

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING) RESOLUTION NO. 95-2160
RULES ESTABLISHING PROCEDURES)
RELATING TO THE CONDUCT OF) Introduced by Presiding
COUNCIL AND STANDING COMMITTEE) Officer J. Ruth McFarland
BUSINESS

WHEREAS, the Metro Council adopted Resolution No. 95-2078, for the purpose of adopting rules and establishing procedure for the conduct of Council business; and

WHEREAS, the Metro Council adopted Resolution No. 95-2145A, to establish a system of standing committees to consider issues coming before the Council; and

WHEREAS, Metro Code Section 2.01.090 requires the Council by resolution to adopt rules establishing procedures governing conduct of debate on matters considered by the Council; and

WHEREAS, Metro Code Section 2.01.120 requires the Council by resolution to adopt rules and procedures relating to the receipt of communications from the public at Council meetings; and

WHEREAS, Metro Code Sections 2.01.070 and 2.01.080 require the Council by resolution to adopt rules establishing procedures for the introduction and consideration of ordinances and resolutions respectively; and

WHEREAS, Metro Code Section 2.01.130 requires the Council by resolution to establish the general order of business for Council meetings, and to establish criteria for placing items on a consent agenda; and

WHEREAS, Metro Code Section 2.01.035 requires the Council by resolution to establish procedures governing the conduct of Council work sessions; now, therefore

BE IT RESOLVED,

That the Metro Council hereby amends Resolution No. 95-2078 and adopts the following rules establishing criteria and/or procedures:

1. Rules of procedure governing debate on matters before the Council as shown in Exhibit A.

2. Rules of procedure relating to receipt of communications from the public at Council meetings as shown in Exhibit B.

3. Rules of procedure for consideration of ordinances and resolutions as shown in Exhibit C.

4. Rules of procedure for Council work sessions as shown in Exhibit D.

5. Rules establishing the general order of business for Council meetings as shown in Exhibit E.

6. Rules of procedure and criteria for the consent agenda as shown in Exhibit F.

7. Committee process and procedures as shown in Exhibit G.

ADOPTED by the Metro Council this 1 day of June,
1995.


J. Ruth McFarland, Presiding Officer

EXHIBIT A

RULES OF PROCEDURE GOVERNING DEBATE ON MATTERS BEFORE THE COUNCIL

To conduct Council business in an orderly and expeditious manner the following rules of procedure are established:

1. All Councilors have a right to debate each matter brought before the Council. There shall be a question before the Council prior to debate on any matter. On each matter brought before the Council for a decision, the Presiding Officer shall ask for a motion on the matter which must be seconded for it to be a proper question. For matters referred to the Council from a standing committee the Presiding Officer shall first recognize the Councilor designated to present the committee report for a motion and presentation of the committee report. If there is a minority report on any matter referred from a standing committee, the Presiding Officer shall recognize the Councilor presenting the minority report for a motion and presentation of the minority report immediately after the presentation of the committee report.
2. A Councilor speaking on a motion shall confine his or her remarks to the matter under consideration by the Council and shall avoid repetition and irrelevant comment.
3. A Councilor may speak once for up to five (5) minutes on each main motion and substantive amendment to a main motion before the Council. A Councilor may speak more than the allotted time with unanimous consent of the Council or if another Councilor yields his or her right to speak and time on the question at hand. A member may be permitted to speak a second

time to clear up a matter of fact, to explain a point misunderstood, or to clear up a question that has arisen in the debate. A Councilor may be recognized by the Presiding Officer to question any person appearing before the Council. When a Councilor has been recognized he or she is considered to have the floor and need not be recognized for each subsequent question until he or she is finished with the questioning.

4. The Councilor who moves and presents the committee or minority report on a matter before the Council is entitled to close the debate after other Councilors wishing to speak have spoken. The closing comments shall be limited to three (3) minutes unless extended by unanimous consent of the Council.

EXHIBIT B

RULES OF PROCEDURE RELATING TO COMMUNICATIONS FROM THE PUBLIC

The Council shall encourage the appearance of members of the public both for matters on the agenda and not on the agenda. To facilitate the orderly transaction of business the following procedures shall apply for matters other than contested cases:

1. At the beginning of each Council meeting and periodically during the meeting, the Presiding Officer shall announce that public testimony is allowed on matters before the Council and shall instruct members of the public to fill out sign-up cards and submit them to the Clerk of the Council. The sign-up card shall indicate the name and address of the person to testify, the agenda item on which the person wishes to speak and whether the person is speaking in favor or against the matter before the Council.
2. A member of the public may appear only once on each separate matter before the Council and shall be limited to three (3) minutes of testimony, exclusive of answers to questions from Councilors. A member of the public may speak more than once and longer than the three (3) minutes with unanimous consent of the Council or if a member of the public who has also signed up to speak yields his or her time and opportunity to speak.
3. On matters before the Council on which a decision is to be made the Presiding Officer shall alternate the testimony between those speaking in favor of the matter and those speaking in opposition to the matter, starting with a person

in favor of the matter. If there are no persons remaining to alternate, the Presiding Officer shall call the remaining persons to testify in whichever order he or she determines is best. The Presiding Officer shall request members of the public to avoid providing repetitive testimony.

4. A person addressing the Council shall do so from the rostrum or table upon first gaining recognition of the Presiding Officer and after stating his or her name and address for the record.

EXHIBIT C

RULES OF PROCEDURE AND CONSIDERATION

OF ORDINANCES AND RESOLUTIONS

1. Introduction: An ordinance or resolution may be introduced by the Council, a Councilor or Councilors, a Council standing committee, the Auditor, or the Executive Officer. Each ordinance or resolution shall designate the person, persons, or committee introducing the ordinance or resolution.
2. Filing: The Clerk of the Council (Council Clerk) shall assign numbers and approve titles for all proposed ordinances or resolutions. The Presiding Officer may establish requirements for filing supporting materials with ordinances and resolutions to assist the Council and its committees in deliberating on matters brought before it. A proposed ordinance shall be filed with the Council Clerk at least ten days prior to the next regular Council meeting for which it is requested to be considered for first reading. A proposed resolution shall be filed with the Council Clerk at least ~~ten~~ eight (8) days prior to consideration by a Council standing committee. The Presiding Officer may waive filing deadlines.
3. Disposition and Referral: An ordinance or resolution timely filed with the Council Clerk and in proper form (including all required supporting materials shall be 1) in the case of an ordinance placed on the next available Council agenda for first reading and referral by the Presiding Officer to one or more standing committee(s); or, 2) in the case of a resolution

referred to one or more standing committee(s) by the Presiding Officer except for a resolution introduced and recommended by a standing committee. A resolution introduced and recommended by a standing committee shall be filed with the Council Clerk and shall be placed on a Council agenda at the discretion of the Presiding Officer. If the Presiding Officer refers an ordinance or resolution to more than one standing committee, the standing committees shall consider and act upon the ordinance or resolution in the order specified by the Presiding Officer at the time of referral. The Council Clerk shall notify Councilors and the Executive Officer on a weekly basis of the referral status of ordinances and resolutions.

4. Items Considered by the Council as a Whole: The following items shall be considered and acted upon by the Council as a whole, rather than referred to a committee by the Presiding Officer:

- a) Any ordinance placed on an agenda as provided in Section 2.01.070(j) of the Metro Code.
- b) Any ordinance, order or resolution proposed for Council action as a result of a contested case proceeding as provided in Chapter 2.05 of the Metro Code;
- c) Any item placed on the agenda for any emergency meeting of the Council as provided in Section 2.01.050 of the Metro Code; and
- d) Any action of the Metropolitan Exposition-Recreation Commission placed on the Council agenda as provided by Section 6.01.080 of the Metro Code.

5. Committee Consideration: An ordinance or resolution referred to a standing committee shall be scheduled for public hearing and committee consideration at the discretion of the chair of the committee. The committee may refer an ordinance or resolution to the Council or another standing committee to which it was referred by the Presiding Officer either as originally submitted or as amended with a recommendation for approval or with no recommendation, table an ordinance or resolution, or continue an ordinance or resolution to another meeting. Any ordinance or resolution which remains in a standing committee six (6) months from the date it was initially considered by the committee shall be considered to be defeated and shall be filed with the Council Clerk and receive no further consideration.

The Presiding Officer or the Council by a majority vote of a quorum may remove any ordinance or resolution from a committee for re-referral by the Presiding Officer or consideration by the Council at a subsequent meeting. Announcement of or Council consideration of such removal shall take place under the "Councilor Communication and Committee Reports" agenda item at Council meetings.

6. Committee Report: An ordinance or resolution referred to the Council with or without a favorable committee recommendation shall be placed on a Council agenda at the discretion of the Presiding Officer for second reading and/or Council consideration. There shall be a committee report for each ordinance or resolution referred to the Council. The committee chair shall assign a member of the committee to

present the report to the Council. The report shall state the committee recommendation, a record of the vote, the major issues discussed by the committee and any other pertinent information of use to the Council.

7. Minority Report: A minority report on any ordinance or resolution recommended by the committee may be submitted for Council consideration at the same Council meeting that the Committee report is considered. Any committee member present at the committee meeting at which an ordinance or resolution was considered and voting against the prevailing side may serve notice at that committee meeting of his or her intent to file a minority report for Council consideration. Upon such notice and in order for the minority report to be considered by the Council, the Councilor who had served notice shall prepare a written minority report which shall be submitted to the Clerk of the Council prior to the Council meeting at which the ordinance or resolution is scheduled for a second reading and/or consideration. The Council shall hear and consider the minority report immediately after the presentation of the committee report.

EXHIBIT D

RULES OF PROCEDURE FOR COUNCIL WORK SESSIONS

1. The primary purpose of Council work sessions is to provide the Council the opportunity to receive and consider information on issues of interest to the Council in a public meeting. In addition to discussing issues, receiving briefings and status reports, etc., the Council may discuss and vote on matters that have been filed for its consideration and which otherwise comply with Oregon law and Metro ordinances and rules.
2. The general order of business for Council work sessions will be as follows:
 - Call to order
 - Introductions
 - Citizen Communications
 - Executive Officer Communications
 - Old Business
 - New Business
 - Councilor Communications
3. The Presiding Officer shall set the agenda for the work sessions from items requested by a Councilor or Councilors, the Auditor, or the Executive Officer. The Presiding Officer has the authority to determine whether and when to schedule an item for a work session.
4. Requests for an item to be included on a work session agenda and materials to be included in the agenda packet for a work session shall be filed with the Clerk of the Council at least eight days prior to the work session; a Councilor, however, may request at a work session that an item be included on the

agenda for the following week's work session. The Presiding Officer may waive the filing deadline.

EXHIBIT E

A RULE ESTABLISHING THE GENERAL ORDER OF BUSINESS

FOR COUNCIL MEETINGS

1. The general order of business for regular Council meetings shall be as follows:
 - o Call to order
 - o Introductions
 - o Citizen Communications to the Council on Non-Agenda Items
 - o Executive Officer Communications
 - o Ordinances
 - First Readings
 - Second Readings
 - o Orders
 - o Resolutions
 - o Other Business
 - o Councilor Communications and Committee Reports
 - o Adjourn
2. The Presiding Officer shall follow the above general order of business in preparing regular Council meeting agendas and shall include approximate times for the consideration of each item on the agenda.
3. The Presiding Officer may change the order of business in preparing a regular Council meeting to meet special circumstances and shall notify the Council of such change in the general order of business at the beginning of the Council meeting.

EXHIBIT F

RULES OF PROCEDURE AND CRITERIA FOR THE CONSENT AGENDA

The following criteria and procedures shall apply to the Consent Agenda:

1. Agenda items may be placed on the Consent Agenda at the discretion of the Presiding Officer, subject to the requirements of this section. The party filing an item for Council consideration may request that it be placed on the Consent Agenda if it conforms to the following criteria:
 - a) The agenda item has received a unanimous favorable recommendation from a Council standing committee (or committees if it has been considered by more than one standing committee); and
 - b) The standing committee chairperson(s) request that the item be placed on the Council Consent Agenda; and
 - c) No public hearing before the Council is required by law or Metro ordinance.
2. A Consent Agenda may only be presented at a regular Council meeting and shall be included as part of the regular meeting agenda.
3. The Presiding Officer shall have final approval of which items shall be placed on the Consent Agenda and the Council Clerk shall certify that Consent Agenda items meet the criteria listed in Section 1 above.
4. If a Councilor objects to any item on the Consent Agenda, that item may be removed from the Consent Agenda and placed on the

regular agenda of the Council at a time or place to be determined by the Presiding Officer.

EXHIBIT G

COMMITTEE PROCEDURES

The following criteria, processes and requirements shall apply to the operation of Council standing committees:

1. Members of all standing committees shall be appointed by the Presiding Officer subject to confirmation of the Council. The Presiding Officer shall designate a Chair and Vice Chair for each committee.
2. A majority of the members of the standing committee shall constitute a quorum of the transaction of business before the committee. Except as otherwise provided in the Metro Code, or rules adopted by the Council, all standing committees of the Council shall be governed by Robert's Rules of Order, newly revised.
3. All committees shall meet at the call of the Chair or upon the request of a majority of the members of the Committee.
4. The purposes of standing 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; and
 - (c) prepare and submit recommendations, proposals and ordinances to the Council.
5. Unless otherwise specifically provided, standing 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 resolutions and ordinances for consideration by the Council; and

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

6. Standing committees shall conduct business according to the following rules:

(a) a quorum of the committee is necessary to take action on any matter before the committee;

(b) any matter before a committee may be decided by a majority of the quorum;

(c) 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 Chair;

(d) any member may make a motion for action by the committee and a second is not necessary for committee consideration of the motion;

(e) comment from members of the public appearing at the meeting shall be solicited prior to the committee taking action on any matter before it. The Chair may set time limits for public comment on matters before the committee; and

(f) a committee may go into Executive Session for the purposes and following procedures prescribed by law.

7. A standing committee may take the following action on an ordinance or resolution:

(a) refer the ordinance or resolution to the Council or another committee, if it has received a subsequent referral by the Presiding Officer, either as originally

submitted or as amended, with a recommendation for approval or with no recommendation; or

(b) table the ordinance or resolution; or

(c) continue the ordinance or resolution to another committee meeting.

8. Any ordinance or resolution which remains in a standing committee over six (6) months for the date it was introduced shall be considered to be defeated and shall be filed with the Council Clerk and receive no further consideration.

9. By majority vote of a quorum of the Council or by action of the Presiding Officer any matter referred to a standing committee may be removed from the committee and reassigned to another committee or be considered by the Council at a subsequent meeting.