



Vol 74. No. 21

Coming Events

Thursday, October 22

Open Forum

**Salmon and Politics:
Different Perspectives
on Ballot Measure 8**

Panel Discussion

Tuesday, October 27

Open Forum

**How We Did It:
Three Success Stories
in Arts Marketing**

Panel Discussion

To inform its members and the community in public matters and to arouse in them a realization of the obligation of citizenship.

Friday, October 23, 1992

City Council Debate

Chuck Dimond
Candidate

Charlie Hales
Candidate

Critical decisions confront our city and region in the decade ahead. In the November election voters will choose between two candidates for the Portland City Council seat now held by *Dick Bogle*. The winner of that race will help make decisions on how to best manage growth, improve public safety, enhance neighborhood livability, build a strong economy, and meet housing, air and water quality needs.

Campaigning for the council seat are candidates *Chuck Dimond*, a former television news reporter and assistant director of the State Department of Human Resources, and *Charlie Hales*, former staff vice president of the Home Builders Association of Metropolitan Portland. *Dimond* and *Hales* appeared before the Club last spring in a debate with *Bogle* who then held a 2-1 lead over his nearest challenger, *Dimond*. The debate was regarded as a turning point for *Hales'* campaign. *Bogle* failed to earn enough votes to stay in the race.

Now *Dimond* and *Hales* will meet in a two-way debate that will help illuminate their differences. The debate will begin with individual opening statements followed by questions from a City Club panel. Each candidate will then ask three questions of the other. Following the cross questions, they will again answer questions from the panel and then deliver their closing statements. (All panel questions were prepared in advance by a Program Subcommittee).

Live radio coverage will be broadcast by KOPB FM (91.5 FM). TCI Cable and KBPS radio will tape and rebroadcast the program later in the week. Broadcast schedules are available from the Club office.

RESERVE EARLY! COME EARLY! Portland Hilton, State Ballroom. Program 12:00 - 1:30 pm. Reservations & Cancellations: Call 222-2582 by 2:00 pm Thursday, October 22. \$11.00 members; \$15.00 guests. Coffee tickets at the door. Open seating in back. Doors open 11:15 am.

NOTE: The program will begin at 12 Noon with a debate and vote on the Metro Charter Adoption, and the Metro Greenspaces Bond Measure reports. The program will run until 1:30 pm.

**Ballot Measure Reports
on Metro Charter and Metro Greenspaces
Bond Measure Printed Inside**

Coming Events

Thursday, October 22: Open Forum entitled "Salmon and Politics: Different Perspectives on Ballot Measure 8," sponsored by the Business & Labor Standing Committee. *Louise Bilheimer*, Oregon River Council; *Donald McIsaac*, Ph.D., salmon fishery manager, Oregon Department of Fish & Wildlife; *Larry Sowa*, state representative; and *Thane Tienson*, representative, Salmon For All, will take a holistic look at ballot measure 8 and its potential impact on the future of salmon in the Northwest. *Sharon Sawdey*, operations manager, Fish Pro Inc. will moderate the program. Noon - 1:30, Two World Trade Center, 25 SW Salmon, Auditorium, free and open to the public.

Tuesday, October 27: Open Forum entitled "How We Did It: Three Success Stories in Arts Marketing," sponsored by the Arts & Culture Standing Committee. *William Jamison*, owner, Jamison/Thomas Gallery; *Julie Mancini*, executive director, Portland Arts & Lectures; and *Barbara Slaughter*, board president, Portland Baroque Orchestra, will discuss how they built audiences for their organizations. Their presentations will address the marketing problems they faced, how they arrived at solutions, and how the lessons they learned could be applied by other arts organizations. *Sara Perry*, marketing director, Portland Art Museum, will moderate the program. Noon-1:30, Winningstad Theatre, Portland Center for Performing Arts, free and open to the public.

Friday, October 30: *Asa G. Hilliard, III*, Ed.D., nationally known teacher, psychologist and historian, speaking at a luncheon co-sponsored by the Black United Fund on "Demystifying the Path to Academic Excellence for African American Students." *Dr. Hilliard*, who is in Portland to address the Black United Fund's annual education conference, is the Fuller E. Callaway Profes-

sor of Urban Education at Georgia State University with joint appointments in the departments of Educational Foundations, Early Childhood Education, and Counseling and Psychological Services. Oregon Convention Center.

Packwood-AuCoin Debate Shows Club's Ability to "Flex"

Earlier this fall, the Club worked hard to schedule a date for a U.S. Senate debate with *Sen. Bob Packwood* and *Rep. Les AuCoin*. The Club extended an invitation to both candidates to debate, but eventually only *Rep. AuCoin* accepted. When City Club learned that *Sen. Bob Packwood* would debate his opponent possibly before the Portland Chamber of Commerce, the Club negotiated with the Chamber to co-sponsor the event.

The debate took place on October 15 at the Portland Hilton, with hundreds of City Club and Portland Chamber members in attendance.

The debate was broadcast live on Portland's major television stations, and received nationwide attention.

City Club appreciates the cooperation of *Chuck Dimond* and *Charlie Hales* who agreed on short notice to their October 23 debate before the Club. The Club also appreciates the opportunity to work with the Portland Chamber in making the *Packwood-AuCoin* debate possible. Club Executive Director *Nancy Hedin* represented the Club in the debate negotiations.

Diversity Workshop Recognized as Worthwhile and Informative

More than 35 people attended a *City Club*-sponsored workshop on understanding cultural and ethnic diversity last month. The workshop was held to help participants explore cultural differences, and become more effective in communicating with people of different ethnic and cultural backgrounds. The workshop was conducted by *McKinley Williams*, an African American and a member of City Club, who has led numerous trainings for businesses and public organizations. The Club would like to acknowledge *Fred Meyer* for generously underwriting the workshop.

New corporate funding is being sought for another workshop in January. The work-

The City Club of Portland Bulletin (USPS 439-180) is published every week for \$25.00 per year (subscription rate included in annual dues) by the City Club of Portland, 317 SW Alder St. #1050, Portland, OR 97204. Second-class postage paid at Portland, OR POSTMASTER: Send address changes to CITY CLUB OF PORTLAND, 317 SW Alder St. #1050, Portland, OR 97204. Phone 228-7231

NANCY K. HEDIN DONNA SCHAEFFER
Executive Director Communications Director & Editor

shop will feature trainer *Tom Nesby*, a Seattle-based consultant who spoke to the Club earlier this year on "Managing Cultural Diversity: New Times, New Questions." City Club has made a commitment to increasing its membership diversity and providing training opportunities to enhance diversity awareness and appreciation. This effort is based on the Club's Cultural Diversity Task Force recommendations adopted by the Board of Governors last year.

Members Vote on Ballot Measure Studies

Lively debate and a very close membership vote at the Friday, October 9 meeting preceded the adoption of the City Club study committee recommendation to vote "YES" on Measure 7, the split roll tax initiative. The vote was 73/63 in favor of the majority report.

Recognizing that Measure 7 is not "the" answer to Oregon's tax problems, the study committee concluded, "some revenue was better than no revenue." *John Stride*, committee member and spokesperson for the majority, told the City Club audience that the committee doubted the Legislature's ability to enact or recommend to the voters comprehensive tax reform.

Alan Brickley, committee chair, reported that the entire committee agreed that the effects of property tax limitations under Measure 5 must be remedied before irreparable damage is done. However, the minority of the committee called Measure 7 a "Band Aid" approach which is not fair or balanced and which, if enacted, will take the pressure off lawmakers to craft comprehensive tax reform for Oregon.

City Club members speaking out on the issue included *Eloise Carson*, *Gus Mattersdorff*, and *Tim Nesbitt*.

Members easily approved the majority recommendation to vote "YES" on Measure 3, despite an effective argument by *Renee Rothauge*, spokesperson for the minority. She described term limits as "badly needed medicine for careerism in politics." Committee chair, *Greg Macpherson*, said that although the entire committee recognized the need for nationwide reform in the way congressional delegates are elected, Ballot Measure 3 would have its strongest impact at the state level where entrenched incum-

bents are not a major problem. *B.J. Seymour* spoke about the benefit of experienced legislators and said that voters should remove ineffective legislators at the ballot box.

Club members unanimously endorsed a committee recommendation to vote "NO" on Measure 9, the constitutional amendment which would define homosexuality as "abnormal, wrong, unnatural and perverse." Committee chair *Allan Oliver* said his committee concluded that Measure 9 would promote official and unofficial discrimination against a classification of Oregon's citizens.

Leadership Course Still Has Openings

The City Club "Pathway to Leadership" seminar that begins Thursday, November 12 still has openings. The course will provide participants with the opportunity to explore leadership theory and styles, group development, healthy conflict, and time management principles. Participants can gain an increased understanding of the nature of leadership, an awareness of their own leadership style, and an increased capacity to influence and motivate others. Course facilitator *Linda Langley* heads her own management training and consulting firm. Seminar enrollment is limited to 21. To enroll, contact Club executive director *Nancy Hedin*, 228-7231.

Willamette Week Series Continues

Descriptions of City Club ballot measure studies continue to appear in Willamette Week. The October 28 issue will feature a wrap up of Club studies and how members cast their votes. The vote establishes the Club's official position on the measures. The newspaper donated ad space for the ballot measure coverage. The special series has stimulated community interest in the Club's ballot measure studies, and the Club's overall research mission.

Corrections Noted

Some errors appeared in the Ballot Measure 9 report for which corrections follow.

page 141 - Under AN ACT, paragraph one should read: "The Constitution of the State of Oregon is amended by creating a new section to be added to and made a part of Article I and to read:"

page 143 - The last sentence of item 1 should read: "There are no "special rights" pro-

grams or affirmative action policies for homosexuals and there are *no* plans or intentions to implement such policies."

The last sentence of item 8 should read: "This perception may result in lowered self esteem and an even higher suicide rate among gay and lesbian youth."

page 145 - Under Section 41(2) the first paragraph, second sentence should read: "...the measure would establish the right of citizens to challenge the free use of public streets, parks or meeting rooms for: celebrations, rallies or parades by gays or their supporters; or for sensitivity training."

page 148

The first sentence in the fourth paragraph should read: "Gov. Barbara Roberts has received warnings of a hostile reaction outside of Oregon to passage of Measure 9, and she *takes* them seriously."

The second sentence of the Conclusion should read: "The predictable costs of litigation, boycott and compliance are economic arguments against the measure, but an even more powerful argument is the moral one."

New Member Welcome!

Faye M. Burch, senior policy advisor, Office of Governor Barbara Roberts.

Jeffrey S. Cameron, art director, 53rd Street Advertising.

Susan Cameron, art director, 53rd Street Advertising.

Robert A. Chumbrook, assistant headmaster for development, Oregon Episcopal School.

Clint Currin, sales associate, Metro Properties.

Lester L. Fordham, Jr., certified public accountant, Fordham & Fordham, P.C.

Paul D. "Tex" Gilchrist, attorney, Randall Vogt & Associates.

Tony Kreitzberg, lease portfolio manager, PacifiCorp Financial Services.

Rick Landes, administrator, Oregon Health Sciences University.

Ellen E. McMillan, certified public accountant, Arthur Anderson & Company.

William C. Meysing, president, Corporate Builders, Inc.

Tim Nesbitt, assistant executive director, Oregon Public Employees Union.

Norma Oleson, secretary, Soloflex, Inc.

Shirley Perry, personnel division manager, Nationwide Insurance.

Deborah Rankin, freelance journalist.

Harry Roberts, president/ceo, Evans Group.

Jon R. Schneider, purchasing manager, Soloflex, Inc.

Kathy Schneider, consultant, Soloflex, Inc.

Barry R. Smith, associate, Selig/Lee/Rueda Architects.

M. Faye Taylor, licensing and examination coordinator, Oregon Board of Barbers & Hairdressers.

Thank You Recruiters!

Stuart Gates

Karen Johnson

Allan Oliver

Marilyn Wilson

Report on:
Ballot Measure 26-1
Bonds to Buy Natural Areas and Fund Local Parks

Table of Contents

	Page
I. Measure 26-1	190
II. Introduction	190
III. Background and History	191
A. Historical Efforts for Preservation of Parks and Natural Spaces	
B. Measure 26-1 (based on the Master Plan)	
C. Proposed Financing	
D. Other Ballot Measures	
IV. Arguments Advanced in Favor of the Measure	193
A. Principal Benefits to the Region	
B. Acting Now Reduces Opportunity Costs	
C. Metro as Appropriate Operations and Management Agency	
V. Arguments Advance Against the Measure	195
A. Current Park and Open Spaces System Adequate	
B. Maintenance, Operations, and Other Costs	
C. Metro Inappropriate Agency to Operate Greenspaces Program	
D. Other Needs Have Higher Priority	
E. Other Potential Problems with the Measure	
VI. Discussion	196
A. Principle Benefits to the Region	
B. Actual and Potential Costs	
C. Metro as the Operating Agency	
D. Other Priorities	
VII. Conclusions	200
VIII. Recommendation	201
IX. Minority Conclusions	201
X. Minority Recommendation	201
XI. Appendices	202
A. Persons Interviewed	
B. Bibliography	

Published in
City Club of Portland BULLETIN
Vol. 74, No. 21
October 23, 1992

The City Club membership will vote on this report on October 23, 1992. Until the membership vote, the City Club does not have an official position on this report. The outcome of the membership vote will be reported in the City Club BULLETIN (Vol. 74, No. 23), dated November 6, 1992.

I. MEASURE 26-1

Question: Shall Metro buy lands for parks, open space, and wildlife habitat by issuing 200 million dollars of general obligation bonds? If the bonds are approved, they will be payable from taxes on property or property ownership that are not subject to the limits of section 11b, Article XI of the Oregon Constitution.

Explanation: Permits Metro to buy, develop, maintain and operate a park, open space and recreation system. Bonds will mature in 30 years. At least 75 percent of bond funds will be for Metro parks, trails and open spaces. Balance of funds will help buy and improve local parks. Bond funds can not pay for operation and maintenance. Current Metro funds will pay to hold lands until maintenance funds are available. First year bond cost will be about 32.5 cents per one thousand dollars assessed value.

II. INTRODUCTION

The Council of the Metropolitan Service District (Metro) approved Resolution No. 92-1639A on July 23, 1992, placing Measure 26-1 on the November, 1992 Ballot. This measure, if approved by the voters, would have two effects: first, it would authorize Metro to buy, develop, maintain and operate a park, open space and recreation system; and second, it would allow Metro to issue general obligation bonds.

The bond measure is the result of an effort begun in 1989 by Metro to inventory the remaining natural areas, open spaces, trails, and wildlife habitat in the metropolitan area and to plan for the future open space requirements of the region. Metro worked cooperatively with four counties (Washington, Clackamas, Multnomah and Clark), 24 cities, numerous government agencies, businesses, neighborhood associations, environmental advocates, and interested citizens to develop the Metropolitan Greenspaces Master Plan (Master Plan). The Master Plan, completed in July 1992, recommends the protection of natural areas, trails and greenways. Complete implementation of the Master Plan would preserve approximately eight percent of the remaining natural land in the region.

If the measure passes, the bond proceeds could purchase approximately 7,000 acres, which represent slightly less than half of the system described in the Master Plan. The total acreage and the precise location of the interconnected parcels would depend upon purchase costs and the addition of land acquired through corporate and private donations or other means. Up to 25 percent of the bond proceeds would be distributed to eligible local governments or park districts. No portion of the bond funds can be used for operations and maintenance of current or future parks or open spaces.

III. BACKGROUND AND HISTORY

A. Historical Efforts for Preservation of Parks and Natural Spaces

The Portland metropolitan region has a long history of planning for parks and natural areas. In 1852, using donated land, Portland created one of the first public park systems in the West, establishing what is known today as the Park Blocks. In 1903 the Portland Park Board retained landscape architects and planners Frederick Law Olmsted, Jr. and John Charles Olmsted who designed an interconnected system of parks and greenways for Portland. This plan, commonly referred to as the "Olmsted Report," outlined a linked system of parkways and trails—rather than a series of isolated parks—and emphasized the importance of balancing urban development with its surrounding areas. Although never fully implemented, the plan served as the basis for the Terwilliger Parkway and the 40 Mile Loop, a pedestrian-oriented trail system connecting parks throughout the urban area.

In 1938 Lewis Mumford, sociologist and urban planner, wrote a report for the City Club stressing the benefits of greenspaces and natural areas. As with the current Greenspaces proposal, Mumford included the Vancouver region, recognizing the importance of planning based on ecological rather than civic boundaries. He emphasized that the preservation of green and open spaces had an economic as well as aesthetic benefit.

After World War II, widespread automobile use spurred suburban growth. Planning for open spaces or parks shifted to large scale parks within reasonable driving distances of urbanized areas and to local, isolated parks serving the active recreational needs of housing developments. By the mid 1970s urban sprawl and reduced water and air quality prompted legislation—creating the Willamette River Greenway Plan in 1974 and the Land Conservation and Development Commission (LCDC) in 1970-1980—to restore the Willamette River and to plan development. Of special interest to this measure is LCDC's fifth goal, which requires local jurisdictions to inventory key natural resource areas and to adopt policies ensuring their protection.

In the 1980s and early 1990s, local planning for open spaces and parks continued. Metro conducted two studies of the region's recreational resources, and cities passed measures for purchasing parks and open spaces (Portland, 1989; Tigard, 1989; Tualatin, 1989; Lake Oswego, 1990; Gresham, 1990; and North Clackamas Parks and Recreation District, 1990). In the late 1980s the Audubon Society of Portland proposed an urban wildlife refuge system that would restrict use of sensitive natural areas in the metropolitan area, allowing for expansion and preservation of the areas suitable for wildlife. This plan, the Metropolitan Wildlife Refuge System, focuses on urban wildlife needs and has been incorporated into the Master Plan. In 1991 Congress designated the Metropolitan Greenspaces Program as one of two national demonstration projects for regional natural areas and open spaces planning.

B. Measure 26-1 (based on the Master Plan)

The Master Plan includes an evaluation of the significance of the remaining natural areas in relation to the region's ecological systems. The plan proposes a system of multiple-acre "anchor" spaces and corridors which would connect them,

supporting preservation, conservation, wildlife habitat, and effective land management. The Master Plan is a planning document and does not include regulations or specific sites. Instead, it identifies the general location of 57 natural areas and 34 trail sites and proposes a regional system that would link both. Because of its ecological basis, the Master Plan emphasizes preserving natural habitat and processes rather than developing recreational areas.

The \$200 million bond measure would purchase only a portion of the system described in the Master Plan. Metro estimates that the bond measure is sufficient to allow for the acquisition of 46 percent of the proposed open space and trail system.

The bond measure would also provide funding for local cities and park districts that operated parks as of July 1, 1991 in the tri-county area. Up to twenty five percent of the bond proceeds would go to local parks through intergovernmental agreements with Metro. The three counties would receive funds in proportion to their current assessed valuation within Metro's boundaries. According to the Master Plan, Clackamas would receive about 20 percent of the funds, Multnomah about 50 percent, and Washington about 30 percent. This local share of the bond proceeds could be used to purchase land or capital improvements for parks, but could not be used to support operations or maintenance.

C. Proposed Financing

The capital costs identified in the Master Plan include land acquisition, development, and improvement. Metro proposes to pay for the capital costs by issuing general obligation bonds, payable from property taxes that are not subject to the limits of Ballot Measure 5. Although Measure 5 limits property taxes for the purposes of funding public education and governmental operations, the limits do not apply to general obligation bonds incurred for capital construction or improvements, if approved by the voters.

Passage of Measure 26-1 would allow Metro to issue \$200 million in general obligation bonds. The proposed bonds would have a 30 year life. Assuming that the bonds were issued at 7% interest, Metro estimates that a levy of approximately \$0.325 per \$1,000 of assessed value would be required in order to service the debt during the first year after issuance. For a house assessed at \$100,000, this would result in additional property taxes of approximately \$32.50. Assuming a 4% annual growth in the total assessed value of real property in the Metropolitan Service District, Metro estimates that the average annual levy over the life of the bonds would be approximately \$0.195 per \$1,000.

Neither the Ballot Measure nor the Master Plan identifies a dedicated source of revenue for meeting operational expenses such as maintenance, fire and safety protection, and other costs incurred through passive or active use of the system. Measure 5 does not permit bond proceeds to pay for operations and maintenance, so other sources of revenue would be required. For fiscal year 1993-94, Metro has authorized the expenditure of excise taxes in the amount of approximately \$4,000 to pay for what are expected to be minimal land banking expenses (an approach that would preclude any human access). As more greenspaces are acquired, land banking costs will increase depending upon the number of acres and the level of development. The *Financial Study* of the Metropolitan Greenspaces Program written

by Public Financial Management, Inc., estimates that as Metro land banks the newly acquired open spaces, operating costs will increase to \$282,000 by fiscal year 1999-2000, not including the cost of fire and police protection. If the land is dedicated to passive recreational use (low intensity use, not requiring development), the same study estimates maintenance costs at \$768,000 by fiscal year 1999-2000, again without considering fire and police protection.

Although the *Financial Study* does not identify a long-term funding source for operations, the study does suggest possible revenue sources, including various user fees, real estate taxes and additional excise taxes on vehicle rentals, alcoholic beverages or other activities. Metro could also enter into inter-governmental agreements with other public entities to maintain selected greenspaces and trails, thereby shifting the costs of operations to another body, if that body agreed to assume the costs. Volunteers and other donated or free services could defray or significantly reduce such costs.

D. Other Ballot Measures

Two statewide measures for state parks and recreation facilities will also be voted on at the November election. Ballot Measure 1 would amend the Oregon Constitution by allowing the state to issue up to 250 million dollars in general obligation bonds for a state parks and recreation development fund. If the legislature decides to issue the bonds, repayment would be guaranteed by a statewide property tax; however, the legislature could provide for repayment from other sources, including park user fees.

Ballot Measure 2 would also amend the Oregon Constitution by allowing the legislature to dedicate future increases in motor vehicle fuel taxes for the purchase, development, and care of state parks and recreation sites. The Constitution now limits use of fuel taxes to construction and maintenance of public roads and roadside rest areas. If passed, Ballot Measure 2 would enable the legislature to increase fuel taxes for parks purposes. The measure would not affect how existing fuel tax revenues are spent or the legislature's ability to increase fuel taxes for purposes of highway construction, maintenance and the like.

Metro currently operates under state statutes. A separate ballot measure, Measure 26-3, also under consideration this November, would provide Metro with a new charter. The passage or defeat of Measure 26-3 (the new charter for Metro) has no bearing on Ballot Measure 26-1 (the open spaces measure). In addition, the passage or defeat of the Ballot Measure 1 or 2 (state parks measures) would not affect the ballot measure under study.

IV. ARGUMENTS ADVANCED IN FAVOR OF THE MEASURE

A. Principal Benefits to the Region

1. Open spaces, trails, and parks increase the livability of the region and improve air and water quality.
2. Implementation of the Master Plan would substantially increase passive and active recreational opportunities through the trail system and the support of local parks.

3. The Master Plan outlines a coordinated system which links larger park reserves and open spaces with an urban trail system that allows for the safe passage of animals across urban areas. The Master Plan includes connections with state, regional and national trail systems, creating expanded opportunities for hiking to coastal parks and national trails. This unique approach to a greenspace system in an urban setting would be a highly visible and attractive feature of the metropolitan region.
4. Up to twenty five percent of the bond proceeds are dedicated to land purchases and capital improvements for jurisdictions that currently operate parks.
5. Recent studies and national business magazine surveys support the positive economic impact of open spaces. Corporations cite livability and an attractive environment as one of the significant reasons for relocating.
6. Measure 26-1 would foster community support of the greenspaces area, reduce the stress of urban living, strengthen civic pride, and improve stewardship of the land.

B. Acting Now Reduces Opportunity Costs

7. Delaying land acquisition reduces the availability of open spaces, and in many cases, eliminates the opportunity to preserve land in a natural state.
8. Demographic pressures are projected to intensify over the next twenty years, potentially driving land acquisition costs beyond the reach of public funding.
9. The community-based momentum of the Master Plan should encourage adopt-a-trail and other symbolic ownership of local open spaces and stimulate private and other corporate land contributions. Any delay in implementing the Master Plan risks losing that momentum. In other urban open space systems—Seattle and Oakland, for example—local trails and parks have inspired considerable community support.

C. Metro as Appropriate Operations and Management Agency

10. Metro is the only existing public agency in the tri-county metropolitan area with the ability and experience to function regionally. The trail, open space and park system requires an agency with a regional as well as a local perspective.
11. Metro operates the Zoo, the Performing Arts Center, the Convention Center, and coordinates land use planning for the metropolitan region. A regional park and open space system linked with the state and national park systems would fit naturally within Metro's emphasis on regional activities.
12. The Master Plan represents the coordinated efforts of twenty four cities, three counties and two park agencies. Metro solicited public testimony in dozens of open meetings, and local cities throughout the metropolitan area have passed resolutions supporting the measure.

V. ARGUMENTS ADVANCED AGAINST THE MEASURE

A. Current Park and Open Spaces System Adequate

1. The tri-county area enjoys one of the highest per capita parks acreage in the country. The adjacent counties, cities and state maintain an impressive parks and recreation system as well. Private groups—the Nature Conservancy and Conservation Fund, for example—also purchase and preserve open spaces.
2. State and federal land use laws and regulations, which include set-asides for parks, protection for wetlands, and other provisions for land preservation, are sufficient to ensure that adequate parks and open spaces would remain.

B. Maintenance, Operations, and Other Costs

3. Passage of Measure 26-1 would increase the tax burden on property owners in the Metropolitan Service District.
4. Metro has not adequately identified the amount, revenue source or potential cost to the taxpayer of the Master Plan for operating and maintaining the proposed system.
5. The measure would generate only enough revenue to purchase less than half of the 57 large sites and 34 trails listed in the Master Plan.

C. Metro Inappropriate Agency to Operate Greenspaces Program

7. Metro has generated some voter resentment and distrust from other jurisdictions which view it as self-serving and interested in expanding its power in the region.
8. Metro has limited experience in maintaining a natural area or park system.
9. Metro operates the Performing Arts Center and the Convention Center but neither center generates sufficient revenues to meet costs. Given these and other funding challenges, Metro's ability to take on another program without a sufficient revenue source for operations and maintenance is questionable.
10. Metro has condemnation power by statute and can acquire property through eminent domain. Although the Master Plan states that Metro intends to acquire land from willing sellers, the Master Plan does not limit Metro's condemnation power.

D. Other Needs Have Higher Priority

11. Because of current economic conditions, and the expected reduction in state and local services due to Ballot Measure 5, other needs have higher priority than open spaces or recreation areas. Public education, fire and police protection, health and social services, etc., all compete for limited and declining tax revenues. This measure, if passed, may further reduce the inclination of taxpayers to support other priorities.

E. Other Potential Problems with the Measure

12. Transportation, housing needs, density requirements and other appropriate land uses may conflict with the proposed system.

13. Purchases of open spaces would reduce the inventory of buildable land within the urban growth boundary. The measure contains no provision for substituting land within or outside the urban growth boundary as a replacement.
14. Metro intends to spend the majority of the funds from the bonds on acquiring bare land, which may violate Measure 5.

VI. DISCUSSION

A. Principal Benefits to the Region

Enhanced livability and increased attractiveness of the region were among the most frequently cited reasons for supporting this measure. Park space, recreational opportunities, and similar amenities are hallmarks of the region's status and contribute substantially to its desirability. According to the inventory performed by Metro in 1989, approximately 109,000 acres of the region's land has been identified as existing natural areas (within Oregon, excluding Clark county). Approximately 9,200 acres of that natural acreage is publicly owned. The partial implementation of the Master Plan financed by the bond measure would increase publicly-held open space in the region by 75 percent, nearly doubling the current inventory of publicly-held natural spaces. Wildlife would also benefit from the preservation of natural areas, wetlands, and habitat that would occur through the acquisition of the 7,000 acres envisioned by effective use of the bond proceeds.

The committee received testimony that local cities and park districts would benefit from the passage of the measure. Metro anticipates that the cities and districts eligible for the local-share funds would submit plans and/or intergovernmental agreements with Metro to upgrade parks and to purchase suitable lands for inclusion in the proposed system. Local agencies will determine their own priorities, subject to the requirements of the Master Plan, local parks and cities would benefit from capital improvements of recreational facilities and increased open space.

Metro and advocacy groups for this measure, however, have not presented a strong case of the present need for increasing park and open spaces based on current use or the current population. The metropolitan region's parks and open spaces (37,000 acres when local city parks are included) are substantial. The state has 223 parks and thirteen national forests, and efforts to maintain endangered species habitat may require permanent preservation of additional open spaces. Metro and other witnesses have, however, provided strong arguments supporting the advantages of acting now rather than delaying until the available open space decreases significantly in the metropolitan area.

The strongest argument for placing a high priority on preserving land now is the sense of urgency created by rapid development in the region. Metro's own anecdotal estimates of open spaces inventory documented in 1989 and revisited in 1992 indicates that ten percent of the open space disappeared during that time. The apparent abundance of open space could be illusory, since most of the open space now visible to residents is subject to development. Land use and planning departments in two counties estimated that the urban growth boundary contained about a twenty year supply of buildable land. Given current rates of development, then, over the next two decades much of the open space in the region could vanish. The

second significant reason for acquiring lands now is the legacy the citizens intend to provide for future generations—acquiring open space now would assist with providing a livable and attractive environment in the future.

The committee heard testimony concerning economic benefits that included an attractive environment for businesses considering relocation, increased tourism and recreational sales, and enhanced property values. The committee was impressed that the representatives of developers and written testimony offered by similar groups stressed the value of open and park space as amenities enhancing the purchase price of their land.

The perceived economic benefits posed a dilemma for the committee. Adding open space would reduce buildable land yet at the same time increase the attractiveness of the region. Building a case for increasing the area's attractiveness which would simultaneously propel further population growth and pressure on open space may be illogical.

The committee heard testimony about other intangible benefits that would accrue to the region from passage of the measure. The importance of general stewardship of the land—defined as the duty to responsibly care for the land and preserve it as such for future generations—and an understanding of appropriate land use would increase. The value of open and park space or pristine or restored land may attain the same priority level as transportation, utilities, libraries, and other community needs. Aesthetics, or a sense of the beauty inherent in nature, would receive new emphasis. Community ownership of open spaces could be an intangible benefit of the measure as community groups and local organizations might adopt open spaces and trails in their immediate neighborhoods and assume responsibility for maintenance, clean up, and similar tasks.

The committee had some difficulty assessing the importance of intangible benefits, especially arguments that relied on developing an enhanced understanding of appropriate land usage. The committee perceives Oregonians as proud of their well-deserved reputation for foresight in land usage and questioned whether an even higher level of preserved open space, especially within an urban setting, could increase the level of respect Oregonians have for land.

The trail system with its links to large and small open spaces, to state and regional trails, and to the coast or other park systems, could provide a unique benefit to the region's residents. The urban wildlife trails in the Master Plan, however, may prevent human access to parts of the system. The committee debated the viability and appropriateness of an urban wildlife trail. The belief that an urban area should set aside land—and in this case substantial acreage—and deny or limit human access to allow for safe passage of wildlife or to preserve wildlife habitat may prove infeasible or in opposition to the community's priorities for usage of open or park space. The committee fully supports the need to preserve wildlife habitat, but questions the appropriateness of pristine or restored habitat in an urban setting where human open space requirements, recreational and other needs may be more realistic and pressing.

B. Actual and Potential Costs

The committee heard testimony or discussed actual or potential costs in three areas. First, the committee attempted to determine what the bond proceeds would reasonably purchase; second, the committee reviewed projected maintenance and operations costs; and third, the committee discussed the potential costs of completing the entire system as proposed in the Master Plan.

The committee wrestled with the actual purchasing power of the bond measure and failed to arrive at a completely satisfactory answer. The finance study cited earlier in this report, for example, uses the assessed valuation of properties within the target areas as sufficiently accurate to predict land acquisition costs. Although assessed valuations of properties have rapidly approached market values in the tri-county region, enough variation exists between the two figures that the financial study may have substantially underestimated the actual costs.

The same report asserts that the interest earned on the bond proceeds would keep pace with the rise in land values. Although this may occur during the rest of the decade, it has not been the case for the past ten years when land values in the metropolitan region have far outstripped interest earnings.

Other factors could influence the amount of land that the bond measure would acquire. Metro expects that some land owners would deed properties or easements to realize tax benefits. Metro anticipates that as the program begins, corporate and private sponsors would be motivated to contribute to the completion of the system. Environmental groups may feel inspired by the success of the ballot measure to contribute significantly to the greenspace acquisitions.

The committee believes that plausible arguments could be raised in opposition to each of the scenarios mentioned above. The bond measure may deter corporate or private donations since Metro will have the means to purchase land, and donations would seem less pressing. Environmental groups may decide their support should shift elsewhere since public support in the region would adequately address land preservation needs.

The Committee's second cost concern involved maintenance and operations, costs which cannot be covered by the bond proceeds. The portion of the bond proceeds available to Metro would allow the agency to purchase about forty six percent of the land and the excise tax Metro has recently dedicated to the program will cover land banking costs. Land banking does not include developing access points, trails, restoration of degraded sites, or any other activity that would allow human use of the system. Metro will have to identify a different funding source to maintain or operate the purchased property. The finance study suggests a range of user fees (day use charges, parking permits, etc.) or taxes (primarily real estate and development taxes) which could potentially raise the funds needed by Metro to implement the Master Plan. None of the estimates, however, includes the cost of fire and police protection, a cost which Metro hopes will be assumed by the local jurisdictions. Estimates of future operation costs provided by the finance study vary with the use and size of the system. Again, the committee found it difficult to assess the validity of these figures and expressed concern about their potential to escalate well beyond the estimates in the financial study.

The third financial concern involves completing the proposed Greenspaces system. Metro hopes the partial system will generate enough public support that a second bond measure could purchase the remainder. A future bond measure is not the subject of this report; however, many of the benefits cited to the region in the previous section (open spaces linked with trails, biking or hiking opportunities, etc.) depend upon the completion of the system. Since the measure before the voters provides funds to purchase approximately half of the system, completing the Master Plan would require a future bond measure at least equal to this one. The committee recognizes that a second bond measure would not address the operations, maintenance, and insurance costs of the system.

In addition, the committee considered a potential technical conflict which Measure 26-1 could encounter with Ballot Measure 5. Bonded indebtedness for capital construction or improvements is exempted from the limitations imposed by Measure 5; however, Metro intends to spend the majority of the funds to acquire bare land, which may be inconsistent with Ballot Measure 5's intent. Capital construction and improvements were not defined in Measure 5, but were defined by the 1991 legislature as including land. The committee cannot predict the outcome or the remedy if this potential conflict with Measure 5 arises.

C. Metro as the Operating Agency

The committee heard testimony that Metro has generated some distrust from other local governments because it is viewed as interested in expanding its own authority. Metro already has considerable responsibilities, including owning and operating the Washington Park Zoo, the Oregon Convention Center, and solid waste transfer stations. Metro also operates and maintains Memorial Coliseum, Civic Stadium, and the Portland Center for the Performing Arts.

The uneasiness with Metro and the perception that Metro currently has a full slate of responsibilities prevented the committee from immediately accepting Metro as the appropriate agency to conduct this large-scale program. The committee's concerns with Metro focused on three issues: Metro's relationship with other governmental agencies; Metro's ability to resolve disputes; and the potential use of eminent domain against unwilling sellers.

The committee discussed the possibility that distrust of Metro could slow or stop progress on implementing the Master Plan. The extensive planning process, however, and the resolutions supporting the measure passed by cities and park districts eased this concern. In addition, the benefit to local parks included in this measure appears to have relieved the concern with Metro's intentions. The committee also heard testimony from several officials in the county planning and land use departments who expressed support for the program.

Developers and other witnesses stressed the importance of amicably resolving potential disputes between Metro and unwilling sellers and among competing land use needs. Much of the spirit and philosophy behind the Master Plan reflects a strong belief that land should be preserved, and that wildlife habitat and human needs are on the same priority level. That underlying philosophy may conflict with development needs and cause difficulties with land use decisions.

The use of eminent domain also troubled committee members. Metro assured the committee, however, that it would not be in its best interest to use its condemnation power, since its use would cause considerable resentment in the community.

Metro has the statutory and taxing authority to operate regionally, and the Master Plan requires a regional perspective. Metro currently has responsibility for land use planning, and implementation of the Master Plan would complement that planning role. The committee determined that the public input and open forums which are a prime feature of the implementation process may provide sufficient balance to Metro's authority, but only if the public actively participates. In light of Metro's desire to place a second bond issue before the voters in the future, it is not in Metro's interest to generate public resentment toward the program. Metro would, therefore, be highly motivated to continue to solicit widespread public input, to resolve disputes amicably, and to manage the acquired land in a manner well matched with the interests of the entire metropolitan community.

D. Other Priorities

The committee recognized that other priorities may supersede the need for additional open spaces, especially in light of the constraints of Measure 5. According to Metro's own survey of 1200 taxpayers in the tri-county region, adding open spaces ranked lower than public education or crime prevention. Current park and open space in the region may be viewed as adequate, and adding more at this time may not be crucial.

The committee recognizes that a "No" vote on this measure would not cause money to flow instead to other priorities. No other ballot measures, for example, directly address the needs of public education or police and fire protection.

VII. CONCLUSIONS

Your committee believes that Measure 26-1 deserves the support of the City Club membership. The committee holds that the benefits of the measure outweigh the concerns discussed earlier in this report. Passage of the measure would produce economic, recreational and aesthetic benefits to the region. The committee realizes that the current open space visible to residents is illusory since development could rapidly erase the sense of openness in the region. Setting aside a small portion of the remaining open space now will ensure adequate open space in the future. Further, the committee contends that this bond measure, despite its substantial costs, both actual and potential, represents a worthwhile opportunity that will be even more expensive if delayed until a later date.

Metro's experience with other regional agencies and the extensive planning which preceded this measure make the agency the logical choice to undertake this program. Public input and open forums which are a prime feature of the planning and implementation process may provide sufficient balance to Metro's authority, so long as the public actively participates.

This ballot measure provides an opportunity for the residents of the metropolitan region to maintain the quality of life valued so highly by Oregonians, and to pass that heritage on to succeeding generations.

VIII. RECOMMENDATION

Your committee recommends a "Yes" vote on Measure 26-1 on the November general election.

Respectfully submitted,

Lisanne Butterfield
John Etter
Doug Hagen
Debra Hall
Jody Key
Dave Shannon
Andy Sommer, chair

IX. MINORITY CONCLUSIONS

A minority of the committee agrees that the arguments for and against Measure 26-1 have been presented fairly, but believes that the uncertainty over the actual and potential financial impact of the measure far outweighs any of the measure's advantages. Distrust of Metro increases the financial concerns. Specifically:

1. The real cost of operation and maintenance (not covered by the measure) is unknown at this time and has no limits or restrictions.
2. The amount of land that can be purchased for \$200 million will not be known until the time of purchase.
3. The cost of the remaining land required to complete the Master Plan is unknown.

X. MINORITY RECOMMENDATION

A minority of your committee recommends a "No" vote on this measure.

Respectfully submitted,

Sam Tamura

XI. APPENDICES

A. Persons Interviewed

David Ausherman, associate regional planner, Metro.

Don Carlson, council administrator, Metro.

Rich Carson, Citizens Campaign for the Support of Greenspaces, (former planning director, Metro).

John Chandler, attorney, representing the Homeowner's Builder Association.

Andy Cotugno, planning director, Metro.

Mike Houck, Urban Streams Council, Wetlands Conservancy.

Mel Huie, senior regional planner, Metro.

Patrick Lee, planning supervisor, Metro.

Richard Meyer, Audubon Society of Oregon.

Tim Ramis, attorney, representing the Peterkort property.

Phone interviews:

Jim Coleman, attorney, representing the Peterkort Family.

Keith Hay, Land Conservation Fund.

Jennifer Simms, finance director, Metro.

Angela Wright, *Willamette Week*.

B. Bibliography

- Benson, Steven C.**, chair, Friends of Goal 5, memorandum to Metro Council, July 23, 1992.
- Broome, Jack**, Wetlands Conservancy, memorandum to Richard Devlin, Metro Councilor, July 17, 1992.
- Brown, Roger K.**, director, North Clackamas Parks and Recreation District, memorandum to Mel Huie, Metro, July 23 1992.
- Bunch, Roger**, senior planner, City of Lake Oswego, Department of Planning and Development, memorandum to Mel Huie, Metropolitan Greenspaces Program, July 9, 1992.
- Coleman, James M.**, attorney, representing the Peterkort Family, memorandum to Jim Gardner, presiding officer, Metro Council, July 23, 1992.
- Evergreen, Timber, and Tomorrow's Forest**, *Oregon Forests 1990-91*.
- Hammerstad, Judie, Darlene Hooley, and Ed Lindquist**, Clackamas County Board of Commissioners, memorandum to Jim Gardner, presiding officer, Metro Council, July 17, 1992.
- Hearon, Steve and Barry Larson**, Common Ground, and Home Builders Association of Metropolitan Portland, position statement on: Greenspaces.
- Hubbard, Howard**, chair, Westside Corridor Project Citizens Advisory Committee, memorandum to Jim Gardner, presiding officer, Metro Council, July 23 1992.
- Hutchinson, Barbara**, public affairs director, Oregon Department of Fish and Wildlife, memorandum to Richard Devlin, chair, Metro Council, July 21, 1992.
- City of Lake Oswego**, City Council Resolution 92-30, July 7, 1992.
- Lehan, Charlotte**, city councilor, Wilsonville, memorandum to the Metro Council, July 23, 1992.
- Little, Charles**, *Challenge of the Land*, Pergamon Press, New York, 1969.
- Metropolitan Service District (Metro)**, *Metropolitan Greenspaces Master Plan*, July, 1992.
- Metropolitan Greenspaces Program**, *Financial Study Metropolitan Service District*, July, 1992.
- Nabeta, Marguerite**, outdoor recreation planner, Oregon Parks and Recreation Department, memorandum to Ann Squier, senior policy advisor, Office of the Governor, Oregon, July 10, 1992.
- National Park Service**, *Economic Impacts of Protecting Rivers, Trails, and Greenway Corridors*, 1991.
- The Oregonian**, "Going Green," May 25, 1992.
- Peterson, Russell D.**, U.S. Department of the Interior, Fish and Wildlife Service, memorandum to Metro Council, July 22, 1992.
- Zinzer, Dan**, park administrator, Clackamas County, memorandum to Ron Bunch, City of Lake Oswego, et al., June 24, 1992.

**Report on
Ballot Measure 26-3
Charter for Metropolitan Service District**

Table of Contents

	Page
I. Introduction	205
II. Background	205
A. Metro's Current Operations	
B. 1992 Metro Charter	
III. Key Arguments on Charter Adoption	207
A. Arguments in Favor	
B. Arguments Against	
IV. Discussion	207
A. Background	
B. The Charter's Approach to Metro Functions	
C. The Charter's Approach to Metro Governance	
D. The Charter's Approach to Metro Finances	
E. The Charter's Approach to Intergovernmental Relations	
F. Other Charter Issues	
G. The Charter and Regional Government	
V. Conclusions	212
VI. Recommendation	212
VII. Appendices	213
A. Persons Interviewed	
B. Bibliography	

Published in
City Club BULLETIN
Vol. 74, No. 21
October 23, 1992

The City Club membership will vote on this report on October 16, 1992. Until the membership vote, the City Club does not have an official position on this report. The outcome of the membership vote will be reported in the City Club BULLETIN (Vol 74., No. 23) dated November 6, 1992.

I. INTRODUCTION

In 1990, Oregon voters amended the constitution to allow the Metropolitan Service District (Metro) to be governed by its own charter, rather than by state law. In 1991, the legislature authorized a committee to draft a Metro charter. Voter approval of Ballot Measure No. 26-3 in November will enact the committee's charter for Metro. The ballot title reads:

CAPTION: Charter for Metropolitan Service District (METRO)

QUESTION: Should people adopt Charter to limit Metro powers, reform its structure, and give local voters control of Metro?

SUMMARY: Charter drafted by citizen committee transfers control of Metro from legislature to local voters. Prohibits general sales, income, property and other broadly based taxes without voter approval. Limits spending from taxes levied without voter approval. Continues council elected by districts, executive officer elected by region. Reduces council size from 13 to 7. Creates elected auditor, citizen involvement committee, local government advisory committee. Requires, as primary function, growth management planning to preserve region [sic] quality of life. Assigns other functions. Makes other provisions. Effective January 1, 1993.

II. BACKGROUND

A. Metro's Current Operations

Unlike the home-rule authority Metro voters will achieve if the charter is approved, the regional government's current authority and structure are set by Oregon statute; changes now require approval either by the legislature or by voters statewide.

Metro became the Portland metropolitan area's regional government for planning and certain services in 1978, succeeding the Columbia Region of Governments (CRAG). Metro is governed by a 13-member elected council and an executive elected district-wide. In addition to its general planning activities, Metro operates the Washington Park Zoo, Oregon Convention Center, Memorial Coliseum, Civic Stadium and Portland Center for the Performing Arts; it oversees regional planning and federal funding for transportation; and it is responsible for solid waste disposal and waste reduction.

Under current law (ORS 268.310), Metro may assume responsibility for sewerage, drainage, justice planning and public transportation. Moreover, Metro could—with voter approval—furnish water, human services, parks, justice facilities and libraries. Metro could also seek voter approval to levy an individual and business income tax of up to one percent, but it has not exercised this authority.

During fiscal year 1991-92, Metro administered a \$228 million budget. Approximately 38 percent of its revenues were derived from enterprises like Metro's solid waste operations; 14 percent came from other sources including property and excise taxes, grants and fees; and the balance was drawn from carryover or transfer funds.

Metro expended these funds for solid waste programs (51%), building management (13%), the Exposition-Recreation Commission (13%), the Washington Park Zoo (8%), planning (5%), convention center construction and debt (3%), support services and insurance (5%), and other purposes (2%).

B. 1992 Metro Charter

The 16-member charter committee, appointed by designated state and local government officials, reflected a broad range of citizen and government interests from the region. Chaired by Hardy Myers, former a Metro councilor and a former Speaker of the Oregon House of Representatives, the committee voted 11 to 5 in favor of its 18-page charter on July 31, 1992. The next day, *The Oregonian* reported the difficult task the committee had just completed:

"Thursday night, no champagne corks popped, and no applause broke out when the committee took the final vote on its proposal just before midnight. The prevailing mood was one of relief that the grueling 15-month job of writing the proposed charter was finally over."

A summary from the charter committee identified seven major charter elements (section references have been deleted):

1. Declarations that planning and policy making related to growth management and land use, to preserve and enhance regional quality of life, are Metro's primary functions.
2. A requirement to adopt a "Future Vision", with the assistance of a regional citizen commission, to serve as a long-term (at least 50 year) vision of the best ways to accommodate future regional growth.
3. A requirement to adopt a "Regional Framework Plan," relating to regional growth management and land use planning . . . for coordination of local comprehensive plans and implementing regulations.
4. Authorization to perform certain other functions and to undertake further functions of metropolitan concern by ordinance. Undertaking functions already provided by local government requires either voter approval or approval by the Metro Policy Advisory Committee (MPAC). . . .
5. Finance authorization that requires voter approval for certain broadly based taxes and limits expenditures from taxes imposed without prior voter approval.
6. Continuation of the current separation of powers form of government with an executive officer elected at large, and a council elected from individual districts and reduced from thirteen to seven members on January 2, 1995.
7. Creation of an elected auditor position with duties of financial/performance auditing of Metro.

If approved by voters, the charter takes effect January 1, 1993. If it is rejected, Metro will continue to operate under state law.

III. KEY ARGUMENTS ON CHARTER ADOPTION

A. Arguments In Favor

1. The charter gives voters in the district direct control over Metro, gives local governments an advisory role, and sets reasonable checks and balances on Metro's authority and governance.
2. The charter strengthens Metro's important role in planning and management of regional growth and development.
3. The charter provides both a workable approach for further consolidation of regional services and appropriate restraints on new taxation.
4. The charter strikes an acceptable balance among conflicting views of what the Portland area's regional government should be.
5. The charter's defeat would signal that voters object to strengthening regional government.

B. Arguments In Opposition

1. Metro is a "third layer" of government that should be eliminated.
2. Metro should be replaced by a consolidated regional government such as envisioned by the City Club's "Willamette County" report.
3. A smaller, part-time, salaried council will make Metro more expensive for taxpayers to support and less accessible and less accountable to voters.
4. The decisions necessary to achieve majority approval in the charter committee, such as formal local government consultation and budget limitations, will seriously compromise Metro's fulfilling its regional responsibilities.
5. Metro has not yet performed well as a regional government, and it has barely exercised its current authority. Voters shouldn't give Metro a vote of confidence by approving the charter.
6. This charter can be rejected and another proposal without technical flaws can be presented to Metro voters at a future date.

IV. DISCUSSION

A. Background

The initial charge to your committee included consideration of two measures expected to be on the November ballot: 1) the Metro charter drafted by the charter committee, and 2) the Metro Council's advisory resolution on merging the three metropolitan-area counties, Tri-Met and Metro into one home-rule entity. The resolution's proposed ballot title is attached as Appendix C. A legal challenge from two county commissioners removed the consolidation vote from the ballot; but the resolution sparked an intense debate—at least among local government officials.

Both issues have been before the City Club before, and the City Club has long supported reform in how Portland-area governments are structured and operate. In its landmark study on regional government in 1986, the City Club endorsed as a long-term goal the formation of "Willamette County." This proposal is essentially

the same as Metro's advisory resolution. That report also endorsed steps to strengthen Metro until such consolidation. In 1990, the City Club endorsed the constitutional amendment that authorized Metro's charter.

The remaining sections of this report discuss aspects of the charter first, then the charter's relationship to broader regional government issues. Both are important considerations in judging the charter.

B. The Charter's Approach To Metro's Functions

The charter identifies Metro's primary role as being the region's long-range planner. It details the agency's responsibility to develop a "Future Vision" to guide the region's growth and development for 50 years. And it requires that the agency adopt a "Regional Framework Plan" to assure consistency among local governments' land use planning and zoning laws. Some witnesses expressed concern that the charter will undermine Metro's current long-range planning effort, the "2040 Plan"; others saw the charter as strengthening it. Still others indicated their primary reason for supporting the charter is its deadlines for Metro and local governments to complete their planning responsibilities. While your committee received no testimony challenging the need for regional planning, some witnesses complained that Metro had not fulfilled its current planning responsibilities in a timely manner. Your committee supports the charter's challenge to Metro to meet the region's planning needs.

Of secondary importance, the charter allows Metro to operate services of regional significance. Before Metro can assume services already offered by a local government, the charter requires a collaborative process involving the Metro Policy Advisory Committee (MPAC) or a decision by Metro voters. Your committee received widely differing views on the process and prospects for regionalization of services, but surprisingly little comment about the desirability of doing so. For example, while Metro's authority to assume responsibility for Tri-Met is not affected materially by the charter, this issue was a concern for only two witnesses, even though neither MPAC nor voter approval will be required for the merger. Your committee identified little difference between the services Metro can provide now under state law and what the charter would permit.

C. The Charter's Approach To Metro's Governance

No witness argued that a home rule charter for Metro is undesirable or that Metro should remain solely under legislative control. But several questioned whether this charter adopts the right balance for Metro as a regional government, believing that the charter committee's product resembles a mule more than a thoroughbred.

The charter maintains one aspect of Metro's current structure, its executive-legislative form; but it substantially reduces the council from 13 members to seven. The charter also establishes a new office of auditor, elected at-large. Under the charter, council members will receive one-third of a district court judge's \$70,000 salary. Currently councilors receive \$56/day reimbursement for Metro meeting days. Similarly, the charter entitles the council presiding officer to two-thirds of a district court judge's salary; the full-time auditor will receive 80 percent; and the full-time executive officer will receive 100 percent.

A number of other governance structures were discussed during our study. Some witnesses argued that the current council size permits better representation for the region's diverse demographic, geographic, economic and political interests; some were also concerned that the smaller council created by the charter will be dominated by urban interests to the detriment of suburban or rural concerns. Others suggested that dividing Metro into seven districts makes districts too large (they will be nearly twice as large as current Metro districts or state Senate districts), unjustifiably restricting citizen access and councilor accountability. Others objected that counselor campaigns will be waged largely in the media and will become too expensive for many capable candidates.

Other witnesses preferred a council-manager form of regional government, believing that the current structure has not performed well, in part because of the executive officer's influence over all Metro matters. While the charter committee split almost evenly, the majority settled for a smaller, paid council. In this way, they hoped, better qualified councilors will be attracted, and the council will be a more effective deliberative body.

Charter proponents argued that a seven-member council is a manageable size for a regional government; it can function as a body without dividing into subcommittees, which are less accessible to the public and which obscure council accountability. They also pointed out that the charter further balances power between the executive and the council because it elevates the presiding officer to nearly full-time status and limits the executive's broad veto power to tax, or budget issues and assumptions of services. The council's role in planning is also strengthened, because the charter will not permit an executive veto over planning decisions.

Your committee reviewed a variety of ways Metro could be structured, but identified no model that was clearly superior to the one approved by the charter committee.

D. The Charter's Approach To Metro's Finances

While it imposes several new limitations on Metro finances, the proposed charter will still enable Metro to use broad taxing powers to finance its responsibilities. The charter will require prior voter approval of general obligation bonds and of any ordinance which would impose, "... broadly based taxes of general applicability on personal income, business income, payroll, property, or sales of goods or services . . ." This provision will not affect Tri-Met's payroll tax, in the event that Metro were to absorb that agency, or other specified charges, fees and assessments.

The charter will also permit Metro to adopt certain "niche" taxes (those not subject to voter approval) after consultation with a tax study committee. These taxes may not exceed \$12.5 million in the first year under the charter. In addition, the charter requires Metro to limit its charges for goods and services (except for certain concessions) to the costs of providing such goods and services.

Your committee received much testimony about how the charter affects Metro finances. Some witnesses viewed the expenditure limit as unwarranted, arguing that there is no compelling reason to create additional barriers to Metro's taxing authority. They noted that Metro already has comparable authority under state law

and has not abused it. Others believed that at \$12.5 million the limit is too high, since it is approximately three times greater than current revenues that would be subject to the limit. The committee also received testimony favoring the charter because it makes Metro more accountable for its expenditures, in part because of the new position of auditor and the tax study committee for niche taxes. But some witnesses also identified salaries and other expenditures as burdens being imposed on Metro without a revenue base to pay for them.

On balance, your committee did not identify any financial features of the charter that were unacceptable.

E. The Charter's Approach To Intergovernmental Relations

The final major issue presented to your committee concerned the Metro Policy Advisory Committee (MPAC). Under the charter, the MPAC will be composed of 18 members; 15 as representatives of cities, counties and special districts (including Tri-Met) designated by their governing bodies individually or collectively and three as "citizen" representatives appointed by Metro's executive officer.

The charter requires MPAC to fulfill three main responsibilities: 1) in lieu of a referendum, to approve Metro's assumption of responsibility for services already being performed by local governments; 2) to be consulted in adoption of the regional framework plan; and 3) to advise Metro when it assumes other new services.

Some witnesses believed the very existence of MPAC in the charter so weakens Metro's autonomy that voter rejection is justified. They argued that Metro should not be hobbled in carrying out its regional responsibilities by requirements to consult or obtain the approval of local government officials. They maintained that MPAC is incompatible with the charter's "home-rule" philosophy and drags Metro back to its past as the Columbia Region Association of Governments (CRAG); and they considered MPAC "undemocratic." If any advisory body were needed, these witnesses would prefer either a citizen- or neighborhood-based committee or a governmental body with proportional representation.

These constraints in the charter on Metro's services are seen by advocates of a single, metropolitan-area government as an undue barrier to Metro's need to be responsive, independent and authoritative. Charter proponents argue that these limitations are reasonable and realistic, since Metro must be able to work cooperatively with cities, counties and special districts in the region. They also note that the formal role conferred on MPAC is limited to approving ordinances that would allow Metro to assume local government services only when Metro elects not to seek voter approval.

Other witnesses believed that the charter's provisions merely codify Metro's existing practice and bolster a process that has been essential to Metro's past successes. Without the MPAC provisions, there is a fear that Metro could evolve into an 800-pound gorilla in the region's intergovernmental relations.

Although your committee recognizes that the charter's provisions on MPAC represent compromises necessary for the charter committee to reach agreement, concern lingers that embedding MPAC in the charter may give it more authority than warranted. Balanced against other aspects of the charter, however, your com-

mittee was not convinced that the MPAC provisions alone were sufficient to justify opposing the charter.

F. Other Charter Issues

In addition to issues related to the charter's mix of functional and financial checks and balances, there are several technical problems in the charter's provisions. For example, the charter would permit the council to approve ordinances by "unanimous consent," possibly allowing legislation to be adopted without proper public notice and without the opportunity for voters to petition for a referendum. Similarly, the charter inadvertently gives salaries to the 13 council members before the council's size is reduced to seven. Because of time constraints, your committee was not able to consider the charter's effects in other areas, such as boundary changes or whether Metro provides services directly or by contract. Your committee argues that unlike issues that raise more critical philosophical or political questions, concerns of this type should be able to be resolved by the council after the charter is approved.

G. The Charter and Regional Government

Many witnesses told the committee that the Metro Council's advisory resolution for consolidation was designed to confuse voters and undermine the charter. Others, believing the time was right for voters to advance government consolidation, suggested that both questions were on the same ballot by coincidence. Whatever the truth, with the 1990 property tax limitation shadowing state and local budgets, it is likely that public interest in regional government may have reached new fervor.

While the charge to your committee no longer requires discussion of consolidation, in detail, most witnesses before the committee seemed to consider consolidation more important for the region's future than the charter. When consolidation was discussed, witnesses often focused on the "big picture"; but when they turned to the charter, witnesses often picked at relatively minor details, i.e. the charter's provision for compensation to the 13-member council. With respect to the "big picture," some complained that the charter will thwart needed expansion of regional government. Others considered the charter a positive step toward that goal.

Whether they wanted Metro to become a general-purpose government or to remain a special district focusing on regional planning and specific services, most of our witnesses agreed that the proposed charter, though imperfect, set up a workable framework for Metro. More importantly, whether they wanted more or less from Metro, many witnesses expressed concern with "signals" sent from defeat of the charter, and they cautioned against throwing regional government a curve by rejecting this opportunity for a home-rule Metro charter.

Like the charter committee, your committee reflected the diversity of opinion in the community about Metro and what the metropolitan area needs from regional government. Each member of the study committee identified one or more features of the charter that could be written differently. Some members support the charter because it continues Metro largely as it has been in recent years, but provides home-rule. Some support the charter because it strengthens Metro until government consolidations can be accomplished. And several of us were close to endors-

ing the charter's defeat because it fails short of our goal for the region's government. But whatever the inclination, your committee could find no aspect of the charter that so burdened Metro to make it dysfunctional.

V. CONCLUSIONS

1. There are wide disagreements in the community, reflected in the charter committee and the charter itself, regarding Metro and what regional government in the Portland metropolitan area should be and should do.
2. The charter is a compromise document, but one which acceptably balances the functional, governance and financial aspects of Metro.
3. With a charter, Metro can operate as a home-rule regional government, free of undue legislative interference or neglect, and accountable to its voters.
4. A "No" vote on the charter would significantly hinder progress toward stronger regional government.

VI. RECOMMENDATION

Your committee recommends a "Yes" vote on Ballot Measure 26-3, adopting the Metro charter.

Respectfully submitted,

James C. Casterline
Paul Fellner
Rosemary Fisk
Vickie Gates
Edward B. Kaye
Kay J. Mannion
Gina Mattioda
Eric Stachon
Bruce A. Bishop, Chair

VII. APPENDICES

A. Persons Interviewed

Carl Abbott, professor of urban studies and planning, Portland State University.

Earl Blumenauer, commissioner, Portland City Council.

Ron Cease, state senator and member, Metro Charter Committee.

Don Clark, member, Governor's Task Force on Local Government Services.

Tanya Collier, councilor, Metro, and commissioner-elect, Multnomah County.

Rena Cusma, executive officer, Metro.

Judie Hammerstad, chair, Clackamas County Commission.

Bonnie Hays, chair, Washington County Commission.

Stephen Herrell, circuit court judge, Multnomah County, and member, City Club
Regional Government Committee.

Vera Katz, state representative, and candidate for Portland Mayor 1992.

Sharron Kelley, commissioner, Multnomah County.

Robert Liberty, attorney, specializing in land-use planning.

Don McClave, executive director, Portland Chamber of Commerce.

Gussie McRobert, mayor, City of Gresham.

Hardy Myers, chair, Metro Charter Committee.

Bob Shoemaker, state senator, and member, Metro Charter Committee.

George Van Bergen, councilor, Metro.

Caryl Waters, assistant to the general manager, Tri-Met, and staff, Governor's Task
Force on Local Government Services.

Ken Wilson, member, Governor's Task Force on Local Government Services.

B. Bibliography

Carl and Margery Post Abbott, *Historical Development of the Metropolitan Service District*, May 1991.

Business Journal, "Metro chief pushes controversial consolidation measure," week of August 17, 1992.

Cascade Policy Institute, *Questioning Governor's Local Government Strategy, Is Bigger Really Better?*, May 22, 1992.

City Club of Portland:

"Report on Columbia Region Association of Governments (CRAG)," February 7, 1975.

"Report on Regional Government in the Portland Metropolitan Area," March 13, 1986.

"Report on Grants Metropolitan Service District Electors Right to Self-Governance," November 2, 1990.

Stephen Herrell, testimony before Metro Council, "Proposed Ballot Measure to Merge Counties," July 23, 1992.

Steve Larrance, Washington County Commissioner, testimony on consolidation proposal before the Metro Government Affairs Committee, July 17, 1992.

League of Women Voters, Columbia River Region Inter-League Organization, "Metro: Whose Turf is it?," April 1991.

Ed Lindquist, testimony on Metro Resolution 92-1650 by Clackamas County Commissioner Ed Lindquist, July 23, 1992.

Metro:

Excerpts from 1991-92 budget concerning general revenues and expenditures. Resolution No. 92-1650A, (no date).

Metro Governmental Affairs Committee, committee report on: July 22, 1992 hearing on Resolution No. 92-1650A.

Metro Charter Committee, "1992 Metro Charter," August 4, 1992.

Multnomah County Commission, "Resolution 92-116," (concerning objections to draft charter), June 25, 1992.

Oregon Revised Statutes, Chapter 268, Metropolitan Service Districts, 1991 edition.

The Oregonian:

"Wrong way for Metro," editorial, June 12, 1992.

"County merger plan due vote test," July 25, 1992.

"Clackamas board to challenge ballot measure title," July 30, 1992.

"Home rule plan to go on fall ballot," August 2, 1992.

"Come on, Metro, play fair," editorial, August 3, 1992.

"Judge cuts one-county measure from ballot," August 15, 1992.

Washington County Administrative Office, "The Metropolitan Service District and Regional Service Delivery in the Portland Metropolitan Area, A White Paper," June 1992.

C. Metro Resolution No. 92-1650A

CAPTION: Should Metro, Tri-Met and Multnomah, Washington, Clackamas Counties be Abolished"

QUESTION: "Should Voters be Authorized to Abolish Metro, Tri-Met, Multnomah, Washington, Clackamas Counties, and Create County with Ten Percent Less Expenditures?"

SUMMARY: "Directs elected officials of region to obtain legislation to directly authorize voters to abolish Metro, Tri-Met, Multnomah, Washington, Clackamas Counties and create metropolitan county. Vote to be held before January 1994. Operating expenditures for county in first fiscal year must be reduced ten percent from previous fiscal year. County to have broad governmental powers with no more than nine legislators elected from districts and a separately-elected executive. All governments to continue to exist until new full-time officers elected. Courts may remain separate."

Newspaper Second Class Postage Paid at Portland, Oregon
