

1/026

July 19, 1978

Special Meeting: Attending: Faust, Roberts, Robertson, Leahey,
Gottlieb, Hannon, ?, Mylnechuk

Vicky Ervin

Discussion on gerrymandering district lines so that East Multnomah County might elect its own commissioner. Desire to keep recognizable boundaries. Hannon requested to meet with Robertson to take care of this.

Filling of vacancies by election also discussed. Agreed it would be easiest to have one election. Suggested candidates be nominated through a petition with a certain number of signatures, and party preference specified on the ballot. General discussion on problems with arrangements for special elections and 15 month cut off date. Problems with proposed Sec. 4.50 language would be that elections could be held close to a regular election date, would require extra expense, another election, and could mean electing someone very quickly for a long period of time. Alternative would be to present Charter as is on Sec. 4.50, merely adding (6) requiring persons appointed to fill a vacancy not be able to run for that office.

Agreed to submit to Committee choice of language they have with changes requiring 12 or nine months for vacancy to occur before end of a term, special election to be called to be held within 75 days, provided it can coordinate with regular election within 150 days. Also would require an appointment to fill vacancy in interim. A candidate for the special election would have not less than 30 days to file a nominating petition with 250 signatures from people qualified voters of their district. Also to be included would be language requiring electee take office as soon as certified by elections department. If the Committee adopts this, it will be submitted to the voters as a separate amendment. Or, the second alternative would be to retain the present language of the Charter adding (6). If Committee adopts this, would be included in Measure 1.

It was agreed, if Measure 1 fails, would need to incorporate (3) of Sec. 4.50, in Measure 5.

It was also agreed to change Sec. 4.30, to delete "...as set forth in the County's approved Budget..." in order to allow for changes as might occur in salary and fringe for employees after union negotiations and contingency expenses.

Measure 5 would also be changed to add language requiring top two candidates to run off, regardless of % of votes they received.

Measure 5, (2) also changed to say, "...nominating and electing circuit court judges..."

It was agreed to include language stating execu. cannot veto budget.

7/19/78- meeting - Roberts, Faust, Robertson, Leahy, Gottlieb, Hannon

Mosee - transfer to new dist -

Keep recognizable boundaries,
position #5 filled by sp. election

Faust. Filling elections by election - must do by 1 election
1 sp. election - Faust sugg nominate by
petition w 500 sig. Rbts. OK, might reduce
problem.

State law - Rbts says Home Rule Law ^(supercedes) applies.

Robertson -

problem w 15 mo
vacancy fill sp. election
C.P.P.T.

First 9 months odd year - past that time
would require - Beyond that -

Hannon stick to having sp. election - ^{this will} infrequently
occur.

disadvantages of proposed 4.50 or alt. is to present
Charter as is

1) sp. election at weird time
& expen

2) elect someone quickly
for a long period of time.

adding
(6) of revised
4.50

will present 2 alt - either caretaker package to
be inserted into language of Measure #1,
if Comm. goes with ^{sp.} election package,
submit to voters separately as another Measure.

Robertson - close coupled elections

If ~~(3)~~ Measure #1 fails, need to incorp (3) in Measure #5 —

Going to give choices - which ^{4.50} to include in Measure #1. —

4.30 - Comp. budget freeze - delete "set forth in the County's approved budget,"

Measure #5 - (5) regardless of total votes in primary - top two would run-off. - add

#5 - (2) questions concerning where & what is intent. taken from State law - (2.49 State Statutes)

4.50 (6) -

- ^{include} include somewhere, Exec. cannot veto the budget —

MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE

RECORD OF MEETINGS:

"WILDCARD SUBCOMMITTEE"

3/16/78 - noon, 421 S.W.6th, Commonwealth Bldg., attending:

general discussion on issues Committee might want to consider.

3/27/78 - 7:30 pm, IED, attending:

narrowing of topics to: Auditor's office, separation of powers, non partisan elections, part-time Commission, revenue bonding authority, regularly recurring charter review commission, committee to study possible merger of services with City and/or MSD.

4/3/78 - 7:30 pm, IED, attending:

further refinement of topics. invite Auditor and legal counsel to next meeting.

^{7:30pm} attending,
4/10/78 - IED, Hannon, Innis, Williams, Picco, Mitchell, Conway, Dennehey, Keltner, Roberts, Pallari, Lansing. Roberts presented members of subcommittee with research materials on separation of powers. Went through details of Charter which would have to be revised if powers separated. Jewell Lansing answered questions regarding the Auditor's office and said her priority was to have included in the Charter some reference to professional standards in the Auditor's office. Judy Keltner then read to the subcommittee the League of Women Voters concensus on the issues of County Charter reform.

4/17/78 - IED, 7:30 pm, Conway, Dennehey, Anderson, Innis, Hannon, Mitchell, Williams, Roberts, Picco, Gottlieb, Dick Roberts presented proposed Charter amendments needed to separate legislative and executive powers. Hannon presented his amendments on part-time commissioners, districts, residency requirements, compensation, causes of vacancies, filling of vacancies, establishment of a county manager, veto power of the executive, discrimination by age and sex, and non-partisan elections. It was agreed upon that further work was needed on the auditor's office, bonded indebtedness, and non partisan elections. Dick Roberts was going to develop these further.

6/26/78 - 7:00 p.m. Mt. Hood Community College

7/10/78 - IED, 7:-- pm --Innis, Hannon, Mitchell, Burkholder, Gottlieb, Conway. agreed to present full committee with recommendation for ongoing Charter review every 10 years, appointment of a commission to study merger of city and county services with appointments made in a similar manner to the MCCRC, and that the Auditor's revised language be accepted. They will not recommend election of Sheriff, subpoena power for the board, the county counsel becoming part of the DA's office, or the board having the power to remove an administrative appointee.

MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE

RECORD OF MEETINGS:

TERM AND VACANCY SUBCOMMITTEE

- 3/16/78 - 7:30 pm, Greenfield home, 495 N.W. Greenleaf Rd., attending:
Greenfield, Mylnechuk
general agreement on retaining four year terms, and request
to staff to do research on national models for filling of vacancies.
- 4/18/78 - 7:00 pm, IED, Robertson, Radakavich, Ervin, Mylnechuk,
Haliski, Pearson. Presentation by Dept. of Record and
Elections people. Stated that there would be problems
filling vacancies with partisan elections. No other
Oregon county or municipality does it. Would require
a minimum of 116 days to prepare for such an election,
if they were non partisan, the time would be cut in half.
Prepared some questions for legal counsel. Briefly
discussed four year terms and there advantages.

MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE

RECORD OF MEETINGS:

DISTRICTING SUBCOMMITTEE

- 3/23/78 - 4:00 pm, IED, attending: Faust, Owen, Scholz - discussion of districting, preliminary thoughts on Faust memorandum
- 3/31/78 - 4:00 pm, IED, attending: Faust, Burkholder, Owen, Dennehey, Capon - discussion of districting, and memorandum.
- 4/6/78 - 7:00 am, Portland Motor Hotel, Coffee Shop, attending: Faust, Burkholder, Lindstedt, Scholz, Owen, Dennehey, Gottlieb. Discussion of new districting memorandum to be sent to various civic groups and citizens for comment
- 4/17/78 - 7:00 am, Portland Motor Hotel, attending, Faust, Burkholder, Gottlieb, Conway, Owen, Dennehey. Discussion of revised districting plan - three districts, 2 at large, county executive officer, board chairman rotated every year or six months.
- 6/29/78 - 7:00 am, Portland Motor Hotel, attending, Faust, Scholz, Gottlieb, Owen, Burkholder. Discussion of testimony received at June hearings relating to districting. Concern is if increase size of commission, how will voters react to cost increase. Need to analyze budget (Wild-card subcommittee). Feeling is to go with 4 districts and 1 at large seat, or 5 districts with only executive elected at large. Will be presented to full Committee at 7/5/78 meeting.

April 20, 1978 - 401 Wilcox Bldg. - INPUT -
Special Meeting

Haliski, Gottlieb, Innis, ^(LWU) Ann Porter, Ed Lyle,
Gerry Newhall, Melissa Shuping, ^(LWU) Peggy Eckton, Pankratze,
Ann Picco,

How to go about broadening our public input -
polls, direct mail, - getting messages from more
people than have contacted us so far.

Began by gen. discussion of Comm. problems,
why? Are they general County problems.
League Concerns -

Broader Base -

Press Conferences - For April 24

Neighborhood Groups -

Speakers Bureau - may need to find meetings,
men's services clubs, women's service clubs

Public Service Time - call public service people at TV
& radio stations.

Fact Finding Poll -
AM northwest / month in advance
KOIN -
Town Hall - producer Joe Ella Ziven.

thoughts people -

Ted Hallock - John Salisbury (KXL), Brian Jennings,

2

11³/₄
52

Sun. a.m. - KATU - KGW - talk shows

Explain - "ISSUES" - 5 minutes at ~~p~~ Citizen
meetings - leave opinion poll - Kiwanis
club

4/17/78 IED - 7:30pm
- "Wildcard" Subcommittee
Conway, Hennekey, Innis, Hannon,
Mitchell, Williams, Roberts, Piceo,
Gottlieb, Wallace Anderson.

Roberts - Proposed Amendments

- Dick Roberts presents revised sections
of Charter designed to sep. leg.
& exec. power.

3.70 - Advisory Bds & Commissions -
will Bd. approval be enough to
insure check & balance & create a
tension.

Innis moved, Mitchell seconded
Amendment on sep. of power he
accepted in principal & passed.

Questions about 3.80 - may
want to revise Doflex - &
coordinate with sep. of leg & exec. powers.

discussion on pt-time commissioners.

Hannon - Amend -

3.10 - accept. in principle
part-time Comm. so stated on
basis of setting salary.

3.20
Residency Requirement - favors -
changing residency in mid-term -
favor letting them finish term -
If move out of County, must resign.

3.20
(3) grandfather in -

(If districting goes on ballot) -
adopted in principle

4.40 - accepted in principle -

7.40 - include all provisions included
in state disc. law.

6.30 - (2)(C) - Hannon will check
with Auditor on slight changes -
- Auditor needs further study -

8.20 unanimously approved -

(2) - might want to add limitations
perhaps call them user debentures.

(Roberts will rewrite for full Comm.)

(bring up legislative counsel for Bd
County Council under authority of
Exec.)

11.10 - If non-partisan is put
on ballot, should stand on
its own, not tied to anything.
(whoever elected, must have majority.)

4/17/78

The following Multnomah County charter sections are amended as follows:

3.10 Membership

- (1) The governing body of the county shall be a board of (four) part-time county commissioners, who shall elect their own chairperson
- (2) The commissioners positions shall be numbered No. 1 through No 4 in accordance with 3.20(2)

3.20 Election

- (1) Each member of the board shall be nominated and elected from the district where he resides
- (2) Multnomah County is divided into 4 single member districts and 1 member of the Board shall be elected from each such district. Each district shall consist of the territory contained in the following precincts:

District No 1 consists of the territory contained in precincts numbered _____

District No 2 consists of the territory contained in precincts numbered _____

District No 3 _____

District No 4 _____

- (3) If more than one Commissioner resides in a single member district at the time this amendment is adopted then each such commissioner shall serve the balance of the term to which elected irrespective of 3.20(2). In such case the commissioner whose term expires first must vacate the position or in the case of a vacancy the special election to fill that vacancy must be to fill a district position that had no incumbent resident.

(3.20(2)) (4) AT the general election in 1980 and every fourth year thereafter a commissioner shall be elected to each even-numbered position on the board

(3.20(3)) (5) AT the general election in 1982 and every fourth year thereafter a commissioner shall be elected to each odd-numbered position on the board

~~3.30 Quorum~~

3.40 Concurrence required for action. Except as this charter provides to the contrary, the board may act only with the affirmative concurrence of a majority of its members present at a meeting where a quorum is met. All motions, resolutions or any other affirmative proposal will fail if the vote ends in a tie.

4.10 Qualifications

(1) An elective officer of the county shall have been a qualified elector of the county for a year and a half immediately before becoming such an officer, and in the case of County Commissioners shall have resided in the district in which nominated for a year and a half immediately before becoming such an officer.

4.30⁽¹⁾ Compensation. The compensation of all officers of the county shall be fixed by the board of county commissioners. ⁽²⁾ ~~and~~ the county commissioners compensation shall be one half of the compensation fixed for the County ~~Executive~~ ^{Manager}, except that the compensation of the county commissioners in office or elected on the date this amendment is adopted shall receive the same compensation for the balance of the term

to which elected as is in effect on the date this amendment is adopted.

4.40 Vacancies - Causes, An elective office of the county shall become vacant

(1) upon the incumbents

(f) ceasing to possess the qualifications required for the office, which in the case of a county commissioner ~~means~~ would mean that he no longer resides in the district to which the commissioner was elected.

(g) disability, which shall be defined as the infirmity arising from either injury or illness which renders the ~~commissioner~~ ^{officer} unable to ~~do~~ perform the ^{normal} duties of his office for a period of six months or more. The ~~board of commissioners~~ ^{board of commissioners} shall declare the office vacant six months after the date of the onset of the disability if the officer has failed to substantially perform the duties of the officer.

4.50 Vacancies - Filling

(1) The board of county commissioners shall by special election promptly fill any vacancy in an elective office of the county, ~~unless~~

(2) & (3) are deleted

6.10 Chief Executive. The county executive officer will be called County Manager

(2) shall be elected ^{from the county} at large

(6) may veto ordinances adopted by the board of county commissioners

2.30 Overriding Veto. The board of county commissioners may set aside the veto of the County Manager by a two

Two-thirds vote of the commissioners present at a meeting where there is a quorum ~~met~~. (Takes 2 out of 3 or 3 out of 4)

7.40 Rights and Duties of Personnel

(2) No employee shall be refused employment or be discriminated against in any manner because of sex, race, religion, color or national origin

6.40 Departmental Changes, With the affirmative concurrence of three or more commissioners, the board of county commissioners may

6.30 Departmental Functions

(2) (c) The department of finance shall have the functions prescribed by state law for the treasurer, the assessor, and the sheriff as tax collector, as well as the functions of the county concerning management of its property. (leaves out the functions of the auditor)

8.20 Bonded Indebtedness

(2) The board may issue non-recourse revenue bonds without approval of the voters of the county.

11.10 Nomination and Election of Officers

(1) All county officers shall be nominated and elected on a non-partisan ballot

(2) If no candidate receives a majority of the votes cast in a primary election or a special election to fill a vacancy then the top two candidates will run off in the general or a second special election to fill a vacancy.

~~No county shall require that referendum petitions be~~
 filed less than 90 days after the provisions of the charter or the legislation proposed for referral is adopted by the county governing body. To be circulated, referendum or initiative petitions shall set forth in full the charter or legislative provisions proposed for adoption or referral. Referendum petitions shall not be required to include a ballot title to be circulated. In a county a number of signatures of qualified voters equal to but not greater than four percent of the total number of all votes cast in the county for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition shall be required for a petition to order a referendum on county legislation or a part thereof. A number of signatures equal to but not greater than six percent of the total number of votes cast in the county for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition shall be required for a petition to propose an initiative ordinance. A number of signatures equal to but not greater than eight percent of the total number of votes cast in the county for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition shall be required for a petition to propose a charter amendment.

Paragraph 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at a special election held on the same date as the next regular primary election held throughout this state.

Filed in the office of Secretary of State July 18, 1977.

HOUSE JOINT RESOLUTION 29

Be It Resolved by the Legislative Assembly of the State of Oregon:

Paragraph 1. Section 14, Article IV of the Constitution of the State of Oregon, is amended to read:

Sec. 14. The deliberations of each house, of [its] committees of each house or joint committees and of committees of the whole, shall be open. Each house shall adopt rules to implement the requirement of this section and the houses jointly shall adopt rules to implement the requirements of this section in any joint activity that the two houses may undertake.

Paragraph 2. The amendment proposed by this resolution shall be submitted to the people for their approval or rejection at the next regular election held throughout this state.

Filed in the office of Secretary of State July 18, 1977.

HOUSE JOINT RESOLUTION 50

Whereas geothermal resources present an economical source of energy; and

Whereas geothermal resources, if properly utilized, could be of great benefit to Oregon; and

Whereas geothermal resources must be developed in a systematic and coordinated manner in order to maximize economic benefit and minimize possible damage to the environment; and

Whereas there must be an ecologically safe and economically viable means of disposing of geothermal fluids; and

Whereas the surface disposal of geothermal fluids is currently the subject of scientific inquiry; and

Whereas the type of system used to dispose of geothermal fluids must be adapted to local geological and environmental conditions; and

Whereas improper disposal of geothermal fluids may result in serious environmental detriment; and

Whereas the State of Oregon presently does not have a policy on the regulation of geothermal fluid disposal; and

Whereas there are presently at least four state agencies which have some involvement in the regulation of geothermal resources; and

Whereas a coordinated effort among these agencies is necessary in order to assure proper regulation which best serves Oregon; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) The Water Resources Department, Department of Environmental Quality, State Department of Geology and Mineral Industries and Department of Energy are directed to make a cooperative and coordinated effort to establish a policy and, if necessary, promulgate rules on the disposal of geothermal fluids. Any rules proposed as a result of this effort shall be sufficiently flexible to promote economically beneficial and environmentally safe use of geothermal resources.

(2) The directors of these agencies shall submit a joint report to the Sixtieth Legislative Assembly on the progress they have made toward this goal. The report may include a recommendation for new legislation.

(3) A copy of this resolution shall be transmitted to the Governor, the Water Resources Director, the Director of the Department of Environmental Quality, the State Geologist and the Director of the Department of Energy.

Filed in the office of Secretary of State July 18, 1977.

HOUSE JOINT RESOLUTION 61

Be It Resolved by the Legislative Assembly of the State of Oregon:

Paragraph 1. The Constitution of the State of Oregon is amended by creating a new Article to be known as Article XI-I and to read:

4/8/78. 7:00 pm IED
Term + Vacancy Subcommittee

Alan Robertson, Bill Radakovich, Vicky Ervin,
Larry Mylenchuk, Jean Haliski, Vern
Pearson

- presentation by Robertson/Radakovich -
Problems filling vacancies with
partisan elections. No other
counties or municipalities in
Oregon do it. Wld require
a minimum of 116 days to
prepare for such an election -
If were non partisan, the time
would be cut in half.

Questions for Legal Counsel -

- 1) What would the result be if
the Charter said nothing about
filling vacancies.
- 2) How much can the charter

via variance with state law.

- 3) Could the Charter prohibit a "caretaker" from running for the position to which they are appointed.
- 4) If we have partisan Commission positions, could we have non partisan elections to fill vacancies.
- 5) Do State election laws take precedence over Home Rule provisions ~~speaking~~ with relation to the filing time period.

	INITIALS	DATE
PREPARED BY		
CHECKED BY		

LINE No.

4/17/78 - Districting Subcommittee -
Gottlieb, Burkholder, Conway, Owen, Faust, Denny

- - districting plan
- sep. of exec. & leg.

Ray Phillips - Glenn Otto - Faust may want to meet with -

Something easy for voters to understand.

Filling of vacancies -

When do we put into effect? 79? 80?

residency a requirement -

3 districts } or presiding officer
2 at-large } chosen to be
County Exec } elected by Comm
for yr. or 6 months.

title of Chairman -

Chmn.
Wash. Co. Comm - Virginia Dagg

Hoyd Anderson -

"Wildcard Subcommittee" -

4/10/78

Hannon, Innis, Williams, Picco, Mitchell,
Conway, Hennehey, Keltner, Roberts,
Pallasi,

Separation of powers -

Jewell Lansing - sep. of leg. &
executive may help strengthen
her office.

* of most
importance to
her } include something re professional standards.
- requires prof. on staff, independence.
6.30 in Charter - duties assigned to

GAO
int. auditors
standards } management office -

Conway - permanent approp. (inviolable)
with 6% ^{annual?} increase for Aud. office.

- would like to see audits addressed to people
copies to officials.

→ Sep. of powers -

define what we want to achieve

perhaps we are creating an administrator

2

Wildcard Subcommittee 1/10/78

3.10 - defines governing body - includ. Chmn.

3.70 - subsec. 2 -

3.80 - strong exec. function -

6.10 - Chmn. is chief exec.

6.30 - The Bd. of Comm. by ord. the prescribes duties of Administrators.

3.30 - ~~guardian~~ -

3.40 Bd. may only act with concurrence of majority - (of those present.)
^{should add,}

6.40 - Bd. changes Dept. by Ord.

asked to look into

elucidations of sep. of powers beyond the Charter.

Chairman - if take away ^{voting} power, is he still a Chairman

Who represents the County in Organiz. sep from County.

- - Roberts to attend next meeting, bringing

amendments → including 4 things -

- 2) prepared to discuss items -
partisan, user debentious -

League of Women Voters Consensus -

- sep. of leg + exec.
- exec. officer 4 yr. term