

ORDINANCE NO. 15

An Ordinance establishing procedures to be followed by the Metropolitan Service District in the conduct of its official business.

PUBLIC HEARINGS

June 14, 1974 and July 26, 1974

ADOPTED ON JULY 26, 1974

METROPOLITAN SERVICE DISTRICT

ORDINANCE NO. 15

An ordinance establishing procedures to be followed by the Metropolitan Service District in the conduct of its official business.

APPROVED METROPOLITAN
SERVICE DISTRICT
BOARD OF DIRECTORS

ACTION NO. 74-168

DATE 7-26-74

BY Jean M. Wood
CLERK OF THE BOARD

O R D I N A N C E . N O. 15

BE IT ORDAINED BY THE GOVERNING BODY OF THE METROPOLITAN SERVICE DISTRICT:

SECTION I. Repeal

Order No. 1 of the Metropolitan Service District, Rules of Procedure Governing Proceedings pursuant to ORS 268.200(5), and the Guidelines and Policy Statement of the Metropolitan Service District are hereby repealed.

SECTION II. Board of Directors

The Governing Body of the Metropolitan Service District may hereafter be referred to as the Board of Directors of the Metropolitan Service District.

SECTION III. Election and Duties of Chairman, Vice-Chairman and Other Officers

1. The Board of Directors at the first meeting held after January 1 of each year shall elect a chairman as presiding officer to serve for a one-year period. The chairman will preside at all meetings and will have additional powers at the discretion of the Board.
2. A Vice-Chairman shall also be elected at the same time as the Chairman. During the absence of the Chairman, he will serve as, and will have, the authority of the Chairman.
3. Other officers may be elected at the discretion of the Board.

SECTION IV. Regular Meetings

1. The Board of Directors shall meet regularly on the second and fourth Friday of each month at 2:00P.M. unless otherwise specified by the Chairman at the last regular meeting.

2. Regular meetings shall be held at a place designated in the published agenda of the meeting.
3. 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 the place of an adjourned meeting is not required. Matters included on the agenda of the 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, as prescribed herein.

SECTION V. Agenda and Public Notices

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 not more than ten nor less than four days before a regular meeting of the Board of Directors. If an executive session only will be held pursuant to this Ordinance, then notice shall be given to the members of the Board of Directors and to the general public stating the specific provision of the law authorizing the executive session.

SECTION VI. Special Meetings

The Chairman of majority of the Board of Directors may call a special meeting on 48 hours written notice to the Directors. The agenda shall be limited to the purposes for which the meeting is called. Except for the provisions of this section, special meetings are subject to the same rules as regular meetings. At least 24 hours notice shall be given to the general public. If possible, the agenda and time and place of meeting should be published in a newspaper of general circulation in the District. If publication is not possible, the provisions

for notifying the public of emergency meetings in Section VII should be followed.

SECTION VII. Emergency Meetings

If an emergency exists the chairman or majority of the Board of Directors may call an emergency meeting by telephone or written notice to the Directors. The agenda for emergency meetings shall be limited to the purposes for which the meeting is called. To the extent possible, telephone call and press releases to the press and interested persons shall be made to give public notice of the agenda and time and place of the emergency meeting.

SECTION VIII. Ordinances

1. The legislative action of the Metropolitan Service District Board of Directors shall be by ordinance.
2. Except as provided in sub-section 4 of this section, before an ordinance is adopted it shall be read during two regular meetings of the Board of Directors on two different days at least six days apart. The reading shall be full and distinct unless at the meeting:
 - (a) A copy of the proposed ordinance is available for each person who desires a copy; and
 - (b) The Board of Directors directs by motion that the reading be by title only.
3. Except as provided by sub-section 4 of this section, the affirmative vote of a majority of the members of the Board of Directors is required to adopt an ordinance and the vote of each Director shall be recorded.
4. An ordinance to meet an emergency may be introduced, read once and put on its final passage at a regular or special meeting of the Board of Directors, 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 Board of Directors at the meeting, a quorum being present, is required to adopt an emergency ordinance.

SECTION IX. Filing of Ordinances

1. Within seven days after adoption of an ordinance, the enrolled ordinance shall be:
 - (a) Signed by the Chairman of the Board of Directors;
 - (b) Attested by the person who served as recording secretary of the Board of Directors at the session at which the Board of Directors adopted the ordinance; and
 - (c) Filed in the records of the District.
2. A certified copy of each ordinance shall be filed with the Division of Courts Process of Multnomah County, available for public inspection.
3. Within 15 days after adoption of an emergency ordinance notice of adoption of the ordinance shall be published in a newspaper of general circulation within the Metropolitan Service District. The notice shall:
 - (a) Briefly describe the ordinance;
 - (b) State the date when the Ordinance was adopted and the effective date of the Ordinance; and
 - (c) State that a copy is on file at the office of the Metropolitan Service District and at the office of the Division of Courts Process of Multnomah County, available for public inspection.

SECTION X. Effective Date of Ordinances

1. Except as provided by sub-section 2 of this section an ordinance shall take effect the 30th day after it is adopted, unless a later date is described in the ordinance. If an ordinance is referred to the voters of the Metropolitan Service District, it shall not take effect until approved by a majority of those voting on the ordinance.
2. An emergency ordinance may take effect upon adoption.

SECTION XI. Resolutions

1. All matters other than legislation coming before the Board of Directors and requiring Board action shall be handled by resolution.
2. Resolutions shall be by voice vote unless a Director requests a roll call vote and the recording of the vote of each Director.
3. The affirmative vote of a majority of the Directors present and voting, a quorum being present, is required to adopt a resolution.
4. The Board may require a public hearing on any resolution prior to taking action thereon.

SECTION XII. Petition to Adopt, Amend or Repeal Ordinance or Resolution

Any interested person who is a voter or landowner within the Metropolitan Service District may petition the Board of Directors to adopt, amend or repeal an ordinance or resolution. Any such person may appear at any regular meeting of the Board and shall be given a reasonable opportunity to be heard.

SECTION XIII. Meetings

1. A quorum for transacting official business shall consist of a majority of the Board's membership.
2. (A) Minutes of each meeting shall be prepared recording:
 - (1) All members of the Board of Directors present;
 - (2) All motions, proposals, resolutions, ordinances and other measures proposed and their dispositions;
 - (3) The results of all votes, and upon request of one member, by name;
 - (4) The substance of any discussion on any matter.(B) Minutes of executive sessions may be limited to material the disclosure of which is not inconsistent with 1973 ORS 192.660.

- (C) A book of minutes shall be maintained as a permanent record of the actions of the Board of Directors.
3. The meetings shall be conducted according to Roberts Rules of Order.


SECTION XIV. Meetings Open to the Public

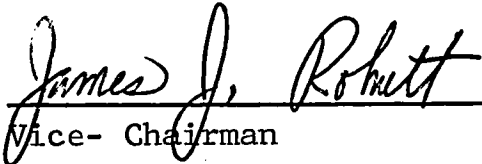
1. All meetings of the Board of Directors shall be open to the public unless an executive session is called pursuant to this section.
2. The Board of Directors may hold executive session during any meeting of the Board after the Chairman has identified the authorization for the executive session under Chapter 172, Oregon Laws 1973. Executive session may be held under this sub-section only:
 - (a) To consider the employment of an officer, employee, staff member or individual agent, or other personnel matters of the Metropolitan Service District.
 - (b) To consider the dismissal or disciplining of, or to hear complaints or charges brought against an officer employee, staff member or individual agent of the Metropolitan Service District, unless such officer, employee, staff member, or individual agent requests an open hearing.
3. The Board of Directors may hold executive session during any meeting of the Board upon a two-thirds vote of the members of the Board and after identification by the Chairman of the authorization under 1973 ORS 192.660 for the executive session. Executive session may beheld under this sub-section only:
 - (a) To conduct deliberation concerning the authority of persons designated by the Board of Directors to carry on labor negotiations or to negotiate the purchase of real property.
 - (b) To consider records that are exempt by law from public inspection.

4. Representatives of the news media shall be allowed to attend executive sessions under such conditions governing the disclosure of information as may be agreed to by the Board of Directors and the representatives of the news media prior to the executive session.
5. No executive session may be held for the purpose of taking any final action or making any final decision.

Date of Adoption

July 26, 1974


Chairman


Vice- Chairman