

Policy Committee Meeting Minutes
May 9th, 2014, 9:00 – 11:00 am
TVFR Command and Business Operations Center
11945 SW 70th
Tigard, OR



Attendance

Policy Committee:

1. Brian Adams, Councilor, City of Sandy
2. Kathryn Harrington, Councilor, Metro
3. John Ludlow, Commissioner/Chair, Clackamas County
4. Tom Mielke, Commissioner, Clark County (alternate for Commissioner David Madore)
5. Steve Novick, Vice Chair; Commissioner, City of Portland
6. Larry Preston, Councilor, Columbia City
7. Dick Schouten, Commissioner, Washington County
8. Larry J. Smith, Councilor, City of Vancouver
9. Loretta Smith, Commissioner, Multnomah County
10. Kim H. Tierney, Councilor, City of Vernonia

Quorum: 10 of 17 voting members present

Steering Committee:

1. Bob Cozzie, Chair, Clackamas County Representative
2. Joe Rizzi, Vice Chair, Multnomah County Representative
3. Scott Porter, Washington County Representative
4. Carmen Merlo, City of Portland Representative, UASI Point of Contact
5. Cara Sloman, NGO Representative, American Red Cross
6. Dave Ford, At-Large Representative, Private Sector/Utilities
7. Anna Pendergrass, Clark County Representative

Other RDPO and Guests:

1. Cheryl Bledsoe, Chair, Emergency Management Work Group (REMTEC)
2. Todd Felix, Vice Chair, REMTEC
3. Denise Barrett, RDPO Manager
4. David Gassaway, RDPO Regional Planner
5. Brian Landreth, RDPO Training and Exercise Coordinator
6. Kristen Baird, RDPO Program Communication Specialist
7. Josh Goldschmidt, Metropolitan Air Support Team (MAST), Portland Police, Law Enforcement Work Group (LEWG)
8. Kristi Butcher, MAST, Portland Police, LEWG
9. Paul Slyman, Metro
10. Sue Mohnkern, Program Committee Vice Chair
11. Axel Swanson, Clark County
12. Rachel Philofsky, Multnomah County Emergency Management

Minutes

- 1) **Meeting Opening** – Steve Novick, Vice Chair (substituting for Tony Hyde, Chair)
 - a) Welcome & Introductions
 - i) Commissioner Steve Novick opened the meeting by welcoming all participants.
 - ii) Following opening remarks, all participants introduced themselves.
- 2) **Administrative Matters** – Steve Novick

- a) Vice Chair Novick called for amendments to the minutes from the last meeting (March 28, 2014.) With no changes voiced, Vice Chair Novick called for a motion. Commissioner Schouten moved to approve the minutes; Councilor Tierney seconded the motion. The Committee then unanimously approved the March 28, 2014, meeting notes as written.

3) Regional Law Enforcement Capabilities in Action – Josh Goldschmidt & Kristi Butcher, Metropolitan Air Support Team, Portland Police and RDPO Law Enforcement Work Group

- a) Presentation centered on the August 2013 successful operation using specialized regional capabilities to locate and apprehend a suspect using green lasers to distract and disorient air traffic pilots upon arrival and final descent into PDX Airport.
 - i) Majority of equipment used in mission was funded by UASI including the Cessna Air 2 and equipment installed outside and inside the aircraft such as FLIR (thermal imaging), moving map system (used to locate specific addresses), and video downlink (used to feed live video to other involved partners).
 - ii) This mission was highly dependent on UASI equipment and coordination of regional partners for success.
- b) FAA and FBI began tracking laser strikes (using handheld laser pointers) that illuminate aircraft upon approach in 2004. These strikes have increased significantly within the last three years.
 - i) In July 2013, at its peak, 48 laser events were reported in Portland.
 - ii) Green and yellow light are particularly damaging to individuals eyes and are a significant hazard especially for pilots upon descent of an aircraft where the workload is highest coordinating landing.
 - iii) A laser light directly hitting the eyes can make a pilot become disoriented, nauseous, and even lose control of an aircraft.
- c) The alleged green laser perpetrator had struck multiple aircraft over many months; however, it was difficult to pinpoint the origin of the laser because of the unpredictable nature of the strikes.
- d) The strategy for the mission was to coordinate the use of air support units of the Metropolitan Air Support Team (MAST) and ground-based law enforcement personnel from Clackamas County, Washington County, Clark County, City of Portland, Port of Portland, and the FBI. MAST pilots flew with fake call signs to try to see if “green laser bandit” would strike. Through this process, the MAST personnel were able to indicate the general source of the green laser light, which enabled law enforcement on the ground to narrow in on the location.
- e) UASI-funded equipment was critical in information sharing and determining the location of the perpetrator; for example:
 - i) FLIR thermal imaging camera was critical in identifying the general area and the apartment complex for the laser’s point of origin.
 - ii) Moving map system was used to narrow down the location allowing law enforcement to find the address – to the exact patio where the suspect was conducting laser strikes. All of this critical information was able to be shared with other partners involved in the mission through live feed to enhance decision making and situational awareness.
- f) Suspect was found and apprehended by law enforcement on the ground. He faces federal charges with penalties up to five years in jail and a \$250,000 fine for each of 26 laser strikes in Portland, including two on commercial aircraft.

4) RDPO Intergovernmental Agreement – Draft 7 – Scott Porter, Steering Committee Immediate Past Chair; Denise Barrett, RDPO Manager

<handout: RDPO IGA Version 7> and <handout: Proposed Motions PC for Approval>handout: RDPOFY2014-FY2015 Budget>

- a) Panel presentation – Intergovernmental agreement contains critical issues that need feedback in order to formally establish the RDPO. To move forward to the legal review stage, it is important to gain Policy Committee consensus for key elements in the IGA, including the membership composition, voting, etc.

- b) Highlights of version 7 of the IGA:
- i) Definition section was added and includes key terms including:
 - 1. Core Group of Participating Jurisdictions
 - 2. Core Operating and Administrative Costs
 - 3. Financial Activities
 - 4. RDPO Manager (replaces name of RDPO Administrator)
 - ii) Simplifies membership - Retains broad opportunity for participation in the organization, but now categorizes members as either contributing or non-contributing;
 - iii) Allows contributions from any member of the organization;
 - iv) Limits voting on financial activities to contributing members at the PC, Steering Committee (SC), and Grants & Finance Committee (G&FC) levels.

[Question] Chair Ludlow asked if contributing members' votes will be weighted. Scott Porter believed that matter can be resolved over time. Predominately, the RDPO is trying to confirm initial contributions from core members. Once all members are at the table, we can adjust the funding mechanism and operating guidelines to address this issue.
 - v) Restructures and expands PC to include the Core Group, all other participating jurisdictions, and any other contributing member;
 - vi) Restructures and expands SC to include the Core Group, all other participating jurisdictions, other contributing members, and discipline and at-large reps;
 - vii) Expands G&FC to include all contributing members;
 - viii) Operating Guidelines - altered to include caveats for non-applicable items tied to functional responsibilities;
 - ix) Funding section - restructured to address:
 - 1. Core Operating and Administration Costs – Formally identifies the city of Portland, the five counties, Metro, TriMet, and the Port of Portland as intended to be the funders of these costs (i.e., the intended Core Group);
 - 2. Work Plan Costs – that any contributing member may contribute to the RDPO work plan (i.e., projects);
 - 3. Method – Simplifies section to make it a PC and Core Group decision on how to assess and allocate costs; and
 - 4. Payment – explains how and when the Lead Administrative Agency will invoice contributing members.
 - x) Merger clause added at the recommendation of Portland city attorney;
 - xi) Effective Date, Termination, and Amendments sections: the effective date of this IGA was linked to the Core Group members signing. Termination of the IGA rests on either the document being superseded by another or the Core Group of jurisdictions unanimously agreeing to terminate the agreement (e.g., dissolve the RDPO).

[Question] Chair Ludlow asked if a mid-year withdrawal would need a unanimous Policy Committee vote if financial contribution was already secure. Committee agreed that a vote was not necessary but to provide appropriate notice and assurance that the entity would not leave and take their financial contribution.
- c) Additional discussion:
- 1. Councilor Harrington suggested adding 'Participating Jurisdiction' to the Definitions Section of the IGA for clarity.
 - 2. Comparable legal language will be needed for the state of Washington within the Indemnification clause.
 - 3. Increased clarity for non-voting members in Section II.

4. Page 1, include use of term 'Portland Metropolitan Region' to make clear the RDPO includes two states, not just Oregon as stated.
 5. Increased priority given to recruitment of private sector agencies (e.g., utilities). As the IGA is solidified and the region contributes its own funds for sustainment of the organization, the RDPO should become more attractive to the private sector, which will encourage private industry participation.
- d) Actions: approve key concepts in the IGA and agree on local cost share formula for confirmed Core Group of members (July 2014 – June 2015 budget cycle)
- i) That the following entities are eligible to join the RDPO: all counties, cities, regional governments, and special districts within Clackamas, Columbia, Multnomah, and Washington counties in Oregon, and Clark County in Washington; State and federal agencies; non-governmental and private sector organizations; and intergovernmental organizations formed under ORS 190 in Oregon or RCW 39.34 in Washington operating in the region with a stake in disaster preparedness.
 1. Motion: Ludlow, Second: Schouten. Approved unanimously.
 - ii) Original Motion: *That there are two types of membership in the RDPO: contributing and non-contributing.*

AMENDED: That there are two types of membership in the RDPO: contributing and non-contributing, and that a financial contribution made by a contributing member must be reasonably related to the size of the organization as determined by the Policy Committee.

1. Amendment Motion: Schouten, Second: Ludlow. Approved: seven to two. (Harrington and Tierney - disapprove)
 - a. Disapprovals were based on concern in tying size of regional organization and special districts to size of donation; desire was expressed for the Policy Committee to remain flexible with consideration to special districts/organizations.
- iii) That Participating Jurisdictions and other member organizations that make a financial contribution (as per Section VIII of the RDPO IGA – Draft 7, as refined by motion 2 above) are designated the Contributing Members, and that those that do not contribute financially are designated as the Non-Contributing Members.
 1. Motion: Ludlow. Seconded by: Mielke. Approved unanimously.
- iv) That the Contributing Members have a right to vote on all organizational activities, including financial activities (as per Section II in the RDPO IGA – Draft 7), and the Non-Contributing members have a right to vote on all organizational activities except those of a financial nature.
 1. Motion: Harrington. Second: Ludlow. Approved unanimously.
- v) Original Motion: *That funding for the RDPO's core operating and administration costs as defined in Section II of the RDPO IGA – Draft 7 -- will be provided by a core group of Participating Jurisdictions, which includes the City of Portland, the Region's five counties, the Portland area metropolitan service district (Metro), the Tri-County Metropolitan Transit District (TriMet), and the Port of Portland.*

AMENDED: That funding for the RDPO's core operating and administration costs as defined in Section II of the RDPO IGA – Draft 7 -- will be provided by a core group of Participating Jurisdictions (the Core Group), which includes the City of Portland; four of the five counties in the region (i.e., not Clark at this time); the Portland area metropolitan service district (Metro); and might include the Tri-County Metropolitan Transit District (TriMet) and the Port of Portland.

1. Motion as amended: Harrington. Seconded by: Ludlow. Approved unanimously.
- vi) That the core operating and administration costs and the method for allocating those costs among the Core Group of Participating Jurisdictions will be determined biennially as part of the budget

process and may be based on proportionality or any other method approved by the Policy Committee and agreed to by the Core Group of Participating Jurisdictions.

1. Motion: Harrington. Seconded by: Ludlow. Approved unanimously.
- vii) That funding of the RDPO's work plan may be derived from additional funds contributed by the Core Group of Participating Jurisdictions; funds contributed by other member organizations; and grants awarded to the region.
1. Motion: Harrington. Seconded by: Tierney. Approved unanimously.
- viii) That a member organization may become a contributing member by making a financial contribution in an amount established by the Policy Committee, subject to the change made in motion 2.
1. Motion: Harrington. Seconded by: Ludlow. Approved unanimously.
- ix) That the composition of the Policy, Steering and Grants and Finance Committees will, upon the IGA's effective date as stated in Section IX of the IGA – Draft 7, transition from their current composition to that described in Section V.
1. Motion: Ludlow. Seconded by: Harrington. Approved unanimously.
- x) That the City of Portland be designated as the RDPO's Lead Administrative Agency for the initial period of the IGA.
1. Motion: Ludlow. Seconded by: Harrington. Approved unanimously.
- b) *Note: final language used in the IGA to reflect the motions passed by the Policy Committee will be based on the spirit of the concepts, rather than verbatim as approved today, due to legal, pragmatic, editorial and other factors that may arise over the coming months of refining the document.*

5) UASI Funding Update – Carmen Merlo, UASI Administrator for the Portland Urban Area (PUA)

<Handout: UASI FY2014 Application Proposal List>

- a) Still have not heard on the federal extension for the UASI FY'12 grant. Extension request covers 11 projects and staffing, valued at \$740,542.
- b) OEM has extended the FY'11 grant from May 31 to July 31, 2014 and the FY'12 grant to August 31, 2014. PBEM is working to close FY'11 now; spending stopped at the end of April.
- c) The 2014 UASI application has been submitted to OEM as of May 5, 2014, for the total grant award of \$1 million. Grant included allocations for the following nine projects and RDPO staff set aside totaling \$902,500 (not in order of priority):
 1. Regional Debris Management Planning (TTX)
 2. MACS development (Phase II)
 3. PIO advanced training
 4. Regional radio cache replacement
 5. Radio coverage testing equipment
 6. Dive team support vehicle for Multnomah County
 7. Mobile water treatment system
 8. An analyst for the TITAN Fusion Center
 9. Long-term care planning
 10. Regional staffing (2.0 FTE; RDPO Organization)
- d) While total grant award for UASI FY'14 was \$1 million, \$950,000 will be coming to region due to OEM deducting 5% (\$50,000) for Management and Administration costs. PBEM will take its normal 5% (\$47,500) M&A on the \$950,000 pass-through, which accounts for the balance \$902,500 that was allocated to projects and regional staff.
- e) Other changes to the UASI FY'14 grant included a requirement for a TITAN Fusion Center investment. An analyst position was approved for funding to help the region update Critical Infrastructure and Key Resources (CI/KR) data and analysis for the annual Risk Profile Ranking process that determines how the Portland Urban Area (PUA) ranks in terms of risk and threat for terrorism.

- (1) Goal is to make sure we are on Top 25 list (currently ranked at #26). UASI FY'14 reflected higher funding per UASI for Top 25 ranked Urban Areas. Bottom 13 received \$1 million each.
- f) Securing UASI FY'12 federal extension and local core partner funding for the RDPO Manager could release an additional \$120K+ under FY'14 for other projects.
- g) Funding for current RDPO staff will end July 31, 2014, unless the federal extension is secured (then until October 15, 2014).
- h) UASI FY'15: Portland lobbyists already advocating on the Hill. Key messages: maintain the larger number of UASIs and extend the grant cycle back to three years.

6) RDPO Proposed Work Plan/Budget for July 1, 2014 – June 30, 2015 (revised) – Bob Cozzie, Steering Committee Chair; and Denise Barrett

<Handout: RDPO Regional Priorities Budget: July 1, 2014 – June 30, 2015>

- a) Budget to implement Tier I Strategic Priorities (with contracted technical assistance and RDPO Manager support) totals \$340,000. Budget to implement Tier I & Tier II Priorities (with Technical Assistance and Manager support) totals \$390,000.
- b) Projects listed on reverse side outline updates in Tier I and Tier 2 projects and intended deliverables. Not new information but combined list.

[Question] Chair Ludlow asked what consideration is being done for sustainability, especially knowing longer term if the RDPO starts a project we can continue it or complete it?

[Answer] The RDPO is currently undergoing a historical shift by virtue of the Core Group funding the base operating and administration costs (i.e., \$175,000), which helps us keep a manager in place to coordinate the organization. Furthermore, other Participating Jurisdictions will be encouraged to contribute to projects and we will continue to make efforts to secure grants.

- c) Motion to approve revised RDPO work plan and budget subject to expected/unexpected funding (Tiers I and II combined at \$390,000).
 - i) Motion: Ludlow. Seconded by: Schouten. Approved unanimously.

7) Good of the Order & Adjourn: No added announcements. Vice Chair Novick adjourned meeting at 11:11.

Action Items:

- Schedule next Policy Committee meeting for autumn, in late September-early October most likely. Doodle poll will be emailed to members.
- Edit/revise IGA based on today's input.
- Revise IGA with attorneys from all jurisdictions.