

SECOND AMENDED ORDINANCE NO. 1

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SECOND AMENDED ORDINANCE NO. 1

AN ORDINANCE PROVIDING RULES FOR MEETINGS
OF LANE COUNTY MASS TRANSIT DISTRICT

The board of directors of Lane County Mass Transit District does hereby ordain that Ordinance No. 1 of said district is hereby amended so as to read as follows:

Section 1. Regular Meetings.

a. Time. The board of directors shall hold regular monthly meetings on the third Tuesday of each month at 7:30 p.m. When the day fixed for any regular meeting falls upon a day designated by law as a legal or national holiday, such meeting shall be held at the same time on the next succeeding day not a holiday.

b. Place. Regular meetings shall be held at the Eugene City Hall in Eugene, Oregon.

c. Notice. No notice of regular meetings need be given to the directors. Public notice shall be given, reasonably calculated, to give actual notice to interested persons of the time and place for holding regular meetings; provided, however, that if any ordinance is to be considered or voted upon at the meeting, in such event, the notice shall comply with the provisions of Section 7.

Section 2. Adjourned Meetings.

Meetings may be adjourned to a specific time and place before the day of the next regular meeting. A meeting may be adjourned by the vote of the majority of the members present, even in the absence of a quorum.

Section 3. Special Meetings.

a. Call. The president of the board or a majority of the directors may call special meetings.

b. Notice. Five days written notice of special meetings shall be given to each director not joining in the call of the meeting, specifying the time, place and purpose of the meeting. At least 24 hours notice of special meetings shall be given to the public.

b. Adoption. Except as provided by subsection b-3 of this section, before an ordinance is adopted it shall be read during regular meetings of the district board on two different days at least six days apart.

b-1. The reading of an ordinance shall be full and distinct unless at the meeting:

- b-1.1. A copy of the ordinance is available for each person who desires a copy; and
- b-1.2. The board directs that the reading be by title only.

b-2. Except as provided by subsection b-3 of this section, the affirmative vote of a majority of the members of the district board is required to adopt an ordinance.

b-3. An ordinance to meet an emergency may be introduced, read once and put on its final passage at a regular or special board 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 board at the meeting, a quorum being present, is required to adopt an emergency ordinance.

c. Signing and filing.

c-1. Within seven days after adoption of an ordinance, the enrolled ordinance shall be:

- c-1.1. Signed by the presiding officer;
- c-1.2. Attested by the person who served as recording secretary of the district board at the session at which the board adopted the ordinance; and
- c-1.3. Filed in the records of the district.

c-2. A certified copy of each ordinance shall be filed with the county clerk, available for public inspection.

c-3. Within 15 days after adoption of an emergency ordinance, notice of the adoption of the ordinance shall be published in one or more newspapers of general circulation within the district. The notice shall:

- c-3.1. Briefly describe the ordinance;
- c-3.2. State the date when the ordinance was adopted and the effective date of the ordinance; and
- c-3.3. State that a copy is on file at the district office and at the office of the county clerk of the county, available for public inspection.

d. Effective date.

d-1. Except as provided by subsection (d-2) of this section, an ordinance shall take effect on the 30th day after it is adopted, unless a later date is prescribed by the ordinance. If an ordinance is referred to the voters of the district, it shall not take effect until approved by a majority of those voting on the ordinance.

d-2. An emergency ordinance may take effect upon adoption.

Section 8. Resolutions.

a. All matters other than legislation coming before the district board and requiring board action shall be handled by resolution.

b. A resolution may be adopted by the vote of the majority of the directors present at any meeting at which a quorum is present.

Section 9. Conduct of Meetings.

a. Presiding officer. The president, and in his absence the vice president, and in the absence of both, a director selected by the directors present to act as chairman pro tem, shall preside at meetings of the district directors.

The presiding officer shall vote on all matters and may make and second motions and participate in discussion and debate.

b. Minutes. The secretary, or a person designated by the board of directors as recording secretary, shall keep a record of the proceedings and prepare minutes of the district board meetings. Neither a full transcript nor a recording of the meeting is required, except as otherwise provided by law, but the written minutes must give a true reflection of the matters discussed at the meeting and the views of the participants. All minutes shall be available to the public within a reasonable time after the meeting, and shall include at least the following information:

b-1. All members of the board of directors present;

b-2. All motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition;

b-3. The results of all votes and the vote of each member by name;

b-4. The substance of any discussion on any matter.

b-5. Minutes of executive sessions may be limited to material the disclosure of which is not inconsistent with ORS 192.660.

c. Quorum. A majority of the directors is a quorum.

d. Rules. Roberts' Rules of Order shall be the parliamentary procedure for meetings of the district board except when a specific rule is provided by statute or this ordinance, or by resolution of this board.

e. Meetings to be public. All meetings of the district shall be open to the public excepting executive sessions held pursuant to statute.

f. Executive sessions.

f-1. The board of directors may hold executive sessions during a regular, special or emergency meeting after the presiding officer has identified the authorization under ORS 192.610 to 192.690 for the holding of such executive session. If an executive session only will be held, notice shall be given to the members of the board of directors and to the general public, stating the specific provision of law authorizing the executive session. Executive sessions may be held:

f-1.1. To consider the employment of a public officer, employee, staff member or individual agent; but executive session shall not be held to consider the employment of a general manager for the district except as specifically provided by statute.

f-1.2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against a public officer, employee, staff member or individual agent, unless such public officer, employee, staff member or individual agent requests an open hearing.

f-2. Executive session may be held during any regular, special or emergency meeting upon a two-thirds majority vote of the members of the board after the presiding officer has identified the authorization under ORS 192.610 to 192.690 for the

holding of such executive session. If an executive session only will be held, notice shall be given to the members of the board of directors and to the general public, stating the specific provision of law authorizing the executive session. Such executive session may be held:

f-2.1. To conduct deliberations concerning the authority of persons designated by the board of directors to carry on labor negotiations or to negotiate a real property transaction.

f-2.2. To consider records that are exempt by law from public inspection.

f-2.3. To consult with counsel concerning the legal rights and duties of the district with regard to current litigation.

f-3. Labor negotiations may be conducted in executive session if either side of the negotiators requests closed meetings.

f-4. Representatives of the news media shall be allowed to attend executive sessions other than those held under paragraph (f-2.1) of this section relating to labor negotiations, but the board may require that specified information subject of the executive session be undisclosed.

f-5. No executive session may be held for the purpose of taking any final action or making any final decision.

Section 10. Committees.

The president on his own motion or the directors by resolution may appoint committees to make investigations, study problems and to make recommendations to the board of directors. Advisory committees may include persons who are not directors.

Section 11. General Manager.

The general manager shall attend all meetings and participate in such meetings, but he shall not vote.

Adopted this 21st day of August, 1979.

ATTEST:

Richard A. Brook
Secretary

Kenneth H. Kobuen
President

Mavis Skipworth
Recording Secretary