

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ESTABLISHING)	RESOLUTION NO. 93-1724
APPOINTING AUTHORITIES FOR THE)	
METRO APPORTIONMENT COMMISSION)	INTRODUCED BY THE
)	GOVERNMENTAL AFFAIRS
)	COMMITTEE

WHEREAS, The voters of Metro approved the 1992 Metro Charter at the November 3, 1992 General Election; and,

WHEREAS, Section 16 of the Metro Charter prescribes that beginning January 2, 1995, the governing body of Metro is to be a seven-member Council with each Councilor elected from a single district within the Metro area; and,

WHEREAS, Section 16(3) of the Metro Charter creates a Metro apportionment commission, for the purpose of creating an apportionment plan which establishes the seven Council districts; and,

WHEREAS, The Charter provides for the 1993 Metro Council to appoint the members of the apportionment commission by establishing five pairs of councilors and one group of three councilors from contiguous districts, each of which appoints one apportionment commission member who shall reside in one of the districts from which the appointment is made; and,

WHEREAS, The Charter requires that at least two apportionment commissioners must be appointed from each of the three counties within the Metro area; and,

WHEREAS, The Metro Council Presiding Officer appoints one apportionment commission member and selects the commission chair from among the seven appointees; and,

WHEREAS, Councilor appointments to the apportionment commission must be made by February 1, 1993, or the Executive Officer will appoint the commission members and designate the commission chair; NOW, THEREFORE,

BE IT RESOLVED that the Council of the Metropolitan Service District establishes the following groups of Councilors, by district, as the appointing authorities for the Metro apportionment commission:

1. Districts 1 and 13
2. Districts 2 and 4
3. Districts 3, 8, and 9
4. Districts 5 and 6
5. Districts 7 and 10
6. Districts 11 and 12.

BE IT FURTHER RESOLVED that all appointments to the apportionment commission shall be filed with the Clerk of the Council no later than February 1, 1993. Each notice of appointment shall be in substantially the same form as Exhibit A and shall include the name and residence address of the appointee, shall be signed and dated by each Councilor constituting the appointing authority, and shall include a statement signed by the appointee which states the appointee has read Chapter 16 of the Metro Charter and agrees to serve on the apportionment commission.

ADOPTED by the Council of the Metropolitan Service District this 13th day of January, 1993.


Judy Wyers, Presiding Officer

EXHIBIT A

NOTICE OF APPOINTMENT
TO METRO APPORTIONMENT COMMISSION

We, the undersigned Councilors, do hereby appoint the following to the Metro Apportionment Commission:

Name

Residence Address

City

State

Zip

County of Residence

Councilor X

District

Date

Councilor Y

District

Date

Councilor Z

District

Date

STATEMENT OF APPORTIONMENT COMMISSION APPOINTEE

I, _____ (name) _____, agree to serve on the Metro apportionment commission, affirm that I live within the territory of the appointing authority listed above, and affirm that I have read and understand Section 16 of the Metro Charter which includes a prohibition against members of the apportionment commission running for the office of Metro Councilor or Metro Executive Officer in the 1994 primary or general election.

Signature

Date

GOVERNMENTAL AFFAIRS COMMITTEE REPORT

RESOLUTION NO. 93-1724, ESTABLISHING APPOINTING AUTHORITIES FOR THE METRO APPORTIONMENT COMMISSION.

Date: December 29, 1992

Presented by: Councilor Wyers

COMMITTEE RECOMMENDATION: At its December 17, 1992 meeting the Governmental Affairs Committee voted 5-0 to recommend Council adoption of Resolution No. 93-1724. Voting were Councilors Collier, Devlin, Gronke, Moore, and Wyers.

COMMITTEE DISCUSSION/ISSUES: Council Analyst Casey Short presented the staff report. He said the committee had previously held two work sessions to consider this resolution. The resolution would establish five Councilor pairs and one group of three Councilors as appointing authorities for the Metro apportionment commission, as required in Section 16 of the Metro Charter. (As further stipulated in the Charter, the Presiding Officer will make one appointment and name the commission's chair.) It would group Councilors from Districts 1 and 13 in Washington County; Districts 5 and 6 in Clackamas County; Districts 3, 8, and 9, Districts 7 and 10, and Districts 11 and 12 in Multnomah County; and Districts 2 and 4, which include portions of all three counties. The appointee from Districts 2 and 4 would have to reside in either Washington or Clackamas County, and the Presiding Officer's appointee will be from the county not represented by the appointee from Districts 2 and 4. These restrictions are dictated by the Charter requirement that each county have at least two residents on the commission.

Mr. Short noted the one change from earlier drafts, which is to add a process for filing the appointments. All appointments are to be filed with the Clerk of the Council by February 1, on a form substantially similar to one included as Exhibit A to the resolution. This form includes space for the appointee to acknowledge that s/he has read the section of the Charter that prescribes the apportionment process - including the restriction that commission members may not run for Metro Councilor or Executive Officer in 1994 - and also agrees to serve on the commission.

Councilor Wyers raised the possibility of having a deadline earlier than February 1 for appointments. The committee discussed this and decided to leave the deadline of February 1.

Councilor Devlin pointed out that some 4,800 Multnomah County residents of District 4 would be ineligible for appointment under the terms of this resolution, due to the Councilor groupings and the Charter's County residence requirement. He acknowledged that this issue had been discussed earlier, and said he would support the resolution, but he is not comfortable with disenfranchising those people.

STAFF REPORT

DRAFT RESOLUTION NO. 92-1724, FOR THE PURPOSE OF ESTABLISHING APPOINTING AUTHORITIES FOR THE METRO APPORTIONMENT COMMISSION.

Date: November 27, 1992

Presented by: Casey Short

BACKGROUND

The Metro Charter was approved by the region's voters at the general election of November 3, 1992. Implementation of the Charter requires Metro Councilors to appoint an apportionment commission of seven members, which will be charged with developing a plan to create seven Council districts. The Council is to divide itself into five pairs of Councilors and one group of three Councilors, all from contiguous districts, each of which shall appoint a member of the apportionment commission. The Presiding Officer also makes one appointment. The apportionment commission is to have at least two members from each of the three counties in the Metro area. Councilor appointments are to be made by February 1, 1993; if the appointments are not made by that time, the Executive Officer shall appoint the apportionment commission by March 1, 1993.

The Governmental Affairs Committee conducted a work session on apportionment at its November 19, 1992 meeting. All Councilors and Councilors-Elect, with the exception of Councilor Gronke, who was excused, attended the work session. The result of the work session was a direction to staff to prepare a draft resolution for the next Governmental Affairs Committee meeting which would propose the groupings of Councilors for the purpose of appointing apportionment commissioners. That resolution is to pair districts 5 and 6 (both wholly within Clackamas County), districts 1 and 13 (both wholly within Washington County), and districts 2 and 4. Councilors expressed the desire to pair the Clackamas and Washington County districts to ensure the broadest possible representation on the apportionment commission while also providing the greatest flexibility for Councilors to make appointments from the districts represented.

ANALYSIS

Draft Resolution No. 92-1724 follows the direction of the Council from the November 17 Governmental Affairs Committee meeting. It pairs districts 5 and 6, ensuring an appointment from Clackamas County. It pairs districts 1 and 13, ensuring an appointment from Washington County. It pairs districts 2 and 4, which will appoint from either Washington or Clackamas County. (District 2 is entirely within Washington County; district 4 has 54% of its population in Washington County, 40% in Clackamas County, and 6% in Multnomah County.)

The Council district groupings in Multnomah County are districts 7 and 10; 11 and 12; and 3, 8, and 9. There is less explicit reason for grouping the seven Multnomah County districts as listed above than for pairing the six Washington and Clackamas County districts, but there is some rationale. First, the two pairs of districts in Multnomah County are the same as those selected in Senate Bill 298 for appointing Charter Committee members (prior to reapportionment). Districts 8 and 9 were also paired in SB 298. District 3 was paired with District 4 for the Charter Committee appointment, which cannot be done under the Council's direction for the apportionment commission. It logically follows that if we keep to the pairings established for the Charter Committee, District 3 would join with one of its contiguous pairs. The choice then becomes whether to align district 3 (Southwest Portland and a portion of Northwest Portland) with the two Southeast Portland districts (8 and 9) or the primarily North and Northeast Portland districts (11 and 12). For purposes of this draft resolution, district 3 joins 8 and 9 because there is greater precedent for linking Southwest with Southeast Portland than linking Southwest Portland with North and Northeast Portland: Multnomah County Commission District #1 and state legislative districts have done so in the past.

SB 298 pairings established a handy precedent for making the Multnomah County groupings, but that was not the sole criterion. Pairing districts 7 and 10 brings together the two districts that one could argue have an historic focus on mid- and east Multnomah County. Districts 11 and 12 both contain parts of North and Northeast Portland, and both have greater ethnic diversity than other districts. Districts 8 and 9 are predominantly Southeast Portland, with very similar ethnic composition.

Draft Resolution No. 92-1724 would establish appointing authorities for the apportionment commission that provides - with one small exception - complete flexibility for appointing Councilors to choose commissioners from anywhere within their district groups. With the same small caveat, it ensures that three appointments will be made from Multnomah County and three from Washington and Clackamas counties combined. This will leave the Presiding Officer to appoint a commission member from the one county which has appointed only one commissioner.

Following the Council's direction to pair the Clackamas and Washington County districts as outlined above leaves only one drawback. That is that none of the 4,800 Multnomah County residents of district 4 will be eligible for appointment under the rule requiring two commissioners per county. While this is regrettable, it is probably the smallest restriction possible under the circumstances.

Councilor Devlin also said it should be a matter of record that the district groupings established for purposes of making appointments to the apportionment commission should not be indicative of any statement by the Council that these districts should be combined in the new districts. The committee concurred with Councilor Devlin's statement, saying that the apportionment commission should disregard the groupings in establishing the apportionment plan: the groupings should neither be used to justify creation of new districts, nor to preclude the commission from creating new districts that essentially consist of the paired districts.

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Presiding Officer

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ADOPTED by the Metro Council this _____ day of January, 1993.

Presiding Officer

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TO METRO APPORTIONMENT COMMISSION

We, the undersigned Councilors, do hereby appoint the following to the Metro Apportionment Commission:

Name

Residence Address

City State Zip

County of Residence

Councilor X District Date

Councilor Y District Date

Councilor Z District Date

STATEMENT OF APPORTIONMENT COMMISSION APPOINTEE

I, _____ (name) _____, agree to serve on the Metro apportionment commission, affirm that I live within the territory of the appointing authority listed above, and affirm that I have read and understand Section 16 of the Metro Charter which includes a prohibition against members of the apportionment commission running for the office of Metro Councilor or Metro Executive Officer in the 1994 primary or general election.

Signature

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