

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF SUPPORTING)	RESOLUTION NO. 89-1031
CERTAIN RECOMMENDATIONS OF THE)	
TASK FORCE ON METROPOLITAN)	Introduced by Councilor
REGIONAL GOVERNMENT)	Jim Gardner for the Council
)	Legislative Task Force

WHEREAS, The Task Force on Metropolitan Regional Government completed its charge and developed its final report, including 12 legislative recommendations and 6 resolutions, to present to the 1989 State Legislature convening January 9, 1989; and

WHEREAS, On October 27, 1988 the Council of the Metropolitan Service District transmitted proposed legislation under Resolution No. 88-996 to said Task Force for introduction during the 1989 Legislature; and

WHEREAS, The Council of the Metropolitan Service District finds that certain Task Force recommendations differ from the Council's proposed legislation but embody legislative concepts supported by the Council; and

WHEREAS, The Council supports Task Force proposal SB 258, as amended by the State Senate Government Operations and Elections Committee, and SB 207 with amendments as outlined in Exhibit A attached; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District supports SB 258, as amended by the State Senate Government Operations and Elections Committee, and SB 207 of the Task Force on

Metropolitan Regional Government as amended in Exhibit A hereto and seeks State adoption of the legislation as amended.

ADOPTED by the Council of the Metropolitan Service District
this 26th day of January, 1989.



Mike Ragsdale, Presiding Officer

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EXHIBIT A

SB 207

(*) DESCRIPTION: Would replace the existing statutory provision under which Metro could takeover Tri-Met by order of the Metro Council with a clearer process designed to address issues and omissions not fully dealt with in the prior statute. The bill would do the following:

- 1) Clarify that Tri-Met ordinances would continue until superceded or repealed by Metro,
- 2) Allow Metro to continue to collect the same taxes and other charges collected by Tri-Met,
- 3) Allow Metro to issue refunding bonds to retire outstanding Tri-Met bonded indebtedness,
- 4) Allow Metro to use revenue raised through sources dedicated to mass transit for policy and administrative expenses related to mass transit,
- 5) Require that boundary changes affecting the mass transit boundaries of the district be reviewed by the boundary commission, and
- 6) Require that, in the event of a takeover, Metro would appoint a commission to operate the transit system.

PROPOSED AMENDMENT: Remove the requirement that Metro appoint a commission to operate the transit system in the event of a takeover.

EXPLANATION OF AMENDMENT: If Metro is to exist as a viable government and service provider for its constituents, it should be left to determine the best systems for managing and providing district services. The State should not legislate the operating structure for Metro to manage transit if a merger with Tri-Met occurs. Metro and Tri-Met should determine the most efficient, effective, and accountable management options from which a commission structure may or may not be implemented. If the State codifies Metro management systems, district voters lose the ability to affect Metro changes directly.

(*) Description per the 1987-88 Interim Task Force on Metropolitan Regional Government Final Report, December 1988, page 30, "Explanation"

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STAFF REPORT

AGENDA ITEM NO. 8.2

MEETING DATE JANUARY 26, 1989

REGARDING: RESOLUTION NO. 89-1031, SUPPORTING CERTAIN
RECOMMENDATIONS OF THE INTERIM TASK FORCE ON
REGIONAL METROPOLITAN GOVERNMENT

DATE: January 18, 1989

Presented by: Jessica Marlitt,
Council Analyst

Background

At its first meeting December 20, 1988, the Council Legislative Task Force (with all members present -- Councilors Gardner, Collier, Knowles, Ragsdale and Executive Officer Cusma) reviewed the Interim Task Force on Regional Government (Otto Task Force) legislative proposals and compared them with the Metro Council's legislative package. Summarized below are the agreements/recommendations reached regarding positions for Metro on the Otto Task Force proposals. In addition, Metro's 3 Solid Waste legislative proposals, which were submitted to the Joint Interim Committee on Environment and Hazardous Materials, are summarized with recommended actions. At its January 5 meeting, the Task Force concluded discussion of the Otto Task Force proposals (except Contracting Authority) and developed final recommendations for Metro Council consideration.

Resolution No. 89-1031

Attached is draft Resolution No. 89-1031 to forward the Task Force's recommendations to the Council. Resolution No. 89-1031 restates Council support for 2 Otto Task Force proposals with amendments:

- o SB 258 - Regarding Metro Governance - Amendments proposed to increase council size from 12 to 13 members; continue the current councilor election schedule and remove the requirement for full council re-election in 1992; and maintain the council per diem payment system.
- o SB 207 - Clarifies Process for Tri-Met Merger with Metro - Amendment proposed to remove requirement that Metro appoint a commission to operate transit system if merger occurs.

The Task Force will meet Thursday January 19 to take final action on the resolution.

- Summary -

Worksession on Otto Task Force Legislative Proposals

1. LC 596-1/SB 258 - Regarding Metro Governance - would decrease Council size from 12 to 11, effective upon reapportionment after the 1990 census; all 11 members would be elected in 1992 and take office in 1993; maintains elected executive officer; provides a

\$6,000 councilor annual salary (\$9,000 for the presiding officer) to replace the current per diem system.
Recommendation - Deferred discussion and decision until next meeting. Agreed opposed re-election of all 11 councilors in 1992.

2. LC 597/SJR 2 - Regarding Home Rule Charter for Metro
Recommendation - Agreed to defer action and not take a position until the actual bill is available.
3. LC 598-B/SB 209 - Regarding Metro Full Access to Voters' Pamphlet
Recommendation - The Otto Task Force adopted the Council's legislative proposal; the Council does not need to reratify.
4. LC 599/SB 257 - Regarding Metro District Reapportionment
Recommendation - Recommended to support bill as amended allowing challenges to reapportionment to go directly to the State Supreme Court; the Council does not need to reconsider.
5. LC 1302/SB 210 - Regarding Boundary Commission Technical Amendments
Recommendation - Metro has not taken a position to date; other special districts may oppose this bill; agreed Metro should not take a position but should track this legislation.
6. LC 1465/SB 207 - Clarifies Process for Tri-Met Merger with Metro
Recommendation - Agreed should support the bill with an amendment to remove the mandated Commission structure to operate the transit system; Greg McMurdo will check with General Counsel regarding existing authority and ability for merger without this legislation. Council should reconsider formally.
7. LC 1546/SB 211 - Establishes Metro Council Contracting Authority
Recommendation - The Otto Task Force adopted the Council's proposed legislation; agreed to defer discussion and recommendation until the outcome of Metro contracting ordinance revisions.
8. LC 1547/SB 212 - Regarding Metro's Business License "Passport" Legislation
Recommendation - The Otto Task Force adopted the Council's proposed legislation, therefore Council does not need to restate position.
9. LC 1548 - To Remove Mandatory Voter Referral for Income Tax - The Otto Task Force did not support this proposed legislation
Recommendation - It was noted Senator Otto and Representative Cease will support this legislation during session; it was agreed Metro should pursue its own bill; Greg McMurdo recommended introducing the bill in the Senate. Council does not need to restate position.
10. LC 1549/SB 213 - Provides Metro with Excise Tax Authority
Recommendation - It was noted the Otto Task Force and the City of Portland unanimously supported this legislation; Councilor

Ragsdale requested Metro staff prepare a financial impact study of various excise tax amounts levied from various Metro service areas; it was agreed Metro should consider a voluntary phase-out of local jurisdiction dues if the excise tax would provide adequate revenue; no Council action recommended for now -- Council would need to restate position if a dues phase-out considered.

11. LC 1550/SB 259 - Regarding Local Jurisdiction Dues to Metro
Recommendation - Agreed should support Otto Task Force bill which does not remove the sunset provision but provides another 4 year sunset clause; noted technical change from proposed "All Cities" CPI to the Portland CPI; bill achieves Council's primary goal of continuing dues, therefore Council does not need to restate position.
12. LC 1650 - Local Government Advisory Committee for Metro - The Otto Task Force did not support this proposed legislation; however, if bill introduced separately, agreed should be opposed.
13. LC 1719/SB 260 - Reduces Voter Initiative and Referendum Signature Requirements for Metro, Tri-Met and the Port of Portland
Recommendation - Agreed no action/position should be taken until Tri-Met and the Port of Portland state positions.
14. LC 1720/SB 214 - Regarding PERS and Public Agency's Ability to Operate More Than One Retirement System
Recommendation - Greg McMurdo to check with General Counsel regarding Metro's ability to support this legislation in light of current union contract negotiations; if no conflict, agreed to recommend Council take formal position of support for this bill.

Solid Waste Legislation

(Submitted to the Joint Interim Committee
on Environment & Hazardous Materials, co-chaired by
Representative Ron Cease and Senator Bradbury)

15. LC 1416-1 - Eliminates Metro Bacona Road Funding After June 30, 1989
Recommendation - Supported by the Interim Committee; Council does not need to restate position.
16. LC 1416-2 - Requires DEQ to Define "Limited Purpose Landfill"
Recommendation - Supported by the Interim Committee; LC Draft contains exact Metro language; Council does not need to restate position.
17. LC 1416-3 - Regarding Tipping Fee Surcharges
Recommendation - The Interim Committee did not support Metro's proposed legislation; all agreed Metro should support bill if introduced separately; Council does not need to restate position.

EXHIBIT A

SB 207

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- 1) Clarify that Tri-Met ordinances would continue until superceded or repealed by Metro,
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PROPOSED AMENDMENT: Remove the requirement that Metro appoint a commission to operate the transit system in the event of a takeover.

EXPLANATION OF AMENDMENT: If Metro is to exist as a viable government and service provider for its constituents, it should be left to determine the best systems for managing and providing district services. The State should not legislate the operating structure for Metro to manage transit if a merger with Tri-Met occurs. Metro and Tri-Met should determine the most efficient, effective, and accountable management options from which a commission structure may or may not be implemented. If the State codifies Metro management systems, district voters lose the ability to affect Metro changes directly.

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VERSION BEFORE AMENDMENTS
(FOR FILE)

8.2

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WHEREAS, The Council of the Metropolitan Service District finds that certain Task Force recommendations differ from the Council's proposed legislation but embody legislative concepts supported by the Council; and

WHEREAS, The Council supports Task Force proposals SB 258 and SB 207 with amendments as outlined in Exhibits A and B attached; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District supports SB 258 and SB 207 of the Task Force on Metropolitan Regional Government as amended in Exhibits A and B hereto and seeks State adoption of the legislation as amended.

ADOPTED by the Council of the Metropolitan Service District
this 26th day of January, 1989.

Mike Ragsdale, Presiding Officer

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EXHIBIT A

SB 258

(*) DESCRIPTION: Would decrease the size of the Metro Council from 12 to 11. This change would become effective upon the reapportionment of these districts after the 1990 census. All members of the new eleven-member council would be elected in 1992 and would take office in January 1993. Those elected in 1992 would serve staggered terms, with six serving four-year terms and five serving two-year terms. Determination of the length of each councilor's term of office would be made by drawing lots. The bill also provides for councilors to receive an annual salary of \$6,000 and the presiding officer of the council an annual salary of \$9,000, effective in January 1993. The council could change these salaries, and would be authorized to use a salary commission to examine such proposed revisions.

PROPOSED AMENDMENTS: Increase the size of the Metro Council from 12 to 13; maintain current election schedule with 13th member elected to a four-year term; maintain current councilor per diem payment system with improvements in the payment method to be developed by Metro for implementation in fiscal 1989-1990.

EXPLANATION OF AMENDMENTS: Metro concurs with the Task Force that the number of councilors should be changed to an odd-number to avoid the periodic problems resulting from tie votes on the council. However, the Council finds the newly created committee system which it uses to review, debate and prepare recommendations and actions for full council consideration is not well served by decreasing the council size. An

additional Metro councilor will also reduce the size of each councilor's district, aiding in councilor communication and contact with constituents. The Council strongly opposes having all council seats up for re-election in 1992. The potential turnover of the entire council -- with the possibility of half or more serving only 2-year terms -- would threaten all consistency and continuity in Metro policies and programs, providing little, if any, benefit to the public. The Council supports maintaining the per diem system which provides "payment for effort" versus a salary system which does not distinguish councilors' individual work levels. The Council recognizes the need to define per diem requirements as tightly as possible and will implement system improvements for fiscal 1989-1990.

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EXHIBIT B

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