

**WRITTEN STATEMENT
DAVID ROBERTSON, MEMBER
MULTNOMAH COUNTY CHARTER REVIEW COMMITTEE
JULY 18, 2016**

Dear Kirsten and Committee Members:

First, please accept my apology for being unable to attend today's important meeting. The Committee should be very proud of the five proposed measures receiving final review today. I look forward to participating by conference call on Wednesday when we will vote for approval and bring our ten months of collective work to a successful close.

Like other Committee members I was asked by staff to provide input on the proposed measures so that any remaining issues or corrections can be resolved prior to Wednesday's vote. Since I will not be present in person on Monday, my input which follows will serve as my final feedback and comment as I hope that Wednesday will be a final, unanimous vote in support of all five measures and a well-deserved victory lap by the Committee and staff.

I carefully reviewed the consolidated five measures document and the findings, conclusions and recommendations document and believe both accurately reflect the discussions and actions of the Committee and will I support their approval on Wednesday.

The agenda for Monday has the county manager measure wisely docketed first for review and feedback as this measure has triggered reservations by some Committee members, in part due to the strong objection by the County Chair. This is understandable. While it is important to consider the input of County elected officials and staff, the Committee was charged with taking a fresh, independent view on matters of County governance. Other measures approved by the Committee to date also yielded some opposition by elected officials and staff; however the Committee concluded that the measures were in the long-term best interest of the County and residents. I hope the Committee does not reverse its past support (in three separate votes, once by the Green Subcommittee and twice by the Committee) for the county manager measure.

The Committee record in support of the county manager measure is well documented and was made available to the Committee at each of its meetings and does not require re-statement here. Instead, I will highlight several core principles that should remain unchanged in the county manager measure and comment on a few issues that have prompted additional concern and possible options going forward.

Principles That Should Remain Unchanged

I urge that the Committee not revisit the following elements of the county manager measure that are core to its integrity and effectiveness.

- The County Charter should be amended to establish an independent, professional county manager. The current Charter vests all executive, administrative and personnel responsibilities in the County Chair. The proposed charter amendment should transfer these responsibilities to the county manager.
- This should be a transfer of responsibilities not a delegation. The current Charter vests the County Chair with these responsibilities but County ordinance delegates many of these responsibilities to the Chief Operating Officer. Several County directors identified conflicts in this arrangement.

- The county manager’s responsibilities should be defined by County ordinance or by the Charter itself. Responsibilities should align with the functions most commonly performed by appointed managers in other large urban and suburban counties, with some flexibility to respect any unique circumstances that may apply to Multnomah County. There is no point in establishing an appointed county manager if he/she is given a thin portfolio of responsibilities significantly out of step with professional county managers in other urban and suburban counties.
- The county manager should be appointed and removed by a majority vote of the Board, preferably a super-majority vote of 4-1 given the importance of the county manager position and the need for Board consensus on the appointment and removal of the manager.

Issues That Have Prompted Concern

When struggling to wrap up a project it’s sometimes useful to revisit how the project began. In the case of the Committee, it was told by the Deputy County Attorney at its first meeting that the Charter is similar to the U.S. Constitution in that it described the governance framework but left to ordinance, policies and administrative rules how the framework is filled in. Just as the County Board has adopted ordinances to delegate some of the Chair’s responsibilities, it may adopt ordinances to further define how responsibilities are executed by the manager.

- The discussion of who is in charge of the budget has prompted some concern. Section 6.10 of the Charter simply states that the Chair of the Board “shall prepare the county budget for submission to the board.” It doesn’t define how that is accomplished. In many large urban and suburban counties that function is performed by the county manager. Whether led by the County Chair or a county manager, the work is performed by county budget staff with input from department and office directors, citizen budget committees and Board budget hearings. Guidance and direction by the Board as a whole is not lessened or replaced.
- Another issue that has generated some discussion surrounds the possibility of an appointed sheriff and who is responsible for managing the sheriff. The simplest solution should both measures be approved by voters is to treat the appointed sheriff as a department director who would report to the county manager. If for whatever reason the Chair desires greater accountability for the appointed sheriff, the measure or possibly ordinance could be written for the Chair to retain direct responsibility for the appointed sheriff given the uniqueness of this position.
- Who manages the manager is an additional concern for some. The measure states that appointment and removal are the responsibility of the Board. Managers must be responsive to all members of a governing board and not just the chair; however, supervisory management by committee can be challenging. Greater clarity in the language of the measure (or subsequent ordinance if approved) may specify that the Chair is responsible for direct supervision of the county manager, with the Chair leading the Board’s recruitment and selection process for the manager and the Board’s performance evaluation of the manager.

Conclusion

One or more of my colleagues has said that the appointment of a county manager is not a minor change. That is correct. But it is not a radical change either. Establishment of an appointed county manager will provide independent, professional and non-political management for County staff and will implement the actions of the County Board. Adoption of a county manager measure will require additional review of ordinances and policies and procedures. The measure allows two years for this transition. This governance model is working successfully today in hundreds of counties, including many of the most populous urban and suburban counties. If approved by voters the County is capable of making the change. Let’s give County voters the chance to add Multnomah County to this list in 2016.