

# Metro Charter Committee

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## AGENDA

DATE: August 13, 1991  
MEETING: Full Committee  
DAY: Tuesday  
TIME: 6:00 p.m.  
PLACE: Metro, Room 440, 2000 SW 1st Avenue, Portland

- 6:00 Call meeting to order.
- Introduce committee administrator and clerk.
- Correct and adopt minutes from previous meetings.
- 6:15 Review of alternative work plans:
1. For a Metro Charter to be voted on in the primary election, May 9, 1992, or
  2. For a Metro Charter to be voted on in the general election, November 3, 1992.
- 7:15 Review of other factors bearing on work plans.
- Selection and adoption of applicable work plan.
- 7:30 Update on air/bus tours of Metro.
- 7:35 Initial work on Charter:
1. Overview of basic Charter elements.
  2. Detailed review of existing statutes relating to Metro functions/powers.
- 8:30 Adjourn meeting.

MINUTES OF THE CHARTER COMMITTEE  
OF THE METROPOLITAN SERVICE DISTRICT

August 13, 1991

Metro Center, Room 440

Committee Members Present: Hardy Myers (Chair), Judy Carnahan, Ron Cease, Larry Derr, Jon Egge, Charlie Hales, Frank Josselson, Ned Look, John Meek, Wes Myllenbeck, Ray Phelps, Mary Tobias, Mimi Urbigkeit

Committee Members Absent: Matt Hennessee, Isaac Regenstreif, Bob Shoemaker

Chair Myers called the regular meeting to order at 6:00 p.m.

Chair Myers introduced Janet Whitfield, Committee Administrator. Janet Whitfield introduced Kimi Iboshi, Committee Clerk.

1. Consideration of minutes from previous Planning Subcommittee and regular meetings.

Mary Tobias questioned the May 22, 1991 minutes, agenda item number two. She felt the main motion "to adopt the by-laws as amended by the Chair" was inaccurate. The Committee only approved the Chair's amendments to the by-laws.

Chair Myers explained that the purpose of the motion was to put the main question before the Committee to begin discussion of the by-laws. The minutes were correct and the motion was of technical nature.

Wes Myllenbeck asked that the May 22, 1991 minutes, page ten, paragraph four, read "Mr. Look requested to participate in the subcommittee."

Frank Josselson corrected the May 22, 1991 minutes, page six, paragraph three, line four, which said that "the Committee is a unit of local government". The sentence will delete that reference and read "He said the Committee is dealing with one bill."

Motion: Charlie Hales moved, seconded by John Meek, to approve the May 22, 1991 minutes as amended.

Vote on the Main Motion: All present voted aye. The vote was unanimous and the minutes were approved as amended.

Chair Myers asked if there were any corrections to the June 4, 1991 minutes.

Motion: Ron Cease moved, John Meek seconded, to approve the June 4, 1991 minutes.

Vote on the Main Motion: All present voted aye. The vote was unanimous and the minutes were approved.

Mary Tobias brought up a typographical error in the last word, first paragraph, page two of the June 4, 1991 minutes.

Chair Myers noted that the error will be changed.

Chair Myers asked if there were any corrections to the June 11, 1991 minutes.

Motion: Wes Myllenbeck moved, Ned Look seconded, to approve the June 11, 1991 minutes.

Vote on the Main Motion: All present voted aye. The vote was unanimous and the minutes were approved.

Chair Myers asked if there were any corrections to the Planning Subcommittee July 31, 1991 minutes.

Motion: John Meek moved, Ned Look seconded, to approve the July 31, 1991 minutes.

Vote on the Main Motion: Chair Myers, Judy Carnahan, Ron Cease, Larry Derr, Jon Egge, Charlie Hales, Frank Josselson, Ned Look, John Meek, Wes Myllenbeck, Ray Phelps, and Mimi Urbigkeit voted aye. Mary Tobias abstained. The vote was 12 ayes and 1 abstention and the minutes were approved.

Jon Egge asked if the Planning Subcommittee minutes from the meeting in which Committee Administrator candidates were interviewed were distributed. He stated there was discussion regarding RUGGO's at the end of the meeting that was of value.

Mary Tobias requested the Planning Subcommittee minutes be placed on the next agenda.

Betsy Bergstein stated the Subcommittee meeting was not recorded.



2. Review of alternative work plans (Primary and General election dates)

Janet Whitfield gave an overview of the May 1992 work plan and the November 1992 work plan.

Chair Myers explained that both work plans have the same proposed time sequence for the topics. The ending dates are keyed off of mandatory election deadlines.

Chair Myers asked for questions regarding the two work plans.

Charlie Hales inquired as to how much money was available.

Chair Myers understood that the Metro Council has not put a maximum number on the amount it is willing to budget but it does have the final authority to accept or reject the budget.

Betsy Bergstein stated that the current budget of \$100,000 is for the fiscal year.

Dan Cooper explained that if the budget is under \$100,000, there is no need to go before the Metro Council. If the budget goes above \$100,000, the Committee will need to go before the Council and ask for the additional funds.

Ron Cease stated the Committee should not have a problem getting the Council to allot extra funds if the process is going well.

Charlie Hales agreed that he is not concerned with the Council approving the extra funds. Since both work plans are over the allotted amount, the Council will have to approve additional funds. Theoretically, the Council will approve the November plan with the understanding that the residual amount would have to be filled into the following year's fiscal budget.

Chair Myers stated that the approved budget calls for more than \$100,000 for this fiscal year which is required by the rate of spending under the November plan. The Council would have to agree to make the funds available in accordance with the budget flow.

Mary Tobias presumed everyone on the Committee understood that there could be slippage within each topic area.

Chair Myers agreed. The work plan will give the Committee overall target dates and should be a guide to allocate time for the work that must be done.

Ray Phelps asked the Committee look at the election date comparison sheet in order to get a fair comparison of the dates rather than concentrating on the itemized budget for each date.

Janet Whitfield passed along information from Ken Gervais regarding the advantages and disadvantages of each date. Additional advantages for the May election date: the Committee would be more disciplined, there are fewer issues on the ballot, the Committee will not have to sit in hot meeting rooms next summer. Additional advantages to the November election date: there is time to regroup if something goes wrong, there is more flexibility.

Ken Gervais added that if an additional election, due to a change in the number of Metro Councilors, was needed, the May charter election date would be better because the general election follows in November. With the November date, either a long wait or a special election would occur.

Ray Phelps asked for the definition of professional services.

Chair Myers explained that two forms of expenditures fall under the category of professional services: outside legal services and outside consultant services. Professional services equips the Committee with the budget capability to reach out on an ad hoc basis to retain consultant help on a particular issue.

Ray Phelps commented that the professional service line item would be more discretionary than the postage or salary line items.

John Meek asked about the prerogative of the Chair's role. What will the Chair do if the Committee is at a deadlock? Will the Chair cancel a meeting if the Committee is moving ahead of schedule or the Committee is at an impasse and needs time to reflect on a topic?

Chair Myers stated that it falls to the Chair to make judgements as to whether a discussion has reached a point where it is unproductive to continue and the Committee would best be served by changing direction for a while. The Chair sets a recommended direction. He would rather not totally abandon an area without a significant resolution since all areas seem to flow together.

Jon Egge offered a change in the work plan to allow the Committee as a group an opportunity to digest and share with each other information from previous presentations before moving directly into the topic areas. It would be helpful to share opinions and develop a common mind. If the project is looked at globally, it will help the Committee focus in the end.

Chair Myers interpreted Jon Egge's suggestion as an advantage to the November work plan rather than stopping to look at a specific date.

Jon Egge stated that the idea would be easier to implement with the November plan but it was not meant to be for or against either date. It would assist with the efficiency of the whole project.



John Meek expressed his concern that the Committee will give the impression it has failed if a May election date is chosen and cannot be met in January or February. In order to present the public image of a laissez-faire attitude, a date needs to be chosen and met.

Mary Tobias shared concern about having adequate public input. The Committee needs to go out in the region or a disservice will occur. She did not feel there are compelling reasons to select an election date at this point. The fixed expenses will remain regardless of the date chosen.

Ray Phelps felt inclined to choose the November date. He agreed with John Meek's concern regarding public perception. The public perception would be poor if the May date is chosen since there is no margin for error or enough time for public commentary for review and writing. A specific date is also needed for planning purposes. He also expressed Ron Cease's desire to have a November election.

Charlie Hales agreed with Jon Egge's suggestion. With the May election date, the implementation of a retreat would be around Christmas time. A November election date would also be better since it provides more review time for the Charter. The two weeks allotted in the May work plan is not enough time.

Larry Derr expressed his consensus with the reasons given support of the November date. He also agreed that two weeks is not enough time for the review process.

Ned Look expressed support for the November date due to his concern about public perception. He pointed out that, on the comparison sheet, a November disadvantage stating that the opposition will have time to organize is really an advantage. The Committee will know what the opposition is and will have time to work with it.

Mimi Urbigkeit favored the longer time line due to the value of public comment and input.

Motion: Mary Tobias moved, seconded by Wes Myllenbeck, to select November 3, 1992 as the date for the election on the charter the Committee will develop.

Vote on Main Motion: All those present voted aye. The vote was unanimous and the motion passed.

Chair Myers asked if Jon Egge was suggesting that as an initial commitment of time, the Committee schedule a retreat or regular meeting time for the members as a whole to dialogue generally about Metro and the region.

Jon Egge shared his vision for a retreat session. As well as a

general dialogue, the Committee could do a big picture exercise with a facilitator. The process could create an ideal Metro by removing all government boundaries in the region but leave only infrastructure situations which cannot be physically moved to see what kind of answer the Committee could come up with without any boundaries. This would enable the group to come together with a common education, introduce each other politically and philosophically, and become aware of differences and consensus in the issues. Comparisons between Metro and other similar areas in the United States and possibly the world would be helpful.

John Meek expressed his concern to not create an environment where the Committee takes the information from the three public hearings and everyone discusses what they heard. The public hearing testimony and other written testimony could be outlined in order to correlate it and find the commonalities. The Committee could then pull out what it liked or did not like.

Ray Phelps asked Jon Egge if he would suggest taking on the categories of functions, finance, and structure all in one session or in three separate sessions.

Jon Egge suggested putting each topic on a different piece of paper and put the ideas with each topic to create the perfect Metro. A matrix could be used for the deliveries of services. One idea would be to have one session on the previous testimony and develop further questions on the testimony, then go into the process of the perfect world scenario, then come back for some answers, then go into the full process.

Janet Whitfield suggested that the staff research the success and failures of other regional governments.

Chair Myers suggested getting information regarding other areas similar to Metro.

The Committee discussed the location and time factors involved in a retreat as well as the need to have an informal setting for the discussion. General consensus was that the group needed to be together in a different setting for at least half a day.

Ned Look suggested that the members come to the next meeting with ideas for Metro's future to give the Committee an idea if the retreat is going to be worthwhile.

Charlie Hales agreed with Ned Look. He does not want the Committee to lose the concept that it is a matter of filling the schedule or following the schedule and suggested that there might be other times in the process that the committee will want to get away.

Frank Josselson reminded the Committee that Rena Cusma testified to the Committee that the drafting of a constitution is prepared by



developing a big picture and general policies first rather than developing article 1, section 8. A retreat situation is needed in order to form a big picture.

Chair Myers proposed the Committee give priority to a Saturday format, starting in the morning for a majority of the Committee to come together. The retreat does not need to be overnight. If the elements of the meeting are worked out to the satisfaction of the Committee, a half to a full day could be productive. The day would include breakfast together and a lunch break.

Charlie Hales expressed the need to have more background briefings before the informal session. With the limited amount of information the committee has received, members will have difficulty expressing their visions of Metro's future.

Judy Carnahan agreed with Charlie Hales. In order to make an educated vision for Metro's future, more information is needed. She suggested the possibility of having informal discussions after each topic.

Frank Josselson asked Charlie Hales and Judy Carnahan what information they would like to hear.

Charlie Hales expressed a desire to get information about other models of regional governments that the Committee could possibly borrow. He would also like to know more about the historic and current services in the Metro area. Information regarding the long term planning of the special districts would be helpful.

Ray Phelps would like to hear commentary from the business community such as developers, Chambers of Commerce, utility managers, and other business people looking to government for services.

Mary Tobias asked to hear from Portland Future Focus, Regional Urban Growth Goals, and the State Agency Council for Growth Issues in the Portland Area which includes the heads of the Division of State Lands, Parks and Recreation Department, Water Resources Department, Land Conservation and Development Commission, Department of Land Conservation and Development, Department of Transportation, Economic Development Department, and Department of Environmental Quality.

Wes Myllenbeck inquired about hearing from former elected officials and executive directors of Metro.

Jon Egge suggested asking Ron Cease if he had any suggestions.

Chair Myers suggested the Port of Portland and Tri-Met.

Jon Egge suggested Metropolitan Exposition-Recreation Commission.



Frank Josselson suggested taking the next two or three meetings putting together and hearing from organizations members have suggested.

Chair Myers stated that the purpose of the next couple regular meetings will be to continue the process of receiving information desired by the Committee and hearing from invited testimony arranged by staff. The meetings will be on Thursday evenings. As soon as possible, Chair Myers will send to the Committee members a list of the proposed individuals and agencies that will be asked to testify before the Committee. If any member has additional individuals and agencies to add to the list of invited testimony, call Chair Myers with those names. The retreat will take place on a Saturday in two to three weeks for the opportunity for the Committee to have general discussions as to where the Committee should be heading in regards to the charter. The retreat could also be a time to gain broad consensus regarding the final vision of Metro.

The Committee discussed the date for a Saturday morning informal session. A time lapse of three weeks to gain additional background information was agreed on by the Committee. The third meeting would fall during Labor Day week. The date of September 14th was set. Mimi Urbigkeit will look into using the board room at Clackamas Community College.

Chair Myers asked that the Committee members leave the Thursday before free in case an additional meeting is needed before the session.

Frank Josselson asked if a professional facilitator would be worthwhile.

The Committee agreed a professional facilitator would be beneficial and helpful to provide guidance to the Committee.

Chair Myers informed the Committee that he would distribute by the end of the week: a recap of the elements of the retreat, a wish list of speakers, a wish list of information desired.

## 2. Approval of the Budget

Motion: John Meek moved, seconded by Jon Egge, to adopt for forwarding to the Metro Council the distributed budget for the November 1992 election.

Ray Phelps asked why the total amount in the budget differs from the amount presented in the July 31, 1991 minutes of the planning subcommittee.

Chair Myers explained that the incongruity was due to refinement in the budget.

Janet Whitfield explained the changes.

Ray Phelps asked if by approving the figure in professional services, the Committee would still not be committed to the specific areas under professional services.

Chair Myers said that was correct.

Frank Josselson asked how the figure was arrived at for professional services.

Janet Whitfield explained that she spoke with Metro's legal counsel and he provided her with guidelines as to the cost of such services.

Wes Myllenbeck explained that the two members of the staff will not be able to provide all the gathering and analyzing the Committee will need and additional services may be needed.

Ray Phelps moved the question.

Vote on the Main Motion: All present voted aye. The vote was unanimous and the motion passed.

Chair Myers stated that he and Janet Whitfield would represent the Committee when it is brought before the Metro Council. The Committee members will be notified when the budget is on the agenda.

Dan Cooper explained that he will advise the Council that they can vote to give the Committee the additional \$40,000. The Council cannot make line item changes in the budget of the Committee.

John Meek suggested that the Committee members appointed by a Metro Councilor contact the person who appointed them to let them know the issue is coming to the Council.

3. Review of the existing statutes relating to the Metro functions/powers.

Janet Whitfield highlighted some of the Oregon Revised Statutes relating to Metro.

Chair Myers asked the Committee to review the existing authorities of Metro and come to the next meeting with questions, especially in regards to RUGGO's. At the first portion of the next meeting, it would be helpful to have representatives from Metro present to help answer questions.

Mary Tobias asked staff to prepare information as to Metro's current status with the Oregon Revised Statutes.



Chair Myers suggested staff look at the information from the May and June meetings which might provide some of the answers.

4. Air/bus tour of Metro

Ray Phelps suggested the tour be put on hold.

Chair Myers agreed.

Charlie Hales suggested that now might not be the right time for a tour but it would be helpful eventually. A bus tour of the Urban Growth Boundary (UGB) would provide the Committee with information regarding current Metro responsibilities to the UGB and how the UGB is managed and working.

Chair Myers agreed and stated that it would be helpful after the ground work is complete. It could be a possible addition to the Saturday retreat if time permits.

Chair Myers asked for other issues before adjourning the meeting.

Ray Phelps expressed a desire to re-open the motion to approve the minutes. He noticed a few technical changes but would be willing to take them up at the next meeting.

Chair Myers said that would be first on the agenda for the next meeting.

Chair Myers adjourned the meeting at 8:05 p.m.

Respectfully submitted,



Kimi Iboshi  
Committee Clerk

Reviewed by,



Janet Whitfield  
Committee Administrator

approved 9/26/91