

CLACKAMAS
MULTNOMAH
WASHINGTON

Brown
Terry 1.4.10

TRI-COUNTY LOCAL GOVERNMENT COMMISSION

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PORTLAND, OREGON 97201

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RONALD C. CEASE,
Chairman

CARL M. HALVORSON,
Vice Chairman

A. McKAY RICH,
Staff Director

March 31, 1976

MEMORANDUM

TO: Tri-County Commission

FROM: A. McKay Rich

SUBJECT: Report on Units of Local Government
in the Tri-County Area

Nature of the Study

This brief report and the accompanying charts are designed to provide Commission members with basic data about the units of local government within the Tri-County area. This report is not intended to provide a detailed, sophisticated statistical analysis on the various units of government but rather a ready resource of general, comparative information on all the governmental units identified during the course of this two-month study. And, though this report attempts to identify all the governmental entities in this area, it is quite possible that several still remain undiscovered. All of the data contained in the charts was compiled from documents, reports and personal contacts, and ranges from current data to data published during the past year. Unavailability of information and the time limitations placed on this study account for the rather sparse information on some of the governmental units.

History

The growth and development of the local government structure in the Tri-County area is in the "American Tradition" -- a hodge-podge of overlapping governmental units. A typical suburbanite may have as many as a dozen separate local government units governed by over 50 elected and 15 appointed officials. The Marvin Metro study, prepared by the Portland Metropolitan Study Commission, graphically illustrated this situation and the problems it creates. (1)

The Portland Metropolitan Area Local Government Boundary Commission was created in 1969 to address the problem of proliferating local governments. By virtually halting the creation of new

governmental entities and encouraging the unification of others, this body has reduced the number of units under its jurisdiction from some 300 in 1969 to approximately 160 today. However, a vast array of governmental units fall outside the jurisdiction of the Boundary Commission and, of these, only school districts have demonstrated any significant decrease in number in the recent years.

The Present

Today, there are some ²³²~~245~~ units of government in the Tri-County area. This figure includes several regional entities which, though not classified in the strictest sense as units of local government, are included in this study pursuant to the Commission's scope and purpose. The categorization of governmental units is as follows:

- Regional Entities -- 6
- Counties -- 3
- Cities -- 32
- Water Districts -- ~~46~~ 47
- Water Control Districts -- 4
- Water Use and Control Districts -- 3
- Drainage Districts -- ~~11~~ 10
- Irrigation Districts -- ~~3~~ 2
- Rural Fire Protection Districts -- 33
- Sanitary Districts -- 3
- Park and Recreation Districts -- 2
- Highway Lighting Districts -- 4
- County Service Districts -- ~~16~~ 15
- Vector Control Districts -- 1
- Cemetery Districts -- 1
- Special Road Districts -- 2
- Soil and Water Conservation Districts -- 4
- Community College Districts -- 3
- Intermediate Education Districts -- 3
- School Districts -- ~~55~~ 54

Each of the above categories is authorized by separate state legislation and the plethora of special legislation relating to local government creation, functions and authorities is a study of its own. However, there is a chart available to the Commission which cross-references the different types of governmental units authorized in the state with the enabling and supplementary legislation for those categories. (2)

It is important to note that the data in this report only reflects governmental units in the Tri-County area and not those private organizations, corporations and cooperatives that are also providing governmental-type public services (i.e., private companies supplying water and recreation development services). These private entities abound in the Tri-County area, and one unconfirmed estimate by a State Health

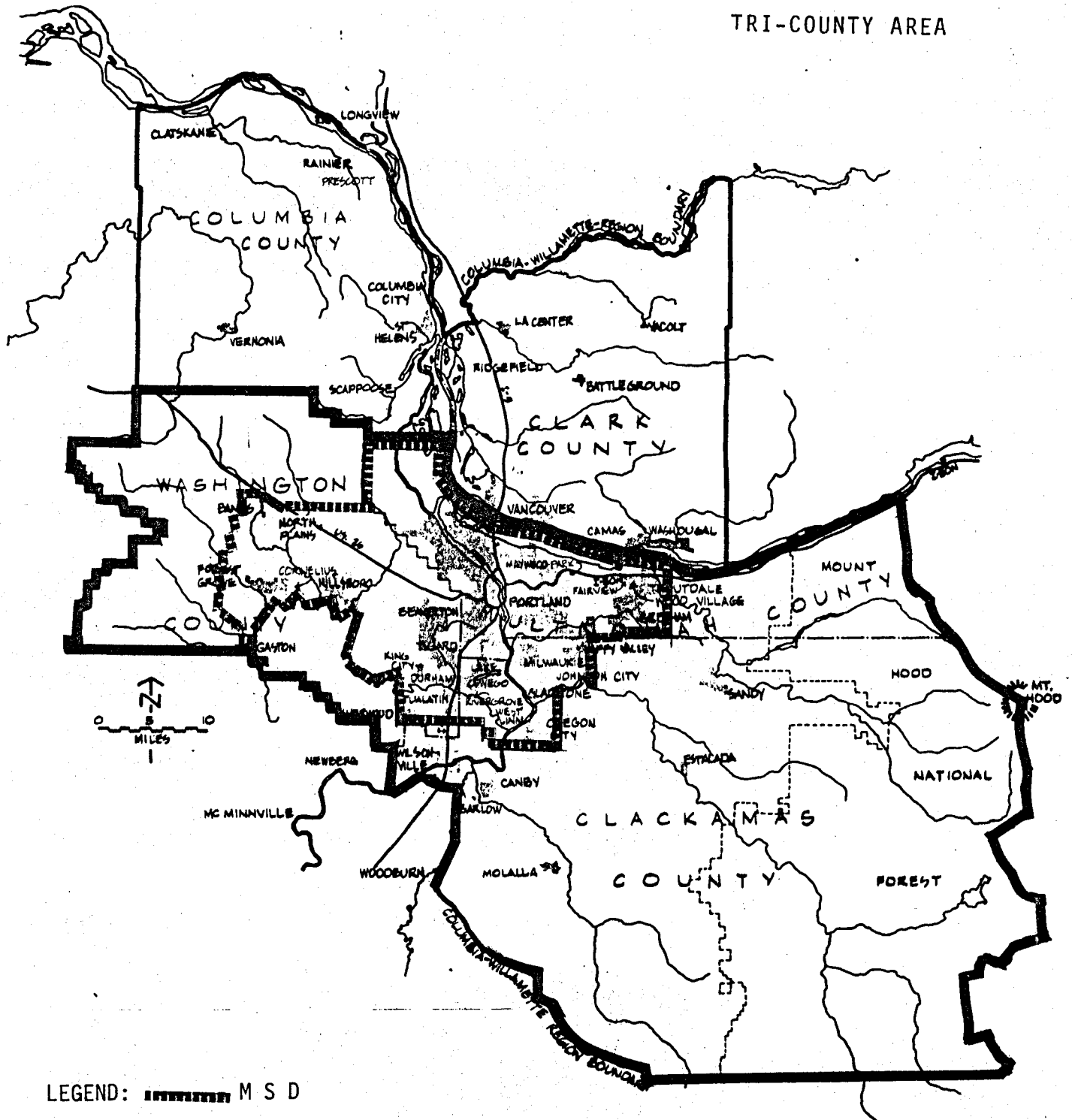
Division employee indicates there could be as many as 750 private community-type water systems in Clackamas County alone!

Also purposely absent from this compendium are the various community organizations of a public or private nature. Those organizations in the public sector seem to be extensions of governmental units already listed. A detailed accounting of these community organizations would appear to be imperative at a later date since they may be considered the lower tier of a multi-tiered system of government. (3)

Ken Martin, on leave from the staff of the Boundary Commission, assisted by Bruce Etlinger, prepared this report.

- Footnotes:
- (1) Limited copies of the Marvin Metro brochure are available from the Tri-County Local Government Commission.
 - (2) This chart was prepared by Richard Van Orman, Executive Officer for the Marion-Polk County Boundary Commission. It is available in display form at the Portland Metropolitan Area Local Government Boundary Commission office.
 - (3) The Neighborhood Organizations and Citizen Involvement Committee has conducted a sampling of community organizations, and the findings have been summarized in a report entitled "Descriptive Account of Neighborhood and Community Planning Organizations and Citizen Involvement Programs in the Tri-County Area", which is available upon request.

TRI-COUNTY AREA



LEGEND: M S D

TRI-COUNTY BOUNDARIES

UNITS OF LOCAL GOVERNMENT IN THE TRI-COUNTY AREA

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	Area	Population	Governing Body			Chief Admin. Officer	Functions Authorized	Functions Performed	No. of Employees (1)		Total Assessed Value	Percent of Tri-County Assessed Value	'75-'76 Tax Rate per \$1000 av.	'75-'76 Budget	Percent of Revenue from Prop. Tax	Total (2) Indebtedness
	Sq. Miles		Size & Structure	How Selected	Term				Full Time	P. T.						
REGIONAL UNITS																
Boundary Commission	Tri-county plus Columbia	973,500	11 member Commission	Governor's appointment	4 yrs. (max. of 2 full terms)	Executive Officer	To review certain boundary changes, extra-territorial water & sewer main ext's., & to provide method for guiding creation & growth of cities & sp. serv. dist.	As authorized.	3	1	n/a	n/a	n/a	\$126,965 ('75-'77 Biennium)	none	none
CRAG	Tri-county; Columbia City, Scappoose, St. Helens in Col. Cty.; & Clark Cty., Wash.	1,100,905	14 member Bd. of Directors (47 vts. 45 member Gen. Assem. (75 votes) (Vts. in both bodies weighted according to population of area represented)	Appt. by member govts. & caucuses thereof	Determined by constituent governments.	Exec. Dir.	Promulgating reg. planning goals & objectives that inter-relate all func. & natural systems & activities rel. to all use of the land, air & water sys., rec. facilities; air & water quality mgmt. progs; res., comm. & industrial devlmts. & the provis. of public serv. Aging, justice plng, Trans., A-95 Revue	As authorized	61	1	n/a	n/a	n/a	\$1,756,000	v/A	none
Health Services Agency (formerly Comprehensive Health Planning)	Tri-county, Columbia, Clatsop, and Tillamook counties	1,041,350	51 member Bd. inc. exec. comm. of 25. (Both Bd. & Exec. to be comprised of 55% consumers & 45% providers)	By existing Comprehensive Health Plng. Board	3 yrs. (max. of 2 consec. terms)	Exec. Dir.	The provision of effective health plng., the promotion of dev. of health services, man-power & facilities which meet iden. needs, reduce docum. inefficiencies & implemnt. health plans of agency.	Comprehensive Health Planning will be designated Health Services Agency on April 1, 1976 and performs functions as authorized.	12	0	n/a	n/a	n/a	Not available until official designation as H.S.A.	N/A	none
Metropolitan Service District	Urban area of Tri-County	857,200	7 member Bd. of Directors	Chosen by constituent gov't. units	2 yrs.	Manager	1. Acquire, construct all Metro aspects of sewer fac. 2. Provide fac for disposal of solid & liq. waste; 3. Drng.; control by dams, ditches, canals; 4. Provide pub. trans. & termnl. faciltis. 5. Zoo, oper. & main.; 6. Add'l. functions by voters.	Solid waste disposal, Johnson Creek Surface Water Control (Storm drainage), Zoo Referendum.	6	1	\$11,253,305,000	86%	(3)	\$220,000	0%	none
Port of Portland	Tri-County 3080	941,700	9 member Bd. of Commissioners	Governor's appointment	4 yrs.	Exec. Dir.	Acquire land & operate faciltis. for air transprt., shipping, comm. & ind. dvlpmnt. of port, water-front, harbors, rivers & waterways. Acq., const., operate, lease, maintain, rent & dispose of airports wharves, piers, docks, slips, warehouses, elvtrs., dry docks, terminals; Own, acq, lease, mntain. within Port rr. prop., sts., wtr. mns., sewers, p-lines, gas & elec. lines. Devlp., operate, mntain. rec. faciltis., i.e. pub. pks., marinas, other rec. faciltis. on land owned by the Port.	Operation of Portland Int. Airport, Hillsboro, Troutdale Airports, Rivergate Ind. Pk. Dvlpmnt., Docks, Kelley Pt. Park, Swan Is. Ship Repair Yard.	603	0	\$12,543,142,000	100%	\$0.20 (4)	\$153,050,241	4%	\$34,208,062
Tri-Met	Tri-County 3080	941,700	7 member Bd. of Directors	Governor's appointment	4 yrs. (At gov.'s pleasure)	General Manager	Mass Transit System	Bus system; Park and Ride Stations; Portland Mall	1,166	0	\$12,543,142,000	100%	none	\$ 32,000,000	0%	none

UNITS OF LOCAL GOVERNMENT IN THE TRI-COUNTY AREA

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COUNTIES:	Area Sq. Miles	Population	Size & Structure	Governing Body How Selected	Term	Chief Admin. Officer	Functions Authorized	Functions Performed	No. of Employees (1)		Total Assessed Value	Percent of Tri-County Assessed Value	'75-'76 Tax Rate per \$1000 av.	'75-'76 Budget	Percent of Revenue from Prop. Tax	Total (2) Indebtedness
									Full time	P.T.						
Clackamas	1,893	202,900	3 member board	Elected	4 yrs.	Asst. to board of County Commissioners	General purpose gov'ts. performing traditional county functions such as sheriff, courts - assess- ments & taxation, roads, etc. as well as an in- creasingly wide range of municipal services.	As authorized	670	122	\$ 276,958,908	22%	\$1.05	20,402,471	14%	\$170,000
Multnomah	457	547,900	5 member board (Home Rule County)	Elected	4 yrs.	Chairman of the Board	General purpose gov'ts. performing traditional county functions such as sheriff, courts - assess- ments & taxation, roads, etc. as well as an in- creasingly wide range of services.	As authorized	2474		\$ 715,740,300	57%	4.46	103,281,201	31%	none
Washington	730	190,900	5 member board (Home Rule County)	Elected	4 yrs.	County Adminis- trator	General purp. gov'ts. per- forming trad. county func- tions, such as sheriff, courts - assessments & tax- ation, roads, etc. as well as an increasingly wide range of services.	As authorized	601	5	\$ 266,480,356	21%	1.34	13,506,357	26%	3,100,000
CITIES:																
	Sq. Miles (5)	Population (5)			Mayor Coun- cil											
Banks	.16	440	Mayor and 6 council	Elected	2 yrs 2-4 yrs	Recorder	General purp. govern. w/ sep. charter for ea. city. Generally auth'd. to per- form full range of munic. services, incl. soc. services pub. works, pub. health & safety, etc.	Water, street main, parks, police, ⁽⁶⁾ sewers	1	0	2,447,702	.019%	6.64	123,636	3%	38,000
Barlow	.06	110	Mayor & 3 council	Elected	2 yrs 4 yrs	Recorder	" "	Water, st. lights, st. main., const., storm drains	0	3	781,450	.006%	.68	8,768	6%	none
Beaverton	7.88	22,150	Mayor & 4 council	Elected	2 yrs 4 yrs	Manager	" "	Full service	173	21	344,181,695	2.744%	4.76	9,825,053	20%	2,702,864
Canby	3.06	5,675	Mayor & 6 council	Elected	2 " 2-4 "	Adminis'tor	" "	Full service	37	10	58,437,880	.466%	5.57	2,482,771 ⁽⁷⁾	3%	707,038
Cornelius	1.48	2,660	Mayor & 4 council	Elected	2 " 4 "	Manager	" "	Full service	11	4	23,399,417	.186%	3.54	1,038,608	13%	623,248
Durham	.43	330	Mayor, 3 Cncl.	Elected	4 " 4 "	Recorder	" "	St. const. & main, st. lights, zoning, storm drns, police by contr.	0	1	3,598,072	.028%	none	18,489	0%	none
Estacada	8.40	1,620	Mayor, 6 Cncl.	Elected	2 " 4 "	Admins'tor	" "	Full service	14	1	11,107,160	.088%	7.95	603,961	15%	778,000
Fairview	.63	1,405	Mayor, 6 Cncl.	Elected	4 " 4 "	Recorder	" "	Sewer, water, police, st. maint., st. lts. zoning, bldg. inspection	3	2	9,338,000	.074%	1.88	1,048,629	2%	344,275
Forest Grove	5.04	10,200	Mayor, 6 Cncl.	Elected	2 " 4 "	Manager	" "	Full service	73	11	84,225,841	.671%	1.89	11,638,753 ⁽⁷⁾	4%	5,310,797
Gaston	.20	452	" "	"	4 " 4 "	Recorder	" "	Pol., wtr., st. main, lts. ⁽⁴⁾ sewers	1	4	2,247,209	.018%	8.18	101,995	18%	44,000
Gladstone	2.46	8,120	" "	"	4 " 4 "	Admins'tor	" "	Full service	35	10	81,958,150	.653%	6.31	1,383,141	40%	54,000
Gresham	13.97	21,000	" "	"	2 " 4 "	Manager	" "	Full service	130	0	271,091,000	2.161%	2.86	13,577,468	6%	8,943,748
Happy Valley	2.41	1,435	" 4 Cncl.	"	4 " 4 "	Recorder	" "	Pol. (cont.), parks, st. main. (cont.), storm drain, plan. zoning. & building control (con- tract)	0	1	17,966,110	.143%	none	146,800	0%	none

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	Area ⁽⁵⁾ Sq. Miles	Population ⁽⁵⁾	Governing Body Size and Structure How Selected	Term	Chief Admin. Officer	Functions Authorized	Functions Performed	No. of Employees Full time P.T.	Total Assessed Value	Percent of Tri-County Assessed Value	'75-'76 Tax Rate per \$1000av.	'75-'76 Budget	Percent of Revenue from Prop. Tax	Total ⁽²⁾ Indebtedness		
Hillsboro	9.22	19,160	Mayor, 6 Cncl.	"	2 " "	Manager	" "	Full service	112	30-45	207,055,656	1.651%	5.56	15,895,388	9%	15,093,000
Johanson City	.10	400	Mayor, 4 Cncl.	"	1 " 2-4yr.	Recorder	" "	Fire, police, sts. lts., etc. All cont., own water	0	1	1,221,980	.009%	none	21,049	0%	none
King City	.36	1,980	Mayor, 4 Cncl.	"	1 " 2-4yr.	Admin's'tor	" "	St. main. & plng. Contr. for pol., st. sweeping, sewer, bldg. inspection	0	1	37,907,206	.302%	none	254,300	0%	none
Lake Oswego	9.15	19,400	Mayor, 6 Cncl.	"	2 " 4 "	Manager	" "	Full service	165	3-4	328,180,341	2.616%	6.63	9,344,439	23%	589,955
Marwood Park	.17	1,065	Mayor, 4 Cncl.	"	2 " 2 "	Recorder	" "	Street maint.	0	0	8,111,000	.054%	none	76,822	0%	none
Milwaukie	4.85	18,030	Mayor, 3 Cncl.	"	2 " 2 "	Manager	" "	Full service	123	0	216,833,615	1.729%	6.11	7,572,607	17%	1,153,000
Molalla	1.22	2,760	Mayor, 6 Cncl.	"	2 " 2 "	Recorder	" "	" "	18	1	26,818,610	.214%	7.86	547,899	38%	8,000
North Plains	.70	820	Mayor, 4 Cncl.	"	1 " 2-4"	Recorder	" "	Watr, st. main., parks, police by contract	1	2	5,794,879	.046%	1.82	81,699	13%	115,000
Oregon City	4.93	12,460	3 Commis's'ers	"	1 " 6 "	Manager	" "	Full service	126	0	175,898,040	1.402%	9.50	4,697,210	27%	1,817,000
Portland	94.82	375,000	Mayor, 4 Cncl.	"	4 " 4 "	Mayor(8)	" "	" "	4,109	561	4,994,465,064	39.818%	8.35	265,591,086	16%	34,208,062
Rivergrove	.20	320	Mayor, 4 Cncl.	"	1 " 2-4 "	Recorder	" "	Pks., polc., drngc., st. lts. & maint., plng., ront ing, all by contract	0	0	3,423,820	.027%	none	16,000	0%	none
Sandy	1.53	2,060	Mayor, 6 Cncl.	"	2 " 4 "	Recorder	" "	Full service.	18	0	20,327,640	.162%	8.86	867,105	21%	671,000
Sherwood	1.49	1,750	Mayor, 4 Cncl.	"	4" 4 "	Manager	" "	" "	4	0	19,031,229	.152%	1.84	373,931	9%	616,000
Tigard	5.06	10,075	Mayor, 4 Cncl.	"	2" 4 "	Admin's'tor	" "	" "	39	2	187,368,142	1.494%	.82	1,508,082	10%	297,968
Troutdale	4.28	2,500	Mayor, 6 Cncl.	"	2" 4 "	Recorder	" "	" "	7	3	21,336,000	.170%	1.74	1,466,818	3%	990,625
Tualatin	4.53	3,241	Mayor, 6 Cncl.	"	2" 4 "	Admin's'tor	" "	" "	18	1	69,676,878	.555%	1.53	1,917,557	6%	768,925
West Linn	6.01	8,800	Mayor, 5 Cncl.	"	2" 4 "	"	" "	" "	54	0	120,147,470	.958%	5.74	3,035,845	23%	1,857,000
Wilsonville	5.62	1,230	Mayor, 4 Cncl.	"	1" 2-4"	Recorder	" "	Sewer, wtr., parks, plng. & zoning, build. inspec.	7	1	42,013,955	.335%	2.04	447,013	19%	814,231
Wood Village	.62	2,605	Mayor, 4 Cncl.	"	4" 4"	Recorder	" "	Wtr., sewer, parks, st. lights, street maint.	3	1	18,327,000	.146%	1.02	857,730	2%	203,000
TR DISTRICTS:																
Alto Park	1	100	5-Mem. Bd.	"	4 Years	Bd. Chrmn.	Domestic wtr. supply & dist., strm. drng., st. lighting, fire prot., drainage, diking & flood control	Wtr. serv./fire prot. (9)	Contracts with Portland	2,065,000	.016%	1.41	4,975	58%	none	
Barwell Park	1	2,304	"	"	"	Manager	"	Water service	1	1	19,941,640	.159	0.27	91,483	0%	none
Boring	4	860	"	"	"	Supt.	"	" "	0	2	15,790,740	.126	none	106,600	0%	341,000
Burlington	1.4	450	"	"	"	Supt.	"	Water serv./fire prot. (9)	0	2	4,381,000	.035	3.46	65,468	23%	none
Capitol Highway	3.9	4,253	"	"	"	Supt.	"	" " (9)	4	2	50,234,000	.400	3.81	575,450	33%	156,000
Clackamas	10.5	13,120	"	"	"	Manager	"	Water service	14	4	221,302,630	1.764	none	1,079,000	0%	2,165,000
Clairmont	16.65	4,682	"	"	"	Supt.	"	" "	5	0	72,148,380	.575	1.54	499,847	24%	1,234,000
Colton	7.5	749	"	"	"	"	"	" "	0	3	7,530,880	.060	0.95	63,572	11%	108,000
Cooper Mountain	.5	118	"	"	"	Bd. Chrmn.	"	" "	0	0	583,674	.005	none	N/A	0%	N/A
Corbett	6	1,469	"	"	"	Supt.	"	" "	0	3	20,527,000	.164	1.40	106,224	27%	none
Damascus	9	3,680	"	"	"	Manager	"	" "	2	2	51,003,470	.407	1.59	412,419	20%	600,000
Darlington	.3	664	"	"	"	Supt.	"	" "	0	2	4,464,000	.036	1.09	26,194	19%	24,000
Forest Highlands	1	960	"	"	"	Bd. Chrmn.	"	" "	Contracts w/Lake Os.	12,299,610	.093	0.79	56,812	37%	129,000	
Gilbert	2	4,568	"	"	"	Manager	"	" "	0	2	43,374,000	.345	0.61	210,167	13%	130,000
Hazelwood	5.1	18,252	"	"	"	"	"	" "	11	0	275,055,000	2.192	none	1,157,885	0%	40,000
Holcomb-Outlook	6.26	1,302	"	"	"	Contract w/Clairmont	"	" "	Contract w/Clairmont	same	21,327,910	.170	0.72	126,464	12%	82,000

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	Area (5) Sq. Miles	Population (5)	Size & Structure	Governing Body How Selected	Term	Chief Admin. Officer	Functions Authorized	Functions Performed	No. of Employees Full time	P.T.	Total Assessed Value	Percent of Tri-County Assessed Value	'75-'76 Tax Rate Assessed Value per \$1000 av.	'75-'76 Budget	Percent of Revenue from Prop. Tax	Total (2) Indebtedness
AREA DISTRICTS: (cont.)																
Lake Grove	1	2,560	5-Mem. Bd.	"	"	Sec. of Bd.	"	"	2	0	22,311,130	.180	2.50	236,907	25%	437,000
Lusted	8	1,900	"	"	"	Supt.	"	"	2	0	31,848,000	.254	1.45	181,760	25%	224,000
Metsger	5.5	12,147	"	"	"	Manager	"	"	8	0	257,222,990	2.050	.42	1,154,072	13%	1,115,611
Mossy Brae	.2	134	"	"	"	Bd. Chrmn.	"	"	0	0	1,343,590	.011	None	10,483	0%	2,000
Mt. Hood Loop	Not Operational		"	"	"	Bd. Chrmn.	"	Not Operational	0	0	49,015,520	.391	.33	12,719	73%	None
Mt. Scott	12	3,200	"	"	"	Supt.	"	Water Service	1	2	6,661,610	.053	.68	246,475	14%	146,000
Molino	3.5	470	"	"	"	Bd. Chrmn.	"	"	0	0	28,029,250	.223	2.76	30,740	60%	7,160
North Scholls	N/A	N/A	"	"	"	n/a	"	Not Operational	0	0	571,162	.005	None	N/A	N/A	N/A
North Plains	N/A	800	"	"	"	n/a	"	"	0	0	4,003,295	.032	None	N/A	N/A	N/A
Oak Lodge	6	19,216	"	"	"	Supt.	"	Water Service	12	0	250,391,650	1.996	.045	922,361	12%	1,190,000
Palatine Hill	1	1,361	"	"	"	Supt.	"	"	2	0	32,108,000	.256	None	214,206	0%	54,000
Parkrose	10	11,183	"	"	"	Manager	"	"	12	0	220,658,000	1.759	0.34	2,108,916	4%	72,975
Park Place	1	1,056	"	"	"	Supt.	"	"	0	1	7,198,760	.057	4.17	74,022	41%	311,500
Pleasant Home	5	1,129	"	"	"	Supt.	"	"	0	1	915,560	.007	2.93	336,750	11%	63,000
Powell Valley Rd.	5.2	20,528	"	"	"	Manager	"	"	9	0	234,081,000	1.866	None	946,800	0%	656,930
Raleigh	4	2,531	"	"	"	Manager	"	"	1	0	61,549,024	.491	0.25	274,345	6%	68,000
Redland	12.52	1,328	"	"	"	Contract W/ Clairmont	"	"	Contract W/ Clairmont		25,835,760	.206	1.34	251,283	14%	465,000
Richland	.5	1,866	"	"	"	Supt.	"	"	0	2	19,233,000	.150	None	78,855	0%	28,000
Rivergrove	1.5	3,206	"	"	"	Supt.	"	"	1	0	1,316,492	.011	1.29	487,013	9%	494,000
Rockwood	16	27,054	"	"	"	Manager	"	"	18	0	397,483,000	3.169	0.16	1,871,987	3%	330,000
Rose City	1.5	7,447	"	"	"	Supt.	"	"	4	0	67,433,000	.538	None	214,300	0%	None
Shadowood	Not Operational		"	"	"	n/a	"	Not Operational	0	0	988,250	.008	None	N/A	N/A	N/A
Southwood Park	.50	720	"	"	"	Bd. Chrmn.	"	Water Service	0	2	6,668,640	.053	None	27,650	0%	None
Stanley	.6	16	"	"	"	Supt.	"	"	1	0	21,238,610	.169	0.15	51,456	6%	None
Sylvan	3	1,353	"	"	"	Manager	"	"	2	0	35,820,000	.286	0.17	147,120	4%	7,000
Tigard	12.59	13,347	"	"	"	Adm./Eng.	"	"	13	0	235,960,371	1.881	0.38	1,069,406	8%	1,481,000
Valley View	2.0	1,035	"	"	"	Sec. of Bd.	"	Water Service/ Fire Protection	0	0	15,357,000	.122	4.02	105,638	58%	42,000
West Slope	3.5	9,600	"	"	"	Manager	"	Water Service	5	1	181,248,710	1.445	None	501,614	0%	None
Wichita	1.0	2,317	"	"	"	Supt.	"	" (9)	1	0	6,800,670	.054	None	133,589	0%	10,000
Wolf Creek Highway	30.58	44,384	"	"	"	Adm.	"	"	35	1	758,706,016	6.049	0.32	6,291,127	4%	5,010,000
Wolsborn Farms	.5	80	"	"	"	Bd. Chrmn.	"	"	0	0	844,706	.007	None	N/A	N/A	N/A
TEN CONTROL DISTRICTS:																
Clackamas Bend	N/A	96	9-Mem. Bd.	Elected (10)	3 Years	Bd. Chrmn.	Water supply, distribu- tion storm drains, parks, recreation, irrigation, drainage, diking and flood control	Flood Control	0	0	2,005,920	.016	None	N/A	(11) None	N/A
Clackamas River	"	N/A	5, 7 or 9 Mem. Bd.	"	"	N/A	"	N/A	N/A	N/A	5,863,480	.047	"	N/A	"	N/A
McKay Creek	"	"	7-Mem. Bd.	"	"	Manager	"	Irrigation & flood Control	1	0	55,787,186	.445	"	23,000	"	400,000
Shady Dell	"	"	"	"	"	N/A	"	Domestic Water	N/A	N/A	590,380	.005	"	1,800	"	None

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	(5) Area Sq. Miles	(5) Population	Size & Structure	Governing Body How Selected	Term	Chief Admin. Officer	Functions Authorized	Functions Performed	No. of Employees		Total Assessed Value	Percent of Tri-County Assessed Value	'75-'76 Tax Rate per \$1000 av.	'75-'76 Budget	Percent of Revenue from Prop. Tax	(2) Total Indebtedness
									Full Time	P.T.						
WATER USE & CONTROL:																
Mollala River Dist. Imprvmt.	N/A	560	5 Mem. Bd.	Elected (10)	No Limit	Bd. Chrmn.	Water supply, distribution, storm drainage, irrigation, drainage flood control, sewers under certain circumstances.	Maintain channel & revetment treatment	0	0	163,443,210	1.303%	Not Authorized (11)	N/A.	Not Auth. (11)	N/A.
Temple Rd. (Clack. Co.)	.50	13	5 Mem. Bd.	"	" "	" "	" "	" "	0	0	N/A	N/A	"	N/A	"	N/A
Panavista	.50	35	3 Mem. Bd.	"	" "	" "	" "	" "	0	0	N/A	N/A	"	n/a	"	n/a
RAINAGE DISTRICTS:																
Beaverdam No. 8	.25	928	3 Mem. Bd.	" (10)	3 Years	" "	Water supply, distribution, storm drainage, irrigation, drainage, electricity	Drainage	0	0	n/a	n/a	" (11)	15,000	" (11)	24,000
Drainage-Dist. No. 7	N/A	38	" "	"	"	" "	" "	Not Operational			n/a	n/a	"	n/a	"	n/a
Eagle Creek	N/A	N/A	" "	"	"	" "	" "	N/A	N/A	N/A	"	"	"	N/A	"	N/A
Jobs Drainage District	N/A	41	" "	"	"	" "	" "	Drainage	0	0	"	"	"	1,500	"	None
Multnomah County No. 1	N/A	N/A	" "	"	"	Mgr-Sec-Treas.	" "	" "	5	0	"	"	"	89,868	"	"
Peninsula No. 1	N/A	N/A	" "	"	"	Sup	" "	" "	0	3	"	"	"	14,062	"	"
Peninsula No. 2	N/A	N/A	" "	"	"	Mgr.	" "	" "	2	0	"	"	"	29,631	"	"
Sandy	N/A	N/A	" "	"	"	Sec.	" "	" "	Cont. w/ Mult. Co.		"	"	"	8,000	"	"
Sauvies Island	N/A	N/A	" "	"	"	N/A	" "	" "	0	0	"	"	"	40,000	"	16,874
Section Line	N/A	N/A	" "	"	"	Bd. Chrm.	" "	" "	0	1	"	"	"	N/A	"	None
IRIGATION DISTRICTS:																
Multnomah No. 1	N/A	N/A	Variable (12)	Elected (10)	3 Years	N/A	Water supply, distribution, storm drainage, irrigation, drainage, electricity	N/A	N/A	N/A	"	"	" (11)	"	" (11)	N/A
Tualatin Valley	N/A	N/A	5 Mem. Bd.	"	"	Mgr.	" "	Irrigation	3		"	"	"	"	"	"
RURAL FIRE PROTECTION DISTRICTS:																
Beavercreek No. 55	26	3,860	5 Mem. Bd.	Elected	4 Years	Chief	Fire Protection/ Street Lighting	Fire Protection	2	3 (13)	51,882,40	.414%	1.01	50,340	104% (14)	59,000
Boring No. 59	64.2	N/A	"	"	"	"	" "	" "	4	3	139,176,820	1.110%	1.59	271,881	81%	275,000
Canby No. 62	45	5,500	"	"	"	"	" "	" "	4	0	67,545,630	.539%	1.18	122,174	65%	None
Clackamas No. 71	9	14,000	"	"	"	"	" "	" "	14	0	117,536,520	.937%	3.45	406,092	100%	57,000
Clackamas Co. No. 54	65	15,000	"	"	"	"	" "	" "	10	1	131,528,960	1.048%	3.07	525,783	77%	None
Clark No. 68	42	2,000	"	"	"	"	" "	" "	0	0	16,000,220	.128%	1.33	24,236	88%	"
Colton No. 70	42	2,150	"	"	"	"	" "	" "	0	0	15,312,110	.122%	1.25	23,372	83%	"
Cornelius	39	6,021	"	"	"	"	" "	" "	0	0	20,896,985	.167%	.61	17,730	72%	10,000
Estacada No. 69	82	9,000	"	"	"	"	" "	" "	3	1	96,340,150	.768%	1.42	164,803	84%	None
Forest Grove	88	15,000	"	"	"	"	" "	" "	9	8	50,111,392	.400%	1.94	119,277	81%	"
Gaston	45	8,000	"	"	"	"	" "	" "	1	0	26,078,100	.208%	1.34	42,893	98%	"
Glenmorrie No. 66	2	420	"	"	"	n/a	" "	" "	Cont. w/ L. Oswego		6,424,610	.051%	2.39	15,332	100%	"
Happy Valley No. 65	14.5	4,500	"	"	"	"	" "	" "	4	5	64,333,090	.512%	1.61	142,821	73%	"
Hoodland No. 74	56.0	3,000	"	"	"	"	" "	" "	0	0	63,063,830	.503%	.44	31,000	89%	"
Lake Grove No. 57	5.0	2,699	"	"	"	n/a	" "	" "	Cont. w/ L. Oswego		73,994,130	.590%	2.27	160,140	105%	"
Milwaukie No. 56	7.75	47,000	"	"	"	"	" "	" "	36	9	165,194,150	1.317%	4.02	962,245	69%	90,000
Molalla No. 73	92.0	10,000	"	"	"	"	" "	" "	0	1	108,824,140	.860%	.80	192,364	45%	100,000
Multnomah County No. 1	.6	1,800	"	"	"	n/a	" "	" "	Cont. w/ Prld.		52,429,000	.418%	4.48	226,902	103%	None
Multnomah County No. 4	1.0	1,875	"	"	"	n/a	" "	" "	Cont. w/ Prld.		20,756,000	.165%	3.88	76,710	105%	"

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	(5) Area Sq. Miles	(5) Population	Size & Structure	Governing Body How Selected	Term	Chief Admin. Officer	Functions Authorized	Functions Performed	No. of Employees		Total Assessed Value	Percent of Tri-County Assessed Value	'75-'76 Tax Rate per \$1000 av.	'75-'76 Budget	Percent of Revenue from Prop. Tax	(2) Total Indebtedness
									Full Time	P.T.						
RURAL FIRE PROTECTION DISTRICTS: (cont)																
Multnomah Co. No. 10	79.2	147,000	5 Mem. Bd.	Elected	4 Years	n/a	Fire Protection/St. Lighting	Fire Protection	204	0	1,449,669,000	11.557%	3.23	5,025,000	93%	None
Multnomah Co. No. 11	3.0	1,470	"	"	"	"	"	"	Cont. w/ L. Oswego		38,219,000	.305%	1.58	180,120	33%	"
Multnomah Co. No. 14	N/A	N/A	"	"	"	"	"	"	0	0	22,496,000	.179%	2.23	57,000	88%	10,500
Multnomah Co. No. 20	N/A	N/A	"	"	"	"	"	"	0	2	8,194,000	.065%	1.02	13,275	63%	None
Multnomah Co. No. 26	.7	N/A	"	"	"	"	"	"	Cont. w/ Portland		23,020,000	.184%	3.67	81,150	104%	None
Multnomah Co. No. 30	Not Operational		n/a	n/a	n/a	"	"	Not Operational	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Oak Lodge No. 51	7.5	27,500	"	"	"	"	"	Fire Protection	22	0	254,805,410	2.031%	2.26	712,220	81%	240,000
Rosemont No. 67	.6	1,000	"	"	"	"	"	"	0	0	28,427,990	.227%	.35	64,202	15%	None
Sandy No. 72	77.0	1,400	"	"	"	"	"	"	3	0	81,437,300	.650%	1.91	168,599	93%	180,000
Timber	7.5	150	"	"	"	"	"	"	0	0	706,880	.006%	None	N/A	0%	N/A
Tri-City	65.0	4,120	"	"	"	"	"	"	0	0	22,320,865	.178%	1.61	38,947	92%	40,000
Tualatin	94.0	50,000	"	"	"	"	"	"	70	0	490,600,237	3.911%	2.67	1,646,390	99%	7,123
Washington County No. 1	77.0	125,000	"	"	"	"	"	"	146	0	1,175,424,366	9.371%	3.41	4,263,250	95%	96,863
Washington County No. 2	154.0	25,000	"	"	"	"	"	"	4	0	141,840,886	1.131%	1.44	207,130	98%	N/A
SANITARY DISTRICTS:																
Government Camp	3	350	5 Mem. Bd.	Elected	4 Years	Bd. Chrmn.	Sewage treatment, collection, storm drainage, solid waste collection and disposal	Sewage Collection & Treatment	0	1	9,510,900	.076%	.79	28,374	27%	51,960
Oak Lodge	6.0	27,500	"	"	"	Manager	"	"	17	1	232,005,130	1.850%	.55	1,410,595	10%	1,080,000
Southwood Park	.50	720	"	"	"	Bd. Chrmn.	"	Sewage collection; treatment by contract	0	1	6,668,640	.053%	None	31,003	0%	None
PARK & RECREATION DISTRICTS:																
South Clackamas County	N/A	16,409	5 Mem. Bd.	Elected	4 Years	N/A	Parks & Recreation	N/A	N/A	N/A	192,171,830	1.532%	None	N/A	N/A	N/A
Tualatin Hills	45.0	100,000	"	"	"	Gen. Mgr.	"	As Authorized	30	300	1,085,272,343	8.652%	1.38	1,738,477	86%	285,000
HIGHWAY LIGHTING DISTRICTS:																
Fernbrook	N/A	N/A	5 Mem. Bd.	Elected	4 Years	Bd. Chrmn.	Street Lighting	As Authorized	0	0	n/a ⁽¹¹⁾	n/a	n/a ⁽¹¹⁾	N/A	N/A	n/a ⁽¹¹⁾
Monitor	.1	400	"	"	"	"	"	"	0	0	"	"	"	50	"	"
Southwood Park	.50	720	"	"	"	"	"	"	0	0	"	"	"	N/A	"	"
Woodland Park	N/A	N/A	"	"	"	"	"	"	0	0	"	"	"	"	"	"
VECTOR CONTROL DISTRICTS:																
Clackamas County	1,893	202,900	5 Mem. Bd.	Appointed by Bd. County Commissioners	4 Years	County	Vector Control	As Authorized	County Contracted		2,760,589,080	22.009%	.03	110,183	67%	None

CEMETERY DISTRICTS:																
Estacada	100	8,000	5 Mem. Bd.	Elected	4 Years	Sec./Treas.	Cemeteries	As Authorized	1	1	125,688,480	1.002%	.10	19,909	61%	None
COUNTY SERVICE DISTRICTS:																
Ara Vista	.2	945	Multnomah County Board of County Commissioners			n/a	Sewage treatment and collection, water supply and distribution, drainage, street lighting, parks & recreation, diking and flood control, public transportation, fire protection, enhanced law enforcement, hospital and ambulance service, libraries, vector control, cemetery maintenance, roads, weather modifications	Sewer service	Multnomah County Public Works Dept.		7,257,000	.057%	None	87,025	0%	70,000

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	(5) Area Sq. Miles	(5) Population	Size & Structure	Governing Body How Selected	Term	Chief Admin. Officer	Functions Authorized	Functions Performed	No. of Employees Full Time	P.T.	Total Assessed Value	Percent of Tri-County Assessed Value	'75-'76 Tax Rate per \$1000 av.	'75-'76 Budget	Percent of Revenue from Prop. Tax	(2) Total Indebtedness
COUNTY SERVICE DISTRICTS: (cont)																
Central County	9	54,000	Mult. Co. Bd.	Co. Commissioners	n/a	n/a	" "	Sewer Service	Mult. Co.	P.W. Dept.	524,028,000	4.178%	None	316,378	0%	63,688
Clackamas County No. 1	9	15,000	Clack. Co.	"	"	Utilities Dir.	" "	" "	Clack. Co.	P.W. Dept.	236,416,590	1.885%	1.78	13,184,365	0%	14,800,000
Clackamas County No. 5	N/A	N/A	"	"	"	"	" "	Street Lighting	"	"	540,230,430	4.307%	None	N/A	n/a	N/A
Clackamas County No. 6	.5	864	"	"	"	"	" "	Sewer Service	"	"	578,960	.005%	None	972	None	None
Columbia-Wilcox	.75	810	Mult. Co.	"	"	n/a	" "	" "	Mult. Co.	P.W. Dept.	19,988,000	.159%	None	73,556	0%	200,000
Dunthorpe-Riverdale	2	1,161	"	"	"	"	" "	" "	"	"	26,208,000	.209%	2.20	285,885	0%	528,000
Highlands	.1	116	"	"	"	"	" "	" "	"	"	3,315,000	.026%	None	37,104	0%	35,000
Mid-County	20	135,000	"	"	"	"	" "	Street Lighting	"	"	N/A	N/A	None	761,000	0%	None
Peach Cove	.1	100	Clack. Co. Bd.	Co. Commissioners	"	"	" "	Not Operational			Not Oper.	Not Oper.	Not Oper.	Not Oper.	Not Oper.	Not Oper.
Sylvan Heights	.5	270	Mult.	"	"	"	" "	Sewer Service	Mult. Co.	P.W. Dept.	5,496,000	.044%	None	59,989	0%	145,000
Tualatin Heights	1.5	4,050	"	"	"	"	" "	" "	"	"	28,294,000	.226%	None	618,659	0%	150,000
Unified Sewage Agency	67	160,000	Wash.	"	"	Mgr.	" "	" "	132	1	2,124,013,839	16.934%	.66	28,718,880	5%	15,817,500
Washington Co. SDL No. 1	N/A	40,000	"	"	"	"	" "	Street Lighting	Wash. Co.	P.W. Dept.	N/A	.226%	n/a	209,551	n/a	None
Washington Co. No. 2	.2	200	"	"	"	"	" "	Storm Drainage	"	"	"	N/A	None	None	n/a	None
SPECIAL ROAD DISTRICTS:																
Rainbow Lane	40	192	3 Mem. Bd.	Appointed by Co. Bd.	3 Years	Bd. Chrmn.	Highways and streets	As authorized	Contracted		766,585	.006%	2.08	2,000	79%	None
Skyline	.10	76	"	"	"	Bd. Sec.	" "	" "	Contracted w/Mult. Co.		1,184,000	.009%	2.03	2,400	90%	500
SOIL & WATER CONSERVATION DISTRICTS:																
Clackamas County	1,893	202,900	5-7 Directors	Elected	4 Years	Bd. Chrmn.	Storm drainage, parks, recreation, irrigation, drainage, diking, flood control, harbors	Financial & technical assistance to the districts concerning functions. Current projects include detailed soil analysis in Mult. & Clack. Co. & assistance on McKay-Rockcreek proj.	1		2,760,589,080	100. %	Not. Auth.	1,000	n/a	Not Auth.
East Multnomah	350	460,000	"	"	"	"	" "	" "	1		N/A	N/A	"	4,107	n/a	"
West Multnomah	100	90,000	"	"	"	"	" "	" "	(15)		N/A	N/A	"	4,282	n/a	"
Washington County	730	190,000	"	"	"	"	" "	" "	1		2,664,803,506	100 %	"	9,593	n/a	"
SCHOOL DISTRICTS:																
Clackamas Community College	1,880	160,000	7 Mem. Bd.	Elected	4 Years	President	Academic & vocational technical programs terminal for some and transitional for others	As Authorized	274	288	2,030,756,380	16.190%	1.57	8,490,902	38%	3,905,000
Mt. Hood Community College	950	200,000	"	"	"	"	" "	" "	450	450	1,981,503,000	15.798%	2.23	22,533,671	20%	17,020,000
Portland Community College	1,500	670,000	"	"	"	"	" "	" "	811	1,547	9,054,839,000	72.189%	.65	34,455,358	17%	None
Clack. Co. Intern. Ed. Dist.	1,893	202,900	"	"	"	Supt.	Distribute monies, conduct & arbitrate boundaries, etc., for all school districts and counties	" "	100	5	(16)	n/a	2.55	22,716,185	95%	None
Clack. Co. No. 1 (Canby H.S.)	N/A	16,405	5 Mem. Bd.	"	"	Supt/Prin.	Basic Education, under certain conditions also parks and recreation and cemeteries	" "	94	(17)	n/a	1.532%	7.35	3,439,420	45%	1,945,000
Clack. Co. No. 2 (Sandy H.S.)	"	16,856	"	"	"	Supt.	" "	" "	107.5	"	216,838,840	1.729%	6.43	3,400,146	45%	2,339,000
Clack. Co. No. 4 (Molalla H.S.)	"	14,794	"	"	"	Supt/Prin.	" "	" "	94.5	"	168,877,020	1.346%	5.82	1,962,965	66%	None
Clack. Co. No. 3 (West Linn)	"	13,780	"	"	"	Supt.	" "	" "	303.4	"	221,995,390	1.770%	17.98	6,293,524	69%	914,000
Clack. Co. No. 7 (Lake Oswego)	"	30,290	"	"	"	"	" "	" "	567.9	"	419,264,980	3.343%	16.45	12,309,073	62%	8,446,000
Clack. Co. No. 12 (N. Clackamas)	"	61,409	"	"	"	"	" "	" "	1,331	"	782,998,020	6.242%	16.51	22,753,510	64%	5,386,500
Clack. Co. No. 13 (Welches)	"	1,860	"	"	"	Supt/Prin.	" "	" "	22	"	85,225,620	.679%	3.48	574,133	53%	340,000

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SCHOOL DISTRICTS: (cont)																
Clack Co. No. 25 (Dickey Prairie)	"	402	"	"	"	Supt.	"	"	8	8,986,830	.072%	.97	106,162	65%	None	
Clack Co. No. 26 (Damascus Union)	"	12,281	"	"	"	Supt/Prin	"	"	52	42,496,070	.339%	15.73	1,121,012	69%	961,000	
Clack Co. No. 29 (Carus)	"	1,695	"	"	"	Supt	"	"	29.5	17,860,340	.142%	14.82	602,485	51%	482,000	
Clack Co. No. 32 (Clarkes)	"	1,400	"	"	"	Supt	"	"	21	13,895,820	.111%	7.76	308,501	44%	None	
Clack Co. No. 35 (Molalla)	"	6,914	"	"	"	Supt.	"	"	91	88,999,790	.710%	10.69	1,082,433	88%	410,000	
Clack Co. No. 44 (Boring)	"	3,397	"	"	"	Supt/Prin	"	"	40	34,401,070	.274%	10.11	720,511	56%	767,000	
Clack Co. No. 45 (Bull Run)	"	462	"	"	"	Prin	"	"	6.3	9,665,980	.077%	10.05	162,037	66%	None	
Clack Co. No. 46 (Sandy)	"	9,105	"	"	"	Supt	"	"	111.8	88,189,030	.703%	10.62	2,072,920	53%	1,434,000	
Clack Co. No. 53 (Celton)	"	3,882	"	"	"	Supt	"	"	93.3	41,218,780	.329%	21.56	1,675,823	70%	1,825,000	
Clack Co. No. 62 (Oregon City)	"	29,624	"	"	"	Supt	"	"	540	339,367,530	2.705%	17.46	14,354,556	47%	9,086,000	
Clack Co. No. 67 (Butte Creek)	"	1,219	"	"	"	Prin	"	"	16.3	10,850,300	.087%	8.07	266,557	54%	7,262	
Clack Co. No. 80 (Shubel)	"	476	"	"	"	Prin	"	"	5.1	4,513,170	.036%	11.76	93,702	65%	None	
Clack Co. No. 84 (Mulino)	"	2,111	"	"	"	Supt	"	"	30.2	19,145,250	.153%	9.25	454,561	47%	150,000	
Clack Co. No. 86 (Canby)	"	11,202	"	"	"	Supt	"	"	148	146,743,300	1.170%	11.64	3,892,862	49%	1,285,000	
Clack Co. No. 87 (Maple Grove)	"	221	"	"	"	Prin	"	"	2.9	5,480,920	.044%	5.26	52,766	69%	None	
Clack Co. No. 91 (Ninety-One)	"	2,673	"	"	"	Supt	"	"	44	27,568,190	.220%	11.37	702,564	52%	367,000	
Clack Co. No. 92 (Rural Dell)	"	958	"	"	"	Prin	"	"	16.5	13,822,350	.110%	11.57	269,718	67%	372,000	
Clack Co. No. 107 (Cottrell)	"	1,668	"	"	"	Supt/Prin	"	"	21	11,580,100	.092%	14.31	282,871	51%	336,000	
Clack Co. No. 108 (Estacada)	"	12,829	"	"	"	Supt	"	"	255	142,132,330	1.133%	16.55	2,610,640	103%	990,000	
Clack Co. No. 115 (Gladstone)	"	8,188	"	"	"	Supt	"	"	142	36,136,060	.288%	13.88	3,046,650	64%	2,594,000	
Clack Co. No. 116 (Redland)	"	2,745	"	"	"	Supt	"	"	41	4,355,160	.035%	5.87	1,977,088	55%	410,000	
Mult. Co. Inter. Ed. District	457	547,900	7 Mem. Bd.	"	"	Supt	Distribute monies, perform audits, arbitrate boundaries, etc., for all school districts in county	"	239	0	(16)	2.86	34,901,582	89%	None	
Mult. Co. No. 2-20 (Gresham HS)	N/A	93,297	5 Mem. Bd.	"	"	Supt	Parks, recreation, schools and cemeteries	"	462	0	608,195,000	4.849%	6.69	9,319,027	56%	4,115,000
Mult. Co. No. 1 (Portland)	"	375,000	7 Mem. Bd.	"	"	Supt	"	"	5,441	0	5,475,679,000	43.655%	10.12	118,805,364	60%	None
Mult. Co. No. 3 (Parkrose)	"	29,481	5 Mem. Bd.	"	"	Supt	"	"	421	0	324,058,000	2.584%	13.69	8,295,223	70%	1,774,000
Mult. Co. No. 4 (Gresham)	"	35,057	"	"	"	Supt	"	"	288	0	302,979,000	2.415%	8.99	5,846,201	63%	1,631,000
Mult. Co. No. 7 (Reynolds)	"	37,919	"	"	"	Supt	"	"	563	0	392,922,000	3.132%	11.84	19,103,781	34%	2,380,000
Mult. Co. No. 15 (Pleasant Valley)	"	3,271	"	"	"	Supt	"	"	31	0	29,582,000	.236%	6.39	773,660	38%	216,000
Mult. Co. No. 19 (Sauvie Island)	"	525	"	"	"	Prin/Supt	"	"	14	0	17,032,000	.136%	12.66	334,119	76%	None
Mult. Co. No. 6 (Orient)	"	6,901	"	"	"	Supt	"	"	58	0	48,475,000	.386%	7.08	1,119,381	44%	210,430
Mult. Co. No. 28 (Lynch)	"	33,730	"	"	"	Supt	"	"	303	0	172,440,000	1.375%	8.84	5,360,000	46%	3,027,000
Mult. Co. No. 39 (Corbett)	"	4,431	"	"	"	Supt	"	"	70	0	28,105,000	.224%	18.78	1,406,000	52%	525,000
Mult. Co. No. 40 (David Douglas)	"	46,494	"	"	"	Supt	"	"	764	0	390,336,000	3.112%	16.19	13,377,775	63%	2,666,544
Mult. Co. No. 46 (Bonneville)	"	436	"	"	"	Prin/Teacher	"	"	8	0	3,911,000	.031%	17.41	182,435	47%	None
Mult. Co. No. 51 (Riverdale)	"	1,924	"	"	"	Prin/Supt	"	"	28	0	31,153,000	.248%	16.47	790,334	76%	265,000
Wash. Co. Inter. Ed. District	730	190,900	7 Mem. Bd.	"	"	Supt	Distribute monies, perform audits, arbitrate boundaries, etc., for all schools in county	"	70	9	2,587,475,585	20.629%	.49	21,977,378	5%	None
Wash. Co. No. 3 (Hillsboro HS)	N/A	68,432	"	"	"	Supt	Parks, recreation, schools and cemeteries	"	236	114	445,018,323	3.548%	10.35	8,127,457	57%	3,463,000
Wash. Co. No. 7 (Hillsboro)	48	18,914	"	"	"	Supt	"	"	261	0	253,037,093	2.017%	8.42	3,663,803	58%	1,445,000

UNITS OF LOCAL GOVERNMENT IN THE TRI-COUNTY AREA

March 1976

Page 9

	(5)	(5)														(9)
	Area	Population	Size & Structure	Governing Body	Term	Chief Admin. Officer	Functions Authorized	Functions Performed	No. of Employees	Total Assessed	Percent of Tri-County	'75-'76 Tax Rate	'75-'76 Budget	Percent of Revenue from	Total	
	Sq. Miles			How Selected					Full Time P.T.	Value	Assessed Value	per \$1000 av.		Prop. Tax	Indebtedness	
CHOUL DISTRICTS: (cont)																
Wash. Co. No. 13 (Banks)	N/A	4,674	"	"	"	Supt.	"	"	87 0	44,684,746	.356%	18.17	1,402,864	59%	453,245	
Wash. Co. No. 15 (Forest Grove)	200	18,036	"	"	"	"	"	"	344 0	169,557,050	1.352%	19.82	6,297,620	54%	3,667,000	
Wash. Co. No. 23 (Tigard)	25	26,066	"	"	"	"	"	"	410 77	476,407,671	3.800%	14.97	10,358,011	69%	7,278,826	
Wash. Co. No. 29 (Reedville)	8	7,147	"	"	"	"	"	"	82 2	75,511,848	.602%	10.54	1,549,189	51%	845,000	
Wash. Co. No. 39 (Groner)	N/A	1,890	"	"	"	Supt/Prin	"	"	21 1	21,910,609	.175%	11.27	428,056	58%	170,000	
Wash. Co. No. 48 (Beaverton)	54	96,138	"	"	"	Supt.	"	"	210.5 10	1,362,979,554	10.866%	20.63	48,219,710	59%	34,410,000	
Wash. Co. No. 58 (Farmington)	N/A	1,414	"	"	"	Supt/Prin	"	"	15 6	25,095,105	.200%	5.32	257,748	54%	28,000	
Wash. Co. No. 70 (North Plains)	75	2,247	"	"	"	"	"	"	27 8	22,288,403	.178%	9.97	446,389	50%	180,000	
Wash. Co. No. 88 (Sherwood)	44	5,845	"	"	"	Supt.	"	"	141 0	72,050,167	.574%	17.37	4,707,506	32%	1,802,000	
Wash. Co. No. 511 (Gaston)	N/A	3,654	"	"	"	Supt/Prin	"	"	55 0	16,778,074	.134%	21.12	876,165	51%	218,000	
Wash. Co. No. 1 (West Union)	30	2,149	"	"	"	"	"	"	29 2	47,175,265	.376%	6.11	477,190	60%	138,900	

FOOTNOTES

- (1) Excludes employees under Comprehensive Employment Training Act (CETA).
- (2) Total debt includes all debt incurred as of July 1, 1975. For most units this figure was obtained from budgets filed with the Oregon State Department of Revenue as of that date. Not included is indebtedness authorized but not yet incurred -- for instance, where bonds have been authorized but not yet added.
- (3) An election which would authorize a five year serial levy of \$2,000,000 per year for regional financing of the zoo is scheduled for May 26, 1976.
- (4) Excludes two smaller levies applicable to reduced area and levied to pay off debt incurred by Dock Commission prior to formation of Port of Portland as presently constituted.
- (5) Area and population figures are estimates designed primarily to offer rough comparison of size and should not be taken as absolute truths for any other purposes. In some cases one or the other of these two figures was excluded either because it did not seem significant as with Irrigation Districts, Drainage Districts, etc., or because it was not readily available as with a number of school districts. Sources and methodology for arriving at the area and population figures which are given are noted below.
 - (a) Cities - center for population and research, Portland State University and Portland Metropolitan Area Boundary Commission files. Population figures are as of July 1, 1975 and area figures are as of Dec. 31, 1975.
 - (b) Water Districts - Population derived from total number of accounts multiplied by average population per household supplied by center for population and research. This factor is for Clackamas County, for Multnomah County, and for Washington County.
 - (c) Rural Fire Protection Districts - Both area and population estimates are from the Annual Statistical Report of the Oregon State Fire Marshall. The figures are as of December 31, 1974.
 - (d) Other estimates were obtained through verbal contact with district administrators or board members.
- (6) For the purposes of simplifying this chart, certain cities have (simply) been identified as "full service" while services performed have been listed for the (in certain) others. The criteria for this categorization were arbitrarily determined and do not necessarily reflect upon the quality of the services in a city. A list of ten services was drawn up which included sewer, water, fire, police, street maintenance and construction, street lighting, parks, planning and zoning, building care administration and library. If a city offered less than seven of these or if at least seven were offered but more than four of the seven were contracted, then the services offered were listed separately on the chart. Otherwise, the heading "full service" was employed.
- (7) Budget figures for the cities of Canby and Forest Grove reflect the fact that each city owns the electric power franchise for their respective areas.
- (8) Each council member, including the mayor, is the chief administrator for several departments within the city. The mayor is the "chief" administrator in that he has the power to decide which departments the other council members will administrate.
- (9) Some water districts contract with cities or fire districts for fire service. Also park contracts with the City of Lake Oswego. Capital Highway, Burlington and Valley View districts contract with the City of Portland.
- (10) Elected by other than registered voters. Usually voting qualifications include land ownership sometimes even in combination with voting registration.
- (11) Mostly financed by assessments on property within the district and not based on the property's assessed value.
- (12) The number of directors varies with the size of the district and the number of subunits designated within the district.
- (13) Parttime employees listed consist primarily of "sleepers", persons who sleep at the station and are on call for a certain number of hours during the night. Volunteers were not listed as parttime since their work is not regularly scheduled. However, most districts do have many volunteers and the more rural districts depend entirely on these persons who may or may not be compensated for their services.

Footnotes (continued)

- (14) The district has no other revenues and therefore levies a property tax equal to its entire budget. Ordinarily this would result in the percent of revenue from property tax being 100%. However, in order to account for uncollectable taxes (delinquent accounts etc.) a levy is normally made for somewhat more (usually around 5%) than the exact amount required by the district. Thus in several cases the percent of revenue from property tax shows up as being larger than 100% when most likely the amount actually collected would drop that figure below 100%.
- (15) West Multnomah District shares East Multnomah District's single employee.
- (16) Clackamas and Multnomah counties both split out their Intermediate Education Districts by high school and elementary school using a different total assessed value for each. No single assessed value is therefore available.
- (17) Clackamas County school employment figures are in full time equivalencies (FTE) so the parttime positions are included in the totals shown here.

ADDITIONAL NOTFS:

N/A is not available.

n/a is not applicable

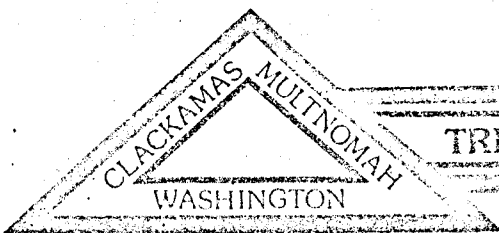
Did not include on the chart special district which is primarily located outside of Tri-County area.

Any district located in two of the counties of Tri-County area is only included once on the list in the county of primary impact.

Excluded are Clackamas County road districts as they are basically financing units which act without approval of the county board.

Cities acreage is through December, 1975.

T-6



TRI-COUNTY LOCAL GOVERNMENT COMMISSION

1912 S.W. SIXTH, ROOM 244

PORTLAND, OREGON 97201

(503) 229-3576

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Chairman
Carl M. HALVORSON
Vice Chairman
A. McKay RICH
Staff Director

June 9, 1976

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Ito BONYHADI
Alan BRICKLEY
Dennis BUCHANAN
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Ardis STEVENSON
Donna STUHR
Steve TELFER
Ora Faye THORGERSON
Jerry TIPPENS
William B. WEBBER
Julie WILLIAMSON
Roger W. YOST

COMMITTEE

MEETING TIME

GUEST SPEAKER

I HUMAN SERVICES

Tues., June 15 - Noon

Discussion of models and assignment of physical and human services.

PSU, Smith Memorial Center,
Room M107
(enter on Brdwy.)

"

Tues., June 22 - Noon

Reaction to assignment by Human Service generalists. Commissioner Charles Jordan.

II PUBLIC WORKS AND TRANSPORTATION

Wed., June 16 - Noon

Terry Waldele, CRAG, Dir. of Water Study
Summarizing water discussions.

CRAG Conf. Rm. D

"

Wed., June 23 - Noon

Discussion on sewers and sewerage.

III LAND USE, RECREATIONAL AND CULTURAL ACTIVITIES

Tues., June 15 - Noon

Discussion of matrix for Libraries and Parks and Recreation
a. Three-tier
b. Two-tier

CRAG Conf. Rm.

"

Tues., June 22 - Noon

Implementation, Enforcement, Permits, etc.

IV PUBLIC SAFETY

Mon., June 14 - 4:00 p.m.

Operation of courts, D.A.'s and Legal Aid.

CRAG Conf. Rm.

"

Mon., June 21 - 4:00 p.m.

Juvenile Justice.

V FINANCE, TAXATION, ADMINISTRATIVE SERVICES

Thurs., June 10 - Noon

Discussion of lower tier. Determine status & financial need.

CRAG Conf. Rm. D.

Mary Pedersen, Dir. of Neighborhoods, Portland

(CONTINUED)-

V FINANCE, etc.

CRAG Conf. Rm.

"

Thurs., June 17 - Noon

Revenue sources for
upper tier.

Thurs., June 24 - Noon

Revenue sources for middle
tier.
Equity question.

EXECUTIVE COMMITTEE

Kopper Kitchen
Ione Plaza

Wed., June 16 - 7:30 a.m.

TBA

COMMISSION MEETING

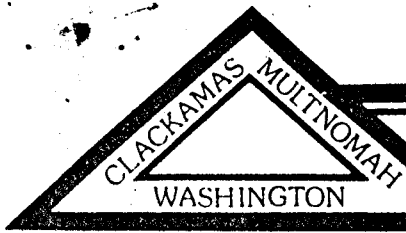
Smith Memorial Center
Room 338
PSU

Thurs., June 17 - 7:30 p.m.

Work session

els

6-9-76



TRI-COUNTY LOCAL GOVERNMENT COMMISSION

1912 S.W. SIXTH, ROOM 244

PORTLAND, OREGON 97201

(503) 229-3576

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Chairman
Carl M. HALVORSON
Vice Chairman
A. McKay RICH
Staff Director

June 15, 1976

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Julie WILLIAMSON
Roger W. YOST

TO: Full Commission

FROM: Bromleigh S. Lamb and Ken Martin

RE: Constitutional and Statutory Provisions
Relating to Local Government Reorganization

Attached is a paper on Oregon constitutional and statutory provisions which might have a bearing on reorganization in the Tri-County area. Although lengthy, it is not exhaustive, and the Commission may wish to have specific questions explored in greater depth.

BSL/KM/bjg

Attch.

TRI-COUNTY LOCAL GOVERNMENT COMMISSION

CONSTITUTIONAL AND STATUTORY PROVISIONS
RELATING TO LOCAL GOVERNMENT REORGANIZATION

June, 1976

1912 S.W. 6th Avenue
Portland, Oregon 97201

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INTRODUCTION

This memo addresses the legal aspects of local governmental reorganization. It examines avenues currently open to reorganization efforts, and it notes constitutional and statutory impediments to such attempts.

Section I covers constitutional provisions relating to reorganization. In Section II, a brief overview is given of the constitutional restraints on local government finance. Statutory provisions relating to area-wide service are covered in Section III. This section also deals with the question of current urban policy for the metropolitan area. Section IV looks briefly at statutory aspects of local government finance. The relationship between all of the above aspects of governmental reorganization and Models II and III being studied by the Commission is discussed in Section V.

I. Constitutional Provisions Relating to Reorganization by the Legislative Assembly

In considering the powers of the Oregon Legislative Assembly to effect local Government reorganization, four sets of constitutional provisions are pertinent: (1) the prohibition against the creation by special act of corporations, including municipal corporations, contained in Article XI, section 2; (2) the balance of the city home rule amendments, contained in both Article XI, section 2, and Article IV, section 1 (formerly section 1a); (3) the county home rule amendment, contained in Article VI, section 10; and (4) Article XI, section 2a, relating to merger of adjoining cities and to city-county consolidation in Multnomah County.

What is a Municipal Corporation?

In interpreting these provisions, the situation is compounded by the fact that the Oregon Constitution uses all of the phrases "corporations", "municipal corporations" and "municipalities". The Oregon Supreme Court has generally construed these phrases independently. With regard to the words "municipality", as used in Article XI, section 2, and "municipal corporation", as used in Article XI, section 2a, it has said that they are interchangeable. School District No. 17 v. Powell, 203 Or. 168, 279 P. 2d 492 (1955).

As Etter notes, the court has construed "municipality" differently in applying Article IV, former section 2. than in applying Article XI, section 2, 46 OLR 251. In the case of the former provision, dealing with local initiative and referendum powers, the court has construed the term broadly to extend it beyond cities and towns. Schubel v. Olcott, 60 Or. 503, 120 P. 375 (1912); Rose v. Port of Portland, 82 Or. 541, 162 P. 498 (1917); Carriker v. Lake County, 89 Or. 240, 171 P. 407, 173 P. 573 (1918). The court, in Carriker, refers to a county as a "municipality". This nomenclature, however, appears to be in a general context and without reference to the use of the word "municipality" in the constitution.

In the case of Article XI, section 2, relating to the prohibition of legislative amendment or repeal of a charter of a municipality, the court has

held that the term "municipality" is limited to a city or town. Rose v. Port of Portland, supra.

Further confusion is added as to whether counties are included within the phrase "corporations" which under Article XI, section 2, cannot be created by special act. The original language of this section provided:

Corporations may be formed under general laws,
but shall not be created by special laws, except
for municipal purposes. (Emphasis supplied.)

The municipal home rule amendments of 1906 deleted the emphasized language, above, and added the language "by the legislative assembly" after the word "created." The prohibition was clear: the Legislative Assembly could not create a municipal (or other) corporation by special act.

The problem is: What is a municipal corporation? Is it only a city? Is it a county? Is it a special district?

The court has answered the last question definitively "yes" in holding that a port district is a corporation within the meaning of the prohibition. Farrell v. Port of Columbia, 50 Or. 16991 P. 546 (1907).

Not so clear is the court's position with regard to counties. The court has never specifically construed the word "corporation" in Article XI, section 2, with regard to counties. Several early opinions at least lean on the side that counties are municipal corporations. Cook v. Port of Portland, 20 Or. 580, 27 P. 263 (1891), discusses counties as corporations "in the broadest use of the term, for municipal purposes".

The classic case of Schubel v. Olcott, supra is all over the map. The court starts out by stating that counties are municipal or quasi municipal corporations (without deciding which), then states that a county is not, "in a strict sense", a municipal corporation, but that, "in a certain sense", it comes within the rules and principles applicable to such corporations. Then, as if the confusion were not complete, the court concludes, "A county is a public corporation, classed with cities, towns and villages".

Based on Cook and Schubel, the court concluded in 1917 that counties were municipal corporations. Barber v. Johnson, 86 Or. 390, 167 P. 800 (1917). Also persuasive is the language of Article XI, section 9, cited by several of the cases which refers to "county, city, towns or other municipal corporations".

All of which might seem to settle the question, except for the fact that the Oregon Supreme Court in later years has discussed the status of counties without any reference to these earlier cases. Only two years after Barber, the court stated that "a county is not an independent governmental entity - it is not even a corporation in the same sense that municipalities are corporations. It is a quasi corporation created by legislative fiat for governmental purposes and subject to the legislative will in all matters not prohibited by some constitutional restriction." MacKenzie v. Douglas County, 81 Or. 375, 178 P. 350 (1919).

Similarly, the court said, thirty years later in affirming MacKenzie, "A county is merely a political agent of the state created by law for governmental purposes, invested with legislative powers and charged with the per-

formance of duties for the state". State ex rel. State Public Welfare Commission v. Malheur County Court, 185 Or. 392 203 P. 2d 305 (1949). The court repeated the language of MacKenzie in 1961, stating that counties are created by "legislative fiat". Powell Grove Cemetery Association v. Multnomah County, 228 Or. 597, 365 P. 2d 1058 (1961).

If one wishes to use a little imagination, one could read Carriker as saying in 1918 that counties are municipalities and then rely on Powell in 1955 for the proposition that "municipality" is interchangeable with "municipal corporations" by special act. If one follows this route, however, he is faced with the anomaly that the Legislative Assembly created Deschutes County by special act in 1916, 10 years after the adoption of Article XI, section 2.

Legislative Power Over County Boundaries

All of this has led to two contradictory opinions from authorities as to whether the Legislative Assembly has the power under the Oregon Constitution to adjust county boundaries. A 1961 memo from the Legislative Counsel held that the assembly was without such power (except by general act), relying on the Article XI, section 2, prohibition against the creating of corporations by special act and the earlier cases implying or stating that counties were "corporations" within the meaning of the constitution. Memorandum, Legislative Counsel Committee, November 27, 1961.

Even assuming that this interpretation of Article XI, section 2, is correct as to the word "corporations" including counties, one reservation must be noted as to this opinion. That relates to the constitutional term "create" which is not discussed in the memorandum. At the outset, it would be noted that the Oregon courts have not been called upon to construe this language. What, then does it mean to "create" a corporation? The LCC memo seems to imply that any change in county boundaries involves "creation". This does not appear defensible.

"Creation" within the language of the constitution would seem to mean the bringing into being of an entity. The changing of boundaries between entities already in being does not appear to be within the meaning of the language.

On the other hand, the consolidation of counties, again assuming that they are "corporations", would appear to be prescribed. Consolidation involves not merely the adjustment of boundaries, but the creation of a new unit.

An opinion contrary to that of LCC was issued in 1968 by the Attorney General under the authorship of William Linklater, former counsel to the Lane County Board of Commissioners at the time that that county adopted its home rule charter. Relying on MacKenzie and Powell Grove Cemetery, supra, Linklater concluded that the Legislative Assembly "has the general power to create counties and thus consolidate them..." 34 Op. A.G. 345 (1968). He noted an exception, however, with regard to home rule counties, holding that the Legislative Assembly did not have the power to abolish such counties, which would be involved in their consolidation.

Relying on the same cases, Linklater further concluded that the Legislative Assembly has the power to modify county boundaries. In this type of situation, however, he found that the legislative power extended to home rule counties, noting that the county home rule amendment "does not appear in

any way to have been intended to 'freeze' the boundaries of counties having a charter". (Interestingly, Linklater had suggested a contrary view in an earlier Attorney General's opinion where he suggested that it was "arguable" that the boundaries of Multnomah County were free from legislative control because of home rule. 33 Op. A.G. 518 (1968).

While Linklater does not cite it, there is an earlier Attorney General's opinion to the same effect, but stated in more sweeping language. Tyner, in 1965, stated that the county home rule amendment "does not concern the establishment of county boundary lines" and does not affect the plenary power of the legislature to change county boundaries. 32 Op. A.G. 143 (1965).

In reviewing the respective cases on which the Legislative Counsel memorandum and Linklater's opinion are founded, several interesting observations emerge. First, the Oregon Supreme Court has never directly been faced with the question of whether counties are municipal corporations within the meaning of Article XI, section 2 unless this can be implied from the imaginative reading of the nonspecific reference in Carriker and the statement in Powell, suggested above. Secondly, it is the earlier cases which tend to suggest that counties are municipal corporations and the later cases which stress the traditional view of counties as existing by legislative fiat. (Etter points out the irony of this in view of the fact that modern urban counties are acting more and more like cities. Comment accompanying letter of May 19, 1976.) Thirdly, the later cases do not specifically over-rule the earlier ones and, in fact, do not even mention them. Thus, the reader is led to wonder whether the court was even considering the same issues.

Supportive of the view that the Legislative Assembly has the authority to adjust the boundaries of charter counties is a recognized Oregon authority on local government law, Orval Etter, who suggests that the adjustment of county boundaries is not an intramural matter, subject to a county's home rule powers, but rather one of intergovernmental relations and properly subject to the control of the Legislative Assembly. Interview, Eugene, Oregon, April 9, 1976. (See also Etter, Local Boundaries: Two Position Papers, Central Lane Planning Council, 1969).

Etter also suggests a third position, different from either that of Legislative Counsel or Linklater: namely that "Nothing in Article VI, section 10, appears to imply any change in the power of the legislature to create or abolish counties." Comment accompanying letter of May 19, 1976.

In summation, then, the most reasonable conclusion appears to be that the Legislative Assembly has the power to adjust county boundaries, including those of home rule counties, but that the situation is not clear, at least as far as the cases and other authorities go, as to the Assembly's power to create or abolish counties by special act. Common sense would appear to favor Etter's position, i.e. that the creation and abolition of counties is within the plenary power of the legislature. There is enough authority, by implication at least, suggesting a contrary view, however, that caution would be advised.

Legislative Control of City Boundaries

The Oregon Supreme Court has held that a change in city boundaries amounts to an amendment of the city's charter. Schmidt v. Cornelius, 211 Or. 505, 316 P. 2d 511 (1957).

Although the court in Schmidt equated a change in city boundaries with charter amendment in fairly broad terms, it should be noted that that case dealt only with a statutory procedure whereby a single property owner, upon proving certain conditions precedent, could effect a withdrawal of territory from city. Etter suggests that the case may stand for no more than the proposition that detachment of territory from a city is an intramural matter exclusively within the city's home rule powers and that it does not deal with the issue with regard to the extension of boundaries. Interviews, Eugene, Oregon, April 9, 1976, and by phone, Salem to Eugene, Oregon, April 14, 1976.

It is interesting to note that ORS 199.505, relating to boundary commissions, permits minor boundary changes, which include annexations, withdrawals or transfers, to be accomplished without an election unless objection is made through remonstrance or by resolution of the governing body.

ORS 222.850 to 222.915, the "health hazard" annexation statute, also provides for annexations without a vote under certain circumstances. This statute was just recently upheld by the Court of Appeals. Kelly v. Silver, ___ Or. App. ___ P. 2d ___ (1976). This case is particularly interesting, because the plaintiffs relied on Schmidt, supra, in attacking the statute as an unconstitutional delegation of power to the administrator of the state Health Division. The court rejected this interpretation of Schmidt, noting that the court there had relied upon Spence v. Watson, 182 Or. 233, 186 P. 2d 785 (1947), which stated:

... the legislature has the authority to enact a law prescribing the procedure to be followed in determining whether any prescribed area outside the corporate limits of .../a/ city shall be annexed...

Legislative Authority over Charters

The constitution is quite clear in prohibiting legislative meddling with city charters. Article XI, section 2, provides, "The legislative Assembly shall not enact, amend or repeal any charter or act of incorporation for any municipality, city, or town." As noted above, the Oregon Supreme Court has construed "municipality" in this language to be limited to a city or town. Rose v. Portland, supra. Etter points out that this prohibition, however, has been limited to special legislation. Comment accompanying letter of May 19, 1976.

With regard to county charters, language such as that just quoted from Article XI, section 2, is conspicuously absent from the county home rule amendment, Article VI, section 10. Linklater has stated, however, in an Attorney General's opinion relating to Portland-Multnomah County consolidation, that the charters of both those entities could not be repealed except

by a vote of the people. 33 Op. A.G. 518. (While not directly on point, it should be noted that the courts have gone far in equating the home-rule powers granted to counties with those granted to cities. Schmidt v. Masters, 7 Or. Opp. 421, 490 P. 2d 1029 (1971). This may, or may not, imply that the restrictions on legislative interference with county charters are analogous with those on similar interference with city charters.)

Merger of Adjacent Cities and City-County Consolidation in Multnomah County

Article XI, section 2a authorizes the establishment by general law of a method for merging adjoining cities and towns. This section also provides for city-county consolidation in Multnomah County "in such manner as may be provided by law." An Attorney General's opinion, again by Linklater, indicates that the Legislative Assembly would have had the authority granted by the latter provision even without the amendment to Article XI, section 2a, which specifically did so. 33 Op, A.G. 518. In fact, the Oregon Supreme Court has said that the amendment which created the original section was unnecessary. School District No. 17 v. Powell, supra.

Summary

In conclusion, the following appear to emerge with regard to constitutional authorizations and constraints on the powers of the Legislative Assembly to effect reorganization in the Tri-County area: (1) The Legislative Assembly can adjust the boundaries of counties, including charter counties. (2) Common sense and some authority suggest that the Assembly could consolidate the three counties, but other authority suggests that without a vote of the people of the two charter counties, this is arguable. (3) Withdrawal of territory from a charter city can be accomplished only by a vote of the people of that city. (4) Reorganization which requires modification of city or county charters requires approval of the voters of the affected jurisdictions.

II. Overview (Preliminary) of Constitutional Provisions Relating to Local Government Finance

This is not intended as an exhaustive discussion of the subject but, rather, as an identification of pertinent constitutional provisions which may be studied more in depth at a later stage as the commission identifies options for financing.

There are four sets of provisions of the Oregon Constitution which have a direct bearing on local government finance: (1) the "uniform and equal" provisions relating to taxation found in Article 1, section 32, and Article IX, section 1; (2) the limitation on local improvement financing in the county home rule amendment, Article VI, section 10; (3) the county debt limitation found in Article XI, section 10; and (4) the six percent limitation found in Article XI, section 2.

Uniform and Equal Provisions

These were adopted in their present form by amendments in 1917 designed to abolish what was believed to be the restrictions in the original constitution on classifying property. Standard Lbr. Co. & Pierce, 112 Or. 314, 228 P. 812 (1924).

The pertinent language of Article I, section 32, (the Bill of Rights) is: "...all taxation shall be uniform on the same class of subjects within the territorial limits of the authority levying the tax." Article IX, section I, reads: The Legislative Assembly shall....provide by law uniform rules of assessment and taxation. All taxes shall be levied and collected under general laws operating uniformly throughout the state."

There are numerous cases construing these provisions, both before and after the 1917 amendments. No attempt will be made at this stage to analyze them in detail. In general, the courts have upheld reasonable classification and have allowed some flexibility as to uniformity. See, e.g. Standard Lbr. Co. Pierce, *supra*: "This does not mean that the subjects of the class selected for taxation shall be precisely alike in all respects, but rather that they must be alike in the essential particulars which induced the legislature to include them in one classification." Also, Westward Properties, Inc. v. Department of Revenue, 3 OTR 496 (1969): "...arbitrary or systematic discrimination must be shown in order for plaintiff to claim a violation of the constitutional requirement of uniformity."

As Etter notes, the uniform and equal provisions have been generally construed as applying to property taxes. Comment accompanying letter of May 21, 1976.

Charter County Improvements

Article VI, section 10, provides that local improvements in home rule counties must be financed "only by taxes, assessments or charges imposed on benefitted property, unless otherwise provided by law or charter." This would appear to create no problems providing appropriate provisions are contained in the county charter. Etter notes that a number of county charters, including those of Multnomah and Washington Counties, explicitly empower the county governing bodies "to ascertain to what extent particular local improvements are of special benefit and of general benefit, to levy special assessments to the extent of the special benefit, and to finance the improvements by revenue from other sources to the extent that the improvements are of general benefits." 46 OLR, 251, 283.

County Debt Limitation

Article XI, section 10, imposes a limitation on indebtedness of counties of \$5,000 except for bonded indebtedness to carry out purposes authorized by statute. The limitation appears to create more of a nuisance than insurmountable problems, according to county officials contacted. Interviews with Andy Thaler and Fred Leutwyler, by phone, Portland and Hillsboro, April 21, 1976.

Six Percent Limitation

The limitation on property tax increases imposed by Act. XI, section 11, applies to all units of government.

The limitation is of particular significance in altering units of government with regard to the establishment of tax bases. When two or more units are combined into a larger unit, they may be either "consolidated" or "merged". In the case of consolidation, all of the old units lose their identity, and a completely new unit is formed. The new unit has no tax base until one is adopted by the voters. In the case of merger, one or more units are combined with (in effect, annexed to) another unit which retains its existence and acquires a new tax base similar to that which is acquired in the case of annexation.*

Taxing Powers Under Home Rule

The Attorney General has held that home rule cities and counties have the authority to impose local sales and income taxes. 33 A.G. 238 (1967). This view has been challenged by Professor Stoyles, 4WLJ 462, and defended by Kehrli and Mattis, 5 WLJ 197.

If this debate is settled on the side that a variety of local taxing authority is within the constitutional grant of home rule powers, it appears that such authority is dependent upon being specifically granted by the unit's charter or upon the charter having a general grant of powers.

* The tax base of the continuing unit is increased for the ensuing year by an amount equal to the product of the unit's tax rate within the six percent limitation times the true cash value of the territory added to the unit plus six percent of the total.

III. Statutory Provisions Pertaining to Local Government and Area-Wide Services

INTRODUCTION

A number of existing Oregon statutes enable provision of services on an area-wide basis in the Portland metropolitan area. This section analyses these existing statutes in an effort to determine their effectiveness, inter-relationships and weaknesses. Of particular interest regarding these laws in their relationship to urban policy. The examination which follows addresses the question of whether a cohesive urban policy exists for the Portland metropolitan area as embodied in these statutes.

Boundary Commissions - ORS 199.410 et seq.

The Portland Boundary Commission consists of eleven lay citizens appointed by the Governor. Its purpose is to guide the growth of cities and special districts particularly within the metropolitan area and to reduce the number of units of local government. The method by which this purpose is accomplished is the Commission's decision-making power covering all boundary changes of cities and of nine types of urban-service-providing special districts. The Commission also makes decisions on the creation, dissolution or unification of cities and the nine types of districts. Additionally Boundary Commissions have control over the extension and formation of private water and sewer systems and such extensions of public systems if they extend outside the boundaries of the public entity.

The effectiveness of this statute in carrying out legislative intent is appropriately stated in a recent analysis of ORS 199 by Orval Etter. He states:

The state of Oregon has never enunciated a concise, explicit, over-all urban policy. It has made a beginning in that direction, however, with its statement of policy at the beginning of its 1969 boundary-commission law. There the legislature has said that local government in urban areas is fragmented. This statement implies that units of local government in urban areas are numerous, irregular and illogical in shape, a disarray in the aggregate, and pieces of what ought to be an orderly, integrated whole. The fragmentation is, in the opinion of the legislature, inimical to the efficient, economical provision of public services.

The legislature also has said at the beginning of the boundary-commission law that local governments in urban areas are interrelated, so that what one does affects the others. This interrelationship is one reason, among others, for the legislature's declaration that the state has a responsibility to guide in an orderly manner the growth and relationships of cities and special service districts in urban areas.

The boundary-commission law carries out this policy to some extent. By means of that law, the state has established boundary commissions in the Standard Metropolitan Statistical Areas of the state and in Columbia County. It has authorized the establishment of boundary commissions in other urban areas, but has not established them there. The state has appropriated funds to finance the operations of the

three commissions, but has made no provision for state financing of additional commissions. The Governor appoints commission members, fills vacancies in the commissions, but has no voice in declaring positions in commissions vacant.

The state has enunciated a policy regarding local governmental boundaries and has laid down certain standards, some very definite and others very general and flexible. The policy and standards serve as guidelines for boundary commissions as the commissions review and make decisions about boundary proposals. The guidelines have some usefulness in achieving the purpose of the law but are regarded by a considerable number of experienced observers as needing to be made more definite.

The law allows the principal determinant of local governmental boundary changes -- that is local popular sentiment -- to continue to operate generally. A boundary commission can reject a proposed boundary change, and the rejection is final, with no popular election possible to overrule the commission. In a few situations, a boundary commission can order a municipal annexation without any recourse to the popular election being possible for overruling the commission. In other situations where a commission recommends or orders that a boundary change be made, either an election is required by statute, or persons who do not like the change can force a vote on it. They have done so in many situations and in most of them the commissions' orders have been overturned. In providing for referenda on boundary proposals that have received favorable commission action, the state has failed to carry out its policy of guidance for growth and boundaries of local government in urban areas. In this failure the state has allowed traditions of municipal home rule and of suburban home rule -- it may appropriately be called subhome rule -- to continue their decade-long fragmentive effect on local government boundaries. To the extent that local popular sentiment is allowed to continue as a decisive factor in local boundary determination, the policy of guided growth promises to be frequently frustrated.

Boundary Review Commission Study: Evaluation of Regulation as it Relates to Boundary Commissions, Oregon's Policy and Law Regarding Local Government Boundaries, Daniel, Mann, Johnson and Mendenhall, Portland, 1973.

Mr. Etter's initial statement with regard to urban policy is particularly applicable. The boundary commission statute definitely attempts to deal with a significant portion of what may be loosely referred to as the "urban problem". But it does not, from either a policy or an operative point of view, establish an urban policy by the legislature. The boundary Commission (in the Portland area) in and of itself is fairly effective in guiding growth according to adopted comprehensive plans and in reducing the number of governmental units. As land use plans become more complementary under the planning district (CRAG) and LCDC, the Boundary Commission's role in implementing those plans will be even stronger. Without additional powers or, at least, strong legislative support the commission's role in reducing the number of units of local government will become less significant, in that most of the units capable of being eliminated without strong resistance have already disappeared.

Outside of their roles as implementers of plans, simplifiers of governmental structure and, occasionally, as mediators, boundary commissions have no ability to provide other more functional services on an area-wide basis.

Planning Districts (CRAG) - ORS 197.705 et seq.

This law was written especially for the Portland metropolitan area counties. It provides for a regional entity to oversee the implementation of the Land Conservation and Development Commission's goals and guidelines. The regional agency, CRAG, serves the same function in this regard as individual counties do in the rest of the state. The law also mandates the formulation of a regional plan covering the three metropolitan counties. This regional plan, along with its goals and objectives, must comply with LCDC's goals (although the regional goals and objectives may be more strict) and the regional plan, goals and objectives must, in turn, be complied with by the local and regional jurisdictions.

CRAG is an agency of area-wide jurisdiction which is capable of providing two area-wide services -- planning and coordination and federally mandated review of all area applications for various forms of federal funding.

CRAG's planning capabilities area wide ranging, and thus, its potential effect on area-wide policy and philosophy of growth are great. Nonetheless, its reason for existence is basically single purpose, and there are no provisions in its enabling statute which would allow the agency to provide other area-wide services.

Health Services Agency - PL 93-641

The Health Services Agency is currently being formed as a result of new federal legislation. The old comprehensive Health Planning Agency which covers Columbia, Clackamas, Multnomah and Washington counties is awaiting designation as an HSA. This designation would include two additional counties in the agency, Clatsop and Tillamook, and probably will be attained prior to June 30, 1976.

The new agency, like its predecessor, is a limited purpose area-wide body. In this case, the primary function of the agency is planning and coordinating for the delivery of health services. Additionally, the agency may eventually take on the function of regional review for federal health monies coming into the area to local governments and private applicants.

The Health Services Agency will operate under the aegis of federal law. It will have no service-providing capabilities and will operate independently of other state and local agencies, particularly in view of the fact that the HSA's jurisdiction does not coincide with the jurisdictional limits of any other area-wide service-providing entity.

Metropolitan Service District (MSD) - ORS 268.010 et seq.

The Metropolitan Service District statute was the result of work done by the Portland Metropolitan Study Commission. This commission was appointed and funded by the legislature to study service-provision problems in the Portland Metropolitan area and to propose solutions to those problems. A major problem

accurately perceived by the study commission was lack of any area-wide agency capable of delivering and coordinating delivery of a variety of services. The gap between the accurately perceived problem and the proposed solution (MSD) has remained wide, however.

For a variety of reasons, the enabling legislation was severely restricted in its ability to address the real problems of area-wide provision of urban services. First, the number and kind of services was limited to sewerage, solid and liquid waste disposal, control of surface water and public transportation. Thus, such standard urban services as water, fire, police, etc. were not allowed to be attempted by a metropolitan service district. Second, the enabling legislation specifically allowed only the area-wide aspects of these to be provided. Since the retailing of services would still be controlled by a multitude of other governmental or private units, the agency is somewhat restricted in its ability to plan and coordinate provision of services and take advantage of certain economies of scale. The statute does allow the local aspects of services to be assumed by a metropolitan service district with approval of the local agencies involved. Third, no monies were appropriated to implement a MSD for the Portland area and funding possibilities were limited by the requirement of voter approval for virtually any funding.

A major aim of the MSD enabling legislation was to assure that this multi-purpose agency would ultimately be able to take over the other major area-wide single-purpose functional agency, the Tri-County Metropolitan Transit District. This contingency is specifically covered in the MSD enabling legislation, but it is the only assumption of an area-wide service specifically mentioned in the statute. Several attempts have been made to add to the limited list of functions which the metropolitan service district might perform or take over from an existing local agency. Thus far only one service has been added -- that of the metropolitan-wide maintenance of the Portland Zoo. This was added during the 1975 Special Session of the legislature. A \$10 million, first year, serial levy to support this area-wide maintenance by the MSD was passed at the May 26, 1976 primary election.

The intention of the Portland Metropolitan Study Commission was to provide a comprehensive approach to major urban problems. The resulting legislation clearly has not accommodated that intent to date.

Port of Portland - ORS 778.005 et seq.

The Port of Portland was created by the Legislature in 1891 for the limited purpose of developing and maintaining a ship channel from the Columbia River bar to Portland. Over the years, its functions were expanded to include promotion of shipping, aviation, commercial and industrial interests and control of ship repair facilities, airports, etc. The Port, prior to January 1, 1971, encompassed all of Multnomah County. On that date, the Port, through a merger, took over the waterfront terminals and related facilities from the Portland Commission of Public Docks which had controlled this aspect of port facilities since 1910. This take over was a result of voter approval at an election authorized through amendment to the special state statute which governs the existence of the Port of Portland. In 1975, the Port was expanded by the state legislature to include all of Clackamas and Washington Counties.

The Port's purpose has not changed significantly over the years. Its focus is on providing first-class full-service shipping and aviation facilities and with the economic development of the Portland Metropolitan area, in general, and of Port-owned land, in particular. Except for limited security and fire services associated with its own operations, it has no legal ability to provide area-wide aspects of any additional urban services.

Mass Transit Districts (Tri-Met) - ORS 267.010 et seq.

The enabling legislation for Mass Transit Districts was passed as a result of a specific need in the Portland metropolitan area. The area's major private transit carrier was in dire financial straights and inextricably in a dormant period of "higher-fares-leads-to-lower-ridership-leads-to-lower-service-levels-leads-to-higher-costs-leads-to-higher-fares". What was needed was an area-wide service-oriented transit system which could admit to the necessity of public subsidy. From this need and the actions of those who understood it came the legislation authorizing mass transit districts.

The result of the creation of Tri-Met has been what most people recognize to be a much improved transit system for the entire area. Once again, however, the method for achieving this was creation of a single-purpose area-wide district with no ability to take on additional functions. With the exception of the fact that take over of Tri-Met by the MSD is authorized, no thought was apparently given to how the mass transit district statutes would relate to other urban policies established by the legislature.

Counties - ORS 201.005 et seq.

Counties within the Portland Metropolitan area are of two types - - home rule and non-home rule. Multnomah and Washington counties are home rule counties with charters giving them a broad range of service providing capabilities within their respective boundaries. Clackamas County is a non-home rule county which had, until recently, more limited capacity for providing services within its boundaries. By statute, now, however, all counties have comprehensive ordinance-making power.

Counties, as a matter of general law and/or via their charters can provide a number of services. These services could conceivably be offered on an area-wide basis through intergovernmental agreements with other counties or units of government within other counties. Problems of coordination, administration and equity have generally limited this practice.

Counties can offer services both within and outside their boundaries through the mechanism of county service districts. County service districts (ORS 451) are districts within a county whose governing body is the board of county commissioners. The districts have taxing and bonding authority which is separate from the county's general taxing and bonding authority.

County service districts can provide services within other counties with the approval of the governing body of the other county. (At least some legal authorities are unsure as to the authority for county service districts extending service into other counties but significant extensions have not been accomplished

and/or challenged to date.) Likewise, a county service district could only provide a service within the jurisdiction of another unit capable of providing the same service with that unit's approval. Nonetheless, it is theoretically possible for county service districts to become area-wide through annexation, merger or consolidation into other counties.

County service districts are authorized to provide the following services within the tri-county area:

- | | |
|-----------------------------|--|
| 1. Sewage | 9. Fire protection |
| 2. Drainage | 10. Enhanced law enforcement services* |
| 3. Street lighting | 11. Hospital and ambulance services |
| 4. Parks and recreation | 12. Library services |
| 5. Diking and flood control | 13. Vector control |
| 6. Water | 14. Cemetery maintenance |
| 7. Solid waste disposal | 15. Roads |
| 8. Public transportation | 16. Weather modification |

* This means a district could be formed to purchase additional hours or increments of police protection for those within the district beyond the amount of protection provided generally on a county-wide basis.

Through the mechanism of county service districts, then, it is legally feasible to provide some area-wide services.

A less complicated method of arriving at the same goal would be the consolidation of the three counties. This would entail enactment of a state legislative enabling statute and completion of the specified process. It would eliminate the separate approvals of each county for each service called for by expanding county service districts to an area-wide basis under the existing structure, however.

Cities - ORS 221.010 et seq.

Cities, as presently constituted, offer little possibility for addressing the problems of area-wide provision of services. Cities do have the ability to approach common problems through intergovernmental agreements. Portland's control of the Bull Run water is a good example of how an area-wide agreement with a number of other entities within the metropolitan area to sell them water. However, there is fairly constant friction over the equity question and no small amount of problems associated with capital planning given the impermanence of the agreements.

The one major solution to the "urban problem" by cities would be the creation of a single city consisting of the entire urban and urbanizing portions of the three counties. Such a consolidation is possible under existing law, although it requires an affirmative vote in all participating cities and unincorporated territory. This is covered in greater detail in Section V.

Water Districts - ORS 264.010 et seq.

Water districts can develop sources, provide for treatment, storage and distribution of domestic water and/or contract for same with another agent. Legislation allowing for the creation of water districts was passed in 1917 at least partially in response to the needs of fringe area residents near Portland who

desired a mechanism by which to purchase Bull Run water from the city. In 1941, ORS 264 was expanded to allow water districts to provide fire protection, either through formation of their own departments or contract with another entity. Installation and maintenance of street lights by water districts was authorized by the legislature in 1947.

Millage limitations and other financial restrictions inhibit the ability of water districts to function as area-wide providers of service. As noted, the law currently limits these districts to three types of service (water, fire and street lights), and the authorizations for these districts to provide these services was not made with any comprehensive approach to solving urban problems in mind. Furthermore, the established pattern of water service by special districts in the Portland Metropolitan area does not lend itself towards establishment of a single area-wide district at this time.

Water Supply Authorities - ORS 450.675 et seq.

Water supply authorities were authorized by the 1971 legislature primarily in response to a need expressed by a number of water districts in Clackamas County. These districts desired a method for banding together to attain a water supply - all were served by other units of government at the time. They wanted to rectify their supply problem without actually unifying their districts and losing "local control". The water supply authority provided the means they sought. (Interestingly, a water supply authority for the districts in Clackamas County was never formed, nor are there any water supply authorities in the three county metropolitan area.)

The general understanding of water supply authority is of a body whose primary function is water supply for existing distributors of water (either cities or districts). However, the enabling legislation is much broader than this. An authority could conceivably provide all facets of water supply from source discovery to distribution to individual customers and could legally cover the entire tri-county area.

The ability of a water supply authority, even in its broadest sense, is still limited to a single function, however, and the existence of the authorizing legislation is once again a result of legislative response to a particular problem and not of a well-thought-out urban policy.

Rural Fire Protection Districts - ORS 478.002 et seq.

To assist property owners outside cities in meeting the need for fire protection, the 1929 Oregon Legislature authorized the voters of unincorporated areas to create rural fire protection districts which could contract with cities for fire protection service. Some districts created their own fire departments and undertook not only the financing but also the actual administration of fire service to their own residents.

Providing Fire Protection Outside City Limits: Municipal Policies and Contracts, Bureau of Municipal Research and Service, 1967.

Fire districts are also authorized to provide street lighting services. Fire districts can cross county lines, and they can be merged or consolidated. Thus,

it is theoretically possible to provide area-wide fire service, if desirable, through the mechanism of a rural fire protection district. To do this in the tri-county area would require the unification of some 33 R.F.P.D.'s. More importantly, all cities currently providing fire service would have to agree to annex to the single area-wide district and get out of the fire protection business. The unification issue has been pursued fairly strongly in the past by both the former Portland Metropolitan Study Commission and the Portland Boundary Commission. Several mergers and consolidations were accomplished, but, resistance to further actions is strong, and unifications are unlikely to be accomplished in the face of strong opposition. The likelihood of many cities in the area voluntarily giving up their fire protection services is not high.

In summary, fire protection could theoretically be provided on an area-wide basis through the mechanism of the rural fire protection district, but in actuality, the chances of effecting this seem remote. Rural fire protection districts are essentially single purpose (although they can provide street lighting) and could not provide other functional services even if they were to attain an area-wide status. Also, Etter notes that fire protection is one of the most "local" of public services. Comment accompanying letter of May 21, 1976.

Sanitary Districts - ORS 450.005 et seq.

Sanitary districts were authorized, like fire and water districts, in response to a particular problem and not as a part of an overall philosophy for dealing with urban problems. Prior to 1949, the only sewer service available outside of municipalities was through limited extensions from those cities. In 1949, the legislature authorized the creation of sanitary districts to provide sewer service to areas outside of cities where densities and/or soil conditions were inappropriate for septic tanks. Sanitary districts are authorized to provide their own service through construction and operation of their own treatment and collection facilities or to contract for all or part of the services desired with other governmental entities.

Sewer service in the tri-county area could legally be provided by a single sewer district since these districts may cross county lines. However, the smallness of both the number and size of existing districts in relation to the size and power of other entities providing sewer service in the area (cities and county service districts) makes this possibility seem highly improbable and impractical.

Again, sanitary districts are single-purpose limited scope entities without any ability to expand into the provision of other services on an area-wide basis.

Sanitary Authorities - ORS 450.705 et seq.

The enabling legislation for sanitary authorities was passed by the Legislature in 1955. The stated purpose for this legislation was to provide for cooperative and integrated effort and support for problems involving both incorporated and unincorporated territory. The specific areas over which this effort can be exercised are sewage disposal, drainage, insect control and related problems, including garbage collection. In fact, the legislation was sought primarily by persons from the Medford area as a solution to problems peculiar to that area at that time. A sanitary authority was subsequently formed near Medford, and, to date,

no others have been formed in the state.

Sanitary authorities do have the ability to deal with several separate urban service, and the enabling legislation allows for taxing and bonding authority. The fact remains, however, that the legislation was, in essence, tailored to a particular situation, and the reluctance of other areas to employ this mechanism indicates that it is not universally practical.

Park and Recreation Districts - ORS 266.010 et seq.

Park and recreation districts were authorized by state statute during the 1955 legislative session. Primary function of the districts is to provide park and recreation facilities within the boundaries of the district. The districts also have the power: "(7) To make and enforce regulations:

"(a) For the removal of garbage and other deleterious substances, and all other sanitary regulations not in conflict with the Constitution, the laws of Oregon or the regulations of the environmental quality commission

"(13) Generally to do and perform any and all acts necessary and proper to the complete exercise and effect of any of its powers or the purposes for which it was formed." ORS 266.410

The above language may, if broadly interpreted, give park and recreation districts some abilities to get into garbage collection and other related sanitary business. Even if this is the case, the districts are still very limited in the scope of activities which they can provide on an area-wide basis. And clearly, these districts are authorized as a method of dealing with a single function and not as part of an overall urban policy package.

People's Utility Districts - ORS 261.005 et seq.

These districts (authorized by the 1931 Legislature) are intended primarily to allow for production and/or distribution of electrical energy. Secondarily, the districts may provide a supply of water for domestic or municipal purposes.

The districts can be formed over more than a single county area. They could not, however, take over existing municipal power production and distribution facilities without the assent of the utilities involved.

Once again, these districts are single-purpose and comprise a simple solution to a single problem rather than part of a unified approach to a complex problem.

Transportation Districts - ORS 267.510 et seq.

The 1974 Special Session of the Legislature passed a statute allowing for creation of Transportation Districts. This statute was sought primarily by persons from the Klamath Falls area in response to a need in that part of the state.

Supporters of the statute apparently felt a need for legislation allowing for creation of transportation districts which was more general in nature than the mass transit district statute (ORS 167.010 - 390). This latter statute seemed to apply too specifically to the Portland Metropolitan area.

Transportation districts can provide public transportation, including doing so

by acquiring other public or private transportation systems. The district is absolutely single-purpose, although it can operate on an area-wide basis.

School Districts, High School Districts, Intermediate Education Districts, Community College Districts.

All of these units of government are concerned with one aspect or another of public education. The statutes which authorize these districts, with one exception, do not allow for the provision of any municipal services on an area-wide basis. The exception is that school districts, as a secondary function, can provide for parks in connection with the schools. It is doubtful that this could or would ever be done on an area-wide basis. Only one instance of a school district providing this service exists within the tri-county area and that consists of a single school and a single park.

Other than the above exceptions, all of these educational districts are legally ill-equipped to provide area-wide aspects of more traditional municipal services.

Water Control Districts, Water Use and Control Districts, Drainage Districts, Irrigation Districts, Highway Lighting Districts, Cemetary Maintenance Districts, Special Road Districts, Soil and Water Conservation Districts, Vector Control Districts

The above are all basically single-purpose special districts. Most are theoretically capable of providing the area-wide aspects of a single service. Because of the relative insignificance of the service or the limited number and applicability of these districts in the tri-county area, they are not treated individually.

INTERRELATIONSHIPS

Two kinds of interrelationships exist between these various units of government capable of providing some area-wide services. Formal relationships are those established by the statutes which govern the units. Informal ties between the units also operate at some levels. As can be inferred from the previous analysis of the statutes, however, the interrelationships are fairly minimal overall and do not constitute any unified policy.

The following chart illustrates which of the units can provide similar services as allowed by statute.

Besides the statutory provisions for providing similar services, several explicitly stated relationships between various units also exist. The metropolitan service district law specifically provides for the possible assumption by that agency of the mass transit function currently being provided in the area by Tri-Met. A section of the People's Utility District statute allows drainage, irrigation and other municipal districts to assume the powers of a P.U.D. to produce electricity without formally changing the structure of these districts.

Informally, a number of these units do traditionally interrelate. Boundary Commissions normally interrelate strongly with planning districts, cities, counties and most special districts. Planning districts are closely tied to cities and counties through their planning efforts which ultimately must be coordinated. The

CHART I

SERVICE	UNIT Boundary Commission	Planning District	Health Services Agency	Metro. Service District	Port of Portland	Mass Transit District	County	City* 19	Water District	Water Supply Authority	Fire District	Sanitary District	Sanitary Authority	Park & Recreation District	County Service District**	Transportation District	People's Utility District	School District	Community College
Water Supply							X	X	X	X					X		X		
Water Distribution							X	X	X	X					X		X		
Sewage Treatment				X			X	X				X	X		X				
Sewage Collection							X	X				X	X		X				
Storm Drainage				X			X	X	X			X	X		X				
Street Lighting							X	X	X		X				X				
Parking Facilities							X	X								X			
Police							X	X							X				
Fire							X	X	X		X				X				
Parks					X		X	X						X	X			X	
Recreation					X		X	X						X	X			X	
Schools																		X	X
Libraries							X	X							X				
Hospitals							X								X				
Housing							X	X											
Highways & streets							X	X							X				
Mass Transit				X		X	X	X							X	X			
Drainage				X			X	X	X				X		X				
Diking				X			X	X							X				
Flood control							X	X							X				
Electricity							X	X									X		
Harbors					X		X	X											
Cemeteries							X	X							X			X	
Solid Waste Collection				X			X	X				X	X	X	X				
Solid Waste Disposal				X			X	X				X	X		X				
Vector Control							X	X					X		X				

* Consider as chartered city since virtually all in tri-county area are chartered.

** Keeping in mind that this alternative for providing area-wide services is actually a function of county government.

Port of Portland and Tri-Met relate to the Planning District and both deal with the cities and counties in which they operate. Relations between cities and counties and special districts are sporadic and at times are not as amicable as they probably should be. Water districts, to some extent, relate to fire districts since the former often provide the resource with which the latter put out fires. Thus, informal relations between these entities are probably more significant and definitely more numerous than formal ties.

In general, however, the statutes governing the area-wide provision of services do not allow for the gradual assumption of responsibility by any one unit of government. A simple listing of the various units and the number of functions they are authorized to perform attests to this fact.

<u>Unit</u>	<u>No. of Functions or Services</u>
Boundary Commission	1
Planning District	1
Health Services Agency	1
Metropolitan Service District	7
Port of Portland	2
Mass Transit District	1
County (home rule)	Limited only by charter
City	" " " "
Water District	6
Water Supply Authority	2
Fire District	2
Sanitary District	5
Sanitary Authority	7
Park and Recreation District	3
County Service District	21
Transportation District	2
People's Utility District	4
School District	4
Community College District	1

SUMMARY

The preceding section has summarized the statutes which govern the provision of services on an area-wide basis. Nineteen entities were examined in some detail, and it was noted that several more of lesser consequence also exist. The functions and services capable of being performed were discussed and listed in chart form. The chart indicates clearly any overlap or interrelatedness.

Two related facts are the most significant results of this analysis. First, there is little formal stated relatedness among entities capable of providing one or more area-wide services. Few, if any, provisions are made for one entity to ultimately take over the functions of another. Most entities capable of providing the area-wide aspects of a service or services are essentially single-purpose and inflexible.

Second, it is distressingly clear that, as entities capable of providing area-wide services were authorized, little or no thought was given to the need for a coordinated urban policy.

IV. Overview (Preliminary) of Statutory Provisions Relating to Local Government Finance

There are a multitude of statutes relating to local government financial affairs. Many of these have application only to noncharter counties and special districts. Some, however, are of general application. The discussion herein will be limited to the latter and to certain statutes which pertain to regional governments.

Statutes of General Application

Local Budget Law (ORS 294.305 to 294.520). This is a comprehensive act governing the making of budgets and fixing of tax levies by local government, compliance with which is required prior to the expenditure of money or the levying of a property tax. Procedures are prescribed for making estimates of expenditures and resources. Review by a budget committee or the Tax Supervising and Conservation Commission (for Multnomah County) is required. There are further requirements for publication, hearing, adoption, the making of appropriations and the setting of tax levies. Administration of the act is by the State Department of Revenue.

Tax Levies to be Stated in Dollars and Cents (ORS 310.050 and 310.395). The statutes require that property tax levies and ballot measures therefor be expressed in terms of the dollar-and-cents amount to be raised (rather than in terms of a tax rate). In a significant case, invalidating a city levy expressed otherwise, the Oregon Supreme Court held that the subject matter of these statutes was of state-wide concern and that state law, rather than local home rule powers, should prevail in this instance. City of Woodburn v. State Tax Comm., 24 OR 633, 413 P. 2d 206 (1966).

Statutes Applying Specifically to Regional Governments

Each of the sets of statutes pertaining specifically to the four regional governments in the Tri-County area - - CRAG, MSD, Tri-Met and the Port of Portland - - have numerous provisions on the finances of the respective units. The financing powers, e.g. revenue raising and bonding, vary considerably among the four units.

CRAG. CRAG has no taxing powers and is limited in raising revenues to per capita assessments on member governments and appropriations, grants and donations from outside sources. ORS 197.750, 197.785(3) and ORS 197.795. The assessments, however, are binding upon the members. ORS 197.785 (4)

MSD. MSD may levy taxes, user charges and special assessments; issue bonds; accept grants; and borrow from cities and counties. In addition, if it takes over the transit system from Tri-Met, it has all the financing powers of that agency with regard to mass transit. ORS 268.370.

Provision is made for establishing a tax base by a vote of the people. ORS 268.100 (2) and 268.120. Property taxes may be levied not to exceed one-half

of one percent of true cash value, exclusive of levies for bonded indebtedness. ORS 268.500 (1) Property may be classified for purposes of taxation on the basis of services received. ORS 268.500 (3). In addition, a special levy for zoo purposes may be voted by the people not to exceed one-half of one percent of true cash value. ORS 268.315.

Special assessments may be levied on benefitted property after notice to property owners and a period for remonstrance. ORS 258.510 (1) and (2). A combination of financing from assessments, general funds, taxes, bond proceeds and service charges may be used. ORS 268.510 (2).

General obligation bonds may be issued upon approval of the voters not to exceed in the aggregate 10 percent of true cash value. ORS 268.520 (1). Revenue bonds may be issued upon voter approval in an unlimited amount. ORS 268.520 (2). Financing by user charges, grants and assistance from public and private sources and borrowing from cities and counties within the district is provided by ORS 268.540.

Tri-Met. ORS 267.300 establishes the following methods of financing which may be adopted by Tri-Met, with only the issuance of bonds requiring a vote of the people: ad valorem taxes (subject, of course, to a tax base having been established by the voters), service charges, revolving fund, bonds, business license fees, net income tax, payroll tax and the United States government. Each of these methods is spelled out in more detail in succeeding sections of ORS ch. 267. Specific provisions of particular interest are noted below.

A revolving fund may be established by a tax levy of not to exceed .0015 of true cash value. ORS 267.310.

Persons over 65 years of age are exempt from transit fees during certain hours and may not be charged more than 10 cents during certain other hours. ORS 267.320 (2).

General obligation bonds may be issued upon voter approval not to exceed in the aggregate two and one-half percent of true cash value. ORS 267.330. Revenue bonds may be issued upon voter approval in unlimited amounts. ORS 257.335.

Net personal and business income taxes are limited to a rate of one percent. ORS 267.370 (1) and (2). Credit must be given for any payroll taxes paid under ORS 267.385. ORS 267.370 (4).

Several exemptions to the permitted payroll tax are enumerated in ORS 267.380.

Port of Portland. The port may levy taxes and charges and issue bonds. The taxing authority is to levy taxes for debt and "all other expenses incurred in the exercise of the port's powers". ORS 778.065.

The bonding authority is somewhat complex. The basic limitation is that bonds may not be issued in the aggregate in excess of one and three-fourths percent of true cash value. ORS 778.030. Voter approval is required for certain purposes. ORS 778.040 (1). When the port took over the facilities of the Portland Commission of Public Docks, it assumed the city's indebtedness therefor,

which was specifically exempted from the limitation imposed by ORS 778.030. ORS 778.020. Subsequently, whenever bonds are issued which increase the aggregate indebtedness, including that assumed from the city, above five percent of true cash value, voter approval is required. ORS 778.040 (2). The amount of bonds which may be issued in any one year is limited to \$3 million unless a greater amount is approved by the voters. ORS 778.045. Operating expenditures may be paid from bond proceeds, but such amounts are limited to \$500,000 in any one year. ORS 778.060.

Provisions for issuing revenue bonds and levying charges therefor is made in ORS 778.145 to 778.175.

V. Possibility of Achieving Models II and III Under Existing Constitutional and Statutory Provisions

Model II

This model contemplates the combination of the three counties into one, with a county council elected from districts and an elected county executive; cities and urban and rural corporate communities; and community advisory councils.

Addressing, first, the matter of combining the three counties into a single unit: basically, this would require the adoption of a charter for the new unit. There appears to be no statutory basis for doing so at the present time. The Legislative Assembly could establish a procedure for doing so, provided it was by general law. The chief obstacle would seem to be that repeal of the charters of Multnomah and Washington Counties would be involved; according to Linklater's view, cited in Part I, this would require approval of a majority of those voting in each of those counties.

Going to the second tier, namely that of cities and urban and rural corporate communities, any changes in city boundaries which detach territory amount to amendment of city charters, require a vote of the people. Schmidt v. Cornelius, *supra*. Thus, detachment of territory from the City of Portland would be subject to a vote of the people of that city.

With regard to combining cities, it was noted previously that Article XI, section 2a, of the Oregon Constitution authorizes the Legislative Assembly to provide a method for combining adjoining cities. This procedure is found in ORS 222.610 to 222.720 and requires an affirmative vote in each city. Similar procedure, applicable not only to adjoining cities, but to nonadjoining cities and to cities and adjoining or nonadjoining unincorporated territory, is found in ORS 222.210 to 222.310.

Several options appear to be open with regard to the urban and rural corporate communities. The simplest device would be to constitute them as county service districts. There are two drawbacks to this: (1) the present authority of county service districts may not be as extensive as desired and might indicate a need for statutory change; (2) it would place the governing authority in the county governing body and not in the community.

A second option would be to provide for the creation of the communities under the new charter and under city charters. A caveat here is how far the govern-

ing body or the voters through the charter could go in creating independent units, i.e. with independently elected governing bodies and with independent taxing powers, etc., which amount to municipal corporations. If neither of these options appears feasible, then additional statutory authority would be required.

With regard to the last tier, namely community advisory councils, it would seem that any governing body would have authority to provide for the same, since they would have no governing or taxing authority and would be purely advisory.

Model III

This model is based on retaining, modifying, or merging existing units and the creation of a metropolitan council. There is no existing statutory authorization for the latter feature. All that could be achieved without enabling legislation would be a voluntary advisory body with no powers. (It should not be overlooked, however, that ORS ch.190 provides rather extensive possibilities for intergovernmental cooperation). Possible enabling legislation for a metropolitan council could take several forms. On the one hand, provision could be made for the creation of an "umbrella" agency superimposed over all existing units. This would require an entirely new act but would, in many respects, be the simplest approach since it would not modify existing units.

On the other hand, an existing regional unit, e.g. CRAG or MSD, could be modified to add the metropolitan council function to its responsibilities. This would require amendment of existing statutes. If this route were taken, consideration would need to be given as to whether there should be amendment to the provisions for the existing unit's governing structure.

CRAG's governing structure is not spelled out by statute but is established under rules of the district. The statute merely specifies that the rules shall provide for a general assembly representing all member governments. ORS 197.735. The method of securing representation and for selecting a board of directors is left to the rules.

By statute, the governing body of MSD is composed of one representative from each county governing body, one from the governing body of the most populous city and one representative of the other cities within the district in each county.

Another possibility would be to combine two or more existing regional units and to give the new unit the function of a metropolitan council. This would involve the same considerations with regard to governing structure as discussed above.

What power the existing units would have to create the proposed rural and urban community districts would depend upon the amount of authority they are to exercise. The discussion of corporate communities under Model II, above, is pertinent.

VI. State and Local Powers vis-a-vis "Matters of Local Concern" *

Ever since constituted home rule was established for Oregon cities in 1906 and for Oregon counties in 1958, the courts have wrestled with the problem of what

matters are under the exclusive jurisdiction of home-rule local governments and which are subject to the over-riding action of the Legislative Assembly. The problem was compounded in 1973 with the enactment of legislation giving general ordinance-making powers to all counties, whether or not they were acting under the home-rule provisions of the Oregon Constitution.

To review all the cases would be a tortuous and confusing route. Fortunately, we can look to a few recent cases for the guidelines that have been adopted by the Oregon Supreme Court and the Court of Appeals.

The landmark case, State ex rel. Heining v. Milwaukie, 231 Or. 473, 373 P.2d 680 (1962), attempted to lay to rest the indecision of prior years and established the standards which are still being followed today. In that case, the Oregon Supreme Court was faced with the question, does a general law applicable to all cities over a matter of local concern take precedent over local provisions adopted in accordance with a home-rule charter? The court said no, "...unless the subject matter of the enactment is a genuine concern to the state as a whole, that is to say that it is a matter of more than local concern to each of the municipalities purported to be regulated by the enactment."

The court then proceeded to lay down the standard that is still followed, today. Quoting from McDonald, American City Government and Administration (3d ed., 1941), it said: "The real test is not whether the state or the city has an interest in the matter, for usually they both have, but whether the state's interest or that of the city is paramount." The question, the court said, is whether the function in question is not simply whether the state has an interest in such operations, but whether it is substantial enough to predominate over the interest of the city."

The issue in Heinig was whether a state statute requiring city civil service systems for firemen was valid where a city charter and ordinances adopted thereunder did not so provide. The court concluded that the "...manner of employing and discharging the personnel of a municipal fire department is a matter of local rather than state concern," and held the statute invalid.

Subsequent cases have applied the principles laid down in Heinig.

In Schmidt v. Masters, supra, the court in effect equated the constitutional home-rule powers of charter counties with those of charter cities.

In City of Woodburn v. State Tax Commission, supra, the court dealt with a city charter amendment authorizing an annual property tax levy of not to exceed four mills for a specified purpose. Contrary was a state statute requiring levies submitted to a vote of the people by any taxing body to be stated in terms of dollars and cents.

The court held the statute to be valid and supreme: "...the manner in which the taxpayer is informed of the consequences of his vote on a tax measure is a matter of predominantly general rather than local concern, regardless of whether it is a general or local taxing measure. Laws enacted for the general benefit and protection of voters enabling them to make a more intelligent use of their franchise in levying taxes relate to a matter of general concern to the people of the state."

Referring to previous general pronouncements of the court that city taxation is entirely a matter of local concern, the court said that such statements were

"...made with reference to some sort of direct interference regarding the amount of taxes levied or the purposes to which they are to be devoted."

City of Beaverton v. International Association of Firefighters, Or. App., 531 P. 2d 730 (1975) dealt with collective bargaining with city employees. The city had adopted a comprehensive collective bargaining ordinance in 1971. In 1973, the Legislative Assembly enacted a collective bargaining law applicable to all public employers and employees. As the court noted, the statute sought to negate charter and ordinance provisions in conflict therewith. The state Public Employees Relations Board found the ordinance totally in conflict with the statute and declared the ordinance invalid.

The court found that the statute attempted to deal with matters of predominantly local concern and reversed the blanket invalidation of the ordinance. The court did, however, remand for further proceedings, noting that the ordinance could be examined section by section and that any of its provisions could be invalidated if found to be related to matters predominantly of state-wide concern.

Allison v. Washington County, Or. pp., 518 P. 2d 188 (1975), discussed whether a county zoning ordinance was a matter of predominantly local concern. The court concluded that this question would have to be decided on a case-by-case basis, noting that the appropriate circumstances would make it a matter of state-wide concern: "After all, Oregon has only one Willamette River, one coastline and one Cascade Range." Judge Thornton, in a specially concurring opinion on the result, differed, however, as to the principle, concluding that "...because of the broad language of Senate Bill 100 (the state land use law), such county land-use decisions have now all become matters of paramount state-wide concern."

(Allison has another interesting sidelight: in commenting upon ch. 282, Oregon Laws 1973 (ORS 203.035) which extended general ordinance-making powers relative to matters of county concern to all counties, the court said, "...in the absence of state preemption or a limiting charter provision, home rule and general law counties have the same legislative authority." In short, general law counties have all the powers of charter counties except for determining their own governmental structure.)

Finally, a most recent case, Kelly v. Silver, Or. App., P. 2d (1976), decided only last month, upheld the state statute providing for annexation to a city without the consent of the affected voters to alleviate a health hazard. The matter of state-wide v. local concern was not contested, the court noting that the plaintiffs (affected landowners challenging the annexation) conceded that "compelling reasons relating to public health are matters of state-wide interest."

In addition, although it is not in an opinion by either the Court of Appeals or the Oregon Supreme Court, there is instructive language in Circuit Judge Bohannon's opinion in Girt v. Tri-County Metropolitan Transportation District, No. 31-286 (Washington County, 1970). In holding the act creating Tri-Met constitutional against an attack that transportation was a matter of local concern, the judge commented, "...we have to recognize that life is not static. If this proposition had been raised thirty or forty years ago, it would be easy to accept the plaintiffs' contentions...and say that this is in fact an invasion of Home Rule, but thirty or forty years ago, the facts were different." The judge then found that, because of greater density of population,

greater commerce between outlying areas on trade centers, "what affects the economic welfare of a Metropolitan Statistical Area in this State also affects the economic interest of other parts of the State."

* On the suggestion of the commentators asked to review this paper, this section has been added.

APPENDIX

Unit	Authority	Date of ORS Auth- ORIZATION	Operating Examples in Tri-Co. Area	Less than Area- Wide	Operational Scale		
					Area- Wide	Entire Tri-Co.	More Than Tri-Co.
Boundary Commission	ORS Chap. 199 410-514	1969	yes	-	-	-	yes
Planning Districts	ORS Chap. 197 705-795	1973	"	-	-	yes	-
H. S. A.	PL 93-641	1975	"	-	-	-	yes
MSD	ORS Chap. 268 010-990	1969	"	-	yes	-	-
Port of Portland	ORS Chap. 778 005-260	1891	"	-	-	yes	-
Mass Transit Dist.	ORS Chap. 267 010-390	1969	"	-	-	yes	-
Counties	ORS Chap. 201 005-990, Charter	Territor- ial**	"	yes	-	-	-
Cities	ORS Chap. 221 010-221.928, Charter	1893*	"	"	-	-	-
Water Districts	ORS Chap. 264 010-990	1917	"	"	-	-	-
" Author- ities	ORS Chap. 450 675-685	1971	no	-	-	-	-
Fire Districts	ORS Chap. 478 002-990	1929	yes	yes	-	-	-
Sanitary Districts	ORS Chap. 450 005-580	1935	"	"	-	-	-
Sanitary Authorities	ORS Chap. 450	1955	no	-	-	-	-
Park & Rec. Districts	ORS Chap. 266 010-750	1941	yes	yes	-	-	-
County Service	ORS Chap. 451 010-990	1955	"	"	-	-	-
Area Ed. Districts (Comm. College)	ORS Chap. 341 005-950	1959	"	"	-	-	-

Appendix, cont.

Unit	Authority	Date of ORS Auth- orization	Operating Examples in Tri-Co. Area	Operational Scale			
				Less than Area- Wide	Area- Wide	Entire Tri-Co.	More Than Tri-Co.
School	ORS Chap. 330 005-339.990	Terri- torial**	"	"	-	-	-
Transportation Districts	ORS Chap. 267 510-990	1947	no	-	-	-	-
People's Utility Dist.	ORS Chap. 261 005-730	1931	no	-	-	-	-

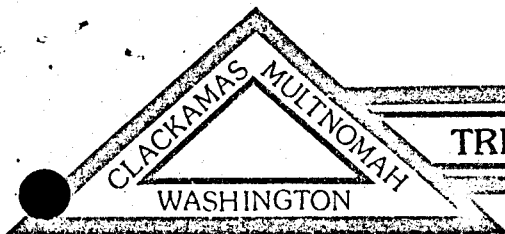
* Some cities were initially incorporated and chartered under special acts of the legislature and some cities still have essentially that same charter, although it has been ammended from time to time by the cities (for example, Portland, and Eugene).

** These units were authorized or organized under special acts of the territorial legislature.

Statutory citation is to current governing statutes.

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TRI-COUNTY LOCAL GOVERNMENT COMMISSION

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June 17, 1976

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TO: Committee V, Finance, Taxation, Administrative Services
FROM: Bromleigh S. Lamb
SUBJECT: General and Dedicated Revenues

This memo will discuss local government revenues from the standpoint of their being general, i.e. available for any governmental purpose, or dedicated, i.e. being restricted to expenditures for specified, limited purposes. The City of Portland will be used as a model because of its wide variety of revenues.

Types of Revenue Services

At the outset, it would be well to define the major types of revenues available to local governments, although by no means universally used. These are:

Taxes

Property (ad valorem)

Privilege (business and occupation, e.g. gross receipts and payroll tax, amusement device, etc.)

Income

Sales and exise (general and selected)

Real estate transfer

Benefit assessments

User charges and service fees

Fines and penalties

Income from property (interest and rent)

Subventions (revenue sharing and grants)

Federal

State

Many of the above types of revenues may be either general or dedicated. Some however, are by their nature dedicated only. These latter include benefit assessments (dedicated to paying for the improvement which benefitted the property or to retiring the debt therefor), licenses and permits (dedicated to inspection, enforcement and administration of the licensing program*) and many federal and state grants.

Methods of Reduation of Revenues

Revenues may be dedicated by several devices. First is constitutional dedication, e.g. highway user revenues in Oregon. This is controlled by a state-wide vote of the people. Second is statutory dedication, e.g. the special MSD zoo levy. These restrictions are usually imposed by the legislature (although they could be imposed by state-wide initiative) and are customarily subject to approval of the voters of the affected area in the case of a tax. Statutory dedication is presently significant only for non-home-rule units of government, although it is arguable that the dedication of a certain source of revenue to a limited purpose could be found to be a matter of state-wide concern and, thus, legislatively applicable to home-rule units.

Of major significance to local governments are charter and ordinance dedications. The former require action by the voters of the jurisdiction and the latter action by the local governing body, subject to initiative and referendum.

Finally, an informal dedication may occur through the budget-making process. A governing body may decide to limit expenditures for a particular purpose to the sums available from a particular revenue source. This decision is a legislative determination, dependant upon the will of the governing body.

Fund Structure

In turning to our model of the City of Portland, it will be necessary to give consideration to the collateral matter of fund structure, "Funds" are peculiar to accounting and set it apart from business accounting.

A "fund" in governmental accounting is a segregated account, or set of accounts of the receipt of particular revenues and the making of particular expenditures, according to law. Portland has 41 such funds for the purpose of its 1975-76 budget. Fund structure is closely related to general and dedicated revenues.

* "License" fees are sometimes used to generate revenues beyond those needed to support the licensing programs. When that occurs, technically the fee becomes a privilege tax. True licensing is an exercise of the police power and may not be used to raise general revenues, which is an exercise of the taxing power.

Although this large array of funds may seem confusing at first glance, Portland's funds fall into several logical categories. Portland follows the guidelines of the National Committee on Governmental Accounting in its fund structure and has eight types of funds:

1. General--providing for the generality of governmental functions.
2. Special Revenue--providing for the expenditure or distribution of certain specially dedicated revenues, e.g. the State Street Tax Fund and the Revenue Sharing Fund.
3. Capital Projects-- providing for the collection and expenditure of bond proceeds or revenue accumulations for capital construction, e.g. the Secondary Treatment Construction Fund and the Water Construction Fund.
4. Enterprise--providing for business like operations, namely utilities, e.g. the Sewage Disposal Fund and the Water Fund.
5. Interagency and Intergovernmental Services--providing for central services to the several agencies and other governmental units, e.g. the Central Services Operating Fund and the Fleet Operating Fund.
6. Debt Service--providing for the payment of principal and interest on debt, e.g. the General Bonded Debt Fund, etc.
7. Trust and Agency--providing for the care of monies for which the city has a fiduciary responsibility, e.g. Stearns Fountain Fund
8. Special Assessments--providing for monies derived from benefitted properties for improvements, i.e. Local Improvement Districts.

In the above categories, the first, i.e. General funds, may be derived from both general and dedicated revenues, as defined above, but the remaining seven categories are all derived from dedicated funds.

Major Funds--General and Dedicated Revenues

Of the 41 Portland funds, many are of minor significance in dollar amounts, and others serve only to collect monies for distribution to other funds. We shall consider below the ten funds which, in the 1975-76 budget, account for the major share of the city's direct expenditures.

General Funds

The General Fund is Portland's major operating fund from which most city departments providing traditional municipal services, (with the notable exceptions of water, sewers and street lighting) are financed. The General Fund was budgeted for 1975-76 at \$91.2 million, and consisted of a beginning balance of \$1.4 million and \$89.8 million in current revenues.

One might assume, from its name, that the General Fund is made up exclusively of general revenues, as defined above. This is not the case, however. While most of the revenues flowing directly to the General Fund, with the notable

exception of certain federal grants, are available for general governmental purposes, the General Fund includes transfers from other funds (\$25.5 million, or 28.4 percent of General Fund revenues), many of which are from dedicated revenues and can be used only for limited purposes. Such dedicated transfers include those from the State Street Tax Fund (constitutionally dedicated revenues from the State Highway Fund), the Parking Meter Fund, the Public Recreational Areas Fund (a relatively insignificant source) and from funds receiving federal revenues, within the Revenue Sharing Fund. Revenues from the last fund are, in a sense, for general governmental purposes, but they do have some strings attached and are, therefore, considered "dedicated," although their dedication is much broader than that applied to other dedicated revenues.

Of general revenues the single largest source to the General Fund is the property tax (\$30.1 million, or 33.5 percent of current revenues). Other major, but less significant general revenue sources include "business licenses" - - actually, privilege taxes--(\$4.9 million or 5.5 percent), state-shared cigarette taxes and liquor revenues (\$3.6 million, or 4.0 percent) and service charges and fees (\$2.8 million, 3.1 percent). Licenses and permits and transient lodging tax account, respectively, for only a little more and a little less than one percent of General Fund revenues.

CETA Fund

This fund is financed by \$6.9 million in federal grants and is dedicated to the employment of persons who have been out of work for 30 days or longer, although they may be hired for general governmental purposes.

Fire and Police Disability and Retirement Fund

The principal revenue to this fund is a special property tax levy dedicated to the fund's purposes.

Fleet Operating Fund

This is an interagency fund which supports the purchase, maintenance and operation of the city's vehicles. It is financed primarily from charges to the using city agencies. Its support, therefore, comes from both general and dedicated revenues, depending upon the funding sources of the using agencies. Once the charges come into the fund, they are at least budgetarily dedicated to the purposes of the fund.

Housing and Community Development Fund

This fund is financed by \$8.8 million in dedicated federal grants.

Portland Development Commission Funds.

These funds, totalling \$19.7 million, are financed from dedicated revenues, primarily federal grants and loans.

Refuse Disposal Fund

This fund is financed primarily by \$1.6 million in dedicated user charges.

Sewage Disposal Fund

This fund is financed primarily by dedicated user charges and federal grants.

Street Lighting Fund

This fund is financed primarily from a dedicated special property tax levy.

Water Fund

This fund is financed primarily by dedicated user charges.