

METRO CHARTER COMMITTEE

P.O. Box 9236 • Portland • Oregon 97207
Phone 503-273-5570 • Fax 503-273-5554

AGENDA

PROPOSED METRO CHARTER HEARINGS SCHEDULED

A proposed home rule charter for Metro is to undergo public hearings set for June 25, 29 and 30. The charter, if approved by area voters in November, will serve as a constitution for the Metropolitan Service District, the regional government of the Portland metropolitan area.

The hearings will take place in each of the three counties of the region. They are scheduled as follows:

June 25, Thursday Northwest Natural Gas Company, 4th
floor, 220 NW 2nd Avenue, Portland, 6-9
p.m.

June 29, Monday Washington County Public Services
Building, 155 N. First Avenue,
Hillsboro, 6-9 p.m.

(June 30, Tuesday Lake Oswego City Hall, 380 A Avenue, 6-9
p.m.)

If you would like to testify at one of the hearings, or would like a copy of the charter draft, please call 273-5570. Copies of the charter draft will be available after June 22 from the Charter Committee office.

MINUTES OF THE Charter COMMITTEE
OF THE METROPOLITAN SERVICE DISTRICT

PUBLIC HEARING

June 30, 1992

Lake Oswego City Hall, Council Chambers

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

Committee Members Absent: Tom Brian, Ron Cease, Wes Myllenbeck

Chair Myers called the public hearing to order at 6:10 p.m.

1. Public Testimony, Alice Schlenker, Lake Oswego Mayor

Alice Schlenker, Mayor of Lake Oswego, said that the Charter must address the Metro-local government relationship. There is virtually nothing useful which Metro can do for this region that does not require the active support of, cooperation with, and implementation by local governments. She said that Metro officials would agree that in order to be effective, Metro must find a way to work with local governments. She said that the RGC believes that the MPAC process is a very progressive proposal which will allow Metro to grow, over time, to meet the changing needs of the region. The MPAC process, together with the option to take an issue straight to the voters, is an infinitely more flexible and powerful grant of authority for Metro than the current state statute which relies on a limited listing of specific authorities. She said that local governments have been involved in Metro's activities, but all too frequently the local governments have been put in the position of having to react to initiatives and to force their way through the door to the table to help design programs. This type of involvement eventually does get the job done, but it is highly inefficient and it leads to ill will and paranoia amongst the parties, instead of good will and trust. When Metro completely controls the method and manner of local government involvement, you end up with advisory committees chaired by Metro Councilors and staffed by Metro employees. The MPAC process is very different than the status quo in that it will require that the needed consultation between the regional government and local governments will occur early in every decision to expand the regional government. Metro will not have to design a new process every time it wants to address an issue, and local governments will no longer have to fear that they will be left out or run over.

Frank Josselson said that one of the things that the Committee is trying to do is represent cities and counties. He said that Committee is made up of eight Metro appointees, six are local government appointees and two from the state legislature. He said that it is a tribute to the Committee that the kind of partnership Alice Schlenker described has been immortalized in the draft Charter. He said that the history of the metropolitan area proves that there cannot be an effective top down form of regional government--there needs to be a partnership.

Jon Egge asked for an elaboration about how the RUGGO's process worked. He asked about the cooperation during the process.

Alice Schlenker said that the process was one where participants--local government representatives, Tri-Met, the Portland Chamber, and Metro--met about once a month for two years. She said that they

were trying to fashion a process to achieve more cooperation in framing the future for growth in this area. She said that there was a great deal of give and take. There were some people on the other side of the fence on whatever issue would come up. She said that it came down to a matter of reaching consensus and trying to find consensus among the diversity. She said that not everyone got what they wanted, but the product was one that most people felt good enough about.

Jon Egge asked what was the level of cooperation of Metro during the process.

Alice Schlenker said that Metro led the process. She said that there were many times when Metro had not gone as far as the local governments would have liked in terms of presenting an issue or addressing another issue. She said that she does not feel that they were limited in any way from introducing new ideas and thoughts. Although Metro was the chair and led the agenda, there was a lot of give and take.

2. Public Testimony, John Ayer, citizen

John Ayer, citizen, said that there are a lot of loopholes in the Charter and it is very vague. He said that Clackamas County would not vote for the Charter. He said that he sees Metro as an arm of the City of Portland. He said that Metro is a test government and a term of four years is too long for the Councilors. Their terms should be two years. He said that the ability to raise additional revenue if revenue is lost due to a withdrawal of any locality from mass transit services is still taxing people. The taxpayers should know about the possibility of taxation before it happens. Unless there are taxing limitations and the budget is clearly spelled out, the Charter will not pass. He said that the Charter controls the land and people.

Mary Tobias said that there is widespread discontent in the region currently. She asked if John Ayer believes that the Charter would make the discontent stronger.

John Ayer said that the way the Charter is drafted currently, it is too vague. If the Charter goes into affect, the local government people would be puppets and Metro would tell them what to do. He said that the public needs to know more about it. He said that the Committee wants to do good, but they do not know the basics behind the reasoning, where it is leading to, who set it up, and what it might entail. He said that people are skeptical of big government. People want to know what it is going to mean for them.

3. Public Testimony, Jim Gardner, Metro Council

Jim Gardner, Metro Council Presiding Chair, said that, personally, the Charter is very limiting in its process and timing. It attempts to detail specifically what the regional government may do, both now and in the unpredictable future. The structure confuses responsibility and it welds two different forms of government into one. It also sets up a shadow Council of Governments. It blurs the lines between an elected regional government and the people. He said that the Charter creates a land use nightmare. There are provisions which would require changes in state law and those changes are not guaranteed to happen. Because of the conforming legislation that would have to be found, the Charter is proposing a hypothetical government that may or may not be able to exist depending on the legislature. It puts the new government in a financial straightjacket. It attempts to look into the future to determine what kinds of functions and financing authority the regional government should have. He said that the Charter started with the wrong premise--that the primary purpose was to allay the fears of local elected officials. As a result, it comes out with a weak regional government that really does not accomplish that purpose--it does not allay the fears. He said that the problem with starting out with a purpose of limiting the regional government is denying that the future is going to be very different than the present. It is trying to say that we know enough now to draw a box around

what the regional government should be. He said that the Charter was started with an attempt to empower regional government and deal with the problems of the future. He said that should have been done with a general grant of authority. He said that the structure of the Charter is a hybrid that could not live if created in the mainstream. He said that allows everyone to avoid responsibility. It would take years for individuals to sort out who does what and who will pull the strings. The present structure has proved worthy over the years and is understandable to the voters. He said that other members on the Committee may have started with the goal of trying to strengthen the Council as a counter balance to a strong regional executive. He said that the proposed structure does not achieve that because the Council cannot choose its own leadership, set its own agenda, and does not have a staff that is really working for it. The process included which involves local government in regional decisions starts out with a kernel of a good idea, and it is an idea that Metro has institutionalized for each department, but the Charter runs amuck with the idea and a shadow Council of governments is created. He said that the problem with having a MPAC or having to go to the voters on many issues is that the decisions and functions that Metro might assume have a limited purpose and interest that they are not appropriate to take to them to the region or to have the decision on whether or not the functions can be assumed taken to the MPAC. He said that there would be a number of people on the MPAC from small jurisdictions that would be able to block a regional consensus and thwart that regional purpose. The land use nightmare is the most troubling of the Charter aspects. It makes existing regional government stop in its tracks in developing some sort of vision for what the growth of the region will be like and how it will be managed. Region 2040 has already involved Metro, counties, cities, and citizens. Under the Charter, a brand new committee would have to be appointed. It produces nothing but delay. He said that if delay was the purpose of that provision, it is deceiving. The regional framework plan is more problematic. The idea of a local land use decision having to conform or be consistent with the regional land use plan makes it a regional comprehensive plan. He said that Metro gets criticized for not moving fast enough and there are a number of reasons for not moving fast. He said that there has to be a mandate from the voters to do that. Secondly, Metro does not know right now what the voters and citizens of the region want done in land growth. Thirdly, Metro does not have enough money. Fourth, there has been slow, gradual growth in support of regional governments. He said that the Charter needs to give Metro enough power to do what has to be done to manage the urban growth. He said that the limitation on the amount of revenue that can be raised predicts the future. He said that it ignores the Committee's finance subcommittee report of requiring a vote of the people for a sales tax, income tax, and property taxes. The Charter goes beyond that and puts a dollar figure on what the future will need. He said that it is ridiculous to try to put something like that in the Charter. He said that it indicates a lack of trust in people. It is a lack of trust in their power and their willingness to determine what the government does in the electoral process. He said that there are elected officials who are making all of these decisions and then have to get re-elected. He said that the power to control what the government stands on should lie in the hands of the people. He said that the Charter limits the ability of Metro to contract with other local governments. He said that, currently, Metro contracts with local governments to do things that they have the authority to do and that the local government has the authority to do. He said that the greenspaces program has great popularity. It has been a very cooperative program that has developed over several years. He said that there is a broad agreement among local governments in the region--cities, counties, and park organizations--on the assets of that program. He said that one fundamental part is that Metro ought to be acquiring and managing a system of regional natural areas. The language in the Charter only speaks to acquire. He said that the Committee's group process did not work. Individuals and personal agendas brought compromises and the end result is a series of hybrids. He personally urged the Committee not to place the multi-flawed Charter on the ballot in the fall. Acting as the Presiding Officer of the Metro Council, he distributed a letter from Dan Cooper, Metro Counsel, to himself and Executive Officer Rena Cusma with a detailed review of the draft Charter and pointing out the many legal concerns he has with the Charter. He also distributed a model Charter drafted by Dan Cooper. He said that it translates the existing Metro statutory authorities into Charter form.

Frank Josselson said that, in the last three hours, his sense of the necessity of a Charter that limits the powers of regional government has become more urgent. In 1986, Metro had total assets of \$50 million and in 1990, it has total assets of \$343 million and 2,200 employees. He said that no one knows what Metro does. He said that there is no greater shadow government than a government with \$350 million in total assets and its constituents do not know what it does. It is Metro, and not the MPAC, that is the shadow government in the region. He said that, tomorrow morning, Metro Executive Officer Rena Cusma will announce a proposal to merge Tri-Met and the three counties in the regional government. He said that the Charter Committee has been in existence since May 7, 1991. The Goldschmidt task force has been in existence. He said that Executive Officer Cusma and Jim Gardner have both been before the Committee to testify about what good regional government is. He said that he has never heard Jim Gardner propose a Willamette County or Executive Officer Cusma propose a merger of Tri-Met and the three counties. He asked if that is what Jim Gardner calls cooperation between regional and local governments. He said that he understands that the officials of the three counties were not notified of this proposals and there are certain Metro Councilors who did not know about it until two hours ago. He said that it is not on the agenda for the Governmental Affairs Committee which meets Thursday night. He said that Metro has spent, in the last year, \$23 million on the Sears Building for offices. The garbage rates have been raised by 30%, the Blazers have essentially been paid over \$100,000 a year for the last six years to play in the Memorial Coliseum, and the Winterhawks have also been paid. He said that the region's most profitable source of entertainment opportunities is being given away to Paul Allen and the Blazers and leave the expo center and the performing arts center without the substantial subsidy that the Memorial Coliseum provides. He said that Metro has done all of these things while under the Committee's microscope. He said that he did not know where the press had been through all of this. He said that the Committee has been watching Metro. He asked what would happen when the Committee goes away and there is no Charter. He said that the thought of no Charter coming out of this Committee is more repulsive to him than it ever has been given the recent information about the consolidation effort.

Bob Shoemaker said that, as he recalls, there are two phases to the 2040 plan. There was the gathering of data phase and the consideration of that data in the plan itself. He said that it looked like the timing of those two things fit well with the Charter. If the Charter is adopted and the Future Vision is implemented, then it becomes phase two of the vision and phase two of 2040 gets put aside. He said that he has the impression that no one has thought through phase two of 2040. He said that the Future Vision makes sense to him. He asked why phase two of Region 2040 is preferred to the Future Vision.

Jim Gardner said that phase one of 2040 is not so much data gathering as it is gathering information about people and values and what the people want their future to be like. Then, major scenarios will be developed from that. There will be a package of three to six fairly detailed scenarios of how the region might grow. He said that it would focus mainly on the fiscal aspects of growth--land use and transportation aspects. There will be a narrative and visual description of what the future will look like under each scenario. Phase two would then begin a detailed analysis of each scenario to cost them out and determine what the pay-offs of each of them are. In phase two, a scenario would be picked. He said that the aspect of phase two that has not been detailed out is exactly how the process would work. It will involve as many kinds of public outreach as possible to communicate these alternative visions to the public. He said that in order for Region 2040 to get up to speed with the Future Vision, a whole new committee--who would not have participated in the scenarios--would have to be appointed. Those people would have to jump in at the end and say that these are the visions that are preferred. He said that they probably would not stop and get to know the background of the selected scenarios.

Bob Shoemaker said that the Metro Council, with the advice of RPAC and local community groups, would select one of the six scenarios and then that would be agreed upon as the direction that the region should grow. It creates a decision about where it will go as opposed to a non-binding vision.

Jim Gardner said that Region 2040 would be an adopted policy decision that the Council will make after the committee reviews the information from the direct citizen participation and RPAC.

Larry Derr said that, personally, it sounds like phase two is yet to be determined. There are some ideas about what might happen. He asked why the Future Vision, which starts at the time that the information gathering comes to an end in phase one, is out of synch.

Jim Gardner said that the Future Vision provisions are the least problematic aspects of the Charter. He said that if Metro started at this Charter passage to assemble the Future Vision committee, that group would want to participate on their own in laying out the possible growth scenarios. Phase one of Region 2040 sets out possible growth scenarios. It is far different than information and data gathering.

Larry Derr said that if the Council would be the one to do that, they would be totally dependent on what the consultants say that the alternatives are.

Jim Gardner said that the Council has been involved from the very beginning. They were involved in the beginning by discussing it at hearings and several meetings to make sure that they understood everything that it was about.

Larry Derr asked if the five or six alternatives would be developed by staff. He said that it is not a decision being made by the policy makers--that is not the way that it is laid out. He asked why staff generated information would be any less useful to the Future Vision committee as it would to the Council. He said that ultimately, all the Future Vision committee is going to do is make some recommendations.

Jim Gardner said that if the Future Vision committee was up and running and had a few months to get up to speed before January 1, 1993, there would be less delay, but that will not happen.

Larry Derr said that, in respect to the Regional Framework Plan, Jim Gardner expressed concern that as the framework plan is described in the draft Charter, it would be like a comprehensive plan. He said that he assumed Jim Gardner thought that it would be like a comprehensive plan because it would require that local plans be consistent with it.

Jim Gardner said that local plans and local land use decisions would have to be consistent with it.

Larry Derr said that Jim Gardner said that RUGGO's gives Metro the power to manage urban growth. He said that he understands RUGGO's to be that the process and vision does lead to functional plans to which local decisions must conform. He asked, even if that were not true, Jim Gardener to explain how Metro would propose to have any affect upon the management of urban growth in the region if they did not exercise some control over land use plans.

Jim Gardner said that Metro has already exercised some control over land use plans through functional plans. He said that Metro's authority is not just RUGGO's--it is the authority to adopt regional functional plans that are binding on local government comprehensive plans. He said that those functional plans are focused on a specific subject for a specific area. He gave the example of a transportation plan being a functional plan. He said that they are not under the state definition of comprehensive plans. He said that every local land use decision should be unified and controlled by the regional plan.

Larry Derr said that he assumes Jim Gardner is aware of the provision in the draft that talks about individual decisions conforming to the interim provision--once the local plans have been modified as necessary and found to be consistent to the regional plan, it would go away.

Jim Gardner said that could follow the process that is necessary for local comprehensive plans to be consistent with state land use goals. He said that the region could not afford another 10 years of litigation and arguments.

Larry Derr asked if Jim Gardner would have a problem with the framework plan, as set forth in the draft Charter, allowing the RUGGO's process to go forward as planned and giving Metro more opportunity to do management of urban growth.

Jim Gardner said no. He said that no process can be as efficient as what currently exists.

Larry Derr asked if Jim Gardner agreed with the statement by Mayor Schlenker that, for Metro to be effective in the things that it needs to do, there needs to be a cooperation and partnership with local government.

Jim Gardner said that, in general, he agrees. He said that cooperation and a partnership for everything that Metro wants to do is an issue of contention. He said that local governments do need to be consulted with and cooperation is needed.

Larry Derr said that the goal in creating the MPAC is to achieve the partnership and support. He asked where the Committee had gone wrong.

Jim Gardner said that the role of MPAC under the Charter is not what it seems on the surface. He said that MPAC would be more than advisory when certain decisions by the regional government need the MPAC approval. One instance alone takes the MPAC beyond the level of being advisory. There are other places where MPAC has to approve or the voters have to approve. He gave the example of the regional government and a local government trading functions when the local government did not want a function that they had been providing. The MPAC would have to give approval before it could be done by the regional government.

Larry Derr said that a fellow Metro Councilor cited the solid waste program as a Metro accomplishment. He said that one of the main pieces of the solid waste program is a west side transfer station. He said that his understanding is that a year ago, the Council, after some maneuvering, approved the plan which was unanimously supported by all of Washington County's local governments, Metro's Executive Officer, and private interests. He said that he understands that the plan has not been implemented and has been called into question again. He asked if that is an example of why the Committee ought to be concerned about the relationship between Metro and local governments and whether or not Metro is getting things done efficiently in the region, especially when something is handed to them on a silver platter that works and is a cooperative program.

Jim Gardner said that he is not aware of anyone calling the plan into question. He said that the plan has gone forward and first stage, planning for a transfer station in the western part of Washington County, was adopted. He said that it has gotten as far as a franchise proposal. He said that further examination was done and it made no sense to build a larger transfer station to serve western Washington County. Neither of the franchise proposals were accepted. He said that there is now a similar request for a franchise for a second transfer station to serve the eastern portion of Washington County. He said that the plan is being implemented as it is written. The plan is very detailed and is constantly being adjusted because circumstances change. The plan itself is not being questioned by Metro or by the local governments.

Jon Egge asked if the Metro Council has a Charter for this government.

Jim Gardner said that it takes the existing government and the statutes that created it and placed that

in Charter language. It has a preamble which is one of the missing elements of the draft Charter. He said that the preamble describes, in broad terms, the reasons for having a regional government.

Jon Egge asked if there is any expansion of the financial area.

Jim Gardner said that it is not intended to.

Jon Egge asked who requested that the Charter be written and when did the process begin.

Jim Gardner said that the Metro Council asked Dan Cooper to write the model Charter. It was not done by Council resolution. It has been in progress for six months. He said that the Council thought that the Committee would like something like that. He said that it is not something that will be put on the ballot, but it is what the existing Metro would look like if a Charter were to describe it.

Bob Shoemaker said that the product of Region 2040 sounds more like the Regional Framework Plan than the Future Vision. He asked how the Region 2040 product differs from the Regional Framework Plan.

Jim Gardner said that it is more different in intent and format than anything else. It will be a descriptive document that will try to describe and propose a visual that goes along with it that will describe what the region could look like if a certain direction is followed and certain choices are made. He said that there would also be recommendations for changes to local comprehensive plans and perhaps even some recommendations for regional functional plans that require certain changes. He said that aspect would be more of a regulatory land use document. The larger purpose of it is to define a vision. One of the scenarios will be adopted.

Bob Shoemaker asked if that adopted scenario becomes the plan.

Jim Gardner said that it becomes the regional vision. Parts of it will be mandatory--those parts that are expressed in the functional plans. The rest will be guiding policy documents.

Bob Shoemaker asked if the planning decisions made by local governments have to conform to the adopted plan.

Jim Gardner said that those decisions that are in areas that government functions. Others would not necessarily. There is a certain interest in those decisions and the adopted regional vision will be cited as a reason why a certain decision was made or not. He said that the areas that were not within Region 2040 in a functional plan way would not be binding in a legal sense.

Bob Shoemaker asked, if the plan shows where a major arterial or shopping center will develop and the local community makes a land use decision that is inconsistent with that, what would be the effect of that local land use decision.

Jim Gardner said that, in the case of an arterial, it is already the case that the local land use decision has to conform to the regional transportation plan. He said that the decision would be that it is not valid if it is inconsistent with the vision. If the 2040 vision had a functional plan that identified major league department centers, then local land use decisions regarding that center would have to be consistent. He said that it distinguishes between land use decisions that are of regional significance and those that area not.

Frank Josselson said that Tanya Collier, Metro Councilor, appeared before the Committee last week and defied the Committee to find an example of a Metro proposal or decision that was not fully aired

and discussed among local governments. He asked whether the consolidation proposal that will be announced tomorrow has been discussed with any local governments.

Jim Gardner said that the press conference tomorrow will describe the proposal that could change the way that government in this region looks. He said, beyond that, he does not have the details and is not prepared to comment.

Chair Myers said that the topic should not be discussed at this public hearing because the facts are not available. He said that he would try to arrange for Metro staff to discuss the issue with the Committee at the next regular meeting.

Frank Josselson said that it is his understanding that this proposal was not discussed with the local governments involved. It is an antithesis of the kind of government that the Committee would promote through the Charter.

Mary Tobias said that there is a lot of presumption by members of the Committee and others that the region is only going to grow. She said that she has never really supported the Future Vision in the Charter because the Charter is the wrong place for it. She said that she shares many of the concerns about whether or not the Committee is creating a regional comprehensive plan without being quite so specific that it is an intention of the region. She said that she believes that the closest group of Metro's constituents, the ones accessed most readily, are local governments. She said that in the testimony of Councilors Susan McLain and Tanya Collier, it appears that they believe that there are people in the region who are not represented by a local government. She said that her experience tells her that Metro's constituent base appears to be only people who have one particular interest in a particular subject area. She said that her experience with local government tells her that she was very close to the people she represented. She said that she does not understand how the local government constituency is not the same constituency that Metro has.

Jim Gardner said that there are some citizens of the region are citizens of a city or a county or both. He said that the unique decisions were followed by people who are specifically interested in one area. He said that the Zoo has a constituency and those people, spread throughout the region, do not turn to their local city officials when they have a concern about the Zoo. They talk to Metro directly. He said that the same is true with the garbage disposal. He said that when Metro approved a contract to ship garbage from this region to a landfill in Eastern Oregon by truck, the people that Metro heard from did not go through their city or county government. They spoke to Metro directly. He said that those are the kind of issues where the decisions are not directly represented by the city or county government.

Mary Tobias said that cities and counties heard more about Metro's garbage system than Metro will ever hear.

Jim Gardner said that the franchise rate is not necessarily a direct function of city.

Mary Tobias said that, in the planning section, the Charter calls for consultation and advice only of the MPAC for adoption of the Regional Framework Plan. She asked if there is a reason why local governments should not consult with and advice Metro. She asked if regional plan excludes local governments.

Jim Gardner said no.

Mary Tobias said that the RPAC in RUGGO's is advisory by law. She said that, in the section addressing other matters to the Regional Framework Plan, the RGC has asked the Committee to

amend that section and call only for the advice of the MPAC. She said that the RGC agreed that the MPAC approval is too extraordinary of a requirement and it should be moved to an advice only requirement. She asked if Metro does that anyway.

Jim Gardner said yes.

Mary Tobias asked if Jim Gardner would have a problem with that process, if the Charter were to pass.

Jim Gardner said that he liked the amendment.

Mary Tobias said that, in the provision regarding the assumption of local government service functions, it calls for MPAC approval so that the assumption of powers does not become power grabbed by some future Council.

Jim Gardner said that "power grabbed" assumes it is a one sided relationship. He said that it should be done by intergovernmental agreements.

Mary Tobias said that whenever there is a government doing functions, there is always a lot to weigh in the transfer of power from one to another.

Jim Gardner said that the local governments must weigh those factors before they decide to enter into a contract.

Mary Tobias said that, because it is all at the regional table, it would mean that they would want to bring that group in. They would be giving up not only power, but also probably taxing authority to fund that service.

Jim Gardner said that he and Mary Tobias are approaching the issue differently. He said that when any local government might want to enter into a contract with Metro to assume one specific function that the local government provides, this broader regional body would have to give their approval. He said that the question is not whether Metro will assume for function for all things, but for any one.

Mary Tobias said that her assumption was that if Metro wanted to assume a local government service, it would have to go to the MPAC for approval or the Council could move it to the voters. She said that most services, such as fire and police, would want to be moved for local government approval or voter approval.

Jim Gardner said that he does not agree. He said that many of those instances would be of limited scope and function. He gave the example of Multnomah County operating the pioneer cemeteries in the county. If Metro could do that cheaper, and Multnomah County wanted to enter into a contract to pay Metro what it now costs them to maintain the cemeteries, the broader body of all local governments should not have to give their blessing. He said that he is talking about the assumption of local government functions permitted by intergovernmental agreement. He said that the section about assuming functions can be interpreted to mean assuming the functions that any one local government may be providing and assuming it in that one instance.

Mary Tobias said that it was the intent of the Committee that the provision would not specifically speak to contracting with an agency. It would be the assumption of a function on a regional basis. She said that the language should be clarified.

Chair Myers asked if Jim Gardner believes that the role of local government in regard to the addition

of powers to Metro, whether it is assuming the power of one local government or a function generally through the region, should always be advisory only. He asked if there is any situation where MPAC should have a veto role in regards to regional government's growth power.

Jim Gardner said that the current statutory authorities that Metro has to assume regional functions and regional services that are matters of regional significance is the kind of broad language that Charters should have. He said that, as a practical matter, there is no way that the regional government could unilaterally take away, from all the local governments, any particular service or function. Clearly, local governments would have a lot to say about it, but their approval should not be in the Charter. In many cases now, they have to give their approval. Whether or not it will always just be an advisory role is ignoring the way that the role would work.

Mary Tobias asked if the assumption of local government functions with MPAC is a live or die for provision for Metro.

Jim Gardner said that he does not think so. He said that it is probably an unconstitutional body--one that has decision-making authority but does not have one person, one vote representation. He said that alone is a bad flaw. He said that there is not one issue that is a live or die for thing, but the total Charter is a live or die for thing.

Mary Tobias said that she is trying to get a sense of where the Committee is on some of the issues that Jim Gardner raised. She said that the RGC testimony suggests that the Boundary Commission be left the way it current is in the statutes. If that suggestion is taken, the MPAC approval would only be for functions that the local governments provide. She said that she believes the only way to serve the future in the Charter is to be a little daring and to try to find places where there can be a partnership between Metro and local governments so that the region will have a foot up when moving to the future. She said that she has seen a lot of movement in the Charter by regional government--there is a broad grant of powers, more of an assignment in planning authority to Metro than currently, and it provides that Metro ought to be the lead on many of the issues that have never been agreed to regionally before. She said that there has been a move toward partnership. She said that some of Jim Gardner's testimony and the raising of the model Charter says that Metro is doing quite well the way that it is being done and they assure the region that they must be trusted to perpetuate the partnership. She said that there is a reluctance by Metro to codify that in any way. She said that is troublesome. She asked if the model Charter speaks to the issue of the cooperative partnership between local government and Metro.

Jim Gardner said that he does not think so. The existing organization which creates the partnership is something that Metro created and decided to do, by ordinance, and is not spelled out in statutory language. He said that his understanding of the model Charter is that it is the existing statutes in Charter language.

Mary Tobias asked if the RPAC can be repealed by ordinance.

Jim Gardner said yes.

Mary Tobias said that she agrees that there is too much power in the draft Charter's Council President. She said that the setting of the agenda ought to be a Council-wide action. The unilateral firing of the manager is inappropriate. She said that both of those issues muddle the Council-manager form. She asked why, when the Council-manager form works for almost every form of government in the region, Metro does not think that it will work.

Jim Gardner said that good people with good intentions will make almost any system work. He said

that the Council-manager form is more successful for smaller sized cities.

Mary Tobias said that, regarding partnership, people always feel more comfortable with the government which they are used to be elected to.

Jim Gardner said that mandatory partnerships cease to become true partnerships.

Mary Tobias asked, regarding Jim Gardner's statement that many functions coming to Metro would only be of importance to one section and not the whole region, if he was speaking of only those things that Metro might do through contracts with other governments or was he presuming that Metro will consider smaller issues or sub-issues to be of metropolitan significance for the purpose of making them Metro's concern, even though they may not be regional.

Jim Gardner said that he was mainly thinking about intergovernmental agreements.

Mary Tobias asked if the model Charter includes the consolidation of the three counties, Tri-Met, and Metro.

Jim Gardner said that the model Charter goes beyond the statutory authority in only one area--a broad authority for taxation. It is a general grant of financing authority similar to other local governments. He said that the model Charter does not deal with the consolidation of three counties, Tri-Met, and Metro. He said that it does not deal with Tri-Met at all.

Mary Tobias said that there has been a lot of discussion about problems that people see with regional government. She said that, as the Mayor of Sherwood, she was offended when told by Metro to inventory Sherwood's greenspaces for the Metro project. She said that she is concerned with Metro's unwillingness to recognize the important issues that Committee members feel are necessary to the future of Metro. She said that MPAC is a primary concern. In the Metro Council's model Charter, that is not an overriding issue for consideration by Metro to make sure that everyone gets to the table to resolve issues of magnitude. She said that the local governments were first trying to fight the Charter, but changed their minds and asked how to make it work. She said that the Council's model Charter is from the statutes. She asked why Metro is putting the Committee through this.

Jim Gardner said that he does not think that not including the advisory body in the Charter is walking away from the cooperation. He said that there has to be cooperation and communication when dealing with 24 cities and three counties. He said that Metro already has a lot of advisory committees which local government officials sit on. He said that Metro has a commitment to do that. He said that a Charter is a constitution and it should be done in broad general terms and should not spell out every detail of how the government is going to function. He said that Metro is a creature of the voters of the region and is not a creature of the 24 cities and three counties. He said that when the regional government is not doing its job, it is the responsibility of the citizens to tell them.

Mary Tobias said that Metro earlier testified that there were some things that they wanted in the Charter, including a clarification of role and regional significance. She said that she agrees that there is too much detail, but the basic concepts laid out which define the partnership are intended to give the process for laying out roles and a process for determining metropolitan significance based on the assumption that no one knows what the region will be dealing with in 100 years from now. She said that now that the Charter is being refined and possibly adopted, Metro is saying that the Committee's work is nonsense because the statute does it all very well.

Jim Gardner said that the model Charter sets out the processes that Metro believes the Charter should have. He said that the model Charter says that the regional government shall seek the advice

and consultation of local governments, but it does not go as far as spell out the MPAC and its composition. All of the issues that are normally decided by a local government as to how it will conduct its business are left out of the language of the Charter. He said that the draft Charter is far more detailed than it needs to be.

Mary Tobias said that she thinks there are a lot of examples of how the current Metro structure is not working. She said that one example is the policy decision made by the elected executive to merge the transportation and planning departments. It was a policy direction being determined by the executive in advance of approval by the policy making body--the Council. She said that the most recent example is the consolidation proposal that Rena Cusma will soon propose. She said that she thinks that is a serious problem when the elected body ought to be sitting at the table and publicly debating the issues as a body and arriving at a majority that carries forward the opinion of the government. She asked if it bothers Jim Gardner that these things happen.

Jim Gardner said that there is an old saying that the executive proposes and the legislature disposes. The executive decided, in response to legislative shortfalls, she would propose a reorganization in the planning department. The Council then had to decide to go along with that or not. He said that the Council was very much involved in that decision. The decision was not a final decision until the Council had made the changes to the budget that were necessary to make it happen.

Mary Tobias said that the pink slips went out before the Council action.

Jim Gardner said that the executive can hire and fire people without Council's approval.

Ned Look said that he does not sense that the Council is as sensitive as they think they are to the concerns of local government that they are not represented at the table. He asked how the Committee can reassure the local governments that they will not be in power play in taking over any services or functions that they are currently doing themselves. He said that when he asked Tanya Collier this question, she said, although she may not have meant it, that regional issues are no business of local government. He said that the issue needs to be addressed and asked that the Metro Council bring a solution to the Committee if they do not like the proposal in the Charter.

Matt Hennessee said that the preamble was purposely left off the draft Charter so that there would not be haggling over the preamble instead of dealing with the substance of what had been proposed.

Jim Gardner said that Metro has shown that they reach out to hear from local governments a lot. He said that Metro would not have a problem with a Charter that says that they should continue to do that. It is the specificity of detail of the process in the Charter that is of concern.

Ned Look said that he would like Metro to bring back to the Committee a substitute for what it has done.

Larry Derr asked, given Metro's testimony on the specificity of local government involvement, how, and if, the Charter should deal with citizen involvement.

Jim Gardner said that it would greatly depend on how it is word-smithed. He said that any government that is parallel does not do all it can to involve citizens. The Charter could say that there will be a citizen's involvement structure of some kind. He said that it should be a general statement and should not define exactly how it should be addressed.

4. Public Testimony, Tom Simpson, citizen

Tom Simpson, citizen, encouraged the Committee to keep working and provide a document for those citizens who want a regional government something to vote on in November. He said that he judged the Charter against the criteria of moving citizens closer to or away from a true two tiered system of government in the region. He said that while the Charter moves the region closer to a two tiered system, it does not move the region close enough. It keeps in place all governments in the region with no sign of reducing that number. This fact alone is enough to doom the Charter. It only adds one more layer of government. He suggested making Metro smaller. Metro should be the provider of regional services--the wholesaler of government services supported by a regional tax base. All citizens would be guaranteed a certain level of service, such as a certain number of law enforcement officers per thousand. He said that cities or neighborhoods would be the first level of all services, which would provide true local control. It also eliminates the county layer of government. He said that when he testified before the Committee before, he recommended that the Committee look at counties and what their role is in the region. He said that the evolution of this region is outgrowing their ability to deal with issues in this space. He said that regional planning and growth management means nothing if Metro can only effect one side of the urban growth boundary. At the very least, the boundary should be 10 miles outside the UGB. He said that he would prefer the boundary to be drawn at the counties lines which would hasten the sunseting of the counties. He said that BM5 and the governor's tax plan takes away local control. The local finance options are severely limited. He said that the Goldschmidt committee has examined the region's governments. He said that the Committee has a chance to take a lead on regional governance. He said that the Committee has the chance to make far-reaching, significant changes in the make-up of this region's government. He said that some research in Kentucky examined the Lexington and Louisville areas. One has a unified government and the other is fragmented. The study measured the people's perception of those governments. The study showed that citizens living in smaller, local jurisdictions located in more fragmented systems were not better informed about the scope and nature of their local tax/service package, were not more flirtatious about their relationships with local governments, were not more likely to participate in local affairs, and were not more satisfied over local services and the performance of their local governments than their counterparts, living in consolidated areas. He said that the research was done in 1989. At the very least, the research points out that there needs to be an examination of how people truly feel about their governments. He said that people are confused about the governments that currently exist. He said that he would like to see Metro strengthened and made a truly powerful government.

Mary Tobias said that some people from the unincorporated parts of Washington County came and spoke at the Washington County public hearing. She said that they were pretty firm that the closer the government is to them, the better they feel about it. She asked, if there is a two tiered regional government, without counties, who the people living in unincorporated areas of the region go to when they have to access the government.

Tom Simpson said that there is a distinction between urbanized and the rural areas. He said that, in the rural area, they are not incorporated. If they are in an incorporated city, they have a Council to go to. He said that he is not going to say that the main headquarters must be downtown. He said that there could be satellite offices. When living in an urban area, one of the problems with size in the region is the inability of the citizens to take control over their own area. He said that it is a problem when an entity down the road setting policy for someone living in your neighborhood. He said that a city the size of Portland is too large to be a vocalized government. He said that smaller areas, especially unincorporated areas in the region right now, should be able to incorporate into cities. When dealing with unincorporated areas, they should be able to incorporate and become their own cities.

Ned Look asked what Tom Simpson's reaction would be to shaving the rural areas of the three counties and spinning them off to adjacent counties with more in common.

Tom Simpson said that, using Multnomah County and the Sandy River as an example, it makes a lot of

sense because Multnomah County spends so much of its energy on urban functions. He said that does not mean that it has to happen. He said that they do not necessarily have to be spun off. They could remain within the confines of the region. If they do not want to be part of Metro, then let them spin off. He said that the problem that they would run into is that if the boundary is drawn there, when the region grows, the same question will arise.

5. Public Testimony, Larry Sprecher, citizen

Larry Sprecher, citizen and former city manager of Beaverton, said that he has been a strong proponent of the elected executive. He said that the Council-manager form of government is the best form of government for all but the smallest and largest local jurisdictions. He said that he supports the elected executive because an appointed executive would not have clout to be a larger player in the region. He said that the advantage of an elected executive is that it focuses the day by day policy suggestions. He said that it is natural that local governments should favor the Council-manager form. He said that the model of government for the region is one that is not like the relationship between the city Council and the city manager. It is much more similar to the relationship between the legislature and the governor. He said that Metro is currently under a system of checks and balances and the power stems from whom ever has the position at the time. He said that the elected executive has significantly less authority than it does power. He said that the structure is working and it is not broken so it does not need to be fixed. He said that there is a partnership to be had between local governments and Metro. He said that partnership comes about by working together and the regional government will ask the cities and counties for their opinions. He said that the proposal, in an attempt to satisfy what is perceived as needs, created a more frightening disease. He said that the Committee has taken the powerful position of elected executive and made it more powerful by making it the Presiding Officer of the legislative body.

Bob Shoemaker said that, in the state government, the legislature gives clout to the Speaker of the House and President of the Senate who are elected by their peers and receive a salary twice that of the other members of the legislature. He said that one of the things that troubles him about Metro is that the Council is too weak a Council and the system does not encourage a strong person within the Council to take the leadership position of the Council by giving him/her decent compensation and significant authority. The structure seems to have a strong executive and a weak Council that does not balance very well.

Larry Sprecher said that, personally, he would like to see 15 full time Metro Councilors. He said that the strength of the Council lies in the willingness of the individuals to take an active role. He said that he has no objection to a full time Presiding Officer.

Bob Shoemaker asked if a full time Presiding Officer would be enough of an improvement.

Larry Sprecher said that he has not given it enough thought to give a careful answer. He said that he feels that it would strengthen the position of the Presiding Officer, but only if there is full time elected executive to balance it out.

Ray Phelps asked what the Presiding Officer would do if the position was made full time.

Larry Sprecher said that he/she would do half of what he/she does now, but it would be done better because there would not be any distractions.

6. Public Testimony, Steve Schell, Portland Future Focus

Steve Schell, Chair of the Growth Management Committee of Portland Future Focus, said that they

appreciate the effort on the Future Vision. In terms of where Future Focus was headed, the Future Vision is a very important contribution of the Committee. He said that Future Focus whole-heartedly supports the Future Vision and the structure of bringing in adjacent areas and trying to see what could be done with people outside of Metro. He said that satellite cities and other concepts will eventually have to be looked at to handle the growth that is expected in the region. He said that there are some problems with the consolidation of services. Future Focus strongly supports consolidation of services and there are some obstacles built into that. One of the main obstacles is with the MPAC. The veto power, particularly in section 9(2) is inappropriate. He said that advisory committees are very effective, but there should be a lot of give and take. Ultimately, the decision needs to rest with the Metro Council. In order to have that working relationship, it would be a mistake to put a veto authority in an advisory committee's hands. He said that CRAG set out to meld the local government situation very closely. He said that Future Focus is also concerned about the finance authority and whether or not it is too limiting, particularly with the dollar limit. He said that Future Focus hopes to see more consolidation of services. Future Focus favors the city club point of view of Willamette County. It is that kind of idea that is a bold step and is necessary for this area.

Mary Tobias said that Metro and Future Focus have an antipathy to going to the voters. She said that there seems to be abnormal resistance to moving things beyond the government to the electorate, especially with the issue of dealing with the assumption of a local government service or function or power by the regional government. She said that there seems to be the assumption that bigger is better. She said that seems to go against some of the more conventional wisdom that big is getting smaller in corporate America.

Steve Schell said that he does not think that issues that do not catch the voters' imagination are very effective and those kinds of issues do not always catch their imagination. It is easy to vote for a person and, on a major initiative, it is easy to catch the fire to understand. He said that it does not make sense to have all of these issues placed on the voters. If the voters do not like what was done, there is the initiative and referendum process. The legislative body needs to be held accountable and initiative and referendum would be taken up in that sense.

Mary Tobias asked if she understood Steve Schell correctly that it is better to have a select committee make the decisions on the assumption of services of the local government that they are currently serving.

Steve Schell said that there is no initiative, recall, or referendum in the United States. We have the kind of system where we elected people to those positions and they make the decisions. Only in constitutional changes does it even come back to the states. He said that is not an unreasonable structure. He said that the tradition in Oregon was directed toward at taking a second look at what government does. He said that is what the initiative, referendum, and recall are all about. He said that government cannot advocate its decision-making function. Government leaders need to be held accountable for decisions that are made, but they need to make those decisions. He said that he is not weakening the power of the voters, but he is asking government leaders to make reasonable decisions.

Mary Tobias said that she is offended that a citizen would be put in a place where, as a voter, that citizen would not be asked if he/she concurs. She said that it is an inalienable right. If it is put before the people, no matter how bad a decision it is, it is the decision of the people.

Ray Phelps asked if there is anything that would preclude or prevent a referral to the people if the elected officials thought that was the most responsible thing to do.

Steve Schell said that would be easily done.

Bob Shoemaker said that, regarding the consolidation of services and the role of MPAC, Future Focus said that one solution is to amend section 9(2) to read that local government services may be assumed by Metro based on a majority vote of the members of the Council and the affected local governing body. He asked if every time that Metro takes over a local function, every local government body must consent to that.

Steve Schell said that he makes a split between the local services and regional services.

Bob Shoemaker said that when a determinance of metropolitan concern is made by judgement of the Metro Council, they can do that on their own decision before they refer it to the voters. They would not need consent of the local governments.

Steve Schell said that it is when they are performing what they acknowledge is still a local function, and not of metropolitan concern that they do that by way of an agreement with the local government.

7. Public Testimony, John Russell, Portland Chamber

John Russell, chair of the Portland Chamber of Commerce Charter Task Force, said that the task force supports the work of the Charter Committee. The Charter must layer itself into the existing structure of governments in the region. He said that the Chamber task force proposed a plan that would have created service districts for each of the services which the regional planning body would determine to be regional in nature. Each of the service districts would likely replace a multitude of other smaller service districts, thus, decreasing the number of governments in the region. He said that a crucial part of the plan is that the funds to provide one service would not be mixed with the funds for providing another service. The funding for the planning budget would be independent of the funding for the services. He said that even though the Committee does not accept the plan entirely, the draft Charter contains some of its most important provisions. He said that the task force only has one major concern with the finance section of the draft. He distributed amendments to Section 11 of the Charter. See attachment A. The amendments restrict the use of general fund revenues to planning, enforcement, and administrative operations and limits the use of service fees and charges to that of costs related to the service. He said that the support of the chamber is dependent on the adoption of these concepts in the model document. He said that the proposed Charter is a vast improvement over the current structure. He thanked the Committee on behalf of the Chamber of Commerce for the work that they have put into the Charter.

Frank Josselson thanked the Portland Chamber task force for their innovative and creative ideas for the regional government and their willingness to challenge the idea that the status quo is the best that we could have. He said that there have been very few responsible groups who have had the courage to come to the Committee and propose changes to regional government.

Jon Egge asked if the Chamber's intent is that funds from a particular service could not be allocated to overhead of that service.

John Russell said that is not the intent. He said that it continues the stated policy of Metro.

8. Public Testimony, Sid Bass, Committee for Citizen Involvement

Sid Bass, representative of Metro Citizen Involvement Committee (CCI) and chair of Lake Oswego CCI, said that it is vitally important that the Charter allows for citizen involvement through the entire process. He suggested including the Multnomah County Charter language regarding the office of citizen involvement, with a few amendments, in the Charter. He said that the concept of the mission and purpose from the bylaws of the Metro CCI should be included also. The bylaws read "it is the

mission of Metro CCI to advice or recommend actions to the Metro Council in matters pertaining to citizen involvement as Metro creates and implements a participatory regional planning partnership in areas and activities of metropolitan significance. The Metro CCI will encourage participation by a broad cross section of the community and will provide or facilitate a direct line of communication from the citizens of Metro to the existing citizen involvement groups in Metro." He said that the citizens, at any level, feel cut out. They sense that government functions with government's agenda working for government and the politicians operating within it. He said that if the citizens feel that the Charter is looking out for their livability, then there will be less resistance. He said that the CCI would have no problem with CCI being subject under the separate auditor position. He said that CCI must be apolitical and must be a process committee bringing the officials and issues of government out to the citizens.

Chair Myers said that if the auditor position were proposed, he would encourage that the CCI be freestanding.

Sid Bass said that the most important idea to him is that the CCI be identified, funded, and recognized as a regular funding operation in the Charter.

Frank Josselson asked if the citizens involved in the CCI have a good understanding of what Metro does.

Sid Bass said that he thinks that those who worked on the Metro CCI bylaws are the most knowledgeable citizens he has run across in the community and they have a pretty good idea of what Metro does now. He said that he did not know if they were completely filled in on what the Charter Committee is proposing. He said that the Lake Oswego CCI do not really know what Metro does or what the Charter is.

Frank Josselson asked if the citizens in the Lake Oswego community know that Metro is a government of 2,200 employees and \$350 million asset in 1990. If not, would that surprise the citizens.

Sid Bass said that it would surprise the citizens. He said that they would probably question where the money is going and what the employees do.

Frank Josselson asked why the citizens do not know.

Sid Bass said that, until April of 1992, there was not a CCI. There was no arm of Metro that told the outlining jurisdictions and unincorporated areas of Metro what was going on. He said that up until this year, he has seen no activity of interest in the Metro Councilors' work. He said that there has been a little more activity and conversation during this election. He said that there is also the perception that Metro is primarily a Portland function, not a regional function. He said that he thinks that is wrong. He said that the region is more than Portland.

Frank Josselson asked why that perception is wrong. He said that it is not unreasonable that a citizen would think that because every major facility that Metro has authority over has been in Portland. He said that Clackamas County's only major facility is a garbage transfer station.

Mary Tobias said that in the past, organizations and citizens could get substantive information about Metro committee meetings and background information from Metro upon request. She said that has been cut off. She asked if the CCI envisions that it will be able to do that kind of outreach to get those materials out to the public.

Sid Bass said that the ordinance adopted by the Metro Council calls for 19 members of the Metro CCI

with 19 alternates. He said that the members represent Council districts with members at-large representing unincorporated areas. He said that it is the function of each member of the CCI to relate all of information to all of the citizen bodies in their area. Part of the responsibility of a CCI member is to meet on a regular basis with all the neighborhood associations that are active in their district.

Mary Tobias asked if the budget that Metro CCI is asking for is to disseminate all the materials to the constituent groups.

Sid Bass said yes.

Frank Josselson asked Sid Bass to speculate as to why there is no member of the press at this meeting.

Sid Bass said that, personally, he believes that this region is an one newspaper community. Things that they want to report on, they do. Things that they do not want to report on, they do not. He said that the article that ran in last Thursday's Oregonian indicated that this is not a very important issue. He said that if there was active citizen involvement, there would be enough input of citizens that this hall would not be big enough.

Frank Josselson said that the absence of any press or media here means that whatever happens in this room is like a tree falling in the forest--it does not make a sound.

9. Public Testimony, Jack Orchard, Sunset Corridor Association

Jack Orchard, Sunset Corridor Association, said that the Board of Directors cannot support the draft Charter in its current form because it is at odds with itself. It is unclear whether the aspiration and direction is for a comprehensive, regional government or one which derives its powers and authority through a gradual, consensus process with other area governments. He said that Metro needs to work on being a consensus building body with local governments and citizens. He said that the Sunset Corridor Association supports the MPAC because it can act as a sounding board and a voice of local governments and citizens and will help with consensus building. He suggested that the Committee reconsider the requirement that the Council adopt ordinances dealing with land use and planning matters. He said that the association is particularly concerned with paragraph (d), of section seven, which empowers Metro to review "local government land use decisions for consistency with the regional framework plan". That provision is too broad and unnecessary given the state land use planning. "Consistency" is in the eye of the beholder and it is an expensive process that may produce no particular good. He said that the Charter should avoid an open ended enabling clause for the transfer of Tri-Met. Metro's take-over of Tri-Met has not received much favorable support. He said that the association is also concerned about how the operation would be done under Metro and if the Council has enough time. He said that section 11 only deals with limitation on taxing powers and leaves open the issue of the types of user fees or other charges Metro might initiate. He said that the discussion regarding Metro's ability to have a sales tax or property tax needs to be held. He said that there is no language regarding how fees can be charged. He said that section 13 dealing with Metro's regulatory powers highlights the association's problems with the Charter's effects on local government and whether the process is to be approached on a consensus basis or mandatory basis. He said that the provision is subject to misuse.

10. Public Testimony, Herb Crane, Portland Opera

Herb Crane, Chair of Committee on Public Relations for the Portland Opera, said that the arts all suffer equally and prosper equally in this community. Without the region's support, the arts will die. He said that the subscribers to the Portland Opera are the life-blood of the opera. He said that of the

subscribers, one-third come from Multnomah County. The other two thirds come from outside Multnomah County. He said that 94% of corporate giving income comes from Multnomah County, 5% comes from Washington County, and 1% comes from Clackamas County. He asked that the \$12.6 million limit be removed from the revenue provision. He said that Arts Plan 2000 recommends \$6 million a year in public financing. The \$12.6 million figure imposed on what Metro can do will eliminate the help that the arts need. He said that the revenue limit puts the arts at an extreme risk. He said that it is projected that, by the year 2000, there will be 500,000 additional citizens. He asked how the cap will deal with the additional needs of the community.

Mary Tobias said that the projected population is for the year 2010. When Clark County is factored out of the number, the rate of growth is 2% to 3% annual rate which is what the economy needs to be kept on a growing economic cycle. She said that Metro's revenue from the excise tax is currently \$4.5 million. That \$4.5 million would fit under the \$12.6 million cap proposed in the draft Charter. The excise tax could increase by approximately \$8 million and still be under the cap. The cap is also indexed to the CPI to go up with the expansion of growth and the economy. She said that it is not as rigid an authority as perceived to be.

Jon Egge asked if basketball is considered to be art.

Herb Crane said that it is not considered to be art, but the Committee considers it to be entertainment. He said that the draft deals with art and entertainment equally. He said that it is a very broad range that the Charter deals with and he is afraid that the arts will be squeezed beyond limits.

Jon Egge asked if Herb Crane is aware that Metro has made decisions with respect to entertainment or Paul Allen give-aways that probably have a greater impact on the arts future than anything that the Committee might do in the Charter.

Frank Josselson said that the Committee has been co-opted on that issue.

Larry Derr said that the Charter proposes to give Metro more power than it has now, with respect to taxation, by allowing some things to be done without going to the people for a vote, but it places a cap on it. He asked if Herb Crane's concern about funding limitation is due to an assumption that a tax measure for arts would be unsuccessful if voted on by the people.

Herb Crane said no. He said that it all depends on how the people are lobbied and there has been enormous success with the people of the community with the performances and with support. He said that the problem with the arts is that the more successful it is, the more money is lost. He said that there is a situation now where the Portland Opera cannot supply all the potential ticket purchasers, but they cannot risk increasing performances because the hall is too big. If the hall does not sell out, they would be in deeper trouble than they were when they tried to solve the first problem.

Larry Derr said that the Charter draft expands Metro's capacity to levy taxes.

Herb Crane asked if Metro levied property taxes, would they fall under Ballot Measure Five.

Larry Derr said that, under the Charter, Metro would have the same general taxation powers as local governments, subject to seeking voters approval.

11. Public Testimony, Tom Walsh, Tri-Met

Tom Walsh, General Manager of Tri-Met, said that he continues to be a support of Metro and will be

an ardent supporter of the Charter. He said that embodied in both the legislation of 1969 that created Tri-Met and the legislation creating Metro in 1977, there is the take-over concept of take-over of Tri-Met by Metro. The tensions that have existed between those two agencies since 1977 have always been between those who would take over and those who would be taken over. He said that in April 1992, Metro Executive Officer Rena Cusma and he had a frank conversation regarding the possible take-over. If the roles were reversed, the same hostilities would exist. There are some very important things that Metro and Tri-Met do together and ought to be doing together. At some point when transit is a known utility in the region, it will probably be a department of regional government. He said that he thinks most people subscribe to that notion. He said that some people forecast five years and some forecast 20 years. He said that out of the April conversation between Rena Cusma and himself came the question of why don't the two agencies try something innovative instead of battling it out with take-over. They should constructively look at the proposition of merger. He said that it is conceptually quite simple in terms of the relationship and the tenor of discussions between the two agencies. He said that, at the end of May, Tri-Met proposed to the Metro Council a work program that would take two and a half years to consummate a logical set of efforts that the two agencies are, in part, already doing. It would deal with data collection and the development of land use and transit agenda. Both agencies would be doing an analysis of the particulars of functional merger. It also proposes three significant cooperative efforts--joint development of program, cooperative effort in financing of the transit strategic plan, and the financing plan for the regional light rail system. During the two and a half year merger study, they would find out if there is a logical domination between the two agencies that might be made, if a whole merger or a looser affiliation between Metro and the transit district is better. He said that the Metro Council has, in principle, adopted the concept and referred it to one of the Council's committees. The Tri-Met Board has done the same. He said that he made a commitment to the Metro Council, contingent upon their acceptance of the concept, that he come before the Charter Committee to inform the Committee and to say that they have no sentiments about the language that is in the proposed Charter. He said that he finds the language perfectly satisfactory. He said that he thinks it is totally consistent with the existing state statute which simply provides permission for an amalgamation of the governments. It does nothing to change the status quo. He said that he understands that, in an earlier draft, there was language regarding no emergency clause for the ordinance calling for the Tri-Met/Metro merger. He said that it would be constructive to put that emergency clause back in. He said that, regarding the section on limitations of taxing authority, it refers to six-tenths of one percent payroll tax. He said that is the historical rate and Tri-Met is now higher than that at .00625. He said that reference is also made to the payroll tax being levied on wages paid with respect to employment. He said that state statutes have been extended to include self-employment and in-lieu tax by local governments.

Frank Josselson said that the last time Tom Walsh spoke to the Committee he said that it was the position of the board, and his personal position, that no merger of Tri-Met and Metro would be appropriate in the foreseeable future. He said that shortly after, there was a labor dispute at Tri-Met. During that dispute, Metro proposed and put out an RFP which could lead to the take-over of Tri-Met. He said that a number of Metro Councilors said that, unless there is something very negative that came back in response to the RFP, a take-over was emanate. He said that Tri-Met and members of this Committee urged Metro to not put out the RFP because it would interfere with the pending labor dispute and the planning functions. Subsequently, Tom Walsh appeared at a Council meeting and Metro stated to him that they would not put out the RFP on the Tri-Met take-over until the west-side light rail was funded if he would come to the Charter Committee and urge them to retain the marriage clause--which he had earlier said that he, and the Tri-Met Board, would not approve of leaving in the Charter. He said that he cannot help look at the situation and wonder if there is some blackmail.

Tom Walsh said that the subject of blackmail was raised by one member of the Metro Council. He said that over the years, "take-over" and "merger" have thought to be one in the same, but they are clearly not. He said that all of the discussions have been both about take-over and in defense of take-over.

He said that the session in April was the first time that there had been any real discussion of merger between the two agencies. It was not something that Tri-Met and Metro stumbled on to by themselves, but it was aided and abetted by Don McClave. He said that things have changed constructively and in light of some opportunity.

Frank Josselson asked if Tom Walsh personally believes that the Tri-Met/Metro work plan for merger will be carried out on both sides.

Tom Walsh said that he is optimistic. He said that they are more functional activities than major policy things. They center around a host of activities that JPACT has responsibility for regarding both Tri-Met and Metro at the JPACT level. He said that it is extraordinary and the new Federal Surface Transportation Act outlines JPACT, Metro, Tri-Met and ODOT put into national legislation. He said that it is important to be sensitive to the policy issues.

Frank Josselson asked if it would benefit the Charter draft if the Committee were to require, before a merger of Tri-Met and Metro, JPACT approval.

Tom Walsh said that the Charter states "seek the advice, if possible". He said that regardless of the language that is used, the current JPACT role and the enhanced role under the Ice-T act is the strongest advice for all who have major activities in the transportation arena. He said that he does not foresee a significant change in the federal policy of JPACT.

Charlie Hales asked, given the changes that have occurred between Metro and Tri-Met, how important is it for the Charter to contain the provision that Metro will maintain an appointed board for the administration of the transit's function once the merger is completed.

Tom Walsh said that it is important and should be left in the Charter.

Charlie Hales said that Tom Walsh recently said that the investment that Tri-Met is now making in West-side light rail and plans to make under the strategic plan will not really pay off without higher densities and other changes in land use patterns that will reinforce that investment. He asked how likely that is to happen without Metro and Tri-Met being the same agency. Can the desired level of land use and transportation coordination be achieved without integration of those two planning functions in the same agency?

Tom Walsh said that the desired level of land use and transportation coordination will be achieved not withstanding what the actual relationship between the two is. He said that the major responsibility and opportunity for the implementation of greater densities along the rail line falls neither to Metro or Tri-Met--it is city and county governments. He said that, in the current relationship through JPACT, there is a major area of functional planning. He said that it is hard for him to imagine a greater level of cooperation with functional planning.

12. Public Testimony, Regional Governance Committee

John Andersen, Strategic Planning Manager for the City of Gresham, addressed the relationship of Metro to the Portland area local governments during the development of the Regional Urban Growth Goals and Objectives (RUGGO's). From the perspective of the cities and counties involved, the initial phases of that important process were characterized by poor communication, game-playing and distrust. Ultimately, this lead to suspicion and tedious, negative meetings that were leading to the death of the entire process. To save this important product so necessary to the rational development of our region, local governments, and Mayor McRobert of Gresham in particular, took extra time to design and advocate for a new process to make local governments effective partners in this region's

planning. As partners, the local governments that will play a critical role in implementing the plans for this region's growth became part of the system and advocates for the solutions needed to solve this area's problems, rather than mere commenters or worse--antagonists. The RUGGO's were also restructured to better address the issues facing the region in a manner more reflective of the real scale of the area's concerns and the absolute need for broadly-based consensus. Ultimately, the process worked and the needed products were created, not because of Metro's scheme, but rather due to the consensus-building work of local governments and the promise of a better system for all involved contained in Goal One of the rewritten RUGGO's. The time is now for that better process to be institutionalized in this region's system for governance, if we are to obtain, in a timely manner, that better future so needed and desired by the people of this area. The MPAC and its process is that better plan and it needs to be retained and adopted by this region in the Metro Charter if we are to avoid the wasted resources, political disruption and lost opportunities that characterized the first part of the Metro RUGGO process.

Marilyn Holstrom, City Administrator for the City of Fairview, addressed the process used to get the Greenspaces program to the point that it is now. Like so many other examples which you have heard, this is a program which demonstrates both the worst and the best of cooperation between Metro and local governments. When local governments first heard of the regional greenspaces initiative the ball at Metro already was rolling at a rapid rate. We were not brought to the table to help make the decision as to whether there was a need for a regional greenspaces program or how it would best be implemented. We were made to feel as if the decision was already made and--yes--our input was being requested, but the distinct impression was that our opinions were not particularly valued. As you know from your deliberations on this issue, greenspaces is not a simple issue; it is not easy to figure out how to overlay a system of regional greenspaces on the existing local parks and open space systems. Yes, it is a good idea and yes there is a clear regional need; but the method by which that need is met will make the difference in whether this program succeeds and fails. As you might expect, Metro's initial communication with local governments on this policy initiative met a great deal of hostile reaction. Not because we object to regional greenspaces, but because we were not involved in the decision to implement a regional greenspaces initiative. The potential for operational and financial burdens on local governments was great, and Metro had very few answers to our many questions. This is bad news. Now for the good news. Following the negative reaction from local communities, Metro and local governments regrouped and began the process of answering the hard questions about roles and responsibilities that must be resolved before regional greenspaces can be implemented. The result of those discussions is a document that, while still being fine-tuned, is fundamentally supported by all of the local governments in the region. This document is an excellent model of healthy regional/local government cooperation. In fact, much of the thinking which has gone into the proposed MPAC process, which is included substantially in your draft Charter, is based on the experience which we had through the greenspaces program as well as other issues which you have heard tonight. The lesson from Greenspaces is that local governments and the regional government must work together in order to successfully implement regional initiatives. There are virtually no regional initiatives which can be implemented without shared responsibility with local government. That partnership should be recognized up front and local government should be included from the first day of the process. That approach will save time and reduce political blood letting. It will promote constructive, cooperative regional problem solving and reduce reaction and fear. This institutionalized relationship between Metro and the local governments is what the MPAC process provides. Far from being a threat to regional action, it is in fact the avenue to regional action.

Steve Larrance, Washington County Commissioner, addressed the local government relationship with Metro on the solid waste issue. See attached testimony, attachment B.

Mike McKeever, RGC staff, verbatim: Having listened to the testimony and gone through this process, and this will probably be our last time we formally address you, I am completely convinced that the

local governments at this table are the regionalists in this process. It is crystal clear. I want to try to shed some light on some of the either mass confusion or purposeful obfuscation of the proposals that we have brought to your table. In particular, two accusations that many Metro representatives either directly or people who I am sure they are responsible for bringing to these hearings made. One, that you have created a COG. That this is abolish Metro, create CRAG. That is nonsense. That is poppycock. That is a political shell-shock. I am only telling you that my folks who started this process, some of them wanting a COG, very well know the difference between what is in your Charter and what a COG is. There is no relationship that meaningful local government involvement at the table with regional decision making does not constitute CRAG, does not constitute a COG. Do not give us Willy Horton ad techniques to hang around our neck or there will be warfare in this region again and we are on the brink of it right now. Secondly, the charge that your Charter strangles Metro and reduces its authority from the current statutes is ridiculous. That is completely indefensible. Given out the list of what the statute allows Metro to do, it is a limited list of powers. Some of which they can do on their own vote and some of which they cannot do unless they go to the voters. Most of what they can do on their own is what they have already done. They can do a few more things by going to the voters. When we analyzed these issues and brought our proposals to your table, we were thinking big. We weren't trying to figure out how to transfer the cemetery from Multnomah County to Metro, how to make the business license fee program work, or how to get Metro to do zoning checks for Multnomah County. We were trying to figure out how, where the next water source needs to be built when the local governments cannot or do not want to do on their own anymore, they can shift their power and money to Metro. How when the next regional sewage treatment plant needs to be built and the local governments cannot or do not want to do it anymore, they can shift the power and the money to Metro. That is what the MPAC process allows you to do for crying out loud. It is a broad grant of authority within the metropolitan issue of concern. They can do anything under this Charter. They cannot do that under the statute. All they can do is what is listed. Your Charter they can do anything that is determined to be a matter of metropolitan concern for the next 100 years. The Metro Council cannot figure that out. They think that the current statute gives them more power than this document, they are just not paying attention. Now, forget about MPAC for a minute. If all you could do to expand Metro's powers from the starter kit you give them in the Charter, is go to the vote of the people, that allow would be a substantial expansion of Metro current powers. In your finance section, if all you did was say that you can get any tax you want by a direct vote of the people, that alone would be a substantial expansion of existing Metro powers. Now, when we proposed the MPAC process, it was a result of meeting around the table of people who said that even that seems a little inflexible. Wouldn't it be good we could get power to Metro as it is needed through some more flexible arrangement. And so, in the service delivery area, we said yes, it is a little inflexible to go out to every single local government and require direct vote of approval to shift some portion of the water system to Metro, for instance. So we agreed to settle for a representative body that was well represented of the small jurisdictions and the large jurisdictions and the counties and the special districts and they agreed that it was time to shift a portion, that was good enough and they ought to be able to find an agreement between that body and the Metro Council ought to be able to bind the rest of the local governments even if they disagree in the region or were not that capable to shift that service or a portion of it to Metro. Now all I ask you, does that sound like a group of people that are at your table trying to straggle Metro? I am sick of these accusations. It is ridiculous. That is a far more progressive, regional, local attitude about what this region means to consolidate services and what ever else it decides over the next 100 years than going back to the current statute or requiring direct vote of the people for everything. And, we have come in suggesting in the planning area, in this round of testimony, and this is consistent with what we have said all along, that you ought to open up a new avenue to add Metro capabilities through what we call a series advisory role of the MPAC instead of a consent function. Okay, so let's get the record straight. Obviously, frustrations are high. I know yours are and ours, obviously, are too. We have worked in good faith through this process, we have tried in every way imaginable to be original, to be creative, to work with you. We have tried very hard to work with Metro to work these issues out and it obviously failed. I swear to you it was not the

result of our lack of trying. You have a document, you have five weeks to go. It can be put together, it can be put out in November for the voters to vote on and it can be sold with a straight face as a promotion of regionalism, an expansion of this government's authority, and an institutionalizing of the partnership. We have heard over and over from Rena and Metro Council and any Metro person you talk to, they cannot do anything that matters without being involved in local governments. Well, if it takes a partnership, let's put the partnership in the Charter. It feels like they need relationship Counseling or something. They do not want to make a commitment. They know it takes a partnership to do it, but they just don't want to put it in writing. Well, let's do it.

13. Public Testimony, Bill White, citizen

Bill White, citizen, said that he has an interest in getting Tri-Met to put a river bus on the river to alleviate traffic coming into town. He said that Metro was established to provide a method of making available public services that are not adequately available through previous authority. He said that Metro is furnishing the money for a light rail station which he thinks is an inconsistent appearance of government. He said that he has heard people say that the Charter will accomplish some things that are not set forth in the state statutes which created Metro. He said that if there is a Charter that is inconsistent with the Oregon law, it will be unconstitutional. He said that the ability for Metro to take over Tri-Met at any time that it wants to is vague, confusing, and confounding. He said that his main interest is public transportation. The legislature should determine that public transportation shall be the exclusive operation of Tri-Met--a state body--to aid and abett Portland. He said that Tri-Met's authority is only over motor vehicles. The Department of Transportation has a whole chapter regarding ferry boats. Public transportation should completely be given the Tri-Met in order for them to get the federal funding. Metro should not be involved with public transportation at all. It should concentrate on other issues, such as the Zoo. He said that the smartest thing to do would be to dissolve Metro.

14. Public Testimony, Teace Adams, League of Women Voters

Teach Adams, representative of the Columbia River Region Inter-League Organization of the League of Women Voters (CRILLO), said that CRILLO recently completed two years of study on the subjects of urban growth and Metro: organization and finance. Both of these studies were published and the Committee received copies of the Metro study at the first public hearing during the Charter process. CRILLO has observed Metro for years and is the league body most concerned with this level of government. CRILLO has already testified as to their position, reached by consensus. The draft Charter appears to be consistent with that consensus and should certainly, in its final form, be put to a vote of the people. She praised the Committee for their diligence and commended them for their hard work.

15. Public Testimony, Gary Blackmer, Multnomah County Auditor

Gary Blackmer, Multnomah County Auditor, said that when people think of auditing, they think of the financial side of it. He said that, when talks about auditing, he means that once the decisions are made about where Metro is going to go, what is the most efficient way to get there. He said that the performance auditing function looks at efficiency and effectiveness in terms of the development of services. He said that Multnomah County began performance auditing in 1975. He said that about 100 audits have been performed in Multnomah County since its introduction. He said that a performance audit has been done for the city of Portland police patrol operations. It discovered that they were not scheduling their officers according to the workload. The loss value of the first scheduling was determined to be \$2 to \$2.5 million. The recommendation, however, has not been put into effect yet. Performance auditing has also been done for city of Portland street maintenance. Portland lays about 40 miles of streets every year and 83% of the asphalt that they were laying did not

meant their own construction specifications which meant that more patching and overlaying had to be done. He said that it has to do with performance auditing and testing the quality of work. He said that it is very difficult for an appointed auditor to do an audit of elected officials reimbursement expenses. All of the performance audits done in Multnomah County brought the information to the policy makers to improve their decision making and provided some friendly competition of operations. All the audits are done within government audit standards. He said that it is a function that is very important and any local government that is looking toward increasing its responsibility needs to consider efficiency and effectiveness. He said that he has guidelines and model legislation that was recently developed by the National Association Of Local Government Auditors if the Committee would like to use it as Charter language.

16. Public Testimony, Jack Talbot, citizen

Jack Talbot, citizen, said that he wrote Metro's performance auditing program, but he is not going to speak to performance auditing. He said that the separation of duties between the legislative body and elected executive should be maintained. He said that he strongly believes that MPAC sounds like more government when read and spoken and it is more government. In today's society, things that sound like more government will not be taken properly. He said that the Committee has done a heck of a job and he does not find fault in the document. He said that there are many things at Metro that are not broken and it is an issue of trying to fix things that are not broken. In the fixing, no matter how well intentioned the ideas are, a better product is not necessarily the result.

Charlie Hales asked what Jack Talbot thinks of the idea of an elected auditor.

Jack Talbot said that he has done performance auditing for Washington County. He said that performance auditing is a good thing for government. If the person is going to be hired, he/she should be hired by the policy setters because he will be looking at those who do the functions. He said that it does not matter whether it is an elected or appointed position. He said that in the city of Portland and Barbara Clark, there is an excellent environment where an elected official does a great job--she is asking the right questions. He said that is more of a function of the individual and the team that he/she puts together.

Ned Look asked how the Charter could address the local government and Metro relationship concern.

Jack Talbot said that the RUGGO's and Greenspaces examples by the RGC dealt with local government's difficulty in getting Metro's attention, but once it was captured, the result was very effective. The issue of solid waste was a messy situation where a lot of egos got involved. He said that he is not sure that a change in the way that the government is formed would have changed that issue. He said that local governments have got to get Metro's attention and they have got to come to the table to try to state the proper approach. If they do not, someone has to beat them over the head and that has to be Metro. He said that Metro has not done a good job of describing themselves to the community, but that does not imply that the entire government is bad. He said that he is not certain that he understands what Metro does. They need to do something in the public relationships department to get more people involved.

Larry Derr asked if Jack Talbot has done a performance audit of Metro's public relations office.

Jack Talbot said that he has not done any performance auditing at Metro. He said that he wrote their plan and Metro took the function out for a bid.

Frank Josselson asked how Jack Talbot could write a performance audit plan without knowing what Metro does.

Jack Talbot said that there are things that he does not know about Metro. He said that MERC was not a part of Metro when he wrote the performance audit plan. The plan recommended that they look at a series of issues and identified prioritization of how to do it.

17. Public Testimony, Diane Quick, citizen

Diane Quick, past president of the Happy Valley city Council and past chair of the citizen involvement group for all of Clackamas County, said that she thinks of herself as pretty regional. At the beginning of the process, she said that she was a little skeptical. She has had several conversations with Committee members on the Charter and they have had to drag her kicking and screaming to the table to talk about regional government. She said that she could go on all night with the injustices that she felt as the president of the city Council with Metro. She said that she really took a look at what the Committee had to offer. She said that her comments tonight will not be in regard to the staff--she will be speaking only of the Executive Officer and the Council. She said that she looked at the composition of the Charter Committee as a real positive because it was outside people looking in. She said that she remembers being asked why Metro has the image that they have. She said that they get their image because of what they have just done to the Charter Committee. She said that she watched Rena Cusma on television on Sunday and she had no nice comments for any of the Committee members, regardless of all the hours that the Charter Committee has put in. She said that Metro does not know what citizen involvement is. Metro is scared to death that people will find out what they really do. She said that it is a slap in the face that every committee member could spend their time on this Charter and for Rena Cusma to hold a press conference on consolidation. She said that for the Committee's credibility and the number of times that people have said that the Committee is Metro, the Committee needs to have a press conference to establish its credibility. She said that it is ludicrous for her to sit here and listen to a Presiding Officer who did not know whether or not there is going to be a press conference. If the Councilors do not like what the Executive Officer has done, they should also be holding a press conference. She said that she does not think that they have the guts to do that. She said that she hopes the Committee will do that, not just for themselves, but for people like her and local government people that put a lot of faith in this. She said that it is a political ploy and Rena Cusma is doing it to make everyone angry when talking about merging counties so that, regardless of what the Committee will turn out, the people are going to be made and vote against it.

18. Other business

Mary Tobias, verbatim: I am not going to be here on Thursday night. I am sorry that more of our Committee is not here. I am officially resigning from the Committee, regretfully and reluctantly. It is not something that I really want to do, but it's real hard to attend meetings when I am in Eastern Europe. And I postponed that trip deliberately thinking that we would beat the July deadline. So, I don't know how much time I will have tomorrow to write a speech, so I am going to take a little bit more of your time if you will oblige me and, give to you, who are here, some of my impressions. I think I will go back in time, to July of last year, when the Timothy Lake for Washington County was held and the topic of the conference was the Metro Charter. Actually, it was not really the topic of the conference, but it became the topic of the conference by default. As you know, the participants of the conference are local, elected officials from all over cities and counties and I was invited as the head of the county's economic development agency--sort of an unofficial agency. I have participated and have been at the conference when I was the mayor of Sherwood. The cities and the counties were apprehensive at best about the Metro Charter and there was a lot of conversation about what can happen and will happen and can we see that it does not happen. I think there has been a lot of lack of candor in this process. I am going to be really quite frank with you. There were turf issues. There was concern. There was apprehension. There was a very strong feeling, in my opinion, that this is another massive Metro take over--another one where it is going to come at us sideways. And believe me, after four years of experience with this agency, and a strong commitment to regional government

and to Metro as the regional agency, I will tell you that what you heard from RGC tonight is true. You can doubt it, you can shake your head, you can scratch your head, but it is the truth. Things do not come to the regional table in a direct line from that agency. I feel that I had a great deal of impact at Timothy Lake last year convincing Washington County's cities and county that there was more to be gained by being part of the process--being active, being supportive, being a partner--that they had more as a county to gain than they had to lose. And that, through time, through the process, and by being there as a participant, and not waiting until the end to come in and bash and destroy and to be anti, would be in the best interest of the county and the cities and the region and the state of Oregon. And my cities bought off on that. And I think that Mike McKeever is absolutely right. They have acted in good faith. Not only did Washington County say that it is not good enough for Washington County to be pro-active, it has to be regional. It has to be the cities and county of Clackamas and the cities and county of Multnomah. It has to be everybody working together to shape the future. As you know, or some of you know, last Thursday I went to Metro to plead with the Metro Council to be active, and not reactive, to be part of the process, because of the time to be part of the process is almost gone. It has almost run its course. I have talked with Rena, telling her that I am concerned about what happens to this. I think, if there is melt-down on this process, and we are not successful as a committee on shaping a document to go to the ballot at some time, the ramifications for this region, and everybody knows they'll be great, and for Metro, they will be the greatest. In my opinion, Metro has everything to lose and, in my opinion, the thing that they have the most to lose is their existence and I think that will happen to them. I have talked to the cities in my county, I did not talk to RGC, and expressed my concerns. I talked to Hardy at length to express my concern. I asked over and over again for Metro and RGC to sit down together at the same table, where they have never been through this whole process, to talk about those things that still need to be resolved to get to a document. As you know, I was quoted in the paper as saying that perhaps we are not ready for a November ballot. I am not nearly so unhopeful now as I was two weeks ago. I think that you have heard some very compelling testimony and I think that you can reach a final document. I think it would be a grave mistake not to put something on the ballot, because it would be a big error. I urge you not to do that. Tom Walsh said tonight said to you that he's optimistic about cooperation between Metro and Tri-Met. I am not optimistic. I am furious. I am absolutely livid. I have been furious since three o'clock this afternoon when I got a call from the Portland Chamber of Commerce telling me that Rena Cusma is holding a press conference tomorrow morning to propose a three county merger and a Tri-Met/Metro merger. I have been played for a fool. I have been lied to, I have been manipulated, and I have been mistreated and abused by this government. And I am furious. And every one of you at this table ought to feel that way too. It is inappropriate, it is back-handed, it is sneaky, it is slimy. And there is not one of you here who should stand for that kind of treatment and there is not one of you here that should any longer believe that Metro is interested in a partnership. When a Presiding Officer of that government comes in and tells you that local government and Metro are working together and presents you with a Charter that does nothing that sanctifies status quo, with one exception, I think expanding taxing authority, you have to ask yourselves what kind of partnership is this. And, what kind of government is this? That draft has been in the works, we were told, for three to six months. If that is true, that draft ought to have been before this body. You have been played for fools. I do not know about the rest of you, but I do not play games and I think you know that. I have not played games running around in little circles behind your backs. I have not been parts of little cliques. I have been at this table publicly with my position on every issue that we have addressed. I have fought fairly and cleanly for the things that I believe in. I have conceded those things where I have been in the minority and I have not tried to stab one of you in the back. How anyone could think that it is in the best interest of this region to sanctify that government and that structure that allows an Executive Officer to propose a entire change in the government structure of this region without even discussing with the Presiding Officer of that Council, and then tell us that nothing is broken? That is absolutely insane. They are so enmeshed in projecting themselves from anything that might change the next meeting of the Metro Council, that they are totally blind, totally blind, to the shortcomings of government or their own organization. And yet the government of our cities and our counties have come in here and said to you

constantly there are things that can be done better, there are better ways to do it, we know there are, we know we have things to give up, but we believe there is a bigger purpose. And they have given up a lot. They have given up power. They have given up turf. They have given up authority. They have a process, a process mind you, that will bring people in this region to the table, and they get slapped down. Well, my friends, you have an enormous chore in front of you. It is an enormous undertaking, because Metro will fight tool and nail to defeat you no matter what you do. They have set you up to fail. And I am truly, I am truly feed-up because I believed that they were right, and they are not.

Chair Myers drew the Committee's attention to testimony distributed by the Urban Streams Council. See attached testimony, attachment C.

Chair Myers adjourned the public hearing at 11:25 p.m.

Respectfully submitted,

Kimi Iboshi

Kimi Iboshi
Committee Clerk

Materials following this page represent
Public Testimony

Testimony of Alice Schlenker, Mayor, Lake Oswego

June 30, 1992

On behalf of the Regional Governance Committee

Good evening, I am Alice Schlenker, Mayor of Lake Oswego, and one of the members of the Regional Governance Committee. I would like to take this opportunity to welcome you to our city and extend our appreciation for holding your final public hearing on the draft home rule Charter for Metro in our back yard. As a city, we have participated actively in your process in a constructive attempt to help fashion a Charter which will work well for all of us. Lake Oswego appreciates the hard work of all sixteen members of your committee and we encourage you to keep working towards producing a Charter which the voters can approve this November.

I would like to make just a few remarks about the importance of institutionalizing the partnership between the regional and local governments through this Charter. Both my remarks about this, and the RGC panel you will hear later tonight, are triggered by some of the assertions made to you by Metro representatives at your hearing last Thursday evening. It is important that you not leave this hearing process with the impression that this charter can succeed without addressing the Metro - local relationship issue head on.

We believe very strongly that the future of regionalism is in finding a partnership that works for Metro and the local governments. There is virtually nothing useful which Metro can do for this region which does not require the active support of, cooperation with, and implementation by local governments. Even those Metro officers who have complained to your committee about the MPAC process in your draft Charter are quick to agree with the point I am making: in order to be effective, Metro must find a way to work with local governments.

If we all agree on this fundamental point, I do not understand how anybody could think a Charter could be successful which does not explicitly address this fundamental issue. We believe that the MPAC process is a very progressive proposal which will allow Metro to grow over time to meet the changing needs of the region. The MPAC process, together with the option to take an issue straight to the voters, is an infinitely more flexible and powerful grant of authority for Metro than the current state statute which relies on a limited listing of specific authorities.

You have heard from Metro a list of their success stories and a claim that in all of those projects they meaningfully involved local governments. Well, there is involvement and then there is

involvement. Yes, we have become involved in many of Metro's activities; but all too frequently we have been put in the position of having to react to initiatives and to force our way through the door to the table to help design programs. This type of involvement eventually does get the job done, but it is highly inefficient and it leads to ill will and paranoia amongst the parties, instead of good will and trust. When Metro completely controls the method and manner of local government involvement you end up with advisory committees chaired by Metro Councilors and staffed by Metro employees.

The MPAC process in your draft Charter is very different than the status quo. It will require that the needed consultation between the regional government and local governments will occur early in every decision to expand the regional government. Metro will not have to design a new process every time it wants to address an issue, and local governments will no longer have to fear that they will be left out or run over. And you will get true, independent advice. While hard to define in tangible, quantifiable terms, we believe very strongly that there is a clear difference between the MPAC process provided for in your draft Charter and the standard operating procedures with which we are all too accustomed.

Again, thank you for coming to Lake Oswego, welcome to our city and I wish you God speed in your endeavor to complete this process this summer.

- Moe, "Exploring the Limits of Privatization," *Public Administration Review* vol. 47 (November/December 1987), pp. 453-460.
42. O'Toole, "Public Administration and the Theory of American Federalism," *op. cit.*, p. 4.
43. Richard Stillman, "Ostrom on The Federalist Reconsidered," *Public Administration Review*, vol. 49 (January/February 1989), p. 83. While Stillman focuses on the problems with a weak government, others fear that public choice theory undermines any sense of community in a society. Clarence Stone, "Whither the Welfare State? Professionalization, Bureaucracy, the Market Alternative," *Ethics*, vol. 93 (April 1983), p. 594; Kelman, *op. cit.*
44. Plant, *op. cit.*
45. Salamon, *op. cit.*, p. 261.
46. Richard Stillman, *The American Bureaucracy* (Chicago, IL: Nelson-Hall, 1987), pp. 46-61 and *passim*.
47. Richard Elmore traces the linkage between management and policy studies, *op. cit.*
48. A collection of articles on the New Public Administration is found in *Public Administration Review*, vol. 49 (March/April 1989).
49. Richard Nelson, *The Moon and the Ghetto* (New York: Norton, 1977); see also Richard Nelson, "Roles of Government in a Mixed Economy," *Journal of Policy Analysis and Management*, vol. 6 (1987), pp. 541-557. In this second piece Nelson specifically critiques public choice theory as an inadequate guide for governmental action.
50. Richard Nelson, "Roles of Government in a Mixed Economy," *op. cit.*
51. Nelson, Moon and Ghetto, *op. cit.*; Steven Rhoads, *The Economists' View of the World* (New York: Cambridge University, 1985).
52. John Brandl, "On Politics and Policy Analysis as the Design and Assessment of Institutions," *Journal of Policy Analysis and Management*, vol. 7 (July 1988), p. 422.
53. Herbert Simon, "Human Nature in Politics: The Dialogue of Psychology with Political Science," *American Political Science Review*, vol. 798 (June 1985), p. 303.
54. John Kingdon, "Ideas, Politics, and Public Policies," paper delivered at the annual meeting of the American Political Science Association, Washington, DC, September 1988, p. 22.
55. Richard Nelson and Sidney Winter, *An Evolutionary Theory of Economic Change* (Cambridge, MA: Harvard University, 1982).
56. Clarence Stone, "The Implementation of Social Programs: Two Perspectives," *Journal of Social Issues*, vol. 36, no. 4 (1980), pp. 13-33.
57. Albert Hirschman, *Exit, Voice, Loyalty* (Cambridge, MA: Harvard University Press, 1970).
58. As a contrasting example, Nelson explores the history of research and development policy. Here he finds that even though there is a major market failure in this policy arena, with secrecy, duplication of effort and free riding, the government should play a very limited role. While public funds are needed to fund basic research, it is important to insure that the research is done by units responsive to market forces in order to encourage research in areas that are commercially viable and sensitive to likely applications. *Moon and Ghetto*, *op. cit.*
59. Compare Nelson and Winter, *op. cit.*, p. 4, 35-6.
60. Bozeman, "Exploring the Limits," *op. cit.*, p. 672.
61. Elmer Staats, "Public Service and the Public Interest," *Public Administration Review*, vol. 49 (January/February 1989), p. 603.
62. The management tasks he cites are technological innovation, long-term planning, personnel management, and coordination of capital equipment with human resources. Despite this emphasis on management, however, Wise doubts that management improvements will have much impact, and he predicts that Congress will continue to disperse responsibilities for policies. Charles Wise, "Whither Federal Organizations: The Air Safety Challenge and Federal Management's Response," *Public Administration Review*, vol. 49 (January/February 1989), pp. 20, 26.
63. Barry Bozeman, *All Organizations are Public* (San Francisco, CA: Jossey-Bass, 1987), p. 4.
64. Kettl, *op. cit.*, pp. 154-161.
65. Salamon, *op. cit.*, p. 261.
66. Elmore, *op. cit.*
67. *Ibid.*, p. 75.
68. Janet Weiss, "Pathways to Cooperation Among Public Agencies," *Journal of Policy Analysis and Management*, vol. 7 (March 1987), p. 111.
69. See also Williamson, *op. cit.*, who emphasizes the transaction costs in organizations.
70. Robert Reich, *Tales of a New America* (New York: Random House, 1988), p. 123.
71. One name for this is "utilization-based evaluation," see Michael Patton, *Utilization-Focused Evaluation*, 2 ed. (Beverly Hills, CA: Sage, 1986). See also Richard Elmore, "Backward Mapping: Implementation Research and Policy Decisions," *Political Science Quarterly*, vol. 94 (Winter 1979-1980), pp. 601-616. While most of the literature on street level bureaucrats stresses the need for controlling them, Jeffery Protas views them as possessors of important information. "The Power of Street Level Bureaucrats in Public Service Bureaucracies," *Urban Affairs Quarterly*, vol. 13 no. 3 (1978), pp. 285-311.
72. John Scholz, "Reliability, Responsiveness, and Regulatory Policy," *Public Administration Review*, vol. 44 (March/April 1984), pp. 145-153.
73. *Ibid.*, p. 147.
74. *Ibid.*, p. 151. See also Fiorino's description of regulatory negotiation. "The negotiation process was variously described as education, as offering a forum for presenting arguments and evidence, as a way of understanding another side's point of view, and as a change to generate new ideas and opinions with informed people holding diverse opinions." *Op. cit.*, p. 768.
75. David Morgan and Robert England, "The Two Faces of Privatization," *Public Administration Review*, vol. 48 (November/December 1988), pp. 979-987.
76. *Ibid.*, p. 985.
77. Wise, *op. cit.*, p. 26.
78. Wise, *op. cit.*, p. 25.
79. Martin Landau and Russell Stout, "To Manage Is Not to Control," *Public Administration Review*, vol. 39 (March/April 1979), pp. 148-156.

Governmental Fragmentation Versus Consolidation: Five Public-Choice Myths about How to Create Informed, Involved, and Happy Citizens

W. E. Lyons, University of Kentucky
David Lowery, University of North Carolina
at Chapel Hill

For more than 30 years, debate over how to organize and analyze urban governments in the United States has been structured around two basic theoretical perspectives. One of these is rooted in the classic civic reform tradition that developed in the early 1900s. From the beginning, this tradition has emphasized the socioeconomic interdependencies found in America's urban areas while lamenting the fragmentation of the governmental systems that have attempted to serve them. The solution, according to this reform tradition, was simple and straightforward: Reduce the number of units of government in each urban area, preferably to a single, unified unit of government for each urban area. Not only would such a move produce economies and efficiencies in the delivery of local services, it would also focus political responsibility and assure a more integrated governmental response to area-wide problems.¹

The "new" reform tradition, as Bish and Ostrom have dubbed it,² began to take shape with the publication of "A Pure Theory of Local Expenditures" by Tiebout in 1956.³ A further elaboration of the model appeared a few years later in an article entitled "The Organization of Government in Metropolitan Areas: A Theoretical Inquiry" by Ostrom, Tiebout, and Warren.⁴ The central argument of this new reform tradition based on the public-choice model focuses on the need to maintain numerous units of local governments in each urban area in order to maximize opportunities for individual citizens to choose a

tax-service package that best suits their needs. Indeed, some supporters of this tradition have advocated the need to divide large central city governments into smaller jurisdictions so that those residents might also enjoy the same opportunities for choosing from a variety of tax-service packages that many suburban dwellers allegedly have.⁵

Neither side in this debate has been able to score a decisive victory partly because much of the argument has been conducted on the basis of differing value preferences. But even where there has been some agreement on values, serious questions have been raised about the adequacy of efforts to test most of the empirical assertions and assumptions of these two schools of thought. This has been especially true for many of the propositions found in the reform tradition based on the public-choice model concerning the attitudes and behaviors of individual citizens.⁶

This article focuses on five propositions advanced by the public-choice model that concern the effects of fragmentation versus consolidation on how citizens evaluate and relate to urban governments and the services they provide. All have been drawn from the abundant public-choice literature with care taken to reflect the thrust and substance of these assertions in terms that are consistent with the original language used by the authors whose works were consulted.

The first of these propositions is based on the public-choice assumption that consolidated governments are

This article concerns five of the key individual level propositions found in the public-choice model as it has been applied to the governing of metropolitan areas. The findings of this study are based on surveys of respondents living in five matched pairs of spatially defined areas or communities located in two metropolitan areas, one of which is characterized by high levels of governmental fragmentation while the other operates under a consolidated form of government. Contrary to expectations based on the public-choice model, citizens living in smaller local jurisdictions located in the more fragmented system were not better informed about the scope and nature of their local conditions; they were not more efficacious about their relationships with their local government; they were not more likely to participate in local affairs; and they were not more satisfied with their local services and the performance of their local governments than their counterparts living in the consolidated setting. Nor did the evidence support the public-choice contention that satisfaction with local services is more widely dispersed across local jurisdictions in more fragmented systems.

inherently larger, more remote, and more bureaucratic than those found in highly fragmented systems. Therefore, citizens living under consolidated governments are supposed to be less informed and less knowledgeable about the nature of their local tax-service package than those living in more fragmented settings. Those living in fragmented systems, particularly those who are residents of areas or neighborhoods that happen to be served by their own local governmental entity, are alleged to be better informed and knowledgeable about what their local government does and how it does it.

This assertion is clearly implicit in much of the public-choice literature, including the reliance placed on the arguments by Tullock concerning the effects of increasing size of organizations on loss of information.⁷ It is made quite explicit, however, in the discussion about the alleged effects of "gargantua" (i.e., larger governmental systems including consolidated ones) on information by Ostrom, Tiebout, and Warren and again in Bish and Ostrom.⁸

The second and third propositions are also premised on the assumption that smaller is better when it comes to fostering good citizenship. One of them holds that citizens living in consolidated settings are less efficacious about their local government than those living in smaller, more intimate units of government in highly fragmented systems. This proposition is clearly evident in the discussion by Ostrom, Tiebout, and Warren about how "bureaucratic unresponsiveness in gargantua may produce frustration and cynicism on the part of the local citizen who finds no point of access."⁹ It can also be found in the discussion by Ostrom, Bish, and Ostrom concerning the eroding effects of consolidation on the "confidence among citizens about their influence over public policy."¹⁰

The other proposition based on the assumption that smaller is better when it comes to fostering good citizenship asserts that a negative relationship exists between size of local governments and levels of citizen participation.¹¹ Consolidated governments, being inherently larger, are therefore not conducive to engendering citizen participation. The crucible of participatory democracy, according to the public-choice model, is to be found in the hundreds of smaller jurisdictional entities operating in most urban areas that serve the unique and special needs of like-minded citizens.

The fourth proposition asserts that citizen dissatisfaction with services is generally higher in consolidated systems. This is because consolidated governments with their unified tax-service systems cannot respond to the differing tax-service preferences of the citizens they are called upon to serve. Smaller units of government operating in a highly fragmented system, on the other hand, provide citizens with a variety of tax-service choices. Thus, citizens living in highly fragmented urban areas are assumed to be generally more satisfied simply because more of them are supposed to have the opportunity to find a tax-service package that fits their unique needs and desires. As stated by Bish and Ostrom after noting that consolidation implies uniformity of service packages, "the more uniform the output, the less likely that those citizens whose prefer-

ences and problems differ from the average will be satisfied with the service product."¹² In addition, each of these smaller units of government is presumed to be in a better position to ascertain and to respond to changes in citizen preferences over time, which also leads to greater satisfaction.

Stated in more systemic terms, the proposition concerning citizen satisfaction would read as follows. Because citizens with similar tax-service preferences tend to cluster in particular areas or neighborhoods, pronounced and widespread differences in the levels of citizen dissatisfaction occur from one area or neighborhood to another in consolidated systems. Citizens from some areas or neighborhoods are satisfied with the unified tax-service package. But citizens from most sections of the community find themselves stuck with certain tax-service features that they would not opt for if given a choice. Although some variation might be observed in highly fragmented systems as a consequence of temporary disequilibria between median voter preferences and the responses of a particular unit of local government, differences in mean levels of dissatisfaction across any given set of spatially defined areas or neighborhoods that are served by their own units of local government within a fragmented system should be quite small and quite uniform.

This related proposition is inherent in the public-choice contention that fragmented systems stimulate sufficient competition among local jurisdictions to produce a "more responsive and efficient public economy in metropolitan areas."¹³ It is also inherent in the many assertions in the public-choice literature about the sensitivity of local governments in fragmented systems to differing citizen needs and demands, which presumably leads to more widespread satisfaction with local services across jurisdictions.¹⁴ If there are numerous "subsets of consumer voters who are discontented," to use Tiebout's term,¹⁵ then one must assume that the system is in an almost total state of disequilibrium. If this kind of situation should prove to be a rather frequent occurrence, then the public-choice model as applied to governing the metropolis loses much of its theoretical utility and appeal.¹⁶

Taken together, these five propositions drawn from the public-choice literature on governing urban areas provide an interesting set of contrasting views about the effects of differing institutional arrangements on the nature of the relationship between citizens and their local governments. On the one hand the public-choice model predicts that citizens of consolidated systems are less informed and knowledgeable about the nature of their local tax-service package, less efficacious about their ability to influence the decisions of their local government, less likely to participate in local affairs, and more dissatisfied with their services and the performance of their government than their counterparts living in fragmented systems. Finally, it is asserted that less variation exists in the levels of satisfaction and dissatisfaction from one area or neighborhood to another in fragmented systems because many different opportunities are provided for citizens to maximize their tax-service preferences.

Table 1
Summary of Survey Site Households,
Telephones Surveyed and Response Rates

Consolidated (LEX)/ Fragmented (LOU) Government Research Sites	Characterization	N of House- holds with Listed Phone Numbers	N of Valid Phone Numbers ^(a) Called	N of Completed Interviews
LEX: Blueberry	Moderate to Low Socioeconomic Status, More Familistic, Younger, Mostly White	310 ^u	259	211 (81.5%)
LOU: Minor Lane Heights		307 ^u	240	157 (65.4%)
LEX: Chinoe	Moderate to Low Socioeconomic Status, Less Familistic, Elderly, Mostly White	753 ^a	329	225 (68.4%)
LOU: Beechwood Village		497 ^a	303	188 (62.0%)
LEX: Stonewall	Moderate to High Socioeconomic Status, More Familistic, Middle Age, Mostly White	661 ^a	319	254 (79.6%)
LOU: Barbourmeade		290 ^u	254	173 (68.1%)
LEX: Crestwood/ Shadeland	Moderate to High Socioeconomic Status, Less Familistic, Elderly, Mostly White	858 ^a	316	253 (80.1%)
LOU: Windy Hills		657 ^a	301	181 (60.1%)
LEX: Green Acres	Moderate to Low Socioeconomic Status, More Familistic, Younger, Mostly Black	302 ^u	268	208 (77.6%)
LOU: Newburg		891 ^a	278	166 (59.7%)

^a Valid phone numbers are those that were found to be still assigned to households located in the appropriate research site at the time the interviews were conducted. Percentages indicate the percent of valid telephone numbers called that resulted in completed interviews.

^u Indicates that all households with telephone numbers listed in the municipal directory were defined as a universe to be surveyed.

^s Indicates that a random sample of approximately 300 households was drawn from the list of all households with telephone numbers listed in the municipal directory.

Data and Methods

A key to testing these propositions is to survey residents from different types of neighborhoods located in both fragmented and consolidated systems of local government. This is something that has not been done in prior studies, which may explain why few of the individual-level propositions found in the Tiebout or public-choice model have been directly or adequately confronted. Aside from insuring greater generalizability, such an approach is also necessitated by the need to control for other determinants of political attitudes and behaviors, including those arising from individual predispositions, social status, or any of the other factors examined in the traditional political-participation literature.

While it would have been preferable to survey residents from varying types of neighborhoods in a wide variety of metropolitan areas with high and low fragmentation scores, sufficient resources were obtained to conduct extended telephone interviews with residents from five matched pairs of socioeconomic areas located in two different urban areas. The two urban areas are Louisville-Jefferson County and Lexington-Fayette County, Ken-

tucky. Louisville-Jefferson County, with a population (1980) of 685,004, contains almost 100 incorporated municipalities in addition to the county. It is therefore prototypical of the kind of governmentally fragmented urban environment endorsed by advocates of the public-choice model. On the other hand, the Lexington-Fayette County (1980 population: 204,000) setting, with its 15-year-old consolidated city-county government, provides a research environment where individuals living in the same types of spatially defined neighborhoods are served by the kind of single, unified metropolitan government advocated by the traditional civic reform model.

By focusing limited resources on research sites located in a single state, it was possible to control for several important contextual variables, including such things as variations in state-local fiscal arrangements and the legal requirements pertaining to the provision of local tax-service packages. In addition, both of these urban areas share the same, broad cultural milieu,¹⁷ and both have consolidated school systems, which allowed a focus on citizen evaluations of local tax-service packages other than education.

Lexington-Fayette Co. ~1976

Table 2
Services in Lexington/Fayette and Jefferson County Sites

	Lexington/Fayette Neighborhoods					Jefferson County Cities				
	1	2	3	4	5	1	2	3	4	5
Police Protection	UCG	UCG	UCG	UCG	UCG	City	City	City	City	County
Trash Collection	—	UCG	—	—	UCG	City	City	City	City	—
Street Lighting	UCG	UCG	—	UCG	UCG	City	City	City	City	City
Parks & Recreation	UCG	UCG	UCG	UCG	UCG	—	City	—	—	County
Road Maintenance	UCG	UCG	UCG	UCG	UCG	City	City	City	City	City
Public Transportation	UCG	UCG	UCG	UCG	UCG	—	—	—	—	County
Public Health	UCG	UCG	UCG	UCG	UCG	County	County	County	County	County
Sanitary Sewers	UCG	UCG	1/2 UCG	UCG	UCG	MSD	MSD	—	—	MSD
Planning & Zoning	UCG	UCG	UCG	UCG	UCG	County	County	County	County	County
Storm Sewers	UCG	UCG	UCG	UCG	UCG	—	—	—	—	County
Social Services	UCG	UCG	UCG	UCG	UCG	County	County	County	County	County
Total Services	10	11	8.5	10	11	8	9	7	7	10
Local Services	10	11	8.5	10	11	4	5	4	4	2

Data: TOTAL SERVICES and LOCAL SERVICES are 11-item indices indicating the total number of services provided by City and County government collectively and by the most local level of government (UCG in Fayette and City in Jefferson County), respectively. UCG is Urban County Government, City is city government, and County is county government. MSD is the Metropolitan Sewer District. The respective Lexington and Louisville research sites are numbered in the order they are presented in Table 3.

Census data for all of the incorporated municipalities in Jefferson County other than Louisville, plus census tract and block data for various sections of Lexington-Fayette County, were used to identify five spatially defined areas in each of these two urban areas. These areas or neighborhoods varied in terms of such factors as socioeconomic status, race, age, and levels of familism versus nonfamilism.¹⁸ The only major difference between these two sets of research sites was that the five spatially defined areas selected from the Louisville-Jefferson County setting were also incorporated municipalities, whereas their spatially defined "mirror images" located in the Lexington-Fayette County setting existed within the context of a single, unified consolidated government.

Telephone numbers for approximately 300 households in each of these ten research sites were obtained from the most recent municipal directory for the greater Louisville and Lexington areas respectively. Random sampling techniques were used to generate a list of households to be surveyed for six of ten sites. Since the total number of households in the four remaining sites stood at around 300, interviewers were instructed to survey the universe of households in those areas. Telephone surveys were conducted by the University of Kentucky Survey Research

Center during the winter of 1986-1987 using random techniques to ascertain which adult in each household was to be interviewed.

The socioeconomic characteristics of the five pairs of research sites, along with information concerning numbers of households contacted and interviews completed in each of the ten sites, are shown in Table 1. Based on the more than 2,000 interviews that were completed for this study, it was possible to confirm that the basic demographic characteristics of the ten research sites were consistent with the basic traits outlined in column two of Table 1 and that these research sites were in fact matched pairs of spatially defined urban areas or neighborhoods. Appendix A summarizes these findings.

Four basic types of information are needed to test the propositions under consideration in this article. First, it is necessary to have some measure of how much citizens know about their local tax-service packages. Second, some measure of local as opposed to general political efficacy is needed. Third, some measure is required of citizen participation that goes beyond the mere act of voting in local elections. And finally, it is essential to have a reasonably sensitive index of citizen satisfaction or dissatis-

faction with local governmental services and/or performance.

Citizen information or knowledge, as used in this research, is based on responses to survey questions that measure the accuracy of citizen knowledge about which unit of local government, if any, supplied them with various types of services. Citizens in the five incorporated municipalities studied in the fragmented Louisville-Jefferson County setting were asked if they thought their local municipality was responsible for supplying any or all of the following specific services: police protection, trash and garbage collection, storm sewers, planning and zoning, street lighting, parks and recreation, public transportation, public health services, social services, sanitary sewers, or road and street maintenance in their neighborhood. Citizens in the five consolidated sites were asked the same set of questions about the same 11 services using the name of the unified Lexington-Fayette Urban County Government as the referent. Respondents from both settings were invited to indicate which of these 11 services, if any, were not provided at all by their most immediate local government. These responses were then compared with an inventory of actual services supplied to residents in each of these research sites by all general purpose local governments (see Table 2).

Four survey items similar to those used by Balch¹⁹ were used to construct a "Local Efficacy" index. In all four cases the available responses included: Strongly Agree, Agree, Disagree, and Strongly Disagree. The first item read as follows: "The (name of local government) doesn't care about people like me." The second was: "I don't care what happens in (name of local government) government or politics as long as things are OK for me and my family." The last two items were: "It's not worth paying attention to issues facing the (name of local government) because all the local politicians care about is serving their own interest"; and "When there are problems like garbage in the streets or potholes in the road, it is useless to complain to officials of the (name of local government)." The reliability coefficient or alpha for responses to these four items is .69.

The measure of citizen participation used focused on what has been called "Voice" behaviors by a variety of observers.²⁰ To assess differences in voice behaviors of citizens in fragmented versus consolidated government settings, respondents were asked if they had: (1) "ever attended a meeting or meetings called to discuss problems in your neighborhood or local community"; (2) "ever belonged to any organization attempting to solve problems in your neighborhood or local community"; (3) "ever helped to organize a petition drive regarding problems in your neighborhood or local community"; (4) "ever telephoned or written to an elected official or agency of the (name of local government) regarding problems in your neighborhood or local community"; (5) "ever signed a petition regarding any particular problem in your neighborhood or community"; or (6) "ever met informally with neighbors to work on solving problems concerning local government services in your neighborhood or local com-

munity." Positive responses were coded one and negative responses zero to form an additive index of voice behaviors that ranges between zero and six with a reliability alpha of .68.

Two survey questions were used to assess levels of dissatisfaction. First, respondents were asked: "Would you say that you are currently very satisfied, satisfied, dissatisfied, or very dissatisfied with the way (name of local government) is doing its job?" Second, they were asked: "In general, how good a job do you feel the (name of local government) is currently doing in providing services?" Possible responses to the latter question included excellent, good, fair, and poor. Since the responses to both items were highly correlated ($r = .67$), they were combined to form a seven-point index ranging from zero to six. Responses to both questions were inversely coded so that higher scores equaled higher levels of dissatisfaction.

Findings

As noted in Table 3, these research findings do not support the public-choice contention that citizens of small governmental jurisdictions located in highly fragmented urban areas are better informed about the scope and nature of their local-service packages. Although respondents from the five research sites located in the Louisville-Jefferson County setting consistently and accurately perceived that they were receiving less than their full complement of local services from their local incorporated municipality, they consistently overestimated the number of services that were being provided by these small municipal governments. In most cases respondents from the greater Louisville area included in their lists of local services those that were actually provided by the county government or by the metropolitan sewer district.

It is the magnitude of these attribution errors that is of greatest empirical and theoretical import. As shown in column four of Table 4, the magnitudes of attribution errors for respondents in all five Louisville sites are more than three times those found among respondents from the five consolidated Lexington sites. In fact, respondents from the fragmented setting were "off the mark" by an average of almost three services, versus an average of less than a third of a service among the Lexington respondents. Clearly, the level of information and knowledge about the scope and nature of service packages is not simply a function of living in small governmental units within a highly fragmented metropolitan environment. In fact, these findings suggest that the kind of complex, multilayered, polycentric system of government advocated by supporters of the public-choice model may stand in the way of enhancing citizen understanding of who does what in the mix of choices confronting them. They also raise questions about the kinds of errors that may creep into locational decisions made by citizens that are allegedly based on tax-service preferences according to the public-choice model.

Also, little support is found in Table 5 for the public-choice contention that citizens feel more efficacious about their relationships with their local government in highly fragmented as opposed to consolidated systems. Average

Table 3
Service Level Perceptions: Difference of Means Tests Across
Institutional Arrangements—Matched Lexington and Louisville Sites

Consolidated (LEX)/ Fragmented (LOU) Research Sites	Mean Number of Services	Standard Deviation	N	Difference of Means	t-Value
LEX: Blueberry LOU: Minor Lane Heights	9.42 7.80	(1.39) (1.80)	219 157	1.62***	9.47
LEX: Chinoe LOU: Beechwood Village	10.95 7.64	(0.26) (1.65)	224 188	3.31***	27.26
LEX: Stonewall LOU: Barbourmeade	8.89 6.42	(1.35) (1.86)	253 175	2.47***	15.00
LEX: Crestwood/Shadeland LOU: Windy Hills	9.66 6.01	(1.05) (2.54)	253 181	3.65***	18.25
LEX: Green Acres LOU: Newburg	10.95 5.87	(0.28) (4.19)	208 165	5.08***	15.53

*** = $p < .01$

Data: SERVICE PERCEPTIONS on the part of the respondent is an 11-point index composed of dichotomous zero and one responses to a series of questions about whether the respondent thought that his or her city government provided 11 different local government services: police, trash removal, storm sewers, planning and zoning, street lighting, parks and recreation, public transportation, public health services, social services, sanitary sewers, and street maintenance.

Not surprisingly, given research comparing objective and subjective measures of service, REAL SERVICE and SERVICE PERCEPTION were more modestly correlated than we might otherwise hope ($r = .66$).

Table 4
Differences in Number of Services Actually
Provided from Actual Number of Total and Most Local Services

Cities/ Neighborhoods	Number of Perceived Services	Standard Deviation	Actual Number of Services	Difference	t-Value
Lexington-Fayette Neighborhoods (Total Urban County Government Services)					
Blueberry Hills	9.42	1.39	10.00	-.58***	-6.19
Chinoe	10.95	.26	11.00	-.05***	-2.88
Stonewall	8.89	1.35	8.50	.39***	4.55
Crestwood/Shadeland	9.66	1.05	10.00	-.34***	-5.22
Green Acres	10.95	.28	11.00	-.05***	-2.71
Louisville-Jefferson Cities (Total City Services)					
Minor Lane Heights	7.80	1.80	4.00	3.80***	26.42
Beechwood Village	7.64	1.65	5.00	2.64***	22.01
Barbourmeade	6.42	1.86	4.00	2.42***	17.21
Windy Hills	6.01	2.54	4.00	2.01***	11.04
Newburg	5.87	4.19	2.00	3.87***	11.85
Louisville-Jefferson Cities (Total City, County, and District Services)					
Minor Lane Heights	7.80	1.80	9.00	-1.20	-8.35
Beechwood Village	7.64	1.65	9.00	-1.36***	-11.30
Barbourmeade	6.42	1.86	7.00	-.58***	-4.10
Windy Hills	6.01	2.54	7.00	-.99***	-5.25
Newburg	5.87	4.19	10.00	-4.13***	-12.66

*** = $p < .01$

Data: SERVICE PERCEPTIONS are as reported in Table 3. Actual TOTAL and LOCAL SERVICES are as reported in Table 2.

Table 5
Local Efficacy: Difference of Means Tests Across Alternative
Institutional Arrangements—Matched Lexington and Louisville Sites

Consolidated/Fragmented Government Matched Sets	Mean Efficacy ^a	Standard Deviation	N	Difference of Means	t-Value
LEX: Blueberry LOU: Minor Lane Heights	4.10 4.46	(1.49) (1.95)	204 131	-.36*	-1.80
LEX: Chinoe LOU: Beechwood Village	3.60 3.15	(1.57) (1.75)	200 172	.45***	2.62
LEX: Stonewall LOU: Barbourmeade	3.72 4.08	(1.39) (1.61)	235 155	-.36**	-2.29
LEX: Crestwood/Shadeland LOU: Windy Hills	3.84 3.78	(1.49) (1.49)	228 146	.06	.39
LEX: Green Acres LOU: Newburg	4.68 5.12	(1.51) (1.86)	188 131	-.44**	-2.28

^a Lower mean scores indicate higher efficacy due to inverted coding.

* $p < .10$; ** $p < .05$; *** $p < .01$

Data: LOCAL EFFICACY consists of responses to the following four items, with the available responses including strongly agree, agree, disagree, and strongly disagree ($\alpha = .69$): "The (Name of Local Government) doesn't care about people like me"; "I don't care what happens in (Name of Local Government) government or politics as long as things are OK for me and my family"; "It's not worth paying attention to issues facing the (Name of Local Government) because all the local politicians care about is serving their own interests"; and "When there are problems like garbage in the streets or potholes in the road, it is useless to complain to officials of the (Name of Local Government)."

Table 6
Voice: Difference of Means Test for Alternative Institutional
Arrangements—Matched Lexington and Louisville Sites

Consolidated/Fragmented Government Matched Sets	Mean Voice	Standard Error	N	Difference of Means	t-Value
LEX: Blueberry LOU: Minor Lane Heights	2.30 2.52	(1.86) (1.70)	217 155	.22	.20
LEX: Chinoe LOU: Beechwood Village	2.44 2.24	(1.89) (1.67)	218 155	-.20	-1.14
LEX: Stonewall LOU: Barbourmeade	3.55 3.22	(1.63) (1.45)	252 173	-.33**	-2.20
LEX: Crestwood/Shadeland LOU: Windy Hills	3.14 2.85	(1.73) (1.77)	248 176	-.29*	-1.77
LEX: Green Acres LOU: Newburg	2.45 2.49	(1.83) (1.93)	206 163	.04	.20

* $p < .10$

** $p < .05$

mean scores are lower, which according to the coding scheme used in this research, indicates higher levels of local efficacy for the five Lexington sites ($X = 3.93$) than for the five Louisville sites ($X = 4.31$). In terms of direction, differences in mean scores based on the four-item index are also strongly and significantly opposite what might be expected on the basis of public-choice theory in three of the five matched pairs of research sites. One of the remaining differences in mean values is positive, but it is very weak and fails to meet even the .10 level of statistical significance. This leaves only the Chinoe/Beechwood Village case as a strong and statistically significant piece of evidence to support the contention advanced by the public-choice model.

A similar picture emerges when one examines the differences in mean levels of voice activity among respon-

dents from the five matched pairs of research sites. Although only two of the five differences in means are statistically significant, the direction of the differences shown in Table 6 are opposite what the public-choice model predicts in three of the five cases. Again, these findings call into question the empirical veracity of one of the key propositions found in the public-choice literature concerning the impacts of fragmentation and consolidation on the nature of citizen relationships with their local governments.

But what about the effects of fragmentation versus consolidation on citizen satisfaction or dissatisfaction with local services and local governmental performance in providing those services? What do the findings of this survey-based study show about this rather bottom-line question that is so central to the public-choice argument?

Table 7
Service Dissatisfaction Difference of Means Tests Across Alternative
Institutional Arrangements—Matched Lexington and Louisville Sites

Consolidated/Fragmented Government Matched Sets	Mean Dissatisfaction	Standard Deviation	N	Difference of Means	t-Value
LEX: Blueberry	2.53	(0.99)	210		
LOU: Minor Lane Heights	2.78	(1.25)	153	-.25**	-2.06
LEX: Chinoe	2.00	(1.09)	220		
LOU: Beechwood Village	1.29	(1.15)	185	.71***	6.38
LEX: Stonewall	2.43	(1.08)	247		
LOU: Barbourmeade	3.76	(1.54)	169	-1.33***	-9.76
LEX: Crestwood/Shadeland	2.14	(1.08)	242		
LOU: Windy Hills	1.79	(1.35)	167	.35***	2.76
LEX: Green Acres	2.60	(1.28)	199		
LOU: Newburg	4.22	(1.62)	139	-1.62***	-9.86

** p < .05; *** p < .01

Data: The variable, DISSATISFACTION with urban service delivery, is based on inversely scored responses to two questions. First, respondents were asked: "Would you say that you are currently very satisfied, satisfied, dissatisfied, or very dissatisfied with the way (Name of Local Government) is doing its job?" Second, respondents were asked: "In general, how good a job do you feel (Name of Local Government) is currently doing in providing services—would you say that it is doing excellent, good, fair, or a poor job?" Since the items were highly correlated ($r = .67$), the responses were combined to form a seven-point index, ranging from zero to six.

As noted in Table 7, statistically significant differences in mean levels of dissatisfaction as measured by a seven-point index were found for all five pairs of research sites. In terms of direction, however, the results are quite mixed. Mean dissatisfaction scores were slightly higher in two of the consolidated as opposed to the fragmented government setting (i.e., Chinoe and Crestwood/Shadeland), which is consistent with public-choice theory. But differences in the other direction were found for the remaining three matched pairs of neighborhoods, two of them by rather large margins. While these findings suggest that levels of current dissatisfaction with local governmental services and performance may be highly dependent on unique and highly localized circumstances, they also serve to deflate the claims of public-choice advocates that citizens of smaller units of government operating in more fragmented urban political systems will be ipso facto more satisfied.

The findings presented in Table 7 also shed some light on the veracity of the fifth proposition under consideration. Not only is the overall mean level of dissatisfaction slightly lower for the five Lexington sites (i.e., $X = 2.35$ versus $X = 2.77$ for the Louisville sites), the differences in mean levels of dissatisfaction between the five Lexington neighborhoods shown in Table 7 seem to be smaller and less pronounced than for those from the Louisville-Jefferson County setting. This last point becomes even more obvious when one examines the results of a statistical analysis of the differences in mean levels of dissatisfaction between each of five research sites drawn from the Lexington and Louisville settings, respectively. As shown in Table 8, differences in mean dissatisfaction scores are smaller on average among the five Lexington research sites. Four of the ten possible pairs of differences in

means for the Lexington sites, moreover, are not statistically significant while all ten of the differences in means observed for the Louisville sites are significant at the .05 level or better. Clearly, these findings cast some doubt on the veracity of the public-choice contention that urban areas governed by numerous, small units of local government produce a more uniform pattern of citizen satisfaction.

Discussion

These findings are especially noteworthy for at least two reasons. Perhaps the most obvious one is that they point toward a consistent set of conclusions regarding all five propositions under consideration. Contrary to expectations based on the public-choice model, citizens of small, rather homogenous governmental jurisdictions operating in highly fragmented systems are not significantly better informed, more efficacious, more participatory, or more satisfied than their counterparts living in consolidated settings. At a more systemic level, there is also reason to question the public-choice claim concerning the pattern of citizen satisfaction or dissatisfaction that is likely to prevail across various areas and neighborhoods in fragmented versus consolidated settings.

The second reason for giving serious consideration to these findings is that they are based on data and methods that were specifically designed to allow direct evaluation of the empirical veracity of these propositions. For the first time, these important and long-standing hypotheses were tested using survey data from respondents living in precisely the kinds of small-scale units of government that are so highly touted as the normative goal of the public-choice model versus those who are residents of a classic

Table 8
Service Dissatisfaction Difference of Means Tests Across
Neighborhoods/Cities Within Alternative Institutional Arrangements

The Lexington-Fayette Sites				
Blueberry Hills	Chinoe	Stonewall	Crestwood/Shadeland	
Chinoe	.53*** (5.31)			
Stonewall	.11 (1.12)	-.43*** (-4.23)		
Crestwood/Shadeland	.40*** (4.08)	-.14 (-1.35)	.29*** (2.97)	
Green Acres	-.07 (-.62)	-.60*** (-5.17)	-.18 (-1.57)	-.47*** (-4.09)
The Louisville-Jefferson Sites				
Minor Lane Heights	Beechwood	Barbourmeade	Windy Hills	
Beechwood Village	1.50*** (11.37)			
Barbourmeade	-.98*** (-6.28)	-2.48*** (-17.00)		
Windy Hills	.99*** (6.28)	-.50*** (-3.74)	1.97*** (12.46)	
Newburg	-1.44*** (-8.45)	-2.94*** (-18.26)	-.46** (-2.54)	-2.43*** (-14.11)

** p < .05; *** p < .01

Data: The variable, DISSATISFACTION with urban service delivery is the same as that used in Table 7. In this case, the t-tests are conducted for differences within institutional settings. The actual means and their standard deviations for the individual cities are as reported in Table 7. Differences are calculated by subtracting the column mean from row mean.

textbook example of a consolidated system of metropolitan government. Furthermore, a relatively large number of respondents were surveyed from independently drawn samples of households from five matched pairs of differing socioeconomic areas or neighborhoods located in these two urban areas.

It is possible, of course, that something is unique about the Louisville and Lexington settings or even the particular research sites drawn from each setting that may account for the findings presented here. After all, the public-choice model is a dynamic one and therefore quite capable of accommodating such aberrant findings on the grounds that they reflect either: (a) temporary mismatches between median voter preferences and short-term responses by local governments; or (b) widespread but temporary disequilibria in the constant game of citizens "voting with their feet" within a fragmented urban environment in the search for a better tax-service deal.

However, a far more persuasive explanation is probable for why the five propositions drawn from the public-choice model fared so poorly in this carefully structured empirical test. The answer lies in the faulty assumptions made by advocates of the public-choice model upon which these propositions are based. Perhaps the most persuasive argument that can be made on this score regards the assumption that consolidated governments tend to present

individuals living in all areas and neighborhoods within their jurisdictional boundaries with a uniform tax-service package tailored to the median-voter preference of the entire urban population. In the Lexington case, and in virtually all other consolidated governmental systems in existence today, this is simply not true.

At a minimum, consolidated governments commonly offer at least two basic sets of tax-service packages by providing for general and full urban-services districts that are tied to differing levels and/or kinds of taxes. In the Lexington case, the Charter for the consolidated Lexington-Fayette Urban County Government provides for even more variation in tax-service packages through its provisions for creating "Partial Urban Services Districts," each with its own tax base.²¹ Thus, as shown earlier in Table 2, the total service packages actually received by residents in the five Lexington neighborhoods varied almost as much as the total package received by the Louisville respondents when county and local municipal services were added together.

Although the evidence is much more impressionistic, a similar argument can probably be made regarding the second and related public-choice assumption that consolidated governments are inherently larger and therefore more remote from citizen influence than their fragmented counterparts. If ways exist to structure consolidated govern-

ments to address differing citizen preferences regarding tax-service packages, it is also possible to create legal and institutional arrangements that can help offset some of the alleged negative effects of creating larger and more comprehensive units of local government on such matters as citizen information, efficacy, and participation. Emphasizing district as opposed to at-large representation, providing legal and administrative channels for involving citizens in key decision-making processes, and insuring formal avenues for hearing and redressing citizen grievances, for example, can go a long way toward creating the kinds of conditions that advocates of the public-choice model hope to achieve by simply creating lots of small units of government within each urban area.

While the research strategy used in this study facilitated a more direct and more adequate testing of the empirical and theoretical implications of several key propositions advanced by the public-choice model, it allowed examination of only a small part of that model. It was possible to address those aspects of the model dealing with citizen perceptions of local governmental services and performance along with their perceptions of their relationships with their most immediate general purpose unit of local government. It did not provide a vehicle for testing many of the other propositions found in the literature concerning this model, particularly those concerning the effects of consolidation versus fragmentation on the objective quali-

ty of local services or the actual performance of urban bureaucracies.

Nevertheless, the findings of this study do concern important components of the public-choice model. They need to be replicated in other settings where the lines are not so clearly drawn between fragmented versus consolidated systems. Particular attention should be given to comparing the attitudes and behaviors of citizens living in small units of government in any of the older and typically more fragmented northeastern and midwestern urban areas with those from comparable, spatially-defined, socioeconomic areas served by larger and more comprehensive units of local government similar to those found in many of the growing and less fragmented urban complexes in the sunbelt.

W. E. Lyons is Professor of Political Science and Public Administration at the University of Kentucky, Lexington. His teaching and research interests include urban government and politics, intergovernmental relations, and land use regulation and growth management policy.

David Lowery is Professor of Political Science at the University of North Carolina at Chapel Hill. His teaching and research interests include the politics of public finance, bureaucratic politics, and various aspects of public policy.

Notes

This research was conducted with the assistance of a grant from the National Science Foundation (SES85-20155).

- See Joseph Zimmerman, "Metropolitan Reform in the U.S.: An Overview," *Public Administration Review*, vol. 30 (September/October 1970), pp. 531-533; and H. Paul Preisema, "The Metropolis and the Maze of Local Governments, *Urban Affairs Quarterly*, vol. 2 (December 1972), pp. 68-90, for brief but insightful reviews of the classic civic reform tradition.
- Robert Bish and Vincent Ostrom, *Understanding Urban Government: Metropolitan Reform Reconsidered* (Washington: American Enterprise Institute, 1979), pp. 11-12.
- Charles Tiebout, "A Pure Theory of Local Expenditure," *Journal of Political Economy*, vol. 64 (October 1956), pp. 416-435.
- Vincent Ostrom, Charles Tiebout, and Robert Warren, "The Organization of Government in Metropolitan Areas: A Theoretical Inquiry," *American Political Science Review*, vol. 55 (December 1961), pp. 831-842.
- For examples of this position see Milton Kotler, *Neighborhood Government: The Local Foundations of Political Life* (Indianapolis, IN: Bobbs-Merrill, 1969); and Howard Hallman, *Neighborhood Government in a Metropolitan Setting* (Beverly Hills, CA: Sage, 1974).
- The basic problem has been the inadequacy of the data used to test the various individual-level propositions found in the public-choice model, including those aimed at verifying the core proposition about voting with one's feet as a response to dissatisfaction with local services. Up to this point, researchers have had to rely on high level aggregate data or on survey data that was generated for other purposes. For an extended critique of the literature concerning the empirical foundations of the individual-level assertions and assumptions of the public-choice model, see David Lowery and W. E. Lyons, "The Impact of Jurisdictional Boundaries: An Individual-Level Test of the Tiebout Model," *Journal of Politics*, vol. 51 (February 1989), pp. 73-97.
- See, for example, Elinor Ostrom, "Metropolitan Reform: Propositions From Two Traditions," *Social Science Quarterly*, vol. 53 (December 1972), pp. 474-493.
- See Ostrom, Tiebout, and Warren, *op. cit.*, pp. 837-838; and Bish and Ostrom, *op. cit.*, pp. 88-89.
- See Ostrom, Tiebout, and Warren, *op. cit.*, p. 837.
- See Vincent Ostrom, Robert Bish, and Elinor Ostrom, *Local Government in the United States* (San Francisco, CA: Institute for Contemporary Studies, 1988), pp. 80-81.
- The proposition concerning the effects of fragmentation versus consolidation on citizen participation can be found in Ostrom, *op. cit.*, p. 486; Bish and Ostrom, *op. cit.*, p. 24; and Ostrom, Bish, and Ostrom, *op. cit.*, pp. 92-93.
- Bish and Ostrom, *op. cit.*, p. 27.
- Bish and Ostrom, *op. cit.*, p. 30.
- See Ostrom, Bish, and Ostrom, *op. cit.*
- Tiebout, *op. cit.*, p. 420.
- For a critique of the theoretical aspects of the public-choice model on this score, see Susan Rose-Ackerman, "Beyond Tiebout: Modeling the Political Economy of Local Government," in *Local Provision of Public Services: The Tiebout Model After Twenty-five Years* (New York: Academic Press, 1983), pp. 55-83.
- Daniel Elazar, *American Federalism: A View From the States*, 2d. ed. (New York: Crowell, 1972).
- For purposes of site selection, the concept of familism/nonfamilism was measured on the basis of census data indicating the presence or absence of children in a majority of households. Survey items designed to measure this concept for use in checking the accuracy of our site selection process on this score were based on the work of W. E. Lyons and Richard Engstrom, "Life-style and Fringe Attitudes Toward the Political Integration of Urban Governments," *Midwest Journal of Political Science*, vol. 15 (August 1971), pp. 475-494. The findings of this study indicate that the presence or absence of children under 18 living at home is a very good indica-

tor of whether the adults of the household actually devote much of their time, energy, or resources to children and their activities or to other things such as careers or adult consumerism.

- Urban scholars have found it important to distinguish between general and local political efficacy on the grounds that measures of the former, including the much-used scale developed by Campbell, Gurin, and Miller, focus attention on the national level of American government and politics. Less agreement has been forthcoming on the question of how best to measure local efficacy, with some efforts tending toward measures of interest in local politics or knowledge and awareness about local problems. The approach used in this research is based on the work by George Balch, "Multiple Indicators in Survey Research: The Concept of 'Sense of Political

cal Efficacy," *Political Methodology*, vol. 1 (Spring 1974), pp. 1-43. Balch simply directed the focus of the traditional political efficacy scale toward a particular subnational unit of government.

- Perhaps the classic theoretical statement on this subject can be found in Albert Hirschman, *Exit, Voice, and Loyalty* (Cambridge, MA: Harvard University Press, 1970). For a fuller treatment of the subject as it applies to urban governments, see Lyons and Lowery, *op. cit.*
- For an extended discussion of variations in tax-service packages as they are revealed in consolidated government charters, see W. E. Lyons, *The Politics of City-County Merger* (Lexington, KY: University Press of Kentucky, 1977).

Appendix A
Mean Values for Selected Demographic Traits of the Ten Survey Sites
Based on Interview Data

Research Site	Age	Education	Income	Race	Occupation	Rent/Own	N Kids
LEX: Blueberry	41.2	4.59	2.88	1.08	4.14	1.90	1.89
LOU: Minor Lane	43.6	3.15**	2.30**	1.01**	3.20**	1.92	1.99
LEX: Stonewall	51.2	5.47	4.92	1.04	4.75	1.98	1.72
LOU: Barbourmeade	49.9	5.42	4.88	1.04	4.94	1.99	1.76
LEX: Crestwood	54.9	5.50	3.57	1.00	5.14	1.94	1.41
LOU: Windy Hills	56.4	5.35	4.14**	1.05**	4.56**	1.98**	1.48
LEX: Chinoe	52.8	5.59	3.39	1.00	4.79	1.75	1.53
LOU: Beechwood	53.4	5.05**	3.21	1.00	4.98	1.91**	1.52
LEX: Green Acres	44.9	3.46	2.33	1.88	3.28	1.82	1.91
LOU: Newburg	43.8	3.52	2.16	1.93	3.17	1.86	1.93

*Difference significant at $p < .05$.

Variables: AGE: number of years since birth; EDUCATION: 1 = 8 years of school or less; 2 = 9-11 years; 3 = completed high school; 4 = high school plus business or technical training; 5 = some college; 6 = completed college; 7 = graduate or professional school beyond college. TOTAL HOUSEHOLD INCOME: 0 = less than \$10,000; 1 = \$10,000-\$20,000; 2 = \$20,000-\$30,000; 3 = \$30,000-\$40,000; 4 = \$40,000-\$50,000; 5 = \$50,000-\$60,000; 6 = \$60,000-\$70,000; 7 = \$70,000-\$80,000; 8 = greater than \$80,000. RACE: 1 = white; 2 = black. OCCUPATION: 1 = laborer or machine operator; 2 = clerical or retail sales; 3 = skilled technician; 4 = manager or supervisor; 5 = owner or chief executive officer; 6 = professional. RENT/OWN: 1 = rent; 2 = own. NKIDS: number of children under 18 living at home.

Portland Future Focus
1120 SW 5th
Portland, Oregon 97204
June 30, 1992

Metro Charter Committee
PO Box 9236
Portland, OR 97207

Re: June 17, 1992 Metro Charter Draft

Dear Committee Members,

I am here representing the Portland Future Focus Growth Committee. Portland Future Focus is a community-wide strategic planning effort to address a broad range of quality of life issues including growth management. We have on our growth management committee participants from most places and interests in the Metro area, including several elected officials representing many of the cities. Thus we feel we are not presenting a parochial picture of the strategic pain needed for this area.

While we are most pleased at the inclusion of the Future Vision idea, we are very concerned that the draft charter is heading in the wrong direction. At a time when the call for an effective regional government is most compelling, the draft charter weakens Metro's ability to consolidate services to improve their quality and delivery, limits the financial ability of Metro to carry out its planning functions, and encourages parochial interests to dominate the regional planning agenda. We respectfully request that the draft charter be overhauled to address these concerns.

Consolidation of Services

Portland Future Focus recognizes that projected growth will affect every city in the region. Our "Managing Growth Action Plan" is based on the premise that jurisdictions must work cooperatively to ensure that future growth does not compromise the region's unique livability.

One of the strategies adopted by Portland Future Focus is consolidation of programs and services at the most appropriate level of government for taxation and delivery purposes. The rationale behind this strategy is that consolidation can improve quality of government services, help achieve equitable service levels across the region, and control costs borne by the

taxpayers.

To address this need, Portland Future Focus adopted the following action item (i.e., 3.2):

In consultation with other governments in the region, consolidate services now delivered by Metro and the three metropolitan counties under a single governmental unit and allocate urban functions and revenue between this unit and other local units.

Unfortunately, Section 9(2) of the draft charter works against efforts to consolidate government service by establishing unnecessary and unreasonable barriers to the assumption of local government services by Metro. Assumption of such services by Metro requires either voter approval or approval by a majority of the Metro Policy Advisory Committee. It is not reasonable to submit to a regional vote every local government service to be assumed by Metro, or to invest veto authority for such assumptions in an advisory committee.

We believe one solution would be to amend Section 9(2) be amended to read that local government services may be assumed by Metro based on a majority vote of the members of the Council and the affected local governing body. Since both the Council and the local governing body are made up of elected officials, they will be answerable to their respective constituencies.

Metro Planning, Ownership and Management of Greenspaces

Another action item adopted by Portland Future Focus is:

Create a regional system of linked natural areas, open space, trails, and greenways integrated with landscape features, natural areas, wildlife refuges, rivers, streams and crop lands.

While the draft charter grants Metro the authority to purchase greenspaces (Section 6), it is not clear that Metro may own or manage these areas. Portland Future Focus understands the Metro Greenspaces program and draft Master Plan are based on the ability to consolidate regionally significant greenspaces within Metro's jurisdiction. The draft charter may block realization of the regional Greenspaces vision.

We recommend that Section 6 of the draft charter be amended to give Metro the express authority to own and operate a system of parks, open space and recreational facilities or regional

significance.

Section 7(2) establishes Metro's authority for preparing the regional framework plan. While transportation, the urban growth boundary, and other traditional planning items are listed as mandatory components of the regional framework plan, greenspaces are placed in a secondary category, leaving the priority for greenspace planning a discretionary matter.

Maintaining the livability of the metropolitan area cannot be accomplished without pursuing an integrated planning process which first accounts for the natural elements of the landscape. The regional framework plan must not place planning for transportation, the urban growth boundary and other planning functions above planning for greenspaces. We recommend that greenspaces be listed as one of the mandatory elements of the regional framework plan. We believe this proposal responds more effectively than the present Section 7(2) to action item 1.2 of the Future Focus Strategic Plan.

Delegation of Authority to an Advisory Committee

Metro council was created to take responsibility for matters of regional significance. Members of the council are elected officials who are answerable to voters within established districts. Section 8 of the draft charter gives the Metro Policy Advisory Committee the power to veto any proposal to make additions to the regional framework plan. This kind of delegation of authority is inappropriate and encourages turf battles over matters that should best be dealt with in a regional context. We believe the "Advisory" committee functions as presently structured serve as an impediment to the consolidation called for in action item 3.2 of our strategic plan.

Metro Financing Authority

While Section 11 gives Metro the ability to impose taxes to carry out its many duties, it places an arbitrary cap (\$12.6 million) on how much revenue Metro can raise from taxes that are not approved by a regional vote. It is inappropriate to place such a revenue cap within a charter because as the region grows, the demands on Metro to perform regionally significant tasks will also increase. Metro must have the financing authority to raise revenues commensurate with its responsibilities. Metro's revenue generating capacity should be decided by the Council itself through established public hearing and election processes. Implicit would be all the checks existent in the initiative and referendum processes. We see the draft's limit as thwarting the proper allocation of functions between the units of government as

called for in ou action item 3.2

Future Vision

An important action item (i.e., 1.1) adopted by Portland Future Focus is the recognition of the regional urban growth boundary as a mechanism to shape regional urban form based on a regional growth management plan. The action item further states:

Such a plan will reflect a long-term vision for the regional urban form including satellite cities, increased densities, exception areas, urban reserves and linked greenways and natural areas. Implement the adopted Regional Growth Goals and Objectives (RUGGOs).

Early in the Metro charter process we urged you to incorporate a "Future Vision" element in the charter. We commend you for decision to require the development of a conceptual plan that "indicates population levels and settlement patterns that the region and adjacent areas can accommodate within the carrying capacity of the land, water and air resources, and that achieves a desired quality of life" (Section 7).

As a conceptual statement, the Future Vision is appropriately without legal effect, but serves to express a long-term, 50 year visionary outlook of what the region can be. This process can help us to realize that new regional goals and objectives, or modifications of current ones, are needed if the future vision is to become reality. However, there needs to be a creative tension maintained between the contents of the Future Vision and the requirements of current RUGGOs and applicable state law. We assume the charter committee intends the Future Vision to be mindful of these planning contexts, and to incorporate the results of Region 2040 which is well underway.

We are also most pleased that you are establishing a process to consider not just the Metro area but also adjacent areas and that you have called for appointment of at least one Future Vision commission member from outside the Metro boundaries. We believe this comports very well with Future Focus Strategy Plan Action item 1.1.

Metro Charter Committee
June 30, 1992
Page 5

The Growth Management Committee of Portland Future Focus is grateful for the opportunity to present our views.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Schell". The signature is fluid and cursive, with the first name "Steve" and last name "Schell" clearly distinguishable.

Steve Schell
Chair
Growth Management Committee



Portland Chamber

June 30, 1992

TO: The Metro Charter Committee Members

FROM: John Russell, Chair, Portland Chamber Charter Task Force

RE: Draft Charter Response

My name is John Russell and I am here this evening to represent the views of the Portland Chamber's Charter Task Force. The Portland Chamber Board itself will not take a position until there is a finalized document. Our Task Force met last week to review the draft document.

I'll start by saying that our Task Force asked me to publicly thank Chair Myers and the rest of the Charter Committee members for all of the personal time and effort each of you have donated to this community project over the last fourteen months. It is appreciated.

Although, the draft does not contain the separated service operations concept that we had hoped could be in the Metro Charter, nothing in the draft conflicts with Chamber policies.

However, we do have a major concern with the finance section of the draft on page 6, Section 11. We have amendments proposed (see attached) that we feel would strengthen that section. They define the parameters of spending within the limit and separate the governmental operations financing stream from that of service operations. We strongly urge you to adopt these or some version of these concepts in your final document.

In addition, our Task Force asked your consideration of charter language that would specify that this government would be the one designated to work with Clark County on mutually important issues. We do not have language to offer on this proposed amendment.

Our Task Force's response to the question as to whether the draft charter with proposed amendments would be an improvement over the current form of governance was a positive yes.

Of particular import was the issue of having regional voters in charge of this government as opposed to having the state legislators control its process and procedures. The charter's strong regional planning focus and long range growth management strategies, limits on spending and a defined process for expansion were also considered important changes.

Thank you for this opportunity to discuss our position with you. I'll be happy to answer any questions.

1104G/cam

The proposed Metro Charter:

- * Puts local voters in control of METRO government.**
- * Takes control of METRO away from the legislature.**
- * Sets planning priorities.**
- * Grants powers necessary to exercise full and complete authority over charter approved functions.**
- * Continues current service operation; zoo, solid waste, convention & spectator facilities.**
- * Sets a limit that METRO can spend, requires voter approval to exceed the limit.**
- * Constrains METRO's growth, requires voter or policy advisory committee approval to take over local government functions.**

1104G/cam



Portland Chamber

TO: Interested Persons

FROM: Blanche Schroeder, Vice President

RE: Proposed charter language to address the following items

- 1) Restricting use of general fund revenues to planning, enforcement and administrative operations.

Insert.....

"Revenues under the limitation imposed by Section 11, ss (3)a) shall be used exclusively to carry out the legislative powers, functions and duties of the Council and for governmental administrative operations."

- 2) Limiting use of service fees and charges to that of costs related to the service.

Insert.....

"a) The service funds and accounts of each service shall be separate from other accounts and funds of the district and treated as separate district operations.

b) Service account funds may not be transferred to a general fund account nor to any other special fund which is unrelated to the service. However, transfers between funds within a service account may be made."

1093G/cam

TESTIMONY OF SUNSET CORRIDOR ASSOCIATION
CONCERNING JUNE 17, 1992 DRAFT OF METRO CHARTER

The Board of Directors of the Sunset Corridor Association has reviewed the draft Metro Charter and has requested that I convey the Association's comments to you for your consideration in the Charter preparation process. The Sunset Corridor Association is composed of approximately 140 businesses and firms either having a business location or a unique business relationship with that mixed-use community generally located in the area between the cities of Beaverton and Hillsboro. Members include large corporations such as Tektronix, Standard Insurance Company, Pacific Realty Associates (Pac Trust) and Nike, smaller firms and businesses and non-profit members like Oregon Graduate Institute, St. Vincent Hospital and Kaiser Permanente.

After monitoring the Charter drafting process and receiving numerous briefings about the Charter and reviewing the draft Charter, itself, the Sunset Corridor Association reluctantly cannot support the Charter document in its present form. This is a true reluctance because many of the Association's members have business operations and significant business contacts throughout the Metro area. These members understand the value and importance of regional cooperation and regional thinking on issues facing our area into the 21st Century.

Submitted by Jack Orchard
see citation on page 6.

From a philosophical standpoint, the draft Charter appears to be a document somewhat at odds with itself. It is unclear whether the aspiration and direction is for a comprehensive, regional government or one which derives its powers and authority through a gradual, consensus process with other area governments, blessed by support from the region's electorate.

Metro, in its present form, is an often misunderstood, distant government to nearly all of the area's residents and taxpayers. Yet our Association has had first-hand involvement and has seen first-hand results of what can be accomplished through consensus regional governance. The best of Metro's recent efforts have proceeded on a consensus basis where individual communities and local governments felt that they had an influence and a stake in accomplishing positive region-wide results. Examples include the funding and construction of the Convention Center, the funding and promotion of the zoo, the allocation of major transportation improvement projects through the JPACT process, and the maintenance of an urban growth boundary.

The Association believes that Metro, in its formative stages of home rule or self-rule, will work best if this spirit of consensus governance is continued. Metro should avoid mandates or dictates wherever possible at the inception of its

new existence under its own charter. Metro needs to build confidence and credibility in whatever regional undertakings it is allowed to pursue.

For these reasons, the Association supports a Charter which includes a Policy Advisory Committee which can act as both a sounding board and a voice of local governments and citizens. MPAC could be an effective tool in creating and sustaining the kind of regional consensus building which is needed for effective regional decision and policy making. If MPAC proves to be unduly cumbersome or impedes effective decision-making, it can be restructured. The Association believes that with the present general level of dissatisfaction and distrust of large government institutions, Metro needs to start slowly in exercising any regional authority (beyond those areas where Metro has traditionally operated) and develop the kind of base support necessary to sustain Metro's activities.

Specifically, the Association urges reconsideration and a reworking of Section 7, Page 4 of the Charter which deals with a requirement that the Metro Council adopt ordinances dealing with a variety of land use and planning matters. Of particular concern is Paragraph d, empowering Metro to review "local government land use decisions for consistency with the regional framework plan". As written, this would apply to any local decision, from the most basic building permit or land division

action to large-scale decisions which may legitimately have regional significance. The Association believes that these types of provisions will create a tedious and oftentimes unnecessary layer of additional land use approvals and will turn the Metro Council into a land use hearings body, detracting from Metro's more critical, policy-making functions. Land use standards defy precision. "Consistency" with the regional framework plan is in the eye of the beholder. The Association is concerned that endless debates on otherwise meritorious development applications could well occur with this kind of power vested in the Metro Council. With the region's governments already having gone through plan acknowledgment and LCDC-required plan updates, involving the Metro Council in a continuous adjudicative role in local land use decision-making processes is likely to weaken Metro's standing with its constituent local governments and citizens and skew the scope of Metro's activities.

With respect to Section 9(3) dealing with the assumption of Tri-Met's operations, the Metro Charter should avoid mention that such obligations may be assumed "at any time" by the adoption of an enabling ordinance. At a minimum, there should be a required process to submit the issue of Metro's operation of mass transit functions to much greater public review and comment, if not a vote. Specialized expertise dealing with mass transit issues is essential. Metro's previous flirtations with assuming Tri-Met's operations have not met with much public

support. The Charter is a poor place to perpetuate the idea that Metro may, "at any time", assume such duties. It is also difficult to believe that the unpaid Metro Council has the time to act as a supervising mass transit board. If those duties are to be abdicated to an appointed commission, what purpose is served by displacing Tri-Met?

Section 11 deals only with limitations on taxing powers. It leaves open the issue of the types of user fees or other charges which Metro might initiate in furtherance of administrative functions. The Association doubts that the public is supportive of an open-ended authority by Metro to operate various departments based upon user-type fees. Those amount to "niche taxes". This issue needs to be addressed by the Charter, with a process established for the setting of fees and the dedication of revenues from those fees. Section 11 really provides a sketchy description of Metro's finances. More thought and more detail is necessary. Why Metro should have the right to use a general menu of possible taxes has not been explained publicly.

Section 13, dealing with Metro's regulatory powers, highlights the Association's problems with the Charter's effects on local government and whether the process is to be approached on a consensus basis or mandatory basis. The language providing for Metro regulatory precedence where substantive "social

economic or regulatory objectives of Metro" are involved is a dangerous and loosely worded provision which will be capable of misuse and endless wrangling. At this juncture, Metro should be a government of defined powers with specified objectives. It should not be a government in which local jurisdictions and districts, citizens and taxpayers must adhere to Metro ordinances designed to establish Metro superiority over a potential broad range of their activities.

The Association appreciates that the Charter committee has toiled earnestly to get to the point of a draft Charter. Regional governments are difficult creatures and the present climate suggests that the more esoteric aspects of a regional governance system pose great difficulties to those given the task of creating a constitutional-type framework document. The Association's Board of Directors believes that the draft Charter is a useful first draft, which now allows the public to understand, in a written format, the basic issues and policy choices which need to be made about our area's regional government system. More work needs to be done. The present product is flawed and lacks clear direction or appreciation of the potential reach and impact of a regional government.

TESTIMONY TO
METRO CHARTER COMMITTEE
6/30/92

from
John Andersen
Strategic Planning Manager
City of Gresham

TOPIC: COOPERATIVE RELATIONSHIP WITH METRO

I would like to address the relationship of the Metropolitan Service District to the Portland Area local governments during the development of the Regional Urban Growth Goals and Objectives (RUGGO's).

From the perspective of the cities and counties involved, the initial phases of that important process were characterized by poor communication, gamesplaying and distrust. Ultimately this led to suspicion and tedious, negative meetings that were leading to the death of the entire process.

To save this important product so necessary to the rational development of our region local governments, and Mayor McRobert of Gresham in particular, took extra time to design and advocate for a new process to make local governments effective partners in this region's planning. As partners the local governments that will play a critical role in implementing the plans for this region's growth became part of the system and advocates for the solutions needed to solve this area's problems, rather than mere commenters or worse- antagonists.

The RUGGO's were also restructured to better address the issues facing the region in a manner more reflective of the real scale of the area's concerns and the absolute need for broadly-based consensus.

Ultimately the process worked and the needed products were created, not because of Metro's scheme, but rather due to the consensus-building work of local governments and the promise of a better system for all involved contained in Goal One of the rewritten RUGGO's.

The time is now for that better process to be institutionalized in this region's system for governance, if we are to obtain, in a timely manner, that better future so needed and desired by the people of this area. The Metro Policy Advisory Committee and process is that better plan and it needs to be retained and adopted by this region in the Metro Charter if we are to avoid the wasted resources, political disruption and lost opportunities that characterized the first part of the Metro RUGGO program.

Thank-you.

Testimony of Marilyn Holstrom, City Administrator, City of Fairview

June 30, 1992

On behalf of the Regional Governance Committee

Good evening. My name is Marilyn Holstrom. I am the City Administrator for the City of Fairview. I would like to address, briefly, the process which has been used in this region to get the Greenspaces program to the point that it is now. Like so many other examples which you have heard, this is a program which demonstrates both the worst and the best of cooperation between Metro and local governments. When local governments first heard of the regional greenspaces initiative the ball at Metro already was rolling at a rapid rate. We were not brought to the table to help make the decision as to whether there was a need for a regional greenspaces program or how it would best be implemented. We were made to feel as if the decision was already made and--yes --our input was being requested, but the distinct impression was that our opinions were not particularly valued. As you know from your deliberations on this issue, greenspaces is not a simple issue; it is not easy to figure out how to overlay a system of regional greenspaces on the existing local parks and open space systems. Yes, it is a good idea and yes there is a clear regional need; but the method by which that need is met will make the difference in whether this program succeeds and fails.

As you might expect, Metro's initial communications with local governments on this policy initiative met a great deal of hostile reaction. Not because we object to regional greenspaces, but because we were not involved in the decision to implement a regional greenspaces initiative. The potential for operational and financial burdens on local governments was great, and Metro had very few answers to our many questions.

That is the bad news. Now for the good news. Following the negative reaction from local communities, Metro and local governments regrouped and began the process of answering the hard questions about roles and responsibilities that must be resolved before regional greenspaces can be implemented. The result of those discussions is a document that, while still being fine-tuned, is fundamentally supported by all of the local governments in the region. This document is an excellent model of healthy regional/local government cooperation. In fact, much of the thinking which has gone into the proposed MPAC process, which is included substantially in your draft Charter, is based on the experience which we had through the greenspaces program as well as other issues which you have heard tonight.

The lesson from Greenspaces is that local governments and the regional government must work together in order to successfully implement regional initiatives. There are virtually no regional initiatives which can be implemented without shared responsibility with local government. That partnership should be recognized up front and local government should be included from the first

day of the process. That approach will save time and reduce political blood letting. It will promote constructive, cooperative regional problem solving and reduce reaction and fear. This institutionalized relationship between Metro and the local governments is what the MPAC process provides. Far from being a threat to regional action, it is in fact the avenue to regional action.

Testimony of Steve Larrance, Commissioner, Washington County**June 30, 1992****On behalf of the Regional Governance Committee**

Good evening. My name is Steve Larrance. I am completing my sixth year on the Board of Commissioners for Washington County. One of my primary assignments during my six year tenure on the Board has been to oversee the development and implementation of the solid waste system in our county. This has required a great deal of my personal time working with all of the cities, the solid waste industry, citizens, Metro's executive officer and her staff, and the Metro Council. I have followed your Charter development process with interest but was prompted to address you directly by statements made by Metro Councilor Tanya Collier in testimony before you Thursday night.

Councilor Collier asserted that Metro always involves local governments in its decision making process and listed Solid Waste as one of the major achievements of this local involvement. The story that I have to tell has very direct bearing on your Charter. Unfortunately, you do not have the time to hear the details of the story, although I am certain it would be of great interest to you. I will only lay out the highlights this evening to make the point that it is absolutely essential that you establish an institutionalized role for local governments in Metro's decision making processes.

Until very recently, Metro's predominant responsibility in this region was Solid Waste. Six years ago, we had regional warfare over Metro's attempt to site landfills and a large transfer station in Washington County. That warfare was resolved through the courts. Metro regrouped under new leadership from Rena Cusma and Mike Ragsdale as Presiding Officer, and promised to work with local governments to design a regional plan which would put in place the remaining components of the solid waste system. That planning process led to the adoption by Metro in 1988 of a Solid Waste Functional Plan. Included in that plan was a policy which stated that the implementation of the Solid Waste management plan shall give priority to solutions developed at the local level which are consistent with regional policies. In other words, Metro would establish the regional framework for the Solid Waste system and local governments would be guaranteed the flexibility to decide how best to meet those standards in their local areas.

That policy is a good example of why RGC has advocated so strongly that Metro's regional framework planning documents should set regional performance standards and retain local flexibility for implementation. Following the adoption of the regional Solid Waste Plan, all of Washington County's local governments petitioned Metro to begin what we called the local option process. Metro Council adopted a resolution in September of 1989 which described the time frame we had to develop the local option, the process we should follow, and the standards we needed to meet. All ten of the mayors of the cities of Washington County within Metro's region, private

industry and interested citizens began work on the specific Washington County Plan. Metro Councilors were invited to join us and several of them did. Metro's Solid Waste Department and Planning staff worked very closely with us.

The committee developed a plan which was supported unanimously by every single elected official in Washington County to place four major Solid Waste transfer station and high grade facilities throughout the County over the next twenty years. That plan, which was developed over a year long exhaustive analytical and political process, was examined by a technical economic and engineering consulting team hired by Metro to ensure that it would function efficiently within the regional system and economically for region rate payers. Both Metro's staff and its technical consultants gave the plan an A plus. Metro's regional advisory committee endorsed the plan.

You can imagine our high expectations as we came to the Metro Council with the Solid Waste system wrapped in a bow for them to put in place in Washington County. Imagine our shock--and this next part you are not going to believe, but it is absolutely true-- when we arrived at the first public hearing before the Solid Waste Committee only to find a brand new plan laying on the back table to be presented by presiding officer Tanya Collier, a member of the Solid Waste Committee. With no prior notice to either my Committee or even Metro's staff, she presented her plan, which was very similar to the transfer station plan that created regional warfare six years prior, and got the votes to pass her plan out of Committee on a three to one margin. We were stunned. I will be handing out to you several newspaper articles, Oregonian editorials, and press release information which resulted from this incredible incident. Through a very, very bloody eight month process, we managed to reinstitute our plan in the subcommittee, and get it passed by the Metro Council by a one vote margin.

Now I do not expect you, with this short presentation, to develop an opinion as to whether Counselor Collier's plan or our plan was the best Solid Waste plan. My point is that the decision making process at the Metro Council was counter to their adopted policy and insulting to local governments. It required that we dedicate enormous amounts of analytical and political time simply to put in place what we were told the region needed. This was neither a politically effective or cost-effective five year process and makes Metro's cry "it ain't broke, don't fix it" ring very hollow with our constituents in the western part of the region. I believe that the fundamental reason several Metro Councilors voted against our plan was that they simply would not honor the words in their own adopted plan which required them to give a priority to the local option. Rena Cusma herself publicly identified this as a litmus test of the integrity of the Metro Council.

I raise this for you tonight because I think that attitude towards local governments will gradually turn positive if you will institutionalize the role of local governments through this Metro Charter. It's not black and white, the situation won't get magically better over night, but over time the perspective at the Metro Council will change. They will begin to view local governments as

partners and allies as opposed to enemies and road blocks. The Solid Waste example, if you have the time to delve into it, would be a further illustration to you that there is virtually nothing of consequence that needs to be done at the regional level in our area which does not, in some manner, require substantial action and cooperation from local governments.

In fact, this story is not over. Just last month the local governments and Executive Officer had to spend a week lobbying the Metro Council to release a Request for Franchises for the first transfer station. Why the lobbying? Because the current Presiding Officer, a supporter of the Collier plan, had unilaterally pulled the agenda item. Again, blood was let and his action was reversed. What a way to do business! Please read the information I am providing you tonight, particularly the articles and editorials. These are the impressions of Metro that have formed citizen attitudes.



**Columbia River Region Inter-League Organization
of the
LEAGUE OF WOMEN VOTERS**

JUNE 30, 1992

MY NAME IS TEACE ADAMS. TONIGHT I SPEAK AS A REPRESENTATIVE OF THE COLUMBIA RIVER REGION INTER LEAGUE ORGANIZATION OF THE LEAGUE OF WOMEN VOTERS. THE SIX LEAGUES IN METRO'S AREA ARE ALL MEMBERS OF CRILLO.

CRILLO RECENTLY COMPLETED TWO YEARS OF STUDY ON THE SUBJECTS OF URBAN GROWTH AND THE METROPOLITAN SERVICE DISTRICT: ORGANIZATION AND FINANCE. BOTH OF THESE STUDIES WERE PUBLISHED AND YOU WERE PROVIDED COPIES OF THE METRO STUDY AT YOUR FIRST PUBLIC HEARING. (I HAVE EXTRA COPIES IF YOU HAVE MISPLACED YOUR COPY)

CRILLO HAS OBSERVED METRO FOR YEARS AND IS THE LEAGUE BODY MOST CONCERNED WITH THIS LEVEL OF GOVERNMENT. WE HAVE ALREADY TESTIFIED AS TO OUR POSITION, REACHED BY CONSENSUS.

YOUR DRAFT PLAN APPEARS TO BE CONSISTENT WITH THAT CONSENSUS AND SHOULD CERTAINLY, IN ITS FINAL FORM BE PUT TO A VOTE OF THE PEOPLE. YOU ARE TO BE PRAISED FOR YOUR DILIGENCE AND COMMENDED FOR YOUR HARD WORK.



**Columbia River Region Inter-League Organization
of the
CRRILO League of Women Voters**

METRO: WHOSE TURF IS IT?

The Metropolitan Service District: Organization and Finance

INTRODUCTION

The Metropolitan Service District (Metro) holds a unique position in the United States as the only directly elected regional government.

Metro is a successor to two previous regional organizations. The Columbia Region Association of Governments (CRAG), established in 1969 through adoption of intergovernmental agreements, was a coalition of city and county governments, including the City of Vancouver and Clark County, Washington. It was responsible for providing regional planning services and allocating various types of federal grant money. The old Metropolitan Service District (MSD) was authorized by the Legislature in 1969 and approved by the voters in the Tri-County area in 1970. The MSD's initial function was solid waste management planning for the region, and it assumed ownership and operation of the Zoo in 1976 following approval of a five-year property tax serial levy by voters of the District.

In 1977 the Oregon Legislature placed a proposal before the voters of Clackamas, Multnomah and Washington Counties based on recommendations made by the 65-member Tri-County Local Government Commission. The passage of the referendum in 1978 established the present Metropolitan Service District (Metro) and set its boundaries to include the urbanized areas of these three counties with a population of approximately one million. Included in this area are twenty-four cities and over one hundred special districts. Other regional entities which continue to exist are the Port of Portland, Tri-Met and the Portland Metropolitan Area Local Government Boundary Commission.

The 1977 enabling legislation and resulting vote to establish the new Metro did not provide additional funding for any function of the District. The legislation did give Metro authority to levy property taxes and an income tax with the vote of the people. Metro was successful in passing property tax serial levies for the Zoo in 1980, 1984 and 1987. Metro was unsuccessful in attempts to pass tax base levies for general purposes in 1980 and 1986. The District voters passed a tax base levy dedicated to the Zoo in 1990. The 1989 legislature authorized Metro to impose an excise tax on users of the District's services and facilities, which it has done by ordinance. Proceeds from the excise tax are used to pay for the central policy making and administration costs of the government as well as various regional planning programs. Other Metro income includes user fees, grants and bond issues.

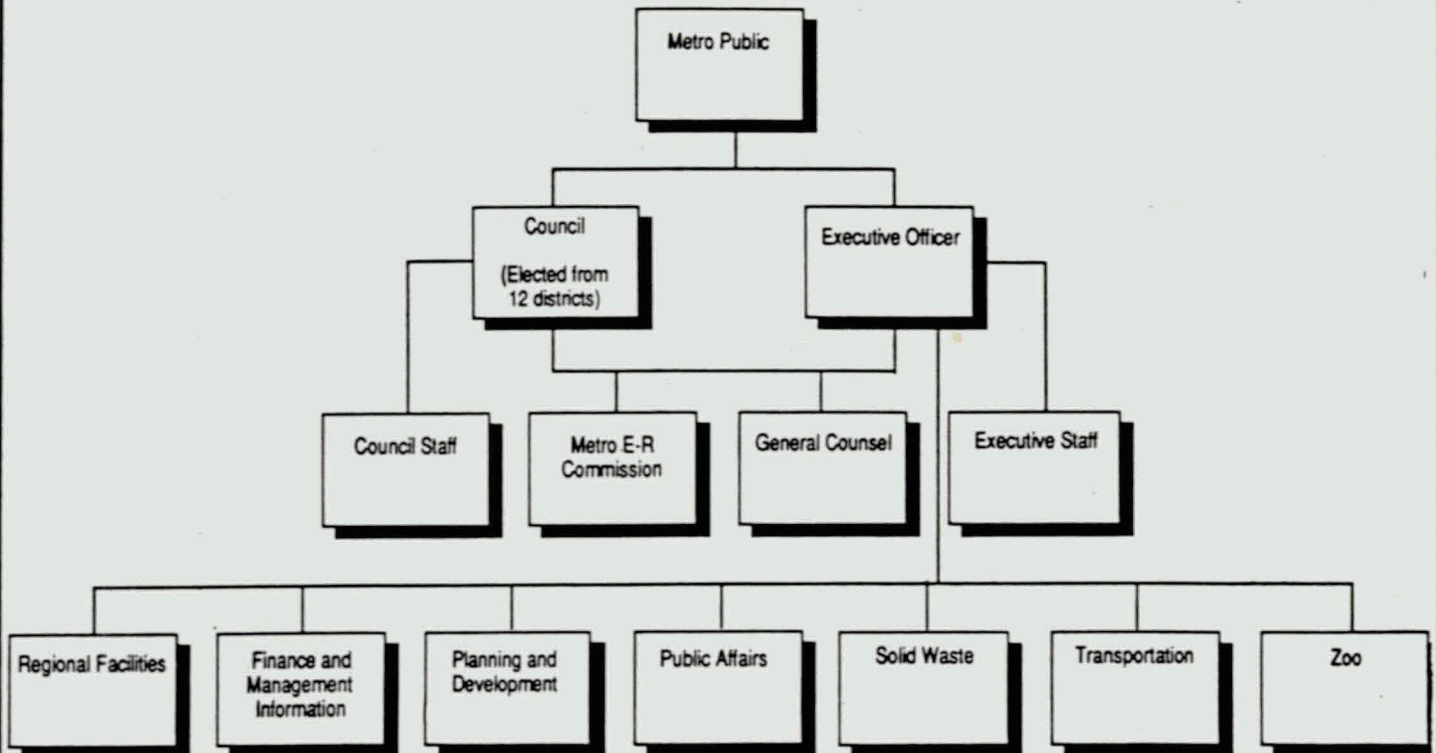
ORGANIZATION

Metro functions under the authority of Oregon Revised Statutes (ORS) Chapter 268. It can pass ordinances and has the power to enforce them.

The governing body of Metro consists of twelve Councilors, elected from twelve districts, and an Executive Officer elected at large. Each elected representative serves a four-year term. The 1989 Legislature increased the Council to thirteen, an uneven number to avoid tie-votes.

Councilors are responsible for policy direction and legislation. They are presently unsalaried but are reimbursed for expenses (limited) and receive a per diem

Chart A Metro Organization Structure



Source: 1991-1992 Metro Budget

according to meetings attended. Meetings are primarily in the evenings, with regular Council meetings twice monthly. Councilors serve on two or more committees, which function similarly to those of the Legislature. The Council is organized in January, with the election of the Presiding Officer, who appoints the Deputy Presiding Officer and members of the committees, subject to confirmation by the Council. The Council has a staff (budgeted in 1990-91 for 8 1/2 full-time equivalent positions) who do research for the committees, staff Council and committee meetings and keep necessary records.

The Executive Officer is a full-time, salaried official who is responsible for administration of the staff and programs of the agency. Organizationally, the office is comparable to that of the Governor. The Executive Officer is responsible, with Council approval, for hiring Department heads. (See Chart A.)

Staff assigned to the Executive Officer (1990-91 budget for 8 4/5 positions) assists with development of programs for recommendation to the Council and with the enforcement of the provisions of the Metro Code and ordinances. There is a full-time government relations manager who coordinates Metro's programs with federal, state and local agencies.

Metro has approximately 520 full-time employees and 680 part-time and seasonal. This covers all employees, including those for the Zoo and the Metropolitan Exposition-Recreation facilities.

SERVICES AND FUNCTIONS

Metro Washington Park Zoo

The Zoo has flourished. Annual visitors number about one million. A tax base approved by the voters in 1990 will provide approximately one-half of the revenue, though subject to decrease from the property tax limitation measure. Approximately one-half of the funds are from gate receipts and concessions.

Solid Waste Management

This department is responsible for solid waste disposal and waste reduction. Two Metro transfer stations receive solid waste: Metro South in Oregon City and Metro Central on NW 61st Street in Portland. A privately owned station is located in Forest Grove and two limited purpose landfills

are near Hillsboro. Plans to expand transfer facilities in Washington County are in process.

With the closure of the St. Johns Landfill, garbage is hauled by truck to the Columbia Ridge Landfill near Arlington in Gilliam County, 140 miles east of Portland. The closure of the St. Johns Landfill necessitates an environmentally sound construction and maintenance program to control drainage and methane emissions.

Waste reduction promotion is an important part of this department's work. Recycling is promoted by such measures as media campaigns, arrangements for curbside collection, collection depots for household hazardous waste and provision for recycling of plastics. Recycling rate is presently 30%. A recycling information center is available by phone to the public. Educational programs include a teacher training program and school presentations and displays. A privately-owned composting facility has been constructed in northeast Portland as part of the Metro disposal system.

The "1% Well Spent" program provides seed money for innovative recycling and waste reduction programs.

Funds for operation of the Solid Waste Department are collected from users of disposal facilities, mainly tipping fees. Expenditures budgeted for 1990-91 were \$141 million, 62% of the Metro budget.

Oregon Convention Center

Begun after voter approval of bonds in 1986 and completed in the fall of 1990, this \$85 million project has been the full responsibility of Metro. It was financed by general obligation bonds, lottery funds, and a local improvement district. This district, formed by the City of Portland, levied assessments on businesses in downtown Portland and the inner east side. Operating funds will include rental and concession fees and the Multnomah County Motel/Hotel Tax established in 1986 to fund marketing and operation of the Center.

Metropolitan Exposition-Recreation Management

The Metropolitan Exposition-Recreation Commission (MERC) was created by the Council in 1987. It consists of seven members with four-year terms from Clackamas, Multnomah and Washington Counties and the City of Portland. Members are appointed by the Metro Executive after consultation with the respective governments and are confirmed by the Council. The Commission is responsible for the operation of the Oregon Convention Center and regional spectator and performing arts facilities.

In 1990 the Portland City Council agreed to transfer to MERC the operation of the following facilities: the Memorial Coliseum, the Civic Stadium and the Portland Center for Performing Arts (Civic Auditorium, Arlene Schnitzer Concert Hall and Winningstad and Intermediate

Theaters). The City of Portland retains ownership of these facilities.

Transportation

Through the Joint Policy Advisory Committee on Transportation (J-PACT) and the Transportation Policy Alternative Committee, Metro works with local governments to allocate federal highway and transit funds. This involves maintaining a current regional transportation plan.

Metro has authority from the Legislature to assume control of Tri-Met. Although it has initiated a study regarding this, action will be delayed pending receipt of federal funds for the West Side Light Rail.

Planning and Development

Planning is involved in many of Metro's functions, and this department is the center for collecting and supplying data. The department has gathered information about parks and natural areas in the region. A 10' x 14' map composed of a grid of infrared aerial photographs shows existing greenways and wildlife corridors which could be connected for a proposed Metropolitan Greenspaces Program. Some groundwork has been started in water resources management. Local governmental units may be reluctant to release control of functions such as water resources and parks. However, there is agreement that a need exists for regional coordination and planning.

Affordable housing is beginning to be addressed.

A committee has been appointed to study new sports and entertainment facilities. The committee is charged with the study of a new sports arena, a new sports stadium and long-term funding for the Portland Center for the Performing Arts. Present funding for the Center is admissions and private contributions.

As required by the Legislature, Metro offers a "Passport Business License" program which allows certain small business contractors to obtain a single license which allows them to work in any location in the Metro area except in the City of Portland.

Information and Assistance to Local Governments

In addition to services already mentioned, the data resource center maintains a variety of economic and demographic forecasts available to local governments and to businesses. Technical and training assistance and data base development are offered to local governments.

Additional Powers Not Assumed

Additional powers are authorized but have not been assumed by Metro. A district may, according to ORS 268.310:

- Acquire, construct and operate regional aspects of sewage systems;
- Control and provide for drainage of surface water;
- Provide public transportation;
- Provide planning for metropolitan and local aspects of criminal and juvenile justice.

Subject to prior approval by electors of the district, a district may, according to ORS 268.312:

- Acquire, construct and operate water supply and distribution systems;
- Plan coordinate and evaluate the providing of human services, including programs for aging, health care, manpower, mental health and children and youth;
- Acquire develop and operate a system of parks, open space and recreational facilities of metropolitan significance. (Planning is being done as noted above. Metro will develop use of Smith and Bybee Lakes in connection with closure of the St. Johns Landfill);
- Provide facilities for metropolitan aspects of criminal and juvenile detention and programs for adult and juvenile justice;

- Provide metropolitan aspects of library activities.

FINANCE

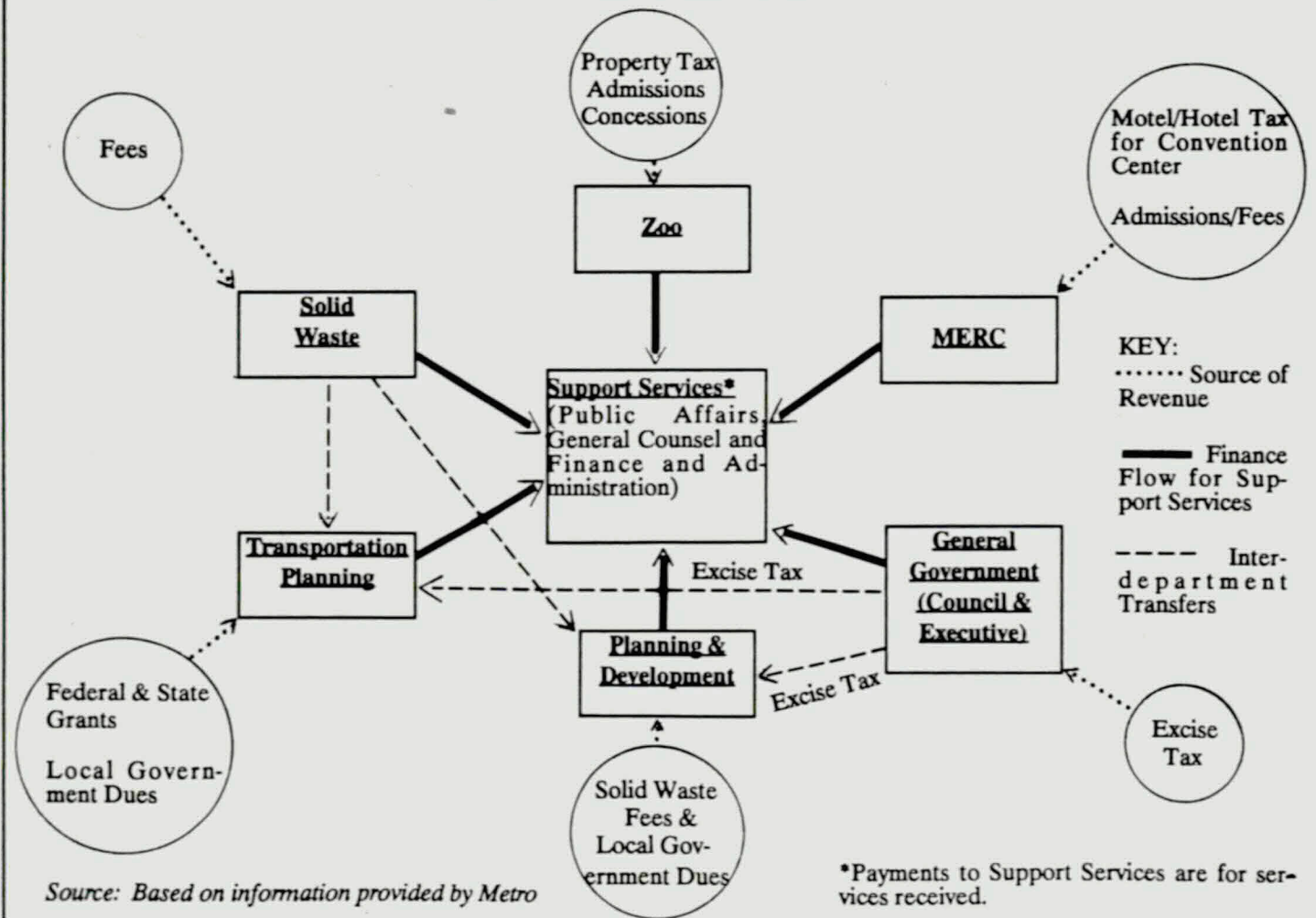
With the increase in functions over the past five years, the Metro budget has grown from \$50 million in 1985-86 to \$227 million in 1990-91.

Sources of revenue are authorized by the Legislature. Subject to a vote of the electors of the district, Metro may levy a property tax not to exceed one-half of one percent (.005%). A tax base has been defeated three separate times, most recently in 1986. A tax base for the Zoo was passed in 1990. Metro may also levy an income tax not to exceed the rate of one percent (1%), but this has never been tried.

Present sources of revenue are:

1. Service or user fees.

Chart B
Distribution of Revenue



2. An excise tax on users of district services or facilities, authorized up to 6%. The present levy is 5%. This tax, authorized in 1989, provides revenue for general government functions and planning functions of Metro.

3. Per capita dues paid by the counties, currently \$.43 per capita, and by the Port of Portland and Tri-Met, not over \$.06375 per capita. Dues are considered payment for planning services received. Dues authorization sunsets on June 30, 1993.

4. Federal and state funds, for example, for transportation planning and for the Greenspaces Program.

5. Bonds. General obligation bonds may be issued with approval of the voters, as was done to finance part of the convention center. Revenue bonds may be issued without voter approval. These are repaid by current revenue, as for solid waste facilities. (See Chart B, Distribution of Revenue, page 4.)

Metro provides a wide range of disparate functions. For the most part each function has its own dedicated sources of revenue. The only discretionary source of funds is the excise tax, with allocation in the 1990-91 budget of \$1.2 million for administration and policy and \$1.5 million for planning.

COMMUNICATION & RESPONSIVENESS

What is the public's image and knowledge of Metro? A telephone survey of five hundred people, contracted by Metro in 1990, showed these results:

Familiarity with Metro:

Very or somewhat unfamiliar	45%
Somewhat familiar	35%
Very familiar	9%

Knowledge of what services are provided by Metro:

Solid waste disposal	25%
Washington Park Zoo	12%
Transportation planning	12%
Recycling centers and programs	8%
Urban growth	4%
Don't know	56%

Metro has an active program of publicity through the media and through many informative publications and the Metro Speakers Bureau. A quarterly publication, "Metro News," is distributed to a mailing list of 4,000 including civic groups, government bodies and interested citizens.

Effective communication among governmental bodies and between citizens and government was considered in depth by the 1987-88 Task Force of Metropolitan Regional Government. The 1987 Legislature established this Task

Force to examine a wide range of issues relating to regional government in Clackamas, Multnomah and Washington Counties. The eleven members included two senators and three representatives of the Metro area, a county commissioner from each county and four citizens.

In forums sponsored by the Task Force, local government officials expressed support for the following Metro operations: the Zoo, transportation planning, data resource and technical assistance, passport license program, and the Convention Center. Criticism came for solid waste disposal, particularly siting, for problems caused by conflict in areas of responsibility between the Council and the Executive Director, and for lack of communication between Metro and local government.

Local officials were receptive to eventual, but not immediate, expansion of Metro function in some areas. These include Tri-Met, the Boundary Commission, management of sports and cultural facilities, regional aspects of parks and libraries, development of regional correctional facilities, and expanded coordination and planning functions.

The Task Force concluded that Metro has an important and continuing role, and it made some recommendations for future working relationships including:

- **TO METRO:** Develop visible leadership, communicating with the public and with local governments. Be willing to act as a convenor, facilitator or mediator, knowing that some functions may be limited to coordination or planning.
- **TO LOCAL GOVERNMENT:** Accept the need for regional government and take leadership in developing consensus on the role of regional, county and city governments. Be willing to set aside "turf" considerations, accepting that some functions are better provided on a regional basis.

The importance of citizen and media involvement was recognized by the Task Force, acknowledging that public acceptance is essential for significant restructuring and funding.

SELF-GOVERNANCE CHARTER

This is a strategic and uncertain time to plan the future of our regional government. In 1990 a constitutional amendment was adopted to allow a charter form of government for a metropolitan service district. A charter for the Metro government, which must include organization functions and the power to pass ordinances, will be written by a committee and submitted to the voters of the district for approval.

Affecting the charter may be the 1990 passage of the property tax limitation amendment, which gave the message that people want economy in government. *The Oregonian*, the Portland Metropolitan Chamber of Commerce, elected officials and private citizens have called for consolidation of

governmental bodies as one means of possible economy without reducing services.

A community resource which could provide valuable assistance in future planning is the School of Urban and Public Affairs of Portland State University. The research capabilities of the School make possible a comprehensive analysis of the present governments in the area to help determine what system of governments would be most efficient and economical. A promising new development is the Institute of Portland Metropolitan Studies, which will be a combined local government-, academic-, and community-based partnership designed to coordinate information, research and public service efforts for the region.

There is conviction that a regional government is necessary to deal with many areawide issues. Just what the form of that government should be brings less agreement.

Other Regional Governments

1. **City County Consolidation**--City-County consolidation has formed the basis for regional government in several areas in the United States. Portland and Multnomah County defeated such proposals in 1913, 1919, 1927, and 1974. Such consolidation would not meet all the present regional needs in the area.
2. **Limited Special Service District**--The Seattle area is an example, providing the sewage system and mass transit.
3. **Regional Council**--The Twin Cities Metropolitan Council (Minneapolis-St. Paul) is appointed by the Governor and functions mostly in planning and coordination. More common are councils of government, such as the Association of Bay Area Governments in the San Francisco area.
4. **Regional Municipalities**--Common in Canada, these are two-tier governments, regional and cities. The regional municipality is governed by a council of officials who have been elected to serve in local governments. Provincial Legislatures have the power to create these regional governments, and local vote is not required.

Present Metro Government

The system of having an elected council and executive was instituted in the Metro government because it was believed that this separation of powers was necessary for a check and balance of powers, as exists on the state level.

A problem with this model of governance is that conflict has existed between the Executive and Council concerning their spheres of authority. The 1989 Legislature clarified their roles to some extent, principally in areas of responsibility for finance and employment of personnel. The Executive Officer may propose legislation to the Council and may veto any legislative enactment of the Council; such veto may be overridden by a vote of two-thirds of the Council. The veto has never been used. (ORS 268.180, 190, 210, 215)

Size and payment of the Council is another issue. Council responsibilities are constantly increasing, and it is argued that a smaller, full-time, paid Council (five to seven members) could govern more adequately. Also, Council positions would be increased in stature in the community.

Options for Future Regional Government Organization

1. Eliminate regional government and return powers to local jurisdictions.
2. Retain the present model, with or without changing the size or payment of the Council.
3. Change to a council/manager structure in which the administrative officer would be appointed by the council. The council presiding officer could be elected on a district-wide basis to provide an official responsible to all voters. Would a professional, non-political manager be more acceptable in planning and negotiations with local officials? This type of government was most often favored by local officials in discussions with the Legislative Task Force.
4. Include local government representation on the Council. A suggestion to the Task Force was that each county have one representative on the Council, with the goal of promoting better communication.
5. Provide a transition from county to regional government. This is a proposal from Portland City Commissioner Earl Blumenauer: The County Commissioners (Clackamas [3], Multnomah [5] and Washington [5]) would become the Metro Council with votes weighted for population. Later, in perhaps four years, definite districts can be formed and members elected from these districts. Thus separate county governments would cease to exist, and a decision would need to be made whether Metro would include areas of the counties outside the present Metro boundaries. The question of an elected or appointed administrator can be decided by vote in the charter or a separate item from the charter.
6. Consolidate Clackamas, Multnomah and Washington Counties into one county. Willamette County is a suggested name. This solution was recommended by the City Club of Portland following comprehensive study in 1986, but the Club's Task Force made little progress in pursuing this idea. Under the plan, the county government would assume regional responsibilities and cities would continue with services better provided locally.
7. Consider a new approach to the whole question by initiating comprehensive research of present government entities, with the goal of determining what structure might be most efficient and economical.

CONCLUSION

Regional cooperation and coordination of governments have existed in the Portland metropolitan area for over thirty years. These efforts have dealt with regional problems which require planning and action. There has been willingness to try innovative and unique solutions to these problems, based on study and effort by citizens and government leaders.

The consideration of a self-governance charter for Metro provides a new opportunity to review the relationship of the various governmental units. It is also an opportunity for the public to learn more about the structure and functions of Metro, and to help determine the governmental system which will best serve the needs of the region.

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CRRILO of the League of Women Voters wishes to thank the following persons for their assistance in preparing this report:

State Senator:

Glenn Otto

Joyce Cohen

Bill Kennemer

State Representative:

Ron Cease

Metro:

Tanya Collier, Council Presiding Officer

Richard Devlin, Councilor District 4

Dick Engstrom, Deputy Executive Officer

Gregg McMurdo, Government Relations Manager

Rena Cusma, Executive Officer

Don Carlson, Council Administrator

Don Rocks, Executive Assistant

County/City:

Bonnie Hays, Chairman, Washington County Board of Commissioners

Judy Hammerstad, Clackamas County Board of Commissioners

Earl Blumenauer, Portland City Commissioner

Patrick Reilly, City Manager, Tigard

Peter Harvey, City Manager, Lake Oswego

Portland State University, School of Urban and Public Affairs:

Nohad Toulan, Dean

Charles Tracy, Associate Dean

Computer and Graphics:

Linden Smith, League of Women Voters of Portland

CRRILO Metro Study Committee:

Teace Adams

Louise Fronville

Beverlee Smith

Eleanor Clark

Karen Griffin

Janet Squier

Matt Finnigan

Leeanne MacColl

Janet Young

CRRILO Metro Organization and Finance Study Subcommittee:

Teace Adams

Adele Newton, Ex-Officio

Louise Fronville

Janet Squier

CRRILO Metro Organization and Finance Study Editorial Committee:

Beverly Deguc

Carolyn Gassaway

Published By:

CRRILO

Columbia River Region Inter-League Organization
of the
League of Women Voters

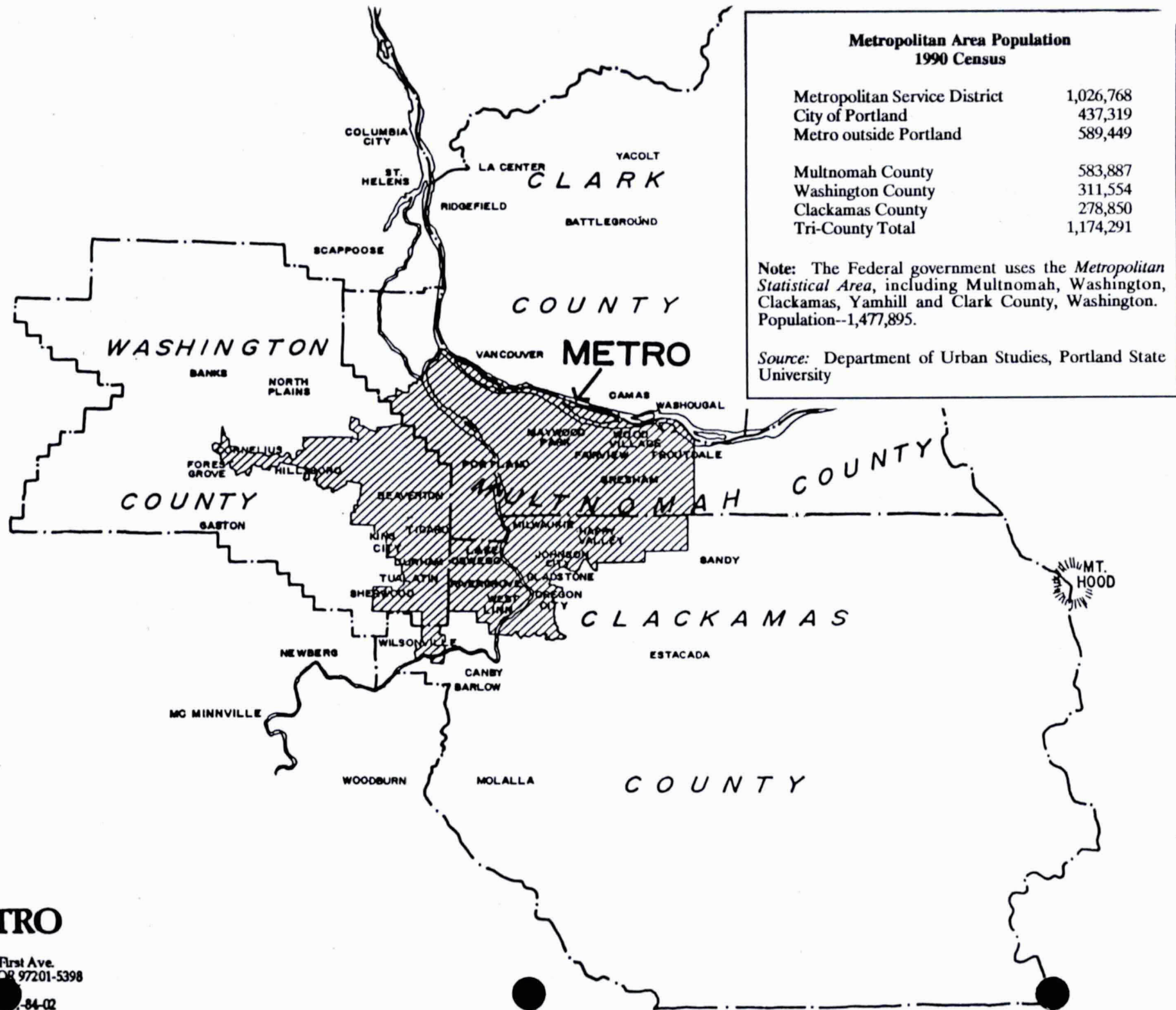
Adele Newton, President

7700 SW Alden Street

Portland, OR 97223

(503) 244-8366

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METRO

2000 S.W. First Ave.
Portland, OR 97201-5398
(503) 221-8402
1"=10 miles

Urban Streams Council

a program of
The **Wetlands** Conservancy

June 29, 1992

To: Metro Charter Committee
From: Mike Houck, Dir. Urban Streams Council

I have had the opportunity to read your draft charter and would like to submit the following comments and observations for the record.

Metro Ownership and Management of Greenspaces (Section 6):

I am most troubled by two provisions of the Charter which, in my opinion, are fatal flaws if the committee is serious about maintenance of livability in the metropolitan region. While you have granted Metro the authority to purchase Greenspaces (I assume this means natural areas, open space, greenways and trails) you have, by omission, precluded Metro from owning and managing these areas. To those of us who have labored for the past three years, in cooperation with all local governments, this action comes as a shock. In fact the Greenspaces PAC and TAC have both concurred that Metro may own and operate Greenspaces or natural resource parks and open space. We, through much arduous work of the "roles and responsibilities" working group, hammered out agreements which acknowledge local government and special district concerns, while remaining true to the regional Greenspaces vision.

The Charter committee perpetuates the balkanization and duplication of services with respect to management of Greenspaces. While I recognize we will not have a single natural areas provider in the near future, we should be moving toward that goal. The committee should look toward the East Bay Regional Park District in Contra Costa and Alameda counties of the San Francisco Bay region for a model to emulate. Their District, which serves over 2 million residents, specializes in the purchase, management and interpretation of over 74,000 acres of natural areas and open space. The local jurisdictions continue to own and manage truly local parks. This relationship between the regional provider, which focuses on regional, interjurisdictional natural resources, and the locals has evolved over the past fifty years the District has been in operation. You need only look back to the Columbia Willamette Futures Forum to see strong sentiment within our region to take the

East Bay approach to regional parks. We should be consolidating regionally significant natural areas, not perpetuating piecemeal ownership and management patterns. Most of these resources cross jurisdictional boundaries which argues strongly in favor of a single owner and manager. Few local park providers have the will, expertise or financial resources to manage natural resource lands. The committee should encourage the establishment of a specialized, regionally funded body to take on that task.

I request that you amend the Charter language in Section 6 to read "**develop, maintain and operate a system of parks, open space and recreational facilities of metropolitan significance.**" This language is consistent with Metro's current legislative authority and should offer no threat to local park providers since it references "of metropolitan significance", in conjunction with the established "roles and responsibilities" of the current Greenspaces Masterplanning process.

Greenspaces as a Regional Planning Function (Section 7):

You have listed four areas of authority under the framework plan that shall be addressed (a-d). None of these should be planned for in a regional context without first addressing the nature and needs of the regional landscape. By listing Greenspaces and Water Resources and storage in the second, presumably lower priority tier, the committee perpetuates the notion that these are frills that can be planned for after "important" transportation and growth boundary issues. I have attached a recent article concerning the work of Ian McHarg, author of *Design With Nature*. McHarg's approach to designing **with** the landscape should be incorporated into Metro's work as central component of every planning function, **before** planning begins. For this reason, Greenspaces should be a mandatory Metro function of top priority. Greenspaces must be viewed as an integral component of the regional infrastructure, not an afterthought.

I recommend that **Greenspaces be moved into category #1 and listed as top priority (a)** (Section 7, (2), before any other functions. All planning should flow from Metro's Greenspaces mapping and planning. This will allow Metro to design transportation and mass transit systems, determine appropriate management of the Urban Growth Boundary, protect lands outside the growth boundary and effectively administer federal and state mandated planning functions in a responsible manner.

Future Vision:

Finally, I am concerned that the Charter omits any mention of Region 2040 and the RUGGO's. How is it possible that the committee has recommended the creation of a "Future Vision" process when that activity seems to have been embodied in the ongoing Region 2040 program as well as the already adopted RUGGO's? This seems to be duplicative and unnecessary. Why not use already existing processes to accomplish the state objectives of your proposed "Future Vision?"

Taxing Limitation:

How did the committee arrive at the seemingly arbitrary \$12.6 million tax revenue limitation figure? Since Section 7, (2) priorities are predicated on sufficient levels of funding, I can only assume the addition to Greenspaces to the first category would necessitate additional revenues. Is it sensible for the charter to arbitrarily set a tax revenue cap or does it make more sense to leave that task to the council? I would argue that, as Metro struggles to address all of the necessary and regionally significant tasks it must accomplish to maintain the region's livability, the council must determine its budgetary needs. Since the council is elected from throughout the region they will be answerable to the general public and should be allowed to establish their budgetary needs.

Additions to Regional Framework Plan (Section 8):

Again, the Metro council should be empowered to add matters to the Regional Framework Plan. The Charter committee's investing that power with a policy advisory committee makes no sense. I recommend that this authority be vested with the council, a regionally elected body.

Finally, this draft seems to perpetuate the weakening of Metro's authority over local governments. While some locally elected officials are loath to give up power and authority, we are at a crucial time with respect to growth management and protection of natural resources. The Charter must vest Metro with authority and power of enforcement to ensure issues of regional significance are decided in a regional context. Local governments must be willing to give up some authority that will be paid back to their constituents many fold with improved transit, a protected and well-managed regional landscape and regionally managed natural resources.

Materials following this page represent
Attachments to the Public Record

City of GLADSTONE

June 30, 1992

The Metro Charter Committee
ATTN: Hardy Myers, Chair
PO Box 9236
Portland, OR 97207

RE: Draft 1992 METRO CHARTER

Dear Hardy:

The City of Gladstone has had the opportunity to review the draft 1992 METRO CHARTER. We fully realize the complexities and the difficult policy issues that the METRO Charter Committee has worked through during the last many months. Not only would these issues be daunting at any time, they were made even more difficult because of the mandates for government efficiency mandated by Measure 5 and directed by Governor Roberts.

There are a number of provisions in the draft Charter which the City of Gladstone fully supports. Among these is the elimination of the METRO Executive Position and substitution in its place of a METRO President and METRO Manager. We particularly applaud the provisions in the draft Charter which would permit the METRO President to remove the METRO Manager for nonperformance of duty. We believe this brings an important aspect of accountability to the position of METRO Manager which is not presently in effect as to the existent METRO Executive position.

We are also supportive of the establishment of a METRO Policy Advisory Committee composed of representatives from a variety of county and municipal units within the METRO area. The establishment of such a Policy Advisory Committee should go a long ways toward giving needed balance to METRO and its affairs.

We do, however, retain significant reservations concerning a number of provisions in the draft Charter. These include the following:

City Hall
525 Portland Avenue
Gladstone, OR 97027
(503) 656-5223

Police Department
535 Portland Avenue
Gladstone, OR 97027
(503) 656-4253

Fire Department
525 Portland Avenue
Gladstone, OR 97027
(503) 656-4253

Public Library
135 E. Dartmouth
Gladstone, OR 97027
(503) 656-2411

Senior Center
1050 Portland Avenue
Gladstone, OR 97027
(503) 655-7701

City Shop
18595 Portland Avenue
Gladstone, OR 97027
(503) 656-7957

1. We strongly oppose assumption by METRO of Boundary Commission functions. We believe that the Portland Metropolitan Area Local Government Boundary Commission over the years has proved itself to be one of the best examples of a cost efficient, deliberative and well-reasoned governance entity in the tri-county area. We see little reason for abandoning this excellent governmental unit and replace it with METRO control, particularly when it would permit METRO itself to approve changes in METRO boundaries without the approval of any outside agency. Assimilation of Boundary Commission responsibilities by METRO would undoubtedly prove to not be cost effective in relation to the existent delivery system through the Boundary Commission and would remove an important checks and balances in this critically important area.

2. Although we support the creation of a METRO Policy Advisory Committee, we question the legal ability of such a committee without a vote of the people to expand the regional framework plan or add additional functions to METRO responsibility. The delegation of these important functions to an advisory committee would appear to likely constitute an unlawful delegation of METRO's powers. Instead, it would appear better to give the METRO Policy Advisory Committee the charge to submit recommended changes to the regional framework plan or additional METRO functions to consideration by METRO voters.

3. We also object to the proposed ability of METRO to take over Tri-Met responsibility without mandatory input from the METRO Policy Advisory Committee and submission of the issue to a vote of the people.

4. Although we are supportive of METRO adoption of a regional land use framework plan, we are leery of METRO assuming an adjudicative function in reviewing local comprehensive plans and local land use decisions for consistency with the regional framework plan. We see METRO's adjudicative involvement in the land use process as the addition of another layer of governmental review which makes the governmental land use process even more convoluted and expensive than it already is. Rather than having METRO assume an active adjudicative role in this area, we feel it would be more appropriate for METRO to adopt a regional framework plan which would constitute approval and review standards for local governmental entities to review and comply with during their local land use adjudicative processes. LCDC and LUBA would

The Metro Charter Committee
June 30, 1992
Page 3.

retain existent review authorities in regard to the adoption of comprehensive plans and the review of local land use actions.

We certainly appreciate the opportunity to comment upon the Committee's Draft METRO CHARTER. We feel the Committee has come up with many useful ideas and concepts which should be re-reviewed by the Committee in light of the public comment which you are now soliciting.

Sincerely,


Wade H. Byers, Jr.
Mayor

To the Metro Charter Committee
June 30, 1992

I am testifying as an Audubon member and a resident of southeast Portland. I would like to see a strong regional parks system in the Portland area.

I have read the "draft Greenspaces Master Plan" developed by Metro and I am impressed with Metro's forward thinking. With so many people expected to move into the metro area in the near future, a good system of open "greenspaces" seems very appropriate, especially if it is coordinated with the regions other planning efforts, such as the Urban Growth Boundary and transportation.

With the Greenspaces plan in mind, I have two concerns with the draft Metro Charter:


First, I am concerned that the draft allows Metro to acquire open spaces, but not own and manage them. I suggest you amend Section 6 (4) to read "Acquire, develop, maintain and operate a system of parks, open space and recreational facilities of metropolitan significance."

Second, I am concerned with the priorities outlined in the draft. I would like to see greenspaces become a primary priority of Metro, along with transportation and the urban growth boundary. I am referring to Section 7 of the draft. By treating greenspaces as a secondary priority, the Metro Charter does not recognize that transportation systems and the urban growth boundary should be planned with the natural landscape in mind.

Thank you for the opportunity to present my views.

Sincerely,

Eric Engstrom



1747 SE 47TH
Portland, OR. 97215