

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING)	ORDINANCE NO. 88-255
SECTION 2.02.040 OF THE METRO)	
CODE, AND REVISING THE LIST OF)	Introduced by Mike Ragsdale,
THE POSITIONS SUBJECT TO CONFIRMA-)	Presiding Officer
TION BY THE METRO COUNCIL)	

WHEREAS, ORS 268.215 authorizes the Council of the Metropolitan Service District to require appointments of department directors to be subject to confirmation by the Council of the Metropolitan Service District; and

WHEREAS, Metropolitan Service District Code Section 2.02.040(e) lists certain positions which are subject to confirmation by the Council of the Metropolitan Service District; and

WHEREAS, Metropolitan Service District Code Section 2.02.040(e) does not reflect the current organizational structure of the District; now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Section 2.02.040 of the Metro Code is amended as follows:

2.02.040 Appointment:

(a) All promotions and appointments to vacancies shall be made solely on the basis of merit, efficiency and fitness. These qualities shall be job-related and shall be determined through careful and impartial evaluation of the following:

- (1) The duties and responsibilities to be performed;
- (2) The applicant's level of training relative to the requirements of the position;
- (3) The applicant's level of education relative to the requirements of the position;
- (4) The applicant's level and amount of experience relative to the requirements of the position;
- (5) The results of an oral interview and examination; and
- (6) The results of reference checks.

(b) Except for purposes of Affirmative Action, no question in any examination, in any application form, or by any Metro employee, official or department head shall be so framed as to attempt to

elicit information concerning race, color, ancestry, national origin, sex, sexual orientation or political or religious affiliation.

(c) All statements submitted on the employment application or attached resume shall be subject to investigation and verification prior to appointment.

(d) Regular and temporary full-time employees are encouraged to apply for any vacant position for which they are qualified. Temporary full-time employees must have completed a competitive selection process and have been employed at least three (3) months to be considered for in-house promotional hiring preference. All applications will be considered without prejudice to their present positions. Regular, regular part-time and temporary full-time employees will be given first consideration in filling a vacant position. If the position is not filled as a result of promotional recruitment, recruitment outside the agency will commence. Notice of promotional recruitment shall be posted not less than five (5) working days to allow for receipt of applications. Promotional applicants will be provided with a written response on the status of their application by the division or department head in whose division the vacancy exists before outside recruitment is commenced.

(e) Pursuant to the terms and intent of ORS 268.180(5) [and] ORS 268.210 and ORS 268.215, all appointments of employees shall be the sole responsibility of the Executive Officer subject to this chapter. However, because the duties associated with certain positions include an independent and concurrent policy impact on both the Council and the Executive Officer, the appointment or promotion of persons to fill the following positions must be confirmed by a majority of the Council prior to the effective date of each such appointment or promotion:

- (1) General Counsel
- (2) [Legislative Liaison] Government Relations Manager (lobbyist)
- (3) [Director of the Public Affairs Department] Public Affairs Director
- (4) Deputy Executive Officer
- (5) Solid Waste Director
- (6) Zoo Director
- (7) Finance & Administration Director
- (8) Convention Center Project Director
- (9) [IRC Administrator] Planning & Development Director
- (10) Transportation Director

(f) "Provisional Appointment" means an appointment, pursuant to this chapter, to a position in the absence of a list of eligibles. Provisional appointments cannot exceed ninety (90) days. A person appointed provisionally is eligible to compete for the position when recruitment is opened during the aforementioned ninety (90) day

period. (Ordinance No. 81-116, Sec. 8; amended by Ordinance No. 84-183, Sec. 1; amended by Ordinance No. 87-218, Sec. 1)

ADOPTED by the Council of the Metropolitan Service District
this 11th day of August, 1988.



Mike Ragsdale, Presiding Officer


ATTEST:



Clerk of the Council

DEC/gl
9631C/545
06/01/88

I certify the Executive Officer
did not veto this ordinance



Clerk of the Council
8/19/88

Date



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1640

Memorandum

Agenda Item No. 6.1

Meeting Date August 11, 1988

Date: August 2, 1988

To: Metro Council

From: Mike Ragsdale, Chair ^{MR.}
Internal Affairs Committee

Regarding: COMMITTEE REPORT ON AUGUST 11, 1988 COUNCIL AGENDA ITEM:
ORDINANCE NO. 88-255 FOR THE PURPOSE OF REVISING THE
LIST OF POSITIONS SUBJECT TO COUNCIL CONFIRMATION

Ordinance No. 88-255 was considered by the Internal Affairs Committee at its June 23 and July 28, 1988 meetings. The ordinance amends Metro Code Section 2.02.040(e) which requires Council confirmation of certain positions which have "an independent and concurrent policy impact on both the Council and the Executive Officer." The amendments update the list of department heads and key personnel to conform to the District's current organizational structure and position titles.

At the June 23 Committee meeting, a question was raised concerning the inclusion of the Deputy Executive Officer position in the list of positions requiring confirmation. The Committee instructed Council staff to investigate the matter and report back to the Committee. The Council staff response (memo dated July 28, 1988) is attached for your consideration.

Based on the public hearing and information presented, the Committee on July 28, 1988 unanimously approved a motion to recommend Council adoption of the ordinance as originally submitted. Committee members in attendance were Councilors Hansen, Kelley, Knowles, Waker and Ragsdale.

DEC:gpwb
8288.IAC



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

Agenda Item No. 3.0

Meeting Date July 28, 1988

Date: July 28, 1988

To: Council Internal Affairs Committee

From: Donald E. Carlson, ^{DEC} Council Administrator

Regarding: ORDINANCE NO. 88-255

The Committee considered this ordinance at its June 23, 1988 meeting. At that time, Ray Phelps, Director of Finance and Administration, raised a question about the inclusion of the Deputy Executive Officer on the list of positions subject to Council confirmation given the fact that ORS 268.215 states in part that:

"employees in the office of the executive officer and department directors shall serve at the pleasure of the executive officer . . . The Council by ordinance may require appointments and reappointments of department directors made by the executive officer to be subject to confirmation by the Council."

The Committee requested that staff review past Council actions and discussions (if any were held) with the Executive Officer regarding the Deputy Executive Officer position. Staff has no information concerning discussions with the Executive regarding the issue of including or excluding the Deputy Executive Officer position on the confirmation list. The Council did approve confirmation of the Deputy Executive Officer (along with Directors of Finance and Administration, Solid Waste and the IRC) on March 26, 1987 by adoption of Resolution No. 87-751. Such action was taken prior to the adoption of SB 629 at the 1987 legislative session.

Based on the fact that the Deputy Executive Officer serves as the administrator of the District in the absence of the Executive Officer and the position meets the following Metro Code criteria:

". . . because the duties associated with certain positions include an independent and concurrent policy impact on both the Council and the Executive Officer . . ."

Council staff recommends that the Deputy Executive Officer position remain on the list of positions requiring Council confirmation.

DEC:gpwb
72888.IAC

5.2 Consideration of Resolution No. 88-922, for the Purpose of Revising Guidelines for the Expenditure of Council Per Diem, Councilor Expense and General Council Materials and Services Accounts

Motion: Councilor Van Bergen moved to adopt the resolution and Councilor Knowles seconded the motion.

Vote: A vote on the motion resulted in all eleven Councilors voting aye.

The motion carried and Resolution No. 88-922 was adopted.

6. ORDINANCES

6.1 Consideration of Ordinance No. 88-251, for the Purpose of Amending Section 4.01.030 of the Metro Code to Prohibit Illegal Parking in the Zoo Parking Lot and Other Areas Adjacent to the Washington Park Zoo, and Providing for the Issuance of Citations by Metro Personnel (First Reading)

The Clerk read the ordinance a first time by title only. Presiding Officer Ragsdale announced he had referred the ordinance to the Council Intergovernmental Relations Committee for a public hearing, review and recommendation.

6.2 Consideration of Ordinance No. 88-255, for the Purpose of Amending Section 2.04.040 of the Metro Code and Revising the List of Positions Subject to Confirmation by the Council (First Reading)

The Clerk read the ordinance a first time by title only. Presiding Officer Ragsdale announced he had referred the ordinance to the Council Internal Affairs Committee for a public hearing, review and recommendation.

7. RESOLUTIONS

7.1 Consideration of Resolution No. 88-923, for the Purpose of Expressing Appreciation to Lyndon A. S. "Tuck" Wilson for Services Rendered to the Metropolitan Service District

Councilor Cooper, Chair of the Convention Center Committee, read the entire resolution. He reported the Committee unanimously recommended adoption of the resolution.

Motion: Councilor Cooper moved, seconded by Councilor Waker, to adopt Resolution No. 88-923.



METRO

Memorandum

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Date: August 12, 1988
To: Rena Cusma, Executive Officer
From: Marie Nelson, Clerk of the Council *amn*
Regarding: TRANSMITTAL OF ORDINANCE NOS. 88-255 and 88-257 FOR
CONSIDERATION OF VETO

Attached for your consideration is a true copy of Ordinance Nos. 88-255 and 88-257, adopted by the Council on August 11, 1988.

If you wish to veto this ordinance, I must receive a signed and dated written veto message from you no later than 5:00 p.m., Thursday, August 18, 1988. The veto message, if submitted, will become part of the permanent record. If no veto message is received by the time stated above, this ordinance will be considered finally adopted.

I, *Bette Morley*, received this memo and a true copy of Ordinance No. from the Council Clerk on

Dated: August 12, 1988

amn/gpwb
Mac-alt.2



METRO

2000 SW First Avenue
Portland, OR 97201-5398
(503) 221-1646
Fax 241-7417

August 19, 1988

Mr. Charles D. Cameron
County Administrator
Washington County Courthouse
150 N. First Avenue
Hillsboro, OR 97123

Executive Officer
Rena Cusma

Metro Council

Mike Ragsdale
Presiding Officer
District 1

Corky Kirkpatrick
Deputy Presiding
Officer
District 4

Richard Waker
District 2

Jim Gardner
District 3

Tom DeJardin
District 5

George Van Bergen
District 6

Sharron Kelley
District 7

Mike Bonner
District 8

Tanya Collier
District 9

Larry Cooper
District 10

David Knowles
District 11

Gary Hansen
District 12

Dear Mr. Cameron:

Enclosed is a true copy of the following ordinances adopted by the Metro Council. Please file these ordinances in the Metro file maintained by your county.

- * Ordinance No. 88-255, For the Purpose of Amending Section 2.02.040 of the Metro Code, and Revising the List of the Positions Subject to Confirmation by the Metro Council and,
- * Ordinance No. 88-257, For the Purpose of Amending Metro Code Chapter 5.02, Relating to Solid Waste Disposal Charges, Regional Transfer Charges and User Fees.

Sincerely,

A. Marie Nelson
Clerk of the Council

AMN:gpwb

enclosure



METRO

2000 SW First Avenue
Portland, OR 97201-5398
(503) 221-1646
Fax 241-7417

August 19, 1988

Mr. John Kauffman, County Clerk
Clackamas County
8th and Main
Oregon City, OR 97045

Dear Mr. Kauffman:

Enclosed are true copies of the following ordinances adopted by the Metro Council. Please file these ordinances in the Metro file maintained by your county.

- * Ordinance No. 88-255, For the Purpose of Amending Section 2.02.040 of the Metro Code, and Revising the List of the Positions Subject to Confirmation by the Metro Council and,
- * Ordinance No. 88-257, For the Purpose of Amending Metro Code Chapter 5.02, Relating to Solid Waste Disposal Charges, Regional Transfer Charges and User Fees.

Sincerely,

A. Marie Nelson
Clerk of the Council

AMN:gpwb

enclosure

Executive Officer
Rena Cusma

Metro Council

Mike Ragsdale
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District 1

Corky Kirkpatrick
Deputy Presiding
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Richard Waker
District 2

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METRO

2000 SW First Avenue
Portland, OR 97201-5398
(503) 221-1646
Fax 241-7417

August 19, 1988

Ms. Jane McGarvin
Clerk of the Board
Multnomah County Courthouse
1021 S. W. Fourth Avenue
Portland, OR 97204

Executive Officer
Rena Cusma

Metro Council

Mike Ragsdale
Presiding Officer
District 1

Corky Kirkpatrick
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District 4

Richard Waker
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Larry Cooper
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Gary Hansen
District 12

Dear Jane,

Enclosed are true copies of the following ordinances adopted by the Metro Council. Please file these ordinances in the Metro file maintained by your county.

- * Ordinance No. 88-255, For the Purpose of Amending Section 2.02.040 of the Metro Code, and Revising the List of the Positions Subject to Confirmation by the Metro Council and,
- * Ordinance No. 88-257, For the Purpose of Amending Metro Code Chapter 5.02, Relating to Solid Waste Disposal Charges, Regional Transfer Charges and User Fees.

Sincerely,

A. Marie Nelson
Clerk of the Council

AMN:gpwb

enclosure