

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

Thursday, June 13, 2002
Council Chamber

Members Present: Councilor David Bragdon (Chair), Councilor Rex Burkholder, and Councilor Rod Monroe (Vice Chair)

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

1. Consideration of the Minutes

Vote:

Chair Bragdon and Councilors Burkholder and Monroe voted to adopt the minutes of the Governmental Affairs Committee meeting of May 28, 2002, as presented. The vote was 3/0, and the motion passed.

6. Resolution No. 02-3191, For the Purpose of Reappointing Judy Rice to the Metropolitan Exposition-Recreation Commission (heard out of order)

Mark Williams, MERC General Manager, recommended Judy Rice for reappointment to the MERC Commission for the period July 1, 2002 to July 1, 2006. Mike Burton, Metro Executive Officer, added that Ms. Rice had served on the Commission for the past three years and that he was very pleased to nominate her for another term.

Councilor Burkholder asked Ms. Rice if she had thoughts about her work on the Commission during the last term and about outstanding issues in the upcoming term. Ms. Rice responded that the Commission passed the strategic plan last year and will implement it in the next three years. She said that each MERC facility would be facing major issues: Oregon Convention Center (OCC) expansion; the replacement of Halls A, B and C at the Expo Center; and PCPA financial stabilization. She would like to see momentum build over the next couple of years to ensure that MERC is on track to achieve those goals.

Chair Bragdon asked about the headquarters hotel. Ms. Rice said that, as a POVA Board member, she was very familiar with the issue and thought Portland needed a headquarters hotel. She added that it would not be easy to reach an agreement with hoteliers, particularly because there might be a subsidy involved. Mr. Burton noted that the individuals who run conventions want a close-by home base and that hoteliers do not see a headquarters hotel as competition because it would ultimately increase their business.

Mr. Williams mentioned MERC's dependence on its hundreds of volunteers and their countless hours of uncompensated labor, and said that MERC is particularly appreciative of those who have volunteered to serve as Commissioners.

MERC Update

Mr. Williams said that FY 2001-02 was a difficult year for the convention business, although a good year for both Expo and PCPA. Forecasting indicated that MERC would be close to its ending fund balance goal, thanks in part to \$1.2 million in spending cuts during the fiscal year. POVA data showed that Portland was down 6.8% in visitorship on a revenue basis, which nonetheless was the best record of any major city nationwide. Mr. Williams said that MERC had been working hard with POVA to market the city. He continued that MERC would be pursuing revenue enhancements at all facilities over the next year and that the PCPA Advisory Committee voted to recommend that MERC increase user fees over the next three years.

Mr. Williams said that MERC's strategic plan called for MERC to try to generate the funds necessary to rebuild Halls A, B and C at the Expo Center. He added that MERC had already increased rates at the convention center and might look at additional revenue initiatives.

Mike Burton cautioned that, although the OCC expansion was on time and on budget, the Council should be aware that issues have emerged related to parking lot exhaust and HVAC tunneling systems. He noted that MERC would also be facing the same PERS and health insurance cost issues that Metro is having to address.

Motion: Councilor Burkholder moved to recommend Council adoption of Resolution 02-3191.

Vote: Chair Bragdon and Councilors Burkholder and Monroe voted aye. The vote was 3/0, and the motion passed.

Councilor Burkholder will carry Resolution 02-3191 to Council.

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, said that the only change in Ordinance 92-942 to the draft distributed at the last committee meeting was a wording revision in section 2.02.030(b), in which the phrase "and submit it to the Metro Council together with a message describing the important features" was deleted.

Councilor Monroe questioned the wording in section 20.20.020(a), which he felt did not express the committee's intent regarding involving the Council in the hiring of the Chief Operating Office. The committee agreed to the following change: The Council President shall ~~involve~~ ~~keep~~ the Council ~~informed of all aspects of~~ in the hiring process.

3. Ordinance No. 02-953, For the Purpose of Amending Chapter 2.08 of the Metro Code to Create the Office of Metro Attorney.

Dan Cooper reviewed changes made to Ordinance 02-953 at the last committee meeting. He said that the ordinance revised existing code on the Office of General Counsel by changing "General Counsel" to "Metro Attorney" and reflecting charter language about the appointment, confirmation and removal process.

Councilor Burkholder pointed out that the second sentence in section 2.08.020(a) should be changed to parallel the language in Ordinance 92-942, as follows: The Council President shall ~~involve~~ ~~keep~~ the Council ~~informed~~ in ~~all aspects of~~ the hiring process.

4. Ordinance No. 02-954, For the Purpose of Amending Chapter 2.01 of the Metro Code to Reflect the Creation of the Office of Metro Council President.

Dan Cooper said the only new change in this ordinance was to add subsection (e), which stated that the Council President served as the district budget officer and submitted the budget to the Council together with a message. In addition, he identified a section in Chapter 2.01 of the Metro Charter that said the budget message was delivered by the Executive Officer rather than the Council President and flagged that section to be corrected in the future. Finally, Mr. Cooper said that he had reviewed the code chapter on filling vacancies and he thought the section was more complex than was required by the state constitution. He recommended the following change to the second sentence in Section 2.01.010(c): In the event a vacancy exists in the office of the Council President,

the Deputy shall serve as the temporary Acting Council President until a new Council President is elected or appointed pursuant to Metro Code Chapter 9.01. He said that the question of length of appointment can be dealt with later when the committee reviews Chapter 9.01 and that it would not be necessary to have a special election if there were less than two years left in the term. The committee concurred with the wording change and agreed that the temporary Council President would not be compensated as Council President.

John Houser pointed out that the subsections of 2.01.010 needed to re-lettered to correct the fact that there were two subsections (b).

5. Ordinance No. 02-955, For the Purpose of Amending Chapter 2.19 of the Metro Code to Conform to the Charter Amendments Adopted on November 7, 2000

Dan Cooper said that most of the changes in the revised Ordinance 02-955 involved replacing “Executive Officer” with “Council President” and directing the Metro Committee for Citizen Involvement (MCCI) and the Metro Policy Advisory Committee (MPAC) to directly advise the Council.

Councilor Burkholder had questions about the structure of some of the Metro committees but said he would table his concerns with the understanding that there would be a full review of Metro’s committee structure next year. He said he would encourage the next Council President to take on that task.

Request for Proposals (RFP) for a Personal Services Contract for the Recruitment of a Chief Operating Officer

John Houser distributed copies of a draft resolution to authorize an RFP for the recruitment of a Chief Operating Officer (a copy of which is attached to this meeting record). Chair Bragdon said that accomplishing this by resolution gave the Council ownership of the process. He added that funds had been allocated to fulfill the contract.

Dan Cooper explained that this resolution would authorize the release of the RFP. He noted that it is standard practice with most RFPs to authorize the Executive Officer to execute the contract and that the committee could substitute the Presiding Officer for the Executive Officer to speed the process. If there were a dispute over how the selection was made, an appeal would be made to the Council as the Contract Review Board.

The committee agreed to the resolution, with the addition that the Presiding Officer would be authorized to execute the contract.

Motion: Councilor Monroe moved to recommend introducing this resolution as a committee resolution.

Vote: Chair Bragdon and Councilors Burkholder and Monroe voted aye. The vote was 3/0, and the motion passed.

Mr. Cooper will make the change requested by the committee, have a resolution number assigned, and bring the resolution back to the committee for action on June 26.

Next Steps

It was agreed that Mr. Cooper would begin to prepare additional ordinances for the committee’s review. He suggested separating significant areas, such as purchasing, personnel and elections, into

separate ordinances; combining urban growth management and enforcement of the functional plan into one ordinance; and lumping other administrative details that are in various code sections and chapters into another ordinance. The committee could later isolate areas that it wanted to focus on separately into separate ordinances.

7. Resolution No. 02-3197, For the Purpose of Requesting Informal Advice from the Metropolitan Policy Advisory Committee Regarding Taxi Regulation on a Regional Basis

Councilor Burkholder explained that Metro had been asked by several state legislators and taxi cab operators to look for a solution to some of the irrationalities in taxi cab regulation in the region. He gave as an example a person licensed to legally drive a taxi cab in a city outside the City of Portland who could deliver fares into Portland but not take them out, resulting in an empty taxi cab making the return trip. He said that since this would be a new function for Metro to take on, it would require the approval of the Metro Policy Advisory Committee (MPAC) first.

Chair Bragdon said he was very supportive of the resolution, and so was Mayor Drake of Beaverton because it would result in better service for his citizens and a more efficient system overall in terms of fuel consumption.

Councilor Monroe said he also supported the resolution but asked how the City of Portland felt about it. Chair Bragdon answered that the city might be opposed to it initially, but part of the discussion would need to be about the licensing fees which would be shared on some proportional basis. He thought the change could be accomplished so that the result was revenue neutral for the City of Portland.

Motion: Councilor Burkholder moved to recommend Council adoption of Resolution 02-3197.

Vote: Chair Bragdon and Councilors Burkholder and Monroe voted aye. The vote was 3/0, and the motion passed.

Councilor Burkholder agreed to carry the resolution to the Council.

8. Councilor Communications

There were none.

There being no further business before the committee, Chair Bragdon adjourned the meeting at 11:18 a.m.

Prepared by,

Claudia Wilton
Council Assistant

ATTACHMENT TO THE PUBLIC RECORD FOR THE MEETING OF June 13, 2002

Agenda Item No.	Topic	Doc. Date	Document Description	Doc. Number
Not on agenda	RFP for Personal Services Contract for the Recruitment of a Chief Operating Officer	6/13/02	Draft Resolution No. 02-XXXX	061302ga-01