

BEFORE THE COUNCIL
OF THE METROPOLITAN SERVICE DISTRICT

In the matter of the adoption)
of rules of procedure for the)
conduct of Council meetings,) Resolution No. 79-1
the transaction of Council)
business and repealing all prior)
rules of procedure.)

The Council will take office on January 1, 1979, pursuant to Ch. 665, Or. Laws 1977, thereby succeeding the present governing body of the Metropolitan Service District (MSD); and

The Council is authorized by Sec. 6 of Ch. 665, Or. Laws 1977, to adopt and enforce rules of procedure governing its proceedings; and

It appears to the Council that it is appropriate that a full revision of previously adopted rules of procedure relating to the conduct of meetings be adopted.

RESOLVED, that the Council of the Metropolitan Service District does hereby adopt the following rules of procedure.

Section 1. Officers

1.01 The Council shall, at its first meeting after the first Monday in January of each year, elect one Councilor to serve as its presiding officer for the ensuing year. Sec. 6, Ch. 665. The Council shall also elect at the same time a deputy presiding officer. The affirmative vote of the majority of the Council (7) is required to elect the presiding officer and deputy presiding officer.

1.02 The presiding officer will preside at all meetings of the Council and will preserve order and decorum. The presiding officer is authorized to sign all documents memorializing Council's action on behalf of the Council. The presiding officer will have a vote on each matter before the Council, but will not make motions unless first relinquishing the position of presiding officer for the purpose of making such motion.

1.03 The deputy presiding officer shall be the presiding officer in the absence or incapacity of the presiding officer, and will have the authority and perform the duties of the presiding officer.

1.04 In the absence or incapacity of the presiding officer and the deputy presiding officer, the presiding officer may designate a Councilor to act as the temporary presiding officer.

1.05 The presiding officer or temporary presiding officer may be removed by the Council upon the affirmative vote of 3/4 of the Councilors (9).

Section 2. Clerk of the Council

The clerk of the Council, or a qualified alternate designated by the presiding officer, shall act as recording secretary for the Council, shall be present at each meeting of the Council and shall provide that the proceedings be electronically or stenographically recorded. ORS 192.650; 198.560(1)(b). The clerk shall also maintain a journal of Council proceedings that shall be available to the public during regular office hours.

Section 3. Regular Meetings

The Council shall meet regularly on the 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. ORS 192.640. 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 4. Special Meetings

The presiding officer or a majority of the Council (7) may call a special meeting of the Council provided that at least 24 hours notice is given to the Council and the general public. ORS 192.640; Sec. 6, Ch. 665. The agenda shall be limited to the purpose for which the meeting is called. Except for the provisions of this section, special meetings are subject to the same rules as regular meetings. If possible, the agenda and time and place of the 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 should be followed.

Section 5. Emergency Meetings

In case of an actual emergency, the presiding officer or a majority of the Council may call an emergency meeting of the Council upon such notice as is appropriate to the circumstances. ORS 192.640; Sec. 6, Ch. 665. The agenda shall be limited to the purposes for which the meeting is called. To the extent possible, telephone calls and news releases to the media and interested persons should be made to give public notice of the agenda and time and place of the meeting.

Section 6. Notice and Agenda

6.01 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 Council. ORS 192.640; 198.540. If an executive session will be held, the notice shall state the specific provision of the law authorizing the executive session. ORS 192.640.

6.02 The presiding officer shall establish the agenda from the agenda items submitted by the Councilors, 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 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 and the Executive Officer of such due dates.

Section 7. Ordinances

7.01 The legislative action of the Metropolitan Service District shall be by ordinance. ORS 268.360(1).

7.02 Except as provided in Section 7.07 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 days apart. ORS 198.550. The reading shall be full and distinct unless at the meeting:

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

(b) The Council directs that the reading be by title only. ORS 198.550.

7.03 Except as provided in Section 7.07 of these rules, the affirmative vote of the majority of the members of the Council (7) is required to adopt an ordinance. ORS 198.550(2). A roll call vote shall be taken on all ordinances.

7.04 Ordinances may be placed upon the agenda by the Council, a Councilor, a committee of the Council or the executive officer. Sec. 5 and 8, Ch. 665.

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

(a) Signed by the presiding officer;

(b) Attested by the person who served as recording secretary of the Council at the meeting at which the Council adopted the ordinance; and

(c) Filed in the records of the District. ORS 198.560.

7.06 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.

7.07 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 Sections 7.02 and 7.03 above.

Section 8. Motions and Resolutions

8.01 All matters other than legislation and rules coming before the Council and requiring Council action shall be handled by motion or resolution.

8.02 Excluding procedural matters, the affirmative vote of a majority of the Council present and voting, a quorum being present, is required to adopt a motion or a resolution. Procedural matters shall be subject to Robert's Rules of Order unless these rules provide otherwise.

8.03 Motions and resolutions shall become effective upon adoption unless a later date is specified therein.

Section 9. Conduct of Meetings

9.01 A quorum of the Council is seven (7) members. If a quorum is present, the Council may proceed with the transaction of its business.

9.02 Minutes of each meeting shall be prepared by the clerk of the Council, and shall include at least the following information:

- (a) All members of the Council present;
- (b) All motions, proposals, resolutions, orders, ordinances and rules proposed and their dispositions;
- (c) The results of all votes, and the vote of each Councilor by name;

(d) The substance of any discussion on any matter.
ORS 192.650.

9.03 Minutes of executive sessions may be limited consistent with ORS 192.660. ORS 192.650.

9.04 The written minutes shall be available to the public within a reasonable time after the meeting, and shall be maintained as a permanent record of the actions of the Council by the clerk of the Council. ORS 192.650.

9.05 Council members present, but not voting or not specifically abstaining shall be counted as voting with the majority. In the event that there is no such majority, such members shall be counted as abstaining.

9.06 Except for ordinances and rules, the presiding officer may order the unanimous approval of any matter before the Council unless there is an objection from one or more Councilors. If there is an objection, then a voice vote shall be taken, unless the objecting Councilor requests a roll call vote and at least two Councilors concur in such request, in which case a roll call vote shall be taken.

9.07 Any matter not covered by these rules shall be determined by Robert's Rules of Order, latest revised edition.

9.08 All meetings of the Council, its committees and advisory committees shall be held and conducted in accordance with the Oregon Public Meetings Law.

Section 10. Adoption and Amendment of Rules

No standing rule of procedure of the Council shall be adopted, amended, or rescinded except upon the affirmative vote of a majority of the members of the Council (7).

Section 11. Reconsideration

11.01. When a matter has been adopted or defeated, any Councilor voting on the prevailing side may move for reconsideration of the matter.

11.02. Notice of the intention to move for reconsideration of an ordinance or rule must be given orally by the Councilor who intends to make the motion prior to adjournment on the same day on which the vote to be reconsidered was taken. Notice of the intention to move for reconsideration of other matters should be made to the presiding officer prior to or at the next meeting.

11.03 Motion to reconsider shall be made and voted on not later than the next regular meeting after the meeting on which the vote to be reconsidered was taken. The motion for reconsideration has precedence over any other motion.

11.04 A motion for reconsideration must receive the affirmative vote of a majority of the Council (7) in order to be adopted.

11.05 There shall be only one reconsideration of any final vote even though the action of Council reverses its previous action.

Section 12. Communications from the Public

Communications from the public both for matters on the agenda and matters not on the agenda may be allowed by the Council; provided, however:

(a) Persons addressing the Council shall do so from the rostrum upon first gaining recognition of the presiding officer and after stating name and address.

(b) To facilitate the orderly transaction of business, the presiding officer may limit the time and number of appearances.

Secton 13. Order of Business

13.01 The general order of business for the Council shall be:

- (a) Call to order.
- (b) Roll call.
- (c) Communications from the public for matters not on the agenda.
- (d) Consent calendar.
- (e) Challenges to referrals.
- (f) Reports from standing committees.
- (g) Reports from special committees.
- (h) Reports from advisory committees.
- (i) Report from the executive officer.
- (j) Old business.
- (k) Introduction and consideration of resolutions and ordinances.
- (l) New business.
- (m) Other business.
- (n) Adjournment.

13.02 Questions relating to the priority of business shall be decided without debate. The general order of business shall not be varied except upon the affirmative vote of a majority of the Council present and voting, a quorum being present.

13.03 A unanimous consent calendar shall be presented for the consideration and vote of the Council only at regular meetings. Copies of the consent calendar shall be printed and distributed to the Council prior to consideration.

13.04 Before calling for the vote on the consent calendar, the presiding officer shall ask if any Councilor objects to any matter on the consent calendar. If any matter on the consent calendar is objected to by a member of the Council, that matter shall be removed from the consent calendar and placed upon the agenda of the Council under other business.

Section 14. Committees of the Council

14.01 The Council may establish standing committees as it deems necessary.

14.02. 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 chairperson and the second named shall be vice chairperson.

14.03 A majority 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 these rules, all standing and special committees of the Council shall be governed by Robert's Rules of Order, latest revised edition.

14.04 All committees shall meet at the call of the chair or upon the request of a majority of the members of the committee.

14.05 The purposes of committees of the Council are to:

(a) Make studies of and inquiries into areas of concern and interest of the Council.

(b) Report information to the Council.

(c) Prepare and submit recommendations, proposals and ordinances to the Council.

14.06 Unless otherwise specifically provided, committees of the Council shall have the power to:

(a) Hold meetings at such times and places as the committee considers expedient.

(b) Hold public hearings and take testimony.

(c) Make findings, conclusions and recommendations.

(d) Draft and prepare motions, resolutions and ordinances for consideration by the Council.

(e) Appoint task forces and committees to advise the committees of the Council, subject to Council approval.

14.07 Each committee member shall have one vote and the chairman may vote and discuss any issue before the committee without relinquishing his position as chairman.

14.08 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.

14.09 The term for a committee member shall be one year. Except for filling vacancies, committee appointments shall be made in January of each year.

14.10 No committee will incur any indebtedness or hire any personnel without the express approval of the Council.

14.11 The chairperson, vice chairperson or committee members may be removed from their committee assignment(s) upon the affirmative vote of the majority of the Council (7).

Section 15. Local Government Advisory Committees

15.01 The Council shall appoint such advisory committees comprised of local government officials from the metropolitan area and any other areas receiving services from the District as may be necessary to assist the Council in the performance of its duties. The number of members and term for each committee so appointed shall be established by the Council.

15.02 Each member shall have one vote and the chairman may vote on and discuss any matter coming before the committee.

15.03 Unless otherwise specifically provided, local government advisory committees shall have a power to:

(a) Select a chairman and vice chairman.

(b) Hold meetings at such times and places as the committee considers expedient.

(c) Prepare and submit proposals and recommendations to the Council.

(d) Perform other functions assigned by the Council.

15.04 A majority of the members of the committee shall constitute a quorum for the transaction of business before the committee. Except as otherwise provided in these rules, all committees of local government officials shall be governed by Robert's Rules of Order, latest revised edition.

15.05 All committees shall meet at the call of the chairman or upon the request of a majority of the members of the committee or upon the request of the Council. All meetings of the committee shall be subject to the Oregon Public Meetings Law.

Section 16. Other Advisory Committees

The Council may appoint other advisory committees as necessary to assist the Council or committees of the Council in the performance of their duties. The purposes and powers of each advisory committee shall be expressly stated at the time of appointment. Advisory committees shall serve at the pleasure of the Council.

Section 17. Amendment and Repeal of Previous Rules

17.01 The following previously adopted rules of procedure of the Metropolitan Service District and the Columbia Region Association of Governments are hereby repealed:

(a) Chapter 1.1 (Charter Rules) of the Code of the Columbia Region Association of Governments.

(b) Chapter 2 (Procedural Rules) of the Code of the Columbia Region Association of Governments.


(c) Chapter 5 (Areas and Activities of Regional Impact) of the Code of the Columbia Region Association of Governments.

(d) Chapter 4.02 of the Code of the Metropolitan Service District.

17.02 The following previously adopted rules of procedure of the Metropolitan Service District and the Columbia Region Association of Governments are hereby amended as follows:

(a) All references in the Codes of both agencies to the "Board" or "Board of Directors" are amended by substitution of the term "Council" therefor.

ADOPTED, By the MSD Council this 4th day of January, 1979.



Presiding Officer

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