

Jim



METRO

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Memorandum

Date: November 25, 1991

To: Metro Council, Executive, Interested Parties

From: Betsy Bergstein *BB*

Regarding: Charter Committee Meetings - November 14, 1991

The November 14, 1991 meeting was held at the Associated General Contractors in Wilsonville and was focused on completing work on the outline of Charter provisions re regional planning powers and responsibilities (attached).

The meeting began with the Chair emphasizing that he was striving for a "starting conception of what the charter would look like." The discussion then went to part IV. which is a procedure by which planning responsibilities not assigned by Charter to the regional plan, but having metropolitan significance, are added. (This procedure is currently not specified in the outline, but generally members felt it was important to have one.)

Wes Myllenbeck proposed to the Chair that maybe a subcommittee could be appointed to lay out the alternatives in this area. Jon Egge suggested asking for proposals. Frank Josselson suggested to ask for public comment and suggestions.

The Chair stated he would appoint a subcommittee to develop principle options. This would include the identification and articulation of major alternative approaches, as many as possible, and then a Committee decision to chose or include all alternative options for public comment.

The Committee then turned to VI, Regional Plan Adoption. The outline currently lists a range of procedures.

Representative Meek made a motion to delete 4,5,6,7 and submit two options; (1) Metro adopts a regional plan with local involvement short of giving them a vote on the plan (combination of #1 and #2) or (2) Metro adopts a regional plan with local governments having some numerical authority in voting on the plan (changed #3).

Senator Shoemaker suggested adding #7, giving an opportunity for referral to the voters through referendum and Charlie Hales suggested adding #6 as a "controlling statement." (Metro adopts a plan subject

to LCDC review taking local comprehensive plans into account.)

Preliminary committee discussion modified this to Metro adopts a regional plan subject to LCDC review or Metro adopts a regional plan not subject to LCDC review.

The Committee continued to discuss who reviews the plans --- Metro or LCDC, striving to avoid unnecessary duplication and a single acknowledgment of one plan rather than 28 plans. One option would be that the regional plan needs to comply with LCDC goals and the local plans must comply with the regional plan.

The Committee decided on three options which will be sent out for public comment when the rest of the document is reviewed by the public:

1. LCDC reviews local plans for compliance with statewide goals;
2. Metro reviews local plans for compliance with statewide goals;
3. Metro reviews local plans for compliance with regional plan.

The regional plan must comply with statewide goals in all three options.

Discussion continued with Senator Shoemaker stating that Metro could allow a departure by a local government from a statewide goal, under this scenario and Frank Josselson stating that the charter should include a "local government bill of rights."

Josselson offered an amendment on periodic review, page 6, to be amended on a schedule established by Metro. Page 6, section B., local plans, the committee changed #1 to read must be consistent with regional plan. And added that amendments could be made to local plans 1) as determined by local governments; 2) reviewed for consistency by Metro (based on 3 previous options stated above).

There was a vote on section VII. model standards, (too much "big brother" said Shoemaker and Meek) to delete, failing nine to five (no votes: Hales, Josselson, Egge, Derr, Myllenbeck, Phelps, Carnahan, Urbigkeit, Myers; yes votes: Look, Meek, Regenstreif, Cease, Shoemaker)

Frank Josselson handed out a prepared memorandum (attached) offering an amendment to amend section VII and a definition of a regional framework plan that includes a) Metro goals and objectives, b) functional plans, c) benchmarks and d) urban growth boundary and urban reserves. Committee began debate on inserting word "comprehensive." Representative Meek strongly opposed.

Larry Derr stated his belief that regional plan needs to be a regional comprehensive plan but does not want to predetermine the three options which will be set out. Probably premature to put in at this point.

Regional plans will not fit in present definition of "comprehensive plan." (Shoemaker)

Not an issue we need to force at this time (Myers).

There was a vote on three points raised by Josselson: (1) inserting the word "framework" before regional plan which passed when Look and Meek changed their vote to "yes" (yes votes: Egge, Derr, Josselson, Carnahan, Urbigkeit, Myers, Hales, Shoemaker, Look, Meek; no votes; Myllenbeck, Phelps, Cease, Regenstreif) (2) Regional plan must conform to statewide goals, passed on a voice vote, with Ray Phelps voting no; (3) add point #6 to IIA. "city and county local plans", changed from "27 local plans" to allow more flexibility in the future when there might be more cities in the region.

Isaac Regenstreif asked to explain his vote before the break. He relayed his experience with the Governor's Conversation that certain clear themes are coming through:

1. People are not clear on how government works.
2. There is a incredible lack of trust and lack of confidence in government.
3. There is perceive inefficiency and a great desire for more efficiency.
4. There is a real call to reduce duplication, fewer layers, consolidation.

A regional plan, in his view, adds an expensive additional layer of government planning. Need to rebuild confidence in government, make it more clear. Committee is "missing the point about what voters are trying to tell us."

Cease agreed in part, felt Committee wanted to move further than the locals would allow; need to be pragmatic, if not pragmatic won't get any support.

Josselson responded, "no one more opposed to duplication than me." Must ask "compared to what?" Whole purpose was to standardize, make process more certain; there is a lack of understanding of the current process.

Chair stated that this is the first cut at the framework; go into public reaction process with an open mind.

Discussion on how draft will be circulated; Cease thought Committee would get a very substantial response; should try to get as broad response as possible.

Ray Phelps agreed with Isaac. Not involved with Governor's Conversation but has done polling with similar results. Disappointed, don't support (regional plan concept); "clear there is an agenda."

Myers refuted that there is an agenda.

Charlie Hales stated this was a legitimate political point --- is this concept saleable? Suggested a poll question.

After the break, Regenstreif suggested that the future discussions on functions start with a mission statement or Metro's policy statement. Suggested deleting the word "regional" before government in Metro's current policy, ("...the purpose of the legislation is to 1) provide for consolidation regional governments,....") Suggested that be the overriding principle re Charter. Second part of current policy statement may go to far, may set up a process, but requested beginning with a mission/policy statement.

Current policy statement is not a mission for me (Egge). Only additional costs out of consolidation and more cumbersome system.

National trend is a increase in local government expenditures; 15 people in public affairs at Metro; high carry over from previous fiscal year... (Josselson)

People more willing to vote for specific functions, (eg. the Zoo) than general government (Egge).

There should be a mission statement but we are not at a stage where we can agree; some like commissions, some are looking for more accountability and less cost. We have to look at the specifics at this point (Cease).

Mission statement is a realistic portrayal of the charter as a political document (Myers). Suggested a procedure where a subgroup drafts a mission statement that leads back to the discussion on specific concepts. Appropriate piece; need to have; good time now before additional decisions. Either general sentences or crafted statement (Myers).

Would not move away from services for Metro (Regenstreif).

That debate is an important threshold issue. Service delivery: yes or no. Mission doesn't need to resolve those types of structural questions (Myers).

Don't think we'll get to mission statement now (Egge).

When do we integrate work we did at retreat? (Hales) Organizing principle, criteria; where do we merge?

We got close but didn't finish job. (Egge)

We don't know what this government is suppose to look like. Agrees with Regenstreif. Something that stakes out what we are trying to get into. How many humps does the camel have? Believes in a mega service district concept (Phelps).

Structure follows function (Josselson).

Need to go through functions and structure before mission. Fingers and toes and then decide what it looks like (Cease).

Shoemaker read Committee's charge from Ballot Measure #1. Closer to Ron than to Isaac and Ray. Our job is to decide what those matters of "metropolitan concern" are. Implies to him to get down in to the details of functions.

A questions is whether Metro will be precluded from service delivery. To the extent that they have services now, how will those be structured? These are larger issues we will have to grapple with. (Myers)

Larger questions eventually will have to be answered. Should Metro have the function at all? Mission statement is one approach, not clear if it will be helpful now.

We can't get there yet. Everyone would say it should be accountable but that means different things to different people. (Cease)

Should say what we think this organization is, major changes to it and then functions will flow... but will be a gracious loser. (Regenstreif)

Way for Committee to proceed will be to 1)dig into specifics and 2)offer individual felt sense of mission. Purpose not to resolve how a function should be organized or delivered. Question of "should this authority be in the regional government." (Myers)

Share concern that it will be hard to get agreement (Myers, Egge).

Adjourn

**METRO
CHARTER
COMMITTEE**

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AGENDA

DATE: November 14, 1991
MEETING: Full Committee
DAY: Thursday
TIME: 6:00 p.m.
PLACE: Associated General Contractors, 9450 SW Commerce
Circle, Suite 200, Wilsonville *

- 6:00** Call meeting to order.
- Correct and adopt minutes from October 31 meeting
(previously distributed).
- 6:10** Continue consideration and development of proposed
Charter provisions relating to urban growth.
- 7:30** Consideration of potential Charter provisions relating
to other powers/functions of Metro.
- 9:00** Adjourn meeting.

* See map on back.

DISCUSSION DRAFT
OUTLINE OF CHARTER PROVISIONS RE
REGIONAL PLANNING POWERS AND RESPONSIBILITIES
11/14/91 meeting

I. Provision for adoption of Future Vision

A. Definition

1. Conceptual statement that establishes population levels and settlement patterns that the region and adjoining areas can accommodate within the carrying capacity of the land, water and air resources, and that achieves a desired quality of life
2. Planning tool only
3. Long-term, at least 50-year, visionary outlook

B. Matters addressed but not limited to:

1. Use and preservation of regional land and natural resources and for what uses, for future generations
2. Areas best suited to accommodate future urban growth
3. Development of new communities and additions in a well-planned way
4. Economic growth and educational opportunity
5. Appropriate regional and local government structures and financing to provide public services in an efficient, effective, and accountable manner

- C. Development and adoption
 - 1. Developed by a broad-gauged commission appointed by July 1, 1993, after charter adoption
 - 2. Members selected in a procedure determined by the regional governing body
 - 3. Members represent private, public and academic sectors
 - 4. One or more shall reside outside region
 - 5. Members serve without compensation
 - 6. Adopted by the regional body within 18 months of commission appointment
 - 7. Commission has independent staff
- D. Reviewed and amended at least once every 10 years, in the manner of original adoption
- E. Legal effect; reviewability
 - 1. Not a regulatory document
 - 2. Not reviewable by LUBA or judicially, and not subject to LCDC acknowledgement or review

II. Provision for adoption of a ^{comprehensive} regional plan

- A. Contents Regional Plan County of
 - 1. Regional goals and objectives
 - 2. Functional plans
 - 3. Benchmarks for performance
 - 4. Urban growth boundary
 - 5. Urban reserves
- B. Regional plan must describe its relationship to the Future Vision plan

JF
~~2~~ (6) [✓] local plan.
 changed to
city and county
plan

III. Regional planning responsibilities

- A. Regional transportation and mass transit systems
- B. Urban growth boundary
 - 1. Management
 - 2. Amendment
- C. Urban reserves
 - 1. Designation
 - 2. Control of boundaries
 - 3. Control of land use activities in area, including land division, wells and septic tank placement
 - 4. Procedure for determining which local government(s) will assume jurisdiction of territory within urban reserves
- D. Federal and state mandated functions
- E. Aspects of metropolitan significance of certain subject areas
 - 1. Definition of metropolitan significance
 - a. ~~If more than one local jurisdiction is affected; and/or~~
 - a. If a function of one jurisdiction will interfere with another jurisdiction's local plan; and/or
 - b. If a function interferes with a provision of the regional plan
 - 2. Subject areas
 - a. Water sources of supply and storage
 - b. Housing densities
 - c. Greenspaces

- d. Planning and provisions for siting of significant, high density, mixed use urban development
- e. Planning and provisions for siting of commercial/industrial development having metropolitan significance
- f. Solid waste disposal, reuse and recycling
- g. Regional exposition, recreation, cultural, and convention facilities
- h. Regional disasters
- i. Energy

IV. Procedure by which planning responsibility for subject areas not initially assigned by Charter to regional plan and having metropolitan significance may be brought into regional plan.

V. Provision that responsibilities not included in regional plan under III and IV are reserved to local plans

VI. Adoption, review and amendment process

A. Regional plan elements other than local plans

1. Adoption

a. Time period within 30 months after approval of Charter

b. Procedure (options for Charter Committee discussion)

A ~~1~~ Metro adopts a regional plan without local involvement

~~2~~ [Charter mandates local government involvement, short of giving them a vote on the plan]

B ~~3~~ *Metro adopts a reg plan w/* Local government units have some numerical authority in voting on the plan.

(a) A majority of the counties with lands in the region

(b) A double majority of the region's cities in each county

(c) A majority of the counties with lands in the region plus a double majority of the region's cities in each county

(4) Plan is taken directly to the voters for acceptance or rejection

(5) Metro ratifies a plan put together by local governments

C
Continually statement: ~~6~~

Metro adopts a plan subject to LCDC review with ~~standards~~ taking local

*LCDC review on
No " " of ~~reg~~ plan
Regional*

comprehensive plans into account

(7) Metro adopts a plan with the option of referral to the voters or referendum by petition from the voters

*Review of local plan
LCDC review on
Reg. govt review*

2. Periodic review: *per LCDC requirements*
~~every 2 years~~

B. Local plans

*Delete
start*

1. Must be consistent with ~~Future vision~~ and regional plan

2. Must be brought into compliance with regional plan ~~and Future vision~~ at time *they would become* for periodic review, (i.e., on a regular basis and every 10 years maximum)

subject to LCDC

3. ~~Review and acknowledgement by Metro; LCDC out of acknowledgement process~~

4. Issue of ~~compliance with statewide goals and guidelines appealable to Court of Appeals~~

as provided by law (met)

*under
Digg section*

VII. Mandate Metro development of recommended model standards and procedures for local land use decision making.