

**MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT**

**Emergency Meeting  
(Conducted Via Telephone Conference)**

**March 11, 1986**

**Councilors Present:** Councilors DeJardin, Frewing, Gardner, Hansen, Kirkpatrick, Kafoury, Kelley, Oleson, Van Bergen and Waker

**Councilors Absent:** Councilors Cooper and Myers

**Staff Present:** Don Carlson and Eleanore Baxendale

Presiding Officer Waker called the emergency meeting to order at 11:00 a.m. for the purpose of considering adoption of Ordinance No. 86-198, an Ordinance for the Purpose of Amending Ordinance No. 86-195 by Adding the Certified Ballot Title.

The Clerk read Ordinance No. 86-198 in its entirety.

**Motion:** Councilor Kafoury moved Ordinance No. 86-198 be adopted and Councilor Gardner seconded the motion.

Don Carlson presented staff's report. He explained as a result of a challenge to Metro's tax base measure ballot title, set out in Ordinance No. 86-195, Multnomah County Circuit Court Judge Londer had ordered the ballot title changed. Those changes are indicated below:

**CAPTION:** ESTABLISHES TAX BASE FOR [ZOO AND REQUIRED  
(10 Words) POLICY ACTIVITIES] THE METROPOLITAN SERVICE DISTRICT.

**QUESTION:** SHALL THE METROPOLITAN SERVICE DISTRICT  
(20 Words) [ESTABLISH] BE AUTHORIZED A \$4,375,000 TAX BASE STARTING FISCAL YEAR 1987-88 [FOR ZOO AND REQUIRED POLICY ACTIVITIES]?]

**EXPLANATION:** NOT CHANGED  
(149 Words)

Ordinance No. 86-198 required the Clerk of the Council to engross the amended language of the Ordinance into Ordinance No. 86-195 for filing with the Office of the Secretary of State. Ordinance No. 86-198 also declared that in order to file Ordinance No. 86-195 with the Secretary of State thus assuring consistent ballot titles published in the Voters' Pamphlet, an emergency existed pursuant to ORS 268.515(7).

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Councilor Frewing asked if Section 3 of Ordinance No. 86-198 was correct in stating that Ordinance No. 86-195 would be filed with the Secretary of State. Eleanore Baxendale explained Section 3 was correct because Ordinance No. 86-198 amended No. 86-195. The amended version of No. 86-195 would be filed with the Secretary of State.

Councilor Van Bergen asked if the public meeting laws had been satisfied in the conduct of this emergency meeting. Ms. Baxendale said Oregon statutes and Metro's Code required, in the case of an emergency, for reasonable notice to be given. She said the press had been notified of the emergency meeting at the same time Councilors were notified. Don Carlson said he had notified The Oregonian of the meeting.

In response to Councilor Frewing's question, Ms. Baxendale said all portions of Ordinance No. 85-195, other than the Ballot Caption and Question, had remained unchanged.

Councilor Waker opened the public hearing.

Clyde Brummell, 2160 S.E. Lambert Street, Portland, stated he had read Ordinance No. 86-198, had listened to the Clerk read the Ordinance in its entirety, and agreed Ordinance No. 86-198 contained the legal ballot title as ordered by Multnomah County Circuit Court Judge Longer and was a valid representation of the Metropolitan Service District tax base.

There was no further public testimony and Presiding Officer Waker closed the public hearing.

Vote: A vote on the motion resulted in:

Ayes: Councilors DeJardin, Frewing, Gardner, Hansen, Kirkpatrick, Kafoury, Kelley, Oleson, Van Bergen and Waker

Absent: Councilors Cooper and Myers

The motion carried and Ordinance No. 86-198 was adopted.

Presiding Officer Waker adjourned the emergency meeting at 11:13 a.m.

Respectfully submitted,



A. Marie Nelson  
Clerk of the Council