

METRO
CHARTER
COMMITTEE

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

DATE: April 2, 1992

MEMO TO: Charter Committee members

FROM: Janet Whitfield

At a previous meeting, in a discussion on Metro's structure, Ron Cease suggested the idea of an elected executive officer backed by a chief administrative officer, whose duties could be described in the charter. Wes Myllenbeck recommended I contact some Washington State counties--King, Snohomish, and Pierce--which had arrangements similar to that.

All three counties have an executive officer who is responsible for the operation of the county government. Each is elected at large by the people.

The Pierce County (around Tacoma) charter does not mention a chief administrative officer position, however, it allows the executive to appoint an administrative assistant in addition to a confidential secretary and executive department chiefs.

The charter for Snohomish County (around Everett) allows for the executive to appoint a deputy county executive--not subject to council confirmation--but it does not describe the duties of the deputy.

The King County (Seattle) charter offers a short description of the duties of an administrative officer, who is appointed by the chief executive officer. The administrative officer is under the supervision of the executive and perform duties as delegated. Although the executive officer appoints all department heads, the administrative officer is given authority, by the charter, to appoint chiefs of each administrative office.

Excerpts from each charter are attached.

- (2) The specific statement of particular executive powers shall not be construed as limiting the executive powers of the Executive.

Section 3.30 -- Appointments by Executive and Confirmation

Except for those positions filled by election, the Executive shall appoint the chief officer of each executive department; and shall appoint the members of all boards and commissions except as otherwise provided in this Charter. The appointments by the Executive shall be subject to confirmation by a majority of the Council. The Executive may appoint a confidential secretary and administrative assistant without Council confirmation. A term of office for any board or commission shall not be longer than four (4) years. Members of boards and commissions shall be limited to two (2) consecutive full terms.

Section 3.35 -- Appointments by the Chief Officers

The chief officer of each executive department shall comply with the rules of the personnel system when appointing officers and employees to positions covered by the personnel system.

Section 3.40 -- Executive Pro Tempore

(1) The Council, at its annual election, by majority vote, may designate one of its members as Executive pro tempore.

(2) The Executive pro tempore shall hold office at the pleasure of the council, and in case of the absence or temporary disability of the Executive, perform the duties of Executive except for the power to appoint or remove any officer, or to veto any acts of the Council.

Section 3.45 -- Executive Departments

(1) All elected executive department heads shall receive compensation determined by ordinance; provided such compensation shall be no less than the compensation received for the equivalent office at the time of the adoption of the Charter.

(2) All departments shall have the powers and duties provided by ordinance.

(3) All executive departments shall be subject to the personnel, budgeting, expenditure and any other policies of general application established by the Executive.

Section 3.50 -- Assessor-Treasurer

There is hereby created the executive department of Assessor-Treasurer. The Assessor-Treasurer shall be nominated and elected by the voters of the County.

Section 3.55 -- Auditor

There is hereby created the executive department of Auditor. The Auditor shall be nominated and elected by the voters of the County.

Section 3.60 -- Clerk of the Superior Court

There is hereby created the executive department of Clerk of the Superior Court. The Clerk shall be appointed by the Executive and confirmed by a majority of the Council.

Section 3.40

Section 3.40 Appointments by County Executive and Confirmation

The county executive shall nominate, and by and with the advice and consent of a majority of the county council, shall appoint the chief officer of each executive department and office, except the separately elected offices. The county executive may appoint a confidential secretary and a deputy county executive without council confirmation.

Section 3.50 Acting County Executive

The deputy county executive shall be the acting county executive and shall perform the duties of the county executive during the latter's temporary inability to perform by reason of absence from the county or disability. If a vacancy occurs in the office of the county executive, the acting county executive shall serve until the vacancy is filled pursuant to this charter.

Section 3.60 Appointments by the Chief Officers

The chief officer of each executive department shall appoint all officers and employees of the office or department and shall comply with the rules of the personnel system when appointing officers and employees to positions covered by the personnel system.

Section 3.70 Qualifications

The chief officers of appointed executive departments shall be selected on the basis of their abilities, qualifications, integrity and prior experience concerning the duties of the office to which they shall be appointed.

Section 3.90 The Executive Departments

The executive departments shall consist of the departments of the county assessor, the county auditor, the county clerk, the county sheriff, the county treasurer and those agencies of the executive branch which are primarily engaged in the execution and enforcement of ordinances and statutes concerning the public peace, health and safety and which furnish or provide governmental services directly to or for the residents of Snohomish county.

Section 320. County Executive.

320.10. Election, Term of Office and Compensation.

The county executive shall be nominated and elected by the voters of the county, and his term of office shall be four years and until his successor is elected and qualified. The county executive shall receive compensation at least one and one-half times the compensation paid to a councilman.

320.20. Powers and Duties.

The county executive shall be the chief executive officer of the county and shall have all the executive powers of the county which are not expressly vested in other specific elective officers by this charter; shall supervise all administrative offices and executive departments established by this charter or created by the county council; shall be the chief peace officer of the county and shall execute and enforce all ordinances and state statutes within the county; shall serve on all boards and commissions on which a county commissioner was required to serve prior to the adoption of this charter, but if more than one county commissioner was required to serve, the county council shall appoint a councilman or councilmen to serve on the board or commission with him; shall present to the county council an annual statement of the financial and governmental affairs of the county and any other report which he may deem necessary; shall prepare and present to the county council budgets and a budget message setting forth the programs which he proposes for the county during the next fiscal year; shall prepare and present to the county council comprehensive plans including capital improvement plans for the present and future development of the county; shall have the power to veto any ordinance adopted by the county council except as otherwise provided in this charter; shall have the power to assign duties to administrative offices and executive departments which are not specifically assigned by this charter or by ordinance; and shall sign, or cause to be signed, on behalf of the county all deeds, contracts and other instruments. The specific statement of particular executive powers shall not be construed as limiting the executive powers of the county executive.

Section 330. County Administrative Officer.

The county executive shall appoint the county administrative officer who, under the general supervision of the county executive, shall assist him, shall supervise the administrative offices and shall perform such other duties as are delegated to him by the county executive.

Section 340. Appointments, Confirmation and Removal.

340.10. Appointments by the County Executive.

The county executive shall appoint the county administrative officer and the chief officer of each executive department except the county assessor and shall appoint the members of all boards and commissions except as otherwise provided in this charter.

340.20. Appointments by the County Administrative Officer.

The county administrative officer shall appoint the chief officer of each administrative office.

April 16, 1992

The Honorable Rena Cusma
Executive Officer
Metropolitan Service District
2000 S.W. First Avenue
Portland, Oregon 97201

Dear Rena:

I will be unable to attend this evening the meeting of the Metro Charter Committee. The timing of the committee's meeting is in conflict with my ability to properly participate in the observance of the most significant holy days of my christian commitment. I did inform the committee chair of this situation at the committee's meeting last week.

Since I am one of two persons you appointed to the Charter Committee, I wanted you to know that I am not voluntarily missing today's meeting. The discussion this evening of Metro's governmental structure and your commentary pertaining to it are very important to me. This situation is frustrating to me, but I will not compromise my commitment for a meeting that could have been scheduled for another time.

Sincerely,

Ray
Raymond A. Phelps
Member, Metro Charter Committee

cc: Hardy Myers, Chair
Metro Charter Committee