

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

June 9, 1988

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

Committee Members Absent: None.

Chair Ragsdale called the meeting to order at 4:20 p.m.

2. Consent Agenda

Motion: Councilor Waker moved, seconded by Councilor Knowles to approve all items on the consent agenda.

Councilor Kelley said at the June 2, 1988 Zoo Planning Committee meeting, discussion had occurred regarding developing a standard form for reporting contract award information. She said Zoo staff had requested guidance in providing a consistent reporting format.

Vote: A vote on the motion resulted in the six committee members present voting aye. Councilor Collier was absent.

The motion carried and the following items were approved:

- 2.1 Resolution No. 88-925, for the Purpose of Entering into a Contract with Halstead's Arboriculture Consultants for the Purpose of Cascades Aviary Matrieal and Installation
- 2.2 Resolution No. 88-926, for the Purpose of Entering into a Contract with Steve Reischman for the Purpose of Providing Summer Concert Series Coordination at the Washington Park Zoo
- 2.3 Resolution No. 88-929, for the Purpose of Entering into a Contract with Henny-Hinsdale Wines, Inc., for the Purpose of Providing Wine to the Washington Park Zoo
- 2.4 Resolution No. 88-930, for the Purpose of Entering into a Contract with United Beer for the Purpose of Providing Beer to the Washington Park Zoo

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

Council Administrator Donald Carlson said the resolution had been brought before the committee for final approval of language changes recommended by the committee in Exhibits A and B.

Motion: Councilor Cooper moved to recommend the Council adopt Resolution No. 88-874.

Vote: All six councilors present voted aye. Councilor Collier was absent.

The motion carried.

Councilor Waker noted that Section F. of Exhibit A, as written, required Council action on a minority report.

Motion: Councilor Waker moved to retract approval of Resolution No. 88-874 and direct staff to redraft Section F. to eliminate the requirement for Council action on a minority report.

Vote: A vote on the motion resulted in all six committee members present voting aye. Councilor Collier was absent.

The motion carried.

The chair announced the public hearings on agenda items 4 and 6 would occur later in the meeting when a larger room became available.

5. Consideration of Ordinance No. 88-249, Amending Chapter 2.04, Metro Contract Procedures of the Metro Code, in Order to Clarify the Division of Powers Between the Council and the Executive Officer and Making Other Changes

Ray Phelps, Finance and Administration Director, presented the staff report and responded to councilors' questions regarding their contract review board responsibilities. Councilors Hansen, Waker and Kelley were concerned about the potential for litigation if a sole source or other-than-lowest bid award was made. Daniel Cooper, General Counsel, explained that State law provided an appeal process, whereby the contract review board--in this instance, the Metro Council--would hear contested cases. Councilor Kelley said she felt strongly that contracts with only one bidder should be reviewed by the contract review board prior to the contract award. The committee requested staff to draft amendments to Ordinance No. 88-249 to clarify the process by which appeals would be heard by the contract review board.

The chair recessed the meeting at 4:45 p.m. and reconvened the meeting at 4:50 p.m. He announced the public hearing on agenda item 6 would begin at 5:10 p.m.

4. Consideration of Resolution No. 88-894A, for the Purpose of

Amending the Classification and Pay Plans for the Metropolitan Service District

Councilor Knowles stated the resolution had been re-referred to committee to deliberate issues regarding merit, cost of living adjustments (COLA) and implementation strategy. The chair then opened the public hearing.

James Giesecking, Metro Transportation Planner, testified that Metro employees, in general, favor a COLA. Mr. Giesecking also stated an active union organizing effort was underway at Metro, and that management was in receipt of a letter from the attorney for the American Federation of State, County and Municipal Employees (AFSCME) advising of an interpretation of labor law that would indicate any unilateral action by management while an active union organizing effort was underway could be interpreted as an unfair labor practice.

Councilor Collier said she had asked General Counsel Dan Cooper to investigate the matter and give Council some guidance regarding at what point organizing efforts were defined as "active." She also said that Mr. Cooper would be reporting to the full Council at their meeting scheduled for later that evening.

Mike Cannarella, AFSCME Council 75 Representative, said Attorney Henry Drummond had advised him that filing union interest cards with the Employment Relations Board signified an active union organizing campaign had been undertaken; and while the Council could consider changes in pay and classification, implementation of the changes could be considered an unfair labor practice.

Councilor Collier said she felt issues regarding pay, classification, health insurance and retirement benefits were closely related and should be considered together. Chair Ragsdale stated the public hearing on Resolution No. 88-894A would be continued at the committee's next meeting.

Andy Cotugno, Metro Transportation Director, testified in favor of the consultant recommendation for merging merit and COLA. He said, however, he felt it more appropriate to identify the merit figure separate from the COLA figure. Mr. Cotugno proposed a transition plan whereby a pro-rata COLA would be awarded employees on a date certain proportional to the length of time until their anniversary date. Upon an employee's anniversary date, the employee would be evaluated and awarded, or not awarded, a salary increase based upon the Council agreed-upon COLA and any merit calculation.

Mr. Cotugno also proposed changes to the implementation plan to address inequities. He suggested that any employee whose salary had been frozen for a year or more because they had reached the maximum salary

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for their range receive on July 1 an evaluation and an salary adjustment corresponding to the Pay and Class Study. Mr. Cotugno also said the approved budget had been formulated based upon a seven percent salary increase for each employee. He said this budget assumption would be sufficient to respond to inequities.

The chair announced that Resolution No. 88-894A would be considered at the June 16, 1988 meeting of the Internal Affairs Committee.

6. Consideration of Ordinance No. 88-252, amending Metro Code Chapter 2.04 Relating to the Disadvantaged Business Program

Chair Ragsdale asked if there were individuals who wished to testify on the ordinance. There being none, he announced that public hearing on the ordinance would be postponed until June 16, 1988, at which time the ordinance would be the first agenda item.

There was no further business, and Chair Ragsdale adjourned the meeting at 5:20 p.m.

Respectfully submitted,



Gwen Ware-Barrett
Council Committee Clerk

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