

NOT ADOPTED

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE RELATING TO	)	ORDINANCE NO. 81-113
PROCEDURES OF THE COUNCIL AND	)	
AMENDING CODE SECTIONS 2.01.030	)	Introduced by
2.01.060, 2.01.070 and 2.01.140	)	Councilor Ernie Bonner

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Metro Code Section 2.01.030 is amended to read:

"2.01.030 Regular Meetings: The Council shall meet regularly on the first and fourth Thursdays of each month at a time designated by the Presiding Officer. Regular meetings shall be held at a place designated in the published agenda of the meeting. At least one meeting each month shall be held during evening hours, and at least one meeting each month shall be held at Metro headquarters. Regular meetings may be adjourned to a specific time and place before the day of the next regular meeting. Published notice of the time and place of an adjourned meeting is not required. Matters included on the agenda of a regular meeting that is adjourned to a later date need not be republished. New matters to be considered at the adjourned meeting shall be published in the same manner as the agenda for a regular meeting."

Section 2. Metro Code Section 2.01.060(b) is amended to read:

"(b) The Presiding Officer shall establish or approve the agenda from the agenda items submitted by the Councilors, and Council committees or the Executive Officer. Each Councilor may request that items be placed upon the agenda of the next regular meeting by notifying the Clerk of the Council and specifying the subject of the agenda items. The Presiding Officer may, at his or her discretion, determine the time by which agenda items must be submitted for inclusion in the next succeeding agenda and shall notify the Councilors, and Council committees and the Executive Officer of such due dates. Individual citizens and groups may request introduction of measures through individual Councilors, and such measures shall identify the citizen or group requesting introduction."

Section 3. Metro Code Section 2.01.070 is amended to read:

"2.01.070 Ordinances:

"(a) The legislative action of the Metropolitan Service District shall be by Ordinance.

"(b) Except as provided in Subsection 2.01.070(g) of these rules, before an ordinance is adopted, it shall be read during two

*Failed to pass  
10-1-81*

regular meetings of the Council on two different days at least six (6) days apart. The reading shall be full and distinct unless at the meeting:

"(1) A copy of the ordinance is available for each person who desires a copy; and

"(2) The Council directs that the reading be by title only.

"(c) Except as provided in Section 2.01.070(g) of these Rules, the affirmative vote of the majority of the members of the Council (7) is required to adopt an ordinance. A roll call vote shall be taken on all ordinances.

"(d) Ordinances may be placed upon the Council agenda by the Council, a Councilor, a committee of the Council or the Executive Officer.

"(e) Within seven (7) days after adoption of an ordinance, the enrolled ordinance shall be:

"(1) Signed by the Presiding Officer;

"(2) Attested by the person who served as Recording Secretary of the Council at the meeting at which the Council adopted the ordinance; and

"(3) Filed in the records of the District.

"(f) If required by law a certified copy of each ordinance shall be filed with the Division of Courts Process of Multnomah County, and the County Clerk for Washington and Clackamas Counties.

"(g) Pursuant to ORS 198.550(3), an ordinance to meet an emergency may be introduced, read once and put on its final passage at a regular or special meeting, without being described in a published agenda, if the reasons requiring immediate action are described in the ordinance. The unanimous approval of all members of the Council at the meeting, a quorum being present, is required to adopt an emergency ordinance. Failing such approval, an emergency ordinance shall be considered pursuant to subsections 2.01.070(b) and (c) above. No ordinance approving or levying any tax, service charge or user fee shall be adopted as an emergency ordinance.

Section 4. Metro Code Section 2.01.140 is amended to read:

"2.01.140 Committees of the Council:

"(a) There shall be three standing committees of the Council; the Regional Services Committee, the Regional Development Committee and the Council Coordinating Committee. The responsibility of each committee shall be assigned by the Presiding Officer.

"(b) Members of all standing and special committees shall be appointed by the Presiding Officer subject to confirmation of the Council. The first named shall be the Chair and the second named shall be the Vice Chair. Each Councilor shall serve on at least one committee, and a minimum of three councilors shall serve on each committee.

"(c) Fifty percent or more of the members of the standing or special committee shall constitute a quorum for the transaction of business before the committee. Except as otherwise provided in this chapter, all standing and special committees of the Council shall be governed by Robert's Rules of Order, latest revised edition.

"(d) Regular standing committee meetings shall be held at least once per month at dates and times to be scheduled annually by the Presiding Officer in consultation with each committee chair. Changes in such schedule can be made by each committee chair with the approval of the Presiding Officer. Special committee meetings may be held at the call of the Chair or upon the request of a majority of the members of the committee.

"(e) The purposes of committees of the Council are to:

- "(1) Make studies of and inquiries into areas of concern and interest of the Council.
- "(2) Report information to the Council.
- "(3) Prepare and submit recommendations, proposals and ordinances to the Council.

"(f) Unless otherwise specifically provided, committees of the Council shall have the power to:

- "(1) Hold meetings at such times and places as the committee considers expedient.
- "(2) Hold public hearings and take testimony.
- "(3) Make findings, conclusions and recommendations.
- "(4) Draft and prepare motions, resolutions and ordinances for consideration by the Council.
- "(5) Appoint task forces and committees to advise the committees of the Council, subject to Council approval. Except in unusual circumstances determined by the Presiding Officer, all task forces and other special commissions and committees will report directly to a standing committee.

"(g) Each committee member shall have one (1) vote and the Chair may vote and discuss any issue before the committee without relinquishing his or her position as the Chair. Councilors who are

not committee members may participate in committee proceedings but shall not vote.

"(h) All matters and issues shall be referred to the Presiding Officer. The Presiding Officer shall refer each matter or issue to an appropriate standing committee of the Council, or to a local government advisory committee. Notice of referral shall be in writing and distributed to each Councilor. At the next regular meeting, any Councilor may object and request a different referral of any matter or issue referred since the last regular meeting. Measures authorizing the expenditure of funds shall be referred to the Council Coordinating Committee.

"(i) The term for a committee member shall be one (1) year. Except for filling vacancies, committee appointments shall be made in January of each year.

"(j) No committee will incur any indebtedness or hire any personnel without the express approval of the Council.

"(k) The Chair, the Vice Chair or committee members may be removed from committee assignment(s) upon the affirmative vote of the majority of the Council (7).

"(l) The Chair of each committee shall establish or approve the committee agenda, preside at committee meetings, appoint subcommittees when appropriate and request staff assistance as required.

"(m) The staff assigned by the Executive Officer to assist each committee shall provide alternatives and recommendations on agenda items, research and clerical services, maintain committee records, arrange for testimony, schedule meetings and provide other assistance as requested by the chair.

"(n) A committee may table any action or it may report on any action to the Council with or without recommendation. Any minority reports shall be forwarded to the Council with the Committee recommendation."

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 1981.

\_\_\_\_\_  
Presiding Officer

ATTEST:

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

AJ/srb  
3162B/236

*Failed to  
pass  
10-1-81*

the new post office would be in compliance with the City's goals for land use. However, the postal authorities have ignored the local planning efforts to develop the property as a shopping mall. The area's new comprehensive plan shows little commercial land in the district and this parcel is the largest single tract of land for such a use. Several different businesses wish that parcel to remain commercial.

Coun. Burton suggested that Metro send a strong message to the postal service that this is contrary to the area's planning efforts, which were initiated in 1965. He also stated he felt the federal government has ignored a process that they have instituted.

Coun. Bonner stated he felt it was a clear case of one branch of government undermining another.

Doug Grandquist also stated the property owner had, in the recent past, petitioned the City to vacate a street that ran through the parcel, with the intention of developing the parcel for a shopping mall. Mr. Grandquist stated the records of the street vacation process were available.

Coun. Etlinger stated he concurred with the feelings expressed and was bothered by the City of Portland making no comment.

Motion that the Council forward to the postal service the proposed letter and to add any of those records applicable to the land use and street vacation in the parcel; carried unanimously. (Burton/Rhodes)

(Chairman Deines left the Council Chamber at this time.)

5.1 Public Hearing on Ordinance No. 81-113, An Ordinance Relating to the Council Rules and Amending Code Sections 2.01.030, 2.01.060, 2.01.070, and 2.01.140. (First Reading)

Motion that the ordinance be introduced. (Burton/Berkman)

Vice Chairman Schedeen opened the public hearing. There was no one present who wished to comment. The hearing was closed.

Motion to amend Section 2.01.140(g) of the ordinance to delete "but shall not vote" and add "and may vote" (Rhodes/Kirkpatrick); failed by the following vote:

Yeas: Etlinger, Rhodes, Kirkpatrick

Nays: Bonner, Banzer, Kafoury, Burton, Oleson, Williamson, Berkman, Schedeen

Absent: Deines

Coun. Williamson stated that JPACT has been overlooked in the committee rules and suggested that he and General Counsel Jordan meet to draw up rules and amend the ordinance next week.

(Chairman Deines returned at this time.)

6.1 Solid Waste Dept. Summary of Alden E. Stilson and Associates Contract.

General Counsel Jordan stated that the staff is required to inform Council, under the sole source regulations, when a contract has been awarded without com-



5.4 Ordinance No. 81-113, 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.  
(Second Reading)

Coun. Etlinger introduced a proposed amendment to the Council Rules:

Delete from Section 2.01.140(b):

"Each Councilor shall serve on at least one committee."

Add"

"Any appointed committee member missing three (3) consecutive meetings without a written excuse from the Committee Chairman shall be removed from the Committee."

Motion to adopt the amendment; died for lack of a second. (Etlinger)

Coun. Rhodes stated she would be willing to support the first part of the amendment, but not the last part.

General discussion of deleting the requirement that each Councilor serve on a Committee.

Coun. Burton stated it is Councilors' responsibility to serve on Committees and deleting the requirement would allow the Presiding Officer of the Council not to appoint some Council members to Committees at his discretion.

Coun. Etlinger stated that Councilors will, from time to time, have a good reason not to attend their Committee meetings, but they should accept the responsibility when appointed.

Chairman Deines stated he would prefer to see that the Chairman assign all Councilors to Committees rather than not appoint some members for any reason. He also stated that with passage of this ordinance, Council is tying its hands..

Further general discussion.

Motion to delete all items in the ordinance except those under 4(c); died for lack of a second. (Schedeen)

A vote was called for on the motion at the previous meeting to adopt the ordinance. The ordinance failed to pass with only Coun. Rhodes and Etlinger voting "yes".

The Council recessed from 8:35 until 8:50 when reconvened.

6.1 Executive Officer's Report

Executive Officer Gustafson reported that his schedule for the following week would be interrupted for a few days since his wife was having a baby on Tuesday morning.

6-8  
81-113



METROPOLITAN SERVICE DISTRICT  
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

# MEMORANDUM

Date: October 1, 1981  
To: Metro Council  
From: Councilors Etlinger and Oleson  
Regarding: Proposed Amendment to Council Rules

We propose to amend Section 4 of Ordinance No. 81-113, by deleting the following language from Section 2.01.140(b):

"Each Councilor shall serve on at least one committee"

and adding:

"Any appointed committee member missing three (3) consecutive meetings without a written excuse from the Committee Chairman shall be removed from the Committee."

This amendment would do two things. First, no Councilor who does not wish to actively participate in committee deliberations shall be required to serve on a committee. Secondly, those who do accept committee assignments will be expected to take these deliberations and meeting attendance seriously. We believe this would strengthen the Council Committees and facilitate the regular attendance of a quorum of interested committee members.

BE:BO:sh

A G E N D A   M A N A G E M E N T   S U M M A R Y

TO: Metro Council  
FROM: Council Coordinating Committee  
SUBJECT: Amendment to Council Procedural Rules

I. RECOMMENDATIONS:

- A. ACTION REQUESTED: Recommend Council adoption of attached revision to Chapter 2.01 of the Metro Code relating to organization and procedure of the Council.
- B. POLICY IMPACT: The proposed amendments to the Council Procedural Rules are designed to streamline the Council processes, particularly with respect to activities of the Council Committees.
- C. BUDGET IMPACT: None.

II. ANALYSIS:

- A. BACKGROUND: The existing Council Procedural Rules were adopted in January of 1979 and experience with those Rules has pointed out the need for revision at this time. The proposed amendments attached hereto were originally suggested by Councilor Bonner and drafted by Legal Counsel.
- B. ALTERNATIVES CONSIDERED: The alternatives are discussed in the memorandum which precedes the attached proposed amendments. The Committee made several changes at its July 13, 1981 meeting which are reflected in the attached draft.
- C. CONCLUSION: Adoption of the attached Council Procedural Rules amendments is recommended to streamline existing procedures.

AJ/srb  
3658B/252  
09/16/81





METROPOLITAN SERVICE DISTRICT  
527 S.W. HALL ST., PORTLAND, OR. 97201, 503/221-1646

## MEMORANDUM

Date: June 29, 1981  
To: Denton Kent, Chief Adm. Officer  
From: Andy Jordan, General Counsel  
Regarding: Council Rules

Attached is a proposed ordinance amending the existing Council Rules to include each of the points indicated in Ernie's earlier memo. Several of his suggestions had already been enacted and no change was necessary. Items of particular note are as follows:

1. Ernie's memo indicated that Council and Committee agendas should be established by the Chair. Though that authority should exist as a practical matter, few Chairpersons have been able or willing to devote the time necessary to determine agenda items. Therefore, I have drafted the provisions to allow Chairpersons to "establish or approve" the agenda. That should allow Chairpersons sufficient authority without binding them to an essentially administrative function.

2. The ordinance establishes named committees and specific meeting dates of each. Though that is not inappropriate, our experience has been that committees and their meeting times have often changed. Codifying them would make such change more difficult to effect. Perhaps that is good, but the Council should be aware of the relative inflexibility.

3. I did not include Ernie's specification on committee actions (e.g., do pass, no recommendation, etc.). Since many committee issues are not forwarded in the form of an ordinance or resolution, I thought it best to simply provide generally for recommendations and allow for minority reports.

4. Ernie's proposal to allow committees to table matters is included along with Council authority to call up tabled items. The question is whether such provision is intended to prevent the Presiding Officer from including such matters on the Council agenda. I assume not, and I have retained existing language allowing the Presiding Officer to include any matters submitted by individual Councilors or the Executive Officer whether or not the matter was tabled in committee.

Memorandum  
June 29, 1981  
Page 2

5. I assumed the name change from "Council Coordinating Committee" to "Ways & Means Committee" does not imply any change in committee functions or responsibility.

6. The ordinance provides that non-committee members may not vote.

7. Public hearings on ordinances are required at the Council level and allowed at the committee level. I assume Ernie has no difficulty with the potential of redundant hearings.

8. Ernie's memo required that all measures to spend and receive money originate in the Ways & Means Committee. Since that language could be misconstrued to mean that all revenue must be approved before receipt, I have simply provided that measures authorizing expenditures be referred to the Ways & Means Committee. This provision would require all budget measures (adoption and changes) to be referred to that Committee.

AJ/gl  
3561B/D4

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE RELATING TO ) ORDINANCE NO. 81-113  
PROCEDURES OF THE COUNCIL AND )  
AMENDING CODE SECTIONS 2.01.030 ) Introduced by  
2.01.060, 2.01.070 and 2.01.140 ) Councilor Ernie Bonner

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Metro Code Section 2.01.030 is amended to read:

"2.01.030 Regular Meetings: The Council shall meet regularly on the first and fourth Thursdays of each month at a time designated by the Presiding Officer. Regular meetings shall be held at a place designated in the published agenda of the meeting. At least one meeting each month shall be held during evening hours, and at least one meeting each month shall be held at Metro headquarters. Regular meetings may be adjourned to a specific time and place before the day of the next regular meeting. Published notice of the time and place of an adjourned meeting is not required. Matters included on the agenda of a regular meeting that is adjourned to a later date need not be republished. New matters to be considered at the adjourned meeting shall be published in the same manner as the agenda for a regular meeting."

Section 2. Metro Code Section 2.01.060(b) is amended to read:

"(b) The Presiding Officer shall establish or approve the agenda from the agenda items submitted by the Councilors, and Council committees or the Executive Officer. Each Councilor may request that items be placed upon the agenda of the next regular meeting by notifying the Clerk of the Council and specifying the subject of the agenda items. The Presiding Officer may, at his or her discretion, determine the time by which agenda items must be submitted for inclusion in the next succeeding agenda and shall notify the Councilors, and Council committees and the Executive Officer of such due dates. Individual citizens and groups may request introduction of measures through individual Councilors, and such measures shall identify the citizen or group requesting introduction."

Section 3. Metro Code Section 2.01.070 is amended to read:

"2.01.070 Ordinances:

"(a) The legislative action of the Metropolitan Service District shall be by Ordinance.

"(b) Except as provided in Subsection 2.01.070(g) of these rules, before an ordinance is adopted, it shall be read during two regular meetings of the Council on two different days at least six (6) days apart. The reading shall be full and distinct unless at the meeting:

"(1) A copy of the ordinance is available for each person who desires a copy; and

"(2) The Council directs that the reading be by title only.

"(c) Except as provided in Section [7.07] 2.01.070(g) of these Rules, the affirmative vote of the majority of the members of the Council (7) is required to adopt an ordinance. A roll call vote shall be taken on all ordinances.

"(d) Ordinances may be placed upon the Council agenda by the Council, a Councilor, a committee of the Council or the Executive Officer.

"(e) Within seven (7) days after adoption of an ordinance, the enrolled ordinance shall be:

"(1) Signed by the Presiding Officer;

"(2) Attested by the person who served as Recording Secretary of the Council at the meeting at which the Council adopted the ordinance; and

"(3) Filed in the records of the District.

"(f) If required by law a certified copy of each ordinance shall be filed with the Division of Courts Process of Multnomah County, and the County Clerk for Washington and Clackamas Counties.

"(g) Pursuant to ORS 198.550(3), an ordinance to meet an emergency may be introduced, read once and put on its final passage at a regular or special meeting, without being described in a published agenda, if the reasons requiring immediate action are described in the ordinance. The unanimous approval of all members of the Council at the meeting, a quorum being present, is required to adopt an emergency ordinance. Failing such approval, an emergency ordinance shall be considered pursuant to subsections 2.01.070(b) and (c) above. No ordinance approving or levying any tax, service charge or user fee shall be adopted as an emergency ordinance.

Section 4. Metro Code Section 2.01.140 is amended to read:

"2.01.140 Committees of the Council:

"(a) [The Council may establish standing committees as it deems necessary.] There shall be three standing committees of the Council; the Regional Services Committee, the Regional Development Committee and the Council Coordinating Committee. The

responsibility of each committee shall be assigned by the Presiding Officer.

"(b) Members of all standing and special committees shall be appointed by the Presiding Officer subject to confirmation of the Council. The first named shall be the Chair and the second named shall be the Vice Chair. Each Councilor shall serve on at least one committee, and a minimum of three councilors shall serve on each committee.

"(c) [A majority] Fifty percent or more of the members of the standing or special committee shall constitute a quorum for the transaction of business before the committee. Except as otherwise provided in this chapter, all standing and special committees of the Council shall be governed by Robert's Rules of Order, latest revised edition.

"(d) Regular standing committee meetings shall be held at least once per month at dates and times to be scheduled annually by the Presiding Officer in consultation with each committee chair. Changes in such schedule can be made by each committee chair with the approval of the Presiding Officer. "[All committees shall meet] Special committee meetings may be held at the call of the Chair or upon the request of a majority of the members of the committee.

"(e) The purposes of committees of the Council are to:

- "(1) Make studies of and inquiries into areas of concern and interest of the Council.
- "(2) Report information to the Council.
- "(3) Prepare and submit recommendations, proposals and ordinances to the Council.

"(f) Unless otherwise specifically provided, committees of the Council shall have the power to:

- "(1) Hold meetings at such times and places as the committee considers expedient.
- "(2) Hold public hearings and take testimony.
- "(3) Make findings, conclusions and recommendations.
- "(4) Draft and prepare motions, resolutions and ordinances for consideration by the Council.
- "(5) Appoint task forces and committees to advise the committees of the Council, subject to Council approval. Except in unusual circumstances determined by the Presiding Officer, all task forces and other special commissions and committees will report

directly to a standing committee.

"(g) Each committee member shall have one (1) vote and the Chair may vote and discuss any issue before the committee without relinquishing his or her position as the Chair. Councilors who are not committee members may participate in committee proceedings but shall not vote.

"(h) All matters and issues shall be referred to the Presiding Officer. The Presiding Officer shall refer each matter or issue to an appropriate standing committee of the Council, or to a local government advisory committee. Notice of referral shall be in writing and distributed to each Councilor. At the next regular meeting, any Councilor may object and request a different referral of any matter or issue referred since the last regular meeting. Measures authorizing the expenditure of funds shall be referred to the Council Coordinating Committee.

"(i) The term for a committee member shall be one (1) year. Except for filling vacancies, committee appointments shall be made in January of each year.

"(j) No committee will incur any indebtedness or hire any personnel without the express approval of the Council.

"(k) The Chair, the Vice Chair or committee members may be removed from committee assignment(s) upon the affirmative vote of the majority of the Council (7).

"(l) The Chair of each committee shall establish or approve the committee agenda, preside at committee meetings, appoint subcommittees when appropriate and request staff assistance as required.

"(m) The staff assigned by the Executive Officer to assist each committee shall provide alternatives and recommendations on agenda items, research and clerical services, maintain committee records, arrange for testimony, schedule meetings and provide other assistance as requested by the chair.

"(n) A committee may table any action or it may report on any action to the Council with or without recommendation. Any minority reports shall be forwarded to the Council with the Committee recommendation."

---

Presiding Officer

ATTEST:

---

Clerk of the Council

AJ/srb/3162B/236

ORD.NO.81-113

Page 4 of 4