

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING)	ORDINANCE NO. 95-583B
CHAPTER 2.01 OF THE METRO CODE)	
RELATING TO COUNCIL)	Introduced by
ORGANIZATION AND PROCEDURES;)	Councilor McFarland
AND DECLARING AN EMERGENCY)	

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amending the Metro Code. Chapter 2.01 is amended as follows:

2.01.001 Definitions: As used in this chapter the following terms shall have the meanings indicated:

(a) "Adoption" means the act of the Council to approve a motion to adopt an ordinance or resolution.

(b) "Clerk" means Clerk of the Council.

(c) "Final adoption" means 1) for an ordinance subject to veto by the Executive Officer the time and date an ordinance passes the five working days veto period without being vetoed or the act of the Council to override an Executive Officer veto of

an ordinance; or 2) for an ordinance not subject to the Executive Officer's veto the date of adoption by the Council.

(d) "Quorum" means the majority of the members of the Council holding office

2.01.010 Officers:

(a) 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. The newly elected Presiding Officer shall appoint at the same meeting a Deputy Presiding Officer. The affirmative vote of a majority of the members of the Council is required to elect the Presiding Officer.

(b) 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.

(c) The Deputy Presiding Officer shall be the Acting Presiding Officer in the temporary absence or incapacity of the Presiding Officer, and will have the authority and perform the duties of the Presiding Officer but shall not receive the salary of the Presiding Officer. In the event a vacancy exists in the office of Presiding Officer, the Deputy Presiding Officer shall serve as the Acting Presiding Officer until the Council elects a new Presiding Officer. An Acting Presiding Officer shall not receive the salary of the Presiding Officer.

(d) 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.

(e) The Presiding Officer may be removed by the Council upon the affirmative vote of two-thirds (2/3) of the members of the Council.

2.01.020 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 recorded as specified in Section 2.01.090(B). Sound recordings shall be made of each meeting. Equipment malfunction shall not be a reason to postpone the meeting and shall not negate the minutes. The Council Clerk may temporarily interrupt Council proceedings in the event of equipment malfunction, changes of tapes or other cause of short-term loss of recording. The Clerk shall also maintain a journal of Council proceedings that shall be available to the public during regular office hours.

2.01.030 Regular Meetings: The Council shall meet regularly on the dates and times established by a resolution adopted by the Council. Regular meetings shall be held at a place designated in the published agenda of the meeting. 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.

2.01.035 Work Sessions: The Council may conduct work sessions for the purpose of receiving briefings from staff and other invited persons and for discussing issues of interest to the Council. Public hearings may be held at work sessions, but are not required. Rules governing work sessions shall be prescribed by resolution.

2.01.040 Special Meetings: The Presiding Officer or a majority of the members of the Council may call a special meeting of the Council provided that at least 24 hours notice is given to the Council and the general public. 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.

2.01.050 Emergency Meetings: In case of an actual emergency, the Presiding Officer or a majority of the members of the Council may call an emergency meeting of the Council upon such notice as is appropriate to the circumstances. The agenda shall be limited to the purposes for which the meeting is called. To the extent possible, telephone calls and news released to the media and interested persons should be made to give public notice of the agenda and time and place of meeting.

2.01.060 Notice and Agenda:

(a) An agenda that sets forth the time, date, and place of the meeting, that includes the title and a brief description of the ordinances and other matters to be considered, and that states that copies of ordinances are available at the office of Metro shall be published in a newspaper of general circulation within the District no more than ten (10) nor less than three (3) days before a regular meeting of the Council. If an

Executive Session will be held, the Notice shall state the specific provision of the law authorizing the Executive Session. Items may be considered at a regular or special meeting that were not included in the published agenda as provided by law.

(b) The Presiding Officer shall establish the agenda from the agenda items submitted by the Councilors, Council committees, the Auditor, or the Executive Officer. By majority vote of a quorum of the Council any matter that has been filed for Council consideration shall be considered at a subsequent meeting. The Presiding Officer may, at his or her discretion, determine the time by which agenda items must be submitted for inclusion in the next succeeding agenda and shall notify the Councilors and the Executive Officer of such due dates.

2.01.070 Ordinances:

(a) The legislative action of Metro shall be by Ordinance.

(b) Before an ordinance is adopted, it shall be read at a previous meeting of the Council; the title of the ordinance must be included in the written agenda of the meeting at which the ordinance is adopted; the agenda shall be publicized not less than three business days nor more than ten days before the meeting; and copies of the ordinance shall be available for public inspection at least three business days before the meeting. The reading shall be full and distinct unless at the meeting:

- (1) A copy of the ordinance is available for each person who desires a copy; and
- (2) The Presiding Officer directs that the reading be by title only.

(c) Ordinances may be introduced for Council consideration by the Council, a Councilor or Councilors, a committee of the Council, the Auditor, or the Executive Officer. The Council by resolution shall adopt procedures for introduction and consideration of ordinances.

(d) Except as provided in Section 39(1) of the 1992 Metro Charter, the affirmative vote of at least four members of the Council is required to adopt an ordinance. A roll call vote shall be taken on all ordinances. Any ordinance which receives four or more Nay votes shall be defeated and shall be filed and receive no further consideration. Any ordinance voted upon and neither adopted nor defeated shall be continued to the next regular meeting.

(e) Within two working days of adoption, any ordinance subject to the Executive Officer's veto shall be enrolled and transmitted to the Executive Officer for veto consideration.

(f) The Executive Officer may veto an ordinance by filing a written and signed message with the Clerk no later than 5:00 p.m. of the fifth working day following adoption of the ordinance. If the Clerk has not received such veto message within the prescribed time then the ordinance shall be considered finally adopted.

(g) The Council may override an Executive Officer veto by an affirmative vote of five members of the Council not later than 30 calendar days after the Executive Officer's veto.

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

- (1) Signed by the Presiding Officer;
- (2) Attested by the person who served as Recording Secretary of the Council at the meeting at which the Council adopted the ordinance; and
- (3) Filed in the records of Metro.

(i) 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.

(j) The provisions of subsection (b) of this section do not apply to an ordinance adopted by the unanimous consent of the

Council and containing findings on the need for immediate adoption.

(Ordinance No. 79-65, Sec. 7; amended by Ordinance No. 88-241, Sec. 1; and Ordinance No. 91-407A, Sec. 1)

2.01.080 Resolutions:

(a) All matters other than legislation and procedural matters coming before the Council and requiring Council action shall be handled by resolution.

(b) Excluding procedural matters, the affirmative vote of a majority of the Council present and voting, a quorum being present, is required to adopt a resolution. Procedural matters shall be subject to Robert's Rules of Order, newly revised, unless chapter 2.01 of this Code provides otherwise.

(c) Resolutions shall become effective upon adoption unless a later date is specified therein.

(d) The Council by resolution shall adopt procedures for introducing and considering resolutions.

2.01.090 Conduct of Meetings:

(a) A quorum of the Council is a majority of the members of the Council holding office. If a quorum is present, the Council may proceed with the transaction of its business. If fewer Councilors are present they may compel absent members to attend.

(b) Minutes of each meeting shall be prepared by the Clerk of the Council or his/her designee, and shall include at least the following information:

- (1) All members of the Council present;
- (2) All motions, resolutions, and ordinances proposed and their dispositions;
- (3) The results of all votes, and the vote of each Councilor by name; and

(4) The substance of any discussion on any matter.

(c) Minutes of Executive Sessions may be limited consistent with Oregon Law.

(d) 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.

(e) The Council shall by resolution adopt rules establishing procedures governing conduct of debate on matters considered by the Council at Council meetings.

(f) 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.

(g) Except for ordinances, 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 in which case a roll call vote shall be taken. At each meeting, the Clerk of the Council shall rotate the order for each roll call vote so that the Councilor who voted first shall vote last on the next roll call vote, except that the Presiding Officer shall always vote last on a roll call vote.

(h) In the event a matter is the subject of a voice vote or a roll call vote, after the vote is taken the Presiding Officer shall announce the result of the votes. Prior to proceeding to the next item on the agenda, or if the item voted upon is the last item on the agenda before adjournment, any member may request that the Clerk of the Council change that member's vote in which case the change in vote shall be announced by the Presiding Officer and the result of the votes as modified shall also be announced. Upon commencement of the next agenda or adjournment, as the case may be, all votes shall become final and

may not be further changed without the unanimous consent of the Council.

(i) Any matter not covered by this chapter or a rule adopted by the Council pursuant to a resolution shall be determined by Robert's Rules of Order, newly revised. The Council may by a positive vote of two-thirds (2/3) of the members of the Council authorize the suspension of any rule adopted by a resolution of the Council.

(j) All meetings of the Council, its committees and advisory committees shall be held and conducted in accordance with the Oregon Public Meetings law.

2.01.100 Adoption and Amendment of Rules: No standing rule of procedure of the Council shall be adopted, amended, or repealed except pursuant to a duly adopted resolution approved by the affirmative vote of a majority of the members of the Council. Any rule may be suspended by a vote of two-thirds (2/3) of the members of the Council.

2.01.110 Reconsideration:

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

(b) Notice of the intention to move for reconsideration of an ordinance or resolution 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.

(c) A 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.

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

(e) There shall be only one (1) reconsideration of any final vote even though the action of Council reverses its previous action.

2.01.120 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 according to rules and procedures prescribed by resolution.

2.01.130 Order of Business:

(a) The general order of business for the Council shall be prescribed by resolution.

(b) 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.

(c) A consent agenda shall be presented for the consideration and vote of the Council only at regular meetings.

Items may be placed on the consent agenda pursuant to rules establishing criteria adopted by the Council by resolution. Copies of the consent agenda shall be printed and distributed to the Council prior to consideration.

(d) Before calling for the vote on the consent agenda, the Presiding Officer shall ask if any Councilor objects to any matter on the consent agenda. If any matter on the consent agenda is objected to by a member of the Council, that matter shall be removed from the consent agenda and placed upon the regular agenda of the Council at a time or place determined by the Presiding Officer.

(Ordinance No. 79-65, Sec. 13; amended by Ordinance No. 80-87, Sec. 2; and Ordinance No. 91-407A, Sec. 4)

2.01.140 Standing Committees of the Council:

The Council may establish standing committees as it deems necessary. The purpose, structure, membership and

responsibilities of any standing committee shall be established by the Council by the adoption of a resolution.

2.01.160 Advisory Committees: The Presiding Officer may appoint advisory committees or task forces as necessary to assist the Council in the performance of its duties. The purposes and powers of each advisory committee or task force shall be expressly stated at the time of appointment. Advisory committees shall serve at the pleasure of the Presiding Officer.

2.01.170 Salary and Expenditure Reimbursement Guidelines:

(a) Councilors shall be paid an authorized salary at the same time as regular Metro employees. The amount of the salary shall be as prescribed by law. The annual salary shall be divided into twenty-four (24) equal payments. If a councilor vacates the office, he or she shall be paid on a pro-rata basis for the number of working days from the last pay period. A councilor may waive all or any portion of an authorized salary by signing a waiver form which indicates the amount of salary waived

and the period of time for the waiver. The waiver shall remain in effect until written notice of cancellation is given prior to the commencement of the pay period for which the waiver will no longer be in effect. A councilor who waives a salary must sign a release form at the time of receipt of a salary which releases Metro from any further obligation for the period of time for which the salary is paid. Notwithstanding any waiver of salary, all councilors shall receive the full benefit (health and welfare) package received by other Metro employees. Such benefits shall be based on the full salary of the councilor provided by law regardless of any waiver or salary payments.

(b) The Council by resolution shall adopt guidelines for reimbursement of Councilors and Council employees for expenses incurred in the conduct of business of Metro. The guidelines shall specify the amount each councilor shall be allocated for authorized expenditures, the type of authorized expenditure, and procedures for the request and approval of expenditure reimbursement requests.

2.01.190 Appointment Process, Qualifications and Terms of Office
for Boundary Commission Members:

(1) As provided by Oregon Law;

(a) The Portland Metropolitan Area Local Government Boundary Commission shall have a number of members that is equal to the number of Councilors of the Metropolitan Service District.

(b) The members of that Boundary Commission shall be appointed by the Executive Officer of the Metropolitan Service District. The Executive Officer shall appoint members of a Boundary Commission from a list of individuals nominated by the Councilors of the District. Each Councilor shall nominate no fewer than three nor more than five individuals for appointment to the Boundary Commission. When first appointing all the members of Boundary Commission, the Executive Officer shall appoint one individual from among those nominated by each Councilor. Thereafter, as the term of a member of a Boundary Commission expires or as a vacancy occurs, the Executive Officer shall appoint an individual nominated by the Councilor or a

successor who nominated the Boundary Commission member whose term has expired or who vacated the office. The Executive Officer shall endeavor to appoint members from various cities, counties and districts so as to provide geographical diversity of representation on the Boundary Commission.

(c) To be qualified to serve as a member of a commission, a person must be a resident of the area subject to the jurisdiction of the commission. A person who is an elected or appointed officer or employee of a city, county or district may not serve as a member of a commission. No more than two members of a commission shall be engaged principally in the buying, selling or developing of real estate for profit as individuals, or receive more than one-half of their gross income as or be principally occupied as members of any partnership, or as officers or employees of any corporation, that is engaged principally in the buying, selling or developing of real estate for profit. No more than two members of a commission shall be engaged in the same kind of business, trade, occupation or profession.

(d) A member shall be appointed to serve for a term of four years. A person shall not be eligible to serve for more than two consecutive terms, exclusive of:

(i) Any service for the unexpired term of a predecessor in office.

(ii) Any term less than four years served on the commission first appointed.

(2) The terms of office of members of the Boundary Commission appointed prior to 1991 shall be as follows:

(a) Members appointed from nominations made by Councilors representing Council Districts 2, 6 and 8 shall serve from July 1, 1988 to January 1, 1992;

(b) Members appointed from nominations made by Councilors representing Council Districts 1, 5 and 7 shall serve from July 1, 1988 to January 1, 1993;

(c) Members appointed from nominations made by Councilors representing Council Districts 3, 10 and 11 shall serve from January 1, 1990 to January 1, 1994; and

(d) Members appointed from nominations made by Councilors representing Council Districts 4, 9 and 12 shall serve from January 1, 1990 to January 1, 1995.

(3) Notwithstanding the provisions of subsection (2) above, effective January 2, 1995, the Boundary Commission shall consist of seven members and each shall be appointed from nominations made by Councilors. The terms of the Boundary Commission members nominated by Councilors representing districts 2,3,6,7,8, and 10 terminate effective January 2, 1995. Whenever a vacancy exists on the Boundary Commission after January 2, 1995, the Boundary Commission member nominated by the Councilor representing former Council district number one shall be nominated by the Councilor representing new Council district number four; the Boundary Commission member nominated by the Councilor representing former Council district number four shall be nominated by the Councilor representing new Council district number three; the Boundary Commission member nominated by the Council representing former

Councilor district number five shall be nominated by the Councilor representing new Council district number two; the Boundary Commission member nominated by the Council representing former Councilor district number nine shall be nominated by the Councilor representing new Council district number six; the Boundary Commission member nominated by the Council representing former Councilor district number eleven shall be nominated by the Councilor representing new Council district number five; the Boundary Commission member nominated by the Council representing former Councilor district number twelve shall be nominated by the Councilor representing new Council district number one; the Boundary Commission member nominated by the Council representing former Councilor district number thirteen shall be nominated by the Councilor representing new Council district number seven;

Section 2. EMERGENCY CLAUSE. This ordinance being necessary for the health, safety or welfare of the Metro area for the reason that the Metro Council is reducing in numbers on January 2, 1995 which requires new operating procedures, an emergency is declared and this ordinance shall be effective upon adoption.

ADOPTED by the Metro Council this 26 day of Jan,
1995.



J. Ruth McFarland, Presiding Officer

ATTEST:



Recording Secretary

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RELATING TO COUNCIL)	Introduced by
ORGANIZATION AND PROCEDURES;)	Councilor McFarland
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THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amending the Metro Code. Chapter 2.01 is amended as follows:

2.01.001 Definitions: As used in this chapter the following terms shall have the meanings indicated:

(a) "Adoption" means the act of the Council to approve a motion to adopt an ordinance or resolution.

(b) "Clerk" means Clerk of the Council.

(c) "Final adoption" means 1) for an ordinance subject to veto by the Executive Officer the time and date an ordinance passes the five working days veto period without being vetoed or the act of the Council to override an Executive Officer veto of

an ordinance; or 2) for an ordinance not subject to the Executive Officer's veto the date of adoption by the Council.

(d) "Quorum" means the majority of the members of the Council holding office [~~or a committee~~].

2.01.010 Officers:

(a) 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. The newly elected Presiding Officer shall appoint at the same meeting a Deputy Presiding Officer. The affirmative vote of [~~the~~] a majority of the members of the Council [~~7~~] is required to elect the Presiding Officer.

(b) 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.

(c) The Deputy Presiding Officer shall be the Acting Presiding Officer in the temporary absence or incapacity of the Presiding Officer, and will have the authority and perform the duties of the Presiding Officer but shall not receive the salary of the Presiding Officer. In the event a vacancy exists in the office of Presiding Officer, the Deputy Presiding Officer shall serve as the Acting Presiding Officer until the Council elects a new Presiding Officer. An Acting Presiding Officer shall not receive the salary of the Presiding Officer.

(d) 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.

(e) The Presiding Officer [~~or temporary Presiding Officer~~] may be removed by the Council upon the affirmative vote of two-thirds (2/3) of the members of the Council [~~ers (8)~~].

2.01.020 Clerk of the Council: The Clerk of the Council, or a qualified alternate designated by the Presiding Officer, ~~[shall act as agent of record for the District,]~~ shall act as recording secretary for the Council, shall be present at each meeting of the Council and shall provide that the proceedings be recorded as specified in Section 2.01.090(B). Sound recordings shall be made of each meeting. Equipment malfunction shall not be a reason to postpone the meeting and shall not negate the minutes. The Council Clerk may temporarily interrupt Council proceedings in the event of equipment malfunction, changes of tapes or other cause of short-term loss of recording. The Clerk shall also maintain a journal of Council proceedings that shall be available to the public during regular office hours.

2.01.030 Regular Meetings: The Council shall meet regularly on the ~~[second and fourth Thursdays of each month at a time designated by the Presiding Officer]~~ dates and times established by a resolution adopted by the Council. Regular meetings shall be held at a place designated in the published agenda of the meeting. 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.

2.01.035 Work Sessions

The Council may conduct work sessions for the purpose of receiving briefings from staff and other invited persons and for discussing issues of interest to the Council. Public hearings may be held at work sessions, but are not required. Rules governing work sessions shall be prescribed by resolution.

2.01.040 Special Meetings: The Presiding Officer or a majority of the members 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. ~~[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.

2.01.050 Emergency Meetings: In case of an actual emergency, the Presiding Officer or a majority of the members of the Council may call an emergency meeting of the Council upon such notice as is appropriate to the circumstances. The agenda shall be limited to the purposes for which the meeting is called. To the extent possible, telephone calls and news released to the media and interested persons should be made to give public notice of the agenda and time and place of meeting.

2.01.060 Notice and Agenda:

(a) An agenda that sets forth the time, date, and place of the meeting, that includes the title and a brief description of the ordinances and other matters to be considered, and that states that copies of ordinances are available at the office of [the] Metro[~~politan Service District~~] shall be published in a newspaper of general circulation within the District no more than

ten (10) nor less than [~~four (4)~~] three (3) days before a regular meeting of the Council. If an Executive Session will be held, the Notice shall state the specific provision of the law authorizing the Executive Session. Items may be considered at a regular or special meeting that were not included in the published agenda as provided by law.

(b) The Presiding Officer shall establish the agenda from the agenda items submitted by the Councilors, Council committees, the Auditor, or the Executive Officer. By majority vote of a quorum of the Council any matter that has been filed for Council consideration shall be considered at a subsequent meeting. The Presiding Officer may, at his or her 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.

~~[(c) All ordinances and resolutions shall be referred to the Presiding Officer. With the exception of matters described in (d) of this section, the Presiding Officer shall refer each ordinance and resolution to an appropriate committee of the~~

~~Council. Notice of such referral shall be in writing and distributed to each Councilor and the Executive Officer. The Presiding Officer shall notify each Councilor and the Executive Officer in writing that an ordinance or resolution has been filed.~~

~~(d) The following matters shall be considered and acted upon by the Council as a whole:~~

~~(1) All ordinances and resolutions introduced for Council consideration as provided by this Chapter or rules of the Council except that, if the Council establishes a Standing committee or Committees as authorized by this Chapter, the Presiding Officer shall refer appropriate ordinances or resolutions to such committee or Committees prior to consideration and action by the Council.~~

~~[(1)] (2) Any ordinance or resolution placed on the agenda for any emergency meeting of the Council as authorized by section 2.01.050,~~

~~[(2)] (3) Any order, final order or ordinance proposed for Council action as a result of a contested case proceeding as provided in chapter 2.05 of the Metro Code; or~~

~~[(3)] (4) 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) Any item brought before the Council pursuant to the suspension of the Council's rules approved by a vote of two thirds (2/3) of the members of the Council.]~~

2.01.070 Ordinances:

(a) The legislative action of [the] Metro[opolitan Service District] shall be by Ordinance.

(b) ~~[Except as provided in subsection (g) of this section, before]~~ Before an ordinance is adopted, it shall be read ~~[during two regular meetings of the Council on two different days at~~

least six (6) days apart] at a previous meeting of the Council;
the title of the ordinance must be included in the written agenda
of the meeting at which the ordinance is adopted; the agenda [is]
shall be publicized not less than three business days nor more
than ten days before the meeting; and copies of the ordinance
shall be [are] available for public inspection at least three
business days before the meeting. The reading shall be full and
distinct unless at the meeting:

- (1) A copy of the ordinance is available for each
person who desires a copy; and
- (2) The Presiding Officer directs that the reading be
by title only.

(c) Ordinances may be introduced for Council consideration
by the Council, a Councilor or Councilors, a committee of the
Council, the Auditor, or the Executive Officer. The Council by
resolution shall adopt procedures for introduction and
consideration of ordinances.

(d) Except as provided in [~~subsection (1) of this section,~~
Section 39(1) of the 1992 Metro Charter, the affirmative vote of
at least [~~the majority of the~~] four members of the Council [~~(7)~~]
is required to adopt an ordinance. A roll call vote shall be
taken on all ordinances. Any ordinance which receives [~~six~~] four
or more Nay votes shall be defeated and shall be filed and
receive no further consideration. Any ordinance voted upon and
neither adopted nor [~~not~~] defeated shall be continued to the next
regular meeting.

(e) Within two working days of adoption, any ordinance
subject to the Executive Officer's veto shall be enrolled and
transmitted to the Executive Officer for veto consideration.

(f) The Executive Officer [~~shall~~] may veto an ordinance by
filing a written and signed message with the Clerk no later than
5:00 p.m. of the fifth working day following adoption of the
ordinance. If the Clerk has not received such veto message
within the prescribed time then the ordinance shall be considered
finally adopted.

(g) The Council may override an Executive Officer veto by an affirmative vote of ~~[eight]~~ five members of the Council ~~[at the next regular meeting of the Council, but]~~ not later than ~~[30]~~ 30 calendar days after the Executive Officer's veto. ~~[The vote to override an Executive Officer veto shall be the first item of business on the Council's agenda and a roll call vote shall be taken on all considerations of an override to a veto.]~~

~~[(h) Ordinances adopted by the Council which are not legislative in nature as determined by the General Counsel shall not be subject to the Executive Officer's veto.]~~

~~[(i) Unless otherwise specified by the Council in the ordinance, an ordinance shall become effective on the 90th day after its adoption. If an ordinance is vetoed by the Executive Officer and the veto is overridden by the Council, the date of adoption shall be the date on which the veto is overridden. Except as provided in ORS 268.465 and 268.507, the Council by a majority vote of its members may declare that an emergency exists in which case an ordinance may take effect immediately or in less than 90 days. The Council by a majority vote of its members may~~

~~prescribe that an ordinance take effect later than the 90th day after its adoption. If the Council refers an ordinance to the electors, the ordinance shall become effective on the 30th day after its approval by a majority of the electors voting on the measure or on a later date specified in the ordinance. If a referendum petition, other than a petition referring an ordinance declaring an emergency, is filed with the filing officer not later than the 90th day after the adoption of the ordinance and before the ordinance takes effect, the effective date of the ordinance shall be suspended. An ordinance referred by a proper referendum petition shall become inoperative and shall not take effect if a minority of the electors voting on the measure reject the ordinance.]~~

~~[(j)]~~ (h) Within seven (7) days after adoption or final adoption of an ordinance, the enrolled ordinance shall be:

- (1) Signed by the Presiding Officer;

(2) Attested by the person who served as Recording Secretary of the Council at the meeting at which the Council adopted the ordinance; and

(3) Filed in the records of ~~[the District]~~ Metro.

~~[(k)]~~ (i) 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.

(j) The provisions of subsection (b) of this section do not apply to an ordinance adopted by the unanimous consent of the Council and containing findings on the need for immediate adoption.

~~[(1) 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 subsections 2.01.070(b) and (c) above. Emergency ordinances may be subject to the veto of the Executive Officer as described in subsections (e), (f) and (g) of this section and shall have an effective date as described in subsection (i) of this section.]~~

(Ordinance No. 79-65, Sec. 7; amended by Ordinance No. 88-241, Sec. 1; and Ordinance No. 91-407A, Sec. 1)

2.01.080 Resolutions:

(a) All matters other than legislation and [~~rules~~] procedural matters coming before the Council and requiring Council action shall be handled by resolution.

(b) Excluding procedural matters, the affirmative vote of a majority of the Council present and voting, a quorum being present, is required to adopt a resolution. Procedural matters

shall be subject to Robert's Rules of Order, newly revised, unless chapter 2.01 of this Code provides otherwise.

(c) Resolutions shall become effective upon adoption unless a later date is specified therein.

(d) The Council by resolution shall adopt procedures for introducing and considering resolutions.

2.01.090 Conduct of Meetings:

(a) A quorum of the Council is [~~seven (7) members~~] a majority of the members of the Councilors in holding office. If a quorum is present, the Council may proceed with the transaction of its business. If fewer Councilors are present they may compel absent members to attend.

(b) Minutes of each meeting shall be prepared by the Clerk of the Council or his/her designee, and shall include at least the following information:

- (1) All members of the Council present;
- (2) All motions, [~~proposals,~~] resolutions, and [~~orders,~~] ordinances [~~and rules~~] proposed and their dispositions;
- (3) The results of all votes, and the vote of each Councilor by name; and
- (4) The substance of any discussion on any matter.

(c) Minutes of Executive Sessions may be limited consistent with [~~ORS 192.660~~] Oregon Law.

(d) 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.

(e) The Council shall by resolution adopt rules establishing procedures governing conduct of debate on matters considered by the Council at Council meetings.

(f) 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.

(g) 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 (2) Councilors concur in such request,~~] in which case a roll call vote shall be taken. At each meeting, the Clerk of the Council shall rotate the order for each roll call vote so that the Councilor who voted first shall vote last on the next roll call vote, except that the Presiding Officer shall always vote last on a roll call vote.

(h) In the event a matter is the subject of a voice vote or a roll call vote, after the vote is taken the Presiding Officer shall announce the result of the votes. Prior to proceeding to the next item on the agenda, or if the item voted upon is the last item on the agenda before adjournment, any member may request that the Clerk of the Council change [~~their~~] that member's vote in which case the change in vote shall be announced by the Presiding Officer and the result of the votes as modified shall also be announced. Upon commencement of the next agenda or adjournment, as the case may be, all votes shall become final and may not be further changed without the unanimous consent of the Council.

(i) Any matter not covered by this chapter or a rule adopted by the Council pursuant to a resolution shall be determined by Robert's Rules of Order, newly revised. The Council may by a positive vote of [~~eight (8)~~] two-thirds (2/3) of the members of the Council authorize the suspension of any rule adopted by a resolution of the Council.

(j) All meetings of the Council, its committees and advisory committees shall be held and conducted in accordance with the Oregon Public Meetings law.

2.01.100 Adoption and Amendment of Rules: No standing rule of procedure of the Council shall be adopted, amended, or ~~[repealed]~~ repealed except pursuant to a duly adopted resolution approved by [upon] the affirmative vote of a majority of the members of the Council [-7-]. Any rule may be suspended by a vote of two-thirds (2/3) of the members of the Council.

2.01.110 Reconsideration:

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

(b) Notice of the intention to move for reconsideration of an ordinance or ~~[rule]~~ resolution 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.]~~

(c) A 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.

(d) A motion for reconsideration must receive the affirmative vote of a majority of the members of the Council [~~(7)~~] in order to be adopted.

(e) There shall be only one (1) reconsideration of any final vote even though the action of Council reverses its previous action.

2.01.120 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 according to rules and procedures prescribed by resolution. [~~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, order and number of appearances in accordance with rules establishing procedures adopted by resolution by the Council.]~~

2.01.130 Order of Business:

(a) The general order of business for the Council shall be prescribed by resolution.

(b) 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.

(c) A consent agenda shall be presented for the consideration and vote of the Council only at regular meetings. Items may be placed on the consent agenda pursuant to rules establishing criteria adopted by the Council by resolution. Copies of the consent agenda shall be printed and distributed to the Council prior to consideration.

(d) Before calling for the vote on the consent agenda, the Presiding Officer shall ask if any Councilor objects to any matter on the consent agenda. If any matter on the consent agenda is objected to by a member of the Council, that matter shall be removed from the consent agenda and placed upon the regular agenda of the Council at a time or place determined by the Presiding Officer.

(Ordinance No. 79-65, Sec. 13; amended by Ordinance No. 80-87, Sec. 2; and Ordinance No. 91-407A, Sec. 4)

2.01.140 Standing Committees of the Council:

~~(a) The Council may establish standing committees as it deems necessary. The purpose, structure, membership and responsibilities of any standing committee shall be established by the Council by the adoption of a resolution.~~

~~(b) Members of all standing committees shall be appointed by the Presiding Officer subject to confirmation of the Council. The first named shall be the Chair and the second named shall be the Vice Chair.~~

~~(c) A majority of the members of the standing committee shall constitute a quorum for the transaction of business before the committee. Except as otherwise provided in this chapter, or rules adopted by the Council, all standing committees of the Council shall be governed by Robert's Rules of Order, newly revised.~~

~~(d) All standing committees shall meet at the call of the Chair or upon the request of a majority of the members of the Committee.~~

~~(e) The purposes of standing committees of the Council are to:~~

~~(1) Make studies of and inquiries into areas of concern and interest of the Council.~~

~~(2) Report information to the Council.~~

~~(3) Prepare and submit recommendations, proposals and ordinances to the Council.~~

~~(f) Unless otherwise specifically provided, standing Committees of the Council shall have the power to:~~

~~(1) Hold meetings at such times and places as the committee considers expedient.~~

~~(2) Hold public hearings and take testimony.~~

~~(3) Make findings, conclusions and recommendations.~~

~~(4) Draft and prepare resolutions and ordinances for consideration by the Council.~~

~~(5) Appoint task forces and committees to advise the committees of the Council, subject to Council approval.~~

~~(g) Standing committees shall conduct business according to the following rules:~~

~~(1) A quorum of the committee is necessary to take action on any matter before the committee;~~

~~(2) Any matter before a committee may be decided by a majority of a quorum;~~

~~(3) 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;~~

~~(4) Any member may make a motion for action by the committee and a second is not necessary for committee consideration of the motion;~~

~~(5) 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~~

~~(6) A committee may go into Executive Session for the purposes and following procedures prescribed by law.~~

~~(h) A standing committee may take the following action on an ordinance or resolution:~~

~~(1) 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~~

~~(2) Table the ordinance or resolution; or~~

~~(3) Continue the ordinance or resolution to another
committee meeting.~~

~~Any ordinance or resolution which remains in a standing
committee over six (6) months from the date it was introduced
shall be considered to be defeated and shall be filed with the
Council Clerk and receive no further consideration. 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.
Consideration of such action shall take place under the
"Councilor Communication" agenda item.~~

~~(i) The term for a committee member shall be one (1) year. Except for filling vacancies, committee appointments shall be made in January of each year.~~

~~(j) No committee will incur any indebtedness or hire any personnel without the express approval of the Council.~~

~~(k) The Chair, the Vice Chair or committee members may be removed from committee assignment(s) upon the affirmative vote of the majority of the Council (7). Consideration of such action shall take place under the "Councilor Communication" agenda item. (Ordinance No. 79-65, Sec. 14; amended by Ordinance No. 88-241, Sec. 1 and Ordinance No. 91-407A, Sec. 5)]~~

~~2.01.150 Local Government Advisory Committees:~~

~~(a) 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.~~

~~(b) Each member shall have one (1) vote and the Chair may vote on and discuss any matter coming before the committee.~~

~~(c) Unless otherwise specifically provided, local government advisory committees shall have a power to:~~

~~(1) Select a Chair and a Vice Chair.~~

~~(2) Hold meetings at such times and places as the committee considers expedient.~~

~~(3) Prepare and submit proposals and recommendations to the Council.~~

~~(4) Perform other functions assigned by the Council.~~

~~(d) 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 this chapter, all committees of local government officials shall be governed by Robert's Rules of Order, newly revised.~~

~~(c) All committees shall meet at the call of the Chair 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.]~~

2.01.160 [Other] Advisory Committees: The Presiding Officer may appoint [other] advisory committees or task forces as necessary to assist the Council in the performance of its duties. The purposes and powers of each advisory committee or task force shall be expressly stated at the time of appointment. Advisory committees shall serve at the pleasure of the Presiding Officer.

2.01.170 Salary and Expenditure Reimbursement Guidelines:

(a) Councilors shall be paid an authorized salary at the same time as regular Metro employees. The amount of the salary shall be as prescribed by law. The annual salary shall be

divided into twenty-four (24) equal payments. If a councilor vacates the office, he or she shall be paid on a pro-rata basis for the number of working days from the last pay period. A councilor may waive all or any portion of an authorized salary by signing a waiver form which indicates the amount of salary waived and the period of time for the waiver. The waiver shall remain in effect until written notice of cancellation is given prior to the commencement of the pay period for which the waiver will no longer be in effect. A councilor who waives a salary must sign a release form at the time of receipt of a salary which releases Metro from any further obligation for the period of time for which the salary is paid. ~~[The Council Administrator shall provide the necessary forms for implementation of this section.]~~ Notwithstanding any waiver of salary, all councilors shall receive the full benefit (health and welfare) package received by other Metro employees. Such benefits shall be based on the full salary of the councilor provided by law regardless of any waiver or salary payments.

(b) The Council by resolution shall adopt guidelines for reimbursement of Councilors and Council employees for expenses

incurred in the conduct of business of Metro. The guidelines shall specify the amount each councilor shall [~~receive~~] be allocated for authorized expenditures, the type of authorized expenditure, and procedures for the request and approval of expenditure reimbursement requests.

2.01.190 Appointment Process, Qualifications and Terms of Office for Boundary Commission Members:

(1) As provided by Oregon Law;

(a) The Portland Metropolitan Area Local Government Boundary Commission shall have a number of members that is equal to the number of Councilors of the Metropolitan Service District.

(b) The members of that Boundary Commission shall be appointed by the Executive Officer of the Metropolitan Service District. The Executive Officer shall appoint members of a Boundary Commission from a list of individuals nominated by the Councilors of the District. Each Councilor shall nominate no fewer than three nor more than five individuals for appointment

to the Boundary Commission. When first appointing all the members of Boundary Commission, the Executive Officer shall appoint one individual from among those nominated by each Councilor. Thereafter, as the term of a member of a Boundary Commission expires or as a vacancy occurs, the Executive Officer shall appoint an individual nominated by the Councilor or a successor who nominated the Boundary Commission member whose term has expired or who vacated the office. The Executive Officer shall endeavor to appoint members from various cities, counties and districts so as to provide geographical diversity of representation on the Boundary Commission.

(c) To be qualified to serve as a member of a commission, a person must be a resident of the area subject to the jurisdiction of the commission. A person who is an elected or appointed officer or employee of a city, county or district may not serve as a member of a commission. No more than two members of a commission shall be engaged principally in the buying, selling or developing of real estate for profit as individuals, or receive more than one-half of their gross income as or be principally occupied as members of any partnership, or as officers or

employees of any corporation, that is engaged principally in the buying, selling or developing of real estate, for profit. No more than two members of a commission shall be engaged in the same kind of business, trade, occupation or profession.

(d) A member shall be appointed to serve for a term of four years. A person shall not be eligible to serve for more than two consecutive terms, exclusive of:

(i) Any service for the unexpired term of a predecessor in office.

(ii) Any term less than four years served on the commission first appointed.

(2) The terms of office of members of the Boundary Commission appointed prior to 1991 shall be as follows:

(a) Members appointed from nominations made by Councilors representing Council Districts 2, 6 and 8 shall serve from July 1, 1988 to January 1, 1992;

(b) Members appointed from nominations made by Councilors representing Council Districts 1, 5 and 7 shall serve from July 1, 1988 to January 1, 1993;

(c) Members appointed from nominations made by Councilors representing Council Districts 3, 10 and 11 shall serve from January 1, 1990 to January 1, 1994; and

(d) Members appointed from nominations made by Councilors representing Council Districts 4, 9 and 12 shall serve from January 1, 1990 to January 1, 1995.

(3) Notwithstanding the provisions of subsection (2) above, effective January 2, 1995, the Boundary Commission shall consist of seven members and each shall be appointed from nominations made by Councilors. The terms of the Boundary Commission members nominated by Councilors representing districts 2,3,6,7,8, and 10 terminate effective January 2, 1995. Whenever a vacancy exists on the Boundary Commission after January 2, 1995, the Boundary Commission member nominated by the Councilor representing former

Council district number one shall be nominated by the Councilor representing new Council district number four; the Boundary Commission member nominated by the Councilor representing former Council district number four shall be nominated by the Councilor representing new Council district number three; the Boundary Commission member nominated by the Council representing former Councilor district number five shall be nominated by the Councilor representing new Council district number two; the Boundary Commission member nominated by the Council representing former Councilor district number nine shall be nominated by the Councilor representing new Council district number six; the Boundary Commission member nominated by the Council representing former Councilor district number eleven shall be nominated by the Councilor representing new Council district number five; the Boundary Commission member nominated by the Council representing former Councilor district number twelve shall be nominated by the Councilor representing new Council district number one; the Boundary Commission member nominated by the Council representing former Councilor district number thirteen shall be nominated by the Councilor representing new Council district number seven;

Section 2. EMERGENCY CLAUSE. This ordinance being necessary for the health, safety or welfare of the Metro area for the reason that the Metro Council is reducing in numbers on January 2, 1995 which requires new operating procedures, an emergency is declared and this ordinance shall be effective upon adoption.

ADOPTED by the Metro Council this _____ day of _____,
1995.

J. Ruth McFarland, Presiding Officer

ATTEST:

Recording Secretary

h:\council\94-583B.egr

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING) ORDINANCE NO. 95-583A
CHAPTER 2.01 OF THE METRO CODE)
RELATING TO COUNCIL) Introduced by Councilor)
ORGANIZATION AND PROCEDURES;) McFarland
AND DECLARING AN EMERGENCY)

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amending the Metro Code. Chapter 2.01 is amended as follows:

2.01.001 Definitions: As used in this chapter the following terms shall have the meanings indicated:

(a) "Adoption" means the act of the Council to approve a motion to adopt an ordinance or resolution.

(b) "Clerk" means Clerk of the Council.

(c) "Final adoption" means 1) for an ordinance subject to veto by the Executive Officer the time and date an ordinance passes the five working days veto period without being vetoed or the act of the Council to override an Executive Officer veto of an ordinance; or 2) for an ordinance not subject to the Executive Officer's veto the date of adoption by the Council.

(d) "Quorum" means the majority of the members of the Council holding office [~~or a committee~~].

2.01.010 Officers:

(a) 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. The newly elected Presiding Officer shall appoint at the same meeting a Deputy Presiding Officer. The affirmative vote of [~~the~~] a majority of the members of the Council [~~-7-~~] is required to elect the Presiding Officer.

(b) 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.

(c) 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 but shall not receive the salary of the Presiding Officer.

(d) 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.

(e) The Presiding Officer [~~or temporary Presiding Officer~~] may be removed by the Council upon the affirmative vote of two-thirds (2/3) of the members of the Council [~~ors (8)~~].

2.01.020 Clerk of the Council: The Clerk of the Council, or a qualified alternate designated by the Presiding Officer, ~~[shall act as agent of record for the District,]~~ shall act as recording secretary for the Council, shall be present at each meeting of the Council and shall provide that the proceedings be recorded as specified in Section 2.01.090(B). Sound recordings shall be made

of each meeting. Equipment malfunction shall not be a reason to postpone the meeting and shall not negate the minutes. The Council Clerk may temporarily interrupt Council proceedings in the event of equipment malfunction, changes of tapes or other cause of short-term loss of recording. The Clerk shall also maintain a journal of Council proceedings that shall be available to the public during regular office hours.

2.01.030 Regular Meetings: The Council shall meet regularly on the ~~[second and fourth Thursdays of each month at a time designated by the Presiding Officer]~~ dates and times established by a resolution adopted by the Council. Regular meetings shall be held at a place designated in the published agenda of the meeting. 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.

2.01.035 Work Sessions

The Council may conduct work sessions for the purpose of receiving briefings from staff and other invited persons and for discussing issues of interest to the Council. Public hearings may be held at work sessions, but are not required. Rules governing work sessions shall be prescribed by resolution.

2.01.040 Special Meetings: The Presiding Officer or a majority of the members 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. [~~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.

2.01.050 Emergency Meetings: In case of an actual emergency, the Presiding Officer or a majority of the members of the Council

may call an emergency meeting of the Council upon such notice as is appropriate to the circumstances. The agenda shall be limited to the purposes for which the meeting is called. To the extent possible, telephone calls and news released to the media and interested persons should be made to give public notice of the agenda and time and place of meeting.

2.01.060 Notice and Agenda:

(a) An agenda that sets forth the time, date, and place of the meeting, that includes the title and a brief description of the ordinances and other matters to be considered, and that states that copies of ordinances are available at the office of [the] Metro[~~politan Service District~~] shall be published in a newspaper of general circulation within the District no more than ten (10) nor less than [~~four (4)~~] three (3) days before a regular meeting of the Council. If an Executive Session will be held, the Notice shall state the specific provision of the law authorizing the Executive Session. Items may be considered at a regular or special meeting that were not included in the published agenda as provided by law.

(b) The Presiding Officer shall establish the agenda from the agenda items submitted by the Councilors, Council committees, the Auditor, or the Executive Officer. By majority vote of a quorum of the Council any matter that has been filed for Council consideration shall be considered at a subsequent meeting. The Presiding Officer may, at his or her 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.

~~[(c) All ordinances and resolutions shall be referred to the Presiding Officer. With the exception of matters described in (d) of this section, the Presiding Officer shall refer each ordinance and resolution to an appropriate committee of the Council. Notice of such referral shall be in writing and distributed to each Councilor and the Executive Officer. The Presiding Officer shall notify each Councilor and the Executive Officer in writing that an ordinance or resolution has been filed.]~~

~~(d) The following matters shall be considered and acted upon by the Council as a whole:~~

~~(1) All ordinances and resolutions introduced for Council consideration as provided by this Chapter or rules of the Council except that, if the Council establishes a Standing committee or Committees as authorized by this Chapter, the Presiding Officer shall refer appropriate ordinances or resolutions to such committee or Committees prior to consideration and action by the Council.~~

~~{(1)} (2) Any ordinance or resolution placed on the agenda for any emergency meeting of the Council as authorized by section 2.01.050,~~

~~{(2)} (3) Any order, final order or ordinance proposed for Council action as a result of a contested case proceeding as provided in chapter 2.05 of the Metro Code, or~~

~~[(3)] (4) 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) Any item brought before the Council pursuant to
the suspension of the Council's rules approved by a vote of two
thirds (2/3) of the members of the Council.]~~

2.01.070 Ordinances:

(a) The legislative action of the Metro~~[opolitan Service
District]~~ shall be by Ordinance.

(b) ~~[Except as provided in subsection (g) of this section,
before]~~ Before an ordinance is adopted, it shall be read ~~[during
two regular meetings of the Council on two different days at
least six (6) days apart]~~ at a previous meeting of the Council;
the title of the ordinance must be included in the written agenda
of the meeting at which the ordinance is adopted; the agenda [is]
shall be publicized not less than three business days nor more
than ten days before the meeting; and copies of the ordinance
[are] available for public inspection at least three business

days before the meeting. The reading shall be full and distinct unless at the meeting:

- (1) A copy of the ordinance is available for each person who desires a copy; and
- (2) The Presiding Officer directs that the reading be by title only.

(c) Ordinances may be introduced for Council consideration by the Council, a Councilor or Councilors, a committee of the Council, or the Executive Officer. The Council by resolution shall adopt procedures for introduction and consideration of ordinances.

(d) Except as provided in [~~subsection (1) of this section,~~] Section 39(1) of the 1992 Metro Charter, the affirmative vote of at least [~~the majority of the~~] four members of the Council [~~(+7)~~] is required to adopt an ordinance. A roll call vote shall be taken on all ordinances. Any ordinance which receives [~~six~~] four or more Nay votes shall be defeated and shall be filed and

receive no further consideration. Any ordinance voted upon and neither adopted nor ~~[not]~~ defeated shall be continued to the next regular meeting.

(e) Within two working days of adoption, any ordinance subject to the Executive Officer's veto shall be enrolled and transmitted to the Executive Officer for veto consideration.

(f) The Executive Officer ~~[shall]~~ may veto an ordinance by filing a written and signed message with the Clerk no later than 5:00 p.m. of the fifth working day following adoption of the ordinance. If the Clerk has not received such veto message within the prescribed time then the ordinance shall be considered finally adopted.

(g) The Council may override an Executive Officer veto by an affirmative vote of ~~[eight]~~ five members of the Council ~~[at the next regular meeting of the Council, but]~~ not later than ~~[30]~~ 30 calendar days after the Executive Officer's veto. ~~[The vote to override an Executive Officer veto shall be the first item of~~

~~business on the Council's agenda and a roll call vote shall be taken on all considerations of an override to a veto.]~~

~~[(h) Ordinances adopted by the Council which are not legislative in nature as determined by the General Counsel shall not be subject to the Executive Officer's veto.~~

~~(i) Unless otherwise specified by the Council in the ordinance, an ordinance shall become effective on the 90th day after its adoption. If an ordinance is vetoed by the Executive Officer and the veto is overridden by the Council, the date of adoption shall be the date on which the veto is overridden. Except as provided in ORS 268.465 and 268.507, the Council by a majority vote of its members may declare that an emergency exists in which case an ordinance may take effect immediately or in less than 90 days. The Council by a majority vote of its members may prescribe that an ordinance take effect later than the 90th day after its adoption. If the Council refers an ordinance to the electors, the ordinance shall become effective on the 30th day after its approval by a majority of the electors voting on the measure or on a later date specified in the ordinance. If a~~

~~referendum petition, other than a petition referring an ordinance declaring an emergency, is filed with the filing officer not later than the 90th day after the adoption of the ordinance and before the ordinance takes effect, the effective date of the ordinance shall be suspended. An ordinance referred by a proper referendum petition shall become inoperative and shall not take effect if a minority of the electors voting on the measure reject the ordinance.]~~

[~~(j)~~] (h) Within seven (7) days after adoption or final adoption of an ordinance, the enrolled ordinance shall be:

- (1) Signed by the Presiding Officer;
- (2) Attested by the person who served as Recording Secretary of the Council at the meeting at which the Council adopted the ordinance; and
- (3) Filed in the records of the [~~District~~] Metro.

~~[(k)]~~ (i) 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.

(j) The provisions of subsection (b) of this section do not apply to an ordinance adopted by the unanimous consent of the Council and containing findings on the need for immediate adoption.

~~[(l) 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 subsections 2.01.070(b) and (c) above. Emergency ordinances may be subject to the veto of the Executive Officer as described in~~

~~subsections (e), (f) and (g) of this section and shall have an effective date as described in subsection (i) of this section.]~~

(Ordinance No. 79-65, Sec. 7; amended by Ordinance No. 88-241, Sec. 1; and Ordinance No. 91-407A, Sec. 1)

2.01.080 Resolutions:

(a) All matters other than legislation and ~~[rules]~~ procedural matters coming before the Council and requiring Council action shall be handled by resolution.

(b) Excluding procedural matters, the affirmative vote of a majority of the Council present and voting, a quorum being present, is required to adopt a resolution. Procedural matters shall be subject to Robert's Rules of Order, newly revised, unless chapter 2.01 of this Code provides otherwise.

(c) Resolutions shall become effective upon adoption unless a later date is specified therein.

(d) The Council by resolution shall adopt procedures for introducing and considering resolutions.

2.01.090 Conduct of Meetings:

(a) A quorum of the Council is [~~seven (7) members~~] a majority of the members of the Councilors in holding office. If a quorum is present, the Council may proceed with the transaction of its business. If fewer Councilors are present they may compel absent members to attend.

(b) Minutes of each meeting shall be prepared by the Clerk of the Council or his/her designee, and shall include at least the following information:

- (1) All members of the Council present;
- (2) All motions, [~~proposals,~~] resolutions, and [~~orders,~~] ordinances [~~and rules~~] proposed and their dispositions;

(3) The results of all votes, and the vote of each Councilor by name; and

(4) The substance of any discussion on any matter.

(c) Minutes of Executive Sessions may be limited consistent with ~~[ORS 192.660]~~ Oregon Law.

(d) 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.

(e) The Council shall by resolution adopt rules establishing procedures governing conduct of debate on matters considered by the Council at Council meetings.

(f) 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.

(g) 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 (2) Councilors concur in such request,~~] in which case a roll call vote shall be taken. At each meeting, the Clerk of the Council shall rotate the order for each roll call vote so that the Councilor who voted first shall vote last on the next roll call vote, except that the Presiding Officer shall always vote last on a roll call vote.

(h) In the event a matter is the subject of a voice vote or a roll call vote, after the vote is taken the Presiding Officer shall announce the result of the votes. Prior to proceeding to the next item on the agenda, or if the item voted upon is the last item on the agenda before adjournment, any member may request that the Clerk of the Council change [~~their~~] that member's vote in which case the change in vote shall be announced by the Presiding Officer and the result of the votes as modified

shall also be announced. Upon commencement of the next agenda or adjournment, as the case may be, all votes shall become final and may not be further changed without the unanimous consent of the Council.

(i) Any matter not covered by this chapter or a rule adopted by the Council pursuant to a resolution shall be determined by Robert's Rules of Order, newly revised. The Council may by a positive vote of [~~eight (8)~~] two-thirds (2/3) of the members of the Council authorize the suspension of any rule adopted by a resolution of the Council.

(j) All meetings of the Council, its committees and advisory committees shall be held and conducted in accordance with the Oregon Public Meetings law.

2.01.100 Adoption and Amendment of Rules: No standing rule of procedure of the Council shall be adopted, amended, or [~~rescinded~~] repealed except pursuant to a duly adopted resolution approved by [~~upon~~] the affirmative vote of a majority of the

members of the Council ~~[-(7)-]~~. Any rule may be suspended by a vote of two-thirds (2/3) of the members of the Council.

2.01.110 Reconsideration:

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

(b) Notice of the intention to move for reconsideration of an ordinance or ~~[rule]~~ resolution 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.]~~

(c) A 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.

(d) A motion for reconsideration must receive the affirmative vote of a majority of the members of the Council [~~7~~] in order to be adopted.

(e) There shall be only one (1) reconsideration of any final vote even though the action of Council reverses its previous action.

2.01.120 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 according to rules and procedures prescribed by resolution. [~~7 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, order and number of~~

~~appearances in accordance with rules establishing procedures adopted by resolution by the Council.]~~

2.01.130 Order of Business:

(a) The general order of business for the Council shall be prescribed by resolution.

(b) 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.

(c) A consent agenda shall be presented for the consideration and vote of the Council only at regular meetings. Items may be placed on the consent agenda pursuant to rules establishing criteria adopted by the Council by resolution. Copies of the consent agenda shall be printed and distributed to the Council prior to consideration.

(d) Before calling for the vote on the consent agenda, the Presiding Officer shall ask if any Councilor objects to any matter on the consent agenda. If any matter on the consent agenda is objected to by a member of the Council, that matter shall be removed from the consent agenda and placed upon the regular agenda of the Council at a time or place determined by the Presiding Officer.

(Ordinance No. 79-65, Sec. 13; amended by Ordinance No. 80-87, Sec. 2; and Ordinance No. 91-407A, Sec. 4)

2.01.140 Standing Committees of the Council:

~~(a)~~ The Council may establish standing committees as it deems necessary. The purpose, structure, membership and responsibilities of any standing committee shall be established by the Council by the adoption of a resolution.

~~(b)~~ Members of all standing committees shall be appointed by the Presiding Officer subject to confirmation of the Council.

~~The first named shall be the Chair and the second named shall be the Vice Chair.~~

~~(c) A majority of the members of the standing committee shall constitute a quorum for the transaction of business before the committee. Except as otherwise provided in this chapter, or rules adopted by the Council, all standing committees of the Council shall be governed by Robert's Rules of Order, newly revised.~~

~~(d) All standing committees shall meet at the call of the Chair or upon the request of a majority of the members of the Committee.~~

~~(e) The purposes of standing committees of the Council are to:~~

~~(1) Make studies of and inquiries into areas of concern and interest of the Council.~~

~~(2) Report information to the Council.~~

~~(3) Prepare and submit recommendations, proposals and ordinances to the Council.~~

~~(f) Unless otherwise specifically provided, standing Committees of the Council shall have the power to:~~

~~(1) Hold meetings at such times and places as the committee considers expedient.~~

~~(2) Hold public hearings and take testimony.~~

~~(3) Make findings, conclusions and recommendations.~~

~~(4) Draft and prepare resolutions and ordinances for consideration by the Council.~~

~~(5) Appoint task forces and committees to advise the committees of the Council, subject to Council approval.~~

~~(g) Standing committees shall conduct business according to the following rules:~~

- ~~(1) A quorum of the committee is necessary to take action on any matter before the committee;~~
- ~~(2) Any matter before a committee may be decided by a majority of a quorum;~~
- ~~(3) 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;~~
- ~~(4) Any member may make a motion for action by the committee and a second is not necessary for committee consideration of the motion;~~
- ~~(5) 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~~

~~(6) A committee may go into Executive Session for the purposes and following procedures prescribed by law.~~

~~(h) A standing committee may take the following action on an ordinance or resolution:~~

~~(1) 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~~

~~(2) Table the ordinance or resolution; or~~

~~(3) Continue the ordinance or resolution to another committee meeting.~~

~~Any ordinance or resolution which remains in a standing committee over six (6) months from the date it was introduced shall be considered to be defeated and shall be filed with the Council Clerk and receive no further consideration. 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. Consideration of such action shall take place under the "Councilor Communication" agenda item.~~

~~(i) The term for a committee member shall be one (1) year. Except for filling vacancies, committee appointments shall be made in January of each year.~~

~~(j) No committee will incur any indebtedness or hire any personnel without the express approval of the Council.~~

~~(k) The Chair, the Vice Chair or committee members may be removed from committee assignment(s) upon the affirmative vote of~~

~~the majority of the Council (7). Consideration of such action shall take place under the "Councilor Communication" agenda item. (Ordinance No. 79 65, Sec. 14; amended by Ordinance No. 88 241, Sec. 1 and Ordinance No. 91 407A, Sec. 5)]~~

~~2.01.150 Local Government Advisory Committees:~~

~~(a) 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.~~

~~(b) Each member shall have one (1) vote and the Chair may vote on and discuss any matter coming before the committee.~~

~~(c) Unless otherwise specifically provided, local government advisory committees shall have a power to:~~

~~(1) Select a Chair and a Vice Chair.~~

~~(2) Hold meetings at such times and places as the committee considers expedient.~~

~~(3) Prepare and submit proposals and recommendations to the Council.~~

~~(4) Perform other functions assigned by the Council.~~

~~(d) 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 this chapter, all committees of local government officials shall be governed by Robert's Rules of Order, newly revised.~~

~~(e) All committees shall meet at the call of the Chair 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.]~~

2.01.160 [Other] Advisory Committees: The Presiding Officer may appoint [~~ether~~] advisory committees or task forces as necessary to assist the Council in the performance of its duties. The purposes and powers of each advisory committee or task force shall be expressly stated at the time of appointment. Advisory committees shall serve at the pleasure of the Presiding Officer.

2.01.170 Salary and Expenditure Reimbursement Guidelines:

(a) Councilors shall be paid an authorized salary at the same time as regular Metro employees. The amount of the salary shall be as prescribed by law. The annual salary shall be divided into twenty-four (24) equal payments. If a councilor vacates the office, he or she shall be paid on a pro-rata basis for the number of working days from the last pay period. A councilor may waive all or any portion of an authorized salary by signing a waiver form which indicates the amount of salary waived and the period of time for the waiver. The waiver shall remain in effect until written notice of cancellation is given prior to the commencement of the pay period for which the waiver will no longer be in effect. A councilor who waives a salary must sign a

release form at the time of receipt of a salary which releases Metro from any further obligation for the period of time for which the salary is paid. ~~[The Council Administrator shall provide the necessary forms for implementation of this section.]~~

Notwithstanding any waiver of salary, all councilors shall receive the full benefit (health and welfare) package received by other Metro employees. Such benefits shall be based on the full salary of the councilor provided by law regardless of any waiver or salary payments.

(b) The Council by resolution shall adopt guidelines for reimbursement of Councilors and Council employees for expenses incurred in the conduct of business of Metro. The guidelines shall specify the amount each councilor shall ~~[receive]~~ be allocated for authorized expenditures, the type of authorized expenditure, and procedures for the request and approval of expenditure reimbursement requests.

2.01.190 Appointment Process, Qualifications and Terms of Office for Boundary Commission Members:

(1) As provided by Oregon Law;

(a) The Portland Metropolitan Area Local Government Boundary Commission shall have a number of members that is equal to the number of Councilors of the Metropolitan Service District.

(b) The members of that Boundary Commission shall be appointed by the Executive Officer of the Metropolitan Service District. The Executive Officer shall appoint members of a Boundary Commission from a list of individuals nominated by the Councilors of the District. Each Councilor shall nominate no fewer than three nor more than five individuals for appointment to the Boundary Commission. When first appointing all the members of Boundary Commission, the Executive Officer shall appoint one individual from among those nominated by each Councilor. Thereafter, as the term of a member of a Boundary Commission expires or as a vacancy occurs, the Executive Officer shall appoint an individual nominated by the Councilor or a successor who nominated the Boundary Commission member whose term has expired or who vacated the office. The Executive Officer shall endeavor to appoint members from various cities, counties

and districts so as to provide geographical diversity of representation on the Boundary Commission.

(c) To be qualified to serve as a member of a commission, a person must be a resident of the area subject to the jurisdiction of the commission. A person who is an elected or appointed officer or employee of a city, county or district may not serve as a member of a commission. No more than two members of a commission shall be engaged principally in the buying, selling or developing of real estate for profit as individuals, or receive more than one-half of their gross income as or be principally occupied as members of any partnership, or as officers or employees of any corporation, that is engaged principally in the buying, selling or developing of real estate for profit. No more than two members of a commission shall be engaged in the same kind of business, trade, occupation or profession.

(d) A member shall be appointed to serve for a term of four years. A person shall not be eligible to serve for more than two consecutive terms, exclusive of:

(i) Any service for the unexpired term of a predecessor in office.

(ii) Any term less than four years served on the commission first appointed.

(2) The terms of office of members of the Boundary Commission appointed prior to 1991 shall be as follows:

(a) Members appointed from nominations made by Councilors representing Council Districts 2, 6 and 8 shall serve from July 1, 1988 to January 1, 1992;

(b) Members appointed from nominations made by Councilors representing Council Districts 1, 5 and 7 shall serve from July 1, 1988 to January 1, 1993;

(c) Members appointed from nominations made by Councilors representing Council Districts 3, 10 and 11 shall serve from January 1, 1990 to January 1, 1994; and

(d) Members appointed from nominations made by Councilors representing Council Districts 4, 9 and 12 shall serve from January 1, 1990 to January 1, 1995.

(3) Notwithstanding the provisions of subsection (2) above, effective January 2, 1995, the Boundary Commission shall consist of seven members and each shall be appointed from nominations made by Councilors. The terms of the Boundary Commission members nominated by Councilors representing districts 2,3,6,7,8, and 10 terminate effective January 2, 1995. Whenever a vacancy exists on the Boundary Commission after January 2, 1995, the Boundary Commission member nominated by the Councilor representing former Council district number one shall be nominated by the Councilor representing new Council district number four; the Boundary Commission member nominated by the Councilor representing former Council district number four shall be nominated by the Councilor representing new Council district number three; the Boundary Commission member nominated by the Council representing former Councilor district number five shall be nominated by the Councilor representing new Council district number two; the Boundary Commission member nominated by the Council representing former Councilor district number nine shall be nominated by the

Councilor representing new Council district number six; the Boundary Commission member nominated by the Council representing former Councilor district number eleven shall be nominated by the Councilor representing new Council district number five; the Boundary Commission member nominated by the Council representing former Councilor district number twelve shall be nominated by the Councilor representing new Council district number one; the Boundary Commission member nominated by the Council representing former Councilor district number thirteen shall be nominated by the Councilor representing new Council district number seven;

Section 2. EMERGENCY CLAUSE. This ordinance being necessary for the health, safety or welfare of the Metro area for the reason that the Metro Council is reducing in numbers on January 2, 1995 which requires new operating procedures, an emergency is declared and this ordinance shall be effective upon adoption.

ADOPTED by the Metro Council this _____ day of _____,
1995.

J. Ruth McFarland, Presiding Officer

ATTEST:

Clerk of the Council

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M E M O R A N D U M

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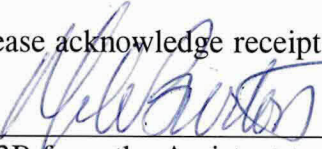


METRO

DATE: February 10, 1995
TO: Mike Burton, Executive Officer
FROM: Cathy Ross, Assistant to the Presiding Officer
RE: Transmittal Of Legislation

Attached for your consideration are true copies of Ordinance 95-583B adopted by the Council of January 26, 1995.

Please acknowledge receipt by signing below:

I, , received this memo and true copies of Ordinance No. 95-583B from the Assistant to the Presiding Officer February 10, 1995.