

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

Thursday, September 12, 2002
Metro Council Chamber

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

Chair Bragdon called the meeting to order at 10: 00 a.m.

1. Consideration of the Minutes

Vote:

Chair Bragdon and Councilor Burkholder voted to adopt the minutes of the July 25, 2002, Governmental Affairs Committee as presented. Councilor Monroe abstained. The vote was 2/0/1, and the motion passed.

2. Ordinance No. 02-947, For the Purpose of Amending Metro Code Section 2.19.100 Concerning Metro's Committee on Citizen Involvement (MCCI)

John Donovan, Communications Officer for the Council Office, explained that Ordinance 02-947 changed the section of the Metro code that related to MCCI and the Office of Citizen Involvement (OCI) by allowing the OCI to play a more active role in facilitating citizen involvement activities.

Mr. Donovan introduced Ted Kyle, who just completed his second term as chair of MCCI. Mr. Kyle said he supported the ordinance and gave some background on the process the committee had gone through to redefine itself.

Mr. Donovan said that the MCCI committee reviewed the ordinance as a full body and voted on July 17 to recommend Council approval, with a few adjustments. Mr. Donovan distributed the list of adjustments (a copy of which is included in the meeting record) and reviewed each one. The gist of the two amendments was to reaffirm that MCCI had a direct relationship with the Council and to clarify that the six-year term limit would not be waived.

Chair Bragdon agreed with the two amendments, saying that the key issue was that MCCI was the advisory body and that the purpose of the OCI was to facilitate that function.

Scott Seibert, MCCI member, spoke in support of the ordinance but acknowledged that not all members were happy with the changes. He said that MCCI's goal was to become an integrated part of the agency and to be seen as a valuable and necessary resource and he thought that the work that had occurred this year moved the committee in that direction.

Kay Durtschi, MCCI member, spoke in opposition to the ordinance. She said that she was not against what had been proposed but did not like the process. Her main concern was that, although MCCI voted to approve Ordinance 02-947 with the changes enumerated by John Donovan (above), they did not have a chance to see the final wording of the ordinance before it came to the Governmental Affairs Committee.

Ms. Durtschi asked for clarification about the membership section (b)(1)) of the ordinance, because she said it appeared the Council President would select the two at-large representatives without input from MCCI . Finally, she said that she thought the staff person who served MCCI should report to them directly, not to the Council, because she said MCCI, like MPAC, was an independent body.

Mr. Donovan responded to Ms. Durtschi's comments. He said that he would defer to the MCCI minutes of 7/17/02, but that he didn't think there had been an expectation that he would bring a

revised document back to MCCI before the ordinance went to the Governmental Affairs Committee. Regarding Ms. Durtschi's comment about the staffing provided by OCI, he said that the reporting structure of MCCI was consistent with the rest of the advisory committees at Metro.

Councilor Burkholder said that, as the Council liaison to MCCI, he had been part of the process discussed above and had the following comments. His impression was that the main purpose of the process had been to redefine the OCI and reinforce its work, with MCCI providing guidance and advising on policy issues, not carrying out day-to-day implementation. He added that he did not think that MCCI was an independent body but that rather its main task was to advise the Metro Council on how best to accomplish citizen involvement.

Ted Kyle emphasized that it was very important to MCCI to have a direct relationship with the Council but added that most of the time the committee would be dealing with the OCI on day-to-day work. He said that ultimately it was the Council's decision how the relationship should be structured. Councilor Monroe agreed that MCCI should have the authority to come to the Council directly whenever they felt it was necessary.

Dan Cooper, Metro General Counsel, clarified the question of which entity MCCI is advisory to by reading Section 28 of the Metro Charter: "(1) Creation and purpose. The Metro office of citizen involvement is created to develop and maintain programs and procedures to aid communication between citizens and the council. (2) Citizens Committee in office of citizen involvement. The Council shall establish by ordinance (a) a citizen's committee in the office of citizen involvement and (b) a citizen involvement process. The council shall appropriate sufficient funds to operate the office and committee."

Scott Seibert said that MCCI had two responsibilities, one to advise the OCI and one to report directly to the Council. He added that, unless there was one place where best practices were maintained and spread throughout the organization, citizens had a difficult time knowing how to interact with the agency.

Councilor Monroe clarified a point made earlier about the nominating process for filling vacancies on MCCI. He said that the Council took into account MCCI's recommendations but, as the elected body, was responsible for making final decisions.

Motion: Councilor Burkholder moved to recommend Council adoption of Ordinance No. 02-947, as amended.

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

Councilor Burkholder will carry the ordinance to the full Council.

3. Draft Ordinance 02-958, For the Purpose of Amending Chapter 1.01 Code Adoption and Application Index and Chapter 2.01 Administration and Procedures, of the Metro Code to Conform to the Metro Charter Amendments Adopted on November 7, 2000

Chair Bragdon prefaced discussion of Ordinance 02-958 by saying that the committee was in the process of updating the Metro code to accommodate the changes introduced by the November 2000 ballot measure. He said that to date the committee had dealt with the creation of the Council President and Chief Operating Officer positions and changes to the Metro Attorney position and that the next step related to administrative procedures.

Dan Cooper referred the committee to a draft copy of Ordinance 02-958 (included as a part of this meeting record) and walked the committee through the two chapters included in the ordinance. There were no substantive changes in Chapter 1.01, but Chapter 2.01 generated some committee discussion and revisions.

Under Section 2.01.070, Mr. Cooper raised the question of whether the Chief Operating Officer (COO) should have the authority to introduce an ordinance. The committee agreed that the COO should introduce legislation through the Council President rather than directly. They also agreed that the Council President should sign ordinances rather than the COO. Mr. Cooper clarified that there is a charter requirement that an ordinance requires a majority of the body (four members) to approve it.

Under Section 2.01.080, Mr. Cooper recommended changing the code to also require a majority of the body to approve a resolution. The committee agreed to the change.

Under Section 2.01.170 (b), the committee agreed to the following change: The council by resolution shall adopt guidelines for reimbursement of councilors ~~and council employees~~ for expenses incurred in the conduct of business of Metro.

Motion: Councilor Monroe moved to recommend Council adoption of Ordinance 02-958, with the changes discussed above.

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

Mr. Cooper said that he had identified two more substantive issues that the committee should consider in a separate ordinance: personnel policies and contracting authority. He said he would put them into draft ordinance format for the committee's review at its next meeting. He added that the remaining code would probably break naturally into two additional sections: one on UGB growth management and another to include everything else not covered previously. Any legislation that the Council didn't act on before October 6 would require an emergency clause.

4. Resolution 02-3219, For the Purpose of Confirming Peggy Coats to the Metro 401(k) Employee Salary Savings Plan Advisory Committee

Scott Moss, Assistant Director of the Administrative Services Department, explained that Peggy Coats was chosen from several applicants by a five-person committee to fill a vacancy on the 401(k) Committee.

Motion: Councilor Burkholder moved to recommend Council adoption of Resolution 02-3219.

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

Councilor Bragdon will carry the resolution to the full Council.

5. Councilor Communications

Chair Bragdon reported that six firms were selected through an RFP process to interview to be the search firm that would aid in the recruitment and selection of Metro's Chief Operating Officer. He said that interviews would take place during the week of September 15 and invited anyone interested to take part.

Councilor Monroe said that he would be out of town on September 26 so would not be able to attend the next Governmental Affairs Committee meeting.

There being no further business before the committee, Chair Bragdon adjourned the meeting at 11:22 am.

Prepared by,

Claudia Wilton
Council Assistant

ATTACHMENT TO THE PUBLIC RECORD FOR THE MEETING OF SEPTEMBER 12, 2002

Agenda Item No.	Topic	Doc. Date	Document Description	Doc. Number
2	Ordinance 02-947		Proposed revisions to Ord. 02-947	091202ga-01
3	Ordinance 02-958	9/5/02	DBC draft ordinance	091202ga-02

TESTIMONY CARDS:

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