

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

Regular Meeting  
September 14, 1989

Committee members present: Mike Ragsdale (Chair), Gary Hansen  
(Vice Chair), Lawrence Bauer and  
David Knowles

Committee members absent: Tanya Collier

Chair Ragsdale called the meeting to order at 4:05 p.m.

1. Consideration of Minutes of July 27, 1989 Meeting

Motion: Councilor Bauer moved for approval of the minutes.

Vote: Councilors Bauer, Hansen, Knowles and Ragsdale  
voted aye.

The motion carried unanimously.

2. Ordinance No. 89-302A, Establishing and Regulating  
Charitable Solicitations among Metropolitan Service District  
Employees

Don Carlson, Council Administrator, began by reviewing the changes requested by the Committee at their last meeting. He said in Section 2 a requirement was added to have the Executive establish rules and procedures to implement the Ordinance in consultation with District employees; solicitations were limited to a single period during the year, lasting no longer than 30 days; and the signing of payroll deduction cards was limited to a two week period after the campaign. In Section 3 of the Ordinance, the "umbrella" limit was raised from five organizations to ten organizations, and a requirement was added to distribute funds only to organizations which have a local presence or office in the District.

Mr. Carlson said he had shown the draft to John Leahy, Personnel Officer, and Mr. Leahy indicated it met the Committee's objectives; however, he had not discussed it with the Executive Officer. Mr. Carlson said he talked to Amina Anderson, Black United Fund Director, by phone and she indicated the Ordinance looked pretty good. Her only question was what would be the campaign guidelines and would there be a person or a committee of employees responsible for helping draft the guidelines. She

asked if there would be an application process. Mr. Carlson indicated the Executive Officer would deal with those issues. Ms. Anderson made one suggestion to change Section 3 (a) to read "Be a fund-raising organization which raised and distributed funds to 10 or more charitable agencies".

Main Motion: Councilor Hansen moved to recommend Council adopt Ordinance No. 89-302A.

Motion to Amend: Councilor Hansen moved to amend Section 3 (a) of Ordinance No. 89-302A to read as follows: "Be a fund-raising organization which raised and distributed funds to 10 or more charitable agencies".

Vote on Amendment: Councilors Bauer, Hansen, Knowles and Ragsdale voted aye.

Motion to amend carried unanimously.

Vote on Main Motion: Councilors Bauer, Hansen, Knowles and Ragsdale voted aye.

Motion carried unanimously.

Chair Ragsdale served notice he could possibly vote against the Ordinance at the Council meeting with no malice against the intent. He said he felt other single, qualified charitable organizations should have the chance to come in and solicit.

3. Resolution No. 89-1137, Ratifying the Labor Agreement Between the Metropolitan Service District and Laborers International Union Local 483

John Leahy, Personnel Officer, presented the staff report. He said the contract provided for a cost of living adjustment of 5 percent each year for two years; noting the pay plan had an entry step, a six-month step and a one-year step for most classifications. He said this represented no change from the previous agreement. The health benefits, provided through Oregon Laborer's Trust, would increase on September 1, 1989 from \$256.53/month to \$288.16/month. This would be the only increase until September 1, 1990. He said any increase at that time would not exceed a 15 percent cost to Metro. The Oregon Laborer's Trust is trying to keep costs within a reasonable amount.

Councilor Knowles asked how the rate of increase compared to the AFSCME contract. Staff responded the main difference was that on the anniversary date each employee does not get a step increase.

Motion: Councilor Hansen moved to recommend Council adopt Resolution No. 89-1137.

Vote: Councilors Bauer, Hansen, Knowles and Ragsdale voted aye.

Motion to amend carried unanimously.

4. Ordinance No. 89-305, Amending Metro Code Chapter 2.04 Purchasing Procedures Regarding Intergovernmental Agreements and RFP/B Addendums

Jessica Marlitt, Council Analyst, present the staff report to the Committee. She said Metro General Counsel Dan Cooper reviewed an initial draft with staff. Mr. Cooper did advise that in terms of intergovernmental agreements generally and the Council's authority to approve these agreements, expanded Council approval authority would not be consistent with his interpretation of State designated contracting authorities. For this reason, staff removed prior language providing for Council approval of all intergovernmental agreements. The amendments to the Ordinance provide the following:

- 1) Pages 1-2, subsection (f) provides a definition of intergovernmental agreements coinciding with State language.
- 2) On page 3, subsection (C) addresses Metro's grant awards. This would include specially designated Metro revenue sources such as the "One Percent for Art" program or the "One Percent Well Spent" program.
- 3) On page 10, subsection (d) specifies that intergovernmental agreements shall be included in the Executive Officer's annual contracts list. It also clarifies "A" and "B" contract designations, making the Code consistent with current practices.
- 4) On pages 11-12, language was added to address review and/or approval of intergovernmental agreements by the Council/Committee. Also included on page 11 are procedures for Council/Committee review and/or approval of certain RFB/RFP addendums.
- 5) On page 13, a procedural option to streamline Council approval of multi-year contracts was added.

Council Internal Affairs Committee Meeting  
September 14, 1989  
Page Four

Councilor Hansen said he would like to see language on page 11 designating the Council as the only body that determines whether something materially alters the scope of a contract. Dan Cooper, General Counsel, said he was in agreement with Councilor Hansen that the issue of whether an addendum materially alters the scope of work ought to be determined by the Council. If the Council decides it need not approve something because it does not think it materially alters the scope, that decision is final. If the Council decides an addendum does materially alter the scope and approves it or disapproves it, that decision is also final and no third party ought to have any rights to claim they have been damaged by the Council decision in that regard. The Committee also expressed concern that the language be clear enough that it forces the Council to be expedient.

Councilor Knowles asked if, since the Code was being amended, that portion of the Contract Code dealing with ethics - contact by Councilors with potential or existing contractors - could be revised at the same time. Chair Ragsdale said he thought that was very appropriate and then he appointed Councilor Knowles and himself as a subcommittee to come up with some conceptual work in that area.

There being no further business, the meeting was adjourned at 4:50 p.m.

Respectfully submitted,



Ann Brunson  
Committee Clerk

NOTE: Liz Ranger was the Recording Secretary for this meeting.

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