

BEFORE THE METRO COUNCIL

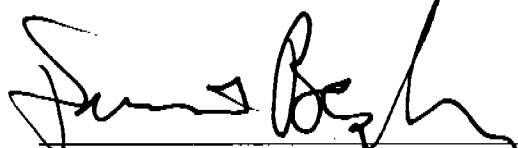
FOR THE PURPOSE OF ADDING A NEW) ORDINANCE NO. 00-860A
CHAPTER 2.19 TO THE METRO CODE)
RELATING TO ADVISORY) Introduced by Council State & Federal
COMMITTEES) Legislative Committee, Executive Officer
) Mike Burton, Councilor Susan McLain and
) Councilor Rod Monroe

WHEREAS, the Metro Council desires to provide clarification and consistency for all Metro Council Advisory Committees to be set forth in one chapter of the Metro Code; now, therefore,

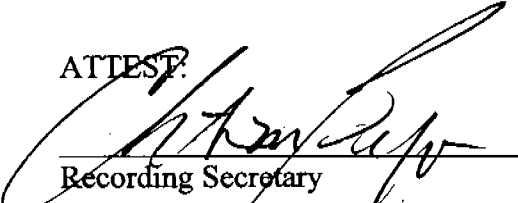
THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That a new Metro Code Chapter 2.19 is hereby added to the Metro Code as attached hereto and incorporated herein as Exhibit A; and
2. Sections 2.01.160, 2.12.020, 2.12.030, Chapter 2.13, Chapter 3.08, Sections 5.04.040, 5.06.045, 5.06.060, 5.06.070, 5.06.080 and Chapter 5.08 of the Metro Code are hereby repealed; and
3. Except for Resolution No. 98-2698, any and all resolutions adopted by the Council prior to the adoption of this ordinance pertaining to advisory committees or task forces are hereby rescinded and superceded.

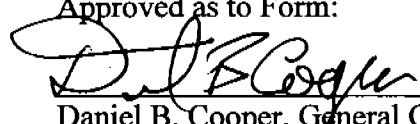
ADOPTED by the Metro Council this 9th day of NOVEMBER 2000.


David Bragdon, Presiding Officer

ATTEST:


Recording Secretary

Approved as to Form:


Daniel B. Cooper, General Counsel

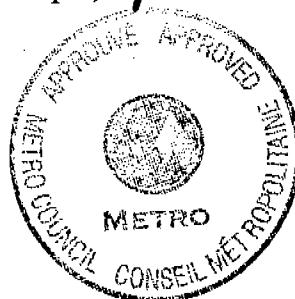


Exhibit A – Ordinance No. 00-860A

Chapter 2.19

METRO ADVISORY COMMITTEES

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2.19.001 PURPOSE AND INTENT

It is the purpose of this chapter to set forth general terms, conditions, functions and responsibility for all advisory committees (Advisory Committees) that have been created by action of the Metro Council or are required pursuant to applicable provisions of the 1992 Metro Charter or Oregon or federal law. In general, this chapter applies to all Advisory Committees of Metro that are public bodies subject to Oregon’s Public Meetings (ORS 192.610 et. seq.), whether or not the specific Advisory Committee is mentioned herein. It is not the intent to govern or adopt requirements for committees that are appointed by or report solely to individual Metro officers and which are therefore not subject to Oregon Public Meeting Law. In addition, this chapter does not apply to committees created by the Metro Council that consist solely of members of the Council or to any Metro Commission which exercises administrative functions. It is also not the intent of this chapter to amend any existing agreement with other governmental bodies, which have provisions for the creation and utilization of jointly appointed Advisory Committees.

2.19.002 DEFINITIONS

For the purposes of this chapter, unless the context requires otherwise, the following terms shall have the meanings indicated:

- (a) "Advisory Committee" means any committee, task force or group, created by an official action of the Metro Council or 1992 Charter, including but not limited to, any public body or advisory group described in this chapter.
- (b) "Appointment" means the formal selection of a person to serve as a member of an Advisory Committee.
- (c) "Appointment authority" means the Executive Officer or council members or other entity specifically authorized to appoint an Advisory Committee member.
- (d) "Confirmation" means the process by which the Metro Council approves the appointment of a member of an Advisory Committee.
- (e) "JPACT" means Joint Policy Advisory Committee On Transportation.
- (f) "MCSCE" means Metro Central Station Community Enhancement Committee.
- (g) "MPAC" means Metro Policy Advisory Committee.
- (h) "Nomination" means the formal submission to an appointing authority of a candidate for appointment to an Advisory Committee.
- (i) "NPREC" means North Portland Rehabilitation and Enhancement Committee.
- (j) "RPGAC" means Regional Parks and Greenspaces Advisory Committee.
- (k) "RRC" means Rate Review Committee.
- (l) "SWAC" means Solid Waste Advisory Committee.
- (m) "Task Force" means any public body created by resolution or any official action of the Metro Council, which is not specifically defined in this chapter or any provision of the Metro Code.
- (n) "Tax Study Committee" means before considering the imposition of any new tax or taxes, which do not require prior voter approval under the Metro Charter, the Tax Study Committee shall consult with and advise the Metro Council regarding adoption of these taxes.

- (o) "TPAC" means Transportation Policy Alternatives Committee.
- (p) "WRPAC" means Water Resources Policy Advisory Committee.
- (q) "401K ESSPAC" means Metro 401K Employee Salary Savings Plan Advisory Committee.

2.19.003 MEMBERSHIP OF THE ADVISORY COMMITTEES

(a) Membership In General.

- (1) The Executive Officer shall ensure that the recruitment and selection process for appointments to vacant positions is open to all segments of the community and ensures a broad representation and diversity of membership. It is the policy of Metro not to discriminate with regard to race, color, religion, natural origin, sex, age, disability, sexual orientation, or mental or familial status in making appointments to Advisory Committees.
- (2) The Executive Officer is encouraged to streamline and standardize the recruitment and selection process, to a reasonable extent, and to facilitate a standing pool of volunteer candidates across the agency.
- (3) Advisory committees may submit names to the Executive Officer for inclusion in a list of interested and qualified candidates but nomination by an Advisory Committee may not be a requirement for appointment.

(b) Appointments and Confirmations.

- (1) Except as it is specifically provided for membership of MPAC and JPACT, or for certain positions specified for elected officials, as set forth in this chapter, all members of all Advisory Committees shall be appointed by the Executive Officer, unless the appointment is specifically assigned to members of the Council. All persons appointed by the Executive Officer or council members shall be subject to confirmation by the Council. A minimum of four (4) votes in favor of a specific appointment shall be necessary to confirm the appointment. Any person whose confirmation is defeated by four (4) or more votes in opposition, shall not be eligible for appointment to the same Advisory Committee during the succeeding twelve (12) months. The appointing authority may remove appointed members.
- (2) Appointments of members to individual Advisory Committees may be subject to nominations made by specified entities to the appointing authority. Under no circumstance shall any Advisory Committee have the authority to nominate members to serve on the committee itself.

- (3) Appointments and confirmation to Advisory Committees may be made with relevant geographical expertise or other criteria in mind. As a general rule, however, recruitment, appointment and confirmation of committee members will be conducted in a manner that attempts to reflect the demographic profile of the region as a whole.
- (4) Alternate Members. Alternates may vote only in the absence of a specific regular member. Appointment and confirmation of alternates shall be subject to the same requirements that apply to regular members.

(c) Terms.

- (1) All appointments made by the Executive Officer or members of the Council shall be for a term of two (2) years or to fill a vacancy in the remaining portion of a term not to exceed two (2) years.
- (2) No person may be appointed to serve more than two (2) consecutive full two (2) year terms on the same committee nor may any person be appointed to fill more than one partial term on any one committee. However, employees of agencies serving as the nominees of their employer are not subject to these limitations on terms.
- (3) Members shall continue to serve until their successor is appointed and confirmed.

(d) Effective Date. The provisions of this chapter take effect on _____, 2001. [Insert date, which is 90 days after adoption of ordinance.]

2.19.004 ADVISORY COMMITTEE PURPOSE AND AUTHORITY

The purpose and authority of each Advisory Committee shall be limited to matters specified in the action creating the committee and other matters specifically authorized by action of the Metro Council or other provisions of applicable law.

2.19.005 ADVISORY COMMITTEE BYLAWS

Each Advisory Committee may adopt bylaws governing the Advisory Committee's functions and procedures. Bylaws may not govern the membership or authority of any Advisory Committee. Unless specifically authorized by the Council or the Executive Officer for any specific Advisory Committee, Advisory Committees shall function as committees of the whole and may not appoint sub-committees or otherwise create any advisory body that constitutes a public body pursuant to Oregon Public Meeting law. However, sub-committees of limited duration may be created as provided in Section 2.19.007(d).

2.19.006 TASK FORCES

Task Forces are all Advisory Committees created by Metro Council action that have not been specifically provided for in a provision of the Metro Code. All Task Forces are of limited duration and the existence of any Task Force shall terminate one (1) year after its creation, unless specifically renewed and re-authorized by Metro Council action. However, in no circumstance, may a Task Force may be continued for more than three (3) years unless authorized by a duly adopted ordinance, which shall be codified.

2.19.007 STATUS OF ALL ADVISORY COMMITTEES

- (a) MPAC, JPACT, and MCCI are Advisory Committees that have permanent and continuing existence. MPAC and MCCI were created by the 1992 Metro Charter. JPACT was created pursuant to federal law and Executive Order of the Governor of Oregon. The Metro Council shall provide for these committees in the annual budget. The Executive Officer shall provide reasonable staff support for these three (3) committees from any legally available and budgeted resources.
- (b) All other Advisory Committees authorized by this chapter or other provisions of Metro Code shall continue in active status only so long as the Metro Council specifically provides budgeted resources to support the committee's functions. All committees shall operate on a fiscal year basis, July 1 to June 30. In any fiscal year that Metro Council fails to authorize budgeted resources for any committee, that committee shall be in inactive status and shall not meet.
- (c) Task Forces may be created by Metro Council adopted resolutions, but shall be of limited duration and shall not meet unless the Metro Council has identified specific resources for support within the fiscal year budget at the time the Task Force is created and for any subsequent fiscal year. No Task Force may be re-authorized or continued without the Metro Council identifying resources necessary to support its function. The purpose of the Task Force shall be clearly defined in the authorizing resolution.
- (d) Subcommittees may be created by specific action of Advisory Committees provided that the authorization for any subcommittee may not extend beyond the end of any fiscal year. Any Advisory Committee authorizing or re-authorizing any subcommittee shall identify how the subcommittee will function within the limitation of the budget resources provided to the committee.
- (e) This chapter does not apply to the Smith and Bybee Lakes Management Committee, the Portland Center for Performing Arts Advisory Committee or any other Advisory Committee created or authorized by an agreement between Metro and another government.

2.19.008 METRO POLICY ADVISORY COMMITTEE (MPAC)

(a) **Purpose.** The purpose of MPAC is to advise the Metro Council and perform the duties assigned to it by the 1992 Metro Charter and to perform other duties that the Metro Council shall prescribe.

(b) **Membership.** The members of MPAC include:

Multnomah County Commission	1
Second Largest City in Multnomah County	1
Other Cities in Multnomah County	1
Special Districts in Multnomah County	1
Citizen of Multnomah County	1
City of Portland	2
Clackamas County Commission	1
Largest City in Clackamas County	1
Second Largest City in Clackamas County	1
Other Cities in Clackamas County	1
Special Districts in Clackamas County	1
Citizen of Clackamas County	1
Washington County Commission	1
Largest City in Washington County	1
Second Largest City in Washington County	1
Other Cities in Washington County	1
Special Districts in Washington County	1
Citizen of Washington County	1
Tri-Met	1
Governing body of a school district	1
State Agency Growth Council	1
Clark County	1
City of Vancouver	1
<u>Port of Portland</u>	<u>1</u>
Total	25

(c) MPAC may provide in its bylaws for the creation of a Technical Advisory Committee, which may make recommendations to MPAC.

- (d) A vote of both a majority of the MPAC members and a majority of all councilors may change the composition of MPAC at any time. The MPAC bylaws shall govern the terms of its members.

2.19.009 JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION (JPACT)

- (a) Purpose. The purpose of JPACT is to advise the Metro Council and perform the duties assigned to it by Oregon and Federal law and the 1992 Metro Charter and to perform other duties that the Metro Council shall prescribe.
- (b) Membership. The members of JPACT include representatives of the following jurisdictions and agencies:

City of Portland	1
Multnomah County	1
Washington County	1
Clackamas County	1
Cities of Multnomah County	1
Cities of Washington County	1
Cities of Clackamas County	1
Oregon Department of Transportation	1
Tri-Met	1
Port of Portland	1
Department of Environmental Quality	1
Metropolitan Service District (Metro)	3
State of Washington	<u>3</u>
 TOTAL	 17

- (c) The composition, authority and duties of JPACT and JPACT's bylaws may only be changed as provided by applicable law.

2.19.010 METRO COMMITTEE FOR CITIZEN INVOLVEMENT (MCCI)

- (a) Purpose. The purpose of the MCCI is to advise the Metro Council and Executive Officer on the development and maintenance of programs and procedures to aid communication between citizens, the Metro Council and the Executive Officer and perform the duties assigned to it by the 1992 Metro Charter and to perform other related duties that the Metro Council shall prescribe.
- (b) Membership. The MCCI consists of twenty-seven (27) members. The members of MCCI shall be appointed as follows:

- (1) Three (3) representatives from each of the seven (7) Metro Council Districts (for a total of 21).
 - (2) One (1) representative from each of the areas outside of the Metro boundaries of Clackamas, Multnomah, and Washington Counties (for a total of 3).
 - (3) One (1) representative from each of Clackamas County's Committee for Citizen Involvement (CCI), Multnomah County Citizen Involvement Committee (CIC), and Washington County Committee for Citizen Involvement (CCI) (for a total of 3).
- (c) Terms. Notwithstanding the provisions of Section 2.19.003 (c), MCCI members may be appointed to fill up to three (3) consecutive two (2)-year terms.

2.19.011 METRO 401K EMPLOYEE SALARY SAVINGS PLAN ADVISORY COMMITTEE (401K ESSPAC)

- (a) Purpose. Metro established a Salary Savings Plan and Trust ("Plan") effective July 1, 1985. The purpose of Metro's 401K ESSPAC is to give instructions to WM Trust Company, a nondiscretionary Trustee, with respect to all matters concerning the Plan.
- (b) Membership. The 401K ESSPAC consists of a five-person advisory/administrative committee.

2.19.012 METRO CENTRAL STATION COMMUNITY ENHANCEMENT COMMITTEE (MCSCE)

- (a) Purpose. It is the policy of the district to support a community enhancement program in the area of Metro Central Station, 6161 N.W. 61st Avenue, in Portland, Oregon.
- (b) Membership. MCSCE consists of seven members to be appointed and serve terms as follows:
 - (1) Six members to be appointed by the Executive Officer subject to confirmation by the council. The Executive Officer shall make appointments as follows:
 - (a) One member shall be appointed from a list of nominees submitted by the Forest Park Neighborhood Association.

- (b) One member shall be appointed from a list of nominees submitted by the Friends of Cathedral Park.
 - (c) One member shall be appointed from a list of nominees submitted by the Linnton Neighborhood Association.
 - (d) One member shall be appointed from a list of nominees submitted by the Northwest District Neighborhood Association.
 - (e) One member shall be appointed from a list of nominees submitted by the Northwest Industrial Neighborhood Association.
 - (f) One member shall be appointed from a list or lists of nominees submitted by environmental organizations that have or will have an interest in the enhancement area.
- (2) MCSCE shall be chaired by the Metro Councilor representing District 5.
 - (3) In the case of a vacancy in a non-council position on the committee, the Executive Officer shall solicit nominations from the same organizations that were eligible to submit nominations for the original appointment.
 - (4) In all instances, the Executive Officer may reject all nominations for a non-council position on the committee, and request that new nominations be submitted by the affected group.

2.19.013 METRO SOLID WASTE ADVISORY COMMITTEE (SWAC)

- (a) **Purpose.** The purpose of the Metro Solid Waste Advisory Committee (SWAC) is to:
 - (1) Evaluate policy options and present policy recommendations to the Metro Council and Executive Officer regarding regional solid waste management and planning.
 - (2) Advise Metro on the implementation of existing solid waste plans and policies.
 - (3) Provide recommendations concerning the solid waste planning process, to ensure adequate consideration of regional values such as land use, economic development, and other social, economic and environmental factors.

- (4) Provide recommendations on compliance with the Regional Solid Waste Management Plan and applicable state requirements.
- (5) Provide recommendations on alternative solid waste policies and practices developed by subcommittees of the SWAC.
- (6) Recommend needs and opportunities to involve citizens in solid waste issues.
- (7) Recommend measures to build regional consensus for the management of solid waste.

(b) Membership. Members are categorized as follows:

Regular Voting Members

Chair (Metro)	1
Recycling Interests:	3
Facilities (1)	
Composters (1)	
Recycler/advocate (1)	
Hauling Industry:	4
County Areas (3)	
At-Large (1)	
Disposal Sites	3
Undesignated	
Citizen-Ratepayers	6
Citizens (3)	
Business (3)	
Governments:	6
Cities (4)	
Counties (2)	
Total	23

Non-Voting Members:

Metro Regional Environmental Management Director	1
Department of Environmental Quality	1
Clark County, Washington	1

Associate Members:

Additional associate members without a vote may serve on the Committee at the pleasure of the Committee

(c) Appointment of Members.

- (1) Candidates for the representative of recycling facilities shall be solicited from the processing industry and appointed by the Metro Executive Officer. Candidates for the representative of composting facilities shall be solicited from the composting industry and appointed by the Metro Executive Officer. Metro shall solicit candidates for the remaining recycling representative from recycling industries, environmental advocates and other business and civic groups. Candidates for the remaining recycling representative may also submit their names directly to the Metro Executive Officer. The remaining recycling representative shall be appointed by the Metro Executive Officer.
- (2) Solid Waste Hauling Industry candidates shall be solicited from the hauling industry and appointed by the Metro Executive Officer. Solid Waste Hauling Industry representatives shall include one from each of the three Counties, plus one representing the region at large.
- (3) Disposal Site candidates shall be solicited from the disposal industry and appointed by the Metro Executive Officer.
- (4) A pool of candidates for the citizen representatives shall be nominated by the participating jurisdictions, SWAC members, and by civic and business groups. Candidates may also submit their names directly to the Metro Executive Officer. The Metro Executive Officer shall appoint one citizen member from each of the three Counties, as available.
- (5) A pool of candidates for the business representatives shall be nominated by business groups, the participating jurisdictions, and SWAC members. Candidates may also submit their names directly to the Metro Executive Officer. The Metro Executive Officer shall appoint three business members, as available.
- (6) The representative from the City of Portland shall be appointed by the Mayor of Portland.
- (7) Representatives of Cities within a County shall be appointed by consensus of those Cities.
- (8) Representatives from the Counties shall be appointed by the Chairperson of the County Board.

- (d) Appointment Of Alternate Members. Alternate members shall be specifically named for recycling, the solid waste hauling industry, disposal site, and government positions and shall be appointed in the same manner as regular members. Alternates can vote in the absence of the regular Committee member and have full rights and responsibilities of the Committee member in his/her absence. Upon resignation of an Advisory Committee member, a new member shall be appointed in accordance with the appointment of regular members' section of the bylaws.
- (e) Appointment Of Non-Voting Members. Non-voting members may be named by the non-voting agency represented.
- (f) Membership.
 - (1) Terms of Office - The Executive Officer may review the status of the Committee Membership every four (4) years and appoint new members as needed.
 - (2) Attendance - It is expected that members will be present and participate at all regular meetings. Members who are absent from four or more regular meetings in one calendar year may be asked by the Executive Officer or Committee Chair to resign. Industry, facility and government representatives who send alternates to attend in their absence will be counted as present.
 - (3) Restriction on Representation by One Company - No more than one regular voting member of the Committee may be employed by the same company.
- (g) Officers.
 - (1) Chair. The permanent Chairperson of the Committee shall be the Metro Council REM Committee Chairpersons.
 - (2) Vice-Chair. In the absence of the Chairperson, the Committee shall be chaired by the Vice-Chairperson.
- (h) Subcommittees. Subcommittees may be established by the Chairperson as necessary upon request of the Committee. Membership composition shall be determined according to mission and may include individuals who are not members of the Committee. All such subcommittees shall report to the Committee.

2.19.014 NORTH PORTLAND REHABILITATION AND ENHANCEMENT COMMITTEE (NPREC)

- (a) Purpose. The purpose of the North Portland Rehabilitation and Enhancement Committee (NPREC) is to make recommendations to the Metro Council regarding policies and the administration of the rehabilitation and enhancement program for the North Portland Area to include as follows:
- (1) Specify the boundaries of the area to be rehabilitated and enhanced;
 - (2) Criteria for determining how funds will be used for rehabilitation and enhancement; and
 - (3) Continuing public involvement and recommending projects for funding.
- (b) Membership. The NPREC shall be composed of 8 members:
- (1) One (1) member shall be the Metro Councilor, whose district includes the site of the former St. Johns Landfill.
 - (2) Seven (7) members appointed by the Executive Officer. One member each shall reside within the following neighborhood boundaries, which neighborhood boundaries are determined by the City of Portland:
 - (A) St. Johns
 - (B) Cathedral Park
 - (C) Portsmouth
 - (D) Overlook
 - (E) Arbor Lodge
 - (F) Kenton
 - (G) University Park

2.19.015 INVESTMENT ADVISORY BOARD (IAB)

- (a) Purpose. An Investment Advisory Board is required by Oregon law. The IAB's purpose, membership and duties are provided for in Metro Code Section 2.06.030(b). These provisions are subject to annual re-adoption by the Council and therefore the provisions of this chapter do not apply to the IAB.

2.19.016 REGIONAL PARKS AND GREENSPACES ADVISORY COMMITTEE
(RPGAC)

- (a) Purpose. The purpose of the Regional Parks and Greenspaces Advisory Committee is to:
- (1) Review, comment and make recommendations to the Metro Executive Officer and Council on the policies, plans, programs, and proposed annual budget for the Regional Parks and Greenspaces Department.
 - (2) The RPGAC replaces the Greenspaces Policy Advisory Committee and Multnomah County Parks Advisory Committee.
 - (3) Coordinates its meetings, agendas, work tasks with the Greenspaces Technical Advisory Committee (GTAC).
 - (4) Makes recommendations on implementation activities for the Greenspaces Master Plan, and Greenspaces Bond Measure (when one is passed by the voters) to the Metro Executive Officer and Council.
 - (5) Recommends actions related to Metro's management and operations of Regional Parks and Greenspaces.
- (b) Membership. The RPGAC shall be composed of:
- (1) 11 voting members and one (1) non-voting member. Appointments, except for the ex-officio Metro Council member, shall be made by the Executive Officer and require confirmation. The ex-officio Metro Council member shall be appointed by the Presiding Officer for a two-year term.
 - (2) Seven voting members (one residing in each of the seven Metro Council Districts) from within Metro's boundaries.
 - (3) One voting member residing in Clackamas County, but outside of Metro's boundaries.
 - (4) One voting member residing in Multnomah County, but outside of Metro's boundaries.
 - (5) One voting member residing in Washington County, but outside of Metro's boundaries.
 - (6) One voting member residing in Clark County (to retain the bi-state nature of the Greenspaces planning effort).

- (7) The chair of the RPGAC will come from the voting membership of the RPGAC. The first chair shall be designated by the Metro Executive Officer, confirmed by the Council, serving a one-year term. After this initial period, the RPGAC shall elect its chair from its membership, held by a majority vote. The chair of the Committee will be elected on an annual basis.

2.19.017 RATE REVIEW COMMITTEE (RRC)

- (a) Purpose. The Solid Waste Rate Review Committee (RRC) is established for the following purposes:

- (1) To enhance the credibility of solid waste disposal rates and the rate setting process.
- (2) To provide a rational, consistent, stable and predictable process for establishing solid waste disposal rates.
- (3) To make recommendations to the Metro Council regarding proposed solid waste disposal rates.
- (4) The RRC has the authority and responsibility to review and make recommendations to the Metro Council regarding:
 - (A) Proposed solid waste disposal rates and charges at facilities owned, operated or under contract to Metro (*see* Metro Code chapter 5.02 and at Metro franchised facilities as provided under the terms of a franchise agreement (*see* Metro Code chapter 5.01);
 - (B) All policy and technical issues related to solid waste disposal rate setting;
 - (C) Direct and indirect expenses included in proposed solid waste disposal rates before the committee; and
 - (D) Any technical analysis of proposed rates or rate setting procedures, developed by Metro staff or a consultant to Metro, for facilities under the purview of the committee.

- (b) Membership. The RRC shall be composed of seven members as follows:

- (1) One Metro Councilor, who shall serve as committee chair.
- (2) Two persons engaged in the business of hauling solid waste.

- (3) One person with business-related financial experience.
- (4) One person with experience in establishing rates.
- (5) One person involved with a local recycling or waste reduction program.
- (6) One citizen ratepayer.
- (7) The Metro Councilor serving on the committee shall be appointed by the Council Presiding Officer. All other members shall be appointed by the Executive Officer, subject to confirmation by the Metro Council.

(c) Meetings and Scheduling:

- (1) The committee shall meet at least once every two months, unless a majority of the committee establishes otherwise.
- (2) All rates impacting Metro's budget shall be reviewed on a time line intended to facilitate simultaneous council adoption of the rates and proposed budget in early May. At the beginning of the annual process leading to adoption of Metro rates, the solid waste department shall present to the committee an overview of the process and prior rate-setting efforts, anticipated deadlines, and related data.
- (3) Committee review of all other rates within the purview of the committee shall be scheduled in a manner likely to result in timely consideration by the council.

(d) Rate Review Criteria:

- (1) In reviewing and making recommendations to the Council regarding solid waste disposal rates impacting Metro's budget, the committee shall apply criteria established by resolution of the Council. The Council shall review the established criteria annually, and make revisions as necessary. The committee may recommend to the Council changes in established criteria deemed appropriate by the committee.
- (2) In reviewing and making recommendations to the council regarding rates charged by a Metro-franchised solid waste facility under the purview of the committee, the committee shall comply with Metro Code section 5.01.170.

2.19.018 TRANSPORTATION POLICY ALTERNATIVES COMMITTEE (TPAC)

(a) Purpose. The purpose of the Transportation Policy Alternatives Committee (TPAC) is to provide technical and policy input to JPACT and the Metro Council with the following responsibilities:

- (1) Review the Unified Work Program (UWP) and prospectus for transportation planning.
- (2) Monitor and provide advice concerning the transportation planning process to ensure adequate consideration of regional values such as land use, economic development, and other social, economic and environmental factors in plan development.
- (3) Advise on the development of the Regional Transportation Plan in accordance with the Intermodal Surface Transportation Efficiency Act (ISTEA), the L.C.D.C. Transportation Planning Rule, the 1992 Metro Charter and the adopted 2040 Growth Concept.
- (4) Advise on the development of the Transportation Improvement Program (TIP) in accordance with ISTEA.
- (5) Review projects and plans affecting regional transportation.
- (6) Advise on the compliance of the regional transportation planning process with all applicable federal requirements for maintaining certification.
- (7) Develop alternative transportation policies for consideration by JPACT and the Metro Council.
- (8) Review local comprehensive plans for their transportation impacts and consistency with the Regional Transportation Plan.
- (9) Recommend needs and opportunities for involving citizens in transportation matters.
- (10) The responsibilities of TPAC with respect to air quality planning are:
 - (A) Review and recommend project funding for controlling mobile sources of particulates, CO, HC and NO_x.
 - (B) Review the analysis of travel, social, economic and environmental impacts of proposed transportation control measures.

- (C) Review and provide advice (critique) on the proposed plan for meeting particulate standards as they relate to mobile sources.
 - (D) Review and recommend action on transportation and parking elements necessary to meet federal and state clean air requirements.
- (b) Membership. Notwithstanding the provisions of Section 2.19.003, memberships and appointments to TPAC are controlled by these provisions:

- (1) Representatives from local jurisdictions, implementing agencies and citizens as follows:

City of Portland	1
Clackamas County	1
Multnomah County	1
Washington County	1
Clackamas County Cities	1
Multnomah County Cities	1
Washington County Cities	1
Oregon Department of Transportation	1
Washington State Department of Transportation	1
Southwest Washington Regional Transportation Council	1
Port of Portland	1
Tri-Met	1
Oregon Department of Environmental Quality	1
Metro (Non-Voting)	2
Citizens	6
	21

In addition, the City of Vancouver, Clark County, C-TRAN, Federal Highway Administration, Federal Aviation Administration (FAA), Federal Transit Administration (FTA), and Washington Department of Ecology may appoint an associate member without a vote. Additional associate members without vote may serve on the Committee at the pleasure of the Committee.

- (2) Each member shall serve until removed by the appointing agency. Citizen members shall serve for two years and can be re-appointed.
- (3) Alternates may be appointed to serve in the absence of the regular member.

- (4) Representatives (and alternatives if desired) of the Counties and the City of Portland shall be appointed by the presiding executive of their jurisdiction/agency).
- (5) Representatives (and alternates if desired) of Cities within a County shall be appointed by means of a consensus of the Mayors of those cities. It shall be the responsibility of the representative to coordinate with the cities within his/her county.
- (6) Citizen representatives and their alternates will be nominated through a public application process, confirmed by the Metro Council, and appointed by the Presiding Officer of the Metro Council.
- (7) Metro representatives (non-voting) shall be appointed one each by the Metro Executive Officer and Council Presiding Officer.
- (8) Each member or alternate of the Committee, except associate members, shall be entitled to one vote on all issues presented at regular and special meetings at which the member or alternate is present.
- (9) The Chairperson shall have no vote.

2.19.019 WATER RESOURCES POLICY ADVISORY COMMITTEE (WRPAC)

- (a) Purpose. The purpose of the Water Resources Policy Advisory Committee (WRPAC) shall be to advise the Metro Council, Executive Officer and staff on policy and technical matters related to multi-objective watershed management. These policies will strive to manage watersheds to protect, restore and ensure, to the maximum extent practicable, the integrity of streams, wetlands and floodplains and their multiple biological physical and social values. Specific responsibilities include:
 - (1) Assist Metro Council in the development of water resource policies and plans and their periodic review.
 - (2) Provide guidance to the Executive Officer and Metro staff on the conduct of Metro's water resources planning program.
 - (3) Coordinating, facilitating and supporting water resource planning and management activities of local, regional, state and federal agencies.
 - (4) Periodic review of the "208" Plans.
 - (5) Ensuring adequate citizen participation in the water resources planning and management process.

(6) Provide guidance to the Metro Council, Executive Officer and Metro staff in the development of water resources policies, plans and technical documents related to growth management planning, including the Regional 2040 program and the Regional Framework Plan.

(b) Membership. The Committee shall consist of representatives of the following jurisdictions and agencies:

(1) Voting Members:

Metro Councilor Chair
 Management Agencies (One vote each):

	Tualatin Watershed	Clackamas Watershed	Lower Willamette Watershed
Water Supply	TVWD	Clackamas River Water District	Portland Water Bureau
Wastewater	USA*	Oak Lodge	Gresham
Surface Water			
• Urban	USA	Clackamas County	Portland BES
• Agriculture	Washington SWCD	Clackamas County SWCD	East Multnomah SWCD West Multnomah SWCD

*USA has only
 one vote

Special Interests: (One Vote Each)

Environmental: Oregon Environmental Council
 Portland Audubon Society
 Environmental Member-At-Large
 Fishery Interest

Additional Cities: One city for Clackamas County
 One city for Washington County

Metro Greenspaces
 Advisory Committee: Chair

Industrial Organization: Homebuilders Association

High Tech Business

Nursery Operator Business

Citizens: Tualatin Watershed
Clackamas Watershed
Lower Willamette Watershed
Developer

Total Voting Members: 27

(2) Non-Voting Members:

Dept. of Land Conservation and Development
US Army Corp of Engineers
Port of Portland
Environmental Protection Agency
Portland General Electric
National Estuary Program
Oregon Dept. of Environmental Quality
Oregon Water Resources Dept.
Oregon Dept. of Agriculture
Oregon Dept. of Forestry
Oregon Dept. of Fish and Wildlife
US Fish & Wildlife Service
Natural Resources Conservation Seat

Total Non-Voting Members: 13

(3) Appointment and Tenure.

(1) Each jurisdiction or agency shall nominate a representative and an alternate who will serve in the absence of the representative. In the case of representatives of multiple jurisdictions or agencies the nominations will be made by a poll of those represented.

(A) When action is about to take place to fill a pending vacancy, the vacancy will be listed as WRPAC agenda item, prior to solicitation of nominees.

(B) All representatives and their alternatives must be appointed by the Executive Officer and are subject to confirmation by Metro Council.

- (C) Upon absence from three (3) consecutive, regularly scheduled meetings, the nominating jurisdiction or agency shall be requested to nominate a new representative. Attendance by an alternate shall not be grounds for waiver of this requirement.
- (D) Each representative and alternate is responsible for informing and networking with the entities they represent in order to fully inform all parties and solicit their input on matters pertaining to committee work and decisions.

2.19.020 TAX STUDY COMMITTEE

- (a) Creation and Purpose. Before considering the imposition of any new tax or taxes, which do not require prior voter approval under the Charter, the Council shall create a tax study committee by adoption of a resolution. The purpose of a tax study committee shall be to consult with and advise the Council regarding adoption of these taxes. The resolution shall state the purpose for the creation of the committee, shall include a scope of work, the members of the committee, the staffing arrangement for the committee, and the length of time for the committee to complete its work.
- (b) Committee Composition and Size. A committee shall consist of no more than 11 appointed members, plus the executive officer and the presiding officer as ex-officio non-voting members. The membership of the committee shall be representative of the general population, and from any businesses and the governments of cities and counties, special districts and school districts within Metro.
- (c) Appointments. The Executive Officer shall appoint members of the committee subject to confirmation by the Council in the creating resolution. The Executive Officer shall designate the chair and vice-chair of the committee at the time of appointment. If a vacancy occurs during the time a study committee is functioning, the position shall be filled in the same manner as the original appointment and confirmation.
- (d) Final Report. Upon completion of the scope of work, a committee shall submit a final report to the Council on the activities and recommendations of the committee. The Council may, upon request of the committee, extend the time of that committee to submit its final report. In no event shall the time be extended longer than six months from the original termination date of the committee. If a committee is unable to agree on a final report, then the chair of the committee shall inform the Council in writing of that conclusion.

STATE AND LEGISLATIVE AFFAIRS COMMITTEE REPORT
CONSIDERATION OF RESOLUTION NO. OO-860A, FOR THE PURPOSE OF
ADDING A NEW CHAPTER 2.19 TO THE METRO CODE RELATING TO
ADVISORY COMMITTEES

Date: November 1, 2000

Presented by: Councilor McLain

Committee Action: At its October 10 meeting, the State and Legislative Affairs Committee voted 3-0 to recommend Council adoption of Resolution 00-860A. Voting in favor: Councilors Park, Bragdon and McLain.

Background

- Existing Law: Repeals existing Metro code relating to advisory committees, and creates new code chapter 2.19.
- Budget Impact: Requires that staff and resources for the maintenance of each advisory committee be budgeted annually.

Committee Issues/Discussion: The committee held several meetings and a public hearing prior to creating this new Metro code chapter. At the October 10 meeting the committee accepted several amendments from Councilor Washington related to the membership of the North Portland Rehabilitation and Enhancement Committee, thus making the resolution an A version.

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 00-860, FOR THE PURPOSE OF ADDING A NEW CHAPTER 2.19 TO THE METRO CODE RELATING TO ADVISORY COMMITTEES

Date: October 19, 2000

Prepared by: Michael Morrissey

Proposed Action: Ordinance 00-860 creates a new chapter in Metro code, under Title II of the code: Administration and Procedures. The new chapter is 2.19, Metro Advisory Committees.

Factual Background and Analysis: As stated in the purpose section of the new code chapter, the intent of this code amendment is to set forth general terms, conditions, functions and responsibility for all advisory committees that have been created by action of the Metro Council or are required by the 1992 Metro Charter, or state or federal law. In general, the new chapter applies to all advisory committees subject to Oregon's public meetings laws.

The State and Federal Legislative Affairs Committee developed this ordinance during several work sessions, beginning in March of 2000. Chair McLain said that it had been her and Councilor Monroe's desire to streamline Metro's relationship with its advisory committees, bring consistency to this relationship, and ensure that the budget reflected appropriate support for them. A draft document was prepared by the Office of General Counsel, and significant staff work was performed by Nancy Goss Duran and Karen Withrow of the Executive office, with supporting work by Council office staff.

Key points identified in the ordinance through committee discussion:

- Codifies advisory committee functions and responsibilities, and repeals all other current code references to advisory committees;
- Advisory committees not specifically listed would cease to exist;
- Committee by-laws are no longer the source for nominating committee members;
- Terms are limited to two 2-year terms, except that MCCI members may be appointed for three 2-year terms;
- Resources necessary to staff, and otherwise operate an advisory committee must now be budgeted annually;
- Further streamlining of the process, including recruitment of volunteers on a more standardized basis, is recommended;

The committee also discussed the application of the ordinance to several specific advisory committees in order to ascertain the effect of the ordinance in different situations.

Relation to Existing Law: Repeals existing Metro code relating to advisory committees, and creates new code chapter 2.19.

Budget Impact: Requires that staff and resources for advisory committee operation be budgeted annually.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADDING A NEW) ORDINANCE NO. 00-860
CHAPTER 2.19 TO THE METRO CODE)
RELATING TO ADVISORY) Introduced by Council State & Federal
COMMITTEES) Legislative Committee, Executive Officer
) Mike Burton, Councilor Susan McLain and
) Councilor Rod Monroe

WHEREAS, the Metro Council desires to provide clarification and consistency for all Metro Council Advisory Committees to be set forth in one chapter of the Metro Code; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That a new Metro Code Chapter 2.19 is hereby added to the Metro Code as attached hereto and incorporated herein as Exhibit A; and
2. Sections 2.01.160, 2.12.020, 2.12.030, Chapter 2.13, Chapter 3.08, Sections 5.04.040, 5.06.045, 5.06.060, 5.06.070, 5.06.080 and Chapter 5.08 of the Metro Code are hereby repealed; and
3. Except for Resolution No. 98-2698, any and all resolutions adopted by the Council prior to the adoption of this ordinance pertaining to advisory committees or task forces are hereby rescinded and superceded.

ADOPTED by the Metro Council this _____ day of _____ 2000.

David Bragdon, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

Exhibit A – Ordinance No. 00-860

Chapter 2.19

METRO ADVISORY COMMITTEES

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2.19.001 PURPOSE AND INTENT

It is the purpose of this chapter to set forth general terms, conditions, functions and responsibility for all advisory committees (Advisory Committees) that have been created by action of the Metro Council or are required pursuant to applicable provisions of the 1992 Metro Charter or Oregon or federal law. In general, this chapter applies to all Advisory Committees of Metro that are public bodies subject to Oregon’s Public Meetings (ORS 192.610 et. seq.), whether or not the specific Advisory Committee is mentioned herein. It is not the intent to govern or adopt requirements for committees that are appointed by or report solely to individual Metro officers and which are therefore not subject to Oregon Public Meeting Law. In addition, this chapter does not apply to committees created by the Metro Council that consist solely of members of the Council or to any Metro Commission which exercises administrative functions. It is also not the intent of this chapter to amend any existing agreement with other governmental bodies, which have provisions for the creation and utilization of jointly appointed Advisory Committees.

2.19.002 DEFINITIONS

For the purposes of this chapter, unless the context requires otherwise, the following terms shall have the meanings indicated:

- (a) "Advisory Committee" means any committee, task force or group, created by an official action of the Metro Council or 1992 Charter, including but not limited to, any public body or advisory group described in this chapter.
- (b) "Appointment" means the formal selection of a person to serve as a member of an Advisory Committee.
- (c) "Appointment authority" means the Executive Officer or council members or other entity specifically authorized to appoint an Advisory Committee member.
- (d) "Confirmation" means the process by which the Metro Council approves the appointment of a member of an Advisory Committee.
- (e) "JPACT" means Joint Policy Advisory Committee On Transportation.
- (f) "MCSCE" means Metro Central Station Community Enhancement Committee.
- (g) "MPAC" means Metro Policy Advisory Committee.
- (h) "Nomination" means the formal submission to an appointing authority of a candidate for appointment to an Advisory Committee.
- (i) "NPREC" means North Portland Rehabilitation and Enhancement Committee.
- (j) "RPGAC" means Regional Parks and Greenspaces Advisory Committee.
- (k) "RRC" means Rate Review Committee.
- (l) "SWAC" means Solid Waste Advisory Committee.
- (m) "Task Force" means any public body created by resolution or any official action of the Metro Council, which is not specifically defined in this chapter or any provision of the Metro Code.
- (n) "Tax Study Committee" means before considering the imposition of any new tax or taxes, which do not require prior voter approval under the Metro Charter, the Tax Study Committee shall consult with and advise the Metro Council regarding adoption of these taxes.

- (o) "TPAC" means Transportation Policy Alternatives Committee.
- (p) "WRPAC" means Water Resources Policy Advisory Committee.
- (q) "401K ESSPAC" means Metro 401K Employee Salary Savings Plan Advisory Committee.

2.19.003 MEMBERSHIP OF THE ADVISORY COMMITTEES

(a) Membership In General.

- (1) The Executive Officer shall ensure that the recruitment and selection process for appointments to vacant positions is open to all segments of the community and ensures a broad representation and diversity of membership. It is the policy of Metro to no discriminate with regard to race, color, religion, natural origin, sex, age, disability, sexual orientation, or mental or familial status in making appointments to Advisory Committees.
- (2) The Executive Officer is encouraged to streamline and standardize the recruitment and selection process, to a reasonable extent, to facilitate a standing pool of volunteer candidates, across the agency.
- (3) Advisory committees may submit names to the Executive Officer for inclusion in a list of interested and qualified candidates but nomination by an Advisory Committee may not be a requirement for appointment.

(b) Appointments and Confirmations.

- (1) Except as it is specifically provided for membership of MPAC and JPACT, or for certain positions specified for elected officials, as set forth in this chapter, all members of all Advisory Committees shall be appointed by the Executive Officer, unless the appointment is specifically assigned to members of the Council. All persons appointed by the Executive Officer or council members shall be subject to confirmation by the Council. A minimum of four (4) votes in favor of a specific appointment shall be necessary to confirm the appointment. Any person whose confirmation is defeated by four (4) or more votes in opposition, shall not be eligible for appointment to the same Advisory Committee during the succeeding twelve (12) months. The appointing authority may remove appointed members.
- (2) Appointments of members to individual Advisory Committees may be subject to nominations made by specified entities to the appointing authority. Under no circumstance shall any Advisory Committee have the authority to nominate members to serve on the committee itself.

- (3) Appointments and confirmation to Advisory Committees may be made with relevant geographical, expertise or other criteria in mind. As a general rule, however, recruitment, appointment and confirmation of committee members will be conducted in a manner that attempts to reflect the demographic profile of the region as a whole.
- (4) Alternate Members. Alternate members may be provided for who may vote only in the absence of a specific regular member. Appointment and confirmation of alternates shall be subject to the same requirements that apply to regular members.

(c) Terms.

- (1) All appointments made by the Executive Officer or members of the Council shall be for a term of two (2) years or to fill a vacancy in the remaining portion of a term not to exceed two (2) years.
- (2) No person may not be appointed to serve more than two (2) consecutive full two (2) year terms on the same committee nor may any person be appointed to fill more than one partial term on any one committee. However, employees of agencies serving as the nominees of their employer are not subject to these limitations on terms.
- (3) Members shall continue to serve until their successor is appointed and confirmed.

(d) Effective Date. The provisions of this chapter take effect on _____, 2001. **[Insert date, which is 90 days after adoption of ordinance.]**

2.19.004 ADVISORY COMMITTEE PURPOSE AND AUTHORITY

The purpose and authority of each Advisory Committee shall be limited to matters specified in the action creating the committee and other matters specifically authorized by action of the Metro Council or other provisions of applicable law.

2.19.005 ADVISORY COMMITTEE BYLAWS

Each Advisory Committee may adopt bylaws governing the Advisory Committee's functions and procedures. Bylaws may not govern the membership or authority of any Advisory Committee. Unless specifically authorized by the Council or the Executive Officer for any specific Advisory Committee, Advisory Committees shall function as committees of the whole and may not appoint sub-committees or otherwise create any advisory body that constitutes a public body pursuant to Oregon Public Meeting law. However, sub-committees of limited duration may be created as provided in Section 2.19.007(d).

2.19.006 TASK FORCES

Task Forces are all Advisory Committees created by Metro Council action that have not been specifically provided for in a provision of the Metro Code. All Task Forces are of limited duration and the existence of any Task Force shall terminate one (1) year after its creation, unless specifically renewed and re-authorized by Metro Council action. However, in no circumstance, may a Task Force may be continued for more than three (3) years unless authorized by a duly adopted ordinance, which shall be codified.

2.19.007 STATUS OF ALL ADVISORY COMMITTEES

- (a) MPAC, JPACT, and MCCI are Advisory Committees that have permanent and continuing existence. MPAC and MCCI were created by the 1992 Metro Charter. JPACT was created pursuant to federal law and Executive Order of the Governor of Oregon. The Metro Council shall provide for these committees in the annual budget. The Executive Officer shall provide reasonable staff support for these three (3) committees from any legally available and budgeted resources.
- (b) All other Advisory Committees authorized by this chapter or other provisions of Metro Code shall continue in active status only so long as the Metro Council specifically provides budgeted resources to support the committee's functions. All committees shall operate on a fiscal year basis, July 1 to June 30. In any fiscal year that Metro Council fails to authorize budgeted resources for any committee, that committee shall be in inactive status and shall not meet.
- (c) Task Forces may be created by Metro Council adopted resolutions, but shall be of limited duration and shall not meet unless the Metro Council has identified specific resources for support within the fiscal year budget at the time the Task Force is created and for any subsequent fiscal year. No Task Force may be re-authorized or continued without the Metro Council identifying resources necessary to support its function. The purpose of the Task Force shall be clearly defined in the authorizing resolution.
- (d) Subcommittees may be created by specific action of Advisory Committees provided that the authorization for any subcommittee may not extend beyond the end of any fiscal year. Any Advisory Committee authorizing or re-authorizing any subcommittee shall identify how the subcommittee will function within the limitation of the budget resources provided to the committee.
- (e) This chapter does not apply to the Smith and Bybee Lakes Management Committee, the Portland Center for Performing Arts Advisory Committee or any other Advisory Committee created or authorized by an agreement between Metro and another government.

2.19.008 METRO POLICY ADVISORY COMMITTEE (MPAC)

(a) Purpose. The purpose of MPAC is to advise the Metro Council and perform the duties assigned to it by the 1992 Metro Charter and to perform other duties that the Metro Council shall prescribe.

(b) Membership. The members of MPAC include:

Multnomah County Commission	1
Second Largest City in Multnomah County	1
Other Cities in Multnomah County	1
Special Districts in Multnomah County	1
Citizen of Multnomah County	1
 City of Portland	 2
 Clackamas County Commission	 1
Largest City in Clackamas County	1
Second Largest City in Clackamas County	1
Other Cities in Clackamas County	1
Special Districts in Clackamas County	1
Citizen of Clackamas County	1
 Washington County Commission	 1
Largest City in Washington County	1
Second Largest City in Washington County	1
Other Cities in Washington County	1
Special Districts in Washington County	1
Citizen of Washington County	1
 Tri-Met	 1
 Governing body of a school district	 1
 State Agency Growth Council	 1
 Clark County	 1
 City of Vancouver	 1
 <u>Port of Portland</u>	 <u>1</u>
Total	25

(c) MPAC may provide in its bylaws for the creation of a Technical Advisory Committee, which may make recommendations to MPAC.

- (d) A vote of both a majority of the MPAC members and a majority of all councilors may change the composition of MPAC at any time. The MPAC bylaws shall govern the terms of its members.

2.19.009 JOINT POLICY ADVISORY COMMITTEE ON TRANSPORTATION (JPACT)

- (a) Purpose. The purpose of JPACT is to advise the Metro Council and perform the duties assigned to it by Oregon and Federal law and the 1992 Metro Charter and to perform other duties that the Metro Council shall prescribe.
- (b) Membership. The members of JPACT include representatives of the following jurisdictions and agencies:

City of Portland	1
Multnomah County	1
Washington County	1
Clackamas County	1
Cities of Multnomah County	1
Cities of Washington County	1
Cities of Clackamas County	1
Oregon Department of Transportation	1
Tri-Met	1
Port of Portland	1
Department of Environmental Quality	1
Metropolitan Service District (Metro)	3
State of Washington	<u>3</u>
 TOTAL	 17

- (c) The composition, authority and duties of JPACT and JPACT's bylaws may only be changed as provided by applicable law.

2.19.010 METRO COMMITTEE FOR CITIZEN INVOLVEMENT (MCCI)

- (a) Purpose. The purpose of the MCCI is to advise the Metro Council and Executive Officer on the development and maintenance of programs and procedures to aide communication between citizens, the Metro Council and the Executive Officer and perform the duties assigned to it by the 1992 Metro Charter and to perform other related duties that the Metro Council shall prescribe.
- (b) Membership. The MCCI consists of twenty-seven (27) members. The members of MCCI shall be appointed as follows:

- (1) Three (3) representatives from each of the seven (7) Metro Council Districts (for a total of 21).
 - (2) One (1) representative from each of the areas outside of the Metro boundaries of Clackamas, Multnomah, and Washington Counties (for a total of 3).
 - (3) One (1) representative from each of Clackamas County's Committee for Citizen Involvement (CCI), Multnomah County Citizen Involvement Committee (CIC), and Washington County Committee for Citizen Involvement (CCI) (for a total of 3).
- (c) Terms. Notwithstanding the provisions of Section 2.19.003 (c), MCCI members may be appointed to fill up to three (3) consecutive two (2)-year terms.

2.19.011 METRO 401K EMPLOYEE SALARY SAVINGS PLAN ADVISORY COMMITTEE (401K ESSPAC)

- (a) Purpose. Metro established a Salary Savings Plan and Trust ("Plan") effective July 1, 1985. The purpose of Metro's 401K ESSPAC is to give instructions to WM Trust Company, a nondiscretionary Trustee, with respect to all matters concerning the Plan.
- (b) Membership. The 401K ESSPAC consists of a five-person advisory/administrative committee.

2.19.012 METRO CENTRAL STATION COMMUNITY ENHANCEMENT COMMITTEE (MCSCE)

- (a) Purpose. It is the policy of the district to support a community enhancement program in the area of Metro Central Station, 6161 N.W. 61st Avenue, in Portland, Oregon.
- (b) Membership. MCSCE consists of seven members to be appointed and serve terms as follows:
 - (1) Six members to be appointed by the Executive Officer subject to confirmation by the council. The Executive Officer shall make appointments as follows:
 - (a) One member shall be appointed from a list of nominees submitted by the Forest Park Neighborhood Association.

- (b) One member shall be appointed from a list of nominees submitted by the Friends of Cathedral Park.
 - (c) One member shall be appointed from a list of nominees submitted by the Linnton Neighborhood Association.
 - (d) One member shall be appointed from a list of nominees submitted by the Northwest District Neighborhood Association.
 - (e) One member shall be appointed from a list of nominees submitted by the Northwest Industrial Neighborhood Association.
 - (f) One member shall be appointed from a list or lists of nominees submitted by environmental organizations that have or will have an interest in the enhancement area.
- (2) MCSCE shall be chaired by the Metro Councilor representing District 5.
 - (3) In the case of a vacancy in a non-council position on the committee, the Executive Officer shall solicit nominations from the same organizations that were eligible to submit nominations for the original appointment.
 - (4) In all instances, the Executive Officer may reject all nominations for a non-council position on the committee, and request that new nominations be submitted by the affected group.

2.19.013 METRO SOLID WASTE ADVISORY COMMITTEE (SWAC)

- (a) Purpose. The purpose of the Metro Solid Waste Advisory Committee (SWAC) is to:
 - (1) Evaluate policy options and present policy recommendations to the Metro Council and Executive Officer regarding regional solid waste management and planning.
 - (2) Advise Metro on the implementation of existing solid waste plans and policies.
 - (3) Provide recommendations concerning the solid waste planning process to ensure adequate consideration of regional values such as land use, economic development, and other social, economic and environmental factors.

- (4) Provide recommendations on compliance with the Regional Solid Waste Management Plan and applicable state requirements.
- (5) Provide recommendations on alternative solid waste policies and practices developed by subcommittees of the SWAC.
- (6) Recommend needs and opportunities to involve citizens in solid waste issues.
- (7) Recommend measures to build regional consensus for the management of solid waste.

(b) Membership. Members are categorized as follows:

Regular Voting Members

Chair (Metro)	1
Recycling Interests:	3
Facilities (1)	
Composters (1)	
Recycler/advocate (1)	
Hauling Industry:	4
County Areas (3)	
At-Large (1)	
Disposal Sites	3
Undesignated	
Citizen-Ratepayers	6
Citizens (3)	
Business (3)	
Governments:	6
Cities (4)	
Counties (2)	
Total	23

Non-Voting Members:

Metro Regional Environmental Management Director	1
Department of Environmental Quality	1
Clark County, Washington	1

Associate Members:

Additional associate members without a vote may serve on the Committee at the pleasure of the Committee

(c) Appointment of Members.

- (1) Candidates for the representative of recycling facilities shall be solicited from the processing industry and appointed by the Metro Executive Officer. Candidates for the representative of composting facilities shall be solicited from the composting industry and appointed by the Metro Executive Officer. Metro shall solicit candidates for the remaining recycling representative from recycling industries, environmental advocates and other business and civic groups. Candidates for the remaining recycling representative may also submit their names directly to the Metro Executive Officer. The remaining recycling representative shall be appointed by the Metro Executive Officer.
- (2) Solid Waste Hauling Industry candidates shall be solicited from the hauling industry and appointed by the Metro Executive Officer. Solid Waste hauling industry representatives shall include one from each of the three Counties, plus one representing the region at large.
- (3) Disposal Site candidates shall be solicited from the disposal industry and appointed by the Metro Executive Officer.
- (4) A pool of candidates for the citizen representatives shall be nominated by the participating jurisdictions, SWAC members, and by civic and business groups. Candidates may also submit their names directly to the Metro Executive Officer. The Metro Executive Officer shall appoint one citizen member from each of the three Counties, as available.
- (5) A pool of candidates for the business representatives shall be nominated by business groups, the participating jurisdictions, and SWAC members. Candidates may also submit their names directly to the Metro Executive Officer. The Metro Executive Officer shall appoint three business members, as available.
- (6) The representative from the City of Portland shall be appointed by the Mayor of Portland.
- (7) Representatives of Cities within a County shall be appointed by consensus of those Cities.
- (8) Representatives from the Counties shall be appointed by the Chairperson of the County Board.

- (d) Appointment Of Alternate Members. Alternate members shall be specifically named for recycling, the solid waste hauling industry, disposal site, and government positions and shall be appointed in the same manner as regular members. Alternates can vote in the absence of the regular Committee member and have full rights and responsibilities of the Committee member in his/her absence. Upon resignation of an Advisory Committee member, a new member shall be appointed in accordance with the appointment of regular members' section of the Bylaws.
- (e) Appointment Of Non-Voting Members. Non-voting members may be named by the non-voting agency represented.
- (f) Membership.
- (1) Terms of Office - The Executive Officer may review the status of the Committee Membership every four (4) years and appoint new members as needed.
 - (2) Attendance - It is expected that members will be present and participate at all regular meetings. Members who are absent from four or more regular meetings in one calendar year may be asked by the Executive Officer or Committee Chair to resign. Industry, facility and government representatives who send alternates to attend in their absence will be counted as present.
 - (3) Restriction on Representation by One Company - No more than one regular voting member of the Committee may be employed by the same company.
- (g) Officers.
- (1) Chair. The permanent Chairperson of the Committee shall be the Metro Council REM Committee Chairpersons.
 - (2) Vice-Chair. In the absence of the Chairperson, the Committee shall be chaired by the Vice-Chairperson.
- (h) Subcommittees. Subcommittees may be established by the Chairperson as necessary upon request of the Committee. Membership composition shall be determined according to mission and may include individuals who are not members of the Committee. All such subcommittees shall report to the Committee.

2.19.014 NORTH PORTLAND REHABILITATION AND ENHANCEMENT COMMITTEE (NPREC)

(a) **Purpose.** The purpose of the North Portland Rehabilitation And Enhancement Committee (NPREC) is to make recommendations to the Metro Council regarding policies and the administration of the rehabilitation and enhancement program for the North Portland Area to include as follows:

- (1) Specify the boundaries of the area to be rehabilitated and enhanced;
- (2) Criteria for determining how funds will be used for rehabilitation and enhancement; and
- (3) Continuing public involvement (a committee to recommend projects for funding, etc.).

(b) **Membership.**

(1) Composition of NPREC shall include individuals from Metro, the City of Portland, the State Legislature and North Portland as follows:

Metro Councilor, District No. 5	1
Public Works Commissioner, City of Portland	1
State Senator, District No. 8	1
State Representative, District No. 17	1
Citizens of North Portland	3
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(2) The chairperson shall be the Metro Councilor representing Metro District No. 5. The Metro Council shall appoint the three North Portland citizens from a list provided by the North Portland Citizens' Committee. Each member shall have one (1) vote and the chair may vote on and discuss any matter coming before the NPREC.

2.19.015 INVESTMENT ADVISORY BOARD (IAB)

(a) **Purpose.** An Investment Advisory Board is required by Oregon law. The IAB's purpose, membership and duties are provided for in Metro Code Section 2.06.030(b). These provisions are subject to annual re-adoption by the Council and therefore the provisions of this chapter do not apply to the IAB.

2.19.016 REGIONAL PARKS AND GREENSPACES ADVISORY COMMITTEE (RPGAC)

- (a) Purpose. The purpose of the Regional Parks and Greenspaces Advisory Committee is to:
- (1) Review, comment and make recommendations to the Metro Executive Officer and Council on the policies, plans, programs, and proposed annual budget for the Regional Parks and Greenspaces Department.
 - (2) The RPGAC replaces the Greenspaces Policy Advisory Committee and Multnomah County Parks Advisory Committee.
 - (3) Coordinates its meetings, agendas, work tasks with the Greenspaces Technical Advisory Committee (GTAC).
 - (4) Makes recommendations on implementation activities for the Greenspaces Master Plan, and Greenspaces Bond Measure (when one is passed by the voters) to the Metro Executive Officer and Council.
 - (5) Recommends actions related to Metro's management and operations of Regional Parks and Greenspaces.
- (b) Membership. The RPGAC shall be composed of:
- (1) 11 voting members and one (1) non-voting member. Appointments, except for the officio Metro Council member, shall be made by the Executive Officer and require confirmation. The ex-officio Metro Council member shall be appointed by the Presiding Officer for a two-year term.
 - (2) Seven voting members (one residing in each of the seven Metro Council Districts) from within Metro's boundaries.
 - (3) One voting member residing in Clackamas County, but outside of Metro's boundaries.
 - (4) One voting member residing in Multnomah County, but outside of Metro's boundaries.
 - (5) One voting member residing in Washington County, but outside of Metro's boundaries.
 - (6) One voting member residing in Clark County (to retain the bi-state nature of the Greenspaces planning effort).

- (7) The chair of the RPGAC will come from the voting membership of the RPGAC. The first chair shall be designated by the Metro Executive Officer, confirmed by the Council, serving a one-year term. After this initial period, the RPGAC shall elect its chair from its membership, held by a majority vote. The chair of the Committee will be elected on an annual basis.

2.19.017 RATE REVIEW COMMITTEE (RRC)

- (a) Purpose. The Solid Waste Rate Review Committee (RRC) is established for the following purposes:
 - (1) To enhance the credibility of solid waste disposal rates and the rate setting process.
 - (2) To provide a rational, consistent, stable and predictable process for establishing solid waste disposal rates.
 - (3) To make recommendations to the Metro Council regarding proposed solid waste disposal rates.
 - (4) The RRC has the authority and responsibility to review and make recommendations to the Metro Council regarding:
 - (A) Proposed solid waste disposal rates and charges at facilities owned, operated or under contract to Metro (*see* Metro Code chapter 5.02 and at Metro franchised facilities as provided under the terms of a franchise agreement (*see* Metro Code chapter 5.01));
 - (B) All policy and technical issues related to solid waste disposal rate setting;
 - (C) Direct and indirect expenses included in proposed solid waste disposal rates before the committee; and
 - (D) Any technical analysis of proposed rates or rate setting procedures, developed by Metro staff or a consultant to Metro, for facilities under the purview of the committee.
- (b) Membership. The RRC shall be composed of seven members as follows:
 - (1) One Metro Councilor, who shall serve as committee chair.
 - (2) Two persons engaged in the business of hauling solid waste.

- (3) One person with business-related financial experience.
- (4) One person with experience in establishing rates.
- (5) One person involved with a local recycling or waste reduction program.
- (6) One citizen ratepayer.
- (7) The Metro Councilor serving on the committee shall be appointed by the council presiding officer. All other members shall be appointed by the Executive Officer, subject to confirmation by the Metro Council.

(c) Meetings and Scheduling:

- (1) The committee shall meet at least once every two months, unless a majority of the committee establishes otherwise.
- (2) All rates impacting Metro's budget shall be reviewed on a time line intended to facilitate simultaneous council adoption of the rates and proposed budget in early May. At the beginning of the annual process leading to adoption of Metro rates, the solid waste department shall present to the committee an overview of the process and prior rate-setting efforts, anticipated deadlines, and related data.
- (3) Committee review of all other rates within the purview of the committee shall be scheduled in a manner likely to result in timely consideration by the council.

(d) Rate Review Criteria:

- (1) In reviewing and making recommendations to the council regarding solid waste disposal rates impacting Metro's budget, the committee shall apply criteria established by resolution of the council. The council shall review the established criteria annually, and make revisions as necessary. The committee may recommend to the council changes in established criteria deemed appropriate by the committee.
- (2) In reviewing and making recommendations to the council regarding rates charged by a Metro-franchised solid waste facility under the purview of the committee, the committee shall comply with Metro Code section 5.01.170.

2.19.018 TRANSPORTATION POLICY ALTERNATIVES COMMITTEE (TPAC)

- (a) Purpose. The purpose of the Transportation Policy Alternatives Committee (TPAC) is to provide technical and policy input to JPACT and the Metro Council with the following responsibilities:
- (1) Review the Unified Work Program (UWP) and Prospectus for transportation planning.
 - (2) Monitor and provide advice concerning the transportation planning process to ensure adequate consideration of regional values such as land use, economic development, and other social, economic and environmental factors in plan development.
 - (3) Advise on the development of the Regional Transportation Plan in accordance with the Intermodal Surface Transportation Efficiency Act (ISTEA), the L.C.D.C. Transportation Planning Rule, the 1992 Metro Charter and the adopted 2040 Growth Concept.
 - (4) Advise on the development of the Transportation Improvement Program (TIP) in accordance with ISTEA).
 - (5) Review projects and plans affecting regional transportation.
 - (6) Advise on the compliance of the regional transportation planning process with all applicable federal requirements for maintaining certification.
 - (7) Develop alternative transportation policies for consideration by JPACT and the Metro Council.
 - (8) Review local comprehensive plans for their transportation impacts and consistency with the Regional Transportation Plan.
 - (9) Recommend needs and opportunities for involving citizens in transportation matters.
 - (10) The responsibilities of TPAC with respect to air quality planning are:
 - (A) Review and recommend project funding for controlling mobile sources of particulates, CO, HC and NOx.
 - (B) Review the analysis of travel, social, economic and environmental impacts of proposed transportation control measures.

- (C) Review and provide advice (critique) on the proposed plan for meeting particulate standards as they relate to mobile sources.
- (D) Review and recommend action on transportation and parking elements necessary to meet federal and state clean air requirements.

(b) Membership. Notwithstanding the provisions of Section 2.19.003, memberships and appointments to TPAC are controlled by these provisions:

(1) Representatives from local jurisdictions, implementing agencies and citizens as follows:

City of Portland	1
Clackamas County	1
Multnomah County	1
Washington County	1
Clackamas County Cities	1
Multnomah County Cities	1
Washington County Cities	1
Oregon Department of Transportation	1
Washington State Department of Transportation	1
Southwest Washington Regional Transportation Council	1
Port of Portland	1
Tri-Met	1
Oregon Department of Environmental Quality	1
Metro (Non-Voting)	2
Citizens	6
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In addition, the City of Vancouver, Clark County, C-TRAN, Federal Highway Administration, Federal Aviation Administration (FAA), Federal Transit Administration (FTA), and Washington Department of Ecology may appoint an associate member without a vote. Additional associate members without vote may serve on the Committee at the pleasure of the Committee.

- (2) Each member shall serve until removed by the appointing agency. Citizen members shall serve for two years and can be re-appointed.
- (3) Alternates may be appointed to serve in the absence of the regular member.

- (4) Representatives (and alternatives if desired) of the Counties and the City of Portland shall be appointed by the presiding executive of their jurisdiction/agency).
- (5) Representatives (and alternates if desired) of Cities within a County shall be appointed by means of a consensus of the Mayors of those cities. It shall be the responsibility of the representative to coordinate with the cities within his/her county.
- (6) Citizen representatives and their alternates will be nominated through a public application process, confirmed by the Metro Council, and appointed by the Presiding Officer of the Metro Council.
- (7) Metro representatives (non-voting) shall be appointed one each by the Metro Executive Officer and Council Presiding Officer.
- (8) Each member or alternate of the Committee, except associate members, shall be entitled to one vote on all issues presented at regular and special meetings at which the member or alternate is present.
- (9) The Chairperson shall have no vote.

2.19.019 WATER RESOURCES POLICY ADVISORY COMMITTEE (WRPAC)

- (a) Purpose. The purpose of the Water Resources Policy Advisory Committee (WRPAC) shall be to advise the Metro Council, Executive Officer and staff on policy and technical matters related to multi-objective watershed management. These policies will strive to manage watersheds to protect, restore and ensure, to the maximum extent practicable, the integrity of streams, wetlands and floodplains and their multiple biological physical and social values. Specific responsibilities include:
 - (1) Assist Metro Council in the development of water resource policies and plans and their periodic review.
 - (2) Provide guidance to the Executive Officer and Metro staff on the conduct of Metro's water resources planning program.
 - (3) Coordinating, facilitating and supporting water resource planning and management activities of local, regional, state and federal agencies.
 - (4) Periodic review of the "208" Plans.
 - (5) Ensuring adequate citizen participation in the water resources planning and management process.

(6) Provide guidance to the Metro Council, Executive Officer and Metro staff in the development of water resources policies, plans and technical documents related to growth management planning, including the Regional 2040 program and the Regional Framework Plan.

(b) Membership. The Committee shall consist of representatives of the following jurisdictions and agencies:

(1) Voting Members:

Metro Councilor Chair
 Management Agencies (One vote each):

	Tualatin Watershed	Clackamas Watershed	Lower Willamette Watershed
Water Supply	TVWD	Clackamas River Water District	Portland Water Bureau
Wastewater	USA*	Oak Lodge	Gresham
Surface Water			
• Urban	USA	Clackamas County	Portland BES
• Agriculture	Washington SWCD	Clackamas County SWCD	East Multnomah SWCD West Multnomah SWCD

*USA has only one vote

Special Interests: (One Vote Each)

Environmental: Oregon Environmental Council
 Portland Audubon Society
 Environmental Member-At-Large
 Fishery Interest

Additional Cities: One city for Clackamas County
 One city for Washington County

Metro Greenspaces
 Advisory Committee: Chair

Industrial Organization: Homebuilders Association

High Tech Business

Nursery Operator Business

Citizens: Tualatin Watershed
Clackamas Watershed
Lower Willamette Watershed
Developer

Total Voting Members: 27

(2) Non-Voting Members:

Dept. of Land Conservation and Development
US Army Corp of Engineers
Port of Portland
Environmental Protection Agency
Portland General Electric
National Estuary Program
Oregon Dept. of Environmental Quality
Oregon Water Resources Dept.
Oregon Dept. of Agriculture
Oregon Dept. of Forestry
Oregon Dept. of Fish and Wildlife
US Fish & Wildlife Service
Natural Resources Conservation Seat

Total Non-Voting Members: 13

(3) Appointment and Tenure.

- (1) Each jurisdiction or agency shall nominate a representative and an alternate who will serve in the absence of the representative. In the case of representatives of multiple jurisdictions or agencies the nominations will be made by a poll of those represented.
 - (A) When action is about to take place to fill a pending vacancy, the vacancy will be listed as WRPAC agenda item, prior to solicitation of nominees.
 - (B) All representatives and their alternatives must be appointed by the Executive Officer and are subject to confirmation by Metro Council.

- (C) Upon absence from three (3) consecutive, regularly scheduled meetings, the nominating jurisdiction or agency shall be requested to nominate a new representative. Attendance by an alternate shall not be grounds for waiver of this requirement.
- (D) Each representative and alternate is responsible for informing and networking with the entities they represent in order to fully inform all parties and solicit their input on matters pertaining to committee work and decisions.

2.19.020 TAX STUDY COMMITTEE

- (a) Creation and Purpose. Before considering the imposition of any new tax or taxes, which do not require prior voter approval under the Charter, the council shall create a tax study committee by adoption of a resolution. The purpose of a tax study committee shall be to consult with and advise the council regarding adoption of these taxes. The resolution shall state the purpose for the creation of the committee, shall include a scope of work, the members of the committee, the staffing arrangement for the committee, and the length of time for the committee to complete its work.
- (b) Committee Composition and Size. A committee shall consist of no more than 11 appointed members, plus the executive officer and the presiding officer as ex officio non-voting members. The membership of the committee shall be representative of the general population, and from any businesses and the governments of cities and counties, special districts and school districts within Metro.
- (c) Appointments. The executive officer shall appoint members of the committee subject to confirmation by the council in the creating resolution. The executive officer shall designate the chair and vice-chair of the committee at the time of appointment. If a vacancy occurs during the time a study committee is functioning, the position shall be filled in the same manner as the original appointment and confirmation.
- (d) Final Report. Upon completion of the scope of work, a committee shall submit a final report to the council on the activities and recommendations of the committee. The council may, upon request of the committee, extend the time of that committee to submit its final report. In no event shall the time be extended longer than six months from the original termination date of the committee. If a committee is unable to agree on a final report, then the chair of the committee shall inform the council in writing of that conclusion.

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 00-860, FOR THE PURPOSE OF ADDING A NEW CHAPTER 2.19 TO THE METRO CODE RELATING TO ADVISORY COMMITTEES

Date: October 19, 2000

Prepared by: Michael Morrissey

Proposed Action: Ordinance 00-860 creates a new chapter in Metro code, under Title II of the code: Administration and Procedures. The new chapter is 2.19, Metro Advisory Committees.

Factual Background and Analysis: As stated in the purpose section of the new code chapter, the intent of this code amendment is to set forth general terms, conditions, functions and responsibility for all advisory committees that have been created by action of the Metro Council are required by the 1992 Metro Charter, or state or federal law. In general, the new chapter applies to all advisory committees subject to Oregon open meetings laws.

The State and Federal Legislative Affairs Committee developed this ordinance during several work session, beginning in March of 2000. Chair McLain said that it had been her and Councilor Monroe's desire to streamline Metro's relationship with its advisory committees, bring consistency to this relationship, and ensure that the budget reflected appropriate support for them. A draft document was prepared by the Office of General Counsel, and significant staff work was performed by Nancy Goss Duran and Karen Withrow of the Executive office, with supporting work by Council office staff.

Key points identified in the ordinance through committee discussion:

- Codifies advisory committee functions and responsibilities, and repeals all other current code references to advisory committees;
- Advisory committees not specifically listed would cease to exist;
- Committee by-laws are no longer the source for nominating committee members;
- Terms are limited to two 2-year terms, except that MCCI members may be appointed for three 2-year terms;
- Resources necessary to staff, and otherwise operate an advisory committee must now be budgeted annually;
- Further streamlining of the process, including recruitment of volunteers on a more standardized basis, is recommended;

The committee also discussed the application of the ordinance to several specific advisory committees in order to ascertain the effect of the ordinance in different situations.

Relation to Existing Law: Repeals existing Metro code relating to advisory committees, and creates new code chapter 2.19.

Budget Impact: Requires that staff and resources for advisory committee operation be budgeted annually.