

STAFF REPORT

IDENTIFICATION OF ISSUES
PRESENTED IN TESTIMONY
TO THE
MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE

Staff Report

February 9, 1990

INTRODUCTION

The Multnomah County Charter requires the convening of a Charter Review Committee. The purpose of the Committee is to make a "...comprehensive study of the Multnomah County Home Rule Charter and, if the Committee chooses, submitting to the people of Multnomah County amendments to the Charter."

The Charter Review Committee convened on July 20, 1989. Since then, the Committee has held a total of fourteen meetings, the first four of which were organizational. The Committee has met in downtown Portland, Parkrose and Southwest Portland. The Committee has invited a wide variety of interested parties to testify and has welcomed the public to speak at each of its meetings.

On October 25, 1989, the Committee adopted a preliminary work plan based on presenting charter amendments, if any, to the voters in November, 1990. The work plan included background hearings through January, 1990. This staff report is the culmination of those background hearings and marks the end of the first half of the Committee's work.

The staff report is divided into thirteen issue areas identified during the Committee's background hearings. Each issue area is divided into two sections: Discussion and References. In addition, the issue areas that contain multiple sub-issues contain a References Summary section. Some of the issue areas overlap and should, to a great extent, be considered together. This is especially true of the three sections dealing with the executive function: Section 2, Board of County Commissioners; Section 4, County Administrator and; Section 5, County Chair/Executive.

The intent of this report is to summarize the testimony given to the Committee and to identify the issues presented.

While mistakes and omissions are likely to occur in a document of this size, it is hoped that what follows is an accurate representation of the Committee's work thus far. Of course, the Committee minutes are the fullest account of its meetings. It is

hoped that this report will be useful to Committee members as they select and prioritize issues and move forward into issue-focused hearings and the second half of the their work.

Sincerely,


William C. Rapp
Committee Administrator

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LIST OF WITNESSES

1. Gladys McCoy
2. Dave Boyer
3. Hank Miggins
4. Larry Kressel
5. Rick Bauman
6. Gretchen Kafoury
7. Merlin Reynolds
8. Dennis Payne
9. Orval Etter
10. Pauline Anderson
11. Sharron Kelley
12. Dan Ivancie
13. Bob Skipper
14. Judy Phelan
15. Glenn Otto
16. Keith Crawford
17. Don Clark
18. Fred Neal
19. Dave Warren
20. Dick Roberts
21. Bonnie Hays
22. Darlene Hooley
23. Blanche Schroeder
24. Bob Goldstein
25. Jim Worthington
26. Arlene Collins
27. Ron Cease
28. Jerry Orrick
29. Ken Tollenaar
30. Eugene Collins
31. Jack Horner
32. Barbara Clark
33. Jewell Lansing
34. Alan Purcell
35. Anne Kelley Feeney
36. Charles Cameron
37. Mike Swanson
38. Gordon Tiffany
39. Linda Alexander
40. Grant Nelson
41. Duane Zussy
42. Tanya Collier
43. Paul Thalhofer
44. John Vogl

45. Bob Luce
46. Susan McPherson Daluddung
47. Bill Farver
48. Robert Trachtenberg
49. Ramsey Weit
50. Fred Christ
51. Clyde Brummel
52. Herb Brown
53. Don Biggs

SECTION 1

AUDITOR: DISCUSSION

Section 8.10 of the charter provides for the county auditor:

8.10 AUDITOR.

- (1) The office of county auditor is hereby established.
- (2) At the general November election in 1966 and at the general November election every four years thereafter an auditor shall be elected. A candidate for auditor shall be a certified public accountant or certified internal auditor as of the date of filing for office, subject to the following provision. For the 1990 elections only, if a person is not a certified public accountant or certified internal auditor at the time of filing for office, the person elected or appointed to the office must obtain such certification not later than one year after taking office. The office of auditor shall become vacant when the person serving as auditor ceases to be certified. Effective upon certification, the salary of the auditor shall be four-fifths of a District Court Judge's salary.
- (3) The auditor shall conduct internal audits of all county operations and financial affairs and make reports thereof to the board of county commissioners according to generally accepted government auditing standards.

The chair of the board of commissioners or the responsible elected official shall respond in writing to all internal audit reports stating what actions have been or will be taken to address the findings contained in the audit. The written response shall be made to the board and the auditor in the manner and time frame requested by the auditor.

- (4) The board shall retain each report of the auditor and each response as a public record for at least three years after receiving the report and response.

1. Election or Appointment of Auditor:

The position of county auditor is currently an elected position. The committee has heard testimony from both those who support the current elected position and those who favor an appointed auditor.

Those who favor an elected auditor emphasize the importance of the independent nature of the auditor's position and even the public's perception that the auditor be independent of the county executive and board of commissioners. The committee has also heard from those who favor an appointed auditor. An appointed auditor is generally supported by those who emphasize the professional nature of the position. This group believes that because it is largely a technical or professional position (with little policy input) with attached professional qualifications, the auditor should be appointed.

2. Responsibilities:

Section 8.10 (3) of the charter, the only substantive section relating to the auditor's duties, requires the auditor to "conduct internal audits of all county operations and financial affairs..."

Several issues relating to the responsibilities of the county auditor have surfaced in committee hearings. The first relates to who should monitor the external auditor. Currently, the external auditor for the county is monitored by the county Finance Division. Options which the committee heard discussed would have the external auditor monitored by either an audit committee or the county auditor. Those who suggest that an audit committee or the county auditor monitor the external auditor usually stress the need for the external auditor to be free from management pressure.

The committee also heard from those who want more specific requirements imposed upon the county auditor, such as requiring a certain number of audits to be performed each year or mandating that each department be audited on a regular basis. Other speakers suggested that imposing more specific requirements would do little to improve performance of the auditor's office.

Finally, witnesses testified that a provision should be inserted in the charter to give the auditor specific authority to engage in performance or evaluation auditing. Several witnesses stated that this addition would have little impact because of the subjective nature of a "performance audit."

3. Time for Changes:

Several witnesses told the committee that, regardless of whether certain changes have some merit, because important changes were made to the charter recently and because the charter now gives the auditor sufficient direction, it would be premature to make any changes at this time. Others feel that needed changes, discussed in other subsections of this section, override that concern.

4. Qualifications:

Section 8.10 (2), added in 1989, requires the county auditor to be a certified public accountant or a certified internal auditor beginning in 1990 (the provision allows the person elected to office in 1990 one year to obtain certification.)

The committee heard testimony that the new qualification provisions are not adequate and should be amended to require the auditor to be a certified internal auditor, not a certified public accountant. Those who favored making this change noted the substantial difference between financial and performance auditing and that a CPA is not necessarily qualified to do performance auditing.

5. Regional Auditor:

The committee heard testimony that a regional auditor should be considered. According to this argument, a regional auditor is better than having a separate auditor for every city and county in the tri-county area because it would increase efficiency, reduce costs and, most importantly, move the region toward a regional or tri-county government.

6. Two-Term Limit/Running for Office in Mid-Term:

This issue is discussed in detail in Section 7, Elections. In general, comments focused on two issues: (1) the provision in Section 6.50 (4) of the charter which restricts any county elected official to two terms, and (2) the provision in Section 6.50 (5) of the charter which prohibits an elected official from running for office in mid-term.

Regarding the two-term limitation on the county auditor, several witnesses testified that because the position of auditor is a professional position, not a political position, the limitation on the number of terms makes no sense and should be abolished.

The provision prohibiting running for office in mid-term was supported by several witnesses who stressed the importance of the appearance of objectivity and the auditor's access to confidential information. At least one witness supported strengthening the provision to prohibit running for another county office at any time while in office.

7. Salary:

Section 8.10 (2) of the charter states that the salary of the county auditor shall be four-fifths of a District Court Judge's salary. This provision is effective beginning in 1991 and upon certification. Until then, the auditor's salary is subject to section 4.30 of the charter and is the same as a county commissioner's salary.

Elected officials' salaries are discussed in detail in Section 12, Salaries of Elected Officials.

SECTION 1

AUDITOR: REFERENCES SUMMARY

1. Appointed/Elected: 1, 2, 3, 8, 10, 14, 15, 16, 18, 25, 34,
35, 40
2. Responsibilities: 4, 11, 13, 17, 18, 20, 24, 25, 26, 27,
28, 32, 33, 35, 36, 39, 41
3. Time for Changes: 9, 19, 20, 23, 29, 34, 37, 38, 39
4. Qualifications: 12, 14, 17, 19, 31, 40
5. Regional Auditor: 6, 7, 8
6. Two-Term Limit/Running for Office in Mid-Term: 12, 21, 22,
30
7. Salary: 10, 32

SECTION 1

AUDITOR: REFERENCES

1. 10/11/89, Minutes, p. 3, Commissioner Pauline Anderson: ...the Auditor should [not] be an appointed position but should, on the other hand, be independent and not be accountable to the board of commissioners.
2. 10/25/89, Minutes, p. 2, Multnomah County Auditor Dan Ivancie: ...the Charter [should] maintain the requirement that the auditor be independent. Independent internal and external auditors provide a better system of checks and balances. The working relationship with the outside auditor is important so that they can work together against duplication.
3. 10/25/89, Minutes, p. 2, Ivancie: ...he ...[is] in no position to recommend an elected versus an appointed auditor but being elected presents a unique opportunity to Multnomah County.
4. 10/25/89, Minutes, p. 5, Keith Crawford: The problems involved [in the administration of outside financial auditor contracts] are not readily apparent if the person handling all the duties involved is honest; then this system can work. What it does lack are internal controls and a lack of independent reviews being made to assure that the report of funds is accurate. The Finance Department, which is an auditable function, monitors and administers the outside financial audit contract. This can create disharmony. Crawford wants those that audit our government functions to be completely independent of any management influence. He recommends transfer the administration, the coordination and the monitoring of that outside audit contract to the internal auditor's office.
5. 10/25/89, Minutes, p. 5, Crawford: Regarding the [proposed] audit committee, he states that an audit committee is an independent body which selects and reviews the auditor that is selected to review the corporation or organization. This

provides a governing body with technical expertise; it assures the audit processes independent of management; it allows participation in the procurement process; planning and evaluation of the selecting that independent auditor; it allows unbiased monitoring of contract performance; it provides a method for review of audit results; it assists in the close audit review of the reports that are prepared by the independent auditor. An audit committee minimizes fraudulent financial reporting that can occur in a biased relationship and it strengthens the internal control for the organization. It also provides a direct line of communication between the auditors and the governing body independent of management.

6. 11/8/89, Minutes, p. 4, Commissioner Rick Bauman: Regarding the position of auditor, overshadowing all else is to facilitate the ultimate extinction of Multnomah County. The County lines were drawn 120 plus years ago and are archaic. The county does not make sense as a long-term governing body. He thinks we need to evolve to a system that allows regional decisions to be made on a regional basis. He would like to see an auditing office that is jointly shared by the city, the county, Metro, Washington County and Clackamas County. We can get top-notch professional auditors and share the cost and we can have those services available to us.
7. 11/8/89, Minutes, p. 4, Bauman: Bauman emphasized the need to look beyond our narrow charter mandate. He suggested taking the idea of a regional auditor to the board or the state legislature to explore.
8. 11/8/89, Minutes, p. 4, Bauman: Responding to a question of Florence Bancroft's about the "regional auditor" and whether he would be elected or appointed, Bauman stated that elected oversight could be provided if necessary. As an example, he cited Secretary of State Barbara Roberts, who is auditor for the State of Oregon and who is elected. However, her auditors are independent of her office, by and large, and are professional auditors. There are also other mechanisms that are available.
9. 11/29/89, Minutes, p. 5, CIC Chair Dennis Payne: Make sure that if the committee makes changes regarding the sheriff and the auditor, it is because the offices need to be changed, not just the office-holder.
10. 11/29/89, Minutes, p. 7, Commissioner Bonnie Hays: Washington County has an elected sheriff and an elected

Auditor. The Auditor's salary is two-thirds of a district court judge's salary. She does not recommend this, because it is then beyond the Board's control.

11. 11/29/89, Minutes, p. 7, Hays: Regarding the Auditor's duties, the number of audits the Auditor is required to perform each year should be specified; and they should have access to external auditors.
12. 12/13/89, Minutes, p. 2, AFSCME President Arlene Collins: The Local believes that the County Auditor should be a qualified auditor/CPA, elected to a maximum of two 4-year terms.
13. 12/13/89, Minutes, p. 2, Collins: All contracts and departments of Multnomah County should be audited on a regular basis.
14. 12/13/89, Minutes, p. 4, Representative Ron Cease: ...the auditor should be appointed, but if the auditor is elected, imposing specific requirements makes sense. If the auditor is appointed, he should be independent of the commissioners.
15. 12/13/89, Minutes, p. 4, Cease: ...[asked if there is] some way to appoint an auditor and yet retain his independence. Cease said Multnomah County should look at ways it is done by other counties.
16. 12/13/89, Minutes p. 5, Cease: Paul Norr asked Cease if he had any concerns about the sheriff and auditor being elected county-wide, if the commissioners were elected by district. Cease responded that would be a concern; if the commissioners were elected by district, the argument for an executive elected county-wide becomes stronger.
17. 12/13/89, Minutes, p. 10, Eugene Collins: ...performance auditing should be required and specified in the charter. The auditor should be fully licensed and degreed with experience in performance auditing and hired by the executive with no term specified. The charter should also state that all departments should be audited each year and sufficient funds should be provided for that function. Finally, the county should do its own auditing, and not rely on the state.
18. 12/20/89, Minutes, p. 2, Jewell Lansing: 1. The concept of local government auditors, especially performance auditors, is very recent. 2. The tri-county area and the City of Portland are national leaders in the use of performance

auditing and in having elected officials be responsible for the auditing function. 3. It is more common to have an auditor report to the council and appointed by the legislative branch of the government. She believes that this would not be appropriate for Multnomah County.

19. 12/20/89, Minutes, p. 2, Lansing: Lansing noted that the charter has been amended to provide for these changes [qualifications of future county auditors] and are only now in the process of being carried out. Therefore, it would be unwise for the committee to involve itself in this at this time.
20. 12/20/89, Minutes, p. 2, Lansing: ...because the county auditor's office is in a state of flux, this is not the time to assign new duties.
21. 12/20/89, Minutes, p. 2, Lansing: Another provision in the charter states that no elected official may run for another office during his term, excepting the last year of his term in office. Lansing believes that the auditor should not be allowed to run at any time for another county office during the term in office without resigning because of the importance of the appearance of objectivity. Again, however, now may not be the best time to make this change.
22. 12/20/89, Minutes, p. 3, Lansing: ...the two-term limit should be reconsidered at some point; to limit an auditor's term in office is a hardship to the office-holder.
23. 12/20/89, Minutes, p. 3, Lansing: ...she does not recommend any changes to the charter regarding the auditor's office at this time.
24. 12/20/89, Minutes, p. 3, Lansing: ...in the profession, audits are divided into two categories, "performance" and "financial." Financial audits deal with financial statements of income and expense and assets and liabilities; usually done by an independent CPA firm. Oregon state law provides that every municipality has to have an annual financial audit. The performance auditor looks at how assets are used, the results attained and the best way to use tax dollars effectively; it is a way to look at whether the agency is doing the job it is intended to do.
25. 12/20/89, Minutes, p. 3, Lansing: ...for an appointed auditor, the decision of what to audit is usually set by the governing body. In the state, for example, it is decided by

a legislative committee, usually made up of members of both parties of both houses. An elected auditor, on the other hand, makes the decision as to what or whom to audit, himself. It is important for him or her to retain the independent judgement.

26. 12/20/89, Minutes, p. 3, Lansing: ...in the public sector some municipalities have an official organization which has a voice in the selection of the audit. When she worked for the county she had an unofficial advisory committee, as does Barbara Clark with the city. In the private sector there has been a move to have audit committees that actually make decisions and do the review of the outside audit and perhaps choose the outside auditors. She does not, however, favor a formal or official audit committee.
27. 12/20/89, Minutes, p. 3, Lansing: ...there is no need to put in the charter a specific performance auditing requirement. She is also not in favor of requiring a certain number of audits per year. This would not provide any kind of quality; almost anything can be called an audit. It also might infringe upon the auditor's independence.
28. 12/20/89, Minutes, p. 4, Alan Purcell: ...there are many similarities between the Washington County and Multnomah County charters, with Multnomah County having more specifically written standards.
29. 12/20/89, Minutes, p. 4, Purcell: Since the Multnomah County Charter already provides plenty of direction and many of the recent changes have not yet been put into practice,...it would be premature to make any further changes.
30. 12/20/89, Minutes, p. 4, Purcell: First, the auditor should not be running for another position while in that position because of access to confidential information; in fact, some have suggested that there should be a period after the auditor leaves office when he should not be allowed to run for another office. ...he does not favor the two-term limit. He personally would not accept a position if it were limited to only eight years. If someone is going to make a career change, he needs to be assured that it will last for more than four or eight years.
31. 12/20/89, Minutes, p. 4, Purcell: ...the CPA requirement should be viewed as a minimum qualification; specialization of the candidate and other areas of expertise should also be considered.

32. 12/20/89, Minutes, p. 4, Purcell: ...the possibility [of the auditor's role becoming restricted by the budgetary process] exists, but ...there are ways to deal with it by campaigning for the auditing function; use the press and the public to help your cause. Furthermore, in Washington County, the auditor's salary is specified in the charter and is exempt from the board's scrutiny; this also eliminates some of the pressure.
33. 12/20/89, Minutes, p. 5, Barbara Clark: ...contrary to popular belief, she does not report to the mayor; she seeks a response from the individual commissioner and department head of the bureau being audited.
34. 12/20/89, Minutes, p. 6, Anne Kelley Feeney: ...she is in total agreement with the other speakers; the charter language regarding the auditor should not be changed at this time. She also noted that an appointed auditor tends not to be as visible as one who is elected.
35. 12/20/89, Minutes, p. 6, Dan Ivancie: ...the county auditor should remain an elected position. ...the auditor should monitor the work done by external auditors.
36. 12/20/89, Minutes, p. 6, Jack Horner: 1. The states of Washington and Oregon, Seattle and Clark County, all use program (or performance) auditing where there is an emphasis on program economy, efficiency, and to a lesser degree effectiveness audits. 2. In Multnomah County, financial audits are conducted annually and independently by outside auditors, thereby giving the Finance Director, who monitors the external auditors, a high level of accountability for internal controls. 3. The Multnomah County Auditor works in the program audit area where standards are not as clear-cut. Moreover, the Certified Internal Auditor certification requirements do not speak specifically to competency in program auditing.
37. 12/20/89, Minutes, p. 7, Horner: ...the county audit function is doing well as it stands.
38. 12/20/89, Minutes, p. 7, Bob Goldstein: ...it is best to leave the county charter as it is regarding the position of auditor.
39. 1/10/90, Minutes, p. 5, Linda Alexander: Changes should not be made to the auditor's office unless they are to clarify the role of the auditor in performance/evaluation auditing

and financial/compliance auditing. Alexander feels very strongly that there should be a performance auditing role and not a financial role.

40. 1/10/90, Minutes, p. 6, Duane Zussy: Zussy has no preference as to how the county auditor should be selected, but feels it is imperative that the person be professionally qualified. He noted that there is a definite distinction between a performance and financial auditor.
41. 1/10/90, Minutes, p. 8, Tanya Collier: The Auditor should concentrate on performance auditing and should be a certified internal auditor, not a CPA.

SECTION 2

BOARD OF COUNTY COMMISSIONERS: DISCUSSION

This section is inextricably linked to Section 4, County Administrator and Section 5, County Chair/Executive because each section relates to the basic structure of government in Multnomah County, although each focuses on slightly different issues. The interrelationship among these sections means that they should be, to a great extent, considered together. Most of the discussion relating to the pros and cons of the forms of government is contained in this section while issues relating only to a specific form of government is contained in that section. For example, discussion relating to separation of powers is contained in this section because it relates to all the different types of structures discussed while issues relating to the responsibilities of the county administrator are contained in that section, Section 4.

1. Number of County Commissioners:

Section 3.10 of the charter contains the language relating to the number of commissioners:

3.10 MEMBERSHIP. The governing body shall be a board of five county commissioners. The chair of the board shall be elected from the county at large. Four county commissioners shall be elected from districts as herein established and described. Descriptions for each district are based on block groups and census tracts as employed by the United States Department of Commerce, Bureau of the Census, in compiling the 1980 decennial census. (Effective January 1, 1987)

The committee has heard much testimony concerning the size of the board. The testimony has centered around increasing the size of the board to seven members, decreasing the board to three members, or retaining the current board size. The

issue is generally a conflict between what one witness described as a debate between the values of efficiency versus accountability.

Those who advocate an increase in the size of the board generally emphasize the value of accountability. According to this argument, a board with more members is more accountable than one with fewer members because their districts would be smaller and, thus, more representative.

The committee has also received testimony from those who advocate a smaller board of three members. Those who testified argued that a smaller board would be more efficient than a larger board and might be more cost-effective. The argument that came up most often is that because county responsibilities are shrinking in some ways, the board size should reflect that.

Finally, the committee heard from those who favor retaining the current five-member board. Those who advocated this position argued that the five-member board should be retained because it is a good balance of efficiency and accountability, that there is no consensus on how it should be changed and that there is no overriding reason to change it at this time. The committee was also told, on this issue and on many others, that people make the difference, not the form or structure of government.

2. Full-Time or Part-Time Board:

Closely related to the issue of the number of commissioners is whether they should be part or full-time. The charter is silent on this issue. One witness stated that the questions to ask in considering this issue are whether the current full-time members have enough work to do and whether they are interested in making long-term policy. If so, they should be full-time.

Those who support a part-time board state that an ordinary person would be more able to serve on a part-time board; it would be a less political position. It is also argued that the board members would be able to have outside employment. Endorsement of a part-time board is sometimes contingent on an increase in the board size in order to enable board members to keep up with the work.

Advocating retention of a full-time board are those who state that the workload and availability and accessibility of a

commission require it. It is further agreed that if the commissioners were part-time, the county executive (whether it be a separately elected executive, the county chair or a county administrator) might become the policy-maker for the county by default.

3. District versus At-Large Elections:

Section 3.10 of the charter provides for commissioners elected by district and the chair elected at-large: "The chair and the board shall be elected from the county at large. Four county commissioners shall be elected from districts as herein established and described."

The issue of whether commissioners should be elected by district or at-large is again intertwined with the issues of board size and whether commissioners should be full-time or part-time.

Virtually all testimony heard by the committee pointed out the necessity for commissioners to be elected by district. Reasons given include greater representation (especially for east-county residents) and the lack of an overriding reason to change to at-large elections at this time.

4. Separation of Powers:

Section 2.20 of the charter gives the board of commissioners the legislative power in the county:

2.20 WHERE POWERS VESTED. Except as this charter or a state constitutional or statutory provision regarding the initiative and referendum provides to the contrary, the legislative power of the county shall be vested in and exercisable only by the board of county commissioners. Any other power of the county not vested by the charter elsewhere shall be vested in the board but may be delegated by it.

Section 6.10 gives the chair executive authority:

6.10 CHAIR OF THE BOARD. The chair of the board of commissioners:

- (1) shall be the chief executive officer and personnel officer of the county;

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

A separation of powers refers to a separation between the executive and legislative branches of government. The current structure, with the county executive (the chair) as part of the legislative branch (the board) is not a true separation of powers. Also not a true separation of powers is a council/manager form of government because the county manager or administrator, although he runs the day-to-day operations of the county and thus functions as an executive, is under the control of the legislative branch of the board. Prior to 1984, a separation of powers did exist with an elected executive completely separate from the board.

Most of the discussion in this area has focused on the three forms of government discussed above. The committee heard

testimony supporting all three forms of government, each offering a different degree of separation of powers.

Witnesses who supported either the county executive or the council/manager form of government tend to stress the importance of separation of powers; they agree that this separation creates a desirable tension between the two branches of government which results in system checks and balances.

Also emphasized by both groups of supporters is that a county executive or hired administrator allows the board to remain the policy-maker; it also allows the administrator or executive to do the job for which he is trained -- administer the day-to-day operations of the county.

The current form of government is favored by those who believe that cooperation among the board members is more important than the separation of powers. Furthermore, several witnesses stated that not enough time has elapsed to evaluate and change the structure at this time.

The issue of separation of powers is closely tied to issues discussed in Section 4, County Administration and Section 5, County Chair/Executive.

5. Paid or Unpaid/Salaries:

Several witnesses also addressed the issue of whether commissioners should be paid or volunteers. Those who desired a volunteer board stated that money would be saved. It was also argued that the board would be less political in nature and more efficient if its members were volunteer.

More often discussed was how much to pay board members and how to raise their salaries to a competitive level. Because the issue of salaries is not confined to that of board members, but also extends to all elected county officials, Section 12, Salaries, has a more detailed discussion of that issue.

6. Staff:

The committee heard testimony related to board staff throughout its public meetings and devoted one meeting almost exclusively to this subject. The issues are generally two-fold: (1) Is the issue of board staff a charter issue and; (2) Does each commissioner have too many staff assistants?

Related to this second issue is the issue of a "pooled staff" where individual commissioners would have few, if any, individual staff assistants; instead, board staff would be pooled in a centralized manner under the executive, and commissioners would have access to the entire staff pool. A pooled staff is usually, though not necessarily, supported in conjunction with a county administrator.

The committee heard much testimony, even from those who support the "pooled staff" concept, that the issue of board staff is not a charter issue. This conclusion is generally based on the belief that board staff is not of sufficient importance to warrant inclusion in the charter. It was also stated that staffing is more of an internal operational decision, not a policy decision, and is therefore more appropriately decided by the executive and legislative branches by way of ordinance. Finally, it was noted that staffing should be flexible and able to evolve with the situation and therefore not embedded in the charter.

The issue of the number of staff assistants and the issue of a pooled staff are questions that should be answered after the first question is answered, according to some witnesses. The committee did hear testimony that there are too many staff assistants to the board members, including the chair. According to these witnesses, fewer staff would decrease bureaucracy and costs. Some of those recommended a pooled staff while others simply recommended fewer staff assistants for each commissioner.

SECTION 2

BOARD OF COUNTY COMMISSIONERS: REFERENCES SUMMARY

1. Number of County Commissioners: 2,3,4,6, 11, 13, 14, 17, 18,
19, 20, 21, 25, 30, 31, 33, 34, 35, 39,
43, 45, 57, 60, 61, 63, 64, 66
2. Full-Time or Part-Time Board: 1, 2, 4, 6, 9, 11, 12, 19, 20,
21, 25, 30, 31, 34, 45, 47, 49, 52, 61,
62, 64
3. District vs. At-Large Elections: 2, 3, 16, 19, 21, 23, 26,
29, 30, 35, 39, 43, 49, 61, 64, 65, 82
4. Separation of Powers: 8, 10, 12, 24, 27, 28, 30, 31, 35, 37,
38, 40, 41, 42, 44, 50, 51, 56, 58, 59,
61, 64, 81
5. Paid or Unpaid/Salaries: 1, 12, 15, 30, 35, 81, 83
6. Staff: 7, 22, 32, 35, 39, 46, 47, 48, 53, 54,
55, 67, 68, 69, 70, 71, 72, 73, 74, 75,
76, 77, 78, 79, 80

SECTION 2

BOARD OF COUNTY COMMISSIONERS: REFERENCES

1. 7/28/89, Portland Metropolitan Chamber of Commerce Report: Multnomah County's charter review should result in a ...volunteer part-time board...
2. 10/11/89, Minutes, p. 1, Chair Gladys McCoy: ...need to continue a full time, 5-member Commission, 4 elected by district, to address the concerns of their constituents (with the Chair elected county-wide).
3. 10/11/89, Minutes, p. 2, Commissioner Pauline Anderson: Multnomah County should have five county officers elected by district. She does not feel that commissioners need to be elected county wide. The current workload requires at least five commissioners.
4. 10/25/89, Minutes, p. 2, Commissioner Sharron Kelley: The Board of Commissioners should be increased from five to seven members and they should be part-time.
5. 10/25/89, Minutes, p. 2, Kelley: [Kelley] does not agree with the requirement that five commissioners must agree to any changes in administrative departments when budget votes require votes of only three commissioners.
6. 10/25/89, Minutes, p. 5, Senator Glenn Otto: [He recommends] five elected part-time commissioners. He stated that each commissioner could have outside employment which is desirable.
7. 10/25/89, Minutes, p. 5, Otto: [He recommends] a pooled staff. He feels that the commissioners have too many on their individual staffs.

8. 11/8/89, Minutes, p. 2, Clark: He personally liked the elected county executive form of government best. The executive function separated from the legislative function results in a tension between the executive and legislative branches which can be desirable.
9. 11/8/89, Minutes, p. 2, Clark: As a citizen [he] wants to be able to contact a commissioner and be able to make demands on him. This requires that position be full-time so that the commissioner is available for people to contact him to discuss issues and come to organizations to tell citizens what is going on.
10. 11/8/89, Minutes, p. 4, Commissioner Rick Bauman: He has no problem with the election of an executive. However, he urges a change in having a single member serve both legislative and executive functions as is now the case. First, the county chair prepares a budget, then the county commission, including the chair, sits in judgment and revises that budget. Budgeting is one of the most difficult functions of the legislative body. The Board went into that process last spring; they had a vacancy on the board and had three commissioners and the chair dealing with the chair's budget. The effect of that was that the three non-chair commissioners had to be unanimously in agreement on any change of the Chair's budget. That is an incredible standard. Even if they were a full commission it would take three-fourths agreement to change the budget. He doesn't think that is good public policy. The result of that was less than a one percent change in the chair's proposed budget.
11. 11/8/89, Minutes, p. 4, Bauman: In terms of the number of commissioners and whether they should be part or full-time, he asked the committee to choose, keeping in mind that anything can work.
12. 11/29/89, Minutes, p. 2, Blanche Schroeder: [The chamber favors] a move to a volunteer part-time board with full-time executive leadership."
13. 11/29/89, Minutes, p. 2, Commissioner Darlene Hooley: Bill Rapp stated that he had heard at least two reasons not to have a 3-member commission: First, that it is too easy for one member to dominate the commission, and, second, that if one member is absent, the Board is deadlocked. Commissioner Hooley responded that there is a potential danger, but Clackamas County does not have this problem. She feels it depends on who the elected people are.

Commissioner Hooley said that a lot of it [having the "right people" in positions] is luck and having people who are willing to do the job. She feels they have some safeguards because the press always attends their meetings and because members and staff keep each other informed of all decisions that are made.

14. 11/29/89, Minutes, p. 3, Hooley: ...feels they probably could [handle the work with a home rule charter] but even now, more managers are sometimes needed.
15. 11/29/89, Minutes, p. 3, Hooley: Her present salary is approximately \$50,000 per year and salaries are increased by the budget committee, usually in 3% increments. The budget committee actually recommends the salary level, but the Board must approve it as part of the overall budget.
16. 11/29/89, Minutes, p. 4, Hooley: ...They are all elected county-wide and, therefore, all of the commissioners are accountable county-wide.
17. 11/29/89, Minutes, p. 5, CIC Chair Dennis Payne: Regarding the number of commissioners, reducing the number is not desirable; if increasing is the answer, the question is by how many.
18. 11/29/89, Minutes, p. 7, Commissioner Bonnie Hays: The people the voters elect is the most important thing.
19. 11/29/89, Minutes, p. 7, Hays: Washington County has a full-time Chair, elected at-large, and four part-time commissioners elected by district.
20. 11/29/89, Minutes, p. 7, Hays: She would prefer five full-time commissioners.
21. 12/13/89, Minutes, p. 2, AFSCME President Arlene Collins: The Local recommends at least five elected full-time commissioners with a cap of eight years' service elected from districts in which they have maintained a full-time residence for at least a year. The present districts should be redrawn by population by the PSU Population and Research Center. Their duties should be assigned by the chair.
22. 12/13/89, Minutes, p. 2, Collins: There should be a pooled staff for the entire commission, except that each commissioner should have a private secretary/administrative assistant.

23. 12/13/89, Minutes, p. 2, Collins: Liberty Lane asked why the Local recommends an 8-year cap for commissioners and none for sheriff. Collins responded...the sheriff's policies are guided by both the policies set by the commissioners and the vote of the people while the commissioners have only the voters to answer to.
24. 12/13/89, Minutes, p. 3, Collins: Ann Porter asked what the basis is for the Local recommending the duties of the commissioners include managing various departments, contrary to other recommendations received. From past experience, the Local feels there would be better accessibility by structuring it this way.
25. 12/13/89, Minutes, p. 4, Representative Ron Cease: The commission size is okay. The question of whether the commissioners should be full or part-time should be looked at closely. Most commissioners only want to deal with immediate problems and are not interested in setting long-term policies. Some questions to ask ourselves are: Do the commissioners have enough to do? Do they want to make long-term policy?
26. 12/13/89, Minutes, p. 4, Cease: The issue of elections at large or by district should not be discussed again; the issue has been dealt with in the past.
27. 12/13/89, Minutes, p. 5, Cease: ...he is strongly against having commissioners be administrators of specific departments as in the City of Portland.
28. 12/13/89, Minutes, p. 5, Cease: Monica Little sought clarification on whether Cease recommends an elected chair position or an elected executive. Cease said that unless the committee feels strongly that an elected executive should not be on the commission, it should remain the way it is.
29. 12/13/89, Minutes, p. 5, Cease: Paul Norr asked Cease if he had any concerns about the sheriff and auditor being elected county-wide, if the commissioners were elected by district. Cease responded that would be a concern; if the commissioners were elected by district, the argument for an executive elected county-wide becomes stronger.
30. 12/13/89, Minutes, p. 5, Jerry Orrick: ...Oregon counties can be grouped into two types, general law and charter; there are 18 general law counties and 13 of the smaller ones have retained the original county court form, consisting of a

county judge and two commissioners. The county judge serves as both the elected chair and as the chief executive. The other 15 counties in this group have progressed to a three-member board or commissioners with a rotating self-elected chair. There are eight charter counties with structural organizations ranging from Josephine, with a general law format, to Clatsop with five uncompensated, non-partisan, part-time commissioners, no elected department heads, and a strong county manager appointed by the Board. Three counties have three full-time commissioners with self-elected chairs; one has five full-time commissioners with a self-elected chair; one has five uncompensated commissioners with a self-elected chair; two have part-time commissioners with a popularly elected chair; and one, Multnomah, has five full-time commissioners with a popularly elected chair/executive. All, except Multnomah, have full-time appointed administrators and all, except Multnomah and Clatsop, require the Board of Commissioners to set elected officials' salaries.

31. 12/13/89, Minutes, p. 5, Orrick: ...Multnomah County has come full circle in its organization structure. It began as a general law county with a judge and two commissioners, moved to a three-member board of commissioners, adopted a charter with five commissioners, moved to a strong elected executive form, then to the present form with a popularly elected chair with executive powers.
32. 12/13/89, Minutes, p. 7, Orrick: Lana Butterfield said that a previous speaker asked the committee to change the method of staffing for the commissioners. She asked Mr. Orrick about his recommendations in that area. First, Mr. Orrick stated that a professional staff is needed to assist the county commissioners with research and analysis. Orrick then said that if a central administrative office is in place with a professional manager, the need for individual commissioners' staffs begins to decline. One way or another the staff needs to be there. He stated that it is difficult to compare Multnomah County with other counties in Oregon, but most of the larger ones provide their commissioners with a central administrative staff.
33. 12/13/89, Minutes, p. 8, Ken Tollenaar: The committee should evaluate each issue, each structure option, with two values in mind: efficiency and accountability. The committee members should ask themselves to what extent does an option increase efficiency or accountability.

34. 12/13/89, Minutes, p. 8, Tollenaar: ...Multnomah County has come full circle in its type of government. A larger board of 7 or 9 tends to promote accountability but sacrifice efficiency, while a smaller board increases efficiency at the expense of accountability. A part-time board increases an ordinary person's chances to serve on the board.
35. 12/13/89, Minutes, p. 9, Eugene Collins: ...there should be five to seven part-time commissioners from separate districts of the county, thereby allowing each neighborhood to elect a commissioner. Salary should be based on the same pay-scale presently used by state senators and each commissioner would have one paid assistant. Commissioners would have policy-setting duties only, not administrative.
36. 12/20/89, Minutes, p. 4, Jewell Lansing: [Having professional qualifications for commissioners, similar to those required for the auditor] would [not] be a good idea because they are different types of jobs.
37. 12/29/89, Letter, Jack Horner: First, the Policy Development Committee discussed a topic during its "visioning" phase of planning which spoke to a need to clarify the difference between something that is often fuzzy, the legislative and the executive functions. Specifically, they said: "We will have clearly defined executive and legislative functions." They did not elaborate on this statement in later discussion. As I recall, they said they would depend on the Commission to examine this concern.
38. 1/3/90, Minutes, p. 2, Charles Cameron: Washington County uses the council manager form of government; the organization has passed a variety of tests to be formally acknowledged by the International City Management Association in this capacity.
39. 1/3/90, Minutes, p. 2, Cameron: The board consists of five commissioners; four district, one at-large. All commissioners perform on an equal basis, providing the same services to the community. There is no commission staff; county administrative office staff is used.
40. 1/3/90, Minutes, p. 2, Cameron: External responsibilities carried out by the chair and board of commissioners include: (1) serve as conduit and assessor of public need, (2) determine policy direction of the county, (3) provide legislative and quasi-judicial responsibility, and (4) maintain intergovernmental relations with peers (participation on many Washington County and statewide boards and committees).

41. 1/3/90, Minutes, p. 2, Cameron: Board of commissioners' time is distributed between handling current issues of concern, such as land use, water quality, transportation, and solid waste; intergovernmental boards, committees and commissions; constituent representation, and commission meetings.
42. 1/3/90, Minutes, p. 3, Cameron: [Adopt] a council-manager form of government for the following reasons:
 - A. Increased representation because of ability to determine critical community needs through better communication, and implementation of support for those needs.
 - B. The ability of the administrator to forward allocation plans, provide quality control functions and provide objective input drawn from experience, skills and education.
 - C. Increased professionalism because of ability to attract those who are educated in county government and marriage of political and business approaches.
43. 1/3/90, Minutes, p. 4, Mike Swanson: Swanson serves with three county commissioners who are elected at-large.
44. 1/3/90, Minutes, p. 5, Swanson: Examples of responsibilities of the board of commissioners include authority to: adopt the budget, hire and fire CEO and county counsel, set all compensation, adopt long-range plans and provide leadership to the county.
45. 1/3/90, Minutes, p. 6, Gordon Tiffany: ...Clark County is a non-charter county operating under general law. There are three full-time commissioners and eighteen additional elected positions; they are Assessor, Auditor, Clerk, Coroner, Prosecuting Attorney, Sheriff, Treasurer and six superior court and five district court judges.
46. 1/3/90, Minutes, p. 7, Tiffany: It is important that a central staff be used for all board members; this eliminates competition between individual commissioners and staff and promotes cooperation.
47. 1/3/90, Minutes, p. 7, Tiffany: It depends on the work load whether the board of commissioners should be full or part-time; they should be paid accordingly. The Clark County commissioners are full-time and paid \$50,000+/year. The commissioners earn that salary and more.
48. 1/3/90, Minutes, p. 8, Swanson/Cameron: Swanson stated that for the past two years Clackamas County has given each

commissioner the option of hiring one part-time person; the duties of that person are strictly clerical and not analytical. All other staff members report to Swanson. Cameron stated that Washington County Commissioners have no staff; his office does needed clerical work for the commissioners.

49. 1/10/90, Minutes, p. 3, Grant Nelson: He has worked for state government and Multnomah County and that Multnomah County's present number of full-time commissioners, elected by district, is the best...
50. 1/10/90, Minutes, p. 6, Duane Zussy: [He] advises the chair and members of the board on the process of policy development in his department and assists them in developing programs from concept to reality.
51. 1/10/90, Minutes, p. 6, Zussy: [He] is committed to serving the full board equally by providing them with professional advice and sharing pertinent information in a timely manner.
52. 1/10/90, Minutes, p. 6, Zussy: Multnomah County should have the council/manager form of government with an elected full-time county commission and a professional county manager.
53. 1/10/90, Minutes, p. 7, Zussy: He has worked in other county governments which use the county manager form of government and has, himself, been a county manager; with no exceptions, they all had only a secretary or an executive assistant; analytical capability was performed by departmental staff.
54. 1/10/90, Minutes, p. 7, Zussy: [He] relates to the commissioners directly but also often briefs the board staff at their meetings on smaller issues. Board policy issues can be discussed one-on-one with commissioners; staff can be briefed on other matters, who then brief their respective commissioners. All commissioners are given the same information with the chair being the first to know.
55. 1/10/90, Minutes, p. 7, Zussy: There is no hard and fast rule [regarding board staff], but he believes the staffing issue should not be dealt with in the charter; it should evolve from the internal situation.
56. 1/10/90, Minutes, p. 8, Tanya Collier: Collier believes very strongly in the present system with an executive who is a member of the board; the reason this model was adopted was to eliminate the "we vs. they" attitudes that the previous strong executive form led to.

57. 1/10/90, Minutes, p. 8, Collier: If the committee accepts the idea that county responsibilities will continue to shrink, three instead of five commissioners should be considered.
58. 1/10/90, Minutes, p. 9, Collier: Ann Porter asked Collier how a firm line of administrative authority can be attained if the county chair is the executive or administrator. Porter is concerned that if a department head can't get what he wants from the chair, he or she will by-pass the chair and go directly to the board. Collier responded that, given human nature, she doesn't think you can attain a firm line of administrative authority. Given the choice between an elected executive and a chair who is a member of the board, she would choose the latter. She also stated that the committee is in the best position to know whether the trade-off made at the last charter review, sacrificing separation of powers for cooperation between the commissioners and the executive, was worth it.
59. 1/10/90, Minutes, p. 9, Collier: If Multnomah County went to a three-member board with an appointed manager, there would be a definite distinction between the functions. Her problem with an executive separate from the board was the split that developed between the two.
60. 1/10/90, Minutes, p. 9, Collier: The county is shrinking in terms of budget and number of functions and it should be reflected in the size of the board of commissioners.
61. 1/10/90, Minutes, p. 10, Paul Thalsofer: The charter needs very little review at this time; he thinks it is time to see how the structure in place works over a substantial period. In general, Thalsofer believes that the existing governing structure with five full-time commissioners and one being chair should be continued. The chair should be elected county-wide and the four other commissioners should be elected from existing districts.
62. 1/10/90, Minutes, p. 10, Thalsofer: Because of work load, commissioners should be full-time; if they are part-time with a county manager, he sees a possibility of the county manager actually being the policy-maker. The people want their elected commissioners to set policy and be accountable for their decisions.
63. 1/10/90, Minutes, p. 10, Thalsofer: The five commissioner system should remain in place to allow full representation of

all county districts. A three commission system might not be sufficient.

64. 1/10/90, Minutes, p. 10, Thalsofer: If a change must be made, the only change he would support is a five member board of commissioners who serve full-time and are elected by districts with a rotating chair and an appointed county administrator.
65. 1/10/90, Minutes, p. 10, Thalsofer: [East county residents] may be better served [by commissioners elected county-wide], but it may be a hardship on the elected official to conduct a county-wide campaign, which is very expensive.
66. 1/24/90, Minutes, p. 3, Susan McPherson Daluddung: Marcia Pry asked the speakers if they believe the number of county commissioners should be increased due to the increased population. McPherson Daluddung said she believes the more representation we have, the better we are all served. In addition, she believes a strong manager is essential (she prefers elected).
67. 1/24/90, Minutes, p. 4, Bill Farver: The questions he believes are important for the committee to consider are:
 1. Should the county have a professional manager or an elected executive with or without legislative authority?
 2. Should the manager or executive have increased power vis a vis the legislative branch or should there be a strong, informed legislative branch as a balance to the executive authority?

Farver believes that if these questions are answered, the type of staffing needed will follow.

68. 1/24/90, Minutes, p. 4, Farver: Some of the reasons commissioners may want personal staff are:
 1. To have someone they can trust to share ideas and strategies. (It would be difficult for a shared staffer to present all sides of an issue when there is disagreement among the commissioners).
 2. To help make decisions and do research.
 3. Perform support services and maintain community visibility.

4. Help enable commissioners to develop a more innovative approach to issues.

69. 1/24/90, Minutes, p. 5, Farver: Some of the reasons for having a pooled staff may be: (1) better and more neutral policy analysis; and (2) ability to cover for some of the inconsistencies in management styles of different commissioners.

70. 1/24/90, Minutes, p. 5, Farver: Problems with having a pooled staff are: (1) reduction of staff would create problems with constituents who want to talk to their commissioner or a representative, (2) having an executive or manager reduces independent analysis by staff members who have been accustomed to making independent decisions; and (3) with fewer staff, some issues may not be covered.

71. 1/24/90, Minutes, p. 5, Farver: ...it is his hope that the question of staffing will not appear on the ballot in the same way the lobbyist issue did.

72. 1/24/90, Minutes, p. 5, Hank Miggins: ...the Chair's staff has eleven members; six staff assistants, three support staff positions, an administrative assistant and himself.

73. 1/24/90, Minutes, p. 6, Robert J. Trachtenberg: Trachtenberg's comments on a pooled staff included:
 1. Constituent complaints may not be dealt with as efficiently with a pooled staff.
 2. Support and evaluation of an idea that differs from that of the executive department may not be available.
 3. There would be less incentive for a staff assistant to initiate new ideas and no clear communications channel.
 4. With five equal bosses, it is more difficult to establish efficient work plans for staff.
 5. Individual staffs assist the commissioners in pursuing the agendas of their districts. This would be difficult with a pooled staff.
 6. If a pooled staff is mandated by the charter, it would be difficult for adjustments to be made as conditions change.

74. 1/24/90, Minutes, p. 6, Trachtenberg: ...a more appropriate role for the charter is to assure that the budgets of each commissioner are equal.
75. 1/24/90, Minutes, p. 7, Trachtenberg: If the decision is made to have a county administrator, Trachtenberg believes some of the chair's staff assistants should be supervised by the county administrator and the chair should have the same number of staff as the other commissioners.
76. 1/24/90, Minutes, p. 7, Ramsey Weit: Factors favoring a pooled staff:
1. Recognizes and exploits the expertise of certain staff.
 2. Avoids duplicating efforts (phone calls, interviews, etc.) by having only one person assigned to each task.
 3. Better accountability for the board of commissioners.
77. 1/24/90, Minutes, p. 7, Weit: Factors in favor of individual staffs:
1. A technical advisor and personal advisor are different roles and commissioners deserve both.
 2. There is a potential for conflict between those who work for both a county administrator and legislators. There needs to be a check and balance between the two.
 3. Potentially minimizes the effectiveness of legislators by removing time-saving resources to synthesize and interpret events and correspondence.
 4. Discourages potential for delegated authority from the Chair to legislators.
78. 1/24/90, Minutes, p. 8, Fred Christ: ...a pooled staff does very well with issues that are not controversial such as constituent work and summarizing bills. However, the individual commissioners may not trust someone over whom they have no authority or with whom they have no personal relationship.
79. 1/24/90, Minutes, p. 8, Christ: It [working for two branches of government] would create inherent problems at the state level and similar problems at the county level.

80. 1/24/90, Minutes, p. 8, Miggins: Paul Norr asked Miggins if board staff is a charter issue. Miggins replied, "absolutely not."
81. 1/24/90, Minutes, p. 8, Clyde Brummel: The board of commissioners should be reduced to non-salaried members from each district, with a per diem allowance of \$75 per day, plus travel expenses. The board should hire a county manager.
82. 1/24/90, Minutes, p. 9, Jim Worthington: Commissioners should be elected by district.
83. 1/24/90, Minutes, p. 9, Worthington: Commissioners' salaries should be raised in small increments with the complete salary package explained.

SECTION 3

CHARTER REVIEW COMMITTEE: DISCUSSION

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

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

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

- (1) The Committee shall have two electors appointed from each senatorial district having the majority of its voters within Multnomah County, and shall have one elector appointed from each senatorial district having less than a majority of its voters within Multnomah County. The Committee shall choose their chairperson from among themselves and shall have authority to establish their own procedures and organization.
- (2) The state senator and the two state representatives who represent residents in each state Senate district located in Multnomah County shall appoint the electors for the district. Appointees shall reside in the district and Multnomah County. If the three appointers from any Senate district cannot agree upon an appointment, any two of the three appointers may make the appointment.
- (3) If two electors are appointed from a Senate

district, they shall not be registered in the same political party.

- (4) The following persons are not eligible for appointment to the Committee: The state senators and representatives who represent districts located in Multnomah County, the members of the Multnomah County Board of Commissioners, and the chair of the board of commissioners, if any, serving at the time of appointment.
- (5) Any vacancy in the Committee shall be filled by the senator and representatives from the senate district from which the previous member was appointed, using the same method as used for the original appointment.
- (6) Appointments shall be made not later than June 30, 1989.

12.50 SCOPE OF COMMITTEE REVIEW.

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

12.60 REPORT OF COMMITTEE. At least ninety-five days prior to the primary or general election or both of 1990, the Committee shall report to the people and to the Board of County Commissioners their findings, conclusions, and recommendations including any amendments they propose to the Charter.

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

Testimony concerning the charter review committee focused on three areas: How often the charter should be reviewed, the membership selection process and housekeeping issues. Most of the testimony concerned how often the charter should be reviewed; related to this question is whether there should be an automatic charter review. Recommendations ranged from a charter review at least every four years to not more than every eight to ten years. Witnesses who testified in favor of the charter review every four

years stated that the review process served a useful function and that it keeps voters from having to use the initiative process too often. Those witnesses supporting a longer intervening period between reviews stressed the importance of stability in county government structure, especially in terms of attracting candidates for public office.

Also mentioned as an issue the committee might wish to address is the selection process for committee members. One witness testified in favor of having representatives from citizen organizations on the committee. Another supported expanding the list of those who are ineligible to serve on the committee to include county employees and members of their families.

Finally, several housekeeping issues have surfaced in the course of the committee's hearings. These are issues relating to the internal operation of the committee. This category includes issues such as: (1) Allowing a revised charter to be submitted to the voters; current charter language only allows "amendments" to the charter; (2) Allowing dates, other than the primary and general election dates, to propose changes to the charter; (3) Specifying a termination date for the committee, and; (4) A specific funding requirement inserted in the charter.

SECTION 3

CHARTER REVIEW COMMITTEE: REFERENCES

1. 10/11/89, Minutes, p. 2, Chair Gladys McCoy: If there are a number of recommended changes to the current charter, they should be presented to the voters in a ballot measure as a revised charter. This would be more effective instead of adding many amendments. Also, the charter should be reviewed after an 8 to 10 year period. This would give it enough time to see if the Charter works.
2. 10/11/89, Minutes, p. 2, Commissioner Pauline Anderson: Eight to ten years is a reasonable length of time between charter reviews.
3. 10/24/89, Letter, p. 1, Michael D. Schrunk, Multnomah County District Attorney: As it currently stands, every four years a review is required. It may be that less frequent intervals might be more appropriate, recognizing that citizens can always change via the initiative petition as has been demonstrated in the past.
4. 10/25/89, Minutes, p. 3, Sheriff Bob Skipper: Regarding the proposed amendment to present an entirely new charter to the voters, Skipper thinks this would be a mistake. It would be confusing to many voters who would not easily be able to tell what specific changes they were voting on.
5. 10/25/89, Minutes, p. 3, Skipper: A state law enacted in 1983 prohibits presenting proposed amendments to the Charter in the form of a package to the voters. However, the previously stated proposal would be a way to get around the 1983 law. He believes that voters opposed to one or two of the proposed changes could defeat all of the changes.
6. 11/8/89, Minutes, p. 3, Don Clark: Sometimes we overdo the charter changes; it has gone through more change since the early 1960's than any other county charter that he knows about. In fact, the county has been one of the more

progressive governments in the United States; Multnomah County is seen as one of the leaders in the country. The City of Portland charter is the one that is antiquated and has a weird form of government.

7. 11/8/89, Minutes, p. 7, Counsel Dick Roberts: Bruce McCain asked whether the committee may repeal the charter. McCain stated that there is a statement in the charter that states that "This charter may be amended or repealed by the voters of the county." Roberts responded that the charter charges the committee with proposing amendments only. The section that McCain referred to is not part of the section dealing with the Charter Review Committee. The charter requires the committee to report to the board their findings, conclusions and recommendations including any "amendments" they propose to the charter. There is no provision allowing the committee to repeal the charter.
8. 11/29/89, Minutes, p. 5, CIC Chair Dennis Payne: The [Charter Review] committee membership make-up and selection process used needs to be changed; the process is not representative of Multnomah County because the Citizens Involvement Committee is not represented on the Charter Review Committee and neither are the county's minority and youth groups.
9. 11/29/89, Minutes, p. 5, Payne: We may not have allowed enough time to elapse to make additional changes in the charter, since the changes were made only four years ago.
10. 11/29/90, Minutes, p. 5, Payne: The committee shouldn't make changes for changes' sake, but to do the right thing.
11. 12/13/89, Minutes, p. 3, Representative Ron Cease: Generally, he believes the committee is performing a useful function, but he warned the committee to only make those changes which are necessary; leave the rest alone.
12. 12/13/89, Minutes, p. 4, Cease: Representative Cease said an automatic charter review would be a useful requirement. ...a review every five years may be too often; possibly ten years would be better, if there is a way to review it partially in the interim.
13. 12/20/89, Minutes, p. 5, Jewell Lansing: ...she believes [the charter review committee should meet] every 10 years...necessary changes can be made by ballot measure.
14. 12/20/89, Minutes, p. 5, Alan Purcell: ...Washington County has not had a major change in ten years. It is difficult to

attract and keep good people if they are unsure of what type of system will be in place after they are hired/elected. In addition, it takes a while to get a system to work. He stated that there is no perfect model; both Multnomah County and Washington County systems work -- in a large part it depends on the people elected.

15. 12/29/89, Letter, Jack Horner: ...the Strategic Planning process is evolutionary. The outcome of this year's process is less definitive than will be next and the following year's. County policy makers and managers will, I believe, attack increasingly more meaningful subjects regarding our direction and governance. Thus, part of what I was asked may be addressed after your charge has expired. This seems to argue for allowing us to examine ourselves unencumbered by Charter changes over the next few years. The type of examination we are undertaking will surely point to some flaws, but they will probably not be apparent until we get through at least the first three years of this process.
16. 1/10/90, Minutes, p. 5, Linda Alexander: Even though the committee has been urged by others to meet less frequently, Alexander urges them to re-visit any changes that are made on a planned schedule to insure that the committee expectations have been met. This is called "planned interruption."
17. 1/10/90, Minutes, p. 5, Alexander: Bill Rapp asked Alexander if she means the committee should meet more often; she said she didn't mean that, but to revisit any changes to make sure they are achieving their goals.
18. 1/10/89, Minutes, p. 8, Tanya Collier: There should continue to be a charter review committee, rather than having every change go before the voters. If voters know the charter will be reviewed every few years, they are less tempted to put changes on the ballots too often.
19. 1/10/89, Minutes, p. 8, Collier: The charter should be reviewed at least every four years.
20. 1/24/90, Minutes, p. 9, Jim Worthington: [Worthington recommends] all charter changes be single issue on the ballot.
21. 1/24/90, Minutes, p. 10, Worthington: Charter review should continue, possibly meeting every seven years.

22. 1/24/90, Minutes, p. 10, Worthington: County employees and families should be prohibited from serving on the Charter Review Committee. Others want all public employees prohibited from serving on the committee. Furthermore, the committee should consider whether some members should disqualify themselves on certain issues.

SECTION 4

COUNTY ADMINISTRATOR: DISCUSSION

1. Separation of Powers:

Those who advocate the council/manager form of county government have often relied on a separation of powers argument. These witnesses spoke to the need to separate the legislative and executive functions and the need to separate the policy maker from the day-to-day administration of county government. Other witnesses found the separation of powers argument less persuasive and emphasized that the current structure works and that the cooperation now present is more important than a separation of powers.

2. Professional Management:

The committee heard substantial testimony on the need for professional and appointed, rather than elected, management of the county. These witnesses stressed the importance of having an administrator who is trained in public administration.

Another reason advanced for having a professional administrator is the theory that policy-makers should be elected while technical employees, such as a county administrator, should be appointed. Other witnesses suggested that an appointed administrator, rather than an elected executive, is allowed to concentrate on the duties of his office with no partisan political duties.

3. Responsibilities:

The responsibilities of the county administrator have been a major discussion area for the committee; one meeting was set aside for current county administrators to discuss their roles in county government.

One issue of concern is accountability. All witnesses familiar with the council/manager form of government testified that the county administrator is accountable not to commissioners individually, but to the board as a whole. It is the board who has authority to hire, fire and supervise the county administrator.

Another area discussed at length by several witnesses relates to authority of the administrator. One witness stated that the administrator's authority can range from the strong manager model to the administrator model. All of the witnesses agreed that the administrator has as much authority as the board is willing to relinquish. In addition, it was agreed by other county administrators that "the degree of autonomy stems less from what is expressly stated in the charter (if there is one) and more from the administrator's personal relationship with the board."

4. Staffing:

Discussion concerning the staffing of the county administrator's office is related to staffing of the offices of the board of commissioners. As discussed in Section 2, Board of County Commissioners, most counties with a county administrator follow the "pooled staff" model and dispense, for the most part, with individual staffs. Instead, the administrative office contains staff for all of the board members to use as a resource. Often included in the administrative office is the intergovernmental affairs officer (lobbyist).

SECTION 4

COUNTY ADMINISTRATOR: REFERENCES SUMMARY

1. Separation of Powers: 1, 5, 10, 18, 23, 27, 36
2. Professional Management: 1, 3, 7, 9, 10, 12, 13, 14, 15, 16,
18, 22, 27, 36, 45, 49, 51
3. Responsibilities: 4, 6, 7, 11, 17, 18, 19, 20, 21, 26, 28,
29, 30, 32, 33, 36, 39, 41, 43, 44
4. Staffing: 25, 31, 38, 46, 52

SECTION 4

COUNTY ADMINISTRATOR: REFERENCES

1. 7/28/89, Portland Metropolitan Chamber of Commerce Report: Multnomah County's charter review should result in a...full-time professional executive leadership.
2. 10/11/89, Minutes, p. 2, Commissioner Pauline Anderson: Multnomah county should have five county officers elected by district. She does not feel that commissioners need to be elected county wide. The current workload requires at least five commissioners.
3. 10/11/89, Minutes, p. 3, Commissioner Gretchen Kafoury: ...seriously look toward having a professional manager. She feels very strongly that we need a professional manager to attend to County business.
4. 10/11/89, Minutes, p. 3, Kafoury: The county manager should be accountable to the chair but would be appointed by all commissioners.
5. 10/11/89, Minutes, p. 3, Kafoury: Having a county manager that would separate the legislative and executive functions of the county government makes sense. A situation similar to current county operations would be to have the governor present the budget and also preside over the legislature.
6. 10/11/89, Minutes, p. 3, Kafoury: She also noted that there should be no limit to the appointed county manager's length of term.
7. 10/25/89, Minutes, p. 2, Commissioner Sharron Kelley: ...Commission members and the executive office [should] jointly hire a county-wide chair or a professional manager which would be a good compromise between a very formal structure which the City of Portland has now, and what Multnomah County has which is much less formal. Information flow between the city and county would be much more efficient. It would assure the citizens of

Multnomah County that there would be a professionally run government. ...hiring of a county manager should be a consensus and the Commissioners should agree to that, but the manager should report to the Chair.

8. 10/25/89, Minutes, p. 5, Senator Glenn Otto: [He recommends] hiring of a county manager by the Board and subject to firing by the Board.
9. 11/8/89, Minutes, p.2, Don Clark: ...he is not in favor of an appointed county manager. The manager tries to balance keeping a majority on the Board and we are better served having the electorate invest in highly visible offices. He believes in elected officials that the public can hold accountable and with whom they can communicate.
10. 11/29/89, Minutes, p. 2, Blanche Schroeder: "...and a move to a volunteer part-time board with full-time executive leadership."

Separate policy-making and administration. The Chamber does not have a position on the number of commissioners, but supports having them be policy-makers, not administrators.

The Chamber strongly supports having a hired professional manager, but she didn't have advice on how to achieve having "strong executive leadership" and "professional management."

11. 11/29/89, Minutes, p. 3, Chair Darlene Hooley: ...the Chair has little power; the main duties are to set agendas and meet with the County Manager for briefings. She also stated that the executive doesn't necessarily attend all meetings.
12. 11/29/89, Minutes, p. 3, Hooley: ...Clackamas County has a lot of elected officials and it is best that people who make the policies be elected and technical people be appointed.
p. 4: ...she is in favor of a professional manager.
13. 11/29/89, Minutes, p. 7, Commissioner Bonnie Hays: Washington County has an appointed administrator and 8 department heads. An appointed administrator is best because he is a professional (and should be paid accordingly).

The Administrator makes \$72,000/per year plus 7-1/2% deferred comp and car allowance.

14. 12/13/89, Minutes, p. 4, Representative Ron Cease: Regarding

the county executive,...it is the person in the position and not whether an executive is elected or appointed. Since the public is used to the current form, he doesn't feel the committee should change it unless there are definite problems.

15. 12/13/89, Minutes, p. 5, Cease: ...unless the committee feels strongly that an elected executive should not be on the commission, it should remain the way it is.
16. 12/13/89, Minutes, p. 5, Cease: Paul Norr asked Cease if he had any concerns about the sheriff and auditor being elected county-wide, if the commissioners were elected by district. Cease responded that would be a concern; if the commissioners were elected by district, the argument for an executive elected county-wide becomes stronger.
17. 12/13/89, Minutes, p. 7, Jerry Orrick: [Mr. Orrick suggests the committee] evaluate the possibility of creating a county administrative officer position to serve at the pleasure of the board of commissioners and the chair. The administrator could be responsible for: (1) continually analyzing the internal functions and processes of the county to increase productivity and reduce waste; (2) coordinating and improving interdepartmental activities and communications and; (3) developing recommendations for county-wide budget, fiscal and public service priorities for board consideration.
18. 12/13/89, Minutes, p. 7, Orrick: ...an administrator is responsible for the day to day operation of the county; he is not involved in policy making at all. The administrator analyzes day to day operations of the county, develops procedures and processes and recommends to the board for their policy decision any change in organizational structure or long-term planning. The administrator provides expertise and provides a necessary communication link between labor and the policy makers and provides the necessary continuity throughout changes in political policy makers, who can rotate faster than problems can be solved.
19. 12/13/89, Minutes, p. 8, Orrick: Paul Norr asked if Mr. Orrick shares the concerns of some speakers who feel that there would be a problem with having a hired administrator answerable to 3 or 5 commissioners. Mr. Orrick said he did not and the administrator should serve at the pleasure of the governing body.
20. 12/13/89, Minutes, p. 8, Orrick: Ann Porter asked Mr. Orrick how the administrator relates to the sheriff and district

attorney (both elected officials). Mr. Orrick stated that most counties that have an administrator have the full array of row officers. The elected officer is in charge of his or her department and the hired administrator must respect that. However, the administrator has more time and expertise to do some things within those departments. In addition, the administrator should be the one who makes the budget recommendations and develops all management recommendations and decides how they relate to public funding. The administrator looks at the county as a whole and he is the one who should do that. It is something of an adversarial relationship based on mutual respect and a different type of expertise.

21. 12/13/89, Minutes, p. 8, Ken Tollenaar: Regarding the central administrative office (or county administrator), there are two options: 1. The strong manager model - The county administrator is given personnel responsibilities and makes contracts independent of the governing body. The board confines itself to policy-making. Clatsop County is a model of this type in Oregon. 2. Administrator Model - The administrator functions as an agent of the board and does whatever the board delegates: broad (as broad as a strong manager) or narrow (almost more like an assistant to the board).
22. 12/13/89, Minutes, p. 10, Eugene Collins: The current position of the chair should be abolished. Day-to-day operations of the county should be the responsibility of a paid professional administrator selected by the commissioners; the voters are not qualified to do so.
23. 12/29/89, Letter, Jack Horner: I believe, that over time, this Committee will play a major role in eliminating much of the lack of policy definition which has caused the legislative/executive topic to keep popping up. Combining its work on Strategic Planning and the Commission's increasing familiarity with the process may make further Charter-mandated distinction of the executive role unnecessary.
24. 1/3/90, Minutes, p. 2, Charles Cameron: Washington County uses the council manager form of government; the organization has passed a variety of tests to be formally acknowledged by the International City Management Association in this capacity.
25. 1/3/90, Minutes, p. 2, Cameron: The county administrative

office consists of four additional professional staff members, one intergovernmental manager, one intern, and five support staff.

26. 1/3/90, Minutes, p. 2, Cameron: Internal responsibilities carried out by the county administrator include: (1) implementation of policies adopted by the board, (2) meeting with peers, (3) development, analysis of requests and preparation of budgets for approval by county commissioners; (4) general management, consisting of organizational analysis, program evaluation, personnel and labor relations, discipline and grievance resolution and asset management; and (5) staff support to board of commissioners.

County administrator's time is divided between implementation of board goals, fiscal administration, providing direction to department heads, and staff development and evaluation of programs.

27. 1/3/90, Minutes, p. 3, Cameron: Specific suggestions offered by Cameron to the committee are: Adopt a council-manager form of government for the following reasons:

- A. Increased representation because of ability to determine critical community needs through better communication, and implementation of support for those needs.
- B. The ability of the administrator to forward allocation plans, provide quality control functions and provide objective input drawn from experience, skills and education.
- C. Increased professionalism because of ability to attract those who are educated in county government and marriage of political and business approaches.

28. 1/3/90, Minutes, p. 4, Mike Swanson: ...[he] clarified the fact that his position, chief executive officer, is the same as county administrator; his title has no additional significance.
29. 1/3/90, Minutes, p. 4, Swanson: Swanson serves with three county commissioners who are elected at-large.
30. 1/3/90, Minutes, p. 4, Swanson: Currently, the majority of Swanson's time is spent in organizational change issues; one of the major changes made last year was removing major

department heads from civil service and placing them on performance contracts, as is done in Washington County. He is also responsible for (1) translating into action the goals of the commissioners, (2) evaluating all department heads except county counsel and, of course, his own; these are evaluated by the board, (3) performing objective analysis of issues, and (4) meeting with the board from 5-10 hours per week, mostly on organizational issues.

31. 1/3/90, Minutes, p. 4, Swanson: Swanson's staff includes two secretaries and he will be hiring a clerk of the board and a staff analyst at the board level.
32. 1/3/90, Minutes, p. 4, Swanson: Examples of responsibilities of the administrative officer are authority to: hire and fire department heads, responsibility for the form of county organization and to provide leadership.
33. 1/3/90, Minutes, p. 9, Swanson: ...he has a tremendous amount of autonomy which is in direct proportion to his sensitivity/communication with the board.

...the degree of autonomy stems less from what is expressly stated in the charter (if there is one) and more from the administrator's personal relationship with the board.

34. 1/3/90, Minutes, p. 9, Swanson: Clackamas County is in a transition period and is attempting to expand citizen involvement.
36. 1/3/90, Minutes, p. 6, Gordon Tiffany: The County Executive position was created in 1985 to centralize administrative responsibility.

Tiffany stated that, even though there are some situations where an elected executive is appropriate, it is his belief that an appointed executive makes democracy more effective because it:

1. Empowers voters' elected representatives by allowing the Board to focus on policy leadership and by placing overall responsibility in the elected board, rather than separating accountability into competing elective offices.
2. Provides for competent management, as the appointed executive is selected solely on the basis of proven ability to manage a local government rather than on skill in campaigning.

3. Frees policy makers to concentrate on policy rather than having to use their time to manage daily operations. It is the Board's job to develop and communicate the vision, to set policies, and to monitor operations, but not to operate departments.
 4. Allows the executive to manage with no partisan political duties, no need to take time off to campaign, and no need to raise campaign funds (thereby reducing any appearance of conflict of interest in county management). The administrator will emphasize efficient businesslike approaches to management rather than political issues.
 5. Is the most popular form of local government organization in the United States. Further, the principle of an appointed manager responsible to a policy board is similar to proven private corporate organization.
 6. Provides for flexibility, allowing numerous locally determined variations in specific responsibilities and organizational details.
 7. Reduces patronage, with personnel decisions based on merit without regard to political affiliation.
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37. 1/3/90, Minutes, p. 8, Cameron: [Job hopping]...has been a problem in some areas in the past, but the National City Management Association has set standards and expectations which, along with the cost of relocation, have mitigated the problem. Swanson stated that one of the reasons county administrators may change jobs is for job security.
 38. 1/3/89, Minutes, p. 9, Cameron: ...Washington County Commissioners have no staff; his office does needed clerical work for the commissioners.
 39. 1/3/89, Minutes, p. 9, Cameron: Cameron agreed with the other two in that he also has a great deal of autonomy, but it is directly related to his relationship with the Board.
 40. 1/3/89, Minutes, p. 9, Cameron: ...the craft of public service is universal throughout the United States and demographics and issues are often identical; therefore, it is possible to practice anywhere in the country.
 41. 1/3/89, Minutes, p. 9, Cameron: ...Washington County also

has a citizens committee which communicates more with the board of commissioners than with the county administrator, even though he is available to assist them.

42. 1/3/90, Minutes, p. 8, Tiffany: ...when the job is completed, that is the time to move. He agreed that job security is also an issue and believes that a strong severance agreement should be incorporated in the employment agreement; some larger cities offer six-months severance pay to the city manager.
43. 1/3/90, Minutes, p. 8, Tiffany: ...the person with less formal authority lacks autonomy in making decisions, but is not really thought of as weak; you hire the person with the qualifications needed for the position. Tiffany said he has as much authority as the commissioners allow him.
44. 1/3/90, Minutes, p. 8, Tiffany: ...Clark County has a variety of citizen involvement groups with a staff person assigned to each to assist with their needs; however, they report to the board of commissioners.
45. 1/10/90, Minutes, p. 6, Duane Zussy: Multnomah County should have the council/manager form of government with an elected full-time county commission and a professional county manager.
46. 1/10/90, Minutes, p. 7, Zussy: He has worked in other county governments which use the county manager form of government and has, himself, been a county manager; with no exceptions, they all had only a secretary or an executive assistant; analytical capability was performed by departmental staff. Even though there is a tendency toward this model, he knows of instances where it is not the case.
47. 1/10/90, Minutes, p. 9, Tanya Collier: Ann Porter asked Collier how a firm line of administrative authority can be attained if the county chair is the executive or administrator. Porter is concerned that if a department head can't get what he wants from the chair, he or she will bypass the chair and go directly to the board. Collier responded that, given human nature, she doesn't think you can attain a firm line of administrative authority. Given the choice between an elected executive and a chair who is a member of the board, she would choose the latter. She also stated that the committee is in the best position to know whether the trade-off made at the last charter review, sacrificing separation of powers for cooperation between the commissioners and the executive, was worth it.

48. 1/10/90, Minutes, p. 9, Collier: If Multnomah County went to a three-member board with an appointed manager, there would be a definite distinction between the functions. Her problem with an executive separate from the board was the split that developed between the two.
49. 1/10/90, Minutes, p. 9, Collier: There were so many changes that needed to be made at that time, they [the 83-84 Charter Review Committee] didn't have the luxury to consider it [the council/manager form of government]. The form of government then was not working because of the separate elected executive. The committee concentrated on solving that problem. Now that that problem is solved, this committee should consider a council/manager form of government. It makes sense to consider it now.
50. 1/10/90, Minutes, p. 10, Thalhoffer: Because of work load, commissioners should be full-time; if they are part-time with a county manager, he sees a possibility of the county manager actually being the policy-maker. The people want their elected commissioners to set policy and be accountable for their decisions.
- If a change is made, the only change he would support is a five member board of commissioners who serve full-time and are elected by districts with a rotating chair and an appointed county administrator.
51. 1/10/90, Minutes, p.11, John Vogl: He has always thought that the idea of a paid administrator makes good sense....
52. 1/24/90, Minutes, p. 7, Trachtenberg: If the decision is made to have a county administrator, Trachtenberg believes some of the chair's staff assistants should be supervised by the county administrator and the chair should have the same number of staff as the other commissioners.

SECTION 5

COUNTY CHAIR/EXECUTIVE: DISCUSSION

1. Elected Executive as Member of Board:

The committee heard testimony throughout its hearings regarding the current structure with the elected executive as chair of the board. The rationale for retaining the current structure is that the current system provides for a cooperation between the branches of government which is not present in other variations and that the system is now working. It was also voiced that, in any case, because only three years have elapsed with this structure in place, now is not the time to make major changes.

2. Rotating/Honorary Chair:

Other witnesses, especially those supporting a council/manager form of government, spoke in favor of having an honorary chair which is usually rotated every year or two. The function of an honorary chair is to act as the spokesperson for the county, set the board agenda and run the board meetings. The chair has no veto authority and has only one vote along with the rest of the board members.

3. Separate Elected County Executive:

Several witnesses spoke in favor of the separate elected county executive, which was in place prior to 1986. These speakers stressed separation of powers (discussed below and in Section 2, Board of County Commissioners). Those opposed to a separate elected executive emphasized that it lacks both the cooperation present in the current system and the professional management of the council/manager form.

4. Separation of Powers:

Witnesses who testified supporting a separation of powers tended to advance the separate elected executive form, or more likely, the council/manager form. The issue is more fully discussed in Section 2, Board of County Commissioners.

5. Professional Management:

Those who supported the idea of professional management of the county tended to favor the council/manager form. See Section 2, Board of County Commissioners and Section 4, County Administrator for more discussion.

SECTION 5

COUNTY CHAIR/EXECUTIVE: REFERENCES SUMMARY

1. Elected Chair as Member of Board: 1, 2, 16, 17, 27, 28, 30,
31, 33
2. Rotating/Honorary Chair: 3, 4, 11, 14, 15, 22
3. Separate Elected County Executive: 5, 6, 7, 10, 13, 18,
28, 30
4. Separation of Powers: 7, 9, 10, 12, 13, 16, 17, 20, 30
5. Professional Management: 6, 8, 10, 19, 21, 23, 25, 29,
30, 32

SECTION 5

COUNTY CHAIR/EXECUTIVE: REFERENCES

1. 10/11/89, Minutes, p. 1, County Chair Gladys McCoy: The current County structure should be left alone long enough to determine the effectiveness of the structure. A county-wide elected Chair with both legislative and executive responsibilities has only been in effect for less than three years.
2. 10/11/89, Minutes, p. 1, McCoy: ...we need to continue a full time, 5-member Commission, 4 elected by district to address the concerns of their constituents (with the Chair elected county-wide).
3. 10/11/89, Minutes, p. 3, Commissioner Pauline Anderson: A chair should be selected on a rotating basis.
4. 10/25/89, Minutes, p. 5, Senator Glenn Otto: The Commissioners should choose a county chair who would serve one year and be re-elected if s/he does a satisfactory job.
5. 11/8/89, Minutes, p. 2, Clark: He personally liked the elected county executive form of government best. The executive function separated from the legislative function results in a tension between the executive and legislative branches which can be desirable.
6. 11/8/89, Minutes, p. 2, Clark: He is not in favor of an appointed county manager. The manager tries to balance keeping a majority on the Board and we are better served having the electorate invest in highly visible offices. He believes in elected officials that the public can hold accountable and with whom they can communicate.
7. 11/8/89, Minutes, p. 4, Commissioner Rick Bauman: He has no problem with the election of an executive. However, he urges a change in having a single member serve both legislative and executive functions as is now the case. First, the county

chair prepares a budget, then the county commission, including the chair, sits in judgement and revises that budget. Budgeting is one of the most important functions of the legislative body. The Board went into that process last spring; they had a vacancy on the board and had three commissioners and the chair dealing with the chair's budget. The effect of that was that the three non-chair commissioners had to be unanimously in agreement on any change of the Chair's budget. That is an incredible standard. Even if they were a full commission, it would take three-fourths agreement to change the budget. He doesn't think that is good public policy. The result of that was less than a one percent change in the chair's proposed budget.

Marcia Pry asked about Bauman's recommendation regarding the number of commissioners and the budget process. Bauman responded that whether we have a 3, 5, 7 or 9 member commission, the executive and legislative functions need to be separated, whether or not the executive is elected or appointed.

Bruce McCain asked about the future of the Department of Justice Services and whether it should have an elected department head. Bauman responded that Justice Services is not an unusual function. According to Bauman, it makes sense to have one elected official in charge of, and responsible for, administering the executive branch of the county.

8. 11/29/89, Minutes, p. 1, Blanche Schroeder: In July 1989, the Board of the Chamber of Commerce adopted a position supporting a local government structure incorporating...Strong executive leadership [and] Professional management.
9. 11/29/89, Minutes, p. 2, Schroeder: Separate policy-making and administration. The Chamber does not have a position on the number of commissioners, but supports having them be policy-makers, not administrators.
10. 11/29/89, Minutes, p. 2, Schroeder: The Chamber strongly supports having a hired professional manager, but she didn't have advice on how to achieve having "strong executive leadership," and "professional management."
11. 11/29/89, Minutes, p. 3, Chair Darlene Hooley: ...The Chair has little power; the main duties are to set agendas and meet with the County Manager for briefings. ...the executive doesn't necessarily attend all meetings.

12. 11/29/89, Minutes, p. 3, Hooley: ...Clackamas County has a lot of elected officials and it is best that people who make the policies be elected and technical people be appointed.
13. 11//29/89, Minutes, p. 7, Commissioner Bonnie Hays: The people the voters elect is the most important thing.
14. 11/29/89, Minutes, p. 7, Hays: Washington County has a full-time Chair, elected at-large, and four part-time commissioners elected by district.
15. 12/13/89, Minutes, p. 2, AFSCME President Arlene Collins: The chair should be elected by the Commission on a rotating basis.
16. 12/13/89, Minutes, p. 4, Representative Ron Cease: Regarding the county executive,...it is the person in the position and not whether an executive is elected or appointed. Since the public is used to the current form, he doesn't feel the committee should change it unless there are definite problems.
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19. 12/20/89, Minutes, p. 4, Alan Purcell: Washington County does not have an elected county executive; rather, the county executive is appointed by the county commissioners. He recommends having a hired professional to fill the position rather than an elected official because the position compares to that of auditor, district attorney, and sheriff in that you are seeking someone with particular professional qualifications. This system has worked well for Washington County.
20. 12/29/89, Letter, Jack Horner: ...The Policy Development Committee discussed a topic during its "visioning" phase of planning which spoke to a need to clarify the difference between something that is often fuzzy, the legislative and the executive functions. Specifically, they said: "We will

have clearly defined executive and legislative functions." They did not elaborate on this statement in later discussion. As I recall, they said they would depend on the Commission to examine this concern.

I believe, that over time, this committee will play a major role in eliminating much of the lack of policy definition which has caused the legislative/executive topic to keep popping up.

Combining its work on Strategic Planning and the Commission's increasing familiarity with the process may make further Charter-mandated distinction of the executive role unnecessary.

21. 1/3/90, Minutes, p. 3, Charles Cameron: Adopt a council-manager form of government for the following reasons:
 - A. Increased representation because of ability to determine critical community needs through better communication, and implementation of support for those needs.
 - B. The ability of the administrator to forward allocation plans, provide quality control functions and provide objective input drawn from experience, skills and education.
 - C. Increased professionalism because of ability to attract those who are educated in county government and marriage of political and business approaches.
22. 1/3/90, Minutes, p. 4, Mike Swanson: The chair of the board in Clackamas County is responsible for conducting meetings and being the spokesperson for the county. Swanson only relates specifically with the chair in order to discuss topics that she may be speaking with the group about in her role as chair. Otherwise, he meets with all board members equally. Other than discussing her speaking engagements, he has no special relationship with the chair.
23. 1/3/90, Minutes, p. 6, Gordon Tiffany: ...even though there are some situations where an elected executive is appropriate, ...an appointed executive makes democracy more effective because it:
 1. Empowers voters' elected representatives by allowing the Board to focus on policy leadership and by placing

overall responsibility in the elected board, rather than separating accountability into competing elective offices.

2. Provides for competent management, as the appointed executive is selected solely on the basis of proven ability to manage a local government rather than on skill in campaigning.
 3. Frees policy makers to concentrate on policy rather than having to use their time to manage daily operations. It is the Board's job to develop and communicate the vision, to set policies, and to monitor operations, but not to operate departments.
 4. Allows the executive to manage with no partisan political duties, no need to take time off to campaign, and no need to raise campaign funds (thereby reducing any appearance of conflict of interest in county management). The administrator will emphasize efficient businesslike approaches to management rather than political issues.
 5. Is the most popular form of local government organization in the United States. Further, the principle of an appointed manager responsible to a policy board is similar to proven private corporate organization.
 6. Provides for flexibility, allowing numerous locally determined variations in specific responsibilities and organizational details.
 7. Reduces patronage, with personnel decisions based on merit without regard to political affiliation.
24. 1/10/90, Minutes, p. 4, Linda Alexander: She is a department manager and interacts directly with the board and chair, being directly responsible to the chair.
 25. 1/10/90, Minutes, p. 6, Duane Zussy: [He] serves as a member of the chair's management team and performs certain responsibilities typical of those that would be assigned to an assistant county manager in a council/manager form of government.
 26. 1/10/90, Minutes, p. 6, Zussy: [He] reports to the chair, but is committed to serving the full board equally by providing them with professional advice and sharing pertinent information in a timely manner.

27. 1/10/90, Minutes, p. 8, Tanya Collier: [She] believes very strongly in the present system with an executive who is a member of the board; the reason this model was adopted was to eliminate the "we vs. they" attitudes that the previous strong executive form led to.
28. 1/10/90, Minutes, p. 9, Collier: Ann Porter asked Collier how a firm line of administrative authority can be attained if the county chair is the executive or administrator. Porter is concerned that if a department head can't get what he wants from the chair, he or she will by-pass the chair and go directly to the board. Collier responded that, given human nature, she doesn't think you can attain a firm line of administrative authority. Given the choice between an elected executive and a chair who is a member of the board, she would choose the latter. She also stated that the committee is in the best position to know whether the trade-off made at the last charter review, sacrificing separation of powers for cooperation between the commissioners and the executive, was worth it.
29. 1/10/90, Minutes, p. 9, Collier: If Multnomah County went to a three member board with an appointed manager, there would be a definite distinction between the functions. Her problem with an executive separate from the board was the split that developed between the two.
30. 1/10/90, Minutes, p. 9, Collier: Short asked why the 83-84 charter review committee focused on the executive as part of the board form of government and not the council/manager form of government. Collier said there were so many changes that needed to be made at that time, they didn't have the luxury to consider it. The form of government then was not working because of the separate elected executive. The committee concentrated on solving that problem. Now that that problem is solved, this committee should consider a council/manager form of government. It makes sense to consider it now.
31. 1/10/89, Minutes, p. 10, Thalsofer: Thalsofer believes the charter needs very little review at this time; he thinks it is time to see how the structure in place works over a substantial period. In general, Thalsofer believes that the existing governing structure with five full-time commissioners and one being chair should be continued. The chair should be elected county-wide and the four other commissioners should be elected from existing districts.
32. 1/10/89, p. 10, Thalsofer: If a change must be made, the

only change he would support is a five member board of commissioners who serve full-time and are elected by districts with a rotating chair and an appointed county administrator.

33. 1/24/90, Minutes, p. 3, Susan McPherson Daluddung: Marcia Pry asked the speakers if they believe the number of county commissioners should be increased due to the increased population. McPherson Daluddung said she believes the more representation we have, the better we are all served. In addition, she believes a strong manager is essential (she prefers elected).

SECTION 6

DISTRICT ATTORNEY: DISCUSSION

ORS 8.610 states that the district attorney is a state official:

A district attorney for each county shall be elected by the electors of the county, at the general election next preceding the expiration of the term of the then incumbent. The district attorney shall hold office for the term of four years and until a successor is elected and qualified.

As a state official, the charter can only effect his position in very limited areas. One such area is compensation. The county provides a supplement to the district attorney's salary and as provided in Section 4.30 of the charter, it is subject to charter review:

4.30 COMPENSATION. Except as provided in Section 8.10 (2) the compensation of all holders of elective office of Multnomah County shall be fixed by the registered voters of Multnomah County at a Primary or General Election only (emphasis added).

References relating to the county supplement to the district attorney's salary are located, along with the discussion, in Section 12, Salaries of Elected Officials.

Other references relating to the district attorney follow this discussion. They are, for the most part, statements of a general or background nature relating to how the district attorney relates to the sheriff, board and Department of Justice Services.

SECTION 6

DISTRICT ATTORNEY: REFERENCES

1. 9/27/89, Minutes, p. 2, Orval Etter: The Charter cannot touch duties of District Attorney - that is more in the State realm.
2. 12/13/89, Minutes, p. 2, AFSCME President Arlene Collins: The district attorney is a state officer; the county charter does not affect him.
3. 12/13/89, Minutes, p. 8, Jerry Orrick: Ann Porter asked Mr. Orrick how the administrator relates to the sheriff and district attorney (both elected officials). Mr. Orrick stated that most counties that have an administrator have the full array of row officers. The elected officer is in charge of his or her department and the hired administrator must respect that. However, the administrator has more time and expertise to do some things within those departments. In addition, the administrator should be the one who makes the budget recommendations and develops all management recommendations and decides how they relate to public funding. The administrator looks at the county as a whole and he is the one who should do that. It is something of an adversarial relationship based on mutual respect and a different type of expertise.
4. 1/10/90, Minutes, p. 2, Grant Nelson: The sheriff and district attorney are no longer part of the Justice Services Department; this was changed in July of last year, although this change merely reflected reality. It is a difficult situation when an appointed department head must tell an elected official what to do.
5. 1/10/90, Minutes, p. 3, Nelson: His department is part of the justice system and is responsible for non-custodial individuals. The board of commissioners has established a policy of maintaining a continuum of services; many clients

involved in human services are, or will be, involved with justice services, the sheriff and district attorney. They are all working together to move people back into the community.

6. 1/10/90, Minutes, p. 3, Nelson: His department is working with the Department of Human Services by making sure each department is apprised of what the other is doing by having a central check-point; it is working with the sheriff's office to develop new programs and to help the board obtain information on things like the number of jail beds needed, operation of programs and how pre-trial release services should be defined. His department has also been working with the district attorney in implementing new sentencing guidelines and over-crowding in Multnomah County jails.

SECTION 7

ELECTIONS: DISCUSSION

The issues identified in this section are also covered in Section 1, Auditor; Section 2, Board of County Commissioners; and Section 13, Sheriff.

1. Running for Office in Mid-Term:

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

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

The committee heard testimony that the prohibition should both be eliminated and that it should be retained. Those witnesses favoring its elimination pointed out that there are no similar restrictions in the rest of the state and that it is a hardship on office-holders.

Those witnesses favoring the prohibition focused on abuse of the privilege to run for another office in mid-term.

The most compelling statements in favor of the prohibition focused on the auditor's office. These witnesses spoke to the need for the auditor to retain the appearance of objectivity. Witnesses also pointed to the auditor's access to confidential information as a reason to bar running for another office in mid-term.

2. Two-Term Limit:

Several witnesses spoke to the two-term limit as provided in

Section 6.50 (4) of the charter:

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

The testimony ranged from eliminating the two-term limit to retaining it. Those in favor of eliminating the provision emphasized that "the advantage of getting rid of some people on a scheduled basis may not be worth the disadvantage of losing others."

Several witnesses spoke against the limit particularly in relation to the auditor's office. According to this reasoning, because the auditor is, or should be, a professional and not a political position, a limit on terms makes no more sense than it would for a department manager; it is in fact a hardship on a professional auditor.

The major argument in favor of retaining the limit is to discourage "empire-building," the tendency to gain too much power if in office too long.

3. District vs. At-Large Elections:

This issue is discussed in Section 2, Board of County Commissioners because it applies only to the board, not other elected officials.

SECTION 7

ELECTIONS: REFERENCES

1. 10/25/89, Minutes, p. 2, Commissioner Sharron Kelley: ...officials should be able to run for office without resigning in mid-term.
2. 10/11/89, Minutes, p. 2, Commissioner Pauline Anderson: The two term limit on elected officials is satisfactory.
3. 10/11/89, Minutes, p. 3, Anderson: The current provision relating to prohibiting sitting elected officials running for another elected office is satisfactory.
4. 10/11/89, Minutes, p. 3, Commissioner Gretchen Kafoury: She questions the restriction of terms for county commissioners and notes that there are no similar restrictions to any other elected office in the state.
5. 12/13/89, Minutes, p. 2, AFSCME President Arlene Collins: Liberty Lane asked why the Local recommends an 8-year cap for commissioners and none for sheriff. Collins responded that the sheriff's policies are guided by both the policies set by the commissioners and the vote of the people while the commissioners have only the voters to answer to.
6. 12/13/89, Minutes, p. 3, Representative Ron Cease: ...he feels there should be as few elected positions as possible...
7. 12/13/89, Minutes, p. 5, Cease: Cease believes people should be allowed to [run for office during mid-term]...but the privilege should not be abused. If the privilege is being abused, or has been abused in the past, the committee might want to retain the prohibition.
8. 12/13/89, Minutes, p. 7, Jerry Orrick: [Suggests the committee review] the value of having the current provision that limits an elected official to two terms and automatically requires resignation upon filing for another elective office.

"...the advantage of getting rid of some people on a scheduled basis may not be worth the disadvantage of losing others. More importantly, relatively frequent turn-over of policy makers in any organization promotes short-term expediency at the cost of long-range problem solving."

9. 12/13/89, Minutes, p. 8, Orrick: ...The public should decide [the number of terms that should be served if the two-term limitation were repealed]...because the public is aware of whether or not an elected official is acting inappropriately or "empire building."
10. 12/13/89, Minutes, p. 9, Eugene Collins: ...the committee [should] eliminate the two-term limitation on holding a position in order to discourage those who only wish to use the office as a stepping-stone to another position.
11. 12/13/89, Minutes, p. 9, Collins: If a commissioner vacates his/her position for any reason, it should be declared vacant and an election held immediately.
12. 12/20/89, Minutes, p. 3, Jewell Lansing: ...the auditor should not be allowed to run at any time for another county office during the term in office without resigning because of the importance of the appearance of objectivity. Again, however, now may not be the best time to make this change.
13. 12/20/89, Minutes, p. 3, Lansing: ...the two-term limit should be reconsidered at some point; to limit an auditor's term in office is a hardship to the office-holder.
14. 12/20/89, Minutes, p. 4, Alan Purcell: ...the auditor should not be running for another position while in that position because of access to confidential information; in fact, some have suggested that there should be a period after the auditor leaves office when he should not be allowed to run for another office. ...he does not favor the two-term limit. He personally would not accept a position if it were limited to only eight years. If someone is going to make a career change, he needs to be assured that it will last for more than four or eight years.

SECTION 8

LOBBYIST: DISCUSSION

Section 6.50 (3) of the charter provides that "Multnomah County shall not employ or hire a paid lobbyist."

The committee has received testimony at most of its meetings regarding the prohibition of a county lobbyist and whether that prohibition should be repealed.

Those who favor retention of the prohibition argue that since the people spoke on the issue by enacting Ballot Measure 6 in 1982 and by defeating a ballot measure in 1984 which would have repealed the prohibition, they should not have to vote on the matter again. Witnesses also testified that if lobbying is necessary at the state level the county commissioners themselves can perform that function.

Virtually all of the testimony heard by the committee has been in favor of eliminating the prohibition. One reason advanced for repealing the prohibition is that the county needs to be represented on a day-to-day basis at the state level to compete for tax dollars. To lack this representation puts the county at a disadvantage.

The committee also heard witnesses describe the process under the prohibition as cumbersome and dishonest.

In response to the suggestion that commissioners could do lobbying for the county thus eliminating the need for a "paid lobbyist," the committee heard testimony that: (1) commissioners do not have time to do all that is necessary; (2) it is not the most efficient use of resources; and (3) it is not a good idea to have five different messages from one entity.

Finally, it was suggested by several witnesses that the voters need to be educated that a lobbyist will actually save them tax dollars.

SECTION 8

LOBBYIST: REFERENCES

1. 10/11/89, Minutes, p. 2, Commissioner Pauline Anderson: The county needs a lobbyist with full authority to lobby.
2. 10/11/89, Minutes, p. 1, Chair Gladys McCoy: ...Multnomah County must not be prohibited from having a full-time advocate at the state and federal levels for its citizens' concerns.
3. 10/25/89, Minutes, p. 1, Commissioner Sharron Kelley: A formal lobbyist would be of great help to our county government. The county has many issues to lobby for and many people to represent. The Department of Human Services would especially benefit due to the many changes it requires mediation for.
4. 10/25/89, Minutes, p. 5, Senator Glenn Otto: The prohibition of a lobbyist should be repealed; the county is being short-changed without a lobbyist.
5. 11/8/89, Minutes, p. 1, Don Clark: ...the County definitely needs a lobbyist. The people are not served well by the county not having a lobbyist. The county is the people's government and the county needs to be represented strongly at the legislature.
6. 11/8/89, Minutes, p. 4, Commissioner Rick Bauman: The County needs a lobbyist in Salem. He noted that he was a state legislator when the prohibition was first adopted and it made the process cumbersome and dishonest.
7. 11/8/89, Minutes, p. 5, Fred Neal: ...it [the lobbyist prohibition provision] is a unique provision in the state and in the entire country, excepting the state of Texas. There is a growing trend among governments to have lobbyists. He is the only person who goes to Salem to follow the

legislative process who is not able to advocate for legislation.

8. 11/8/89, Minutes, p. 5, Neal: Neal explained how intergovernmental relations works for Multnomah County. This includes identification of issues during the interim and elimination of those issues which can be addressed with a local ordinance or policy that solves the problem locally. The liaison commissioner then meets with the department manager and department staff to review background material. The entire board and the department managers hold a planning session a few months before the start of the session to hone down the issues to a smaller set of priority issues, which are later submitted to the Multnomah County legislative delegation. This process also includes the Citizen Involvement Committee which reviews the issues and is asked to comment. Finally, the Board holds hearings and adopts the policy that is printed. As the session progresses, new issues arise and the Board responds by adopting new policies.
9. 11/8/89, Minutes, p. 5, Neal: ...the Multnomah County delegation is at a disadvantage as compared with other legislators, because he can only provide them information; he cannot advocate for the county. Even here he is restricted to providing information to Multnomah County legislators when asked.
10. 11/8/89, Minutes, p. 5, Neal: Responding to the theory that county officials could do the county's lobbying themselves, Neal said that it is not good policy to have a state legislator hear five different messages from a single entity. This would not serve Multnomah County legislators or the county.
11. 11/8/89, Minutes, p. 5, Neal: ...he represents both [the chair and the board]; he cannot take a position until the chair and the board have taken a position.
12. 11/8/89, Minutes, p. 5, Neal: ...if the committee is going to propose to amend or repeal the prohibition, consider carefully the wording of the ballot question. Also consider educating the electorate as to the committee's purpose.
13. 11/29/89, Minutes, p. 4, Chair Darlene Hooley: ...Multnomah County needs a lobbyist. Clackamas County does have a person who lobbies as part of his other duties.
14. 11/29/89, Minutes, p. 4, Hooley: ...the voters don't

understand that a lobbyist will actually save them tax dollars and it should probably be presented to them in that way.

15. 11/29/89, Minutes, p. 5, CIC Chair Dennis Payne: The county needs representation at the state level.
16. 11/29/89, Minutes, p. 7, Commissioner Bonnie Hays: Washington County has a "Governmental Affairs Specialist" also known as lobbyist, who, during the last session, increased their accomplishments ten-fold.
17. 12/13/89, Minutes, p. 3, AFSCME President Arlene Collins: ...they definitely want a lobbyist.
18. 12/13/89, Minutes, p. 4, Representative Ron Cease: The county charter needs to be changed to allow a lobbyist; no government of any size does itself a favor by not having a lobbyist.
19. 12/13/89, Minutes, p. 6, Jerry Orrick: Amend the charter to eliminate the prohibition against employing a lobbyist. ...the average citizen has little idea what a lobbyist does and ...few legislators have a working knowledge of the functions and processes of county government, although they make hundreds of decisions that affect those functions and processes. Legislators are heavily dependent on information from the county in order to make knowledgeable decisions. By denying itself the ability to provide the information, the county is inviting costly mistakes. Orrick noted that some explanation to the voters of the function a lobbyist performs may be necessary.
20. 12/13/89, Minutes, p. 9, Ken Tollenaar: ...it is essential to have day-to-day representation at the state legislature; the county needs a lobbyist.
21. 12/13/89, Minutes, p. 10, Eugene Collins: ...the county needs a lobbyist.
22. 1/10/90, Minutes, p. 4, Linda Alexander: The county needs a lobbyist.
23. 1/10/90, Minutes, p. 7, Duane Zussy: The best interests of the citizens and taxpayers of the county are not well served by the prohibition of a lobbyist.
24. 1/10/90, Minutes, p. 8, Tanya Collier: As long as the county has to perform state-mandated functions, it must have a

lobbyist. Even if regional issues continue to shrink, as long as state-mandated functions exist, a lobbyist is a necessity.

25. 1/10/90, Minutes, p. 10, Paul Thalsofer: The county should have a lobbyist.

p. 10-11, Thalsofer: The taxpayers need to be educated as to how it will benefit them.
26. 1/10/90, Minutes, p. 11, John Vogl: Ballot Measure 6 consisted of approximately eight different issues, only one of which was the lobbyist issue; he is, in fact, in favor of a lobbyist, but believes the voters should be allowed to vote on the issue.
27. 1/10/90, Minutes, p. 12, Bob Luce: Multnomah County should not have a lobbyist.
28. 1/24/90, Minutes, p. 9, Clyde Brummel: A paid lobbyist is not necessary.
29. 1/24/90, Minutes, p. 9, Jim Worthington: The county does not need a paid lobbyist.

SECTION 9

MISCELLANEOUS RECOMMENDATIONS: DISCUSSION

The following references all relate to miscellaneous recommendations to the charter review committee. Some are internal departmental matters, while others are "housekeeping" (charter clean-up) matters.

SECTION 9

MISCELLANEOUS RECOMMENDATIONS: REFERENCES

1. 10/30/89, Dolan letter, p. 1: Multnomah County needs a properly established public information office. The function of this office is to meet the government's obligation to inform citizens and to assist people in running their own government by giving them the tool of information. Multnomah lags behind all other local governments in the metropolitan area in providing information to its citizens in an organized manner.
2. 10/30/89, Dolan letter, p. 2: Even with the establishment of a central public information office, the county should bolster public information in the departments. Each department should have a designed public information person who works under the direction of the department manager. This function would not be a full time position but part of a larger administrative job. Department managers may also want to hire full time or part time public information people in particular areas.
3. 12/13/89, Minutes, p. 9, Ken Tollenaar: Mr. Tollenaar suggested the committee look at two provisions in the charter. (1) the constitutionality of the 30-day effective date for ordinances going into effect (the Oregon Constitution requires a 90-day effectation date, thus allowing more time for a referendum petition); and, (2) sections 9.10 and 9.20 regarding county service districts, which could be eliminated; these are already covered in ORS Chapter 451 or 198.
4. 1/10/90, Minutes, p. 7, Duane Zussy: The library should be a free-standing department and not included under the auspices of another department.
5. 1/10/90, Minutes, p. 7, Zussy: Zussy said he believes it [internal departmental organizational matters] is a matter that should be dealt with by the board of county

commissioners and not embedded in the charter because circumstances change, along with managerial responses to those circumstances.

6. 1/24/90, Minutes, p. 8, Clyde Brummel: The county assessor should be elected to protect the taxpayer.
7. 1/24/90, Minutes, p. 8, Brummel: Each county should only have one school district.
8. 1/24/90, Minutes, p. 9, Jim Worthington: ...do not change the Citizens Involvement Committee except to strengthen it.

SECTION 10

REGIONALISM (CITY/COUNTY CONSOLIDATION; SUPER-COUNTY): DISCUSSION

The committee heard some testimony in the area of regionalism, which includes both city/county consolidation and a super-county (the combining of the tri-county area into one regional government).

Those who spoke advocating a regional approach to government reasoned that the county lines are archaic and are not inherently logical. It was also stated that since urbanization of the tri-county area, most county issues are not limited to one county but are, in fact, regional issues which should be solved on a regional basis.

It was noted that the issue of regionalism may be beyond the scope of the charter and the charter review committee. In order for real change to be made, the state legislature would need to be included in the process. The scope of committee involvement at this time might be to facilitate or encourage eventual consolidation or at least a regional approach to certain issues.

SECTION 10

REGIONALISM (CITY/COUNTY CONSOLIDATION;
SUPER-COUNTY): REFERENCES

1. 7/28/89, Portland Metropolitan Chamber of Commerce Report: Multnomah County's charter review should result in a complete withdrawal from urban services...
2. 11/8/89, Minutes, p. 4, Commissioner Rick Bauman: Regarding the position of auditor, overshadowing all else is to facilitate the ultimate extinction of Multnomah County. The County lines were drawn 120 plus years ago and are archaic. The county does not make sense as a long-term governing body. he thinks we need to evolve to a system that allows regional decisions to be made on a regional basis. He would like to see an auditing office that is jointly shared by the city, the county, Metro, Washington County and Clackamas County. We can get top-notch professional auditors and share the cost and we can have those services available to us.
3. 11/8/89, Minutes, p. 4, Bauman: Responding to a request of Paul Norr's to clarify the direction we ought to go with the auditor's office, Bauman emphasized the need to look beyond our narrow charter mandate. He suggested taking the idea of a regional auditor to the board or the state legislature to explore.
4. 11/29/89, Minutes, p. 1, Blanche Schroeder: In July 1989, the Board of the Chamber of Commerce adopted a position, supporting a local government structure incorporating...centralization of regional services and regional growth management [and] elimination of all special districts.
5. 11/29/89, Minutes, p. 1, Schroeder: The Chamber urged an "immediate structural change of both the City of Portland and Multnomah County with the goal of having fully effective regional and local government in metropolitan Portland by 1995...

6. 11/29/89, Minutes, p. 1, Schroeder: The Chamber would like the charter to contain language requiring integration and/or consolidation with other governments by 1995-2000.
7. 11/29/89, Minutes, p. 4, Chair Darlene Hooley: At this time [Clackamas County is not looking toward a regional government] but they are looking at problems that need to be solved regionally, such as regional transportation issues, river-basin planning, clean water, etc.
8. 12/13/89, Minutes, p. 3, Representative Ron Cease: ...There should be as much cooperation as possible between the 3 counties and the cities. Metro should do more and eventually the three counties may not be needed.
9. 12/20/89, Minutes, p. 7, Bob Goldstein: Mr. Goldstein does not believe city/county consolidation would be a good idea.
10. 1/10/90, Minutes, p. 8, Tanya Collier: [She] agrees with the City Club report that the ultimate goal should be that of a Willamette County because certain issues are better decided on a regional basis including the library system, parks, justice services, police, housing and some social services.
11. 1/10/90, Minutes, p. 8, Collier: The tax base should also be regionalized.
12. 1/10/90, Minutes, p. 8, Collier: Collier said she thinks human services should be performed by the county and enough money should be allocated to carry them out.
13. 1/10/90, Minutes, p. 8, Collier: Collier said she would not [define the library as an urban service], but believes it is best provided on a regional level.
14. 1/24/90, Minutes, p. 8, Clyde Brummel: A regional library system is a good idea because of current funding problems.

SECTION 11

RESOLUTION A/SERVICES/ANNEXATION/TAXES: DISCUSSION

The committee heard testimony on the related issues of Resolution A, county services, annexation and taxes. For the most part, testimony in these areas has served as background material for committee work on other issues. In other words, the issue for the committee is how Resolution A, delivery of services, annexation and taxes affect the structure of government.

In general, most witnesses spoke to the issue of which services the county should provide and at what level. More specifically, the committee heard witnesses urge the county to withdraw from providing municipal services; it was also stated that the county should repeal Resolution A since it was already being contradicted.

Witnesses also testified to the effect Resolution A and its companion issues are having on the number and type of county services being offered and how this influences the structure of government.

Finally, several witnesses spoke to the issue of amending the charter to address service delivery; other witnesses maintained that Resolution A and service delivery are not charter issues.

SECTION 11

RESOLUTION A/SERVICES/ANNEXATION/TAXES: REFERENCES

1. 10/11/89, Minutes, p. 1, Chair Gladys McCoy: The need for justice and human services to be provided as a continuum of service to the County's citizens has become increasingly apparent over the past few years. Next year's Census will reflect a significant increase in our community's population. For these reasons, we need to continue a full time, 5-member Commission, 4 elected by district, to address the concerns of their constituents (with the Chair elected county-wide).
2. 10/25/89, Minutes, p. 1, Commissioner Sharron Kelley: Multnomah County may have to provide police and planning services in the Columbia Gorge area. These service needs will greatly increase in the 1990s. Transportation services will also need to be increased in Multnomah County. There are many unsolved problems in the area and the responsibility for the county is being increased constantly.
3. 11/8/89, Minutes, p. 5, Commissioner Rick Bauman: Ann Porter asked Bauman how he reconciles the use of Multnomah County Sheriff's officers at the Columbia Villa project with Resolution A. Bauman responded that he doesn't need to reconcile the two; he voted against that proposal.
4. 11/8/89, Minutes, p. 7, Dave Warren: ...about eleven percent of county revenues come from "other taxes" which includes business income tax, county gas tax and the tax on rented vehicles. Ten years ago "other taxes" consisted of only about six percent of the county's revenues. The county has needed to increase these revenues because ten years ago the county had revenue sharing funds from the federal government which consisted of about six percent of the county's budget, but which no longer exist. If these taxes had not increased, the county would have to decrease its level of service five to six percent.

...discretionary revenues, which the county can spend on any services it chooses, have decreased over the past ten years. This limits the kinds of services the county can provide.

Casey Short asked if there are any restraints on the county's ability to tax. To this, Mr. Warren replied that the county cannot issue debt without a vote of the people. The state constitution contains this restriction.

Responding to Paul Norr's question as to the type of discretion the county has in terms of how taxes are assessed or what types of properties are taxed, Mr. Warren answered that there was no discretion.

Norr also asked if the property of the YMCA as a non-profit organization is taxable. Mr. Warren answered that the county assessor decides which properties are taxable and he thinks the assessor decided it was taxable. That was not a charter or a county issue.

5. 11/29/89, Minutes, p. 1-2, Blanche Schroeder: In July 1989, the Board of the Chamber of Commerce adopted a position supporting a local government structure incorporating...centralization of regional services and regional growth management, incorporation by annexation of all urban land, elimination of all special districts.
6. 11/29/89, Minutes, p. 2, Schroeder: The Chamber urged an "immediate structural change of both the City of Portland and Multnomah County with the goal of having fully effective regional and local government in metropolitan Portland by 1995...Multnomah County's charter review should result in a complete withdrawal from urban services...
7. 11/29/89, Minutes, p. 2, Schroeder: The Chamber would like the committee to consider the following: [1] Make it easier for those in rural parts of the county to have urban level services by incorporating with the nearest city for those who would like city service levels; [2] Determine which functions are legal responsibilities of the county such as taxation and assessment, elections and the criminal justice system; and provide language in the charter assigning them as priority county activities with required support systems enabling them to fully carry out their responsibilities; and [3] Include in the charter a "service level policy" and a transitional process for incorporation."
8. 11/29/89, Minutes, p. 2, Schroeder: The Chamber believes that a local government that responds quickly in a crisis, has the foresight to plan for adequate transportation, environment, justice, and human services and other regional and local needs is essential if we are to compete in the 21st century.

9. 12/13/89, Minutes, p. 2, AFSCME President Arlene Collins: The Local would like to see Resolution A, prohibiting the county from performing urban services, eliminated, since smaller cities are contracting with Multnomah County to perform services anyway.
10. 12/13/89, Minutes, p. 3, Collins: ...by supplying sheriff support to Columbia Villa and contracting out road service to Wood Village and Troutdale, the county is contradicting Resolution A by providing urban services. ...she does not favor stopping or repealing annexations in the mid-county area. But she noted that people should be allowed to vote on those annexations.
11. 12/13/89, Minutes, p. 3, Collins: Paul Norr asked if Collins likes the idea of the county contracting for urban services in some areas. Collins replied that it should be a unified concern; not "us against them." Services should be provided where they are needed.

Lana Butterfield asked if the elimination of Resolution A is within the jurisdiction of the Charter Review Committee. Collins said it is.

12. 12/13/89, Minutes, p. 4, Representative Ron Cease: The county should not perform urban services.
13. 1/3/90, Minutes, p. 7, Gordon Tiffany: Multnomah County should consider providing municipal services as a wholesaler, possibly using Dade County, Florida as a model. This ties in with Resolution A.
14. 1/10/90, Minutes, p. 7, Duane Zussy: Resolution "A" has taken on a larger than life mystique, but in reality it is a very narrowly focused document. The City of Portland is planning to revisit Resolution "A" (possibly developing a Resolution "B") and the county commissioners have expressed some reservations regarding its broad interpretation. Zussy recommends that a good definition of county-wide services versus municipal services would be beneficial, but should not be included in the charter.
15. 1/10/90, Minutes, p. 8, Duane Zussy: The original Resolution "A" spoke primarily to police functions, but over the course of time has been interpreted to include many other services.
16. 1/10/90, Minutes, p. 10, Paul Thalsofer: Bruce McCain asked Thalsofer if, as an east county resident and elected official, he feels that area is adequately being served by county government and would the area be better served if all

commissioners were elected county-wide but required to reside in the area they represent. Thalhofer said they may be better served, but it may be a hardship on the elected official to conduct a county-wide campaign, which is very expensive.

17. 1/10/90, Minutes, p. 12, Bob Luce: Needed financial resources should be taxed directly from those who need it instead of filtering from federal to state to county/city funding.

Ultimately [services provided by Multnomah County should be funded by a property tax] because you only get approximately 40% of your tax money back in federal funding.

18. 1/10/90, Minutes, p. 11, John Vogl: Even though most individuals feel county government is diminishing, in his opinion, it is actually growing through additional human services programs.

19. 1/10/90, Minutes, p. 12, Bob Goldstein: Resolution A is shrinking the county.

20. 1/24/90, Minutes, p. 1, Grant Nelson: ...up until 1982-83, the county was performing urban services; at that time, federal funding was drastically reduced, creating a \$17,000,000 deficit in the county budget. The Board of Commissioners was then forced to decide whether or not the county would continue performing urban services. It was decided to change direction and thus Resolution A was created.

21. 1/24/90, p. 2, Nelson: The county is presently re-assessing Resolution A, with the thought of possibly developing a Resolution B. Chair McCoy has charged the Citizens Involvement Committee with researching the issue in an attempt to determine who receives services and what kind of services will be performed.

22. 1/24/90, Minutes, p. 2, Susan McPherson Daluddung: ...contrary to popular belief, the reason for an urban services policy is not to obtain additional land and tax dollars for the city. The goals of the City's Urban Services Policy, which is a companion policy to Resolution A [are]:

1. To produce a full set of urban services cost effectively by making a companion policy that delivers urban services by the city and county-wide services by the county.
2. To reduce the urban subsidy. Studies showed that city-type services were being provided to unincorporated areas that were not being provided in Multnomah County cities.

It was felt that services could be more fairly distributed if those areas were to join the city.

3. To encourage economic development, specifically in the Columbia south-shore area. Sewers, water and transportation networks needed to be added to prepare that area for growth in the 90's.
 4. Rationalize city and county roles.
 5. Increase the central city population, which enables Portland to compete with other cities.
23. 1/24/90, Minutes, p. 2, McPherson Daluddung: Since 1983, there have been 125 annexations to the city of Portland; with a little less than 50,000 people left to annex. Over 50% of the property owners must sign and over 50% of the voters must approve the annexations. It is expected that annexations will be completed within three years.
24. 1/24/90, Minutes, p. 3, McPherson Daluddung/Nelson: Nelson stated that Resolution A is not presently in the county charter and he wouldn't recommend that it be added. McPherson Daluddung concurred, stating it is a policy decision, not a charter issue.
25. 1/24/90, Minutes, p. 3, McPherson Daluddung: Annexation has diminished Multnomah County's unincorporated area by over 50% since 1983. Since 1983, Multnomah County services have changed dramatically:
1. Parks, transportation and planning have been significantly reduced;
 2. Human services have increased;
 3. Justice Services have doubled;
 4. Law enforcement has not increased at the rate it should have. The most effective use of tax dollars would be to have the cities perform law enforcement services and the county handle corrections.
26. 1/24/90, Minutes, p. 3, McPherson Daluddung: Ann Porter stated that during the past year, police patrols in Columbia Villa and Aging Services have brought Resolution A to the forefront. Porter asked why the city isn't willing to discuss these two issues and work out a resolution. McPherson Daluddung stated that the City's contribution to Aging

Services may be phased out and an agreement may be reached that is similar to the youth services agreement.

27. 1/24/90, Minutes, p. 4, Grant Nelson: It was decided at public hearings on Columbia Villa that Resolution A did not apply because it was federally funded through the Housing Authority of Portland. The question of who (city/county) will perform which service in relation to Aging Services is, however, still being reassessed.
28. 1/24/90, Minutes, p. 9, Clyde Brummel: Regarding Resolution A, the City of Portland should not contribute to social services programs.
29. 1/24/90, Minutes, p. 9, Herb Brown: ...the City of Portland should not be trying to coerce people into having their area annexed in order to balance the City budget. He stated that Resolution A was supposed to be in affect only from 1983 to 1987 and therefore the rural service level should be in place.
30. 1/24/90, Minutes, p. 9, Jim Worthington: ...the only reason for annexation to the City of Portland is financial, and when a vote is allowed, annexation is always defeated.
31. 1/24/90, Minutes, p. 9, Worthington: ...urban services, as referred to in Resolution A, should be more clearly defined; and...Resolution A has [not] become part of the county comprehensive plan.

SECTION 12

SALARIES OF ELECTED OFFICIALS: DISCUSSION

Section 4.30 of the charter, amended by the last charter review committee and approved by the voters in 1984, provides for a salary commission appointed by the auditor to recommend salary adjustments which are then voted on by the people:

COMPENSATION. Except as provided in Section 8.10 (2) the compensation of all holders of elective office of Multnomah County shall be fixed by the registered voters of Multnomah County at a Primary or General Election only. The auditor shall appoint a five member salary commission, composed of qualified people with personnel experience, by January 1, 1986, and by January 1 in each even year thereafter. The commission's salary adjustment recommendations, if any, for elected officials shall be submitted to the voters at each subsequent primary election. All elected or appointed Multnomah County officials and employees are prohibited from serving on the salary commission.

The committee heard testimony throughout its meetings on the issue of elected officials' salaries. Most of the witnesses have been in favor of some sort of salary increase. Reasons cited for favoring an increase are that elected officials have not had any increase since 1981 and that Multnomah County officials are paid much less than persons in comparable positions.

Four options were discussed for raising salaries for elected officials in the county:

1. Amend the charter to allow at least an annual cost of living increase;
2. Allow the current salary commission to recommend the salaries which the board, not the people, would vote on; in the alternative, simply allow the board to set their own salaries, bypassing the salary commission and the voters altogether;

3. Allow the current salary commission to actually set the salaries, not just recommend them; and
4. Tie elected officials' salaries to that earned by another state official, e.g. a state court judge.

It should also be noted that the salary commission has recommended cost of living adjustments for all county officials which the voters will either approve or reject in May, 1990. The commission only looked at how to increase salaries within the current charter framework. The question for this committee is to decide whether, and how, to change the framework (the salary process embedded in the charter).

SECTION 12

SALARIES OF ELECTED OFFICIALS: REFERENCES

1. 10/11/89, Minutes, p. 2, Commissioner Pauline Anderson: A provision providing for a cost of living increase is a possibility.
2. 10/11/89, Minutes, p. 2, Chair Gladys McCoy: Repeal the current compensation procedure and recommend one that allows the charter-mandated Salary Commission to establish the salaries as outlined by new state law (SB 1029).
3. 10/25/89, Minutes, p. 1, Commissioner Sharron Kelley: ...a fair salary for the commissioners would be in the range of \$33,000 per year. She suggests comparing what other cities and counties pay for their board of commissioners.
4. 10/25/89, Minutes, p. 4, Sheriff Bob Skipper: ...supports the issue of increasing salaries of elected officials which have not changed in eight years.
5. 10/25/89, Minutes, p. 5, Senator Glenn Otto: Commissioners [should] receive the same salary as a state senator about \$937 per month. The Chair would receive double that amount.
6. 11/8/89, Minutes, p. 1, Don Clark: Public officials need to be given a reasonable living salary; at this time they are not, and this is an embarrassment. Due to this, we soon will only be able to attract people who can afford not to receive a salary, or who are able to make enough on the side that salary is not important to them. He does not think the county can afford either one of these. We need to pay public officials salaries that fairly compensate them so that we can hold them accountable for good results.
7. 11/8/89, Minutes, p. 2, Clark: ...there are several ways to implement a salary increase: 1. Tie the salary to someone else's salary, e.g., a state judge's salary. This way, the legislature is responsible for setting the salary. 2. Allow

the Salary Commission set the salaries-not just recommend them. 3. Allow the first grand jury empanelled annually to investigate the salary issue, whose findings and conclusions would then be implemented in the form of an order that would be adopted by the board. This option might be a good option because it is the people deciding the issue, but in a form other than on the ballot.

8. 11/8/89, Minutes, p. 4, Commissioner Rick Bauman: He does not feel it is appropriate for him to comment on the salary question [for commissioners].
9. 11/29/89, Minutes, p. 3, Chair Darlene Hooley: ...her present salary is approximately \$50,000 per year and salaries are increased by the budget committee, usually in 3% increments. The budget committee actually recommends the salary level, but the Board must approve it as part of the overall budget.
10. 11/29/89, Minutes, p. 3, Hooley: ...the committee consists of three commissioners and 3 citizens. The budget committee recommends the Board's salaries, which are then approved by the Board itself along with the entire county budget.
11. 11/29/89, Minutes, p. 5, CIC Chair Dennis Payne: Regarding compensation of county officials, the issue should not be whether the committee doesn't like the office holders.
12. 11/29/89, Minutes, p. 7, Commissioner Bonnie Hays: Regarding salary, the chair makes \$43,000 per year and the commissioners make one-third of that, or \$13,000 per year.
13. 11/29/89, Minutes, p. 7, Hays: The Auditor's salary is two-thirds of a district court judge's salary. She does not recommend this, because it is then beyond the Board's control.
14. 11/29/89, Minutes, p. 7, Hays: ...the Budget Committee recommends the increases (the largest so far has been 3% and the Board approves them. The administrator makes \$72,000/per year plus 7-1/2% deferred comp and car allowance.
15. 12/13/89, Minutes, p. 2, AFSCME President Arelene Collins: The Local is concerned about the salary scale, but unless it is attached to other salaries, the voters will not be generous with an unpopular office.
16. 12/13/89, Minutes, p. 4, Representative Ron Cease: The salary issue should not be on the ballot because the public doesn't understand what county officials do. Setting salaries should be done in another way.

p. 5: Cease said the public has a problem with commissioners voting on their own salaries (although he personally does not); possibly an outside group of experts should make recommendations.

17. 12/13/89, Minutes, p. 6, Jerry Orrick: Amend the charter to change the way elected officials' salaries are set. Allowing the voters to determine salaries sounds nice but it does not work in practice. Although voters have a demonstrated ability to make policy decisions, they do not have sufficient objective information to make operational decisions, nor should they be expected to. To avoid a state mandate, such as SB 1029 which was originally designed to force all counties to pay sheriffs 7% more than their second-in-command, Mr. Orrick suggests three options: (a) Establish a citizen compensation committee to make annual salary recommendations for determination by the board of commissioners; (b) Establish county elected officials salaries at a percent of some state officials' salary; or, (c) Allow the board of commissioners or commission chair to set all salaries.
18. 12/13/89, Minutes, p. 9, Eugene Collins: Salary [for commissioners] should be based on the same pay-scale presently used by state senators and each commissioner would have one paid assistant.
19. 12/20/89, Minutes, p. 5, Alan Purcell: ...in Washington County, the auditor's salary is specified in the charter and is exempt from the board's scrutiny; this also eliminates some of the pressure.
20. 12/20/89, Minutes, p. 5, Barbara Clark: She would, however, like to see the salaries of elected officials linked to that of the per capita income in the community so that the elected official suffers or profits as does the average citizen. If the average income rises, elected officials should receive a salary increase; similarly, if the average per capita income falls, so would the elected official's.
21. 1/3/90, Minutes, p. 8, Gordon Tiffany: [Salaries] are set by the commissioners themselves; he approves of this method of setting elected officials' salaries. He suggested salaries be set during one term for the next term. It is his belief that Multnomah County would benefit from setting salaries in this manner; the voters in Multnomah County have not been responsible in keeping salaries up to date.
22. 1/10/90, Minutes, p. 3, Grant Nelson: A new method of deciding salaries for commissioners needs to be determined.

23. 1/10/90, Minutes, p. 4, Linda Alexander: Commissioners should at least have annual cost of living raises; it is difficult to use a traditional method of determining their salaries since the role of commissioner is non-traditional.
24. 1/10/90, Minutes, p. 10, Paul Thalhofer: A new method should be devised for setting salaries of county officials. Increases should be implemented in small increments rather than a large amount.
25. 1/10/90, Minutes, p. 12, Bob Luce: If the commissioners' salary increases were more realistic the voters would approve them. What the committee wants is irrelevant; voters have already decided the commissioners receive enough money.
26. 1/24/90, Minutes, p. 8, Clyde Brummel: The board of commissioners should be reduced to non-salaried members from each district, with a per diem allowance of \$75 per day, plus travel expenses. The board should hire a county manager.
27. 1/24/90, Minutes, p. 9, Jim Worthington: Commissioners' salaries should not be compared to other cities' salaries and should be raised in small increments with the complete salary package explained.

SECTION 13

SHERIFF: DISCUSSION

Section 6.50 (1) of the charter, adopted by the people in 1982 as part of Ballot Measure 6 provides for an elected sheriff:

The people of Multnomah County shall elect:

A County Sheriff for the function of said office as prescribed by State Law and he or she shall have sole administration of all county jails and correctional institutions located in Multnomah County.

Testimony concerning the sheriff's office focused on two issues, both referred to in the charter: whether the sheriff should be appointed or elected and the sheriff's responsibilities.

The committee heard testimony both favoring an appointed sheriff and for retaining the elected sheriff. One speaker urged the committee to consider the role of sheriff. If it is a policy-making role, keep it elected. If, on the other hand, it is a management position focusing mostly on corrections instead of law enforcement, it should be an appointed position. Other speakers noted that the complexities of today's law enforcement mandate an appointed professional manager. Those witnesses supporting an appointed sheriff stated that the sheriff should be part of the overall justice system and should, therefore, be accountable to the board, not just the voters. It was also argued that with an appointed sheriff it is clear where the authority lies -- with the executive.

Other speakers urged that the sheriff position remain elected. Several speakers testified that law enforcement is a high priority in the county and therefore the position requires a high profile and is accountable to the voters. It was also pointed out that the sheriff should be elected so that he can exercise independent judgement and an independent voice. Finally, many of those who testified, noting the long tradition of an elected sheriff, maintained that the people prefer an elected sheriff and would not approve an appointed position.

The responsibilities of the sheriff were also addressed by several speakers. Currently, the sheriff is responsible for law enforcement and corrections (custodial programs) while the Department of Justice Services is responsible for non-custodial programs, such as probation and parole.

The committee heard testimony that urged it to retain the current language giving the sheriff control over corrections. According to those speakers, the sheriff rebuilt the corrections system which, under an appointed administrator, had been faltering. Additional speakers testified to the need for a high profile, independent position to advocate for corrections.

Other witnesses, while not speaking directly to the issue of corrections per se, supported an appointed officer who would be accountable to the board and the executive and who would manage all of the county's justice services (law enforcement, corrections and non-custodial programs) or just law enforcement and corrections.

SECTION 13

SHERIFF: REFERENCES

1. 10/11/89, Minutes, p. 2, Commissioner Pauline Anderson: The sheriff should be appointed and accountable to a criminal justice system and not to voters only.
2. 10/11/89, Minutes, p. 3, Commissioner Gretchen Kafoury: She is not overly concerned about the issue of an appointed sheriff.
3. 10/11/89, Minutes, p. 2, Chair Gladys McCoy: The Sheriff should be a part of the Justice Services Department, be an appointed officer and be accountable to the Board of Commissioners. The County needs to have a comprehensive and coordinated criminal justice system. The sheriff, as an elected officer, now has sole administration of all county jails and correctional institutions.
4. 10/24/89, Letter, Michael D. Schrunk, Multnomah County District Attorney: It is clear to me that the citizens of Multnomah County view law enforcement as a very high priority. As such, it requires a consistent and responsive champion who can exercise independent judgment and an independent voice. Most importantly, because of the priority of law enforcement, that independent position must be accountable to the citizenry. Our past history clearly demonstrates the dissatisfaction citizens felt with the appointed sheriff's position. It was through an initiative petition that the position was changed back to an elected sheriff in 1982. The citizens also spoke in a strong, affirmative voice when they, again through initiative petition, moved the corrections responsibilities into the sheriff's office. These moves were based on a dissatisfaction with the management of corrections and a perception that management was not responsive to community priorities. I am confident that if the citizens experience similar dissatisfaction with a particular sheriff, they will be quick to elect one who is viewed as more capable.

5. 10/25/89, Minutes, p. 3, Sheriff Bob Skipper: Mr. Skipper presented his views regarding the proposed amendments which would return the office of Sheriff to an appointed position and would remove the corrections system from the authority of the sheriff. He believes that either change would be a step backward and would not be in the best interest of our citizens. ...in his contacts with citizens he has learned that they appreciate and prefer an elected sheriff. They want a strong and independent leader with a commitment to fair, effective law enforcement and to adequate jail sanctions for the criminal endangering our society and they want that leader directly answerable to them. He believes that the citizens would overwhelmingly reject the proposal for an appointed sheriff.
6. 10/25/89, Minutes, p. 3, Skipper: Skipper is concerned about the proposal to remove corrections from the authority of the sheriff. Its passage would send an alarming message to a corrections system rebuilt through the efforts of an elected sheriff. He encouraged the Committee members to read the copies of statements he distributed to them about Multnomah County corrections systems drawn from Grand Jury reports from 1978 through 1988. He said the reports graphically illustrate the dismal record of corrections under appointed administrators.
7. 10/25/89, Minutes, p. 3, Skipper: As to funds needed to run our jails and/or for more jail beds, appointed administrators could not and would not go to the public for these needed funds. It would take a very courageous administrator to put his career on the line for improvements and jail beds when his superior or the majority of the board was firmly opposed to asking the public to provide more money. But elected sheriffs can and did go to the public. Without the efforts of an elected sheriff and an elected district attorney, our community would not have re-opened the Courthouse Jail, opened the work-release center and opened the 256 bed jail at Inverness. Without the election of himself as elected Sheriff and District Attorney Mike Schrunk and certain county commissioners our community would not have the present opportunity to vote on the 210 bed addition to Inverness and a 120 bed drug and alcohol treatment program.
8. 10/25/89, Minutes, p. 4, Skipper: Norr asked Skipper to explain the difference between a hired city police chief and an elected county sheriff. ...Historical precedent argues for an elected sheriff...The people would get the best person either way...An elected sheriff brings stability because there is less turnover.

9. 10/25/89, Minutes, p. 4, Skipper: In comparison to the City of Portland, his office handles civil process and operates the county jails. ...serves the unincorporated areas in Multnomah County and the smaller cities that wish to contract with them. They have the responsibility for serving and processing all warrants within the county whether they are issued as a result of an arrest by an officer of the City of Portland, City of Gresham, or Multnomah County. Also his office is responsible for providing court services which include security in courtrooms, transportation of inmates in state and out of state that are being returned to the county.
10. 10/25/89, Minutes, p. 5, Senator Glenn Otto: He recommends the retention of an elected sheriff; the people want it.
11. 11/8/89, Minutes, p. 3, Don Clark: He leans toward an appointed [sheriff].
12. 11/8/89, Minutes, p. 3, Clark: Clark responded that there were no real differences between a [hired city police chief and an elected county sheriff] except history and tradition. He also stated that the Charter Review Committee would run into difficulty if they tried to do away with the elected sheriff. Sheriffs go back to 9th century England and are a very colorful part of our mythology.
13. 11/8/89, Minutes, p. 3, Clark: One of the benefits of elected sheriffs is that they act differently than appointed police administrators. He suggested comparing the number of problems suffered by the City of Portland Police Department versus the Multnomah County Sheriff's Office. He also noted, on the other hand, that one of the benefits of an appointed sheriff is that it is clear where the buck stops: at the county executive.
14. 11/8/89, Minutes, p. 3, Clark: Casey Short asked Clark about his statement that 1978-82 was his best period when, at the same time, Sheriff Skipper stated how badly jails were run at that time according to grand jury reports. Clark stated that grand juries do what the District Attorney wants them to do.
15. 11/8/89, Minutes, p. 4, Commissioner Rick Bauman: Regarding the position of sheriff, Bauman suggests asking the question: "What is the job of sheriff?" The evolution over the last few years, particularly since Resolution A, is that the sheriff is destined to be the manager of the corrections division and the administrator of several special projects: river patrol, special investigations, review of the Columbia Villa project

and patrol of the shrinking portion of the county that is unincorporated which, if the city is as successful in annexations as it has been, will be principally the Columbia Gorge area and the area around Corbett. If that is a major executive position...or a major policy decision, keep it elected.

16. 11/8/89, Minutes, p. 4, Bauman: David Chambers asked a question regarding whether any departmental positions in the Sheriff's Office should be elected. Bauman responded that he doesn't see any substantial reason why any of those responsibilities need to be elected. Those are administrative functions that clearly can be focused, as the state does, under one elected official.
17. 11/16/89, Letter, Sheriff Bob Skipper: ...it's always been difficult and sometimes impossible to get that third vote for more jail beds, or for funds to improve jail operations. I doubt it would have been possible without an independent sheriff with independent authority for corrections.

In the past, appointed administrators have either been publicly silent about the need for more operating funds and more jail beds, or they backed up their bosses' contentions that more funds or more jail beds were not needed.
18. 11/29/89, Minutes, p. 4, Chair Darlene Hooley: [Corrections] is in the Human Services Department.
19. 11/29/89, Minutes, p. 5, CIC Chair Dennis Payne: Make sure that if the committee makes changes regarding the sheriff, it is because the office needs to be changed, not just the office-holder.
20. 11/29/89, Minutes, p. 7, Commissioner Bonnie Hays: Washington County has an elected Sheriff...there is a political mystique to the Sheriff's office.
21. 12/13/89, Minutes, p. 2, AFSCME President Arlene Collins: The sheriff should be elected with unlimited terms. The sheriff should manage the corrections unit, the primary drug investigations unit, any county-wide "sting" operation and a primary criminal investigation unit for major crimes for all police agencies.
22. 12/13/89, Minutes, p. 2, Collins: Liberty Lane asked why the Local recommends an 8-year cap for commissioners and none for sheriff. Collins responded that the sheriff's policies are guided by both the policies set by the commissioners and the

vote of the people while the commissioners have only the voters to answer to.

23. 12/13/89, Minutes, p. 4, Representative Ron Cease: Representative Cease personally prefers an appointed sheriff, but the public prefers an elected sheriff, so it may not be worth tampering with. Again, he believes it depends on the person in the position.
24. 12/13/89, Minutes, p. 5, Cease: Paul Norr asked Cease if he had any concerns about the sheriff and auditor being elected county-wide, if the commissioners were elected by district. Cease responded that would be a concern; if the commissioners were elected by district, the argument for an executive elected county-wide becomes stronger.
25. 12/13/89, Minutes, p. 8, Jerry Orrick: Ann Porter asked Mr. Orrick how the administrator relates to the sheriff and district attorney (both elected officials). Mr. Orrick stated that most counties that have an administrator have the full array of row officers. The elected officer is in charge of his or her department and the hired administrator must respect that. However, the administrator has more time and expertise to do some things within those departments. In addition, the administrator should be the one who makes the budget recommendations and develops all management recommendations and decides how they relate to public funding. The administrator looks at the county as a whole and he is the one who should do that. It is something of an adversarial relationship based on mutual respect and a different type of expertise.
26. 1/3/90, Minutes, p. 3, Charles Cameron: Consider appointing the sheriff because of the complexities of law enforcement today and the possibility of not finding anyone locally to meet current needs and to eliminate the competition for resources.
27. 1/10/90, Minutes, p. 2, Grant Nelson: For the past 5-6 years, the board has been trying to determine what should happen to the department; he believes that his department and position should exist and that non-custodial programs are a very important part of the Multnomah County justice system and should be continued. The sheriff and district attorney are no longer a part of the Justice Services Department; this was changed in July of last year, although this change merely reflected reality. It is a difficult situation when an appointed department head must tell an elected official what to do.

28. 1/10/90, Minutes, p. 3, Nelson: His department is part of the justice system and is responsible for non-custodial individuals. The board of commissioners has established a policy of maintaining a continuum of services; many clients involved in human services are, or will be, involved with justice services, the sheriff and district attorney. They are all working together to move people back into the community.
29. 1/10/90, Minutes, p. 3, Nelson: His department is working with the Department of Human Services by making sure each department is apprised of what the other is doing by having a central check-point; it is working with the sheriff's office to develop new programs and to help the board obtain information on things like the number of jail beds needed, operation of programs and how pre-trial release services should be defined. His department has also been working with the district attorney in implementing new sentencing guidelines and over-crowding in Multnomah County jails.
30. 1/10/90, Minutes, p. 3, Nelson: The small percentage of voters who turn out for election of positions, such as sheriff, indicates a lack of interest on the part of the voters to assist in making that decision. Multnomah County's law enforcement role is shrinking and in the year 2000 the Multnomah County sheriff's duties will almost entirely be corrections responsibilities, as opposed to law enforcement. This requires a professional manager instead of an elected officer; it does not reflect personally on the current sheriff.
31. 1/10/90, Minutes, p. 3, Nelson: Nelson stated that there is some overlap between the sheriff's department and justice services; it is up to the board to decide the role of each.
32. 1/10/90, Minutes, p. 6, Duane Zussy: Even though it is controversial, Zussy believes the county sheriff should be appointed by the county manager and should manage all of the county's justice services.
33. 1/10/90, Minutes, p. 10, Paul Thalhofer: People in Multnomah County want an elected sheriff.
34. 1/10/90, Minutes, p. 11, John Vogl: Even though the role of sheriff has changed, he still supports an elected sheriff. In addition, he believes the Sheriff's Office should be the top law enforcement agency in the county.
35. 1/10/89, Minutes, p. 11, Vogl: An unincorporated area is not necessarily rural; most of it is in fact suburban. He has, however, noticed fewer sheriff patrols in east county.

36. 1/10/90, Minutes, p. 12, Bob Goldstein: He believes the issue of corrections privatization and jurisdiction needs to be addressed by the committee with the county maintaining control of probation.

37. 1/10/90, Minutes, p. 12, Bob Luce: The position of sheriff should be an elected office and the police agency of Multnomah County.

Luce agreed [the sheriff should be able to set his own level of service].

38. 1/24/90, Minutes, p. 8, Clyde Brummel: The chief law enforcement officer of the county, including chartered cities, should be the Multnomah County Sheriff. The sheriff should be given authority to seek private construction of jail space.

IDENTIFICATION OF ISSUES

PRESENTED IN TESTIMONY

TO THE

MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE

Staff Report

February 9, 1990

INTRODUCTION

The Multnomah County Charter requires the convening of a Charter Review Committee. The purpose of the Committee is to make a "...comprehensive study of the Multnomah County Home Rule Charter and, if the Committee chooses, submitting to the people of Multnomah County amendments to the Charter."

The Charter Review Committee convened on July 20, 1989. Since then, the Committee has held a total of fourteen meetings, the first four of which were organizational. The Committee has met in downtown Portland, Parkrose and Southwest Portland. The Committee has invited a wide variety of interested parties to testify and has welcomed the public to speak at each of its meetings.

On October 25, 1989, the Committee adopted a preliminary work plan based on presenting charter amendments, if any, to the voters in November, 1990. The work plan included background hearings through January, 1990. This staff report is the culmination of those background hearings and marks the end of the first half of the Committee's work.

The staff report is divided into thirteen issue areas identified during the Committee's background hearings. Each issue area is divided into two sections: Discussion and References. In addition, the issue areas that contain multiple sub-issues contain a References Summary section. Some of the issue areas overlap and should, to a great extent, be considered together. This is especially true of the three sections dealing with the executive function: Section 2, Board of County Commissioners; Section 4, County Administrator and; Section 5, County Chair/Executive.

The intent of this report is to summarize the testimony given to the Committee and to identify the issues presented.

While mistakes and omissions are likely to occur in a document of this size, it is hoped that what follows is an accurate representation of the Committee's work thus far. Of course, the Committee minutes are the fullest account of its meetings. It is

hoped that this report will be useful to Committee members as they select and prioritize issues and move forward into issue-focused hearings and the second half of the their work.

Sincerely,


William C. Rapp
Committee Administrator

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LIST OF WITNESSES

1. Gladys McCoy
2. Dave Boyer
3. Hank Miggins
4. Larry Kressel
5. Rick Bauman
6. Gretchen Kafoury
7. Merlin Reynolds
8. Dennis Payne
9. Orval Etter
10. Pauline Anderson
11. Sharron Kelley
12. Dan Ivancie
13. Bob Skipper
14. Judy Phelan
15. Glenn Otto
16. Keith Crawford
17. Don Clark
18. Fred Neal
19. Dave Warren
20. Dick Roberts
21. Bonnie Hays
22. Darlene Hooley
23. Blanche Schroeder
24. Bob Goldstein
25. Jim Worthington
26. Arlene Collins
27. Ron Cease
28. Jerry Orrick
29. Ken Tollenaar
30. Eugene Collins
31. Jack Horner
32. Barbara Clark
33. Jewell Lansing
34. Alan Purcell
35. Anne Kelley Feeney
36. Charles Cameron
37. Mike Swanson
38. Gordon Tiffany
39. Linda Alexander
40. Grant Nelson
41. Duane Zussy
42. Tanya Collier
43. Paul Thalhofer
44. John Vogl

45. Bob Luce
46. Susan McPherson Daluddung
47. Bill Farver
48. Robert Trachtenberg
49. Ramsey Weit
50. Fred Christ
51. Clyde Brummel
52. Herb Brown
53. Don Biggs

SECTION 1

AUDITOR: DISCUSSION

Section 8.10 of the charter provides for the county auditor:

8.10 AUDITOR.

- (1) The office of county auditor is hereby established.
- (2) At the general November election in 1966 and at the general November election every four years thereafter an auditor shall be elected. A candidate for auditor shall be a certified public accountant or certified internal auditor as of the date of filing for office, subject to the following provision. For the 1990 elections only, if a person is not a certified public accountant or certified internal auditor at the time of filing for office, the person elected or appointed to the office must obtain such certification not later than one year after taking office. The office of auditor shall become vacant when the person serving as auditor ceases to be certified. Effective upon certification, the salary of the auditor shall be four-fifths of a District Court Judge's salary.
- (3) The auditor shall conduct internal audits of all county operations and financial affairs and make reports thereof to the board of county commissioners according to generally accepted government auditing standards.

The chair of the board of commissioners or the responsible elected official shall respond in writing to all internal audit reports stating what actions have been or will be taken to address the findings contained in the audit. The written response shall be made to the board and the auditor in the manner and time frame requested by the auditor.

- (4) The board shall retain each report of the auditor and each response as a public record for at least three years after receiving the report and response.

1. Election or Appointment of Auditor:

The position of county auditor is currently an elected position. The committee has heard testimony from both those who support the current elected position and those who favor an appointed auditor.

Those who favor an elected auditor emphasize the importance of the independent nature of the auditor's position and even the public's perception that the auditor be independent of the county executive and board of commissioners. The committee has also heard from those who favor an appointed auditor. An appointed auditor is generally supported by those who emphasize the professional nature of the position. This group believes that because it is largely a technical or professional position (with little policy input) with attached professional qualifications, the auditor should be appointed.

2. Responsibilities:

Section 8.10 (3) of the charter, the only substantive section relating to the auditor's duties, requires the auditor to "conduct internal audits of all county operations and financial affairs..."

Several issues relating to the responsibilities of the county auditor have surfaced in committee hearings. The first relates to who should monitor the external auditor. Currently, the external auditor for the county is monitored by the county Finance Division. Options which the committee heard discussed would have the external auditor monitored by either an audit committee or the county auditor. Those who suggest that an audit committee or the county auditor monitor the external auditor usually stress the need for the external auditor to be free from management pressure.

The committee also heard from those who want more specific requirements imposed upon the county auditor, such as requiring a certain number of audits to be performed each year or mandating that each department be audited on a regular basis. Other speakers suggested that imposing more specific requirements would do little to improve performance of the auditor's office.

Finally, witnesses testified that a provision should be inserted in the charter to give the auditor specific authority to engage in performance or evaluation auditing. Several witnesses stated that this addition would have little impact because of the subjective nature of a "performance audit."

3. Time for Changes:

Several witnesses told the committee that, regardless of whether certain changes have some merit, because important changes were made to the charter recently and because the charter now gives the auditor sufficient direction, it would be premature to make any changes at this time. Others feel that needed changes, discussed in other subsections of this section, override that concern.

4. Qualifications:

Section 8.10 (2), added in 1989, requires the county auditor to be a certified public accountant or a certified internal auditor beginning in 1990 (the provision allows the person elected to office in 1990 one year to obtain certification.)

The committee heard testimony that the new qualification provisions are not adequate and should be amended to require the auditor to be a certified internal auditor, not a certified public accountant. Those who favored making this change noted the substantial difference between financial and performance auditing and that a CPA is not necessarily qualified to do performance auditing.

5. Regional Auditor:

The committee heard testimony that a regional auditor should be considered. According to this argument, a regional auditor is better than having a separate auditor for every city and county in the tri-county area because it would increase efficiency, reduce costs and, most importantly, move the region toward a regional or tri-county government.

6. Two-Term Limit/Running for Office in Mid-Term:

This issue is discussed in detail in Section 7, Elections. In general, comments focused on two issues: (1) the provision in Section 6.50 (4) of the charter which restricts any county elected official to two terms, and (2) the provision in Section 6.50 (5) of the charter which prohibits an elected official from running for office in mid-term.

Regarding the two-term limitation on the county auditor, several witnesses testified that because the position of auditor is a professional position, not a political position, the limitation on the number of terms makes no sense and should be abolished.

The provision prohibiting running for office in mid-term was supported by several witnesses who stressed the importance of the appearance of objectivity and the auditor's access to confidential information. At least one witness supported strengthening the provision to prohibit running for another county office at any time while in office.

7. Salary:

Section 8.10 (2) of the charter states that the salary of the county auditor shall be four-fifths of a District Court Judge's salary. This provision is effective beginning in 1991 and upon certification. Until then, the auditor's salary is subject to section 4.30 of the charter and is the same as a county commissioner's salary.

Elected officials' salaries are discussed in detail in Section 12, Salaries of Elected Officials.

SECTION 1

AUDITOR: REFERENCES SUMMARY

1. Appointed/Elected: 1, 2, 3, 8, 10, 14, 15, 16, 18, 25, 34,
35, 40
2. Responsibilities: 4, 11, 13, 17, 18, 20, 24, 25, 26, 27,
28, 32, 33, 35, 36, 39, 41
3. Time for Changes: 9, 19, 20, 23, 29, 34, 37, 38, 39
4. Qualifications: 12, 14, 17, 19, 31, 40
5. Regional Auditor: 6, 7, 8
6. Two-Term Limit/Running for Office in Mid-Term: 12, 21, 22,
30
7. Salary: 10, 32

SECTION 1

AUDITOR: REFERENCES

1. 10/11/89, Minutes, p. 3, Commissioner Pauline Anderson: ...the Auditor should [not] be an appointed position but should, on the other hand, be independent and not be accountable to the board of commissioners.
2. 10/25/89, Minutes, p. 2, Multnomah County Auditor Dan Ivancie: ...the Charter [should] maintain the requirement that the auditor be independent. Independent internal and external auditors provide a better system of checks and balances. The working relationship with the outside auditor is important so that they can work together against duplication.
3. 10/25/89, Minutes, p. 2, Ivancie: ...he ...[is] in no position to recommend an elected versus an appointed auditor but being elected presents a unique opportunity to Multnomah County.
4. 10/25/89, Minutes, p. 5, Keith Crawford: The problems involved [in the administration of outside financial auditor contracts] are not readily apparent if the person handling all the duties involved is honest; then this system can work. What it does lack are internal controls and a lack of independent reviews being made to assure that the report of funds is accurate. The Finance Department, which is an auditable function, monitors and administers the outside financial audit contract. This can create disharmony. Crawford wants those that audit our government functions to be completely independent of any management influence. He recommends transfer the administration, the coordination and the monitoring of that outside audit contract to the internal auditor's office.
5. 10/25/89, Minutes, p. 5, Crawford: Regarding the [proposed] audit committee, he states that an audit committee is an independent body which selects and reviews the auditor that is selected to review the corporation or organization. This

provides a governing body with technical expertise; it assures the audit processes independent of management; it allows participation in the procurement process; planning and evaluation of the selecting that independent auditor; it allows unbiased monitoring of contract performance; it provides a method for review of audit results; it assists in the close audit review of the reports that are prepared by the independent auditor. An audit committee minimizes fraudulent financial reporting that can occur in a biased relationship and it strengthens the internal control for the organization. It also provides a direct line of communication between the auditors and the governing body independent of management.

6. 11/8/89, Minutes, p. 4, Commissioner Rick Bauman: Regarding the position of auditor, overshadowing all else is to facilitate the ultimate extinction of Multnomah County. The County lines were drawn 120 plus years ago and are archaic. The county does not make sense as a long-term governing body. He thinks we need to evolve to a system that allows regional decisions to be made on a regional basis. He would like to see an auditing office that is jointly shared by the city, the county, Metro, Washington County and Clackamas County. We can get top-notch professional auditors and share the cost and we can have those services available to us.
7. 11/8/89, Minutes, p. 4, Bauman: Bauman emphasized the need to look beyond our narrow charter mandate. He suggested taking the idea of a regional auditor to the board or the state legislature to explore.
8. 11/8/89, Minutes, p. 4, Bauman: Responding to a question of Florence Bancroft's about the "regional auditor" and whether he would be elected or appointed, Bauman stated that elected oversight could be provided if necessary. As an example, he cited Secretary of State Barbara Roberts, who is auditor for the State of Oregon and who is elected. However, her auditors are independent of her office, by and large, and are professional auditors. There are also other mechanisms that are available.
9. 11/29/89, Minutes, p. 5, CIC Chair Dennis Payne: Make sure that if the committee makes changes regarding the sheriff and the auditor, it is because the offices need to be changed, not just the office-holder.
10. 11/29/89, Minutes, p. 7, Commissioner Bonnie Hays: Washington County has an elected sheriff and an elected

Auditor. The Auditor's salary is two-thirds of a district court judge's salary. She does not recommend this, because it is then beyond the Board's control.

11. 11/29/89, Minutes, p. 7, Hays: Regarding the Auditor's duties, the number of audits the Auditor is required to perform each year should be specified; and they should have access to external auditors.
12. 12/13/89, Minutes, p. 2, AFSCME President Arlene Collins: The Local believes that the County Auditor should be a qualified auditor/CPA, elected to a maximum of two 4-year terms.
13. 12/13/89, Minutes, p. 2, Collins: All contracts and departments of Multnomah County should be audited on a regular basis.
14. 12/13/89, Minutes, p. 4, Representative Ron Cease: ...the auditor should be appointed, but if the auditor is elected, imposing specific requirements makes sense. If the auditor is appointed, he should be independent of the commissioners.
15. 12/13/89, Minutes, p. 4, Cease: ...[asked if there is] some way to appoint an auditor and yet retain his independence. Cease said Multnomah County should look at ways it is done by other counties.
16. 12/13/89, Minutes p. 5, Cease: Paul Norr asked Cease if he had any concerns about the sheriff and auditor being elected county-wide, if the commissioners were elected by district. Cease responded that would be a concern; if the commissioners were elected by district, the argument for an executive elected county-wide becomes stronger.
17. 12/13/89, Minutes, p. 10, Eugene Collins: ...performance auditing should be required and specified in the charter. The auditor should be fully licensed and degreed with experience in performance auditing and hired by the executive with no term specified. The charter should also state that all departments should be audited each year and sufficient funds should be provided for that function. Finally, the county should do its own auditing, and not rely on the state.
18. 12/20/89, Minutes, p. 2, Jewell Lansing: 1. The concept of local government auditors, especially performance auditors, is very recent. 2. The tri-county area and the City of Portland are national leaders in the use of performance

auditing and in having elected officials be responsible for the auditing function. 3. It is more common to have an auditor report to the council and appointed by the legislative branch of the government. She believes that this would not be appropriate for Multnomah County.

19. 12/20/89, Minutes, p. 2, Lansing: Lansing noted that the charter has been amended to provide for these changes [qualifications of future county auditors] and are only now in the process of being carried out. Therefore, it would be unwise for the committee to involve itself in this at this time.
20. 12/20/89, Minutes, p. 2, Lansing: ...because the county auditor's office is in a state of flux, this is not the time to assign new duties.
21. 12/20/89, Minutes, p. 2, Lansing: Another provision in the charter states that no elected official may run for another office during his term, excepting the last year of his term in office. Lansing believes that the auditor should not be allowed to run at any time for another county office during the term in office without resigning because of the importance of the appearance of objectivity. Again, however, now may not be the best time to make this change.
22. 12/20/89, Minutes, p. 3, Lansing: ...the two-term limit should be reconsidered at some point; to limit an auditor's term in office is a hardship to the office-holder.
23. 12/20/89, Minutes, p. 3, Lansing: ...she does not recommend any changes to the charter regarding the auditor's office at this time.
24. 12/20/89, Minutes, p. 3, Lansing: ...in the profession, audits are divided into two categories, "performance" and "financial." Financial audits deal with financial statements of income and expense and assets and liabilities; usually done by an independent CPA firm. Oregon state law provides that every municipality has to have an annual financial audit. The performance auditor looks at how assets are used, the results attained and the best way to use tax dollars effectively; it is a way to look at whether the agency is doing the job it is intended to do.
25. 12/20/89, Minutes, p. 3, Lansing: ...for an appointed auditor, the decision of what to audit is usually set by the governing body. In the state, for example, it is decided by

a legislative committee, usually made up of members of both parties of both houses. An elected auditor, on the other hand, makes the decision as to what or whom to audit, himself. It is important for him or her to retain the independent judgement.

26. 12/20/89, Minutes, p. 3, Lansing: ...in the public sector some municipalities have an official organization which has a voice in the selection of the audit. When she worked for the county she had an unofficial advisory committee, as does Barbara Clark with the city. In the private sector there has been a move to have audit committees that actually make decisions and do the review of the outside audit and perhaps choose the outside auditors. She does not, however, favor a formal or official audit committee.
27. 12/20/89, Minutes, p. 3, Lansing: ...there is no need to put in the charter a specific performance auditing requirement. She is also not in favor of requiring a certain number of audits per year. This would not provide any kind of quality; almost anything can be called an audit. It also might infringe upon the auditor's independence.
28. 12/20/89, Minutes, p. 4, Alan Purcell: ...there are many similarities between the Washington County and Multnomah County charters, with Multnomah County having more specifically written standards.
29. 12/20/89, Minutes, p. 4, Purcell: Since the Multnomah County Charter already provides plenty of direction and many of the recent changes have not yet been put into practice,...it would be premature to make any further changes.
30. 12/20/89, Minutes, p. 4, Purcell: First, the auditor should not be running for another position while in that position because of access to confidential information; in fact, some have suggested that there should be a period after the auditor leaves office when he should not be allowed to run for another office. ...he does not favor the two-term limit. He personally would not accept a position if it were limited to only eight years. If someone is going to make a career change, he needs to be assured that it will last for more than four or eight years.
31. 12/20/89, Minutes, p. 4, Purcell: ...the CPA requirement should be viewed as a minimum qualification; specialization of the candidate and other areas of expertise should also be considered.

32. 12/20/89, Minutes, p. 4, Purcell: ...the possibility [of the auditor's role becoming restricted by the budgetary process] exists, but ...there are ways to deal with it by campaigning for the auditing function; use the press and the public to help your cause. Furthermore, in Washington County, the auditor's salary is specified in the charter and is exempt from the board's scrutiny; this also eliminates some of the pressure.
33. 12/20/89, Minutes, p. 5, Barbara Clark: ...contrary to popular belief, she does not report to the mayor; she seeks a response from the individual commissioner and department head of the bureau being audited.
34. 12/20/89, Minutes, p. 6, Anne Kelley Feeney: ...she is in total agreement with the other speakers; the charter language regarding the auditor should not be changed at this time. She also noted that an appointed auditor tends not to be as visible as one who is elected.
35. 12/20/89, Minutes, p. 6, Dan Ivancie: ...the county auditor should remain an elected position. ...the auditor should monitor the work done by external auditors.
36. 12/20/89, Minutes, p. 6, Jack Horner: 1. The states of Washington and Oregon, Seattle and Clark County, all use program (or performance) auditing where there is an emphasis on program economy, efficiency, and to a lesser degree effectiveness audits. 2. In Multnomah County, financial audits are conducted annually and independently by outside auditors, thereby giving the Finance Director, who monitors the external auditors, a high level of accountability for internal controls. 3. The Multnomah County Auditor works in the program audit area where standards are not as clear-cut. Moreover, the Certified Internal Auditor certification requirements do not speak specifically to competency in program auditing.
37. 12/20/89, Minutes, p. 7, Horner: ...the county audit function is doing well as it stands.
38. 12/20/89, Minutes, p. 7, Bob Goldstein: ...it is best to leave the county charter as it is regarding the position of auditor.
39. 1/10/90, Minutes, p. 5, Linda Alexander: Changes should not be made to the auditor's office unless they are to clarify the role of the auditor in performance/evaluation auditing

and financial/compliance auditing. Alexander feels very strongly that there should be a performance auditing role and not a financial role.

40. 1/10/90, Minutes, p. 6, Duane Zussy: Zussy has no preference as to how the county auditor should be selected, but feels it is imperative that the person be professionally qualified. He noted that there is a definite distinction between a performance and financial auditor.
41. 1/10/90, Minutes, p. 8, Tanya Collier: The Auditor should concentrate on performance auditing and should be a certified internal auditor, not a CPA.

SECTION 2

BOARD OF COUNTY COMMISSIONERS: DISCUSSION

This section is inextricably linked to Section 4, County Administrator and Section 5, County Chair/Executive because each section relates to the basic structure of government in Multnomah County, although each focuses on slightly different issues. The interrelationship among these sections means that they should be, to a great extent, considered together. Most of the discussion relating to the pros and cons of the forms of government is contained in this section while issues relating only to a specific form of government is contained in that section. For example, discussion relating to separation of powers is contained in this section because it relates to all the different types of structures discussed while issues relating to the responsibilities of the county administrator are contained in that section, Section 4.

1. Number of County Commissioners:

Section 3.10 of the charter contains the language relating to the number of commissioners:

3.10 MEMBERSHIP. The governing body shall be a board of five county commissioners. The chair of the board shall be elected from the county at large. Four county commissioners shall be elected from districts as herein established and described. Descriptions for each district are based on block groups and census tracts as employed by the United States Department of Commerce, Bureau of the Census, in compiling the 1980 decennial census. (Effective January 1, 1987)

The committee has heard much testimony concerning the size of the board. The testimony has centered around increasing the size of the board to seven members, decreasing the board to three members, or retaining the current board size. The

issue is generally a conflict between what one witness described as a debate between the values of efficiency versus accountability.

Those who advocate an increase in the size of the board generally emphasize the value of accountability. According to this argument, a board with more members is more accountable than one with fewer members because their districts would be smaller and, thus, more representative.

The committee has also received testimony from those who advocate a smaller board of three members. Those who testified argued that a smaller board would be more efficient than a larger board and might be more cost-effective. The argument that came up most often is that because county responsibilities are shrinking in some ways, the board size should reflect that.

Finally, the committee heard from those who favor retaining the current five-member board. Those who advocated this position argued that the five-member board should be retained because it is a good balance of efficiency and accountability, that there is no consensus on how it should be changed and that there is no overriding reason to change it at this time. The committee was also told, on this issue and on many others, that people make the difference, not the form or structure of government.

2. Full-Time or Part-Time Board:

Closely related to the issue of the number of commissioners is whether they should be part or full-time. The charter is silent on this issue. One witness stated that the questions to ask in considering this issue are whether the current full-time members have enough work to do and whether they are interested in making long-term policy. If so, they should be full-time.

Those who support a part-time board state that an ordinary person would be more able to serve on a part-time board; it would be a less political position. It is also argued that the board members would be able to have outside employment. Endorsement of a part-time board is sometimes contingent on an increase in the board size in order to enable board members to keep up with the work.

Advocating retention of a full-time board are those who state that the workload and availability and accessibility of a

commission require it. It is further agreed that if the commissioners were part-time, the county executive (whether it be a separately elected executive, the county chair or a county administrator) might become the policy-maker for the county by default.

3. District versus At-Large Elections:

Section 3.10 of the charter provides for commissioners elected by district and the chair elected at-large: "The chair and the board shall be elected from the county at large. Four county commissioners shall be elected from districts as herein established and described."

The issue of whether commissioners should be elected by district or at-large is again intertwined with the issues of board size and whether commissioners should be full-time or part-time.

Virtually all testimony heard by the committee pointed out the necessity for commissioners to be elected by district. Reasons given include greater representation (especially for east-county residents) and the lack of an overriding reason to change to at-large elections at this time.

4. Separation of Powers:

Section 2.20 of the charter gives the board of commissioners the legislative power in the county:

2.20 WHERE POWERS VESTED. Except as this charter or a state constitutional or statutory provision regarding the initiative and referendum provides to the contrary, the legislative power of the county shall be vested in and exercisable only by the board of county commissioners. Any other power of the county not vested by the charter elsewhere shall be vested in the board but may be delegated by it.

Section 6.10 gives the chair executive authority:

6.10 CHAIR OF THE BOARD. The chair of the board of commissioners:

- (1) shall be the chief executive officer and personnel officer of the county;

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

A separation of powers refers to a separation between the executive and legislative branches of government. The current structure, with the county executive (the chair) as part of the legislative branch (the board) is not a true separation of powers. Also not a true separation of powers is a council/manager form of government because the county manager or administrator, although he runs the day-to-day operations of the county and thus functions as an executive, is under the control of the legislative branch of the board. Prior to 1984, a separation of powers did exist with an elected executive completely separate from the board.

Most of the discussion in this area has focused on the three forms of government discussed above. The committee heard

testimony supporting all three forms of government, each offering a different degree of separation of powers.

Witnesses who supported either the county executive or the council/manager form of government tend to stress the importance of separation of powers; they agree that this separation creates a desirable tension between the two branches of government which results in system checks and balances.

Also emphasized by both groups of supporters is that a county executive or hired administrator allows the board to remain the policy-maker; it also allows the administrator or executive to do the job for which he is trained -- administer the day-to-day operations of the county.

The current form of government is favored by those who believe that cooperation among the board members is more important than the separation of powers. Furthermore, several witnesses stated that not enough time has elapsed to evaluate and change the structure at this time.

The issue of separation of powers is closely tied to issues discussed in Section 4, County Administration and Section 5, County Chair/Executive.

5. Paid or Unpaid/Salaries:

Several witnesses also addressed the issue of whether commissioners should be paid or volunteers. Those who desired a volunteer board stated that money would be saved. It was also argued that the board would be less political in nature and more efficient if its members were volunteer.

More often discussed was how much to pay board members and how to raise their salaries to a competitive level. Because the issue of salaries is not confined to that of board members, but also extends to all elected county officials, Section 12, Salaries, has a more detailed discussion of that issue.

6. Staff:

The committee heard testimony related to board staff throughout its public meetings and devoted one meeting almost exclusively to this subject. The issues are generally two-fold: (1) Is the issue of board staff a charter issue and; (2) Does each commissioner have too many staff assistants?

Related to this second issue is the issue of a "pooled staff" where individual commissioners would have few, if any, individual staff assistants; instead, board staff would be pooled in a centralized manner under the executive, and commissioners would have access to the entire staff pool. A pooled staff is usually, though not necessarily, supported in conjunction with a county administrator.

The committee heard much testimony, even from those who support the "pooled staff" concept, that the issue of board staff is not a charter issue. This conclusion is generally based on the belief that board staff is not of sufficient importance to warrant inclusion in the charter. It was also stated that staffing is more of an internal operational decision, not a policy decision, and is therefore more appropriately decided by the executive and legislative branches by way of ordinance. Finally, it was noted that staffing should be flexible and able to evolve with the situation and therefore not embedded in the charter.

The issue of the number of staff assistants and the issue of a pooled staff are questions that should be answered after the first question is answered, according to some witnesses. The committee did hear testimony that there are too many staff assistants to the board members, including the chair. According to these witnesses, fewer staff would decrease bureaucracy and costs. Some of those recommended a pooled staff while others simply recommended fewer staff assistants for each commissioner.

SECTION 2

BOARD OF COUNTY COMMISSIONERS: REFERENCES SUMMARY

1. Number of County Commissioners: 2, 3, 4, 6, 11, 13, 14, 17, 18,
19, 20, 21, 25, 30, 31, 33, 34, 35, 39,
43, 45, 57, 60, 61, 63, 64, 66
2. Full-Time or Part-Time Board: 1, 2, 4, 6, 9, 11, 12, 19, 20,
21, 25, 30, 31, 34, 45, 47, 49, 52, 61,
62, 64
3. District vs. At-Large Elections: 2, 3, 16, 19, 21, 23, 26,
29, 30, 35, 39, 43, 49, 61, 64, 65, 82
4. Separation of Powers: 8, 10, 12, 24, 27, 28, 30, 31, 35, 37,
38, 40, 41, 42, 44, 50, 51, 56, 58, 59,
61, 64, 81
5. Paid or Unpaid/Salaries: 1, 12, 15, 30, 35, 81, 83
6. Staff: 7, 22, 32, 35, 39, 46, 47, 48, 53, 54,
55, 67, 68, 69, 70, 71, 72, 73, 74, 75,
76, 77, 78, 79, 80

SECTION 2

BOARD OF COUNTY COMMISSIONERS: REFERENCES

1. 7/28/89, Portland Metropolitan Chamber of Commerce Report: Multnomah County's charter review should result in a ...volunteer part-time board...
2. 10/11/89, Minutes, p. 1, Chair Gladys McCoy: ...need to continue a full time, 5-member Commission, 4 elected by district, to address the concerns of their constituents (with the Chair elected county-wide).
3. 10/11/89, Minutes, p. 2, Commissioner Pauline Anderson: Multnomah County should have five county officers elected by district. She does not feel that commissioners need to be elected county wide. The current workload requires at least five commissioners.
4. 10/25/89, Minutes, p. 2, Commissioner Sharron Kelley: The Board of Commissioners should be increased from five to seven members and they should be part-time.
5. 10/25/89, Minutes, p. 2, Kelley: [Kelley] does not agree with the requirement that five commissioners must agree to any changes in administrative departments when budget votes require votes of only three commissioners.
6. 10/25/89, Minutes, p. 5, Senator Glenn Otto: [He recommends] five elected part-time commissioners. He stated that each commissioner could have outside employment which is desirable.
7. 10/25/89, Minutes, p. 5, Otto: [He recommends] a pooled staff. He feels that the commissioners have too many on their individual staffs.

8. 11/8/89, Minutes, p. 2, Clark: He personally liked the elected county executive form of government best. The executive function separated from the legislative function results in a tension between the executive and legislative branches which can be desirable.
9. 11/8/89, Minutes, p. 2, Clark: As a citizen [he] wants to be able to contact a commissioner and be able to make demands on him. This requires that position be full-time so that the commissioner is available for people to contact him to discuss issues and come to organizations to tell citizens what is going on.
10. 11/8/89, Minutes, p. 4, Commissioner Rick Bauman: He has no problem with the election of an executive. However, he urges a change in having a single member serve both legislative and executive functions as is now the case. First, the county chair prepares a budget, then the county commission, including the chair, sits in judgment and revises that budget. Budgeting is one of the most difficult functions of the legislative body. The Board went into that process last spring; they had a vacancy on the board and had three commissioners and the chair dealing with the chair's budget. The effect of that was that the three non-chair commissioners had to be unanimously in agreement on any change of the Chair's budget. That is an incredible standard. Even if they were a full commission it would take three-fourths agreement to change the budget. He doesn't think that is good public policy. The result of that was less than a one percent change in the chair's proposed budget.
11. 11/8/89, Minutes, p. 4, Bauman: In terms of the number of commissioners and whether they should be part or full-time, he asked the committee to choose, keeping in mind that anything can work.
12. 11/29/89, Minutes, p. 2, Blanche Schroeder: [The chamber favors] a move to a volunteer part-time board with full-time executive leadership."
13. 11/29/89, Minutes, p. 2, Commissioner Darlene Hooley: Bill Rapp stated that he had heard at least two reasons not to have a 3-member commission: First, that it is too easy for one member to dominate the commission, and, second, that if one member is absent, the Board is deadlocked. Commissioner Hooley responded that there is a potential danger, but Clackamas County does not have this problem. She feels it depends on who the elected people are.

- Commissioner Hooley said that a lot of it [having the "right people" in positions] is luck and having people who are willing to do the job. She feels they have some safeguards because the press always attends their meetings and because members and staff keep each other informed of all decisions that are made.
14. 11/29/89, Minutes, p. 3, Hooley: ...feels they probably could [handle the work with a home rule charter] but even now, more managers are sometimes needed.
 15. 11/29/89, Minutes, p. 3, Hooley: Her present salary is approximately \$50,000 per year and salaries are increased by the budget committee, usually in 3% increments. The budget committee actually recommends the salary level, but the Board must approve it as part of the overall budget.
 16. 11/29/89, Minutes, p. 4, Hooley: ...They are all elected county-wide and, therefore, all of the commissioners are accountable county-wide.
 17. 11/29/89, Minutes, p. 5, CIC Chair Dennis Payne: Regarding the number of commissioners, reducing the number is not desirable; if increasing is the answer, the question is by how many.
 18. 11/29/89, Minutes, p. 7, Commissioner Bonnie Hays: The people the voters elect is the most important thing.
 19. 11/29/89, Minutes, p. 7, Hays: Washington County has a full-time Chair, elected at-large, and four part-time commissioners elected by district.
 20. 11/29/89, Minutes, p. 7, Hays: She would prefer five full-time commissioners.
 21. 12/13/89, Minutes, p. 2, AFSCME President Arlene Collins: The Local recommends at least five elected full-time commissioners with a cap of eight years' service elected from districts in which they have maintained a full-time residence for at least a year. The present districts should be redrawn by population by the PSU Population and Research Center. Their duties should be assigned by the chair.
 22. 12/13/89, Minutes, p. 2, Collins: There should be a pooled staff for the entire commission, except that each commissioner should have a private secretary/administrative assistant.

23. 12/13/89, Minutes, p. 2, Collins: Liberty Lane asked why the Local recommends an 8-year cap for commissioners and none for sheriff. Collins responded...the sheriff's policies are guided by both the policies set by the commissioners and the vote of the people while the commissioners have only the voters to answer to.
24. 12/13/89, Minutes, p. 3, Collins: Ann Porter asked what the basis is for the Local recommending the duties of the commissioners include managing various departments, contrary to other recommendations received. From past experience, the Local feels there would be better accessibility by structuring it this way.
25. 12/13/89, Minutes, p. 4, Representative Ron Cease: The commission size is okay. The question of whether the commissioners should be full or part-time should be looked at closely. Most commissioners only want to deal with immediate problems and are not interested in setting long-term policies. Some questions to ask ourselves are: Do the commissioners have enough to do? Do they want to make long-term policy?
26. 12/13/89, Minutes, p. 4, Cease: The issue of elections at large or by district should not be discussed again; the issue has been dealt with in the past.
27. 12/13/89, Minutes, p. 5, Cease: ...he is strongly against having commissioners be administrators of specific departments as in the City of Portland.
28. 12/13/89, Minutes, p. 5, Cease: Monica Little sought clarification on whether Cease recommends an elected chair position or an elected executive. Cease said that unless the committee feels strongly that an elected executive should not be on the commission, it should remain the way it is.
29. 12/13/89, Minutes, p. 5, Cease: Paul Norr asked Cease if he had any concerns about the sheriff and auditor being elected county-wide, if the commissioners were elected by district. Cease responded that would be a concern; if the commissioners were elected by district, the argument for an executive elected county-wide becomes stronger.
30. 12/13/89, Minutes, p. 5, Jerry Orrick: ...Oregon counties can be grouped into two types, general law and charter; there are 18 general law counties and 13 of the smaller ones have retained the original county court form, consisting of a

county judge and two commissioners. The county judge serves as both the elected chair and as the chief executive. The other 15 counties in this group have progressed to a three-member board or commissioners with a rotating self-elected chair. There are eight charter counties with structural organizations ranging from Josephine, with a general law format, to Clatsop with five uncompensated, non-partisan, part-time commissioners, no elected department heads, and a strong county manager appointed by the Board. Three counties have three full-time commissioners with self-elected chairs; one has five full-time commissioners with a self-elected chair; one has five uncompensated commissioners with a self-elected chair; two have part-time commissioners with a popularly elected chair; and one, Multnomah, has five full-time commissioners with a popularly elected chair/executive. All, except Multnomah, have full-time appointed administrators and all, except Multnomah and Clatsop, require the Board of Commissioners to set elected officials' salaries.

31. 12/13/89, Minutes, p. 5, Orrick: ...Multnomah County has come full circle in its organization structure. It began as a general law county with a judge and two commissioners, moved to a three-member board of commissioners, adopted a charter with five commissioners, moved to a strong elected executive form, then to the present form with a popularly elected chair with executive powers.
32. 12/13/89, Minutes, p. 7, Orrick: Lana Butterfield said that a previous speaker asked the committee to change the method of staffing for the commissioners. She asked Mr. Orrick about his recommendations in that area. First, Mr. Orrick stated that a professional staff is needed to assist the county commissioners with research and analysis. Orrick then said that if a central administrative office is in place with a professional manager, the need for individual commissioners' staffs begins to decline. One way or another the staff needs to be there. He stated that it is difficult to compare Multnomah County with other counties in Oregon, but most of the larger ones provide their commissioners with a central administrative staff.
33. 12/13/89, Minutes, p. 8, Ken Tollenaar: The committee should evaluate each issue, each structure option, with two values in mind: efficiency and accountability. The committee members should ask themselves to what extent does an option increase efficiency or accountability.

34. 12/13/89, Minutes, p. 8, Tollenaar: ...Multnomah County has come full circle in its type of government. A larger board of 7 or 9 tends to promote accountability but sacrifice efficiency, while a smaller board increases efficiency at the expense of accountability. A part-time board increases an ordinary person's chances to serve on the board.
35. 12/13/89, Minutes, p. 9, Eugene Collins: ...there should be five to seven part-time commissioners from separate districts of the county, thereby allowing each neighborhood to elect a commissioner. Salary should be based on the same pay-scale presently used by state senators and each commissioner would have one paid assistant. Commissioners would have policy-setting duties only, not administrative.
36. 12/20/89, Minutes, p. 4, Jewell Lansing: [Having professional qualifications for commissioners, similar to those required for the auditor] would [not] be a good idea because they are different types of jobs.
37. 12/29/89, Letter, Jack Horner: First, the Policy Development Committee discussed a topic during its "visioning" phase of planning which spoke to a need to clarify the difference between something that is often fuzzy, the legislative and the executive functions. Specifically, they said: "We will have clearly defined executive and legislative functions." They did not elaborate on this statement in later discussion. As I recall, they said they would depend on the Commission to examine this concern.
38. 1/3/90, Minutes, p. 2, Charles Cameron: Washington County uses the council manager form of government; the organization has passed a variety of tests to be formally acknowledged by the International City Management Association in this capacity.
39. 1/3/90, Minutes, p. 2, Cameron: The board consists of five commissioners; four district, one at-large. All commissioners perform on an equal basis, providing the same services to the community. There is no commission staff; county administrative office staff is used.
40. 1/3/90, Minutes, p. 2, Cameron: External responsibilities carried out by the chair and board of commissioners include: (1) serve as conduit and assessor of public need, (2) determine policy direction of the county, (3) provide legislative and quasi-judicial responsibility, and (4) maintain intergovernmental relations with peers (participation on many Washington County and statewide boards and committees).

41. 1/3/90, Minutes, p. 2, Cameron: Board of commissioners' time is distributed between handling current issues of concern, such as land use, water quality, transportation, and solid waste; intergovernmental boards, committees and commissions; constituent representation, and commission meetings.
42. 1/3/90, Minutes, p. 3, Cameron: [Adopt] a council-manager form of government for the following reasons:
 - A. Increased representation because of ability to determine critical community needs through better communication, and implementation of support for those needs.
 - B. The ability of the administrator to forward allocation plans, provide quality control functions and provide objective input drawn from experience, skills and education.
 - C. Increased professionalism because of ability to attract those who are educated in county government and marriage of political and business approaches.
43. 1/3/90, Minutes, p. 4, Mike Swanson: Swanson serves with three county commissioners who are elected at-large.
44. 1/3/90, Minutes, p. 5, Swanson: Examples of responsibilities of the board of commissioners include authority to: adopt the budget, hire and fire CEO and county counsel, set all compensation, adopt long-range plans and provide leadership to the county.
45. 1/3/90, Minutes, p. 6, Gordon Tiffany: ...Clark County is a non-charter county operating under general law. There are three full-time commissioners and eighteen additional elected positions; they are Assessor, Auditor, Clerk, Coroner, Prosecuting Attorney, Sheriff, Treasurer and six superior court and five district court judges.
46. 1/3/90, Minutes, p. 7, Tiffany: It is important that a central staff be used for all board members; this eliminates competition between individual commissioners and staff and promotes cooperation.
47. 1/3/90, Minutes, p. 7, Tiffany: It depends on the work load whether the board of commissioners should be full or part-time; they should be paid accordingly. The Clark County commissioners are full-time and paid \$50,000+/year. The commissioners earn that salary and more.
48. 1/3/90, Minutes, p. 8, Swanson/Cameron: Swanson stated that for the past two years Clackamas County has given each

commissioner the option of hiring one part-time person; the duties of that person are strictly clerical and not analytical. All other staff members report to Swanson. Cameron stated that Washington County Commissioners have no staff; his office does needed clerical work for the commissioners.

49. 1/10/90, Minutes, p. 3, Grant Nelson: He has worked for state government and Multnomah County and that Multnomah County's present number of full-time commissioners, elected by district, is the best...
50. 1/10/90, Minutes, p. 6, Duane Zussy: [He] advises the chair and members of the board on the process of policy development in his department and assists them in developing programs from concept to reality.
51. 1/10/90, Minutes, p. 6, Zussy: [He] is committed to serving the full board equally by providing them with professional advice and sharing pertinent information in a timely manner.
52. 1/10/90, Minutes, p. 6, Zussy: Multnomah County should have the council/manager form of government with an elected full-time county commission and a professional county manager.
53. 1/10/90, Minutes, p. 7, Zussy: He has worked in other county governments which use the county manager form of government and has, himself, been a county manager; with no exceptions, they all had only a secretary or an executive assistant; analytical capability was performed by departmental staff.
54. 1/10/90, Minutes, p. 7, Zussy: [He] relates to the commissioners directly but also often briefs the board staff at their meetings on smaller issues. Board policy issues can be discussed one-on-one with commissioners; staff can be briefed on other matters, who then brief their respective commissioners. All commissioners are given the same information with the chair being the first to know.
55. 1/10/90, Minutes, p. 7, Zussy: There is no hard and fast rule [regarding board staff], but he believes the staffing issue should not be dealt with in the charter; it should evolve from the internal situation.
56. 1/10/90, Minutes, p. 8, Tanya Collier: Collier believes very strongly in the present system with an executive who is a member of the board; the reason this model was adopted was to eliminate the "we vs. they" attitudes that the previous strong executive form led to.

57. 1/10/90, Minutes, p. 8, Collier: If the committee accepts the idea that county responsibilities will continue to shrink, three instead of five commissioners should be considered.
58. 1/10/90, Minutes, p. 9, Collier: Ann Porter asked Collier how a firm line of administrative authority can be attained if the county chair is the executive or administrator. Porter is concerned that if a department head can't get what he wants from the chair, he or she will by-pass the chair and go directly to the board. Collier responded that, given human nature, she doesn't think you can attain a firm line of administrative authority. Given the choice between an elected executive and a chair who is a member of the board, she would choose the latter. She also stated that the committee is in the best position to know whether the trade-off made at the last charter review, sacrificing separation of powers for cooperation between the commissioners and the executive, was worth it.
59. 1/10/90, Minutes, p. 9, Collier: If Multnomah County went to a three-member board with an appointed manager, there would be a definite distinction between the functions. Her problem with an executive separate from the board was the split that developed between the two.
60. 1/10/90, Minutes, p. 9, Collier: The county is shrinking in terms of budget and number of functions and it should be reflected in the size of the board of commissioners.
61. 1/10/90, Minutes, p. 10, Paul Thalhofer: The charter needs very little review at this time; he thinks it is time to see how the structure in place works over a substantial period. In general, Thalhofer believes that the existing governing structure with five full-time commissioners and one being chair should be continued. The chair should be elected county-wide and the four other commissioners should be elected from existing districts.
62. 1/10/90, Minutes, p. 10, Thalhofer: Because of work load, commissioners should be full-time; if they are part-time with a county manager, he sees a possibility of the county manager actually being the policy-maker. The people want their elected commissioners to set policy and be accountable for their decisions.
63. 1/10/90, Minutes, p. 10, Thalhofer: The five commissioner system should remain in place to allow full representation of

all county districts. A three commission system might not be sufficient.

64. 1/10/90, Minutes, p. 10, Thalsofer: If a change must be made, the only change he would support is a five member board of commissioners who serve full-time and are elected by districts with a rotating chair and an appointed county administrator.
65. 1/10/90, Minutes, p. 10, Thalsofer: [East county residents] may be better served [by commissioners elected county-wide], but it may be a hardship on the elected official to conduct a county-wide campaign, which is very expensive.
66. 1/24/90, Minutes, p. 3, Susan McPherson Daluddung: Marcia Pry asked the speakers if they believe the number of county commissioners should be increased due to the increased population. McPherson Daluddung said she believes the more representation we have, the better we are all served. In addition, she believes a strong manager is essential (she prefers elected).
67. 1/24/90, Minutes, p. 4, Bill Farver: The questions he believes are important for the committee to consider are:
 1. Should the county have a professional manager or an elected executive with or without legislative authority?
 2. Should the manager or executive have increased power vis a vis the legislative branch or should there be a strong, informed legislative branch as a balance to the executive authority?

Farver believes that if these questions are answered, the type of staffing needed will follow.

68. 1/24/90, Minutes, p. 4, Farver: Some of the reasons commissioners may want personal staff are:
 1. To have someone they can trust to share ideas and strategies. (It would be difficult for a shared staffer to present all sides of an issue when there is disagreement among the commissioners).
 2. To help make decisions and do research.
 3. Perform support services and maintain community visibility.

4. Help enable commissioners to develop a more innovative approach to issues.
69. 1/24/90, Minutes, p. 5, Farver: Some of the reasons for having a pooled staff may be: (1) better and more neutral policy analysis; and (2) ability to cover for some of the inconsistencies in management styles of different commissioners.
70. 1/24/90, Minutes, p. 5, Farver: Problems with having a pooled staff are: (1) reduction of staff would create problems with constituents who want to talk to their commissioner or a representative, (2) having an executive or manager reduces independent analysis by staff members who have been accustomed to making independent decisions; and (3) with fewer staff, some issues may not be covered.
71. 1/24/90, Minutes, p. 5, Farver: ...it is his hope that the question of staffing will not appear on the ballot in the same way the lobbyist issue did.
72. 1/24/90, Minutes, p. 5, Hank Miggins: ...the Chair's staff has eleven members; six staff assistants, three support staff positions, an administrative assistant and himself.
73. 1/24/90, Minutes, p. 6, Robert J. Trachtenberg: Trachtenberg's comments on a pooled staff included:
 1. Constituent complaints may not be dealt with as efficiently with a pooled staff.
 2. Support and evaluation of an idea that differs from that of the executive department may not be available.
 3. There would be less incentive for a staff assistant to initiate new ideas and no clear communications channel.
 4. With five equal bosses, it is more difficult to establish efficient work plans for staff.
 5. Individual staffs assist the commissioners in pursuing the agendas of their districts. This would be difficult with a pooled staff.
 6. If a pooled staff is mandated by the charter, it would be difficult for adjustments to be made as conditions change.

74. 1/24/90, Minutes, p. 6, Trachtenberg: ...a more appropriate role for the charter is to assure that the budgets of each commissioner are equal.
75. 1/24/90, Minutes, p. 7, Trachtenberg: If the decision is made to have a county administrator, Trachtenberg believes some of the chair's staff assistants should be supervised by the county administrator and the chair should have the same number of staff as the other commissioners.
76. 1/24/90, Minutes, p. 7, Ramsey Weit: Factors favoring a pooled staff:
1. Recognizes and exploits the expertise of certain staff.
 2. Avoids duplicating efforts (phone calls, interviews, etc.) by having only one person assigned to each task.
 3. Better accountability for the board of commissioners.
77. 1/24/90, Minutes, p. 7, Weit: Factors in favor of individual staffs:
1. A technical advisor and personal advisor are different roles and commissioners deserve both.
 2. There is a potential for conflict between those who work for both a county administrator and legislators. There needs to be a check and balance between the two.
 3. Potentially minimizes the effectiveness of legislators by removing time-saving resources to synthesize and interpret events and correspondence.
 4. Discourages potential for delegated authority from the Chair to legislators.
78. 1/24/90, Minutes, p. 8, Fred Christ: ...a pooled staff does very well with issues that are not controversial such as constituent work and summarizing bills. However, the individual commissioners may not trust someone over whom they have no authority or with whom they have no personal relationship.
79. 1/24/90, Minutes, p. 8, Christ: It [working for two branches of government] would create inherent problems at the state level and similar problems at the county level.

80. 1/24/90, Minutes, p. 8, Miggins: Paul Norr asked Miggins if board staff is a charter issue. Miggins replied, "absolutely not."
81. 1/24/90, Minutes, p. 8, Clyde Brummel: The board of commissioners should be reduced to non-salaried members from each district, with a per diem allowance of \$75 per day, plus travel expenses. The board should hire a county manager.
82. 1/24/90, Minutes, p. 9, Jim Worthington: Commissioners should be elected by district.
83. 1/24/90, Minutes, p. 9, Worthington: Commissioners' salaries should be raised in small increments with the complete salary package explained.

SECTION 3

CHARTER REVIEW COMMITTEE: DISCUSSION

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

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

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

- (1) The Committee shall have two electors appointed from each senatorial district having the majority of its voters within Multnomah County, and shall have one elector appointed from each senatorial district having less than a majority of its voters within Multnomah County. The Committee shall choose their chairperson from among themselves and shall have authority to establish their own procedures and organization.
- (2) The state senator and the two state representatives who represent residents in each state Senate district located in Multnomah County shall appoint the electors for the district. Appointees shall reside in the district and Multnomah County. If the three appointers from any Senate district cannot agree upon an appointment, any two of the three appointers may make the appointment.
- (3) If two electors are appointed from a Senate

district, they shall not be registered in the same political party.

- (4) The following persons are not eligible for appointment to the Committee: The state senators and representatives who represent districts located in Multnomah County, the members of the Multnomah County Board of Commissioners, and the chair of the board of commissioners, if any, serving at the time of appointment.
- (5) Any vacancy in the Committee shall be filled by the senator and representatives from the senate district from which the previous member was appointed, using the same method as used for the original appointment.
- (6) Appointments shall be made not later than June 30, 1989.

12.50 SCOPE OF COMMITTEE REVIEW.

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

12.60 REPORT OF COMMITTEE. At least ninety-five days prior to the primary or general election or both of 1990, the Committee shall report to the people and to the Board of County Commissioners their findings, conclusions, and recommendations including any amendments they propose to the Charter.

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

Testimony concerning the charter review committee focused on three areas: How often the charter should be reviewed, the membership selection process and housekeeping issues. Most of the testimony concerned how often the charter should be reviewed; related to this question is whether there should be an automatic charter review. Recommendations ranged from a charter review at least every four years to not more than every eight to ten years. Witnesses who testified in favor of the charter review every four

years stated that the review process served a useful function and that it keeps voters from having to use the initiative process too often. Those witnesses supporting a longer intervening period between reviews stressed the importance of stability in county government structure, especially in terms of attracting candidates for public office.

Also mentioned as an issue the committee might wish to address is the selection process for committee members. One witness testified in favor of having representatives from citizen organizations on the committee. Another supported expanding the list of those who are ineligible to serve on the committee to include county employees and members of their families.

Finally, several housekeeping issues have surfaced in the course of the committee's hearings. These are issues relating to the internal operation of the committee. This category includes issues such as: (1) Allowing a revised charter to be submitted to the voters; current charter language only allows "amendments" to the charter; (2) Allowing dates, other than the primary and general election dates, to propose changes to the charter; (3) Specifying a termination date for the committee, and; (4) A specific funding requirement inserted in the charter.

SECTION 3

CHARTER REVIEW COMMITTEE: REFERENCES

1. 10/11/89, Minutes, p. 2, Chair Gladys McCoy: If there are a number of recommended changes to the current charter, they should be presented to the voters in a ballot measure as a revised charter. This would be more effective instead of adding many amendments. Also, the charter should be reviewed after an 8 to 10 year period. This would give it enough time to see if the Charter works.
2. 10/11/89, Minutes, p. 2, Commissioner Pauline Anderson: Eight to ten years is a reasonable length of time between charter reviews.
3. 10/24/89, Letter, p. 1, Michael D. Schrunk, Multnomah County District Attorney: As it currently stands, every four years a review is required. It may be that less frequent intervals might be more appropriate, recognizing that citizens can always change via the initiative petition as has been demonstrated in the past.
4. 10/25/89, Minutes, p. 3, Sheriff Bob Skipper: Regarding the proposed amendment to present an entirely new charter to the voters, Skipper thinks this would be a mistake. It would be confusing to many voters who would not easily be able to tell what specific changes they were voting on.
5. 10/25/89, Minutes, p. 3, Skipper: A state law enacted in 1983 prohibits presenting proposed amendments to the Charter in the form of a package to the voters. However, the previously stated proposal would be a way to get around the 1983 law. He believes that voters opposed to one or two of the proposed changes could defeat all of the changes.
6. 11/8/89, Minutes, p. 3, Don Clark: Sometimes we overdo the charter changes; it has gone through more change since the early 1960's than any other county charter that he knows about. In fact, the county has been one of the more

progressive governments in the United States; Multnomah County is seen as one of the leaders in the country. The City of Portland charter is the one that is antiquated and has a weird form of government.

7. 11/8/89, Minutes, p. 7, Counsel Dick Roberts: Bruce McCain asked whether the committee may repeal the charter. McCain stated that there is a statement in the charter that states that "This charter may be amended or repealed by the voters of the county." Roberts responded that the charter charges the committee with proposing amendments only. The section that McCain referred to is not part of the section dealing with the Charter Review Committee. The charter requires the committee to report to the board their findings, conclusions and recommendations including any "amendments" they propose to the charter. There is no provision allowing the committee to repeal the charter.
8. 11/29/89, Minutes, p. 5, CIC Chair Dennis Payne: The [Charter Review] committee membership make-up and selection process used needs to be changed; the process is not representative of Multnomah County because the Citizens Involvement Committee is not represented on the Charter Review Committee and neither are the county's minority and youth groups.
9. 11/29/89, Minutes, p. 5, Payne: We may not have allowed enough time to elapse to make additional changes in the charter, since the changes were made only four years ago.
10. 11/29/90, Minutes, p. 5, Payne: The committee shouldn't make changes for changes' sake, but to do the right thing.
11. 12/13/89, Minutes, p. 3, Representative Ron Cease: Generally, he believes the committee is performing a useful function, but he warned the committee to only make those changes which are necessary; leave the rest alone.
12. 12/13/89, Minutes, p. 4, Cease: Representative Cease said an automatic charter review would be a useful requirement. ...a review every five years may be too often; possibly ten years would be better, if there is a way to review it partially in the interim.
13. 12/20/89, Minutes, p. 5, Jewell Lansing: ...she believes [the charter review committee should meet] every 10 years...necessary changes can be made by ballot measure.
14. 12/20/89, Minutes, p. 5, Alan Purcell: ...Washington County has not had a major change in ten years. It is difficult to

attract and keep good people if they are unsure of what type of system will be in place after they are hired/elected. In addition, it takes a while to get a system to work. He stated that there is no perfect model; both Multnomah County and Washington County systems work -- in a large part it depends on the people elected.

15. 12/29/89, Letter, Jack Horner: ...the Strategic Planning process is evolutionary. The outcome of this year's process is less definitive than will be next and the following year's. County policy makers and managers will, I believe, attack increasingly more meaningful subjects regarding our direction and governance. Thus, part of what I was asked may be addressed after your charge has expired. This seems to argue for allowing us to examine ourselves unencumbered by Charter changes over the next few years. The type of examination we are undertaking will surely point to some flaws, but they will probably not be apparent until we get through at least the first three years of this process.
16. 1/10/90, Minutes, p. 5, Linda Alexander: Even though the committee has been urged by others to meet less frequently, Alexander urges them to re-visit any changes that are made on a planned schedule to insure that the committee expectations have been met. This is called "planned interruption."
17. 1/10/90, Minutes, p. 5, Alexander: Bill Rapp asked Alexander if she means the committee should meet more often; she said she didn't mean that, but to revisit any changes to make sure they are achieving their goals.
18. 1/10/89, Minutes, p. 8, Tanya Collier: There should continue to be a charter review committee, rather than having every change go before the voters. If voters know the charter will be reviewed every few years, they are less tempted to put changes on the ballots too often.
19. 1/10/89, Minutes, p. 8, Collier: The charter should be reviewed at least every four years.
20. 1/24/90, Minutes, p. 9, Jim Worthington: [Worthington recommends] all charter changes be single issue on the ballot.
21. 1/24/90, Minutes, p. 10, Worthington: Charter review should continue, possibly meeting every seven years.

22. 1/24/90, Minutes, p. 10, Worthington: County employees and families should be prohibited from serving on the Charter Review Committee. Others want all public employees prohibited from serving on the committee. Furthermore, the committee should consider whether some members should disqualify themselves on certain issues.

SECTION 4

COUNTY ADMINISTRATOR: DISCUSSION

1. Separation of Powers:

Those who advocate the council/manager form of county government have often relied on a separation of powers argument. These witnesses spoke to the need to separate the legislative and executive functions and the need to separate the policy maker from the day-to-day administration of county government. Other witnesses found the separation of powers argument less persuasive and emphasized that the current structure works and that the cooperation now present is more important than a separation of powers.

2. Professional Management:

The committee heard substantial testimony on the need for professional and appointed, rather than elected, management of the county. These witnesses stressed the importance of having an administrator who is trained in public administration.

Another reason advanced for having a professional administrator is the theory that policy-makers should be elected while technical employees, such as a county administrator, should be appointed. Other witnesses suggested that an appointed administrator, rather than an elected executive, is allowed to concentrate on the duties of his office with no partisan political duties.

3. Responsibilities:

The responsibilities of the county administrator have been a major discussion area for the committee; one meeting was set aside for current county administrators to discuss their roles in county government.

One issue of concern is accountability. All witnesses familiar with the council/manager form of government testified that the county administrator is accountable not to commissioners individually, but to the board as a whole. It is the board who has authority to hire, fire and supervise the county administrator.

Another area discussed at length by several witnesses relates to authority of the administrator. One witness stated that the administrator's authority can range from the strong manager model to the administrator model. All of the witnesses agreed that the administrator has as much authority as the board is willing to relinquish. In addition, it was agreed by other county administrators that "the degree of autonomy stems less from what is expressly stated in the charter (if there is one) and more from the administrator's personal relationship with the board."

4. Staffing:

Discussion concerning the staffing of the county administrator's office is related to staffing of the offices of the board of commissioners. As discussed in Section 2, Board of County Commissioners, most counties with a county administrator follow the "pooled staff" model and dispense, for the most part, with individual staffs. Instead, the administrative office contains staff for all of the board members to use as a resource. Often included in the administrative office is the intergovernmental affairs officer (lobbyist).

SECTION 4

COUNTY ADMINISTRATOR: REFERENCES SUMMARY

1. Separation of Powers: 1, 5, 10, 18, 23, 27, 36
2. Professional Management: 1, 3, 7, 9, 10, 12, 13, 14, 15, 16,
18, 22, 27, 36, 45, 49, 51
3. Responsibilities: 4, 6, 7, 11, 17, 18, 19, 20, 21, 26, 28,
29, 30, 32, 33, 36, 39, 41, 43, 44
4. Staffing: 25, 31, 38, 46, 52

SECTION 4

COUNTY ADMINISTRATOR: REFERENCES

1. 7/28/89, Portland Metropolitan Chamber of Commerce Report: Multnomah County's charter review should result in a...full-time professional executive leadership.
2. 10/11/89, Minutes, p. 2, Commissioner Pauline Anderson: Multnomah county should have five county officers elected by district. She does not feel that commissioners need to be elected county wide. The current workload requires at least five commissioners.
3. 10/11/89, Minutes, p. 3, Commissioner Gretchen Kafoury: ...seriously look toward having a professional manager. She feels very strongly that we need a professional manager to attend to County business.
4. 10/11/89, Minutes, p. 3, Kafoury: The county manager should be accountable to the chair but would be appointed by all commissioners.
5. 10/11/89, Minutes, p. 3, Kafoury: Having a county manager that would separate the legislative and executive functions of the county government makes sense. A situation similar to current county operations would be to have the governor present the budget and also preside over the legislature.
6. 10/11/89, Minutes, p. 3, Kafoury: She also noted that there should be no limit to the appointed county manager's length of term.
7. 10/25/89, Minutes, p. 2, Commissioner Sharron Kelley: ...Commission members and the executive office [should] jointly hire a county-wide chair or a professional manager which would be a good compromise between a very formal structure which the City of Portland has now, and what Multnomah County has which is much less formal. Information flow between the city and county would be much more efficient. It would assure the citizens of

Multnomah County that there would be a professionally run government. ...hiring of a county manager should be a consensus and the Commissioners should agree to that, but the manager should report to the Chair.

8. 10/25/89, Minutes, p. 5, Senator Glenn Otto: [He recommends] hiring of a county manager by the Board and subject to firing by the Board.
9. 11/8/89, Minutes, p.2, Don Clark: ...he is not in favor of an appointed county manager. The manager tries to balance keeping a majority on the Board and we are better served having the electorate invest in highly visible offices. He believes in elected officials that the public can hold accountable and with whom they can communicate.
10. 11/29/89, Minutes, p. 2, Blanche Schroeder: "...and a move to a volunteer part-time board with full-time executive leadership."

Separate policy-making and administration. The Chamber does not have a position on the number of commissioners, but supports having them be policy-makers, not administrators.

The Chamber strongly supports having a hired professional manager, but she didn't have advice on how to achieve having "strong executive leadership" and "professional management."

11. 11/29/89, Minutes, p. 3, Chair Darlene Hooley: ...the Chair has little power; the main duties are to set agendas and meet with the County Manager for briefings. She also stated that the executive doesn't necessarily attend all meetings.
12. 11/29/89, Minutes, p. 3, Hooley: ...Clackamas County has a lot of elected officials and it is best that people who make the policies be elected and technical people be appointed.
p. 4: ...she is in favor of a professional manager.

13. 11/29/89, Minutes, p. 7, Commissioner Bonnie Hays: Washington County has an appointed administrator and 8 department heads. An appointed administrator is best because he is a professional (and should be paid accordingly).

The Administrator makes \$72,000/per year plus 7-1/2% deferred comp and car allowance.

14. 12/13/89, Minutes, p. 4, Representative Ron Cease: Regarding

the county executive,...it is the person in the position and not whether an executive is elected or appointed. Since the public is used to the current form, he doesn't feel the committee should change it unless there are definite problems.

15. 12/13/89, Minutes, p. 5, Cease: ...unless the committee feels strongly that an elected executive should not be on the commission, it should remain the way it is.
16. 12/13/89, Minutes, p. 5, Cease: Paul Norr asked Cease if he had any concerns about the sheriff and auditor being elected county-wide, if the commissioners were elected by district. Cease responded that would be a concern; if the commissioners were elected by district, the argument for an executive elected county-wide becomes stronger.
17. 12/13/89, Minutes, p. 7, Jerry Orrick: [Mr. Orrick suggests the committee] evaluate the possibility of creating a county administrative officer position to serve at the pleasure of the board of commissioners and the chair. The administrator could be responsible for: (1) continually analyzing the internal functions and processes of the county to increase productivity and reduce waste; (2) coordinating and improving interdepartmental activities and communications and; (3) developing recommendations for county-wide budget, fiscal and public service priorities for board consideration.
18. 12/13/89, Minutes, p. 7, Orrick: ...an administrator is responsible for the day to day operation of the county; he is not involved in policy making at all. The administrator analyzes day to day operations of the county, develops procedures and processes and recommends to the board for their policy decision any change in organizational structure or long-term planning. The administrator provides expertise and provides a necessary communication link between labor and the policy makers and provides the necessary continuity throughout changes in political policy makers, who can rotate faster than problems can be solved.
19. 12/13/89, Minutes, p. 8, Orrick: Paul Norr asked if Mr. Orrick shares the concerns of some speakers who feel that there would be a problem with having a hired administrator answerable to 3 or 5 commissioners. Mr. Orrick said he did not and the administrator should serve at the pleasure of the governing body.
20. 12/13/89, Minutes, p. 8, Orrick: Ann Porter asked Mr. Orrick how the administrator relates to the sheriff and district

attorney (both elected officials). Mr. Orrick stated that most counties that have an administrator have the full array of row officers. The elected officer is in charge of his or her department and the hired administrator must respect that. However, the administrator has more time and expertise to do some things within those departments. In addition, the administrator should be the one who makes the budget recommendations and develops all management recommendations and decides how they relate to public funding. The administrator looks at the county as a whole and he is the one who should do that. It is something of an adversarial relationship based on mutual respect and a different type of expertise.

21. 12/13/89, Minutes, p. 8, Ken Tollenaar: Regarding the central administrative office (or county administrator), there are two options: 1. The strong manager model - The county administrator is given personnel responsibilities and makes contracts independent of the governing body. The board confines itself to policy-making. Clatsop County is a model of this type in Oregon. 2. Administrator Model - The administrator functions as an agent of the board and does whatever the board delegates: broad (as broad as a strong manager) or narrow (almost more like an assistant to the board).
22. 12/13/89, Minutes, p. 10, Eugene Collins: The current position of the chair should be abolished. Day-to-day operations of the county should be the responsibility of a paid professional administrator selected by the commissioners; the voters are not qualified to do so.
23. 12/29/89, Letter, Jack Horner: I believe, that over time, this Committee will play a major role in eliminating much of the lack of policy definition which has caused the legislative/executive topic to keep popping up. Combining its work on Strategic Planning and the Commission's increasing familiarity with the process may make further Charter-mandated distinction of the executive role unnecessary.
24. 1/3/90, Minutes, p. 2, Charles Cameron: Washington County uses the council manager form of government; the organization has passed a variety of tests to be formally acknowledged by the International City Management Association in this capacity.
25. 1/3/90, Minutes, p. 2, Cameron: The county administrative

office consists of four additional professional staff members, one intergovernmental manager, one intern, and five support staff.

26. 1/3/90, Minutes, p. 2, Cameron: Internal responsibilities carried out by the county administrator include: (1) implementation of policies adopted by the board, (2) meeting with peers, (3) development, analysis of requests and preparation of budgets for approval by county commissioners; (4) general management, consisting of organizational analysis, program evaluation, personnel and labor relations, discipline and grievance resolution and asset management; and (5) staff support to board of commissioners.

County administrator's time is divided between implementation of board goals, fiscal administration, providing direction to department heads, and staff development and evaluation of programs.

27. 1/3/90, Minutes, p. 3, Cameron: Specific suggestions offered by Cameron to the committee are: Adopt a council-manager form of government for the following reasons:

- A. Increased representation because of ability to determine critical community needs through better communication, and implementation of support for those needs.
- B. The ability of the administrator to forward allocation plans, provide quality control functions and provide objective input drawn from experience, skills and education.
- C. Increased professionalism because of ability to attract those who are educated in county government and marriage of political and business approaches.

28. 1/3/90, Minutes, p. 4, Mike Swanson: ...[he] clarified the fact that his position, chief executive officer, is the same as county administrator; his title has no additional significance.
29. 1/3/90, Minutes, p. 4, Swanson: Swanson serves with three county commissioners who are elected at-large.
30. 1/3/90, Minutes, p. 4, Swanson: Currently, the majority of Swanson's time is spent in organizational change issues; one of the major changes made last year was removing major

department heads from civil service and placing them on performance contracts, as is done in Washington County. He is also responsible for (1) translating into action the goals of the commissioners, (2) evaluating all department heads except county counsel and, of course, his own; these are evaluated by the board, (3) performing objective analysis of issues, and (4) meeting with the board from 5-10 hours per week, mostly on organizational issues.

31. 1/3/90, Minutes, p. 4, Swanson: Swanson's staff includes two secretaries and he will be hiring a clerk of the board and a staff analyst at the board level.
32. 1/3/90, Minutes, p. 4, Swanson: Examples of responsibilities of the administrative officer are authority to: hire and fire department heads, responsibility for the form of county organization and to provide leadership.
33. 1/3/90, Minutes, p. 9, Swanson: ...he has a tremendous amount of autonomy which is in direct proportion to his sensitivity/communication with the board.

...the degree of autonomy stems less from what is expressly stated in the charter (if there is one) and more from the administrator's personal relationship with the board.

34. 1/3/90, Minutes, p. 9, Swanson: Clackamas County is in a transition period and is attempting to expand citizen involvement.
36. 1/3/90, Minutes, p. 6, Gordon Tiffany: The County Executive position was created in 1985 to centralize administrative responsibility.

Tiffany stated that, even though there are some situations where an elected executive is appropriate, it is his belief that an appointed executive makes democracy more effective because it:

1. Empowers voters' elected representatives by allowing the Board to focus on policy leadership and by placing overall responsibility in the elected board, rather than separating accountability into competing elective offices.
2. Provides for competent management, as the appointed executive is selected solely on the basis of proven ability to manage a local government rather than on skill in campaigning.

3. Frees policy makers to concentrate on policy rather than having to use their time to manage daily operations. It is the Board's job to develop and communicate the vision, to set policies, and to monitor operations, but not to operate departments.
 4. Allows the executive to manage with no partisan political duties, no need to take time off to campaign, and no need to raise campaign funds (thereby reducing any appearance of conflict of interest in county management). The administrator will emphasize efficient businesslike approaches to management rather than political issues.
 5. Is the most popular form of local government organization in the United States. Further, the principle of an appointed manager responsible to a policy board is similar to proven private corporate organization.
 6. Provides for flexibility, allowing numerous locally determined variations in specific responsibilities and organizational details.
 7. Reduces patronage, with personnel decisions based on merit without regard to political affiliation.
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37. 1/3/90, Minutes, p. 8, Cameron: [Job hopping]...has been a problem in some areas in the past, but the National City Management Association has set standards and expectations which, along with the cost of relocation, have mitigated the problem. Swanson stated that one of the reasons county administrators may change jobs is for job security.
 38. 1/3/89, Minutes, p. 9, Cameron: ...Washington County Commissioners have no staff; his office does needed clerical work for the commissioners.
 39. 1/3/89, Minutes, p. 9, Cameron: Cameron agreed with the other two in that he also has a great deal of autonomy, but it is directly related to his relationship with the Board.
 40. 1/3/89, Minutes, p. 9, Cameron: ...the craft of public service is universal throughout the United States and demographics and issues are often identical; therefore, it is possible to practice anywhere in the country.
 41. 1/3/89, Minutes, p. 9, Cameron: ...Washington County also

has a citizens committee which communicates more with the board of commissioners than with the county administrator, even though he is available to assist them.

42. 1/3/90, Minutes, p. 8, Tiffany: ...when the job is completed, that is the time to move. He agreed that job security is also an issue and believes that a strong severance agreement should be incorporated in the employment agreement; some larger cities offer six-months severance pay to the city manager.
43. 1/3/90, Minutes, p. 8, Tiffany: ...the person with less formal authority lacks autonomy in making decisions, but is not really thought of as weak; you hire the person with the qualifications needed for the position. Tiffany said he has as much authority as the commissioners allow him.
44. 1/3/90, Minutes, p. 8, Tiffany: ...Clark County has a variety of citizen involvement groups with a staff person assigned to each to assist with their needs; however, they report to the board of commissioners.
45. 1/10/90, Minutes, p. 6, Duane Zussy: Multnomah County should have the council/manager form of government with an elected full-time county commission and a professional county manager.
46. 1/10/90, Minutes, p. 7, Zussy: He has worked in other county governments which use the county manager form of government and has, himself, been a county manager; with no exceptions, they all had only a secretary or an executive assistant; analytical capability was performed by departmental staff. Even though there is a tendency toward this model, he knows of instances where it is not the case.
47. 1/10/90, Minutes, p. 9, Tanya Collier: Ann Porter asked Collier how a firm line of administrative authority can be attained if the county chair is the executive or administrator. Porter is concerned that if a department head can't get what he wants from the chair, he or she will bypass the chair and go directly to the board. Collier responded that, given human nature, she doesn't think you can attain a firm line of administrative authority. Given the choice between an elected executive and a chair who is a member of the board, she would choose the latter. She also stated that the committee is in the best position to know whether the trade-off made at the last charter review, sacrificing separation of powers for cooperation between the commissioners and the executive, was worth it.

48. 1/10/90, Minutes, p. 9, Collier: If Multnomah County went to a three-member board with an appointed manager, there would be a definite distinction between the functions. Her problem with an executive separate from the board was the split that developed between the two.
49. 1/10/90, Minutes, p. 9, Collier: There were so many changes that needed to be made at that time, they [the 83-84 Charter Review Committee] didn't have the luxury to consider it [the council/manager form of government]. The form of government then was not working because of the separate elected executive. The committee concentrated on solving that problem. Now that that problem is solved, this committee should consider a council/manager form of government. It makes sense to consider it now.
50. 1/10/90, Minutes, p. 10, Thalhofer: Because of work load, commissioners should be full-time; if they are part-time with a county manager, he sees a possibility of the county manager actually being the policy-maker. The people want their elected commissioners to set policy and be accountable for their decisions.
- If a change is made, the only change he would support is a five member board of commissioners who serve full-time and are elected by districts with a rotating chair and an appointed county administrator.
51. 1/10/90, Minutes, p.11, John Vogl: He has always thought that the idea of a paid administrator makes good sense....
52. 1/24/90, Minutes, p. 7, Trachtenberg: If the decision is made to have a county administrator, Trachtenberg believes some of the chair's staff assistants should be supervised by the county administrator and the chair should have the same number of staff as the other commissioners.

SECTION 5

COUNTY CHAIR/EXECUTIVE: DISCUSSION

1. Elected Executive as Member of Board:

The committee heard testimony throughout its hearings regarding the current structure with the elected executive as chair of the board. The rationale for retaining the current structure is that the current system provides for a cooperation between the branches of government which is not present in other variations and that the system is now working. It was also voiced that, in any case, because only three years have elapsed with this structure in place, now is not the time to make major changes.

2. Rotating/Honorary Chair:

Other witnesses, especially those supporting a council/manager form of government, spoke in favor of having an honorary chair which is usually rotated every year or two. The function of an honorary chair is to act as the spokesperson for the county, set the board agenda and run the board meetings. The chair has no veto authority and has only one vote along with the rest of the board members.

3. Separate Elected County Executive:

Several witnesses spoke in favor of the separate elected county executive, which was in place prior to 1986. These speakers stressed separation of powers (discussed below and in Section 2, Board of County Commissioners). Those opposed to a separate elected executive emphasized that it lacks both the cooperation present in the current system and the professional management of the council/manager form.

4. Separation of Powers:

Witnesses who testified supporting a separation of powers tended to advance the separate elected executive form, or more likely, the council/manager form. The issue is more fully discussed in Section 2, Board of County Commissioners.

5. Professional Management:

Those who supported the idea of professional management of the county tended to favor the council/manager form. See Section 2, Board of County Commissioners and Section 4, County Administrator for more discussion.

SECTION 5

COUNTY CHAIR/EXECUTIVE: REFERENCES SUMMARY

1. Elected Chair as Member of Board: 1, 2, 16, 17, 27, 28, 30,
31, 33
2. Rotating/Honorary Chair: 3, 4, 11, 14, 15, 22
3. Separate Elected County Executive: 5, 6, 7, 10, 13, 18,
28, 30
4. Separation of Powers: 7, 9, 10, 12, 13, 16, 17, 20, 30
5. Professional Management: 6, 8, 10, 19, 21, 23, 25, 29,
30, 32

SECTION 5

COUNTY CHAIR/EXECUTIVE: REFERENCES

1. 10/11/89, Minutes, p. 1, County Chair Gladys McCoy: The current County structure should be left alone long enough to determine the effectiveness of the structure. A county-wide elected Chair with both legislative and executive responsibilities has only been in effect for less than three years.
2. 10/11/89, Minutes, p. 1, McCoy: ...we need to continue a full time, 5-member Commission, 4 elected by district to address the concerns of their constituents (with the Chair elected county-wide).
3. 10/11/89, Minutes, p. 3, Commissioner Pauline Anderson: A chair should be selected on a rotating basis.
4. 10/25/89, Minutes, p. 5, Senator Glenn Otto: The Commissioners should choose a county chair who would serve one year and be re-elected if s/he does a satisfactory job.
5. 11/8/89, Minutes, p. 2, Clark: He personally liked the elected county executive form of government best. The executive function separated from the legislative function results in a tension between the executive and legislative branches which can be desirable.
6. 11/8/89, Minutes, p. 2, Clark: He is not in favor of an appointed county manager. The manager tries to balance keeping a majority on the Board and we are better served having the electorate invest in highly visible offices. He believes in elected officials that the public can hold accountable and with whom they can communicate.
7. 11/8/89, Minutes, p. 4, Commissioner Rick Bauman: He has no problem with the election of an executive. However, he urges a change in having a single member serve both legislative and executive functions as is now the case. First, the county

chair prepares a budget, then the county commission, including the chair, sits in judgement and revises that budget. Budgeting is one of the most important functions of the legislative body. The Board went into that process last spring; they had a vacancy on the board and had three commissioners and the chair dealing with the chair's budget. The effect of that was that the three non-chair commissioners had to be unanimously in agreement on any change of the Chair's budget. That is an incredible standard. Even if they were a full commission, it would take three-fourths agreement to change the budget. He doesn't think that is good public policy. The result of that was less than a one percent change in the chair's proposed budget.

Marcia Pry asked about Bauman's recommendation regarding the number of commissioners and the budget process. Bauman responded that whether we have a 3, 5, 7 or 9 member commission, the executive and legislative functions need to be separated, whether or not the executive is elected or appointed.

Bruce McCain asked about the future of the Department of Justice Services and whether it should have an elected department head. Bauman responded that Justice Services is not an unusual function. According to Bauman, it makes sense to have one elected official in charge of, and responsible for, administering the executive branch of the county.

8. 11/29/89, Minutes, p. 1, Blanche Schroeder: In July 1989, the Board of the Chamber of Commerce adopted a position supporting a local government structure incorporating...Strong executive leadership [and] Professional management.
9. 11/29/89, Minutes, p. 2, Schroeder: Separate policy-making and administration. The Chamber does not have a position on the number of commissioners, but supports having them be policy-makers, not administrators.
10. 11/29/89, Minutes, p. 2, Schroeder: The Chamber strongly supports having a hired professional manager, but she didn't have advice on how to achieve having "strong executive leadership," and "professional management."
11. 11/29/89, Minutes, p. 3, Chair Darlene Hooley: ...The Chair has little power; the main duties are to set agendas and meet with the County Manager for briefings. ...the executive doesn't necessarily attend all meetings.

12. 11/29/89, Minutes, p. 3, Hooley: ...Clackamas County has a lot of elected officials and it is best that people who make the policies be elected and technical people be appointed.
13. 11//29/89, Minutes, p. 7, Commissioner Bonnie Hays: The people the voters elect is the most important thing.
14. 11/29/89, Minutes, p. 7, Hays: Washington County has a full-time Chair, elected at-large, and four part-time commissioners elected by district.
15. 12/13/89, Minutes, p. 2, AFSCME President Arlene Collins: The chair should be elected by the Commission on a rotating basis.
16. 12/13/89, Minutes, p. 4, Representative Ron Cease: Regarding the county executive,...it is the person in the position and not whether an executive is elected or appointed. Since the public is used to the current form, he doesn't feel the committee should change it unless there are definite problems.
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18. 12/13/89, Minutes, p. 5, Cease: Paul Norr asked Cease if he had any concerns about the sheriff and auditor being elected county-wide, if the commissioners were elected by district. Cease responded that would be a concern; if the commissioners were elected by district, the argument for an executive elected county-wide becomes stronger.
19. 12/20/89, Minutes, p. 4, Alan Purcell: Washington County does not have an elected county executive; rather, the county executive is appointed by the county commissioners. He recommends having a hired professional to fill the position rather than an elected official because the position compares to that of auditor, district attorney, and sheriff in that you are seeking someone with particular professional qualifications. This system has worked well for Washington County.
20. 12/29/89, Letter, Jack Horner: ...The Policy Development Committee discussed a topic during its "visioning" phase of planning which spoke to a need to clarify the difference between something that is often fuzzy, the legislative and the executive functions. Specifically, they said: "We will

have clearly defined executive and legislative functions." They did not elaborate on this statement in later discussion. As I recall, they said they would depend on the Commission to examine this concern.

I believe, that over time, this committee will play a major role in eliminating much of the lack of policy definition which has caused the legislative/executive topic to keep popping up.

Combining its work on Strategic Planning and the Commission's increasing familiarity with the process may make further Charter-mandated distinction of the executive role unnecessary.

21. 1/3/90, Minutes, p. 3, Charles Cameron: Adopt a council-manager form of government for the following reasons:
 - A. Increased representation because of ability to determine critical community needs through better communication, and implementation of support for those needs.
 - B. The ability of the administrator to forward allocation plans, provide quality control functions and provide objective input drawn from experience, skills and education.
 - C. Increased professionalism because of ability to attract those who are educated in county government and marriage of political and business approaches.
22. 1/3/90, Minutes, p. 4, Mike Swanson: The chair of the board in Clackamas County is responsible for conducting meetings and being the spokesperson for the county. Swanson only relates specifically with the chair in order to discuss topics that she may be speaking with the group about in her role as chair. Otherwise, he meets with all board members equally. Other than discussing her speaking engagements, he has no special relationship with the chair.
23. 1/3/90, Minutes, p. 6, Gordon Tiffany: ...even though there are some situations where an elected executive is appropriate, ...an appointed executive makes democracy more effective because it:
 1. Empowers voters' elected representatives by allowing the Board to focus on policy leadership and by placing

overall responsibility in the elected board, rather than separating accountability into competing elective offices.

2. Provides for competent management, as the appointed executive is selected solely on the basis of proven ability to manage a local government rather than on skill in campaigning.
 3. Frees policy makers to concentrate on policy rather than having to use their time to manage daily operations. It is the Board's job to develop and communicate the vision, to set policies, and to monitor operations, but not to operate departments.
 4. Allows the executive to manage with no partisan political duties, no need to take time off to campaign, and no need to raise campaign funds (thereby reducing any appearance of conflict of interest in county management). The administrator will emphasize efficient businesslike approaches to management rather than political issues.
 5. Is the most popular form of local government organization in the United States. Further, the principle of an appointed manager responsible to a policy board is similar to proven private corporate organization.
 6. Provides for flexibility, allowing numerous locally determined variations in specific responsibilities and organizational details.
 7. Reduces patronage, with personnel decisions based on merit without regard to political affiliation.
24. 1/10/90, Minutes, p. 4, Linda Alexander: She is a department manager and interacts directly with the board and chair, being directly responsible to the chair.
25. 1/10/90, Minutes, p. 6, Duane Zussy: [He] serves as a member of the chair's management team and performs certain responsibilities typical of those that would be assigned to an assistant county manager in a council/manager form of government.
26. 1/10/90, Minutes, p. 6, Zussy: [He] reports to the chair, but is committed to serving the full board equally by providing them with professional advice and sharing pertinent information in a timely manner.

27. 1/10/90, Minutes, p. 8, Tanya Collier: [She] believes very strongly in the present system with an executive who is a member of the board; the reason this model was adopted was to eliminate the "we vs. they" attitudes that the previous strong executive form led to.
28. 1/10/90, Minutes, p. 9, Collier: Ann Porter asked Collier how a firm line of administrative authority can be attained if the county chair is the executive or administrator. Porter is concerned that if a department head can't get what he wants from the chair, he or she will by-pass the chair and go directly to the board. Collier responded that, given human nature, she doesn't think you can attain a firm line of administrative authority. Given the choice between an elected executive and a chair who is a member of the board, she would choose the latter. She also stated that the committee is in the best position to know whether the trade-off made at the last charter review, sacrificing separation of powers for cooperation between the commissioners and the executive, was worth it.
29. 1/10/90, Minutes, p. 9, Collier: If Multnomah County went to a three member board with an appointed manager, there would be a definite distinction between the functions. Her problem with an executive separate from the board was the split that developed between the two.
30. 1/10/90, Minutes, p. 9, Collier: Short asked why the 83-84 charter review committee focused on the executive as part of the board form of government and not the council/manager form of government. Collier said there were so many changes that needed to be made at that time, they didn't have the luxury to consider it. The form of government then was not working because of the separate elected executive. The committee concentrated on solving that problem. Now that that problem is solved, this committee should consider a council/manager form of government. It makes sense to consider it now.
31. 1/10/89, Minutes, p. 10, Thalsofer: Thalsofer believes the charter needs very little review at this time; he thinks it is time to see how the structure in place works over a substantial period. In general, Thalsofer believes that the existing governing structure with five full-time commissioners and one being chair should be continued. The chair should be elected county-wide and the four other commissioners should be elected from existing districts.
32. 1/10/89, p. 10, Thalsofer: If a change must be made, the

only change he would support is a five member board of commissioners who serve full-time and are elected by districts with a rotating chair and an appointed county administrator.

33. 1/24/90, Minutes, p. 3, Susan McPherson Daluddung: Marcia Pry asked the speakers if they believe the number of county commissioners should be increased due to the increased population. McPherson Daluddung said she believes the more representation we have, the better we are all served. In addition, she believes a strong manager is essential (she prefers elected).

SECTION 6

DISTRICT ATTORNEY: DISCUSSION

ORS 8.610 states that the district attorney is a state official:

A district attorney for each county shall be elected by the electors of the county, at the general election next preceding the expiration of the term of the then incumbent. The district attorney shall hold office for the term of four years and until a successor is elected and qualified.

As a state official, the charter can only effect his position in very limited areas. One such area is compensation. The county provides a supplement to the district attorney's salary and as provided in Section 4.30 of the charter, it is subject to charter review:

4.30 COMPENSATION. Except as provided in Section 8.10 (2) the compensation of all holders of elective office of Multnomah County shall be fixed by the registered voters of Multnomah County at a Primary or General Election only (emphasis added).

References relating to the county supplement to the district attorney's salary are located, along with the discussion, in Section 12, Salaries of Elected Officials.

Other references relating to the district attorney follow this discussion. They are, for the most part, statements of a general or background nature relating to how the district attorney relates to the sheriff, board and Department of Justice Services.

SECTION 6

DISTRICT ATTORNEY: REFERENCES

1. 9/27/89, Minutes, p. 2, Orval Etter: The Charter cannot touch duties of District Attorney - that is more in the State realm.
2. 12/13/89, Minutes, p. 2, AFSCME President Arlene Collins: The district attorney is a state officer; the county charter does not affect him.
3. 12/13/89, Minutes, p. 8, Jerry Orrick: Ann Porter asked Mr. Orrick how the administrator relates to the sheriff and district attorney (both elected officials). Mr. Orrick stated that most counties that have an administrator have the full array of row officers. The elected officer is in charge of his or her department and the hired administrator must respect that. However, the administrator has more time and expertise to do some things within those departments. In addition, the administrator should be the one who makes the budget recommendations and develops all management recommendations and decides how they relate to public funding. The administrator looks at the county as a whole and he is the one who should do that. It is something of an adversarial relationship based on mutual respect and a different type of expertise.
4. 1/10/90, Minutes, p. 2, Grant Nelson: The sheriff and district attorney are no longer part of the Justice Services Department; this was changed in July of last year, although this change merely reflected reality. It is a difficult situation when an appointed department head must tell an elected official what to do.
5. 1/10/90, Minutes, p. 3, Nelson: His department is part of the justice system and is responsible for non-custodial individuals. The board of commissioners has established a policy of maintaining a continuum of services; many clients

involved in human services are, or will be, involved with justice services, the sheriff and district attorney. They are all working together to move people back into the community.

6. 1/10/90, Minutes, p. 3, Nelson: His department is working with the Department of Human Services by making sure each department is apprised of what the other is doing by having a central check-point; it is working with the sheriff's office to develop new programs and to help the board obtain information on things like the number of jail beds needed, operation of programs and how pre-trial release services should be defined. His department has also been working with the district attorney in implementing new sentencing guidelines and over-crowding in Multnomah County jails.

SECTION 7

ELECTIONS: DISCUSSION

The issues identified in this section are also covered in Section 1, Auditor; Section 2, Board of County Commissioners; and Section 13, Sheriff.

1. Running for Office in Mid-Term:

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

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

The committee heard testimony that the prohibition should both be eliminated and that it should be retained. Those witnesses favoring its elimination pointed out that there are no similar restrictions in the rest of the state and that it is a hardship on office-holders.

Those witnesses favoring the prohibition focused on abuse of the privilege to run for another office in mid-term.

The most compelling statements in favor of the prohibition focused on the auditor's office. These witnesses spoke to the need for the auditor to retain the appearance of objectivity. Witnesses also pointed to the auditor's access to confidential information as a reason to bar running for another office in mid-term.

2. Two-Term Limit:

Several witnesses spoke to the two-term limit as provided in

Section 6.50 (4) of the charter:

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

The testimony ranged from eliminating the two-term limit to retaining it. Those in favor of eliminating the provision emphasized that "the advantage of getting rid of some people on a scheduled basis may not be worth the disadvantage of losing others."

Several witnesses spoke against the limit particularly in relation to the auditor's office. According to this reasoning, because the auditor is, or should be, a professional and not a political position, a limit on terms makes no more sense than it would for a department manager; it is in fact a hardship on a professional auditor.

The major argument in favor of retaining the limit is to discourage "empire-building," the tendency to gain too much power if in office too long.

3. District vs. At-Large Elections:

This issue is discussed in Section 2, Board of County Commissioners because it applies only to the board, not other elected officials.

SECTION 7

ELECTIONS: REFERENCES

1. 10/25/89, Minutes, p. 2, Commissioner Sharron Kelley: ...officials should be able to run for office without resigning in mid-term.
2. 10/11/89, Minutes, p. 2, Commissioner Pauline Anderson: The two term limit on elected officials is satisfactory.
3. 10/11/89, Minutes, p. 3, Anderson: The current provision relating to prohibiting sitting elected officials running for another elected office is satisfactory.
4. 10/11/89, Minutes, p. 3, Commissioner Gretchen Kafoury: She questions the restriction of terms for county commissioners and notes that there are no similar restrictions to any other elected office in the state.
5. 12/13/89, Minutes, p. 2, AFSCME President Arlene Collins: Liberty Lane asked why the Local recommends an 8-year cap for commissioners and none for sheriff. Collins responded that the sheriff's policies are guided by both the policies set by the commissioners and the vote of the people while the commissioners have only the voters to answer to.
6. 12/13/89, Minutes, p. 3, Representative Ron Cease: ...he feels there should be as few elected positions as possible...
7. 12/13/89, Minutes, p. 5, Cease: Cease believes people should be allowed to [run for office during mid-term]...but the privilege should not be abused. If the privilege is being abused, or has been abused in the past, the committee might want to retain the prohibition.
8. 12/13/89, Minutes, p. 7, Jerry Orrick: [Suggests the committee review] the value of having the current provision that limits an elected official to two terms and automatically requires resignation upon filing for another elective office.

"...the advantage of getting rid of some people on a scheduled basis may not be worth the disadvantage of losing others. More importantly, relatively frequent turn-over of policy makers in any organization promotes short-term expediency at the cost of long-range problem solving."

9. 12/13/89, Minutes, p. 8, Orrick: ...The public should decide [the number of terms that should be served if the two-term limitation were repealed]...because the public is aware of whether or not an elected official is acting inappropriately or "empire building."
10. 12/13/89, Minutes, p. 9, Eugene Collins: ...the committee [should] eliminate the two-term limitation on holding a position in order to discourage those who only wish to use the office as a stepping-stone to another position.
11. 12/13/89, Minutes, p. 9, Collins: If a commissioner vacates his/her position for any reason, it should be declared vacant and an election held immediately.
12. 12/20/89, Minutes, p. 3, Jewell Lansing: ...the auditor should not be allowed to run at any time for another county office during the term in office without resigning because of the importance of the appearance of objectivity. Again, however, now may not be the best time to make this change.
13. 12/20/89, Minutes, p. 3, Lansing: ...the two-term limit should be reconsidered at some point; to limit an auditor's term in office is a hardship to the office-holder.
14. 12/20/89, Minutes, p. 4, Alan Purcell: ...the auditor should not be running for another position while in that position because of access to confidential information; in fact, some have suggested that there should be a period after the auditor leaves office when he should not be allowed to run for another office. ...he does not favor the two-term limit. He personally would not accept a position if it were limited to only eight years. If someone is going to make a career change, he needs to be assured that it will last for more than four or eight years.

SECTION 8

LOBBYIST: DISCUSSION

Section 6.50 (3) of the charter provides that "Multnomah County shall not employ or hire a paid lobbyist."

The committee has received testimony at most of its meetings regarding the prohibition of a county lobbyist and whether that prohibition should be repealed.

Those who favor retention of the prohibition argue that since the people spoke on the issue by enacting Ballot Measure 6 in 1982 and by defeating a ballot measure in 1984 which would have repealed the prohibition, they should not have to vote on the matter again. Witnesses also testified that if lobbying is necessary at the state level the county commissioners themselves can perform that function.

Virtually all of the testimony heard by the committee has been in favor of eliminating the prohibition. One reason advanced for repealing the prohibition is that the county needs to be represented on a day-to-day basis at the state level to compete for tax dollars. To lack this representation puts the county at a disadvantage.

The committee also heard witnesses describe the process under the prohibition as cumbersome and dishonest.

In response to the suggestion that commissioners could do lobbying for the county thus eliminating the need for a "paid lobbyist," the committee heard testimony that: (1) commissioners do not have time to do all that is necessary; (2) it is not the most efficient use of resources; and (3) it is not a good idea to have five different messages from one entity.

Finally, it was suggested by several witnesses that the voters need to be educated that a lobbyist will actually save them tax dollars.

SECTION 8

LOBBYIST: REFERENCES

1. 10/11/89, Minutes, p. 2, Commissioner Pauline Anderson: The county needs a lobbyist with full authority to lobby.
2. 10/11/89, Minutes, p. 1, Chair Gladys McCoy: ...Multnomah County must not be prohibited from having a full-time advocate at the state and federal levels for its citizens' concerns.
3. 10/25/89, Minutes, p. 1, Commissioner Sharron Kelley: A formal lobbyist would be of great help to our county government. The county has many issues to lobby for and many people to represent. The Department of Human Services would especially benefit due to the many changes it requires mediation for.
4. 10/25/89, Minutes, p. 5, Senator Glenn Otto: The prohibition of a lobbyist should be repealed; the county is being short-changed without a lobbyist.
5. 11/8/89, Minutes, p. 1, Don Clark: ...the County definitely needs a lobbyist. The people are not served well by the county not having a lobbyist. The county is the people's government and the county needs to be represented strongly at the legislature.
6. 11/8/89, Minutes, p. 4, Commissioner Rick Bauman: The County needs a lobbyist in Salem. He noted that he was a state legislator when the prohibition was first adopted and it made the process cumbersome and dishonest.
7. 11/8/89, Minutes, p. 5, Fred Neal: ...it [the lobbyist prohibition provision] is a unique provision in the state and in the entire country, excepting the state of Texas. There is a growing trend among governments to have lobbyists. He is the only person who goes to Salem to follow the

legislative process who is not able to advocate for legislation.

8. 11/8/89, Minutes, p. 5, Neal: Neal explained how intergovernmental relations works for Multnomah County. This includes identification of issues during the interim and elimination of those issues which can be addressed with a local ordinance or policy that solves the problem locally. The liaison commissioner then meets with the department manager and department staff to review background material. The entire board and the department managers hold a planning session a few months before the start of the session to hone down the issues to a smaller set of priority issues, which are later submitted to the Multnomah County legislative delegation. This process also includes the Citizen Involvement Committee which reviews the issues and is asked to comment. Finally, the Board holds hearings and adopts the policy that is printed. As the session progresses, new issues arise and the Board responds by adopting new policies.
9. 11/8/89, Minutes, p. 5, Neal: ...the Multnomah County delegation is at a disadvantage as compared with other legislators, because he can only provide them information; he cannot advocate for the county. Even here he is restricted to providing information to Multnomah County legislators when asked.
10. 11/8/89, Minutes, p. 5, Neal: Responding to the theory that county officials could do the county's lobbying themselves, Neal said that it is not good policy to have a state legislator hear five different messages from a single entity. This would not serve Multnomah County legislators or the county.
11. 11/8/89, Minutes, p. 5, Neal: ...he represents both [the chair and the board]; he cannot take a position until the chair and the board have taken a position.
12. 11/8/89, Minutes, p. 5, Neal: ...if the committee is going to propose to amend or repeal the prohibition, consider carefully the wording of the ballot question. Also consider educating the electorate as to the committee's purpose.
13. 11/29/89, Minutes, p. 4, Chair Darlene Hooley: ...Multnomah County needs a lobbyist. Clackamas County does have a person who lobbies as part of his other duties.
14. 11/29/89, Minutes, p. 4, Hooley: ...the voters don't

understand that a lobbyist will actually save them tax dollars and it should probably be presented to them in that way.

15. 11/29/89, Minutes, p. 5, CIC Chair Dennis Payne: The county needs representation at the state level.
16. 11/29/89, Minutes, p. 7, Commissioner Bonnie Hays: Washington County has a "Governmental Affairs Specialist" also known as lobbyist, who, during the last session, increased their accomplishments ten-fold.
17. 12/13/89, Minutes, p. 3, AFSCME President Arlene Collins: ...they definitely want a lobbyist.
18. 12/13/89, Minutes, p. 4, Representative Ron Cease: The county charter needs to be changed to allow a lobbyist; no government of any size does itself a favor by not having a lobbyist.
19. 12/13/89, Minutes, p. 6, Jerry Orrick: Amend the charter to eliminate the prohibition against employing a lobbyist. ...the average citizen has little idea what a lobbyist does and ...few legislators have a working knowledge of the functions and processes of county government, although they make hundreds of decisions that affect those functions and processes. Legislators are heavily dependent on information from the county in order to make knowledgeable decisions. By denying itself the ability to provide the information, the county is inviting costly mistakes. Orrick noted that some explanation to the voters of the function a lobbyist performs may be necessary.
20. 12/13/89, Minutes, p. 9, Ken Tollenaar: ...it is essential to have day-to-day representation at the state legislature; the county needs a lobbyist.
21. 12/13/89, Minutes, p. 10, Eugene Collins: ...the county needs a lobbyist.
22. 1/10/90, Minutes, p. 4, Linda Alexander: The county needs a lobbyist.
23. 1/10/90, Minutes, p. 7, Duane Zussy: The best interests of the citizens and taxpayers of the county are not well served by the prohibition of a lobbyist.
24. 1/10/90, Minutes, p. 8, Tanya Collier: As long as the county has to perform state-mandated functions, it must have a

lobbyist. Even if regional issues continue to shrink, as long as state-mandated functions exist, a lobbyist is a necessity.

25. 1/10/90, Minutes, p. 10, Paul Thalhofer: The county should have a lobbyist.

p. 10-11, Thalhofer: The taxpayers need to be educated as to how it will benefit them.
26. 1/10/90, Minutes, p. 11, John Vogl: Ballot Measure 6 consisted of approximately eight different issues, only one of which was the lobbyist issue; he is, in fact, in favor of a lobbyist, but believes the voters should be allowed to vote on the issue.
27. 1/10/90, Minutes, p. 12, Bob Luce: Multnomah County should not have a lobbyist.
28. 1/24/90, Minutes, p. 9, Clyde Brummel: A paid lobbyist is not necessary.
29. 1/24/90, Minutes, p. 9, Jim Worthington: The county does not need a paid lobbyist.

SECTION 9

MISCELLANEOUS RECOMMENDATIONS: DISCUSSION

The following references all relate to miscellaneous recommendations to the charter review committee. Some are internal departmental matters, while others are "housekeeping" (charter clean-up) matters.

SECTION 9

MISCELLANEOUS RECOMMENDATIONS: REFERENCES

1. 10/30/89, Dolan letter, p. 1: Multnomah County needs a properly established public information office. The function of this office is to meet the government's obligation to inform citizens and to assist people in running their own government by giving them the tool of information. Multnomah lags behind all other local governments in the metropolitan area in providing information to its citizens in an organized manner.
2. 10/30/89, Dolan letter, p. 2: Even with the establishment of a central public information office, the county should bolster public information in the departments. Each department should have a designed public information person who works under the direction of the department manager. This function would not be a full time position but part of a larger administrative job. Department managers may also want to hire full time or part time public information people in particular areas.
3. 12/13/89, Minutes, p. 9, Ken Tollenaar: Mr. Tollenaar suggested the committee look at two provisions in the charter. (1) the constitutionality of the 30-day effective date for ordinances going into effect (the Oregon Constitution requires a 90-day effectation date, thus allowing more time for a referendum petition); and, (2) sections 9.10 and 9.20 regarding county service districts, which could be eliminated; these are already covered in ORS Chapter 451 or 198.
4. 1/10/90, Minutes, p. 7, Duane Zussy: The library should be a free-standing department and not included under the auspices of another department.
5. 1/10/90, Minutes, p. 7, Zussy: Zussy said he believes it [internal departmental organizational matters] is a matter that should be dealt with by the board of county

commissioners and not embedded in the charter because circumstances change, along with managerial responses to those circumstances.

6. 1/24/90, Minutes, p. 8, Clyde Brummel: The county assessor should be elected to protect the taxpayer.
7. 1/24/90, Minutes, p. 8, Brummel: Each county should only have one school district.
8. 1/24/90, Minutes, p. 9, Jim Worthington: ...do not change the Citizens Involvement Committee except to strengthen it.

SECTION 10

REGIONALISM (CITY/COUNTY CONSOLIDATION; SUPER-COUNTY): DISCUSSION

The committee heard some testimony in the area of regionalism, which includes both city/county consolidation and a super-county (the combining of the tri-county area into one regional government).

Those who spoke advocating a regional approach to government reasoned that the county lines are archaic and are not inherently logical. It was also stated that since urbanization of the tri-county area, most county issues are not limited to one county but are, in fact, regional issues which should be solved on a regional basis.

It was noted that the issue of regionalism may be beyond the scope of the charter and the charter review committee. In order for real change to be made, the state legislature would need to be included in the process. The scope of committee involvement at this time might be to facilitate or encourage eventual consolidation or at least a regional approach to certain issues.

SECTION 10

REGIONALISM (CITY/COUNTY CONSOLIDATION;
SUPER-COUNTY): REFERENCES

1. 7/28/89, Portland Metropolitan Chamber of Commerce Report: Multnomah County's charter review should result in a complete withdrawal from urban services...
2. 11/8/89, Minutes, p. 4, Commissioner Rick Bauman: Regarding the position of auditor, overshadowing all else is to facilitate the ultimate extinction of Multnomah County. The County lines were drawn 120 plus years ago and are archaic. The county does not make sense as a long-term governing body. he thinks we need to evolve to a system that allows regional decisions to be made on a regional basis. He would like to see an auditing office that is jointly shared by the city, the county, Metro, Washington County and Clackamas County. We can get top-notch professional auditors and share the cost and we can have those services available to us.
3. 11/8/89, Minutes, p. 4, Bauman: Responding to a request of Paul Norr's to clarify the direction we ought to go with the auditor's office, Bauman emphasized the need to look beyond our narrow charter mandate. He suggested taking the idea of a regional auditor to the board or the state legislature to explore.
4. 11/29/89, Minutes, p. 1, Blanche Schroeder: In July 1989, the Board of the Chamber of Commerce adopted a position, supporting a local government structure incorporating...centralization of regional services and regional growth management [and] elimination of all special districts.
5. 11/29/89, Minutes, p. 1, Schroeder: The Chamber urged an "immediate structural change of both the City of Portland and Multnomah County with the goal of having fully effective regional and local government in metropolitan Portland by 1995...

6. 11/29/89, Minutes, p. 1, Schroeder: The Chamber would like the charter to contain language requiring integration and/or consolidation with other governments by 1995-2000.
7. 11/29/89, Minutes, p. 4, Chair Darlene Hooley: At this time [Clackamas County is not looking toward a regional government] but they are looking at problems that need to be solved regionally, such as regional transportation issues, river-basin planning, clean water, etc.
8. 12/13/89, Minutes, p. 3, Representative Ron Cease: ...There should be as much cooperation as possible between the 3 counties and the cities. Metro should do more and eventually the three counties may not be needed.
9. 12/20/89, Minutes, p. 7, Bob Goldstein: Mr. Goldstein does not believe city/county consolidation would be a good idea.
10. 1/10/90, Minutes, p. 8, Tanya Collier: [She] agrees with the City Club report that the ultimate goal should be that of a Willamette County because certain issues are better decided on a regional basis including the library system, parks, justice services, police, housing and some social services.
11. 1/10/90, Minutes, p. 8, Collier: The tax base should also be regionalized.
12. 1/10/90, Minutes, p. 8, Collier: Collier said she thinks human services should be performed by the county and enough money should be allocated to carry them out.
13. 1/10/90, Minutes, p. 8, Collier: Collier said she would not [define the library as an urban service], but believes it is best provided on a regional level.
14. 1/24/90, Minutes, p. 8, Clyde Brummel: A regional library system is a good idea because of current funding problems.

SECTION 11

RESOLUTION A/SERVICES/ANNEXATION/TAXES: DISCUSSION

The committee heard testimony on the related issues of Resolution A, county services, annexation and taxes. For the most part, testimony in these areas has served as background material for committee work on other issues. In other words, the issue for the committee is how Resolution A, delivery of services, annexation and taxes affect the structure of government.

In general, most witnesses spoke to the issue of which services the county should provide and at what level. More specifically, the committee heard witnesses urge the county to withdraw from providing municipal services; it was also stated that the county should repeal Resolution A since it was already being contradicted.

Witnesses also testified to the effect Resolution A and its companion issues are having on the number and type of county services being offered and how this influences the structure of government.

Finally, several witnesses spoke to the issue of amending the charter to address service delivery; other witnesses maintained that Resolution A and service delivery are not charter issues.

SECTION 11

RESOLUTION A/SERVICES/ANNEXATION/TAXES: REFERENCES

1. 10/11/89, Minutes, p. 1, Chair Gladys McCoy: The need for justice and human services to be provided as a continuum of service to the County's citizens has become increasingly apparent over the past few years. Next year's Census will reflect a significant increase in our community's population. For these reasons, we need to continue a full time, 5-member Commission, 4 elected by district, to address the concerns of their constituents (with the Chair elected county-wide).
2. 10/25/89, Minutes, p. 1, Commissioner Sharron Kelley: Multnomah County may have to provide police and planning services in the Columbia Gorge area. These service needs will greatly increase in the 1990s. Transportation services will also need to be increased in Multnomah County. There are many unsolved problems in the area and the responsibility for the county is being increased constantly.
3. 11/8/89, Minutes, p. 5, Commissioner Rick Bauman: Ann Porter asked Bauman how he reconciles the use of Multnomah County Sheriff's officers at the Columbia Villa project with Resolution A. Bauman responded that he doesn't need to reconcile the two; he voted against that proposal.
4. 11/8/89, Minutes, p. 7, Dave Warren: ...about eleven percent of county revenues come from "other taxes" which includes business income tax, county gas tax and the tax on rented vehicles. Ten years ago "other taxes" consisted of only about six percent of the county's revenues. The county has needed to increase these revenues because ten years ago the county had revenue sharing funds from the federal government which consisted of about six percent of the county's budget, but which no longer exist. If these taxes had not increased, the county would have to decrease its level of service five to six percent.

...discretionary revenues, which the county can spend on any services it chooses, have decreased over the past ten years. This limits the kinds of services the county can provide.

Casey Short asked if there are any restraints on the county's ability to tax. To this, Mr. Warren replied that the county cannot issue debt without a vote of the people. The state constitution contains this restriction.

Responding to Paul Norr's question as to the type of discretion the county has in terms of how taxes are assessed or what types of properties are taxed, Mr. Warren answered that there was no discretion.

Norr also asked if the property of the YMCA as a non-profit organization is taxable. Mr. Warren answered that the county assessor decides which properties are taxable and he thinks the assessor decided it was taxable. That was not a charter or a county issue.

5. 11/29/89, Minutes, p. 1-2, Blanche Schroeder: In July 1989, the Board of the Chamber of Commerce adopted a position supporting a local government structure incorporating...centralization of regional services and regional growth management, incorporation by annexation of all urban land, elimination of all special districts.
6. 11/29/89, Minutes, p. 2, Schroeder: The Chamber urged an "immediate structural change of both the City of Portland and Multnomah County with the goal of having fully effective regional and local government in metropolitan Portland by 1995...Multnomah County's charter review should result in a complete withdrawal from urban services...
7. 11/29/89, Minutes, p. 2, Schroeder: The Chamber would like the committee to consider the following: [1] Make it easier for those in rural parts of the county to have urban level services by incorporating with the nearest city for those who would like city service levels; [2] Determine which functions are legal responsibilities of the county such as taxation and assessment, elections and the criminal justice system; and provide language in the charter assigning them as priority county activities with required support systems enabling them to fully carry out their responsibilities; and [3] Include in the charter a "service level policy" and a transitional process for incorporation."
8. 11/29/89, Minutes, p. 2, Schroeder: The Chamber believes that a local government that responds quickly in a crisis, has the foresight to plan for adequate transportation, environment, justice, and human services and other regional and local needs is essential if we are to compete in the 21st century.

9. 12/13/89, Minutes, p. 2, AFSCME President Arlene Collins: The Local would like to see Resolution A, prohibiting the county from performing urban services, eliminated, since smaller cities are contracting with Multnomah County to perform services anyway.
10. 12/13/89, Minutes, p. 3, Collins: ...by supplying sheriff support to Columbia Villa and contracting out road service to Wood Village and Troutdale, the county is contradicting Resolution A by providing urban services. ...she does not favor stopping or repealing annexations in the mid-county area. But she noted that people should be allowed to vote on those annexations.
11. 12/13/89, Minutes, p. 3, Collins: Paul Norr asked if Collins likes the idea of the county contracting for urban services in some areas. Collins replied that it should be a unified concern; not "us against them." Services should be provided where they are needed.

Lana Butterfield asked if the elimination of Resolution A is within the jurisdiction of the Charter Review Committee. Collins said it is.

12. 12/13/89, Minutes, p. 4, Representative Ron Cease: The county should not perform urban services.
13. 1/3/90, Minutes, p. 7, Gordon Tiffany: Multnomah County should consider providing municipal services as a wholesaler, possibly using Dade County, Florida as a model. This ties in with Resolution A.
14. 1/10/90, Minutes, p. 7, Duane Zussy: Resolution "A" has taken on a larger than life mystique, but in reality it is a very narrowly focused document. The City of Portland is planning to revisit Resolution "A" (possibly developing a Resolution "B") and the county commissioners have expressed some reservations regarding its broad interpretation. Zussy recommends that a good definition of county-wide services versus municipal services would be beneficial, but should not be included in the charter.
15. 1/10/90, Minutes, p. 8, Duane Zussy: The original Resolution "A" spoke primarily to police functions, but over the course of time has been interpreted to include many other services.
16. 1/10/90, Minutes, p. 10, Paul Thalsofer: Bruce McCain asked Thalsofer if, as an east county resident and elected official, he feels that area is adequately being served by county government and would the area be better served if all

commissioners were elected county-wide but required to reside in the area they represent. Thalsofer said they may be better served, but it may be a hardship on the elected official to conduct a county-wide campaign, which is very expensive.

17. 1/10/90, Minutes, p. 12, Bob Luce: Needed financial resources should be taxed directly from those who need it instead of filtering from federal to state to county/city funding.

Ultimately [services provided by Multnomah County should be funded by a property tax] because you only get approximately 40% of your tax money back in federal funding.

18. 1/10/90, Minutes, p. 11, John Vogl: Even though most individuals feel county government is diminishing, in his opinion, it is actually growing through additional human services programs.

19. 1/10/90, Minutes, p. 12, Bob Goldstein: Resolution A is shrinking the county.

20. 1/24/90, Minutes, p. 1, Grant Nelson: ...up until 1982-83, the county was performing urban services; at that time, federal funding was drastically reduced, creating a \$17,000,000 deficit in the county budget. The Board of Commissioners was then forced to decide whether or not the county would continue performing urban services. It was decided to change direction and thus Resolution A was created.

21. 1/24/90, p. 2, Nelson: The county is presently re-assessing Resolution A, with the thought of possibly developing a Resolution B. Chair McCoy has charged the Citizens Involvement Committee with researching the issue in an attempt to determine who receives services and what kind of services will be performed.

22. 1/24/90, Minutes, p. 2, Susan McPherson Daluddung: ...contrary to popular belief, the reason for an urban services policy is not to obtain additional land and tax dollars for the city. The goals of the City's Urban Services Policy, which is a companion policy to Resolution A [are]:

1. To produce a full set of urban services cost effectively by making a companion policy that delivers urban services by the city and county-wide services by the county.
2. To reduce the urban subsidy. Studies showed that city-type services were being provided to unincorporated areas that were not being provided in Multnomah County cities.

It was felt that services could be more fairly distributed if those areas were to join the city.

3. To encourage economic development, specifically in the columbia south-shore area. Sewers, water and transportation networks needed to be added to prepare that area for growth in the 90's.
 4. Rationalize city and county roles.
 5. Increase the central city population, which enables Portland to compete with other cities.
23. 1/24/90, Minutes, p. 2, McPherson Daluddung: Since 1983, there have been 125 annexations to the city of Portland; with a little less than 50,000 people left to annex. Over 50% of the property owners must sign and over 50% of the voters must approve the annexations. It is expected that annexations will be completed within three years.
24. 1/24/90, Minutes, p. 3, McPherson Daluddung/Nelson: Nelson stated that Resolution A is not presently in the county charter and he wouldn't recommend that it be added. McPherson Daluddung concurred, stating it is a policy decision, not a charter issue.
25. 1/24/90, Minutes, p. 3, McPherson Daluddung: Annexation has diminished Multnomah County's unincorporated area by over 50% since 1983. Since 1983, Multnomah County services have changed dramatically:
1. Parks, transportation and planning have been significantly reduced;
 2. Human services have increased;
 3. Justice Services have doubled;
 4. Law enforcement has not increased at the rate it should have. The most effective use of tax dollars would be to have the cities perform law enforcement services and the county handle corrections.
26. 1/24/90, Minutes, p. 3, McPherson Daluddung: Ann Porter stated that during the past year, police patrols in Columbia Villa and Aging Services have brought Resolution A to the forefront. Porter asked why the city isn't willing to discuss these two issues and work out a resolution. McPherson Daluddung stated that the City's contribution to Aging

Services may be phased out and an agreement may be reached that is similar to the youth services agreement.

27. 1/24/90, Minutes, p. 4, Grant Nelson: It was decided at public hearings on Columbia Villa that Resolution A did not apply because it was federally funded through the Housing Authority of Portland. The question of who (city/county) will perform which service in relation to Aging Services is, however, still being reassessed.
28. 1/24/90, Minutes, p. 9, Clyde Brummel: Regarding Resolution A, the City of Portland should not contribute to social services programs.
29. 1/24/90, Minutes, p. 9, Herb Brown: ...the City of Portland should not be trying to coerce people into having their area annexed in order to balance the City budget. He stated that Resolution A was supposed to be in affect only from 1983 to 1987 and therefore the rural service level should be in place.
30. 1/24/90, Minutes, p. 9, Jim Worthington: ...the only reason for annexation to the City of Portland is financial, and when a vote is allowed, annexation is always defeated.
31. 1/24/90, Minutes, p. 9, Worthington: ...urban services, as referred to in Resolution A, should be more clearly defined; and...Resolution A has [not] become part of the county comprehensive plan.

SECTION 12

SALARIES OF ELECTED OFFICIALS: DISCUSSION

Section 4.30 of the charter, amended by the last charter review committee and approved by the voters in 1984, provides for a salary commission appointed by the auditor to recommend salary adjustments which are then voted on by the people:

COMPENSATION. Except as provided in Section 8.10 (2) the compensation of all holders of elective office of Multnomah County shall be fixed by the registered voters of Multnomah County at a Primary or General Election only. The auditor shall appoint a five member salary commission, composed of qualified people with personnel experience, by January 1, 1986, and by January 1 in each even year thereafter. The commission's salary adjustment recommendations, if any, for elected officials shall be submitted to the voters at each subsequent primary election. All elected or appointed Multnomah County officials and employees are prohibited from serving on the salary commission.

The committee heard testimony throughout its meetings on the issue of elected officials' salaries. Most of the witnesses have been in favor of some sort of salary increase. Reasons cited for favoring an increase are that elected officials have not had any increase since 1981 and that Multnomah County officials are paid much less than persons in comparable positions.

Four options were discussed for raising salaries for elected officials in the county:

1. Amend the charter to allow at least an annual cost of living increase;
2. Allow the current salary commission to recommend the salaries which the board, not the people, would vote on; in the alternative, simply allow the board to set their own salaries, bypassing the salary commission and the voters altogether;

3. Allow the current salary commission to actually set the salaries, not just recommend them; and
4. Tie elected officials' salaries to that earned by another state official, e.g. a state court judge.

It should also be noted that the salary commission has recommended cost of living adjustments for all county officials which the voters will either approve or reject in May, 1990. The commission only looked at how to increase salaries within the current charter framework. The question for this committee is to decide whether, and how, to change the framework (the salary process embedded in the charter).

SECTION 12

SALARIES OF ELECTED OFFICIALS: REFERENCES

1. 10/11/89, Minutes, p. 2, Commissioner Pauline Anderson: A provision providing for a cost of living increase is a possibility.
2. 10/11/89, Minutes, p. 2, Chair Gladys McCoy: Repeal the current compensation procedure and recommend one that allows the charter-mandated Salary Commission to establish the salaries as outlined by new state law (SB 1029).
3. 10/25/89, Minutes, p. 1, Commissioner Sharron Kelley: ...a fair salary for the commissioners would be in the range of \$33,000 per year. She suggests comparing what other cities and counties pay for their board of commissioners.
4. 10/25/89, Minutes, p. 4, Sheriff Bob Skipper: ...supports the issue of increasing salaries of elected officials which have not changed in eight years.
5. 10/25/89, Minutes, p. 5, Senator Glenn Otto: Commissioners [should] receive the same salary as a state senator about \$937 per month. The Chair would receive double that amount.
6. 11/8/89, Minutes, p. 1, Don Clark: Public officials need to be given a reasonable living salary; at this time they are not, and this is an embarrassment. Due to this, we soon will only be able to attract people who can afford not to receive a salary, or who are able to make enough on the side that salary is not important to them. He does not think the county can afford either one of these. We need to pay public officials salaries that fairly compensate them so that we can hold them accountable for good results.
7. 11/8/89, Minutes, p. 2, Clark: ...there are several ways to implement a salary increase: 1. Tie the salary to someone else's salary, e.g., a state judge's salary. This way, the legislature is responsible for setting the salary. 2. Allow

the Salary Commission set the salaries-not just recommend them. 3. Allow the first grand jury empanelled annually to investigate the salary issue, whose findings and conclusions would then be implemented in the form of an order that would be adopted by the board. This option might be a good option because it is the people deciding the issue, but in a form other than on the ballot.

8. 11/8/89, Minutes, p. 4, Commissioner Rick Bauman: He does not feel it is appropriate for him to comment on the salary question [for commissioners].
9. 11/29/89, Minutes, p. 3, Chair Darlene Hooley: ...her present salary is approximately \$50,000 per year and salaries are increased by the budget committee, usually in 3% increments. The budget committee actually recommends the salary level, but the Board must approve it as part of the overall budget.
10. 11/29/89, Minutes, p. 3, Hooley: ...the committee consists of three commissioners and 3 citizens. The budget committee recommends the Board's salaries, which are then approved by the Board itself along with the entire county budget.
11. 11/29/89, Minutes, p. 5, CIC Chair Dennis Payne: Regarding compensation of county officials, the issue should not be whether the committee doesn't like the office holders.
12. 11/29/89, Minutes, p. 7, Commissioner Bonnie Hays: Regarding salary, the chair makes \$43,000 per year and the commissioners make one-third of that, or \$13,000 per year.
13. 11/29/89, Minutes, p. 7, Hays: The Auditor's salary is two-thirds of a district court judge's salary. She does not recommend this, because it is then beyond the Board's control.
14. 11/29/89, Minutes, p. 7, Hays: ...the Budget Committee recommends the increases (the largest so far has been 3% and the Board approves them. The administrator makes \$72,000/per year plus 7-1/2% deferred comp and car allowance.
15. 12/13/89, Minutes, p. 2, AFSCME President Arelene Collins: The Local is concerned about the salary scale, but unless it is attached to other salaries, the voters will not be generous with an unpopular office.
16. 12/13/89, Minutes, p. 4, Representative Ron Cease: The salary issue should not be on the ballot because the public doesn't understand what county officials do. Setting salaries should be done in another way.

- p. 5: Cease said the public has a problem with commissioners voting on their own salaries (although he personally does not); possibly an outside group of experts should make recommendations.
17. 12/13/89, Minutes, p. 6, Jerry Orrick: Amend the charter to change the way elected officials' salaries are set. Allowing the voters to determine salaries sounds nice but it does not work in practice. Although voters have a demonstrated ability to make policy decisions, they do not have sufficient objective information to make operational decisions, nor should they be expected to. To avoid a state mandate, such as SB 1029 which was originally designed to force all counties to pay sheriffs 7% more than their second-in-command, Mr. Orrick suggests three options: (a) Establish a citizen compensation committee to make annual salary recommendations for determination by the board of commissioners; (b) Establish county elected officials salaries at a percent of some state officials' salary; or, (c) Allow the board of commissioners or commission chair to set all salaries.
 18. 12/13/89, Minutes, p. 9, Eugene Collins: Salary [for commissioners] should be based on the same pay-scale presently used by state senators and each commissioner would have one paid assistant.
 19. 12/20/89, Minutes, p. 5, Alan Purcell: ...in Washington County, the auditor's salary is specified in the charter and is exempt from the board's scrutiny; this also eliminates some of the pressure.
 20. 12/20/89, Minutes, p. 5, Barbara Clark: She would, however, like to see the salaries of elected officials linked to that of the per capita income in the community so that the elected official suffers or profits as does the average citizen. If the average income rises, elected officials should receive a salary increase; similarly, if the average per capita income falls, so would the elected official's.
 21. 1/3/90, Minutes, p. 8, Gordon Tiffany: [Salaries] are set by the commissioners themselves; he approves of this method of setting elected officials' salaries. He suggested salaries be set during one term for the next term. It is his belief that Multnomah County would benefit from setting salaries in this manner; the voters in Multnomah County have not been responsible in keeping salaries up to date.
 22. 1/10/90, Minutes, p. 3, Grant Nelson: A new method of deciding salaries for commissioners needs to be determined.

23. 1/10/90, Minutes, p. 4, Linda Alexander: Commissioners should at least have annual cost of living raises; it is difficult to use a traditional method of determining their salaries since the role of commissioner is non-traditional.
24. 1/10/90, Minutes, p. 10, Paul Thalsofer: A new method should be devised for setting salaries of county officials. Increases should be implemented in small increments rather than a large amount.
25. 1/10/90, Minutes, p. 12, Bob Luce: If the commissioners' salary increases were more realistic the voters would approve them. What the committee wants is irrelevant; voters have already decided the commissioners receive enough money.
26. 1/24/90, Minutes, p. 8, Clyde Brummel: The board of commissioners should be reduced to non-salaried members from each district, with a per diem allowance of \$75 per day, plus travel expenses. The board should hire a county manager.
27. 1/24/90, Minutes, p. 9, Jim Worthington: Commissioners' salaries should not be compared to other cities' salaries and should be raised in small increments with the complete salary package explained.

SECTION 13

SHERIFF: DISCUSSION

Section 6.50 (1) of the charter, adopted by the people in 1982 as part of Ballot Measure 6 provides for an elected sheriff:

The people of Multnomah County shall elect:

A County Sheriff for the function of said office as prescribed by State Law and he or she shall have sole administration of all county jails and correctional institutions located in Multnomah County.

Testimony concerning the sheriff's office focused on two issues, both referred to in the charter: whether the sheriff should be appointed or elected and the sheriff's responsibilities.

The committee heard testimony both favoring an appointed sheriff and for retaining the elected sheriff. One speaker urged the committee to consider the role of sheriff. If it is a policy-making role, keep it elected. If, on the other hand, it is a management position focusing mostly on corrections instead of law enforcement, it should be an appointed position. Other speakers noted that the complexities of today's law enforcement mandate an appointed professional manager. Those witnesses supporting an appointed sheriff stated that the sheriff should be part of the overall justice system and should, therefore, be accountable to the board, not just the voters. It was also argued that with an appointed sheriff it is clear where the authority lies -- with the executive.

Other speakers urged that the sheriff position remain elected. Several speakers testified that law enforcement is a high priority in the county and therefore the position requires a high profile and is accountable to the voters. It was also pointed out that the sheriff should be elected so that he can exercise independent judgement and an independent voice. Finally, many of those who testified, noting the long tradition of an elected sheriff, maintained that the people prefer an elected sheriff and would not approve an appointed position.

The responsibilities of the sheriff were also addressed by several speakers. Currently, the sheriff is responsible for law enforcement and corrections (custodial programs) while the Department of Justice Services is responsible for non-custodial programs, such as probation and parole.

The committee heard testimony that urged it to retain the current language giving the sheriff control over corrections. According to those speakers, the sheriff rebuilt the corrections system which, under an appointed administrator, had been faltering. Additional speakers testified to the need for a high profile, independent position to advocate for corrections.

Other witnesses, while not speaking directly to the issue of corrections per se, supported an appointed officer who would be accountable to the board and the executive and who would manage all of the county's justice services (law enforcement, corrections and non-custodial programs) or just law enforcement and corrections.

SECTION 13

SHERIFF: REFERENCES

1. 10/11/89, Minutes, p. 2, Commissioner Pauline Anderson: The sheriff should be appointed and accountable to a criminal justice system and not to voters only.
2. 10/11/89, Minutes, p. 3, Commissioner Gretchen Kafoury: She is not overly concerned about the issue of an appointed sheriff.
3. 10/11/89, Minutes, p. 2, Chair Gladys McCoy: The Sheriff should be a part of the Justice Services Department, be an appointed officer and be accountable to the Board of Commissioners. The County needs to have a comprehensive and coordinated criminal justice system. The sheriff, as an elected officer, now has sole administration of all county jails and correctional institutions.
4. 10/24/89, Letter, Michael D. Schrunk, Multnomah County District Attorney: It is clear to me that the citizens of Multnomah County view law enforcement as a very high priority. As such, it requires a consistent and responsive champion who can exercise independent judgment and an independent voice. Most importantly, because of the priority of law enforcement, that independent position must be accountable to the citizenry. Our past history clearly demonstrates the dissatisfaction citizens felt with the appointed sheriff's position. It was through an initiative petition that the position was changed back to an elected sheriff in 1982. The citizens also spoke in a strong, affirmative voice when they, again through initiative petition, moved the corrections responsibilities into the sheriff's office. These moves were based on a dissatisfaction with the management of corrections and a perception that management was not responsive to community priorities. I am confident that if the citizens experience similar dissatisfaction with a particular sheriff, they will be quick to elect one who is viewed as more capable.

5. 10/25/89, Minutes, p. 3, Sheriff Bob Skipper: Mr. Skipper presented his views regarding the proposed amendments which would return the office of Sheriff to an appointed position and would remove the corrections system from the authority of the sheriff. He believes that either change would be a step backward and would not be in the best interest of our citizens. ...in his contacts with citizens he has learned that they appreciate and prefer an elected sheriff. They want a strong and independent leader with a commitment to fair, effective law enforcement and to adequate jail sanctions for the criminal endangering our society and they want that leader directly answerable to them. He believes that the citizens would overwhelmingly reject the proposal for an appointed sheriff.
6. 10/25/89, Minutes, p. 3, Skipper: Skipper is concerned about the proposal to remove corrections from the authority of the sheriff. Its passage would send an alarming message to a corrections system rebuilt through the efforts of an elected sheriff. He encouraged the Committee members to read the copies of statements he distributed to them about Multnomah County corrections systems drawn from Grand Jury reports from 1978 through 1988. He said the reports graphically illustrate the dismal record of corrections under appointed administrators.
7. 10/25/89, Minutes, p. 3, Skipper: As to funds needed to run our jails and/or for more jail beds, appointed administrators could not and would not go to the public for these needed funds. It would take a very courageous administrator to put his career on the line for improvements and jail beds when his superior or the majority of the board was firmly opposed to asking the public to provide more money. But elected sheriffs can and did go to the public. Without the efforts of an elected sheriff and an elected district attorney, our community would not have re-opened the Courthouse Jail, opened the work-release center and opened the 256 bed jail at Inverness. Without the election of himself as elected Sheriff and District Attorney Mike Schrunk and certain county commissioners our community would not have the present opportunity to vote on the 210 bed addition to Inverness and a 120 bed drug and alcohol treatment program.
8. 10/25/89, Minutes, p. 4, Skipper: Norr asked Skipper to explain the difference between a hired city police chief and an elected county sheriff. ...Historical precedent argues for an elected sheriff...The people would get the best person either way...An elected sheriff brings stability because there is less turnover.

9. 10/25/89, Minutes, p. 4, Skipper: In comparison to the City of Portland, his office handles civil process and operates the county jails. ...serves the unincorporated areas in Multnomah County and the smaller cities that wish to contract with them. They have the responsibility for serving and processing all warrants within the county whether they are issued as a result of an arrest by an officer of the City of Portland, City of Gresham, or Multnomah County. Also his office is responsible for providing court services which include security in courtrooms, transportation of inmates in state and out of state that are being returned to the county.
10. 10/25/89, Minutes, p. 5, Senator Glenn Otto: He recommends the retention of an elected sheriff; the people want it.
11. 11/8/89, Minutes, p. 3, Don Clark: He leans toward an appointed [sheriff].
12. 11/8/89, Minutes, p. 3, Clark: Clark responded that there were no real differences between a [hired city police chief and an elected county sheriff] except history and tradition. He also stated that the Charter Review Committee would run into difficulty if they tried to do away with the elected sheriff. Sheriffs go back to 9th century England and are a very colorful part of our mythology.
13. 11/8/89, Minutes, p. 3, Clark: One of the benefits of elected sheriffs is that they act differently than appointed police administrators. He suggested comparing the number of problems suffered by the City of Portland Police Department versus the Multnomah County Sheriff's Office. He also noted, on the other hand, that one of the benefits of an appointed sheriff is that it is clear where the buck stops: at the county executive.
14. 11/8/89, Minutes, p. 3, Clark: Casey Short asked Clark about his statement that 1978-82 was his best period when, at the same time, Sheriff Skipper stated how badly jails were run at that time according to grand jury reports. Clark stated that grand juries do what the District Attorney wants them to do.
15. 11/8/89, Minutes, p. 4, Commissioner Rick Bauman: Regarding the position of sheriff, Bauman suggests asking the question: "What is the job of sheriff?" The evolution over the last few years, particularly since Resolution A, is that the sheriff is destined to be the manager of the corrections division and the administrator of several special projects: river patrol, special investigations, review of the Columbia Villa project

and patrol of the shrinking portion of the county that is unincorporated which, if the city is as successful in annexations as it has been, will be principally the Columbia Gorge area and the area around Corbett. If that is a major executive position...or a major policy decision, keep it elected.

16. 11/8/89, Minutes, p. 4, Bauman: David Chambers asked a question regarding whether any departmental positions in the Sheriff's Office should be elected. Bauman responded that he doesn't see any substantial reason why any of those responsibilities need to be elected. Those are administrative functions that clearly can be focused, as the state does, under one elected official.

17. 11/16/89, Letter, Sheriff Bob Skipper: ...it's always been difficult and sometimes impossible to get that third vote for more jail beds, or for funds to improve jail operations. I doubt it would have been possible without an independent sheriff with independent authority for corrections.

In the past, appointed administrators have either been publicly silent about the need for more operating funds and more jail beds, or they backed up their bosses' contentions that more funds or more jail beds were not needed.

18. 11/29/89, Minutes, p. 4, Chair Darlene Hooley: [Corrections] is in the Human Services Department.

19. 11/29/89, Minutes, p. 5, CIC Chair Dennis Payne: Make sure that if the committee makes changes regarding the sheriff, it is because the office needs to be changed, not just the office-holder.

20. 11/29/89, Minutes, p. 7, Commissioner Bonnie Hays: Washington County has an elected Sheriff...there is a political mystique to the Sheriff's office.

21. 12/13/89, Minutes, p. 2, AFSCME President Arlene Collins: The sheriff should be elected with unlimited terms. The sheriff should manage the corrections unit, the primary drug investigations unit, any county-wide "sting" operation and a primary criminal investigation unit for major crimes for all police agencies.

22. 12/13/89, Minutes, p. 2, Collins: Liberty Lane asked why the Local recommends an 8-year cap for commissioners and none for sheriff. Collins responded that the sheriff's policies are guided by both the policies set by the commissioners and the

vote of the people while the commissioners have only the voters to answer to.

23. 12/13/89, Minutes, p. 4, Representative Ron Cease: Representative Cease personally prefers an appointed sheriff, but the public prefers an elected sheriff, so it may not be worth tampering with. Again, he believes it depends on the person in the position.
24. 12/13/89, Minutes, p. 5, Cease: Paul Norr asked Cease if he had any concerns about the sheriff and auditor being elected county-wide, if the commissioners were elected by district. Cease responded that would be a concern; if the commissioners were elected by district, the argument for an executive elected county-wide becomes stronger.
25. 12/13/89, Minutes, p. 8, Jerry Orrick: Ann Porter asked Mr. Orrick how the administrator relates to the sheriff and district attorney (both elected officials). Mr. Orrick stated that most counties that have an administrator have the full array of row officers. The elected officer is in charge of his or her department and the hired administrator must respect that. However, the administrator has more time and expertise to do some things within those departments. In addition, the administrator should be the one who makes the budget recommendations and develops all management recommendations and decides how they relate to public funding. The administrator looks at the county as a whole and he is the one who should do that. It is something of an adversarial relationship based on mutual respect and a different type of expertise.
26. 1/3/90, Minutes, p. 3, Charles Cameron: Consider appointing the sheriff because of the complexities of law enforcement today and the possibility of not finding anyone locally to meet current needs and to eliminate the competition for resources.
27. 1/10/90, Minutes, p. 2, Grant Nelson: For the past 5-6 years, the board has been trying to determine what should happen to the department; he believes that his department and position should exist and that non-custodial programs are a very important part of the Multnomah County justice system and should be continued. The sheriff and district attorney are no longer a part of the Justice Services Department; this was changed in July of last year, although this change merely reflected reality. It is a difficult situation when an appointed department head must tell an elected official what to do.

28. 1/10/90, Minutes, p. 3, Nelson: His department is part of the justice system and is responsible for non-custodial individuals. The board of commissioners has established a policy of maintaining a continuum of services; many clients involved in human services are, or will be, involved with justice services, the sheriff and district attorney. They are all working together to move people back into the community.
29. 1/10/90, Minutes, p. 3, Nelson: His department is working with the Department of Human Services by making sure each department is apprised of what the other is doing by having a central check-point; it is working with the sheriff's office to develop new programs and to help the board obtain information on things like the number of jail beds needed, operation of programs and how pre-trial release services should be defined. His department has also been working with the district attorney in implementing new sentencing guidelines and over-crowding in Multnomah County jails.
30. 1/10/90, Minutes, p. 3, Nelson: The small percentage of voters who turn out for election of positions, such as sheriff, indicates a lack of interest on the part of the voters to assist in making that decision. Multnomah County's law enforcement role is shrinking and in the year 2000 the Multnomah County sheriff's duties will almost entirely be corrections responsibilities, as opposed to law enforcement. This requires a professional manager instead of an elected officer; it does not reflect personally on the current sheriff.
31. 1/10/90, Minutes, p. 3, Nelson: Nelson stated that there is some overlap between the sheriff's department and justice services; it is up to the board to decide the role of each.
32. 1/10/90, Minutes, p. 6, Duane Zussy: Even though it is controversial, Zussy believes the county sheriff should be appointed by the county manager and should manage all of the county's justice services.
33. 1/10/90, Minutes, p. 10, Paul Thalhofer: People in Multnomah County want an elected sheriff.
34. 1/10/90, Minutes, p. 11, John Vogl: Even though the role of sheriff has changed, he still supports an elected sheriff. In addition, he believes the Sheriff's Office should be the top law enforcement agency in the county.
35. 1/10/89, Minutes, p. 11, Vogl: An unincorporated area is not necessarily rural; most of it is in fact suburban. He has, however, noticed fewer sheriff patrols in east county.

36. 1/10/90, Minutes, p. 12, Bob Goldstein: He believes the issue of corrections privatization and jurisdiction needs to be addressed by the committee with the county maintaining control of probation.

37. 1/10/90, Minutes, p. 12, Bob Luce: The position of sheriff should be an elected office and the police agency of Multnomah County.

Luce agreed [the sheriff should be able to set his own level of service].

38. 1/24/90, Minutes, p. 8, Clyde Brummel: The chief law enforcement officer of the county, including chartered cities, should be the Multnomah County Sheriff. The sheriff should be given authority to seek private construction of jail space.