authority could be included in one amendment.

There was some discussion on the proposed revenue bonding amendment and how it might be affected by the property tax limitation measure. Ken Innis urged the Committee to put any amendments on the ballot which they feel are in the interest of good government regardless of their liklihood of passage or failure. Innis told the Committee they ought to put revenue

bonding authority on the ballot if they feel it would provide for better County government.

The Wildcard Subcommittee recommended the Committee not consider several items for the ballot. They do not recommend an elected Sheriff. The Subcommittee preferred a qualified appointee, according to Hannon. Hannon felt two groups of people seemed to favor an elected Sheriff, including the traditionalists who prefer all elected officials and the Sheriff's professional staff who seemed to feel an elected Sheriff might be entitled to a greater slice of the budget.

The Subcommittee did not recommend subpoena powers for commissioners, placing the County Counsel in the District Attorney's office, or granting the board power to remove administrative appointees.

At this point Hannon opened the meeting to discussion on the July 8, 1978, Oregonian Editorial on the Charter Review Committee. Staff informed the Committee she had discussed the article with Chairman Faust via long distance telephone and it was his determination to schedule another meeting with the editorial board as soon as possible upon his return. Faust had suggested Ned Look of the Chamber and Ed Capon of the County liaison office might be included. In a positive light, Hannon pointed out the article does ask some of the questions many people are asking, namely, actually what do the Commissioners do which merits full time employment? Bob Mitchell suggested district representation may mean an increased workload, and staff felt the Committee might increase commissioner's responsibilities as department liaisons. Both Haliski and Greenfield tended to agree with the questions of the Editorial as to the need for commissioners to have large staffs. At this point, discussion turned to budget appropriations for Commissioners and the Chairman. Hannon said after checking with Committee Counsel, it would be fairly easy to limit the budget for the inclusion of a new commissioner for one year. Beyond that time it is almost impossible to create language to enforce it, Hannon said, without visibly limiting salaries. It was agreed, something needed to be said in the area of budget limits or cuts, and several Committee members expressed support for five, full-time career commissioners. Del Greenfield suggested the Committee draft a Letter to the Editor in response to the recent editorial at some point. Hannon would like to see a new editorial written, rather than a "war" of Letters to the Editor.

Greenfield asked if Counsel might report to the Committee if "adjudicated incompetence" in Measure #5 could take the place of the disability clause and eliminate the need to include a disability clause with the amendments. Hannon said it was his understanding this was not going to be included in the Committee's amendments and might possibly be included in the "B" category of recommendations to the Commissioners.

The Committee agreed to include a term limit proposal with amendments to be voted on July 24. Discussion followed on how County pensions would relate to a term limit, and how commissioners could give up a career to assume office and expect to resume that career eight or twelve years later. There was some comment that districting might encourage greater competition for commission seats perhaps generating greater turnover. Hannon urged the Committee to give serious thought to the pension question as many dollars are involved. Staff was requested to obtain County pension formulas and information for both Commissioners and employees.

Pearson asked the Committee to clarify their intent on the budget freeze proposal. He suggested freezing only the commissioner's budget, indicating this would be logical considering the separation of powers. It was urged that allocations for five commissioners equaling the allocations for four commissioners be made explicit. Hannon suggested that in limiting the board

only to staff cuts, the executive officer might in effect, "steam-roller" them. After much discussion the Committee agreed the logical figure they would like to use was the appropriation for the Board of County Commissioners from the 1978-79 approved budget: \$511,953.

It was announced the Term and Vacancy Subcommittee will meet Monday evening, July 17, 7:00 pm, I. E. D. Seminar Room, prior to the full Committee meeting.

Respectfully Submitted,
Julie Keller Gottlieb

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

MINUTES

July 5, 1978
General Meeting
Multnomah County I. E. D.

Absent: Haliski, Pankratz,
Winters

Chairman Jack Faust opened the meeting and outlined procedures for the next few weeks. He would like the Committee to discuss the proposals and possible revisions at this meeting and at the July 10 meeting, with voting to take place at the July 17, and 24th meetings.

Discussion centered on the revised districting proposal (Faust letter, June 29, 1978) which unanimously recommended establishment of five districts with an at large executive officer. Faust indicated the Districting Subcommittee was unanimous in their recommendations. He indicated there seemed to be substantial support for districting as evidenced at the June hearings and in commitments made by businesses and organizations such as PP & L and the Chamber. He said criteria for drawing the districts were using recognizable boundaries, keeping most of East County in one district (it partially laps into another), with the inner city and west side becoming natural districts. He indicated some senatorial districts were split, but the elections people were not troubled by that. Faust said the proposed budget freeze was the subcommittee's answer to the increased cost of adding an extra commissioner. Vern Pearson requested more information on the staffs of the Commissioners and allocated salaries. Committee staff was requested to obtain the information.

Larry Mylnechuk requested the Subcommittee clarify for the record the reasoning which caused them to change their position from the compromise to straight districting. He expressed concern they were "caving in" to one side of a two sided issue. Faust stated the Committee has heard no support for a strictly at large board, and that labor, community groups, as well as the Chamber of Commerce had all indicated strong support for districting. Faust indicated he had asked Judy Keltner, President of the League of Women Voters if they would support the Committee's proposed recommendations if a districting plan were included. Keltner had stated for the record she believed the League would support the Committee if separation of powers and the other provisions favored by the League were included.

Bob Burkholder told Mylnechuk that at the last three hearings many people presented testimony in opposition to the excessive size of the three proposed districts. He indicated he was also impressed with arguments the compromise would create two classes of commissioners. Faust commented that Earl Blumenhauer had made it very clear the log-rolling argument had little validity in that the budget does not allow for splitting many dollars for one district or another in that services are primarily mandated in a county-wide nature. Vern Pearson said he was influenced by both Ron Cease and Earl Blumenhauer in their presentations to the Committee. Pearson agrees that smaller districts could give candidates without large campaign resources an opportunity to seek office.

Faust said he felt many of those previously testifying in opposition to districting were concerned with how the Committee would actually draw the lines. It is his opinion the Committee has gained their confidence as a credible, fair, group. Mylnechuk continued to express concern that no hearings had been held on the five district plan. Bob Mitchell said he felt the compromise plan originally had sounded good, however it seemed to confuse people and was immediately recognized as an attempt to please everyone. It just didn't gather any momentum, Mitchell indicated, and he said he now supports a districting plan. Jay Owen agreed with Mitchell and Faust. Faust expressed the opinion that if the Committee does not come up with a workable solution, the form of County government would be determined by whomever sponsors the most demagogic initiative next year.

Faust is of the opinion Commissioner Buchanan will probably oppose the districting plan because of personal convictions. Faust feels Mr. Richard Botteri might not oppose the plan if a fairly strong executive and four year terms are included. Del Greenfield said she feels the at large supporters were willing to go along with a compromise but the districting supporters were not. Hence, much was heard at the public hearings in favor of a straight districting plan, and little support for at large positions.

Mitchell expressed concern about explaining to the public the intent of the executive-legislative split. He stated he has had much trouble attempting to explain this. Faust said the Committee has been urged to eliminate the word "Chairman" from the Charter and in its place reference be made to either the "County Executive" or "Presiding Officer of the Board." Discussion also included several expressions of concern over the number of amendments appearing on the ballot. Bob Mitchell would favor no more than five amendments appearing on the ballot. Faust suggested those measures the Committee might choose not to place on the ballot could be set aside and placed on a "B" list with a recommendation they appear on the ballot at the next general election.

Terry Hannon suggested the Committee put three amendments on the ballot, including provisions for a complete revised Charter in one amendment, revenue bonding authority in another, and partisan-non partisan in another. Owen expressed the opinion that creation of five districts could nullify the problems of partisan elections, giving greater opportunity for Republicans to become involved in County government. Faust agreed that more of the measures might be combined. Bill Williams agreed on submitting essentially a rewritten Charter to the voters. Committee consensus was to submit as few amendments as possible with recommendations for additional measures to be placed on a future ballot.

Ken Innis asked if there had been any further consideration of the 4/5 override of a veto question. Faust said no further changes had been contemplated and that he personally had been impressed with testimony from the Chamber and Ron Cease countering Vern Cook's remarks on the veto power. After some discussion, the Committee agreed clarification was needed as to what can be vetoed, and if a temporary vacancy occurs on the board, four votes would continue to be required to override.

The Committee next took up the issue of giving subpoena powers to Commissioners. Greenfield, Pearson, and Faust suggested other governments (state and federal) use this as part of the oversight function. Faust felt it might be well to provide for this in the Charter.

There was next some discussion on the scope and form Committee recommendations would take as ballot measures. Hannon suggested the Committee submit a rewritten Charter. Faust disagreed, feeling the Committee would be subject to criticism for language in the Charter not necessarily favored

or endorsed by the Committee. This could jeopardize those changes the Committee recommends and supports. Lindstedt urged the Committee to work on submission of three or four important items for the ballot, and Mylnechuk agreed.

In further discussion on the budget, Terry Hannon stated the Wild-card Subcommittee felt the county executive ought not to be allowed line item vetoes. The reasoning, said Hannon, was that this gives the board some actual power and authority. Faust asked Hannon to check this with Committee Counsel to determine if the local budget law would apply here.

The Committee also requested to have legal language on the revised amendments prepared as soon as possible, preferably prior to the July 17 meeting. They agreed to discuss the draft amendments on the 17th and vote on the 24th.

Larry Mylnechuk, Chairman of the Term and Vacancy Subcommittee, advised the Committee he will be conferring with Legal Counsel and calling a Subcommittee meeting in the near future.

Del Greenfield reiterated her support for setting a term limit on terms of commissioners. She favors a limit of three terms. In opposing that view, Mitchell stated he favors letting the voters decide when to limit a commissioner's term. Hannon suggested the Committee not overlook the pension program when discussing this issue.

The question of who would fill a vacancy created in the executive office in the interim between the vacancy and an appointment, was asked next. It was suggested the presiding officer of the board take over temporarily. Burkholder suggested the Auditor be allowed to fill the vacancy. It was agreed the Term and Vacancy Subcommittee should discuss this further.

There followed a discussion on residency requirements. Mitchell wondered how changing district lines might affect an incumbent commissioner should they be drawn to exclude him from his district. It was agreed this needed to be considered further. Some comparisons were made with both State and City regulations. The Committee concluded that a commissioner ought to live in a district for a year before being elected, however it was agreed further discussion and deliberation was needed to determine if continuing residency ought to be required also.

The proposed disability clause was next discussed. Mitchell felt perhaps it might be included on the "B" list recommended for the ballot at a later date. Greenfield said she continues to feel the words "adjudicated incompetence" already included in the Charter covers the Committee's intent on disability.

Two corrections to the minutes have been noted by the secretary. On page 4, paragraph 1 of the May 22, 1978 Minutes, a correction has been made to indicate Del Greenfield abstained from the vote on Measure #12, not the vote on Measure #11. Also, in the Minutes of June 12, 1978 in the last paragraph, the second sentence has been changed to read, "... two people had voiced opposition to the proposed sixth salary...".

The meeting was adjourned.

Respectfully Submitted,
Julie Keller Gottlieb

MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE
401 Wilcox Building, 506 S. W. 6th Avenue
Portland, Oregon 97204 227-1631

MINUTES

June 26, 1978
Mt. Hood Community College
Public Hearing

Absent: Mitchell, Winters, Haliski,
Mylnechuck, Lindstedt,
Pankratz

The meeting was called to order at 7:30 p.m. in the Vista Room by Chairman Jack Faust. Anyone who wished to testify was requested to sign the speakers' list.

Chairman Faust advised that 12 persons had signed and that each should limit his testimony to approximately ten minutes. Adjournment was planned for 9:30 p.m., the usual adjournment time.

EARL BLUMENAUER, P. O. BOX 1396, PORTLAND 97207

1. Commended the Charter Review Committee for the work done thus far.
Approved the committee's approach of looking at and weighing alternatives.
2. Cautioned committee against yielding to pressure from special-interest groups.
3. Believes that the committee's recommendations will be approved by the voters in November. The people want improvement in county government.
4. Favors districting. Feels that the committee's current suggestion for "3 commissioners from districts and 2 at large" dilutes the districting concept, particularly for East County. A district that comprises one-third of the county's population is too large. His experience is that there are only some 300 canvassable precincts in Multnomah County.
Favors going to 4 or even 5 districts.
5. Against sheltering incumbents in the transition. If the committee stays with the "3 + 2" approach, it should allocate by lot or some similar random method.
6. Feels that even if the committee's recommendations lose at the polls, county politics will be better for the effort.

Chairman Faust requested Blumenauer to submit in writing his detailed thinking on: (a) log rolling, and (b) how to handle the transition.

TOM BRUMM, 1618 S. W. 1ST, PORTLAND 97201

Brumm stated he was the political director for the Laundry and Dry Cleaners Workers union and that he was also speaking for several teamster locals.

1. Supports separation of administrative and legislative powers including support of the veto power for a separate executive.
2. Feels the "3 + 2" districting approach is impractical. Favors 5 districts. Wants something in the charter to insure "one man, one vote." Admonishes the committee to be careful in spelling out the transition from the present "at large" system to a "districting" system.
3. Favors partisan politics. Believes there are clear-cut differences in county government.
4. Opposes a "shopping list." Asks that the committee come up with a "package."

Responding to Vern Pearson's question about suggesting that Portland State University be responsible for setting up districts, Brumm said he only wanted to be sure that the districts would be set up and adjusted on an independent basis.

DAVE SYLVAN, 1137 N. E. 192ND, PORTLAND 97230

1. Against the "3 + 2" districting approach. Favors 5 districts.
2. Endorses independent funding for the auditor. Recommends that the auditor report to an audit committee, rather than to the full board of county commissioners.
3. Favors non-partisan but wants a run off in November for the two top candidates for any position.
4. Urges setting up another charter review committee to carry on the work of studying the charter for improvements.

RICHARD C. JOHNSON, 9118 S. E. INSLEY, PORTLAND 97230

Stated that he was speaking for the Transit Workers union. Generally endorsed what Tom Brumm had previously testified.

Responding to Chairman Faust's question, said that labor wanted a package and would oppose any kind of a shopping list of amendments.

FRANCIS L. ABELON, 430 N. W. BIRDSDALE, GRESHAM 97030

Advised that he was President of the Gresham Grange.

1. Opposes the "3 + 2" districting approach. Favors 5 districts. Wants the districts set up by population and adjusted for population shifts as necessary.
2. Favors partisan politics for the county.
3. Favors two-year terms of office. If the term of office is four years, would limit office holder to two terms; if the term of office is two years, would limit to three terms.
4. Believes a candidate should reside in the district he represents.
5. Favors a charter review every 5 years, not oftener.

Responding to Terry Hannon's question, Abelon confirmed that he prefers a "shopping list" rather than a "package."

PAULA BENTLEY, 1787 S. E. WILLIAMS, GRESHAM 97030

1. Favors 5 districts.
2. Favors separation of powers but does not favor veto power for the county executive officer.
3. Favors special elections to fill vacancies.
4. Feels that partisan versus non-partisan should be a separate amendment, not part of a package.
5. Suggests that the charter review committee ask for a reading from the Multnomah County Labor Council.
6. Favors four-year terms but does not favor limiting the number of terms.
7. Opposes electing a sheriff.

BOB WIGGIN, 1111 N. E. 192ND, PORTLAND 97230

1. Favors the shopping list approach.
2. Favors separation of powers.
3. Opposes the "3 + 2" districting plan. Favors 4 commissioners from districts and one at large. Believes the "at large" commissioner could fill a vacancy in the position of county executive officer.

MARVIN TORBENSON, 3041 SEALDER CT., PORTLAND 97213

Stated he is a member of the sheriff's department.

1. Recently a survey of sheriff's department personnel was made, and the majority favor an elected sheriff.

2. Suggests setting up police service districts similar to fire districts. Believes expenditures of public funds are better controlled in service districts.
3. Favors consolidation of Portland and Multnomah County law enforcement. (Chairman Faust pointed out that he didn't feel this was a proper consideration for this charter review committee.)

Bob Scholz commented that with an elected sheriff, Portland residents would be electing someone who served the county, not the city. Torbenson explained that the county provides jail services and warrant services for both the city and the county.

Responding to Terry Hannon's question, advised that present sheriff's deputies feel they are "several layers removed" from the county chairman.

PAUL C. PAULSON, 1547 S. E. ELLIOTT AVENUE, PORTLAND 97214

1. Complimented the committee for its efforts. Said it's bound to be better than it has *been*.
2. Favors districting. Opposes the high cost of elections.
3. Favors staying with a "shopping list."

Commented on lack of public interest. Should have a larger turnout. (Chairman Faust explained that the charter review committee had experienced better turnouts than another commission of which he was a member, a commission that had spent several thousands of dollars on public relations, more in fact than the charter review committee's entire budget.)

REX SNOOK, 5914 N. E. DAVIS STREET, PORTLAND 97213

Commented that from the beginning he hadn't felt this committee would have time to do everything by the November election.

1. Favors districting.
2. Opposes creating a 6th "commissioner."
3. Favors an elected sheriff.
4. Favors the "shopping list" approach.

CLARE DONISON, 28027 S. E. ORIENT DRIVE, GRESHAM 97030

Said he had worked hard on the previous county reform movement. He is a legislative representative for the Grange.

1. Prefers 5 districts.
2. Favors separation of powers.

3. Favors hiring a county manager over electing a county executive officer.
4. Favors more independence for the auditor.
5. Favors special elections to fill vacancies.
6. Favors partisan politics for the county.
7. Favors an elected sheriff.

TOM BURNS, 3034 N. E. 65TH, PORTLAND 97213

Commented he had been a county resident for 10 years. He's with the Communications Workers union.

1. Favors districting.
2. Favors separation of powers.
3. Favors partisan county politics.
4. Favors the "shopping list" approach.

Chairman Faust explained that the committee would do its best to see that any charter amendments proposed could stand on their own. The committee asks only that you fairly consider what it presents.

DAN MOSEE (COUNTY COMMISSIONER, MULTNOMAH COUNTY)

1. Recommends limiting the power of the chairman.
 - a. Give the commissioners subpoena power to obtain information they need.
 - b. Give the board of commissioners power to remove appointed administrative and executive employees. A vote of 3 commissioners should be enough to remove.
2. Opposes giving veto power to a county executive officer. If we insist, an override should require only 3 votes, not 4.
3. Favors elected sheriff.
4. Recommends that county counsel be part of the district attorney's office.
5. Favors another charter review in 1980; then one every 5 years.
6. Favors non-partisan county politics.
7. Favors the restriction that a person appointed to fill a vacancy in an elected office may not run for that office.

GEORGE CASTERLINE, ROUTE 3 BOX 1056, TROUTDALE 97060

Said he favored giving the voters just 4 or 5 amendments, not a package, but also not a long "shopping list."

There being no additional persons who wished to give testimony, the meeting was adjourned at 9:40 p.m.

Respectfully submitted,

Bob Burkholder, Acting Secretary

6/27/28

Julie —

Here's the sign up list
for the June 26 meeting
at Mt. Hood Com. College.

Only one witness submitted
a paper — it's attached.

Bob Burkholder

Harry's tapes —
- 12x
- Tom Burns testimony
p 5

PENDLETON WOOLEN MILLS
PORTLAND PLANT BULLETIN

Ref

BULLETIN #G-3

January 7, 1977

TO ALL SALES REPRESENTATIVES

WOOL - THE LIVING FIBER

Gentlemen:

Effective January 12th, Bud Fairham's home address and phone number will be as follows:

5868 Cowell Road
Brighton, Michigan 48116
(313) 227-3297

All mail should be sent to his home address.

6/26/78 Sign up for Mt Hood
Charter Review Speakers

Earl Blumenauer P.O. Box 1396 Portland 97207
Tom Brumm 1618 SW 6th Portland 97201
MARVIN TORBENSIN 3041 SE Alder Ct. Port. 97213
DAVE SYLVAN 1137 N.E. 192nd PORTLAND 97230
Rufus C. Johnson 9118 SE 25th Portland 97206-
Frances L. Ghehn 430 NW Broadway 97030
Paula Bentley 1787 S.E. Williams Ave ^{Troutman} 97030
BOB WIGGIN 1111 NE 192nd 97230
Paul C. Pauken 1547 SE Clifton Ave 97214
Lex Shook 5914 N.E. Cassin St. 97213
Clark Jensen 28027 SE Orient Dr 97030
Tom Burns 3034 NE 65th 97213
Dr George Osterline R+3 Box 1056 Troutdale 97060

Mt. Hood Community College

6/26/78

My name is Bob Wiggin. I live at 1111 N. E. 192nd Ave.,
Portland, Oregon 97230.

I was a strong supporter and gathered signatures for the charter reform amendments passed at the November 1976 general election. I was very opposed to the repeal of these amendments passed by the November 1977 special election, especially with the huge sums raised for the repeal and that approximately 35 - 40% of the signatures were gathered by individuals who appeared to be county employees or their relatives.

In addition, I was adamantly opposed to a plan that would have created an initiative drive to place the original reform measures back on the ballott to be voted on at the May 1978 Primary Election because I felt the people had spoken and your Charter Review Commission should be given a chance to work.

I have followed your program with great interest. I applaud your attempts to obtain citizen input. Your utilization of a "Shopping List" approach is most realistic if you truly want the people to reform their charter. If I am correct, you plan to utilize the following system:

- A. A county executive officer with no legislative authority except for a veto.
- B. Two commissioners elected at large.
- C. Three commissioners elected by district.

This system has merit, but I feel that it could be altered slightly by changing to:

- A. A county executive officer as outlined in your plan.
- B. One commissioner elected at large.
- C. Four commissioners elected by district.

To me this system would provide the following advantages:

- A. This approach would lessen the chance of an initiative drive in two years to again reform the charter.
- B. It would provide an immediate replacement for the county executive officer. The commissioner elected at large could be this replacement without conflict and would be elected by the entire county.
- C. It would reduce the size of each district by one-third thus giving each citizen closer communication with their district commissioner.
- D. Multnomah County has eight senatorial districts. Each commission district could be comprised of two senatorial districts, thus cutting down on citizen confusion.

I know each of you have been caught between "a rock and a hard spot" when dealing with the proposed charter changes. I know that each of you want your collective ideas to become a success. This is the reason I have appeared before you tonight.

Thank you for your courtesy.

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
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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

June 19, 1978
Lincoln High School
Public Hearing

Absent: Lindstedt,
Mylnechuk, Owen, Pankratz,
Williams, Winters

Committee Chairman Jack Faust opened the public hearing to testimony. Mr. Ned Look, 1703 S. W. Myrtle Street, representing the Metropolitan Area Governments Committee of the Portland Chamber of Commerce presented the Committee with the Chamber's position on the Charter review. He presented the Committee with a written statement outlining the Chamber's position as compared to the Committee's proposals and a formal summary of the arguments supporting the Chamber's positions. Briefly, the Chamber supports: separation of executive and legislative branches, an executive elected at large, four year terms, executive veto power (4/5 override), non partisan offices, 5 commissioners representing districts with residency requirements and boundaries set by the Secretary of State, full time offices, salaries of all elected county officials set by the board, a president of the board elected annually who would serve as executive in the event a vacancy occurred and until a special election could be held, and, should a vacancy occur on the board, the Chairman select five persons from the vacant district to be voted on by the board. That person would serve until the next general election.

Sen. Vern Cook, 519 N. E. 4th, Gresham, next addressed the Committee. Sen. Cook stated the Charter Review Committee's draft proposals were not worthy of approval. He feels some of the proposals such as districting are better than the present system, however. He favors a county manager serving at the pleasure of the commissioners rather than an elected executive. He is strongly opposed to the executive being granted the veto power, feeling this allows for retention of the excessive power currently held by the Chairman. Cook feels the veto power (with support from any two commissioners) could successfully frustrate the majority will of the board. He stated the status quo would be maintained. He stated the Committee has created an illusion, deceiving the public into thinking they will be represented by district commissioners, when in reality the special interests will continue to control county government through the Chairman (executive) and his veto power.

Rep. Glenn Otto, 1225 E. Columbia, Troutdale, favors separation of executive and legislative powers as proposed by the Committee. He feels the Committee's chief problem may be in creation of one new position on the board. The veto power of the executive officer also disturbs him in that 80% required to override may be excessive. He stated many other governmental bodies usually require 2/3 to override. Otto also opposes the three proposed districts, saying that they are much too large. Otto's figures indicate one district represents a population equivalent to Washington or Clackamas County (190,000). This size population base is not conducive to direct representation as envisioned by those who in the past have supported the establishment of districts in Multnomah County, Otto said. He prefers five districts, two year terms, and partisan elections. He would

like to see the Auditor's office strengthened, and its budget established in the same manner as the County Tax Supervision and Conservation Commission, with dollars appropriated by the County and the amount set by the legislature. He suggested a committee of CPA's set the amount in this case. Otto supports the disability clause, revenue bonding provisions and the other Committee recommendations.

Mr. Glenn Chambers 6726 S. E. 48th, urged adoption of a shopping list for the ballot. He supports two year terms and election of all commissioners from districts. He suggested the chairman (executive) be appointed by the commission, or, should he be elected, that he have no veto power. Chambers would also like to see a choice on the ballot between full-time paid commissioners or part-time commissioners reimbursed for expenses only. He also favors partisan elections, a three term limit and specific administrative duties assigned to commissioners.

Tom Dennehy, 16421 N. E. Holladay, testified to the Committee that he still favors five districts and the veto. He does not feel the executive will have excessive power in retaining the veto. He suggested the Committee clarify what composes a quorum (Sec. 3.30), and affirmative concurrence be defined (Sec. 3.40) specifically in the Charter or through the courts. Dennehy would also like to see Sec. 6.10(3) in the proposed amendments giving only the executive power to give orders, be revised to guarantee commissioners the right to question an employee pursuant to their legislative duties. Dennehy suggested salaries of commissioners should not be increased or decreased during their term of office and the voters ought to have the opportunity to speak on that issue. He agreed with the testimony of Clyde Brummell on a nine month limit for filling of vacancies with the April 1st deadline for elections. After that time Mr. Dennehy would prefer the office were left vacant rather than be filled by appointment, with the person winning the November election filling the vacancy immediately. He suggested the Committee define and eliminate the ambiguities in the language referring to emergency ordinances. Sec. 6.40 also concerns him in that it allows the entire structure of county government to be altered by four commissioners. He suggested that if only two candidates file for a commission post, their election be postponed from May to November, and should more than two file, those two receiving the highest vote, regardless of the percentages involved, ought to face each other in the November election. Mr. Dennehy objected to Sec. 11.50(1)(b) which allows the Charter to be revised at special elections. He supports a periodic review of the Charter every six or eight years with the first review taking place in 1980. He would like to see future Charter review committees elected rather than appointed. Finally, Dennehy urged the Auditor's office be strengthened.

Judy Keltner, 519 S. W. 3rd, President of the League of Women Voters, and representing the Portland and East Multnomah County League, indicated their support for separation of executive and legislative powers, an at large executive with veto power, a five person board of commissioners elected at large, with its own chairperson and vice chairperson and power to override a veto. The League supports four-year staggered terms and a strong nondiscrimination clause. They do not favor districting, however, and do not favor filling of vacancies by election. Keltner expressed concern that the issues be presented separately on the ballot so that one or two items of importance might not be defeated due to voter objection to something else. Keltner also stated for the record she did not believe the League would oppose a package presented to the voters if districting were included along with other items the League supports.

Ann Porter, 0926 S. W. Palatine Hill Road, representing the West/North Quadrant Advisory Board, reiterated their concern that the amendments be presented to the voters as a package. They support Measure 1, separation of executive and legislative powers. However, in April they favored at large election of Commissioners, and in June agreed to support district representation. They approved all other proposed amendments except two, feeling an appointed Commissioner ought not to be denied the opportunity to seek election to that office. They were unable to reach a decision on revenue bonding authority and requested the Committee provide more information for the public on the bonding question.

Ron Cease, 2625 N. E. Hancock, former Chairman of the Tri County Local Government Commission and professor of Political Science at Portland State University, testified in favor of the separation of powers, four year terms, a strong executive office and elections to fill vacancies under some conditions. He is not troubled by the veto concept as mentioned in earlier testimony. Cease stated the veto is recognition that the executive is also an elected representative of the people with an at large constituency. The knowledge or reality of the executive veto is conducive to arrangements being worked out with the board and executive. Cease indicated that was what democratic governments are all about. He is concerned with the districting proposal, feeling the three districts suggested are much too large. He would favor five districts. Cease also feels the district - at large combination create "mischief" in developing two classes of commissioners. He suggested the chairman might have a different constituency than the commissioners.

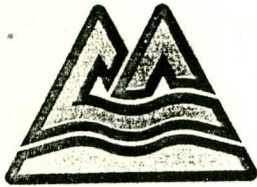
John Hankee, 4815 S. W. 56th, Administrative Assistant to Commissioner Barbara Roberts, read her prepared statement into the record. Commissioner Roberts, an appointee to the Board of County Commissioners, favors the Committee's proposals on filling of vacancies. She also supports residency requirements, but is opposed to non partisan elections feeling it would be a step toward a one party system in our country. She feels the districting - at large compromise is unacceptable with districts being too large and commissioners having equal responsibility with unequal representation.

Gladys McCoy, Democratic candidate for the Board of County Commissioners, 6650 N. Amherst, commended the Committee for the long hours spent at their task. She urged the Committee to keep their recommendation simple and went on to state her opposition to the districting - at large combination. She continues to support five districts. McCoy is also concerned about the majority question and would like to see a majority consist of those elected rather than those present at a meeting. She favors separation of powers and the executive veto power. She supports partisan elections and would like to see the time frame for special elections to fill vacancies limited to 90 days. She would also like to see a regular Charter review process established.

Mr. Richard Deering, 805 N. E. 73rd, asked the Committee why the positions of Sheriff, County Clerk, Justice of the Peace, and Treasurer, have not been filled by election. He is concerned organized crime has infiltrated county government and stated that the Home Rule Charter is unconstitutional. He recommends the Charter be abolished. He also warned the Committee that they are potentially liable under the law for failing to report a deprivation of constitutional rights.

The meeting was then adjourned.

Respectfully Submitted,
Julie Keller Gottlieb



MULTNOMAH COUNTY OREGON

BOARD OF COUNTY COMMISSIONERS
ROOM 605, COUNTY COURTHOUSE

PORTLAND, OREGON 97204
(503) 248-5219

BARBARA ROBERTS • MULTNOMAH COUNTY COMMISSIONER

PRESS RELEASE

RELEASE TIME:
Monday, June 19, 1978
After 7:30 p.m.

FROM: Barbara Roberts
Multnomah County Commissioner

RE: Multnomah County Charter Review Committee Proposals

(Note: Statement delivered at Lincoln High School hearing
by John Hanke, Administrative Assistant to Com-
missioner Roberts)

FILLING OF VACANCIES

As a recent appointee to the Multnomah County Board of Commissioners, I have followed this committee's work, related to the filling of vacancies, with a special interest. It is a very complicated matter, and I believe your solution is a good one.

On long term vacancies, it gives the voters an opportunity to choose their commissioner at the ballot box. However, for short term vacancies, the citizens are spared the cost of a county-wide election which would have to be repeated in only a few months. This seems to be a reasonable answer for filling vacancies, and, I believe, the voters of this county will find it acceptable.

RESIDENCE

Measure 4, requiring continued residence within Multnomah County, or within a district boundary, seems a highly desirable amendment. This requirement has been the law for school board members in Oregon for a number of years, and has protected school districts from non-resident representation. Certainly, residency becomes a must if commissioners are to be elected by district. The whole idea of local, accountable representation seems moot if the commissioner lives in a district other than the one which he or she represents.

I would certainly encourage retention of this measure in the proposed ballot questions.

NON-PARTISAN

The partisan versus non-partisan issue is a controversy with no right or wrong answer. How you see the situation depends on your party affiliation, your party involvement, your political participation and experience, and even your attitude about politicians in general. There is, however, one central issue which needs to be addressed, and that is the preservation of the two-party system in America--a system which has been responsible for providing outstanding candidates from both political parties throughout the history of our nation.

In the past 10 years in Oregon, the Democratic Party has made incredible growth in terms of registration balance and in numbers of Democratic elected officials. In Multnomah County, all five of the current commissioners are Democrats, the county auditor is a Democrat, all eight state senators, and 14 of the 16 state representatives are Democrats. As a Democrat, I should be very pleased about this situation, but quite frankly, I believe there is some danger in one party becoming so strong, that the other party offers only token opposition. In Oregon, the state Republican Party is making serious efforts to change this condition. I believe that the public is better served when each party is strong and healthy, and when it offers good candidates for election.

Therefore, I would strongly oppose the proposal to have non-partisan election of county officials. This is simply a

step toward a one-party system in our county. I believe that pendulum will soon swing again toward new Republican growth, and, when that happens, we will have better candidates from both parties. We should not be uncomfortable with partisan politics. Partisan politics is not a dirty word. Instead, we should be leery of the dangers of a one-party system.

I hope this committee will give careful consideration to retaining partisan elections in our county.

DISTRICT VS, AT-LARGE

Of all the measures proposed by the Charter Review Committee, none has the far-reaching impact of the amendment for the combination of at-large and district elections for the Board of County Commissioners. From the beginning, there have been citizens with strong opinions on both sides of the districting controversy. In what appears to be an attempt to please both groups, the committee has settled on, what seems to me, an unacceptable and unworkable compromise.

First of all, let me say that I believe there are good arguments for either an at-large commission or a commission made up of members from several districts of the county. I could support either position. However, I can see no realistic argument for the mixture of two reasonable alternatives. The most telling argument against the proposed plan is the division of Multnomah County into three huge districts each encompassing massive geographical areas, and including approximately 185,000 residents. Each district represents little, if any, community of interest, and the district size negates the

whole idea of local, accountable representation. Imagine representing an area that has boundaries from the Hood River County line on the east and yet reaches to N. E. 39th Avenue at some western points. How is that really different than representing the county at large?

In addition to that obvious problem, I see some legitimate conflict with a commission composed of members with equal votes and equal responsibilities, and yet two members must stand for election before the entire county electorate, and the other three commissioners have been elected by only one-third of the voters. There seems no rationale for such a disparity.

If this committee feels that Multnomah County citizens would be better represented by district elections, then divide the county into five reasonable sized districts, and you will have stood by that belief.

If on the other hand, this committee believe that the people can best be served by commissioners elected at-large, then have the courage to submit such a proposal to the voters. I only ask that you not take sirloin and turn it into hamburger in an effort to please everyone.

To: The Multnomah County Charter Review Committee

From: The Leagues of Women Voters of Portland and East Multnomah County

Re: Proposed Amendments to the County Charter June 19, 1978

The Leagues of Women Voters of Portland and East Multnomah^{County} have studied the proposed amendments to the County Charter presented by the Review Committee and wish to state their support for those items in the amendments which concur with the League position. In Measure 1, we support the proposal for the separation of executive and legislative powers. We favor the at-large election of a County Executive who has veto power, and the establishment of a five-member board of commissioners with its own chairperson and vice-chairperson and the power to override the veto. We support four-year staggered terms. However, we disagree with the proposal that some commissioners be elected from districts. We think all commissioners should be elected at large, because we believe that county-wide problems need county-wide solutions and a broad perspective is necessary. Also, we think the voters of Multnomah County should have the opportunity to vote for all the commissioners.

We also disagree with Measure 6, which would require special elections to fill vacancies, because we believe that special elections are costly, the calendar for a special election is almost impossible to work out, ^{if the elections are partisan} the voter turn out is poor, and if the appointee proves to be unpopular with the voters, he/she can be turned out of office at the next general election.

The Leagues strongly support Measure 8, which establishes that no county employee shall be refused employment or be discriminated against in any manner contrary to state law. We feel it is imperative that this section of the Charter be amended.

These are the only measures proposed by the Review Committee which the Leagues can address at this time. We shall maintain an active interest in the Committee's efforts as it prepares its final recommendations.

To; The Multnomah County Charter Review Committee

From: The West/North Quadrant Advisory Board

Re: Proposed Amendments to the County Charter June 19, 1978

The West/North Quadrant Board of Multnomah County in general supports the amendments to the County Charter proposed by the Review Committee, and commends the Committee for the arduous task it has undertaken. The Board once more stresses its concern that these amendments be presented to the voter as a package.

In Measure 1 there was unanimous approval by the Board members of the separation of executive and legislative powers. There was diverse opinion, however, on the issue of districting, some members feeling strongly that all the commissioners should be elected from districts, others believing that all the commissioners should be elected at large. The majority opinion at the April meeting favored at large elections; however, in June the majority opinion was that commissioners be elected from districts. The Board approved all other aspects of Measure 1.

The Board also approved the other proposed amendments, with two exceptions. Measure 7, which prohibits a person appointed to fill a commission vacancy from being a candidate for that position in the next election, was disapproved; it was thought that the best qualified person should be appointed and that the public should not be denied the opportunity of keeping that person in office. Measure 9, revenue bonding authority, was discussed by the Board, but no conclusions were reached. The group felt there was insufficient information for them to make a decision about revenue bonds and hopes the Committee will develop further explanation for public consideration.

The Board also examined the three proposed amendments rejected by the Committee. Measure 2, which prohibits election of commissioners to more than two consecutive four-year terms, and Measure 12, which expands the functions of the auditor's office, were approved by the Quadrant Board, and there was general agreement, in regard to Measure 3, that there should be some formula for salary increases for the commissioners.

The Board has closely followed the efforts of the Review Committee and has discussed their proposals at each meeting for the last three months. At no time has the County government expressed its views on these items to us, nor have we solicited their opinions. The decisions on the proposed amendments have been made by an interested and informed, representative citizen body.

Comparison of Portland Chamber of Commerce
and
Multnomah County Charter Revision Committee
Positions on Charter Revision

<u>Chamber:</u>	<u>Review Committee:</u>
1. Separation of executive and legislative branches.	Same
2. CEO elected at large	Same
3. CEO term 4 years	Same
4. CEO veto power subject to 4/5 override	Same
5. CEO Vacancy - President serve until election to fill vacancy	Elections if more than 15 mths. remain otherwise appointed by board.
6. County elective offices non-partisan	Same
7. Board should be 5 commissioners	Same
8. 5 Commissioner Districts required to live in district	3 districts, 2 at large, residence requirement within jurisdiction
9. County Commissioners elected 4 year terms, staggered	Same
10. County Commissioners full-time	Same
11. Board elect President each year	Board would elect Chairperson and Vice Chairperson annually
12. Vacancy on board, Chairman select 5 persons from vacant district, balance of board select to serve until next general election	Special election if balance of term more than 15 months, otherwise board appoints.
13. Board sets salaries of all elected county officials	No position
14. District boundaries to be set by Secretary of State	County Auditor and Board of Commissioners set boundaries

Chamber Position
on
Multnomah County Charter Revision
April 21, 1978

The Portland Chamber of Commerce believes the Multnomah County Charter can be improved with benefits to the operation of County Government.

The Portland Chamber of Commerce at its Board meeting of April 21, adopted the following policies and proposals:

1. The executive and legislative functions of Multnomah County should be separated.
 - a. The traditional separation of powers will provide checks and balances between the executive and legislative branches.
 - b. The Chief Executive Officer will be relieved of his present time consuming burden of legislative duties and therefore be able to concentrate his efforts on administering the county business.
 - c. The legislative body can exercise a more independent judgement on matters of policy in a manner less beholden to the administrative executive.
 - d. The office of Chief Executive Officer, under this separation of powers, should attract more administrative oriented candidates.
 - e. The legislative body will be less able to pass the buck to the Chief Executive Officer for their Legislative actions.
 - f. We believe benefits of separation outweigh the additional cost of another elected county official.
2. The Chief Executive Officer should be elected at large and represent the county as its chief political officer.
 - a. The titular head of government should be elected by and be responsible to all of the people he represents.
 - b. A clearly visible head of government simplifies for the citizen, to whom he should address his requests for information or his complaints.
3. The Chief Executive Officer should be elected for a term of four years. The number of terms he may serve should not be limited.

The four year vs. two year term argument hinges primarily on responsiveness to the electorate and stability of government. Under the separation of powers arrangement, much of the need for responsiveness for programs would be lifted from the Chief Executive Officer and shifted to the Board of County Commissioners. Although two year terms might increase responsiveness, the CEO

might experience difficulty in recruiting good quality management personnel. Two year terms would increase the cost of running for office in that the CEO would have to run twice as often. The belief is two year terms would find elected officials perpetually campaigning for office at the expense of the job they were elected to do. There appears to be very little support for two year terms. The four year term would give elected officials ample time to learn the job and keep campaigning to a minimum. The four year term would provide a more stable government. We believe there is no value to limiting the terms a career CEO may serve in that he may be doing an outstanding job. If the CEO was not doing the job, the voters could replace him through the election process. Four year terms would allow staggered terms.

4. The Chief Executive Officer should be given the veto power over county board of commissioners actions subject to a 4/5 override by the board of commissioners.

We believe giving the CEO the veto would in some measure strengthen his hand and improve the political balance between the executive and legislative branches. The 4/5ths vote required to override the veto seems to be a reasonable figure with a five member board of commissioners. This should also achieve some political balance as the only alternative would require a unanimous vote.

5. If the office of Chief Executive Officer should become vacant, the vacancy should be filled by special election as soon as feasible. The President of the board of county commissioners would serve in the capacity of CEO until the election has filled the vacancy.

The general public is becoming more involved with government and wants a larger say in who represents them. Providing for a special election to fill the CEO vacancy (not too likely to happen) may make this package more saleable to the general public.

6. County elective offices should be non-partisan.

The general public appears to favor non-partisan elections for local government. The partisan basis at present, in view of the heavy democratic registrations, almost insures the county offices will be from one party. Under the non-partisan basis special elections can be held with a short period of a term remaining. This could not be done on a partisan basis. The partisan, non-partisan issue was one which helped to sink city-county consolidation.

7. The board of county commissioners should number five.

The odd number would eliminate tie votes. Three commissioners, if elected from districts, would require districts so large, they would defeat the purpose of districting. Seven commissioners simply are not needed. The committee believes the need for an odd number of commissioners and the need for relatively small districts outweighs the cost of another elected county official.

8. County Commissioners should be elected on a district basis and they should be required to live in the districts they represent. We believe the need for responsiveness to the electorate is somewhat overemphasized, however, it is believed special districts, if small enough, will make the commissioners more responsive on an ongoing basis. The residence requirement should insure the commissioner have a more intimate knowledge of his district and a greater interest in it.

Districting without a residence requirement would allow all districts to be represented by commissioners who all reside in one district.

Arguments for Single Member Districts:

1. Would make commissioners more responsive.
2. Makes money less important in running for office.
3. Works well for state legislators.
4. Enables commissioner to better know his constituents, their problems and represent their interests.
5. Would better enable Republicans to get elected and preserve the two party system.
6. Easier for voters to know to whom they should take their complaints.
7. Easier for constituents to recall commissioner not doing a good job.
8. Reduces the ability of a commissioner to perpetuate himself in office.

Arguments opposed to Single Member Districts:

1. At large members needed to represent the county-wide public interest.
2. County not large enough to require single member districts.
3. Would restrict the voters right to choose all of those who make decisions that affect him.
4. Further politicizes the commissioners job - you vote for my project and I will vote for yours.
5. Commissioners in their zeal to represent their district could lose sight of the big picture - county services could suffer.
6. Districting creates the best method of buck-passing - Mosee.

9. County commissioners should be elected for a term of four years with terms staggered. (See No. 3 for arguments pro and con on two year vs. four year terms. Staggered terms would provide for continuity in county government.).
10. The position of County Commissioner should be full time.

Arguments for Full Time Commissioners:

1. There are adequate duties and responsibilities to warrant full-time positions.
 - a. To attend legislative sessions of the board of county commissioners.
 - b. To serve on three member overlapping committees to exercise legislative oversight of all county departments, with the purpose of assuring the intent of the county board of commissioners is being properly implemented within the various departments. By being assigned to monitor more than one department assures the commissioners will obtain a greater perspective of the overall needs and operations of the county, rather than personal intrusion in the daily administration of a department.
 - c. Represent the county on official boards such as the M.S.D., CRAG, and the like, as determined by the board.
 - d. Represent the county on advisory boards and commissions as determined by the board.
 - e. Perform a more meaningful and involved role as an Ombudsman for their district constituencies.
 - f. Educate themselves on issues and the county budget to the extent they can exercise independent judgment and not become captives of staff.
 - g. Educate their constituencies to the priority needs of the county through the press, public appearances, and speaking engagements.
2. Full time positions with adequate salaries would enable a commissioner to devote all his efforts to the county.
3. The general public favors full time.
4. Part-time at reduced salary would attract the very affluent or political opportunists attempting to live on the reduced salary.

5. Part-time at reduced salary necessitating additional part-time employment, opens up the commissioner to political attack regarding the amount of time or quality of effort he expends on behalf of the county.
6. Part-time could invite the potential for conflict of interest.

Arguments for Part-Time Commissioners:

1. There is insufficient work to warrant other than a part-time commissioner.
 2. Part-time commissioners would work for reduced salaries thereby saving the taxpayers money.
11. The Board of county commissioners each year should elect one of their member to serve as President of the board, and at other times necessary to fill a vacancy in the office of President of the board.

This recommendation is a method for selecting the head of the board. It is also tied to filling a vacancy on the board of commissioners (see No. 12 following).

12. If a vacancy on the board should occur, the President of the Board shall select five candidates from the vacant district, from which the remaining commissioners shall select the commissioner to fill the vacancy until the next general election at which a commissioner can be elected to fill the vacancy.

This is a suggested method for filling a vacancy on the commission promptly and at minimum expense. Given the electorate's desire to have as much say as possible in the running of their government, an alternative method would be to hold a special election as soon as possible if county elected offices were on a non-partisan basis. If county offices remain on a partisan basis, this alternative is not workable.

13. The board of county commissioners should set the salaries of all county elected officials.

If the board of county commissioners sets their own salaries they have to answer to the voters. This will restrain the level of salaries. We oppose the idea of the state setting the level of salaries such as tying it to the level of a judges salary. This would simply allow the commissioners to pass the buck. We believe the salaries are a local matter and should be set locally. Another alternative is to have an appointed blue ribbon committee of civic leaders set the salaries. We see problems in this in that who and how would such a committee be selected? If the blue ribbon committee were advisory only, its recommendation might enable the commissioners to set a somewhat higher level of salaries, however, the commissioners would continue to be responsible to the electorate.

14. The boundaries of commissioner districts should be set by the Secretary of State.

We believe if the Secretary of State were to set the district boundaries, it would minimize gerrymandering of the districts. An alternative is to let the County Board of Commissioners set the district boundaries.

On the matter of whether or not the number of terms a county commissioner should be limited, the Portland Chamber of Commerce has no position at this time.

On the matter of whether or not the county should be empowered to issue revenue bonds without a vote of the people, the Portland Chamber of Commerce has no position at this time.

June 19
Lincoln H.S.

SIGN-UP SHEET

Please sign-up if you wish to testify before the Home Rule Charter Committee:

NAME

ADDRESS

PHONE NO.

Sen. Vern Cook

Alvin Otto

Glenn Chambers

1726 SE 48th

775-7863

Ned Cook

1703 S.W. Myrtle St.

223-5396

Tom Henrichy

16421 NE Holladay 97230

282-5952

Judy Keltner

519 SW 3rd Ave Room 610 Dekum Bldg.

228-1675

Ann Porter

Ron Case

2625 N.E. Hancock

282-7931

John Hanker

4815 SW 56th

292-9839

Gladys McCoy

SIGN-UP SHEET

Please sign-up if you wish to testify before the Home Rule Charter Committee:

NAME

ADDRESS

PHONE NO.

RICHARD DEERING

805 N.E. 73rd AVE.
97213

253-0959

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

MINUTES

Julie Keller Gottlieb,
Administrative Secretary

June 12, 1978
Cleveland High School
Public Hearing

Absent: Faust, Haliski, Hannon,
Innis, Lindstedt, Mitchell,
Pankratz, Scholz, Winter

In the absence of the Chairman and Vice Chairman, Committee member Bob Burkholder called the meeting to order and served as acting Chairman. He began by introducing the Committee members present and staff. He then outlined the official tasks of the Committee and reported on the activities and actions of the Committee to date.

Rep. Drew Davis, 11121 S. E. Boise, opened hearing testimony stating he had several concerns. The major issue bothering him is the fact that both the Sheriff and election's officer are appointed by the Chairman of the County Commission. He feels this is excessive power and leaves open the possibility of election fraud in that the Sheriff and election's officer are both involved in the vote tabulation process. He said he had several complaints regarding pre-punched ballots in the last primary election. He is strongly in favor of an independent Sheriff, feeling the Sheriff should be only responsible to the voters. He feels an independently elected Sheriff is more important than an independent election's officer.

Jay Owen asked Davis how proper qualifications might be insured were the Sheriff elected. Owen suggested the Sheriff needed to have special qualifications which are presently insured through the appointment process. Davis replied that this would be taken care of by the elective process. Owen implied that to regain the powers previously held by the Sheriff, readjustments would have to be made in the administrative structure of the County. (The Sheriff presently serves under the Director of the Dept. of Justice Services.) Davis said he would have no objections to the rest of the administrative procedures remaining the same, but that simply, the Sheriff ought to be elected. Davis also suggested the County Clerk could be elected and serve as the election's officer. Davis felt the Sheriff's salary might be determined by the Board of Commissioners.

Burkholder recalled the Lane County Home Rule Charter provides for an elected Sheriff and an elected assessor, but not an elected election's officer. He said in those Oregon counties not having home rule, State law prescribes procedures and duties for county officials. Davis said he is concerned not with other officials or other Oregon counties, but rather specifically with the Multnomah County Sheriff and election's officer.

Commissioner Dan Mosee, 1021 S. W. 4th, testified in opposition to Mr. Richard Botteri's statements to the Committee in favor of partisan elections. Mosee feels there is nothing partisan about the operations of a county. He feels the present partisan provisions have created a one party system in Multnomah County, and this is not a healthy situation. He feels the Board of Commissioners would be more responsive if they were representative of various groups and interests, rather than the Democratic Party. Commissioner Mosee also stated there is too much power presently in the hands of the Chairman. He would like to see some method

included in the Charter for removal of administrative appointees. He said if the Board had some say in the removal of appointees, they would become more responsive to Commission members than they have been in the past.

Burkholder asked Mosee if he supported the Committee's proposed Measure #10 creating non partisan offices for all elective County officials. Mosee agreed. Burkholder elaborated on the Committee's proposed Measure #1 separating legislative and executive power on the Board. Mosee replied Measure #1 was fine but did not go far enough in cutting back on the powers of the administrator. Mosee reiterated the best way to give the board a "check" on the administrator was to provide them with the power to remove administrative appointees. Mosee also stated he felt the Committee's proposal to give the board veto power with a 4 out of 5 vote was enhancing the Chairman's (executive's) power. He suggested 2/3 would be more equitable than 80%. Mosee expressed some concern over the Sheriff's office and the way he is selected. He favors an independently elected Sheriff.

Paula Bentley, 1787 S. E. Williams Avenue, Gresham, made a few comments to the Committee on the proposed revisions. On Measure #1, separation of powers, Bentley expressed concern over giving the executive veto power. She feels if the executive is given any legislative power (the veto), perhaps the board should be give some administrative power (responsibility for departments) in order to provide for greater balance of power. She also expressed concern on the districting-at large compromise. She feels the voters spoke loud and clearly on the issue a year and a half ago. It is her opinion they wanted districts, and that the 3 districts proposed are rather large. She also mentioned the added fifth commissioner as another point of concern. Bentley stated that the voters in California spoke for many people last week in passing Proposition 13, and she feels Multnomah County residents will react similarly in favor of cutting back government spending rather than adding to it. She also supports separating the executive officer from the Board as she opposes having a policy making board composed of an even number of members. She strongly favors Measure #9 granting revenue bonding authority to the board of commissioners. For the record, she stated she does not favor an elected Sheriff. She said the problem of police protection in Multnomah County would be enhanced by more "bucks", not by elections.

Larry Mylnechuk asked her why she opposed veto power for the executive, saying the Committee had used national and state models. Bentley replied she favored the Commission having total authority to accept or reject policy proposals. Jay Owen stated the Committee had rejected a proposal to establish commissioner's salaries at 2/3 that of the executive. He said this would have held down the cost of the extra commissioner's salary. She felt she could not favor the 2/3 salary proposal because commissioners deserve every dollar they earn.

John McCabe, 4011 S. E. Nehalem, testified that the more informed voter participates in the primary election, enhancing opportunities for an incumbent to be defeated at that time. Citing the City of Portland as an example where an incumbent has not been defeated in 20 years, McCabe stated he therefore favors partisan elections. He tends to favor districts, but feels district commissioners may tend to only represent the interests of their district rather than the best interest of the county as a whole. He also would like to see commissioners assigned as department liaisons after elections or not at all. He feels qualifications ought to be necessary prerequisites for seeking the office of Sheriff and Auditor.

Clyde V. Brummell, 8435 S. E. 17th, Republican candidate for Chairman of the Board of County Commissioners, testified next. He stated he had published in the Voter's Pamphlet ideas on Multnomah County Charter revisions. They were: 1) non partisan elections, 2) election by 5 subdistricts, 3) filling of vacancies by special election, 4) limiting terms of office to eight years,

5) assigned departmental responsibility to each commissioner.

Brummell went on to say he favors the Committee's compromise districting and at large proposal. He feels, however, the commissioners should be assigned more administrative power, especially in departments where the head is appointed by the executive. He feels appointments should be approved by a majority of the commissioners. He would like to see these appointments made from within the ranks of civil service. Under the proposed plan, he sees input from citizens being heard at least three ways: by district commissioners, by the at large commissioner, as well as by the county executive.

Brummell's major concern was with the addition of a sixth man who would be an additional cost to the taxpayer. He favors the separate executive and recommends before veto power be exercised, the executive hold at least one public meeting in each subdistrict for neighborhood input. He sees the Auditor as the "general accounting office" of the County. He favors the Auditor being a non partisan elective office, with candidates having a CPA certificate and 1 year practical experience prior to filing for office. He urged the Committee to reconsider and rewrite provisions concerning the Auditor's office.

He proposed the Committee establish provisions in non partisan elections for the two candidates receiving the most votes in the primary to face each other in the general election. He feels this would force candidates into the community for discussion and debate.

Brummell favors vacancies being filled by election but stated 15 months is too long a period for an appointee to serve. He urged the Committee to consider 9 months (from March, prior to the general election) as adequate time for an appointee to serve. Brummell also said he has found wide acceptance of the eight year term limit in the course of his campaign and feels if the Committee does not include it in their proposals, the issue may well be the subject of another referendum. He also suggested the Committee consider requiring a commissioner or executive in office to resign upon filing for election to another office.

He also supports the idea that a similar Charter Review Committee be appointed in 1980 to evaluate the results of this Committee's work. He feels such a committee might sit every six years. He also suggested the County Commission, after 60 days notice, be allowed to call for a review of specific subjects. He urged the Court House be made more accessible to the public in order to restore confidence in County government.

Brummell clarified his point that Home Rule Counties are not subject to State of Oregon Election laws. This is true, he said, in light of a decision handed down by the Courts in the matter, and that it was his case. He was represented by Mr. Paul Paulsen in the matter, and his attorney indicated to him that this was an accurate statement.

Harry Conway, 5315 S. E. 34th, next addressed a few remarks to the Committee on the County's Tax Supervision and Conservation Commission. He feels this Commission is similar to the Auditor's office in some respects and has established some authority for itself. At this past legislative session, they made themselves financially independent, by submitting a budget for approval. Conway feels the Auditor might follow in their example and create some independence for the office.

Commissioner Mosee urged the Committee to consider the county manager form of government. Del Greenfield expressed concern that two people had voiced opposition to the proposed sixth commissioner and that the Committee should deliberate on the matter further. Vern Pearson suggested that due to the size of the County, five commissioners would provide adequate representation, and that whether one has an elected or appointed county manager, an extra salary was still incurred. Mr. Brummell said he believed

the tax payer is concerned with the "bottom line" figure. Paula Bentley restated her concern that the voters might not accept the financing of another commissioner's office. It was suggested that salaries be listed on the ballot title for voter information. Bentley urged separation of the more controversial issues from the more basic proposals on the ballot. She also is strongly in favor of the non partisan measures.

Burkholder reminded those attending of the next two hearings: June 19, Lincoln High School, 7:30 pm; and June 26, Mt. Hood Community College, Vista Room, 7:30 pm.

Respectfully Submitted,
Julie Keller Gottlieb

Clyde V. Brummell for Commissioner Committee
8435 S. E. 17th Avenue,
Portland, Oregon, 97202
Phone 233-4841

FOR RELEASE MONDAY, June 12, 1978, 8:00 P.M.

Following is a statement of Republican Candidate Clyde V. Brummell before the Multnomah County Charter Review Committee, Cleveland High School, Portland, Oregon, June 12, 1978, at 8:00 P. M.

Good evening Ladies and Gentlemen, I am the Republican candidate for Chairman, Multnomah County Commissioners, Position No. 1, nominated by my Party in the last May 23, 1978, Primary, and will probably be the last to bear that banner in Multnomah County politics.

During the last Primary I was the only candidate, both Republican and Democrat who published in the Voter's Pamphlet ideas on Multnomah County Charter revisions. They were as follows: 1. Non-partisan elections. 2. Election by Five Sub-Districts. 3. Filling of vacancies by Special Election. 4. Limiting term of office to not more than 8 years. 5. Assigned Departmental responsibility to each commissioner.

In campaigning throughout Multnomah County, not on television, but person to person, I found little or no support for two year terms or juggled figures on how to elect a County Chairman. Obviously I found support for my ideas published in the Voter's Pamphlet or I would not be here tonight. I know there are some who wish I would dry up and blow away, however, an elephant is hard to move by eyeing him down.

I have studied the proposals made by this committee to date and wish to thank you for the many hours of hard work, with no pay, you have donated to the voters of Multnomah County. If I may Mr. Chairman I offer the following comments for whatever value your committee wishes to place upon them:

LEGISLATIVE BODY

We all need to compromise and your proposal of electing 3 commissioners by districts and two at large has merit.

With the cross election of subdistricts and at large, this Legislative Body should be able to represent the people's interest. I feel, however, that these county Legislators should have more administrative responsibility regarding

Department Head and Division Head appointments by the Executive.

A. When I am elected County Chairman, and beginning July 1, 1979, I would become County Executive, all DEPARTMENT HEADS AND DIVISION HEAD appointments must have input of the citizens of the county, and approval by a majority of the other county commissioners.

B. I will further propose that we consider all such appointments first be taken from within the ranks of civil service. Failing in this, that local residents of Multnomah County and the State of Oregon be reviewed and considered before going out of state. Oregon has sufficient brain power to fill any position.

C. Administrative responsibility of the Executive must be looked at where input can go to the District Commissioner, then input to an at-large commissioner and input to the Executive. In this manner a citizen, or group of citizens would have a three-way movement to be heard.

EXECUTIVE

The Executive which you propose is actually a sixth man, or an additional tax cost to the homeowners of Multnomah County. I foresee that this added property tax cost to the homeowner could cause the voter not to approve the entire program.

1. We do need, however, an Executive free of the Legislative. As this executive would not have a vote, the spirit of cooperation and compromise could best serve the Multnomah County voter. I would hope that the VETO POWER of the Executive would be used as a consensus of neighborhood input rather than the personal opinion of the Executive. In this respect I would hold at least one public meeting in each sub-district before exercising a veto.

2. The purpose of this is, that since we have 3 district commissioners and two at-large, this would enable the neighborhoods to provide their input. In addition this more or less, gives the Legislative Body an opportunity to prove in public hearings that the VETO is not warranted. With these thoughts I could support a final conclusion on the Executive.

AUDITOR

While we have been talking about Commissioners Mr. Chairman, there is a third

leg of County Government we need to consider offering in the Charter Review, the Auditor.

I see this office as "The General Accounting Office" to self discipline fiscal and operational matters in the County. I do believe we need to spell out this position of "the people's overseer". To do so now would, in the spirit of compromise, bring faith, trust and fiscal communications to the voters of Multnomah County and help restore faith in the Board of County Commissioners.

1. This position should also be non-partisan and the requirement being that the person filing for such office hold a current certified public accountant certificate and have practiced such a profession at least one year prior to filing deadline. I know you have heard and considered serveral proposals on this subject, but I urge you, in the spirit of compromise, to re-consider and re-write the Auditor's election and responsiblity to the voters and the Legislative Body into the Charter.

NON*PARTISAN ELECTIONS

As previoulsy mentioned to you I wrote such a proposal into the Voter's Pamphlet in March, 1978. The key point on non-partisan elections, is that it will allow the Voter to follow an issue or candidate instead of the national party.

1. I would propose, that when filing time has closed and where there are more than two candidates seeking a County post, that the top two Voter Getters (I noted the other day "Vote Getters" is a new word, and believe me I need to be one) then face each other in the ganeral election.

A. To re-clarify, that if three people filed, the two receiving the most votes in the Primary would face each other in the General Election. This would allow new developing issues to follow the two candidates. In addition, it would force them into neighborhood and town hall discussions and would I hope tend to stop the big T.V. spenders in County government. In this respect we need to consider NON-Partisan means the door is always open at the County Court House, and neighborhood input is wanted and solicited.

VACANCIES

Your proposal of filling vacancies is a merit proposal. I do feel, however, that fifteen months is too long a term for a vacancy. A circumstance could develop where you could have two appointees on the Board of County Commissioners. This also leaves a remote possibility of "stacking the vote." I would hope that you would consider nine months for March is the normal deadline for filing and going to November leaves ample time for a non-candidate to be appointed. I must agree with you that special elections cost money, but fifteen months is too long a period for an appointee to serve. There are many special elections in Multnomah County which the Executive can, in the spirit of cooperation and compromise coordinate with the Registrar of Elections.

1. Since we have received a ruling from the Circuit Court that Home Rule Counties are not subject to State of Oregon election laws I would urge you to thoroughly review every election idea at this time.

OFFICE LIMITATIONS

I know you have considered an 8 year limit in office for commissioners. If I may Mr. Chairman, that during the last Primary I campaigned on this point and found wide acceptance of the idea. This is not a new idea, as it is a state law for those holding statewide elective office.

1. Should you not care to include this you might consider requiring a commissioner or Executive that files for an office while elected as a Commissioner to resign upon filing for that other office. Believe me people are sick and tired of using taxpayer dollars to campaign for a higher paid taxpayer office, and those who practice this campaigning at the public expense are practicing bad fiscal policies.

2. By establishing a limitation in office we will be urging younger people to take part in our political system and I believe this urging of participation is the most important reason for a limit of 8 years in office.

3. In the spirit of compromise you might consider this subject again or otherwise I can see this in another referendum. Put it on the ballot and let the people decide for after all it is their choice not yours or mine.

CONCLUSION

I would like to offer, for thinking purposes, the idea that the Voters call this committee, or another appointed one, into session in 1980 to see if the recommendations you made to the Voters in 1978 are working as intended. I would also ask that you consider another amendment that would require a Charter Review Committee to sit every six years. In addition, you might want to include a provision that a majority of the County Commissioners, after a 60 day notice, could call for a review of specific subjects.

I see the 1980 review as a necessity to see if the at large commissioners might be changed to election by districts, or to see if we might want to elect a Sheriff.

My concern as a County Executive, would be to serve in that office to create faith, trust, fiscal confidence and communication with the voters in neighborhoods, rural areas, and municipalities in Multnomah County. Multnomah County is the third step, or leg, from the State Legislature, and the Congress of the United States to its citizens. The entire constitutional process rest in the Court House and we must make it and the Commission more accessible to the Voter. If he loses confidence in the Court House he begins to lost confidence in the entire constitutional process.

Restoring confidence in our Court House is a must for me and your committee and I wish to thank you again Mr. Chairman for your committee's hard work and if I can be of further assistance please do not hesitate to call on me. I am a non-partisan candidate for County Executive of Multnomah County.

Clyde V. Brummell,
8435 S. E. 17th Ave.
Portland, Oregon, 97202
Phone 233-4841

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

MINUTES

June 5, 1978
Public Hearing, Roosevelt High School
6941 N. Central

Absent: Burkholder, Haliski,
Hannon, Mylnechuk, Owen, Pankratz,
Pearson, Winters

The public hearing of the Multnomah County Charter Review Committee was called to order by Chairman Jack Faust.

Mr. Richard Botteri, 3450 S. W. Bridlemile, formerly with the Citizen's for Good Government Committee presented testimony to the Committee. He began by congratulating the Committee on their sincere and best efforts to provide for a better Multnomah County Charter. He then took up the proposed Charter amendments as developed by the Committee.

His first concern was with Measure #1. He recommended some minor changes be made in Section 13.20. He felt (1) should include a period after 1982 and the final sentence clause should read, "...The County Executive shall be elected at large thereafter." In (5) he suggested clarification be made by identifying the specific district position referred to, rather than saying, "...the remaining district position."

He also suggested provisions be made for County operation should a vacancy occur in the executive's office for the interim period between the occurrence of the vacancy and a special election. He also noted for the Committee there is nothing in the proposed amendments calling for a residency requirement for the county executive.

Botteri then turned to Measure #5, the disability provision. His concerns with the proposed amendment center around a simple majority of the Board making a disability decision relative to the county executive. He cited the 25th Amendment to the U. S. Constitution which is similar in nature and calls for a report to Congress by the Vice President on any disability of the Chief Executive, a response from the Executive, and a Congressional vote of 2/3 required to finally remove from office. He feels there ought to be an opportunity for a hearing included in the language of the amendment, especially when the chief executive officer is concerned.

Botteri next addressed himself to Measure #6, filling of vacancies. He had several questions and immediately queried the Committee on why 15 months had been selected as the cut-off date. Chairman Faust indicated the Committee looked at time frames for calling special elections, filing deadlines, how the special election might coincide or conflict with regular and primary elections. Botteri noted subparagraph (3) of Measure #6 does not provide for primaries if the other measure calling for nonpartisan elections fails. Faust stated Committee intent was to provide for one election, quasi-nonpartisan. He stated Committee Legal Counsel had advised if the nonpartisan were defeated, separate provisions provided in the Charter could provide for a single, partisan election to fill the vacancy. Botteri suggested the point could become the subject of litigation, and Faust told those assembled that Legal Counsel had been advised to go over his opinion once again in depth in an attempt to iron out potential problems with this

Measure. As an aside, Botteri said he felt at some time there might be some pressure for appointments to be made by the Republican and Democratic Central Committees. He also reiterated concerns about vacancies occurring 61 days prior to the general election. Faust called his attention to the 15 month requirement, indicating that 15 months eliminated that particular concern.

It was then suggested the county executive be subject to the limitations on appointees contained in Measure #7. After some conversation regarding Committee intent, it was agreed the question was open and the Committee might give the problem more consideration. Bob Mitchell asked Botteri how he felt about the issue. Personally, he said he feels appointees ought to be able to seek offices though he can see the logic to arguments in opposition to that point of view. He said in the case of the county executive, however, it may be difficult to find a person of sufficient qualifications to take over the office for a few months and then not be allowed to seek election to it. Mitchell said he agreed with that point.

Referring to Measure #8, he felt the Committee might be limiting the County's nondiscrimination regulations to whatever State laws might apply. Should the County desire a stricter nondiscrimination law, it could not have it according to this provision. Mitchell and Faust stated it was the Committee's intention to include all categories recommended at hearings, meetings, etc. and that all were included in State law. The intent was to be as all-encompassing as possible.

Measure #9, dealing with revenue bonding was questioned next by Botteri. Mitchell and Faust gave him some background and logic on why it is being included in the package. They emphasized that a vote of the people would not be required, and that the bonds will not be payable from taxes. Bob Scholz asked if this provision might be limiting the power of the Board in their bonding authority. The Committee agreed that this certainly was not their intent.

Mitchell asked Botteri how he felt about having 10 or 12 separate issues on the ballot. Botteri felt it was quite a lot, that perhaps 7 or 8 measures separating out those that are more controversial (such as partisanship and revenue bonding) might increase the chances of success for the other significant parts of the proposed revisions. He feels there may be great party opposition to the non partisan provisions in light of the funding they now receive on the tax check-off program. He feels there might also be some objections to the proposed district lines, and the addition of an extra commissioner requiring extra dollars for staff, office space, etc. Reacting to that statement, Del Greenfield wondered if much consideration had been given to the possibility of four district commissioners and one at large. Faust told Botteri that in the three district plan, no precincts had been split, and street lines had been followed. Botteri thought a series of amendments, generally related, might be influenced by a campaign against just one of them. He did not feel, however, that the Democratic Party of Multnomah County would mount a campaign against the Charter Review Amendments. He stated the Committee had been prudent in selecting issues for attention and inclusion in their package. Chairman Faust invited Mr. Botteri to feel free to address himself to the amendments at any time, in writing, by phone, or at the hearings.

Harry Conway, 5315 S. E. 34th, reiterated the importance of including something in the Charter creating a strong, independent Auditor. Conway also testified he favored Commission salaries set by the people. Faust asked staff to contact Terry Hannon, Chairman of the Wildcard Subcommittee, and ask him to reconvene his Subcommittee this month to specifically give further consideration to the Auditor's office and the continuing review of the Charter. The meeting would be subject to the open meeting laws and

sufficient notice given.

Del Greenfield stated she felt the county executive should be included in Measure 1, section 3.10 (1), as part of the governing body. Faust stated "governing body" ought to be considered as the board, as they will be setting policy while the executive powers are spelled out as administrative. Greenfield then asked if under Section 3.20, there should be a subsection (5) including the county executive. Faust stated that a note had been made to clarify the election of the executive.

Bob Scholz suggested Section 13.70 (2) might create some problems and be redundant. Faust indicated he had asked Counsel to specifically spell out those obsolete sections to be deleted.

Ann Picco stated after rereading Measure #6 she feels the county executive should be distinguished from the Commissioners in the amendment. She read from Dick Robert's letter to Larry Mylnechuk concerning the lack of Charter guidelines should the board be allowed to fill vacancies. Picco thought it would behoove the Committee to establish some guidelines. She also referred to the Chamber of Commerce recommendations suggesting the office of county executive be filled as soon as possible by election, with the president (Chairman) of the board filling the vacancy until the election. Picco felt this might create problems should the board chairman not possess administrative qualities. Faust stated the Chairman would only take over the executive responsibilities until the special election was held (60 days). Picco then asked if any special ordinances or provisions need be developed to specifically clarify elections and filling of vacancies in districts. Faust stated everything needed to be included in the Charter.

Mitchell specifically asked Mr. Botteri if provisions need to be made to provide for a regular Charter review. Botteri stated he preferred 7 to 10 year reviews as anything more often might tend to be influenced by "passions of the moment." He also felt any mention of City County consolidation might be harmful to the overall efforts of the Committee.

Tom Dennehey asked for clarification of the "61 day" question for filling vacancies by election. Faust stated this was being worked on so that in such situations, special elections might be incorporated into the next regular election. There were no further witnesses and the meeting was adjourned.

Respectfully Submitted,
Julie Keller Gottlieb

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
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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

MINUTES

May 31, 1978
Multnomah County I. E. D.

Absent: Haliski, Hannon, Innis,
Lindstedt, Mylnechuk,
Pearson, Picco, Williams,
Winters

Due to the late arrival of Committee Chairman Faust, Del Greenfield opened the meeting by introducing Sandra Moore, of Moore Media. Ms. Moore presented to the Committee her proposed publicity program. She summarized public relations activities to this point, stating that press kits for the June 1st press conference had been prepared by Committee staff, that copy had been written for press releases and public service announcements (PSA's) for all June hearings. She is in the process of arranging bookings for radio and TV shows. These would include KPTV Newsmakers, KATU Town Hall, and various other feature and news shows. She also discussed the possibility of direct mail brochures, estimating the cost to do one on glossy paper, with one color ink at approximately \$6,000 for 125,000. This cost figure does not include postage.

Jay Owen suggested the I.E.D. could do printing for the Committee at a minimal cost. Staff indicated she had also been notified about the City County Duplicating Service. They do printing at minimal cost but there might be problems in obtaining permission to use the service. Owen suggested distributions might be made through the quadrants, at hearings, and by mail to key people, including legislators and precinct committee people. He also said the brochure could contain material similar to that included in the press packets, only in condensed form. Ms. Moore recommended the brochure have an attention-getting cover, a summary, timetable, suggestions on how to have input, and possibly a tear-off to mail in with comments. She suggested getting the brochure to neighborhood association offices, senior centers, community centers, park bureau offices, County offices, etc.

Ken Innis suggested the Voter's Pamphlet forthcoming might take care of our advertising needs. Bob Burkholder said he preferred the money be spent for our PR consultant to make contacts with the "right people". He is opposed to paid ads or excessively spending public money. He is not in favor of the brochure.

Tom Dennehey asked about costs of a four page "tab insert" in the Sunday Oregonian. Ms. Moore suggested it would be less expensive to do something in the Community Press. Ms. Moore also stated when asked, that the Committee could probably do without the brochure. She reminded the Committee that the June hearings are very near and it was nearly impossible to have a brochure ready for them.

Bob Mitchell said a limited number of brochures might be worthwhile. Kay Pankratz asked the cost of running an ad in the Sunday Oregonian. Ms. Moore did not know, but did not feel the paper would be willing to donate space, but that TV and radio stations are quite cooperative in donating time in order to be in compliance with FCC regulations.

Chairman Faust said he felt that no matter what we did, due to the nature of the material, summer vacation, etc., we should not expect large turn-outs at our hearings. Jay Owen suggested the Quadrants could be blanketed with flyers prior to the hearings. He also recommended they be distributed to local service groups and organizations. Del Greenfield prefers the proposals be summarized for a brochure in simplified language similar to what would appear on a ballot. Owen also suggested distribution of a brochure be made to Kiwanis, Lions, Rotary, The Chambers, Neighborhood Associations, Quadrants, and the City Club. Kay Pankratz suggested the Democratic and Republican Central Committees be added to that list.

Luana Shipp, representing the S.E. Quadrant, indicated they had a mailing list of 1,000, and they would be happy to do distribution for the Committee. She indicated she could not speak for the other Quadrants. She also recommended City County Duplicating as being quick and inexpensive. Faust suggested Chairman Don Clark be asked to request permission for the Committee to utilize the City County Duplicating Service.

Sandra Moore then recommended a few Committee members meet next week and begin setting up appointments with editorial boards as soon as possible. Faust then called the Committee's attention to the recent Oregon Journal editorial on the work of the Committee. There was a consensus that staff, together with Ms. Moore, begin immediately to develop a brochure to have available for wide distribution. Ms. Shipp reminded the developers of the brochure to keep it at a "human" level.

Staff then reported on follow-up calls for the June 1st press conference. She felt quite a few people might attend. Greenfield suggested Ms. Moore assist in follow-up calls for the June hearings. Pankratz, Committee Treasurer, indicated the Committee had already spent \$400 for Ms. Moore's consultation and services and had \$1,000 allocated for PR. It was agreed Ms. Moore would assist in developing the brochure, and that staff would, for the time being, devote time to PR, rather than preparation of minutes. Tom Dennehey suggested Ray Phillips be contacted regarding distribution of brochures. Ken Innis volunteered to distribute to the County Granges.

Bob Mitchell asked if anyone had detected negative responses to the preliminary proposals. Faust said the nonpartisan provision had received strong opposition from the Democratic Campaigners group. No action could be taken on any amendments due to the lack of a quorum. Bob Scholz called attention to the SUMMARY included in the press kit, suggesting clarification be made on separation of executive and legislative powers. It was duly noted. There was a question asked if Measure 7 was contingent on the passage of Measure 6. Faust said he did not think so, but it needed to be clarified for the final report. Faust said he felt Measure 1 and 4 would be combined and 6 and 7 could possibly be combined. The meeting was adjourned.

Respectfully Submitted,
Julie Keller Gottlieb

MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE

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Robert D. Scholz
William D. Williams
James W. Winters

MINUTES

Julie Keller Gottlieb,
Administrative Secretary

May 22, 1978

Multnomah County I. E. D.

Absent: Pearson, Haliski, Winter

Chairman Jack Faust opened the meeting by distributing to Committee members a "Straw Ballot" which included twelve measures developed after Subcommittee recommendation. The language of the twelve measures was drawn up by legal counsel and was in the form of amendments to the present Charter. Each Committee member was asked to vote on the measures privately and to give certain measures priority of up to 10 points. The results of the "Straw Ballot" are as follows:

	<u>Yes</u>	<u>No</u>	<u>Priority</u>
1. Separation & Districting	11	2	
2. 2 term limitation for commissioners	6	7	49
3. 2/3 salary limitation for commissioners	7	6	51
4. Residence requirement	10	2	
5. Vacation of office or disability	12	1	61
6. Filling vacancies by election	11	2	
7. Appointed commissioners ineligible to run for office	5	7	
8. Adopting state law on discrimination in employment	12	1	77
9. Allowing revenue bonds	13	0	76
10. Non partisan offices	8	4	62
11. Gender changes in Charter	11	2	74
12. Revised language for Auditor	5	7	51

Before taking the official tally of Committee members, Faust stated that these measures were to be considered as the Committee's preliminary report. He also said the Committee would be open to comment and further

suggestions at the series of public hearings scheduled for the month of June. In response to questions, he stated attempts had been made to separate the districting and separation of powers provisions, however, the process became extremely complex and an informal subcommittee made up of Faust, Hannon, Mylnechuk and Roberts had agreed to incorporate the two. The Committee then began to take up each measure individually for discussion and a formal vote.

The first measure to be considered was "Districting and Separation of Powers", Measure #1. Kay Pankratz said she favored a straight districting plan, rather than the combination districting and at large. Larry Mylnechuk stated his support of the three-two compromise package and urged the Committee to support it so that it might be submitted to the public for airing at the June hearings. Ken Innis stated he supported the districting concept, but that those proposed were too large. He also thought the assigning of districts by lots ought to be considered. Faust reiterated for the Committee that the three-two combination was nothard and fast and other combinations might be possible. He urged the entire Committee to seek input outside of the already scheduled June hearings. The districting-at large combination is a compromise, Faust remarked, and should be considered as such. After some further discussion, the question was called for and a vote was taken. The "ayes" carried. Those opposing were: Innis, Scholz, Williams, Pankratz (4).

The Committee next considered the district residence requirement, Measure #4. A motion was made to adopt Measure #4. It was seconded and agreed Measure #4 would be considered as part of the Measure #1 package as it was difficult to keep the two separate. There was no discussion and the motion passed with Scholz (1) opposing.

The next measure considered was Measure #3, revising compensation of County officers. The measure would fix commissioners' salaries at 2/3 the salary of the county executive. There was some discussion over the proposed "grandfather clause" for incumbents. Terry Hannon indicated the measure was designed for those officials who wish to also have outside income. Faust commented that he felt this was not an issue for Charter limitation. He feels commissioners should set their own salaries and be accountable to the public for it. There was a motion to accept Measure #3. It was seconded and the question called for. The Committee voted to turn down the Measure 7-6. In the minority, voting to support it, were: Owen, Mitchell, Innis, Hannon, Burkholder, Picco(6).

Measure #2, limiting to two terms the tenure of county commissioners was considered next. As presented, the Measure does not include the county executive. It was moved and seconded to accept Measure #2. Pankratz stated the "grandfather clause" included was another concession by the Committee to incumbents. Del Greenfield then moved to amend the Measure to 3 consecutive terms. The amendment was defeated, with Faust and Greenfield (2) supporting. Jay Owen then moved to amend the Measure to delete the grandfather clause. His amendment would subject incumbents to the term limitation after July 3, 1979, or at the completion of the term to which they were last elected. The amendment passed. Faust, Lindstedt, Williams, Picco, and Mylnechuk (5) voted "nay". The Committee then voted on Measure #2, as amended to include incumbents in the 2-term limitation. The Measure failed by a 7-6 vote. In the minority (voting to support) were: Hannon, Owen, Mitchell, Pankratz, Scholz, Greenfield (6). It was noted for the record there was some confusion by various Committee members on the results of the voting on this Measure. However, the Chairman indicated the final vote would stand.

Measure #5, providing for the addition of a disability clause in the Charter, was next considered. Pankratz requested some clarification on

possible conflicts the new section might have with section 4.40(f). Faust indicated the Committee along with Counsel, had concluded (f) did not mean much. She then asked if adding the word "residency" between "the" and "qualification" would be possible. It was agreed residency was the only qualification one could "cease to possess." Counsel indicated residency ought to be included as a separate amendment calling for continued residency rather than including it at this point. Bob Scholz stated he felt the importance of adding Measure #5 to the Charter had not been adequately shown to him. Recall was also discussed as an alternative to the amendment. It was moved and seconded Measure #5 be accepted. The "ayes" carried with Mylnechuk, Greenfield, and Scholz (3) opposing.

Measure #6, calling for filling of vacancies by election, was next considered by the Committee. Ed Capon, County liaison with the Committee, was asked to comment. Capon briefly related the history of conflicting opinions where the Secretary of State has ruled that a home rule county can call special elections in even numbered years, and that County Counsels have felt otherwise and refused to draft ordinances in this regard feeling it was in violation of the law. Committee Counsel stated his belief that filling vacancies by election is possible through home rule law despite the legal disputes surrounding the issue. There was considerable discussion. The question of coordinating the special elections with regular primary and general elections was of concern to Jay Owen. Faust recommended that should the amendment pass, this problem be further clarified. Attention was also called to this amendment's relationship to Measure #10 which would create nonpartisan elections. It was noted that should Measure #10 pass, Measure #6 would be revised in accordance with Measure #10's provisions. Bill Williams spoke in opposition to Measure #6 and in favor of Measure #7 which would limit appointees from seeking election to their office. Counsel stated the maximum an appointee could serve under the present Charter would be approximately 2 years. Under Measure #6, the most an appointee could serve would be 15 months. It was moved and seconded to accept Measure #6. The "ayes" carried, with Mitchell, Williams, Greenfield, and Mylnechuk (4) opposing.

The Committee then took up Measure #7 which would limit appointed commissioners from being a candidate for their office. Faust stated this provision would eliminate the advantage or "leg up" problem of appointed incumbents. Pankratz suggested there was nothing which stated how soon after a vacancy occurs an appointment needs to be made. A note of that was made by Counsel. It was moved and seconded the Measure be adopted. Measure #7 passed with Lindstedt (1) opposing. At this point the Committee agreed to continue despite the late hour.

The Committee agreed to next consider Measure #12 which would revise the power of the Auditor. Terry Hannon stated some of the language included in the Measure was specifically developed by the Auditor's office. He feels two things are questionable, one placing the Auditor in the position of "checking" the Commission, and also the withholding of salary of the responsible, nonclassified administrative employee. He feels present Charter language says practically the same thing as the revised language excepting the language he finds objectionable. It was moved to adopt the Measure. Scholz recommended the provision be amended by retaining (3) and eliminating the new language of (4). The amendment failed for lack of a second. Jewel Lansing, Multnomah County Auditor, indicated in discussion that her Citizen's Advisory Committee had been the advocates of these changes. Item (4) she said, is a new idea, and she strongly favors the concept of the creation of an audit committee

composed of three board members. As to Section 4 (b), Counsel stated there are similar provisions in State law and he presumes it is valid unless adjudicated invalid. Bob Shoemaker of the Auditor's Citizen's Advisory Committee spoke in favor of Measure #12 saying it will provide an opportunity to evaluate the performance of the departments and give commissioners the opportunity to have some authority for insuring changes are made. He said the Advisory Committee feels this could be one of the most important Charter changes considered. Discussion continued to center around section 4 (b) with concern as to who the "responsible" employee might be and the legality of withholding a salary. A vote was taken and the Measure was defeated. The minority voting "aye" were: Pankratz, Williams, Lindstedt, Innis, and Picco (5). Chairman Faust requested that Ms. Lansing and her Advisory Committee continue to work on this Measure.

Measure #8, adopting State nondiscrimination law was then considered. Bob Scholz asked if the person dissenting on this Measure in the Straw Ballot might elaborate on their vote for the Committee. Norm Lindstedt stated his vote was "no" and he questioned which State law was referred to in the Measure. He stated he saw no compelling reason to change present Charter language. Counsel indicated that this was one area where he feels State law does supercede the Charter. It was moved and seconded to adopt the Measure. The Committee then voted unanimously to approve it. There were no dissenting votes.

The Measure on revenue bonding authority, Measure #9, was taken up next by the Committee. Ed Capon stated that most groups considering this proposal have set a limit on the level of bonding authority. Faust stated the Measure is tied into specific revenues which in itself sets a limit in a de facto manner. It was moved and seconded to adopt the Measure. The Measure was passed unanimously, with no dissenting votes.

The nonpartisan provision provided for in Measure #10 was next considered. It was moved and seconded to adopt the Measure. There was no discussion. The Measure passed with opposing votes from: Lindstedt, Pankratz, Williams, Scholz, Innis (5). The Chairman abstained.

Measure #11 providing for deletion of gender references in the Charter and allowing for the deletion of obsolete clauses in the Charter, was the last Measure to be considered by the Committee. Faust asked Legal Counsel to provide the Committee with a list of those obsolete items to specifically be deleted. Del Greenfield suggested this might be the appropriate section in which to include provisions for a periodic Charter review process. Faust stated that Bob Burkholder had been working on language for such and it had been referred to the Wildcard Subcommittee for consideration. It was moved and seconded the Measure be adopted. It passed unanimously with Del Greenfield abstaining.

Committee staff then briefly reported on publicity. A press conference has been scheduled for June 1, 9:30 am, at the Benson Hotel. The program will consist of the presentation of the preliminary proposals passed this evening. A meeting had been held by staff, Del Greenfield, and Ms. Sandra Moore, Moore Media, to discuss publicity. The Committee consented to staff retaining Ms. Moore for assistance in developing material for the press conference and advice on securing more publicity. Ms. Moore will charge the Committee \$50 per hour or \$125 per day. Greenfield stated she had been most impressed with Ms. Moore and was pleased the Committee had agreed to hire her.

Faust indicated no formal vote was needed in that Ms. Moore's fees would be within the \$1,000 already appropriated for Public Relations. He requested the Committee be thinking about who needed to be advised of Committee activities. Staff then recommended Ms. Moore be invited to the next meeting. The meeting was then adjourned.

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
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Jean Haliski

Terry Hannon
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Robert L. Mitchell

Larry Mylnechuk
Jay K. Owen
Kay Pankratz
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Anne F. Picco
Robert D. Scholz
William D. Williams
James W. Winters

Julie Keller Gottlieb,
Administrative Secretary

MINUTES

May 15, 1978
Multnomah County I. E. D.

Absent: Mitchell, Innis,
Pankratz, Williams, Winter

Chairman Faust opened the meeting by introducing County Auditor Jewel Lansing. Ms. Lansing and Mr. Ron McAllister, Chairman of the Auditor's Citizen's Advisory Committee, were in attendance to once again request the Committee to include language in the Charter amendments which would strengthen the Auditor's office. Lansing would like to see the Auditor's authority strengthened, access guaranteed, sanctions for noncompliance, adequate staffing, and proficiency requirements for staff. She distributed to those in attendance proposed new language for Chapter 8.10 (3) for consideration. She stated that the Auditor's office is currently performing the duties outlined in 8.10 (3) of her proposed amendments, however, they are subject to challenges by County employees as to their authority to do those things. Present Charter language is broad and Lansing would prefer to have the functions of the Auditor's office more clearly spelled out.

Her proposed subsection (4) deals with access, (5) provides that the office be operated under strict professional standards, (6) creates a body to see that recommendations are implemented and to create sanctions if audit recommendations are ignored. Item (7) simply restates what is in the Charter.

She feels (6) would create the greatest change, with (3) being most important to the Auditor's office. She feels the present Chairman has been generally responsive to the needs of the Auditor's office, but the traditional response from the Commission has been one of benign neglect.

Faust expressed his concern as to whether (3) was necessary; he feels these powers are already encompassed in the present broad Charter language dealing with the Auditor's office. Lansing feels that by clearly spelling out the authority there will be less cause for her authority to be challenged by County employees. Audits, as Lansing sees them, will insure that program and department goals are spelled out and evaluate if and how they are achieved. She feels setting goals is a management function, with the audit function determining if they have been set and to what extent they are being achieved. Lansing stated she sees her office as both an informational resource and a "check" on the County Commission and programs. She is also concerned that the Commissioners have no real authority as a "check" at the present time, and that the Chairman is overburdened with duties.

She favors the separation of powers as envisioned by the Committee. She hopes (6) would create a body concerned with the Auditor's office.

Faust expressed concern that (6) might not be in compliance with due process and State laws concerning civil service. Lansing feels most employers affected would be top level management who are generally not civil service. She feels under the present Charter the county executive would be responsible in every case.

She stressed the problems involved in obtaining recognition of conclusions reached in audits, including lack of press response and difficulty in obtaining the Chairman's attention due to his many other concerns.

Terry Hannon likened the role of the current Auditor to that of the General Accounting Office of the Federal Government. He asked the Committee to consider if this was the role they wanted the County Auditor to take, or rather something else less aggressive.

Ron McAllister of the Auditor's Citizen's Advisory Committee elaborated on the problems his Committee had in defining the Auditor's functions and charting the direction of the Auditor's office. He feels the proposed Charter revisions presented to the Committee define and specify those things his Advisory Committee feel are most important.

Vern Pearson spoke in favor of the Audit Committee described in (6), saying his business employs a similar committee for audits and it works nicely. He also supports further defining of the Auditor's role as proposed by Lansing.

Harry Conway expressed his view that the Auditor be an adversary to the system performing a function as a technical representative of the public representing the public interest, having full access, being responsible to no one. He also read a paragraph on the budget he would like to see incorporated:

The Auditor's office budget appropriation in effect upon filing of this proposed Charter Amendment shall remain in force subject to a 6% annual increase if needed on each succeeding annual budget. This appropriation may be altered upward during an emergency by a Circuit Court or higher Court order, by the Board of County Commissioners, or by initiative or referendum, and the amount, or amounts, so be honored and paid, Multnomah County Fund duly transferred.

Lansing stated the budget might be the only way the Board or executive could thwart her efforts should the proposed revisions become a reality. She said presently she hires all her employees and that they are not civil service.

Faust stated he felt the basic concepts proposed by Lansing were good, but there might be problems with the drafting. He feels the language of the proposed revision needs to be rewritten to better conform to the language of the Charter. He asked Legal Counsel to redraft the proposal and check into the legality of (6).

Faust reiterated his feeling that present Charter language giving authority to conduct a continuous internal audit gives more power to the Auditor than those revisions proposed by Lansing. He feels the trouble may be in 8.10 3 (c) of the present charter providing only reports of irregularities in the financial affairs of the County be made. He feels Lansing wants to go beyond the financial affairs of the County.

Tom Dennehey asked Lansing who represented the Auditor as legal counsel. She stated at one time there were some problems and she had to seek out a private attorney whose bill she would have sent to the County. However, normally she is represented by County Counsel.

In response to a question Lansing stated she has little contact, and hence no conflict, with the Board of Commissioners, and that the chief executive, whom she might potentially have problems with, has been personally supportive in theory of the concept of having internal audits. She was questioned about fraud and embezzlement within the County, and stated her office has found nothing like this. She also said her office continues to work on tightening internal controls.

Harry Conway reiterated his hope that Audit reports be addressed to the people. Lansing said she felt (7) in her proposed revisions addressed that question, and Faust said the public records law also holds here. Lans-

ing feels audits can be an aid to an official depending upon what they turn up, and that the business can be risky at best.

Chairman Faust then asked Dick Roberts to consider combining some of these "housekeeping" amendments.

Staff then reported on publicity arrangements. It was suggested a press conference be organized for May 31, or June 1st to brief the press on proposed committee amendments. Faust said votes would be taken on the Amendments beginning May 22. He favors a June 1st press conference in a downtown hotel room.

The Committee then discussed the possibility of more specialized hearings for candidates and/or employees. Faust suggested officials, candidates and county employees be invited to the four scheduled public hearings, with officials and/or candidates told they would be allowed to testify first.

A discussion on public relations ensued. Jay Owen indicated there was \$3,000 in the budget allocated for research, some of which might be used for publicity purposes. Faust suggested the Committee authorize spending some of that money now for advice and development of a small PR program. Staff requested Committee members volunteer for radio and T.V. appearances. It was agreed we ought to hire someone on a consulting basis to get information for staff to utilize. Jay Owen made a motion the Committee authorize the Chairman and the staff to select a professional public relations person on a consulting fee basis not to exceed \$1,000 for work in June after publication of the Committee's preliminary recommendations.

In discussion, Hannon expressed some reservations, as did Bob Burkholder, that the money would be ill spent. Hannon suggested instead the money be spent on flyers. Jean Haliski suggested the money be spent on TV spots. Del Greenfield and Vern Pearson suggested secretarial help might free the staff to spend more time on publicity. Norm Lindstedt said he felt the Committee had an obligation to make the public aware of Committee meetings, hearings and activities. A representative of the County Quadrant Advisory offices restated their willingness to assist in disseminating information on Committee activities. Jay Owen suggested a brochure be developed at some point, setting forth the recommendations of the Committee. He suggested they could be distributed to quadrants, at hearings, or even bulk-mailed to residents of the County. The motion to hire consulting assistance on public relations passed.

Chairman Faust asked the staff to meet with an expert this week, if possible, to develop some ideas and present them at the next meeting. He also suggested temporary office help be employed if needed, the financing to come from the appropriated \$1,000.

Larry Mylnechuk then went over the Dick Roberts' letter of 5/15/78 concerning filling of vacancies. Terry Hannon stated the Committee's feeling that it would be impossible to fill vacancies on the Board by election without changing the procedures to nonpartisan. He asked Roberts if it might be possible to submit an amendment that combines the changes in filling of vacancies and nonpartisan procedure. Roberts said he did not think it possible, but would do some checking and report back on the matter. Jay Owen asked if it would be legal for the County to hold a special election for the purpose of filling a vacancy. Roberts said it would be possible if it were held in accordance with County Home Rule and State guidelines. Roberts also said if elections are not held on the primary or general election dates, the time schedule set forth in the statutes does not apply if the Charter states a different schedule. Roberts also addressed the

question of term limits saying it relates to qualifications and it may be possible to write a term limit qualification into the Charter for a caretaker appointee.

Del Greenfield then made a statement for the record in response to comments made about Commissioner Roberts as reported in the Committee minutes of May 8, 1978. Greenfield feels that if Commissioner Roberts has voted with the Chairman on every issue since her appointment, she has done so because she felt it was the right way to vote. She also stated her opinion that Commissioner Roberts has a great mind of her own.

Tom Dennehey asked if the Committee had considered a change in the Charter which would specify the District Attorney as legal counsel for the County departments. He feels the District Attorney's office would be more answerable to the people than County Counsel. Terry Hannon referred to the 5/15/78 letter prepared by Committee Legal Counsel referring to ORS 203.121 stating that this problem is basically a budget function and that the Board or county executive could hire whatever staff was approved, eventually, by the Board. Dennehey reiterated his basic concern which is, "who represents the people in such instances?" Faust invited the Committee or Dennehey to submit an amendment that might resolve the problem.

Faust concluded the meeting by expressing his hope that by the next meeting most of the proposed amendments would be complete and ready to be acted on by the Committee.

Respectfully submitted,

Julie Keller Gottlieb

MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE

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Julie Keller Gottlieb,
Administrative Secretary

MINUTES

May 4, 1978
Multnomah County I.E.D.

Absent: Lindstedt, Mitchell,
Mylnechuk, Pankratz, Pearson,
Picco, Scholz, Winters

The meeting was opened by Jack Faust, Chairman, with some discussion on procedure in light of the low attendance. Those members present agreed to discuss the issues as outlined in the Faust memo of 5/1/78, but take no decisive action until a later date when a quorum is present.

The first item of discussion was Separation of Powers. Terry Hannon opened with remarks as to the importance of this issue. Hannon stated that separation of powers on the Board might be the most important task the Committee has, and feels if separation is achieved many other structural problems may be resolved, including changes in the Auditor's office and perhaps the elimination of "personality" from criticism of the Board. No one present recalled any arguments in favor of not separating powers.

Bill Williams pointed out Section 3.80 of the Charter, expressing concern that the legislative body ought to be granted authority to give orders to their own staff. It was felt that if powers are delineated, it is especially important that the Board of Commissioners be granted authority to issue orders to their own respective staffs. Hannon's Subcommittee was instructed to develop something further in this particular area. Williams stated he hopes there will be a very careful delineation of what constitutes the legislative body. Bob Burkholder suggested the separation might be achieved through a close comparison with the Oregon State government and its separation of gubernatorial from legislative powers.

Del Greenfield asked for clarification on the number necessary for overriding a veto. Faust suggested that once we have decided on the number of Commissioners we should include the next number over 2/3 for an override. Hannon stated there was merit to including the language "...present at a meeting." Discussion then centered around 2/3 present at a meeting versus 2/3 of the Board. Ann Porter stated most school boards use a flat 2/3 of the membership to override and felt an issue as important as a veto and possible override would generate good Board attendance. Nothing was concluded.

The Committee then moved on to discuss the advantages and disadvantages of the executive officer not presiding over a Board meeting. It was agreed it would be an advantage for him not to have responsibility for the detail work of preparing an agenda. Hannon interjected it might be difficult for a Chairperson to not have the power to break a tie. Jay Owen reminded the group that the gavel, under the preliminary proposal presented, would rotate each year. Faust stated that Chairman Clark had been consulted about these possible changes and felt "... he could live with them." It was brought to the Committee's attention that Commissioner Mosee generally favors the separation of powers on the Board. It was then agreed that setting the Board agenda is basically a management decision.

Bob Burkholder expressed concern that too much detail might kill any package presented to the voters by this Committee. Speaking for Kay Pankratz in her absence, Jean Haliski expressed the same sentiments. Terry Hannon said it was for that reason his Subcommittee chose not to make recommendations on collective bargaining or the County pension fund.

Chairman Faust felt appointments to intergovernmental bodies might be a question to further consider. It was agreed to have Committee legal Counsel determine if the power to appoint Board members to serve on intergovernmental bodies such as CRAG would revert automatically to the executive if it were not spelled out in the Charter.

Chapter 6.10(2) was then discussed and those present agreed the Subcommittee recommendation ought to be changed to read: "...shall unless excused by the Board, attend and be heard at meetings of the Board," etc.

Tom Dennehey called attention to the Charter, Chapter 4.40 (1)(f), stating the phrasing creates a redundancy. The Committee agreed it is impossible to cease to possess the qualifications required for the office, and asked the Wildcard Subcommittee to look into the matter. Chairman Faust indicated some clarification might also be needed in Chapter 6.10 (3) (giving the Chairman authority to appoint and discharge officials with approval of the Board) and 3.80 (giving the Chairman authority to give orders to an employee of the County). Faust thought the two could be revised and combined.

Chairman Faust next addressed length of term of office and stated he hadn't really heard any opposition to four year terms. He then stated the case for two year terms as being (1) more responsive to the people, and (2) preventing "free rolls" to seek other office. He also stated the term issue relates directly to the districting proposal as well as filling of vacancies on the Board. He said he has detected much opposition to two year terms. Tom Dennehey feels most supporters of the Cook-Otto amendments would find the two year term provision easy to forego. Terry Hannon queried the group as to their support of staggered terms and suggested there was nothing harmful in electing all Commissioners and the executive at the same time. Also in the course of the discussion there was some mention of setting term limits. Hannon expressed concern that a limit would prevent officials from being eligible for pension programs. However, there seemed to be some interest in developing further information on the subject, and Chairman Faust suggested it be brought up again at a meeting with more Committee members present.

Faust requested that legal Counsel be asked if some type of amendment could be drawn up directing the Charter to be recodified or corrected to include the female gender.

The Committee next took up the Wildcard Subcommittee suggestion for revenue bonding authority. It was agreed that some type of language needed to be included in any amendment on revenue bonding to make sure the bonds are not secured by taxes. It was Faust's concern that this provision might create a marketability problem and increase the rate. It was suggested the City of Portland Charter be examined to determine the language they have used for their bonding authority, and also the marketing question be looked at by legal Counsel.

The meeting was adjourned.

Respectfully Submitted,

Julie Keller Gottlieb

MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE

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Julie Keller Gottlieb,
Administrative Secretary

MINUTES

May 8, 1978
Multnomah County I. E. D.

Absent: Haliski, Mitchell,
Mylnechuk, Pankratz, Winters

The meeting opened with a presentation by Chairman Faust on the preliminary districting proposals. He stressed the importance of districting to East Multnomah County and said it is his opinion that the problems experienced by the County are primarily demographic and inherent in the structure of the present system. Faust said fears have been expressed with establishing districts including log rolling, "ward" style politics etc. He sees practical problems involved as well, including the possibility of putting some people out of work, and possible opposition from influential groups such as the League of Women Voters and Citizens for Good Government. He sees these problems alleviated by a combination of district and at large representation on the Board of County Commissioners. He said the original proposal establishing four districts with part-time Commissioners and three full-time Commissioners elected at large did not attract much support due to the part time/full time combination. He is therefore recommending the alternate plan calling for three full time district Commissioners and two full time at large Commissioners and a separated executive officer.

Vern Pearson expressed his view that local businesses would not be willing to finance another campaign on Charter reform issues and that this Committee is performing the study they requested. He is concerned the Faust plan would provide no real opportunities for the at large representatives to be challenged regularly at elections i. e. that they would have safe seats for as long as they chose to remain on the Board. Pearson said he favors strongly contested elections and fears it will be easier to achieve that in the smaller districts rather than at large, where such contests would require a greater amount of effort and financial backing.

Faust then outlined the plan visually on the chalk board indicating roughly three districts, two at large positions and a separate executive officer. He hypothetically sees the Board as consisting of one at large position filled by Commissioner Buchanan, and, should Commissioner Clark be reelected, the second at large position filled by Commissioner Mosee. Faust then assumed whomever received the highest number of votes (for position #3 and #5) would be assigned the district in which they reside. Were there a conflict, the person receiving the lesser number of votes would represent the most westerly remaining district. The remaining district post would be filled by a special election. He is hopeful this plan will not arouse opposition in any great numbers. As for district candidates voted on by the County at large, Faust feels the residents of East Multnomah County will not necessarily benefit from such a system. He feels they have made themselves clear in that they want their own representative, accountable primarily to those who elect him/her.

Ken Innis expressed his view on the Faust plan, saying it represents an attempt to keep incumbents in office while Sen. Cook and Rep. Otto were accused inversely of attempting to remove specific people from office.

The Committee then discussed the possibility of a districting plan presented to the voters separate and apart from the separation of powers proposal so that should districting be rejected by the voters, the separation amendment might pass on its own merit. The Chairman directed legal Counsel to attempt to draft the amendments so that this might be possible. Del Greenfield indicated one of the positive aspects of the districting plan is that every voter would have the opportunity to vote for three Commissioners as well as the executive officer. The group present, when informally polled, tended to favor the plan as presented by Faust on this date, eight to three.

Terry Hannon suggested an amendment be developed that would encompass a series of the Committee's compromise proposals. He feels that thus far none of the proposals are extreme enough to endanger such a package. It was suggested he bring this up again at a later time.

Discussion next turned to limitation of terms. Faust called for another informal poll of members present. Five favored the idea of limiting terms and six opposed it.

As for nonpartisan elections, Terry Hannon stated that most testimony accumulated by the Committee favored the concept. Faust told the group he understood the Democratic Party of Multnomah County would strongly oppose a change to nonpartisan. It was agreed by the Committee that it may be necessary to couple the decision on this issue with Committee conclusions on the problem of filling vacancies on the Board.

Bob Scholz requested the arguments in favor of nonpartisan elections. Faust indicated that in the present situation considering the vast Democratic majority in Multnomah County, any Republican candidate is ruled out. Also, in reality, the election is decided in the Primary rather than the General. It was also brought up that in reality an election can be decided by a plurality rather than a majority.

Bob Burkholder suggested the Committee consider filling vacancies through establishment of a line of succession as occurs when the Governor's office is vacated. Jay Owen suggested the candidate with the next highest number of votes might succeed to a vacant spot on the Board. Faust felt we might want to ask the voters what they wanted to do on filling vacancies. Williams disagreed, reiterating the position that the Committee should submit nothing to the voters they do not recommend. Tom Dennehey stated he feels so strongly about filling vacancies by election, should it not be presented to the voters in November, he will begin some type of initiative to place it on the ballot in the future. Faust read from the Journal poll of March 6, 1978 where filling of vacancies by election was favored 3 to 1. He also refreshed the Committee's memory on the poll. Those responding to the poll favored the Board Chairman being elected, revenue bonds, full time Commissioners, and nonpartisan elections.

Faust then took another informal poll of the Committee members in attendance. Five members were in favor of filling vacancies by elections, and two were opposed with some not voting.

Faust then disagreed with Hannon's conception of a large compromise amendment. He feels the vacancy question needs to be kept separate perhaps with a provision for replacement of a Commissioner on a nonpartisan basis. Ken Innis suggested it might be possible to leave an office vacant until the next regularly scheduled election. There was some discussion on this with one of the concerns being the necessity to have a certain number of Commissioners present to override a veto. It would be possible to have a vacancy for two years. Burkholder stated private business seldom fills a vacancy immediately. An informal poll of members present indicated three

people might support leaving an office vacant. Discussion then turned to filling vacancies by appointment and it was stated the major criticism was it allows for the Commission to essentially appoint itself and gives an appointee an unfair advantage in seeking election. The appointee may also feel a certain obligation to the Commission for receiving the appointment. It is possible to appoint a "caretaker", however this would create a mandated "lame duck." Tom Dennehey cited Commissioner Roberts as an example of an appointee who has voted with the Chairman on every issue. He then cited Commissioner Schwab as an example where this did not occur. He feels with an election to fill a vacancy chances of this happening would be decreased.

The Chairman indicated that should the Committee agree to fill vacancies by election there was great sentiment for having the election conducted on a nonpartisan basis. The current Charter has no provisions on the partisan/nonpartisan issue, hence State law becomes binding and Multnomah County has partisan elections. An informal poll of Committee members present showed seven approving nonpartisan elections with three opposing.

The Committee next discussed the proposed nondiscrimination clause incorporating State language into the Charter. Staff was directed to request from legal Counsel an opinion on whether State law presently supersedes Chapter 7.40 (2). The concern expressed by the Chair was the necessity of putting a "cosmetic" amendment on the ballot if it were not actually necessary.

The disability provision was discussed lastly. It would be an addition to the Charter and would allow the Commission to determine a vacancy on the Board due to disability prior to a 180 day limitation. The Board would determine the incapacity, assumably with some medical opinion. Bob Scholz stated he did not see the urgency or the necessity for this amendment and felt the Committee ought to consider discarding it. Vern Pearson felt an independent body ought to make disability decisions, not the Board of Commissioners. An informal poll showed eight members in favor of the amendment with four favoring an independent body making such a decision.

Faust and Hannon were assigned the task of redrafting the items discussed and return to the next meeting (scheduled for May 15, 1978) prepared for further work on them.

Respectfully Submitted,

Julie Keller Gottlieb

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

MINUTES

April 24, 1978
Multnomah County I. E. D.

Absent: Winters, Haliski,
Lindstedt

Chairman Jack Faust opened the meeting by stating the order of business as the presentation of Subcommittee Reports. He felt Committee members should hear reports at this meeting, ask questions, digest the material for a week and return to the May 1st meeting prepared for in-depth discussion.

Faust then proceeded to report on the recommendations of the Districting Subcommittee. Their proposal is for a combination of district and at large representation, which is hopefully a reflection of voter preference. Specifically, the proposal calls for a seven member Commission composed of three full-time Commissioners elected at large, and four part-time Commissioners, paid at $\frac{1}{4}$ salary, elected from districts. The Subcommittee sees a full-time Chairman, elected at large, without a vote on the Board, but having veto power. The Subcommittee also would recommend four year terms. They see incumbents in position #2 (Mosee), #3(to be elected), and #4 (Buchanan) as continuing as the three full-time, at large Commissioners, and the incumbent in position #1 (elected in November) continuing as chief executive. All would function as Commissioners for the remainder of the term to which they were last elected. Position #5 (Corbett) would be terminated when the four district Commissioners take office. Commissioners would retain their present authority (legislative, quasi-judicial, and budgetary) except those serving full-time would assume inter governmental posts (serving on the Boards of CRAG, MSD etc.). Redistricting after 1980 would be done as close as possible to prior boundaries.

Faust indicated that some feedback received indicated the districting/at large combination was acceptable, but that many people were having trouble conceiving a combination of full-time and part-time Commissioners. Hence the Subcommittee developed an alternative proposal. The alternate proposal calls for five full-time Commissioners, two elected at large and three elected from districts. Again, there would be a district residency requirement, and four year terms. Incumbents in position #2 (Mosee) and #4 (Buchanan) would continue as at large Commissioners. Position #1 would continue as chief executive. All would continue in office for the remainder of their elected terms. Commissioners elected to positions #3 and #5 this November would serve as representatives of the districts in which they reside for the remainder of their elected terms (four years for position #3, two years for position #5). If there was a conflict in residence, the one with the lesser vote would represent the most westerly remaining district. The remaining district post would be filled by a special election with an initial two year term followed by four year terms thereafter. Duties would be the same as in the earlier proposal. Bob Burkholder reiterated that position #1 would become an executive officer separate and apart from the Commissioners, having no vote and a veto, with the Board electing their own presiding and vice presiding

officers annually.

In response to Del Greenfield's request for clarification, Jack Faust stated "Chairman" was used when referring to the present incumbent of position #1 with all his present powers, and "chief executive" was used when referring to a future, changed position #1. Faust also stated that budget-wise, this meant only one additional salary, and the Subcommittee felt the salary question would be handled as a legislative matter, as it is now.

Kay Pankratz asked what criteria had been used in establishing boundaries. Faust stated that the Subcommittee had attempted to stay as close as possible to legislative boundaries, to ensure the creation of an East County district, and to in no way split the black community or the west side. Del Greenfield asked that City of Portland boundaries be included on the next districting map prepared. She said she would like to see where people reside who do not receive City services. Faust indicated that circled House district numbers on the map indicate districts entirely outside City limits (#20, #21, #22, #23). #17 is split fifty-fifty, as is district #11. Bob Burkholder read to the Committee population figures for the three district configuration: Blue District - 185,358; Brown District - 185,217; Red District - 186,093.

Larry Mylnechuk, Chairman of the Term and Vacancy Subcommittee next reported on their findings. The Subcommittee, he said, unanimously favored retaining four year terms. They felt two year terms would possibly increase potential log-rolling and create a situation where Commissioners were continuously campaigning for office. They felt the roles of Commissioners differ from legislators who serve two year terms in that Commissioners have administrative as well as legislative duties. In addition, all Oregon Counties have four year terms for Commissioners. They cited the examples of Hood River County which initiated a two year term early in the 1970's but has since come back to four year terms, and Lane County which had a six year term for a time and has currently returned to four year terms. As for complaints concerning responsiveness of Commissioners, Mylnechuk stated that this ought to be remedied not by shortening terms but through an increase in responsibilities of Commissioners.

As to filling of vacancies on the Board, the Subcommittee favored elections, however found it very difficult to develop plans for implementation. They discussed the various methods which might be adopted to implement this, but have not yet made any decisions. Two important issues must be resolved prior to developing a plan, Mylnechuk said, one being resolution of the partisan vs. nonpartisan issue and the other is the resolution of districting vs. at large representation. With Oregon's very strict election laws there are some jurisdictional questions, as well as some significant cost factors to consider if districting is adopted. Staff Legal Counsel has shed some light and though his research is not complete he feels there is a chance that though offices are partisan, it may be legal to hold a nonpartisan style election to fill a vacancy. This would cut down on time requirements, but is still being studied. Bob Mitchell asked if the time chart indicated a 116 day average figure for filing. Mylnechuk stated that problems occur in meshing the time frames with the current Charter requirements, State law, and the average 116 day time frame given to the Subcommittee by the elections office.

Ken Innis asked if it would be possible to ask the Legislature to change State law in order to accommodate the filling of vacancies by election. Mylnechuk feels every time the State is asked to revise election laws, the laws tend to become more complicated, rather than less complex. He said the Subcommittee is also exploring the possibility of "care taker" appointees, but he feels there might be problems. He would like to have the full Committee consider these issues further before reaching any conclusions. There was then some discussion as to the maximum time an appointee could be in office

(22 months) before the next regularly recurring election. It was suggested that perhaps it could be tied into the special election time frame. Mylnechuk indicated that it was a possibility, but the procedures would then have to be written differently for odd numbered years and even numbered years.

Terry Hannon next reported on the findings of the Wildcard Subcommittee. He began by mentioning three items the Subcommittee is still considering. First, the Subcommittee is still looking at the Auditor's office and the incorporation of professional standards as well as perhaps duties specified in state law. The Subcommittee has concluded, and Jewel Lansing has concurred, that a separation of legislative and executive powers may mean fewer problems for the Auditor's office in being strictly accountable to a very strong executive. Rather the Auditor would be working with the Board only, in the capacity of a department head. The Subcommittee also is still considering the initiative and referendum proposal. They intend to wait until the May primary is over to see if the State measure passes. They also have been considering the matter of on-going study groups, but have reached no conclusion. The Wildcard Subcommittee has agreed to support part-time Commissioners. They also feel a residency requirement (1½ years) be part of any districting proposal, and, those living in the same district be "grandfathered" in until the end of their terms. Should a Commissioner change residency during his term, the Subcommittee feels he ought to be allowed to finish that term as representative of his original district.

The Subcommittee then submitted six proposed amendments. The first was an amendment to separate executive and legislative powers on the Board. Hannon stated they feel this is the most important amendment they are submitting. It redefines the Board and creates a county executive officer who would have all executive and administrative power, and who would "be heard" at all Board meetings. The Board would elect their own presiding officer and vice presiding officer annually. The executive would have the power to appoint administrative officers and would retain his power to "give orders to County employees." He would also have veto power which could be overridden by 2/3rds of the Board present at a meeting. The chief executive would be elected at large. The issue of salaries was discussed and should have been included somewhere in the amendment. The second Subcommittee amendment presented was for nonpartisan offices. It was presented to the Committee for possible further discussion, but without a recommendation.

Hannon next presented the Subcommittee's proposed revenue bond amendment which would allow for revenue bonding authority without a vote of the people. The proposed amendment contains specific language stating that the bonds will not be paid for by property tax. This is similar to the language used by the City of Hillsboro for bonding authority. Jack Faust asked if the word "property" could be omitted, changing the sentence to read, "...shall not be payable in any manner from taxes." Harry Conway asked if foreclosure would be allowed. Hannon said he would check into this, but it was his understanding a true revenue bond means no liability to taxpayers. Faust asked Vern Pearson to closely examine the amendment and question a few banker experts as to the marketability of these bonds. The Subcommittee next presented recommendations that the Charter include the feminine and neuter as well as the masculine gender, and that a disability clause be included in the Charter. Hannon felt the disability clause was an important problem and should be considered by the full Committee after further deliberation and clarification. The Subcommittee also recommended the State nondiscrimination law be incorporated into the Charter.

Committee staff then called the Committee's attention to the second paragraph of an April 19 memorandum referring to confidentiality. This was in error, she stated, and the information included in that mailing concerning the duties of Commissioners is a matter of public record. The staff then

continued with a report on the the April 20 meeting on "input" into the Committee process. The group, consisting of interested Committee members and citizens, discussed how the Committee might broaden public awareness of its task and how it might go about receiving further public input. Suggestions included weekly or monthly news releases, cultivation of press contacts by the staff, scheduling of periodic press conferences, establishment of a speaker's bureau to seek out and attend various neighborhood and community service club meetings, the securing of public service time slots on local radio and TV stations and the scheduling of Committee members to appear on local radio and TV shows. Ann Porter, representing the League of Women Voters, suggested the League might be willing to be of assistance in providing non-biased speakers on the subject of the Charter who could attend community meetings. It was suggested some type of questionnaire might be left at these meetings for the purpose of educating the public to the issues of the Charter review process, or have them returned to the Committee for use as an opinion poll. Staff indicated such an expanded public relations program might necessitate assistance, either paid or volunteer. Ann Porter then elaborated on the League of Women Voters willingness to assist. She said the League Board will act on Wednesday, April 26 on her recommendation that the regular speaker's bureau disseminate information when they present their ballot measure program to the various community groups who request them. (subsequently passed 4/26/78, by the Board, LWV)

Chairman Faust agreed this was an excellent idea and suggested that Committee members call the staff if they are willing and have the time to participate in this type of an effort. He said he felt it would be appropriate to have a press conference when the Committee is ready to present their preliminary findings and their final proposals. Jay Owen suggested that there is money available to hire extra staff and if the Committee deemed PR its priority, something might be worked out. Faust suggested the staff meet with Ann Picco and Kay Pankratz to discuss this further.

It was announced that Terry Hannon would be on radio station KRDR, 9:00 am, Sunday, April 30.

Bob Burkholder stated his opinion that the Oregonian has given the public little information on the workings of the Committee. He suggested each Committee member write the Editor and suggest it would be beneficial to begin educating the public now to the purposes of the Committee. Faust indicated he has spoken several times to Bill Hilderbrand, and that they are presently watching and waiting for the Committee to act. The Journal, on the other hand, has actively followed the Committee's functioning.

Ann Porter then read the League of Women Voter's consensus into the record. They support separation of legislative and executive powers on the Board and favor five Commissioners and an executive officer, all elected county wide. They support four year terms, and vacancies being filled by appointment. They feel it is imperative the nondiscrimination clause (7.40.2) include the word "sex". Norm Green of the West/North Quadrant Advisory Board then presented their recommendations for four year terms, creation of an executive officer with limited legislative powers (i. e. veto), all Commissioners and the executive officer elected at large, and vacancies filled by appointment.

Respectfully Submitted,

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MINUTES

April 20, 1978
Special Meeting,
Multnomah County I.E.D.

Absent: Williams, Owen, Greenfield,
Winters, Mitchell, Picco, and
Mylnechuk

Chairman Jack Faust called the special meeting to order at 7:45 pm. He stated the purpose of the meeting was to hear from three experts on local and county governments.

Ken Tollenaar, Director, Bureau of Governmental Research and Service, University of Oregon, began by addressing himself to county government organizations in general. He described three basic forms of county government as follows: (1) the traditional county commissioner form which usually calls for election of a small commission, elected at-large, with elected department heads, (2) the county administrator form, with an elected board of county commissioners which appoints a manager/executive, (3) the county executive form, which has an elected board and an elected chief executive. Multnomah County presently has a form of this, with the executive also having a vote on the board. Other Oregon counties utilize various examples of the three forms. Washington County has adopted the second (2) form, with the administrative position established in the Charter. The Hood River County Charter provides for the head of the Department of Administrative Services to also provide staff support to the Board of County Commissioners. Both the Benton County and Lane County Charters are silent as to the form of the administrative officer. Both have found it necessary to appoint an administrator. Tollenaar stated that all Oregon Charter Counties elect representatives by district except Multnomah and Benton.

Some ten to fifteen other Oregon counties have some form of administrator, the rest have the traditional Board or County Court System. In other states there are an enormous variety of arrangements, Tollenaar indicated, but generally all counties nation-wide fit into the three above stated categories. He said that there are a tremendous number of counties which are undergoing and have undergone reorganization from the traditional board system. He stated that presently some 51% of the U.S. population lives under some form of reorganized county government. Composition, size and methods of electing governing bodies varies so greatly nation-wide, he said, it is impossible to classify them. Size of government bodies go from two in Vermont to 40 and 50 in some mid-western states and New York.

Tollenaar said he feels strong interest in Multnomah County presently seems to be in the composition of the legislative body. He feels it is important to know what the Board actually does in order to make those decisions. Tollenaar said every elected board performs at least three functions: (1) legislative, which would include consideration of issues, voting, stimulation of debate, and serving as a representative of the

people, (2) budget, which includes allocation of limited resources, and necessitates a comprehensive viewpoint, and (3) oversight of administration which needs a broad perspective and overview of county affairs. He also noted recent developments in Board duties which include intergovernmental duties such as representation on local government boards (CRAG, MSD). All of these responsibilities relate directly to what this Charter Review Committee is considering.

A. McKay Rich, next reported on the work of the Tri County Local Government Commission as it dealt with similar issues being considered by the Charter Review Committee. He stated the Tri County group looked at the question of districting vs. at large representation and concluded that at a regional level they favored district representation in the hopes it would mean more direct representation. They also adopted a district residency requirement. As for terms of office, Rich said they favored four year terms because of the time it allowed for adjustment and education as well as not encouraging the very political problems which seeking office every two years can bring. The Executive officer would be elected at large under their proposal and would be separate from the legislative body. The at large representation would hopefully offset the more parochial views of the board members representing districts. A vacancy would be filled by those remaining on the board from a list prepared by the presiding officer of the board until the next occurring election. Rich suggested a vacancy in the executive be filled by special election, regardless.

Mr. Rich recalled his experience working for the County saying at that time the Board had a staff and the executive had a staff also, but in reality controlled both, giving him quite a few advantages. He sees benefits in making the legislative body a separate power unto itself. He also stated it was a tremendous task for the Chairman to prepare for Board meetings in his various capacities as presiding officer, as Board Chairman, and as a voting Board member.

George Joseph, former Multnomah County Counsel, former Chairman of the City County Consolidation Commission and Associate Justice, Oregon Court of Appeals, next addressed the Committee. Joseph stated for the record that he was attending as former County Counsel and in no way did his views reflect those of the Oregon State Court of Appeals. He stated his opinions were his own, that they were biased, and in no way should they be construed as "objective views." He told the Committee that when the Multnomah County Home Rule Charter was being drafted in 1963, he was an observer of the process as a deputy district attorney. His sole contribution to that effort was section 12.10 concerning the adopting of existing legislation. Next, he stated that unfortunately only the enemies of the County tend to voice their viewpoint, with seldom a true picture of the County operation being presented. It is his opinion that the County government system is superior to the City (Portland) government primarily because it is flexible with room for innovation. He feels if this Committee had the time to do intensive fact-finding, it would discover the County has superior managers, especially within the fiscal operation. Joseph stated that too many people view County government in the historical sense as the agent which collects taxes, runs the jail, the sheriff etc. He feels in fact, it is an urban, full-service government with the exception of not managing water districts or fire districts. He stated the County is unique

in that it is being slowly consumed by other governments. Unfortunately, many people who pay for Multnomah County services get very few services for their dollars, said Joseph.

Joseph sees two major defects in the Charter which need to be modified, the first being clarification of section 5.10 which states that all legislative action by the County shall be by ordinance. He also feels section 8.20 (2) stating revenue bonds may be issued and sold only for purposes and in amounts authorized by voters of the County is deleterious to the citizens of the County, yet he recognizes the difficulty in changing this. Joseph favors some form of districting balanced with at large representation, four year terms, separation of the Chairman from the legislative process and filling of vacancies by appointment. He elaborated on the difficulty of special elections in satisfying terms of the County Charter in combination with State law.

Chairman Faust then opened the meeting to questions. In response to a question by Vern Pearson as to who has jurisdiction over elections, Joseph replied it is his judgement State law applies. He further stated he feels this would also apply under the LaGrande/Astoria decision. He would see election laws not applying to the "form" of county government, as is specified in LaGrande/Astoria.

Chairman Faust asked opinions on the need for full-time Commissioners. Tollenaar is not convinced there is a necessity for full-time Commissioners whereas Rich feels there is more than enough work to be done on a full-time basis. Joseph feels it is a matter of personality, and stated that at this time there are both full-time and part-time Commissioners serving the County. His feeling is the problem with part-time Commissioners is citizen access to them. Those who need them don't know where to find them, and unfortunately those who do know where they are are often people with vested interests. He does tend to favor full-time, accessible Commissioners, with the establishment of district offices as a possibility.

Bob Scholz asked if separating legislative from executive powers would create any difficulties in determining duties. Joseph indicated this relates back to his question of all legislative action being done by ordinance. He feels it must be stated somewhere in the Charter that duties which are a matter of budget approval, or imposing or authorizing rules of conduct are legislative functions. An in-depth budget study, preparing for zoning and comprehensive plan decisions requires more work than just voting, said Joseph. Once the County Commission has approved the budget, or acted on other matters, it is then the role of the Administrator to implement that action, and Joseph sees no real problem in defining roles.

Ken Innis asked for opinions of the guests on district representation with election at large. Ken Tollenaar stated that this occurs in every county in the state of Washington as well as in Springfield, and is thus not a "new" idea in government.

Norm Lindstedt then asked for examples of what the City of Portland had actually gained by having revenue bonding authority and what Multnomah County had lost without it. Joseph stated the City has built parking lots with the bonds, built and maintained golf courses, and they may at some future time use bonds to finance a new City government structure. Joseph feels that had the County had bonding authority the problems of the Rocky Butte Jail would have been resolved years ago. Also, certain elements of sewer system development could have been

financed through revenue bonds had the County had the authority to do it. Also, the Vance Pit development might have become a reality.

Kay Pandratz then queried Joseph on what actual changes he would like to see this Committee make in the Charter in order to cut down on duplication of services and generally improve the operation of the County. Joseph replied that he is generally satisfied with the way County government operates and feels it could be improved through eliminating duplication of City, County, and regional services, some minor clarifications in the Charter, and the addition of stronger bonding authority.

Terry Hannon asked if an ongoing review committee with tasks of looking at the Charter as well as possible consolidation of City and County and regional services, would be an acceptable idea. Kay Rich felt that if regional services are included, the Committee ought to be regional in makeup, and the group might study the extra tax burden carried by City residents in financing services only received by County residents. Ken Tollenaar feels it is an excellent idea and would eliminate yearly requests for such reviews. He would like to see the scope of the review open-ended and inclusive of more than just allocation of functions. He shares Rich's concern that the scope of a County review committee looking at more than County concerns might have inherent jurisdictional problems.

Jean Haliski asked how county governments deal with what has been referred to as "quasi judicial" roles. All agreed it is a difficult problem the commissions are working with, especially in the area of land use planning and current interpretations of the Fasano case.

Chairman Faust then called for questions from the audience. Kay Rich gave a brief summary of Ballot Measure #6 in answer to a questioner, stating Measure #6 is an attempt to reduce the number of governmental bodies by integrating CRAG and MSD. It would also give citizens the right to vote for their representatives on the MSD Board. It allows MSD to assume some regional functions if they are able to finance them.

Tom Dennehey asked Joseph if the Charter really creates a strong executive. Joseph stated that the section which gives the executive the only authority to give an order to a County employee gives him strong executive power. Also, he has the authority to carry out Board policy.

There was then some comment on Mr. Joseph's statements regarding those in opposition to County government. He clarified himself by restating that it was his opinion Senator Cook and Representative Otto did not have the better interest of the County at heart and were only attempting to remove Don Clark from office.

It was duly noted by the secretary for the record that Bob Scholz was in attendance at the March 20 Committee meeting.

The meeting was adjourned.

Respectfully Submitted,

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Julie Keller Gottlieb,
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MINUTES

March 20, 1978
Public Hearing: County Employees
Multnomah County I.E.D.

Absent: Greenfield,
Pankratz, Winters, Mitchell,
Scholz, Haliski

Committee Chairman Jack Faust opened the hearing with brief comments on the procedure of the hearing and then opened the meeting to testimony.

Mr. Eugene Gambee, 11349 N. E. Prescott, a County employee, began the hearing by stating his belief that East Multnomah County residents will be more vitally affected by Charter Committee recommendations than residents of the City of Portland. He was critical of the present system which permits the Chairman both legislative and administrative functions. He then objected to management personnel being exempted from Civil Service requirements and stated he supports Commissioners being elected from districts. Gambee feels morale of County employees is at a low ebb and he would like to reestablish a viable Civil Service System.

Ms. Kathleen E. Jensen, 3409 S. E. Hawthorne Blvd., representing Multnomah County Employees Local #88, inquired if a list of names of those testifying was being kept by the Committee. Chairman Faust indicated a public record of those testifying was being kept by the Committee in its Minutes pursuant to the Oregon Open Meetings Law (Oregon Laws 1973, chs, 172, 794; ORS ch 192). Ms. Jensen expressed the concern of some County employees who feared possible County reprisals should they testify. Chairman Faust indicated anyone afraid to testify by name could testify by a designated number, if they so choose.

Jensen then proceeded to outline five major Union concerns, the first being collective bargaining. Local #88 would recommend acceptance of State laws, or, a local ordinance paralleling State law requiring compulsory binding arbitration. Secondly, the Union favors continuation of the Civil Service system that would also include administrative personnel. They would like to see the Civil Service Commission composed of a Union representative, an employee of the County, and a member selected by the Board of Commissioners, rather than the present system where all three are selected by the Chairman. The Union asked that the County retirement ordinance be changed to include all employees, with members of the Board of Commissioners abiding by the same rules as the rank and file employees. Local #88 favors a requirement that the County be prohibited from "contracting out" for services. As a private citizen, Jensen favors the establishment of districts, financial disclosure, non-partisan elections with vacancies being filled by district elections. She feels strongly that each Commissioner should direct one of the major County Departments. She favors the Chairman being elected County-wide, 8 year term limits for all Commissioners, and all tax and bond measures referred to the electorate. She would like to see a requirement that all Commissioners resign their office prior to seeking another elective position.

Mr. Lee Cromwell, 15820 S. E. Alder Street, supports single-member districts with the Chairman being elected at-large. He favors the Chairman having a veto, with no legislative power. Cromwell supports four year terms, with any Commissioner resigning should he/she seek another elective office. He would like to see vacancies filled by special election with the Sheriff once again being elected by the people. Mr. Cromwell objects to the present retirement system, and stated that County employee morale is quite low at the present time.

Mr. Bill Radakovich, 8425 S. W. 9th, Director of Records and Elections for Multnomah County commented on single-member districts and filling of vacancies by special elections. He stated that the Committee, by working with his office, could avoid unnecessary problems in creating County districts. He also told the Committee that certain procedures must be followed to conform with State Election Laws, and assistance from his office as well as the Secretary of State's office, could help to avoid many problems. Radakovich stated that the cost to the County for a special election (were it held today) would be \$75,000. He stated that the cost for five district elections held separately would be \$75,000 divided by 5.

Dr. Hugh Tilson, 2673 S. W. Talbot Road, Multnomah County Health Officer and Director of the Multnomah County Department of Human Services, spoke to the Committee as the representative of the five County Department (Human Services, Administrative Services, Environmental Services, Justice Services, and Management Services) heads. He began his testimony stating many Human Services employees are not Civil Service, but are recruited nation-wide for quality, and are subject to County Personnel procedures as well as equal employment opportunity requirements. Tilson stated that all five Department heads agree the present system provides for strong community leadership and would like to see it continued "as is" which would include Commissioners being elected at-large for four year terms. They feel there is a need for a strong "generalist" as Chairman, and that each Commissioner should have broad responsibility for the consequences of his acts.

Mr. Richard Torrey, 5036 Madrona, Lake Oswego, urged the Charter provide adequate salaries for County employees through a process of collective bargaining or binding arbitration. He stated his opinion that present Commissioners are adverse to collective bargaining.

Mr. Marvin Wilson, 4508 S. E. 46th, an employee of the County Department of Environmental Services, feels that all tax money collected from Multnomah County Citizens should be spent in Multnomah County. He also believes both Civil Service and collective bargaining are necessary for the protection of County employees.

Mr. Roger Christensen, 73 S. E. 87th, testified on the Civil Service system and urged that it be returned as the dominant hiring and promotion body for Multnomah County classified personnel.

Mr. Steven Hess, 1525 N. E. 56th, next told the Committee he concurs with Mr. Gambia's points on districting. He feels elections should be non-partisan, and that each Commissioner should be responsible for a single Department.

Ms. Doris Dines, 170 N. E. Fremont, stated that if each Commissioner were responsible for a Department they would become very familiar with its operations and would know every aspect of the Department, therefore becoming a resource for both employees and the public.

Ms. Mary M. DiLoreto, 3328 S. E. 52nd, a 75 year old retired County employee, expressed her concern over the lack of accountability of appointed administrators.

She stated elected department heads or appointments through Civil Service channels would be preferable.

Ms. Ruth D. Coey, 3930 S. E. 37th, favors a stronger Civil Service with ten years of service being a retirement qualification. She would like to see an elected Sheriff.

Mr. David Chambers, 17653 S. E. Marie, secretary of Local #1940, voiced his objection to the County Commissioners handling of retirement funds. He believes the Unions should have the final say as to whom will administer retirement funds. He fears the present system allows incumbent Commissioners and their paid consultants, the opportunity to buy private business support with employee funds.

Mr. George McArthur, 18409 S. E. Tibbetts Ct., Gresham, employed in the County Corrections Division, believes there should be another opportunity for citizens to vote on the Home Rule Charter. He asserted that before Home Rule each Commissioners office cost \$125,000 annually, and now the costs run to \$500,000. He told the Committee the Chairman has 260 people who report only to him. He feels each Commissioner should be assigned a Department. McArthur supports a strong Civil Service and would like to see management personnel brought under it.

Ms. Berna Plummer, 13710 N. E. Fremont Ct., County Affirmative Action Director, began testimony by giving the Committee County employment figures: (as of November, 1977) Employees: 2,290; Male Employees: 1,256; Female Employees: 1,034; Minority Employees: 163. She stated that these figures do not include part-time employees who may number one thousand or more. She then urged the Committee to present copies of its final report to all citizen groups. She then suggested that five Commissioners be elected by district, and two at-large, all serving for four year terms. She believes the Chairman should be elected at-large and to a four year term as well. Vacancies should be filled by election, she said, and all positions should be non-partisan and full-time.

Mr. Steve Henry, 4120 N. E. 132nd, an employee of the Department of Environmental Services testified that he has worked for the County in the area of citizen participation. He feels the Committee has the obligation to make specific recommendations for Charter revisions. He feels a "shopping list" on the ballot would be an abdication of responsibility. He personally favors four year terms and full time Commissioners elected at-large. He would like to see vacancies filled by special elections. He does not feel Commissioners should have administrative powers and would favor strengthening that portion of the Charter which calls for creation of task forces to look into special problems.

Respectfully Submitted,

Samuel H. Mallicoat
and
Julie Keller Gottlieb

MULTNOMAH COUNTY HOME RULE CHARTER
REVIEW COMMITTEE

March 13, 1978
Public Hearing, Lincoln High School

Absent: Faust, Haliski
Lindstedt, Scholz, Winters

Terry Hannon, Vice Chairman, called the meeting to order and briefly outlined the Committee tasks and tentative schedule. He indicated the the Committee had been divided into four subcommittees which will examine the various issues designated for Committee study by the Charter, and include the following: Term and Vacancy Subcommittee (Mylnechuk, Ch.; Greenfield, Haliski, Pearson), Districting Subcommittee (Faust, Ch.; Burkholder, Owen, Lindstedt, Scholz), Wildcard Subcommittee (Hannon, Ch.; Williams, Mitchell, Innis, Picco), Input Subcommittee (Winters, Pankratz). He then called for testimony from the public.

Ms. Judy Keltner, representing the League of Women Voters, 519 S. W. 3rd, began the testimony and spoke to the League's concern over changes in Committee hearing schedules. She said the League would not reach a consensus on the specific Charter Review topics until an April 5th workshop, and once they have reached their consensus they would like to make their opinions known to the Committee. She urged the Committee to reconsider proposed changes in schedule and remain open to receiving more public testimony. Keltner also asked if legal opinion had been requested on presenting "either or" options to the voters in November. Terry Hannon indicated legal opinion had been received from Committee counsel that the Committee approach was within the bounds of state law. Hannon also indicated that the Committee is not putting a halt to public hearings but will wait for Subcommittees to develop some definite proposals or ideas to submit to the public for comment.

Gerry Newhall, 604 S. W. Westwood Drive, Community Coordinator for the Multnomah County West/North Quadrant, briefly described the functions of the four quadrants as two-way information conduits receiving information from the County, then assessing community needs and making recommendations to the County. She said Southeast and East County Quadrants have reached a consensus on recommendations to the Committee, but those testifying for West/North will be presenting their individual comments and not a consensus view.

Mary Anderson, 3621 S. E. Ankeny, Vice Chairman of the Southeast Quadrant Advisory Board, read their consensus views into the record. The Southeast Quadrant was unanimously in favor of four year terms, but were evenly split on the issue of single-member districts versus at-large representation. They unanimously favored the Chairman being elected at-large, and felt if a Commissioner was appointed to fill a vacancy before completion of one half of the term then the office should be filled at the next regularly scheduled election, and that the person would run for only the two years left of that term. The Southeast Quadrant Advisory Board also suggested that revenue bonding be brought up for voter consideration at a different time.

Leo Marlantes, 10230 S. E. Eastmont, Gresham, Vice Chairman of the East Quadrant Advisory Board, testified on the results of their deliberations of the issues. He stated that 3/4 of the Advisory Board felt Commissioners and the Chairman should serve for four year terms. 2/3 of the group felt Commissioners should be elected from districts, with 100% agreeing the Chairman should be elected at-large. 3/4 of the group also felt vacancies ought to be filled by appointment by the Commission until the next primary or general election. Regarding separation of powers, the Advisory Board felt if Commissioners are elected by districts and the Chairman at-large, the Chairman should have both a vote on the Commission as well as executive authority, leaving the Commissioners with legislative

responsibilities. Should the Chairman and Commissioners be elected at-large, then the Commissioners ought to have some Administrative responsibility. Approximately 78% felt the executive officer should be appointed, much like a city manager, and that this be given Committee consideration.

Stanley Pansky, 2647 S. W. Vista, stated he supported the principal of representation by residence in five districts with boundaries set by accepted natural and man-made barriers. He felt that each Commissioner should then be elected by the entire County, thus avoiding some of the problems of "ward" politics. He also supports four year terms.

Jack Reynolds, 1229 S. W. Washington, spoke to single-member districts and two-year terms. He is in favor of single-member districts and feels that at-large elections tend to favor candidates who have lots of money to spend. He feels districting has the potential for broadening the base of the County elective process. He would like to see two year terms established feeling this time limitation would make Commissioners more responsive and less arrogant. He favors the return of elective offices which were taken away by establishment of the Home Rule Charter.

Mr. Richard Botteri, 3450 S. W. Bridlemile, formerly with the Citizens for Good Government Committee is opposed to the methods established by the Committee for accomplishing their tasks. He feels the Committee, under terms of the Charter, cannot submit separate amendments to the people without taking a stand on the issues. Botteri feels the Committee is a "Blue Ribbon" group, charged with being a type of "Constitutional Convention" that will eventually make recommendations to the voters. He feels there may be legal questions should the Committee not submit recommendations to the voters.

Mr. Robert Denton, 2727 N. W. Pettygrove, a member of the West/North Quadrant Advisory Board, spoke for himself in favor of consolidation of various City and County services. He feels multiple jurisdictions complicate the delivery of services and the Committee must make some provision for probable and possible City County consolidation. He also suggested the Quadrant Board communications channels be utilized by the Committee for dissemination of information.

Harvey Akeson, 12321 N. E. Glisan, candidate for the Multnomah County Board of Commissioners next expressed his view that the Committee's "other" considerations may be more important than terms of office, non-partisan vs. partisan, filling of vacancies, etc. He believes consideration of the legislative responsibilities of Commissioners is perhaps the most important issue. He believes the Committee ought to look at possible consolidation of some City and County services such as parks and recreation districts. Akeson also expressed concern over the power of the Chairman as opposed to the actual powers of the Commissioners.

Dave Sylvan, 1137 N. E. 192nd disagreed with Mr. Botteri's interpretation of the Committee's tasks. He favors placing several amendments on the ballot and urges another Charter Review Committee be established ten years hence to reconsider the issues.

Mr. R. G. Yingling, 11409 S. E. Ash Ct., told the Committee he is in favor of the establishment of districts, with each Commissioner residing in his own district. He believes the County Chairman should be the chief executive with no legislative responsibility and could be either elected County-wide or be an appointed career administrator. As a CPA, Yingling recommends the Auditor be required to be a CPA or CIA whose office should conform to national standards. He feels the Auditor should continue to be elected and the office provided with adequate funding.

Norman Green, 2132 S. W. Boundary, a member of the West/North Quadrant

Advisory Board and professor of political science at Portland State University spoke to the Committee as a citizen. He briefly explained the Multnomah County Political system in terms of basic political philosophies. He is opposed to the county manager form of government for Multnomah County and feels the "strong mayor" system has advantages if the executive has some limits to his power and Commissioners represent districts. He also opposes two year terms for strong executives.

Claire Argow, 5833 S. W. Terwilliger, stated that she has long been active in community corrections programs. She indicated that there is much difficulty in corrections brought on by duplication of programs. She is opposed to districts and in favor of County-wide election of Commissioners. She also would like to vote for the Chairman, and to see his duties limited. She favors four year terms and hopes that the Committee will consider the potentials of City County consolidation.

Alex Pierce, 650 N. W. St. Helens Avenue, stated he feels there are some basic problems in getting people involved in government. He also feels people fear consolidation will cost them more, and that power will be placed in a few, who will abuse it. In addressing himself to the Charter, Pierce would like to see emergency ordinances more clearly defined. He also feels the Board Vice Chairman should be an elective position, and the present method of setting salaries should be changed. He would like to see vacancies filled by a vote of the people, and initiative procedures made easier. He would also like to see special elections more clearly defined.

Ray Phillips, 2226 S. E. 142nd, testified in favor of two year terms, five districts with boundaries going from East to West, and a County Manager selected by the Commission. He would like the Commission to select their own Chairman, who would vote in case of a tie. He supports the filling of vacancies by election and would like to see the Sheriff once again voted on by the people.

Clare Donnison, 28027 S. E. Orient Drive, gave brief testimony stating that districts should be established and they should be small. He feels all Charter changes ought to be made at primary or general elections. He favors the Board becoming a legislative body, and would like to see all Commissioners elected every two years.

Sally McCracken, 6215 S. E. Reed College Place, stated that she worked hard on the Citizens for Good Government Committee and that in her work for that Committee she found some dissatisfaction with the proposed way the Chairman was to be elected and the two year term. She personally favors at-large elections, but has found much interest in districting. She feels it is the responsibility of this Committee to decide the issues. McCracken also stated she would like to see vacancies filled by appointment, but only until the next election. She also favors eventual consolidation.

Don Sterling, 1718 S. W. Myrtle, testified to the Committee strictly as a private citizen. He favors the Chairman being elected County-wide for a four year term of office. He feels the executive ought not to have legislative power, but should have a veto and power to implement policy set by the Board. He believes districts, if established, would alleviate some of the fears of East County residents who feel they have been left out of County government, and he would favor as many as 9 districts. Sterling also would like to see Commissioners be part-time, reducing salary and staff needs. He favors Commissioners electing their own presiding officer, and sees them serving for four years. He also would favor non-partisan elections, with officials setting their own salaries. He urged the Committee to think along the lines of the potential expanding power of MSD after the May primary election. He suggested the Committee submit their recommendations to the people in a written report and write into their proposals the requirement for a future Charter review.

John Wood, 5025 S. W. Corbett, testified in favor of the four year term, districts, and a Chairman elected by all the voters. He also thinks it important that Commissioners be full-time.

Lastly, Mr. Russell McCarteney, 5331 N. E. Killingsworth, spoke for four year terms, a non-partisan Chairman having veto powers with no legislative responsibilities, and vacancies being filled after a six months by an interim election. He would like to see Commission salaries reduced, and have the Mt. Hood Freeway and I205 issues once again dealt with.

At this point Del Greenfield indicated her pleasure with the input received at this hearing, and stated that she felt more hearing were necessary. Terry Hannon suggested that subcommittees report to the March 20 hearing and indicate their feelings on more public input.

Respectfully Submitted

Julie Keller Gottlieb

MULTNOMAH COUNTY HOME RULE CHARTER
REVIEW COMMITTEE

March 6, 1978

Hearing: Elected Officials & Candidates

BPA Auditorium

Absent: Pankratz, Winters

The special hearing of the Multnomah County Home Rule Charter Review Committee was called to order by Jack Faust, Chairman.

Chairman of the Board of County Commissioners, Don Clark opened testimony and told the Committee there are inherent weaknesses in districting, including parochialism and potential log-rolling. He said he favors staggered, four year terms to provide for continuity and would like to see the Chairman continued to be elected district-wide. He would like to see vacancies filled by direct election or some other method than that presently used. Clark also feels salary levels should be set by a body other than the Board, and that the County should be granted authority to sell revenue bonds. He would also like the Chairman to retain authority to make administrative appointments.

Commissioner Alice Corbett next testified and spoke in favor of County-wide election of Commissioners. She feels the Chairman should also be elected County-wide. Corbett said that vacancies ought to be filled by a vote of the people, and that four year terms provide for stability on the Board. She would prefer not to set her own salary.

Mrs. Gladys McCoy, candidate for the Board of Commissioners, addressed the Committee next stating that she has found no great public interest in changing the structure of County government. She would like to see the Chairman become a true executive and supports the present four year term. McCoy said she supports a five member Commission elected from districts in which candidates must reside. She also said the current method for filling vacancies isn't the best way but she cannot think of a better method for accomplishing the task. She urged that the Auditor be kept an independently elected office and said she would like to see Commission salaries set by an independent budget committee.

Speaking next, Commissioner Mel Gordon said he felt the establishment of districts would be a mistake because at-large representation gives better access to all Commissioners. He supports the four year term and feels strongly that the public should vote for Commission Chairman. Vacancies, he said, should be filled by the Board of Commissioners and salaries set commensurate with those of a district judge. He would also like to see the County granted the authority to issue revenue bonds.

County Auditor Jewel Lansing then presented testimony urging that the Auditor's office be strengthened by guaranteeing a minimum budget and minimum staff level. She also suggested language be written into the Charter requiring that all work performed by the Auditor's staff be conducted in conformance with national professional internal auditing standards. She stressed that other offices (Judges, District Attorney) are protected by state statutes, but the County Charter is the only law relevant to the Auditor. She feels if the Chairman's powers are retained as is, he should be elected County-wide, but if changes are made separating legislative and executive functions it might be appropriate for the Board to elect their own Chairman. She favors single member districts, four year terms, and would like to see precinct committee people fill vacancies. Mrs. Lansing also urged the Committee to modernize the Charter to reflect contemporary thinking by deleting all male-oriented pronouns.

Another candidate for the Board of County Commissioners, Ross Morgan, spoke to the Committee of his concern about the lack of responsiveness of the present Board. He indicated it was primarily a matter of personality, however, not structure. He feels the Chairman should be elected at-large for a strictly executive role, with five legislative Commissioners selected

by districts. Morgan also feels Commissioners should continue to have four year terms, but that vacancies could be filled by special elections.

Rep. Earl Blumenhauer, another candidate for the Board, spoke to the Committee as a legislator as well as candidate. His remarks addressed both structural and procedural changes. Blumenhauer favors the establishment of four single-member districts with residency requirements. He feels the Chairman should be elected at large but should share some of his present responsibilities with an administrative officer who would have limited veto power. He suggested the Committee consider making procedural changes including prohibiting incumbents from having outside incomes and making income disclosure mandatory. He also feels the public should be more accessible to the Commission and suggested meetings be held outside the Courthouse twice a month with evening and weekend meetings scheduled for those who work during the day. He favors two year terms for Commissioners with the Chairman having a four year term to insure continuity. He also proposed "sun-setting" the Charter with provision to resubmit it for review in 10 years.

Commissioner Dan Mosee then gave testimony stressing that Commissioners do work very hard and long hours. He said he favors returning the selection of Sheriff and County Counsel to the people and that districting is a good way of "passing the buck." Mosee would like to see a method of checks and balances developed to enable the Commission to act on Administrative appointees. He feels the Chairman should not have a vote on the Board and that salaries should be tied to those of a district judge. He also feels vacancies should be filled democratically by a vote of the people and that Commissioners should serve a maximum of 12 years on the Board.

Commissioner Dennis Buchanan testified to the disadvantages of districting and in favor of four year terms. Buchanan thinks the Chairman should be elected County-wide and that the Board ought to continue to set their own salaries. Vacancies, he said, should also be filled by the Board. He also feels the Charter needs to include revenue bonding authority. Buchanan urged the Committee to submit only those things they wish to see adopted on the November 1978 ballot.

Mr. Phil Bentley, husband of Paula Bentley, candidate for Multnomah County Commissioner, then read Mrs. Bentley's testimony into the record. Bentley favors election of Commissioners from single member districts with a Chairman elected County-wide. She supports four year terms and district elections to fill a vacancy excepting the Chairman's office, which ought to be filled through a County-wide election.

Citizens testifying were Mr. Harry Erickson who gave general comments on the state of the County and quality of candidates, and, Mrs. Louise Weidlick, 7720 S. W. Capitol Hill Road, who supports the repeal of the Home Rule Charter allowing for the election of more public officials. In lieu of the late hour, Chairman Faust asked Mrs. Weidlick to continue her testimony at the March 13 public hearing, 7:30 pm, Lincoln High School cafeteria.

Respectfully Submitted,

Julie Keller Gottlieb

MULTNOMAH COUNTY HOME RULE CHARTER
REVIEW COMMITTEE

March 2, 1978
Business Meeting

Multnomah County I.E.D.

Absent: Lindstedt, Pearson, Winters

The business meeting of the Multnomah County Home Rule Charter Review Committee was called to order by Jack Faust, Chairman. The first order of business was consideration of staff recommendations concerning use of I.E.D. office space and purchase of a tape recorder. Jay Owen made the motion to accept the staff recommendation that the I.E.D. be advised we will not need to utilize office space on their premises. Del Greenfield seconded the motion and it passed unanimously. After some discussion on the recommendation to purchase a cassette recorder, Bob Burkholder moved to authorize the spending of up to \$100 for purchase of a recorder. Ken Innis seconded the motion and it carried unanimously.

The next order of business was consideration of the memorandum of 2/28/78 sent to the Committee membership by Jack Faust recommending that separate amendments to the Charter be submitted to the voters in November 1978. In the course of discussion, Faust stressed that this would be superior to the "take-it-or-leave-it-package" approach and that this could potentially restore citizen confidence in County government. He suggested that four subcommittees be formed, one to look at a fair districting proposal and the election of the Chairman, one to examine how to fill vacancies on the Board, another to find ways for the Committee to obtain more input, and a final subcommittee to develop other recommendations for Charter revisions.

During the course of extensive discussion, Del Greenfield recommended the Committee schedule at least two hearing in the western part of the County and expressed her opinion that the question of two or four year terms of office was not necessarily a "cut-and-dry" question and needed to be explored further by a subcommittee as to the staggered terms of Commissioners and possible term limits.

Bill Williams spoke to the importance of communications between any subcommittees formed and it was suggested that everyone be provided with the subcommittee meeting schedules.

Terry Hannon agreed with the basic premises of Mr. Faust's proposal, but said he felt a greater sense of urgency on the matter. He agreed that each issue should rise or fall on its own merit without jeopardizing the entire package of Charter Review Committee proposals. It was agreed upon, in answer to a question posed by Kay Pankratz, that this meant Charter Review Committee Amendments would appear on the November ballot along with the proposed Cook-Otto initiative measures unless they decided against placing their measures on the ballot.

Ken Innis stated he felt bringing the issues before the people in May was important and suggested the voters might be asked their preferences on the Charter form of county government, separation of executive and legislative functions, the role of the executive officer, full or part-time Commissioners, districting, selection of Chairman, and filling of vacancies on the Board. After considerable discussion the Committee reached a consensus that these measures should not be submitted for a May preferential ballot due to time constraints and the possible limits it might set on the scope of Committee work.

Terry Hannon moved that the Committee adopt in principal what was outlined in Jack Faust's memorandum of 2/28/78 to the Charter Committee. This would mean the submission of separate amendments to the voters in the November, 1978 ballot dealing with our four basic areas of concern as well as other items the Committee might deem appropriate. The motion

was passed unanimously.

It was agreed the Committee would divide into four subcommittees on (1) districting and election of Chairman, (2) filling of vacancies and terms of office, (3) input, (4) other areas of concern.

It was also decided that hearings would be scheduled for March 13, (Lincoln High School cafeteria, 7:30 pm), March 20 (Multnomah County I.E.D., Auditorium, 7:30 pm for county employees), and a business meeting on April 10, (Multnomah County I.E.D., 7:30 pm) for preliminary subcommittee reports.

The Treasurer then reported on Committee expenditures, \$105.89; personnel, \$840. It was moved and seconded that the bills be paid. The motion passed unanimously.

The Chairman then announced a meeting of the Northeast Multnomah County Commission Association on March 15, 1978. The Committee has been invited to attend. It was agreed that those Committee members nearest the area (Innis, Hannon) would attend, and that as these invitations arrive, Committee members living nearby would be asked to represent the Committee.

Mr. C. L. Taylor, 208 S. E. 106th, then presented testimony urging that County officials be elected by the people, and not be appointed by one man. He said that this would return government to the people.

Respectfully Submitted,

Julie Keller Gottlieb

MULTNOMAH COUNTY HOME RULE CHARTER
REVIEW COMMITTEE MINUTES

Monday, February 20, 1978
Bonneville Power Administration Auditorium

Portland, Oregon

Absent: Faust, Owens, Haliski, Winters

The Home Rule Charter Review Committee met this date at the Bonneville Power Administration Auditorium, 1002 N. E. Holladay Street, Portland.

The meeting was called to order by Terry Hannon, acting Chairman. It was duly noted that the February 6, 1978 noon meeting was not a luncheon meeting as stated in the minutes of the regular meeting and the Executive Session. It was also noted that an addition be made to the 2/6/78 meeting minutes stating that Sen. Vern Cook recommended a county manager be hired, and that Mr. Richard Bottem's corrected statement should read "....it was unfair for a person to be elected Chairman County-wide and be defeated in his district."

Paul Paulson, 1547 S. E. Elliott Avenue, attorney, stated he had appealed the case of Clyde Brummel vs. Multnomah County Commissioners. The case deliberated the precedence of county home rule procedure versus state law. The appeal outcome favored home rule laws and Mr. Paulson expressed his displeasure over that decision. He also spoke of his concern that County Charter revisions were voted on at a special election rather than a general election or primary. Mr. Paulson feels that the Home Rule Charter is unnecessary, giving too much power to the Chairman and Board and not enough accountability. He favors the establishment of districts and the boundaries set out in the 1976 election. He does not feel strongly about any specific length of term of office or how the Chairman is elected. He favors placing a "shopping list" of items on the ballot as an advisory tactic, and offered the Committee use of his accumulated research material on these subjects.

Russ Farrell, 3144 S. E. 43rd, retired, spoke to his support of the original county reform measures and the "shopping list" concept. He feels continuity in government is not as important as change, with continuity favoring big business and banking interests while periodic change provides a form of public insurance. He favors two year terms of office without possibility of succession, and the establishment of districts. He also feels the Board should elect their own Chair. Farrell suggested that elected precinct workers in appropriate districts handle replacement of elected officials when a vacancy occurs.

It was moved and seconded that the Administrative Secretary make necessary arrangements to reserve the BPA Auditorium for the March 6 meeting with elected officials and candidates.

Kay Pankratz asked Mr. Farrell to clarify the advantages of having precinct workers fill vacancies. He explained that in the recent replacement of Sen. Betty Roberts politics seemed to play a more important part than popular opinion and vote. He also cited the choice of Dennis Buchanan as County Commissioner as another example of the present undemocratic procedure. Mr. Farrell then commented that Commissioners should reside in the district from which they are elected, and, that a Home Rule Charter is desirable if the correct things are written into it.

Mr. Paulson was asked to clarify his position on elections. He stated that proposed Charter changes should be presented to the voters at the Primary or General Election pursuant to State law.

Harry Conway, 5315 S. E. 34th, asked the Committee to consider audits, and requested they be addressed to the people with copies going to officials.

He suggested the Auditor be fully responsible to the people, bypassing any other agency. He also feels the public should take on greater responsibility in scrutinizing the audit and in initiating changes as a result of the audit.

Jack Baker, 1885 S. E. 104th stated that he serves as an elected official on the board of an East County service district with a four year term. He presently has completed serving 2/3 of his first year in office and is just beginning to understand the complexities of his office. He feels two year terms are too short and four year terms allow time for newly elected officials to learn their job.

Respectfully Submitted,

Julie Keller Gottlieb

MULTNOMAH COUNTY HOME RULE CHARTER REVIEW
COMMITTEE MINUTES

Monday, February 13, 1978

Portland, Oregon

The Home Rule Charter Review Committee met this date at David Douglas Junior Building, Room 51, 2900 S. E. 122nd, located in Senate District 11.

Members absent: John Faust, Kay Pankrast, Jean Haliski, Norman Linstedt, Kenneth Innis.

The meeting was called to order at 7:40 pm by Terry Hannon, acting Chairman. The first order of business was to confirm the tentative meeting schedule:

Feb. 20, 1978, 7:30 pm, Bonneville Power
Administration Auditorium, 1002 N. E.
Holladay. County-wide hearing.
March 2, 1978, 7:30 pm, Multnomah County
IED, 220 S. E. 102. Work Session
March 6, 1978, 7:30 pm. Place undetermined.
County officials, candidates, hearing.

It was agreed to wait until the March 2 work session to make final decisions on meetings tentatively scheduled for March 20 and 27.

Because there was no testimony forthcoming, it was decided to approach the hearing informally allowing anyone present to speak to the issues.

Tom Dennehy, 16421 N.E. Holladay, suggested a four-page tabloid printed on newsprint as an effective device for advertising meetings. He then asked to read into the record testimony prepared by Mr. Dave Sylvan, 1137 N. E. 192nd, in his absence. Mr. Sylvan's testimony suggested that the Committee consider proposing separate amendments to the voters rather than an entire packaged document. (a copy of his statement is attached)

John T. Baker, 1885 S. E. 104th, suggested to the Committee that other elected officials in the county be invited to attend the March 6 meeting, including members of service districts, school boards, fire, sewer, and water boards.

It was generally agreed upon that greater effort is needed to publicize the Committee's meetings and hearings.

Ken Bunker, 1825 N. E. 125th, suggested meetings be advertised in the papers along with an advance schedule of hearing dates and locations. He also requested that current editions of the Home Rule Charter be made available at meetings.

Terry Hannon advised the Committee that Jack Faust has requested from legal counsel two opinions, one asking if it is possible to have a preferential ballot measure in May, and the other to determine if it is possible to have a "smorgasboard" of amendments listed on the November ballot.

Ann Picco advised that this meeting was also competing with a local transportation meeting and apologized for the low attendance.

Vern Pearson asked Mr. Dennehy how a "smorgasboard" of ballot titles might affect the establishment of campaign committees and informational dialogue.

Mr. Dennehy suggested that Oregon State ballot measures are voted on in groups, and that possibly the Committee might make recommendations for some issues to be voted on in the future. He also stated that his preference is for an elected executive with five commissioners serving as a separate legislative body, perhaps being called "advisors." The executive would serve as a resource person at meetings, be the chief budget officer, and exercise administrative duties. The board would have hiring authority with the executive having veto powers. The board would also serve as ombudsmen and could be part-time employees creating economies in salary and staff.

Mr. Dennehy also suggested that commissioners be required to hold meetings in County districts once a month.

Lou Greenfield suggested that various departments might be apportioned to commissioners on the basis of their accumulated votes.

Clair Donison, 28027 S. E. Orient Dr., Gresham, Legislative Representative, Gresham Grange, reminded the Committee that an ordinance must be adopted by the Commission 60 days in advance of appearing on a ballot. He also suggested that the Board Chairman be elected by the rest of the Commission. He stressed the importance of districting to the less populated portions of the County in providing them with adequate representation. He said the eastern portion of the County has been overlooked in decision making on Edgefield Manor, transportation issues, and the Fred Meyer shopping center. He favors the creation of five districts but is flexible on the matter.

Bob Scholz requested that the Administrative Secretary provide the Committee with a Multnomah County population distribution and a reflection of voter turnout in the various districts.

John Baker expressed some concern about the lack of long-range planning in East County and commented on how a "strong-mayor" form of government can be effective.

Ken Bunker asked that the three types of people residing in the County (urban, rural, unincorporated) be considered in the establishment of districts. He also noted that five commissioners reflected a popular trend in government and five districts fitted neatly into the shape of the County.

Bob Scholz stated his view that we need to know what parts of Multnomah County actually vote, and that this has direct bearing on how potential district lines should be drawn.

The meeting was adjourned at 9:30 pm.

Respectfully Submitted,

Julie Keller Gottlieb
Administrative Secretary

February 13, 1978

To: The Multnomah County Charter Review Committee

From: Dave Sylvan

During the Charter Review Committee meeting last Monday, February 6th, held at Mt. Hood Community College, a presentation was made to the committee which alluded to defining your responsibilities as a Charter Review Committee. One assumption made during this presentation disturbs me and I hope that its intent will not carry through when you ultimately decide what will be before the voters next November.

Let me cite a few quotations from this presentation:

"You have the opportunity to bring to the citizens of this county an up-to-date workable charter --- a charter which forms the backbone of our governmental structure."

"...then you can take the results of the public hearings you are now holding and mold a charter that serves the needs of the citizens of Multnomah County today."

"You have a chance to give us a 20th century document to meet the needs and stresses of 20th century government."

"...it's your time to prepare a charter for voter approval next November."

The assumption which I draw from the above quotations is that it is your responsibility to bring a charter amendment "package" to the voters. That is, next November we the voters would either vote to leave the charter as it now stands, or amend it by adopting a total "package", an all or nothing proposition.

This assumption I vehemently disagree with. As I see it, your function is primarily to examine viable alternatives to the present charter, and to bring these alternatives, as separately as possible, to the voters next November. For example, should you decide that a special election to fill a commission vacancy is as viable as the present appointment process, then there should be no reason that this proposed amendment could not appear separately on the November ballot. The same could be done with the question of two or four year commission terms, and the election rather than appointment of the county sheriff.

When the original Home Rule Charter Committee met, the outcome of necessity was a "package" Home Rule Charter which the people could either accept or reject. However, now that we have a Charter, any amendments which you propose for a vote of the people should be such that the people have as much choice as possible as to how that Charter should be changed. I hope that when the time comes, you will reject the "all or nothing" package approach to amending the Multnomah County Home Rule Charter.

MULTNOMAH COUNTY HOME RULE CHARTER REVIEW
COMMITTEE MINUTES

Monday, February 6, 1978

Portland, Oregon

The Home Rule Charter Review Committee met this date at Mt. Hood Community College, Vista Room, 26000 SE Stark St., Gresham, located in Senate District 12. The meeting began at 7:30 p.m.

Members absent: Robert L. Mitchell and James W. Winters. Mr. Norman Lindstedt was late.

Upon motion of Vern Pearson, the previous recommendation of the Staff Committee to hire Ms. Julie Gottlieb as the Committee's Administrative Secretary was discussed.

After some debate, Robert Burkholder moved for the previous question on the hiring of Ms. Gottlieb as Administrative Secretary. The motion was duly seconded and a vote was immediately taken by a show of hands on the pending question. Ms. Gottlieb was elected as the Committee's Administrative Secretary by a vote of 11-2, with Kay Pankratz and Jean Haliski voting No.

At this time the public hearing portion of the meeting began. Chairman Faust announced that there would be a five minute time limit on each speaker's remarks.

The following persons testified before the Committee:

Senator Vern Cook of Gresham commended the Committee on its efforts to conduct hearings in each of the eight Senatorial districts. He spoke in favor of single member districts. He urged that the Committee not try to draft Charter amendments based solely on the views of the people attending its public hearings, as it was his experience that such meetings drew a small turnout of people. He asked that the Committee ascertain the feelings of the people.

State Representative Glenn Otto of Troutdale stated that the main reason why he and Senator Cook proposed the "Cook-Otto" Charter amendments was due to the lack of responsiveness on behalf of the Multnomah County Commissioners in connection with the Edgefield Manor, Mt. Hood Freeway and I-205 issues. He urged that the Charter Committee conduct polls and that an advisory vote be taken at the upcoming Primary Election. He alleged that the Committee could legally put the matter on the ballot for advisory vote as the City of Salem had done so in the past. Rep. Otto stated he supported the following: districting, filling of vacancies by elections, 2-year terms for Commissioners, and Ballot Measure #1 relating to initiative and referendum rights. He also asked that a provision be added to the County Charter providing for additional County Commissioners as the population of the County grows. He stated he was opposed to revenue bonds being authorized without a vote of the people and to nonpartisan election of County Commissioners. He stated he was also opposed to tying the County Commissioners' salaries to the salaries of District or Circuit Court Judges. He asked that the County Commissioners be allowed to raise their own salaries.

Senator Cook and Representative Otto answered questions from the Committee members.

Representative Sandy Richards testified that she supported single member districting. She stated she had misgivings about two year terms of office for Commissioners, and that she supported Ballot Measure #1. She asked that

the Committee not limit its scope of review to the points outlined in the County Charter, but that it also consider nonpartisan races for Commissioners, and the assignment of additional administrative responsibilities to the Commissioners other than the Chairman. She stated she supported vacancies being filled by elections.

George McArthur, 18409 SE Tibbetts Ct., Gresham, stated he was a former candidate for Multnomah County Commissioner, was a Republican and a Co-Chairman of the Reform Our County Charter Committee. Mr. McArthur stated he felt that the present County Charter should have been repealed entirely. He stated he was opposed to nonpartisan elections, and stated he believed in districting. He criticized the publication of "County Lines" a Multnomah County newsletter circulated to its employees, alleging it "glorified Chairman Donald Clark." He stated he supported divesting the Chairman of some of his powers and transferring those powers to the other Commissioners. He stated he felt the Commissioners should be put in charge of each of the County departments, thereby replacing the present high-paid Directors. He recommended four year terms of office with the stipulation that when a County Commissioner files for another elective office during his term, he must resign.

Paula Bentley, 1787 S.E. Williams Ave., Gresham, member of Gresham City Council and candidate for Position #5 on the Multnomah County Board of County Commissioners, also testified. She offered some suggestions on how the Committee could go about its task based on her recent experience in Gresham in preparing a new Charter. She urged the Committee to contact the National Association of Counties in Washington, D.C., for information and model Charters. She stated she felt that the Committee's work was much broader than just deciding which are the more acceptable versions of the recent Charter amendments put before the voters. She stated she supported some form of districting, 4 year terms of office, general elections to fill vacancies, and election of a Chairman at large.

Richard McClary, 265 SE Olvera, Gresham, stated he was Director of the Gresham Chamber of Commerce. Mr. McClary reported on a poll taken of the Chamber members (approx. 450 members) last summer. Of those members who responded: 91% favored districting, 55% favored 4 year terms of office, 73% favored election of the Chairman, and 76% favored filling vacancies by election.

Tom Dennehy, 16421 NE Holladay, urged that a "shopping list" of amendments to the Charter be placed on the ballot. He stated he didn't think it was the Committee's mission to submit "one package" for the voters to decide on. Mr. Dennehy also advocated: separation of powers from the Chairman; that the District Attorney be the official counsel for the County (he stated he thought legal advice should come from an attorney elected by the people); the Sheriff being elected for a 4 year term in a nonpartisan election; greater independence for the County Auditor and support of Ballot Measure #1. He also asked that the unfunded liability of the pension funds be outlawed and that a periodic review be made of the Charter. He proposed that any future Charter Review Commission be chosen by an elective process. Mr. Dennehy submitted a written statement outlining his views.

Francis Abeln, 430 NW Birdsdale, Gresham, stated he felt that if a person could not gain support in his own district, then he shouldn't be County Chairman. He stated he supported filling vacancies by election and 2 year terms of office. He stated he disagreed with nonpartisan elections and the high cost of running a campaign against an incumbent.

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Ray Phillips, 2226 S.E. 142nd, stated he favored two year terms of office, filling vacancies by election, and election of a Chairman county-wide. He recommended that a "shopping list" of amendments to the Charter be placed on the ballot.

George Lake, Rt. 4, Gresham, stated he was a retired County employee. He stated he was opposed to home rule, and said he thought the Chairman of the Board had too much power. He advocated districting and two year terms of office. He complained that East County had no representation on the Board.

There being no further persons signed up to testify, the meeting was adjourned.

At this time Harry Conway complained that the Chairman of the Board was usurping the power of the other Commissioners on the Board.

MULTNOMAH COUNTY HOME RULE CHARTER REVIEW
COMMITTEE MINUTES

Monday, February 6, 1978

Portland, Oregon

The Home Rule Charter Review Committee met this date for a ^{noon} luncheon meeting at the Oregon Historical Society, Beaver Hall, 1230 S.W. Park. The meeting began at 11:30 a.m. and featured speakers representing the Reform Our County Charter Committee, the Citizens' for Good Government Committee and the original Home Rule Charter Committee.

Absent members: Robert Mitchell, Robert Scholz, James Winters

Chairman Faust introduced the first speaker, Mr. George Birnie.

Mr. George Birnie, Attorney at Law, stated that he served on the original Home Rule Charter Committee of Multnomah County. Mr. Birnie stated the Charter has not changed much from what was submitted and adopted twelve years ago. He defined home rule and spoke about the importance of determining what constitutes a local matter. He urged the Committee to carefully measure and assess any power it may consider transferring to a governing body to make sure that the rights of the people were not being taken away. Mr. Birnie also discussed some of the most difficult issues the original Charter Committee had to deal with. He stated that one of the main decisions made by the group was the decision to centralize authority and responsibility in the Chairman of the Board. He stated it was the Committee's intent to have the other Commissioners on the Board serve in an advisory capacity.

Senator Vern Cook speaking on behalf of the Reform Our County Charter Committee, the organization responsible for submitting the "Cook-Otto" Charter amendments to the voters, was the next speaker. Mr. Cook first discussed what he felt should be the role of the Home Rule Charter Review Committee. He then discussed the history of his effort to amend the present Charter, which he stated grew out of the public's discontent with the possible closure of Edgefield Manor. Senator Cook went over each of the basic points of the Charter amendments, which were later repealed, including the districting proposal, two-year terms for Commissioners, filling of vacancies by election, and the method proposed for choosing a Chairman. He stated it was the Committee's objective to bring about better and more responsible government in Multnomah County. He stated it was also their intent to stop the utilities, banks and land developers from controlling Multnomah County by enacting small district control, and by changing the method of choosing the Chairman by requiring that he/she be elected in his district, as well as county-wide.

The next speaker was Mr. Richard Botteri, Attorney at Law, who served on the Steering Committee for the Citizens for Good Government. He explained that the Citizens for Good Government sponsored the successful repeal of the Cook-Otto amendments at the recent Special Election held in November of 1977. He stated that it was only through substantial litigation, with the Supreme Court ruling in their favor, that the Committee was able to present the repeal effort to the voters in November. Mr. Botteri discussed the reasons why his group opposed the amendments to the Charter, alleging that they were poorly drafted. He especially expressed dislike for the way the district boundaries were established, and the fact that Commissioner Donald Clark was assigned to the Gresham district. He stated that the fact that a person could win the Chairmanship (in his district and be defeated (county-wide) was unfair. He

county wide

district

unworkable

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stated he had no objection to having special elections for a partisan position, but that it may be contrary to State law to have a special election without having a special primary election. He stated he thought the Committee would need to decide how many special elections would be allowed in an even-numbered year. He explained that his personal experience with a ward system form of government in Chicago had left him unenthused about districting. He stated he was opposed to a person running for office in a district in which he did not reside.

Chairman Faust thanked the speakers for coming, and the meeting was adjourned at approximately 1:00 p.m.

MULTNOMAH COUNTY HOME RULE CHARTER REVIEW
COMMITTEE MINUTES

Regular Meeting: 1/30/78

Portland, Oregon

The third regular meeting of the Home Rule Charter Review Committee was held this date at 7:30 p.m. in the Multnomah County Intermediate Education District Board Room, 220 S.E. 102nd Avenue, Portland.

Absent members: Robert Mitchell, Larry Mylnechuk, James Winters.

It was duly noted that there was an error in the minutes of the meeting of 1/16/78. It was agreed that Robert Mitchell was appointed to the Agenda Committee, and not Robert Scholz. There were no other corrections.

Del Greenfield presented the report of the Agenda Committee. She went over a tentative schedule of times and places for public hearings and work sessions through May 22, 1978. She proposed that one public hearing be held in each senatorial district. She also recommended that one public hearing be held for County government employees, one for elected officials, one for the community-at-large in the evening, and one hearing for the community-at-large in the daytime. Ms. Greenfield stated that the first two meetings have already been scheduled in the interest of notifying newspapers with weekly press deadlines. There were no objections.

Discussion was had concerning the best evening for holding public hearings, and a show of hands illustrated that Monday night would cause the least conflict.

Ms. Greenfield, on behalf of the Agenda Committee, also recommended that printed sheets be distributed at the public hearings detailing the scope of the Committee's review to serve as a guideline for those persons testifying. It was also recommended that a sign-up sheet be provided at the door for all persons who wish to testify, and that guidelines be established for giving testimony.

Discussion was had concerning the date for the hearing for elected officials. It was agreed that the hearing should be held at an earlier date.

It was unanimously agreed that elected County officials and candidates should be invited to the hearing. It was also agreed by a majority of votes that political party chairpersons be invited to testify at the hearing also.

It was agreed that the Committee should be informed on the recent Multnomah County Home Rule Charter amendment controversy. Chairman Faust stated he would ask a representative from each side of the controversy to appear before the Committee at a luncheon meeting to be held at 11:30 a.m., Monday, February 6, 1978. There were no objections. Diane Trudo was asked to supply the Committee with informative material issued by the proponents and opponents of the issue. Chairman Faust directed the Agenda Committee to select a place for the meeting to take place and notify the members. It was agreed that the meeting would be open to the public and that people could bring their own lunches.

It was agreed that a representative from the original group whose task it was to draft the County Charter would also be asked to speak at the luncheon meeting.

Vern Pearson presented the report of the Staff Committee. He first reported on the Staff Committee's efforts to obtain an Administrative Secretary. A job description of the position was distributed to the members for their perusal. Also distributed was the resume of Ms. Julie Keller Gottlieb as a possible selection to the position. Mr. Pearson reported that Ms. Gottlieb would be able to work on a contract basis, at \$1200 a month, and would use her own office and equipment.

Mr. Owen of the Staff Committee reported that he had found an office in the I.E.D. Building which the Committee could use as its central office. He stated the office would not be available until February 7, however.

Mr. Pearson also reported that the law firm of Ragen & Roberts was interested in acting as legal counsel for the Committee. He distributed to the members a letter from the law firm outlining its fee proposal. On motion of Mr. Pearson the law firm of Ragen & Roberts was selected as the Committee's legal counsel per the written letter proposal submitted, at a total fee not to exceed \$3,000. There were no objections.

Attempts to find a person to do research for the Committee were also discussed.

Jean Haliski stated she had some names of executive secretaries with research and legislative backgrounds interested in the job of Administrative Secretary. Secretary-Treasurer Kay Pankratz mentioned the possibility of the Committee obtaining a CETA Special Project Grant to help fund a special staff person to do research work.

It was agreed that the Staff Committee would come back with a recommendation for an Administrative Secretary in one week.

Mr. Robert Burkholder presented the report of the Budget Committee. He distributed a proposed budget to the members and explained each line item. Upon motion of Norman Lindstedt the budget, as submitted, was accepted and authority was given to submit it to the Board of County Commissioners for Multnomah County. There were no objections.

Kenneth Innis suggested that a list of proposed amendments to the Charter be prepared by the Committee for the upcoming May Primary to be put on the ballot for information purposes only. There was some question as to whether matters could be put on the ballot for information only.

Time was taken for public comment. Mr. Tom Dennehy and Commissioner Dan Mosee urged the Committee to continue its independent review of the Charter.

DT

MULTNOMAH COUNTY HOME RULE CHARTER REVIEW
COMMITTEE MINUTES

Regular Meeting: 1/16/78

Portland, Oregon

The second regular meeting of the Home Rule Charter Review Committee was held this date at 7:30 p.m. in Room 824 of the Multnomah County Courthouse.

Mr. Norman Lindstedt, temporary Vice-Chairman, was absent.

It was moved and seconded that reading of the minutes of the previous meeting be dispensed with. There were no objections.

Time was devoted to introductions of Committee members.

Discussion was had concerning basic Committee organization and structure. It was unanimously agreed that Robert's Rules of Order would be used as the guide for parliamentary procedure.

Discussion was had concerning offices needed. It was moved and seconded that the following offices be established: Chairman, Vice-Chairman, Secretary-Treasurer. There were no objections.

Discussion was had concerning staff needs; namely, whether a secretary, legal counsel, research aide, press aide, or other staff was needed. It was moved and seconded that a committee be appointed to look into the question of staff needs and to report back to the full Committee with their recommendations. There were no objections.

Temporary Chairman Faust designated the committee the "Staff Committee" and appointed the following persons to serve on the committee: Vern Pearson, Chairman; Jay K. Owen and Kay Pankratz.

It was agreed that the Staff Committee should begin interviewing for an extremely qualified, full-time person to serve as secretary, which position might also serve as a Research Aide as well. Temporary Chairman Faust also asked that the Committee look into the possibility of hiring legal counsel by the hour or at a flat rate. He also asked the committee to look into finding a permanent office or room for the Charter Review Committee.

Discussion was had concerning scheduling of future meetings. Temporary Chairman Faust appointed the following persons to serve as the "Agenda Committee": Del Greenfield, Chairperson, Jean Haliski and Robert Mitchell. In addition to planning upcoming agendas, Mr. Faust asked the committee to determine when and where future meetings will be held, how many will be held, what types of meetings will be held (work session, hearings), etc. He asked both the Staff Committee and the Agenda Committee to report back to the full Committee in two weeks.

Discussion was had concerning the time and place of the next meeting. It was unanimously agreed that Mr. Faust would ask Norman Lindstedt to look into the possibility of scheduling the next meeting of the Charter Review Committee at the I.E.D. Board Room, 220 SE 102nd, January 30, 1978, at 7:30 p.m.

Discussion was had concerning election of permanent officers. It was moved and seconded that permanent officers be elected at this meeting. There were no objections.

Nominations were opened for the office of Chairman. It was moved and seconded that John Faust be appointed permanent Chairman. There were no objections. It was moved and seconded that the nominations be closed. There were no objections.

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Nominations were opened for the office of Vice-Chairman. Mr. Faust stated that Norman Lindstedt has requested that he not be an officer. It was moved and seconded that Terry Hannon be appointed Vice-Chairman. There were no objections. It was moved and seconded that the nominations be closed. There were no objections.

Nominations were opened for the office of Secretary-Treasurer. The following nominations were made: Robert A. Burkholder and Kay Pankratz. It was moved and seconded that the nominations be closed. There were no objections. A secret ballot was taken, votes tallied, and Ms. Kay Pankratz was chosen Secretary-Treasurer.

It was agreed that any two of the three officers elected would sign checks for the Committee when a checking account is established.

Chairman Faust appointed the following persons to serve as the "Budget Committee": Robert Burkholder, Chairman; Kay Pankratz and Larry Mylnechuk.

Time was taken for public comment. Mr. Tom Dennehy and Mr. Harry Conway asked to be put on the complete mailing list of the Committee. There being no further business, the meeting was adjourned.

DT

MULTNOMAH COUNTY HOME RULE CHARTER REVIEW
COMMITTEE MINUTES

Regular Meeting: 1/9/78

Portland, Oregon

The first open meeting of the Home Rule Charter Review Committee was held this date at 12:15 p.m. in Room 602 of the Multnomah County Courthouse.

Mr. Norman Lindstedt, acting as temporary spokesperson for the group, convened the meeting. A roll call vote was taken, and all sixteen members of the Committee were present.

Mr. Lindstedt reviewed the scope of the Committee's review as outlined in Section 12.50 of the Multnomah County Home Rule Charter. He went over each of the four issues as outlined in that section which the Committee is empowered to specifically consider. He also noted to the members present that 75 days prior to the General Election of 1978, 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. All amendments proposed by the Committee shall be submitted to the people of Multnomah County at the 1978 General Election.

Questions were raised concerning the possible selection of a Vice-Chairman, what County facilities were available to the group, what would constitute a quorum of the group, etc. It was suggested that open meetings be held in the evening so that working people could attend. Mr. John Faust suggested that an agenda be established today for consideration by the Committee at its next meeting.

At this time, the Clerk of the Board of County Commissioners, attending the meeting for purposes of taking minutes until the Committee could select its own staff, answered questions from the group. She stated that records of the original Home Rule Charter Committee charged with the task of drafting a charter of self-government for Multnomah County, were available for perusal. She pointed out that if the Committee wished to use one of the two main meeting rooms in the County Courthouse for its meetings, she would be happy to reserve the rooms for them. She stated that Room 824 in the County Courthouse was a smaller room, and had a large round table.

It was moved and seconded that the next meeting of the Home Rule Charter Review Committee be held one week from today, Monday, January 16, 1978, in Room 824, of the Multnomah County Courthouse, at 7:30 p.m. There were no objections.

At this time, Representative Wally Priestley, speaking on behalf of the Chairperson of the Save Our Charter Committee, asked if that group could present some items of concern they have at the next meeting of the Charter Review Committee.

It was agreed that the Committee's first order of business would be to organize, and then they would take testimony from the public.

The next item of business taken up was suggestions for agenda items for the next meeting. The following suggestions were

Home Rule Charter Review Committee Minutes

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made: Establishment of goals and objectives consistent with the charge of the Committee; determination of the activities to be conducted and the scope of authority of the Committee; appointment of sub-committees and selection of sub-committee staff; consideration of the extent of the staff of the Committee; determination of what resources will be available to the Committee; the location of future meetings and possible formulation of an advanced hearing schedule; determination of how often the Committee will meet and how it will govern itself; determination of how funds earmarked for the Committee are to be handled; determination of whether the services of the County's legal counsel will be available to the Committee.

Motion was made and duly seconded to designate a Chairman and Vice-Chairman. Mrs. Kay Pankratz suggested that a temporary Chairman and Vice-Chairman be selected at this time in view of the fact that the members weren't fully familiar with each other, and in view of the fact that some members might not have the time to devote to the office of Chairman and Vice-Chairman.

It was moved and seconded that a temporary Chairman and Vice-Chairman be appointed to serve until the third meeting of the Committee (this being the first meeting).

The following nominations were made for temporary Chairman of the Committee: John Faust, Norman Lindstedt, Terry Hannon.

A secret ballot was taken, votes tallied, and Mr. John Faust was chosen temporary Chairman by a majority of the votes.

Mr. Lindstedt handed the meeting over to Mr. Faust.

Mr. James Winters was excused from the meeting due to a commitment.

Mr. Faust asked Mr. Terry Hannon and Mr. Norm Lindstedt to help him draw up an agenda for the next meeting. He stated a letter would be written to each Committee member setting forth the order of business to take place at the next meeting.

It was suggested that name tags be made up for the next meeting, and that everyone be prepared to tell something about themselves at the next meeting.

Representative Wally Priestley again urged that the Save Our Charter Committee be allowed to present their concerns at the next meeting.

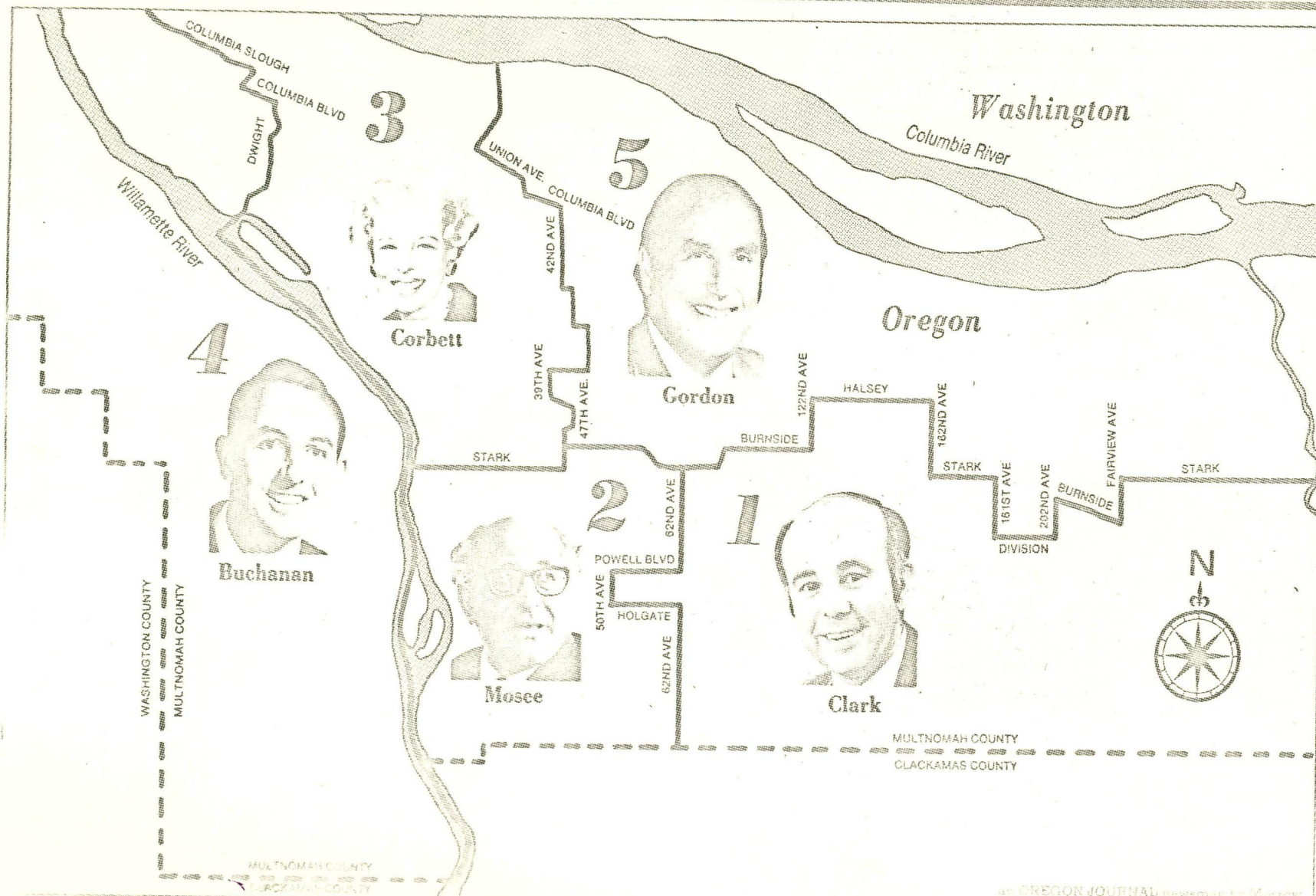
The following nominations were made for temporary Vice-Chairman of the Committee: Terry Hannon, Vern B. Pearson and Norman Lindstedt.

A secret ballot was taken, votes tallied, and Mr. Norman Lindstedt was chosen temporary Vice-Chairman by a majority of the votes.

It was agreed that Diane Trudo would act as temporary secretary for the group in charge of taking minutes until an organizational staff could be appointed.

It was moved and seconded that the meeting be adjourned until next Monday, at 7:30 p.m. There were no objections, and the meeting was adjourned.

Opinion



Multnomah commissioners would be assigned specific 'rotas' under petitioned charter change.

Submitted by
Rep. Glenn Otto
at 2/6/78
meeting, 7:30 p.m.

an OREGON JOURNAL newsmag by Morrow

S T A T E M E N T

From: Tom Dennehy, 16421 NE Holladay St., Portland, Oregon 97230

To: Multnomah County Charter Review Committee

One of the basic decisions this Committee must make is whether to offer the voters a single amendment incorporating the collective wisdom of the Committee or to give the voters the widest possible latitude in designing their own charter.

I urge you to resist the temptation to submit one neat package to be voted up or down (where "down" means we're stuck with the same old charter). To do so would require that you decide on the "best" alternative to our current charter; i.e., you would be substituting your judgment for that of the voters. It should be possible, with competent legal advice, to design a list of perhaps a dozen independent amendments and allow the voters to build their own charter.

Assuming that you will opt for such a "shopping list," I further urge that the Committee include on the ballot any issue which repeatedly comes before it in its study. For example, if you hear several suggestions that the sheriff should be elected, I would hope that that question will be placed before the voters even if all 16 of you agree that it is better to have an appointed sheriff. For this reason, I am not including much argumentation below -- and I might even vote against some of my own suggestions. To a certain extent, then, I am simply providing a list of problem areas which, I feel, deserve consideration by the voters.

Surely the main question to be dealt with is the basic form of county government: power of the executive, checks and balances, rights of the citizens, etc. By design of the original drafting committee, tremendous powers are given to the chairman and there are essentially no checks and balances (except to throw the rascals out). I would propose five basic structures which might be considered by this Committee. (They are arranged, I believe, from the strongest executive to the weakest.) They are:

- a) the current system,
- b) the City of Portland model,
- c) the State of Oregon model,
- d) the Cook-Otto model in effect in 1977, and
- e) the county manager system.

(All of these structures allow for some form of districting and terms of 2, 4, or 20 years.)

My own choice would be (c). Specifically, I would like to see five commissioners elected from districts for two year terms who would serve as legislators for the county (as well as being trouble-shooters for the citizens). In addition there would be an executive elected county-wide (for a four year term?) who would not legislate but would have veto power (which in turn could be overridden by a vote of four

commissioners). In short, I am proposing some variation on the governor-legislature or president-congress model. (There might be a couple of at-large commissioners and there could be a residency requirement; I am opposed to both ideas but neither would destroy the basic attraction of this system.)

In order to minimize the city-county dichotomy, two districts should begin at the eastern edge of the county. Also, to cut the costs of future elections, the Director of Elections should be consulted in the fine-tuning of the district boundaries.

In order to increase the checks and balances (and thereby reduce the power of the chairman), I would propose:

a) the district attorney would be the official counsel for the county (while the board and the executive could hire their own counsel if they felt the need);

b) the sheriff should be elected (for a four year term?) in a non-partisan election (see below);

c) there should be greater independence for the auditor and perhaps certain additional mandated duties for this office; and

d) more details concerning the right of the people to exercise the initiative and referendum should be carved into the charter (more below).

I would now like to suggest some sections of the charter which I feel deserve your attention.

Sections 3.10 and 3.20 have been addressed above.

Sec. 3.30. Are the words "A majority of the board" absolutely clear (given the definition in Sec. 3.10(1))? Recently in Beaverton, two members of a supposed five member board selected a new mayor.

Sec. 3.40. What does "affirmative concurrence" mean? This has been interpreted (see the Board Order concerning conduct of meetings) as meaning that those who sit silently through a vote are on the affirmative side. Perhaps stronger language is needed here.

Sec. 3.50. Can language be found which will compel the board to regularly hold meetings "out among the people"? If so, this would be a welcome addition to the charter.

Sec. 3.80 must be rewritten. Board members surely can demand, for example, that county employees provide needed information to the board for its legislative purposes -- whether the chairman agrees or not.

Sec. 4.20 will need to be rewritten if my earlier suggestions are adopted.

Sec. 4.30 is a constant source of irritation to the voters and must be modified in order to regain their confidence. Two possibilities come to my mind: salaries could be computed by some formula (one percent less than the rate of inflation, 80% of district court judges' salaries, etc.), or it could be decreed that compensation shall be neither increased nor decreased during the term of office to which the official was last elected.

Sec. 4.50 is my personal favorite. We must stop government by appointment! I would propose that vacancies be filled at a one-shot (non-partisan) election held as soon as possible after the vacancy occurs.

Sec. 5.30(3) is vague. I urge each member of this panel to listen to the tape of the board meeting of 2 September 1976 at which Ordinance 130 was adopted. I am certain you will then agree with me. In the past the emergency clause has been much abused, depriving the people of the right to refer. Therefore I propose that any ordinance with an emergency clause be subject to two votes. First the nature of the emergency (what dire consequences will befall the county) must be explicitly stated and put to a vote; this will require unanimous consent of all board members present and shall be a recorded vote. If the proposal clears that hurdle, it can then be voted on as any other ordinance.

Sec. 6.10(3) again puts too much power in the hands of the executive (especially in light of Sec. 6.40).

Sec. 6.10(4) will need stronger wording and a more prominent place in the charter if my model is accepted.

Sec. 6.40 should be repealed. The basic structure of the government should not be subject to change by ordinance. (It would be possible to collapse all county functions into a single department!)

Sec. 7.40(2). Surely in this day and age, we can agree that we need to add at least one word here.

Sec. 7.50. I am very much distressed by the unfunded liability of our pension funds. Perhaps it would be wise to cover this in the charter (allowing time, of course, to pay for our past transgressions).

Sec. 11.10. Elections should be non-partisan. I would suggest that the top two persons in the primary (regardless of the size of the winner's margin) should have a run-off in the general election (with write-ins allowed, of course).

Sec. 11.30(1) puts far too much faith in ordinances. (See Ordinance 57 for a good - or bad - example.) The 30 days currently allowed to refer an ordinance is stifling. Time allowed for an initiative or referendum should be that allowed at the state level.

Sec. 11.30(2) has the potential for shutting off any initiative or referendum if the board, by ordinance, so chooses. Again, reasonable requirements for signatures must be laid out in the charter.

To: Charter Review Committee
From: Tom Dennehy

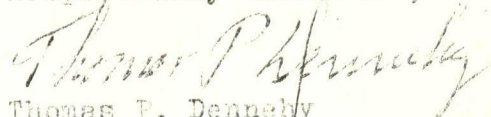
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Sec. 11.50(1)(b) probably should be repealed or, failing that, amended so as to allow the petitioners (in an initiative or referendum drive) to set the time of the election they desire (subject to at least 90 days notice, of course).

Finally, much of Chapter XII can now be eliminated. However, a new section should be added calling for a periodic (every 6 years?) review of the charter. Perhaps the method used in selecting the current Charter Review Committee is worthy of consideration, but I would prefer an elective process, perhaps with two persons from each State Senate district being elected from a wide open field. (I would still maintain the prohibition against elected officials serving on the committee.)

I thank the Committee for this opportunity to express my thoughts on a matter which has been near and dear to my heart for some time now. I will be following your work closely.

Respectfully submitted,



Thomas P. Dennehy
16421 NE Holladay St.
Portland, Oregon 97230
252-5952

6 February 1978