

May 21, 2022

Dear MCCRC Government Accountability Subcommittee,

You provide a meeting agenda and time for public comment so that the community can engage in your process in a meaningful way. The community can't engage in the discussion during your meetings, so we rely on your agendas to know what the topics you'll be discussing, so we can provide appropriate comments.

This is particularly important when you move from preliminary discussion to making decisions, so that the community can provide input for consideration before decisions are reached. It is much harder to persuade a group to change a decision after it is made than to influence its making. Your group is on a limited timeline, making it difficult to revisit decisions you've made.

I want to provide timely comments that will be useful to you and won't waste your time. So I limit my comments to items on your agenda unless I'm asking you to consider something completely new, like the COO proposal I submitted in writing last month.

For your last meeting, there was a specific list of 3 topics from the OCI proposals provided on your subcommittee's web page in the "Charter Proposals Under Discussion" document.

I had been working on comments related to another topic -- having OCI take responsibility for appointing Charter Review committee members. I did not submit those written comments, or comment verbally on that topic, because it wasn't on your agenda.

So I was distraught to hear you not only discuss those changes, but to make a decision on a recommendation during your meeting. I missed an opportunity to provide timely comments because the topic wasn't on your agenda or list of proposals under discussion for that meeting.

I am sharing those comments today. I have four proposals related to Charter Review Committee member selection:

1. The current charter language requires that if two committee members come from a senate district, that they are not registered to the same political party. You have discussed changing the districts used to select members, but I haven't heard mention of this party requirement. I support eliminating it, but mostly want to urge you to make a conscious decision on this point.
2. That you add a diversity statement about committee member selection.
3. That you maintain the legislative districts (instead of county districts) as a basis for member selection to ensure wide geographic distribution across the county, but allow OCI to select committee members from each district. This would ensure representation

from rural areas and small cities.

4. That committee members can be replaced, but only before the first committee meeting.

My detailed comments on these topics are below.

Relative to the Auditor's proposals, I offer a few reminders.

- Some problems can't be fixed in the charter.
- No system is perfect.
- Attempting to fix a problem can do more harm than good.

My charter review committee met during a time when we had a problematic Sheriff. We heard testimony from his sister that I found racist. The Sheriff ran background checks on our committee members because we explored options that would affect his office. The county has had several Sheriffs who were problematic. We looked at several proposals for reform, but we weren't able to find one was legal, had community support, and would solve a problem. In the end we made no recommendations about the Sheriff's office, even though we recognized that there were problems.

I've heard the Chair and others suggesting minor changes to some of the Auditor's proposals, including those for the hotline and Ombuds, but haven't seen their proposed changes. I suggest that you ask for specific proposals for modified language so you can evaluate them.

I don't remember our committee hearing any requests from the Auditor. While Gary Blackmer and Mary Hull Caballero admitted there are some conflicts inherent in the current scheme for funding the Auditor's office, I did not get a sense that either was alarmed. They couldn't recommend an obvious alternative funding scheme, even though research was mentioned.

It is hard to see how the Auditor's budget could be made independent of the county board or provided with a floor without limiting the board's flexibility to modify that budget if confronted with a crisis. Even if there was an independent committee that recommended a budget for the Auditor's office, it seems ill advised to force the county board to adopt it – the board's job is to balance all needs across the county, and they are responsible to voters for their decisions (which a committee would not be).

I haven't heard evidence that there has been a problem with the Auditor's budget (such as retaliation for a negative audit), just that there is the possibility of one if we have a bad board. For many years the county's budget has been extremely limited and general fund departments had to absorb budget cuts. The last two years we've faced Covid-19, a homeless crisis, and massive wildfires. In those circumstances it isn't surprising that the Auditor's budget didn't grow significantly. The county budget is normalizing now, and large increases to audit staffing have been proposed not just this year but also next year.

The full board must approve the Auditor's budget, so if the Chair proposed under-funding the Auditor's office the board can change it. I think the public would notice and object, and hold it against board members if they proposed unreasonable cuts to the Auditor's budget, particularly if they were politically motivated or retaliatory. If there is concern that the next Chair would not support hiring more auditors in the next budget cycle, I suggest that you ask the two remaining candidates for that office if they support adding those positions.

At some point we have to trust our elected officials to make good decisions, we can't legislate them in the charter.

Detailed comments about Charter Committee Member selection

1. The current charter language says (from 12.40(2), "electors" means committee members):

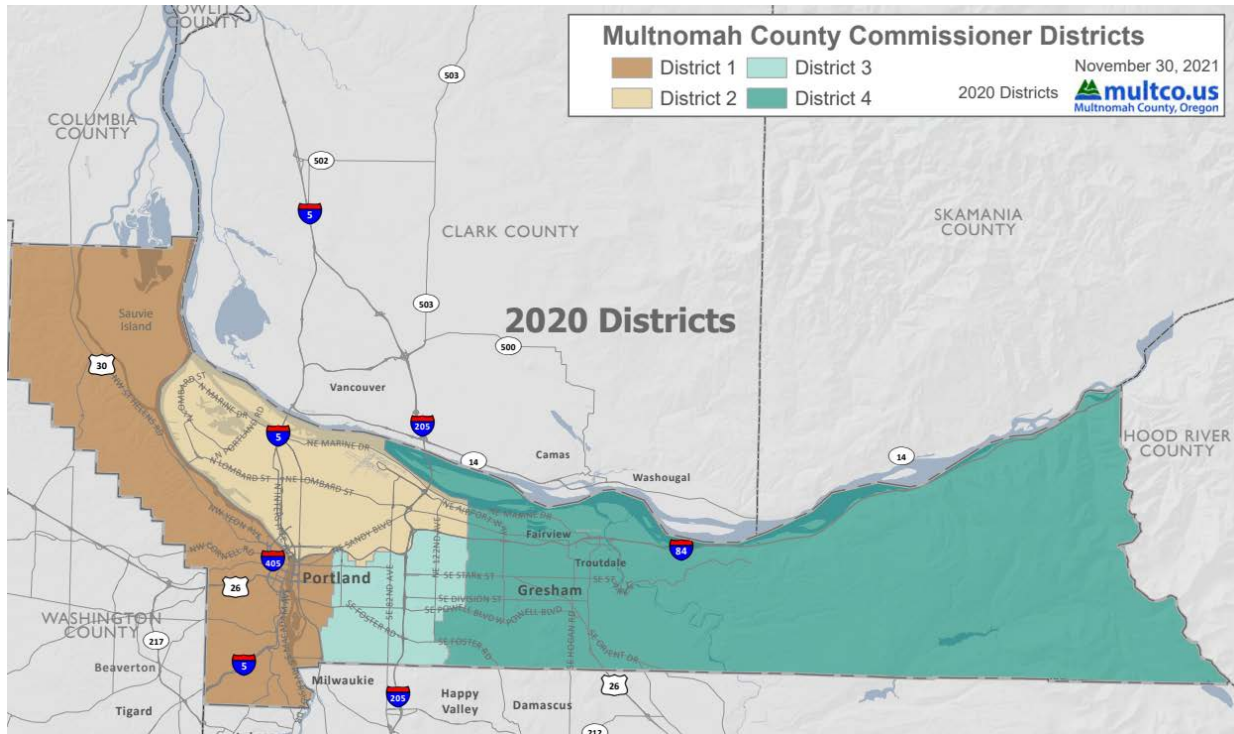
(d) If two electors are appointed from a senate district, they shall not be registered in the same political party.

The party requirement hasn't been mentioned during your discussions and is not in the OCI proposals. I support eliminating the party membership requirement, but would like you to make an active decision on this point.

2. Add a diversity statement for committee member selection. I pulled this from some existing county language and added the geographic distribution because I think this important aspect of committee diversity isn't getting much attention. If the county district maps are used for selecting committee members, every member could be a resident of the city of Portland. Smaller cities and rural areas in the county often provide different viewpoints but can easily be pushed aside by Portland's larger population base.

"The Committee should reflect the diversity of the population of the county, including representatives from a wide geographic distribution including rural areas and each city within the county."

This is the current Multnomah County District map:



3. Keep legislative District requirement to ensure geographic distribution across the county, but allow OCI to make appointments. If the county district maps are used for selecting committee members, every member could be a resident of the city of Portland. Smaller cities and rural areas in the county can provide different viewpoints but can easily be pushed aside by Portland’s larger population base.

One of your “shared values” is inclusive democracy: “Multnomah County’s government depends on active participation and representation of the communities people live in.”

Using the county district maps will not ensure representation of communities across the county in the way that the legislative maps would. It would greatly reduce geographic representation.

I am not persuaded that recruiting members representing legislative districts would be too difficult for OCI. These district maps cover large areas within our county. I suspect the district with only 1600 residents is the rural portion of northern Multnomah County. I know many people living in this area who are very actively involved in their community and who have served on county committees. In fact, I suspect that because that area, like a large part of my neighborhood (and my own home), is outside the city of Portland, we are much more aware of and dependent on county services and programs than city residents are. Through county committees that I’ve been involved with I’ve also met dedicated and involved community members from rural east county. To fail to include rural members in

the charter review committee would do a great disservice to these rural areas, and would deny the committee of valuable perspectives.

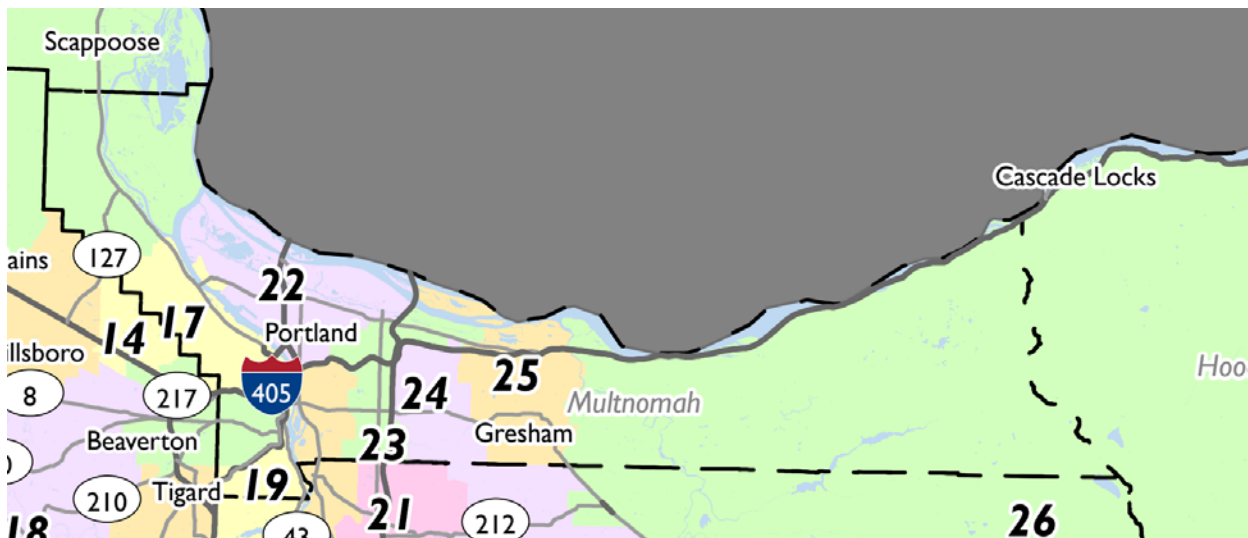
The current charter language says (from 12.40):

- (1) The committee shall have two electors appointed from each senatorial district having the majority of its voters within Multnomah County, and shall have one elector appointed from each senatorial district having less than a majority of its voters within Multnomah County.

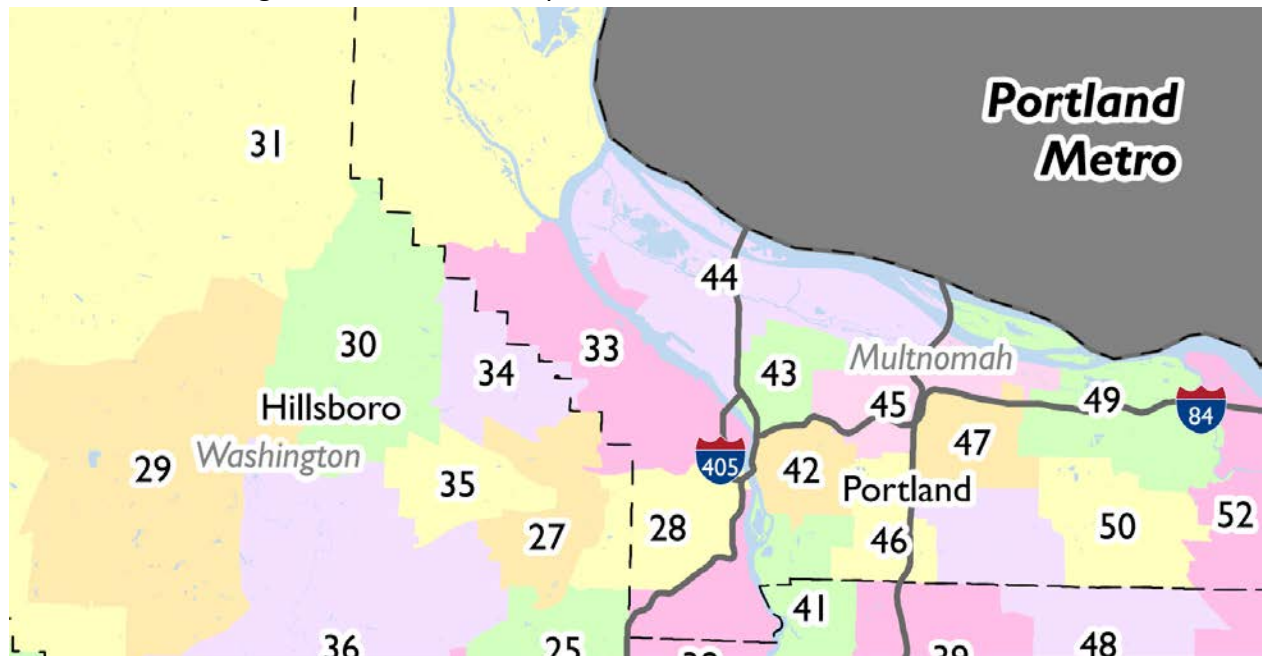
There are now 10 Senate Districts representing portions of Multnomah County and 15 House Districts. Here are two schemes that could be used:

- Maintain the current scheme with 2 representatives from each Senate District except Districts with fewer than 50% of their residents in Multnomah County, which would provide just 1 representative.
- One representative could be appointed per House District, of which there are 15.

This is the new Oregon Senate District Map:



This is the new Oregon House District Map



If you choose to recommend county districts instead of legislative districts as a basis for committee member selection, I hope you will ask OCI to track the demographics and geographic distribution of MCCRC committee members over time (not a charter change).

4. The CRC starts to bond as a team from their first meeting. Early meetings include equity training and development of committee values and bylaws, so I would not replace members after the first CRC meeting (before then would be fine). Otherwise, new members could object to bylaws, rules, and values that you developed as a team. I would allow vacancies to be filled only before the first CRC meeting.

Best wishes, thank you for your service, and thank you for considering these comments.

Carol Chesarek