

M E M O

September 14, 1976

TO: Executive Committee Members
FROM: McKay Rich
RE: Proposed Agenda Format for Commission Deliberations at October Conference

The following proposed agenda outline would be included in a summary report highlighting the Commission's findings and the conceptual reorganization proposal as well as this more detailed schedule of the issues and decisions facing the Commission. This summary report will be available to the Commission members and other interested citizens. It is hoped that this summary will help both Commission members and non-Commission participants focus on the issues and deliberations so that the Commission completes its full agenda that weekend.

REPORT ON THE CONFERENCE ISSUES
AND COMMITTEE RECOMMENDATIONS

- I. General Introduction
- II. Summary of the Commission's Findings
- III. Summary of the Commission's Conceptual Reorganization Proposal
- IV. Outline of the Conference Issues and Committee Recommendations
 - A. Structure
 1. Council
 - a. Size of Council
 - 1) The past trend in the U.S. has been more toward smaller policy making councils of 5-9 members. This trend was based on the belief that a smaller-sized council was more efficient in decision-making and more removed from politics. However, some areas continue to use large councils, believing that a larger council size is more representative and, therefore, more responsive, and that it allows for greater citizen participation.
 - 2) Committee recommendations have produced a range of a 7-member council (one representative per 135,000 population) to a 25-member council (one representative to 38,000 population). Human Services recommended a 7-member council, Public Works an 11-member body, Land Use a 15-member council, Public Safety between 9 and 25 and Finance between 11 and 13.

IV. - continued -

b. Method of Selection

1) Appointed

a) Appointed Ex-officio Members

- (1) Proponents insist that mayors, city councilpersons and county supervisors should participate directly in the area-wide decision-making process through membership on the Council because they represent legitimate, on-going local governments with representational and policy interest in area-wide affairs. Inclusion of these officials enhances the likelihood that cities and counties will willingly cooperate in the implementation of area-wide policies.
- (2) The opponents to this type of arrangement argue that time constraints on local government legislators, most of whom work full time in addition to their official duties, are usually severe. Membership on the Council would be of secondary importance to them and because they are elected to local jurisdictions, they often view issues from a parochial perspective rather than an area-wide outlook.

b) Appointed Non-ex-officio Members

- (1) The advantages of this selection process include the ability to attract qualified individuals who will not run for public office and who are more removed from political pressures inherent in the electoral process.
- (2) Disadvantages include a lack of direct accountability to the residents of the area, less discussion of issues of area-wide significance with the general public usually fostered through the electoral process and the public's perception of taxation without representation.

2) Elected

- a) Proponents for direct election of Council members maintain that it is the only way to secure a democratic, responsive, responsible and effective area-wide government. The visibility of the entity is increased through the electoral process, the potential for minority representation (when elected by district) is increased, the Council membership is made directly accountable to the voters and the probability that those elected will concentrate time on area-wide concerns is increased since they would hold no other legislative office.

IV., 2) - continued -

- b) Opponents insist that the electoral process does not guarantee any degree of professionalism for representatives, that campaigning can be laborious and costly and would thereby deter some qualified people from serving, and that there are too many elective offices already on the ballot thus further confusing the voters.
- 3) Alternative: A mixed board of both appointed and elected officials.
- 4) If Elected, the Method of Election
 - a) At-large
 - (1) At-large elections would enhance the chance of electing representatives with broader, area-wide perspectives and would make it more difficult for any single interest to dominate the process.
 - (2) However, it would place too much importance on money, sensationalism and the ballot position. Campaign costs would be high due to the need to be known to a large constituency. At-large representation maximizes representation of majorities and minimizes that of minorities. And, if the chief executive officer is elected at-large, there would be no constituency differentiation between the legislators and the executive.
 - b) By District
 - (1) Single-member districts are the best way to ensure equitable representation of minority interests and both urban and rural interests and would provide a greater input for neighborhood and community groups. Campaign costs would be lower and candidates would not have to be known to the area-wide constituency. This process would enhance greater accountability, visibility and responsiveness.
 - (2) However, it would be more likely that representatives from districts would be more parochial in their perspective and it might lead to political logrolling.
- 5) If Elected by District, the Apportionment of Districts
 - a) Method of Apportionment
Explanation
 - b) Criteria for Apportionment
Explanation

6) Committee recommendations unanimously supported a directly elected, single-member district Council. In addition, the Committees unanimously recommended that the positions be non-partisan.

c. Compensation

1) Explanation

2) Committee Recommendations

d. Selection of Presiding Officer of the Council

1) Elected by Voters

a) Explanation

2) Elected by Members of the Council

b) Explanation

3) Committee Recommendations

2. Chief Executive Officer

a. Selection

1) Explanation

2) Committee Recommendations

b. Term of Office

1) Explanation

2) Committee Recommendation

c. Compensation

1) Explanation

2) Committee Recommendation

3. Relationship to Existing Governments or Agencies

a. CRAG

1) Explanation

2) Previous Commission Action

- b. Tri-Met
 - 1) Explanation
 - 2) Committee Recommendations
- c. Port of Portland
 - 1) Explanation
 - 2) Committee Recommendations
- d. Health Systems Agency
 - 1) Explanation
 - 2) Committee Recommendations
- e. Boundary Commission
 - 1) Explanation
 - 2) Committee Recommendation

B. Functions - Changes in Assignment of Functions

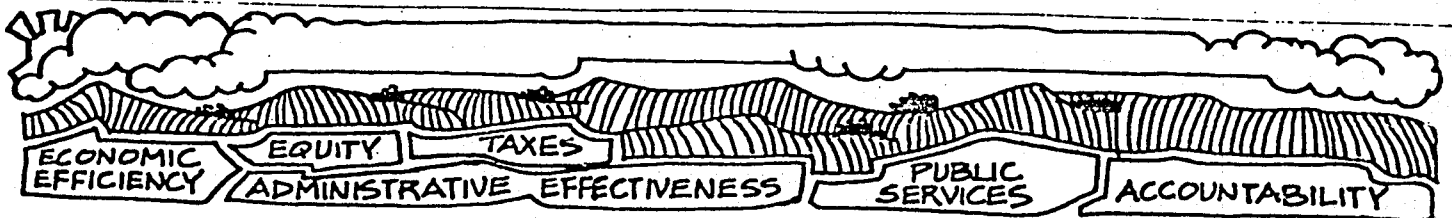
1. Function (list each functional reassignment)

- a. Explanation
- b. Committee Recommendation
- c. Recommendations for Intergovernmental Relations
 - 1) Intergovernmental Relation Recommendation (list, if any at this time)
 - a) Explanation
 - b) Committee Recommendation

CONFERENCE ISSUES AND COMMITTEE RECOMMENDATIONS

October 2-3, 1976

CONFERENCE
OF THE
TRI-COUNTY LOCAL GOVERNMENT COMMISSION



Ronald C. Cease, Chairman
Carl M. Halvorson, Vice Chairperson
A. McKay Rich, Staff Director

1912 S.W. Sixth Avenue, Room 244
Portland, Oregon 97201
(503) 229-3576

TABLE OF CONTENTS

General Introduction	1
The Conceptual Proposal.	5
Summary of the Conference Issues and Committee Recommendations	7

"The future of the metropolis is the future of most of us. The quality of life that is lived in it is the quality of American life ...The question at issue is whether we have the wit, the courage, the good sense and the good will to transform the two hundred odd metropolitan areas in which the bulk of us live into responsible self-governing communities."

Dr. Norton E. Long, Director of the
Center of Community and Metropolitan
Studies at the University of Missouri-
St. Louis

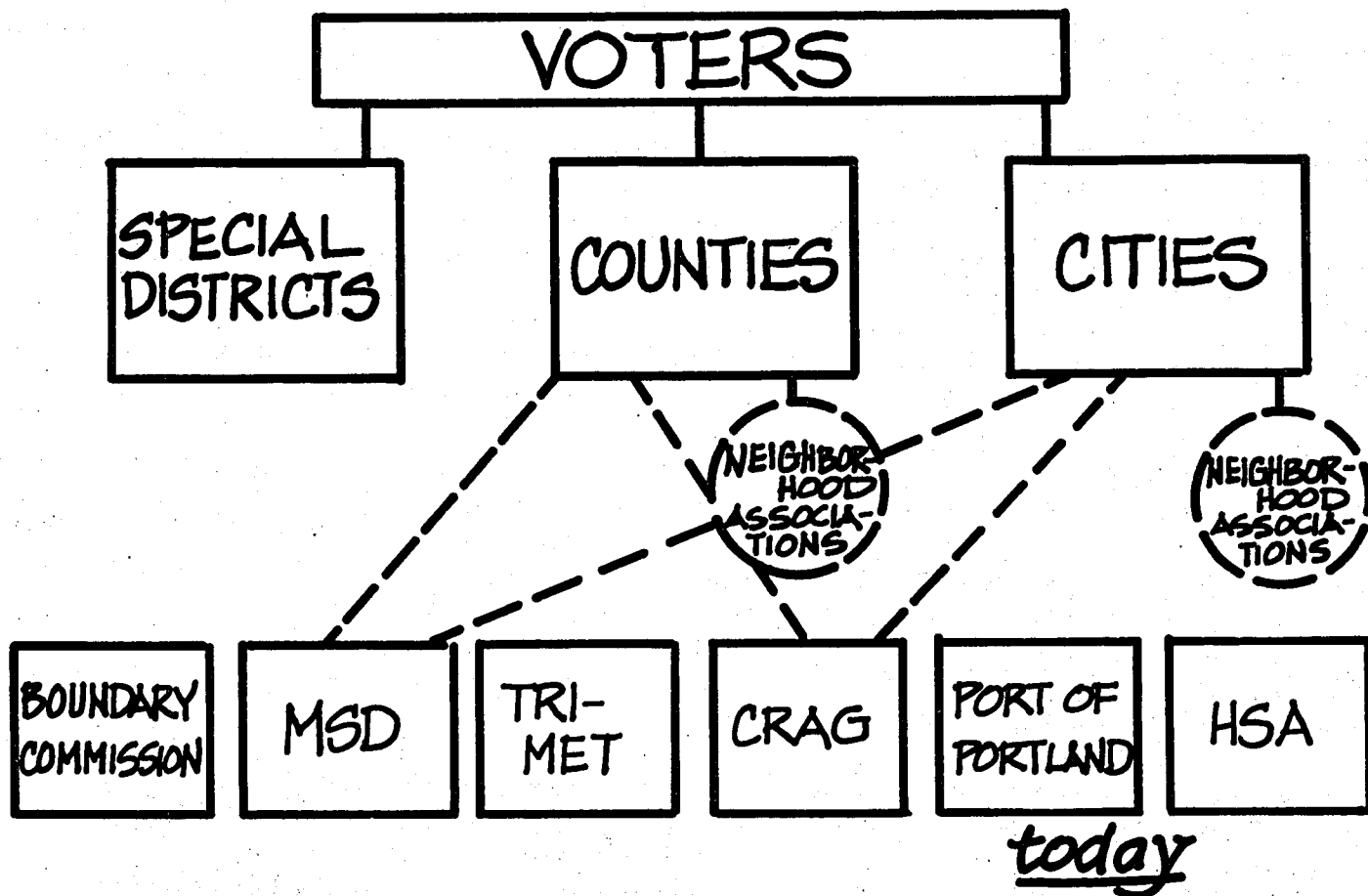
GENERAL INTRODUCTION

The Tri-County Local Government Commission's study of local government patterns and problems in Clackamas, Multnomah and Washington counties uncovered few new, unique issues but did yield a laundry list of problems and situations that are common to most other U. S. metropolitan areas.

While true that specific problems have appeared in different guises at different times in the various metropolitan areas across the country, all have demanded a wide range of human skills, money and dedication to fix. What normally happens is that when one piece on the puzzle goes awry and people complain, we attend to patching up the system as best we can.

Instead of insisting that we look to established governments for answers to our public problems and growing needs, we began to invent new units of local government. We added governments, commissions, boards and districts. Each was created to serve a special need, but none ever seemed to be dissolved as needs changed. The Commission notes that now a typical suburbanite in the Tri-County area may be under as many as a dozen separate local governments directed by over 65 elected and appointed officials.

The result of all this is a complex pattern of 232 governmental entities in the Tri-County area with combined 1975-76 budgets of \$1,267,760,738. Today, these governments are experiencing the problems caused by governmental overlap, urban sprawl and public desires and services that outstrip revenues.



Dissatisfaction has developed over the provision of certain public services; complaints lodged about the performance standards of local government; opposition voiced to the needs for specific services; concern registered regarding the adequacy and equity of water supplies and the rapid depletion of open space; and criticism raised about the disparities in the financial resources of local governments in the metropolitan area.

The Commission held a two-day conference last April 10th and 11th to review and analyze these major problems and other issues relating to structures and functions of local government in the Tri-County area. The Commission concluded that the fragmented system today is simply unequal to the tasks demanded of it.

The Commission then set out to develop reorganization recommendations that would provide for a more accountable, responsive, efficient and effective system of government for the Tri-County area. Since the April conference, the Commission has concentrated its efforts on designing an area-wide system of government that will attend to the common needs of the entire Tri-County community.

The prerequisites for area-wide governance appear embedded in the trends--an aggregate of people in this area have developed various economic, social, cultural, and educational interdependencies, common mores and customs exist and there appears to be a growing consensus about values, such as environment. The citizen who sits in his car on a clogged street at rush hour identifies with the aggregate in the need for a better public transportation system regardless of where he started the trip.

It is difficult for the citizen to identify himself or his self-interests with the mosaic of diverse neighborhoods and governmental entities in the 3,080 square miles of the Tri-County area. The citizen seldom relates social and economic interdependence to governmental operations and organization and the need for coordinating public policy in matters affecting the Tri-County area as a whole.

But the reality is that there is a central city with suburban rings around it. There has been an outward movement of families, churches, industries, jobs, shopping and medical facilities which has created a growing metropolitan area with new activity centers distributed throughout. It has become clear that the effort to meet central city needs separately from suburban and rural needs is as futile as it would have been for the U.S. to have tried to continue as a nation under the Articles of Confederation. Then, had the states been unwilling to recognize the need for national solutions to national problems, the nation would not have survived.

The need for geographic unity in providing services which require area-wide action together with the growing recognition that the costs of crime, air and water pollution, traffic congestion and other problems spill over individual local government boundaries has focused attention on the desirability and feasibility of Tri-County remedial action. The possibility of achieving economies of scale in the delivery of public services and reducing resource inequities among segments of the Tri-County area has also served as a strong incentive for studying area-wide government proposals. These proposals have been acted upon, in part, because of the failure of multiple units of local government to effectively plan and implement programs for an orderly metropolitan development.

Area-wide governance exists to some degree now in the Tri-County area. It is function by function in such areas as planning, transportation and solid waste. There are now six regional agencies; each playing a special governance role and providing a special function or set of services.

However, this proliferation of special-purpose agencies has resulted in a functional fragmentation that makes comprehensive planning and public action difficult. Special-purpose agencies tend to reduce political accountability in that they are free from broad political control, remote from the citizens and do not provide for any voter participation in their governance process. Important area-wide decisions are made by functional specialists without a means of establishing priorities within a broader scope of problems and needs. There is no political process through which competing demands for the tax-raised revenues are evaluated and balanced.

Mounting public frustration and concern with the problems of area-wide governance suggest that solutions for these concerns should receive serious consideration at the upcoming legislative session. The band-aid approach has produced uncoordinated transportation and road systems, led to conflicting land use patterns, wasted immense amounts of tax-raised funds for illogically timed and placed public services and contributed to the decay of the inner cities whose plight also affects the suburbs.

The Commission has determined that if we are to avoid the governmental disasters seen in other metropolitan areas, we must address the problems of proliferating government at the area-wide level and effectively provide for reducing their number and achieving better coordination of those that remain.

The Commission believes that, as long as these important area-wide functions lie outside the policy-making control of a general multi-purpose unit of area-wide governance, full solutions to the pressing problems in the Tri-County area will be more difficult, if not impossible, to achieve. An umbrella, multi-purpose area-wide authority could reduce duplication and increase the coordination of area-wide services, thereby decreasing the cost of public services over the long run. Such a government would increase the community's awareness and understanding of community problems and provide a vehicle for the whole mix of area-wide needs and problems to be viewed and priorities to be set.

Equally important in the formula of democratic self-government is the principle that government should have to regularly seek the consent of the governed and be directly accountable to them. Not one of the area-wide governments is directly accountable to the people it serves. What is missing from the equation is some mechanism whereby certain officials are elected by the voters for the purpose of handling those problems that are area-wide in nature, while other officials fulfill the traditional role of local elected officials, concentrating on those problems strictly local in character.

The problem with local officials serving at the area-wide level is that these officials find themselves constantly in a dilemma, caught between finding an area-wide problem's "right" answer for the entire Tri-County area and the "right" answer to that same problem from the standpoint of their local community which they are elected to represent. At best, local officials can walk a tightrope between these two priorities; at worst, they can retreat into a parochial shell in any such conflict and reject the area-wide answer out-of-hand, regardless of its merits.

The best, and perhaps only, way to secure a democratic, responsive, responsible and effective area-wide government is through the electoral process. Direct election increases the visibility of the entity, broadens its constituency base and instills greater public confidence. Officials would be made directly accountable to the residents of the entire area and would not be hobbled with conflicting loyalties between area-wide and local government constituencies.

The Commission firmly supports the principle that a governmental institution designed to rest on the foundation of the people themselves will be more stable and durable than if it stands solely on the pillars of other existing local government institutions. The electoral process would involve, in a more realistic way, the citizens of the entire Tri-County area in making decisions about their public problems.

The Commission has found that there is good reason to believe that part of the crisis of our community is a crisis of our civic life. Too often, discussion of the problems of the metropolitan area tend to reduce these problems to matters of sewage, transportation, housing, etc. This reduction leaves out the specific political element that gives meaning to civic life. By neglecting considerations of what a shared conception of the "good life" can mean to the larger community, we omit the very idea of citizenship and leadership from consideration. A viable political philosophy for the Tri-County area is a necessity for local government.

The lack of a significant political structure for the Tri-County area has resulted in an ethic of escapism from the larger community. There being no sufficiently visible unit of government to ensure the possibility of effective action, there is no central point to rally the imagination of the populace and no stage to attract the leadership that is essential if area-wide government is to function as it should. Unless the means of electing and instrumenting such leadership can be found, area-wide government will remain the administration of people rather than the self-direction of citizens.

The Commission is concerned that recent developments and trends across the country seem to indicate that the concept of divided political power is fast disappearing. The formation of a multi-purpose, area-wide government with directly elected officials and a Tri-County constituency would enhance our capability and opportunity to shape the future of our larger community. This form of governance would obviously be closer to the Tri-County citizenry than the State and national governments and yet would be properly equipped to effectively address our area-wide problems, leaving more local concerns to the cities and counties.

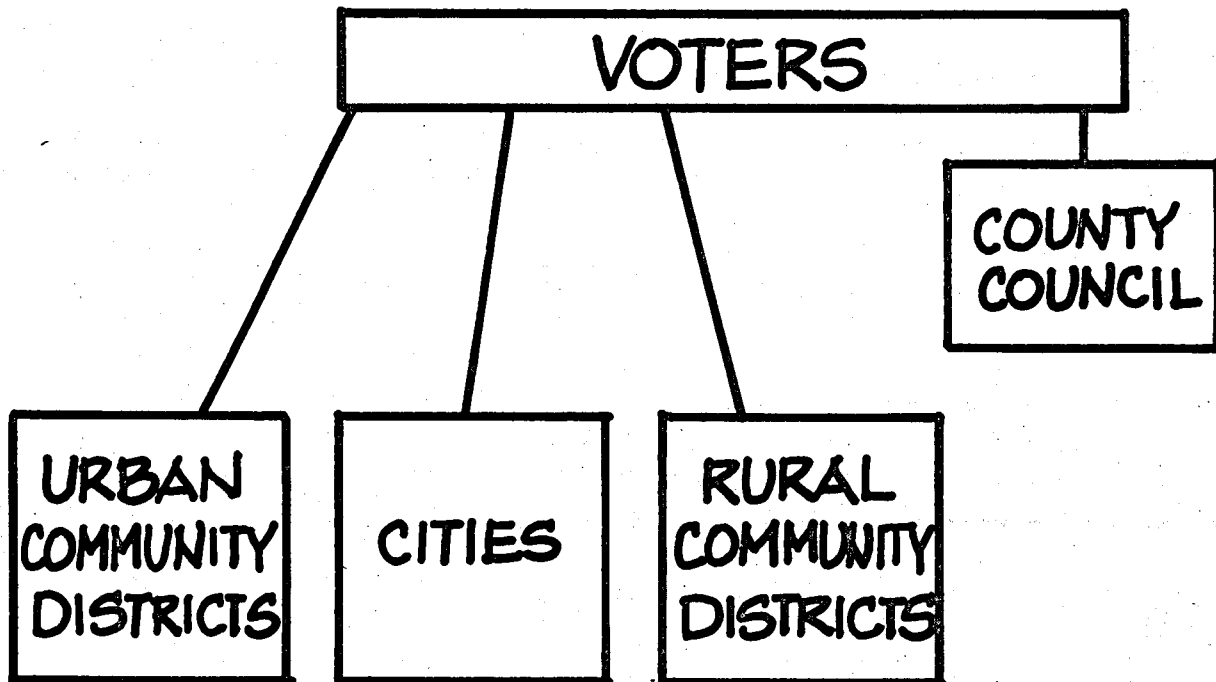
Unless we act soon, we can expect that the power to deal with many of our community's problems will continue to shift to Salem and Washington, D. C. Over the long haul, our inability to restructure our local government may lead to its deterioration rather than its salvation.

It should be emphasized that this proposal would not add another layer of government but rather would reorganize present area-wide governmental agencies and redistribute current governmental services to the level where they could be performed most efficiently, be it city, county or area-wide.

The Commission believes that by making the Metropolitan Service District's governing board an elected policy-making umbrella body of a truly multi-purpose government, this proposal would provide the Tri-County area with the political ability and tools necessary for local government to do more than throw its energies into the tasks of meeting crises. It would help enhance the community's ability to more efficiently and effectively address the area-wide problems of transportation, land use, air, water and solid waste by improving the coordination needed to make the various parts of the governmental system work more harmoniously and with less duplication.

The proposed relationship of the Port of Portland, Tri-Met, the Boundary Commission and the Health Services Agency to the Tri-County Council has not been clearly determined yet, although they will be accountable to it in some form or fashion, if feasible. Also, yet to be resolved for recommendation are the number of members on the Council, whether they should be elected at-large or by district, their terms of office and compensation, and the type of administrative and financial structures for the Council.

Although the Commission recognizes that there is no final solution, it proposes, as a long-range alternative, a more simplified two-tier form of government for the Tri-County area. Under such an arrangement, matters of Tri-County significance would be assigned to the upper tier, including area-wide and county services, while those services and responsibilities of a local nature would be assigned to the lower tier and community districts.



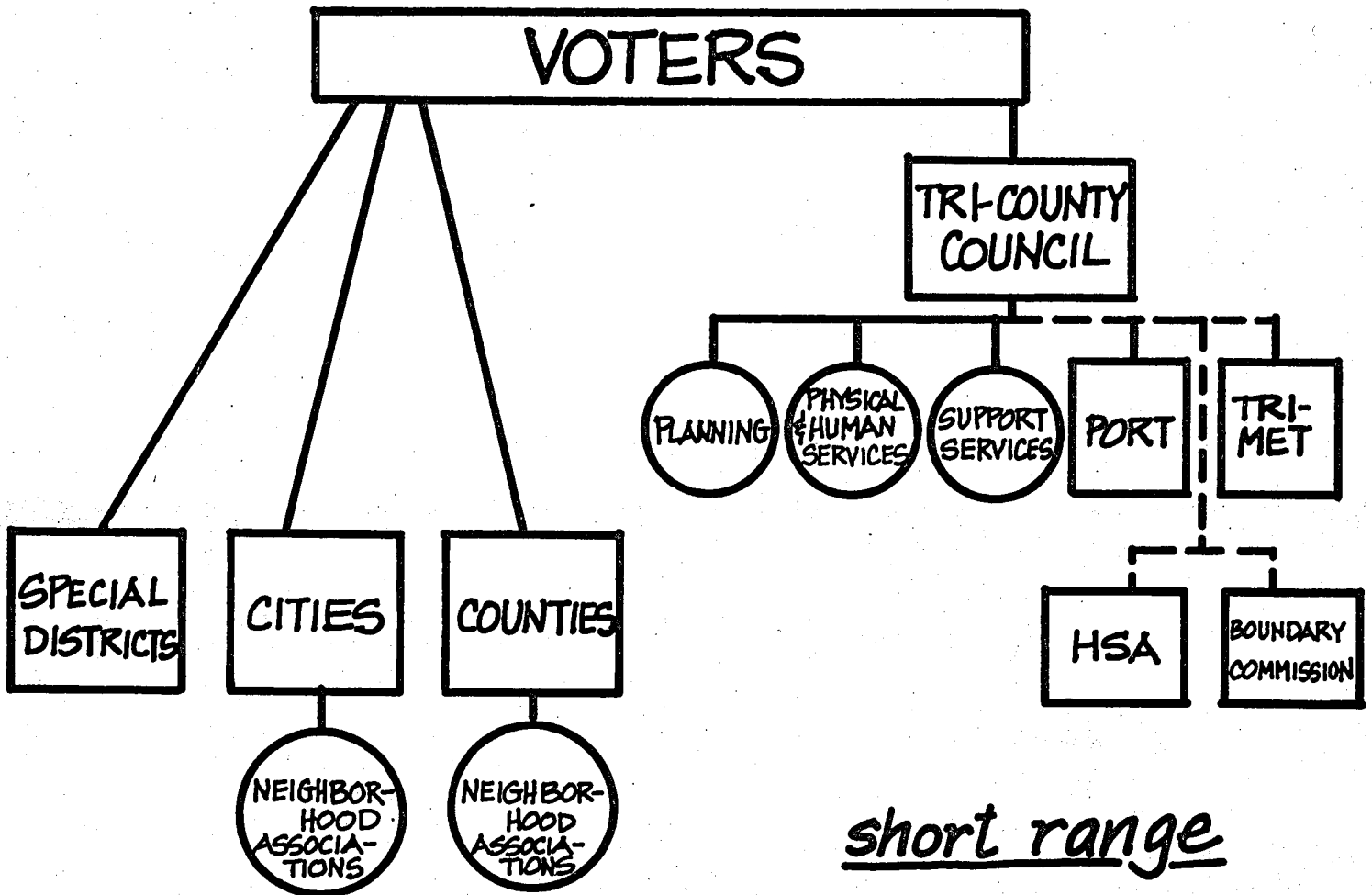
long range

THE CONCEPTUAL PROPOSAL

The proposal under consideration by the Commission includes modifying the Metropolitan Service District's legislation to provide for an elected Tri-County Council which would become the major policy-making body for those matters deemed area-wide. Currently, the Metropolitan Service District is governed by city and county elected officials, appointed to the Board by the local governments in the Tri-County area. This proposal would provide that some or all of the governing board members be directly elected by the voters in the three counties.

There would be three general programs under the direction of the Tri-County Council:

1. a re-defined planning function which would absorb the services now provided by the Columbia Region Association of Governments;
2. physical and human services which would include those functions now authorized for the Metropolitan Service District and any new functions the Commission may recommend, such as, water supply and major cultural and recreational facilities; and
3. support services which would be an expandable or contractible program providing those services desired by cities, counties and special districts on a contractual basis.



short range

SUMMARY OF THE CONFERENCE ISSUES AND COMMITTEE RECOMMENDATIONS

The following summary highlights the issues and related Committee recommendations in order that the Commission will follow in its deliberations. It is not intended to be a definitive accounting of all the arguments and factors. Instead, it should be viewed as a starting point for your deliberations. It is hoped that the summary will assist both Commission members and public participants focus on the issues and deliberations so that the Commission completes its full agenda this weekend.

STRUCTURE

I. Council

A. Size of Council

- 15
1. The past trend in the U.S. has been more toward smaller policy-making councils of 5-9 members. This trend was based on the belief that a smaller-sized council was more efficient in decision-making and more removed from politics. However, some areas continue to use large councils, believing that they are more representative, more responsive and allow for greater citizen participation.
 2. Committee recommendations range from 9 to 25. Given an approximate Tri-County population of 942,000, a nine-member Council would provide one representative per 105,000 people while a 25-member council would have one representative per 38,000 people.

B. Method of Selection

1. Appointed Ex-Officio Members
 - a. Proponents insist that local government officials should participate directly in the area-wide decision-making process because they represent legitimate local units with representational and policy interests in area-wide affairs. Their membership would enhance cooperation between the area-wide entity and local governments. Opponents argue that time constraints on local government officials, most of whom work full-time, in addition to their official duties, are usually severe. Membership on the Council would be of secondary importance to them and, because they are elected to local jurisdictions, they often view issues from a parochial perspective rather than an area-wide outlook.
2. Appointed Non-Ex-Officio Members
 - a. Advantages include the ability to attract qualified individuals who will not run for public office and who are removed from the political pressures inherent in the electoral process. Disadvantages include a lack of direct accountability to the residents, less public discussion of area-wide issues with the general public which is usually fostered through the electoral process and the public's perception of taxation without representation.
3. Elected
 - a. Proponents for direct election maintain that it is the only way to secure a democratic, responsive and responsible area-wide government. Direct election increases the visibility of the entity, broadens the constituency base and makes the members directly accountable to the residents. It would also increase the probability that those elected will concentrate more time on area-wide concerns, since they would hold no other local public office. Opponents insist that the electoral process does not guarantee any degree of professionalism for representatives, that

campaigning can be laborious and costly, thereby deterring some qualified people from serving, and that there are too many elective offices already on the ballot, thus further confusing the voters.

b. Method of Election

1) At-Large

a) Proponents argue that this method would enhance the chance of electing representatives with broader, area-wide perspectives and would make it more difficult for any single interest to dominate the process. Opponents maintain that it would place too much importance on money, name familiarity and ballot position and would maximize representation of majorities and minimize that of minorities.

2) By District

a) This process would enhance greater accountability, visibility and responsiveness and would keep campaign costs down. It would also be the best way to ensure equitable representation of both urban and rural interests and would provide greater input for neighborhood and community groups. On the other hand, representatives would likely be more parochial in their perspective, and it might lead to political logrolling.

Committee recommendations unanimously supported a directly elected, single-member district Council. In addition, the Committees recommend that the positions be non-partisan. *Residency w/in district*

Added mention on district boundaries, not existing Portland State Subcommittee of Center

c. Term of Office

1. Four-year Term

a. Advantages include allowing members more time to become better informed and to develop and implement policies and programs. Disadvantages include preventing individuals from serving who might not be able to commit that much time and may cause representatives to lose contact with constituency.

2. Two-year Term

a. Legislators would stay in closer contact with constituents since they would have to campaign every two years and would provide opportunity for more people to participate in the governing process. Negative aspects include insufficient time for legislators to learn the job and too much time would be spent on campaigning instead of policy-making.

3. Three Committees recommend a four-year term, and one Committee a three-year term. Some members have recommended a two-term limit, and one Committee recommends that elected or appointed government officials should not be eligible for service. *consecutive*

Staggered 2-year

D. Compensation

Compensation is dependent on whether membership on the Council is to be full or part-time.

1. Part-time

a. Some insist that membership be part-time to preserve the tradition of citizen government in Oregon. They maintain that if membership is full-time, legislators will be professional politicians rather than citizen representatives. Members should be paid on a per-meeting-plus-expense basis or a minimum monthly salary.

2. Full-time

a. Others argue that full-time council members are needed, in order to develop a truly effective and responsive mechanism capable of handling

*100 2400
25, 400 appeal judge
25 per diem
Undeput. Salary
Commission*

- complex area-wide issues and concerns. They suggest that full-time compensation be set by the Council or by a special commission.
3. The Land Use and Public Works Committees recommend tying the salaries to the base pay of state legislators. The Finance Committee recommends a \$25 per diem plus expenses.
- D. Selection of the Presiding Officer of the Council
1. Elected by Voters
 - a. Proponents argue that maintaining the traditional system of electing the presiding officer on an at-large basis enhances accountability to an representation of the entire area.
 2. Elected by Members of the Council
 - a. Supporters argue that this process yields more professionally qualified presiding officers who are not only elected by popular vote in their district but also by their peers. It fosters internal Council support, cooperation and control.
 3. The Public Works Committee recommends an at-large election process while the Public Safety Committee proposes election by Council members.

Annually

II. Chief Executive Officer

A. Method of Selection

1. Employed by Council
 - a. This method ensures that the executive position is filled by a professional administrator and increases the probability of a fully-implemented legislative policy and a positive working relationship with the Council because the power base rests with the Council.
2. Elected At-Large
 - a. Its advantages include accountability to the voters of the entire area, in contrast to council members elected by district and the potential of increased influence with state and federal government since the executive leadership would not be subservient to the majority bloc on Council. The office would provide a focal point for area-wide issues and policy leadership.
3. The Public Works, Human Services and Public Safety ^{Residency} Committees favor a Council-appointed executive officer. The Finance and Land Use Committees recommend a directly-elected executive who would not be a member of the Council.

B. Term of Office

1. The same arguments with respect to Council terms of office apply to the Chief Executive Officer, if the method of selection is by at-large elections.
2. Those Committees favoring the appointment of the executive by the Council would have the executive serve at the pleasure of the Council. Those proposing election recommend a four-year term.

full time *2 consecutive - off year - governor*

C. Compensation

1. Set by Council
 - a. This method provides greater flexibility, though it could have adverse ramifications if the executive is unpopular with the Council.
2. Tied to the Salary of Another Public Official
 - a. Although less flexible, this keeps the authority outside of the policy body to avoid the above disadvantage.
3. Recommended by a Special Commission
 - a. This allows an objective body to recommend a salary relative to salaries for comparable positions in the private and public sectors

but leaves the final decision with the Council.

4. The Land Use Committee recommends tying the salary to that of a State Appeals Court Judge (currently ~~\$37,500~~). Those Committees favoring the appointed executive would have the question of compensation determined by the Council.

III. Boundaries

- A. The multiplicity of agencies under consideration means the multiplicity of boundaries must also be considered. With the exception of MSD, all of the regional entities include the entire Tri-County area within their boundaries. MSD's boundary could be expanded under the authority of the Boundary Commission or perhaps a legislative amendment to include all of the Tri-County area. Such expansion of MSD boundaries could be viewed as necessary to perform the area-wide planning currently being done by CRAG.
- B. While many problems associated with urban life are area-wide in scope, many are also specialized to certain areas. The Public Works and Finance Committees recommend that some provision be made for the establishment of sub-regional service area districts for the delivery and financing of those services.

hasny-substitute motion to absorb all, ^{city} determined by Council/ voter approval

IV. Relationship with Existing Regional Governments or Agencies

A. CRAG

1. CRAG's relationship with the Council was determined in previous action by the Commission when it adopted using MSD as the base on which to build the upper-tier structure. At that time, the Commission decided that the service and functions now provided by CRAG should be fully integrated into that structure.

B. Tri-Met

1. Advantages to complete integration of Tri-Met include increasing accountability with respect to public transportation decisions and improving the policy and planning coordination with the other area-wide functions. Some argue that there is a lack of delineated responsibility between existing planning entities concerning transportation thus frustrating efforts to develop and implement a comprehensive regional transportation policy.
2. Those who support a separate transit authority cite the adequate inter-relationships today for achieving consensus on transportation policy. They point to Tri-Met's responsiveness to the community in developing plans and that the public can hold Tri-Met accountable through the Governor and its Board.
3. Four Committees propose integrating public transportation into the upper-tier as an operating division either departmentally or under a Council-appointed Commission. One committee made no recommendation.

C. Port of Portland

1. Inclusion in the upper-tier structure would compliment other area-wide functions, improve coordination of land use, transportation and economic development planning thereby reducing overlapping planning and administrative functions. It would also increase the accountability of Port opera-

tions and provide a better means of establishing priorities within a broader scope of problems and needs.

2. Supporters of a more separated Port authority argue that as a public agency the Port performs services which are not strictly governmental in nature and that the competitive nature of the Port's business requires flexible decisions on financial matters that can be best made by a board familiar with the issues. They point to on-going coordinated planning efforts with other regional agencies and that in the future it is likely that the Port's geographic boundaries might expand as its impact is state-wide for certain functions. In addition, the Port's goals and objectives might be subjugated if its public funds are made available for other area-wide services.
3. The Finance Committee proposes integrating the Port as an operating division either departmentally or under a Council-appointed Commission. The Land Use and Human Services Committees recommend that the Port Commissioners be appointed by the upper-tier Council but that the Port's status be otherwise unchanged. The Public Works Committee recommends that the Port operation remain as is or possibly be elevated to a state position.

D. Health Systems Agency

1. Advocates of integration point to the advantage of coordination between health planning and resource allocations and other human and physical services.
2. Opponents to changing the HSA structure stress the private nature of the current health industry and the need to maintain the quasi-public nature of these regional health authorities. As a quasi-federal non-profit corporation with six counties in its district and a 51-member governing board in compliance with federal and state requirements, it would require substantial legislative change to achieve integration.
3. None of the Committees propose any specific relationship with the upper-tier structure.

E. Boundary Commission

1. Proponents of integration suggest that since the Boundary Commission is concerned with the region only, it should be a regional entity rather than a state agency thus increasing its accountability to the Tri-County area and insuring greater compatibility between its decisions and the planning and policies of the Council.
2. Opponents to inclusion argue that as a state agency the Boundary Commission would maintain a greater degree of impartiality in making decisions than a regional body which would be more subject to local political pressures. Financing for the commission is now entirely from the State general fund and integration would require that the Council finance the Commission's operations as it is unlikely that the State would fund a commission which is no longer a state agency.
3. The Public Works Committee recommends that the Boundary Commission be included in the upper-tier structure as a quasi-judicial agency regulating boundary changes. The members should be appointed by the Council and funding should be continued by the state.

FUNCTIONS

I. Human Services

A. Comprehensive Planning and Coordination by Tri-County Council

1. Proponents of a comprehensive planning and coordinating role for the upper-tier structure in the functional area of human services argue that it would reduce bureaucracy, establish common service definitions and boundaries and would reverse the present trend whereby individuals have been encouraged to shift responsibility for their problems away from themselves.
2. Those who disagree with this role stress the single mission categorical approach as a more effective vehicle for retarding the growth of large social service organizations. They contend that a regional authority would lead to the development of inflexible modes for planning, standards, funding and delivery of services and point to the experience to date with federal comprehensive planning requirements for manpower, aging and health which they claim have been unsuccessful in this community.
3. The Human Service Committee proposes that the upper-tier structure undertake a comprehensive planning and coordinating role for all human services.

B. Consolidation of Area Agencies on Aging (AAA)

1. Advocates maintain that effective planning, pooling and coordination of senior services requires a consolidated metropolitan approach. And though planning should be conducted at every level, contracting authority should rest with the upper-tier thereby providing a more even service distribution, a less fragmented management and a more effective vehicle for monitoring service delivery. They also argue that local input would be enhanced by an elected-Council with apportioned districts.
2. Opponents insist that the creation of a single AAA for the area would lead to loss of local control, higher administrative costs and fewer funds going into direct services.
3. The Human Services Committee recommends expansion.

D. State Establishment of Minimum Standards and Direct Support of Mandated County Health Functions

1. Proponents of this proposal, including the Oregon Health Division, the Conference of Local Health Officers and the Association of Oregon Counties, point out that Oregon is one of four states in the nation with no direct state support for local health departments which has resulted in a significant diversity in the kind of health services and level of services at the local level. Minimum standards and direct State support would lead to a more even distribution of services, a more uniform quality of services and equitable financing as it would be less dependent on county property taxes

2. Opponents argue that there would be disagreement as to what kind of activities are appropriate for local health departments and question whether the State should direct support for this mandated county function.
 3. The Human Services Committee supports State establishment of minimum standards and direct support for mandated county health functions.
- E. Reorganize and Strengthen the Department of Human Resources
1. Supporters of reorganizing and funding one Department of Human Resources maintain that it would foster better management, coordination and integration of state activities and would encourage better cooperation with other service providers and levels of government with similar efforts.
 2. Opponents argue that it would reduce the role of the Legislature in designating funds for various activities and that there would be less flexibility in designing division-level programs.
 3. The Human Services Committee supports this reorganization proposal.

II. Public Works

- A. Water -- Sources, Supply, Storage, Major Transmission Lines and Administrative Services Be Authorized at the Upper-Tier
1. Proponents point to: inadequate storage facilities in some areas and duplicate facilities in other areas; duplicate transmission lines in some areas, few inter ties for mutual sharing in the event of shortages or disasters and non-standardization of transmission lines; and the need to better insure adequate water supply throughout the Tri-County area in the future. Coordination, planning and funding of these functions at the upper-tier level would: allow economies of scale to be realized; eliminate duplication; increase standardization; provide better protection against shortages and disasters; provide greater capital for investments; increase administrative effectiveness and enhance fiscal equity throughout the Tri-County Area.
 2. Opponents contend the present jurisdictions are better able to determine and provide local water needs and that this proposal would lead to higher administrative costs.
 3. The Public Works Committee recommends that the upper-tier be authorized to develop water supply, treatment, storage facilities, transmission lines and wholesale water.
- B. Sewerage Service -- Authorization of Major Interceptor Systems, Treatment Facilities and Sludge and Effluent Disposal Functions at the Upper-Tier
1. Advantages include: realization of economies of scale; provision of a broader financial base for capitalization to increase present capacity and upgrade present plants to meet governmental standards; improving administrative efficiency and enhancing fiscal equity.
 2. Opponents point to the ability of local governments to handle these needs through cities or county service districts which are better able to relate sewerage planning with local growth and development.

3. The Public Works Committee supports authorization of these functions at the upper-tier.

C. Solid Waste, Transportation and Port Function -- No Change in Current Responsibilities

- mandatory*
1. The Public Works Committee proposes no changes in current upper-tier and middle-tier responsibilities in the functional areas of solid waste (currently the upper-tier is authorized to provide for planning, regulation, coordination, operations and funding for solid waste management), transportation (the upper-tier is now responsible for public transportation services) and the port and harbor functions (presently provided by the Port of Portland). The nature and scope of these services, economies of scale, enhanced planning ability and administrative effectiveness are some of the advantages identified by the Committee in its determination that no changes are warranted in these functional areas.

III. Land Use, Recreation and Cultural Activities

A. Libraries -- Authorization of Book Acquisition and Technical Processes at the Upper-Tier

1. Advantages include economies of scale and reduction of energy consumption through pooling of resources.
2. There appear to be no disadvantages to this proposal.
3. The Land Use Committee Recommends such authorization.

B. Parks and Recreation -- Assignment of Regional Parks to the Upper-Tier

1. Proponents argue that parks benefitting the Tri-County area should be supported financially by the entire area and not just by those in whose jurisdictions the parks happen to lie.
2. Opponents point to difficulty in determining which parks benefit the entire region, and funding transfer problems.
3. The Land Use Committee recommends authorization to transfer regional parks to the upper-tier.

C. Cultural Activities/Facilities -- Assignment of Major Facilities to Upper-Tier Structure

1. Advantages include fiscal equity and enhanced planning ability.
2. Disadvantages include determination of which facilities benefit the entire area and funding transfer problems.
3. The Land Use Committee proposes transfer of major cultural/athletic facilities, with the exception of golf courses and private and semi-public operated cultural facilities, to the upper-tier.

D. Land Use

1. Because of the complexity of this functional area, the Land Use Committee's recommendations are listed in detail. These recommendations reflect the Committee's concern for the problems of overlap between the state, regional and local levels, and for maintaining functions at the lowest level of government capable of feasible delivery. Perhaps chief among the changes from the status quo, is the suggestion that a detailed traditional comprehensive land use plan not be prepared at the upper-tier but rather that a series of functional plans (for water, sewers, etc.) be substituted.
 - a. Land Use Recommendations
 - 1) General
 - a) Land use planning should be divided into matters of state-wide concern, and matters of local concern.
 - 2) State Level
 - a) The state should set goals which apply only to very broad concerns which impact the entire state.
 - b) The state should require cities and counties to adopt comprehensive plans.
 - c) The state should designate matters of state concern and regulate them.
 - d) The state should increase the planning grants to the local units.
 - e) The state should resolve disputes if a matter of state-wide concern is involved between two or more metropolitan areas or disputes between two or more local governments which cannot be resolved at the metropolitan level.
 - f) The state should provide technical assistance.
 - g) The state should coordinate the activities of all state agencies with the land use planning.
 - 3) Upper-Tier
 - a) The upper-tier should:
 - (1) Define and apply a planning procedure which identifies areas and activities of area-wide concern and adopt policies and standards for these concerns.
 - (2) Prepare functional plans for water, sewer, transportation, etc. and coordinate area-wide planning for these functions. These plans should be designed to control area-wide impacts.
 - (3) Require compliance of local plans with the area-wide policies and functional plans.
 - (4) Resolve conflicts between two or more local units regarding matters of area-wide concern.
 - (5) Promulgate regulations on matters of area-wide concern.
 - (6) Fulfill the traditional regional function of federal (A-95) grant compliance procedure.
 - (7) Provide technical assistance and coordination.
 - 4) Middle-Tier
 - a) The middle-tier level should:
 - (1) Develop and implement detailed comprehensive planning.
 - (2) Provide planning assistance to lower-tier organizations.
 - 5) Lower-Tier Organizations
 - a) The lower-tier should:
 - (1) Have the option of initiating, developing, and reviewing and commenting on community plans.

- (2) Be able to initiate develop, and review zoning, subdivision, PUDs, capital improvements and other plans, including middle or upper tier plans, which affect the local area.

IV. Public Safety

A. Fire Protection Support Services -- Intergovernmental Agreements

1. Planning, coordinating and operating fire protection support services, including major purchasing, planning, and operations; specialized training and major repair and maintenance, through intergovernmental agreements offers cost and tax savings, enhances overall planning and administrative effectiveness, and reduces duplication. This approach also lends itself to increased standardization and improves the competitive purchasing positions of the local departments.
2. The Public Safety Committee recommends continued moves to coordinate, plan and operate these services through intergovernmental agreements *at the upper tier.*

B. Law Enforcement Support Services - Jails, Work Release and School Release, Juvenile Detention Facilities and Adult Corrections Be Assigned to the Upper-Tier.

1. The advantages cited include realizing economies of scale, reducing disparities between facilities, avoiding duplication, enhancing overall planning and administrative effectiveness, developing a more equitable fiscal base and increase consistency of programs and standards.
2. Opponents argue that it would lead to too much standardization in a functional area that involves differing social and cultural values. They contend that it would result in loss of local control and higher administrative costs.
3. The Public Safety Committee proposes that these law enforcement support services be assigned to the upper-tier structure.

C. Judicial -- Complete State Support of Circuit Court and Court-Appointed and Public Defenders Costs

1. This proposal would result in a more equitable sharing of the costs.
2. Some question the feasibility of state complete financial support for these functions when compared with other pressing priorities.
3. The Public Safety Committee recommends adoption of this proposal.

V. Finance, Taxation, and Administrative Services

A. Continue existing revenue sources authorized for governments merged into proposed upper-tier structure.

1. These would include for MSD - ad valorem taxes, user fees and charges, special assessments, loans, grants, gifts, and bonding. For CRAG - assessments from cities, counties, and other member units; grants, loans, gifts, bequests and devices. For Tri-Met - ad valorem taxes, service charges and user fees, bonds, business license fees, income tax, sales tax, payroll tax, and federal grants or loans. For the Port - ad valorem taxation,

1. continued
bonds, user fees, charges, rentals, loans and grants. For the Boundary Commission - state general fund appropriation.
 2. The above authorizations would enable the upper-tier to continue present services and to expand services if financing were approved by the voters or if new sources of revenue became available through fees, grants or other sources. The Committee has recommended that the CRAG assessment procedure be phased out. These funds would need to be replaced through establishment of a tax base or through some other source of local or state funding.
- B. Have available the widest possible range of financing methods for the upper-tier council including an income tax.
1. This would allow the council flexibility to seek the revenue source most appropriate and equitable for the service to be performed. Such authorizations would either require prior approval by the voters or be subject to referendum.
- C. Support increased state funding for cities, counties and school districts.
1. The state has a more flexible source of revenue than do the above local governments. In addition many of their costs are mandated by the state.
 2. Those who appose increased state support see problems arise when those authorized to spend are not the same as those levying the tax. They also fear loss of local control.
- D. Provide a means whereby people in unincorporated areas pay for those county services provided only to those areas. *pay for services received*
1. County-wide services that benefit the people of the entire county should be paid for by county-wide taxation. Where the county provides a service to those in the unincorporated area and cities provide a similar service within the city paid for by city residents, the city residents should not be required to pay for a county service not received.
- E. Extend the jurisdiction of the tax supervising and Conservation Commission to include Clackamas and Washington Counties as well as Multnomah County
1. The services available to assist local governments in budget preparation and general management in Multnomah County should be area-wide. It would also be beneficial for comparative purposes if reports such as those prepared by the Commission included all the governments in the Tri-County area.

city - co

State start-up funds

Steve Merrill - Land Use
Libraries - 2 tier
Parks - regional ones
Land use - functional plans

Elsa - Public safety
Fire prev. & ac, Detention - mandated aft

Human Services - Bruce

Aging - coord.

Health - direct state support

McC. Morgan state level to consolidate

local delivery
comprehensive approach
eliminate bandaid approach

Public Works - Bob Simpson

McC. at most local level

Water, sewer - cost efficiency

7ed about neighborhood level, garbage collection
could acquire water supply

Finance - Steve

MINUTES OF THE TRI-COUNTY LOCAL GOVERNMENT COMMISSION CONFERENCE

Held: October 2, 1976

MEMBERS PRESENT: Cease, Chairman; Halvorson, Vice-Chairman; Blunt, Bonyhadi, Brickley, Burgess, Buchanan, Coleman, Clarno, Frewing, Gregory, Hammel, Hays, Herrell, Jaeger, Jordan, Kalani, Keller, Kirkpatrick, Lang, Landauer, Linstone, Maier, Mays, McGilvra, Montgomery, Nelson, Nightingale, Opray, Rieke, Roberts, Russell, Schumacher, Schwab, Shepherd, Simpson, Sprecher, Stevenson, Stuhr, Telfer, Thorgerson, Tippens, Yost.

MEMBERS EXCUSED: Bailey, Bogue, Bullier, Gisvold, Schedeen

STAFF: Rich, Cross, Bukowsky, Etlinger, Garbutt, Martin, White

Chairman Cease called the meeting to order at 9:40 a.m. In his opening remarks, he explained the purpose of this meeting was to take positive action on structural and functional recommendations of the committees, thus concluding the work of Phase II of the Commission. On October 11, when we meet with the Interim Committee on Intergovernmental Affairs, we should be able to work with them on proposed legislation for regional issues.

In Phase III, the five committees will be restructured into three for the purpose of studying city-county-special district relationships, long range reorganization options and neighborhood groups. Our goal is to develop a broad package of suggested approaches for decentralization to present to the legislature at the next session. Every Commission member will have a specific assignment, either on the committees or in helping to draft the legislation.

After this weekend, there will still be an opportunity to modify or add to our reports, but we must avoid too many changes or we will not be able to accomplish our objectives.

COMMUNITY INVOLVEMENT

Cease introduced Kirkpatrick, Public Information Committee Chairperson, and Cross, staff.

Kirkpatrick: You have received a list from Bill Cross of the groups we have spoken with and an accounting of the community information program. We have been giving informal presentations involving Cease, Rich, Cross and others to get an idea of how people feel about regional issues. We have also sent a mailing to the clubs in the Tri-County area offering our services as a speakers' bureau and are trying to engage a speaker for the public conference the beginning of December. (Call Cross or Kirkpatrick if you want to offer your time or suggestions.)

COMMITTEE REPORTS

Cease asked the Committee Chairpersons or Vice-Chairpersons to give brief reports. He emphasized that until the full commission voted on these reports, they are not yet Commission recommendations.

Herrell, Vice-chairperson - Land Use, Recreational & Cultural Activities Committee

We had four functions: libraries, parks, cultural facilities and land use. Libraries - in the near term, we did not recommend any radical changes, other than some technical processes that could be handled at the Tri-County level. We envision a gradual shift to a two-tier system, so eventually library services could be done at a regional level. Parks - the major recommendation was the transfer of parks facilities which are regional in character to the Tri-County Council, leaving the local parks at the lower tier. Cultural facilities - The Stadium, Coliseum and the Auditorium could be handled on a Tri-County basis because they serve the metropolitan area. Land use - "The primary change would be to identify matters of regional concern so that the planning function, insofar as it relates to the metropolitan area, would be limited to those matters which are obviously identified to be of regional concern." We would want the detailed functional plans to remain at the city/county level.

Coleman, Chairperson - Public Safety Committee

On page 16 of the Summary, A.2. - It should be understood that this means managed by the upper tier. Page 143 of the Report, last paragraph - In the original legislation, we would determine that certain functions must be done by the upper tier. "Authorized by statute" means that it could be an upper tier function of their choice. "Authorized by intergovernmental agreement"; this is the type of function which could be managed by the upper tier at local request.

Fire prevention education and detention facilities and jails for juveniles and adults were the only two functions that the Public Safety Committee recommended be mandated at the upper tier.

CEASE: THE STAFF WILL PREPARE A SUMMARY OF THE ACTION TAKEN BY THIS COMMISSION THIS WEEKEND.

Yost, Chairperson of the Human Services Committee asked Bruce Etlinger, Staff, to present the report.

Etlinger - This committee has recommended very few functional changes from one level of government to another. Comprehensive Planning and Coordination by the Tri-County Council was one of the major recommendations (page 12 of the Summary). We would like to move toward one area agency on aging. Health - The State should define more clearly the mandated functions for county health departments and provide direct state support. Intergovernmental Relations - The State should reorganize the Department of Human Resources into one department, instead of the eight-nine divisions now operating separately.

We want to stress local, decentralized delivery of services. An effort should be made to avoid the "ambulance" approach, i.e. helping people after they are distressed instead of preventive planning of the problems.

Simpson, Chairperson - Public Works Committee

Solid Waste - It seemed logical to us that the disposal be at the regional level, while the collection must be on a local level. We feel the service

should be delivered as close to the people as possible and practical, at the same time making use of the economy of scale by consolidating some aspects of it at a regional level. Political boundaries are not always logical, therefore, it is going to require some reallocation to accomplish these goals. Water Supply - Major transmission lines, supply and treatment were allocated to the regional level, which would leave intact what cities and special service districts do now in distribution. Rates should be standardized throughout the community. We elevated the regional aspects of these four areas to the Tri-County level: water, sewerage, solid waste and transportation.

Frewing asked why this committee omitted the study of air pollution?

Simpson - The state is already taking care of air pollution through the Department of Environmental Quality, therefore, we did not approach it from a regional standpoint.

Cease suggested this topic might be discussed in the small groups today.

Simpson - For purposes of this report, the lower tier is considered the city and special service district, which is in the business of delivering the services. Garbage collection should be done at the neighborhood level.

Jaeger expressed concern that the lower or neighborhood level was not being included in these areas.

Cease said during Phase III there will be a committee studying neighborhood organizations, their functions and relationships.

Simpson said his committee met with PACT and requested their formal input on neighborhood activities.

Blunt: Is a strike a neighborhood problem, e.g. garbage collection?

Simpson: We are not recommending disturbing the present situation of collection in the private sector which seems to be working well. The only government involvement in this should be to see that all the people are served.

Cease: There is in the current MSD statute the authorization for MSD to get into the regional sewer business. As we discuss these issues this weekend, it is important to make the distinction between "authorized" and "mandated" functions.

Sprecher: Does the committee recommendation indicate that they should acquire the present water supply systems?

Simpson: In the long range, the three water sources of the Tri-County area should probably wind up in the hands of one organization. Perhaps this is a process which we should put into place.

Telfer, Chairperson - Finance, Taxation, Administrative Services Committee

Our committee felt there should be increased efforts in productivity in the

regional level agencies, maximizing the use of existing revenue sources. The financing of any regional umbrella agency should have the widest possible revenue-generating authority. There should certainly be strong support for increased use of state revenue for cities, counties and school districts through the plan now being considered by the interim committee for state revenue sharing.

Middle Tier: We examined the area of potential conflicts with city and county tax payers. Further research is needed on services delivered in unincorporated areas. The Tax Supervising and Conservation Committee should be expanded to include the Tri-County area with one agency for the entire Tri-County area. The Phase II report covers the remainder of our recommendations in greater detail.

Cease assigned the small discussion groups for the remainder of the morning. After lunch, we will hear reports from these groups. Anything you feel was omitted from the reports should be included in these discussions.

The guests were invited to sit in on these discussions.

The following Commission members were discussion leaders: Marlene Bayless, Elsa Coleman, John Frewing, Steve Herrell, Ray Maier, Jack Nelson, Ardis Stevenson, Donna Stuhr.

Meeting was adjourned for lunch at 12:00.

The Tri-County Local Government Commission meeting was reconvened at 1:15.

Chairman Cease asked for reports from the small discussion groups.

Bayless: We focused our discussion on three areas: cost, method and mechanism. Relationships between the Tri-County Council and the local governments need to be studied and a mechanism for representation by the cities and counties must be established. It is time to develop a package of recommendations which we can present to the people. These should include the effective use of the tax dollar.

Coleman said her group was small, so they joined Bayless for discussion.

Frewing: We discussed six items which we felt had been overlooked in the reports:

1. The recommendations should include a plan for an environmental services system.
2. Solid waste: The recommendation on page 14 of the Summary, C.1. - One of the outputs of Phase II should be a consensus that, in addition to the current responsibilities of upper tier solid waste management, there should be additional authority to enable the upper tier to require smaller governments to use some regional solid waste system.
3. Land Use - regulations regarding regions between the large urban core and the outlying centers should be more specific to indicate the Tri-County entity should have responsibilities much like the United Sewerage Agency.

Frewing - continued

4. Presentation of the Tri-County proposals to the public - Should the Commission go to the voters with a detailed proposal or should we work with the legislature to get the enabling statutes clarified and later put in place a Tri-County entity?
5. Finance - The issue of start-up expenses should be more explicit in our Phase II report. Information on Page 173,E. should be placed up front in the Finance Committee's report. Page 173 notes that the primary recommendation is that the state legislature provide the necessary start-up funds for the Tri-County Council. The wording on Page 17 E. should state clearly that the people pay for the services they receive.
6. Part of the work of Phase III should be to develop information portraying economic savings and benefits possible through the governmental reorganization.

Herrell: The Introduction refers to one of the goals of this organization as being to dissolve some entities which now exist; the proposals in the report do not address that. Our group spent most of the time on structure rather than function, and generally agreed that the structure should be established first. Our group preferred a 15 member Commission with single member districts, an executive elected at large. The council should not set its own compensation.

The following points were discussed:

Equity of taxing power - rural areas should not pay for urban services. The Port should be part of the Tri-Council. The Boundary Commission should be a regional agency with a separate board. "Sunset laws" - Should functions assigned to the Council have a time limitation. We did not feel the Council should become involved in the issue of air pollution. There is a political problem with the transfer of the water supply which should be looked at very carefully. The report did not deal with community TV antenna systems. The library section of that committee's report was too narrow.

MOTION: NON-MEMBERS OF THE COMMISSION SHOULD BE ALLOWED TO ADDRESS THE COMMISSION. A vote on this motion was postponed until all the group reports had been made.

Nelson: Our group discussed the problems of putting the Tri-County body together, and the questions of accountability and accessibility. We favored a council size of 9-11 members should be determined by senatorial districts with four year terms. An elected body with an advisory committee was suggested. Funding would depend on the type of structure which is set up; part-time or full-time.

Maier: We also dealt mostly with structure in our discussions. We got into the issue of voter apathy and the attitudes towards consolidation. It was felt the subject of public opinion should be given further attention in the Commission studies. We were divided on the size of the council, but had strong consensus for the conceptual proposal on page 5 of the Summary. Perhaps the responsibility for health services could be given to the Tri-County Council.

The following questions were raised regarding the Citizen Board: Should they be professionals with time and money to run for election or should they be selected from working people - should they be paid personnel? Term: Voluntary 2-3 years; if paid, two term maximum. The chairman should be selected from within the council.

Stuhr: We began our discussions by asking what was missing from the Phase II report. Planning and fragmentation exist at the state, regional and local levels. The inter-relationship between the agencies is unclear. Comprehensive planning would definitely be a responsibility of the Council. A matrix should be developed of all the services offered in the area to show the duplication.

The council would have to have control of all the funds including those from the state. The Council should be required to show an improvement in services and a cost savings. The administrative officer would be responsible for channeling the funds. CRAG dues were acknowledged to be very unpopular and should be discontinued.

Nowhere have we defined what the citizen input should be to this regional council. We agreed that the nine member council should be elected by district using a combination of the representative districts; Washington and Clackamas counties should have two representatives. The members should not have any other governmental responsibilities. To begin with this should be a part-time board, becoming full-time as their responsibilities increase.

Stevenson: We spent most of our time discussing structure and found an omission in the subject of elected Tri-County Council: a residency requirement should be included in our report. We suggested a 15 member council serving part-time, and paid according to state legislators' salary. The Commission should explore the advantages of both an elected and an appointed executive officer. It is important to clearly identify which functions are mandated and which are optional. CRAG and Tri-Met functions should be mandatory to the Tri-County Council. Port of Portland relationship with the Tri-County should be optional. The Boundary Commission should remain a state agency. Health services should not be included in the chart on page 5. The Tax Supervision and conservation Commission should be expanded to cover the Tri-County area.

One thing we all agreed on was that the legislation we draft cannot detail all the functions which are metropolitan.

Herrell repeated his motion: NON-MEMBERS OF THE COMMISSION SHOULD BE AUTHORIZED TO ADDRESS THE COMMISSION IN THE DISCUSSIONS. Burgess seconded the motion.

Sprecher asked why this meeting should be different than any other Commission meeting where we have not accepted public comments. There may be people who would have liked to have addressed the Commission, but did not attend today because they knew the rule against testimony. We should not change the rules now, but should set a time and place where public testimony will be accepted.

Roberts: After months of meetings we are now trying to adopt our final recommendations. I would not want this meeting to be used for an information meeting - this would slow us down today.

Burgess: We should open the meeting to the people who have taken the time to attend. A time limit could be set.

Gregory: We are here to make decisions in a limited time. While we have never discounted input from citizens, it is now our responsibility to conclude our deliberations.

* A count of hands was taken and the motion was defeated.

Minutes - 10/2/76

Kirkpatrick pointed out that the Commission is planning a public hearing in early December, and everyone who is interested will have the opportunity to be heard.

Cease: For the benefit of the non-Commission members who were present Cease summarized the main decisions the Commission has reached so far: MSD Legislation as the base with the added function of planning and an elected governing council.

The Commission is not a legislative body, we have no legal authority, we are trying to represent the community with our recommendations.

We will proceed with our discussion from page 7 of the Summary. Any motions or discussion should be germane to these issues.

Roberts: The decisions made today should be drafted into language which reflects the actions of the Commission. In a future meeting, the Commission should have the opportunity to approve or revise the minutes.

Cease: We will have difficulty accomplishing this in time to put together our presentation to the Interim Committee on October 11.

Coleman suggested the motions be read from written copy, then read aloud before a vote is taken, so that everyone understands what they are voting for.

Sprecher MOVED THAT THE ADOPTIONS MADE TODAY BE REDUCED IN WRITING AND PRESENTED TO THIS COMMITTEE AS A WHOLE AT THE EARLIEST POSSIBLE DATE FOR FINAL RATIFICATION. IN THE MEANTIME, THE EXECUTIVE BOARD AND STAFF ARE AUTHORIZED TO PRESENT THESE THOUGHTS TO THE INTERIM COMMITTEE. The motion was seconded and passed.

Cease: We will proceed with voting on the items listed on the structural wall chart.

SIZE OF COUNCIL -

Stevenson MOVED TO HAVE A 15 MEMBER COUNCIL, HERRELL SECONDED.

Coleman: It is important not to have the same political boundaries in order to eliminate some of the problems with delivery of services now associated with those boundaries.

Hammel MOVED TO AMEND THE MOTION TO 15-30 MEMBERS - The Chairman ruled this motion out of order, but a count of hands showed the chair was not upheld.

There followed a discussion on parliamentary procedure.

Sprecher suggested each side give their reasons for small or large councils, then take a vote.

Roberts: Anyone who wishes can propose a number - list them and vote on each one.

Sprecher MOVED TO ADOPT ROBERTS' PROCEDURE. MOTION WAS SECONDED AND PASSED.

Hammel withdrew his amendment.

Minutes - 10/2/76

The following numbers for council members were suggested and listed on the blackboard:

Burgess - 13; Shepherd - 25; Herrell - 15; Stuhr - 9; Montgomery - 7; Hammel - 30.

Cease: In reply to Shepherd's question - We have a quorum; there are 43 Commission members present. Our Rules of Procedure require that we have a quorum of the full membership to conduct business.

DISCUSSION - Various reasons were given for and against the above numbers for the council members.

SIZE OF COUNCIL -

7 members - 3 in favor
9 " - 8 in favor
13 " - 15 in favor, 21 opposed
15 " - 28 in favor, THIS MOTION PASSED

METHOD OF SELECTING COUNCIL -

Herrell MOVED THE 15 COUNCIL MEMBERS BE ELECTED NON-PARTISAN BY SINGLE MEMBER DISTRICTS AND MUST RESIDE IN THE DISTRICT. Opray seconded the motion and it passed with 36 in favor.

Roberts MOVED TO AMEND THE ABOVE MOTION BY STRIKING THE RESIDENCY REQUIREMENT. He explained that it concerned the unity of the district. The significant thing is to have the people choose whom they want to represent them.

THE AMENDMENT WAS SECONDED AND FAILED - 15 in favor, 26 opposed.

Burgess: It is very important that the one man, one vote issue be spoken to.

After a discussion this was generally agreed and Ms. Burgess' suggestion was added to Mr. Herrell's motion.

Roberts MOVED THAT THE 15 ELECTORIAL DISTRICTS CORRESPOND AS NEARLY AS POSSIBLE TO THE STATE SENATORIAL DISTRICTS.

These boundaries are fairly stable and represent the community's interest. This also makes it more convenient for the voters.

Simpson spoke against the motion - The Secretary of State is empowered to set the district boundaries. If we adopt this motion we are restricting the boundaries to the present county boundaries.

Stuhr MOVED TO AMEND ROBERTS' MOTION TO READ "A COMBINATION OF REPRESENTATIVE DISTRICTS,"

Sprecher MOVED TO TABLE ROBERTS' MOTION AND STUHR'S AMENDMENT. This motion was seconded and passed 23 for, 15 against.

Telfer MOVED THAT THE CHAIRMAN APPOINT A SUB-COMMITTEE TO STUDY THE SUBJECT OF APPORTIONMENT AND REPORT BACK TO THE COMMISSION TOMORROW. Burgess seconded the motion and it passed. The Chairman said he would do this at the end of today's meeting.

TERM OF OFFICE

Nightingale MOVED THAT THE TERM OF OFFICE BE FOUR YEARS, TWO CONSECUTIVE TERM LIMIT.
Telfer seconded the motion and it passed.

Herrell MOVED TO AMEND THE MOTION TO DELETE THE TWO TERM LIMIT. Roberts seconded
the motion and it failed.

Herrell MOVED THAT THE TERM BE PART-TIME, AND THAT THE COMPENSATION BE TIED TO THE
STATE LEGISLATURE. The last part of this motion was later withdrawn. The origi-
nal portion was seconded and passed.

Rieke proposed a principle on the matter of compensation - The primary objective
should be to establish criteria to determine the level of costs savings achieved.

SELECTION OF PRESIDING OFFICER

Sprecher MOVED THAT THE MATTER OF THE PRESIDING OFFICER BE TABLED. MOTION FAILED.

Roberts MOVED THAT THE EXECUTIVE OFFICER BE ELECTED AT LARGE, NON-PARTISAN, AND BE
A RESIDENT OF THE TRI-COUNTY AREA. Tippens seconded the motion and it passed
with 27 in favor.

Burgess MOVED TO AMEND THE MOTION TO INCLUDE THE EXECUTIVE OFFICER NOT BE A MEMBER
OF THE COUNCIL, BUT BE SUBSERVIENT TO THE COUNCIL AND HAVE NO VOTE.

There followed a discussion on appointed versus elected.

Halvorson was generally in favor of the motion, but felt it would hamper the chief
executive's effectiveness if he were subservient to the council.

Simpson MOVED THAT THE TERM OF OFFICE SHOULD BE FOUR YEARS WITH A TWO CONSECUTIVE
TERM LIMIT IN THE OFF YEAR ELECTION. Seconded and passed.

Herrell MOVED TO AMEND SIMPSON'S MOTION TO DELETE THE TWO TERM LIMITATION.
The motion failed 18 to 15.

Hammel MOVED THAT THE PRESIDING OFFICER BE A MEMBER OF THE COUNCIL AND BE ELECTED
BY THE MEMBERS OF THE COUNCIL. Burgess seconded the motion and it passed.

Lang MOVED TO AMEND THE MOTION TO ELECT "ANNUALLY". The amendment passed.

COMPENSATION -

Tippens MOVED THAT THE CHIEF EXECUTIVE OFFICER BE FULL-TIME AND COMPENSATED.
The motion was seconded and passed.

Roberts MOVED TO AMEND THE MOTION "AND COMPENSATED AT A RATE SET BY THE COUNCIL WITH
A RATE FOR THE FIRST TERM OF \$20,000 PER YEAR." Seconded but not voted on.

After a discussion the Chairman suggested a committee be appointed to study the
issue of salary and report to the Commission tomorrow. This was generally agreed.

Minutes - 10/2/76

The Chairman asked the Commission members if they would like to discuss the issue of boundaries at this time. All those present now might not be here tomorrow.

Herrell MOVED THAT THE BOUNDARIES OF MSD BE EXPANDED TO INCLUDE MULTNOMAH, CLACKAMAS AND WASHINGTON COUNTIES. Seconded and passed.

Rich pointed out that the Commission has previously adopted that the planning function of CRAG would be a function of this body. This includes the Tri-County area.

Burgess MOVED TO COMPLETELY INTEGRATE TRI-MET WITH THE TRI-COUNTY COUNCIL AND THAT AN OPERATING BOARD SHOULD BE APPOINTED BY THE TRI-COUNTY COUNCIL.

Sprecher MADE A SUBSTITUTE MOTION: 1. PORT OF PORTLAND, TRI-MET AND BOUNDARY REVIEW COMMISSION SHOULD BE BROUGHT UNDER THE CONTROL OF THE TRI-COUNTY COUNCIL; 2. BECAUSE OF THE REALITIES OF THE SITUATION THE PORT OF PORTLAND, TRI-MET AND THE BOUNDARY REVIEW COMMISSION SHOULD BE ABSORBED AT DIFFERENT TIMES, THE ABSORPTION OF TRI-MET SHOULD BE ACCOMPLISHED AT THE EARLIEST POSSIBLE DATE; 3. FINAL ABSORPTION OF EACH OF THESE ENTITIES SHOULD BE ACCOMPLISHED BY A VOTE OF THE PEOPLE AT A TIME OR TIMES OF ELECTION SELECTED BY THE COMMISSION; 4. UNTIL THE ENTITIES ARE ABSORBED THE BOARDS OF THESE ENTITIES SHOULD BE NOMINATED BY THE COMMISSION AND APPOINTED BY THE GOVERNOR; 5. UNTIL THEY ARE ABSORBED THE BUDGETS OF THESE ENTITIES SHOULD BE REVIEWED BY THE COMMISSION. THE MOTION WAS SECONDED.

Gregory MOVED TO TABLE THE SUBSTITUTE MOTION OF SPRECHER. There was no second.

Roberts: We have to recognize that the proposals we are making are not absolute - they will go to the legislature before they are put to the voters. Also, there is a difference between proposals for immediate action and those for the longer range. We should propose that every regional authority be considered a part of and controlled by the Tri-County Council.

Halvorson: The Port is international and has a very special relationship with the other entities. It is important to this area to have a strong Port facility.

Schwab: If there is no time limit on the absorption the issue may be delayed five or ten years.

Roberts MOVED TO AMEND THE MOTION BY STRIKING POINTS 4 AND 5 OF SPRECHER'S MOTION. Stuhr seconded this and it passed.

Gregory MOVED TO STRIKE 2 AND 3 OF SPRECHER'S MOTION. Seconded and failed.

Hammel MOVED TO DELETE THE PORT OF PORTLAND FROM THE MOTION. Seconded and failed.

Roberts MOVED TO AMEND THE MOTION: "3. Final absorption of each of these entities should be accomplished at an early date. Burgess seconded, the amendment failed.

* Parts 1 through 3 of Sprecher's motion passed.

Meeting was adjourned at 5:10 p.m.

MINUTES OF OCTOBER 3, 1976

The Commission meeting was reconvened at 10:15 a.m.

Simpson MOVED THAT THE PRESENT STATUTORY POWERS OF THE MSD TO TAKE OVER TRI-MET BE RETAINED. Seconded and passed.

This would be an amendment to the action taken yesterday.

DISCUSSION ON THIS MOTION -

Coleman: Would the Port legislation then be modeled after the MSD legislation: I am concerned that when the issues of the Port, Tri-Met and the Boundary Commission are put to a vote of the people it would be confusing because of mixed emotions on those topics. Could the motion read that it would be a vote of the council?

Cease asked Simpson if he would like to add this to his motion. I interpret your intention to mean that the current legislation in MSD and Tri-Met be left alone.

Sprecher: By putting this to a vote of the people we are trying to overcome the public feeling that things are being done without the public support.

Stuhr: The Tri-County Council should be given the authority to take them over if they feel public is supportive of this. Elections are very expensive, and a public campaign would confuse the issue.

Stahl: MSD has already been approved by the voters.

Herrell MOVED -PRIOR TO ANY TAKEOVER OF THE PORT, TRI-MET OR BOUNDARY COMMISSION BY THE TRI-COUNTY COUNCIL THE BOARDS OF THE PORT, TRI-MET AND BOUNDARY COMMISSION SHOULD BE APPOINTED BY THE CHIEF EXECUTIVE OFFICER OF THE TRI-COUNTY COUNCIL. Seconded and failed.

DISCUSSION -

Roberts compared this to the present situation where the governor appoints the boards of Tri-Met but he does not have the authority to run it.

Coleman would like to have clarified the relationship of these boards to the Tri-County Council.

Herrell explained that his motion has nothing to do with budgetary control.

Halvorson: I cannot accept that the power to appoint is not the power to control. I am opposed to this motion.

Schumacher: How can you appoint them before you take them over!

HEALTH SERVICES AGENCY

The Chairman asked Rich to comment on this.

Rich: The State of Oregon established three HSAs. The one in this area covers six counties including Clatsop, Columbia and Tillamook. The statute has a provision for a governing structure made up of providers and consumers, and a 51 member board. It is the general feeling of the committees that this would not be an auspicious time to bring it in under direct connection with the council.

Minutes - 10/3/76

HSA - continued

Rieke: It is very difficult at this time to make any kind of recommendation regarding the HSA. Under the statute the governor has made the state a health service agency and put it under the Department of Human Resources. As yet their responsibilities are not well defined.

Rieke MOVED THAT THERE SHOULD BE REVIEW AND CONSIDERATION OVER TIME OF THIS ACTIVITY AND HOW IT MIGHT RELATE TO OUR THREE COUNTY CONCERNS. Opray seconded and it passed.

Chairman: We will not hear from the committees appointed yesterday to discuss compensation and guidelines for boundaries for the 15 single member districts: Jerry Tippens, Chairman; Wanda Mays and Alan Brickley.

Tippens: MOTION

1. IN APPORTIONING THE 15 DISTRICTS WE RECOMMEND THAT WE DISREGARD EXISTING LINES AND BOUNDARIES AS BEING OF NO CONSEQUENCE TO THE NEW TRI-COUNTY LOCAL GOVERNMENT; 2. THE HISTORIC AND TRADITIONAL COMMUNITIES WITHIN THE ENTIRE COMMUNITY BE IDENTIFIED; 3. THE DISTRICTS SHOULD CENTER ON THE TRADITIONAL COMMUNITIES, TAKING INTO ACCOUNT SIMILARITY OF SOCIAL, ECONOMIC AND OTHER INTERESTS AND REACH OUT FROM THESE CENTERS, FOLLOWING NATURAL BOUNDARIES TO THE EXTENT POSSIBLE, TO INCLUDE THE DESIRED POPULATION; 4. THE CONSTITUTIONAL REQUIREMENT OF ONE MAN, ONE VOTE SHOULD BE COMPLIED WITH; 5. REAPPORTIONMENT SHOULD BE BASED ON MOST RECENT CENSUS DATA AND REAPPORTIONMENT SHOULD OCCUR AFTER EACH CENSUS, REFLECTING CHANGES IN POPULATION; 6. USING THESE CRITERIA, THE CENTER FOR POPULATION RESEARCH AND CENSUS AT PORTLAND STATE UNIVERSITY BE ASSIGNED THE RESPONSIBILITY OF MAKING THE INITIAL APPORTIONMENT AND EACH 10-YEAR REAPPORTIONMENT. Seconded and passed. (amended on page 13 ##)

Chairman: The second committee appointed yesterday will give their report on compensation: Mary Rieke, Chairperson; Bob Simpson and Frank Roberts.

Rieke - MOTION: THE FOLLOWING COMPENSATION CONDITIONS SHOULD BE ESTABLISHED FOR THE FIRST TWO YEARS OF THE COUNCIL: CHIEF EXECUTIVE'S SALARY, \$25,000 PER YEAR; COUNCILERS, NO SALARY BUT \$25 PER DIEM FOR EACH MEETING DAY. COMPENSATION SHOULD BE SUBJECT TO CHANGE AFTER THE FIRST TWO YEARS ON THE RECOMMENDATION OF AN INDEPENDENT SALARY COMMISSION ESTABLISHED BY LAW, SUBJECT TO APPROVAL BY THE COUNCIL. Sprecher seconded the motion and it passed.

Rieke further explained that the per diem amount for the legislature is \$35.

Roberts: Per diem does not preclude providing for special expenses.

Shepherd: CRAG per diem is \$25.00.

Stahl said \$25,000 per year was not a realistic figure to attract the type of person we want. What are the salaries for the director of CRAG and MSD?

Cease: The salary for the CRAG director is about \$33,000, the salary for the Port director is around \$42,000. MSD would be less than that.

Schumacher: What do we say to the voters in two years when we want to ask for a more realistic figure?

Minutes - 10/3/76

Compensation - continued

Hammel: At a salary less than the Director of CRAG we cannot hope to attract a highly qualified person.

MOTION: DELETE THE SPECIFIC SALARY IN REIKE'S MOTION - SALARY OF THE DIRECTOR SHALL BE SET BY THE COUNCIL. Seconded and failed.

Sprecher MOVED TO AMEND REIKE'S MOTION - "AT A RATE NO HIGHER THAN THE HIGHEST SALARY PAID AN ELECTED EXECUTIVE OF THE TRI-COUNTY AREA. Seconded and failed.

Thorgerson MOVED THAT THE EXECUTIVE SALARY BE TIED TO THE STATE APPEALS COURT JUDGE. Seconded and passed.

Stuhr MOVED COMPENSATION FOR COUNCIL MEMBERS INCLUDE EXPENSES IN ADDITION TO THE \$25.00 PER DIEM. Seconded and passed.

BOUNDARIES - continued from yesterday's session

Simpson MOVED THAT THE ENABLING LEGISLATION BE AMENDED TO INCLUDE PROVISIONS SIMILAR TO THE COUNTY SERVICE DISTRICT. Seconded and passed.

FINANCE -

The Chairman asked Rich to go over the item in the Finance section of the Summary.

Rich: (Page 16, V of the Summary) At yesterday's group discussion an omitted item was mentioned: There should be a recommendation for a state appropriation for start-up or transitional funds. The second item the group covered was revenue sources which are authorized in the existing statutes and would be carried over in any kind of merger.

Rich explained the point presented in the Summary, page 17.

Frewing said if we are going to adopt this recommendation we should state clearly the method of start-up financing.

Roberts referred to pages 172 through 174 of the Phase II report and MOVED TO APPROVE THE RECOMMENDATIONS OF THE FINANCE COMMITTEE AS FOLLOWS:
B. (add) "as that authority is now limited by law" (delete) CRAG and MSD.
C. (add) "...from the state" (delete) "appropriation from the Legislature."
D. not included in this motion - will be examined later.
E. accepted as is.
F. 1 through 14 accepted as is, and including "E", page 17 of Summary.

The motion was seconded

Stahl suggested an amendment to "E" of Roberts' motion to expand one Tax Supervision & Conservation Commission to the Tri-County area.
Roberts agreed to this addition.

It is understood that the employers' tax would be limited as it now is to transportation. This statement will be included in the report.

Minutes - 10/3/76

Finance - continued

Stahl: The funds should continue to be used for the service for which they are mandated.

After a lengthy discussion on the wording for "B" in the report, Roberts' motion was passed.

Cease suggested that the intent of the recommendations would be drafted in the appropriate language and the members would have a chance to review it.

Rieke offered (in writing) the following guiding principles statement:

1. The Council is required to produce an accounting report at least every two years which explains in clear, plain language -
 - a. what concrete progress has been achieved in improving services under its jurisdiction without increasing costs and/or maintaining services while reducing costs, and
 - b. recommendations for reversing the growth of the governmental bureaucracy, reducing institutional obsolescence, encouraging individual responsibility, and facilitating participative planning.

Meeting adjourned for lunch 12:00.

The meeting was reconvened at 1:15

Thursday, October 21 was agreed on for the next full Commission meeting for the specific purpose of ratifying what we have done at this conference plus whatever items we do not have time to cover today.

Tippens MOVED THAT THE TRI-COUNTY GOVERNMENTAL ENTITY COORDINATE ITS ACTIVITIES WITH OTHER LOCAL GOVERNMENTS IN THE THREE COUNTIES AND TO FACILITATE THIS IT SHOULD ORGANIZE AN ADVISORY COMMITTEE OF OTHER LOCAL ELECTED OFFICIALS WITHIN THE THREE COUNTIES. Seconded and passed.

Shepherd: An advisory committee is not adequate to insure a unified water system instead of separate systems. This should be stipulated.

Coleman: We need to clarify the definitions of "mandatory" and "authorized".

Roberts MOVED THAT THE TRI-COUNTY COUNCIL BE AUTHORIZED TO UNDERTAKE THE COORDINATION, FACILITATION, OPERATION, FUNDING, OR OTHER PARTICIPATION IN THE REGION-WIDE ASPECTS OF ANY GOVERNMENTAL SERVICES AS IT DEEMS DESIRABLE AND FEASIBLE AND INSOFAR AS IT IS LEGALLY PERMISSIBLE. ENABLING LEGISLATION SHOULD SET OUT THE REQUIRED PROCEDURES FOR THE ASSUMPTION OF SUCH ADDITION ACTIVITIES. Tippens seconded the motion and it passed.

Cease summarized the general discussion - The Tri-County Council should be authorized to perform almost any local service if other local governments wanted to contract to do it. We are merely outlining a workable procedure to allow existing entities to take on additional regional functions, not a method of implementing these activities. The details of the operation would be left to the governing entity. The legal aspects of this have to be further examined in detail before we complete our final recommendation to the legislature.

Minutes - 10/3/76

Hammel: What are the regional aspects of fire protection? How do you decide what is regional?

Cease: The present MSD statute allows them to put an issue on the ballot.

Coleman questioned whether there were enough members still present to continue voting.

Cease suggested that since so much time had already been spent on these topics we should postpone discussion of the specifics until the October 21 meeting and move on to a few more issues.

This was generally agreed.

Herrell referred to page 14 of the Summary and MOVED THAT TWO LIBRARY FUNCTIONS, BOOK ACQUISITION AND CATALOGING, BE HANDLED AT THE UPPER TIER LEVEL. Seconded.

Sprecher suggested the lack of a quorum.

Shepherd: It was the policy of the Commission to drop members who did not attend meetings. This has never been done.

Herrell MOVED TO ADD LIBRARIES, REGIONAL PARKS AND RECREATIONAL AND MAJOR CULTURAL FACILITIES TO THE AUTHORIZED FUNCTIONS OF MSD.

Rich suggested the Commission try to accomplish the following: 1. Any service areas which you feel are critical should be added to the list of authorized services; 2. Include a broad provision for intergovernmental contracts.

Herrell MOVED TO AMEND HIS MOTION.

Sprecher called for a roll call to determine a quorum. Roll was taken, and in the absence of a quorum, the meeting was adjourned at 2:30 p.m.

bjg