

**MINUTES OF THE METRO COUNCIL
STATE & FEDERAL LEGISLATIVE AGENDA COMMITTEE MEETING**

Tuesday, May 23, 2000
Council Chamber

Members Present: Susan McLain (Chair), Rod Park (Vice Chair), Bill Atherton

Also Present: Bruce Warner, Nancy Goss Duran, Karen Withrow, Doug Riggs,
Michael Morrissey

Members Absent:

Chair McLain called the meeting to order at 4:05 PM.

CALL TO ORDER AND ROLL CALL

1. CONSIDERATION OF THE MINUTES OF THE MARCH 15, 2000, AND APRIL 26, 2000 STATE & FEDERAL LEGISLATIVE AGENDA COMMITTEE MEETING

Motion: **Councilor Atherton** moved to adopt the minutes of the March 15, 2000, and April 26, 2000 State & Federal Legislative Agenda Committee meetings.

Councilor Park noted that he would not be voting on the March 15th minutes as he was not present at that meeting.

Vote: The motion to approve the minutes passed unanimously. The minutes were adopted without revision.

CONTRACT REVIEW BOARD

3. RESOLUTION NO. 00-2943, For the Purpose of Authorizing Amendment Number 4 of the Personal Services Agreement with Pac/West Communications.

Chair McLain said this was on the agenda because it dealt with work we expect to be completed before the end of June this year. She asked Mr. Warner to review the resolution.

Bruce Warner, Chief Operating Officer, explained that this resolution to amend the existing personal services contract with Pac/West Communications was not an extension of time, it was to increase expenditure authorization in the amount of \$22,000, for a total contract of \$156,000. He noted that Metro code required anything over \$25,000 be brought to the Council for review, and this, in aggregate, was over that amount. He reminded the committee that the contract was entered into in September of 1998 for legislative purposes and had now been amended 3 times. This time would extend time and services to the end of this fiscal year, June 30, 2000. He said they had been expending more on a monthly basis than they had planned with contract amendment number 3. He also noted that since the contract had been amended so many times, it was actually time to go out for another bid. He felt there should be a new process and it should get done quickly. He said the funds for this work had been budgeted and were currently being paid from the Public Affairs and Government Relations budget of the Executive Officer, as noted under budget impact in the staff report. Mr. Warner clarified for Councilor Atherton that this resolution was for an

increase in financial obligation, not time. The contract would end with this fiscal year, June 30, 2000.

Chair McLain asked Mr. Warner if the contractor had percentages suggested for how much time to monitor each area listed on the exhibits or were they deciding on their how much time to spend on each item.

Mr. Warner said two-thirds of the monthly funds were spent on state issues. He said regarding federal issues, he got with Dan Cooper, Jeff Stone, the Presiding Officer and the Executive Officer once a month to talk about hot issues. As they arise, if a committee was considering legislation that would deal with one of those issues, we would ask them to spend some time on it. Overall, they were doing monitoring of all the areas, but they have been directed to specific areas. He noted they had been relying on Tri-Met for monitoring a lot of the transportation issues.

Chair McLain asked how many trips were expected in June. She asked whether he was going in person or doing some of it by monitoring over the internet.

Mr. Warner responded that Mr. Riggs took a regular trip once a month trip to Washington DC, and also monitored with all their means, on net or through personal contact with representative's offices as necessary.

Councilor Park asked about the fiscal periods and amounts of the amendments.

Mr. Warner recapped the contract. He said the original contract was signed in September of 1998 for a period of 10 months and a cost of \$60,000. Amendment 1 increased the dollar amount by \$12,000 and an additional 2 months. Amendment 2 increased the contract \$50,000 and extended the term for one year. Amendment 3 increased it by an additional \$12,000. There was additional discussion between Mr. Warner and Councilor Park regarding the amendments. Mr. Warner said he would double check the numbers he had to be sure they were correct, and that an error on his document was not causing the confusion.

Councilor Park said then, for the fiscal year 1999-00, they were now looking at a contract of \$84,000.

Mr. Warner said that sounded right.

Chair McLain reminded the committee that they had already agreed to extend the contract in non-legislative session to do some things that had not been done before on the other two contracts. She said they had expected to pay for that and had asked for better connections, i.e. tours of the Metro building or strategy sessions between legislative sessions.

Councilor Park said he was not saying it was effective or not effective, he just wanted to clarify the dollar amounts for the fiscal periods so he could explain if asked. He also felt it should go out for bid again.

Mr. Warner said he would give month to month breakdown of how the money would be expended through the remainder of this fiscal year if they wished.

Councilor Park asked if Pac/West was retained month to month or project to project.

Mr. Warner responded that it was an overall retainer with services outlined for them in the scope of work.

Councilor Park asked for a breakdown of how many hours were contracted, either per month or per fiscal year. He asked if that was how the value of the contract was figured.

Mr. Warner said for the most part, that was how the value was figured. He said he could get the hourly information for the councilor.

Councilor Atherton did not feel how closely it was monitored or what value they were getting had been fully explained. He wondered if it was necessary.

Mr. Warner felt this contract was definitely value added for Metro. He said the intent was clearly, in the interim, to build relationships and get their issues on the table at both the state and federal level. He believed Pac/West had done a very good job of that with the tours, for instance. He said they had also been monitoring federal legislation and helping to determine when they needed to interact with the various committees to secure support for various funding measures. He said Pac/West, or whoever was contracted, would be used even more for helping set priorities and legislative process so Metro would be set in January 2001 to be as effective as possible.

Councilor Atherton said since there were no other numbers or hard proof, they had to rely on Mr. Warner's judgement of whether it was a good way to spend the \$20,000.

Mr. Warner apologized for not being ready for that level of detail at this meeting. He said he would be glad to go over the billings and perhaps have Mr. Riggs come in to show some of the projects of the past year, giving an indication of the value and the need for services.

Chair McLain felt it was more important to have some input in the bid document. She noted item number 4 on Exhibit A of the staff report, "This Agreement is a change order to the original Scope of Work". She hoped they could, individually or at a committee meeting, discern if the original scope was the amount or function of work they wanted. She noted that in their budget conversations they said they wanted someone in Washington DC who could give the Metro perspective, especially in the transportation dollars. She said it made a difference to her what they were monitoring and how much effort they were putting into it. She was aware of the "hot issue" list, but said it seemed to be policy making as far as which of the grants they would go for or which programs were top priority for federal dollars. She added that Mr. Riggs had been marvelous and she did not have trouble with the \$22,000 if it would finish up their work, but she felt they should at least rethink what they asked the vendor to do, whether it was Pac/West or another.

Mr. Warner said it would be done.

Councilor Park asked if the list of legislation they were tracking was only for committee review or if it was put out to the whole council.

Chair McLain said that was an issue to be discussed because the tool was just completed. She said Mr. Riggs was supposed to be go over it today and if it looked okay to the committee, it would go out to everyone.

Michael Morrissey, Senior Council Analyst, explained this format was what the council had used last legislative session and that potential state and federal items had just now begun to be added. He said Mr. Riggs had, in fact, added a number of the items on the list in the last week. He had expected Mr. Riggs to be at this meeting to explain some of those items.

Councilor Park said something like this form would be helpful to keep up with the issues.

Chair McLain said until now, Mr. Warner and Presiding Officer Bragdon had been working with Mr. Riggs regarding priorities. She noted she had not been included in the meetings and did not know anything about them. She said the committee and the council all needed to have better information. She said Mr. Riggs had been great about sending information when he had a product but there had not been any ongoing issues. She said Mr. Morrissey would help with the priorities as well.

Doug Riggs arrived at 4:28 pm

Councilor Park said he did not have a problem with the monitoring format. His concern was being able to get the information disseminated if needed. He wanted to make sure there was a format worked out for that.

Motion: **Councilor Park** moved to take Resolution No. 00-2943 to the full council without recommendation in order to allow Mr. Warner to bring additional information to the council.

Chair McLain and **Councilor Park** agreed they would prefer individual briefings for the councilors before the meeting.

Councilor Atherton said it did not matter to him. He was having hard time with the value of the \$22,000

Chair McLain said she was very comfortable with the resolution. She did not think it hurt to have anyone have more information on where money went and what the priorities were.

Vote: The vote was 3 aye/ 0 nay/ 0 abstain. The motion to take Resolution No. 00-2943 to the full council without recommendation passed unanimously.

Chair McLain assigned Councilor Atherton to carry Resolution No. 00-2943 to the full Council.

METRO LEGISLATIVE PRIORITIES & KEEPING THE COUNCIL INFORMED

Chair McLain asked Mr. Riggs to talk about how he handled monitoring of the federal package and what he did on his monthly visits to Washington DC. She noted the list of items being monitored from the agenda packet and said she had heard he had good news about parks.

Doug Riggs, PacWest Communications, apologized for being late. He explained he had been blocked in by an ATT&T cable truck at his previous meeting and had to wait 35 minutes for the driver to return. He noted he had some handouts he would leave with the clerk for distribution to the committee (see copies of *Draft Amendment to H.R. 701, IB10002: Solid*

Waste Issues in the 106th Congress, and Status of Federal Bills included with the permanent record of this meeting).

Regarding the monitoring role, he said he had been to Washington DC in January, March, and May. The primary issues they had been working on were Parks and Greenspaces projects and flow control issues. He said they had also been keeping a close eye on the 4(d) process. He noted another issue, one that the Council had identified as a priority, was HR 701, the conservation and recovery act. He reported that he had met with the entire Oregon and Washington delegation last week and there were some key senators still opposed to the bill.

He said a number of bills had been submitted regarding flow control, although it appeared from discussions with committee staff last week that very little action would be taken on these bills. He said he would keep the Council up to date on any changes.

He noted he had been working with Mr. Morrissey on the matrix, and felt the one included in the agenda packet was a good start on a tool to track the legislation.

Councilor Atherton asked about percentages of time spent on federal and state legislative issues..

Mr. Riggs responded he could not give exact numbers but thought Mr. Warner's were probably about right.

Councilor Atherton asked if there was any progress regarding a state summit on urban issues here.

Mr. Riggs said the consensus of the legislators he had been in contact with over the last year and a half was that it ought to be pursued. They had talked about doing it something in September/October. He said he had talked with Chair McLain about identifying the issues and who to invite. He said he had discussed the 4(d) issue with Metro staff and thought there would be a need for the Council to respond and work with the legislators to be sure they understood Metro's process would be on that issue.

Councilor Atherton said he appreciated hearing that because of the earlier discussion about complete communities. He said that had taken root and gained a life of its own and felt the Council would like to have a voice in shaping that.

Mr. Riggs concurred that it was a big issue and said he had received a number of calls on it. He said there was a willingness to work with the Council to develop legislation or other kind of cooperative effort. He said the immediate issue in the next couple of months was the 4(d) issue, but the other issues had to be attended to as well.

Councilor Atherton said, regarding the complete communities agenda, that perhaps it was time for Salem to put to bed the issue of whether communities would have a voice in annexations. He wondered if Mr. Riggs felt that was the general understanding of people in Salem as well.

Mr. Riggs said the issue came up last session as a result of the Bend annexation and it had been quite controversial. He said the vote in the City of Bend had been 70% to annex and

30% to not annex, but the vote in the area annexed was 30% to annex and 70% not to annex.

Chair McLain advised Mr. Morrissey that he should work with Mr. Riggs to continue to refine the matrix by adding titles and at least a one-sentence summary. She felt a paragraph would be even better. She wanted the committee to get updates as often as possible, and have it distributed to the other 4 councilors as well.

Mr. Riggs pointed out that his *Status of Federal Bills* summary had additional details on federal issues.

4. RELATIONSHIP WITH ADVISORY COMMITTEES, INTERNAL & EXTERNAL

Karen Withrow, Executive Office, reported she had reviewed a copy of Oregon State's orientation handbook and pulled out some pertinent things that might be pertinent. She referred to a memo regarding *Proposed Legislation on Metro Committees* dated May 10, 2000 (see copy in permanent record of this meeting). She reviewed the points of the memo. She noted that someone had brought to her attention that one difficulty with some committees was that they did not completely understand their role. She suggested there may be a need for a clearer charge for existing committees, and that the ordinance should address that for the future. In response to a question from Chair McLain, Ms. Withrow said MCCI had not seen the document.

Chair McLain said it was time to decide when they should stop working on the document and have it reviewed by other than the committee. She suggested MCCI be on that list of potential reviewers. She said Council had tried, through budget processes, for a way for the committees to show up in the review for work plan items, or in the budget, specifying their responsibilities of that year as a way to get around other problems that Mr. Cooper found in the document. She believed one of the outcomes of this work would be a letter from Mr. Bragdon and the Council, and perhaps the Executive Officer, indicating they had done some internal review of inconsistent committee procedures to get them cleaned up, and that the committees are valued and important.

Councilor Park commented that it might take care of some of the problems if they were more careful when formulating committees, either as a one time special need, or a necessary ongoing committee. That was at least part of the discussion he wanted to have.

Chair McLain agreed and said one way was not calling them a committee, but a task force. She said definitions of standing committees, task forces, etc., could help. She also agreed that if they would not be utilized for that year, using a sunset clause could work.

Ms. Withrow said she would be available to answer questions after the committee had read the paper.

Nancy Goss Duran, Executive Office, said she and Ms. Withrow felt they were ready to move forward on this, pending committee comments, and then, after Mr. Cooper came back after the Memorial Day holiday, he could finalize the actual ordinance to go forward.

Chair McLain said she had read the preliminary draft. She asked the committee if they should take this up as an action draft for one or two meetings. The committee agreed that it was a good idea to review the draft and get any questions or comments to Ms. Withrow, Ms.

Goss Duran. She said Ms. Goss Duran and Ms. Withrow should work with Mr. Morrissey as the committee analyst, and it would be added to the committee agenda as an action item as soon as possible. She noted that Mr. Cooper should be at that meeting to answer questions.

Ms. Withrow reminded the committee that there were 2 issues identified in the memo that were not in draft. Those are the length of term and term limits. She felt it was especially important for the committee to comment on those if they were to be addressed in the draft.

Chair McLain said they had talked about the terms being 2, 3 or 4 years. She thought they had compromised at 3 at the last meeting. She said the essence was that they would be staggered once they started. She said the conversation on term limits she had was that sometimes you could not find anyone to fill spots vacant because of term limits. She noted the trade-off was new blood vs. empty spots on the committee. She said they needed to have a conversation about that issue.

Ms. Goss Duran clarified that the outcome of the discussion had been 2 year terms beginning with the next available cycle.

Councilor Park said the language at the state level was that whoever was at the end of a term limited position would continue to serve until the new person was appointed and confirmed.

5. COUNCILOR COMMUNICATIONS

None.

ADJOURN

There being no further business before the committee, Chair McLain adjourned the meeting at 5:02 P.M.

Respectfully submitted,

Cheryl Grant
Council Assistant

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MARCH 23, 2000

The following have been included as part of the official public record:

Document Number	Document Date	Document Description	TO/FROM
052300Leg-01	None	Draft Amendment to H.R. 701	/Doug Riggs
052300Leg-02	April 27, 2000	IB10002: Solid Waste Issues in the 106 th Congress	/Doug Riggs (from the 'net)
052300Leg-03	None	Status of Federal Bill	/Doug Riggs
052300Leg-04	May 10, 2000	Memo RE: Proposed Legislation on Metro Committees	Committee/Nancy Goss Duran, Beth Anne Steele, Karen Withrow