

## MEETING REPORT

DATE OF MEETING: August 17, 1981

GROUP/SUBJECT: Council Coordinating Committee

PERSONS ATTENDING: Couns. Banzer, Etlinger, Kafoury, Burton, Kirkpatrick, Rhodes, Schedeen, Bonner, and Deines.

Staff: Rick Gustafson, Andy Jordan, Andy Cotugno, Neal Van Horn, Karen Thackston, Jill Hinckley, Jennifer Sims, Sue Woodford, Toby Janus, Sue Haynes, Marilyn Holstrom, Jerri Widner, Charlie Shell.

### SUMMARY:

The meeting was called to order at 5:30 PM.

Minutes of the July 13, and July 27, 1981, meeting were approved as circulated.

#### I. Recommendation that the new Personnel Rules be forwarded to the Council for Adoption.

Coun. Burton stated that after reviewing the Rules, it was his impression that the intent tonight was to make the meeting available as the place to introduce the Rules, that there must be a hearing before the Council prior to the adoption of the Rules by Ordinance.

Legal Counsel Jordan stated that the Committee may hold a meeting at which time the employees could testify and agreed that the formal public hearing before the Council must be held prior to adoption of the Rules by Ordinance.

Coun. Burton asked if the meeting with the employees would satisfy the requirement for the public hearing.

Legal Counsel Jordan stated if the Council wished to do so, it would not be illegal.

Coun. Burton suggested a special meeting of the Coordinating Committee for the purpose of allowing the employees to testify on the Rules.

Sue Woodford, Personnel Manager, reviewed the general outline of the Rules with the Council.

Coun. Bonner asked what the Rules stated about striking.

Legal Counsel Jordan stated that Metro does not have a collective bargaining ordinance which would govern strikes and collective bargaining. If there is interest in such an ordinance, it could be drafted.

Coun. Kafoury asked where the Rules spoke to filling vacancies. Sue Woodford stated in the section regarding Appointments.

Coun. Etlinger stated his objection that the presentation outline was not the same as the Rules outline and suggested that the Rules be categorized as simply as

the presentation outline.

Jennifer Sims, Director of Management Services, outlined the process of the Rules revisions that began in October, 1980. Some of the items discussed and considered in the revisions:

- Hiring of temporary employees in the same manner as regular employees;
- Working with the Employees Association regarding layoffs of employees;
- How to deal with flexible hours under the direction of the supervisor and providing some lead time for people who are accumulating substantial overtime;
- Changing the maximum vacation accrual to 200 hours, with Executive Officer approval required for additional accrual;
- Should there be monitoring of outside work by an employee's supervisor;
- Conflict of interest in outside work--Executive Officer shall make the judgement on whether outside employment is in conflict.

Coun. Burton stated that in summary, the Personnel Rules were making the same provisions as the Oregon Code of Ethics in regard to outside employment.

Coun. Kirkpatrick circulated prepared statements which read as follows:

"An Advisory Committee spokesperson, designated by the Employees' Association, shall be authorized a reasonable amount of time off without loss of pay not to exceed four hours in any week for the conduct of Employee Association business. The time must be scheduled with the approval of spokesperson's supervisor."

"Conflict of Interest

Specify ORS as indicated by the employees committee.

Also, add some language to protect Metro along the following lines:

No employee may be paid consultants to institutions or organizations without specific written approval in advance from the executive officer. Full time employees will not be permitted to hold outside employment except on sufficient justification presented to the executive officer."

Executive Officer Gustafson stated that a more structured set of Personnel Rules would, in his opinion, do more harm than benefit.

General discussion of attendance at Employees' Association meetings and outside employment.

The following concerns were expressed about the Personnel Rules:

- Coun. Rhodes - Oral reprimand (under Disciplinary Action) should be verified and the Rules show no provision for verification.
- Coun. Bonner - Felt that the disciplinary process is too cumbersome as it is presented, i.e. oral reprimand, then written; suspension, then dismissal.
- Coun. Burton - Suggested shortening the procedures and making them clear.

- Coun. Kafoury - Stated that temporary employees should be hired under the same rules as regular employees.
- Coun. Bonner - Stated there is too much favoritism to Metro employees under the present rules of advertising all jobs in-house before advertising outside.
- Coun. Etlinger - Suggested checking with other jurisdictions for their criteria for in-house hiring.
- Coun. Bonner - Nothing in the Rules about changing an employee's status from probationary to regular status.
- Coun. Burton - Suggested that reference be made to the performance evaluation system.
- Coun. Bonner - Hours of work not spelled out. Accrual of vacation hours seems to be high.
- Coun. Banzer - Objected to an employee being denied access to references in his/her personnel file from previous employers. Under involuntary transfers--10 days' notice; ten working days or calendar days. Maternity leave too long and should not require a letter from a physician.

General discussion of a time and date for the next meeting time to discuss the Personnel Rules exclusively and allow the Personnel Manager and Director of Management Services respond to the Council's concerns.

It was the consensus of the Committee to meet again, informally, on Thursday, September 3, 1981, at 5:00 PM, prior to the Council meeting.

II. Recommendation to establish the new position of a Senior Accountant and authorize funding for it.

Executive Officer Gustafson explained that the funding source for this position was available from the planning portion of the State Pollution Control Bond funds.

General discussion.

Motion to recommend approval of the Senior Accountant position and funding for it to the Council; carried unanimously. (Bonner/Banzer)

III. Recommendation on an Ordinance Relating to Procedures of the Council and Amending Code Sections 2.01.030, 2.01.060, 2.01.070 and 2.01.140.

Motion to recommend adopting of the Ordinance to the Council, with one amendment to change the name of the Coordinating Committee in any area it may appear to the Ways and Means Committee; died for lack of a second. (Bonner)

Discussion of adequate notice in change of regular meeting time.

Discussion of quorum requirements--50% or one more than 50%. Legal Counsel Jordan stated that a quorum is a majority; therefore more than 50%.

Motion to change Section 2.01.140(c) to read "A majority" constituting a quorum (the original language) (Kafoury/Bonner); failed by the following roll call vote:

YEAS: Kafoury, Bonner  
NAYS: Banzer, Burton, Deines, Schedeen

Motion to eliminate Section 2.01.070(h) and that the existing language be retained (Deines/Schedeen); carried by the following roll call vote:

YEAS: Deines, Schedeen, Kafoury  
NAYS: Bonner, Banzer

Motion to change the name of the Coordinating Committee to the Ways and Means Committee (Bonner/Banzer); failed by the following roll call vote:

YEAS: Bonner, Banzer, Burton  
NAYS: Deines, Schedeen, Kafoury

Motion to forward the Ordinance amending the rules to the Council with the additional amendments made by the Committee; carried unanimously. (Bonner/Burton)

IV. Recommendation to establish a Bi-State Policy Advisory Committee.

Motion to recommend approval of the Bi-State Policy Advisory Committee; carried unanimously. (Banzer/Burton)

Meeting adjourned at 7:40 PM for dinner.

Meeting called to order at 8:07 PM.

V. Recommendation to approve Intergovernmental Contract with Tri-Met for FY 82 Federal Funds.

Motion to approve the contract and place it on the Consent Agenda for the next regular Council meeting; carried unanimously. (Bonner/Kafoury)

VI. Recommendation to accept two FHWA Discretionary Grants for a McLoughlin Blvd. Rideshare Project and a Flextime and Bicycle Promotion Project and Approval of Contracts with Portland and Tri-Met.

Motion to approve of the grants and place the item on the Consent Agenda for the next regular Council meeting; carried unanimously. (Kafoury/Burton)

VII. Report from Regional Services Committee on Drainage Management Work Plan.

Motion to accept the Regional Services Committee recommendation that the budgeted money of \$32,000 be spent for a Staff Planner to resolve the Johnson Creek problem (Banzer/Kafoury); failed to pass by the following roll call vote:

YEAS: Kafoury, Banzer  
NAYS: Bonner, Burton, Schedeen

General discussion of the Johnson Creek problem.

Motion that the Council repeal the LID, request that interested parties in the Johnson Creek area make recommendations to the Council, and freeze the \$32,000 budgeted amount for the exclusive use in solving the problem (Bonner/Schedeen);

failed to pass by the following roll call vote:

YEAS: Schedeen, Bonner  
NAYS: Banzer, Burton, Kafoury

VIII. Report from Regional Services Committee and Regional Development Committee.

Coun. Bonner reported on the activities of the Regional Development Committee and his upcoming trip with the Chief Administrative Officer to three cities.

X. Presentation of FY 82 Budget reports.

Coun. Burton remarked at the large size of the report and suggested perhaps a quarterly summary for the Council would be more appropriate. It was the consensus of the Council that a quarterly summary would be adequate.

COMMENTS BY EXECUTIVE OFFICER

Executive Officer Gustafson reported on the labor negotiations for FY 81-82 salaries. He stated that the pension fund was being discussed and the possibility of combining all pension funds for employees into one. The plans for salary increases this fiscal year will probably be:

1. Metro will pickup the employees' contributions into the pension fund and then perhaps a small percentage of increase in salary besides; or
2. Metro will provide approximately 8% increases for employees.

The meeting adjourned at 9:05 PM.

Written by Sue Haynes