

METRO  
CHARTER  
COMMITTEE

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AGENDA

DATE: April 16, 1992  
MEETING: Full Committee  
DAY: Thursday  
TIME: 6:00 p.m.  
PLACE: Room 440, Metro, 2000 SW First Avenue, Portland

6:00 Meeting called to order.

Correction and adoption of minutes from April 7.

6:10 Invited testimony on proposals for the structure of the regional government. Those speaking to the Committee include:

Nohad Toulan, Dean, School of Urban and Public Affairs, Portland State University

Rena Cusma, Executive Officer, Metropolitan Service District

Regional Governance Committee

Portland Metropolitan Chamber of Commerce

7:00 Adoption of Charter drafting instructions relating to structure of the regional government.

9:30 Consideration of subcommittee proposal on Charter treatment of the Local Government Boundary Commission.

10:00 Meeting adjourned.

MINUTES OF THE CHARTER COMMITTEE  
OF THE METROPOLITAN SERVICE DISTRICT

April 16, 1992

Metro Center, Room 440

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

Committee Members Absent: Ray Phelps

Chair Myers called the regular meeting to order at 6:10 p.m.

1. Correction and adoption of minutes.

Chair Myers asked for corrections to the April 7, 1992 Boundary Commission subcommittee minutes.

Motion: Wes Myllenbeck moved, Charlie Hales seconded, to approve the minutes as distributed.

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

2. Explanation of the proponents of structure proposal number four

Chair Myers asked Larry Derr to summarize the provisions of proposal number four.

Larry Derr said that all the structure proposals are trying to achieve the purpose of assuring that the regional government structure does not get in the way of, but preferably enhances, the ability of the regional government to perform its various functions. Some of those functions are service delivery and some are long range planning. He said that the RGC proposal would keep things on track by eliminating the two branches and compressing them into something similar to a council manager system so that there is not any long term difference of opinion and competition between the executive and legislative branches because they are, essentially, one in the same. He said that the chamber proposal spins off all the service delivery functions so the regional government does only planning. Under the chamber proposal, there would not be any conflict between the executive and council. He said that proposal number four is a meld between those two forms which keeps the separation of the executive and the council and tries, in a positive way, to increase the separation so that the executive can do the service delivery with the necessary oversight of the council. The council would have clear authority, funding, and the mandate to do planning issues. He said, on a number of issues, the proposal calls out things that are within the capacity of being done in the present statutes. He said that his proposal would call for a reduction of councilors from thirteen to five and they would remain part-time. The presiding officer would be elected to that position as he/she currently is--by the council--but the term would be extended to two years instead of one. If the terms are staggered, new people will be coming on the council every two years, so it would be a good time to evaluate the presiding

officer. It also allows for the presiding officer to stay in the position long enough to become known in the position and be more effective. The presiding officer and all other members would be partially compensated where as, presently, there is no compensation outside of expenses. He said that there has been discussion of the presiding officer receiving greater compensation in recognition of a greater time demand. The executive officer would remain elected district wide to the full-time position. All powers would be vested in the governing body, except as provided in the charter. Currently, the service delivery functions are carried out by the executive officer. The charter would enhance and clarify that power by stating that all the powers to do service delivery are in the executive officer, including determining and raising revenue through fees for services. The overall spending authority would be subject to the budget, and the budget is approved by the governing body. It would not be a blank check to go out and spend money. It would be a delegation of authority to the executive officer to decide at what level service fees should be set and how they should function. As a subset of that, there would be a citizen budget committee which would focus on the financial function of the executive officer to set fees and, on the council side, it would focus on the review and advice on the budget. It is not intended that any of the citizen committees would be more than advisory. He said that the Committee has already worked through a process for deciding what future service delivery functions might be. The existing statute sets out a wide range in which service delivery can be implemented. He said that list would be in the charter as it is in the statutes. He said that the proposal adds a prohibition, that is not called out in the statute, on the governing body directly taking on a service delivery administration function. It would be clear that it had to be put into one of the categories. Regional planning and policy making authority, to the extent that it takes legislation, would be in the council. In practice, the staff work and recommendations come from the executive side. This would implement a power currently in the statutes for both the governing body and the executive to have staffs and do their own work. This would make it mandatory, in regards to planning and policy making, that there would be funding and staff on the governing body side to do long range planning. He said that this is in the context of what the Committee has already worked through with respect to involvement of local governments and the voters. The enforcement of the regional plans and policies carries forward the existing provisions. The enforcement authority is in the hands of the executive officer, but the council could call upon the executive to take some specific enforcement action. The Committee might want to go as far as empowering the council to do its own enforcement of the long range document planning. In any event, they should be able to call upon the executive to do that work. The budget authority is the same in most respects as the existing statutory system and the way it is being implemented. The executive officer proposes and the council adopts the budget for the service delivery functions. The governing body would propose its budget for those things which are exclusively in its domain--long range planning and policy making. There would also be a citizens advisory committee to review the budget process for additional input and policy suggestions. He said that this plan will not have any chance of achieving its objective--effective planning and policy making--if there is not a stable funding source. More specifically, the funding source would not be tied directly to the volume of services provided which fee based systems are. The funding could come, in whole or in part, from a portion of service fees or the excise tax on fees. If it does, it needs to be in a formula so that there is neither a positive or negative effect on the amount of services provided because it gets in the way of policy making. Policy making should be what is the best way of providing services for the region, not what is the best way to provide services that will raise money in order to do policy making. The auditing functions would continue and a requirement for performance audit would be called out.

Chair Myers asked that the invited witnesses comment specifically on the number four proposal for structure and the proposed approach for the separation of the planning and service delivery functions, although they will not be precluded from commenting on the other options.

Ron Cease said that, under Larry Derr's proposal, all policy issues as well as planning would be dealt with under the council.

Mary Tobias said that the Committee is actually looking at four different models and it would be helpful to get clarification that added strength or weakness to the four proposals.

Chair Myers said that Dean Nohad Toulan is ill and not able to attend the meeting.

Janet Whitfield said that Ken Tollenaar had a conflict and cannot appear before the Committee. He sent testimony which the Committee members have received.

### 3. Metro Service District

Rena Cusma, Metro Executive Officer, said that she thinks the proposal is a bad idea. She said that she read the response from Ken Tollenaar and agrees with the concerns he expressed. She said that the proposal is difficult for her to respond to because it moves absolute away from basic principles of good government and it does not relate to any form of governance that she is familiar with or has seen. She said that is one of the things that troubles her because the public is going to have a hard time understanding it if she has a hard time understanding it. She said that her primary concern is that the public needs to be able to feel that their government is accountable and they need to be able to understand it. She said that this proposal does not lend itself to accountability nor to the public understanding the issues in front of them. She said that she is not sure what is trying to be fixed. Metro has an extensive planning agenda and is further along in metropolitan wide planning than any other city in the country. The council plays a strong role in the policy direction of the planning. Metro is considered to be one of the top planning agencies anywhere. She said that a departure of this sort is so substantial, in terms of the agency's structure, that the public is going to have a hard time understanding it.

Charlie Hales asked about the size of the council. What other structures, in terms of numbers and representation, should the Committee consider?

Rena Cusma said that with any size alternatives, there are pluses and minuses. There is no panacea. With a part-time council, there is a citizen legislature, but you do not get people who are here full-time to play a larger role in terms of directing the agency. With a smaller council, the districts are larger and the councilors have a hard time relating to their constituencies, particularly if they are part-time. The question is what is best at this point in time for this agency. The agency is functioning well and has built into it a process for adding council members representative of population increases. She said that she does not see a major need to change that. There are arguments for a small full-time paid council that are strong arguments. The issue comes down to what is doable and that is not doable right now.

Charlie Hales said that, to an extent, the Committee may be trying to fix the unfixable which is to have a council of a size and structure that is more visible to its constituents. He said that he did not know if that meant a smaller district or a larger district.

Rena Cusma said that she thinks the Metro council is as visible as any elected body and becoming more so over time. Metro is a new government and it has taken time for people to be able to understand it and relate to it and its elected officials. She said that if she asked ten people on the street to name three of the five county commissioners, they could not do it. During her tenure, she said that she has seen increasing interest in the positions. This year, there are 25 people running for six positions. During the last election, every seat was contested for the first time in the history of the agency. She said that the agency is getting to be visible and it would be a major change to have to go back to the public and rearticulate what the government is.

Jim Gardner, Metro Presiding Officer, said that he has been on the Metro council for seven and a half years. During that time, there has been a tremendous change in the awareness among the general public and visibility of the councilors. The number 13 is an unmanageable number, but five is far too small. If there are only five positions, and they are still part-time, it would be impossible to communicate or hear from the 200,000 constituents in each district. It would be impossible for the councilors to try to keep in touch with their constituents not only because of the number, but also because the districts may be very heterogenous. There are areas of the region where there is a mixture of urban, rural, and suburban all in one district. Five is too small to adequately represent those people.

Ron Cease said that the proposal weakens the elected executive in a substantial way. The veto is taken away as is the policy role and control over the planning. The council is strengthened through the proposal. He said that he does not have any problems with strengthening the council, but he does not think that it has to be done by weakening the executive officer. The other piece of the pie is that the councilors have some responsibility over the planning staff. He asked what would be the significance of those five, particularly if they are part-time. He said that they would have more to do than they currently do. They would be more visible in terms of the media, but they probably would be less visible to their constituents. He asked what the role of the five would be in terms of the larger organization and their relationship to their constituents.

Jim Gardner said that one thing that works well with the current council and their size is the ability to divide up the workload. By doing that, individual councilors are given the chance to specialize in one area or another that Metro is involved in--not to the exclusion of ignoring everything else, but devoting more of their time to that. With only five councilors, there is the likely possibility of a block of three that would run the show. The presiding officer would only have to get two other members on his/her side in order to stay in control. With a size of 10 to 13, there are no permanent blocks that control everything. With the current size, there is a group dynamic of a small legislative body.

Ron Cease said that, based on his experience in the legislature, the bigger the districts, the harder it is to beat an incumbent. He said that, in a broad sense, the Committee wants better representation and more accountability. He said that he is concerned that the proposals are making accountability even more difficult. If you argue improvement, then you have to argue that what you are proposing does improve it. He asked if the council, specifically a smaller council, ends up substituting and playing the role of the executive for a number of functions and activities.

Rena Cusma said yes. She said that she agrees with the comments of Jim Gardner. In a practical sense, you will end up with a staff driven organization. There would be a small, part-time council and their only alternative will be to rely upon the staff to drive the agenda. There is no way for the public to get access to the staff. She said that is not the fault of the elected body, but the fault of the structure. If the aim is to get to purity with regard to the planning process, this proposal will only politicize the process.

Ron Cease asked Rena Cusma to comment more why this proposal would make it more political.

Rena Cusma said that the end result would be a coalition of people who will drive an agenda and are going to be very involved, politically, in driving a staff. She said that she does not see how that can be avoided with this proposal.

Mary Tobias asked Larry Derr to respond the issues that Rena Cusma has raised--specifically, what is trying to be fixed, the staff driven agenda issue, and the politicization of the planning process. She said that she did not think it was the intent of the framers of proposal four to politicize the planning process.

Larry Derr said that Ron Cease said that the proposal would weaken the executive officer through the reduction in the policy making role of the executive. He asked Jim Gardner and Rena Cusma what, if any, is the policy making role of the executive currently.

Rena Cusma said that the policy making role is the same as it is in any separation of powers government. The executive proposes policy and the council disposes. It is appropriate that the executive proposes policy issues, but the council debates those and establishes policy and budgets for them. The council holds the executive accountable for the components. She said that is an appropriate balance of power. She said that she is troubled when she sees a situation where there is no check and balance in the system.

Larry Derr asked if the checks and balance is the veto.

Rena Cusma said that the veto is only one tool. She said that the veto has never been exercised and she does not see it as a problem. The real value of the veto is that it allows you to force hot political issues that need strong public debate out front for that debate. The veto can be overruled if there is strong support to do something.

Jim Gardner said that he has suggested a couple ways, through the current structure, where the executive does have considerable policy influencing power. The biggest influence is the executive officer's ability to make recommendations to the council on a variety of decisions. As Metro performs both its planning and other functions, implicit in delivering those services are a number of policies which come to the council in the form of recommendations from the executive officer. They are either, in the less important areas, in the form of resolutions that establish council policy or major items in the form of ordinances which deal with things such as budget and the rates charged. If the goal of the Committee is to ensure a structure that has a balance of power between the council and the executive, there are a number of ways in which the council's influence can be strengthened. He said that the proposal on the table would create two organizations, in terms of practice. He said that the easiest way to strengthen the council is to make it a full-time body. He said that he agrees that it may not be politically acceptable by the voters. Short of that, another possibility would be to give the council some control over the hiring and firing of major staff members such as department directors. There could be a number of major staff members who are jointly accountable to both the council and the executive in terms of reporting to both. He said that the budget is where the primary policy setting function of the council is exercised and must remain. Currently, the council approves a budget and, essentially, the executive has it. The council exercises oversight to make sure that the policies contained in the spending authorities actually do get implemented. A higher level of control could be built in there. Contracting is the biggest area that has been an issue on and off where, essentially, it is an administrative function. He said that he remembers the days when the executive officer did not exert so strongly that contracting was purely and administrative function. By practice, the council approved most contract awards. He said that is not the case today, but could be. He said that he is not suggesting that any of them are an answer, but there are a number of ways to increase the influence of the part-time council.

Rena Cusma said that the kind of council activity that Jim Gardner has suggested to strengthen the council properly belongs with the city management form of government. She said that is not what Metro has, nor is it what she feels strongly about. Even if it were a city management form of government, there would be a clear understanding on the part of the elected body that they stay out of the city manager's ability to manage the staff-including hiring and firing. She said that it used to function differently which, in her view, was one of the major problems in getting on track in terms of being able to accomplish things that the agency was designed to accomplish. She said that Metro got clarification from the legislature about roles. She said that the public should know who they can hold accountable. If they cannot get at the way that the government operates, there are real problems.

When dealing with a region of 1.2 million, they have to be able to access how the government operates. The way that is done is through a strong executive. A strong executive must be able to manage the staff. The staff cannot be in a situation where there are 13 people calling the shots. It politicizes the organization and everyone plays politics and product grinds to a stop.

Larry Derr said that some of the testimony has been that there is nothing wrong with the status quo, but, as the Committee gets into it, it sounds like there are some things that people would like to see changed. There is not yet a consensus of what those changes are. He said that, in regard to the planning function, he does not think that the problem is the staff or those directing the staff, rather, the problem is that they have run up against a stone wall when dealing with local government. It needs to be a cooperative process. If the Committee can come up with a system that gets local government fully on board as a full blown partner, then the good people can carry out the good intentions. He said that it does not matter what system there is as long as it is workable, provided that it meets the test that the local governments are a party to it and both the local governments and Metro are comfortable with it. He said that he understood that the current policy making power of the executive officer is carried out in the form of recommending policy that the council will dispose of. He said that there is nothing in alternative four that would change that. He said that he does see that the veto has a role in the policy making, but the testimony has been that the real policy effectiveness of the executive is in the quality of proposals that are made and the ability to explain those to the council. He said that the proposal would change the process. Regarding the question of politicizing by putting the staff in charge, there is concern that the operation be totally in the hands of staff, up to the point where proposals come to the part-time elected council. The policy comes to the part-time elected council from the staff through the executive. He said that is probably fine in respect to the service delivery functions for which the executive is directly responsible for, and except for budget and long range policy, should be solely responsible for. One side of the coin is not to have the council looking at the rate setting or the contracting. On the other hand, suggesting that the council would direct and control its planning staff puts things more in control of the staff than they are right now. It puts them in more direct control along the lines of the council. He said that there will always be the fact that the people going out, digging up the data and drafting the proposals will have influence. He said that will not go away and will not have anything to do with what kind of system is devised. He said that everyone has their own idea of what it means to politicize the planning process. He said that he thinks that politicizing the planning process is good to the extent that politics is good and politics means the way in which our government works, gets the information from the constituents, puts it into play and carries out the needs of the constituents. He said that you are more likely to get a good political process in planning when the council is involved hands on.

Jim Gardner said that if the executive officer brought forward recommendations and proposals and a part-time council had to analyze the recommendations and reach the decision with entirely their own resources, the executive would have a tremendous amount of sway and influence over the direction those decisions went. He said that the council has discovered that a way to deal with that and provide a balance is for there to be an independent council staff accountable to the council that analyzes those recommendations and performs a second look at the assumptions and data. He said that the independent council staff provides a balance. He said that he did not want to leave the impression that the executive officer has an undue amount of influence over the policy decisions of the council simply because the departmental staff works for her and performance of the functions are part of the executive side. Having good council staff can balance out the picture to get an independent analysis because there are recommendations coming to the council from their own staff next to the recommendations from the departmental staff.

Larry Derr said that it is important for the staff, that the council is relying on for the checks and balances analysis, to be people that the council leads.

Bob Shoemaker said that some of the thinking that went into the broad framework of this proposal was that there is a metropolitan service district which is a deliverer of functions. A strong executive is required to deliver the functions effectively--thus, the elected executive. He said that policy and planning are the other two very important pieces. They are legislative functions and not executive functions. He said that he would like a strong legislative body with a strong legislative leader. He said that he is fearful that the present structure does not encourage that. The region cannot count on a government of 13 people, that is not very conspicuous, attracting the kind of quality people that are needed to make crucial decisions for this region. To achieve that, a legislature needs to be created that has real clout, is perceived to have real clout, and the leader of the legislature has to have clout within the legislature. He said that he would prefer a legislature with seven or nine members. Those seven or nine would select their presiding officer who would be expected to devote substantially all, or at least two thirds, of his/her time to the job. The presiding officer would be compensated accordingly and not at the same scale as the rest of the members of the council. He said that it is very important to have a peer selection process. He said that the body is more effective if the leader is one that the body has confidence in. People running for the council will aspire to be the presiding officer and that will be their intent when they originally run. Those people will do their homework, probably will have a good idea whether or not they will be selected, and will adjust their affairs accordingly so that the compensation will be there. That person will be expected to lead the council and staff.

Rena Cusma said that, under Bob Shoemaker's concept, she does not know who will run for the positions because, he is saying, anyone who runs for a Metro seat had better be prepared to serve full-time.

Bob Shoemaker said that he would assume that some members of the of the council would not aspire to that--some candidates would and some would not.

Rena Cusma said that it would be exceedingly difficult for someone to make that kind of a commitment based on an assumption that, down the road, their peers might choose to elect them to that position. The presiding officer does have a great deal of clout and prestige. The position has never gone to a junior member of the council. The person that has stepped into that position has served at least two or three years, is experienced, understands the issues that are before the agency, and has to work their way up to that role. She said that she does not think that someone is going to run, aspire to be presiding, and either be unemployed during the interim or quit a full-time job to be presiding officer.

Bob Shoemaker said that he does not think that will happen either. The person who will aspire to be presiding officer will probably serve on the council before.

Jim Gardner said that the person's job is a practical problem that always arises with part-time positions. To think that a part-time position could, at some future time through peers, become full-time or something more than part-time presents an awful lot of problems for some people. He said that type of arrangement is very possible for those who are self employed or in a practice where there is the flexibility to be able to scale down or close down their business. For most people who work in "normal" jobs, you cannot usually take a leave of absence for a couple years in order to be a presiding officer.

Bob Shoemaker said that he does not know if the presiding officer position needs to be open to everyone in the district. He gave the example of the legislature and how it is legally open to everyone, but there are only some people who can accommodate the time commitment. He said that the Committee should derive a system that will produce good people.

Jim Gardner said that the one difference with Bob Shoemaker's example is that the legislature only meets for six months every two years and Metro meets year round. He said he thinks that one of the



problems with the state legislature is that people will never aspire to it simply because of the type of jobs they have and the legislature ends up being not fully a cross section of the legislature.

Mary Tobias asked Bob Shoemaker, if the available council seats were filled by election and no one wanted the presiding officer job, would there be a mechanism built in to get a presiding officer.

Bob Shoemaker said that he doubts that would occur. He said that, being political animals, there would be a fair number who wanted the leadership job.

Mary Tobias said that Bob Shoemaker is probably right, but something should be provided in case that happens. Would the job be scaled back to a part-time, half time job and the rest of the responsibilities would work their way back through the system?

Bob Shoemaker said that the charter would not spell out that it is a full-time job. The charter would just spell out the duties and compensation. The time factor would be up to the person selected to do the job. If someone did not do the job, that person would not be selected again. There would be a weak council and ineffective body for a while.

Chair Myers asked if the charter would spell out that the position is full-time.

Bob Shoemaker said no. The duties and the compensation that goes with those duties are such that you would expect it to take a lot of time.

Mary Tobias said that a real part of political life is a tremendous amount of political sophistication from narrowly directed special interest groups. She asked what would happen if, on a seven member council, one member has narrow special interests and the others cannot be the presiding officer, leaving the one member with narrow interests as presiding officer. She said that dissension is being built into the potential.

Bob Shoemaker said that risk will always be there.

Jim Gardner said that, probably, you will not find six out of seven members who cannot run for the position or who are not seeking the position. The general population could not aspire to that position, but enough people would.

Chair Myers asked how many hours Jim Gardner spends as presiding officer.

Jim Gardner said that he usually spends about 20 hours a week on council business.

Chair Myers asked how that figure compared with other members.

Jim Gardner said that it depends on the individual. He said that he spent as much time, or more, on Metro business before he was presiding officer than as presiding officer.

Ron Cease said that an effective presiding officer will spend a fairly good amount of time at that job, although, in many cases, they are not getting paid for it. He said that there could be a provision in the charter that would permit Metro to pay the presiding officer. A full-time paid presiding officer is one thing and a part-time paid presiding officer is another. He said that paying the presiding might suggest, not necessarily that the presiding officer will be working more, that the person would justify the amount of work that is being spent on the job. He said that he appreciates Jim Gardner's suggestions about strengthening the role of the council. He said that the Committee voted, and it failed, to give the council some affirming power over the major department heads. He said that he

thinks that still makes sense. He said that he had a bill in the 1979 legislature that would have given the council more authority over the contracting process, but it did not make it through the senate. He said that he is a strong believer in the executive officer, but also believes that the role of the council ought to be strengthened and there are ways of doing that. He said that it is quite a different thing to say that you are going to give the actual operational responsibility of planning to council by way of a staff directly responsible to council. He said that he sees problems with that model. He asked if the council currently has a system in which the council sets the planning policy and provides oversight, but does not operate planning.

Jim Gardner said yes. Currently, there is a clear exercise of power that the presiding officer has. The presiding officer appoints all the councilors to various council committees and, occasionally, to the advisory committees that oversee the planning function, such as RPAC or JPACT.

Ron Cease said that, in the past, the council has gone through a number of years of frustration because they were dependent on the departmental staff and the executive side. There is now a smaller staff that does analysis for the council and reviews the budget. He asked if the primary role of the council staff is to help the council with oversight, monitoring, and analysis. He said that it is, by no means, an operational staff.

Jim Gardner said that the two are very different.

Chair Myers asked, in the conception of placing functions under commissions, where planning was placed.

Larry Derr said that planning is not an operation so it would still be with the council.

Matt Hennessee said that, in the real world, when the council wants policy to be set, they get the majority of votes needed and sends the message to the executive. If the executive sends forth something, the council gets enough numbers to get the message to the executive that it is not going to work. He asked if that is the way that it happens at Metro. He said that he is getting the message that the council does not have any power, but the executive has it all.

Jim Gardner said that is the way that the real world works. He said that the council has had areas of intense disagreement with the executive. When there was a council majority that felt that way, the majority prevailed. The executive can talk to a councilor or two and try to persuade them to agree with her. He said that there sometimes is a strong council minority that stays a minority as the discussion plays itself out and the majority prevails no matter how it is played out.

Matt Hennessee said that he raised the question not to be facetious except to say that, sometimes, the Committee is trying to solve every problem by adding in words and divisions. He said that the purpose is to put together a charter that works and to provide a balance of power with the understanding that, in the real world, politicians figure out a way to make it work. He said that he thinks that, if the planning process was to be added in under the council, it would be adding in another organization and a great deal of tension between the council and executive. The Committee's role, instead, should be to bring the two together and try to see the same vision, particularly for planning.

Rena Cusma said that she agrees with Matt Hennessee. She said that it is important that she not leave an erroneous impression. There are personnel rules by ordinance and the council confirms department heads. With regard to contracting, the process is in rules and procedures and the council designates a budget time and the contracts to be brought back for their review before they are issued. She said that a number of things that the Committee is wrestling with trying to solve are not problems.

Jim Gardner said that he keeps getting the impression that a number of the Committee members feel that it is possible to draw a very clean line between what is planning and what is implementation. He said that, through his experience, he has seen that there is no clean line. It is a fantasy to think that you just set a policy and hand it to someone for implementation and you do not have to look again to see exactly how it is implemented or whether it is truly implemented the way that it is intended to be. He said that is not the real world. Whether you are talking about something that is purely a planning function, such as growth management or transportation planning, there are always a hundred smaller policies that have to be considered and decided upon as you go forward with implementing what might have been a broad policy. There has to be constant oversight and interaction.

Larry Derr asked if, in the context of the land use planning and growth management planning, Jim Gardner was talking about the ongoing planning process--plan, measure, and plan some more--as opposed to transportation planning where other people outside the agency are doing the implementation. He said that there is feedback and enforcement, but as far as implementation goes for transportation, the implementation is outside the agency and it seems to work. For land use, it is an ongoing process.

Jim Gardner said that implementation of land use policies is essentially outside of the agency.

Larry Derr agreed and said that enforcement is being measured. He asked if it made any difference whether or not those efforts are split between the executive and the council versus all in one or all in the other as to their effectiveness in the distinction between doing the planning and doing the implementation. He said that the distinction that is important is what is split between the executive and the council, not between planning and implementation.

Jim Gardner said that he would agree that it is very possible that it is a system that would work, but it would be, in effect, having two organizations. There would be one regional government that is a regional planning agency and one government that is a regional service district. He asked why have any connection between them at all.

Larry Derr said that the regional governing body also receives the policy and budget for the service district.

Jim Gardner said that, in the proposal he has seen, it oversees it in a very unworkable way. A budget is set, but a budget is more than a bottom line number that says you have this much to spend. It has many subdivisions and the policy is implicit in how you allocate resources. If there are two separate organizations only tied by the budget, he said that he has a tough time believing how it really functions. He said that his instinct is that it will not function very well.

Larry Derr said that he thinks the executive officer would like more separation.

Rena Cusma said that she could reiterate every word that Jim Gardner has said. She said that the proposed system does not work well. The agency will be balcanized into two separate governments with very little accountability and absolutely no way for the public to understand the government that it is suppose to be serving.

Larry Derr asked if the council should be handling the contracts and hiring the personnel.

Rena Cusma said that she did not say that.

Mary Tobias said that Larry Derr spoke to the issue of what the Committee is trying to fix and said that the regional planning function needs to be strengthened. She said that she thinks there has been

consensus by the group that regional planning is very important. She said that Larry Derr said that whatever system is put in play needs to make sure that local governments are part of that and they have to be comfortable with the system in place so that the region marches on. She said that, in trying to fix it, the Committee might be predicating their thinking on something that is no longer a part of the real world. With the expected growth and the emphasis on growth management, land use, and transportation connections, events have marched on beyond this Committee, including external events. She said that it appears that there are a lot of things happening out there that have brought local governments and state governments together in problem solving. The growth dynamics has pushed the whole issue beyond what the Committee is trying to fix. If there were to be no charter, Larry Derr's definition of what needs to be fixed would happen.

Jim Gardner said that there are perceptions of Metro's relationship with local governments that persist long beyond the time when they had any basis of reality. The two-and-a-half years before the adoption of RUGGO's were a couple of years in which there were some changes in attitude toward whether or not there should be regional growth management planning and whether or not Metro should be the body to do it. He said that is now the status quo and there is no going backward from that and Metro intends to keep moving forward and build on that to get on with the task. The one thing that could be done to guarantee that Metro will keep moving forward and do it as progressively as possible is to find a way to pay for it. The funding has been what has been holding Metro back for a long time and is still a major constraint.

Rena Cusma said that if you really want to strengthen planning, then the way to do that is to find a stable source of funding for planning. Funding, in and of itself, has been the biggest single stumbling block for Metro. In effect, Metro has had to struggle repeatedly to find a way to fund planning. It is a general fund expenditure. When there is a general fund shortfall, planning is where it has to come from. She said that she agrees that the process itself has been a real value, whether or not there is a charter. She said that a whole series of variables--ballot measure five, lack of funding for local governments, the charter process--has pushed the agenda for a closer working relationship between the regional government and its local government partners. She said that she thinks Metro has come a long way in terms of a better understanding with local governments than in the past, and the charter process has played a significant role in that and it has been worth it.

Mary Tobias said that she thinks that all the events together have provided the dynamic. She said that she agrees with the Committee that past relations between Metro and the local governments have not been good and the working relationship has not been good which is also part of the problem. If Metro had the funding and tried to go about things as it did two years ago with local governments, it would not have been successful. She said that the local governments and Metro need to be candid with each other.

Rena Cusma said that she sees it as a five year ago way because it was five years ago when the Metro council sat down with the local governments and jointly entered into a planning process to solve a solid waste crisis. Until that point in time, no one had sat down together. That situation began a whole series of things that have been furthered by exactly the kind of variables that Mary Tobias mentioned.

Mary Tobias said that she thinks it began a maturation process.

John Meek said that there is not a lot of sympathy when Metro says that they do not have money to do planning and, at the same time, they are building a \$200 square foot palace.

Rena Cusma said that the cost effective long term solution is to put this agency into a permanent home. She said that one of the problems that this country has is that we have made too many short

term decisions based on political expediency. She said that there have been disagreements if now is the time, politically, for the new building. She said that this is not the kind of a decision that, if not made, there would be an awful lot of money. If anything, this decision will save Metro money. It has been projected out and can be proved in terms of how the money is paid back and when. She said that it is not a fair comparison. She said that the problem with Metro is that it is a fee based, service based agency. The way that space is paid for is as a direct charge back to the services that the agency provides. Planning, which has no revenue source, is paid for by an excise tax on services which generates the only general fund that this agency has. The general fund pays for planning and functions of the general government that are usually covered, in other governments, by a tax base. She said that it is not a question of whether or not you are able to take from this pot of money and do that with it. Everything in this agency has a dedicated fund related to it, transfers within funds are for internal services, and the excise tax is dedicated to general government functions and planning.

John Meek asked Rena Cusma's viewpoint on a regionally elected presiding officer of the council. The executive officer currently hires staff and, under his scenario, the presiding officer would hire staff. He asked what the difference would be with the two roles.

Rena Cusma said that the issue has come up in the past and she opposes it strongly. She said that she feels strongly about it because it vests far too much power in one person's hands. She said that there is not any checks and balances. She said that she and Jim Gardner are temporary help--they will not be here forever. The charter needs to have the best form of governance that protects the public interest for the long term and a regionally elected presiding officer does not do that.

Mary Tobias asked, regarding the Sears building, about the way in which the decision was arrived at to purchase the building. She asked, when the issue was first brought to the council in any form, what the vote split was.

Jim Gardner said that the council only took one vote that was a decision to buy the building.

Mary Tobias asked what the uncounted vote split was. She said that the Sears building is an excellent example of something that has a lot of questions in the public's mind about how it was handled within the agency. She asked Rena Cusma if, as the at-large elected representative of the district, she had the majority support for this project from the outset or if she had to exert her own personal lobby within the council to get a majority vote.

Rena Cusma said that she did not have to exert her own authority to get to a majority vote. She said that the way it initiated was that Metro knew that they would need to lease additional space--Metro has outgrowth this building. She said that Metro is also in an agreement that if this building burns down, they have to rebuild it. She said that the lease has X amount of time left and there is an optimum time, if they are going to do something about that, to do it. She said that she does not remember if it first surfaced through the legislature or the administration. She said that there was strong support on both sides of the aisle. The decision was made initially to survey the entire region and see where the best site was and establish some criteria that the council collectively agreed upon was important in finding a facility.

Mary Tobias said that she understands the decision to relocate. She said that she wants to keep it focused on the Sears decision.

Jim Gardner said that the council first heard about the possibility of the Sears building being available, and that it might meet Metro's needs, six or eight months before the actual decision was made. There were negotiations going on and there was a task force appointed with members of Rena Cusma's staff and councilors as the real estate deal was coming together. The conclusion at the end of two or three

months was that it was too expensive because of the way that the deal was going to be configured-- they were going to lease some space in the Sears building. It cost more than Metro was willing to pay. He said that there were no votes taken by the council anywhere along the way, but there were a number of executive sessions where the council was briefed by their representatives in the negotiations and Rena Cusma. He said that the council told the executive to go back and make one more try and look at the deal in a different way. At first, it involved not buying the parking garage and looking at the building as if Metro would occupy all of it and not try to lease any of it. There were several months of negotiations trying to reach agreement on a price with that kind of configuration. Rena Cusma did come to the council at the end of that process to say that there is a deal that Metro can afford, this is what it is like, this is what it will cost, and these are the projections for when it will be less than renting.

Mary Tobias asked if Jim Gardner supported it.

Jim Gardner said that he did not support it.

Mary Tobias asked how far Jim Gardner was from the majority.

Jim Gardner said that he thought that he had greater support on the council than he did. He said that he thinks the final vote was nine or ten to two. He said that a large majority of the council bought the idea that Metro should buy the building.

Rena Cusma said that she did not lobby that vote.

Ron Cease said that he finds this line of questioning irritating. The Committee has a certain job regarding structure and functions. There is not any structure that will guarantee that every decision made by the body is a wise one or is politically prudent. He said that he thinks it was a good decision, but it may not have been the right time. He said that Judie Hammerstad mentioned, during the revenue hearing, that part of the reason she was unhappy about the Sears building was because there was a vote in Clackamas County for a new building and it failed and Metro is going ahead with the Sears building. He said that may be unfortunate, but he does not see what it has to do with the larger question of structure and function. If you think that there is something wrong with the structure in reference to that decision, then the Committee ought to look at the structure or accountability needs. The questions of whether that is a good decision or not or whether the decision should be made now or not now do not have anything to do with the role of the particular body.

Mary Tobias said that she was not inquiring for the purposes of deciding if the decision was good or bad. She said that she was inquiring for the purposes of knowing how the structure was functioning.

#### 4. Regional Governance Committee

Mike McKeever, RGC staff, said that he represents the RGC, specifically the executive committee of the RGC. Only the RGC executive committee has had the opportunity to review option four. He said that the RGC position is in favor of a council/manager form of government. To build consensus at the local level, the RGC has looked at each issue freshly and not started with political assumptions about what is doable and what is not. He said that the Committee has discussed many of the same themes that the RGC has. The Committee wants an accountable, visible, and effective government. He said that most of the Committee wants government that will do both planning and service delivery. He said that he would characterize the functions document as primarily an expansion of the government's authority in growth management. The local governments have stepped up to the plate very progressively in consensus support for that. He said that the RGC will scrutinize whether the

structure of the government provides for adequate dispensation of the planning function very carefully because it is the area that would grow immediately upon charter passage. When the RGC received the provisions of option four, they went back to the fundamental principles that the RGC is trying to accomplish in the government. Option four does improve efficiency in the area of planning because it consolidates government, but the fundamental concept of separation of powers promotes inefficiency. The proposal increases visibility by making the council smaller. The path of increasing visibility, via the press, is a far more practical and likely occurrence than the path of increasing visibility by creating so many Metro councilors that they can go out and commune with their neighbors. There are two branches of government and, thus, two branches of government that people have to associate with. That structure is not as visible as a consolidated government with a single head where everyone understands what is going on. On the attribute of effectiveness, for planning, it will be more effective. There is an issue over who hires and fires the staff and that there is a level of trust. He said that the concept of councils hiring planning staff is not a revolutionary concept--it happens all over the region. The service delivery wing of the government will not be more effective. He said that RGC thinks that accountability is increased primarily because it better defines who does what. If both branches of government are going to be retained, this is a clearer definition, than the current definition, of what each is suppose to do. He said that he does not think that many of the Committee members could, off the top of their heads, quickly and accurately define what the executive branch and the legislative branch does in a sentence--it is still murky. Some efforts have been made between the legislative branch and the executive, but it is not clear. It cannot be described by a bumper sticker. The proposal to better delineate who does what helps. When you get someone's attention, it might be odd for a citizen, but if you get them to the point where they care enough to ask which branch does what, you would have a one line answer that you do not have now. The delineation is easily explainable to local governments. For professional management, there are some truisms that have gone through the RGC and Committee processes, including that no system is perfect and that every system is only as good as the people who are in it. He said that the RGC feels that on average, over time, there will be better management and execution of the government functions if someone who is trained as a paid professional, and is not an elected official, is in charge of that. He said that it is not always true and there are city manager style governments are not operating perfectly, but, on average, there is a structural difference and benefit. He said that the professional manager would be on the planning side, but not on the executive side. Assuming that the RPAC process goes with the structure, there will be more local government involvement which is an improvement on the current system. He said that the balance of power was not discussed by the Committee. He said that the RGC does not think that one of the purposes of the government is to provide a balance of power between the executive and legislative branches. He said that increasing the power of the council by giving them more authority over what the executive does is the worst possible thing to do because it further entangles the two branches of government. It makes it less effective and less efficient. He said that the Committee should not further enmesh the two branches of government together under some sense of equalizing the power. The RGC views the power issues as whether there is effectiveness, efficiency, and visibility. He said that the Committee has no choice but to work with both branches of the government structure. He said that the cities in Washington County and the County have spent a great deal of time on their portion of the solid waste plan for the region. In getting that adopted, there is no choice but to work with the executive branch and the legislative branch on the policy issues. He said that the RGC thinks that is inefficient and unnecessary and there is no added value from that. In some cases, the executive is more friendly to a particular position and, in some cases, the council is. The point is that you have to work both sides of it. Even in the implementation of policy, there is not a clear delineation between when a policy is made and the hand off is made to the executive branch and the service delivery begins. Looking at the agendas of the council and what they spend their time on, they are in the middle of service delivery, operational issues all of the time. He said that the times former Presiding Officer Mike Ragsdale has been before the Committee, he articulated that clearly. Even in the implementation of the service, there are still questions about who really has the authority to do what. He said that he was in a meeting the other day where representatives from both branches of

the government were trying to decide who had the compelling authority to reject a franchise proposal in the solid waste area. They decided that the best way for them to do it would be for them both to do it so that they would be safe. The delineation, in many ways, is not clear. He said that the planning process is less political under this option than under the status quo. Currently, there are policy makers on both sides who are politicians and you have to work both sides of government in order to get a policy adopted. You are not politicizing the process by changing it, you are depoliticizing it. The compromise proposal attempts to get at many of the RGC concerns in a different way than the RGC had done. It addresses the issues of overlapping, inefficiency, visibility by providing further separation of the two branches of government. The RGC proposal is to get at those issues by consolidating government into a single legislative body who hires and fires the manager with the staff of the government implementing the policy. He said that his comments are only a first blush analysis by the RGC executive committee, not a position of support or non-support.

Chair Myers asked how the compromise enhances the involvement of the local government.

Mike McKeever said that if the RPAC process is not brought with it, it does not enhance the involvement of the local governments. He said that the RGC assumes that the RPAC process comes with it.

Chair Myers said that the involvement of local government is decision making through an RPAC is a mechanism to achieve that apart from whether the responsibility for planning is an executive side responsibility or a legislative side responsibility.

Mike McKeever said that is correct.

Jon Egge said that one of the things that we set out to do when looking at the compromise was to attach responsible to accountable. He said that might explain the reason why there is not a need to address the balance of power discussion. It is more important to define the role of the government and the roles within the government. He said that Mike McKeever made an argument in reverse to his original statement about the efficiency of the proposal when talking about the current structure undertaking to do a lot of both things at the same time. When that is separated, he understood that the efficiency would be improved.

Mike McKeever said that the RGC executive committee is in agreement that it is going in that direction. There are some things, in the draft, that keep the branches intertwined. For instance, the enforcement power for the planning document, is vested in the executive in the draft. There still is an overlap, even in the planning area.

John Meek asked if he understood that Mike McKeever said, under the balance of power and elected executive form of government, the elected executive would still remain accountable and the council would continue its role as oversight instead of trying to balance out the power where the council would be given more authority in the role of the executive officer.

Mike McKeever said that the reason why the RGC thinks that the council needs to be strengthened is that it has the planning and policy making role of the government. Under this proposal, he said that it would be clearer and they would have autonomy in that area than they do now, but still have the primary role. Anything which further entangles the legislative and executive branches under the current structure simply creates more inefficiency and less effectiveness. It gives the executive officer less room to move if more council concurrence is required for certain actions.

John Meek asked if Mike McKeever would like to see one or the other, but not an intermingling.



Mike McKeever said yes. He said that if there is a proposal that would further cause duplication and one branch cannot act on their own but must have concurrence from the other branch, the problems that the RGC feels already exist would be exacerbated.

Matt Hennessee said that he believes that, in the proposal the Committee already passed on which separates the power in terms of the executive and legislative branch, the legislative branch can still hire a staff if they want to hire a staff. He asked if Mike McKeever interpreted it that way also.

Mike McKeever said yes, they do that now.

Matt Hennessee said that there is nothing in the language which restricts them in terms of what they can hire the staff to do.

Mike McKeever said that is part of the RGC concern. There is one staff of policy analysts and planners who are overlooking, critiquing and analyzing the work of another set of staff who have the same professional credentials. He said that kind of check might be needed in the federal government for certain decisions, but it is not needed for the kinds of things that the regional government goes.

Matt Hennessee asked in the construct of the council/manager form, if the RGC has talked about whether the council is full or part-time.

Mike McKeever said that the RGC started with a preference for a full-time group. There are those that are suspicious that the RGC is trying to hamstring Metro, but the fact that their preference, purely on the merits of it, is to have a full-time council so that the people have enough time to do it correctly and well says a lot. The RGC does not have an official position on the issue of pay currently. The RGC is concerned about the politics of whether the voters will approve the pay for that. He said that it is the same kind of concern the RGC has on the taxing authority in the current recommendation.

John Meek asked if the vote on the full-time or part-time council was with an elected executive officer.

Mike McKeever said that it was with a hired administrator.

Matt Hennessee said the RGC cannot make the preface that part of the reason why they does not like the status quo is because they have to deal with the council and executive. If there is a part-time council and hired executive, you will still have to deal with both the council and the executive staff.

Mike McKeever said that it is a matter of degree. In this case, there are important differences in the degree. Under the part-time council, the executive is still hired and fired by the council as opposed to being the only individual in the government who has a 1.2 million person base of political support. That political base is vested in the operational arm of the government.

Ron Cease said that the theory behind hired managers is that they come in for three or four years. In recent years, they have not followed that theory and have not left. In a sense, they develop their own political base. He said that the hired manager does not necessarily work the way the theory says it will work.

Mike McKeever said that nothing works all the time--that is a truism. He said there are cases where there are severe problems under the council/manager form of government. On average, looking at all of the governments across the country, over time, there will be better decisions from a council/manager format than when the administrator of the government has an independent elected political base that he/she is responsible for in addition to efficient operation of the government.

Ron Cease said that in the cities where there are a lot of controversial problems and there is a city manager who is largely dealing with infrastructure and actual management of the physical plan and operation, the city manager will probably be pretty strong.

Mike McKeever said that is partly the point. The manager is wanted to run the operations of the government and the council sets the policy.

Ron Cease said, at that point, the manager runs the government and does the policy. He said that a manager will not tell you that, but he/she is involved with policy.

Mike McKeever said that there is a big difference saying that the city manager, under certain circumstances, can take on the substantial ability to influence policy and saying that he/she is the chief policy maker of the government. He said that is not a fair characterization of, on average, the council/manager form.

Mary Tobias said that she has seen a significant shift in the quality of person that government hires when hiring a manager--particularly when the government can pay a substantive wage. If Metro were to hire an executive, there probably would be a national search and the hiring would be from the top level of professionals. To a certain extent, that type of investment changes the dynamic and changes the credentials. She said that, from personal experience, anyone elected to the council is going to be a politician. She said that after she was elected as Mayor of Sherwood in 1983, the city administrator quit. She said that she had to manage the city for six months with a politician's credentials--pretty minimal to manage a city of over \$1 million. She said that as a political person, with a political understanding of the complexities, it was beyond her ability. Sherwood, a city of 2,200, felt that they needed to conduct a national search to find an educated and experienced person to manage the complexities of their city. Government is extraordinarily complex and management of a major corporation is very complex. To manage a major governmental corporation, just as to manage any other corporation, the council needs to know that they have the control to put someone in the position who has the skills, education and credentials to do the job. If not, and there is an exceedingly weak or strong council, there is no one with the expertise to tell the council what the nuances are to keeping that government going. Even though the Committee is trying to attract more talented people, there will still be political people running for those offices, including the elected executive.

Chair Myers said that there are governments in the region in which the selection of the management is in the hands of a chief executive officer. He said that Portland is an example--the Mayor could allocate to himself/herself all the departments. Metro is another example. He asked how Mike McKeever would equate the managers at the first tier level of Metro and Portland compared to a city manager system. Under Metro, the actual management in the day to day sense, at the departmental level, is done by professionals, hired by the executive and confirmed by the council. He asked if the quality of the management in that structure is significantly inferior to what is being experienced in the region through a city manager form.

Mike McKeever said that he understands the question to be what the responsibility of those people is vis-a-vis the responsibility of a hired city manager who would have all responsibility feeding to that person and the professional staff is moved down one level. He said that converting the head of the staff from a professional to an elected official will reduce, on average, the qualifications of the person doing the job.

Frank Josselson asked, in terms of the values identified by RGC, if the alternative to the compromise, in terms of the best achievement of the goals, the status quo or the RGC system.

Mike McKeever said that the values are based on a benchmark of the status quo.

Frank Josselson asked what choices are next in order of RGC preference if the Committee does not adopt the compromise.

Mike McKeever said that it would be the RGC model.

Frank Josselson said that there is obvious hostility on the Committee to the idea of separating service delivery and policy making. There is also obvious hostility to combining policy making and service delivery. He asked if Mike McKeever could provide some analysis of that, other than a determination to preserve the status quo.

Mike McKeever said that one of the values to putting an alternative on the table is that it allows the Committee to go back to the first principles and what they are trying to accomplish. If all the Committee does is bargain over positions, the risk is everyone losing. If the Committee can find a way to get to the same objectives, then they will be on the right track. The RGC is willing to play the game and re-analyze their position based on the objectives.

Frank Josselson asked Mike McKeever if there is an alternative that is not the status quo, council/manager, or the proposal on the table, that would be likely to achieve the consensus of the Committee.

Mike McKeever said that he would take the fifth.

Ned Look said that the issue is very controversial and key. He gave the scenario of the Committee arriving at a recommendation that included an elected executive. The vote to reach that decision would be one-third hard core wanting an elected executive, one-third wanting an elected executive, and one-third hard core wanting an appointed executive. The one-third preferring appointed feels that it is not politically doable. He asked what should be written in the charter, if that is the recommendation, to balance it and compensate for it.

Mike McKeever said that he does not like to vacillate, but he has to. The RGC has tried hard to not draw lines in the sand and say "if we do not get this, we are going home". He said that does not mean that bottom lines do not exist. The RGC has avoided, as a group, defining what the bottom lines are until they have to. He said that the RGC wants the charter to work and pass at the ballot box. He said that he cannot look the charter in the eye and say "if you do this, you will have to do these other things to get RGC support". He said that the RGC will participate in the process and when the draft of the whole charter comes out, they will start to identify items that are points of disagreement and state which ones can be lived with and which ones are charter killers.

Ned Look asked that, when the RGC identifies which issues can be lived with and which ones are charter killers, they come in with a recommendation as to how the issue can be solved.

Mike McKeever said that the RGC plans to do that.

Matt Hennessee said that there is another compromise position which permits the Committee to look at a structure which has regional manager. He said that the Committee should remember that the council manager form takes on a lot of different characteristics. As the Committee goes forward, they should not blind themselves to say that they can only have one or the other. If talking about an improved government and an efficient political and administrative process, there are still constructs to be put together for a government the size of the region. When the Committee gets to the deliberations on the structure, they should take a closer look at what the RGC council/manager form actually takes on. He said that the Committee has assumed a lot of things around the table without letting the RGC spell out the duties of who is doing what and how it is constructed.

Mary Tobias said that the RGC has recommended a council that is smaller in size than the existing council. In terms of trying to balance the policy making and the implementation functions, she asked if there was to be a council that reflected the current size, or something close to it, with a professional administrator of the government and a regionally elected presiding officer, would the goals be accomplished of a structure that would function well, be recognizable to the citizenry, be recognizable to the government, and have the least amount of disruption to an already existing government? She said that the dynamics are such that every time the presiding officer and executive have been at the table, the presiding officer has always been the primary spokesperson for the agency. The presiding officer has always been relegated to a secondary position. If the council were to have, among the remaining councilors, to elect the president of the council who serves in the absence of the presiding officer and becomes the council's peer leader by virtue of election, will a position be reached that does accomplish the goals?

Mike McKeever asked if the at-large elected person physically sits on the council and votes as the presiding officer and the council selects their president of the council which would be second in command.

Mary Tobias said yes.

Mike McKeever said that his sense is that it is a variation on the basic theme RGC is promoting. He said that he thinks the RGC feels pretty strongly that they want the council downsized as a way of increasing visibility and, thus, accountability.

Mary Tobias said that if the size is kept where it is, then you do compensate for the shift from the elected executive. You have taken more power, by virtue of number, and placed it in the council.

Mike McKeever said that he could take the idea back to the RGC, but cannot give an answer as to whether or not the RGC would support it.

Matt Hennessee said that he has trouble with the idea of a smaller council. He said that he is troubled that, even with the five member commission for Portland, we find ourselves in a situation where there is a seat on the commission that is seen as a black seat. Charles Jordan was in the seat and now Dick Bogle is in the seat. Right now, Charlie Hales and Chuck Dimond are running for that seat. In the black community, the question is not whether Charlie and Chuck are good guys, but whether there will be a black face sitting at the table representing the black community. He said that is the world of reality and it happens when there is a smaller body. There is not as representative a government. He said that the black community is only an example. There are several other groups who may feel disenfranchised by their government, but they do not have enough population to be represented at the table. He said that in the next 20 years, this conversation may not mean anything, but it is needed now. He said that Ed Washington is going in to a fight for his life as a representative black on the council. If he does not get in, the black community will, once again, feel as if they have lost. He said that he does not like to be put in that position and is concerned about downsizing the government.

Mike McKeever said that variable was not discussed as a problem with the downsizing or a merit of the proposal. He said that he would be glad to take it back to the RGC.

Chair Myers asked if the downsizing proposed by RGC was in the context of having full-time councilors.

Mike McKeever said that the recommendations of seven councilors would be regardless of full-time or part-time employees.

Matt Hennessee asked for a sense of the RGC construct. He asked whether or not the policy making body would be elected. He asked whether or not the executive officer would be elected separately and not be a member of the body. Would the executive officer still have the ability to hire a regional manager with approval or confirmation by the council or would the manager be selected by the council? He asked whether or not there should be the policy making body with an elected executive as a member of the council and they, as a group, could select a regional manager.

Mike McKeever said that the latter version gets closer to the heart of the what the RGC thinks the issue is. If you retain the separation, and create a management position that is hired under the executive officer and might get at the professionalism issue. You can get at the professionalism, but you do not get at the other areas.

Ron Cease said that he agrees with Mary Tobias' comment that the Committee should avoid as much disruption as possible, but that does not mean that there should not be change. In the next 10-15 years, it is projected that the region will have 500,000 more people. That projection suggests that the size of each district is going to get bigger, assuming that the number of seats stays the same. If the area gets bigger, there will be more issues and problems and the need for the political aspect of the executive officer becomes more pronounced. He said that some people on the Committee feel that it does not make sense to elect the manager. He said that there is some argument to that. On the other hand, it makes eminent sense to elect a politician who is a policy maker and is a visible symbol of the region. He said that, regarding the possibility of having an administrative officer, there tends to be an administrative officer in one form or another in larger cities with a strong mayor form of government. He gave the zoo as an example. He said that Kay Rich, Assistant Director, has essentially operated as the administrative officer since he arrived. The political and public figure and policy maker is Sherry Sheng, the Director. He said that people are always trying to beat up the political part of things and think that taking the politics out of things will improve the government. He said that he does not believe that. If politics is taken out, everything is squeezed out of the democracy issue until there is nothing left but a purified form of government that presumably will be accountable to a small group of people who have a particular interest, but the larger question of accountability gets thrown out the window. He said that there needs to be a system of which both the politics and the management side are taken care of in such a way that does not take the structure and turn it upside down. He said that there are some major ways to improve the structure that currently exists without changing it from the root up. He said that he thinks the Committee would agree that they are not quite satisfied with it in reference to the accountability issue, the relationship between the executive and the council, and the question of whether it would be useful to have an administrative officer that would take care of the management side under the executive officer and the council. He said that he thinks the Committee is in danger of blowing up over a structural issue and end up falling apart which would leave the current structure in existence and nothing has been done to improve it. He said that if the Committee tries to change the structure from the bottom up, it will fall apart because, assuming that the voters will approve it, it will take two or three years to get the structure in place and stabilized. He said that the Committee should take what already exists and improve it.

Frank Josselson asked Ron Cease what improvements he would suggest.

Ron Cease said that he would strengthen the council. He said that there are a number of ways to strengthen the council including the suggestions mentioned by Jim Gardner. He said that he is a strong believer in the strong executive, but he does not agree with Rena Cusma on a number of the issues. He said that the Committee should look at the issue of how to provide for an administrative officer. Visibility and accountability, including the audit, and ways to improve it needs to be addressed. In the end, the Committee should be able to say that there is a stronger system that provides more accountability and more public reporting on the part of both the council and the executive officer to the larger public and constituent groups. He said that he would not alter or redo the basic structure, but

would simply take it and figure out how to improve it. He said that it would make it very difficult for Metro or others to say that it can not be sold to the public. He said that it is hard to argue when there are reasonable approaches that will provide for greater accountability and visibility. In any structure, greater accountability and visibility are desirable things. Part of the problem with accountability is representation. Because of the nature of the organization and the growth in the region, accountability will always be an issue. He said that is one reason why he is bothered by reducing the size of the council. He said that Metro is not a state government or a local government-- it is something in between. None of the models are satisfactory.

Charlie Hales said that there are things in the compromise proposal that he likes even though he thinks there should be an elected executive. He said that there are pieces of the proposal that can be used in the ultimate product that can be effective even with maintaining the existence of the elected executive. He said that in trying to define the executive position, the Committee may have oversimplified by stating that any government, in the executive position, is both management and leadership. The leadership portion is a little less tangible, but in any executive function, there are symbolic leadership roles. He gave the example of Rena Cusma talking about recycling on the radio. He asked Mike McKeever, in the RGC construct of the council/manager form, how would the leadership function be performed and by whom.

Mike McKeever said that the options--selecting from within the group or having the person elected at-large--for the region's figure head are still on the RGC table. He said that he thinks either of those options would be acceptable.

Charlie Hales asked what the difference is between having the current executive officer and having a full-time paid presiding officer who is elected at-large.

Mike McKeever said that there is a substantial difference. Under a full-time paid presiding officer who is elected at-large, the government's seat of power is in the policy and planning arm of the government instead of in the operations and service delivery arm. He said that growth management is the issue that everyone agrees the regional government needs to do and needs to do more of it. He said that every member of RGC has adopted a resolution stating that they want Metro to get more proactive in growth management for the region. He said that it seems inconsistent to the RGC to have that be the function and then turn around and vest the only regionally elected symbol head in the service delivery arm of the government.

Mary Tobias said that, looking at the matrix, there are a lot of unknowns in the chamber proposal, but there are a tremendous number of places where there appears to be no conflict. She asked if it is possible to use something of the small steps approach to go through the matrix and determine what the Committee agrees on. She said that she would like Mike McKeever and Larry Derr to clarify the items on the matrix to make sure that they are correct.

Frank Josselson said that he would like to hear the rest of the testimony first.

##### 5. Portland Metropolitan Chamber of Commerce

Blanche Schroeder, Chamber staff, said that she did not have an executive committee to bring together and there is not an official chamber position. She said that the chamber is open to any kind of a compromise that will get something out from the Committee. She said that there should be an provision which would provide the ability for the government to focus on establishing a strong regional government that can establish policies for growth management and standards for the area to live up to.

Janet Whitfield said that Nohad Toulan said he would be willing to either send in testimony or appear before the Committee at the next meeting.

Chair Myers said that he is disinclined to continue with further testimony. He said that the Committee needs to start making decisions and get the issue resolved.

## 6. Charter directions for the Boundary Commission

Charlie Hales said that the Boundary Commission subcommittee proposal is a compromise between maintaining the status quo and total absorption of the boundary function into Metro's structure. He said that it is consistent with what the Committee did in the other service areas, other than planning, where the Committee has put Metro in the position of being able to take on functions that have traditionally been provided by other units of government, but are not making the transfer in the charter. The proposal states that *(1) the charter will direct the regional governing body to review the process for resolving boundary changes and disputes within the metropolitan region and to adopt any changes to the current process deemed necessary for the region. (2) Advice and consultation of the RPAC will be required. (3) The process will be developed in conjunction with the Regional Framework Plan, as well as with LCDC development of statewide rules relating to the coordination of service provision in the region. (4) Until a new boundary process is adopted, the duties of the Local Government Boundary Commission will remain as currently mandated. (5) Voter approval of the charter will serve as elector authorization to transfer the Boundary Commission function to Metro, as provided in ORS 268.320.* He said that one of the reasons the subcommittee did not propose immediate action on the Boundary Commission is that the issue of how boundaries are determined is going to be tied up with Metro's own adoption of the Regional Framework Plan and LCDC rulemaking for Goal 11 which will be much more specific for local governments than in the past regarding public facilities and services and proposed service boundaries. If that process goes the way that it is designed to go, it will make mute much of what the Boundary Commission has worked on over the years. The decisions will become timing and implementation decisions rather than turf decisions. He said that there is currently a statutory requirement that Metro send the proposal to the voters to take over the functions of the Boundary Commission. The proposal allows that requirement to be rolled into the charter and, by adoption of the charter, the voters will have said that, anytime the regional government wants, they can implement the assumption of the boundary commission powers.

John Meek asked if the regional government took over the Boundary Commission, could they disband it all together.

Charlie Hales said no because whatever process they create for resolving boundary changes will have to be developed in conjunction with the Regional Framework Plan and will have to conform, to some extent, to whatever LCDC does under the rules for public facilities. He said that the theory is that the traditional reason to have a boundary commission is going to become less and less relevant because there is a Regional Framework Plan and clearer state guidelines on the expansion and consummation of service changes. The planning documents will drive the service considerations.

John Meek said that the plans will be laid out where the functions of the boundary commission are going to be more driven through planning documents through a public decision making/hearing process where a judgement is made.

Charlie Hales said that the Regional Framework Plan is adopted by an elected body.

John Meek said that the Regional Framework Plan will spell out the process for services and boundaries.

Charlie Hales said that he would expect to see more standards than process in the Regional Framework Plan. He said that the Regional Framework Plan is trying to rationalize, on the regional level, what has traditionally been done at the local level by the Boundary Commission. The brokering process will become less and less important as there is a regional plan and as the service boundary decisions are made to implement the plan. He said that it is going to be so tied up with the LCDC rulemaking process that he would not expect Metro to deal with it in the first couple of years.

John Meek said that the current boundaries for the Boundary Commission take in the entire tri-county area. Metro's boundary would be limited to its existing boundary.

Charlie Hales said that is another reason to, in the early stages, keep the Boundary Commission as it now exists because, once the Regional Framework Plan is in place, there is still the remaining question of how to resolve boundary disputes outside of Metro's limits. He said that Metro would be empowered to decide what the process will be in the future. They may decide to let the boundary decisions which fall outside of the Metro boundary revert to county government.

Larry Derr said that the proposal mentions the process going on in conjunction with the Regional Framework Plan process. He said that he did not understand that it mean that it was literally tied to it so whatever conclusions the governing body might come to, could only be implemented in the framework plan. He said that he understood it to be ongoing with that process. He said that his short answer to John Meek's question is yes, if the regional governing body concluded that the Boundary Commission did not need to continue its current functions and the mechanisms were in place to deal with whatever needed to be done. It could take that action anytime after the charter is adopted.

Charlie Hales said that is correct.

Ron Cease said that there is still the large issue of dealing with state law as the Boundary Commission is moved from one category to another--particularly when the Boundary Commission has authority in all three counties and not just in Metro. He said that if the council buys the notion that the boundary issues need to be done on the regional level, then it makes sense, as things change and the Regional Framework Plan is implemented and LCDC guidelines are adopted, that they ought to make a judgment of how the Boundary Commission fits into that. In the meantime, the Boundary Commission should be left to operate the way it is until a judgement is made as to how all the pieces fit together. He suggested that, under the fourth provision, that the duties and the commission would remain in existence.

Charlie Hales said that the fourth provision should read: *until a new boundary process is adopted, the structure and duties of the Local Government Boundary Commission will remain as currently mandated.* He said that this is one more piece of the charter that, if approved, will require conforming amendments to state law.

Chair Myers said that he would accept the subcommittee report as being amended by the subcommittee.

Motion: Matt Hennessee moved, Ned Look seconded, that the recommendations, as amended, of the Boundary Commission subcommittee be added as part of the drafting outline.

Vote on the motion: Judy Carnahan, Ron Cease, Larry Derr, Jon Egge, Charlie Hales, Matt Hennessee, Ned Look, Bob Shoemaker, Mary Tobias, Mimi Urbigkeit, Norm Wyers, and Chair Myers voted aye. Frank Josselson, John Meek, and Wes Myllenbeck voted



may. Ray Phelps was absent. The vote was 12 ayes to 3 nays and the motion passed.

## 7. Discussion of structure alternatives

Wes Myllenbeck said that he had a proposal for the council/elected executive form of government. It is a modification of the current system. He said that he thinks the elected executive officer is the best bet for the regional government. He said that his proposal has a council, elected executive, and an administrative officer. There would be 13 members on the council to start, two more would be added when the average population of the districts reaches 100,000 and the maximum number on the council is 19. The additional districts should be added at consensus time, two at a time in order to keep an odd amount. He said that, in talking with small groups, the Committee would be making a real mistake of going to a smaller body. People want to have more contact with the people they elect. The term of the councilors would be four years and limited to two terms. The council would be a paid part-time position. The pay would be \$7,500 to start, with increases for the Portland area cost of living. The presiding officer would get three times the salary of the council members. Council duties are setting policy for all Metro functions and services and budget approval. All powers would be with the council, except when delegated elsewhere in the charter. Their work would be through ordinances and resolutions. The council would have a small staff, because there is a lot of meddling going on with the policy making body when there is a big staff. The council elects a presiding officer who serve at the pleasure of the council and is reviewed annually. The presiding officer could be removed at any time that he does not have the confidence of the council. Minutes and records would be kept of all meetings. No member of the council shall sit on any board, commission, or advisory body. He said that, for several reasons, an elected official sitting on an advisory board, gives that body some false security when he/she participates and he/she is expected to argue that position with the council.

Janet Whitfield asked about Metro advisory bodies which Metro councilors currently are members of, such as RPAC and JPACT.

Wes Myllenbeck said that they would not be. He said that he would like to see as many people involved in government as possible. Council meetings would be open, except as provided by law. The positions are non-partisan. The audit function stays with the council. The executive officer would have a veto that the council could override it with two thirds vote. He said that the executive officer would be elected at-large for a four year term with a two term limit. He said that four years is too little to get things done and the person can accomplish his/her goals in eight years. Pay is fixed by the council and could be tied to the cost of living. The executive officer's duties would be to carry out the policies set by the council, enforce ordinances and prepare the budget with the administrative officer. The executive officer would have to deliver an annual message, the State of Metro, to the council after the first of the year so that there is communication. The executive officer can meet with the council. The council and executive officer would have to agree on the rules of how that would come about. The executive officer could suggest ordinances and resolutions and things that make up policy. The executive officer would appoint staff with the administrative officer and department heads subject to confirmation by council. The executive would have veto power. He said that he has some misgivings about the veto, but the executive officer, in running the shop and seeing how everything works, can run into a situation when a council will pass an ordinance that fouls up the operation. The executive officer should have some say if that is the case and the veto is that power. The veto can be overridden by the council. The executive officer with the administrative officer would prepare the budget and carry out the approved budget. The executive officer is a non-partisan seat. There are no other elected officers. The administrative officer is needed because an executive officer is sometimes elected who would rather cut ribbons, travel and go to meetings and someone needs to take care of the government. He suggested that the charter say that the executive officer appoints an administrative

officer and the administrative officer would be confirmed by the council. The responsibilities of the administrative officer would be to administer the government and be subject to the overall direction of the executive officer. The powers are given really to the executive officer and the executive officer could choose to manage more. The administrative officer could make recommendations for running the government or policy to the council, but those recommendations must be through the executive officer. He said that the charter should also include a non-interference clause which states that the council, as a policy making body, cannot interfere with the administration. They can get information from departments, but they have to go through the executive officer or the administrative officer. He said that you cannot put political pressure on department heads--there needs to be some chain of command.

Ron Cease said that, to his knowledge, the executive officer has never used the veto, but that does not mean that the veto is useless. He said that Rena Cusma has threatened to use it and a threat has merit. The existence of the veto means that the executive officer and the council work closer together where it is obvious that there might be a conflict. The dynamics of the relationship is different because of the existence of the veto. He said that it is an useful mechanism to have as an executive officer.

#### 8. Additional business

Chair Myers said that the Committee will decide the structure of the government or stalemate on the issue of structure at the next meeting. He said that Mary Tobias' suggestion of approaching it on an incremental, piece-meal basis in the abstract has merit, but he would prefer to frontally confront the question of a planning and service arrangement within the government. He said that he thinks there are various members on the Committee whose willingness to take a certain piece in a certain form hinges on that the planning and service arrangement. If the Committee took each piece in the abstract, it would not get to the politics on the Committee. The Committee needs to deal with the core issue at the start and they will be able to work out an arrangement that is going to be a gateway to resolving the rest of it or not. If the Committee can resolve the core question, they will be able to march on to resolve the rest of it.

Ned Look said that he understands that the Committee will actually vote on the structure at the next meeting. He suggested that the various proposal that have been brought to the Committee be put in motion form by the sponsors so that the members can see the choices that they have at the beginning.

Mary Tobias said that the threshold question that Chair Myers proposed is different than what Ned Look is proposing. She said that the Committee does need to deal with the threshold question about the separation of the planning function as a discrete function and the service delivery function. After that, she said that the Committee may be moving to bits and pieces of functions. She said that is why she wanted the matrix and would like to have Wes Myllenbeck's proposal added. The matrix allows one to see what the nuances and shadings are. A blanket up or down vote on a larger motion would do a disservice to all the rest of the Committee's learning.

Ned Look said that if the members had all the proposals in front of them, they would find themselves coming out with a motion that most members can live with rather than voting on each one of points individually.

Janet Whitfield said that is what the matrix is intended for.

Ned Look said that he would like to see it in the form of a motion, spelled out clearly, so that the members know what the choices are.

Jon Egge said that he senses that Chair Myers has a clear sense of a starting point and would hope that he would take the choice that he outlined. He said that there is a core issue that the Committee needs to decide first because it is more important than the other issues. The core issue is if and how you separate the functions of the government.

Chair Myers said that the Committee will take up the core issue first thing at the next meeting. If the Committee can work through to a satisfactory resolution of that part, the Committee will still have important detail to resolve, but the whole spirit of the discussion can take on a different tone.

Norm Wyers suggested that the debate be limited at the next meeting because the Committee has already debated all the issues.

Jon Egge suggested that rather than hear from the same person over and over again, that the members make sure that everyone has had a chance to talk. Once one person has talked, that person cannot talk again until everyone is satisfied that they have had a shot to talk.

Matt Hennessee said that all the members recognize that the next meeting will be difficult. He said that many members have moved from where they thought they would be on the issue. He said that he hopes that, next week, the members will be able to leave the meeting as decently as men and women as when they arrive. He asked if the meeting would last until the Committee's work on structure was complete.

Chair Myers said yes.

Bob Shoemaker suggested that, in the interest of moving things along at the next meeting, the Committee start each important question with a straw vote to see if there is a division that is close enough to warrant debate. The Committee could have a straw vote without debate and then debate if it will be productive.

Chair Myers said that is a useful approach.

Mary Tobias said that Chuck Harrison, General Manager of Clackamas Water District, asked her to make the following announcement: "I may not make future meetings because, for my friends and colleagues, as of 4:00 pm yesterday, I received a final diagnosis of inoperable terminal cancer and have estimated six to twelve months to live. Thanks, Chuck."

Chair Myers adjourned the meeting at 10:00 pm.

Respectfully submitted,



Kimi Iboshi  
Committee Clerk

Materials following this page represent  
Public Testimony



## UNIVERSITY OF OREGON

April 16, 1992

To: Janet Whitfield

From: Ken Tollenaar

This will respond to the outline entitled "Regional Government structure and Related Matters" which you sent for my review and comment.

The following comments are based on my perception of "principles" of organization that are found in public administration literature and generally acknowledged by public administration practitioners. They clearly do not enjoy the status of scientific fact, and public administration theorists and practitioners are not by any means unanimous as to their validity. The comments therefore reflect only my own opinions, based on the information and experiences I've acquired over the years.

1. A five member governing body, especially if part time, would be too small to adequately represent the large and diverse constituency of the Portland metropolitan area.
2. Subjecting service fees to "citizen committee review" would detract from the budgetary authority and political accountability of the governing body. Citizen committees might well be used in an advisory capacity to review categories of fees, contributing expertise or special perspectives not possessed by the governing body, but the ultimate approval authority should be vested in the governing body, with or without retractable delegation to the executive to set all or some categories of fees.
3. If the charter committee has a value for the simplicity and clarity that comes with a classical separation-of-powers model, it seems inappropriate to allow the governing body on a case by case basis to determine whether new functions are to be assigned to the executive, a commission, a new regional special district or some other entity. Admittedly, however, other separation-of-powers governments (including the federal and state governments) as a practical matter make such organizational decisions in a manner similar to that proposed in the outline, and to that extent this proposal is relatively unobjectionable.

4. Clearly the proposal to place regional planning directly under the governing body is the distinguishing feature of the set of proposals embodied in the outline. I have several questions and comments:
  - o Most, at least, would agree that technical and professional staff members should be selected on the basis of their technical and professional training and experience. Is there any reason to believe that planning staff chosen by the governing body would be any more competent and professional than planning staff chosen by the executive?
  - o Metro, both as it is organized now and as it would continue to be organized under these proposals, is based on a separation of powers. Essential to the separation of powers concept is a system of checks and balances. The executive veto is a key ingredient of the overall system of checks and balances. If the veto is appropriate for non-planning legislation, it's just as appropriate for planning legislation. The veto could be eliminated entirely (though at the expense of an effective checks and balances system), but there is no apparent reason to provide it for some legislative functions and not for others.
  - o Within the parameters established by the charter, the governing body is going to control the scope and content of the regional planning activity even though staffing and day to day operations are under the executive. The governing body will do that through exercise of its legislative and budgeting powers.
  - o Finally, there is little if any reason to believe that the governing body would provide clearer direction or better oversight for the regional planning activity than would the executive. The executive is in the best position to ensure effective coordination between regional planning and closely related programs such as the MPO transportation planning and solid waste, and this aspect of the subject will become more important over time as Metro functions expand to include such programs as transit.
5. Making budget preparation "subject to citizen budget committee review" would severely compromise the political accountability of the governing body if this means that a citizen committee would have final approval authority. The mixed elected official-citizen budget committees that exist outside Multnomah County do exercise some final approval authority, but they are not

independent of the governing body (and I might add that in any event the "budget committee" system is not without its own defects). An advisory citizen committee role might be helpful, but the governing body's most effective policy tool is its budgeting authority and it should not be deprived of that authority.

6. The concept of an executive budget requires that the governing body be presented with a single document that incorporates the executive's judgment regarding the compromises and tradeoffs that must be made to balance expenditures against scarce revenues. Having separate budgets prepared for functions under the governing body v. functions under the executive would almost certainly present the governing body with an unbalanced budget at the outset, and would unduly lengthen and complicate the budgeting process.
7. Similarly, giving the governing body functions a preferential claim against projected revenues is highly questionable. It is not unusual for constituencies of each function to attempt to earmark revenues for their particular programs, but the consequences of earmarking for overall accountability to the voters and adaptability of programs to changing circumstances are usually negative. Regional planning may indeed have a social priority at the present time, but if resource allocation does not reflect that priority it will be up to the voters to express their displeasure as they vote for members of the governing body at the next election.

I hope these views will be helpful in your discussion of these important issues. Good luck.

SCHOOL OF URBAN AND PUBLIC AFFAIRS  
Portland State University  
Office of the Dean

MEMORANDUM

TO: Chairman and Members of the Metro Charter Committee

FROM: Nohad A. Toulan

DATE: April 21, 1992

I regret very much my inability to appear before you last Thursday, but I was suffering from a severe cold, and I was functioning with a much curtailed schedule.

I have reviewed the material that was sent to me by Janet Whitfield, and as I indicated to her last week, I have some concerns about one aspect of your proposed government structure. That is, the limiting of the executive's responsibility to existing service delivery functions. As you recall, in my previous testimony before you I advocated a central planning role for a regional government that is properly structured to make the tough decisions lying ahead of us, and to sell those decisions to the various constituencies in the region. My fears are that your proposal, while clearly advocating an enhanced role for planning, will produce a divided and considerably weakened regional government that will be unable to master the public support needed to implement the regional plan. I appreciate your interest in creating checks and balances between the elected executive and the Council, but by dividing the operating functions between them, you are in reality producing two governments operating side by side. In other words, you should not divide the responsibilities of the executive and the Council along specific functions. Rather, it should be along different levels of decision-making. You can provide a proper role for the Council in establishing policies and in making final decisions, but you can not weaken the executive officer to the extent that lines of responsibility in that government will be too blurred for it to function efficiently. Good planning is certainly to be the first victim of a weakened executive officer.

Because of the difficult financial conditions confronting local governments these days, there is a tendency to assume that strong leadership is only needed in the service delivery areas. In reality, it is much more needed in planning, especially if it involves the development and selling of bold visions and ideas. You will never get that leadership from a governing body consisting of several individuals with different agendas and expectations. Such a body may be able to approve final plans, but it is not likely to initiate and develop successful ones.

I am, therefore, urging you to reconsider that proposal and to give the planning functions a chance by placing them under one single-area wide elected official who is held accountable for failures and successes. That individual should work closely with the Council, whose responsibilities are limited to policy and legislation, but not to daily operations. As you are all aware, we have too many examples of local government in this metropolitan area



where the ability to innovate and to govern efficiently is diminished by the diffusion of operating responsibilities among various commissioners. There are very few remaining examples of this type of government in the country, and I'm not sure that we want another one in this area.

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# COMPARISON OF GOVERNMENT STRUCTURES

	STATUS QUO	RGC	COMPROMISE
EFFICIENT	↓	↑	↑↓
VISIBLE	↓	↑	↔
EFFECTIVE	↓	↑	↑↓
ACCOUNTABLE	↓	↑	↔
MANAGED PROFESSIONALLY	↓	↑	↑↓
INVOLVE LOCAL GOVERNMENT IN DECISION-MAKING	↓	↑	↑