

DRAFT

1992

METRO CHARTER

Engrossed with proposed amendments (Hales)

**Includes amendments adopted by the committee July 2nd
Does not reflect changes made by the committee July 9th to Sections 5 and 6**

**ROUGH DRAFT:
AMENDMENT LANGUAGE HAS NOT BEEN DRAFTED OR APPROVED BY COUNSEL**

Matter which is **bold and highlighted is new language**

Matter which is [*bracketed and italicized*] is language to be deleted

July 14, 1992

CHAPTER I

NAMES AND BOUNDARIES

Section 1. Title of Charter. The title of this charter is the 1992 METRO Charter.

Section 2. Name of Regional Government. The Metropolitan Service District continues under this charter as a municipal corporation with the name "METRO."

Section 3. Boundaries. The area of governance of METRO includes all territory within November 3, 1992 boundaries of the Metropolitan Service District of the Portland metropolitan region, together with any territory thereafter annexed or subjected to its governance under state law. Changes to the boundaries of METRO shall not be effective unless approved by a non-emergency ordinance. No change to the boundaries of METRO shall require the approval of a local government boundary commission or any other state agency. The custodian of METRO's records shall keep a current and accurate description of METRO's boundaries, which shall be available for public inspection.

CHAPTER II

FUNCTIONS AND POWERS

Section 4. Jurisdiction of METRO. METRO has jurisdiction over those matters of metropolitan concern which are assigned to METRO by this charter or which are authorized under the procedures of this charter for assuming functions.

Section 5. Growth Management Functions. METRO is authorized to exercise those functions related to the management of growth in the region specified by section 7 of this charter or as permitted under the procedures specified in section 8 of this charter.

Section 6. Other Assigned Functions. METRO is authorized to [*continue to*] exercise the following functions of the Metropolitan Service District ~~and other such functions as shall be authorized as provided by this charter.~~

- (1) The ownership and operation of a metropolitan zoo;
- (2) Ownership and operation of public cultural, trade, convention, exhibition, sports, entertainment, and spectator facilities;
- (3) Provision of facilities for, and disposal of, solid and liquid wastes of the region;
- (4) Acquisition, ~~development, ownership and operation of a system of parks, open spaces and recreational facilities of metropolitan concern~~ [*of regional greenspaces*];
- (5) Development and marketing of geographic ~~or other~~ data; and

- (6) Any other functions assigned to the Metropolitan Service District by:
- (a) approval of the voters;
 - (b) action of state or federal government, or
 - (c) agreements with local governments made prior to the effective date of this charter.

Section 7. Regional Planning Functions.

(1) The Future Vision. The council shall adopt a regional Future Vision by May 1, 1994. The Future Vision is a conceptual statement that indicates population levels and settlement patterns that the region and adjacent areas can accommodate within the carrying capacity of the land; water and air resources, and that achieves a desired quality of life. The Future Vision is a long-term, at least 50-year, visionary outlook. The matters addressed by the Future Vision will include, but are not limited to:

- a. Use, restoration and preservation of regional land and natural resources for the benefit of present and future generations;
- b. How and where to accommodate the population growth for the region while sustaining and maintaining its livability and quality of life;
- c. Means of developing new communities and additions to the existing urban area in well-planned ways; and,
- d. Economic growth and educational resources.

[The council shall appoint a broad-gauged commission representing the public, private and academic sectors to develop and recommend a proposed Future Vision to the council within a timetable established by the council. The commission shall consider available data and public comment and seek any additional information necessary to develop the proposed Future Vision. One or more commission members must reside outside the boundaries of METRO. The commission shall serve without compensation.]

The Future Vision may be reviewed and amended at such times and in such manner as the council shall determine and shall be completely reviewed and revised in the manner of its original development and adoption not less frequently than once every fifteen years.

The Future Vision is not a regulatory document. It is the intent of this charter that the Future Vision not have any legal effect which would allow it to be reviewed by a court or agency of this state or cited in judicial review of individual land use decisions. The Future Vision affects the regional framework plan in the manner described below.

(2) Regional Framework Plan. The council shall adopt a regional framework plan which seeks to implement the Future Vision in land use plans and regulations. The Regional Framework Plan shall establish [establishing] regional goals, objectives and policies, functional plans and benchmarks for performance addressing:

- a. Regional transportation and mass transit systems;

- b. Management and amendment of the urban growth boundary;
- c. Protection of lands outside the urban growth boundary for natural resource, future urban or other uses; and
- d. ~~Housing densities and urban design;~~
- e. ~~Parks, open spaces and recreational facilities;~~
- f. ~~Coordination, to the extent feasible, of growth management and planning policies of METRO with those of Clark County Washington; and~~
- g. Federal and state mandated planning functions.

The regional framework plan ~~may~~ [shall] also address ~~other~~ [those aspects of the following] matters which the council, with the consultation and advice of the ~~METRO Local Government Advisory Committee~~ [METRO Planning Advisory Committee], determines are of metropolitan concern and will benefit from regional planning[:

- a. *Water sources and storage;*
- b. *Housing densities;*
- c. *Greenspaces;*
- d. *Sighting of significant land use developments;*
- e. *Solid waste disposal, reuse and recycling;*
- f. *Siting and operation of public exposition, recreation, cultural and convention facilities; and*
- g. *Regional disasters.*

The foregoing determinations by the council shall include prioritizing matters as necessary in relation to available funding and recognition of completed and ongoing planning activities. The determinations shall also describe respective planning roles of regional and local governments and management of the planning process with respect to various elements of each matter.]

The regional framework plan shall provide the basis for coordination of local plans of cities and counties within the boundaries of METRO. The regional framework plan must be consistent with state standards applicable to local land use comprehensive plans and shall describe its relationship to the Future Vision. The regional framework plan ~~may~~ [shall] also contain model standards and procedures for local land use decision-making that may be adopted by local governments. Review of the regional framework plan for compliance with state law shall occur as determined by the state reviewing agency or by law.

The council shall adopt the regional framework plan by May 1, 1994 with the consultation and advice of the ~~METRO Local Government Advisory Committee~~ [METRO Policy Advisory Committee]. The regional framework plan may be adopted in components. The regional framework plan may be amended by a process and on a schedule determined by the council.

To the maximum extent allowed by law, the council shall adopt ordinances:

- a. Requiring comprehensive plans of local governments to ~~comply~~ [be consistent] with the regional framework plan within three years of adoption of the regional framework plan, or by the time of the next state general review of the comprehensive plan, whichever is ~~earlier~~ [longer];
- b. Requiring the council to adjudicate and determine the consistency of local comprehensive plans with the regional framework plan;
- c. Requiring local governments to make local land use decisions consistent with the regional framework plan by ~~May 1, 1995~~ [before the local comprehensive plan has been determined to be consistent with the regional framework plan];
- d. Allowing the council to review local government land use ~~regulations~~ [decisions] for consistency with the regional framework plan and to require changes in local government standards and procedures to remedy a pattern or practice of decision-making inconsistent with the regional framework plan; and,
- e. Allowing the council to directly report to the Land Conservation and Development Commission or its successor on the consistency of local comprehensive plans with the regional framework plan.

Section 8. [Addition of Other Matters to Regional Framework Plan. Except for the matters listed in section 7, no other matter may be included in the regional framework plan unless the question of its inclusion is approved by the majority of the members of the METRO Policy Advisory Committee or by a majority of the votes cast by the voters of METRO in an election on the proposition. This approval may occur either through adoption of a referred measure authorizing the regional planning function or by approval of a measure relating to METRO finances which authorizes financing or identifies funds to be used for the exercise of that regional planning function.]

Section 9. Assumption or Termination of Additional Functions.

(1) Adoption of Assumption Ordinance. Before undertaking any additional functions beyond those authorized under sections 6, 7 and 8 of this charter, the council shall authorize the function by ordinance. The ordinance shall contain findings establishing that the function is of metropolitan concern and setting forth the reasons why it is appropriate for METRO to take on the function. The ordinance may also be subject to particular approval requirements of this section.

(2) Assumption of County Services and Functions. Notwithstanding subsection (3) of this section, Metro may, by entering into intergovernmental agreements or by the delegation or assignment of such responsibilities by the Oregon Legislative Assembly, assume some or all services or functions of Multnomah, Clackamas or Washington County.

(3) Assumption of Local Government Services Function. An ordinance assuming functions relating to the provision of local governmental services shall not be effective unless the assumption of the function is approved contemporaneously by the voters of METRO or a majority of the members of the ~~METRO Local Government Advisory Committee~~ [METRO Policy Advisory Committee]. This approval may occur either through adoption of a referred measure authorizing the function or by approval of a measure relating to finances which authorizes financing or identifies funds to be used for the exercise of the

function. "Local governmental services" are those which are provided to constituents by one or more local governments in the region at the time a METRO ordinance on assumption of the service is first introduced.

(4) [(3)] Assumption of Functions and Operations of Mass Transit District. Notwithstanding subsection (2), METRO may, at any time, assume the duties, functions, powers and operations of a mass transit district by ordinance. Before adoption of this ordinance, the council shall obtain, if possible, the advice of the Joint Policy Advisory Committee on Transportation or its successor. After assuming the functions and operations of a mass transit district, the council shall establish a commission of not less than seven members and determine its duties in administering mass transit functions for METRO. The members of the governing body of the mass transit district at the time of its assumption by METRO shall be as the initial mass transit commission for METRO for the length of their terms of office.

§ [(4)] Assumption of Boundary Commission Functions. Before assuming the duties, functions and powers of a boundary commission, the council shall:

- a. Obtain the advice of the ~~METRO Local Government Advisory Committee~~ [METRO Policy Advisory Commission];
- b. Review the procedures for approving boundary changes and resolving boundary disputes within the region; and,
- c. Consider relevant state policies and rules and applicable provisions of the regional framework plan.

To the extent allowed by law, the approval of this charter shall constitute voter approval of the authority of the council to assume ~~by ordinance~~ the duties, functions and powers of the Portland Metropolitan Area Local Government Boundary Commission.

(6) [(5)] Assumption of Other Functions. The council may assume by ordinance any other function relating to a matter of metropolitan concern, which function assumption is not specifically regulated by this charter. The assumption or termination of regional planning functions is subject to the procedures and limitations of sections 7 and 8 of this charter. The council shall obtain the advice of the ~~METRO Local Government Advisory Committee~~ [METRO Policy Advisory Committee] before adopting an ordinance undertaking a service function that is not a local government service.

Section 10. General Grant of Powers to Carry Out Functions; Construction of Specified Powers. When exercising authority over functions allowed or assumed under this charter, METRO has all powers that the laws of the United States and the State of Oregon now or in the future could allow METRO, just as if this charter specifically set out each of those powers. The powers specified in this charter are not exclusive. Any specification of power in this charter is not intended to limit authority. The powers specified in this charter shall be construed liberally. All powers continue unless the charter clearly indicates the contrary.

Section 11. ~~Finance.~~ METRO may impose, levy and collect any tax except as provided by law or restricted by this charter and is authorized to issue revenue bonds, certificates of participation and other obligations. [Limitation on Taxing Powers]

(1) Referral of certain taxation ordinances. Any ordinance of the council imposing, or providing an exception from, taxes on all or part of the income, payroll, property, sales, or gross receipts of a class

of persons or entities in the region shall receive the approval of the voters of METRO before taking effect. This approval is not required for the continuation of taxes imposed by the Metropolitan Service District, for the rate or amount of any payroll tax imposed by a mass transit district as of June 1, 1992 if the functions of that district are assumed by METRO, or for additional payroll tax revenues for mass transit needed to replace revenues lost by withdrawal of any locality from mass transit services. For purposes of this subsection, "taxes" shall not include any charge for the provision of goods, services or property by METRO, franchise fees or any assessment.

(2) Prior Consultation for Tax Imposition. Before imposing any new tax not requiring voter approval, the council shall obtain the recommendation of a tax study committee that includes representatives from the general population, businesses and local governments.

(3) Limitations on Certain Tax Revenues. (a) METRO shall not impose an excise tax on revenues derived from the operation of mass transit functions assumed under Section 9 (3) of this charter. METRO may charge appropriate costs for administration, overhead, auditing and other internal services to the fund or funds wherein mass transit funds are deposited.

(b) METRO is authorized to impose by ordinance a tax on the gross rent received for lodging by the owner or operator of any hotel, motel, or apartment or any other place utilized for lodging occupancy for any period less than monthly. The rate of that tax shall not exceed the rate in effect in any jurisdiction within the district on the effective date of the charter. Any person subject to payment or collection of a tax under this section shall be entitled to a credit against the payment of the tax in the amount due any incorporated city or county within METRO for a lodging tax for the same occupancy.

[Except for revenues from taxes approved by METRO voters and a payroll tax in the amount of six-tenths of one percent of the wages paid with respect to the employment of individuals, revenues from taxation may not exceed the limitations specified in this subsection.

a. *The initial tax revenue limitation is \$12.6 million for fiscal year 1994. This tax revenue limitation shall increase, without voter approval, in each subsequent fiscal year in an amount equal to the rate of inflation for the previous calendar year. The rate of inflation shall be the rate determined by the appropriate federal agency for increases in the consumer price index for goods and services in major cities in the western United States or the most equivalent rate.*

b. *The tax revenue limitation for any fiscal year shall be reduced in a supplemental budget effective in that fiscal year by an amount equal to any tax revenue collected in the previous fiscal year in excess of the tax revenue limitation for that previous fiscal year. In the event this reduction results in an adjusted tax revenue limitation of less than 80% of the amount otherwise budgeted for that fiscal year, the tax revenue limitation shall be further reduced by the amount of the inflation increase for that tax revenue limitation which was previously budgeted.*

c. *Revenues from charges to individuals or governments for the provision of goods, services or property or for the issuance of permits or approvals, benefit assessments against property, franchise fees and tax increment financing charges on property are excluded from this limitation.*

Section 12.

Limitations on Authority to Contract. All officers of METRO shall

preserve, to the greatest extent possible, the ability of METRO to contract for services with persons or entities who are not employees of METRO.]

Section 13. **Regulatory Powers.** Regulations of METRO shall have full force and effect throughout its area of governance. A regulation of METRO shall be construed, to the extent feasible, in a manner consistent with regulations of a city, county or district in the same subject area. No regulation of METRO shall affect the structure of a city, county or district unless that effect is required by state or federal law. A regulation of METRO addressed primarily to substantive social, economic or regulatory objectives of METRO shall prevail over an inconsistent regulation of a city, county or district if it clearly intends to do so and if the area of regulation pertains to any authorized function of METRO.

CHAPTER III

FORM OF GOVERNMENT

Section 14. **Council.** The governing body of METRO is the council. The council consists of a METRO executive, nominated and elected from the METRO area at large, and ~~seven~~ thirteen councilors, each nominated and elected from a single district within the METRO area. Vacancies in the council shall be filled as provided in section 26 of this charter.

Except as provided below, the boundaries of councilor districts shall be fixed by ordinance. Within three months after an official census or official census estimate indicates that the boundaries deny equal protection of the laws, the council shall respectify the boundaries so as to accord equal protection of the laws and assign councilors to the reapportioned districts. In reapportioning the district, the council shall consider the factors on setting district boundaries set out in section 22 of this charter. In the event the7 council does not respectify the boundaries within three months, the boundaries shall be set as provided by law.

Section 15. **Councilors.** The initial council shall consist of members of the governing body of the Metropolitan Service District whose term of office continues or begins in January, 1993. The term of office of these councilors shall continue until the next general election after the adoption of this charter. At that time, all six councilor positions shall be subject to election. Four councilors shall be elected for a four year term and three for a two-year term. At the end of that two-year-term, the terms for all councilor positions shall be four years. [*be the term of office for which they were elected or appointed as members of the governing body of the Metropolitan Service District. At each general election after the adoption of this charter, one-half, or as nearly as possible, of the number shall be elected, each for a four-year term.*]

Section 16. **METRO Executive.** The initial METRO executive shall be the executive officer for the Metropolitan Service District in office when this charter takes effect. The term of that executive shall continue until the first meeting of the council in January, 1995. At the first primary or general election after the adoption of this charter and every fourth year thereafter, a executive shall be elected for a four year term.

Section 17. **Terms of Office.** The term of office of an elective officer who is elected

at a primary or general election begins at the first council meeting of the year immediately following the election and continues until the successor to the office assumes the office.

Section 18. Appointive Offices and Commissions. Except as this charter provides to the contrary: a majority of the members of the council may create, abolish and combine appointive METRO offices and commissions by ordinance; and, the executive may appoint and remove officers and members of commissions, subject to appointment confirmation and removal approval of the council. As used in this charter, "majority of the members of the council" means eight members.

CHAPTER IV

COUNCIL

Section 19. Distribution of Powers. Except as this charter prescribes otherwise, and except for initiative and referendum powers reserved to the voters of METRO, all powers of METRO are vested in the council. Only the council may adopt regional plans and legislation, adopt an annual budget, and oversee and approve performance and financial audits of METRO.

Section 20. Meetings of the Council. The council shall meet in the METRO area regularly at a time and place it designates. The council shall, by ordinance, prescribe the rules to govern the conduct and record of its meetings. Except as this charter provides to the contrary, the express concurrence of a majority of the members of the council present and constituting a quorum is necessary to decide affirmatively a question before the council.

Section 21. Quorum. A majority of the members of the council in office constitutes a quorum for its business. A quorum or a lesser number of council members may meet and compel the attendance of absent members.

[Section 22. Increase in Membership. *The number of councilors shall increase from thirteen to fourteen on January 1, 2003. Not later than the 250th day before the date of the primary election in May, 2002, the council shall divide the METRO area into fourteen councilor districts. The area within each district shall be contiguous.*

In apportioning districts the council shall give consideration to the current districts and historical and traditional communities and counties. The council need not give consideration to city or special district boundaries or the boundaries of election districts for state officers except when those political boundaries coincide with natural boundaries.

Any councilor whose term continues beyond January, 2003 shall be specifically assigned to a district described by the council for that portion of the councilor's term that extends beyond January, 2003. The description of the fourteen districts and the assignment of councilors to districts shall be accomplished in a single ordinance adopted by the council. Candidates for the office of councilor at the primary and general elections in 2002 shall be nominated and elected from the apportioned districts. Except for a candidate seeking election for the unexpired term of a councilor who vacated the office, each candidate for the office of councilor who is elected to that office at the November, 2002 general election

shall hold office for a term of four years beginning at the first council meeting of January, 2003.]

Section 22 [23].

METRO Executive.

DELETE AND REPLACE WITH A DESCRIPTION OF THE EXECUTIVE'S DUTIES AND POWERS

[The METRO executive is a voting member of the council. When present at council meetings, the executive shall preside over deliberations of the council, preserve order, and enforce the rules of the council, and determine the order of business and agenda of council meetings]. Each year, the executive shall prepare a proposed budget for METRO for consideration by the appropriate body. The executive shall appoint a METRO manager, who shall be confirmed by the council. The executive shall perform such other duties as the council may prescribe. The executive shall serve full time and shall not be employed by any other person or entity while serving as the executive.]

Section 23 [24].

Council Chair [Vice-Chair]. At its first meeting each year, the council shall elect a chair [vice-chair] from its councilors. The council chair [vice-chair] shall preside over meetings of the council when the chair [president] is absent or unable to participate.

Section 24.

METRO Auditor There shall be a METRO auditor, who shall:

(a) Make continuous inspections of the business affairs of METRO including financial and performance auditing and review of any and all financial transactions, personnel, equipment, facilities, and matters pertaining thereto; and

(b) Make reports to the Metro Council and Executive disclosing details of any investigation including recommendations for any remedial action.

Section 25.

Qualifications.

(1) A councilor shall be a resident of the district from which the councilor is elected or appointed during the entire twelve months before the councilor's term of office begins. When the boundaries of that district have been apportioned or reapportioned during that period, residency in that district shall include residency in any former district with area in the district from which the councilor is elected or appointed.

The executive and the auditor shall be [a] residents of the METRO area during the entire twelve months before their terms [the executive's term] of office begin[s]. For purposes of this subsection, "METRO area" means the area of METRO at the time the term of office begins. For purposes of this charter, a person is a "resident" of an area where the person maintains a residence used a majority of time any residence is occupied by that person.

(2) A councilor, auditor or executive shall be a qualified elector under the state constitution at the time that person's term of office begins.

(3) At the time of election, the auditor shall hold the designation of certified public accountant or certified internal auditor.

(4) [(3)] No person shall be a candidate at a single election for more than one elective office of METRO. An elected officer of METRO shall not be an elected officer of a city, county or special service district during his or her term of office.

(5) [(4)] The council is the final judge of the election and qualification of its members.

Section 26. Vacancies in Office. The office of councilor, ~~auditor~~ or executive becomes vacant upon the incumbent's:

- (1) Death,
- (2) Adjudicated incompetency,
- (3) Recall from office,
- (4) Failure, following election or appointment to the office to qualify for the office within ten days after the time for his or her office to begin,
- (5) Absence from all meetings of the council within a 60 day period without the council's consent,
- (6) Ceasing to reside in the area from which the council member is elected or appointed, except when district boundaries are apportioned or reapportioned and a councilor is assigned to a district where the councilor does not reside;
- (7) Ceasing to be a qualified elector under state law,
- (8) Conviction of a felony or conviction of a federal or state offense punishable by loss of liberty [*and pertaining to his or her office*],
- (9) Resignation from office, or
- (10) Becoming an elective officer of a city, county or special service district.

The council shall be the final judge of whether a vacancy in office exists.

Section 27. Filling Vacancies. Within ninety days after the vacancy occurs, a vacancy in the council shall be filled by appointment of a majority of the members of the council holding office. The appointee's term of office runs from the time of his or her qualifying for the office after the appointment until the successor to the office is duly elected and qualifies for the office. If the vacancy occurs more than 20 days before the first general election following the beginning of the term for that office, the appointee's term of office runs only until the first council meeting in the year immediately following that election. At that general election or at the primary election that year, a person shall be elected as councilor or executive for the remainder of the term.

During a council member's disability to serve on the council or during a member's absence from the METRO area, a majority of the other council members may by appointment fill the vacancy on an interim basis.

If a vacancy in the office of councilor occurs after the councilor has been assigned to a

reapportioned or newly apportioned district under sections 14 or 22 of this charter, the vacancy shall be deemed to have occurred in the district to which that councilor was assigned.

Section 28. Limitations of Terms of Office. No person shall be elected to the office of councilor ~~or auditor~~ for more than three consecutive full terms. No person shall be elected to the office of executive for more than two consecutive full terms. The limitations of this section apply only to terms of office beginning in or after January, 1995.

CHAPTER V

OFFICERS, COMMISSIONS AND EMPLOYEES

Section 29. METRO Manager.

(1) *The METRO manager is the administrative head of METRO. The manager shall be appointed without regard for political considerations and solely on the basis of administrative qualifications. The manager shall be appointed for a definite or indefinite term and may be removed by the executive with or without cause. Within six months after a vacancy occurs in the office of manager, the executive and council shall fill the vacancy. A person need not be a resident of the METRO area when appointed as manager.*

(2) *The manager shall:*

- a. *Attend METRO council meetings unless excused by the council or executive;*
- b. *Administer the provisions of all ordinances and the directions of the council;*
- c. *Appoint, discipline, remove, and prescribe the duties of appointive personnel, except appointees of the executive, ~~auditor~~ or council; and*
- d. *Prepare and transmit to the executive a draft annual budget.*

(3) *The manager may not control any appointed judge or hearings officer in the exercise of adjudicative functions by that person or, unless authorized by the council, appointive personnel of METRO whom the manager does not appoint.*

(4) *When the manager is absent from the METRO area or disabled from acting as manager, or when the office of manager becomes vacant, the executive shall appoint an interim manager. The appointee shall have the powers and duties of the manager, except that the interim manager may appoint or remove personnel only with the approval of the executive. No person shall be interim METRO manager for more than six consecutive months.*

(5) *Except in a council meeting, or in immediate response to solicitation of advice by the manager, no councilor may directly or indirectly, by suggestion or otherwise, attempt to influence the manager or a candidate for the office of manager in the appointment, discipline, or removal of personnel appointed by or under the manager or in decisions regarding the property or contracts of METRO. A substantial violation of this prohibition may subject the councilor to removal from office by a court of competent jurisdiction upon suit by the manager, member of the council, or elector of METRO. In a*

council meeting, members of the council may discuss with, or suggest to, the manager anything pertinent to METRO affairs.]

Section 30. METRO Local Government Advisory Committee [METRO Policy Advisory Committee].

Creation and Composition. There is hereby created a METRO Local Government Advisory Committee [METRO Policy Advisory Committee (MPAC)]. The initial members of the LGAC [MPAC] shall consist of the following members:

- a. One member of each of the boards of county commissioners of Washington, Clackamas, and Multnomah Counties, appointed by the board from which the member is chosen;
- b. Two city commissioners of the City of Portland, appointed by the Portland City Council;
- c. One member of the governing body of the second largest city in population in Multnomah County, appointed by that governing body;
- d. One member of the governing body of the largest city in population in Washington County, appointed by that governing body;
- e. One member of the governing body of the largest city in population in Clackamas County, appointed by that governing body;
- f. One member of a governing body of a city with territory in the METRO area in Multnomah County, other than the City of Portland or the second largest city in population in Multnomah County, appointed jointly by the governing bodies of cities with territory in the METRO area in Multnomah County, other than the City of Portland or the second largest city in population in Multnomah County;
- g. One member of a governing body of a city with territory in the METRO area in Washington County, other than the city in Washington County with the largest population, appointed jointly by the governing bodies of cities with territory in the METRO area in Washington County, other than the city in Washington County with the largest population;
- h. One member of a governing body of a city with territory in the METRO area in Clackamas County, other than the city in Clackamas County with the largest population, appointed jointly by the governing bodies of cities with territory in the METRO area in Clackamas County, other than the city in Clackamas County with the largest population;
- i. One member from the governing body of a special service district with territory in the METRO area in Multnomah County, appointed jointly by the governing bodies of special service districts with territory in the METRO area in Multnomah County;
- j. One member from the governing body of a special service district with territory in the METRO area in Washington County, appointed jointly by the governing bodies of special service districts with territory in the METRO area in Washington County;
- k. One member from the governing body of a special service district with territory in the METRO area in Clackamas County, appointed jointly by the governing bodies of special service

districts with territory in the METRO area in Clackamas County; ~~and~~

l. One member of the governing body of Tri-County Metropolitan Transportation District of Oregon, appointed by the governing body of that district; and

m. Three persons appointed by the executive and confirmed by the council. No such person shall be an elected officer of or employed by METRO, a city, a county or a special service district. Each such person shall reside in the METRO area during the person's tenure on ~~LGAC~~ [MPAC].

Notwithstanding the above provisions, the composition of LGAC [MPAC] may be changed at any time by a contemporaneous vote of both a majority of the members of LGAC [MPAC] and a majority of the members of the council].

(2) Bylaws. LGAC [MPAC] shall, by resolution, adopt bylaws to prescribe the rules governing the conduct and record of its meetings and the terms of its members.

(3) Vote Required for Taking Action. Whenever this charter requires approval of a majority of the members of LGAC [MPAC], the approval shall require the affirmative vote of a majority of the members of LGAC [MPAC] holding that office.

(4) Duties. The LGAC [MPAC] shall perform the duties assigned to it by this charter and such other duties as the council may prescribe.

~~Section XX. Committee for Citizen Involvement. There is hereby created a METRO Committee for Citizen Involvement. The committee shall develop, propose for Council adoption, and maintain citizen involvement programs and procedures designed for the purpose of facilitating communication between citizens and elected officers of METRO.~~

Section 31. Compensation. *[No councilor shall receive compensation for serving in that capacity. The council may, however, prescribe a plan for reimbursing councilors for necessary meals, travel and other expenses incurred in serving METRO and allowing a per diem payment for meetings.]* The salary and employment benefits of the ~~council auditor and~~ executive shall be set by the council upon the recommendation of a salary commission to be appointed by the council, but shall not be less than that of a district court judge of this state. The council shall determine the compensation of other officers of METRO.

Section 32. Oath. Before assuming office, an officer shall take an oath or shall affirm that he or she will faithfully perform the duties of the office and support the constitutions and laws of the United States and the State of Oregon and the charter and laws of METRO.