

2-13-1981

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City Club of Portland (Portland, Or.)

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Recommended Citation

City Club of Portland (Portland, Or.), "Limited Scope Information Report on City-County Disaster Response Planning" (1981). *City Club of Portland*. 352.

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LIMITED SCOPE INFORMATION REPORT ON
CITY-COUNTY DISASTER RESPONSE PLANNING

To the Board of Governors,
City Club of Portland:

I. INTRODUCTION

This is a limited scope information report on the present status of efforts by the City of Portland and Multnomah County to implement the July, 1980 recommendations of the City-County Disaster Response Task Force.

Effective disaster response planning is necessary due to potential future calamities. Examples of possible future disasters include further eruption of Mt. St. Helens, ice and wind storms, spilling of hazardous materials, and nuclear war. The City Club is cognizant of these dangers. In August, 1979, the City Club published its report on coordination among agencies involved in disaster planning. It criticized the level of disaster preparedness in the metropolitan area. In April, 1981, the City Club published its report on transportation of hazardous materials in the Portland area. The Committee there recognized a need to pull together existing resources and to set priorities for the entire area.

The 1980 report of the City-County Disaster Response Task Force concluded, as did one study by a major university, that integration of separate agencies leads to more effective and efficient organizational response to disasters.

II. HISTORY AND BACKGROUND

In 1980 and now, Multnomah County and the City of Portland operate separate coordinating offices. The Multnomah County Executive has authority to declare an emergency in unincorporated areas of the County. Since 1975, the County has maintained a coordinator's office which works with County agencies and cities of east county to plan for emergency response. The Office of Emergency Services is now a part of the Department of Justice Services, Division of Public Safety. In an emergency, the office reports directly to the County Executive. Within Portland, the power to declare emergencies is vested in the Mayor. The City has an Office of Emergency Management. In November, 1981, the Mayor assumed administrative responsibility for this office and is the person to whom the coordinator of the office now reports directly.

In March, 1980, a Task Force was created and jointly funded by the City and County to review relationships among public and private agencies which play roles in disasters and to recommend a basic framework for improvement in planning and coordination among these agencies. In July, 1980, the Task Force published its final Report and Recommendations. At the heart of these were the recommendations that (1) a single, county-wide organization should be established to coordinate disaster planning among all public and

* "Socio-Behavioral Responses to Chemical Hazards--Some Initial Findings and Observations," *Unscheduled Events, Disasters Research Center*, Ohio State University, 1978.

private agencies; (2) a single coordinator would be appointed at the division head level within County government and would be funded by the County; and (3) a single operations center for disasters would be established.

In making these recommendations, the Task Force observed that there are many public and private agencies which have responsibilities or useful capabilities during any disaster. However, the Task Force expressed concern that there would be a risk of duplication, untrained response, and failure to meet crucial needs if responsibilities were not carefully delineated and coordinated.

III. FINDINGS

Both the Multnomah County Office of Emergency Services and the Office of Emergency Management of the City of Portland advise that they have not taken action to implement the Task Force organizational recommendations. Nor have they developed plans to do so.

The County Executive, Don Clark, states that after Frank Ivancie's election as Mayor, Clark advised the City that Multnomah County would fund creation of a coordinator's office in keeping with the Task Force recommendations. According to the County Executive, the Mayor rejected the idea of a central City-County disaster coordinator.

Mayor Ivancie reports that, while the Task Force recommendations are good in theory, there are several reasons why they cannot be implemented now. First, the City Charter invests the Mayor with primary responsibility during emergencies. He does not believe that he can lawfully delegate such authority to a coordinator. Second, the Mayor is reluctant to turn over the City's responsibility for disaster response to the County, whose government he regards as being in disarray and in a state of flux. Third, as a practical matter, the Mayor believes that implementation of the Task Force recommendations would not particularly benefit the City, which he believes is presently capable of satisfactory disaster response.

The County Executive states that Multnomah County remains willing to fund the creation of a disaster coordinator's office at the County level. The Mayor indicates that consolidation of City and County governments is first necessary to make implementation of the Task Force recommendations realistically possible.

In conclusion, the County and City continue to proceed separately with their own disaster response planning. Both report progress in planning as to hazardous materials and in other areas, and each confirm good communication and cooperation with the other. However, implementation of the Task Force recommendations does not appear likely in the foreseeable future.

Respectfully Submitted,

FOR THE LAW & PUBLIC SAFETY
STANDING COMMITTEE
Douglas B. Gordon
Margery Abbott

INFORMATION REPORT* ON
CHARTER AMENDMENT ENABLING BOARD TO CREATE A ZONE OF BENEFIT
(Multnomah County Measure No. 1)

Purpose: "This is a Home Rule Charter amendment to enable Board of County Commissioners to create a zone of benefit in the urban unincorporated area of Multnomah County and to impose taxes, charges or assessments in that zone for the purpose of financing police and parks service in the zone. Any revenue measure would require an affirmative vote of voters in the affected area. No tax shall be effective for more than five years."

To the Board of Governors,
City Club of Portland:

I. INTRODUCTION

County Measure 1 is a charter amendment submitted to all voters of Multnomah County by the Multnomah County Board of Commissioners. The Measure sets out a two-step process to impose a "zone of benefit" tax upon the citizens of the unincorporated areas of Multnomah County. Passage of Measure 1 would complete only the first step by amending the Multnomah County Charter to enable the Board of County Commissioners to create a "zone of benefit" in the urban, unincorporated areas of Multnomah County and to define its boundaries. The second step requires that any actual revenue measure thereafter proposed by the Board of County Commissioners be submitted to just the voters in the "zone of benefit" previously created. No revenue measure is on the ballot at this time.

II. BACKGROUND

This question comes to the voters as the result of a long-term philosophical discussion precipitated by a Multnomah County budget crisis. This broader issue can be couched as follows: Is there an on-going subsidy of services in the unincorporated area of Multnomah County by citizens within the incorporated city limits? If such a subsidy exists, is it fair?

This question arises from the growth of the unincorporated areas of Multnomah County, in particular, the areas between Portland and Gresham. Counties in Oregon historically have been called upon to provide certain services in support of State government, such as assessment and taxation, elections, a corrections system and a court system. However, with the growth of population in the unincorporated areas of Multnomah County, the County has additionally provided other urban services such as neighborhood parks, an urban level of police service, and planning and zoning.

Considerable debate surrounds the existence and level of the alleged subsidy. Supporters of Measure 1 cite three studies which have been made on the subject which document a flow of revenue from incorporated area taxpayers to unincorporated area services.

Some East County representatives and other opponents of Measure 1 deny that such a subsidy exists. The alleged subsidy has never been conclusively established by the reports upon which supporters rely.

Two recent developments have caused the zone of benefit to be proposed at this time. First, Multnomah County faces a \$6.6 million shortfall for the next budget year. Should voters reject Measure 1, the Board of County Commissioners may have to reduce or eliminate park, police and zoning services in unincorporated urban areas of Multnomah County. Second, the Oregon Supreme Court recently validated a special tax measure for the City of Eugene [Jarvill v. City of Eugene, 289 Or 157 (1980)], apparently establishing a precedent for Multnomah County to follow in an attempt to alleviate its current budgetary shortfall.

III. FISCAL EFFECTS

Measure 1 has no direct fiscal effects because it does not impose a tax levy. If it passes, it is expected that the Board will adopt such a tax measure and submit it for approval by the voters in the "zone of benefit" (i.e., unincorporated areas of the County) in May, 1981. That tax, if levied, would generate \$2.2 million of revenue in the 1981-82 fiscal year and \$12.4 of revenue from the unincorporated area for no more than five years.

IV. ARGUMENTS IN FAVOR

1. Recent studies indicate that city residents contribute a significant subsidy of urban-level services in the unincorporated areas of Multnomah County. Amending the County Charter to allow a "zone of benefit" tax would establish a more equitable tax system by evening out the subsidy.
2. Multnomah County faces a budget shortfall of \$6.6 million which will require cutting important County services. The budget should fund those services which all County citizens receive on an equitable basis. To do so would require either new funding such as the proposed "zone of benefit" tax or very substantial cuts in some services to unincorporated areas.
3. City status for the urban unincorporated areas of the County may be the ultimate and fair solution to the problem. Such status is not likely to be attained quickly and an interim solution such as "zone of benefit" taxation is needed to alleviate the County's immediate budget crisis.
4. The recent Oregon Supreme Court decision approving the City of Eugene parking district special tax measure sets precedence for the legality of a "zone of benefit" taxing method. Multnomah County should utilize this precedent to support urban level services in the unincorporated areas of the County.
5. Multnomah County should give citizens in the unincorporated areas a chance to fund urban services to those areas by special tax measure before cutting or reducing the level of those services.

V. ARGUMENTS IN OPPOSITION

1. Any alleged "subsidy" in park, police and zoning areas is counterbalanced by a reverse subsidy of services in other areas. These include the various services which are located within the incorporated areas such as health clinics, the court system and libraries. In addition, there is a flow of money from the unincorporated areas into the cities as a result of federal revenue sharing.
2. Other alternatives are available to the County to alleviate its current budget shortfall and should be pursued prior to any "zone of benefit" amendment. These include county-wide special levies on an interim basis and, ultimately, the transformation of urban unincorporated areas into a city status.
3. The City of Eugene parking district decision does not apply to the "zone of benefit" amendment proposed. That decision allows a city to collect special taxes inside its limits for discretionary services; it sets no precedent for a home-rule county to collect special taxes for essential services.
4. The Sheriff, by statute, is responsible for public safety in all areas of the County. This service was fully funded when voters last approved a new tax base for the County and is not an item which the County can now negotiate.
5. "Zone of benefit" taxation or special user's fees are contrary to the basic principles of government services and taxation, which set out to provide services where needed and to spread the costs over a large base. The concept of special classes of taxpayers should not be initiated in Oregon at this time. Such thinking could lead to dangerous conclusions such as only parents should pay for schools.

*Prepared by the Standing Committee on Land Use & Planning, Mark D. Whitlow, chairman, without conclusions or recommendations.