

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING) ORDINANCE NO 02-960
METRO CODE CHAPTER 2.19, TO MODIFY)
THE TERM LIMITATION PROVISIONS) Introduced by Councilor McLain
APPLICABLE TO METRO ADVISORY)
COMMITTEES AND TO ENLARGE THE)
MEMBERSHIP OF THE SOLID WASTE)
ADVISORY COMMITTEE)
)

WHEREAS, on November 9, 2000, the Metro Council adopted Ordinance No. 00-860A to establish the membership and terms of office for Metro advisory committees; and

WHEREAS, certain advisory committee term limitations do not apply to representatives of local governments; and

WHEREAS, various trade, professional and special interest organizations and associations have historically been represented on Metro advisory committees; and

WHEREAS, representatives of stakeholder organizations contribute valuable technical expertise to the work of Metro advisory committees; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Metro Code Section 2.19.030(c) is amended to read as follows:

“(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) The limitations on terms set forth in subsection (2) shall not apply to:
 - (a) employees of public agencies serving as the representative of their public employer; or

(b) representatives of associations, cooperatives, or other non-profit groups, provided such group continues to re-nominate the designated representative every two years.

~~(3)~~(4) Members shall continue to serve until their successor is appointed and confirmed.”

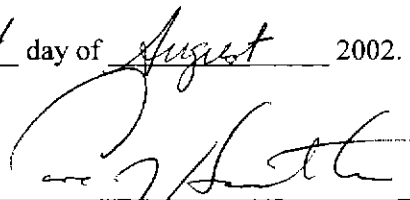
Metro Code section 2.19.130(b) is amended to read as follows:

(b) Membership. Members are categorized as follows:

(1)	<u>Regular Voting Members</u>	
	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)
	<hr/>	
	Total	23
(2)	<u>Non-Voting Members</u>	
	Metro Regional Environmental Management Director	1
	Department of Environmental Quality	1
	Clark County, Washington	1
	<u>Clark County Hauler</u>	<u>1</u>
(3)	<u>Associate Members</u>	
	Additional associate members	

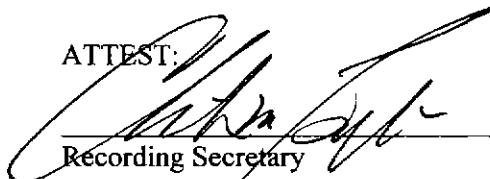
without a vote may serve on
the Committee at the pleasure
of the Committee

ADOPTED by the Metro Council this 15th day of August 2002.




Carl Hosticka, Presiding Officer

ATTEST:



Recording Secretary

Approved as to Form:



Daniel B. Cooper, General Counsel

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GOVERNMENTAL AFFAIRS COMMITTEE REPORT

CONSIDERATION OF **ORDINANCE NO. 02-960**, FOR THE PURPOSE OF OF AMENDING METRO CODE CHAPTER 2.19 TO MODIFY THE TERM LIMITATION PROVISIONS APPLICABLE TO METRO ADVISORY COMMITTEES AND TO ENLARGE THE MEMBERSHIP OF THE SOLID WASTE ADVISORY COMMITTEE

Date: 25 July 2002

Presented by: Councilor McLain

Committee Recommendation: At its July 25, 2002, meeting, the Governmental Affairs Committee voted 2-0 to recommend Council adoption of Ordinance No. 02-960. Voting in favor: Councilors Bragon and Burkholder. Voting against: None. Absent: Councilor Monroe.

Background: John Houser, Council Analyst, presented the staff report. Mr. Houser noted that the purpose of the ordinance is to exempt employees of public employers representing their employers or groups on an advisory committee from term limitation provisions of Metro Code section 2.19. Public employers includes government agencies, associations, cooperatives, and other non-profit groups. In addition, the ordinance also adds a Clark County hauler as a non-voting member to the Solid Waste Advisory Committee (SWAC).

Committee Issues/Discussion: Councilor Bragdon noted that it makes sense to have term limits for citizen appointments, to enable a variety of viewpoints to be heard. In the case of organizational appointments, however, a consistency of viewpoint would be more important.

Councilor Burkholder expressed his general concern with the manner in which organizations are selected to hold seats on advisory committees. He stated that, in the future, he would like to re-visit how such organizations are selected, to ensure adequate representation of differing points of view.

Key Public Testimony: David White, Chair of the Tri-County Council, representing the haulers in the Metro region, expressed his support for the proposed ordinance.

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 02-960, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 2.19 TO MODIFY THE TERM LIMITATION PROVISIONS APPLICABLE TO METRO ADVISORY COMMITTEES AND TO ENLARGE THE MEMBERSHIP OF THE SOLID WASTE ADVISORY COMMITTEE

Date: July 2, 2002

Presented by: Councilor McLain

Background

The proposed ordinance would amend Metro Code Chapter 2.19 create an exception to the current limitations on the number of terms that may be served on Metro advisory committees for individuals representing certain employers or types of organizations. Specifically the limitations would not be applicable to employees of public employers that represent their employer or representatives of associations, cooperatives or other non-profit groups. The ordinance also would add a Clark County hauler to the list of non-voting members on the Solid Waste Advisory Committee.

Analysis/Information

Legal Background. The Council enacted Metro Code Chapter 2.19 in November 2000. The purpose of the new chapter was to assemble code provisions related to Metro advisory committees in a single location and clarify the appointment process, membership and terms of office for committee members. Section 2.19.030(c) limits the length of service for committee members to two-two year terms. The membership of the Solid Waste Advisory Committee is set forth in Section 2.19.130(b). The REM staff periodically review the membership of the committee and make recommendations for additions or deletions.

Anticipated Effect. Many Metro advisory committees have positions that are appointed by specific local jurisdictions or groups of jurisdictions. Many committee positions also are filled by direct appointment by an organization, association or group or such entities are asked to recommend an appointee for a position. Many local governments prefer to appoint employees that have specific expertise that relate to the purpose of a particular advisory committee. In addition, organizations, associations and other groups often wish to appoint members of their staff, such as an executive director, to represent them on committees. In both cases, they desire to have the appointed individual serve for as long as he or she is employed by the jurisdiction or organization.

The solid waste systems of the Metro region and Clark County, Washington are becoming increasingly linked together. For example, there are several non-system licenses that allow Portland-based haulers to take material to disposal facilities in Clark County, disposal facilities would like to access Metro's system fee credit program and Metro processes latex paint collected in Clark County. A representative of Clark County's solid waste regulatory staff has served as a non-voting SWAC member. As recognition that Metro solid waste decisions more frequently affect Clark County haulers and disposal facilities, REM staff is recommending that a Clark County hauler be appointed as a non-voting SWAC member.

Known Opposition. None

Budget Impact. None

Recommended Action. Council adoption of the proposed ordinance.