

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

Tuesday, December 3, 2002
Metro Council Chamber

Members Present: Chair Bragdon and Councilors Rex Burkholder and Rod Monroe

Chair Bragdon called the meeting to order at 11:00 a.m.

1. Consideration of the Minutes

Vote:

Chair Bragdon and Councilors Burkholder and Monroe voted to adopt the minutes of the November 19, 2002, Governmental Affairs Committee as presented. The vote was 3/0, and the motion passed.

2. Ordinance 02-965, For the Purpose of Amending Chapter 2.02 Personnel Rules of the Metro Code to Conform to the Metro Charter Amendments Adopted on November 7, 2000, and Declaring an Emergency

Dan Cooper, General Counsel, noted that Draft Ordinance 02-965 was considered by the Governmental Affairs Committee on November 19, 2002, and sent to the Council for first reading. Subsequently, the ordinance was revised to reflect a technical correction. Mr. Cooper explained that under the current personnel ordinances, positions within the Council Office are considered unclassified because they are entirely exempt from Metro's personnel rules. Ordinance 02-965 erroneously did not provide for exemptions of any positions other than those in the Office of the Auditor. Mr. Cooper prepared language that would allow the Chief Operating Officer (COO) to designate positions that served the Council as exempt provided that the Council President approved the exemption in writing and provided 10 days' notice to the full Council.

Councilor Monroe said that it was critical to add this provision to ensure confidentiality. Mr. Cooper clarified that under state law, a position is deemed confidential only as it relates to labor relations matters.

Councilor Burkholder asked how the Council could ensure that employees were treated fairly if they were exempt from the personnel policies. Mr. Cooper responded that exempting staff did not remove them from the protection of other personnel laws and that, in addition, it allowed the Council to reward staff for working in a demanding environment.

Councilor Burkholder asked how a Council recess of longer than 10 days would affect 10-day notice requirements. Mr. Cooper said that it would be possible to request a moratorium on 10-day notices during the August Council recess, and he suggested that the Council consider this question when it worked on its operating procedures in 2003. Chair Bragdon suggested discussing the 10-day notice issue further at the Council retreat in January, as well as the topic of basic safeguards for Council employees.

Motion:

Councilor Monroe moved to recommend Ordinance 02-965, as amended, to the Council for adoption.
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Vote:

Chair Bragdon and Councilors Burkholder and Monroe voted aye. The vote was 3/0, and the motion passed.
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Council Monroe agreed to carry Ordinance 02-965 to the full Council.

3. Councilor Communications

There were no councilor Communications.

There being no further business before the committee, Chair Bragdon adjourned the meeting at 11:15 a.m.

Prepared by,

Claudia Wilton
Council Assistant

ATTACHMENT TO THE PUBLIC RECORD FOR THE MEETING OF DECEMBER 3, 2002

Agenda Item No.	Topic	Doc. Date	Document Description	Doc. Number
1	Minutes	11/19/02	Minutes of the November 19, 2002 meeting of the Governmental Affairs Committee	120302ga-01