

Memorandum

To: Multnomah County Charter Review Committee

From: Juan Carlos Ordóñez, committee member

Re: Proposed changes to Charter Section, 12.40. Appointment Of Committee Members

Date: April 18, 2016

This memorandum provides context for a proposal to amend Charter Section 12.40, which sets the process for selecting the members of the Multnomah County Charter Review Committee (MCCRC). The last page of this memorandum contains the proposed Charter amendment.

The proposed amendment seeks to (1) set a clear timeline for selecting the MCCRC, thereby helping the committee succeed in its work, and (2) open up the process for serving on the MCCRC, thereby making it more likely that the MCCRC will reflect the diversity of the County.

Benefits and drawbacks of the current system

Currently, the responsibility for selecting the members of the MCCRC falls on state Senators and Representatives from state senate districts that include a portion of the County — a mechanism that has benefits and drawbacks. One benefit is that it leaves the appointment to a group that has theoretical impartiality, having no direct stake in the outcome of the MCCRC's deliberations. This benefit, however, is also a drawback. For the Senators and Representatives, the selection of MCCRC members is a low priority. They were not elected to undertake this task, which takes place during the long Oregon legislative sessions in odd-numbered years.

During the selection of the current MCCRC, County staff put a great deal of effort in helping fill the slots. They visited Senators and Representatives to urge them to carry out the task of appointing the members. Some Senators and Representatives reportedly said right away that they had someone in mind to serve. Others showed little interest in undertaking a search and asked County staff to offer names. County staff spend a good deal of time conducting outreach in order to fill the slots.

While the efforts of County staff in filling the slots of the current MCCRC ought to be commended, this situation is not ideal. For one, it takes County staff away from their other responsibilities. Second, having County staff involved in the process of selecting the members of the MCCRC seems to negate the theoretical benefit of the current process — that the selection of the members is carried out by a group that has no dog in the fight.

The current system of selecting MCCRC members promotes some diversity, but a very limited form of diversity. The current system is designed to yield geographical diversity and diversity of

political affiliation (see Sections 12.40 (1) and (3)). Yet the current system also favors those who are more connected politically — those whose names are likely to be known by state Senators and Representatives.

It must be noted that the current MCCRC has very little racial and ethnic diversity, far from the diversity that can be found in the County's population.

Reform proposal

The reform proposal preserves the core of the current system and improves the process. The proposed amendment achieves the following:

- 1) It preserves the appointment by State Senators and Representatives, but under a strict timeline.
- 2) To open up the process, State Senators and Representatives must make their selection from a pool of applicants. It is the duty of the Office of Citizen Involvement (see below) to inform County residents of the opportunity to serve and to collect applications. The requirement that two members of the MCCRC appointed from the same Senate district cannot be registered in the same political party remains in place, so long as the selection is made by the State Senators and Representatives.
- 3) If the State Senators and Representatives fail to make appointments by the specified date, the responsibility of appointing the members of the MCCRC transfers to the Office of Citizen Involvement — an office created by the Multnomah County Charter for the purpose of developing and maintaining citizen involvement programs (see Section 3.75). Service on the MCCRC is a clear form of citizen involvement, making the participation of the Office of Citizen Involvement a natural fit. In filling any vacancies remaining on the MCCRC, the Office of Citizen Involvement “shall strive to have the charter review committee reflect the County's diversity.”
- 4) Finally, it sets a date by which the MCCRC is to hold its first meeting.

Proposed charter amendment

12.40. Appointment Of Committee Members.

The charter review committee shall be composed as follows:

(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. The committee shall choose their chairperson from among themselves and shall have authority to establish their own procedures and organization.

(2) The appointment of electors shall proceed as follows:

(a) On August 1, 2020, and every six years thereafter, the Office of Citizen Involvement shall begin accepting applications for electors. The Office of Citizen Involvement shall take reasonable steps to inform the residents of Multnomah County of the purpose of the charter review committee and the opportunity to serve on the committee. Only residents of Multnomah County are eligible to serve on the charter review committee.

(b) On November 1, 2020, and every six years thereafter, the Office of Citizen involvement shall deliver the applications to the state senator who represents the applicant.

~~(2)~~ **(c) The state senator and the two state representatives who represent residents in each state senate district located in Multnomah County shall have until February 1, 2021, and every six years thereafter, to** appoint the electors for the district. Appointees shall reside in the district and Multnomah County. If the three appointers from any senate district cannot agree upon an appointment, any two of the three appointers may make the appointment.

~~(3)~~ **(d) If two electors are appointed from a senate district pursuant to section (2)(c), they shall not be registered in the same political party.**

(e) The Office of Citizen Involvement shall fill any vacancy on the charter review committee that remains after February 1, 2021, and every six years thereafter. In filling any vacancy, the Office of Citizen Involvement shall strive to have the charter review committee reflect the County's diversity. The Office of Citizen Involvement shall have until August 1, 2021, and every six years thereafter, to fill any vacancy on the committee.

(4) The following persons are not eligible for appointment to the committee: the state senators and state representatives who represent districts located in Multnomah County, the members of the Multnomah County board of county commissioners, and the chair of the board, if any, serving at the time of appointment.

(5) The committee shall hold its first meeting on the third Tuesday of September 2021, and every six years thereafter.

(6) The board of county commissioners shall appropriate sufficient funds for the Office of Citizen Involvement to carry out its duties herein.

~~(5) Any vacancy in the committee shall be filled by the senator and representatives from the senate district who had authority to make the original appointment.~~

~~(6) Original appointments shall be made by August 30, 2003, and every six years thereafter.~~