

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE)	RESOLUTION NO. 23-5312
APPOINTMENT OF DAVID PENILTON TO THE)	Introduced by Council President Lynn
METROPOLITAN EXPOSITION RECREATION)	Peterson
COMMISSION		

WHEREAS, the Metro Code, Section 6.01.030(a) provides that the Metro Council President shall appoint all members to the Metropolitan Exposition Recreation Commission (“the Commission); and

WHEREAS, the Metro Code, Section 6.01.030(b) provides that the Metro Council President’s appointments to the Commission are subject to confirmation by the Metro Council; and

WHEREAS, Commissioner John Erickson’s resignation from the Commission as of December 7, 2022 created a vacancy as defined in Metro Code Section 6.01.030(f) of the Clackamas County nominee under Metro Code Section 6.010.030(d)(1); and

WHEREAS, the Metro Code, Section 6.010.030(g) requires that the Metro Council fill vacancies on the Commission pursuant to the procedure governing the initial appointment of voting members as described in Metro Code Section 6.01.030(e)(1); and

WHEREAS, pursuant to Metro Code, Sections 6.01.030(d)(1)and (f), Clackamas County has nominated David Penilton as a candidate to replace John Erickson as a member of the Commission for the remainder of Mr. Erickson’s term due to Mr. Erickson’s resignation from the Commission; and

WHEREAS, the Metro Council President hereby submits her appointment of David Penilton to the Metro Council for confirmation; and

WHEREAS, the Metro Council finds that David Penilton has the experience and expertise to make a substantial contribution to the Commission’s work; now therefore

BE IT RESOLVED that the Metro Council hereby confirms the Council President’s appointment of David Penilton as a member of the Metropolitan Exposition Recreation Commission, commencing on January 26, 2022 through January 26, 2024.

ADOPTED by the Metro Council this 26th day of January 2023.



Lynn Peterson, Council President

Approved as to Form:



Carrie MacLaren, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 23-5312, FOR THE PURPOSE OF CONFIRMING THE APPOINTMENT OF DAVID PENILTON TO THE METROPOLITAN EXPOSITION RECREATION COMMISSION

Date: January 26, 2023

Prepared by: Steve Faulstick
General Manager, Metro Visitor Venues

BACKGROUND

The Metro Code, Section 6.01.030(a), gives the Metro Council President sole authority to appoint all members of the Metropolitan Exposition Recreation Commission, subject to confirmation by the Council. Commissioner John Erickson resigned from the Commission on December 7, 2022. This created a vacancy on the Commission pursuant to Metro Code Section 6.01.030(f) and the Metro Council President fills this vacancy through the appointment process described in Section 6.01.030(e). Since Mr. Erickson was a Clackamas County nominee under Section 6.01.030 (d)(1), Clackamas County nominates the candidate for filling this vacancy. Under Sections 6.01.030(e)(1) of the Metro Code, the Metro Council President has the authority to concur with Clackamas County's nomination and submit it to the Council for confirmation, or reject it.

The Clackamas County Commission has recommended the appointment of David Penilton following the resignation of John Erickson on December 7, 2022 for membership on the Commission and the Metro Council President has appointed Mr. Penilton to the Commission subject to Metro Council confirmation. If confirmed, Penilton will, pursuant to the Metro Code Section 6.01.030(f), serve the remainder of Mr. Erickson's term ending January 26, 2024.

ANALYSIS/INFORMATION

- **Known Opposition.** None
- **Legal Antecedents.** Metro Code as referenced above.
- **Anticipated Effects.** Appointment of Mr. Penilton to the Metropolitan Exposition Recreation Commission, in the manner provided by the Metro Code.
- **Budget Impacts.** None

RECOMMENDED ACTION

The Metro Council President recommends approval of Resolution 23-5312 to confirm the appointment of David Penilton to the Metropolitan Exposition Recreation Commission beginning on January 26, 2023 through January 26, 2026.



BOARD OF COUNTY COMMISSIONERS
PUBLIC SERVICES BUILDING
2051 KAEN ROAD | OREGON CITY, OR 97045

January 20, 2023

Metro
Council President Lynn Peterson
600 NE Grand
Portland, OR 97266

RE: MERC appointment

Dear Council President Peterson,

The Board of County Commissioners is pleased to recommend David Penilton, as their selection for the Metro Exposition Recreation Commission. Please accept him as Clackamas County's representative.

Thank you for the opportunity to provide this recommendation.

Sincerely,

A handwritten signature in blue ink that reads "Tootie Smith". The signature is fluid and cursive.

Tootie Smith, Chair
On Behalf of the Clackamas County Board of Commissioners