

MINUTES OF THE COUNCIL GOVERNMENTAL AFFAIRS COMMITTEE
OF THE METROPOLITAN SERVICE DISTRICT

November 19, 1992
Council Chamber

Committee Members Present: Tanya Collier (Chair), Richard Devlin (Vice Chair), Terry Moore, Judy Wyers

Committee Members Absent: Ed Gronke

Other Councilors Present: Jim Gardner, Sandi Hansen, Ruth McFarland, Susan McLain, George Van Bergen, Ed Washington

Chair Collier called the regular meeting to order at 4:10 p.m.

1. Consideration of the Minutes of the September 3, September 17, and October 1, 1992 Governmental Affairs Committee

Motion: Councilor Devlin moved to approve the minutes.

Vote: All those present voted aye. The vote was unanimous and the minutes were adopted.

2. Consideration of Resolution No. 92-1708, Approving a Contract Amendment and Extension with WM Benefits

Paula Paris, Personnel Director, introduced Sarah Keele, Senior Management Analyst. Ms. Keele presented the staff report. She discussed the history of the benefit plan management. She said the resolution would merge the 5% and 6% benefit plans.

Councilor Van Bergen asked who WM Benefits was. Ms. Keele said they were a subsidiary of Washington Mutual Savings and Loan.

Councilor Wyers asked if sole source language was required. Ms. Paris noted legal counsel and contracts reviewed the document. Chair Collier requested staff to verify Councilor Wyers' question prior to Council consideration. Councilor Van Bergen said changing plan administrators would be costly.

Councilor Moore questioned who served on the Administrative Advisory Committee. Ms. Keele said the committee was comprised of Metro staff. Councilor Moore asked if the merger of plans was complete. Ms. Keele stated it was complete. Councilor Moore questioned why additional funds were sought. Ms. Paris explained changes in the company and benefit options require additional costs.

Motion: Councilor Devlin moved to recommend full Council adoption of the resolution.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

3. Consideration of Resolution No. 92-1709, Approving a Request for Proposal document for an Agent of Record for Employee Benefits and Authorizing the Executive Officer to Execute the Contract

Ms. Keele presented the staff report. She explained the function of the Agent of Record for Employee Benefits. She said the contract would be three years in duration.

Councilor Van Bergen noted a similar resolution would be considered at the Finance Committee. He expressed concern about having two agents of record. Ms. Paris explained one was for risk management and one was for health and welfare benefits. Mike Gates, Councilor-Elect, said firms were available that could handle both types of consulting services. He noted that it may still cost the same for those services. He said savings might be realized in commission fees. Staff agreed to examine this issue prior to consideration at the full Council meeting.

Councilor Wyers asked why a request for proposal (RFP) was used instead of a request for bid (RFB). Ms. Keele said staff advised her to use an RFP for professional services.

Motion: Councilor Devlin moved to recommend full Council adoption of the resolution.

Councilor Van Bergen commended the Risk Management Department. He said he felt that in the Metro staff might be able to perform these functions. Ms. Paris noted the consultants were particularly successful in negotiations with Metro's health insurance carriers, ODS and Kaiser Permanente. Councilor Van Bergen reiterated that he felt Metro staff could perform the functions.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

4. Review of Departmental First Quarter Reports

Chair Collier deferred discussion of item four.

5. Work Session to Discuss Charter Implementation Issues
- Apportionment Commission
- Office of Citizen Involvement
- Council Procedures

Chair Collier invited Councilors-Elect Gates, Kvistad, and Monroe to participate in the discussions.

The Committee held a work session to discuss Charter implementation issues.

Casey Short, Council Analyst, discussed the apportionment process. He summarized his memorandum dated November 12, 1992, a copy of which is included in the record of this meeting.

Dan Cooper, General Counsel explained the following issues as they relate to the Charter implementation: ethnic representation, population variance, and use of 1990 census data.

The Committee discussed ethnic representation. Mr. Cooper discussed federal voting law as it related to ethnic representation. Councilor Devlin noted during the last reapportionment, ethnic representation was considered significant. Councilor Wyers asked about the intent of the federal law. Mr. Cooper said the law was made to address gerrymandering. Councilor Van Bergen asked if minority status could be identified by age. Mr. Cooper said he would research the question and return a response in writing.

The Committee discussed population variance. Mr. Cooper noted the constitutional standard states any variance from 0% must be justified by past legislative practices. He noted the Charter Committee did not specifically state that as their intent in drafting the Charter but the language in the Charter raised a question as to the standard to be applied. Chair Collier noted consideration for areas with projected growth should occur such that in ten years the districts are not grossly out of proportion. Mr. Cooper noted the Council could adopt a policy by ordinance to adjust the variance up to five percent.

Councilor Buchanan asked if consideration would be given to limit the number of incumbents in any one district. Councilor Devlin noted legal criteria did not mandate limiting the number of incumbents in a district. He noted the Council would not be approving this apportionment.

Councilor-Elect Monroe recommended against speculating on population growth. Chair Collier noted Metro was in the growth management business and felt Metro could predict growth. She requested full discussion occur on the matter at a future date. Councilor Hansen asked if an Ordinance establishing guidelines could include maintaining neighborhood boundaries. Mr. Cooper said Metro could advise the apportionment commission on matters to be considered during the process.

GOVERNMENTAL AFFAIRS COMMITTEE
Minutes of November 19, 1992
Page 4

The Committee discussed the use of census data in the apportionment process. Councilor Gardner agreed it was difficult to consider growth projections. He noted growth had occurred since 1990 and other information available was more accurate. Mr. Cooper stated an ordinance could direct other data be used. He noted for federal purposes, the 1990 census was sufficient. Mr. Short noted an interest in determining what population information was used in 1978 during the original apportionment process.

Councilor Gates asked if the Council could order a reapportionment prior to the required ten year census. The Committee consensus was more frequent reapportionments would be undesirable. Councilor Monroe noted Portland State University publishes accurate population information that might be used in the reapportionment process. Councilor Devlin discussed the growth in the region as it related to reapportionment. Councilor McLain expressed an interest in consideration of population growth during apportionment.

Councilor Devlin requested legal opinions be prepared in writing. Chair Collier requested Mr. Short prepare a list of options for Council consideration.

Mr. Short discussed possibilities for pairing districts. The Committee discussed the process for combining Districts for appointment apportionment commission members.

The Committee agreed to work on this matter at the next two regular meetings of the Committee.

Councilor McLain expressed displeasure with the process used to determine the November 30, 1992 Council Retreat. She noted she would not be able to attend. She requested that future decisions be noticed in advance.

With no further business before the Committee, Chair Collier adjourned the meeting at 5:50 p.m.

Respectfully Submitted,



Susan Lee
Committee Recorder

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