

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REVISING ) RESOLUTION NO. 03-3396  
THE GUIDELINES FOR EXPENDITURES ) Introduced by Council President David  
FROM THE EXPENSE AND GENERAL ) Bragdon, Metro Councilor Susan McLain and  
MATERIALS & SERVICES ACCOUNTS ) Metro Councilor Brian Newman  
OF THE METRO COUNCIL )

WHEREAS, in 1995 the Metro Council adopted Resolution No. 95-2079, setting forth guidelines for the expenditures from the Council's Expense and General Materials & Services Accounts; and

WHEREAS, the expenditure guidelines adopted pursuant to Resolution No. 95-2079 included a prohibition on publishing, distributing and mailing a District newsletter within 120 days of the date on which an election is held in which a Metro Councilor is a candidate; and

WHEREAS, the purpose of Council newsletters is to inform the public of general Metro Council news and events of interest, and such newsletters are not intended to include campaign advocacy materials; and


WHEREAS, newsletters are one of the means by which many citizens and residents, community planning organizations, neighborhood associations, business associations, and governments receive information about Metro and decisions which impact their communities; and

WHEREAS, prohibiting the dissemination of such newsletters within 120 days of the date on which an election is held in which a Councilor is a candidate may limit citizens from receiving important and time-sensitive information about Metro hearings, budget decisions, workshops and other information about their district; now, therefore,

BE IT RESOLVED, that the Metro Council hereby:

1. Amends the expenditure guidelines as set forth in the attached Exhibit A; and
2. Directs the Office of the Metro Attorney to review all Metro newsletters and to advise on whether such newsletters contain campaign advocacy materials or otherwise are not in compliance with the provisions of ORS 260.432.

ADOPTED by the Metro Council on this 18<sup>th</sup> day of December, 2003.

  
David Bragdon, Council President

Approved as to Form:

  
Daniel B. Cooper, Metro Attorney



## EXHIBIT A

### GUIDELINES FOR THE EXPENDITURES OF COUNCIL EXPENSE AND GENERAL MATERIALS & SERVICES ACCOUNTS

#### GENERAL PROVISIONS

1. A Councilor may receive reimbursement for mileage to authorized meetings, and/or reimbursement for actual authorized expenses incurred as provided in these guidelines.
2. Reimbursement for travel and subsistence on official business shall only be for the amount of actual and reasonable expenses incurred during the performance of official duty as a Metro Councilor or council employee.

#### COUNCILOR EXPENSE ACCOUNTS

1. Each Councilor is authorized to receive up to \$4,000 each fiscal year as reimbursement for authorized expenses incurred for council-related activities. A councilor who leaves the Council at the end of a calendar year or joins the Council at the start of a calendar year is authorized to receive up to \$2,000 for authorized expenses for that fiscal year.
2. The ~~Presiding Officer~~ Council President may be authorized an additional \$500 for each six months of service in his or her individual Councilor expense account for authorized expenses in carrying out official duties associated with that office.
3. Each request for reimbursement must be accompanied by supporting documentation which shall include the nature and purpose of the activity, the names and titles of all persons for whom the expenses was incurred and receipts justifying the expense as required by the Internal Revenue Service. No reimbursement shall be authorized for any expense submitted without the above-named documentation.
4. Expenses for out-of-town travel on behalf of the Council, Council committee or Council task force shall be charged against a Councilor's expense account. Authorized expenses shall be limited to the cost of travel, meals, lodging, and meeting or conference registration fees; the cost of travel may include mileage reimbursement for the use of a personal auto while on Metro business outside the Metro boundary at the rate per mile established by Executive Order.
5. In addition to necessary Council-related travel, meals and lodging expenses, expenses may include:
  - a. Advance reimbursement for specific expenses, provided that any advance reimbursement in excess of actual expenses incurred shall be returned or shall be deducted from subsequent expense reimbursement requests;
  - b. Mileage reimbursement for use of a personal auto while on Metro business at the rate per mile established by Executive Order;

- c. Expenses to publish and distribute a Council-related District newsletter ~~which may not be mailed within 120 days of an election in which the Councilor is a candidate;~~
- d. Meeting or conference registration fees;
- e. Child care costs incurred while conducting Metro business with documentation as outlined in No. 3 of this section, including duration of the activity;
- f. Reimbursement for telephone and facsimile transmission expenses incurred while doing Metro business;
- g. Council business-related books, publications and subscriptions; and
- h. Up to \$200 per year for membership in non-partisan community organizations.

### COUNCIL GENERAL ACCOUNT

1. The purpose of the Council General Account is to provide support for the Council and the Council staff.
2. Authorized expenses which may be charged to appropriate Materials & Services categories in the Council General account include:
  - a. Meals for Council-related business;
  - b. Facilities rentals for public meetings;
  - c. Meeting equipment such as audio-visual aids, public address systems, tape recorders, etc., for public meetings;
  - d. Receptions for guests of the Council;
  - e. Expenses for official visitors;
  - f. General Council information, publications, or supplies;
  - g. Remembrances from the Council;
  - h. Professional services for the Council;
  - i. Outside consultants to the Council;
  - j. Authorized out-of-town travel on behalf of the Council. Mileage reimbursement for the use of a personal auto while on Metro business shall be at the rate established by Executive Order.
3. Other expenses may be authorized by the ~~Presiding Officer~~Council President.
4. An individual Councilor may request reimbursement from the Council General account for expenses incurred for general Council business. All requests by Councilors for reimbursement or expenditure from the Council General account shall be approved in advance in writing by the ~~Presiding Officer~~Council President, and a report detailing such reimbursement or expenditure shall be provided to the full Council.
5. All other requests for reimbursement or expenditure shall be approved by the ~~Presiding Officer~~Council President or her/his designee. Each request shall be accompanied by supporting documentation which shall include the nature and purpose of the expense, the names of all persons for whom the expense was incurred, and the receipts justifying the expense. The Finance Department shall provide timely expenditure reports to Councilors and the Council Department.

## STAFF REPORT

### IN CONSIDERATION OF RESOLUTION NO. 03-3396 FOR THE PURPOSE OF REVISING THE GUIDELINES FOR EXPENDITURES FROM THE EXPENSE AND GENERAL MATERIALS & SERVICES ACCOUNTS OF THE METRO COUNCIL

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Date: 12/03/03

Prepared by: Cameron Vaughan-Tyler

## BACKGROUND

In 1995 the Metro Council adopted Resolution No. 95-2079, setting forth guidelines for the expenditures from the Council's Expense and General Materials & Services Accounts. The expenditure guidelines adopted pursuant to Resolution No. 95-2079 included a prohibition on publishing, distributing and mailing a District newsletter within 120 days of the date on which an election is held in which a Metro Councilor is a candidate.

The purpose of Council newsletters is to inform the public of general Metro Council news and events of interest. Newsletters are one of the means by which many citizens and residents, community planning organizations, neighborhood associations, business associations, and governments receive information about Metro and decisions which impact their communities. Prohibiting the dissemination of newsletters within 120 days of the date on which an election is held in which a Councilor is a candidate may limit citizens from receiving important and time-sensitive information about Metro hearings, budget decisions, workshops and other information about their district.

Upon approval of resolution 03-3396, newsletters will be reviewed by the office of the Metro Attorney to screen for information containing campaign advocacy and to ensure Council newsletters are in compliance with the provisions of ORS 260.432

## ANALYSIS/INFORMATION

1. **Known Opposition** None at this time.
2. **Legal Antecedents** Stated above- Resolution No. 95-2079.
3. **Anticipated Effects** None at this time.
4. **Budget Impacts** None, as most newsletters are sent electronically.

## RECOMMENDED ACTION

Approval of resolution to amend guidelines so as to allow for publication, distribution and mailing/emailing of newsletters for all Metro Councilors as set forth in the attached Exhibit A.