

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING) RESOLUTION NO. 94-2032
SPECIAL LEGAL COUNSEL TO FILE)
AN APPEAL) Introduced by Councilor
) George Van Bergen

WHEREAS, In Resolution No. 94-1973, the Metro Council directed special legal counsel to initiate legislation to obtain a judicial declaration as to the validity of amendment number four to the contract between Metro and Oregon Waste Systems, Inc., executed by the Metro Executive Officer on March 16, 1994; and

WHEREAS, On September 8, 1994 the Honorable Lee Johnson dismissed the litigation concluding that the Metro Executive has exclusive authority to direct Metro litigation; and

WHEREAS, Judge Johnson's decision is inconsistent with the Metro Charter and significantly dilutes the Charter authority of the Metro Council; now, therefore,

BE IT RESOLVED,

That the Metro Council directs special legal counsel to seek appellate review of Judge Johnson's decision.

ADOPTED by the Metro Council this eighth day of September, 1994.


Ed Washington, Deputy Presiding Officer