

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

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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.