

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING)	ORDINANCE NO. 91-407A
METRO CODE SECTIONS 2.01.070,)	
2.01.090, 2.01.120, 2.01.130)	Introduced by Councilors
AND 2.01.140 RELATING TO)	McFarland and McLain and
CONDUCT OF DEBATE AT COUNCIL)	Presiding Officer Collier
MEETINGS, RECEIPT OF PUBLIC)	
TESTIMONY AT COUNCIL MEETINGS)	
AND CONSIDERATION OF A CONSENT)	
AGENDA AT COUNCIL MEETINGS AND)	
STANDING COMMITTEES OF THE)	
COUNCIL)	

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Metro Code Section 2.01.070 is hereby amended as follows:

2.01.070 Ordinances:

(a) The legislative action of the Metropolitan Service District shall be by Ordinance.

(b) Except as provided in Subsection (g) of this section, 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. 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, a committee of the Council or the Executive Officer. The Council by resolution shall adopt rules establishing procedures for introduction and consideration of ordinances.

(d) Except as provided in subsection (1) of this section, the affirmative vote of the majority of the 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 (6) or more Nay votes shall be defeated and shall be filed and receive no further consideration. Any ordinance voted upon and 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 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 members of the Council at the next regular meeting of the Council, but not later than 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 majority of the electors voting on the measure reject the ordinance.

(j) 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.

(k) 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.

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

Section 2. Metro Code Section 2.01.090 is hereby amended as follows:

2.01.090 Conduct of Meetings:

(a) A quorum of the Council is seven (7) members. If a quorum is present, the Council may proceed with the transaction of its business.

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

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

(c) Minutes of executive sessions may be limited consistent with ORS 192.660.

(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.

(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 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 shall be determined by "Roberts Rules of Order," latest revised edition. The Council may by a positive vote of eight (8) members authorize the suspension of any rule adopted by 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.

Section 3. Metro Code Section 2.01.120 is hereby amended as follows:

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; 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.

Section 4. Metro Code Section 2.01.130 is hereby amended as follows:

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 calendar agenda shall be printed and distributed prior to consideration.

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

Section 5. Metro Code Section 2.01.140 is hereby amended as follows:

2.01.140 Standing Committees of the Council:

(a) The Council may establish standing committees as it deems necessary.

(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 "Roberts Rules of Order," latest revised edition.

(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 the standing committees are to:

- (1) Make studies of and inquiries into areas into concern and interest to 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 rule:

- (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 chair 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 committee 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 Communications and Committee Reports" 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, 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 agenda item shall take place under the "Councilor Communications and Committee Reports" agenda item.

ADOPTED by the Council of the Metropolitan Service District
this 27th day of June, 1991.



Tanya Collier, Presiding Officer

Attest:



Clerk of the Council

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING)	ORDINANCE NO. 91-407
METRO CODE SECTIONS 2.01.070,)	
2.01.090, 2.01.120, 2.01.130)	
AND 2.01.140 RELATING TO)	Introduced by Councilors
CONDUCT OF DEBATE AT COUNCIL)	McFarland and McLain and
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AGENDA AT COUNCIL MEETINGS AND)	
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THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Metro Code Section 2.01.070 is hereby amended as follows:

2.01.070 Ordinances:

(a) The legislative action of the Metropolitan Service District shall be by Ordinance.

(b) Except as provided in Subsection (g) of this section, 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. 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, a committee of the Council or the Executive Officer. The Council by resolution shall adopt rules establishing procedures for introduction and consideration of ordinances.

(d) Except as provided in subsection (1) of this section, the affirmative vote of the majority of the 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 (6) or more Nay votes shall be defeated and shall be filed and receive no further consideration. Any ordinance voted upon and 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 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 members of the Council at the next regular meeting of the Council, but not later than 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) Ordinances not subject to the veto shall become effective on the date of adoption unless a later date is specified therein. Ordinances subject to the veto shall become effective on the date of final adoption unless a later date is specified therein.]~~

(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) 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.

(k) 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.

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

Section 2. Metro Code Section 2.01.090 is hereby amended as follows:

2.01.090 Conduct of Meetings:

(a) A quorum of the Council is seven (7) members. If a quorum is present, the Council may proceed with the transaction of its business.

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

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

(c) Minutes of executive sessions may be limited consistent with ORS 192.660.

(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) [~~e~~] 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) [~~f~~] 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.

(h) [~~g~~] 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 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) [~~h~~] Any matter not covered by this chapter or a rule adopted by the Council shall be determined by "Roberts Rules of Order," latest revised edition. The Council may by a positive vote of eight (8) members authorize the suspension of any rule adopted by the Council.

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

Section 3. Metro Code Section 2.01.120 is hereby amended as follows:

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; 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.

Section 4. Metro Code Section 2.01.130 is hereby amended as follows:

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 [~~unanimous consent calendar~~] 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 [~~calendar~~] agenda shall be printed and distributed prior to consideration.

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

Section 5. Metro Code Section 2.01.140 is hereby amended as follows:

2.01.140 Standing Committees of the Council:

(a) The Council may establish standing committees as it deems necessary.

(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 "Roberts Rules of Order," latest revised edition.

(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 the standing committees are to:

- (1) Make studies of and inquiries into areas into concern and interest to 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 rule:

- (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 chair 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 committee 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["] and Committee Reports" 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, 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 agenda item shall take place under the "Councilor Communication["] and Committee Reports" agenda item.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1991.

Tanya Collier, Presiding Officer

Attest:

Clerk of the Council



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

DATE: June 4, 1991

TO: METRO COUNCIL

FROM: Councilor Ruth McFarland *R.M.F.*
Councilor Susan McLain *S.McL.*
Presiding Officer Tanya Collier *T.C.*

RE: ORDINANCE NO. 91-407 AND RESOLUTION NO. 91-1467

Please find attached copies of Ordinance No. 91-407 and Resolution No. 91-1467 which revise the rules of procedure for the conduct of Council business. The initial impetus for such action came from the February 9, 1991 Council retreat, at which time the Council agreed that we would draft rules of debate for Council meetings. The effort has been broadened to deal with other procedural items which are out of date or which have been changed by state law.

Ordinance No. 91-407 for the most part sets forth the requirement that the Council adopt rules of procedure for certain matters by resolution. Resolution No. 91-1467 either establishes new rules of procedure (in the case of Exhibits A and B) or revises existing rules of procedure (in the case of Exhibits C, D and E). The ordinance also revises several existing procedures such as 1) changing the effective date of ordinances to conform with the requirements of SB 299 recently enacted by the Legislature (see Section 1); 2) requiring the rotation of roll call votes (see Section 2(g)); 3) authorizing the suspension of rules (see Section 2(i)); and 4) clarifying what action a standing committee can take regarding a resolution and ordinance and providing a method of disposing of ordinances and resolutions which do not get out of committee (see Section 5(h)).

Please review these matters carefully since they affect how the Council does its business. It is our understanding that the ordinance and resolution will be referred to the Governmental Affairs Committee and that the Chair will tentatively schedule them for consideration on June 20, 1991.

GOVERNMENTAL AFFAIRS COMMITTEE REPORT

ORDINANCE NO. 91-407A, AMENDING SECTIONS OF THE METRO CODE RELATING TO CONDUCT OF DEBATE AT COUNCIL MEETINGS, RECEIPT OF PUBLIC TESTIMONY AT COUNCIL MEETINGS AND CONSIDERATION OF A CONSENT AGENDA AT COUNCIL MEETINGS AND STANDING COMMITTEES OF THE COUNCIL.

Date: June 25, 1991

Presented by: Councilor Devlin

COMMITTEE RECOMMENDATION: At its June 20, 1991 meeting the Governmental Affairs Committee voted 3-0 to recommend Council adoption of Ordinance No. 91-407A. Voting were Councilors Devlin, Collier, and DeJardin. Councilors Hansen and Knowles were excused.

COMMITTEE DISCUSSION/ISSUES: Councilor Ruth McFarland and Council Administrator Don Carlson described the nature of the Ordinance for the committee. Councilor McFarland said it codifies some points which are not now official procedure, and it conforms with the provision of Senate Bill 299 which calls for a 90-day effective date for ordinances. She suggested an amendment to Section 2(g) of the ordinance, which would require the Clerk to rotate the order of each roll call vote. Her amendment would add, "except that the Presiding Officer shall always vote last."

Mr. Carlson explained that the ordinance sets out the way to implement rules of procedure, which are to be adopted by resolution. He then summarized the handout entitled, "Description of Changes by Section" (attached). Councilor DeJardin asked for clarification of the provision in Section 5(h) calling for an item to be considered defeated if it has been in committee for six months with no action taken. Mr. Carlson said that the Presiding Officer could re-refer the item to another committee, and that the Council Analysts will be responsible to monitor the time that items have been in committee. Councilor Devlin asked whether the provision in Section 5(h) which outlines committee authority would permit a committee to refer an item to another committee. The answer, after some discussion, was no: only the Council can authorize a subsequent referral. (The Presiding Officer can continue to make multiple referrals when an item is introduced.)

Chair Devlin opened the public hearing. Mr. John Ayer spoke on the companion resolution, 91-1467. He offered to coordinate between Metro, Clackamas County and its CPO's on testimony. He also spoke against the resolution's proposed three-minute limit on testimony. Councilor Devlin said this issue is one of several that will require some further committee work on the resolution.

The Committee voted to recommend Council approval of the Ordinance, incorporating Councilor McFarland's amendment.

ORDINANCE 91-407

DESCRIPTION OF CHANGES BY SECTION

SECTION 1

- o Subsection (C) Adds clarifying language regarding rules of procedure
- o Subsection (i) Replaces the current language on effective date of ordinances with language that is required by State law. The new subsection (i) is substantially the same as language in SB 299.
- o Subsection (l) Adds language to clarify the new effective date provisions apply to emergency ordinances.

SECTION 2

- o Subsection (e) Adds language to require the Council to adopt rules of procedure governing the conduct of debate at Council meetings.
- o Subsection (g) Adds language to require the Council Clerk to rotate the order of roll call votes at each Council meeting.
- o Subsection (i) Adds clarifying language about the relationship of Council adopted rules of procedure and "Roberts Rules of Order" and authorizes the Council by a vote of eight members to suspend any rule adopted by the Council.

SECTION 3

- o Subsection (b) Adds language to require the Council to adopt rules of procedure relating to the appearance of members of the public at Council meetings.

SECTION 4

- o Subsection (c) Revises the language regarding the consent agenda. Requires the adoption of rules establishing criteria for the placing of items on the consent agenda.
- o Subsection (d) Revises language regarding removal of matters from the consent agenda.

SECTION 5

- o Subsection (c) Adds clarifying language regarding rules of procedure for standing committees.

- o Subsection (h) Adds language which states those actions which a standing committee may take on an ordinance or resolution and provides a method of terminating consideration of an ordinance or resolution which is not referred from a standing committee.

a:o91407.mem



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

DATE: June 28, 1991

TO: Rena Cusma, Executive Officer

FROM: Paulette Allen, Clerk of the Council *PA*

RE: TRANSMITTAL OF ORDINANCE NOS. *91-390A* 91-407A, 91-408, AND
91-410

Attached for your consideration are true copies of the ordinances referenced above adopted by the Council on June 27, 1991.

If you wish to veto any of the above referenced ordinances, I must receive a signed and dated written veto message from you no later than 5:00 p.m., Friday, July 5, 1991. The veto message, if submitted, will become part of the permanent record. If no veto message is received by the time and date stated above, these ordinances will be considered finally adopted.

I, *Unette Harley*, received this memo and true copies of Ordinance Nos. 91-390A, 91-407A, 91-408, and 91-410 from the Clerk of the Council on June 28, 1991.

Date: *6/28/91*

ORD.MEM



METRO

2000 SW First Avenue
Portland, OR 97201-5398
(503) 221-1646
Fax 241-7417

91-407A

August 16, 1991

Clerk of the Board
Multnomah County Courthouse
1021 S.W. Fourth Avenue
Portland, OR 97204

Dear Clerk of the Board:

Enclosed are true copies of the following ordinances adopted by the Metro Council. Please file these ordinances in the Metro file maintained by your County.

Executive Officer
Rena Cusma

Metro Council

Tanya Collier
Presiding Officer
District 9

Jim Gardner
Deputy Presiding
Officer
District 3

Susan McLain
District 1

Lawrence Bauer
District 2

Richard Devlin
District 4

Tom DeJardin
District 5

George Van Bergen
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Ruth McFarland
District 7

Judy Wyers
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Roger Buchanan
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Sandi Hansen
District 12

1. Ordinance No. 91-382, Amending the FY 1990-91 Budget and Appropriations Schedule to Increase the Convention Center Capital Fund Personal Services Appropriations
2. Ordinance No. 91-376B, Revising Admission Fees and Policies at the Metro Washington Park Zoo
3. Ordinance No. 91-387A, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Initial Financing and Purchase Costs of the Hanna Property
4. Ordinance No. 91-386C, For the Purpose of Amending Metro Chapter Code 5.02, Establishing Solid Waste Disposal Rates for FY 1991-92
5. Ordinance No. 91-389, For the Purpose of Exempting the Oregon Convention Center Grand Opening from the Provisions of Metro Code Chapter 7.01 Excise Tax
6. Ordinance No. 91-392, Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding the Charter Commission
7. Ordinance No. 91-396, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses in the Insurance Fund
8. Ordinance No. 91-397, For the Purpose of Amending Metro Code Section 5.02.035 Litter Control by Establishing a Surcharge for Uncovered Loads
9. Ordinance No. 91-398, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Due Diligence Costs Related to the Metro Headquarters Relocation Project

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August 20, 1991

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10. Ordinance No. 91-399, An Ordinance Amending No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses at Metro ERC Facilities
11. Ordinance No. 91-400A, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increases in Zoo Operations
12. Ordinance No. 91-401, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses in the Solid Waste Revenue Fund
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17. Ordinance No. 91-405A, An Ordinance for the Purpose of Amending Chapter 5.02 of the Metro Code to Amend Section 5.02.025(c) Regarding the Recyclable Material Credit
18. Ordinance No. 91-395A, An Ordinance Adopting a Final Order and Amending the Metro Urban Growth Boundary for Contested Case No. 90-1: Wagner
19. Ordinance No. 91-410, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Increased Expenses at Metropolitan Exposition-Recreation Facilities
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26. Ordinance No. 91-417, An Ordinance for the Purpose of Amending and Renewing the Franchise Agreement with East County Recycling, Inc.; and Declaring an Emergency

Sincerely,



Paulette Allen
Clerk of the Council



METRO

2000 SW First Avenue
Portland, OR 97201-5398
(503) 221-1646
Fax 241-7417

August 16, 1991

Charles D. Cameron
County Administrator
150 N. First Avenue
Hillsboro, OR 97124

Dear Mr. Kauffman:

Enclosed are true copies of the following ordinances adopted by the Metro Council. Please file these ordinances in the Metro file maintained by your County.

1. Ordinance No. 91-382, Amending the FY 1990-91 Budget and Appropriations Schedule to Increase the Convention Center Capital Fund Personal Services Appropriations
2. Ordinance No. 91-376B, Revising Admission Fees and Policies at the Metro Washington Park Zoo
3. Ordinance No. 91-387A, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Initial Financing and Purchase Costs of the Hanna Property
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Sincerely,



Paulette Allen
Clerk of the Council



METRO

2000 SW First Avenue
Portland, OR 97201-5398
(503) 221-1646
Fax 241-7417

August 16, 1991

John Kauffman
County Clerk
Clackamas County Courthouse
807 Main Street
Oregon City, OR 97045

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