

Key: 110

GOVERNMENTAL REFORM  
IN THE  
PORTLAND METROPOLITAN AREA

TRI-COUNTY LOCAL GOVERNMENT COMMISSION

Portland, Oregon

March 1977

TRI-COUNTY LOCAL GOVERNMENT COMMISSION

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March 1977

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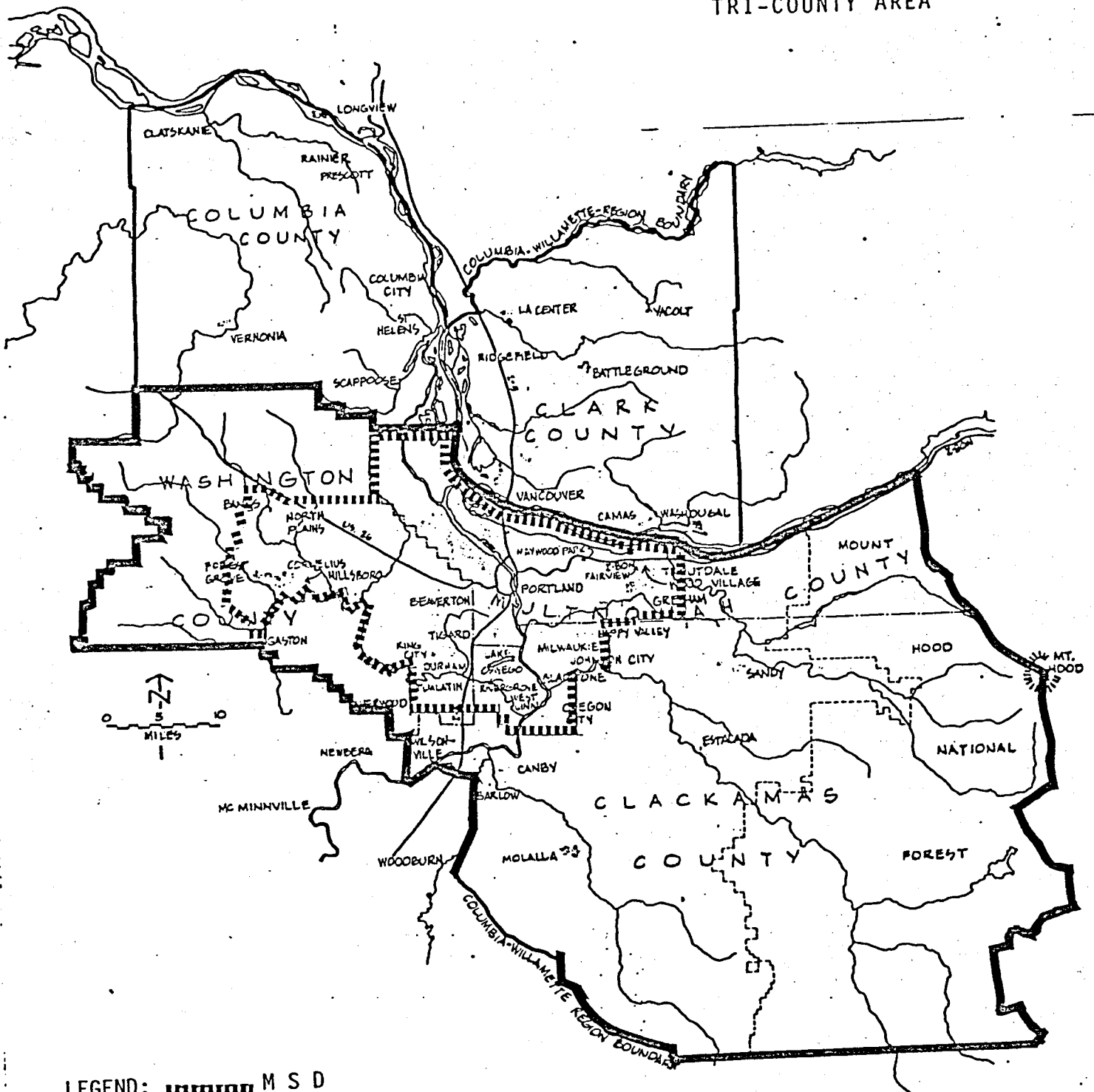
# I. The Metropolitan Setting

In 1975, the U.S. Environmental Protection Agency released a study entitled "Quality of Life", done by the Midwest Research Institute. The study ranked 65 metropolitan areas according to a set of statistics intended to measure environmental, social, economic and political well-being. Portland, Oregon received the highest combined score and was designated the "most livable city". Although political controversy surrounding the study caused the Environmental Protection Agency (EPA) to downplay its results, residents of the Portland area reacted with pride. They had long believed that their way of life was better than that of other cities across the country. This pride was shared throughout the counties of Multnomah, Washington and Clackamas, which form the metropolitan area which has Portland as its core. (See map on following page.)


The Tri-County region lies at the northern end of the Willamette Valley, where that river joins the Columbia. The metropolis is 110 miles from the Pacific Ocean by deep depth navigation channel up the Columbia River. The area extends from the summit of the Cascade Mountains on the east to the Coast Range on the west. In between are rugged hillsides forested with Douglas Fir, rolling farmland with berries and grain, and a level valley floor.

This diverse region is inhabited by nearly a million people, almost half the population of the state. According to the Center for Population Research and Census at Portland State University, in June 1976 the total Tri-County population was 954,800: 553,000 in Multnomah County; 205,800 in Clackamas County; and 196,000 in Washington County. The region has experienced a

# TRI-COUNTY AREA



LEGEND:  M S D

 TRI-COUNTY BOUNDARIES

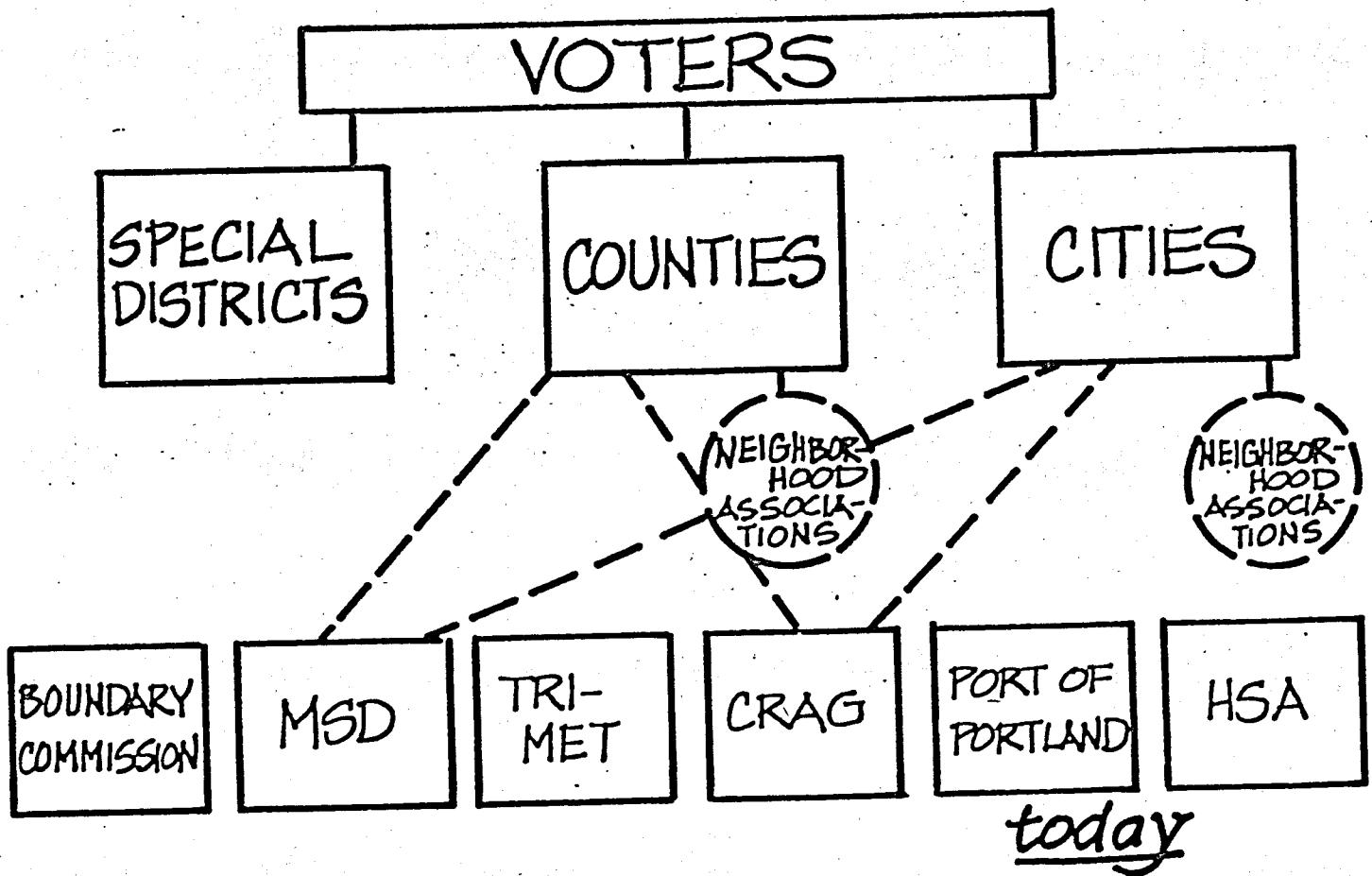
large influx of residents from other parts of the country and the State of Oregon. In the 1960-1970 U.S. census period, the population growth rate in the Portland Standard Metropolitan Statistical Area (SMSA) was 23 percent, compared to a national growth rate of only 13 percent. Growth is most rapid in Clackamas and Washington Counties and will probably continue that way, although efforts are being made to retain and attract residents to the central city.

The economy of the Tri-County region is broad based. Its strategic location along the Columbia and Willamette rivers and the rail lines that parallel them make shipping and transportation major industries. The City of Portland is also centrally located on a natural north-south highway. The International Airport provides good air connections with all parts of the world. The region is a leader in electronics development, food processing, lumber and wood products, shipbuilding and repair and a wide variety of manufacturing operations. Furthermore, it is a center for commercial activity in the state, with the headquarters of many businesses and branch offices of many more. Taken together, these factors have made the Portland metropolitan area a major gateway for rail, truck, airplane, and water transportation movement into Oregon, Idaho, Montana, Wyoming and eastern Washington.

Although the Tri-County region is geographically diverse, there are many factors which unify it. It has a single airshed and a common drainage with the Columbia as its sole efflux. Its major rail and transportation corridors all meet in the urban core. In addition to two daily newspapers, television and radio stations provide a regional media. The region is self-consciously aware of its metropolitan identity as distinct from the rest of

the state which is predominantly rural except for the Salem and Eugene areas. Its natural focal point is the craggy glacial face of Mt. Hood, which can be seen from nearly every vantage point on a clear day.

But, even though there are many unifying forces in the Tri-County region, it is influenced by one great countervailing force. Local government is splintered into a tremendous number of separate entities.



Each of the three counties has its own elected commission, and the majority of the 32 separate cities has the mayor-city manager form of government. The City of Portland is governed by an elected mayor and four council members in a commission form of government.

Six regional agencies play separate functional roles, and the proliferation of single-purpose agencies creates confusion, complexity and fragmentation.

The following categorization of governmental entities capsulizes the problem:

Regional Entities	6	Rural Fire Protection Districts	33
Counties	3	Sanitary Districts	3
Cities	32	Park and Recreation Districts	2
Water Districts	47	Soil and Water Conservation Districts	4
Water Control Districts	4	Intermediate Education Districts	3
Water Use and Control Districts	3	School Districts	54
Drainage Districts	10	Community College Districts	3
Irrigation Districts	2		

Each of the above 232 governmental units with combined budgets for fiscal 1975-76 of \$1,267,760,738 is authorized by separate state legislation, and the plethora of special laws relating to local government functions and authorities leaves a pattern of overlapping pieces which fit together like a patchwork quilt. The typical resident of a suburban area may have as many as a dozen separate local government units governed by over 50 elected and 15 appointed officials. Citizens have a difficult time trying to sort their way through this hodgepodge of governmental units, and their resulting frustrations may lead to the feeling of being smothered by governments.



## A. Governmental Organization

Even the general-purpose governments don't have exclusive jurisdiction over local services within their boundaries; the area is shared by at least two units of government (county and city) and frequently by three or more (regional entity, county, city and one or more special districts). Special districts, locally or regionally, have responsibility for specific and generally single governmental functions. As a result of the overlapping and fragmentation of responsibilities among these governments, no one unit has the authority to cope with area problems that extend beyond its boundaries. This fragmentation has been accompanied by a fracturing of the financial base used to support governmental services within the Tri-County area.

### 1. Counties

The county governments are characterized by their dual roles as administrative subdivisions of the state and as units of local government. This position requires that they look both to the state legislation and to their local constituents for guidance and control. As state subdivisions they must provide for parts of the judicial system, prosecute state offenses, conduct state elections, and other primarily state functions. Two of the three counties, Washington and Multnomah, have adopted home rule charters that give them wide latitude in structuring county government. Several years ago, charters also gave counties broadened ordinance-making authority, but the state granted general ordinance authority to all counties in 1973. Many mandatory functions are required of counties by the state legislature, particularly in the fields of public health, justice and

assessment and taxation.

## 2. Cities

As contrasted to counties, cities are units of government primarily for local purposes and have fewer mandated state duties. While some cities operate entirely under provisions of general statutes and are thus subject to general legislative control, most cities have adopted home rule charters. These cities have organized their own governments and prescribe their own functions subject only to the requirements and prohibitions of laws dealing with matters of state concern and the state constitution. Considerable variety is found in the type of organizations and functions among the 32 cities within the three counties, ranging from one of the newest cities, Happy Valley, that provides few services, to the City of Portland with its extensive array of services. There are examples of mayor-council government, council-manager government, and the commission form of government.

## 3. Special Districts and Regional Agencies

The special districts have a status which differs from both counties and cities. Like cities, they are primarily units of local government with few state responsibilities, but, unlike cities and counties, they are limited in authority to specific provisions of state statutes. Under no circumstances can they adopt home rule charters.

The concentration of special districts in urban areas, both local and regional, is characterized by an overlapping or "piling up" effect that contributes to the complexity and lack of coordination

among governments in this area. One measure of overlapping is the number of tax code areas in the different counties. Such areas are defined as those having the same combination of local governments that levy a property tax and, therefore, the same property tax rate. There are 165 such areas in Multnomah County, 318 in Clackamas County, and 241 in Washington County. The multiplicity of governmental units makes effective citizen control and participation very difficult. This is particularly true of the regional districts, none of which have any members elected directly to their governing boards.

But, from Wilsonville to Wood Village and from Banks to Boring, these governmental units are all wrestling, in one way or another, with the common problems of land use, transportation, air and water quality and other aspects of twentieth century growth. In fact, in many ways, because of the previously described social, economic, cultural and political ties, the Tri-County area is more like one large city with many neighborhoods than it is like three autonomous counties with 32 independent cities.

The following discussion highlights some of the major issues facing the people in the Tri-County area. The list is suggestive -- not exhaustive.

#### B. Land Use Issues

Planning for the Portland metropolitan area is a large, complex undertaking. As previously discussed, the area contains 40.8 percent of the State's population, and it employs 50 percent of all persons

employed in the State of Oregon. It has an extensive system of transportation and shipping facilities and industrial area. It contains the largest share of unemployed, underemployed, elderly and the most significant concentration of minority groups in the State. These facts suggest the difficult dimensions which a successful planning effort must grapple with.

Comprehensive land use planning is a major public issue in the State of Oregon as well as in the complex Metropolitan area. In 1973, the State Legislature created the Land Conservation and Development Commission (LCDC) and required that all regional and local plans conform to fifteen (15) state goals adopted by the Commission. A publicly initiated repeal measure was on the ballot in November 1976. The measure was defeated but not without explosive controversy. Promises were made that the statute would be carefully reviewed by the 1977 Oregon Legislative Assembly.

Land use planning procedures must decide when, where and how land will be developed to meet future needs. Additional 1973 legislation made it possible to convert the Columbia Region Association of Governments (CRAG), the local Council of Governments (COG) established in 1966, into a planning district with mandated membership and assessments within the Tri-County area. This gave the district rather far ranging powers of regional planning as well as assigning the district a coordinating role in the development of city and county comprehensive plans. The district is governed by representatives from a confederation of local governments and utilizing the weighted vote

principle to attempt to more nearly approach the ideal of one person, one vote. The weighted vote has been most unpopular, particularly in the suburban communities that believe Portland can dominate the planning district by use of its weighted vote and the availability of city staff for committee assignments.

This statute was also up for repeal in November via the initiative. Had the measure not also repealed provisions of the state-wide inter-governmental agreements' statute, under which many communities had contracted for fire, police, water, and other servicing, it may well have been repealed.

Because of the above and several court cases establishing comprehensive plans as the principal documents for guiding growth, planning is a volatile public issue in 1977.

But widely agreed upon solutions are hard to come by, even when the problems are clearly recognized. Successful land use planning for future metropolitan needs must transcend the myriad of local boundaries in the region. A recently adopted zoo levy that placed responsibility for that service at the regional rather than the city level gives cognizance to the fact that people are beginning to recognize and deal with area-wide problems. Other important services needing area-wide attention are solid waste disposal, sewage treatment and disposal, and water supply.

The Tri-County area has been experiencing an exodus to the suburbs by central city dwellers and newcomers to the area. While problems

caused by this exodus are very pronounced in some eastern cities and not that noticeable here, the incipient problems are evident.

A negative impact of this sprawl has been the conversion of agricultural land to urban uses in a hopscotch pattern that not only erodes away available farm land but also increases the costs of providing the services -- public water and sewers, roads and public transportation, schools, police and fire protection -- which areas soon require.

Recent planning and regulatory activities of LCDC, CRAG, the cities and the counties are indications of a growing public awareness of the problem and a possible revisal in policies leading to resolving it.

#### C. Solid Waste Disposal

Most of the Tri-County urbanized area is within the boundaries of the Metropolitan Service District (MSD) which is a municipal corporation authorized to provide the regional aspects of sewage treatment and disposal, control of surface water, public transportation, solid and liquid waste disposal, and the operation of the zoo. The MSD has drawn up a plan for solid waste disposal that is oriented towards extensive recycling and more convenient pickup through use of transfer stations. Several favorable lower court decisions and pending legislation regarding funding and control make it likely that MSD will become operational in this area in the near future.

The district has no tax base and has relied primarily on state

grants and loans up to this time.

Currently, the district has a flood control plan for the Johnson Creek area, an area that has flooded almost annually for decades, but, again, no proper financing has been worked out.

A five-year operating serial levy for the zoo was passed by the voters last May, so the district is now in charge of that operation. It has made no effort to exercise its authority in either sewage disposal or public transportation.

D. Sewage Treatment and Disposal, and Storm Drainage

Severe problems in sewage treatment and disposal which had developed over the years and reached crises proportions by 1969 with the creation of over 30 sanitary districts have been mitigated on a sub-regional basis, primarily through the use of county service districts and extra territorial service by a few cities. CRAG is presently engaged in a major study of this problem in conjunction with the U.S. Army Corps of Engineers. That study is scheduled for completion by 1979.

E. Water Supply

Water supply is characterized by several major suppliers having a monopoly on supply with numerous governmental and non-governmental units involved in the retailing of that supply. Many of the distributors are disturbed by their position of taking the offer proffered by the monopoly with few other options open to them -- particularly in the shortrun. This piecemeal development of such a vital public

service does not appear to be in the public interest in the long range. Approximately half the users of these systems have no representation on the bodies that control the supplies.

The costliness of major community facilities and services and their increasing use by more people in the region may be some of the factors that will draw local communities closer together. A zoo, a sewage treatment plant, a training center for firemen, a water treatment facility or a solid waste recycling plant will normally offer economies of scale if designed as part of the system serving the regional community rather than designing it to serve a single city or town.

#### F. Transportation Issues

The City of Portland is at the heart of a vast metropolitan area into which flow hundreds of persons each day for employment, shopping, educational opportunities, cultural enrichment and the like. Many commuters drive private automobiles into the city which must be parked and serviced. Roads must be provided between their places of work, recreation and their residences. Other commuters ride the Tri-County metropolitan bus system, Tri-Met, which is a special regional transportation district. The district is required by law to prepare a mass transit plan for the entire region.

Transportation decisions are intertwined with general land use actions. Yet, there is no formal procedure beyond that found in CRAG to assure that land use and transit planning are coordinated.



Transportation planning for the metropolitan area is done by CRAG with the local units (cities and counties) and the State, the Port and Tri-Met as major actors in the process by virtue of their membership in CRAG. Mass transit is provided by the Tri-County Metropolitan Transportation District (Tri-Met), a public agency oriented primarily towards bus transportation, including Park and Ride stations, express services, etc. Some conflicts arise between Tri-Met and CRAG in determining just which agency is responsible for what planning. A major complaint voiced to the Tri-County Local Government Commission was the amount of "log rolling" among the jurisdictions as they attempt to establish project priorities and recommend apportionment of funds.

#### G. Human Services

The Commission found adequate planning and coordination of comprehensive human services for the area lacking at the regional level today. It believes that too many social services are aimed at assisting people after they have become dysfunctional rather than on the preventive side.

Following are some problems illustrative of these concerns:

##### 1. Aging

Although under federal law each state was charged with subdividing into Area Agencies on Aging to coordinate services to the aging, the Portland area was divided into two such agencies which has contributed to a lack of coordination and constant tension. This issue is still being debated but apparently

being resolved by returning responsibility to the individual counties.

## 2. Manpower

Three years before the start-up date for the programs enacted by the Comprehensive Employment and Training Act (CETA), a manpower plan had been developed by a regional Manpower Planning Council operating out of the Mayor's office in Portland. Even though incentive funds encouraged continuation of such planning regionally, negotiations amongst policy makers broke down in the spring of 1974 and, with the exception of Multnomah and Washington Counties which did form a consortium, the other prime sponsors went it alone. Reasons apparently included a fear by the suburban counties that Portland would dominate the programs in dollar allocations, policy determinations and administration. Previous descriptions of the interrelatedness of the social and economic parts of the area indicate that a single consortium would have been a more reasonable approach.

3. Other problem areas included: children and youth services, and public health. mental health,/ These too are issues which bear little relationship to political boundaries, yet their efficient delivery is often impeded by them.

## H. Criminal Justice -- Law Enforcement

Crime and law enforcement are continuing problems of major public importance. A state-wide Law Enforcement Council and CRAG are involved in criminal justice planning and allocation of grant funds,

but actual delivery of services remains primarily at the county and city levels. A major successful joint effort has been the organization of a state crime laboratory. Sub-regional efforts are being successful in joint dispatching, but a major effort toward a regional 911 system was scrapped.

Although the 24 different law enforcement agencies in the Tri-County area cooperate in many ways, the fragmentation does create problems in record keeping, communications, holding and detention facilities and related programs. There has also been a problem in county funding of various aspects of the judiciary system and counties are asking the state to assume more fiscal responsibilities here.

The intention of the Tri-County Local Government Commission was to focus on these problems before they become crises and to define opportunities for improvement which the unifying aspects of the region offers.

#### I. Lack of Metropolitan Constituency

There is good reason to believe that part of the crisis of the community is a crisis of civic life. Too often, discussion of the problems of the metropolitan area tend to reduce these problems only to matters such as those discussed above. 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, the very idea of citizenship and leadership are omitted 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 units 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 largely invisible, administered by faceless bureaucrats rather than the self-directed government of the people.

## II. Reform History

The Portland area has had no shortage of efforts to reform local governments both individually and metropolitan-wide. The following examples illustrate some of these efforts:

### Strengthening of County Governments

In 1957, the Legislative Assembly passed a joint resolution that enabled Oregon counties to adopt home rule charters. The voters responded affirmatively by adopting this amendment in 1958. In 1959, the Legislative Assembly provided the necessary method whereby a charter could be drafted and voted upon by the people.

#### A. Home Rule for Washington County

In 1960, the League of Women Voters in Washington County requested that the county appoint a charter committee to look into a home rule charter for Washington County for the following reasons:

- the existing form of government had been set up in 1857.
- it was designed for a rural population which was fast becoming urban.
- the county court had no central control or authority or responsibility except budgetary control.
- cities operate under charters tailored to meet their needs while Washington County has to seek specific authorization from the state legislature to meet its needs.

The League had to resort to petition, and when enough signatures were gathered to force the appointment of the charter committee, the County Court and the county legislative delegation each appointed four members to the committee, and the majority of these members elected a ninth member. By law, the committee had two years to study home rule, prepare a charter, and present it to the voters of the county.

The committee adopted the principle that in drafting a charter it was essentially preparing a county constitution. According to this principle, it drew a charter of general, rather than specific powers, leaving much of the detail to the ordinance-making authority of the county commission.

The stated purpose of the charter is "to avail (the people) of self-determination in county affairs to the full extent possible under the Constitution and Laws of the State...." In addition, it provided that the county could develop such additional programs and policies as it needed without asking the State Legislature for a new grant of power to meet each new problem.

The charter aimed to change the three-person full-time board to a

five-person part-time board and clearly specified that the Board of County Commissioners would be the policy-making body for the county. Unlike a manager whose powers are spelled out in the charter, the county administrator would have jurisdiction over only those matters which the Board of Commissioners placed in his charge. He was to have no contract and would be directly responsible to the board.

Charter opponents were against those sections providing for a county administrator out of fear that government would be removed one step further from the people. Opponents also believed that a part-time board of county commissioners would be unable to keep abreast of county problems and would, in effect, adopt and rubber stamp the program of the professional administrator.

There was also fear that the charter would eliminate the need for city government and annexation to cities would not be necessary in the future because the county would be able to do anything a city could do.

Proponents of the charter were pleased when, after months of intensive campaigning, the electorate approved the Charter 18,286 to 12,622.

#### B. Home Rule for Multnomah County

In May 1964, the Multnomah County Commission appointed a home rule charter committee. The charter, as approved by the Charter Committee, was a brief general grant of authority and provided for:

- broader county municipal powers
- restriction of county powers with respect to county service districts

- provision for administrative reorganization and centralization of executive functions in the elected chairman of the board.
- reduction of the number of elective offices from twelve to six, excluding the District Attorney, a state office which continues elective by statute.

In essence, the charter changed both the form and the authority of county government.

By January 1966, the committee was prepared to present its preliminary charter to the people for public hearings. Few people attended and complaints and questions were repetitious of those raised at earlier sub-committee meetings.

Portland's Mayor Terry Schrunk recommended that if the charter were presented, it should specifically state that no county service districts would be considered for the fringe area unless the central city had refused to provide the service.

The charter was modified so that candidates were required to file specifically for the office of chairman, rather than have the person receiving the highest number of votes becoming chairman.

It was placed on the May ballot despite advice that it be placed on the November ballot to avoid the confusion of having the charter and the strong mayor plan for Portland up at the same time.

The League of Women Voters did most of the campaigning, and a favorable City Club report came out four days before the May election. The

Charter was given an advantageous ballot title...."Multnomah County Home Rule Charter. Purpose: Gives County the aughority over matters of county concern. Prescribes the organization, procedures and powers of county government. Voters have initiative and referendum powers." The voters approved, and, three days later, there was a petition move to repeal it. Opponents of home rule charter worked toward a charter repeal measure to put on the November ballot. Proponents of the charter attacked the repeal movement in the courts.

On September 22, the Oregon Supreme Court declared that the charter repeal measure had been illegally put on the ballot for November. Due to a mistake in the formula used in determining the number of signatures required, not enough signatures had been received, and about half of those received had not been certified by the deadline date.

The ballots had already been printed, and, due to the late date, there was not time to reprint them. So, Multnomah County voters went to the polls in November and voted for two slates of candidates for county office. They also voted 93,477 to 79,411 in favor of repealing the county charter scheduled to go into effect January 1, 1967. Because of the court decision, however, the repeal was invalid, and only the votes for the new charter candidates counted.

#### C. Effort to Change City of Portland Government

The commission form of government has been in existence in Portland since 1913, at which time Portland voters rejected the partisan weak-mayor-council government and replaced it with a non-partisan commission



government. Efforts to introduce a city manager form of government were narrowly defeated between 1948 and 1958. Following these efforts, a Portland City Club report was issued in 1961 at the completion of a study of the present form of government.

The report acknowledged complaints that the commission government had failed in city fiscal and organizational planning, personnel management, annexation, sewage disposal, air pollution, mass transportation, etc., and went on to suggest alternative forms of city government. It concluded with a proposal to replace the present commission form of government with a modernized Council-Strong Mayor (with Chief Administrative Officer) form. According to the report, the committee believed that the proposed form combines all of the more significant advantages of the Council-Mayor and Council-Manager forms.

The reasons for the committee's recommendation were as follows:

- the commission form of government cannot be patched up sufficiently to warrant its continuance
- the Council-Manager form, while superior to the Commission form, is not recommended because the lack of an elected chief executive responsible for legislative leadership, external relations, and general management of the city government makes the form ill-suited to a city as large as Portland.
- the Strong Mayor-Council form has the advantages of the Council-Manager form and, in addition, has an elected and responsible chief executive.

The committee published a draft amendment in July 1963 with the intent

to submit the proposal to the voters in May 1964. The attempt was delayed for several reasons. First, the public was unaware of any glaring deficiency in the commission form of government at this time. Second, many individual and groups were interested in particular projects which distracted from the larger change that was needed. Third, the committee was waiting on other studies being made by other groups. Still, there was a general belief that whatever action was proposed on a wider basis, stronger government in the City of Portland was a necessary first step.

Much discussion ensued in the years between 1963 and 1966. Opponents often debated, using emotionally charged terms, such as "bossism", "dictatorships", and "keep the government close to the people". Proponents of the change were unable to sustain an effective counter-emotional campaign. As a result, the voters of Portland turned down the strong mayor government by a vote of 66,829 to 41,347 in 1966.

#### D. Portland Metropolitan Study Commission

In 1963, the Oregon Legislative Assembly created The Portland Metropolitan Study Commission as recommended by an Interim Committee report. The purpose of the Commission was "to determine the boundaries within which it is desirable that one or more metropolitan services be provided and to prepare a comprehensive plan for the furnishing of such services as it deems desirable in the Metropolitan area and to suggest solutions to the problems."

The Commission remained in operation from early 1964 to June 1971.

Following is a partial list of the Commission's accomplishments:

1. Legislation enabling the creation of a metropolitan service district in 1969 and actual creation of the district by a vote of the people in 1970.
- 2.. Creation of boundary commissions within the three standard metropolitan statistical areas in 1969.
3. Organization of The Columbia Region Association of Governments (CRAG) in 1966.
4. Initiation by contract of the regional air quality control program which evolved into the Columbia-Willamette Air Pollution Authority -- later absorbed by the State.
5. Fire district consolidations in East Multnomah County.
6. Merger by contract of The Health Bureau of the City of Portland into The Health Department of Multnomah County.
7. Increased cooperative purchasing by local governments.
8. Legislation enabling the consolidation of Multnomah County and the cities therein.
9. Creation of an Interim Committee on Local Government to prepare legislations making special district laws more uniform.
10. Preparation of a brochure on Marvin Metro graphically illustrating the problem of fragmented government within the metropolitan area.
11. Preparation of needed two-tier charters for: (a) a metropolitan municipality, (b) a consolidated city and county, and (c) a consolidated city in East Washington County.

### E. Boundary Commission Created

The Portland Metropolitan Area Local Government Boundary Commission was created as a state regulatory agency by the Oregon Legislature in 1969. Boundary commissions were also established in the state's two other standard metropolitan statistical areas in Oregon: Lane County Local Government Boundary Commission and Marion-Polk County Local Government Boundary Commission.

As noted earlier, consideration of a boundary commission arose with the Metropolitan Study Commission. There was some question whether the boundary function should belong to the regional planning government (CRAG), or whether there was a need for a separate boundary agency. The Study Commission recommended and the 1969 Legislature decided on the latter.

The Portland Metropolitan Area Local Government Boundary Commission reviews all boundary changes for cities and "urban service" special districts and extraterritorial water and sewer main extensions within a regional jurisdiction. This jurisdiction includes Clackamas, Columbia, Multnomah and Washington Counties. The agency has been very successful in halting the proliferation of units of government and in actually reducing the number of units through annexations, mergers and consolidations. It has also been active in guiding the creation and growth of special service districts, which has led to more controlled urban growth.

The same year the Boundary Commission was established, 1969, enabling

legislation was passed which permitted formation of two other regional organizations: The Metropolitan Service District and Tri-Met.

F. Metropolitan Service District

The Metropolitan Service District was formed in 1970, following the passage of its enabling legislation in 1969. Again, the impetus to establish a metropolitan service district came from findings of the Metropolitan Study Commission. To "provide a method of making available in metropolitan areas public services not adequately available through previously authorized governmental agencies." The adoption by the district of a small property tax, deliberately placed on a separate ballot, was defeated in November of the same year. Most other money measures on the ballot at that time were also defeated. Thus, the district was formed but had no funding. The governing body made no further efforts to establish a tax base and major funding has come through state grants and loans. This has led to legal questions because the statute does not specify whether or not the Metropolitan Service District may borrow money from the state which will be remedied by legislation in 1977. In 1975, the Legislature added to the MSD's functions the Zoo which previously had been supported solely by the taxpayers of the City of Portland and fees. The voters of MSD approved funding of ten million dollars over a five-year period.

The governing board, outlined by state statute, requires a representative from each governing body of a county with territory in the district, a representative from the governing body of the most populous city, and a representative of the cities in each of the counties.

Each board member is selected by the body it represents. In the case of the cities, the mayors in each county caucus and select the city's representative.

The MSD developed a solid waste recycling and disposal plan and has been attempting to start this system for the area. This effort has gained public support but has been strongly opposed by a powerful consortium of the area's garbage collection and disposal industry.

This opposition appears to be declining at this time and a compromise was worked out during the 1977 session allowing passage of HB that strengthens MSD's ability to borrow and receive grants from the state and assumes its ability to move forward with implementation of its plan.

G. Tri-County Metropolitan Transportation District (Tri-Met)

Tri-Met was established as a public transportation district in 1969 under state enabling legislation. Due to the interrelated needs of neighboring local jurisdictions, a regional approach was recognized as superior to the existing local approach. The district took over the ailing private Rose City Transit Company and has made tremendous progress toward changing from an orientation toward profit to an emphasis on service:

The 1969 legislation provided for the formation of a district after a hearing by the most populous city of a SMSA and after a request by the city for a governor-appointed seven-member board, properly apportioned to represent areas within the district. The governor designates one member of the board to serve as chairperson for a four-year term. The board is directly responsible to the governor and is required to report biennially to the Legislative Assembly of the state.

The district has made steady gains in bus ridership. In July 1975,

Tri-Met announced it had reached one goal -- a 50% increase in transit ridership to downtown Portland since 1972. Long-range improvements include: the Downtown Transit Mall; suburban transit stations; construction of operating substations; development of express transit corridors; and a substantial increase in the capacity of the fleet.

Because the 1969 Legislative Assembly preferred a more general-purpose government approach to resolving metropolitan problems, a so called "marriage clause" was added to both the MSD and Tri-Met legislation authorizing MSD to take over Tri-Met by action of the MSD Board of Directors. No serious effort has been made for such a takeover.

#### H. Comprehensive Health Planning Agency

Comprehensive health planning differs from other regional organizations in the Tri-County area because it has a greater establishment tie through federal laws. The Comprehensive Health Planning Act of 1966 and the Partnership for Health Amendments of 1967 initiated several voluntary health service programs in the nation. Formation of the Comprehensive Health Planning Agency in 1969 was an attempt to coordinate the provision of health services within the Portland metropolitan area. The agency was to provide three basic services in this area:

- Conduct A-95 reviews for the Local Council of Governments by intergovernmental agreement and review other projects which do not fall under A-95.
- Review certificates of need for hospitals and nursing homes in the metropolitan area and make recommendations to the State Board.

- Do long-range planning and research on health matters such as manpower requirements and need for beds.

In January 1975, the National Health Planning and Resources Development Act was passed in an effort to consolidate several state and federal planning activities. The Act provided for a network of Health Systems Agencies (HSAs) to deal with health services and manpower, as well as facilities development. The Northwest Oregon Health System has been designated to provide for the three metropolitan counties (Clackamas, Multnomah and Washington) and Clatsop, Tillamook and Columbia counties.

The Northwest Oregon Health System is a non-profit corporation. The bulk of its funds are from an HEW per capita allotment. It is unable to obtain funds from provider groups but may solicit other private contributions.

The governing boards of HSA are mandated to include between 51% and 60% consumers with the remainder to be providers. Provision is made for minority groups, appropriate metropolitan/non-metropolitan mix, as well as elected public officials and other representatives of governmental authorities. In designating the Northwest Oregon Health System as one of the three Health Systems Agencies for Oregon, Governor Straub has required that no less than 33% of the total membership be representatives of elected officials from general-purpose local government and the state legislature.

Each HSA has a charge to gather and analyze data, develop health



systems plans, provide technical assistance and limited financial assistance for those seeking to implement plans, review applications for all federal health dollars, assist the state in developing a comprehensive plan for new facilities, (by Oregon law) review by certificate-of-need authority all facility expansions, and coordinate activities with Professional Standards Review Organizations (PSROs).

Professional Standards Review Organizations were created by federal legislation in 1973. These organizations monitor facility utilization and the quality of services rendered. Their boundaries and the board composition are separate from HSA criteria. The "Multnomah Foundation Care" has been the PSRO agency for Multnomah County since 1973. They have a board of 15 physicians, 49 staff persons and a budget of \$500,000. They monitor and suggest improvements aimed at producing efficiencies and reducing unnecessary procedures, mainly through utilization review and peer review. Clackamas and Washington counties, along with the rest of the state, are served by "Greater Oregon PSRO." This PSRO received its official designation in January 1976, with an eight-person staff and a budget close to \$500,000. This PSRO places more emphasis on gathering and relying on hospital data rather than having a larger staff to do field work and "concurrent reviews".

The working relationships between these organizations and the other regional agencies is unclear except that HSA and CRAG do have a memorandum of understanding regarding responsibilities for A-95 reviews.

## I. City-County Consolidation

In 1974, there was an unsuccessful attempt to consolidate the City of Portland with Multnomah County. Prior to this, the concept of consolidation in the form of a constitutional amendment, had been approved by the legislature and the citizens of Oregon, including residents of Portland and Multnomah County. This occurred in 1967 when the Oregon Legislative Assembly passed SJR-29 which proposed a constitutional amendment relative to city-county consolidation. Among other things, the amendment directed the legislature to provide the necessary enabling legislation for city-county consolidations.

SJR-29 became Ballot Measure Number Five in the 1968 general election which the voters approved 393,789 to 278,483. It carried in 27 of the 36 counties. In Multnomah County, the amendment was approved by a vote of 136,006 to 69,181. Within the City of Portland, the vote was 101,239 to 45,053. In Multnomah County, outside of Portland, the vote was 34,767 to 24,128.

Multnomah County and the City of Portland had also officially endorsed city-county consolidation as envisioned by the 1971 enabling legislation. This was accomplished by a resolution of the Board of County Commissioners and a resolution of the Portland City Council.

Proponents of the consolidation identified major advantages being: consolidation would lower the rate of increase in taxes; it would offer improved services for the limited money available and enhance planning for future growth. Along with these paramount advantages,

several others were also suggested -- the avoidance of duplication, savings due to economies of scale, better facilitation of urban services to newly urbanized areas, and the end of conflict between the city and county.

Obviously, not everyone was in agreement with this. Opponents of the measure argued that city-county consolidation would divide the city and county into politically controlled districts. They asserted it would give the mayor too much power. Opponents also took the stance that consolidation would only create a huge city. After considerable debate, Multnomah County voters turned down the measure to consolidate by a wide margin of 45,826 in favor and 120,932 opposed.

#### Recent Changes in City and County Government in the Tri-County Area:

##### J. City of Beaverton

In May 1976, the voters of Beaverton turned down an amendment that would abolish the position of city manager. By August of that same year, petitions with enough valid signatures had been collected to ensure that three proposals would be on the November ballot. One of the measures would abolish the Beaverton Development Commission. Another would attach conditions to zoning proposals to protect property owners affected by the proposals. The last measure, and perhaps the most significant, again would abolish the city-manager form of government and establish a full-time mayor. All three measures carried in the November election.

K. Lake Oswego

In November 1976, voters of Lake Oswego passed amendments to the City Charter. As a result, the mayor, with council approval, will now make all appointments, including those of city manager, city recorder, treasurer, municipal judge, and all boards and committees. Changes in the charter also include the appointment of a full-time city attorney and a grievance committee to hear complaints from residents and city employees.

L. Multnomah County

In November 1976, voters of Multnomah County passed a county charter amendment to reorganize the county government by a 51 to 49% margin. The amendment provides for the division of the county into five districts, with each electing one commissioner for a two-year term. It also proposed a complicated election system for the commission chairperson who is to be selected in a separate at-large vote from among the nominated party candidates for the five commission seats who also file for chairperson. If no candidate for chairperson receives a simple majority but is elected by plurality, he may be replaced as chairperson by a vote of three commissioners.

It has been stated that the practical effect of the revision is the destruction of an elected authority over county administration.

Many think the vote demonstrates voters' hostility toward county government at this time. Several other issues centering around the county and the commissioners had given rise to heated debate in the

months prior to the November election. These issues included the proposed Parkrose release center, the Hoyt Hotel purchase, Glendoveer Golf Course purchase and a highly controversial animal control ordinance (cat licensing). Another ballot measure that demonstrates public opinion toward county commissioners was defeated four-to-one. The proposal was to have increased the pension program for elected county officials.

Presently, there is a move to gather signatures to repeal this amendment and restore the system as it existed previously. There may also be an effort to appoint a charter review committee to thoroughly review the entire charter.

### III. Initiation of the Academy Study

Following receipt of a prospectus entitled "Request for Proposals to Participate in a National Study of Two-Tiered Metropolitan Government," an informal ad hoc committee was formed in this area during the month of June 1975.

Initial participants with this ad hoc committee included representatives of business, local and state governments, Portland State University and the Boundary Commission. (A. McKay Rich, Executive Coordinator, Office of the Chairman, Multnomah County Board of Commissioners; Donald E. Carlson, Executive Officer, Portland Metropolitan Area Local Boundary Commission; Kenneth S. Martin, Administrative Analyst, Portland Metropolitan Area Local Boundary Commission; Dr. Ronald C. Cease, Dean of Undergraduate Studies, Portland State University; Angus Duncan, Administrative Assistant to Mayor

Goldschmidt (Portland); Ken Jones, Acting Budget Officer, City of Portland; Harrison King, Retail Trade Manager, Portland Chamber of Commerce; Larry Sprecher, Director of General Services, State of Oregon; and Jack Carter, Coordinator, State Office of Intergovernmental Relations.)

It was agreed that a proposal should be submitted and that the Boundary Commission was the appropriate agency to submit it, inasmuch as its charge included the orderly and logical growth of urban areas and allocation of local services. The Boundary Commission staff developed a "Proposal to Participate in a National Study of Two-Tiered Metropolitan Government".

In order to receive the \$100,000 grant from The National Academy, there had to be reasonable assurance that the locality would provide \$50,000 in matching funds. It was decided early that these funds would be sought half from public <sup>sources</sup> services and half from private.

In several weeks, Portland was notified that its application had been selected as one of five areas for final consideration. Accordingly, a site visit was arranged for August 12-15. Participants included Charles Warren, Project Director, and the following members of the Panel: York Willbern, Chairman; John DeGrove; Howard Hallman; and Scotty Campbell. They met with nearly 100 groups and individuals representing local jurisdictions and agencies. During these visits and meetings, it was perceived that officials from Portland were somewhat more cautious than Multnomah County officials toward prospects for meaningful reform due to the lopsided defeat of a city-county consolidation proposal in the spring of 1974.

On September 30, 1975, Portland was notified of its selection, along with

Denver, for the eighteen-month demonstration projects. Accordingly, a panel selection process commenced with letters sent on October 1 to all local jurisdictions and various other organizations to inform them of the background and scope of this project and to solicit names for panel participants.

A special effort was made to involve both those who had been active in previous reform efforts, including former members of the Metropolitan Study Commission, those both for and against the charter proposed for city-county consolidation, state legislators, key actors in the business and labor community, local and regional officials and members from civic and neighborhood groups. Strong emphasis was placed on forming a broad based commission with solid credibility in the community and amongst policy makers.

The League of Women Voters offered their enthusiastic support for the project including the participation of their state president. Ron Cease, who helped organize the ad hoc committee and the local project, secured tentative commitments from the University for both office space and staff assistance in the form of graduate students at the Urban Studies Center.

Some 400 names were submitted by various parties as potential Commission members. Final selection was made by the staff and members of the Boundary Commission and Ron Cease contacted each person to confirm their interest and willingness to serve.

A commencement session was held on December 3, 1975 with state and local officials, members of the local panel, many business, labor and civic leaders, members of the National Academy and a keynote address by Alan Campbell, member of the Project Review Panel from Syracuse University. The first

organizational meeting was held on December 18. The Commission accepted Ron Cease as Chairman and Carl Halvorson as Vice-Chairman, twelve names for an executive committee and adopted rules and a budget. A tentative work plan was approved with Phase I -- "Organization and Orientation" running from December through March 1976. To develop a common perspective among Commission members, Phase I called for an exploration of existing local government structure and problems. To accomplish this task, five committees were formed and met weekly. They were aided by core staff, teams of urban studies graduate students from PSU, part-time consultants as needed and a research assistant funded by CETA.

The Executive Committee and Chairman Cease selected A. M. Rich as Staff Director who had served previously as the Director of <sup>the Portland Metropolitan Study Commission</sup> PMSC, Assistant Director of CRAG, <sup>and</sup> Executive Assistant to the Chairman of Multnomah County. They authorized the hiring of a research associate, public information person and administrative secretary. It was felt that the Commission should make effective use of past research, including previous study groups, the Bureau of Municipal Research housed at the University of Oregon and staff support from local jurisdictions, regional agencies, and the League of Women Voters. (Hence, the decision to hire and support a public information component and avoid using all staff funds for consultant research.)

#### IV. Work Program and Study Phases

The initial work plan envisioned three phases: a problem identification period; an analysis of alternative solutions and adoption of an action plan; and an implementation of the action plan during the third phase.



A. Phase I -- "Organization, Orientation and Problem Identification" (Dec. 1975 - April 11, 1976)

Following approval of the overall work plan by the full Commission, five standing committees were designated: Finance and Taxation; State-Local Relations; Regional Governments and Agencies; Local Government and Intergovernmental Relations; Neighborhood Organizations & Citizen Involvement. Each committee held weekly meeting and their deliberations were aided by appropriate resource persons, staff background reports and urban study teams from PSU. General descriptive materials were prepared by staff, including charts with basic information on all local units and delineations of major functional roles.

After four months of explorations as to both the structural and functional makeup of the current system of local governance, each committee was asked to prepare a report outlining the major problems in its area of concern.

On April 10 - 11, a conference was held to discuss the published committee findings and launch the Phase II analysis of alternative solutions. The recurrent theme raised in these Phase I committee reports questioned the accountability and coordination of existing area-wide activities. To set the stage for Phase II, the following guidelines were adopted as criteria for whatever reform proposals were developed during Phase II:

GOAL

Based on the problems identified in Phase I, the Tri-County Local

Government Commission shall develop recommendations for simplifying and reorganizing the Tri-County governments into a comprehensive system that can more efficiently, responsibly and effectively plan, finance and deliver local and regional services. In fulfilling its responsibility, the Commission will endeavor to advance equity, efficiency, economy, responsiveness, feasibility and actual service needs.

#### GUIDELINES

1. Provide services, insofar as possible, at the lowest level of government that can economically and efficiently provide them.
2. Reduce the number of units of government by: eliminating unnecessary units; consolidating single-purpose into multi-purpose units and restructuring units and jurisdictions on a rational, functional basis.
3. Develop a logical, integrated system for delivery of local and regional services that can be understood and supported by the citizens of the Tri-County area, as well as state and federal agencies.
4. Develop a coordinated system of establishing priorities, planning and financing services in the Tri-County area.
5. Recommend the method or methods to be employed in selecting members of the governing authorities of the units of government.
6. Recommend an ongoing review procedure for monitoring, evaluating and modifying government.
7. Develop means for meaningful citizen participation at all levels.
8. Develop equitable methods of public finance within the Tri-County area.
9. Recommend that the state not mandate services by local governments without providing the revenues for these services.

The Commission also adopted the general format for a short and long term modernization plan. It established the broad parameters of structural reform leading towards a more rationalized two-tiered arrangement for the long term.

## B. Phase II

Considerable discussion revolved around the most effective approach for Phase II as between a structural versus functional emphasis. It was finally decided that the first work of Phase II was a comprehensive assignment of all local government functions to the most appropriate tier(s). Accordingly, the Commission was reorganized into the following functional committees: Human Services; Public Works and Transportation; Land Use, Recreation and Cultural Activities; Public Safety; and Finance and Taxation.

Each committee was charged with assigning the major services/activities and then components of planning, funding, setting standards and delivery to that level of government best suited for the task. A functional matrix was designed to chart these allocation decisions for the short-term and long-term reorganization models.

In choosing appropriate services to be provided on an upper-tier or area-wide basis, middle-tier cities and counties or community level lower-tier functions criteria were developed from the traditional yardsticks of economic efficiency, administrative effectiveness, political accountability and equity, among other guideposts. This functional matrix was found to be a helpful tool as an introduction to the task

faced by each committee, yet rather arbitrary and inflexible for all committees to use.

Committee staff prepared background papers on how each function was handled and outlined the advantages and disadvantages of functional shifts as raised by local resource persons and the available literature.

Decisions were slow for several committees that found it difficult to concentrate on assigning specific functions prior to design of structural models to better visualize the interrelationships between services, streamlining of tiers, and citizen participation. It became clear after a few weeks that human services and finance and administrative functions were less amenable to the inductive functional approach. These committees were the first to depart from the plan of attack and begin formulating structural scenarios which became the source of creative tension within the Commission.

Monthly Commission meetings were used for progress reports and sharing of information. Each meeting had a topic which addressed the concerns of all committees while focusing discussion on a major item faced by the full Commission. Examples included talks by Arthur Naftalin on the evolution of Metro in the Twin Cities area and Howard Hallman discussing options for formalizing the role of community level entities.

Staff work beyond the work of each committee included general information pieces on tax and expenditure patterns by tax code districts, a discussion of legal options for county consolidation vis-a-vis home rule considerations, and articles on land use planning/implementation formats

utilized elsewhere in the country.

Most functional assignments were completed by early September. A legislative interim committee promised full consideration of major changes advanced by the Commission, but this required submission of a specific proposal in the form of ~~the~~ legislation. It had become the consensus among Commission members that the first order of business in reforming local government was a restructuring of the existing regional entities. Accordingly, the staff prepared a list of questions that each committee was to address separately regarding a new metropolitan council. Should there be a new Metropolitan Council? What would be the best size for this governing body? How should its members be chosen? Should there be a chief executive officer elected at-large or an appointed administrative officer? What should the relationship of this council be with existing regional governments and agencies? What additional functions/authority, if any, should be recommended, and how should this agency be funded? These and other questions were addressed and answered by each committee in order to refine the emerging product of the full Commission. A summary report entitled "Conference Issues and Committee Recommendations" <sup>"</sup>was prepared showing points of consensus (an all elected council) and divergences (elected vs. appointed chief executive and inclusion of the Port of Portland and Tri-Met).

During a conference held October 2 and 3 and a meeting on October 21, a package of structural and functional decisions <sup>were</sup> ~~were~~ pieced together. This resulted in the drafting of legislation addressing the problems

uncovered in Phase I. With respect to area-wide services and problems, a Metropolitan Services Council was proposed, and the Commission had a product to take to the community and the legislature.

C. Phase III

Maintaining interest in the plethora of other local government concerns seemed a formidable task at the beginning of Phase III.

Three committees were formed to explore potentials for improvement and make recommendations to appropriate actors in the following problem area: City-County-Special Districts; Community & Neighborhood Organizations; and Long Range Options.

Considerable discussion also has been devoted to the feasibility of establishing an ongoing group -- similar in scope to the Citizens League in the Twin Cities area -- to extend the Commission's work and monitor both regional issues and the long-term re-structuring of local government.

A major part of Phase III effort was ~~to be~~ devoted to securing the passage of the major proposal embodied in House Bill 2070.

## V. Study Conclusions and Recommendations

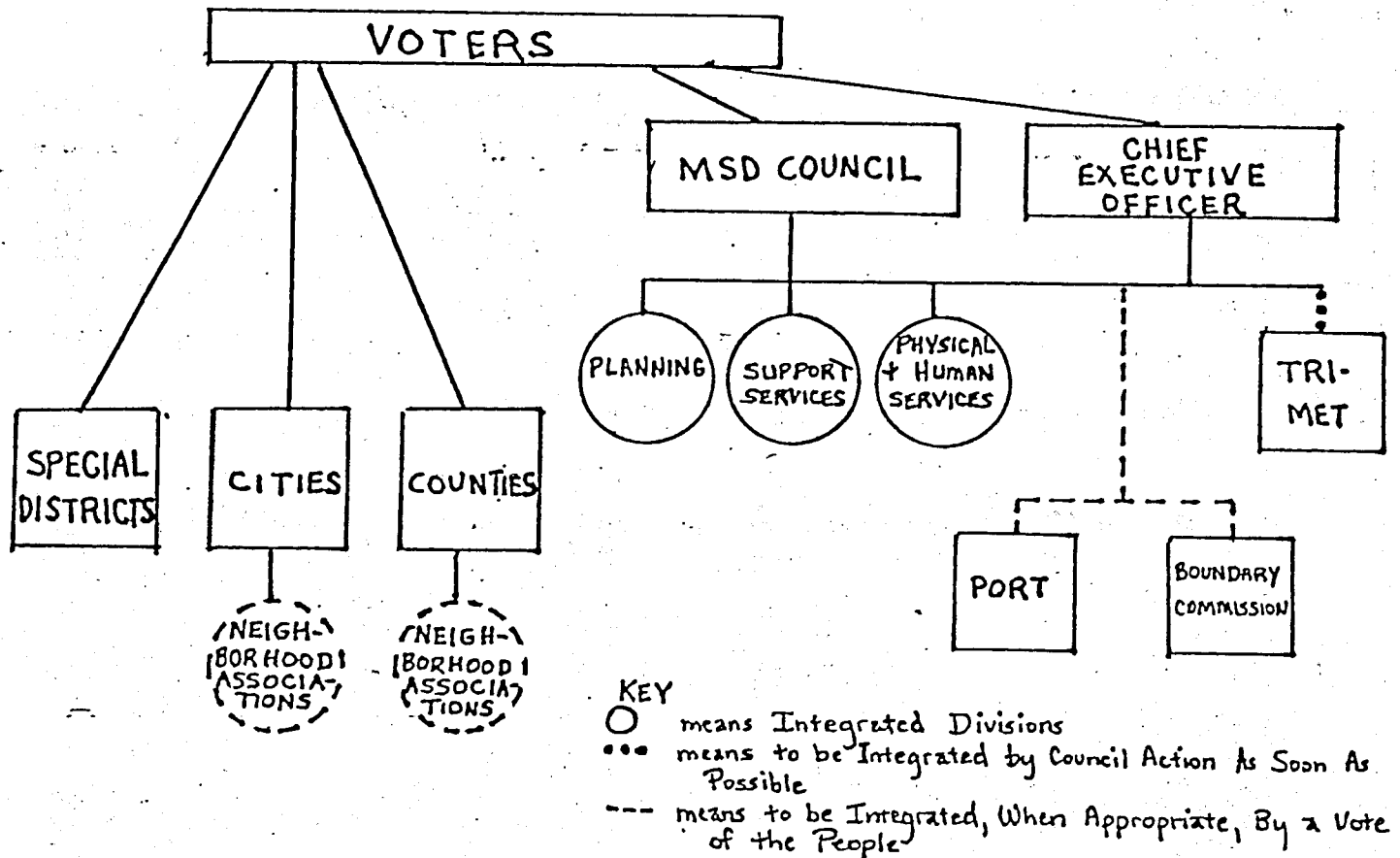
The Tri-County Local Government Commission set out to examine the existing structures of local government, the services provided, and the needs of the people in the Tri-County area and to pursue whatever improvements were identified by the Commission. The focus of Phase One of the study was organization, orientation, and problem identification. Phase Two involved the development and analysis of alternative solutions to the problems identified in the first phase, the advantages and disadvantages of each, and adoption of recommendations. Phase Three was devoted to implementing the Commission's immediate legislative recommendations and to the work of <sup>three</sup> ~~these~~ new committees: City-County-Special District, Community and Neighborhood Organizations, and Long Range Options. In addition an ad hoc committee was appointed to explore possible means of organizing <sup>a</sup> ~~some~~ Tri-County Citizens League.

The principal result of the Commission's work during Phase One and Phase Two was a legislative proposal, discussed and approved by the Commission in October, 1976 for ~~legislative~~ consideration by the House Interim Committee on Intergovernmental Affairs. This bill, along with other Commission recommendations are the results of the Commission's local government study.

### House Bill 2070

H.B. 2070, as approved for introduction to the 1977 Legislative Assembly by the Interim Committee on Intergovernmental Affairs, encompasses the major features of the Tri-County Local Government Commission's area-wide government reorganization proposal. The Commission is <sup>proposed</sup> ~~proposing~~ several minor amendments (which are noted in the following explanation of the provisions contained in H.B. 2070). (See chart following page)

# AREA-WIDE REORGANIZATION PROPOSAL



## A. Structure

Currently, all of the regional agencies in the Tri-County area are governed by appointed officials. The Metropolitan Service District (MSD) and Columbia Region Association of Governments (CRAG) have governing bodies comprised primarily of city and county officials and the Tri-County Metropolitan Transportation District (Tri-Met), the Port of Portland and the Boundary Commission have boards appointed by the governor.

The bill <sup>provided that</sup> ~~makes~~ the governing board of the Metropolitan Service District <sup>be</sup> directly responsible to the people it serves by directly electing its



policy-making officials. It provides for the election of a 15-member council. Each member <sup>was to be</sup> ~~is~~ elected on a non-partisan basis from a single-member apportioned district of approximately 60,000 people. Each councilor <sup>was to</sup> ~~must~~ be a resident of the electoral district from which elected and would be prohibited from holding simultaneously any other elected public office, ~~(a Commission amendment not currently in the bill).~~

The bill provides for staggered Council terms of four years, with a two-consecutive term limitation. Candidates for councilor positions <sup>now</sup> ~~are~~ to be nominated and elected at the primary and general elections. Terms of four years in length <sup>were</sup> ~~are~~ prescribed because they allow the councilors more time to learn and perform their jobs and to develop and implement policies and programs without the disruption of campaigns every two years.

The Council would elect its presiding officer annually from among its members and councilors would receive \$25 per diem for meetings plus necessary meals and travel expenses. *This would be subject to change by a vote of the Council following recommendations by a special salary Commission.*  
The Secretary of State <sup>would</sup> ~~will~~ determine the boundaries of the electoral districts based on the most recent census data and <sup>would</sup> ~~will~~ reapportion the districts after each federal census. In apportioning the districts, the boundaries <sup>are</sup> ~~shall~~ <sup>to</sup> not be based on existing local government or state legislative boundaries, but instead, consideration <sup>is to</sup> ~~shall~~ be given to historic and traditional communities, and natural boundaries <sup>are to</sup> ~~shall~~ be followed to the extent possible. These districts would be approximately the same size, in terms of population, as current state senate districts.

In keeping with the American system of distinguishing between the policy-makers who frame the laws and the chief executive who enforces the laws, the bill separates the legislative and executive powers with corresponding checks and balances.

The bill provides for the at-large election (non-partisan, four-year term and two-consecutive term limitation) of the chief executive who <sup>would</sup> ~~will~~ execute the policies of the Council. The executive officer would serve full-time, and compensation during the initial two years would be at the same salary as a State Appeals Court Judge, approximately \$37,000; thereafter, it would be set by the Council after receiving recommendations from an independent Salary Commission. ~~In addition, the Commission proposes, in amendment form, that Council compensation after the first two years be handled in the same manner.~~

The chief executive would not be a member of the Council. He or she would head the executive branch, and duties would include supervision of administrative offices and executive departments, execution and enforcement of all ordinances and applicable state statutes. Within the budget approved by the Council, the executive would employ professional administrators to handle day-to-day technical administrative matters. However, these employed personnel would not be the political leaders of the MSD.

The Council would have the authority to adopt motions, enact ordinances, pass resolutions, levy taxes, appropriate revenues, adopt regional development policies, adopt the budget and perform a legislative oversight function over the administration. The responsibilities and powers of

the executive officer include<sup>1</sup> proposing the budget, introducing ordinances and regional development proposals and the authority to veto or sign ordinances.. The Council could override any veto or partial veto by affirmative vote of ten or more councilors. The measure would establish an advisory committee of elected city and county officials to work with the Council and facilitate negotiations, cooperation and coordination among all local governments. ~~It would also create a citizens advisory board to coordinate citizen involvement with the Council and to provide procedures for citizen input on matters of regional concern.~~

The effect of this reorganization <sup>would</sup> ~~will~~ be to reduce the number of regional agencies and to establish, out of the hodgepodge of special-purpose agencies, a directly-elected, general-purpose government at the Tri-County level. It <sup>would</sup> ~~does~~ not create a new level of government; instead, through consolidation, it <sup>would make</sup> makes MSD the vehicle through which the community <sup>could</sup> ~~can~~ weigh the whole mix of area-wide needs and set priorities. It <sup>would</sup> ~~could~~ change<sup>2</sup> Tri-County regional governments from rather invisible, insulated governments that are highly bureaucratized to a more simplified structure under the self-direction of citizens.

The bill provides<sup>1</sup> that the Port of Portland and/or the Boundary Commission could be brought under the control of the MSD council by an affirmative vote of the people at a time when either was referred to the voters by the Council. The Commission believed<sup>1</sup> that this option should be maintained, but because of the significantly different nature of these organizations, further consideration and public debate would be desirable, as opposed to integration at this time. If such integration took place the

Port's methods of financing would be transferred but new funding for the Boundary Commission would have to be found because it now receives all its funding as a state agency from the state general fund.

B. Functions

To eliminate duplication, promote coordinated planning, enhance program effectiveness, save tax dollars and lay the foundation for an orderly Tri-County development, the bill <sup>would</sup> ~~repeals~~ the present statute providing for CRAG and ~~transfer~~ its regional planning and coordinating functions to MSD. MSD was selected as the base to build upon because it is the only regional agency that was established through a vote of the people. The bill maintains the present statutory authorization by which MSD can assume the public transportation function of Tri-Met. The bill unifies the boundaries of Tri-Met, CRAG and MSD by extending the boundaries of MSD to include all of Multnomah, Clackamas and Washington counties.

MSD is a multi-purpose government currently authorized, not mandated, to perform metropolitan aspects of sewerage, solid and liquid waste disposal, control of surface water, public transportation and the zoo facilities. Under this type of authorization, the district may move into a service when the governing body determines it auspicious to do so and when financing has been arranged. The district is not required by law to begin a service on a certain date.

The bill increases the number of authorized (not mandated) MSD functions to include the metropolitan aspects of water supply and treatment, regional parks, cultural facilities, regional correctional facilities

and programs, and coordination of human services. This would provide MSD with the opportunity and capability to perform these functions at a time when deemed appropriate by the Council and when funding could be obtained. Funding would require voter approval, just as the voters were asked to approve funding for MSD to operate the zoo facilities in May 1976.

This authorization <sup>did</sup> ~~does~~ not prescribe a service provider role for MSD in human services.

The bill <sup>would</sup> ~~does~~ permit MSD to assume local government functions if local governments wish to contract for service. Local governments would retain control of the services and MSD would perform them on a full cost recovery basis.

#### C. Funding

Existing revenue sources of MSD including ad valorem taxation, user fees and charges, special assessments, loans, grants, gifts, and bonding, and CRAG which includes special assessment of members and receiving grants, (and Tri-Met upon integration) would be continued. However, the bill provides for the elimination of the dues assessment method currently employed by CRAG by June 30, 1981. This <sup>would</sup> ~~will~~ require the Council to develop other revenue sources, and the Commission believes that MSD should be provided with the widest range of financing methods available. The bill, therefore, includes authorization for an income tax (up to 1%) subject to the approval of the voters.

The bill provides for the use of service areas (similar to county ser-

vice districts) subject to remonstrance and the approval of the people so that areas with needs can receive and pay for services while not including areas receiving no benefits.

The bill broadens<sup>1</sup> the powers of MSD to include borrowing money from the state and further defines<sup>1</sup> its enforcement powers to include enjoinder by the district upon suit in a court of competent civil penalties jurisdiction and for violations of its ordinances.

~~The Commission is recommending an amendment to the bill which~~ would require MSD to produce an accounting report at least every two years which would lucidly explain what concrete progress has been achieved in improving services under its jurisdiction without increasing costs and/or maintaining services while reducing costs and recommendations for reversing the growth of governmental bureaucracy, reducing institutional obsolescence, encouraging individual responsibility and facilitating participative planning.

In other action so that the services available to local governments in budget preparation and general management in Multnomah County could be area-wide, it would be beneficial for comparative purposes if reports such as those prepared by the Tax Supervising and Conservation Commission included all the governments in the Tri-County area. The Commission favored the extension of the jurisdiction of the Multnomah County Tax Supervising and Conservation Commission to include Clackamas and Washington counties.

The Commission supported increased state funding for cities, counties and

school districts. The rationale behind this was that the state has a more flexible source of revenue than do the above local governments. In addition, many costs are mandated by the state.

To consider possible other shorter range recommendations primarily to cities, counties, and special districts, two new committees were formed in December, 1976. These were the City-County Special-Districts, and Community and Neighborhood Organizations Committees. A brief description of the recommendations of these two committees follows:

#### City-County Special-Districts Committee

This Committee found that the combination of special service districts and county service districts which provide municipal services for unincorporated areas tend to discourage annexation to cities and to increase the complexity of the local governmental system. To relieve this situation, the Committee recommended the consolidation or elimination of present special service districts and discouraging the creation of any new ones. In a further effort to lessen future complications, the Committee also recommended that no new <sup>less than full service</sup> cities be established within the Tri-County area.

The Committee recommended that counties be encouraged to provide traditional county services, cities be encouraged to provide local aspects of municipal services, and that regional aspects of such services now provided by counties or cities eventually be transferred to the MSC.

Traditional county services include tax assessment and collection, elections administration, judicial administration, sheriff's services, roads, health programs, and some records keeping and license issuance. Municipi-

Where counties provide a service primarily to the unincorporated area that is provided to city residents by the city, the Committee recommended the use of a limited service district so city people are not taxed twice for a service they receive only from the city.

pal services include sewers, fire, water, streets and police services.

The Committee also recommended that the Metropolitan Service Council act as a catalyst and make its offices available to encourage local units of government to utilize intergovernmental contracts where mutual benefits are evident.

It was recommended by the Phase II Finance, Taxation and Administrative Services Committee that a study be initiated on the tax-base sharing plan found in Minneapolis, Minnesota. The City-County Special-Districts Committee in Phase III recommended that this plan and any others be studied by the Metropolitan Service Council with findings being presented to the legislature in an effort to improve equitable revenue raising and distribution systems in the Tri-County area.

#### Community and Neighborhood Organization Committee

During meetings of this Committee there was considerable discussion as to how to identify all appropriate functions that neighborhood organizations could or should become involved with. Committee members felt that the diversity of community needs, current structures and varied stages of neighborhood organization development would mitigate against assumption of a particular function by all groups throughout the region. The Committee endorsed general-purpose neighborhood organizations rather than single-purpose organizations to encourage participation, activities, and services in any area that affects the general liveability of the neighborhood.

The Committee endorsed flexibility as the key to neighborhood organizations rather than enumerate specific functions. The following statements



further explain the position of the Committee:

- Neighborhood organizations should be general-purpose rather than single-purpose.
- A definitive list of functions is neither desirable nor possible and should be determined by each group.
- The upper tier should encourage neighborhood organizations to participate in decision-making as well as encourage the groups to initiate their own activities.
- Activities may range from review-advice to need surveys, program evaluation and/or carrying out actual services.
- Non-governmental activities should not be limited.
- Specific functions may include:
  1. Phase II recommendations and
  2. Other existing activities.

Phase II Recommendations include, <sup>were</sup> but are not limited to:

Human Services:

- senior centers
- day care centers
- access clinics for health services
- crises intervention/youth service centers
- ~~general~~ multi-service centers for all human services  
(with information and referral to other agencies)

Public Works:

- recycling solid waste
- planning local streets and roads
- advise on transit projects

Public Safety:

- juvenile aftercare facilities
- neighborhood oriented police patrol
- crime prevention

Libraries:

- acquisition and traditional services
- planning of outreach services
- operate community resource libraries

Land Use:

- initiate, develop and/or review land use plans
- planning and funding of neighborhood and community parks

Other Existing Activities:

In most Tri-County jurisdictions a response to LCDC requirements for citizen involvement in planning for land uses has been the impetus for formalizing neighborhood organizations. This advisory role has encouraged Community Planning Organizations (CPOs) and Neighborhood Planning Organizations (NPOs) for counties and cities. Older and more established neighborhood organizations pursue activities which can be of an advisory role, those which may be done through contract or in conjunction with middle or upper-tier entity, and those functions performed independently.

Advisory Role:

- Land-use planning - including zoning studies, plan amendments, capital improvements, sub-division regulations, environmental studies, etc.
- traffic - access/improvements/regulations
- arterial streets
- school closures

- housing and community development public works projects
- expanding recreation programs/facilities
- bus routing improvements

Through Contract:

- acquire and operate community center
- operate youth service centers
- restore historical centers
- recycling/clean-up projects
- housing rehabilitation projects
- neighborhood social needs survey
- crime prevention

Independently:

- services/skills exchange among neighbors
- sponsoring of short-term medical clinics
- community socialization/parties/picnics
- landscaping/community gardens

Structure:

The Community and Neighborhood Organization Committee endorsed flexibility as the foremost criterion in each group's functions, legitimacy and structure. It recommended that responsibility for initiating individual organizations should rest with the citizens. The Committee also encouraged less dependence on government. This is desirable as neighborhood organization roles evolve from advisory to support to service delivery.

After much discussion of structures, the Committee felt it appropriate to list what the structure should provide. The following structural criteria are beneficial to neighborhood organizations:

- a recognized boundary
- a recognized facility, office or address identified for neighborhood activities
- an identified coordinator
- a commitment to avoid duplication of functions provided by units of local government. (In essence, a commitment to negotiate with those units of government.)

Funding CNO:

The Committee believed two questions must be answered when examining the funding of neighborhood organizations - what is needed and what is available.

While many neighborhood needs could be addressed through lower-tier entities, the necessary funding was often lacking. With regard to the Phase II Report and the designation of functions, the Committee encouraged the decentralization of appropriate services from the middle tier and recommended that the funding accompany this shift.

Given the above, how will neighborhood organizations interact with the units of local government and the regional body? It was the Committee's belief that an organization's legitimacy is dependent upon the degree and quality of citizen participation.

There is a need for the provision for neighborhood organization input into the policy-making process. Concerning legitimacy (and the question of how well a group represents residents of a specific area), it is the responsibility of the organization to answer certain questions and allow

the public officials listening to determine the group's representation and legitimacy. The Committee suggested the following procedure:

- presentation of group position
- rationale for that position
- number of members in the group
- number of participants at the meeting(s) and the date at which the position was decided and dissenting points of view.

The Committee recommended that a Citizens' Advisory Board, consisting of citizens from the Tri-County area, be appointed by the MSC to coordinate citizen involvement with the MSC and to provide citizen input on matters of regional concern. This Advisory Board would establish citizen participation guidelines, including procedures for public hearings, public notification of meetings and hearings, and the formation of citizen advisory committees and task forces. Feedback provisions could also be made to assure that citizens would receive responses from the policy-makers..

The MSC would be responsible for notification to a neighborhood organization when considering issues that may have a direct impact on that neighborhood.

~~On October 1978~~ The Committee supported the creation of a privately initiated "Tri-County Citizens' League". This group would be autonomous from all public bodies, much like the Citizens League in Minneapolis. The Citizens League would encourage community understanding of regional issues, make recommendations based on the organization's research and generally monitor regional issues.

### Long Range Options Committee

Because H.B. 2070 was considered to be a shorter range proposal, a special Long Range Options Committee was organized to recommend possible approaches to longer range reorganization. This Committee's recommendations are based on conditions existing in early 1977 and the future conditions that will naturally flow from them. The Committee fully recognized that the process of predicting future events and difficulties and the description of solutions are fraught with uncertainty. Nevertheless, the Committee formulated broad generalized guidelines toward the evolution of an efficient, effective and accountable form of two-tier government.

In analyzing the existing system of local governance, the Committee stressed that the existing system of government is not as effective nor as coherent as it could be because:

- there are so many authorities with overlapping tasks and responsibilities, and
- double burdens are being cast on rate payers in urban counties with large unincorporated areas.

Possibilities for reform were discussed in light of these two overriding problems. The Long Range Options Committee has recommended that the Oregon Legislative Assembly consider authorizing the creation of a Charter Commission for the Portland metropolitan area, however defined, at the appropriate time to:

- enable the formulation of an effective two-tier government in metropolitan areas with lower-tier units of sizes which will be

most efficient, effective, responsive and accountable.

The Charter should provide:

- a form of government which details the relationship of the upper tier with existing and potential lower-tier governmental units; and
- a method to enable the incorporation of all areas of the metropolitan region into appropriate types of lower-tier communities within an appropriate time frame.

Some communities would have more inclusive services than others; for example, sewers, public water, and higher levels of police and fire services.

- The Charter Commission should make public its findings and proposed Charter within 18 months after the date of its organization and a metropolitan-wide vote on whether to adopt the Charter should be held requiring only a simple majority for approval.

The Committee highlighted the following major issues which they felt should receive consideration by the Charter Commission. The Committee recognized that a charter committee would be confronted with major issues that would need resolution. These would include the following:

1. Adjustment of Property and Dept

If, for example, the metropolitan regional body assumed the responsibility for the provision of water supply, what would its financial responsibility to the City of Portland or any present owner of a water supply system be? The Committee felt the question of an equitable adjustment would need to be addressed.

Financial implications of a two-tier reorganization will also require special research into the handling of debt. Present bonded indebtedness could be assumed and paid from the common revenues of the region, or the debt could be permitted to remain the obligation of the benefiting property owners who originally incurred it.

## 2. Existing Civil Service and Personnel Arrangements

Issues involving existing personnel practices and benefits (including pensions) will also require special consideration, as functional responsibility is divided between the upper and lower tiers. Some type of personnel section will be necessary in the Charter to secure the rights, privileges and benefits of employees transferred to the upper tier.

## 3. Education

The Committee did not examine the integration of education into the two-tier system but felt that it should be addressed in the future. The Committee feels the educational system would be enhanced by being integrated into a two-tier system.

## Recommended Functional Responsibilities

The Long Range Options Committee discussed the functional responsibilities and relationships between the proposed upper-tier level and the lower-tier units. In general, the Committee recommended that the upper-tier government deal with policy setting and service delivery only on matters of regional concern. The metropolitan government could coordinate and assist the lower-tier units in the implementation of their



policies and programs. In this manner, service responsibilities are both decentralized and centralized.

The following list of Functional Assignments was developed by the Committee from the Phase II committee reports to illustrate the interface between upper and lower tiers for the major content areas of (1) human services, (2) public works and public transportation, (3) public safety, (4) land use, recreation and cultural activities, and (5) finance, taxation and administrative services.

#### CHART OF RECOMMENDED FUNCTIONAL ASSIGNMENTS -- LONG RANGE

##### Human Services:

Upper Tier: Comprehensive Human Service Planning and Funding for:

1. Aging services
2. Health services
3. Manpower programs
4. Mental health and family services
5. Children and youth services
6. Individual social services/community-based programs

Lower Tier: Services delivery for:

1. Aging services
2. Health services
3. Manpower programs
4. Mental health and family services
5. Children and youth services
6. Individual social services/community-based programs

##### Public Works and Public Transportation:

Upper Tier:

1. Provide solid waste disposal
2. Develop water supply
3. Plan and operate major interceptor sewerage systems, treatment facilities
4. Mass transit, regional roads, marine and aviation

Lower Tier:

1. Provide solid waste collection
2. Provide water distribution systems
3. Plan and operate sewerage collection systems
4. Arterials, collectors

5. Local streets
6. Roads
7. Traffic control
8. Safety

#### Public Safety:

##### Upper Tier:

1. Planning fire protection
2. Regional communication network and develop education programs
3. Law enforcement administration and support
4. Jails, work-release programs
5. Detention and counseling facilities

##### Lower Tier:

1. Fire suppression, including conducting education programs
2. Law enforcement field operations

#### Land Use, Recreation and Cultural Activities:

##### Upper Tier:

1. Libraries -- all facets, except as noted below
2. Regional park planning and funding
3. All regional cultural facilities
4. Land Use -- areas/activities of regional concern

##### Lower Tier:

1. Libraries -- acquisition and traditional services, outreach services planning
2. Neighborhood and community park planning and funding
3. Golf courses
4. Land Use -- adopting and implementing plans

#### Finance, Taxation and Administrative Services:

##### Upper Tier:

1. Services provided by counties and regional agencies
2. Broad financial authorization

##### Lower Tier:

1. Local administrative services
2. Limited financial authorization

In all cases, some of the lower-tier responsibilities could be carried out by the upper tier under intergovernmental agreement.

## VI. Community Response

### A. Efforts Used to Disseminate Information and Develop Support

From the beginning, the Commission recognized that any significant success it might be able to achieve would be dependent on community involvement in the development of recommendations and subsequent community support for those recommendations.

The membership of the Commission itself reflected its interest in directly involving as many segments of the Tri-County community as possible in the activities of the project. The 65 members included elected state, county, municipal and special district officials, appointed regional officials, neighborhood organization leaders, public administrators and citizens from the business and professional community, labor unions and civic organizations.

The Commission's commitment to a significant public information and community involvement effort was also demonstrated by its employment of a full-time public information coordinator and its expenditure of approximately one-quarter of its \$150,000 budget for these activities. A public information committee was formed to help coordinate these efforts.

During the formulative phase of its project, the Commission made every effort to inform and involve the various segments of the community in its activities. A regularly published newsletter was mailed to interested citizens, public officials, community leaders and civic and neighborhood organizations (initially 400, the mailing list ended up including close to 1000 names). Public meeting notices were sent to the media and the mailing list and radio, and television public service announcements

produced to invite citizen participation for major policy formulation meetings and a December public conference.

In the summer and early fall, the Commission held several dozen meetings with various public bodies, community and citizen groups to identify local government problems and discuss conceptual solutions and policy alternatives. Commission members and staff also met with many of the legislators and legislative candidates in the Tri-County area. This was in addition to the weekly meetings the various standing committees of the Commission had with resource people from various public agencies and civic organizations.

News releases, radio and television talk shows and public affairs programs and the distribution of a general brochure explaining the project were all utilized in an effort to broadly disseminate information relating to the Commission's activities and to encourage citizen participation. The Commission also mailed an explanatory brochure and return form to approximately 400 organizations, associations and service clubs in an effort to solicit speaking engagements.

Feedback, which was usually rather general and conceptual in nature, was communicated to the Commission members and its standing committees so that citizen and community comments could be appropriately considered in a timely fashion.

Before adopting its final proposal, the Commission sponsored a two-day public workshop so that Commission members and interested citizens could discuss together the proposed recommendations and alternatives. Finally,

in December the Commission held a public afternoon conference to inform participants about the proposal, to discuss their attitudes and opinions of the bill and to formulate recommendations with respect to long-range solutions and the creation of a Tri-County citizens league. Over 225 individuals participated, and media coverage was good.

In the process of seeking legislative support for the proposal from the Legislative Interim Committee on Intergovernmental Affairs, it became evident that broad-based community support would have to be demonstrated if legislative enactment of the measure was to become a reality. An ad hoc strategy committee was formed to help develop community and legislative support for the proposal. Since its adoption, the Commission has sent speakers to over 50 different meetings to explain the measure and to solicit community support. Personal contacts were made with individuals, public officials, legislators, organizations and newspapers to seek their support. And, media coverage of the measure has also been fostered with the hope that Tri-County residents might take an interest in it.

#### B. Political Leadership

Reaction to the recommendation within the political community has, not unexpectedly, been mixed.

Within the legislative arena, both the Speaker of the House and the President of the Senate are supportive of the basic concepts embodied in the bill. ~~At this time, not much effort has been~~ <sup>Early</sup> <sup>was</sup> devoted to contacting

~~the metropolitan legislators, but~~ <sup>and</sup> a clear majority of the ~~metropolitan~~ <sup>legislators</sup> appear <sup>to</sup> favor the general elements of the bill. <sup>With</sup> <sup>later efforts</sup> <sup>made</sup> <sup>to gain</sup> <sup>support</sup> <sup>of non</sup> <sup>metropolitan</sup> <sup>legislators</sup>

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It then moved to the Senate where it was assigned to the Senate Committee on Local Government and Elections chaired by Senator Alain Whipple. Frank Roberts, a member of the Turbidity Commission was also a member of the Committee.

At the initial hearing Senator Victor Atiyeh gave a lengthy dissertation against the bill, stating its provisions were better than the prevailing structures at the region but that we should return to the more simple County/City structure. Representatives'

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Regsdale followed with a supporting statement saying the legislature had created the backbone of regional bodies now operating in the area and that in many respects the legislature was serving as the City Council for the region and that HB2070 was a good start towards providing a more workable and democratic means for

the people of the urban area to govern themselves. Other work sessions and hearings followed with Senator Whipple anxious to make certain the boundaries were accurately described and the drafting technically defensible. Because the ~~committee~~ of several ~~of~~

~~the~~ amendment to the bill the Senate Committee deleted the automatic referral

to the voters. This created a furor at the Portland City Council and the mayor's office organized various local officials to persuade senators not to support the bill.

After a number of ~~several~~ conversations between the local officials, legislators, and Commission members the bill was referred to Committee and ~~the~~ <sup>an</sup> automatic referral to the voters at the May 1978 primary election was inserted.

On June 30 the amended bill passed the Senate 24 to 9 and the House concurred on July 1 48 to 5.



respect to the House Committee on Intergovernmental Affairs (the Committee to which the bill was assigned) there <sup>was</sup> ~~is~~ definite interest in the proposal, and ~~it looks likely that~~ <sup>there</sup> ~~are~~ enough votes to support a

committee "do pass" recommendation to the floor of an amended version of the measure. <sup>Chairman Glen Otis and Representative Mike Rogstad were key leaders in this process</sup> In general, the urban legislators appear more supportive

than do the rural Tri-County area legislators who have traditionally not supported regionalism because of the urban dominance in regional governance and a strong belief that the rural areas simply do not need regional services. The reaction of suburban Tri-County area legislators has been mixed, though those that seem more aware of the current problems of

regional governance appear more interested in the proposal. <sup>On 11/20/70 did pass the House by a vote of 45 to 13.</sup> Political reaction amongst local government officials seems to follow the

same general pattern. A majority of the Multnomah County Board of Commissioners support the proposal as do <sup>some</sup> ~~several~~ of the Portland City Council members. However, in the more rural counties of Clackamas and Washington, county commissioners and city councilors are more divided. Those in opposition have been more vocal, <sup>and</sup> ~~though it does not appear that~~ there

<sup>has been some</sup> ~~is an~~ organized lobbying effort against the bill, <sup>although somewhat sporadic and</sup> ~~At this point, only~~ ranging in opinion from outright rejection of the measure to rejection unless one local government has taken a formal position on the bill and that a <sup>an automatic referral to the voters is included.</sup> ~~suburb which narrowly voted to oppose the proposal.~~

The attitude of regional government officials is also mixed. None of the regional governing boards have taken a formal position. The current chairperson and a former chairperson (both are municipal officials from suburbs in Clackamas County) of the Columbia Region Association of Governments (CRAG) support the proposal, though the outgoing executive

director of CRAG is adamantly opposed. Board members of both CRAG and MSD (appointed local government officials) are split, though it's probably safe to say that a majority is uncomfortable with the proposal. (MSD board members would prefer a mixed governing body.) This would be true likewise with the Tri-Met, ~~and Port of Portland boards.~~

Of the political party central committees, only the Democratic county committees have taken formal positions on the measure. Both Washington and Multnomah counties endorsed the proposal and Clackamas voted to oppose it.

#### C. Civic Interest

With the introduction of the proposal to the Legislative Assembly, media coverage has increased as has community interest. However, a number of organizations that often take positions on this type of issue have not had enough time yet to deliberate or have delayed taking action as many are either skeptical of its chances to secure legislative enactment or are waiting to see what form the proposal will take after the House Committee works on it. These groups are primarily the real estate interests, industrial and business trade associations, labor unions and environmental organizations. With the exception of the real estate interests (who oppose land use decision powers at the regional level as well as at the other levels of government), none of these groups have raised any major objections to the measure. They simply are not that enthusiastic about the proposal or the need for change and so have not included it as a priority in their legislative programs.

The one exception is the Portland Chamber of Commerce which was the first organization to come out in support of the proposal.

Informational presentations were made to the several public affairs organizations in the Tri-County area; however, they too are not in a position to consider action on the issue as they are more like "public forums".

The League of Women Voters devoted considerable time to studying the issue; however, no consensus was reached by its Metro Committee. The American Association of University Women endorsed the bill, and the Metro Women's Club looks like it will do likewise.

Only a small number of neighborhood organizations have taken a position on the bill: Those in the urban area have supported it, and those in the rural area have opposed it. With respect to individuals and prominent citizens, the same general geographic pattern seems to apply.

#### D. Media Role

Generally, the media has been very cooperative all along through its coverage of the Commission's activities and its proposal, public service announcements, meeting notices and public affairs programs. Good relations were established with both print and broadcast media representatives and, in spite of the competition with the 1976 elections, exposure has been satisfactory in all parts of the Tri-County area -- though somewhat more limited with television since the subject is complex enough to make coverage difficult for that media. Overall, the coverage has been fair and positive with the exception of one rural weekly and one suburban weekly where their editorial opinion influenced and distorted their news coverage (though in both cases, they printed rather lengthy letters to the editors stating the Commission's views).

In addition, a number of newspapers have editorialized on the measure.

Those supporting the bill include: the two largest daily newspapers in the Tri-County area (The Oregonian and Oregon Journal); the largest Tri-County weekly (Community Press); the up-and-coming weekly for the progressive reader (Willamette Week); the only other general daily in the Tri-County area (Oregon City Enterprise-Courier); several suburban and rural weeklies (Gresham Outlook, Sandy Post and Beaverton Valley Times). Two weekly newspapers have opposed the bill, primarily because of editorial opposition to regionalism of any kind (Hillsboro Argus and Lake Oswego Review). The bill has also been endorsed by the second largest daily in the state (Eugene Register Guard), the only newspaper outside of the Tri-County area to editorialize on the bill.

# VII. Probable Outcome of Study

~~At this point in the program of the Commission, it appears that~~ HB 2070, <sup>did</sup> ~~in~~ <sup>will</sup> ~~some modified form,~~ <sup>of the 1978. Coua are</sup> ~~will~~ pass the legislature and be referred to the voters at the May, 1978 Primary Election. Several parts of the proposal ~~have come~~ <sup>same</sup> in for major discussion and ~~possible~~ <sup>cutting the boundaries</sup> change. These include whether to include ~~the entire three-county area within the boundary of MSD,~~ <sup>to boundaries quite similar to the</sup> ~~the veto and appoint-~~ <sup>eliminating the modifying</sup> ing powers of the executive, ~~and~~ <sup>and eliminating possible inclusion of the Port of Portland.</sup> the method of drawing the boundaries for the electoral districts. ~~The resolution of these issues will come as the legis-~~ <sup>and other</sup> ~~lative process continues.~~

Because of legislative commitment to referral, the Commission ~~will~~ <sup>recommended</sup> that all parts of HB 2070 which might be considered housekeeping sections to improve operation of the present MSD be taken from HB 2070 and included in HB 2683 which <sup>was</sup> ~~has been~~ introduced by MSD itself. <sup>and has been approved by both Houses and signed by the Governor</sup> The referral should be reduced to the basics of the proposed reform. ~~It is probable that~~ <sup>talked about</sup> Members of the MSD board and the City of Portland ~~will attempt to~~ <sup>amend</sup> that section providing for a directly elected board so that it ~~will~~ <sup>call</sup> for a mixed board, some directly elected and some chosen in the manner used for selecting the present board. Mayor Goldschmidt ~~has~~ <sup>openly</sup> favored this approach, at least on a transitional basis. <sup>However, no provision was actually drafted to achieve this</sup> ~~There may also be some effort to reduce the number of services suggested for~~ <sup>The City of Portland made an</sup> authorization. For many years, the City of Portland has resisted the creation of some area-wide authority with powers to develop water supply. The language in HB 2070 ~~purports to~~ <sup>attempts</sup> protect existing suppliers, unless they wish to contract for service by MSD. It would, however, authorize MSD to develop water supplies and major transmission facilities for areas not having those

services. In effect, MSD could become a competitor with Portland or other suppliers in supplying water to users not part of their jurisdictions.

There <sup>was 8/50</sup> ~~may also be~~ resistance to authorizing MSD to plan and coordinate human services and to provide regional, cultural, sports, and entertainment facilities <sup>with the spectacular season of the Portland Trail Blazers Basketball team then in talk now of a three County or at least two County domed stadium. There is</sup>

The recommendations of the City-County-Special Districts, the Community and Neighborhood Organization, and Long Range Options committees are directed to the local units of government, neighborhood groups, future legislatures and those civic groups that may be interested. It is unlikely that any action will be taken on the Long Range Committee's recommendations for several sessions and possibly not at all unless some active citizens' organization

brings the recommendations alive at an appropriate time for change. <sup>This may be enhanced, however, by the introduction of an urban County bill by several legislators. As that proposal is studied the option suggested by the Long Range Options Committee may get careful consideration.</sup>

A special ad hoc committee <sup>has</sup> is investigating the desirability of a Commission recommendation for the formation of a Tri-County Citizens' Organization to be funded by membership fees and possibly corporate contributions. The presence of such an organization will almost become a necessity if HB 2070 is to have any chance of passage ~~in May 1978~~ if referred by the legislature. The Committee ~~will be~~ <sup>is</sup> discussing possible use of the existing City Club of Portland

if that club wishes to undergo a metamorphoses or whether to attempt to create some new body. <sup>In either event the Commission determined at its May 11 meeting not to formally disband but to remain as a possible nucleus for this new organization.</sup>

It is believed that the City Club is not action-oriented enough and would not be well received by those in the outlying areas unless it were willing to substantially change its character. ~~and not~~ It might be easier to create

a new body if some form of recruitment and funding can be formulated. Funding to a degree sufficient to provide minimal quarters and staff will be a major obstacle. Unlike the Twin Cities' area, corporations in the Portland

area have not been noted for their interest or financial support of a broad-based citizens' organization designed not only to monitor local and regional governments but also to engage in research and initiating proposals on its own.

A major problem in implementing the proposals of the Commission is a lack of widespread recognition of any crisis calling for reorganization. While existing regional bodies have been 'cussed and discussed' and charged as being invisible, unresponsive, unaccountable, and fiefdoms in their own right, there is no collapse of systems evident at this time, and no officials have been caught with their hands in the till. Thus the proponents of change are left with the more time worn phrases of providing better coordinated services, greater accountability, more equity, and greater effectiveness. These phrases do not carry elections when the opponents use such tactics as charging the proposal creates another level of government, taxes will rise, local control will be lost, etc.

The majority of the population, who don't understand that much about the system they live under now and who may complain bitterly about it, would still prefer to live with a 'known' than to move into an "unknown". Those organized groups including unions, contractors, etc. which have worked out accommodations with the present structure are fearful of working out new arrangements with new structures.

If the legislature refers HB 2070 in some simplified form explainable to the general public, its passage will still require a well organized and funded educational campaign. The group that will perform those heroics is not on the scene at present. Its task will be aided greatly if some crises becomes

apparent and HB 2070 appears to be at least a partial solution to the crisis.

This could happen in water supply, solid waste disposal, energy or any number

of areas, but only time will tell whether it happens in reality. *The Campaigns for the measure will have to give the campaign to emotional issues such as democracy, electing vs appointing, getting rid of some unit, etc. to counterbalance the easy negative issues that always surface in this type campaign.*

VIII.

#### Problems and Lessons Learned

##### A. The Time Element

Eighteen months is far too brief a time to undertake the task given to the Tri-County Local Government Commission. Although the Portland area is not a large metropolitan area as they run in the United States, it is the largest one in Oregon with about 40 percent of the state's population and has about 232 units of local government. The SMSA covers three counties on the Oregon side of the Columbia River as well as Clark County on the Washington side, but the Commission dealt only with the three Oregon counties.

Moreover, in terms of the organization and operation of the Commission itself, the first six months of the eighteen months of the Commission's life were necessarily used as a period for the Commission to educate itself about the greater Portland area, its governmental problems and needs and the operation of local governments and state agencies within the area. Thus, the Commission had less than a year in which to consider the alternatives to various problems and to come up with the proposed solutions to those problems. The time factor was further complicated by the fact that the Commission felt it essential to dovetail its activities on the regional side of things with the work of the Interim Committee on Intergovernmental Affairs. In order for a bill to be introduced into the 1977 legislative session as an Interim Committee bill, it was essential



that the Commission have any work calling for legislation largely done by October or November of 1976.

In summary then, it can be said not only is 18 months far too limited a time to consider the issues before the Commission, but the timing problem was further complicated by the need for the Commission to familiarize itself to bring its members up-to-date on the problems and needs of the areas and by the requirement to get something into the hands of the Interim Committee by late fall of 1976.

#### B. Money and Staff

The grant to the Commission provided for a budget of \$150,000; \$100,000 from the grant and \$50,000 from local match. The local match was to come half from the public sector and half from the private sector. Approximately <sup>5-6%</sup> ~~\$10,000~~ of the match portion due from the business and non-governmental sector has not yet been contributed, and valuable Commission and staff time has been required to pursue <sup>raising this money</sup> ~~this objective~~ that might have been spent on the major objectives of the study itself.

Although \$150,000 may seem like a lot of money, it is not a great amount to hire a professional staff of the caliber needed and to carry the Commission through its 18-month tenure. The Commission has a good but small number of professional people, but it has not had enough money to provide for a desirable and earned small salary increment to the "permanent" portion of the staff. Moreover, the lack of knowledge of the final <sup>match made</sup> ~~\$10,000~~ is making everyone extremely nervous. It can also be said that a basic problem of such groups as the Tri-County Local Government Commission and a problem clearly facing this Commission, is the danger of los-

ing staff before the Commission's life ends. After all, such people are concerned about their next position and they are obviously not wanting an unplanned period of time in which they are unemployed. We were aware of this problem earlier and had some discussion about trying to keep the Commission alive for a month or two beyond its termination date and to have the resources to do this. This, of course, would require additional financial resources. Unfortunately, as suggested, we have not yet completed the basic \$150,000 budget.

The problem of the Tri-County Commission in this regard has been complicated by the fact that the termination month -- May, 1977 -- will arrive probably before the legislative session adjourns. It is clearly vital for the work of this body that it not go out of existence before the legislature adjourns. Clearly, we have not resolved this impasse.

### C. Representation

Another significant issue facing bodies such as the Tri-County Local Government Commission is that of Commission size and representation.

Obviously, no small group of citizens can be very representative of an area of nearly one million people. There is no question the larger the commission the better the opportunity for representation of more groups and interests within the community. However, the larger the commission the more serious become the problems of operating the commission, keeping the members together and finally arriving at commission recommendations which clearly are the views of a very substantial commission majority.

A number of people consider the Tri-County Local Government Commission

too large. While that has been a problem, the group has held together and come up with proposals that represent solid Commission consensus.

Even with its size and recognizing that it has members from a large and varied number of interest groups, the Commission has been criticized because it does not have representatives from other groups. This is probably an inevitable criticism and one that reflects a belief that the work of the Commission is important. There is no one on the Commission representing farm interests and there may have been inadequate representation from some civic groups such as the League of Women Voters.

#### D. Public and Interest Group Involvement

One of the most frustrating aspects of the work of the Tri-County Commission has been the criticism from some public groups that they have not been involved with the work of the Commission, that they have not been given the opportunity to make their views known to the Commission. This is a problem faced by any such body and no known magic formulas on solving it have been found. The meetings of the Commission and of the Commission's committees have all been open to the public and well advertised. Nevertheless, in an area of nearly one million people, most people remain unaware of such meetings, perhaps most people are not interested in them and the Commission invariably receives flak when it receives publicity on its proposals and people complain that they did not have an opportunity to be involved.

There <sup>was</sup> ~~is~~ substantial sentiment of the Oregon House of Representatives Committee on Intergovernmental Affairs to refer the Commission's proposal (HB 2070) to the voters if the bill passes the legislature. <sup>Because</sup> ~~If~~ the proposal is put on the ballot, clearly it will have no chance of passage,

unless there is a substantial educational program. This will require some sort of major financial and organizational undertaking -- a task beyond the responsibility and possibility of the <sup>existing</sup> Tri-County Commission.

#### E. Legislative Leadership

In an effort to provide for direct legislator input into the work of the Commission, two senators and three representatives were made members of the Commission. Four of these people were on the Interim Committee on Intergovernmental Affairs -- an arrangement that provided for substantial contact with that committee and understanding by it of the Commission's activities and proposal which culminated in HB 2070. Unfortunately, that legislative membership has been basically of little use to the Commission since the legislative session convened.

A number of things have happened over which the Commission had no control and about which it clearly could have had no knowledge at the time the Commission was formed. Of the two Senate members on the Commission, one was defeated in the primary last May and the other was the loser in a

bitter battle for control of the State Senate and is essentially, at this stage, on the outside of the current Senate leadership. <sup>but still an influential member</sup> ~~None~~ <sup>One</sup> of the three House members <sup>was put</sup> ~~are~~ on the House Committee on Intergovernmental Affairs <sup>as a replacement of another rep-</sup> ~~so that there is no direct legislative ties between the Commission,~~

the Interim Committee on Intergovernmental Affairs and the House Committee on Intergovernmental Affairs. <sup>although after the public hearing had concluded</sup>

<sup>it was thought a plus that</sup> ~~On the plus side,~~ one of the Commission members is the House Majority Floor Leader. ~~It is unknown at this point,~~ <sup>he did not assume much</sup> however, ~~how much leadership~~ <sup>and, in fact, voted against it</sup> ~~he will assume on this measure,~~ Another plus was early contact with and

conceptual support of the proposal from both the Speaker of the House and the President of the Senate. Again, its difficult to determine how high on their respective priority lists HB 2070 is at this juncture.

With the Commission going out of existence the last of May, 1977, even the short term recommendations of the City-County-Special District and Community and Neighborhood Organization Committees will have no organized group carrying them forward. They will likely gather dust as is true of so many reports unless other groups interested in pursuing common goals use them as supportive data. This will be even more true of the Long Range Options Committee recommendation that calls for future legislative and voter action amending the State Constitution and providing for a charter committee that could propose a true two-tier government for this area. Perhaps that report and the other work of the Commission can serve as starting points for some future commission or citizens groups that becomes interested in the complex issue of local government reorganization.