



Randy Lauer, *Mayor*

David Ripma

Alison Caswell

Jamie Kranz

Glenn White

Nick Moon

Sandy Glantz

## Agenda

### January 10, 2023

Regular Meeting | 7:00 p.m.

Troutdale Police Community Center – Kellogg Room  
234 SE Kendall Ct, Troutdale, OR 97060

- 1. Pledge of Allegiance, Roll Call, Agenda Update**
- 2. Motion:** Election of the 2023 Council President
- 3. Public Comment:** Public Comment on non-agenda and consent agenda items is welcome at this time. *Public comment on agenda items will be taken at the time the item is considered. Public comments should be directed to the Presiding Officer and limited to matters of community interest or related to matters which may, or could, come before Council. Each speaker shall be limited to 5 minutes for each agenda item unless a different amount of time is allowed by the Presiding Officer, with consent of the Council. The Council and Mayor should avoid immediate or protracted responses to citizen comments.*
- 4. Presentation:** Introduction of Police Chief Doug Asboe and Sheriff Nicole Morrisey O'Donnell. – *Ray Young, City Manager*
- 5. Update:** Franchise agreement review of Waste Management. – *Ryan Largura, Environmental Specialist*
- 6. Resolution:** A resolution approving the City's Financial Statements and Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2022, and accepting the Independent Auditors' Reports. – *Erich Mueller, Finance Director*
- 7. Discussion:** Information and discussion regarding possible Council vacancy. – *Ed Trompke, City Attorney*
- 8. Staff Communications**
- 9. Council Communications**
- 10. Adjournment**

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**Randy Lauer, Mayor**

**Dated: January 5, 2023**

## Meeting Participation

The public may attend the meeting in person or via Zoom. Please email [info@troutdaleoregon.gov](mailto:info@troutdaleoregon.gov) by **5:00pm on Monday, January 9<sup>th</sup>** to request Zoom meeting access credentials. You may also submit written public comments via email to [info@troutdaleoregon.gov](mailto:info@troutdaleoregon.gov) no later than **5:00pm on Monday, January 9<sup>th</sup>**. City Council Regular Meetings are broadcast live on Comcast Cable Channel 30 (HD Channel 330) and Frontier Communications Channel 38 and replayed on the weekend following the meeting - Friday at 4:00pm and Sunday at 9:00pm.

Further information and copies of agenda packets are available at: Troutdale City Hall, 219 E. Historic Columbia River Hwy. Monday through Friday, 8:00 a.m. - 5:00 p.m.; on our Web Page [www.troutdaleoregon.gov/meetings](http://www.troutdaleoregon.gov/meetings) or call Sarah Skroch, City Recorder at 503-674-7258.

The meeting location is wheelchair accessible. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to: Sarah Skroch, City Recorder 503-674-7258.

**MINUTES**  
**Troutdale City Council – Regular Meeting**  
**Troutdale Police Community Center – Kellogg Room**  
**234 SW Kendall Court**  
**Troutdale, OR 97060**

**Tuesday, January 10, 2023 – 7:00PM**

**1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE**

Mayor Lauer called the meeting to order at 7:01pm.

**PRESENT:** Mayor Lauer, Councilor Ripma, Councilor Caswell, Councilor Wunn, Councilor White and Councilor Glantz.

**ABSENT:** None.

**STAFF:** Ray Young, City Manager; Sarah Skroch, City Recorder; Ed Trompke, City Attorney; Erich Mueller, Finance Director; Ryan Largura, Environmental Specialist and Travis Hultin, Interim Public Works Director/Chief Engineer.

**GUESTS:** See Attached.

Mayor Lauer asked for agenda updates.

Ray Young, City Manager, replied there are no updates.

**2. MOTION: Election of the 2023 Council President**

Councilor White nominated Councilor Ripma for Council President.

**MOTION: Councilor White moved to approve the motion electing Councilor Ripma as Council President for 2023. Seconded by Councilor Glantz.**

**VOTE: Councilor Ripma - Yes; Councilor Caswell – Yes; Councilor Wunn – Yes; Mayor Lauer – Yes; Councilor White – Yes and Councilor Glantz – Yes.**

**Motion passed 6-0.**

**3. PUBLIC COMMENT: Public comment on non-agenda and consent agenda items is welcome at this time.**

None.

**4. PRESENTATION:** Introduction of Police Chief Doug Asboe and Sheriff Nicole Morrisey O'Donnell.

<0:05:45>

Ray Young stated Troutdale has a new Sheriff, Nicole Morrisey O'Donnell and a new designated Chief of Police, Captain Doug Asboe.

Sheriff Morrisey O'Donnell stated she served as Troutdale's Chief Deputy from 2019-2021 and she has been with MCSO over 26 years. She values the partnership with the City of Troutdale. Service is her heart and that's how she started her career. She was appointed to Undersheriff in 2021 and elected as MCSO Sheriff. Some of her top priorities are reducing gun violence and improving public safety. MCSO works collaboratively with Gresham PD, Portland PD, Oregon State Police and their Federal partners. They've recognized that gun violence has no borders. They all are trying to be proactive in reducing gun violence in their communities. They are very engaged with community groups. MCSO added an investigator as well as 2 other resources in their Gun Dispossession Unit last year. That unit has been extremely successful. Recruiting, hiring and retention has been a challenge. MCSO is only down 2 deputy sheriffs. They are making sure they are up to date on best practices. They're addressing livability concerns and making sure their Homeless Outreach Program Engagement (HOPE) team has resources available and accessible to immediately address livability concerns and align with community expectations. Training is another area she really wants to focus in on, high quality training that meets today's demands. They're working hard on building community trust in each community they serve.

Captain Doug Asboe stated he was born and raised in East County and spent his childhood in Fairview and Gresham. He went into the military and then into law enforcement and has been in the field for over 24 years, starting in Fairview. He has worked as a Patrol Deputy, Patrol Sergeant, Patrol Lieutenant and also supervised the HOPE team as a Sergeant. He was promoted to Captain in October and Patrol Operations Captain. One of the benefits of spending more time in the City of Fairview is learning the value of community policing and the importance of smaller tight knit communities. He looks forward to using his experiences to continue the collaborative partnership with the City of Troutdale.

Councilor Glantz stated she's curious on how they see the best way to work together with the Council. It's good to hear about the local knowledge and experience. She would like to know how Council can help MCSO in Troutdale.

Sheriff Morrisey O'Donnell stated having open lines of communication and working collaboratively with the Council and the City Manager ensures that they share awareness.

Gene Bendt, Troutdale resident, stated he has been a resident since 1990. Safety and quality of life is very paramount. The quality of life and public safety has declined over the past 2 years. He asked to please enforce every law on the books until it has been modified or repealed, which holds true for the DA and prosecutor. He asked what good the laws are if some are, and some are not enforced. Traffic laws are in constant violation. Crime is out of control.

Mayor Lauer stated he appreciates the conversations that he's had with Sheriff Morrissey O'Donnell and Captain Asboe. Whatever Council can do to help, they will do it. He appreciates they understand that each community is different and what works in one may not work in another.

## **5. UPDATE: Franchise agreement review of Waste Management.**

<0:30:46>

Ryan Largura, Environmental Specialist, gave a brief overview of the staff report and presented a PowerPoint (attached as Exhibit A).

Dave Huber, Senior Manager, Waste Management, introduced himself and Director of Pricing, Mike Jefferies.

Mike Jefferies stated he's had the luxury of working with the City of Troutdale for over 25 years. He has helped implement a lot of different programs with the City.

Dave Huber presented a PowerPoint (attached as Exhibit B).

Councilor Ripma stated he favors option #2 and renegotiating the current franchise with Waste Management before the year ends.

Councilor Caswell stated she favors option #2.

Councilor Wunn stated he's been repairing his cans when the bungees go bad. They get destroyed by the machine that picks them up. He asked if that could get taken care of. He asked how to easily dispose of batteries. Waste Management does a good job, and he loves the bulky pickup. The trucks are all clean and he appreciates it. He is leaning towards option #2.

Mike Jefferies stated there are newer containers with a new locking technology rather than bungees. Batteries in other areas are starting to be collected in glass containers.

Councilor White stated he thinks option #2 is the way to go. If rates get too high, then we might look at doing something on our own. Duplexes get charged commercial rate but there's no difference in service.

Councilor Glantz asked why Troutdale's rates are lower than some of the other communities.

Mike Jefferies stated Troutdale is more efficient with the transfer station there. Troutdale has a 5% franchise fee, Gresham is 10% plus an extra fee so they're closer to 20%.

Councilor Glantz stated she is leaning towards option #2.

Mayor Lauer stated he enjoys Troutdale's service. He is leaning towards option #2.

Adrian Koester, Troutdale resident, stated he has no major complaints. He explained that the last couple of bulky waste pickups on his street was missed entirely and customer service had no idea about the event at all. A closer spot to be able to drop off cardboard or a truck load of garbage would be nice.

Gene Bendt suggested adding bungee cords to yard debris cans. Waste Management does a great job.

**6. RESOLUTION):** A resolution approving the City's Financial Statements and Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2022 and accepting the Independent Auditors' Reports.

<1:17:36>

Erich Mueller, Finance Director, gave a brief overview of the staff report.

**MOTION: Councilor Ripma moved to approve the resolution approving the City's Financial Statements and Annual Comprehensive Financial Report (ACFR) for the fiscal year ended June 30, 2022 and accepting the Independent Auditors' Reports. Seconded by Councilor Glantz.**

**VOTE: Councilor Ripma - Yes; Councilor Caswell – Yes; Councilor Wunn – Yes; Mayor Lauer – Yes; Councilor White – Yes and Councilor Glantz – Yes.**

**Motion passed 6-0.**

Break 8:35pm – 8:40pm.

**7. DISCUSSION:** Information and discussion regarding possible Council vacancy.

<1:39:18>

Ed Trompke, City Attorney, stated Councilor Nick Moon has chosen to not take the oath of office for the upcoming term to which he was elected. He stated he was asked how there could be an incumbent when there is nobody in the seat. The Charter says that the office becomes vacant if the incumbent dies and a few other things. Section 24 of the code says that councilors continue in service until their successor assumes the office. Section 27 of the Charter talks about what creates a vacancy. There are 4 automatic vacancies; if the incumbent dies, is judged incompetent by a court, is recalled from office or resigns. Councilor Moon has said that he is not going to take the oath so we will have to wait 10 days for him to not take the oath and qualify for the office and at that point, Council can declare the post vacant and take action to fill it. Exhibit B is an application for appointment and that can set up a schedule for people to anticipate applying for the position. Four Councilors will need to vote for the replacement and it would be filled until the next general election (November 2024).

Councilor Ripma stated he agrees with the process in the staff report.

Councilor Wunn stated the process sounds reasonable. He likes the timeline.

Councilor White asked if a Charter change needs to be looked at if this were to occur again.

Ed Trompke stated the Charter doesn't require the 3-week period here. In terms of the 10 days to qualify, he thinks it's fair and it comes from the League of Oregon Cities form of Charter.

Jordan Wittren, Troutdale resident, stated he is very interested in the position and will be applying. He's been on several committees and this is a prime opportunity for him.

Paul Wilcox, Troutdale resident, read from a self-prepared statement (attached as Exhibit C).

Ed Trompke stated as far as the question, could this apply to the 2-year term for a position that became vacant as a result of someone being elected in that election to a different post, the answer is no because the ballot will say on it there are 4 positions, vote for 4. If there are 6 or 8 people, you would vote for 4. You can't fill 5 positions out of that.

Councilor Ripma stated that he likes the outline and application.

Councilor Glantz asked if applications could be filled out online. She suggested having a limit on characters on each question.

Ray Young stated it will be available as a fillable PDF form.

Councilor Caswell stated she thinks the process looks good and she's in agreement.

Councilor White stated he thinks staff made the right call to not notify the voters. That was on Nick's shoulders.

## **8. STAFF COMMUNICATIONS**

<2:15:50>

Ray Young provided the following staff communications:

- LOC Day at the Capitol is 1/25, notify Ray if you would like to go
- TCAB WS this Thursday to discuss proposals
- East County Leaders Gathering at McMenamins on 1/23
- URA meeting next week 1/17
- 1/16 MLK day and City Offices will be closed
- Parks Master Plan is almost done, now entering public comment on the draft

## **9. COUNCIL COMMUNICATIONS**

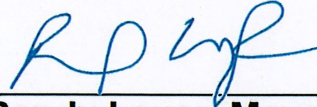
<2:19:16>

Councilor White stated it's been quite a December weather wise. He was going to use Sandy Avenue the day his power went out and the road was closed. He's wondering why it was never plowed. He uses that street as a snow route.

**10. ADJOURNMENT**

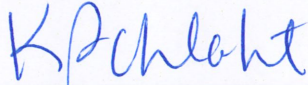
**MOTION:** Councilor Ripma moved to adjourn. Seconded by Councilor Wunn. Motion passed unanimously.

Meeting adjourned at 9:25pm.



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**Randy Lauer, Mayor**  
**Dated: March 15, 2023**

**ATTEST:**



\_\_\_\_\_  
**Kenda Schlaht, Deputy City Recorder**



# CITY OF TROUTDALE

City Council – Regular Meeting  
7:00PM

Tuesday, January 10, 2023

## PLEASE SIGN IN

*CREEK LAKE*

Name – Please Print	Address	Phone #
Richard Goldie	2437 SE Beaver	503 661 0126
<del>WONEXNAF</del>		
Zan, P		
Meghann Gardner	3306 SE 3rd Street	206 384-9976
James Stewart	2153 SE Lewis	503-887-7818
Jordan WITTEN	1425 SE HARLOW	503 679 9558
PAUL WILCOX	TROUTDALE	
Mike Jefferson	7227 NE 55th Ave	(83) 331-2251
DAVE Hubel	7227 NE 55th Ave	503-462-0508
Rick Allen	Troutdale	
CENE BENST	TROUTDALE	503-667-8421
Heidi Timberman	Troutdale	
Ryan Larajua	342 SW 4th St.	503-674-3311

*[Handwritten mark]*

## January 10, 2023 City Council Regular Mtg. - Zoom Guest List

<b>Name (Original Name)</b>	<b>User Email</b>
Troutdale Conferencing	troutconf@troutdaleoregon.gov
Alison Caswell	
Councilor Ripma	
Lindy's iPhone	
Sarah Skroch (Troutdale Conferencing)	troutconf@troutdaleoregon.gov
tim.seery	
Testimony Table	
iPhone	
Sandy Glantz	
Oasis Team	
Geoffrey Wunn	
Travis H	
Glenn White	
Matt Lawrence	
Adrian Koester	
Randy Lauer	
Troutdale Conferencing	troutconf@troutdaleoregon.gov



**Exhibit A**

January 10, 2023 Council Meeting Minutes

# Franchise Agreement Discussion

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City of Troutdale

Public Works Department

January 10, 2023

# Background

## Troutdale Municipal Code (TMC) Section 8.40.030(A)

- ❑ The exclusive franchise agreement provided for by this chapter shall be for a period specified in the franchise agreement but not to exceed eight years.
- ❑ Every four years, council will review the franchise agreement and may elect to extend the franchise for an additional four years, thereby returning the remainder of the franchise term to eight years.
- ❑ Council has the authority to choose not to extend the franchise for any reason. If the council decides not to extend the franchise, it shall, prior to the expiration of the franchise select a hauler through an alternative selection process.



# WM Service Level Numbers

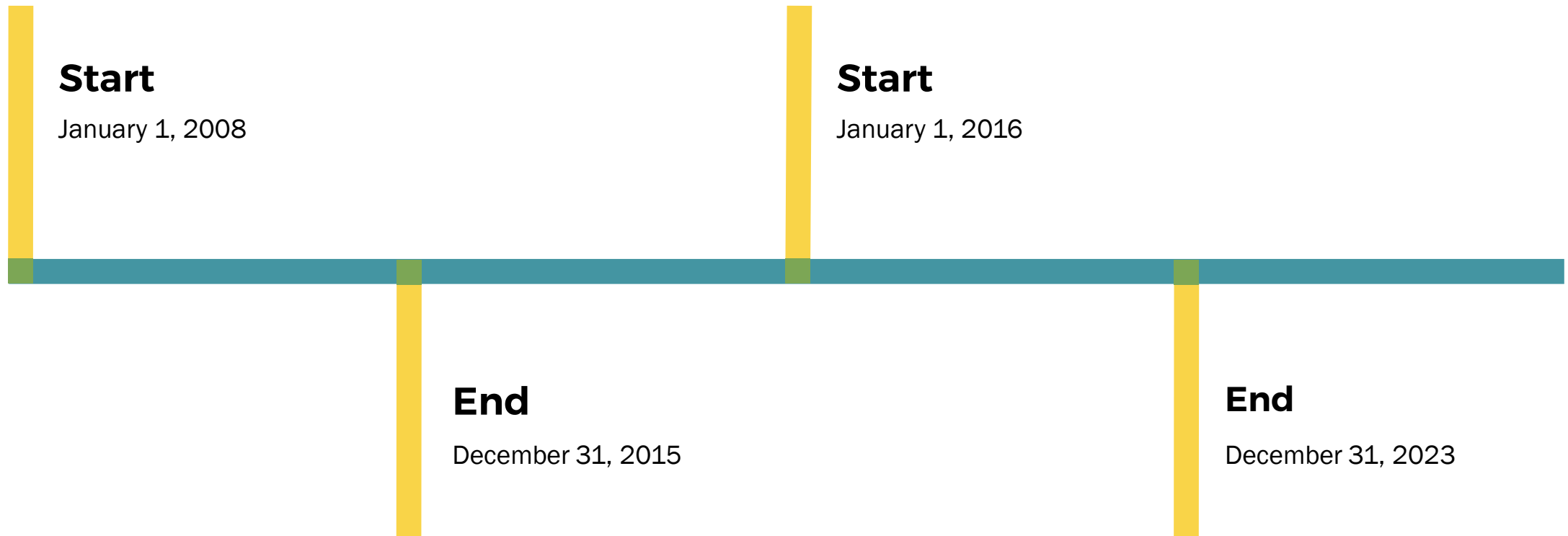
## Customer Counts

- Residential: 4,477 customers
  - Annualized Services = Total # of services (garbage, recycling, yard debris) each provided for 52 weeks
  - $4,477 \times 156 = 698,412$  annual services offered to residents
- Commercial: 270 customers
- Industrial: 54 customers
  - 21 w/ Temporary Services
  - 33 w/ Permanent Services

## Diversion Rates

- 2021 Residential
  - 3,879.4 tons of MSW
  - 1,340 tons of Recycling
  - 1,156 tons of Yard Debris
  - $2,496 / 6,375 = 39\%$  Diversion Rate
- 2022 Commercial
  - 3,211 tons of MSW
  - 1,100 tons of Recycling
  - $1,100 / 4,311 = 25.5\%$  Diversion Rate

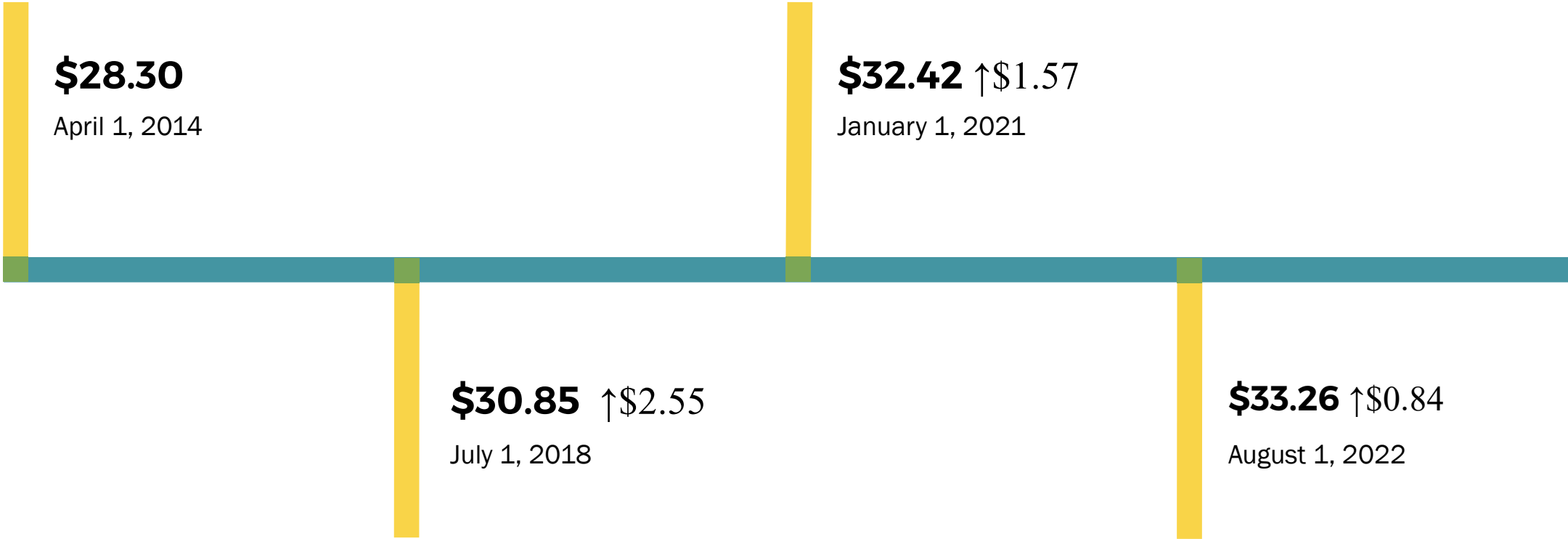
# Timeline of Recent Franchise Agreements with Waste Management



# Regional Rate Comparison

Jurisdictions	Weekly Residential 35-gal. Cart	Weekly Commercial 1 yard Container	Hauler
City of Beaverton	\$29.40	\$110.11	5 Haulers
City of Fairview	\$36.55	\$100.80	12-Mile Disposal
City of Gresham	\$36.62	\$104.86	5 Haulers
City of Lake Oswego	\$36.17	\$157.30	Republic Services
City of Milwaukie	\$35.95	\$109.94	3 Haulers
City of Oregon City	\$29.96	\$156.93	Oregon City Garbage Co., Inc.
City of Troutdale	\$33.26	\$105.64	Waste Management

# Troutdale Garbage Rate Increases for Weekly Residential 35-gal. Cart since 2014





# Community Survey Results

## General

- Available from August through September 2022
- 76 Responses total, average of 63 responses for section
- Primarily Residents who have lived in Troutdale at least one year
- Used a scale of 1-5 (5 being highly satisfied)

## Customer Service Satisfaction

- Averaged 63 responses per each of five questions
- 42.1 % average response with a 5 rating
- 23.9% average response with a 4 rating
- 22.4% average response with a 3 rating
- None of the questions had percentage totals of over 20% for 1 & 2 rating

## Garbage & Recycling Collection Services

- Averaged 66 responses per each of seven questions
- 37.6% average response with a 5 rating
- 25.6% average response with a 4 rating
- 14.8% average response with a 3 rating
- Fees/rates issue had a total of 21.7% for 1 & 2 rating
- Driver pick-up blown garbage etc. issue had a total of 28.9% for 1 & 2 rating
- Bungee cord issue had a total of 41.2% for 1 & 2 rating
- Did not include bulky-waste curbside collection event question

# Other Performance Measures

## Resident Concerns

- Curbside service such as:
  - Placement of roll cart after collection
  - Missed collection of garbage and/or recycling carts
  - Blowing garbage/recyclables not picked-up during collection
- Long wait times for customer service
- Customer service rep does not know issues in Troutdale

## WM Oregon Customer Service Call Center

- Average Calls per Day = 584
- Average Wait per Call = 4.43 minutes
- % Handled = 86%
- % Abandoned = 14%

# Potential Options

## Option 1

- Choose additional performance criteria to review at a future City Council meeting

## Option 2

- Negotiate a new Franchise Agreement with WM prior to the expiration of the current agreement for a time period not to exceed 8 years

## Option 3

- Conduct a competitive bid process

# Pros and Cons

## Cons

- Option 1: delays decision that would further impact timeline for competitive bid process
- Option 2: does not allow City Council the opportunity to evaluate what other haulers may offer
- Option 3: requires money not currently budgeted for
- Options 2 & 3: a shorter Franchise Agreement time period makes it difficult for a hauler to invest in equipment and amortize cost

## Pros

- Option 1: allow City Council to potentially have more information before providing a direction
- Option 2: negotiate a Franchise Agreement time period that City Council is comfortable with while staff continues to build on and evaluate working relationship with WM
- Option 2: the Troutdale Transfer Station reduces drive time for collection trucks and potentially cost of collection service
- Option 2: the Troutdale Transfer Station may allow an increase in services available related to RMA
- Option 2: provides stability to the City's solid waste and recycling services and to staff during a time of change in the coming years
- Option 2: saves money not currently budgeted for consultant services
- Option 3: provides City Council the opportunity to evaluate what other haulers may offer in terms of rates and services



**CITY OF TROUTDALE**  
**PUBLIC WORKS**  
**DEPARTMENT**

# Questions?

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Thank you for your time.

**City of Troutdale**

Public Works Department



# WM & City of Troutdale

Reducing Waste.  
Protecting the environment.  
Looking toward the future.

Dave Huber – Sr. Manager Public Sector  
Mike Jefferies – Director of Pricing

January 10, 2023

Exhibit B

January 10, 2023 Council Meeting Minutes



# Tonight's Discussion

1. WM Troutdale Collection Operations
2. Collection Rates
3. Troutdale Transfer Station
4. Looking ahead to the future

# WM Collection Services

## Residential, Commercial and Industrial

- Operating in Troutdale since 1996
- Comprehensive recycling, yard debris and garbage service
- Serving the following customers:
  - 4,477 Residential
    - Weekly trash, recycling and yard debris
  - 270 Commercial
    - Weekly trash and recycling
  - 54 Industrial/Drop Box
    - MSW, Construction and Recycling





## Rate Comparison – January 2023

Municipality	20-gallon	32/35-gallon	60/65 gallon	90/95 gallon	Commercial 2-Yard
Troutdale	\$27.86	\$33.26	\$39.00	\$47.19	\$178.28
Fairview	\$32.27	\$36.55	\$46.23	\$51.79	\$180.70
Clackamas County	\$30.90	\$35.60	\$46.45	\$54.85	\$192.61
Milwaukie	\$31.85	\$36.70	\$47.70	\$56.25	\$191.92
Gresham	\$31.78	\$36.62	\$48.09	\$54.20	\$189.33

# WM Troutdale Transfer Station

- **Instrumental in delivering cost effective collection rates**
- **Per ton city tax to the general fund is estimated at \$45,000 annually**
- **\$1.00 per ton Metro community enhancement fee**
- **City clean up event on November 19, 2022**
  - Almost 100 customers participated
  - 227 items & 10,690 pounds accepted



# Looking ahead to the future

- **Recycling Modernization Act (RMA)  
Oregon Senate Bill 582**
  - Recycling program changes start July 2025
  - Shared responsibility recycling system with producer responsibility
  - DEQ needs assessment survey due April 2023
- **Recycle+ Program Available**
  - Added recycling materials picked up at the curb/subscription service
  - Materials include plastic film/bags, clear plastic #1 clamshell containers, textiles, and compact fluorescent lights bulbs
  - Implementations to date: Washington County, Beaverton, King City, Sherwood
- **Metro's New Multi-family Service Standards**
  - All receptacles must comply with color standards by July 1, 2028
  - Recycle = blue, trash = gray, yard waste = green and glass = orange



# WM and the City of Troutdale Moving forward together!

On behalf of the WM employees who service the Troutdale community, thank you for your partnership.

We appreciate the opportunity to remain your environmental service provider.



## Exhibit C

January 10, 2023 Council Meeting Minutes

Mayor and Councilors,

I'll start with the staff report statement "Despite his public pleas for voters not to vote for him he was elected to a second term." Making this announcement on his Councilor Facebook page falls far short of being the town crier. Also, the city made no attempt whatsoever to notify the voters that Councilor Moon would not be eligible to serve if elected.

The next issue addressed in the staff report is how to officially announce the vacancy. Both subsections A and B of Section 27 What Creates a Vacancy include "if the incumbent:" prior to the enumerated listings.

Councilor Moon would be a Councilor-elect, not an incumbent. I consider this a "deficiency" in Troutdale's Charter language. I found several area cities with Charters which account for non-incumbent vacancies. To cite the nearest city, Gresham's reads "Failure of a person elected or appointed to an office to qualify for the office within ten days after the time for his or her term of office to commence shall result in the office being deemed vacant." While Troutdale's B. 2. is somewhat similar, it is still preceded by "if the incumbent".

The next point in the staff report is the process for filling the vacancy. The report states "Neither the Charter nor any Ordinance specifies the process that must be followed by the Council." The appointment procedure described has been the standard practice for filling the last three vacancies, which were those created when mid-term Councilor Jim Kight was elected Mayor in 2008, mid-term Councilor Matt Wand was elected to the Oregon House in 2010, and the resignation of Eric Anderson early in the last year of his term in 2016. None of the three replacement appointees had been candidates on the ballot.

However, this election Troutdale was operating under "top three" election of Councilors, rather than elect-by-position. When Troutdale was using the "top three" method prior to 1978, it was the practice to appoint the fourth-place finisher to an open seat. To quote Mayor Sturges from a 1976 Gresham Outlook article by Sharon Nesbit "A fourth position, held by Councilman Mike Mahoney, will probably be filled by appointment after the election. Mahoney, who announced his resignation several months ago, agreed to serve through November since the Council traditionally fills vacancies by appointing an unsuccessful candidate to the post. We're not

required to do that, said Sturges, but after all, it's an unpaid job. After the election we have a list of people who have indicated their willingness to serve." I won't quote the Resolution here, but it basically reads the appointee was placed based on having been the fourth-place finisher. This in turn raises the question of what is meant by the following amended Charter language under Section 23 Elections, which states "Then, any positions for two year terms shall be filled with the candidates receiving the next greatest numbers of votes, in decreasing order, until all positions are filled." Is this meant to apply to only "existing" vacancies, or may it also apply to vacancies that occur as a direct result of the same election? For example, would it apply if a mid-term Councilor ran for Mayor or other higher office and won election? This could very well occur in 2024. I have to assume at the very least that the second two years of Councilor Moon's four-year term will in fact be filled by the fourth-place candidate in the next election. Under the "top three" system, that seat can't be separated out as it would be under elect-by-position. There could be as many as four new Councilors, and if a mid-term Councilor were elected Mayor, an additional vacancy would be created, subject to either appointment or fifth-place finisher. Hopefully, 2024 will see more candidates than 2022.

Whether this particular vacancy is filled by recruitment and appointment, or is awarded to the fourth-place candidate, is a major decision. On the one hand, you have a candidate who received over 2,600 votes, and on the other hand, a non-candidate who wasn't interested enough to go before the voters, and is awarded the seat based on the approval of as few as four Council members. During the 2011 Work Session to appoint Matt Wand's replacement, Councilor White is quoted as saying "My preference is to always have the voters make this decision,"

It would be a serious disservice to voters to dismiss those votes out of hand. Between poor turnout and under voting down ballot, citizens don't need additional reasons to believe that their votes don't matter.

As a closing side note, I'd point out that at the last Council meeting there were two 4-3 vote decisions, so it can make a big difference who the seventh member is and who has chosen them.

Submitted by:

Paul Wilcox

Troutdale  
1/10/23