

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

March 3, 1988

Committee Members Present: Councilors Mike Ragsdale (Chair),  
Tanya Collier, Larry Cooper, Sharron  
Kelley, David Knowles and Richard Waker

Committee Members Absent: Councilor Gary Hansen (V. Chair)

Other Councilors Present: Councilors Jim Gardner, Corky  
Kirkpatrick and George Van Bergen

Chair Ragsdale called the meeting to order at 4:00 p.m.

1. Council Reorganization

Consideration of Ordinance No. 88-241, Amending Chapter 2.01 of  
the Metro Code Pertaining to Council Organization and Procedure  
(Public Hearing); and

Consideration of Resolution No. 88-874, for the Purpose of  
Adopting Procedures for Introducing Ordinances and Resolutions

Chair Ragsdale opened the public hearing for Ordinance No. 88-241.  
There was no testimony from members of the public and the public  
hearing was closed.

Don Carlson, Council Administrator, reviewed a memorandum dated  
February 17, 1988, which explained the purpose of the ordinance and  
resolution. He noted that at the February 25 Council meeting,  
citizens Claire Green and Constance Hawes recommended the ordinance  
be revised to require the electronic taping of Council and committee  
meetings.

Councilor Waker, referring to section 2.01.140 of the ordinance,  
thought it could be inappropriate to apply Roberts Rules of Order to  
procedures for public hearings. He also thought the Committee  
should discuss whether hearings could be conducted at the discretion  
of committee chairs.

Chair Ragsdale explained that since the ordinance embodied the  
elements of a strong committee system, the Committee should first  
discuss whether they agreed with that philosophy.

Councilor Waker said he was concerned that legislation might be  
referred to a committee, die for lack of committee support, and  
never be discussed or voted on before the full Council. Chair  
Ragsdale responded that the ordinance provided for the Council's  
ability to pull legislation from a committee for the purposes of

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full Council consideration. He suggested the ordinance language be changed to clarify that provision.

Councilors Waker and Kelley were concerned legislation could be tabled without a public hearing. The Chair responded a full public hearing should take place before a committee or the Council voted on any motion to table a matter.

Discussion followed about types of matters that might not be referred to a standing Council committee. Chair Ragsdale said he had discussed with Dan Cooper, General Counsel, whether certain quasi-judicial, Urban Growth Boundary (UGB) decisions should appropriately be referred to a committee or considered by the full Council. Councilor Knowles did not think it appropriate for a committee to consider a hearings officer's recommendation. The full Council, as a quasi-judicial board, had to make those decisions, he explained.

After discussion, the following motion was made:

Motion: Councilor Knowles moved, seconded by Councilor Cooper, to amend the ordinance to provide that a vote of the majority of Councilors present at a meeting of the full Council, a quorum being present, could pull any item from a Council committee to be considered by the full Council.

Councilor Knowles asked how the committee system would be applied for the upcoming BenjFran petition to amend the UGB. Chair Ragsdale said he would forward the matter to the Intergovernmental Relations Committee (IGR) for the purpose of making a recommendation to the Council. Councilor Knowles did not think it appropriate for any body other than the full Council to consider the case. He thought the applicant's attorneys could object to any process that would not involve the full Council considering the full evidence. Councilors Cooper, Collier and Kelley agreed with Councilor Knowles. Councilor Waker thought the IGR Committee should consider the BenjFran matter to see if the Committee system could work for UGB matters. Chair Ragsdale requested the IGR discuss at a subsequent meeting how UGB cases should be handled by the Council.

The Committee again discussed a committee's potential ability to table legislation. Councilors Knowles and Kelley strongly recommended committees not have the ability to table legislation without a public hearing.

Chair Ragsdale said he would draft amendments to the ordinance providing for the Presiding Officer to appoint the Deputy Presiding Officer. The ordinance had inadvertently included language for

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electing the Deputy position. Consideration of the ordinance was continued to the next Committee meeting (March 17, 1988).

2. Consideration of Resolution No. 88-879, for the Purpose of Amending the Budget to Transfer the Lobbyist Position from Executive Management to the Council Department

Councilor Kirkpatrick noted the resolution would be rewritten to reflect recent changes but she wanted the committee to consider it as a discussion document. The issue before the committee was whether the Lobbyist position should be moved from the Executive Management Department to the Council Department.

Councilor Collier said she was unsure about which department should house the position but she wanted candidates to be hired by the Executive Officer and confirmed by the Council. The Lobbyist could be terminated by the Executive Officer or a vote of the majority of the Council, she said.

Councilor Waker did not see a need to the make changes recommended by Councilor Kirkpatrick at this time. The important issue, he explained, was whether the Lobbyist would represent the Council's adopted policy. If it happened that a Lobbyist did not represent the Council, Councilor Waker said he would then consider moving the position to the Council Department which could occur during the FY 1988-89 budget process.

Councilor Knowles questioned why the resolution was being proposed when the Lobbyist position had traditionally been housed in the Executive Management Department. Councilor Kirkpatrick explained that under the previous administration, the Council had participated in hiring the Lobbyist. The current Executive Officer, however, had only involved the Council in hiring as a courtesy and as a result of Senate Bill 629, Council involvement was not required. She thought the recent ordinance establishing the Office of General Counsel could serve as a model for how the Lobbyist position could be hired and terminated.

Chair Ragsdale requested Committee members bring amendments to the March 24 Committee meeting and that a public hearing be held on the resolution.

There was no other business and the meeting adjourned at 5:25 p.m.

Respectfully submitted,



A. Marie Nelson  
Clerk of the Council

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