

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE ESTABLISHING AN )  
OFFICE OF GOVERNMENT RELATIONS )  
TO PROVIDE GOVERNMENT RELATIONS )  
SERVICES TO THE METROPOLITAN )  
SERVICE DISTRICT )

ORDINANCE NO. 90-369  
Introduced by Councilor  
Gardner

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. The following Chapter is added to the Code of  
the Metropolitan Service District:

CHAPTER 2.11

OFFICE OF GOVERNMENT RELATIONS

2.11.010 Purpose: The purpose of this Chapter is to establish  
an Office of Government Relations to provide government relations  
services to the District and its Council, Executive Officer and  
any Metro commissions.

2.11.020 Government Relations Office Created: There is hereby  
created an Office of Government Relations consisting of the  
Government Relations Officer and such subordinate employees as  
the Council may provide. The Government Relations Officer and  
any subordinate employees shall be employed by the District  
subject to Personnel Rules adopted by the Council. The  
Government Relations Officer shall be appointed by the Executive  
Officer subject to the confirmation of a majority of the members  
of the Council. The Government Relations Officer may be removed  
by the Executive Officer or by a vote of a majority of the  
members of the Council. The Office of Government Relations is

not a department of the District. All contracts authorized for Government Relations Services shall be managed through the Office of Governmental Relations.

2.11.030 Duties: The Government Relations Officer shall have the following duties:

(a) Responsibility for managing the District's State Legislative Program including:

(1) Assembling the District's legislative program for review and approval by the Council following a process established by the Council;

(2) Insure District representation before legislative committees with individual legislators both during a legislative session and in interim periods and with other interested persons;

(3) Development and implementation of a system to monitor and inform the Council and Executive Officer of District related-legislation; and

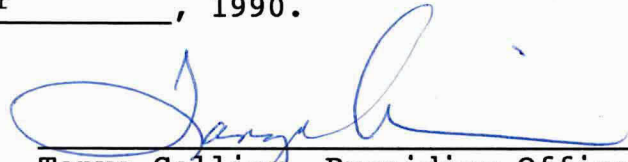
(4) Preparation of a final legislative report analyzing District related legislation.

(b) Responsibility for communicating District programs and policies to local, state and federal governmental officials, and task forces, commissions, and rule making bodies.

(c) Responsibility to monitor and communicate to the Council and Executive Officer programs and policies of other governments and special interest groups which affect or impact functions or activities of the District.

2.11.040 Advocate for District Policies: In carrying out the duties of the Office, the Government Relations Officer or subordinate employees shall not represent or advocate the position of any single Metro elected official or group of elected officials. ~~[The Government Relations Officer or subordinate employees shall advocate only on matters which have been approved or adopted by the Metro Council or any task force or committee authorized by the Council to represent the District on legislative matters. For any matter relating to the separation of powers and authority between the Metro Council and Executive Officer in which the Council and Executive Officer disagree, the Government Relations Officer and subordinate employees shall not represent or advocate for either the Metro Council or Executive Officer.]~~ The Government Relations Officer or subordinate employees shall advocate only on matters which have been approved or adopted by the Metro Council or any task force or committee authorized by the Council to represent the Council on legislative matters and which have been approved by the Executive Officer. For any matter in which the Council or any task force or committee authorized to represent the Council on legislative matters and the Executive Officer disagree, the Government Relations Officer and subordinate employees shall not represent or advocate for either the Metro Council or the Executive Officer.

ADOPTED by the Council of the Metropolitan Service District this  
29th day of November, 1990.

  
\_\_\_\_\_  
Tanya Collier, Presiding Officer

ATTEST:

  
\_\_\_\_\_  
Clerk of the Council

90-369.ORD/aeb  
2002  
Revised 10/24/90



# METRO

2000 SW First Avenue  
Portland, OR 97201-5398  
(503) 221-1646  
Fax 241-7417

DEC - FYI

October 18, 1990

Executive Officer  
Rena Cusma

Metro Council

Tanya Collier  
Presiding Officer  
District 9

Gary Hansen  
Deputy Presiding  
Officer  
District 12

David Saucy  
District 1

Lawrence Bauer  
District 2

Jim Gardner  
District 3

Richard Devlin  
District 4

Tom DeJardin  
District 5

George Van Bergen  
District 6

Ruth McFarland  
District 7

Judy Wyers  
District 8

Roger Buchanan  
District 10

David Knowles  
District 11

The Honorable Jim Gardner  
Chair, Intergovernmental Relations  
Committee  
2000 S.W. First Avenue  
Portland, Oregon 97201

Dear Councilor Gardner:

At the Intergovernmental Relations Committee meeting on October 9, 1990 I was asked to review and provide written comments regarding the draft ordinance that would establish an Office of Government Relations.

I have reviewed the draft ordinance and I agree with most of its provisions. The draft ordinance, for the most part, merely codifies the existing relationship that exists between the Government Relations Manager, the Executive Officer and the Council. As Metro's role in the region expands, and I believe it will, the need for a fully staffed office for government relations will become a necessity. I also believe it is desirable to formalize the the relationship between the Government Relations Manager, the Executive Officer and the Council.

However, I am concerned by language in the draft ordinance that appears to give the Council sole control over the activities of the Government Relations Officer in matters other than issues involving separation of powers. I believe that Metro can be effectively represented before other governing bodies only if its lobbyist speaks for the District as a whole. This requires a balanced relationship between the Council and the Executive Officer. This balanced relationship does not appear to be present in the draft ordinance.

The Honorable Jim Gardner  
October 18, 1990  
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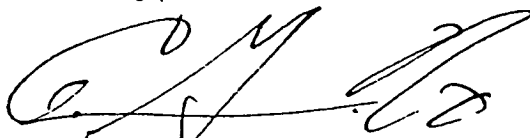
I can think of nothing more harmful to Metro's image than a debate before a legislative committee between Metro's elected Executive Officer and its Government Relations Officer over a particular piece of legislation. I also believe such a situation puts the Government Relations Officer in the somewhat tenuous position of potentially being removed by an Executive Officer for engaging in such a debate. Such a situation is reminiscent of the situation Multnomah County faced when it had a separation of powers form of government and legal authority to have a lobbyist.

For the above reasons, I suggest the draft ordinance be amended by deleting the last two sentences and inserting the following:

"The Government Relations Officer or subordinate employees shall advocate only on matters which have been approved or adopted by the Metro Council or any task force or committee authorized by the Council to represent the the Council on legislative matters and which have been approved by the Executive Officer. For any matter in which the Council or any task force or committee authorized to represent the Council on legislative matters and the Executive Officer disagree, the Government Relations Officer and subordinate employees shall not represent or advocate for either the Metro Council or the Executive Officer."

I am prepared to discuss the draft ordinance with your Committee at the next meeting if you so desire.

Sincerely,



C. Gregory McMurdo  
Government Relations Manager

cc: Intergovernmental Relations Committee  
Jessica Marlitt

## COUNCIL STAFF REPORT

### ORDINANCE NO. 90-369, ESTABLISHING AN OFFICE OF GOVERNMENT RELATIONS TO PROVIDE GOVERNMENT RELATIONS SERVICES TO THE METROPOLITAN SERVICE DISTRICT

Date: November 5, 1990

Presented by: M. Winch

#### BACKGROUND

At their September 8, 1990 retreat, Councilors reviewed issues related to the 1991 State legislative session and reached consensus the Metro lobbyist position should be jointly responsible to the Administration and the Metro Council, similar to the General Counsel position.

The Intergovernmental Relations Committee (IGR) received the ordinance in draft form October 9 and asked the Government Relations Manager to prepare comments in writing for discussion. At the October 23rd IGR meeting, the Committee discussed Government Relations Manager McMurdo's written comments, dated October 18, 1990, and heard testimony from Mr. McMurdo. The Committee favored redrafting Ordinance No. 90-369 to include language suggested by Mr. McMurdo. Ordinance No. 90-369 received its first reading in this amended form at the Council meeting on October 25, 1990.

#### SUMMARY & ANALYSIS

Ordinance No. 90-369 would add a new chapter to the Metro Code to create an Office of Government Relations with these provisions:

- o The position will provide services to the Council, Executive Officer and Metro commissions;
- o The Executive Officer shall appoint the Government Relations Officer subject to the Council confirmation of the appointment;
- o Either the Executive Officer or the Council may remove the Government Relations Officer;
- o The duties of the Office shall include managing the District's State legislative program; communicating District programs and policies to other local, state and federal government bodies and representatives and appropriate special interest groups; and monitoring and keeping the Council and Executive Officer abreast of programs and policies of other local, state and federal government bodies and and special interest groups;
- o The Office shall advocate only on behalf of Metro as a whole: that is, on matters which have been approved or adopted by the Council (and any task force or committee it authorizes to act in its stead) and also by the Executive Officer.
- o If the Council and Executive Officer disagree, the Office shall not represent or advocate for either the Council or the Executive.

Issues which the Council may want to consider:

- o the Office's position within Metro's organizational structure;
- o the ability of the Government Relations Officer to respond quickly to legislative issues (what level of Metro approval is adequate?);
- o who, if anyone, advocates for Council positions with which the Executive does not agree;
- o should it be joint policy that no one will represent the Council or the Executive before the Legislature when the two disagree.

## INTERGOVERNMENTAL RELATIONS COMMITTEE REPORT

### ORDINANCE NO. 90-369, ESTABLISHING AN OFFICE OF GOVERNMENT RELATIONS TO PROVIDE GOVERNMENT RELATIONS SERVICES TO THE METROPOLITAN SERVICE DISTRICT

Date: November 14, 1990

Presented by: Councilor McFarland

#### COMMITTEE RECOMMENDATION:

At the November 13, 1990 meeting of the Intergovernmental Relations Committee, Councilors Bauer, Devlin, Gardner, Hansen and myself voted unanimously to recommend Council adopt Ordinance No. 90-369, as previously amended.

#### COMMITTEE DISCUSSION/ISSUES:

None. This was the Committee's second review of Ordinance No. 90-369.

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- o If the Council and Executive Officer disagree, the Office shall not represent or advocate for either the Council or the Executive.



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

Date: December 1, 1990  
To: Rena Cusma, Executive Officer  
From: Gwen Ware-Barrett, Clerk of the Council  
Regarding: TRANSMITTAL OF ORDINANCE NOS. 90-368,  
and 369

Attached for your consideration are true copies of Ordinance Nos. 90-368 and 369 adopted by the Council on November 30, 1990.

If you wish to veto these ordinances, I must receive a signed and dated written veto message from you no later than 5:00 p.m., Thursday, November 6, 1990. The veto message, if submitted, will become part of the permanent record. If no veto message is received by the time and date stated above, these ordinances will be considered finally adopted.

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I, Unette Norley, received this memo and a true copy of Ordinance No. 90-368 and 369 from the Council Clerk on December 1, 1990.

Date: 12/13/90

GWPB:lc  
\Mem.Ord.