

MINUTES OF THE CHARTER COMMISSION
OF THE METROPOLITAN SERVICE DISTRICT

May 7, 1991

Metro Center, Room 340

Committee Members Present: Hardy Myers (Chair), Judy Carnahan, Ron Cease, Jon Egge, Charlie Hales, Matt Hennessee, Frank Josselson, Ned Look, John Meek, Wes Myllenbeck, Raymond Phelps, Jr., Isaac Regenstreif, Mary Tobias and Mimi Urbigkeit

Committee Members Absent: DeMar Bachelor and Bob Shoemaker

Chair Myers called the first regular meeting to order at 6:20 p.m. Prior to the meeting, Judge Stephen Herrell swore the Committee members present in.

Tanya Collier, Presiding Officer and Rena Cusma, Executive Officer each gave a welcoming speech to the Committee.

1. Committee Self Introduction

Each of the Committee members introduced themselves.

Betsy Bergstein, Senior Management Analyst, distributed a roster and asked for correction of any errors or omissions in member addresses or telephone numbers.

2. Approval of Meeting Agenda

Chair Myers asked the Committee to review the agenda.

3. Review of Charter Committee Background 1987-1988 Interim, Task Force on Metropolitan Regional Government, Ballot Measure No. 1 and Senate Bill 298

Dan Cooper, General Counsel, gave an overview of the Metropolitan Task Force, Ballot Measure No. 1 and Senate Bill (SB) 298. He noted background material was available in the agenda packet, a copy of which is filed with the record of this meeting.

4. Charge of the Committee under Senate Bill 298

Noting SB 298, section 1, subparagraph 2, Chair Myers reported the Charter would be a political document rather than a legal document. He said the Charter would define the power and the roles of the Metropolitan Service District.

Mr. Phelps pointed out Ballot Measure No. 1, section 14, sub 3 and 4 did not address SB 298 and there may be incongruency between the two documents.

PROPOSED AGENDA

Metro Charter Committee
Tuesday, May 7, 1991
Third Floor - Metro Center

- Pre-meeting Reception and Swearing -in 5:30-6:15
- Welcome 6:15-6:30
Presiding Officer Collier and
Executive Officer Cusma
1. Committee Self Introductions; 6:30-6:45
Review member addresses/phone numbers
 2. Approval of meeting agenda 6:45-6:50
 3. Review of Charter Committee Background 6:50-7:15
1987-1988 Interim
-Task Force on Metropolitan Regional Government,
Ballot Measure #1, SB 298
Dan Cooper
 4. Charge of the Committee under SB 298 7:15-7:30
Hardy Myers
 5. Distribute Draft By-Laws 7:30-7:35
(for adoption at second meeting)
Hardy Myers, Dan Cooper
 6. Complete Member Schedule Preference form 7:35-7:45
 7. Decide preferred location for 7:45-8:00
Committee office/staff
 8. Distribute Draft Budget 8:00-8:15
(for adoption at second meeting)
Decide staff configuration,
Appoint subcommittee to interview applicants
and recommend selection
Hardy Myers
 9. Discuss target date for charter election 8:15-8:40
(Decision at second meeting)
 10. Set second meeting date, time, place 8:40
Preliminary agenda to include:
Adopt by-laws
Elect Vice-Chair and Secretary/Treasurer
Discuss home rule
Select target election date
adopt work plan, adopt budget, approve staff selection
- Adjourn 8:45

Mr. Cease said Ballot Measure No. 1 was a broad explanation to "sell" to the voters. He said the Charter Committee should work to fully define what the Charter should be.

5. Distribution of By-Laws

The proposed By-Laws were published in the agenda packet for this meeting. Chair Myers noted Mr. Cooper drafted the By-Laws as a guide. He asked Committee members to review the By-Laws and propose any changes at the next meeting. He noted the proposed By-Laws called for election of a Vice Chair and Secretary-Treasurer and asked the Committee to consider nominees for the next meeting.

Mr. Cease noted reference to SB 298 and Measure 1 should be included in the By-Laws.

Mr. Phelps asked Mr. Cooper to review Public Meeting Law. Mr. Cooper gave a brief overview of requirements under Oregon Public Meeting law. Mr. Cooper also noted SB 298 stated the Charter Committee could not hold an Executive Session.

6. Complete Member Schedule Preference form

Ms. Bergstein collected the member schedule preference forms.

7. Decide preferred location for Committee office/staff

Chair Myers noted the Committee had two options to consider. He said the first option was to use space in Metro Center, specifically, the fourth floor conference room. He said the second option was to rent space in the Garden Offices across the street from Metro. Ms. Bergstein reported the Garden Office would cost \$12.00 to \$15.00 per square foot and the space was comparable to the Metro space. Chair Myers noted there were some perceptual concerns over whether the Committee should be housed in the same location as Metro.

Mr. Hennessee noted office or other equipment might be more readily available if the Committee was located at the Metro site. Representative Cease said he would like the Committee to maintain independence and noted access to the Garden Offices might be poor. Mr. Look stated he was not concerned with perception and said it was more logical to house the offices at Metro. Mr. Meek said equipment and staff would be available at the Metro location. Mr. Hales noted holding the actual Committee meetings at different locations would solve perceptual problems. Mr. Phelps said Metro was more accessible. Mr. Egge concurred with Mr. Hales.

The Committee's final consensus was to locate office space at Metro Center.

8. Distribution of Draft Budget, Decide staff configuration, appoint subcommittee to interview applicants and recommend selection

Chair Myers noted Metro staff had prepared the proposed budget outline.

Representative Cease noted the Committee's work should be completed three months prior to the election. He said staff should be maintained during the election period. Mr. Phelps stated staff should be continued for at least 30 days after election.

Mr. Regenstreif questioned if the salary figures given included taxes and benefits. Mr. Cooper said no benefits were included in the figure. He said the Committee could either hire their own employee on a personal services contract, or use a service.

Mr. Hennessee questioned if personnel could be "borrowed" from one of the jurisdictions, such as Washington County. Chair Myers noted the staff should have sole interest in the Charter.

Mr. Meek questioned if a personal services contract could be executed when the contract would extend over one year.

Mr. Cooper discussed whether Metro should act as the fiscal agent for the Charter. He said the Committee could be set up independently as their own fiscal agent, but it would be more convenient to allow Metro to be the fiscal agent.

Mr. Josselson noted the job duties and staff authority had not yet been defined. He felt defining duties should be a first step.

Chair Myers said ten resumes had been received for an executive director position.

Mr. Hales questioned if the Committee really needed an Executive Director and felt starting with a position that was clerical in nature might be more appropriate. Mr. Cease disagreed, and said an executive director was essential. Mr. Look concurred with Mr. Cease.

Mr. Phelps said he preferred using contracted services. He said by using contracted services, the Committee would have more flexibility in meeting fluctuating staffing needs. He also asked if Metro's General Counsel would provide legal counsel services to the Committee.

Mr. Hennessee asked if the amount budgeted for miscellaneous professional services was adequate.

Chair Myers summarized discussion to this point. He noted the Committee's major concerns at this time were structure of staff and whether to hire an employee or contract out for services.

Mr. Hales, Mr. Hennessee and Ms. Tobias reiterated the need for a job description. Mr. Cease noted the individual should be a spokesperson for the Committee.

Mr. Josselson noted four attorneys served on the Committee and said while staff should be familiar with legal issues, they need not be legal staff. He said the Committee should consider hiring a law student which would provide administrative services for a lower cost.

Ms. Tobias requested existing resumes be set aside and not be considered while defining job duties. Mr. Hennessee and Mr. Cease concurred.

Mr. Hennessee asked how resumes had been received when no announcement had been issued. He expressed his desire to open the positions to all applicants even though it was not required by law. Ms. Bergstein explained the resumes came from people who anticipated the staffing needs of the Committee.

9. Discuss Target Date for Charter Election

Mr. Meek noted the formal application for election needed to be made 90 days prior to the actual election date.

Mr. Cease said the Charter was an important document and should not be rushed.

Ken Gervais, Metro staff, discussed the pro's and con's of both gave a brief report of the pro's and con's of both May 1992 and November 1992 election date.

Mr. Cease commented the Committee would hold public hearings on the proposed Charter. He said he would like to hold public hearings earlier to get input and a feel for public perceptions.

Chair Myers assigned Mr. Regenstreif, Ms. Tobias, Mr. Myllenbeck, Ms. Urbigkeit and Mr. Egge to a subcommission to look at the employee issues raised at this meeting.

10. Set second meeting date, time, place

The next meeting of the Charter Committee was set for Tuesday, May 21, 1991, 6:00 p.m., Metro Center, Room 335.

Chair Myers adjourned the meeting at 8:15 p.m.

Respectfully Submitted,


Susan Lee
Committee Clerk