

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE RELATING TO COUNCIL) ORDINANCE NO. 84-176
ORGANIZATION AND PROCEDURE,)
AMENDING CODE SECTIONS 2.01.030,)
2.01.060, 2.04.030 AND 2.04.015)

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Code section 2.01.030 is hereby amended to read as follows:

2.01.030 Regular Meetings: The Council shall meet regularly on the [first] second 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. 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. Code section 2.01.060 is hereby amended to read as follows:

2.01.060 Notice and Agenda:

(a) An agenda that sets forth the time, date, and place of the meeting, that includes a brief description of the ordinances to be considered, and that states that copies of ordinances are available at the office of the Metropolitan Service District shall be published in a newspaper of general circulation within the District no more than ten (10) nor less than four (4) days before a regular meeting of the Council. If an executive session will be held, the Notice shall state the specific provision of the law authorizing the executive session.

(b) The Presiding Officer shall establish the agenda from the agenda items submitted by the Councilors, Council committees, the Joint Policy Advisory Committee on Transportation (JPACT), 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, Council committees, JPACT, and the Executive Officer of such due dates.

Section 3. Code Section 2.04.015 (Contract Review Committee) is hereby amended to read as follows:

2.04.015 [Contract Review Committee] Contract Responsibilities of the Council Management Committee

[(a) There is hereby created a Contract Review Committee of the Council, which committee] The Council Management Committee shall have the powers and responsibilities described in the Metro Contract Procedures adopted by this chapter.

[(b) The Contract Review Committee shall be comprised of three members to be appointed annually by the Presiding Officer of the Council.]

[(c) The committee may establish a regular meeting schedule and may meet in special session at the call of the Deputy Presiding Officer. A majority of the committee shall constitute a quorum and the committee shall act by majority vote.]

[(d) In addition to the meeting provisions in subsection (c) of this section, the committee may act by individual or telephonic poll of the membership. The results of any such polling shall be included in the minutes of the next regular or special meeting of the committee. (Ordinance No. 82-130, Sec. 1; amended by Ordinance No. 83-155, Sec. 1)]

Section 4. Section 2.04.030 (Rules and Procedures Governing All Contracts) is hereby amended to read as follows:

(c) Approval of Contracts of more than \$10,000:

(1) Except as provided in subsection (4) of this section, all initial contracts, individual amendments, or purchase orders, with a contract price of more than \$50,000 shall be approved by the Council prior to execution.

(2) Except as provided in subsection (4) of this section, all initial contracts, including purchase orders, with a contract price of greater than \$10,000 but \$50,000 or less shall be approved by the [Contract Review Committee of the Council] Council Management Committee prior to execution.

(3) Except as provided in subsection (4) of this section, all contract amendments and extensions which exceed \$10,000 or which result in a total contract price of more than \$10,000 or \$50,000 shall be approved by the [Contract Review Committee] Council Management Committee prior to execution.

(4) The following types of contracts, including contract amendments and extensions to such contracts, shall be exempt from the provisions of this section (c).

(A) Contracts which merely pass through funds from a state or federal agency.

(B) Contracts under which Metro is to provide a service only and incurs no financial obligation to another party.

(C) Contracts with another government agency.

(D) Initial contracts of \$10,000 or less and contract extensions and amendments which do not cause or result in a total contract price of more than \$10,000.


(E) Grant award contracts.

(F) Purchases of inventory and gift items for resale at the Zoo Gift Shop.

(G) Emergency contracts approved pursuant to Code section 2.04.010(e).

Section 5. This Ordinance shall be effective on August 15, 1984.

ADOPTED by the Council of the Metropolitan Service District
this 9th day of August, 1984.



Presiding Officer

ATTEST:



Clerk of the Council

EB/srb
1522C/382
08/06/84

STAFF REPORT

Agenda Item No. 6.1

Meeting Date August 9, 1984

CONSIDERATION OF ORDINANCE NO. 84-176 RELATING TO
COUNCIL ORGANIZATION AND PROCEDURE, AMENDING CODE
SECTIONS 2.01.030, 2.01.060, 2.04.015 AND 2.04.030

Date: July 17, 1984

Presented by: Ray Barker

FACTUAL BACKGROUND AND ANALYSIS

The attached ordinance is submitted as a result of the adoption of Resolution No. 84-478 on July 5, 1984. Resolution No. 84-478 directs the preparation of changes to the Metro Code to implement the restructuring of Council meetings and the reorganization of committees.

The ordinance changes the Council's regular meeting schedule from the first and fourth Thursday to the second and fourth Thursday of each month, provides for the submission of agenda items from JPACT directly to the Council, and substitutes the Council Management Committee for the Contract Review Committee to approve contracts greater than \$10,000 but less than \$50,000. (Note: The Contract Review Committee is the only named committee established by ordinance.)

The second reading of the ordinance, will be August 2, 1984. At the August 2 Council meeting, a Resolution will be introduced which will establish the Council Management Committee and rescind the resolution creating the Development, Services, and Coordinating Committees.

It is recommended that the ordinance and resolution be made effective August 15. This would eliminate the need for another Council meeting on August 9 (the second Thursday of the month). It would also allow the newly created Council Management Committee to meet on the third Thursday of August. The second Council meeting for August would be held on the fourth Thursday (August 23).

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 84-176 in order to begin the implementation of the provisions of Resolution No. 84-478.

RB/srb
1530C/382
07/17/84

Mr. Gustafson pointed out that the close contact with public sentiment that was provided through periodically placing zoo measures on the ballot was very desirable.

It was decided that discussion of this matter would be postponed to give Councilors an opportunity to read the material to which they were being asked to respond.

Mr. Gustafson then presented a summary of the fourth quarter program progress reports. He reminded the Council that in preparing the 1983-84 budget submittal he suggested five priorities: 1) financial management system; 2) finding adequate financial resources for the zoo planning and general government functions; 3) development of a solid waste system plan; 4) development of a regional infrastructure; and 5) continuation of assistance provided local governments. He then summarized the accomplishments in each area. Presiding Officer Kirkpatrick asked that copies of the charts illustrating Mr. Gustafson's presentation be distributed to the Council.

4. Written Communications to Council on Non-Agenda Items

There were no written communications to Council on non-agenda items.

5. Citizen Communications to Council on Non-Agenda Items

There were no citizen communications to Council on non-agenda items.

6. Approval of Minutes

Motion: Councilor Banzer moved that the minutes of the meetings of June 7 and June 28, 1984, be approved as submitted. The motion was seconded by Councilor Hansen.

Vote: The vote on the motion resulted in:

Ayes: Councilors Banzer, Deines, Hansen, Kelley, Kirkpatrick, Oleson, and Van Bergen

Nays: None

Abs.: Councilors Bonner, Cooper, Kafoury, Waker and Williamson

7. Consideration of Ordinance No. 84-176, relating to Council organization and procedure, amending Code Sections 2.01.030, 2.01.060, 2.04.030, and repealing Code Section 2.04.015. (First Reading)

The ordinance was read the first time by title only.

Motion: Councilor Kelley moved adoption of Ordinance No. 84-176. Councilor Van Bergen seconded the motion.

Councilor Deines requested that the second reading of the Ordinance be postponed from the August 2 meeting since many Councilors would be unable to attend. It was decided that Presiding Officer Kirkpatrick

have the remaining Councilors polled regarding their attendance at the upcoming meeting so a decision could be made whether to postpone the second reading or possibly the entire meeting.

Councilor Hansen expressed concern that without committee meetings, provision be made during regular Council meetings for an opportunity to question department heads, whether or not they had items on the agenda. Presiding Officer Kirkpatrick suggested that if the Presiding Officer and staff were notified of questions prior to meetings, they could be included in the introductory segment of the meeting. She added that she intended to schedule information items on a fairly frequent basis.

Councilor Deines suggested that since the Ordinance would not be taking effect immediately, Committee meetings be scheduled for August.

8.1 Consideration of Resolution No. 84-480, for the purpose of endorsing the recommendations of the Diesel Exhaust Study Task Force

Richard Brandman summarized the staff report as contained in the agenda, explaining the basis for the task force recommendations and DEQ's strong support of the Resolution. He called particular attention to Attachment A, which outlines the recommendations of the task force, TPAC and JPACT.

Bill Braaten, 6635 SW Canyon Drive, called attention to an article entitled "Hot Car" which appeared in the August 1984 issue of Scientific American; copies of the article were distributed to the Council. The article discusses the technology of ceramic engine parts and possible future applications in the automotive industry. Mr. Braaten urged that any report to Congress should call attention to the rapid technological advancement in this field.

Glenn Gregg, 10415 SW Terwilliger Place, a citizen member of the Diesel Exhaust Study Task Force, read into the record a letter to the Council urging adoption of the Resolution.

Councilor Oleson asked for Mr. Gregg's reaction to the previous testimony, that the problems would eventually be solved by tomorrow's technology. Mr. Gregg responded that new technology could be a mitigating factor, but that even if cleaner diesel engines are developed, the increase in numbers would have an impact. He agreed with Councilor Oleson that the philosophy behind the task force was to make an educated guess about the future and then try to balance economic development needs with environmental needs.

In response to questions from Councilor Deines, Messrs. Gregg and Brandman estimated that 30% of all trucks travelling in the region are registered here, as are almost all buses.

Howard Harris of DEQ's air quality division, 522 SW 5th Avenue, testified that EPA has designated Portland as a nonattainment area, as measured against standards that are identical with state standards. He described the work of the DEQ on particulates and pointed out that new or expanding industries are currently faced with the necessity of seeking emission offsets and/or installing very expensive control technology. He testified that the DEQ supported the recommendations of

6. ORDINANCES

6.1 Consideration of Ordinance No. 84-176, relating to Council organization and procedure, amending Code Sections 2.01.030, 2.01.060, 2.04.030 and 2.04.015 (Second Reading)

The Ordinance was read a second time by title only.

There was no public testimony.

Vote: The vote on the motion to adopt Ordinance No. 84-176, made by Councilors Kelley and Van Bergen on July 26, 1984, resulted in:

Ayes: Councilors Bonner, Cooper, Kelley, Van Bergen and Kirkpatrick

Nays: Councilors Hansen and Williamson

Abstentions: Councilors Banzer and Deines

Absent: Councilors Kafoury, Oleson and Waker

The motion to adopt Ordinance No. 84-176 failed.

Later in the meeting, a motion was made to reconsider Ordinance No. 84-176.

Motion: Councilor Williamson moved to reconsider the original motion to adopt Ordinance No. 84-176. Councilor Bonner seconded the motion.

Vote: The vote on the motion to reconsider the original motion to adopt Ordinance No. 84-176 resulted in:

Ayes: Councilors Bonner, Cooper, Deines, Hansen, Kelley, Van Bergen, Williamson and Kirkpatrick

Absent: Councilors Banzer, Kafoury, Oleson and Waker

The motion carried.

Vote: The vote on the original motion resulted in:

Ayes: Councilors Bonner, Cooper, Deines, Kelley, Van Bergen, Williamson and Kirkpatrick

Nay: Councilor Hansen

Absent: Councilors Banzer, Kafoury, Oleson and Waker

The original motion carried and Ordinance No. 84-176 was adopted.



METROPOLITAN SERVICE DISTRICT

Providing Zoo, Transportation, Solid Waste and
other Regional Services

Rick Gustafson
Executive Officer

August 13, 1984

Metro Council

Corky Kirkpatrick
Presiding Officer
District 4

Ernie Bonner
Deputy Presiding
Officer
District 8

Bob Oleson
District 1

Richard Waker
District 2

Charlie Williamson
District 3

Jack Deines
District 5

George Van Bergen
District 6

Sharron Kelley
District 7

Cindy Banzer
District 9

Larry Cooper
District 10

Marge Kafoury
District 11

Gary Hansen
District 12

1814C/D3
Dear :

Enclosed is a true copy of the following ordinance adopted
by the Council of the Metropolitan Service District on
August 9, 1984:

Ordinance No. 84-176, an Ordinance
restructuring Metro Council meetings
and reorganizing Council committees.

Please file this ordinance in the Metro ordinance file
maintained by your county.

Sincerely,

Marie Nelson
Clerk of the Council

MN/srb
1813C/D3

Enclosures

527 SW Hall St.
Portland, OR
97201-5287
503/221-1646

Mr. Don Stilwell
County Administrator
Washington County
150 N. First Avenue
Hillsboro, OR 97123
Mr. Stilwell

Ms. Juanita Orr
County Clerk
Clackamas County Courthouse
8th & Main
Oregon City, OR 97045
Ms. Orr

Ms. Jane McGarvin
Clerk of the Board
Multnomah County
1021 S.W. 4th Avenue
Portland, OR 97204
Ms. McGarvin

1814C/D3