

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.

Section 4. Emergency Meetings.

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

b. Notice. In case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances both to the directors and to the public.

Section 5. Executive Sessions.

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. No quorum of the board of directors shall meet in private for the purpose of deciding on or deliberating toward a decision on any matter except as otherwise provided by ORS 192.610 to 192.690.

Section 6. Notices.

a. Notices to directors. Notice to directors shall be deemed given when delivered in person or when deposited in the United States mail with postage fully prepaid, directed to the address last specified by the director in the records of the district office for the mailing of communications to the director.

b. Public notice. All public notices shall be given in one or more newspapers of general circulation within the district and in such other and additional manner as the board of directors shall from time to time direct.

Section 7. Ordinances.

a. Publication of agenda.

a-1. Except in an emergency, an ordinance adopting, amending or repealing a regulation shall not be considered or voted upon by a district board unless the ordinance is included in a published agenda of the meeting. The agenda of a meeting shall state the time, date and place of the meeting, give a brief description of the ordinances to be considered at the meeting and state that copies of the ordinances are available at the office of the district board.

a-2. The presiding officer shall cause the agenda to be published not more than ten days nor less than four days before the meeting, in one or more newspapers of general circulation within the district.

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b. Adoption. Except as provided by subsection (c) 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 (c) 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 as provided by subsection (a-2) of Section 7 for notice of proposed ordinances. 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.

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

Committees and subcommittees of two or more persons shall observe, abide by and follow the same rules and procedures for public meetings, executive sessions, notice of meetings and keeping of minutes of meetings as are set forth in this ordinance for meetings of the board of directors.

Section 11. General Manager.

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

Declaration of Emergency.

Because of the need to improve the effectiveness of the board in the conduct of the business of the district, an emergency is declared to exist; and this ordinance being necessary for the immediate preservation and protection of the public health, order and safety, this ordinance shall take effect immediately.

Adopted this 24th day of August, 1976.

Dan M. Habat
President

ATTEST:

W. Gene Davis
Secretary

Phyllis P. Lobey
Recording Secretary