



## Multnomah County Charter Review Committee

### MINUTES

February 17, 2016  
Multnomah Building  
501 SE Hawthorne Blvd., Room 315  
Portland, OR 97214

Meeting: Charter Review Committee was called to order at 5:30 p.m.

Members present: Kirsten Leonard, Carol Chesarek, Liz Trojan, Justin Freeman, Keith Mosman, Mark Sturbois, David Robertson, Samantha Alloy, Juan Carlos Ordonez, John Vandermosten, Victoria Purvine, Michael Cummings, Jeanna Hall, Moses Ross

Members absent: Paul Koch

Staff Present: Marco Circosta, Jacquie Weber, Cate Schneider,

Approved minutes: December 16, 2015 minutes approved

**Welcome and Approval of previous meeting minutes:** The committee meeting began with introductions and the approval of December 16, 2015 minutes.

**Commissioner Shprack comments:** Thank you for serving on the Charter Review Committee and commitment to make Multnomah County a better place. Thank you for focusing on the two issues discussed in the letter sent late last year. Both of these issues are critical in the operations of the county as well as providing services to the public. A Board appointed county manager would address some of the long standing issues witnessed during seven years on the Multnomah County Board of Commissioners. There is a need for a stable and professional managerial presence that lasts over time. Term limits, commissioners seeking other elected offices, and resignations have all hampered stability on the Board. A Board appointed manager

with professional expertise would help with consistent management of an organization with a 1.7 billion dollar budget that is at stake. A long lasting entity is needed since Board turnover occurs every 8 years. Institutional history and specific administrative training would be an asset to Multnomah County.

The Commissioner has a long dedication and service in the area of public safety. Jail administration is an important issue and it is important to recognize the great work that correction deputies do on a daily basis. The main concern posed by Commissioner Shiprack is with the inherent structural tension that has existed between the office of the Sheriff and the Board of County Commissioners. While the board approves the budget of the sheriff, there is no direct administrative oversight of that office. There has not been a race closer than 25 points in the past 20 years. 2007 Corrections Grand Jury reported a need for independent jail manager who is not solely the product of a career within the Sheriff's Office who can evaluate the needs and goals of the County jails at an arm's length perspective and objectivity. Complex issues such as overtime and the unique needs of a 24/7 staffed institution inside the jail would all be handled by an appointed jail administrator. That position would also address those suffering from mental illness in the jails. The sheriff is able to operate in structural isolation.

Carol Chesarek addresses appointed sheriff turnover in previous years. Commissioner Shiprack responds that there is no guarantee but you get a knowledge base and a list of criteria that is not based off of the ability to gain political office. We have appointees that fill department director positions that can handle the specific details of Multnomah County business.

David Robertson addressing appointed County manager position stating that in 1990 the idea of a county manager came before voters through the Charter Review Committee and was not approved by voters. He asks, what were the pros and cons at that time and what are the pros and cons today? Commissioner Shiprack's response is that there is some awkwardness with all the administrative and legislative authority blended into the County Chair office. There is a lack of institutional history and more succession than there is succession planning. Constant change in leadership affects the moral of departments and employees.

Michael Cummings addresses stability of managers, asking if a county manager might have as much turnover as an elected official. Commissioner Shiprack responds by stating that structurally there would be more stability. You really need to have someone whose job is not a

political job and has training and experience in the county. This manager would be a non-political advisor who has access into the county.

Victoria Purvine addresses the 2007 Corrections Grand Jury report, suggesting improvements have been made since the 2007 Corrections Grand Jury. More recent Grand Jury reports are positive. Commissioner Shiprack responds with the need for someone who works with the the Board on issues like overtime and the budget. The Sheriff's Office is \$134 million of \$500 million general fund dollars that is not accountable to the Board. There is a lack of a true structural partnership between the Sheriff's Office and the Board. Mental illness in our jails is an issue that must be addressed as a partnership, not as a standalone position. Racial and ethnic disparities impact the jails and cannot be dealt with in isolation since it is part of a system.

**Commissioner McKeel comments:** Thank you for taking the time to serve on Charter Review. Commissioners are accessible at anytime as a resource. She is in agreement with Commissioner Shiprack in regards to a county manager position. A level of expertise and stability would be brought to the County with a county manager. In seven years on the board, five different Chairs have taken office. The great employees at Multnomah County carry the history and knowledge of Multnomah County. Term limits mean there are required turnovers effecting County productivity. In the coming year three new commissioners will be on the board. This means that there will be a lot of learning that will happen for a large portion of the Board. Having to resign when having to run for another office is another way that stability is hampered on the Board. There is a Domino effect of term limits and resignations that produce instability. To the Commissioner resignation doesn't make sense because they are the only elected body that is required to do that. Gresham City Councilor and a State Representative are currently running for an outside office will continue to serve in their position.

Victoria Purvine addresses topic of an elected versus an appointed sheriff. Commissioner McKeel states that she is in favor of elected sheriff. An appointed sheriff might be a staff of the Chair who can have a lot of turnover. An elected sheriff is also accountable to the citizens.

Carol Chesarek addresses turnover in the COO position. Commissioner McKeel states that the COO is an employee of the Chair and can be changed when the Chair changes.

David Robertson addresses reporting to Chair versus reporting to Board. Commissioner McKeel responds by saying a county manager that reports to the Board is a potentially more stable position because they would no longer turnover with the Chair.

Carol Chesarek addresses term limits to both Commissioner Shiprack and Commissioner McKeel. Commissioner McKeel says that voters should be the term limits but looking at an extension of term limits would be an improvement. Commissioner Shiprack adds that four years of someone who is incompetent and not engaged is too long while eight years of someone who is knowledgeable and very engaged is too short. Commissioner Shiprack continues saying it really is for voters to decide. Fundamentally the system has a built in term limit via highly contested elections.

Kirsten Leonard address term limits being unsuccessfully brought to the voters in past committees. Commissioner McKeel suggests that the arguments to abolish term limits were not persuasive enough. Commissioner Shiprack details how functional difficulties of previous board members and negative media attention effected the proposal. She suggests that the individuals look at accomplishments of the Board in the past 7 years and question if an automatic dismissal of productive board members is in the best interest of the county?

Michael Cummings asks what issues faced by the county are negatively affected by term limits. Commissioner Shiprack answers that structurally, power shifts from commissioners to department directors. Large transitions of leadership from commissioners due to term limits take instructional power away from the board.

Moses Ross addresses the idea of an extension of term limits to three terms. Commissioner Shiprack suggests that term limits take power away from voters. Commissioner McKeel adds that we should get rid of term limits but given the committee's thoughts a compromise is preferred to not addressing term limits. Multnomah County is a business and you would not find similar required turnover in other businesses.

Victoria Purvine asks if there is a prevailing feeling from commissioners facing term limits that their input is valued less. Commissioner McKeel does not feel treated differently. Commissioner Shiprack discusses how an end of a term requires commissioners to work quickly to get their

work done. There is a sense of urgency during last term. A lot of respect is held for other board members.

**Receive public testimony or submitted written testimony:** No submitted written testimony or public testimony was given.

**Yellow Subcommittee status report:** Carol Chesark speaks as a representative of the yellow subcommittee. Carol begins with the topic of district boundaries. After collecting and reviewing information from Auditor March around the process of setting up district boundaries, the yellow subcommittee has determined that the process is well established and does not need any changes in the County Charter. The next topic is regarding commissioners stepping down from office in order to run for another office. The yellow subcommittee will continue working on this issue. One argument for the current rule is that running a campaign for another office takes away focus from their jurisdiction and onto other jurisdictions. A county elected official should focus on county issues. The next issue addressed was term limits. There is value in having experience on the board. Abolishing term limits has come to the voters three times in the past and has failed all three times. The yellow subcommittee is considering an alternative solution where there is an extension to three term limit. An argument in favor of term limits includes how other counties in this region without term limits establish commissioners for life who are not voted out of office. There may be some value in having term limits. Currently the yellow subcommittee is heading towards the idea of an extension rather than an elimination of term limits.

Justin Freeman asks why an extension to three terms. Carol responds saying that three terms is the term limit for metro councilors and may be a more comfortable change for voters.

Kirsten Leonard comments that some of the benefits of term limits include bringing in people with new ideas, new background, experience and education.

**Green Subcommittee status report:** David Robertson speaks representing the green subcommittee on the issue of the county manager issue. He begins talking about how the position would separate the political and policy work from the administrative structural portion of the work. There would be a change in the role of the Chair. It may empower the board to do what they do best, providing vision, leadership and a connection to the community. The position

could create tighter structure with less politicalization of the day to day functions of the County. David provides background documents explaining these topics in more detail. The green subcommittee created an interview guide to elected officials, directors and others. The next part of the research process is to reach out to academics to hear the pros and cons and hear from more voices. David will continue looking into how the topic was perceived by the public. The green subcommittee wants to hear more and report back to the full committee.

Victoria Purvine speaks representing the green subcommittee on the issue of the appointed vs. elected sheriff. Through the State of Washington, Oregon and California the sheriff position is elected. Corrections Grand Jury reports from 2013, 2014, 2015 all state that the jails are well run. She provides documents elaborating on how mental health is handled in the jails. According to reports there is consistent progress with how the jails are being run. The data has a list of 307 areas of compliance within the jails. The green subcommittee will gather more information on this subject. The committee is concerned with the lack of relationship between the sheriff and the Board.

Juan Carlos Ordonez mentions the similar nature of the appointed manager and the appointed sheriff. He suggests that it is important to have consistent messages.

Mark Sturbois adds that having a committee appoint a sheriff might not be less political than if the sheriff was elected by the public.

Carol Chesarek addresses the current low requirements needed to run for sheriff. She inquires whether there are statistics of recidivism. Victoria adds that the Sheriff manages other qualified employees to perform tasks.

John Vandermosten inquires whether the auditor has the ability to audit the Sheriff's office. Marissa Madrigal answers stating the auditor can perform an audit but there is no method to compel change. John continues to inquire about the relationship between an appointed manager and the Board of Commissioners. David Robertson responds saying the County Board would be the deciders and the manager would serve at the pleasure of the Board.

Moses Ross suggests that it may be more palpable to voters to have a succinct argument for a county manager rather than the longer argument presented previously.

Carol Chesarek asked for committee input regarding if the yellow subcommittee topic of term limits should be addressed differently when applied to the sheriff. Kirsten notes that issue for future reference.

**Gray Subcommittee status report:** Keith Mosman speaks representing the gray subcommittee. No technical revisions were found. The county surety bond is a broader term for insurance and no action is needed for the Charter Review Committee on this topic. The County auditor convenes a salary commission. The salary commission practice is well done and does not require Charter Review Committee action. The gray subcommittee is going to continue to look at the compensation for the auditor. It seems arbitrarily set as four-fifths of a sitting circuit court judge, which is set by the state. The origin of the Multnomah County auditor's salary was established by following Washington County's example.

**Purple Subcommittee status report:** Juan Carlos Ordonez speaks representing the purple subcommittee. Interests in the policy topics include early education, job creation and emergency preparedness. More research is being done on these topics and a report will be established. John Vandermosten speaks to how emergency preparedness must be addressed. The growing concern and public safety implications mean that it is something that should be a focus. He will continue to gather information on the subject. Committee discussion occurs around the issue of emergency preparedness and how it may be applied to the Charter. The topic of campaign finance reform is added to the list of topics to research by the purple subcommittee.

**Discussion:** Discussion occurs regarding subcommittee meetings, the level of communication and if they are open to the public. Jacquie Weber explains that subcommittee meetings are not public meetings but they can have invited guests. They are for purpose of study and discussion and no decisions are made.

**The meeting was adjourned at 7:30 p.m.**