

MINUTES OF THE METRO COUNCIL GOVERNMENTAL AFFAIRS COMMITTEE

October 7, 1993

Council Chamber

Committee Members Present Mike Gates (Chair), Sandi Hansen, Terry Moore, Judy Wyers

Committee Members Excused Jim Gardner

Councilors Also Present Richard Devlin, Susan McLain

Chair Gates called the regular meeting of the Governmental Affairs Committee to order at 4 04 p m

1. Consideration of September 16, 1993 Governmental Affairs Committee Meeting Minutes

Motion Councilor Hansen moved to approve the September 16, 1993 Governmental Affairs Committee meeting minutes as submitted

Vote Councilors Hansen, Moore, Wyers and Gates voted aye

The vote was unanimous and the motion passed

2. Communications from Local Governments

There were no communications from local governments

3. Consideration of Draft Resolution No. 93-1859, For the Purpose of Accepting a Fourth Group of Nominees to the Metro Committee for Citizen Involvement (Metro CCI)

Judy Shioishi, Council Analyst, presented the staff report, and said the proposed resolution would name new members to the Metro Committee for Citizen Involvement (Metro CCI) She referenced a memorandum from Casey Short, Council Analyst, dated October 7, 1993 This document has been made a part of the permanent meeting record

Motion. Councilor Hansen moved to recommend Resolution No. 93-1859 to the full Council for adoption

Vote Councilors Hansen, Moore, Wyers and Gates voted aye.

The vote was unanimous and the motion passed

4. Resolution No. 93-1837, For the Purpose of Amending Policies Regarding Harassment and Discrimination and Adopting Related Procedures

Paula Paris, Personnel Department Director, presented the staff report, and said the current policies applied to Metro employees only, and said the proposed resolution had the intent of amending existing policies to elected officials of Metro as well She said Exhibits A, B, and C reflected those changes, and noted an "Informal Process" was included in the policies in the form of a complete part of the complaint procedure which could be utilized should an informal resolution be sought She noted Exhibit D had been developed by Metro General Counsel for the actual internal procedure if such a complaint was made against a Councilor

Councilor Wyers noted she sent a draft of the resolution to 100 opinion leaders, primarily women and some men, and said she received about 10 phone calls and letters with suggestions, which she in turn forwarded to Dan Cooper, General Counsel She said the revised document before the Committee had been reviewed by the union, AFSCME,

and some suggested additional changes had been incorporated. She said AFSCME indicated satisfaction with the document before the Committee.

Motion Councilor Wyers moved to recommend Resolution No. 93-1837 to the full Council for adoption.

Mr. Short noted his referenced memorandum contained a proposed amendment to the proposed resolution.

Motion to Amend Councilor Wyers moved to amend Resolution No. 93-1837 as follows:
To Exhibit C - Complaint Procedures, Section D, the sentence was changed to read:
(D) The informal procedure shall be confidential and information related to a complaint shall not be disclosed by any person involved in this procedure except for the purpose of investigation and resolution.

Vote on Main Motion as Amended Councilors Hansen, Moore, Wyers and Gates voted aye.

The vote was unanimous and the motion passed.

5. Review of Request for Proposals (RFP) for Greenspaces Funding Consultant

Andy Cotugno, Planning Director, presented the staff report, and said the RFP was to facilitate provision for consultant assistance to 1) survey community and business leaders on key issues related to natural area acquisition and protection; 2) facilitate the establishing of a "Blue Ribbon Committee" to analyze and resolve problems related to these key issues; 3) conduct a public opinion survey to evaluate voter sentiment relating to the key issues; and 4) develop a final report and recommendations to policy-makers on a course of action related to a potential funding measure upon completion.

Mr. Cotugno discussed the budget planned for the scope of work, and suggested the RFP be amended to solicit bids at various funding levels. He proposed the RFP be released with a stipulation that any proposal exceeding the limit of \$45,000 would be contingent on adoption of a budget amendment by the Metro Council.

In response to Councilor Moore, Mr. Cotugno said he believed the necessary overall availability and skills sufficient to address the concerns did not exist among current Metro staff. He felt, too, there could be advantages to the recommendations being other than Metro Staff driven. Councilor Moore suggested dispensing with a costly report at the outcome and suggested receiving the data in unpolished form might produce a savings.

Mr. Cotugno agreed with comment from Councilor Hansen in which she noted the ability of the person to present Greenspaces goals and rally support among groups of corporate and business leaders in the community was an important aspect of the work. In response to Councilor Hansen, Mr. Cotugno said the RFP intended to seek someone locally based, who would be familiar with the local business community, region and policy issues. He said a benefit could be derived from a person from outside the region who could supplement a local group and add open space expertise. He said the proposer would be responsible for putting together the components of the group. Councilor Hansen referenced page 13 of the proposed RFP, Section C 2 a, and it was noted the criteria for evaluation expertise in public policy funding included qualifications in this regard.

Councilor Wyers felt it was prudent to show the potential range in funding from \$45,000 to \$80,000. The Committee and Staff discussed the timing of the measure, and it was noted the measure would likely go on ballot at the primary election in May 1994.

Councilor Devlin questioned whether or not certain issues should be raised by the language contained in the RFP. He referenced several questions on page 1 which he felt should be removed. The Committee and Staff discussed the

matter further, and concern was expressed that the provisions of the RFP uphold the Master Plan, not open up conversation for debate. Councilor Devlin expressed concern regarding the lack of a proposed schedule for completion of the scope of work in the RFP. Mr. Cotugno distributed a proposed schedule entitled, "Fastest Track Possible", and suggested it be included with the RFP. He noted, however, the contractor would not be bound by the schedule, but rather, it would be understood as a suggestion.

The Committee and Staff discussed the range in funding, and whether language should be made clearer on page 2 of the RFP, Section II, Budget and Length of Contract. Councilor Hansen suggested language be inserted at the top of page 2 stipulating that proposals in the range above \$45,000 would necessarily come before the Metro Council for approval.

The Committee discussed the intent of the RFP and the function of the proposed Blue Ribbon Committee. Councilor Moore expressed concerns that particular information, i.e. the 50 stakeholders and the opinion survey, were crucial, but she did not believe the Blue Ribbon Committee with tasks as outlined in the proposed RFP was specific to the task framed in the resolution of intent. Councilors Wyers and Devlin felt the purpose of the RFP was to bring about involvement by the business community and civic leaders as a key in the process and provide support for the measure as it was brought before the voters. Councilor Devlin expressed concern should there be a delay in the release of the RFP, and felt May would likely be the only election FY 1994 that would be feasible. Chair Gates expressed concern the motion before the Committee should not have the intent of limiting the scope of the conversation set out in the RFP, and that an open and honest conversation by the business community should be encouraged. He was concerned the process should not be considered a rubber stamp, but an evaluative effort.

Mr. Short suggested possible ways to proceed, such as possible language changes including changing the document containing a time line be entitled, "Preferred Timetable" rather than "Fastest Track Possible". He suggested direction be given to the Planning Staff by the Committee to develop alternative language in the RFP consistent with the Committee's discussion and concerns, and suggested designating a Committee member to review the language within a day in order to release the RFP by the following Tuesday.

Motion Councilor Hansen moved to approve the RFP with the stipulation that language would be constructed by Planning and Council Staff and reviewed by Chair Gates and Councilor Moore for concurrence. She moved that the document title be changed to "Preferred Timeline."

Mr. Cotugno indicated a deadline should be incorporated in the RFP itself, but the schedule should be left somewhat indeterminate.

Vote Councilors Hansen, Moore, Wyers and Gates voted aye.

The vote was unanimous and the motion passed.

6. Consideration of Draft Ordinance Adopting a New Chapter to the Metro Code Pertaining to Elections

Mr. Short said previous Council and Staff discussions had occurred that suggested the need for codifying election procedures, i.e. how the Council would refer items to the public with inclusion of provisions for initiative or referendum. He said Chair Gates had asked for a draft ordinance to come to the Governmental Affairs Committee for review, and noted the draft ordinance before the Committee was an attempt to speak to that issue. Mr. Short recommended the proposed draft ordinance with minor exceptions could be approved sent to the full Council for first reading and come back to Committee for further review.

Larry Shaw, Senior Assistant Counsel, noted a state statute, Senate Bill 1072, had been passed stipulating Metro ballot measures and candidates could not be placed in the State Voter's Pamphlet. He pointed out the draft ordinance provided for the inclusion of material in County Voter's Pamphlets. The Committee discussed the Voter's Pamphlets further, and discussed whether funding in and by Washington County for a county pamphlet might be an issue.

Mr Shaw indicated county pamphlets were not mandatory, although requirements concerning content did exist, i.e. candidates for all races shall be included, would cover Metro candidates

Motion Councilor Moore moved to introduce the proposed draft ordinance for adopting a new chapter to the Metro Code pertaining to Elections and file the draft ordinance following minor changes with the Clerk of the Council.

Vote Councilors Hansen, Moore, Wyers and Gates voted aye

The vote was unanimous and the motion passed

7. Status Report on Negotiations with Multnomah County Regarding an Intergovernmental Agreement for the Transfer of Regional Parks and the Expo Center

Mark Williams, Senior Assistant Counsel, briefed the Committee regarding the process of negotiations with the County concerning the Memorandum of Understanding and the Intergovernmental Agreement

Mr Williams said all negotiations concerning language differences were completed and resolved between Metro and County Counsel, and he said it was his understanding that the County Commission would consider the MOU October 14, 1993 and that it would subsequently come before the Metro Council the same day at their regularly scheduled meeting.

Mr Williams said an IGA comprehensive document was in draft stages addressing all possible issues. He said it would have an in-house review prior to being submitted to the County for review. Mr Williams said an ordinance was being prepared to bring to the Committee declaring which of the facilities Metro defined to be of metropolitan concern. Mr Williams offered the opinion of the Office of General Counsel that such an ordinance was not strictly required as a matter of law under the Charter until Metro actually took full ownership of these facilities. Nevertheless, he added, Counsel recommended that the adoption of such an ordinance would be desirable now.

Mr. Short discussed the timing restraints involved, and noted no effect would be felt regarding the determination for implementation on January 1, 1994.

The Committee and Staff discussed the issue of defining metropolitan concern. Mr Short said the charter mandated findings be made for such a definition, and said that doing so by ordinance would be appropriate. The Committee and Staff discussed the outcomes possible should findings be made that certain facilities be defined as not being of metropolitan concern, and it was noted that specific intergovernmental agreements could be implemented for those distinctions.

The Committee and discussed the role of MPAC in the proceedings. Mr Short clarified the MOU bound no one.

There being no further business, the meeting adjourned at 5:55 p.m.

Respectfully submitted,



Marilyn Geary-Symons
Committee Recorder