

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING) ORDINANCE NO. 87-232
SECTION 2.02.010 AND ADDING A)
NEW SECTION 2.04.035 TO THE CODE)
OF METROPOLITAN SERVICE DISTRICT)
RELATING TO PERSONNEL AND CON-)
TRACTING RULES FOR THE METROPOLITAN)
EXPOSITION-RECREATION COMMISSION)

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

1. Section 2.02.010 of the Code of the Metropolitan Service District is amended to read as follows:

"Section 2.02.010 Administration of the Rules: Except as provided in subsection (d) below the Executive Officer shall be responsible for: (a) administering or delegating the administration of all the provisions of this chapter; and (b) reviewing and recommending to the Council necessary changes to this chapter; (c) publishing a Personnel Procedures Manual to implement the provisions of this chapter; (d) the Metropolitan Exposition-Recreation Commission shall be responsible for the administration of these Personnel Rules for employees of the Commission. For this purpose the authority and duties of the Executive Officer referred to in this chapter shall reside with the Commission.

Subsection 2 of the Ordinance. A new Code Section 2.04.035 titled Metropolitan Exposition-Recreation Commission shall be added to Chapter 2.04 Metro Contract Procedures to be numbered and titled and to read as follows:

"2.04.035 Metropolitan Exposition-Recreation Commission. The Metropolitan Exposition-Recreation Commission shall have authority to enter into contracts pursuant to the procedures and policies set forth in this chapter. For this purpose the Metropolitan Exposition-Recreation Commission may without the prior approval of either the Executive Officer, the Council Management Committee or the Council enter into contracts in any amount. The Metropolitan Exposition-Recreation Commission shall

file copies of all contracts and amendments thereto with the Department of Finance & Administration. The Metropolitan Service District Contract Review Board created pursuant to Section 2.04.020 of this Code shall be the local Contract Review Board for the Metropolitan Exposition-Recreation Commission.

ADOPTED by the Council of the Metropolitan Service District

this 12th day of November, 1987.


Richard Waker, Presiding Officer

ATTEST:


Clerk of the Council

DBC/gl
8362C/517
11/16/87

I certify this ordinance was not vetoed by the Executive Officer.


Clerk of the Council

11/20/87
Date



METRO

Memorandum

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Date: November 18, 1987

To: Rena Cusma, Executive Officer

From: Marie Nelson, Clerk of the Council *amm*

Regarding: TRANSMITTAL OF ORDINANCE NO. 87-232 FOR CONSIDERATION
OF VETO

Attached for your consideration is a certified true copy of Ordinance No. 87-232, adopted by the Council on November 12, 1987.

If you wish to veto this ordinance, I must receive a signed and dated written veto message from you no later than 5:00 p.m., Thursday, November 19, 1987. The veto message, if submitted, will become part of the permanent record. If no veto message is received by the time stated above, the ordinance will be considered finally approved.

pa

"I, Unette Worley, received this memo and a certified true copy of Ordinance No. 87-232 from the Clerk of the Council on November 18, 1987.

Signed: Unette Worley

Date: 11/18/87

Within five working days of bid opening or proposal submission date, such bidders/proposers shall submit to Metro signed Letters of Agreement between the bidder/proposer and DBE/WBE subcontractors and suppliers to be utilized in performance of the contract. A sample Letter of Agreement will be provided by Metro. The DBE and WBE Utilization Forms shall be provided by Metro with bid/proposal documents."

6) Section 2.04.155(e) shall be changed to read: "An apparent low bidder/proposer who states in its bid/proposal that the DBE/WBE goals were not met but that good faith efforts were performed shall submit written evidence of such good faith efforts within two working days of bid opening or proposal submission in accordance with Section 2.04.160. Metro reserves the right to determine the sufficiency of such efforts."

7) Section 2.04.155(f) shall be deleted.

Mr. Phelps referred the Council to a letter dated November 12, 1987, from Jack R. Kalinowski, Public Affairs Manager of the Associated General Contractors of America, Inc., thanking Councilors for considering the amendments suggested by the AGC on October 22, 1987.

Vote on Motion to Amend: A roll call vote on the motion to amend Ordinance No. 87-231 resulted in all eleven Councilors present voting aye. Councilor Kirkpatrick was absent.

The motion carried.

Vote on the Main Motion: A roll call vote on the main motion, as amended, resulted in all eleven Councilors present voting aye. Councilor Kirkpatrick was absent.

The motion carried and Ordinance No. 87-231 was adopted as amended.

Councilor Knowles commended staff on their successful inclusion of the business community in revising Metro's Disadvantaged Business Program.

9.3 Consideration of Ordinance No. 87-232, for the Purpose of Amending Metro Code Section 1.02.010 and Adding a Code Section 2.04.035 Relating to Personnel and Contracting Rules for the Metropolitan Exposition-Recreation Commission (Second Reading)

The Clerk read the ordinance a second time by title only.

Motion: The motion to adopt the ordinance was made by Councilors Kirkpatrick and Ragsdale at the first reading on October 22, 1987.

There was no discussion on the ordinance.

Vote: A roll call vote on the motion resulted in all eleven Councilors present voting aye. Councilor Kirkpatrick was absent.

The motion carried and Ordinance No. 87-232 was adopted.

9.4 Consideration of Ordinance No. 87-233, for the Purpose of Amending Metro Code Section 2.04.041 Creating an Exemption for Agreements for the Lease or Use of the Oregon Convention Center from Public Bidding Requirements (Second Reading)

The Clerk read the ordinance a second time by title only. Presiding Officer Waker announced the Council would consider the ordinance in its capacity as the Metro Contract Review Board and that the ordinance was not subject to the Executive Officer's veto.

Motion: The motion to adopt the ordinance was made by Councilors Kirkpatrick and Ragsdale at the first reading on October 22, 1987.

There was no discussion on the ordinance.

Vote: A roll call vote on the motion resulted in all eleven Councilors present voting aye. Councilor Kirkpatrick was absent.

The motion carried and Ordinance No. 87-232 was adopted.

9.5 Consideration of Ordinance No. 87-234, for the Purpose of Adopting a Final Order and Amending the Metro UGB in Contested Case No. 87-1 for the Chicken Creek, Harborton and Bull Mountain Sites (First Reading); and

10.1 Consideration of Resolution No. 87-822, for the Purpose of Initiating Annexation to Metro and Expressing Council Intent to Amend the Urban Growth Boundary in Contested Case No. 87-1 for the Edy Road, Highway 99W, Middleton and Substation Sites

The Clerk read the ordinance a first time by title only. Presiding Officer Waker announced that the Council would consider this matter in its capacity as a quasi-judicial board and as such, the ordinance was not subject to the Executive Officer's veto. He also announced that a public hearing had previously been conducted on the matter

7. ORDINANCES

Presiding Officer Waker announced that Ordinance Nos. 87-232 and 87-233 would be necessary for the interim operation of the convention center. When the new commission adopted their own contracting and personnel rules, the Ordinances would become obsolete.

7.1 Consideration of Ordinance No. 87-232, for the Purpose of Amending Metro Code Section 2.02.010 and Adding a Code Section 2.04.035 Relating to Personnel and Contracting Rules for the Metropolitan Exposition-Recreation Commission (First Reading and Public Hearing)

The Clerk read the ordinance a first time by title only.

Dan Cooper, General Counsel, reviewed staff's written report. There was no discussion.

Motion: Councilor Kirkpatrick moved, seconded by Councilor Ragsdale, to adopt Ordinance No. 87-232.

Presiding Officer Waker opened the public hearing. There was no testimony and the hearing was closed. He announced the second reading of the ordinance was scheduled for November 12, 1987.

7.2 Consideration of Ordinance No. 87-233, for the Purpose of Amending Metro Code Section 2.04.041 Creating an Exemption for Agreements for the Lease or Use of the Oregon Convention Center from Public Bidding Requirements (First Reading and Public Hearing)

The Clerk read the ordinance a first time by title only. The Presiding Officer announced the Council would be considering this ordinance in their capacity as the Metro Contract Review Board.

Dan Cooper, General Counsel, reviewed staff's written report, explaining the exemption would be necessary for the convention center to operate as a competitive business.

Councilor Van Bergen, referring to the Council's recent adoption of Ordinance No. 87-225, asked Mr. Cooper to comment on the Executive Officer's letter of October 15, 1987, to Councilor Kirkpatrick in which she had announced her veto of Ordinance No. 87-225. He asked that action be clarified.

Executive Officer Cusma said it was clear the letter related to the ordinance as adopted on October 8. She said she would clarify her views in another letter to Councilors.



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

November 20, 1987

Mr. John Kauffman
County Clerk
Clackamas County Courthouse
8th and Main
Oregon City, OR 97045

Dear Mr. Kauffman:

Enclosed are true copies of the following Ordinances of adopted by the Metro Council. Please file these Ordinances in the Metro files maintained by your county.

Ordinance No. 87-230 for the Purpose of Amending Metro Code Chapter 2.04 Relating to Contract Procedures and Creating an Exemption for Computer Software Purchases.

Ordinance No. 87-231 for the Purpose of Amending Metro Code Chapter 2.04 Relating to the Disadvantaged Business Program.

Ordinance No. 87-232 for the Purpose of Amending Section 2.02.010 and Adding a New Section 2.04.035 to the Code of Metropolitan Service District Relating to Personnel and Contracting Rules for the Metropolitan Exposition-Recreation Commission.

Ordinance No. 87-233 for the Purpose of Amending Metro Code Section 2.04.041 Creating an Exemption for Agreements for the Lease or Use of the Oregon Convention Center from Public Bidding Requirements.

Sincerely,

A. Marie Nelson
Clerk of the Council

AMN:pea

Enclosures

Metro Council

Richard Waker
Presiding Officer
District 2

Jim Gardner
Deputy Presiding
Officer
District 3

Mike Ragsdale
District 1

Corky Kirkpatrick
District 4

Tom DeJardin
District 5

George Van Bergen
District 6

Sharron Kelley
District 7

Mike Bonner
District 8

Tanya Collier
District 9

Larry Cooper
District 10

David Knowles
District 11

Gary Hansen
District 12

Executive Officer
Rena Cusma



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

November 20, 1987

Mr. Charles D. Cameron
County Administrator
Washington County Courthouse
150 North First Avenue
Hillsboro, OR 97123

Dear Mr. Cameron:

Enclosed are true copies of the following Ordinances of adopted by the Metro Council. Please file these Ordinances in the Metro files maintained by your county.

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Sincerely,

A. Marie Nelson
Clerk of the Council

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Larry Cooper
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David Knowles
District 11

Gary Hansen
District 12

Executive Officer
Rena Cusma



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

November 20, 1987

Ms. Jane McGarvin
Clerk of the Board
Multnomah County Courthouse
1021 S. W. Fourth Avenue
Portland, OR 97204

Dear Jane:

Enclosed are true copies of the following Ordinances of adopted by the Metro Council. Please file these Ordinances in the Metro files maintained by your county.

Ordinance No. 87-230 for the Purpose of Amending Metro Code Chapter 2.04 Relating to Contract Procedures and Creating an Exemption for Computer Software Purchases.

Ordinance No. 87-231 for the Purpose of Amending Metro Code Chapter 2.04 Relating to the Disadvantaged Business Program.

Ordinance No. 87-232 for the Purpose of Amending Section 2.02.010 and Adding a New Section 2.04.035 to the Code of Metropolitan Service District Relating to Personnel and Contracting Rules for the Metropolitan Exposition-Recreation Commission.

Ordinance No. 87-233 for the Purpose of Amending Metro Code Section 2.04.041 Creating an Exemption for Agreements for the Lease or Use of the Oregon Convention Center from Public Bidding Requirements.

Sincerely,

A. Marie Nelson
Clerk of the Council

AMN:pea

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