

ORDINANCE NO. 35

AN ORDINANCE PROVIDING FOR MAINTENANCE AND OPERATION OF METROPOLITAN ZOO FACILITIES AND APPROVING SUBMISSION OF A DISTRICT-WIDE TAX LEVY TO THE VOTERS TO FUND SUCH FACILITIES.

PUBLIC HEARINGS ON JANUARY 29, 1976 AND FEBRUARY 13, 1976

ADOPTED BY THE BOARD OF DIRECTORS ON FEBRUARY 13, 1976

FILED WITH MULTNOMAH COUNTY ON FEBRUARY 18, 1976

ORDINANCE NO. 35

An ordinance providing for maintenance and operation of metropolitan zoo facilities and approving submission of a district-wide tax levy to the voters to fund such facilities.

APPROVED METROPOLITAN
SERVICE DISTRICT
BOARD OF DIRECTORS

ACTION NO. 76-478

DATE 2-13-76

BY Jean M. Woodman
CLERK OF THE BOARD

ORDINANCE NO. 35

THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Short Title

This ordinance shall be known as the "MSD-Zoo Ordinance" and may be so cited and pleaded and shall be cited herein as "this ordinance".

Section 2. Codification

This ordinance may be codified in the Code of the MSD.

Section 3. Definitions

A. Board. Board means the Board of Directors of the Metropolitan Service District.

B. City. City means the City of Portland, Oregon.

C. District. District means the Metropolitan Service District and all of the land and territory included within the boundaries of the Metropolitan Service District as established by the electorate.

D. MSD. MSD means the Metropolitan Service District, a municipal corporation established and existing under the laws of the State of Oregon.

E. Portland Zoo. Portland Zoo means the Portland Zoological Gardens.

Section 4. Findings

The Board finds that:

A. ORS 268.310(5) (Chapter 510, Oregon Laws, 1975) permits the Metropolitan Service District to "acquire, construct, alter, maintain, administer and operate metropolitan zoo facilities."

B. ORS 268.310(5) (Chapter 510, Oregon Laws, 1975) also provides that "for the purpose of performing the functions set forth above, the District, when authorized at any properly called election held for such purpose, shall have the power to levy an ad valorem tax on all taxable property within its boundaries not to exceed in any one year one-half of one percent (.005) of the true cash value of all taxable property within the boundaries of such district, computed in accordance with ORS 308.207."

C. While the City currently subsidizes about 50% of the Portland Zoo's operating expenses, less than 10% of gate admissions are City taxpayers.

D. The City of Portland budget no longer allows for continued subsidy of the Portland Zoo facilities at the level required for proper maintenance, operation and development.

E. The Portland Zoo facilities, with its unique educational and recreational offerings, are utilized by, and benefit residents of, the entire MSD area.

F. The Portland Zoo is recognized internationally for its animal behavioral research, innovative methods of animal exhibition, and success in the raising of various animal species.

G. If the voters approve the special tax levy described in this ordinance, the City has agreed to transfer all land, animals, buildings and equipment comprising the Portland Zoo to MSD upon mutually acceptable terms and conditions.

H. A regional funding base is necessary to provide for continued adequate care, maintenance and development of the Portland Zoo's animal collection and physical facilities.

Section 5. Purpose and Policy

A. The purpose of this ordinance is to:

1. Provide for the health and welfare of the people in the District.
2. Provide for the maintenance and operation of metropolitan zoo facilities in the District.
3. Approve submission of a five-year District-wide tax levy to the voters on May 25, 1976, the revenues of which will be used for those purposes set out in ORS 268.310(5), (Chapter 510, Oregon Laws, 1975) and to pay the costs of holding the election.

Section 6. Submission of Tax Levy

A. The Board approves submitting a five-year District-wide tax levy of \$2,000,000 each year for five years, a total of \$10,000,000 to the voters on May 25, 1976.

B. The proceeds of the levy will be used for those purposes described in Chapter 510, Oregon Laws, 1975 and to pay the costs of holding the election.

Section 7. Ballot Title

A. The ballot title for the five-year tax levy will be:

ZOO - METROPOLITAN SERVICE DISTRICT FUNDING PROPOSAL

A measure providing for continued operation and maintenance of the zoo by authorizing and directing a continuing five-year special tax levy within the Metropolitan Service District, comprising portions of Clackamas, Multnomah and Washington Counties, effective July 1, 1976, of \$2,000,000 each year for five years, a total of \$10,000,000 for the five year period, in lieu of continued zoo financing through the City of Portland.

B. The ballot title shall be filed with the Multnomah County Election Division and refiled between April 5, 1976, and April 25, 1976, only if funds or commitments for funds have been received to pay the cost of the election.

Section 8. Transfer of Portland Zoo

Upon voter approval of the five-year tax levy, the District will accept the land, animals, buildings and equipment comprising the Portland Zoo from the City upon terms and conditions acceptable to MSD and the City.

Dated this 13th day of February 1976.

METROPOLITAN SERVICE DISTRICT



Vice Chairman