

**METRO
CHARTER
COMMITTEE**

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AGENDA

DATE: October 3, 1991
MEETING: Full Committee
DAY: Thursday
TIME: 6:00 p.m.
PLACE: Metro, Room 440, 2000 SW 1st Avenue, Portland.

6:00 Call meeting to order

Correct and adopt minutes from September 11, 12 and 19 meetings (previously distributed).

6:15 Comments from Tualatin Mayor Steve Stolze, chairman of the Regional Governance Committee, regarding formation and purpose of the RGC.

6:30 Further consideration of basic principles/criteria for allocating responsibilities to regional government.

6:50 Continue consideration of regional responsibilities regarding growth management.

9:00 Adjourn meeting.

MINUTES OF THE CHARTER COMMITTEE
OF THE METROPOLITAN SERVICE DISTRICT

October 3, 1991

Metro Center, Room 440

Committee Members Present: Hardy Myers (Chair), Judy Carnahan, Ron Cease, Larry Derr, Jon Egge, Frank Josselson, Ned Look, Wes Myllenbeck, Ray Phelps, Jr., Isaac Regenstreif, Bob Shoemaker, Mary Tobias, Mimi Urbigkeit

Committee Members Absent: Charlie Hales, Matt Hennessee, John Meek

Chair Myers called the regular meeting to order at 6:05 p.m.

1. Correction and adoption of minutes from previous meetings.

Chair Myers asked for corrections to the September 11, 1991 minutes.

Motion: Jon Egge moved, Ray Phelps seconded, to approve the September 11, 1991 planning subcommittee minutes as distributed.

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

Chair Myers asked for corrections to the September 12, 1991 minutes.

Motion: Frank Josselson moved, Ray Phelps seconded, to approve the September 12, 1991 minutes as distributed.

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

Chair Myers asked for corrections to the September 19, 1991 minutes.

Motion: Ray Phelps moved, Frank Josselson seconded, to approve the September 19, 1991 minutes as

distributed.

Vote on the Main Motion:

All present voted aye. The vote was unanimous and the minutes were approved.

2. Comments from the Regional Governance Committee

Steve Stolze, Mayor of Tualatin and chair of the RGC, gave a background of the RGC. It was formed from cities, counties, and special districts in the three counties and currently has 36 members. The purpose of the RGC is to work with the Charter Committee to provide information and educate to the Committee on the needs of local governments and their role. Regional and local governments need to work together in order for the region to succeed.

Gussie McRobert, Mayor of Gresham and RGC steering committee member, said that the RGC is not a group of adversaries. RGC wants to work with the Charter Committee because the end product will be better if there is more input. The local governments are not incapable of doing things but they realize that times have changed and different ways of doing things are needed. RUGGO's were important for that reason and are seen as step one and the charter is step two.

Ned Look asked how many Multnomah County cities had already paid their dues or have expressed an intent to become a full member of RGC.

Gussie McRobert said that Troutdale and Wood Village have members on the Multnomah County steering committee. All special districts are members. Fairview plans to join.

Steve Stolze said that all cities in Multnomah County have paid their dues with the exception of Portland. A presentation has not been made to Portland yet but they do have members attending the meetings.

Gussie McRobert said that she understands that Portland is interested in becoming a full member.

Judie Hammerstad, Clackamas County Commissioner and RGC member, said that one of the purposes of the RGC is to work with the Charter Committee and give testimony when appropriate. She distributed testimony of the RGC pertaining to the "Criteria for Potential Assignment of Functions to Regional Government" from the meeting of September 26, 1991. In regards to Ned Look's question, local governments have been reluctant to make a financial obligation until more is known. Clackamas County has not yet made the financial obligation because it wants to be

careful that the tax dollars are spent on worthwhile issues. The regional government needs to be dynamic and able to change over time as the needs change. There also needs to be a meaningful way for local governments to participate. The regional government should do regional planning and the local governments should be left to do local services. Criterion 7 of the testimony, the need for government to be accessible and accountable to its constituents, is the most important. The word responsive should also be included in the criterion. She said that Frank Josselson's "Regional Governing Body" plan, distributed at the September 26, 1991 meeting, had been misinterpreted. It has been misinterpreted to read that the regional body would be more significant than the cities, counties, and special districts. The regional body should be equal to the cities, counties, and special districts. The RGC is looking for a balance with a strong regional government which is financially accountable, accessible to the people, and responsible.

Chair Myers asked for any questions.

Judie Hammerstad asked if she had represented Frank Josselson's diagram correctly.

Frank Josselson said that Judie Hammerstad did represent the diagram correctly. The views she gave of the RGC are consistent with his views on how the regional government should operate. Regional problems should be handled on a regional level and local problems should be handled on a local level. The basis of his idea is to have a regional framework into which the 30 local plans would be placed. This would enable the region to have a single regional comprehensive plan.

Judie Hammerstad said there is fear at the local level. If the RGC can take back information from the Charter Committee to the local levels for input and bring the views back to the Committee, the process would be healthier and everyone would have a better understanding.

Chair Myers agreed with Judie Hammerstad. He suggested that the RGC not react to particular preliminary comments of individual members especially when the terminology used could be misunderstood. Instead, the RGC should let the Committee develop a discussion concept around an area in which a general understanding could be reached before commenting on the issue.

Judie Hammerstad agreed and said that she wanted to clarify Frank Josselson's diagram because of the misinterpretation that had occurred. The RGC does not intend to react to every little thing. She said that she hopes the Committee is able to have free discussions and can come to some agreements.

Chair Myers said that an engrossed version of the criteria, with the proposed amendments by the RGC, will be distributed at the next meeting. Chair Myers asked for further comments from the Committee regarding criteria.

Isaac Regenstreif asked that responsiveness, accessibility, and accountability be added to the criteria list.

Ron Cease said that he did not agree with the RGC's suggestion to delete criterion four. He does agree that a function that extends beyond one jurisdiction does not mean it is regional. But it could be a factor that would be considered when looking at functions so it would not be all controlling.

Chair Myers said that the concepts are in the spirit of being cumulative not decisive. If a particular criterion is met, it would help to determine that the function should be a regional responsibility. It is a political value judgement. The criteria is meant to be the framework for the Committee's consideration of determining if something is regional or local.

Ron Cease said that there is no indication that, whether the criteria are adopted as a discussion point either tonight or another night, the criteria may not necessarily go into the charter.

Chair Myers said that they were not intended to go into the charter but were written to assist in the discussion. There is no reason to adopt anything tonight.

Mary Tobias said that the concept that has not been touched on with the criteria is that it is "real". The concept that needs to be in the criteria is that it does not necessarily function better theoretically than people-wise.

Chair Myers asked if Mary Tobias was saying that once the step is applied in the real world, it will not work or it will have more costs than benefits.

Mary Tobias said that police is a good example. Academically, there are many reasons why police protection should be a regional function. When police protection is a regional function, there are a lot of costs beyond the dollar costs to the local communities. It is difficult to quantify.

Chair Myers said that it is a value judgement.

Mary Tobias agreed.

Larry Derr said that functions where there are any personal contacts between the citizen and the service provider, such as police or schools, should be left closer to the citizens.

Janet Whitfield said that discussion from the last meeting stated that the division is separate from the UGB. At the end of the meeting, the division became what is rural and what is urban.

Jon Egge asked if there was also discussion regarding planning extension outside the UGB.

Janet Whitfield said there was but that gets into urban reserves.

Jon Egge said the discussion last week dealt with the planning not being only for urban reserves if the planning extension goes outside the UGB.

Chair Myers agreed.

Ron Cease asked what the division was between urban and rural.

Mary Tobias said that she is still not certain where the discussion is intended to take the group. The issue of broad versus narrow powers needs to be discussed before the discussions become meaningful.

Jon Egge said that the group is working toward that end, especially with planning. Right now the Committee is working with those aspects, then will move on to the criteria about how to measure the regional involvement in those aspects, and then get to the question of how specific to be on the planning functions.

Chair Myers asked how to approach it in the terms described by Mary Tobias, divorced from a specific area.

Mary Tobias explained her experience with writing a city charter. The original charter was very specific which forced the group writing the new charter to ask whether a specific charter or a valid, broad charter would be written. The same question applies to the Committee's responsibilities. She said that she did not agree with the statement by Ron Cease that Metro should do the same functions it is doing now. She also did not agree with the statement that the Convention Center is a regional facility. The discussion on individual functions cannot be meaningful until big decisions have been made.

Chair Myers asked what decision Mary Tobias is proposing.

Mary Tobias suggested taking things down to simple building blocks. Mary Tobias asked the Committee if they saw the regional government going forward.

Chair Myers asked if by saying regional government, Mary Tobias means the structure and functions.

Mary Tobias said that by regional government, she was not specifically talking about structure. She basically meant functions. The regional government is a body in which the region invests trust. When issues are brought to the table, there are deliberations, acceptance of input from committees and citizens, body reaches decisions, and then the decisions go out. Will that type of government continue or will the regional government reach further into the community and develop policy?

Bob Shoemaker said that before that question can be answered, the Committee needs to determine what the problems are that would be dealt with at a regional level and a local level. That needs to be done before the Committee decides what kind of government is needed. The kind of government responds to the needs of the area.

Ron Cease said that the Committee has been given the assignment to write a charter for Metro not for a new regional organization. Through the process, the current functions will be discussed and it is hard for him to believe that the functions will be given back to the local jurisdictions. That does not mean, however, that they cannot move backward. A charter is not needed if a government has only one function. A charter is needed because Metro has become a unit of government with multi-functions. The question is how to change the structure and functions if the Committee wants change.

Ray Phelps said that he is also frustrated. The discussion is not going well and maybe it would be better to adopt the criteria as a starting point and break up into subcommittees to work through the different issues. If the general discussions continue, the Committee will not get anywhere. Frank Josselson's diagram is a good place to begin. It is now time to move forward.

Chair Myers said that his intention was to lay out in starting detail the Committee's conception of what the role of Metro should be in respect to growth management. The Committee would begin at the highest level of that role and work through the aspects of growth management such as the UGB and management planning.

Ray Phelps said that he agreed with Bob Shoemaker that the Charlie Hales' criteria were aspects of criteria. It would be wise to adopt criteria for discussion purposes and move on.

Chair Myers said that he did not want to force the pace on the criteria because they are not absolutely necessary for discussion on growth management.

Ray Phelps asked if Chair Myers said that the Committee should get some level of acceptability of a growth management concept,

then measure functions against that.

Chair Myers said that was incorrect. For purposes of developing a preliminary view of what the charter might say in respect to regional growth management, the criteria do not have as much bearing as they would for other functions. It would be just as efficient to meet as a large group rather than a subgroup because the preliminary conversations would be needed in both.

Ray Phelps asked how he should respond to the Chair on growth management when he does not know what he is managing.

Ron Cease said that last week, Frank Josselson said that a regional body should have a stronger planning role than it currently does. Charlie Hales' plan came up with the criteria. In both, there is a sense that a planning role is needed.

Ray Phelps asked if it was strategic planning or operational planning.

Bob Shoemaker said that it would be strategic, long range planning.

Frank Josselson said that the basis of his diagram arises out of his belief that the greatest unmet need is regional planning and accommodation of growth to maintain livability. Charlie Hales' principles say "plan, coordinate, or implement government programs or functions which equip the region for effective regional growth management." That statement raises questions to be addressed. What is meant by regional? Is it within the UGB, in three counties, in five counties, is Clark County included? To do an effective job managing growth, it needs to be visionary. Over a long period of time, the regional area will expand.

Ray Phelps said that Frank Josselson was moving from strategic planning to regional planning. When looking at Chair Myers' criteria, it is strategic planning and the first thing to do is determine how many years out is the horizon and then back up to 1991. Frank Josselson's plan is operational because there is too much specificity for strategic planning. What is the criteria to which things will be measured and how far out will it go?

Frank Josselson said that the frustration will be broken when the Committee decides to make a decision on the issues that are being talked about. What are we talking about -- a regional comprehensive plan, a 100 year plan? If there will be a 100 year plan, then the region will be bigger than the UGB.

Ray Phelps said that the criteria look good. The Committee should determine a horizon and start moving.

Frank Josselson asked where Ray Phelps would put the horizon.

Ray Phelps replied 2030.

Ron Cease said that the criteria should be worked on and then put aside although it can be added to and discussed. The function of planning should be discussed. The question that the discussion is at is if visionary planning for the region should be done. If it is decided that it should be done, how are the responsibilities allocated. It seems as if visionary planning is being done at the local levels but not at a regional level.

Chair Myers said that he would like to start with the big picture and what the total role will look like. The Committee needs to work on a starting description of what that responsibility and authority is for a regional government over a long period of time.

Ray Phelps suggested opening the discussion with broadly defined functions or narrow functions.

Chair Myers said that the Committee should hold off on determining if it is narrow or broad but should define what it is that the responsibility amounts to. What can this government do in respect to comprehensive strategic planning in the region?

Bob Shoemaker said that it should be in the context of Charlie Hales' criteria. Start with the issue of the division between urban and rural and determine how it should be divided, for how long and who should have the authority. Then move down the list going through the same questions for each topic. Moving down the list, there will be issues where there will be disagreement as to if it is regional or local. Those items should be flagged and then move on to the next item. Then go through the list again and decide what the region's role should be for the regional issues and solve the disagreement for the controversial issues.

Jon Egge and Ray Phelps said they agreed.

Chair Myers began the discussion with the division of urban and rural.

Ray Phelps asked if it should be defined as the UGB for the sake of discussion.

Chair Myers said that the UGB is one aspect.

Bob Shoemaker said that there are regional responsibilities inside the UGB. Should the expansion of the UGB be a responsibility of the regional government?

Jon Egge said that Bob Shoemaker raised the question of extra territorial planning requirements.

Mary Tobias asked if making the division between urban and rural should be the responsibility of the regional government unilaterally.

Ray Phelps said that he would be concerned with the division of urban and rural with regard to responsibility of water and sewerage. A lot of the decisions on growth are driven by the infrastructure issue.

Ron Cease said that he did not understand the definitions of rural and urban. The current process to change the UGB is cumbersome yet it abides by state law. The state is not going to allow an area to change the UGB at will. Inside the UGB, the region needs to have some say in regards to future growth but it will not be able to control how the boundary will change without reference to the state. Outside the UGB, the state has the authority.

Frank Josselson said that any process involving the UGB that does not involve local governments as active participants is not going to be successful, politically or otherwise. The question is how to involve local governments in a meaningful way in a process where the regional government really has the last word. Another issue is the regional and local aspects of planning. It will be the greatest challenge in writing a charter. One suggestion, told to Frank Josselson by a city manager, is to have the regional government do comprehensive planning for the region. To prevent the inevitable delays in comprehensive planning in the past, the charter ought to require a short term comprehensive plan as opposed to a long term plan. The regional government ought to be put under a two year deadline to come up with a comprehensive plan. If they fail, then, as an incentive, the region should be directed not to distribute transportation funds to the local jurisdictions in the region. The local governments should have to sign off on the comprehensive plan before it is adopted. By requiring some level of sign-off, the local governments are getting the substance and form of participation. For example, get 2/3 majority of the cities in each county in the region to sign off. 2/3 majority could only be achieved through local participation. It would allow for local control and identity.

Chair Myers asked what was meant by a regional comprehensive plan. He asked Frank Josselson to describe what it would contain.

Frank Josselson said that he was not prepared to describe what it would contain yet. He will be prepared at the next meeting. Regional plans in Europe and Asia provide for transportation throughout the region and solve interjurisdictional issues. They provide local governments a framework and direction for their local plans. They also require local government cooperation.

Chair Myers said that the formation of the regional plan needs to develop a common understanding of what it addresses pertaining to certain issues providing a framework for the local governments.

Frank Josselson said that regional comprehensive plans do not contain the decisions on site specific provisions but leave the decisions to local jurisdiction within certain parameters. If the region is going to provide services, the local governments need to plan to help make that service successful.

Ray Phelps said that Frank Josselson's explanation of a regional comprehensive plan seems functional. He asked Frank Josselson if he was talking about functional plans or discreet components of a comprehensive plan. When talking about city sign-offs, is it a sign-off of the functional plan or comprehensive plan?

Frank Josselson said it was a sign-off on the whole package.

Larry Derr said that the distinction between comprehensive and functional that Ray Phelps is suggesting will not work because a comprehensive plan is one that takes into account all aspects at whatever level. For example, a regional comprehensive plan will have to say something about transportation but it probably will not say everything there is to say about transportation.

Ron Cease said that the larger question is, should there be a mechanism to accomplish a basic overriding plan, or vision, in the region. Does the region need a basic overriding plan that tells where the region will be in 20 or 30 years?

Frank Josselson said that a short term and long term plan are both needed.

Ron Cease asked if it was fair to say that there is currently no regional plan.

Frank Josselson agreed.

Ray Phelps disagreed and said there are comprehensive regional plans on different functions. Transportation, for example.

Ron Cease said that the comprehensive regional plans that Ray Phelps is talking about are where units of government get together and determine who gets what and when they get it. It is a system of coordination not planning.

Ray Phelps agreed.

Frank Josselson said that you will find different streets standards in each jurisdiction.

Ray Phelps said that he likes it that way. His point is that he

wants to be able to know where the roads go.

Ron Cease said that the hardest question will be how to put the regional plan together if the regional government has the comprehensive plan authority. Metro will have to do more than it does now.

Mary Tobias said that there is a tremendous amount of coordinated planning in transportation. Local jurisdictions plan locally but everything is coordinated. The region has done an excellent job through coordination and Metro being the umbrella where everyone takes their plan and sees how it lines up with other plans. JPACT brings everyone to the table together.

Jon Egge said that cooperation did not necessarily bring JPACT together, money did.

Mary Tobias said that coordination was there in advance of the Federal Government bringing JPACT together.

Jon Egge said the successes of JPACT revolve around a clear mandate that if you want anything, you better show up and cooperate. That is different than what the Committee will be looking at because the dollars will not be there. Ron Cease is right when he said that when JPACT gets together, no one is looking at all the aspects. A comprehensive plan for the region would incorporate all the aspects.

Frank Josselson said that nothing would be forced down cities throats. The cities can make their own decisions and the regional government will make regional decisions and determine if it is cost effective to provide services to the local governments.

Mary Tobias said that to a large extent, that is occurring among all the local governments.

Frank Josselson said that he has not seen a planning department that is trying to figure out how this area will not look like another Seattle.

Mary Tobias said there are a lot of them.

Ron Cease said they are thinking about it.

Frank Josselson said that they are thinking about it but it is not a local function to determine the future and growth of the region.

Mary Tobias said it is the function of every elected official and it starts within their own jurisdiction. Every jurisdiction is buried in planning for the future.

Frank Josselson said that if he agreed that the region could accommodate the 500,000 extra people without any problems, he would not be a member of the Committee.

Mary Tobias said that the massive growth will not occur overnight. It is only a 1.8% growth rate on the average among the three counties. There will be an increase of 342,000 in the three counties.

Ron Cease said this area is in good shape now. There is more cooperation and coordination than in most places. The real question is if the area is prepared and organized in such a way that will enable the area to stay in good shape over the next 20 years.

Ray Phelps said that he did not understand how Washington County could double in population over the last 20 years and it still has not been determined that there is now a need for a west side bypass. Yet I-205 is built and there is not much growth in that area. The planning process drives everything else.

Mary Tobias asked how to take the politics out of planning.

Ray Phelps said that you don't and you don't want to.

Mary Tobias said that the bypass had been planned four times in 40 years and each time politics kept it from being built, not the regional plan. If you don't take the politics out, you can have all the regional plans in the world but certain goals still will not be accomplished.

Ray Phelps said that he is not convinced that the bypass was approved four times in the manner that Frank Josselson is talking about.

Mary Tobias said it was approved in regional context according to the regional impacts.

Ray Phelps said that Frank Josselson's way would have been for 2/3 of the jurisdictions signing on to the plan.

Mary Tobias said that was the process for the RTP.

Ray Phelps said that currently, they are not getting into the details. Frank Josselson's idea may get us there quicker than the current process.

Chair Myers said that the group is talking about describing a proposed planning responsibility which is intended to constitute formulation of a regional plan. A regional plan would contain certain outlines within which all comprehensive plans in the region must exist. In terms of the outline contents, what will

those entail? The Committee will get into that in more detail at the next meeting.

Frank Josselson asked which ones can and should the Committee specify and which should be left to the local government to specify.

Chair Myers said that by specify, he is not talking about an outcome for a particular subject or substance of a particular manner but rather what the topic is. He asked Frank Josselson how he used the word specify.

Frank Josselson said that if the short version of the comprehensive plan were to be in the charter, it would specify that the regional government does transportation planning, sewerage planning, etc. There are certain functions that the regional government will want to do such as regional transportation. There is also a question of how far beyond that do we want the region to have authority. Some of that should be left up to the region. For example, storm water drainage for which there is no regional or subregional plan. Should the Committee decide if the regional government should have that authority or leave it up to the regional and local governments to decide in a cooperative way?

Ray Phelps said that criterion two hits on the idea of federal requirements. It becomes a revolving relationship.

Chair Myers said that the matter of seeking to reach open agreements around the description of an authority that pertains to regional government's role in the formation of a region goal is one task before the Committee. He is not certain if that function in respect to a regional plan is not distinct from the formulation of individual functional plans.

Frank Josselson said that the regional plan may be a bunch of functional plans put together which would constitute a framework within which local governments review their plan.

Larry Derr said that the plans could identify how they get implemented or the Committee could try to put that into the charter which might be different for different functions. The regional plan is the key to it all and must be done first. It would be a framework for the local jurisdictions but it would also guarantee the outcome that would be wanted.

Frank Josselson said that the Committee is not responsible to do regional planning but it has the job to set up an organization to do regional planning.

Ron Cease said that the local governments must work closely together or else it will not work. At the regional level, there

will be an increase in the amount of work Metro is capable of doing and has the resources to do. Along with this comes the problem of financing.

Larry Derr said the hardest questions are the relationships of the regional to the local government. You can get a handle on it when you start to talk about specifics. Have a general concept and then get down to specifics as to structure and financing.

Ned Look said that he was frustrated with the lack of progress the Committee has made. The discussion has been interesting and needed but the Committee is at a point to take the lists and attack the issues one at a time. Ned Look read a portion of a report that he wrote last year: "Issues such as land use planning, transportation, economic development, environmental protection, convention and spectator facilities, parks and recreation, and some human services do not respect city or county political boundaries. Consequently, they must be addressed with regional strategies and funded with equitable, regional tax bases. In addition, there are numerous administrative functions such as elections, property tax assessment and collection, purchasing, licensing and permits that may lend themselves to tri-county or regional unification for greater efficiency, cost effectiveness and easier public access." The Committee has an understanding of the need to strengthen neighborhoods, the role of cities, and the function of a regional government and reduce the roles of the counties. It is time to move on.

Chair Myers said that he would like to keep on the area of growth management. The Committee needs to begin to define how to describe the authorities. Frank Josselson has something that he would like to present along that topic next week. By the end of the next meeting, the Committee should have a discussion concept of reasonable detail that would preview what the Committee would like to have considered for reaction as the elements of the charter dealing with growth management.

Ned Look said that the main thing to put in the charter is flexibility, with voter approval, for change. The Committee cannot predict what will happen in the next 50 years.

Chair Myers said that he was not concerned about putting a time frame on it. We are talking about a long term capability. The charter should not be a set of ordinances but it should have a level of detail sufficient to tell the voters what we are prescribing and what they are endorsing for the agency in relation to regional growth.

Ron Cease said that the Committee has come a long way although there is frustration. There is a general feeling that the regional government should do more in relation to regional planning than is being done now.

Jon Egge agreed with Ron Cease. Part of the frustration is due to attacking the hardest area first. The other functions should be easier and faster.

Chair Myers said that it is the hardest issue to get into. If the Committee can undertake a description of the substance the charter will have in regards to regional planning, then the Committee can invite reaction. The Committee will need to agree on an amount of detail with respect to the regional planning authority. It needs to be clear as to the relationship with functional planning. The authority of the regional government in relation to matters outside comprehensive plans such as special districts, schools, water, and parks need to also be clear.

Frank Josselson asked if they should be outside the comprehensive plans.

Mary Tobias said that she agrees with Frank Josselson that a regional framework is needed to do planning. It becomes clearer with Ron Cease's comment regarding the need for regional planning. Urban growth management should be dropped because it will change almost yearly depending on the economy of the region. This will continue to change how the region grows. We need a mechanism that will give a clear understanding of the roles and allow everyone to see the short term and long term vision.

Chair Myers said that urban growth management is being used as a convenient shorthand before getting into a specific definition.

Mary Tobias said that a regional framework will determine that.

5. Additional business

Chair Myers drew attention to the letter from Common Ground: the Urban Land Council of Oregon regarding their testimony on September 12, 1991. The proposals in the letter will be discussed at the next meeting.

Chair Myers also drew attention to the general provisions of ORS 268 which deal with powers. In formulating a proposed description of the charter dealing with planning, the Committee will want to know what those provisions are.

Ray Phelps asked that the work plans be dated so that members know which one is current.

Janet Whitfield said that the current date and topics are in bold type.

Bob Shoemaker suggested that the current date and topics be put in capital letters.

Chair Myers adjourned the meeting at 8:30 p.m.

Respectfully submitted,

Kimi Iboshi

Kimi Iboshi
Committee Clerk

Reviewed by,

Janet Whitfield

Janet Whitfield
Committee Administrator

Materials following this page represent
Public Testimony



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October 1, 1991

Memo to: Regional Governance Committee (RGC) Steering Committee and interested parties

From: Mike McKeever, RGC staff

Subject: Draft testimony to Charter Committee on Decision Criteria

Enclosed is staff's draft testimony for the RGC to present to the Charter Committee on Decision Criteria which the Committee is developing to guide its development of a charter. The testimony reflects a lengthy discussion at last evening's RGC Steering Committee meeting. We would like your comments on this draft as soon as possible, but no later than 8:00 a.m. this Thursday, October 3. The testimony will be given to the Charter Committee by the officers of the Steering Committee at its October 3 evening meeting.

Please phone my office or fax your comments as soon as you can. Our apologies for the short turn around time; we expect the RGC to take action on this item at its meeting.

Planning
Design
Public Involvement
Project Management

**TESTIMONY OF REGIONAL GOVERNANCE COMMITTEE
TO CHARTER COMMITTEE
THURSDAY, OCTOBER 3**

**CRITERIA FOR POTENTIAL ASSIGNMENT OF FUNCTIONS TO REGIONAL
GOVERNMENT**

The Regional Governance Committee (RGC) appreciates the opportunity to comment on the draft Criteria for Potential Assignment of Functions to Regional Government. The RGC Steering Committee thoroughly discussed the draft Criteria at its September 30 meeting and has several comments to offer. Before offering specific comments we would like to identify four general issues which we discussed:

- First, it was somewhat difficult to analyze the merits of the draft Criteria before knowing whether the Charter would create a regional government with broad-based versus specific powers. Our opinions on the criteria may need to be refined after the Committee addresses this threshold issue.
- Second, our opinions about the appropriateness of the Criteria will also be affected by the ultimate process provided for in the Charter for determining regional functions. The opinions set forth below assume that this process will provide for meaningful involvement by local governments and special districts.
- Third, the appropriateness of the Criteria seems to vary somewhat according to the type of regional functions being discussed. Different criteria seem to apply better to planning functions versus service delivery functions, for instance.
- Fourth, we believe that any assignment of functions to regional government should be based on a clearly identified need. We understand that the Decision Criteria are intended to help identify when such a need exists, but the Committee's general principles should incorporate this concept in some manner as well.

Our suggestions for each of the eight draft Criteria follow.

CRITERION I: Is appropriate as drafted.

CRITERION II: Is appropriate as drafted.

CRITERION III: Should be edited to include language referencing "state or federal government funding", similar to Criterion II.

CRITERION IV: Should be deleted. The same concept is better addressed in Criteria VI and VII. If the Committee chooses not to delete this criterion, it should be edited to address true regional impacts, not simply impacts that affect more than one jurisdiction.

CRITERION V: Should be deleted for the same reason as Criterion IV: it is better addressed in Criteria VI and VII. If it is kept, it should also be edited to focus on truly regional benefits.

CRITERION VI: Should be edited to read as follows: "Whether coordination or performance at the regional level can be documented to be more cost-effective and efficient." These changes would broaden the concept beyond service delivery functions and would state the Committee's intent to base its decisions on solid, objective information. We also believe it is appropriate to delete items (A) and (B). They provide a partial list of potential causes of inefficiency; general

decision criteria should be focused on the desired result, not causes.

CRITERION VII: Should be changed to delete items (A) through (E) and add concepts related to:

- The diversity of the region's population; and
- The need for government to be accessible and accountable to its constituents.

Items (A) through (E) provide a partial listing of reasons why a function might be more effectively handled at a regional level; again, decision criteria should focus on the desired result, not causes. The concepts of diversity, accessibility and accountability will be important for the Charter Committee to consider throughout its deliberations. We are sure that you would agree that "bigger is not better" if it results in less reliable, less responsive service to taxpayers.

CRITERION VIII: Should be edited as follows: "Whether performance at regional level is needed to equitably distribute the costs and benefits of a facility or service." We believe this more clearly identifies the concept Criterion VIII is intended to address.

Again, we appreciate the opportunity to comment. We support the Committee's process of identifying General Principles and Decision Criteria at the outset of the project to provide benchmarks for all of us to use throughout the process. The draft Criteria we reviewed provided an excellent starting point for discussion and we hope you will find our suggested changes useful to your deliberations. We would be happy to answer any questions which you may have, either in person or in writing.

CRITERIA FOR POTENTIAL ASSIGNMENT
OF FUNCTIONS TO REGIONAL GOVERNMENT

- I WHETHER PERFORMANCE AT REGIONAL LEVEL IS REQUIRED TO CARRY OUT FUNCTION AT ALL
- II WHETHER PERFORMANCE AT REGIONAL LEVEL IS REQUIRED BY STATE OR FEDERAL GOVERNMENTS
- III WHETHER PERFORMANCE AT REGIONAL LEVEL IS REQUIRED FOR REGIONAL OR LOCAL FUNDING ELIGIBILITY
- IV WHETHER IMPACTS OF THE FUNCTION EXTEND BEYOND ONE JURISDICTION
- V WHETHER BENEFITS OF THE FUNCTION EXTEND BEYOND ONE JURISDICTION
- VI WHETHER PERFORMANCE AT REGIONAL LEVEL WILL BE MORE COST-EFFICIENT THROUGH (A) ECONOMIES OF SCALE AND (B) AVOIDANCE OF DUPLICATION AND OVERLAP
- VII WHETHER PERFORMANCE AT REGIONAL LEVEL IS REQUIRED TO CARRY OUT FUNCTION EFFECTIVELY BECAUSE OF ONE OR MORE OF THE FOLLOWING: (A) GEOGRAPHIC EXTENT OF THE FUNCTION; (B) NEED FOR REGIONAL STANDARDS; (C) NEED FOR REGIONAL CONSISTENCY; (D) NEED FOR REGIONAL GOVERNMENT'S FISCAL, TECHNOLOGICAL OR OTHER CAPACITIES; (E) NEED TO AVOID OR RESOLVE CONFLICTS BETWEEN JURISDICTIONS
- VIII WHETHER PERFORMANCE AT REGIONAL LEVEL IS NEEDED TO ACHIEVE EQUITABLE FUNDING OF FUNCTION

**TESTIMONY OF REGIONAL GOVERNANCE COMMITTEE
TO CHARTER COMMITTEE
THURSDAY, OCTOBER 3**

**CRITERIA FOR POTENTIAL ASSIGNMENT OF FUNCTIONS TO REGIONAL
GOVERNMENT**

The Regional Governance Committee (RGC) appreciates the opportunity to comment on the draft Criteria for Potential Assignment of Functions to Regional Government. The RGC Steering Committee thoroughly discussed the draft Criteria at its September 30 meeting and has several comments to offer. Before offering specific comments we would like to identify four general issues which we discussed:

- First, it was somewhat difficult to analyze the merits of the draft Criteria before knowing whether the Charter would create a regional government with broad-based versus specific powers. Our opinions on the criteria may need to be refined after the Committee addresses this threshold issue.
- Second, our opinions about the appropriateness of the Criteria will also be affected by the ultimate process provided for in the Charter for determining regional functions. The opinions set forth below assume that this process will provide for meaningful involvement by local governments and special districts.
- Third, the appropriateness of the Criteria seems to vary somewhat according to the type of regional functions being discussed. Different criteria seem to apply better to planning functions versus service delivery functions, for instance.
- Fourth, we believe that any assignment of functions to regional government should be based on a clearly identified need. We understand that the Decision Criteria are intended to help identify when such a need exists, but the Committee's general principles should incorporate this concept in some manner as well.

Our suggestions for each of the eight draft Criteria follow.

CRITERION I: Is appropriate as drafted.

CRITERION II: Is appropriate as drafted.

CRITERION III: Should be edited to include language referencing "state or federal government funding", similar to Criterion II.

CRITERION IV: Should be deleted. The same concept is better addressed in Criteria VI and VII. If the Committee chooses not to delete this criterion, it should be edited to address true regional impacts, not simply impacts that affect more than one jurisdiction.

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