

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE METRO )	ORDINANCE NO. 93-486A
CODE, SECTION 2, AND )	
ESTABLISHING PROCEDURES TO )	Introduced by Rena Cusma,
CREATE A TAX STUDY COMMITTEE, )	Executive Officer
AND DECLARING AN EMERGENCY )	

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amending the Metro Code. Section 2 of this Ordinance amends the Metro Code.

Section 2. Adding Chapter 2.13. The following chapter is added to the Metro Code.

CHAPTER 2.13

TAX STUDY COMMITTEE

2.13.010 Creation and Purpose: Before considering the imposition of any new tax or taxes which do not require prior voter approval under the Charter, the Council shall create a tax study committee by adoption of a resolution. The purpose of a tax study committee shall be to consult with and advise the Council regarding adoption of these taxes. The resolution shall state the purpose for the creation of the committee, shall include a scope of work, the members of the committee, the staffing arrangement for the committee, and the length of time for the committee to complete its work.

2.13.020 Committee Composition and Size: A committee shall consist of no more than eleven appointed members, plus the Executive Officer and the Presiding Officer as ex officio non-voting members. The membership of the committee shall be

representative of the general population, and from any businesses and the governments of cities and counties, special districts and school districts within the District.

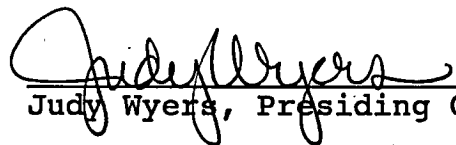
2.13.030 Appointments: The Executive Officer shall appoint members of the committee subject to confirmation by the Council in the creating resolution. The Executive Officer shall designate the chair and vice-chair of the committee at the time of appointment. If a vacancy occurs during the time a study committee is functioning, the position shall be filled in the same manner as the original appointment and confirmation.

Section 2.13.040 Final Report: Upon completion of the scope of work, a committee shall submit a final report to the Council on the activities and recommendations of the committee. The Council may, upon request of the committee, extend the time of that committee to submit its final report. In no event shall the time be extended longer than six months from the original termination date of the committee. If a committee is unable to agree on a final report, then the chair of the committee shall inform the Council in writing of that conclusion.

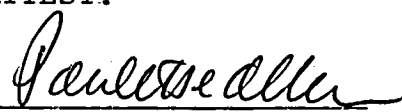
Section 3. Effective Date. This ordinance being necessary for the health, safety, or welfare of the Metro area, for the reason that the Metro Charter took effect January 1, 1993, and it is necessary that procedures for the creation of tax study committees be established immediately to begin work to develop funding sources for new Charter-mandated responsibilities, an

emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this 22nd day of April, 1993.

  
Judy Wyers, Presiding Officer

ATTEST:

  
Clerk of the Council



# METRO

2000 SW First Ave.  
Portland, OR 97201-5398  
(503) 221-1646

## Memorandum

Date: April 14, 1993  
To: Rod Monroe, Finance Committee Chair  
From: Donald E. Carlson, Council Administrator  
Re: Revised Proposed Amendments to Ordinance No. 93-486  
Relating to Tax Study Committees

This memo is in response to your request for revisions to the proposed amendments to Ordinance No. 93-486 which were outlined in my memo dated March 24, 1993 and presented to the Finance Committee on that date. It is my understanding that these revisions are in conformance with the discussions held by the Presiding Officer and you with the Executive Officer. The amendments do several things as follows:

1. They eliminate references to "the" tax study committee and refer to "a" study committee. This makes it clear that several ad hoc committees maybe used from time to time for various kinds of financial needs.
2. They clarify that the creating resolution set forth the purpose and scope of work for each specific committee as well as state the staffing arrangements and termination date for each committee.
- 3.. They provide for the Executive Officer to appoint members of a committee and designate the chair and vice-chair subject to Council confirmation. Also, if a vacancy occurs, the position shall be filled in the same manner as the original appointment and confirmation.
4. They require a committee to submit a final report to the Council on the activities and recommendations of the committee; authorize a committee to have up to 6 months additional time to complete it's work; and provide a mechanism for the committee to conclude its work even if it can't reach agreement on a recommendation. This latter point might be useful to create a record that the Council had "sought the advice" of a committee even if the committee is unable to give the advice.

I hope these proposed amendments meet you objectives for the ordinance. Please let me know if you need additional information.

cc: Finance Committee  
Judy Wyers  
Rena Cusma  
Jennifer Sims

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2.13.020 Committee Composition and Size: A committee shall consist of no more than eleven appointed members, plus the Executive Officer and the Presiding Officer as ex officio non-voting members. The membership of the committee shall be

representative of the general population, and from any businesses and the governments of cities and counties, special districts and school districts within the District.

2.13.030 Appointments~~[, Terms]~~: The Executive Officer shall appoint members ~~[for specific terms]~~, of the committee subject to confirmation by the Council in the creating resolution. ~~[If the Executive Officer finds a need, the Executive Officer may extend the term of any committee member for a period not to exceed one year. Any such extensions shall be promptly reported to the Council.]~~ The Executive Officer shall designate the chair and vice-chair of the committee at the time of appointment. If a vacancy occurs during the time a study committee is functioning, the position shall be filled in the same manner as the original appointment and confirmation.

Section 2.13.040 Final Report: ~~[Upon completion of the committee's review of any tax proposal, the Executive Officer and the chair of the committee shall prepare a report to the Council on the activities and recommendations of the committee.]~~ Upon completion of the scope of work, a committee shall submit a final report to the Council on the activities and recommendations of the committee. The Council may, upon request of the committee, extend the time of that committee to submit its final report. In no event shall the time be extended longer than six months from the original termination date of the committee. If a committee is unable to agree on a final report, then the chair of the committee shall inform the Council in writing of that conclusion.

Section 3. Effective Date. This ordinance being necessary for the health, safety, or welfare of the Metro area, for the reason that the Metro Charter took effect January 1, 1993, and it is necessary that procedures for the creation of [a] tax study committees be established immediately to begin work to develop funding sources for new Charter-mandated responsibilities, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_  
Judy Wyers, Presiding Officer

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE METRO ) ORDINANCE NO. 93-486  
CODE, SECTION 2, AND ESTABLISHING) Introduced by Rena Cusma,  
PROCEDURES TO CREATE A TAX STUDY ) Executive Officer  
COMMITTEE, AND DECLARING AN )  
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2.13.030 Appointments, Terms: The Executive Officer shall appoint members for specific terms, subject to confirmation by



the Council in the creating resolution. If the Executive Officer finds a need, the Executive Officer may extend the term of any committee member for a period not to exceed one year. Any such extensions shall be promptly reported to the Council. The Executive Officer shall designate the chair and vice-chair of the committee.

Section 2.13.040 Final Report: Upon completion of the committee's review of any tax proposal, the Executive Officer and the chair of the committee shall prepare a report to the Council on the activities and recommendations of the committee.

Section 3. Effective Date. This Ordinance being necessary for the health, safety, or welfare of the Metro area, for the reason that the Metro Charter took effect January 1, 1993, and it is necessary that procedures for the creation of a tax study committee be established immediately to begin work to develop funding sources for new Charter-mandated responsibilities, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

\_\_\_\_\_  
Judy Wyers, Presiding Officer

ATTEST:

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

FINANCE COMMITTEE REPORT

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ORDINANCE NO. 93-486A AMENDING THE METRO CODE, SECTION 2, AND ESTABLISHING PROCEDURES TO CREATE A TAX STUDY COMMITTEE, AND DECLARING AN EMERGENCY

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Date: April 20, 1993

Presented By: Councilor Monroe

**COMMITTEE RECOMMENDATION:** At its April 14, 1993 the Committee voted unanimously to recommend Council adoption of Ordinance No. 93-486 as amended. Present and voting were Councilors Buchanan, Kvistad, Monroe and Van Bergen. Councilor Devlin was excused.

**COMMITTEE DISCUSSION/ISSUES:** Craig Prosser, Financial Planning Manager, presented the Staff Report. He stated the ordinance provides a procedure to implement provisions of the Charter for approving taxes without voter authorization. He explained the proposed amendments agreed to by the Executive Officer, Presiding Officer and Finance Committee Chair (see Attachment 1 attached).

The proposed amendments make it clear that ad hoc tax study committees may be established from time to time; require that at the time of creation each committee have a charge, scope of work and termination date; provide for the Executive Officer to appoint committee members subject to Council confirmation; and require the committee to submit a final report to the Council and enable the Council to extend the life of a committee for up to 6 months; and provide a mechanism for a committee to conclude its work even if it can't reach agreement on a recommendation.



# METRO

2000 SW First Ave.  
Portland, OR 97201-5398  
(503) 221-1646

## Memorandum

Date: April 14, 1993

To: Rod Monroe, Finance Committee Chair

From: Donald E. Carlson, Council Administrator

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I hope these proposed amendments meet you objectives for the ordinance. Please let me know if you need additional information.

cc: Finance Committee  
Judy Wyers  
Rena Cusma  
Jennifer Sims

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 93-486 FOR THE PURPOSE OF CREATING METRO CODE CHAPTER 2.13, TAX STUDY COMMITTEE.

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DATE: March 3, 1993

Presented by: Craig Prosser

PROPOSED ACTION

Amend Metro Code to create Chapter 2.13, Tax Study Committee.

FACTUAL BACKGROUND AND ANALYSIS

The 1992 Metro Charter requires consultation with a tax study committee prior to the imposition of any new tax by Metro, which does not require prior voter approval. The Finance and Management Information Department is beginning a project to examine and identify possible new funding sources for Metro, and it is necessary to establish a procedure to create a tax study committee to help in this process. The Charter does not specify the make-up of the committee (beyond certain broad categories of interests) nor does it specify how appointments will be made nor for what term. This ordinance creates procedures for the appointment of the committee.

Under the terms of this proposed code section, a tax study committee will consist of eleven members, broadly representative of the population, public bodies, and other interests within Metro, plus the Executive Officer and the Presiding Officer as ex official non-voting members. Members of the committee will be appointed by the Executive Officer for specified terms and confirmed by the Council. The proposed Code language allows the Executive Officer to extend terms for a period not to exceed one year, which will allow the committee to remain in existence for a short period of time if its work is not complete at the time terms expire. Any such extension must be promptly reported to the Council. The Code language also requires the Executive Officer and the chair of the committee to make a final report to the Council on the activities and recommendations of the committee.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Ordinance No. 93-486.

CP:rs



DATE: April 23, 1993  
TO: Executive Officer Rena Cusma  
FROM: Paulette Allen, Clerk of the Council  
RE: TRANSMITTAL OF ORDINANCE NOS. 93-486A, 93-490, 93-491, 93-492,  
93-493 AND 93-495

**METRO**

Attached for your consideration are true copies of the ordinances referenced above adopted by the Council on April 22, 1993.

If you wish to veto any of the ordinances referenced above, I must receive a signed and dated written veto message from you no later than 5:00 p.m., Thursday, April 29, 1993. The veto message(s) if submitted, will become part of the permanent record. If no veto message is received by the time and date stated above, this ordinance will be considered finally adopted.

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I, Unetta Thorley, received this memo and a true copy of Ordinance No. 93-482 from the Clerk of the Council on 4-23-93.