

April 23, 2022

Dear MCCRC Government Accountability Subcommittee,

I hope you will recommend a set of small charter changes to name the Chief Operating Officer (COO) position in our charter. These changes would make the COO position more secure and ensure COO appointments are approved by the County Board. I don't expect the changes to be controversial because they simply add important current practices to the charter.

I discussed this proposal with the current COO, Serena Cruz. A former Multnomah County COO and department director, Joanne Fuller, supports these changes. Joanne and I like the idea of incremental charter changes to minimize unintended consequences.

This proposal just adds the COO to the charter, giving the COO the same basis in the charter that department heads (aka directors) enjoy and adding board approval of COO appointments.

These changes do not guarantee the Chair will hire a COO, but the charter does not guarantee any department directors will be hired. The changes should create a greater expectation that a COO will be hired, though.

Multnomah County has a COO who manages county operations and who reports to the Chair. Our COO position is considered a hybrid county manager model. It is established through ordinances, Executive Rule, and the employee classification and compensation plans.

Establishment of the COO role through ordinance, instead of charter, means our COO position could be eliminated by a future Board. Most charters seem to create a COO or County Manager type position but their duties and responsibilities are defined by ordinance so they can be changed by a Board without waiting for a Charter Review and voter approval. This gives a Board important flexibility to respond to changing needs without waiting for charter review and voter approval. Examples from Washington County and Metro charters are attached.

Identifying our COO in our charter makes it more secure. Our charter makes appointment of department heads subject to consent of the Board, but appointment of the COO is not.

As a side note, Portland charter recommendations to create a "strong mayor" + administrator would give the city a system similar to the county's "strong chair" + COO.

Thank you for being cautious and carefully researching all charter changes you are considering.

Best wishes and thank you for your service,

Carol Chesarek

Proposed changes to the Multnomah County Charter

6.10. Chair Of The Board.

The chair of the board of county commissioners:

- (1) Shall be the chief executive officer and personnel officer of the county;
- (2) Shall preside over meetings of the board and have a vote on each matter before the board;
- (3) Shall have sole authority to appoint, order, direct and discharge administrative officers and employees of the county, except for the personal staff, employees or agents of elective county offices. Appointment of department heads [and Chief Operating Officer](#) shall be subject to consent of a majority of the board of commissioners;
- (4) Shall execute the policies of the board and the ordinances of the county;
- (5) Shall sign all contracts, bonds and other instruments requiring county consent;
- (6) Shall prepare the county budget for submission to the board; and
- (7) May delegate his or her administrative powers but shall retain full responsibility for the acts of his or her subordinates.

6.20. Administrative Departments And Functions.

(1) For purposes of county services and the administration of county affairs, the board of county commissioners shall establish administrative departments and a Chief Operating Officer.

(2) The board of county commissioners may establish, alter and abolish administrative departments as provided in this section.

(3) The board of county commissioners

(a) Shall prescribe the functions of each administrative department of the county and

(b) May change the functions of any of the departments from time to time.

(4) With the affirmative concurrence of four or more commissioners, the board of county commissioners may

(a) Establish additional administrative departments,

(b) Abolish any department,

(c) Combine two or more departments into one, and

(d) Separate departments so combined.

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7.10. Classified Service.

The classified service of the county shall consist of all positions in the government of the county except those of

(1) Elective officers,

(2) Their personal assistants and secretaries,

(3) Department heads and Chief Operating Officer,

(4) Employees excluded by county ordinance.

Metro and Washington County Charter Language for COO and County Administrator

Both the Metro and Washington County charters leave the definition of the COO or County Administrator's duties and responsibilities to be defined by ordinance. The duties and responsibilities are probably not defined in those charters to allow the Council / Board the flexibility to modify them as necessary between Charter reviews. As you know, Clackamas County is not a "home rule" county and does not have a charter.

The Washington County (Oregon) Charter¹ (page 5) says:

Section 34. COUNTY ADMINISTRATOR. The Board shall appoint a County Administrator who shall be responsible to the Board for the continuous administration of the affairs of County government. The County Administrator's duties and responsibilities shall be more specifically set forth in an ordinance adopted by the Board.

The Metro Charter² (page 11) says:

Section 25. Appointive Offices and Commissions.

(1) Chief Operating Officer. The Council shall provide by ordinance for the creation of the office of the Chief Operating Officer. The Chief Operating Officer's duties and responsibilities will be more specifically established by ordinance. The Council President appoints the Chief Operating Officer subject to confirmation by the Council. The Chief Operating Officer serves at the pleasure of the Council and is subject to removal by the Council President with the concurrence of the Council.

¹ [Washington County Charter 2020.doc](#)

² [Metro Charter 2015.pdf \(oregonmetro.gov\)](#)