

**MINUTES OF THE METRO COUNCIL
GOVERNMENTAL AFFAIRS COMMITTEE**

Thursday, May 9, 2002
Council Chamber

Members Present: Councilor David Bragdon (Chair) and Councilor Rex Burkholder

Members Absent: Councilor Rod Monroe (Vice Chair)

Chair Bragdon called the meeting to order at 10:02 a.m.

1. Consideration of the Minutes

Motion: Councilor Burkholder moved to adopt the minutes of the Governmental Affairs Committee meeting of April 25, 2002.

Vote: Chair Bragdon and Councilor Burkholder voted to adopt the minutes as presented. Councilor Monroe was absent. The vote was 2/0, and the motion passed.

2. Ordinance No. 02-942, For the Purpose of Adding a New Chapter 2.20 to the Metro Code Creating the Office of Chief Operating Officer

Dan Cooper, Metro General Counsel, reviewed the revised version of Ordinance 02-942, which adds a new chapter 2.20 to the Metro code to create the Office of Chief Operating Officer. A copy of the revised ordinance is attached to this meeting record.

Section 2.20.020

Mr. Cooper explained the two amendments to this section that had been requested by the committee. First, in subsection (a), the Council President would be required to keep the Council “informed” rather than “involved” in the Chief Operating Officer (COO) selection process. Second, in subsection (b), the removal of the COO would require the concurrence of the Council by adoption of a resolution. The committee agreed with the wording of these changes.

Section 2.20.030

The committee discussed Section 2.20.030 (b), having to do with the annual budget preparation. Mr. Cooper explained that budget law requires that someone be designated the budget officer. Under the current Charter provisions, that person is the Executive Officer. The discussion focussed on whether the Council President or the Chief Operating Officer (COO) would be in charge of the budget process under the new Charter provisions.

Assuming the COO is designated the budget officer, the committee discussed changing the wording of subsection (b) as follows: Prepare the budget annually in accordance with process and policy direction provided by the Council and submit it to the Metro Council together with a message describing the important features and be responsible for its administration after adoption.

The committee will have further discussion regarding the budget officer designee at its next meeting on May 28.

The committee agreed to reinstate subsection (h) because this section makes it clear that a reorganization would require Council approval as well as serving as a policy statement and giving direction to the COO.

John Houser, Council Analyst, said that Councilor Monroe had indicated an interest in adding language to subsection (a) that would require Council action on the appointment or removal of a department head. He said that this addition would be discussed at a future meeting.

The committee will discuss the revised draft resolution again at its next meeting.

3. Resolution 02-3184, For the Purpose of Authorizing the Release of a Request for Proposals #02-1022-ASD for Financial Advisory Services

Casey Short, Financial Planning Manager, introduced Resolution 92-3184. He explained that the Financial Planning Division retains the services of a financial advisor to assist the division on matters such as consultation on debt issues and general financial policies. This resolution would allow the Administrative Services Department to advertise for and secure the services of a financial advisor for the next three years, to take effect when the existing contract expires. The selected firm would be paid hourly for services provided.

Motion: Councilor Burkholder moved to recommend Council adoption of Resolution No. 02-3184.

Vote: Chair Bragdon and Councilor Burkholder voted aye. Councilor Monroe was absent. The vote was 2/0, and the motion passed.

Councilor Burkholder will carry the resolution to the full Council.

4. Draft Ordinance No. 02-____, For the Purpose of Amending Chapter 2.08 of the Metro Code to Create the Office of Metro Attorney and Make Other Amendments Related to the Adoption of the Charter Amendments

Dan Cooper, Metro General Counsel, explained the changes to the draft ordinance that deals with the Metro Attorney position and other amendments that have come from transition task force recommendations. Metro Attorney

The first section of the ordinance has to do with the Metro Attorney. The Metro Charter provides for the creation by Council Ordinance of the Office of Metro Attorney, which has parallel duties and powers to those of the Chief Operating Officer (COO). Mr. Cooper explained that he used the existing Metro ordinance, in effect since 1988, which described the powers and duties of Metro's General Counsel, to create the Metro Attorney section of the new ordinance. Most changes involved parallel provisions to the COO ordinance or were technical changes (changing "General Counsel" to "Metro Attorney" and "Executive Officer" to "Chief Operating Officer").

Council President

Mr. Cooper reviewed Exhibit B of the draft ordinance, which focussed on the Council President and Deputy, and explained that the provisions will go into effect in 2003 when the Council President assumes office. The committee questioned the title "Deputy Presiding Officer" because the position of Presiding Officer will not exist after 2002, and it was agreed that the position will simply be called "Deputy." Other small changes were made to the wording of Exhibit B, which will be reflected in the revised version made available at the next committee meeting.

The committee discussed subsection (c), which states that the Deputy shall be the acting Council President in the event of a vacancy, but shall not receive the salary of the Council President. The committee pointed out that in the case of a long-term vacancy, the Deputy would be serving in a full-time position at a half-time salary. Mr. Cooper said that this issue would be addressed during a discussion of Metro Code Chapter 9.01.

Advisory Committees

Mr. Cooper explained that the Transition Task Force recommended that Metro advisory committees report directly to the Council. On that recommendation, he revised the code sections where those committees were described, deleted all references to the Executive Officer, and substituted Council President or Chief Operating Officer, as appropriate. He said that this section made it clear that all appointments are made by the Council President and are subject to confirmation by the Council.

The committee agreed that it would like more time to study the section on advisory committees and would discuss this section more at the next committee meeting.

Mr. Cooper suggested separating the three sections of the draft ordinance (Metro Attorney, Council President, and Advisory Committees) into separate ordinances, and the committee agreed. The committee will review all three sections again on May 28.

5. Councilor Communications

John Houser, Council Analyst, said that time had been requested on the next committee agenda for an informational report about the types of changes that are being considered to the Metro Citizen Involvement Committee (MCCI). The committee will have an opportunity for input prior to the drafting of an ordinance implementing these changes.

Chair Bragdon added that he had asked Mark Williams, MERC General Manager, to talk to the committee about the user fee issue at the PCPA.

There being no further business before the committee, Chair Bragdon adjourned the meeting at 10:52 a.m.

Prepared by,

Claudia Wilton
Council Assistant

ATTACHMENT TO THE PUBLIC RECORD FOR THE MEETING OF May 9, 2002

Agenda Item No.	Topic	Doc. Date	Document Description	Doc. Number
1	Ordinance	3/21/02	Draft Ordinance No. 02-942	050902ga.01
2	Minutes	4/25/02	Governmental Affairs Minutes of 4/25/02	050902ga.02

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