

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE FY) ORDINANCE NO. 06-1133
2006-07 BUDGET AND APPROPRIATIONS)
SCHEDULE AUTHORIZING NEW POSITIONS) Introduced by Mike Jordan, Chief Operating
FOR THE NATURAL AREAS BOND WORK) Officer, with the concurrence of Council
PROGRAM, PROVIDING FOR EXPENDITURES) President Bragdon
RELATED TO THE NATURAL AREAS BOND,)
PROVIDING FOR A LAND PURCHASE IN THE)
OPEN SPACES FUND, AND DECLARING AN)
EMERGENCY)

WHEREAS, the voters of the Metro region approved the Natural Areas Bond measure on November 7, 2006; and

WHEREAS, the Metro Council has reviewed the work plan for the Natural Areas Bond program; and

WHEREAS, Metro Code section 2.02.040 requires the Metro Council to approve any new position added to the budget; and

WHEREAS, the Metro Council has reviewed and considered the need to modify appropriations within the FY 2006-07 Budget; and

WHEREAS, the need for the change in appropriation has been justified; and

WHEREAS, adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. That the FY 2006-07 Budget and Schedule of Appropriations are hereby amended as shown in the column entitled "Revision" of Exhibits A and B to this Ordinance for the purpose of providing appropriation authority for expenditures related to the Natural Areas bond work program and Open Spaces Fund.
2. The Metro Council authorizes the addition of the following positions to the FY 2006-07 budget:

Regional Parks Staff

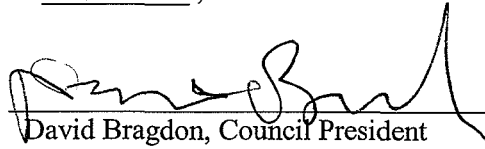
Program Director 1	1.00
Principal Planner	1.00
Real Estate Negotiator	3.00
Associate Public Affairs Specialist	1.00
Associate Regional Planner (GIS Specialist)	1.00
Associate Regional Planner (Local Share & Grants)	1.00
Associate Regional Planner (Stabilization)	1.00
Associate Management Analyst (Stabilization)	1.00
Management Technician	1.00
Secretary	1.00
Ranger (Stabilization)	1.00

Subtotal 13.00

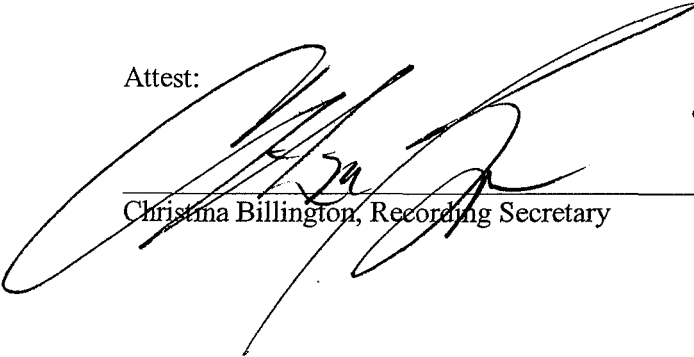
Metro Attorney Staff	
Legal Counsel II	1.00
Administrative Assistant III	1.00
Paralegal II	1.00
Subtotal	3.00
Total New Staff	16.00

3. This Ordinance being necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

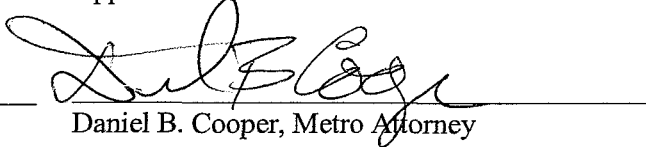
ADOPTED by the Metro Council this 14th day of December, 2006.

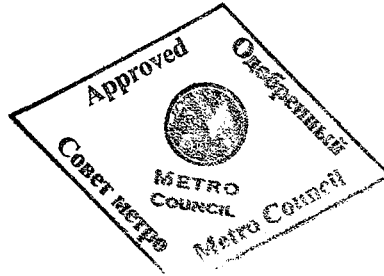

 David Bragdon, Council President

Attest:


 Christina Billington, Recording Secretary

Approved as to Form:


 Daniel B. Cooper, Metro Attorney



**Exhibit A
Ordinance No. 06-1133**

ACCT	DESCRIPTION	<u>Current Budget</u>		<u>Revision</u>		<u>Amended Budget</u>	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Office of Metro Attorney							
<i>Personal Services</i>							
<i>SALWGE</i>	<i>Salaries & Wages</i>						
5010	Reg Employees-Full Time-Exempt						
	Legal Counsel I	1.00	79,265	-	0	1.00	79,265
	Legal Counsel II	4.00	413,930	0.50	56,018	4.50	469,948
	Metro Attorney	1.00	141,000	-	0	1.00	141,000
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Assistant III	1.00	41,948	0.50	17,704	1.50	59,652
	Paralegal I	1.00	47,176	-	0	1.00	47,176
	Paralegal II	1.00	54,776	0.50	22,092	1.50	76,868
5020	Reg Emp-Part Time-Exempt						
	Administrative Assistant III	0.50	24,926	-	0	0.50	24,926
5025	Reg Employees-Part Time-Non-Exempt						
	Legal Counsel II	1.50	158,485	-	0	1.50	158,485
5080	Overtime		7,500		0		7,500
5089	Salary Adjustments						
	Salary Adjustment Pool (non-represented)		58,140		0		58,140
<i>FRINGE</i>	<i>Fringe Benefits</i>						
5100	Fringe Benefits						
	Base Fringe (variable & fixed)		333,332		35,277		368,609
5190	PERS Bond Recovery		31,842		2,970		34,812
Total Personal Services		11.00	\$1,392,320	1.50	\$134,061	12.50	\$1,526,381
Total Materials & Services			\$56,094		\$0		\$56,094
TOTAL REQUIREMENTS		11.00	\$1,448,414	1.50	\$134,061	12.50	\$1,582,475

**Exhibit A
Ordinance No. 06-1133**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Regional Parks Department							
<i>Personal Services</i>							
<i>SALWGE</i>	<i>Salaries & Wages</i>						
5010	Reg Employees-Full Time-Exempt						
	Assistant Public Affairs Specialist	1.00	46,359	-	0	1.00	46,359
	Associate Management Analyst	2.00	115,454	-	0	2.00	115,454
	Associate Public Affairs Specialist	-	0	0.13	5,565	0.13	5,565
	Associate Regional Planner	1.00	45,986	0.25	11,150	1.25	57,136
	Director II	1.00	119,769	-	0	1.00	119,769
	Education Coordinator II	1.00	53,638	-	0	1.00	53,638
	Management Technician	1.00	44,183	0.13	4,670	1.13	48,853
	Manager I	4.00	334,758	-	0	4.00	334,758
	Manager II	1.00	85,344	-	0	1.00	85,344
	Principal Regional Planner	-	0	0.13	12,730	0.13	12,730
	Program Analyst I	1.00	31,346	-	0	1.00	31,346
	Program Analyst III	1.00	55,668	-	0	1.00	55,668
	Program Director I	1.00	100,437	0.17	17,075	1.17	117,512
	Real Estate Negotiator	-	0	0.50	33,310	0.50	33,310
	Senior Regional Planner	4.00	270,693	-	0	4.00	270,693
	Service Supervisor III	1.00	61,406	-	0	1.00	61,406
5015	Reg Empl-Full Time-Non-Exempt						
	Arborist	1.00	49,336	-	0	1.00	49,336
	Education Coordinator I	1.00	48,526	-	0	1.00	48,526
	Park Ranger	12.00	522,163	-	0	12.00	522,163
	Secretary	3.00	90,845	0.17	4,100	3.17	94,945
5020	Reg Emp-Part Time-Exempt						
	Education Coordinator I	0.50	24,263	-	0	0.50	24,263
	Program Supervisor II	0.50	25,549	-	0	0.50	25,549
	Senior Regional Planner	1.60	112,293	-	0	1.60	112,293
	Volunteer Coordinator I	0.80	33,511	-	0	0.80	33,511
	Volunteer Coordinator II	0.50	29,557	-	0	0.50	29,557
5025	Reg Employees-Part Time-Non-Exempt						
	Program Assistant 2	0.50	17,320	-	0	0.50	17,320
5030	Temporary Employees		12,575		0		12,575
5040	Seasonal Employees		280,668		0		280,668
5080	Overtime		14,995		0		14,995
5089	Salary Adjustments						
	Salary Adjustment Pool (non-represented)		46,977		0		46,977
	Step Increases (AFSCME)		28,550		0		28,550
	COLA (represented employees)		38,080		0		38,080
<i>FRINGE</i>	<i>Fringe Benefits</i>						
5100	Fringe Benefits						
	Base Fringe (variable & fixed)		942,339		33,668		976,007
5190	PERS Bond Recovery		75,394		2,732		78,126
Total Personal Services		41.40	\$3,757,982	1.48	\$125,000	42.88	\$3,882,982

Materials & Services

GOODS Goods

5201	Office Supplies		34,078		11,000		45,078
5205	Operating Supplies		55,299		0		55,299
5210	Subscriptions and Dues		2,423		0		2,423
5215	Maintenance & Repairs Supplies		81,185		0		81,185
5225	Retail		11,026		0		11,026

**Exhibit A
Ordinance No. 06-1133**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Regional Parks Department							
<i>SVCS</i>	<i>Services</i>						
5240	Contracted Professional Svcs		868,849		50,000		918,849
5250	Contracted Property Services		1,347,692		17,000		1,364,692
5251	Utility Services		109,979		700		110,679
5255	Cleaning Services		254		0		254
5260	Maintenance & Repair Services		53,436		0		53,436
5265	Rentals		28,409		0		28,409
5270	Insurance		26,000		0		26,000
5280	Other Purchased Services		40,058		2,500		42,558
5290	Operations Contracts		5,242		0		5,242
<i>IGEXP</i>	<i>Intergov't Expenditures</i>						
5300	Payments to Other Agencies		262,299		0		262,299
5310	Taxes (Non-Payroll)		199,461		0		199,461
<i>OTHEXP</i>	<i>Other Expenditures</i>						
5450	Travel		2,620		0		2,620
5455	Staff Development		20,600		1,000		21,600
5490	Miscellaneous Expenditures		7,974		1,800		9,774
Total Materials & Services			\$3,156,884		\$84,000		\$3,240,884
Capital Outlay							
<i>CAPNON</i>	<i>Capital Outlay (Non-CIP Projects)</i>						
5700	Land (non-CIP)		100,000		4,100,000		4,200,000
Total Capital Outlay			\$100,000		\$4,100,000		\$4,200,000
TOTAL REQUIREMENTS		41.40	\$7,014,866	1.48	\$4,309,000	42.88	\$11,323,866

Exhibit A
Ordinance No. 06-1133

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
General Expenses							
Total Interfund Transfers			\$7,823,692		\$0		\$7,823,692
<i>Contingency & Unappropriated Balance</i>							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency						
	* General Contingency		1,374,825		(134,061)		1,240,764
	* General Reserve		5,848,983		(4,309,000)		1,539,983
	* Tourism Opportunity & Comp. Account		43,307		0		43,307
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance						
	* Undesignated		42,000		0		42,000
	* General Fund stabilization reserve		1,982,748		0		1,982,748
	* Computer Replacement Reserve (Planning)		90,000		0		90,000
	* Tibbets Flower Account		278		0		278
	* Reserve for Future Debt Service		1,862,371		0		1,862,371
Total Contingency & Unappropriated Balance			\$11,244,512		(\$4,443,061)		\$6,801,451
TOTAL REQUIREMENTS		402.33	\$102,095,553	2.98	\$0	405.31	\$102,095,553

**Exhibit A
Ordinance No. 06-1133**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Open Spaces Fund							
Total Personal Services		1.00	\$99,798	0.00	\$0	1.00	\$99,798
<u>Materials & Services</u>							
<i>GOODS</i>	<i>Goods</i>						
5201	Office Supplies		1,150		0		1,150
5205	Operating Supplies		500		0		500
5210	Subscriptions and Dues		1,632		0		1,632
<i>SVCS</i>	<i>Services</i>						
5240	Contracted Professional Svcs		203,000		0		203,000
5250	Contracted Property Services		1,075,800		(1,050,000)		25,800
5251	Utility Services		1,050		0		1,050
5280	Other Purchased Services		1,200		0		1,200
5290	Operations Contracts		25		0		25
<i>IGEXP</i>	<i>Intergov't Expenditures</i>						
5300	Payments to Other Agencies		1,556		0		1,556
<i>OTHEXP</i>	<i>Other Expenditures</i>						
5455	Staff Development		1,750		0		1,750
Total Materials & Services			\$1,287,663		(\$1,050,000)		\$237,663
<u>Capital Outlay</u>							
<i>CAPCIP</i>	<i>Capital Outlay (CIP Projects)</i>						
5705	Land (CIP)		475,000		1,050,000		1,525,000
Total Capital Outlay			\$475,000		\$1,050,000		\$1,525,000
<u>Interfund Transfers</u>							
<i>INDTEX</i>	<i>Interfund Reimbursements</i>						
5800	Transfer for Indirect Costs						
	* to General Fund-Bldg		72,300		0		72,300
	* to General Fund-Support Services		249,082		0		249,082
	* to General Fund		5,138		0		5,138
	* to Risk Mgmt-Liability		2,165		0		2,165
	* to Risk Mgmt-Worker Comp		879		0		879
<i>INTCHG</i>	<i>Internal Service Transfers</i>						
5820	Transfer for Direct Costs						
	* to Metro Capital Fund-Regional Parks		72,105		0		72,105
<i>EQTCHG</i>	<i>Fund Equity Transfers</i>						
5810	Transfer of Resources						
	* to General Fund (Pension Obligation)		62,443		0		62,443
	* to Risk Management Fund		685		0		685
Total Interfund Transfers			\$464,797		\$0		\$464,797
<u>Contingency and Ending Balance</u>							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency						
	* General contingency		112,158		0		112,158
Total Contingency and Ending Balance			\$112,158		\$0		\$112,158
TOTAL REQUIREMENTS		1.00	\$2,439,416	0.00	\$0	1.00	\$2,439,416

Exhibit B
Ordinance No. 06-1133
FY 2006-07 SCHEDULE OF APPROPRIATIONS

GENERAL FUND	<u>Current</u>	<u>Revision</u>	<u>Amended</u>
	<u>Appropriation</u>		<u>Appropriation</u>
Council Office			
Operating Expenses (PS & M&S)	1,775,095	0	1,775,095
Debt Service	0	0	0
Capital Outlay	0	0	0
Subtotal	1,775,095	0	1,775,095
Finance & Administrative Services			
Operating Expenses (PS & M&S)	7,370,001	0	7,370,001
Debt Service	0	0	0
Capital Outlay	158,285	0	158,285
Subtotal	7,528,286	0	7,528,286
Human Resources			
Operating Expenses (PS & M&S)	1,527,312	0	1,527,312
Debt Service	0	0	0
Capital Outlay	0	0	0
Subtotal	1,527,312	0	1,527,312
Metro Auditor			
Operating Expenses (PS & M&S)	579,455	0	579,455
Debt Service	0	0	0
Capital Outlay	0	0	0
Subtotal	579,455	0	579,455
Office of Metro Attorney			
Operating Expenses (PS & M&S)	1,448,414	134,061	1,582,475
Debt Service	0	0	0
Capital Outlay	0	0	0
Subtotal	1,448,414	134,061	1,582,475
Oregon Zoo			
Operating Expenses (PS & M&S)	22,508,631	0	22,508,631
Debt Service	0	0	0
Capital Outlay	200,000	0	200,000
Subtotal	22,708,631	0	22,708,631
Planning			
Operating Expenses (PS & M&S)	23,822,826	0	23,822,826
Debt Service	29,250	0	29,250
Capital Outlay	0	0	0
Subtotal	23,852,076	0	23,852,076

Exhibit B
Ordinance No. 06-1133
FY 2006-07 SCHEDULE OF APPROPRIATIONS

	<u>Current</u> <u>Appropriation</u>	<u>Revision</u>	<u>Amended</u> <u>Appropriation</u>
Public Affairs & Government Relations			
Operating Expenses (PS & M&S)	1,390,721	0	1,390,721
Debt Service	0	0	0
Capital Outlay	0	0	0
Subtotal	1,390,721	0	1,390,721
Regional Parks & Greenspaces			
Operating Expenses (PS & M&S)	6,914,866	209,000	7,123,866
Debt Service	0	0	0
Capital Outlay	100,000	4,100,000	4,200,000
Subtotal	7,014,866	4,309,000	11,323,866
Non-Departmental			
Operating Expenses (PS & M&S)	14,003,594	0	14,003,594
Debt Service	1,198,898	0	1,198,898
Capital Outlay	0	0	0
Subtotal	15,202,492	0	15,202,492
General Expenses			
Interfund Transfers	7,823,692	0	7,823,692
Contingency	7,267,115	(4,443,061)	2,824,054
Subtotal	15,090,807	(4,443,061)	10,647,746
Unappropriated Balance	3,977,397	0	3,977,397
Total Fund Requirements	\$102,095,553	\$0	\$102,095,553
OPEN SPACES FUND			
Operating Expenses (PS & M&S)	\$1,387,461	(\$1,050,000)	\$337,461
Capital Outlay	475,000	1,050,000	1,525,000
Interfund Transfers	464,797	0	464,797
Contingency	112,158	0	112,158
Unappropriated Balance	0	0	0
Total Fund Requirements	\$2,439,416	\$0	\$2,439,416

All other appropriations remain as previously adopted

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 06-1133 FOR THE PURPOSE OF AMENDING THE FY 2006-07 BUDGET AND APPROPRIATIONS SCHEDULE AUTHORIZING NEW POSITIONS FOR THE NATURAL AREAS BOND WORK PROGRAM, PROVIDING FOR EXPENDITURES RELATED TO THE NATURAL AREAS BOND, PROVIDING FOR A LAND PURCHASE IN THE OPEN SPACES FUND, AND DECLARING AN EMERGENCY

Date: November 17, 2006

Presented by: Jeff Tucker
Kathy Rutkowski

BACKGROUND

This ordinance provides for several actions related to the Natural Areas program.

Natural Areas Work Program Staffing:

At the Council work session of November 14, 2006 the Regional Parks Department began more detail discussions with the Council on the scope of the Natural Areas bond work plan. Additional discussions are scheduled in January. In the next six months, the work plan will require the addition of staff to accomplish the goals of the program. Metro Code 2.02.040 requires the Council to authorize any new positions added to the budget. The Regional Parks Department and Office of Metro Attorney are seeking authorization for the following new positions to be funded from the bond proceeds:

Regional Parks Staff

Program Director 1	1.00
Principal Planner	1.00
Real Estate Negotiator	3.00
Associate Public Affairs Specialist	1.00
Associate Regional Planner (GIS Specialist)	1.00
Associate Regional Planner (Local Share & Grants)	1.00
Associate Regional Planner (Stabilization)	1.00
Associate Management Analyst (Stablization)	1.00
Management Technician	1.00
Secretary	1.00
Ranger (Stabilization)	1.00

Subtotal 13.00

Metro Attorney Staff

Legal Counsel II	1.00
Administrative Assistant III	1.00
Paralegal II	1.00

Subtotal 3.00

Total New Staff 16.00

Natural Areas Work Program Appropriation:

ORS 294.326 specifically exempts from the provisions of budget law (ORS 294.305 to 294.565) bonds that were approved by voters in the year or budget period in which they were approved. However, recent advice indicates that the exemption is tied to the sale of the bonds. We have begun discussions with our Financial Advisors on the sale of bonds and are investigating issuing some form of interim financing such as a line of credit or bond anticipation notes. However, even with an extremely aggressive schedule it will take several months to issue the bonds or secure interim financing. In the meantime, it is necessary to provide appropriation authority for the immediate expenditures related to staff costs and the exercising of options secured prior to the approval of the measure. Once sold, the bond proceeds will reimburse for all costs incurred as part of this interim appropriation authorization. This action seeks to transfer \$4,309,000 from the General Fund contingency to the Regional Parks Department to fund the interim bond program costs.

Additionally, the staffing for the Metro Attorney's Office will be managed through the general Metro Attorney's budget. All legal costs associated with the bond program will be reimbursed through the cost allocation plan. In this scenario, there is no exemption from budget law. It is necessary to provide appropriation authority for the additional staff requested as part of this ordinance for the last six months of the fiscal year. This action seek to transfer \$134,061 from the General Fund contingency to the Office of Metro Attorney to fund to the new staff associated with the Natural Areas work plan. Bond proceeds will reimburse the General Fund for all staffing costs associated with the program.

Open Spaces Land Purchase – Mt. Talbert Settlement

As part of the settlement agreement between Metro and Sheldon Development Company, Metro has agreed to purchase approximately 10 acres on Mt. Talbert in the East Buttes/Boring Lava Domes Target Area. (Council will consider this settlement agreement under a separate Resolution.)

This purchase is an allowable use of bond proceeds under the 1995 Open Spaces Acquisition Bond Measure. A reserve has been maintained in the Open Spaces Bond Fund as a contingency against unforeseen legal action, property stabilization needs, or other contingencies. This "Stabilization Reserve" was created by Resolution # 01-3106 "For the Purpose of Modifying the Open Spaces Implementation Work Plan and Open Spaces Acquisition Regional Target Area Refinement Plans to Direct Future Acquisitions of Properties That Satisfy Specific Identified Criteria," and was appropriated as Operating Expenditures within the FY 2006-07 Open Spaces Fund.

As the settlement agreement results in the acquisition of land, it is necessary to move the appropriation authority associated with this contingency reserve from Operating Expenditures to Capital Outlay. The current reserve amount is \$1,050,000. The purchase of the property under the settlement agreement will cost \$1,075,000. The difference can be accommodated using existing appropriation authority in the Open Spaces Fund.

This action will exhaust the "Stabilization Reserve" within the existing Open Spaces Fund. However, the proceeds from the recently approved Parks, Steams and Natural Areas measure can continue to serve this function into the future.

ANALYSIS/INFORMATION

1. **Known Opposition:** There is no known opposition to this ordinance.

2. **Legal Antecedents:** ORS 294.450 provides for transfers of appropriations within a fund, including transfers from contingency, if such transfers are authorized by official resolution or ordinance of the governing body for the local jurisdiction. Metro Code 2.02.040 requires the Metro Council to authorize any new positions added to the budget. Resolution #01-3106 “For the Purpose of Modifying the Open Spaces Implementation Work Plan and Open Spaces Acquisition Regional Target Area Refinement Plans to Direct Future Acquisitions of Properties That Satisfy Specific Identified Criteria” established the Stabilization Reserve.
3. **Anticipated Effects:** This ordinance authorizes positions associated with Natural Areas work program for the Regional Parks Department and Office of Metro Attorney. In addition, it provides interim appropriation for the program until such time as the bonds are sold and provides appropriation for the remainder of the fiscal year for the positions authorized for the Office of Metro Attorney. It also supports the implementation of the settlement agreement between Metro and Sheldon Development by providing adequate appropriation authority.
4. **Budget Impacts:** The action transfers a total of \$4,443,061 from the General Fund contingency to the Regional Parks Department or Office of Metro Attorney to provide appropriation authority for the Natural Areas work program. All expenditures will be reimbursed with bond proceeds. It also transfers \$1.05 million from materials & services to capital outlay in the existing Open Spaces Fund to provide for the settlement between Metro and Sheldon Development.

RECOMMENDED ACTION

The Chief Operating Officer recommends approval of Ordinance 06-1133.