

A G E N D A

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METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING - REVISED
DATE: February 20, 1997
DAY: Thursday
TIME: 2:00 PM
PLACE: Council Chamber

<u>Approx. Time*</u>		<u>Presenter</u>
2:00 PM	CALL TO ORDER AND ROLL CALL	
(5 min.)	1. INTRODUCTIONS	
(5 min.)	2. CITIZEN COMMUNICATIONS	
(20 min.)	3. EXECUTIVE OFFICER COMMUNICATIONS	
	3.1 Budget Address	
(5 min.)	4. MARTIN LUTHER KING JR. BOULEVARD UPDATE	
	5. CONSENT AGENDA	
2:35 PM	5.1 Minutes of February 13, 1997 will be available for review prior to the February 27, 1997 Council Meeting	
	6. ORDINANCES - FIRST READING	
2:40 PM (5 min.)	6.1 Ordinance No. 97-679, For the Purpose of Annual Budget for Fiscal Year 1997-98; making the Appropriations and Levying Ad Valorem Taxes; and Declaring an Emergency. (Public Hearing)	
	7. ORDINANCES - SECOND READING	
2:45 PM (5 min.)	7.1 Ordinance No. ⁹⁷97-659A, For the Purpose of Adopting the Metro Code Title X, Metro Regional Parks and Greenspaces.	Naito

2:50 PM
(90 min.)

7.2

Ordinance No. 97-655⁴~~B~~, For the Purpose of Designating Urban Reserve Areas for the Portland Metropolitan Area Urban Growth Boundary; Amending RUGGO Ordinance No. 95-625A and Metro Code 3.01; and Declaring an Emergency. (Consideration of Amendments)

McLain

8. RESOLUTIONS

4:20 PM
(5 min.)

8.1

Resolution No. 97-2460, For the Purpose of Endorsing the South/North Light Rail Project Finance Plan.

Naito

4:25 PM
(5 min.)

8.2

Resolution No. 97-2452, For the Purpose of Authorizing the Executive Officer to Make any Adjustments to the Salary Ranges Required to Implement Current and Future Minimum Wage Increases.

McCaig

4:30 PM
(10 min.)

9.

COUNCILOR COMMUNICATION

ADJOURN

CABLE VIEWERS: Council Meetings, the second and fourth Thursdays of the month are shown on Channel 30 the first Sunday after the meeting at 8:30 p.m. The entire meeting is also shown again on the second Monday after the meeting at 2:00 p.m. on Channel 30.

All times listed on the agenda are approximate; items may not be considered in the exact order.

For questions about the agenda, call Clerk of the Council, Chris Billington, 797-1542.

For assistance per the American with Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office)

Consideration of the February 13, 1997 Regular Council Meeting Minutes

Available upon request February 19, 1997 by calling Chris Billington at 797-1542

**Metro Council Meeting
Thursday February 20, 1997
Council Chamber**

Agenda Item Number 6.1

Ordinance No. 97-679, For the Purpose of Annual Budget for Fiscal Year 1997-98; making the Appropriations and Levying Ad Valorem Taxes; and Declaring an Emergency.

First Reading

**Metro Council Meeting
Thursday, February 20, 1997
Council Chamber**

BEFORE THE METRO COUNCIL

**FOR THE PURPOSE OF ADOPTING THE)
ANNUAL BUDGET FOR FISCAL YEAR)
1997-98, MAKING APPROPRIATIONS)
AND LEVYING AD VALOREM TAXES;)
AND DECLARING AN EMERGENCY)**

ORDINANCE NO. 97-679

**Introduced by
Mike Burton, Executive Officer**

WHEREAS, the Multnomah County Tax Supervising and Conservation Commission held its public hearing on the annual Metro budget for the fiscal year beginning July 1, 1997, and ending June 30, 1998; and

WHEREAS, recommendations from the Multnomah County Tax Supervising and Conservation Commission have been received by Metro (attached as Exhibit A and made a part of the Ordinance) and considered; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The "Fiscal Year 1997-98 Metro Budget," attached hereto as Exhibit B, and the Schedule of Appropriations, attached hereto as Exhibit C, are hereby adopted.

2. The Metro Council does hereby levy ad valorem taxes, as provided in the budget adopted by Section 1 of this Ordinance, for a total amount of TWENTY-SEVEN MILLION TWO HUNDRED FORTY-TWO THOUSAND ONE HUNDRED FOUR (\$22,719,767) DOLLARS to be levied upon taxable properties within the Metro District as of 1:00 a.m., July 1, 1997. The following allocation and categorization subject to the limits of Section 11b, Article XI of the Oregon Constitution constitute the above aggregate levy.

SEVEN MILLION SIX HUNDRED SIXTY-EIGHT THOUSAND FIVE HUNDRED TEN (\$7,668,510) DOLLARS shall be for the Zoo Operating Fund, said amount authorized in a tax base, said tax base approved by the voters of Metro at a general election held May 15, 1990, and subject to the General Government Limitation.

NINETEEN MILLION FIVE HUNDRED SEVENTY-THREE THOUSAND FIVE HUNDRED NINETY-FOUR (\$19,573,594) DOLLARS shall be for the General

Obligation Bond Debt Service Fund, said levy needed to repay a portion of the proceeds of the Convention Center Project General Obligation bonds as approved by the voters of Metro at a general election held November 4, 1986, of the Open Spaces, Parks and Streams General Obligation bonds, and the Zoo Oregon Project General Obligation Bonds as approved by the voters of Metro at a special election held September 17, 1996. Said levy is excluded from the General Government Limitation

SUMMARY OF AD VALOREM TAX LEVY

	Subject to the General Government <u>Limitation</u>	Excluded from the <u>Limitation</u>
Zoo Tax Base	\$7,668,510	
General Obligation Bond Levy		<u>\$19,573,594</u>
Category Total	\$7,668,510	\$19,573,594
 TOTAL LEVY	 \$27,242,104	

3. An interfund loan not to exceed SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000) is hereby authorized from the Risk Management Fund to the General Obligation Bond Debt Service Fund. The loan is anticipated to provide necessary cash flow if Multnomah County is required to refund property taxes under a lawshit currently pending in Oregon Supreme Court. The loan will be repaid in fiscal year 1998-99 from the General Obligation Bond Levy. Simple interest shall be paid on the loan amount from the date of draw based on Metro's monthly pooled investment yield as calculated by the Department of Administrative Services.

4. The Coliseum Operating Fund is hereby eliminated. Remaining fund balance shall be transferred to the Spectator Facilities Fund in accordance with provisions stipulated at the time of creation of the fund.

5. In accordance with Section 2.02.125 of the Metro Code, the Metro Council hereby authorizes personnel positions and expenditures in accordance with the Annual Budget adopted by Section 1 of this Ordinance, and hereby appropriates funds for the fiscal year beginning July 1, 1997, from the funds and for the purposes listed in the Schedule of Appropriations, Exhibit C.

6. Pursuant to Metro Code 2.04.026(b) the Council designated the contracts which have significant impact on Metro for FY 1997-98 and their designations as shown in Exhibit E, attached hereto.

7. The Executive Officer shall make the following filings as provided by ORS 294.555 and ORS 310.060:

a. Multnomah County Assessor

- 1) An original and one copy of the Notice of Levy marked Exhibit D, attached hereto and made a part of this Ordinance.
- 2) Two copies of the budget document adopted by Section 1 of this Ordinance.
- 3) A copy of the Notice of Publication required by ORS 294.421.
- 4) Two copies of this Ordinance.

b. Clackamas and Washington County Assessor and Clerk

- 1) A copy of the Notice of Levy marked Exhibit D.
- 2) A copy of the budget document adopted by Section 1 of this Ordinance.
- 3) A copy of this Ordinance.
- 4) A copy of the Notice of Publication required by ORS 294.421.

8. This Ordinance being necessary for the health, safety, or welfare of the Metro area, for the reason that the new fiscal year begins July 1, 1997, and Oregon Budget Law requires the adoption of a budget prior to the beginning of the fiscal year, an emergency is declared to exist and the Ordinance takes effect upon passage.

ADOPTED by the Metro Council on this ____ day of June, 1997.

Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

KR:rs

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STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 97-679 ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 1997-98, MAKING APPROPRIATIONS AND LEVYING AD VALOREM TAXES; AND DECLARING AN EMERGENCY

Date: February 4, 1997

Presented by: Mike Burton
Executive Officer

FACTUAL BACKGROUND AND ANALYSIS

I am forwarding to the Council for consideration and approval my proposed budget for Fiscal Year 1997-98.

Council action, through Ordinance No. 97-679, is the next step in the process for the adoption of Metro's operating financial plan for the forthcoming fiscal year. Final action by the Council to adopt this plan must be completed by June 30, 1997.

Oregon Revised Statutes 294.635, Oregon Budget Law, requires that Metro prepare and submit Metro's approved budget to the Tax Supervising and Conservation Commission by May 15, 1997. The Commission will conduct a hearing during June 1997 for the purpose of receiving information from the public regarding the Council's approved budget. Following the hearing, the Commission will certify the budget to the Council for adoption and may provide recommendations to the Council regarding any aspect of the budget.

Once the budget plan for Fiscal Year 1997-98 is adopted by the Council, the number of funds and their total dollar amount and the maximum tax levy cannot be amended without review and certification by the Tax Supervising and Conservation Commission. Adjustments, if any, by the Council to increase the level of expenditures in a fund are limited to no more than 10 percent of the total value of any fund's appropriations in the period between Council approval and adoption.

Exhibits B and C of the Ordinance will be available at the public hearing on February 20, 1997.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends that the Council conduct a public hearing on Ordinance No. 97-679. The Executive Officer recommends that the Council schedule consideration of the proposed budget and necessary actions to meet the key dates as set out in Oregon Budget Law described above.

KR:rs

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Agenda Item Number 7.1

Ordinance No. 97-659, For the Purpose of Adopting the Metro Code Title X, Metro Regional Parks and Greenspaces.

Second Reading

**Metro Council Meeting
Thursday February 20, 1997
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING) ORDINANCE NO 96-659
METRO CODE TITLE X, METRO)
REGIONAL PARKS AND GREENSPACES) Introduced by Executive Officer Mike
) Burton

WHEREAS, through an Intergovernmental Agreement dated March 21, 1996 between Metro and Multnomah County known as the Phase II Agreement, and through the Greenspaces Program approved by the regional electorate, Metro now owns or operates Regional Parks and Greenspaces facilities, including certain properties formerly owned or operated by Multnomah County; and

WHEREAS, section 3(G) of the Phase II Agreement between Metro and Multnomah County provided that the County Code provisions previously governing the transferred Multnomah County parks and facilities would remain in full force and effect until superseded or amended by future action by Metro; and

WHEREAS, the Metro Council has determined that it is in the best interests of the Metro region to adopt Metro Code provisions governing the use and enjoyment of Metro owned or operated Regional Parks and Greenspaces facilities, including but not limited to properties formerly owned or operated by Multnomah County; and

WHEREAS, user fees for park facilities are a part of this Code and reflect some adjustments over current fees; now, therefore,

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THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. A new Title X, Metro Regional Parks and Greenspaces, is hereby added to the Metro Code as shown on the attached Exhibit A.

ADOPTED by the Metro Council this _____ day of _____ 1997.

Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

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EXHIBIT A
Ordinance No. 96-659

TITLE X

METRO REGIONAL PARKS AND GREENSPACES

CHAPTERS	TITLE
10.01	Metro Regional Parks and Greenspaces Regulations
10.02	Regional Park Fees

CHAPTER 10.01

METRO REGIONAL PARKS AND GREENSPACES REGULATIONS

SECTIONS	TITLE
10.01.010	Purpose
10.01.020	Definitions
10.01.030	Policy
10.01.040	Enforcement Authority/Park Rules
10.01.050	Park Property Destruction and Other Property Prohibitions
10.01.060	Trees, Shrubbery and Lawns Prohibitions
10.01.070	Animals, Birds and Fish Prohibitions
10.01.080	Pollution of Waters and Soils Prohibited
10.01.090	Refuse and Trash Prohibitions
10.01.100	Traffic Prohibitions
10.01.110	Parking Prohibitions
10.01.120	Bicycle Prohibitions
10.01.130	Bathing and Swimming Prohibitions
10.01.140	Blue Lake Boating Prohibitions
10.01.150	Fishing Prohibited in Swimming Areas
10.01.160	Hunting and Firearms Prohibitions
10.01.170	Camping Prohibitions
10.01.180	Prohibited Games
10.01.190	Horseback Riding Restricted
10.01.200	Consumption of Alcoholic Beverages Limited
10.01.210	Fireworks and Explosives Prohibited
10.01.220	Domestic Animals Restricted
10.01.230	Soliciting Prohibited
10.01.240	Fires Limited
10.01.250	Games of Chance Prohibited
10.01.260	Violent and Excessively Loud Conduct Prohibited
10.01.270	Exhibiting Permits Required
10.01.280	Interference with Permittees Prohibited
10.01.290	Vending and Peddling Restricted
10.01.300	Signs Restricted
10.01.310	Park Hours
10.01.320	Posting of Park Rules
10.01.330	Closed Areas
10.01.340	Lost and Found Articles
10.01.350	Permits for Camping, Group Picnics and Vending
10.01.360	Special Use Permit
10.01.370	Permit Revocation
10.01.380	Boats and Moorages
10.01.390	Enforcement Personnel
10.01.400	Ejectment and Exclusion

10.01.410 Seizure of Property
10.01.420 Hearing Regarding Seized Property
10.01.430 Other Laws Applicable
10.01.440 Severability
10.01.600 Penalties
10.01.610 Bail and Fine Collection

10.01.010 Purpose

The purpose of this chapter is to provide for regulations governing the use of Metro owned or operated Regional Parks and Greenspaces facilities by members of the public in order to provide protection for wildlife, plants and property, and to protect the safety and enjoyment of any person visiting these facilities. This chapter is intended to supersede and replace any Multnomah County Code provisions previously applicable to any properties formerly owned or operated by Multnomah County.

10.01.020 Definitions

As used in this chapter, unless the context requires otherwise:

(a) "Council" shall have the meaning assigned thereto in Metro Code section 1.01.040(a).

(b) "Director" means the director of Metro's Regional Parks and Greenspaces Department or the director's designee.

(c) "District" shall have the meaning assigned thereto in Metro Code section 1.01.040(b).

(d) "Executive officer" means the Metro executive officer, and shall include any person(s) to whom the executive officer has delegated authority under this chapter.

(e) "Metro Code" means the Code of the Metropolitan Service District.

(f) "Park" means a forest, reservation, playground, beach, natural area, recreation center, cemetery, or any other similar area owned, operated or managed by Metro, through its Regional Parks and Greenspaces Department, and devoted to active or passive recreation.

(g) "Park rules" means rules adopted by the director pursuant to section 10.01.040 of this chapter.

(h) "Person" shall have the meaning assigned thereto in Metro Code section 1.01.040(f).

(i) "Public" means any person other than a Regional Parks and Greenspaces Department employee.

(j) "Vehicle" means any wheeled conveyance, whether motor-powered, animal-drawn or self-propelled, including a bicycle, and includes any trailer in tow of any size, kind or description, but does not include baby carriages or vehicles in the service of Metro Regional Parks and Greenspaces.

(k) "Regional Parks and Greenspaces Department employee" means any paid employees of the Regional Parks and Greenspaces Department, any other paid employees of Metro performing tasks or functions at any park at the request or direction of either the director or the Metro council, volunteers performing functions and duties assigned or authorized by the director, and any contractors or agents of the Regional Parks and Greenspaces Department carrying out their duties or obligations to the Regional Parks and Greenspaces Department.

10.01.030 Policy

The council has determined that it is necessary to adopt these Code provisions in order to insure the efficient operation, protection and maintenance of regional parks and greenspaces and to protect the health, safety and welfare of the public; therefore, this chapter shall be liberally construed to effectuate this purpose.

10.01.040 Enforcement Authority/Park Rules

(a) The director shall have the authority to enforce all of the provisions of this chapter, including but not limited to the authority to enforce any park rules adopted pursuant to this chapter.

(b) The director shall have the authority to adopt park rules which are not inconsistent with the provisions of this chapter, including but not limited to park rules governing fees. Park rules shall be in writing, shall be posted as otherwise required by this chapter, and shall be filed with the Metro council.

(c) No person shall violate any park rule which has been adopted by the director pursuant to this chapter.

10.01.050 Park Property Destruction and Other Property Prohibitions

No person shall, within the boundaries of any park:

(a) Willfully mark, deface, disfigure, injure, tamper with, displace or remove any buildings, rest rooms, bridges, tables, benches, fireplaces, railings, paving or paving material, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, other structures or equipment, recreation facilities or park property or appurtenances whatsoever, either real or personal.

(b) Dig, or remove any soil, rock, stones, trees, shrubs or plants, down-timber or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency.

(c) Damage or destroy any park tree, shrub, plant, structure or appurtenance through the use of a motor vehicle, whether intentional or not.

(d) Use any metal or mineral locating devices of any kind.

10.01.060 Trees, Shrubbery and Lawns Prohibitions

No person shall, within the boundaries of any park:

(a) Damage, cut, carve, transplant or remove any tree or plant or any part of any tree or plant, regardless of whether the tree or plant is dead or alive. Use of chain saws is prohibited.

(b) Climb any tree or walk, stand or sit upon monuments, vases, fountains, railing, fences or upon any other property not designated or customarily used for those purposes.

(c) Plant any tree or shrub in a park or cemetery area without the written permission of the director.

10.01.070 Animals, Birds and Fish Prohibitions

No person shall, within the boundaries of any park:

(a) Hunt, molest, harm, frighten, kill, trap, chase, shoot or throw missiles at any bird, fish or other living creature or remove or have in possession any wild animal, bird, fish, or reptile or the eggs or nest of any reptile or bird. However, angling is permitted in designated areas in accordance with

applicable rules and regulations as promulgated by the Oregon Department of Fish & Wildlife.

(b) Give or offer to give food items to any animal or bird, except for those items intended for that purpose approved by the director.

(c) Give or offer to give to any animal or bird any tobacco, alcohol or other noxious substances.

10.01.080 Pollution of Waters and Soils Prohibited

No person shall throw, discharge or otherwise place or cause to be placed in the soils of any Metro park or waters of any fountain, pond, lake, stream, bay or other body of water in or adjacent to any park, any matter or thing, liquid or solid, which will or may result in the pollution of those waters or soils.

10.01.090 Refuse and Trash Prohibitions

No person shall deposit, dump, place or leave any rubbish, bottles, cans, garbage or refuse of any type regardless of its source in a park area, except refuse, garbage or litter occasioned through use of those areas which shall be deposited in refuse receptacles provided for that purpose.

10.01.100 Traffic Prohibitions

No person shall, within the boundaries of any park:

(a) Fail to comply with all applicable provisions of the state motor vehicles traffic laws in regard to equipment and operation of vehicles together with such regulations as are contained in this chapter and other ordinances.

(b) Fail to obey all authorized enforcement personnel and park employees, which persons hereby are authorized and instructed to direct traffic whenever and wherever needed in the parks and on the highways, streets or roads immediately adjacent to the parks in accordance with the provisions of this chapter and such supplementary rules as may be issued by the director.

(c) Fail to observe and obey all traffic signs indicating speed, direction, caution, stopping or parking, and all other signs posted for proper control and to safeguard life and property.

(d) Drive any vehicle on any area except the park roads or parking areas or such other areas as may be specifically designated by the director.

10.01.110 Parking Prohibitions

No person shall, within the boundaries of any park:

(a) Park a vehicle in other than an established or designated parking area or not comply with the posted directions and with instructions of any attendant who may be present at an established or designated parking area.

(b) Double park any vehicle on a road or parkway unless directed by a park attendant.

(c) Leave any vehicle parked in any park area after normal park operation hours without first obtaining permission from authorized enforcement personnel.

(d) Leave any vehicle parked on a boat ramp except while loading or unloading a boat.

10.01.120 Bicycle Prohibitions

No person shall, within the boundaries of any park:

(a) Ride a bicycle on other than a vehicular road or path designed for that purpose. A bicyclist shall be permitted to wheel or push a bicycle by hand over any grassy area or wooded trail or on any paved area reserved for pedestrian use.

(b) Ride a bicycle other than on the right-hand side of the road paving as close as conditions permit. Bicycles shall be kept in single file when two or more are operating as a group. Bicyclists shall at all times operate their bicycles with reasonable regard to the safety of others, signal all turns, pass to the right of any vehicle they are overtaking and pass to the right of any vehicles they may be meeting.

(c) Ride a bicycle on any road between 30 minutes after sunset and 30 minutes before sunrise without an attached headlight plainly visible at least 200 feet in front of, and without a red taillight or reflector plainly visible from at least 200 feet from the rear of the bicycle.

(d) Use bikes on trails or other areas not specifically designated for such use.

10.01.130 Bathing and Swimming Prohibitions

No person shall, within the boundaries of any park:

(a) Swim, bathe or wade in any waters or waterways in or adjacent to Blue Lake Park, except in such waters and at such times and places as are designated and in compliance with this chapter or rules adopted under this chapter.

(b) Allow a child under the age of five to swim, bathe or wade in Blue Lake.

(c) Construct or install rope swings adjacent to waterways in any park area.

10.01.140 Blue Lake Boating Prohibitions

Except as provided in subsections (a) through (d), no person shall bring into or launch any watercraft of any type from Blue Lake Park. Boating activities shall be in accordance with applicable rules of the State of Oregon.

(a) Watercraft belonging to residents whose property adjoins Blue Lake. Such watercraft shall be identified by the current decal and number of the Interlachen Homeowners Association.

(b) Watercraft for rent at the Park.

(c) Privately owned watercraft between October 1st and April 30th of each year provided that they shall not exceed 14 feet in length (17 feet for canoes), and 3.0 horsepower in motor capability for the purpose of angling in accordance with rules promulgated by the Oregon Department of Fish and Wildlife.

(d) As allowed by the director for special events or other special purposes.

10.01.150 Fishing Prohibited in Swimming Areas

No person shall fish, within the boundaries of any park, in any designated swimming area.

10.01.160 Hunting and Firearms Prohibitions

No person shall discharge a firearm, air rifle, spring gun, bow and arrow or other weapon in or over any park except in areas

by the owner when such waste occurs in an area designated for horse trailer parking.

10.01.200 Consumption of Alcoholic Beverages Limited

(a) Except as provided in subsection (b) and (c) of this section, no person shall bring into or consume alcoholic beverages in any park, provided, however, that the council may, from time to time, designate certain parks or park areas where alcohol may be brought for use in meal preparation or consumption with meals.

(b) The director may, by issuance of a permit, allow the sale of alcoholic beverages on the premises of designated facilities when duly licensed by the Oregon Liquor Control Commission.

(c) After the proper permit(s) are secured from the director, alcohol may be consumed in designated areas at Blue Lake Park, Oxbow Park and Howell Territorial Park.

10.01.210 Fireworks and Explosives Prohibited

No person shall, within the boundaries of any park, bring, or have in possession, or set off or otherwise cause to explode or discharge or burn, any firecrackers, torpedoes, rockets or other fireworks or explosives or inflammable material, or discharge them or throw them into any park from any adjacent land or highway. This prohibition includes any substance, compound, mixture or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints. The director, however, may issue a special fireworks permit in accordance with state law.

10.01.220 Domestic Animals Restricted

Except for "dog guides," "dog guide trainees," "hearing aid dogs," "hearing aid dog trainees," "assistance animals," and "assistance animal trainees," all as defined by ORS chapter 346.610 et seq., and except as required by any other law, no person shall bring a dog or other domestic animal into any park, on or off leash or within a motor vehicle, except as may be specifically allowed by the director.

10.01.230 Soliciting Prohibited

No person shall, within the boundaries of any park, solicit for any public or private purpose.

specifically designed for that purpose. All weapons which are brought into parks areas shall be completely unloaded and kept in the owner's vehicle at all times.

10.01.170 Camping Prohibitions

No person shall, within the boundaries of any park:

- (a) Camp overnight or longer without first obtaining a camping permit.
- (b) Camp longer than five consecutive days in any specific park.
- (c) Camp for more than 10 days in any 30-day period in any specific park.
- (d) Camp at any time or in any place except as specifically provided for in a camping permit.
- (e) Camp if he/she is under the age of 18, unless he/she is accompanied by an adult.
- (f) Camp in nondesignated areas.
- (g) Allow more than eight people to occupy a site.
- (h) Ignore the 10:00 p.m. to 6:00 a.m. quiet time period.
- (i) Check out after 2:00 p.m. without paying the fee for an additional day.

10.01.180 Prohibited Games

No person shall, within the boundaries of any park, take a part in or abet the playing of any games involving thrown or otherwise propelled objects such as stones, arrows, sharp objects, vehicles, javelins or power-projected model airplanes or boats except in areas set apart for those forms of recreation.

10.01.190 Horseback Riding Restricted

No person shall, within the boundaries of any park, ride a horse except on designated bridle trails. Horses shall be unloaded at designated areas only, shall be thoroughly broken and properly restrained, shall be ridden with due care, and shall not be allowed to graze or go unattended. Horse waste shall be removed

10.01.240 Fires Limited

No person shall, within the boundaries of any park:

(a) Build or attempt to build a fire except in such areas and under such rules as may be designated by the director. All fires shall be completely extinguished after use.

(b) Drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other inflammable material within any park or on any highway, road or street abutting and contiguous to any park.

10.01.250 Games of Chance Prohibited

No person shall, within the boundaries of any park, gamble or participate in or abet any game of chance except as approved by the director in writing and in compliance with the statutes of the State of Oregon.

10.01.260 Violent and Excessively Loud Conduct Prohibited

No person shall, within the boundaries of any park, engage in, promote, instigate, encourage, aid or abet fighting or similar violent conduct which would threaten the physical well-being of the public or a park employee, or cause excessive amplified or nonverbal noise.

10.01.270 Exhibiting Permits Required

No person shall:

(a) Fail to produce and exhibit any permit from the director the person claims to have, upon request of any authorized enforcement personnel or park employee who shall desire to inspect the permit for the purpose of enforcing compliance with any ordinance or rule.

(b) Fail to clearly display at all times, while within the boundaries of any park, any required proof of entrance and/or parking fee payment on the dashboard of the person's vehicle so that such proof is plainly visible from the exterior of the vehicle.

10.01.280 Interference with Permittees Prohibited

No person shall disturb or interfere unreasonably with any person or party occupying any park area or participating in any activity in a park under the authority of a permit.

10.01.290 Vending and Peddling Restricted

Except as expressly provided in this chapter, no person shall, within the boundaries of any park, expose, advertise or offer for sale or rent any article or thing, or station or place any stand, cart or vehicle for the transportation, sale or display of any article or thing, unless the person is a regularly licensed concessionaire acting by and under the written authority of the director.

10.01.300 Signs Restricted

No person shall, within the boundaries of any park:

(a) Paste, glue, tack or otherwise post any sign, placard, advertisement or inscription whatsoever, or cause to be erected any sign whatsoever, except upon permission of the director, unless the person is a regularly licensed concessionaire acting by and under the written authority of the director.

(b) Distribute or otherwise place any non-authorized printed material on any vehicle parked in a park facility.

10.01.310 Park Hours

Except for unusual or unforeseen circumstances and emergencies, and except as otherwise provided by any park rules, park hours are as follows:

(a) Blue Lake Park

Summer and Winter Hours: 8:00 a.m. to legal sunset.

(b) Oxbow Park

Summer and Winter Hours: 6:30 a.m. to legal sunset.

(c) Chinook Landing Marine Park

Summer and Winter Hours: 6:00 a.m. to legal sunset.

(d) All other parks

Summer and Winter Hours: 7:00 a.m. to legal sunset.

10.01.320 Posting of Park Rules

The rules and provisions for use and administration of parks, notice of those rules or summaries of those rules shall be kept posted within the main entrance of each park or at suitable other locations.

10.01.330 Closed Areas

All or any section or part of any park may be declared closed to the public by the director at any time and for any interval of time, either temporarily or at regular and stated intervals, daily or otherwise, and either entirely or merely to certain uses, as the director shall find reasonably necessary.

10.01.340 Lost and Found Articles

The finding of lost articles by park employees shall be reported to the director or his/her designee, who shall make every reasonable effort to find and return lost articles and dispose of unclaimed articles as prescribed by law.

10.01.350 Permits for Camping, Group Picnics and Vending

A permit shall be obtained as indicated before participating in the following park activities:

(a) In those parks where overnight camping is allowed, a permit shall be obtained from the park attendant at the park.

(b) A permit must be secured from the Regional Parks and Greenspaces main office for any organized event consisting of more than 25 persons.

(c) Before a person may act as a concessionaire at a park, the person shall secure an executed contract in compliance with Metro's standard contracting procedures.

(d) A permit for concessions at special events which are intended to raise funds for Metro parks purposes may be issued by the director.

10.01.360 Special Use Permit

A special use permit shall be obtained prior to pursuing the following activities in any park:

(a) Movie, commercial or television filming, photography and production.

(b) Fishing, water-skiing, track or any other organized sporting event.

(c) Special educational events or festivals, except those specifically hosted by Metro.

(d) Amplified sound, pony rides, dunk tanks, use of alcohol with a reservation permit or any other type of special use.

(e) Any other organized event or activity involving 25 persons or more except for picnics where a reservation has been secured.

10.01.370 Permit Revocation

The director or his/her designee shall have the authority to revoke a permit upon a finding of violation of any rule, ordinance, statute, or any special use or reservation permit provision.

10.01.380 Boats and Moorages

No person shall:

(a) Disobey any applicable signage posted in boat launching, moorage and beach areas.

(b) Moor a boat longer than 30 minutes on boarding docks or 12 hours on transient docks.

(c) Improperly secure a boat in such a manner as to cause personal injury or damage to park property or resources.

(d) Swim, fish or water ski in the immediate area of or from boat moorage docks.

10.01.390 Enforcement Personnel

(a) The director and the director's authorized representatives shall, in connection with their duties imposed by law, diligently enforce the provisions of this chapter.

(b) No person shall harass, obstruct, interfere with or disobey the direction of any authorized enforcement personnel or park employee carrying out the enforcement of this chapter or rules adopted under this chapter.

10.01.400 Ejectment and Exclusion

The director and authorized enforcement personnel shall:

(a) Have the authority to arrest, cite in lieu of arrest or eject from the park any person acting in violation of this chapter or the laws of the State of Oregon.

(b) Exclude from the park any person acting in violation of this chapter or the laws of the State of Oregon.

(c) Exclusions exceeding one year shall be approved by the director.

10.01.410 Seizure of Property

The director and any authorized enforcement personnel shall have the authority to seize and confiscate any property, thing or device, including but not limited to motor vehicles and chain saws, used in violation of this chapter.

10.01.420 Hearing Regarding Seized Property

(a) Persons who have had any property, thing or device confiscated under section 10.01.410 may request an immediate hearing by filing a written request for hearing with the director.

(b) The director shall, upon receipt of request for immediate hearing, set a time and place for hearing at the earliest possible time and promptly notify the person requesting hearing as to the time and place for the hearing.

(c) The person requesting the hearing and park staff may make argument, submit testimony and written briefs, cross-examine witnesses and submit rebuttal evidence on matters pertinent to the issue to be determined.

(d) All hearings shall be recorded in a manner which will allow for a written transcription to be made and all materials submitted at the hearing shall be retained by the director for a period of at least two years.

(e) Failure of the person requesting hearing to appear at the hearing shall constitute a waiver of the right to a hearing.

(f) If the director determines there was a wrongful confiscation of property, the property shall be returned to the person requesting the hearing or, if the property has been destroyed, restitution shall be made.

(g) The director shall issue an order within two weeks after the hearing and shall mail a copy of the order to the person requesting the hearing.

(h) Any property, thing or device which was not wrongfully confiscated shall become the property of Metro and shall be disposed of in a manner to be determined by the director.

10.01.430 Other Laws Applicable

This chapter shall in no way be a substitute for or eliminate the necessity of conforming with any and all state laws and rules and other ordinances which are now or may be in the future in effect which relate to the activities regulated in this chapter.

10.01.440 Severability

If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held invalid or unconstitutional by a court of competent jurisdiction, that portion shall be considered a separate, distinct and independent provision, and the holding shall not affect the validity of the remaining portion of this chapter.

10.01.600 Penalties

Any person convicted of a violation of this chapter shall be punished by a term of not more than one year in jail or by a fine of not more than \$500, or both. Each day of a continuous violation of this chapter shall be considered a new, separate and distinct violation. Restitution shall be made in cases involving damage or destruction to park property or improvements.

10.01.610 Bail and Fine Collection

District Court shall be responsible for the collection of any bails and/or fines set for penalties described in this chapter. Any bail or fine remaining after disbursement through District Court shall be returned to Metro and placed in the Regional Parks and Expo Fund for training of authorized enforcement personnel.

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CHAPTER 10.02

REGIONAL PARK FEES

SECTIONS	TITLE
10.02.010	Purpose and Authority
10.02.020	Park Fees
10.02.030	Suspension of Fees
10.02.040	Park Use Without Required Fee Prohibited
10.02.050	Fees for Memorials and Cemeteries
10.02.100	Penalties
10.02.110	Bail and Fine Collection

10.02.010 Purpose and Authority

It is the purpose of this chapter to establish park fees pursuant to Metro Code section 10.01.010

10.02.020 Park Fees

The following fees shall be charged and collected by Metro for and prior to the following park uses and activities:

(a) Reservation fees for shelters and reservable picnic areas at Blue Lake Park shall be set forth in Appendix "A" to chapter 10.02. However, reservation fees for weekday events (except holidays) shall be reduced by 20 percent. Off-season reservation fees (November 1 through May 14) shall be reduced by 50 percent.

(b) Fees for alcohol permits at Blue Lake Park shall be as follows:

(1) \$150.00 for areas with capacity of 51 or more.

(2) \$85.00 for areas with a capacity of 50 or less.

(c) Overnight camping fees at Oxbow Park shall be \$10.00 per site per night. Permit must be displayed. The fee for each additional vehicle shall be \$2.00 per night. Each vehicle must pay entry fee on initial day of entry.

(d) Entry fees at Blue Lake Park and Oxbow Park shall be \$3.00 per motorized vehicle on all days and \$6.00 per bus on all days.

(e) Boat launching and/or parking fees shall be \$4.00 at the Chinook Landing Marine Park and \$3.00 at the M. James Gleason Boat Ramp per motorized vehicle on all days.

(f) Fees for special events shall be set by the director of the Regional Parks and Greenspaces Department.

(g) Fees for nightly use of overnight group camps at Oxbow Park by nonprofit and youth organizations shall be as follows:

- (1) \$20.00 minimum for the first 10 people for Group Camp #2 and #3 and then \$2.00 per person up to a \$70.00 maximum (this does not include the vehicle entry fee). 35 people per night maximum per site.
- (2) \$40.00 minimum for the first 20 people for Group Camp #1 and then \$2.00 per person up to a \$300.00 maximum (this does not include the vehicle entry fee). 150 people maximum per night.

(h) Picnic area reservation fees at Oxbow Park shall be as follows (does not include vehicle entry fees):

Area A - \$231.00
Area B - \$143.00
Area C - \$176.00
Area D - \$121.00

However, reservation fees for weekday events (except holidays) shall be reduced by 20 percent. Off-season reservation fees (November 1 through May 14) shall be reduced by 50 percent.

(i) The fee for annual passes in lieu of daily entrance fees, launching and/or parking fees at Blue Lake Park, Oxbow Park, Chinook Landing, and M. James Gleason Boat Ramp shall be as follows:

- (1) Premium: \$50.00 per year (October 1 through September 30)
- (2) Regular: \$35.00 per year (October 1 through September 30)
- (3) Seniors: \$25.00 per year (October 1 through September 30)
- (4) Low-Income/Disabled: \$10.00 per year (October 1 through September 30).

(j) Entrance fees at Blue Lake and Oxbow Regional Parks shall be waived for any police officer or Metro employee who presents valid current identification at the park entrance. Fee waivers shall not apply to any special events or other facilities.

(k) Except for use by Metro, rental fees, along with \$100.00 refundable deposit, for "The Lake House" at Blue Lake Park shall be:

- (1) April 1 to October 31:
10:00 a.m. to 4:00 p.m. \$537.50
6:00 p.m. to midnight \$537.50
10:00 a.m. to 10:00 p.m. \$860.00
- (2) November 1 to March 30:
10:00 a.m. to 4:00 p.m. \$430.00
6:00 p.m. to midnight \$430.00
10:00 a.m. to 10:00 p.m. \$724.50
- (3) Weekdays (Monday through 5:00 p.m. Friday):
\$38.00 per hour with a three-hour minimum charge.

10.02.030 Suspension of Fees

Collection of any fee under section 10.02.020 may be waived or suspended by order of the director of Regional Parks and Greenspaces or his/her designee for such period of time as the order may provide. The director shall develop and implement a written policy to guide decisions related to the waiver or suspension of fees.

10.02.040 Park Use Without Required Fee Prohibited

No person shall engage in a park activity for which there is a fee without first paying the required fee. Any person engaged in a park activity for which there is a fee shall be required to produce and exhibit the receipt from the director showing fee payment, which the person claims to have, upon request of any authorized person who shall desire to inspect the receipt for the purpose of enforcing compliance with this chapter or rules promulgated pursuant thereto.

10.02.050 Fees for Memorials and Cemeteries

(a) For the services of Regional Parks and Greenspaces in connection with memorials, cemeteries, and related matters, the grave fees shall be as follows:

Grave Price Range	\$600.00 - \$750.00
Cremain Graves	\$360.00
Child Graves	\$175.00

All service fees will be set by the director of Regional Parks and Greenspaces to reflect the average cost of services as charged by the industry in the Portland metropolitan region.

(b) The director may waive fees for grave sales and burial services in situations of extreme financial hardship. All waivers or exemptions shall be written by order setting forth the facts to justify the waiver or exemption.

10.02.100 Penalties

Any person convicted of a violation of this chapter shall be punished by a fine of not more than \$500.00

10.02.110 Bail and Fine Collection

District Court shall be responsible for the collection of any bails and/or fines set for penalties described in chapter 10.02. Any bail or fine amounts remaining after disbursement through District Court shall be returned to Metro and placed in the Regional Parks and Expo Fund for training of authorized enforcement personnel.

APPENDIX "A"
TO CHAPTER 10.02.020 (a)
PARK FEES, BLUE LAKE REGIONAL PARK

<u>AREA</u>	<u>GROUP SIZE</u>	<u>FEE</u>	<u>ENTIRE AREA FEE</u>
11A	100	\$55.00	
11B Full Canopy	50	\$83.00	\$138.00
12A Half Canopy	100	\$99.00	
12B	50	\$39.00	
12C	50	\$39.00	
12D	50	\$39.00	\$216.00
13A	50	\$39.00	
13B	50	\$39.00	
13C	100	\$55.00	
13D	50	\$39.00	\$172.00
14A	100	\$55.00	
14B Full Canopy	50	\$83.00	
14C	50	\$39.00	
14D	100	\$55.00	
14E	50	\$39.00	\$271.00
Celilo Shelter *			
A	60	\$110.00	
B	60	\$110.00	\$220.00
Chinook Shelter *			
A	125	\$176.00	
B	125	\$176.00	\$352.00
17A	100	\$55.00	
17B	100	\$55.00	
17C	100	\$55.00	
17D	100	\$55.00	\$220.00
18A *	100	\$55.00	
18B *	100	\$55.00	\$110.00
19	100	\$55.00	\$55.00
20A Full Canopy	50	\$83.00	
20B Full Canopy	50	\$83.00	\$166.00
Multnomah Shelter *			
A	60	\$110.00	
B	60	\$110.00	
C	60	\$110.00	
D	60	\$110.00	\$440.00
Shahala Shelter *			
A	125	\$176.00	
B	125	\$176.00	\$352.00
Clatsop Shelter *			
A	125	\$176.00	
B	125	\$176.00	\$352.00
Bandstand *	200	\$138.00	\$138.00

* Alcohol allowed in these areas only; alcohol permit must be obtained from Reservation Office at the time reservation is booked (additional fee) pursuant to sections 10.01.200 and 10.02.020 (b) .

Please Note: The cost of a reservation does not include the entry fee.

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REGIONAL PARKS AND GREENSPACES STAFF REPORT

ORDINANCE NO. 96-659 FOR THE PURPOSE OF ADOPTING METRO
CODE TITLE X, METRO REGIONAL PARKS AND GREENSPACES.

Date: January 24, 1997

Presented by:

Charles Ciecko, Director
Dan Kromer, O & M Manager
Regional Parks and Greenspaces

FACTUAL BACKGROUND AND ANALYSIS

Phase II of the Intergovernmental Agreement between Metro and Multnomah County was signed on March 21, 1996. This Intergovernmental Agreement transferred ownership of park properties formerly operated by Multnomah County to Metro.

The Phase II Agreement provided that the County Code provisions previously governing Multnomah County parks and facilities would remain in full force and effect until superseded or amended by future Metro action. While former Multnomah County park properties are regulated by Multnomah County Code, Smith and Bybee Lakes and lands acquired under Measure 26-26 lack formal regulations relating to public use.

The Office of General Counsel and Regional Parks and Greenspaces staff believe it is in the best interest of Metro to adopt Metro Code provisions governing the use and enjoyment of Metro owned or operated Regional Parks and Greenspaces facilities, including but not limited to properties formerly owned or operated by Multnomah County.

Consequently, it is recommended that a new Metro Code section, Title X, regarding Metro Regional Parks and Greenspaces properties be added to the existing Metro Code to standardize rules and regulations throughout the system. The adoption of Title X is necessary to preserve the health, safety, and welfare of Metro's Regional Parks and Greenspaces parks, facilities and visitors. Except for minor adjustments and updates, the proposed ordinance is consistent with past practices and Multnomah County's existing park rules and regulations.

User fees for Regional Parks and Greenspaces facilities are a part of this Title X. An user fee survey of comparable facilities in the region was recently completed. Based on this survey some increases over current fees are proposed. The last time park fees were increased was in May of 1993 except for Pioneer Cemeteries which were adjusted in 1995.

The Regional Parks and Greenspaces Advisory Committee will consider this issue at its February meeting and their recommendation will be forwarded to the Council.

The ordinance will take effect upon passage by the Metro Council.

A Regional Parks and Greenspaces staff member will be present to answer any questions by Council regarding this agreement.

Executive Officer's Recommendation:

The Executive Officer recommends adoption of Ordinance No. 96-659.

Agenda Item Number 7.2

Ordinance No. 96-655B, For the Purpose of Designating Urban Reserve Areas for the Portland Metropolitan Area Urban Growth Boundary; Amending RUGGO Ordinance No. 95-625A and Metro Code 3.01; and Declaring an Emergency

Consideration of Amendments - Amendments available at Council Meeting on February 20, 1997

**Metro Council Meeting
Thursday February 20, 1997
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DESIGNATING)	ORDINANCE NO 96-655B
URBAN RESERVE AREAS FOR THE)	
PORTLAND METROPOLITAN AREA URBAN)	Introduced by Executive Officer
GROWTH BOUNDARY; AMENDING RUGGO)	Mike Burton
ORDINANCE NO. 95-625A AND METRO CODE)	
CHAPTER 3.01; AND DECLARING AN)	
EMERGENCY)	

WHEREAS, ORS 197.298(1)(a) requires that land designated as urban reserve land by Metro shall be the first priority land for inclusion in the Metro Urban Growth Boundary; and

WHEREAS, the Land Conservation and Development Commission's (LCDC's) Urban Reserve Area Rule at OAR 660-21-020 requires Metro to designate the location of urban reserve areas for the Portland Metropolitan area within two miles of the regional Urban Growth Boundary; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-020, requires that urban reserve areas designated by Metro shall be shown on all applicable comprehensive plan and zoning maps; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-030(1), requires that urban reserve areas shall include at least a 10 to 30 year supply of developable land beyond the 20 year supply in the Urban Growth Boundary; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-030(2), requires that Metro study lands adjacent to the Urban Growth Boundary for suitability as urban reserve areas; and

WHEREAS, LCDC's Urban Reserve Area Rule, at OAR 660-21-030(3), requires that land found suitable for an urban reserve area must be included according to the

Rule's priorities and that first priority lands are those lands identified in comprehensive plans as exception areas plus those resource lands completely surrounded by exception areas which are not high value crop areas; and

WHEREAS, Resolution No. 95-2244 established urban reserve study areas as the subject of Metro's continued study for possible designation as urban reserve areas consistent with LCDC's Urban Reserve Area Rule; and

WHEREAS, urban reserve study areas are shown on the 2040 Growth Concept Map in Ordinance No. 95-625A adopting the Regional Urban Growth Goals and Objectives (RUGGO) which was acknowledged by LCDC Compliance Order 96-ACK-010 on December 9, 1996; and

WHEREAS, Metro has undertaken a detailed analysis of the suitability of the study areas for designation as urban reserve areas, including the June, 1996 Metro Utility Feasibility Analysis for Metro 2040 Urban Reserve Study Areas; and

WHEREAS, an Urban Reserve Report containing data about the relative suitability of lands as urban reserves, maps and descriptions of the physical characteristics of the study areas was published September 3, 1996 by the Executive Officer and forwarded to the Metro Council; and

WHEREAS, a series of open houses near the Urban Growth Boundary was held in June, 1996 at Oregon City, Clackamas, Tualatin and Beaverton with residents owning property in study areas notified by mail, print ads and flyers to schools; and

WHEREAS, the Metro Council held public hearing listening posts concerning the urban reserves and the Executive Officer Urban Reserve Recommendation in

November and December, 1996 in Hillsboro, Gresham, Beaverton, Oak Grove and at Metro; and

WHEREAS, the Metro Council considered the Utility Feasibility Report, the Urban Reserve Report and public testimony in November, 1996 listening posts and in December, 1996 work sessions to select urban reserve areas; and

WHEREAS, notice of the proposed urban reserve areas and the proposed postacknowledgment amendments to the acknowledged RUGGO ordinance and the acknowledged Metro Code 3.01 have been given consistent with ORS 197.610(1); now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Chapter 3.01, Metro's acknowledged "Urban Growth Boundary Amendment Procedures," are hereby amended as indicated in Exhibit "A," attached and incorporated herein.

Section 2. Urban reserve areas indicated on the map attached as Exhibit "B", and incorporated herein, are hereby designated as the urban reserve areas for the Metro Urban Growth Boundary for the purpose of compliance with the Urban Reserve Areas Rule at OAR 660-21-020 and for the purpose of identifying lands of first priority for inclusion in the Metro Urban Growth Boundary as required by ORS 197.298.

Section 3. The urban reserve areas on Exhibit "B" shall be shown on all applicable county comprehensive plan and zoning maps as required by the Urban Reserve Areas Rule at OAR 660-21-020.

Section 4. Ordinance No. 95-625A is hereby amended to replace the urban reserve study areas indicated on the 2040 Growth Concept Map with the urban reserve areas designated in Section 2 of this Ordinance.

Section 5. The findings of fact in Exhibit "C", attached and incorporated herein, explain how the urban reserve areas designated in Section 2 of this Ordinance comply with the Urban Reserve Areas Rule and the acknowledged Regional Urban Growth Goals and Objectives.

Section 6. The designation of urban reserve areas prior to March, 1997 applications for amendments to the Metro Urban Growth Boundary is necessary to preserve the health, safety or welfare of the Metro region; therefore, an emergency is hereby declared to exist, and this Ordinance shall take effect upon passage.

Section 7. The provisions of this ordinance are separate and severable. The invalidity of any clause, sentence, paragraph, section, subsection, or portion of this ordinance or the invalidity of the application thereof to any city, county, person or circumstance shall not affect the validity of the remaining provisions of this ordinance or its application to other cities, counties, persons or circumstances.

ADOPTED by the Metro Council this _____ day of _____, 1997.

Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

Exhibit A

Amendments to Metro Code 3.01

Section 3.01.010(2), last sentence, is amended as follows:

"Whereas the UGB describes an area needed to accommodate the urban growth forecasted over a 20-year period, the urban reserves estimate the area capable of accommodating the growth expected for an additional ten (10) to thirty (30) years."

Section 3.01.020(a) is amended as follows:

"The purpose of this section is to address ORS 197.298, Goals 2 and 14 of the statewide planning goals and RUGGO . . . Compliance with this section shall constitute compliance with ORS 197.298, statewide planning Goals 2 and 14 and the Regional Urban Growth Goals and Objectives."

Section 3.01.020(b), last sentence, is amended as follows:

"For legislative amendments, if need has been addressed, the district ~~would have to~~ shall demonstrate that the priorities of ORS 197.298 have been followed and that the recommended site was better than alternative sites, balancing factors 3 through 7."

Section 3.01.030(a) is amended as follows:

"The purpose of this section is to address ORS 197.298, Goals 2 and 14 of the statewide planning goals and RUGGO . . . and further define ORS 197.298, Goals 2 and 14 . . . compliance with ORS 197.298, statewide planning Goals 2 and 14 and the Regional Urban Growth Goals and Objectives."

Section 3.01.030(b) is amended by adding the following sentence prior to 3.01.030(b)(1):

"Demonstration that the priorities of ORS 197.298 have been followed is required in addition to the application of factors 3 through 7."

Metro Code 3.01 is amended to add the following new subsection:

"3.01.038 Urban Reserve Areas

(a) The purpose of this section is to comply with ORS 197.298 by identifying lands designated urban reserve land by Metro as the first priority land for inclusion in the Metro Urban Growth Boundary.

(b) Metro has designated as initial urban reserve areas those lands indicated on the map at Exhibit B of Ordinance 96-655B to be included on 2040 Growth Concept map as part of the Regional Urban Growth Goals and Objectives.

(c) Urban reserve areas designated on the 2040 Growth Concept Map shall be the first priority land for inclusion in the Metro Urban Growth Boundary subject to other priorities and provisions of ORS 197.298."

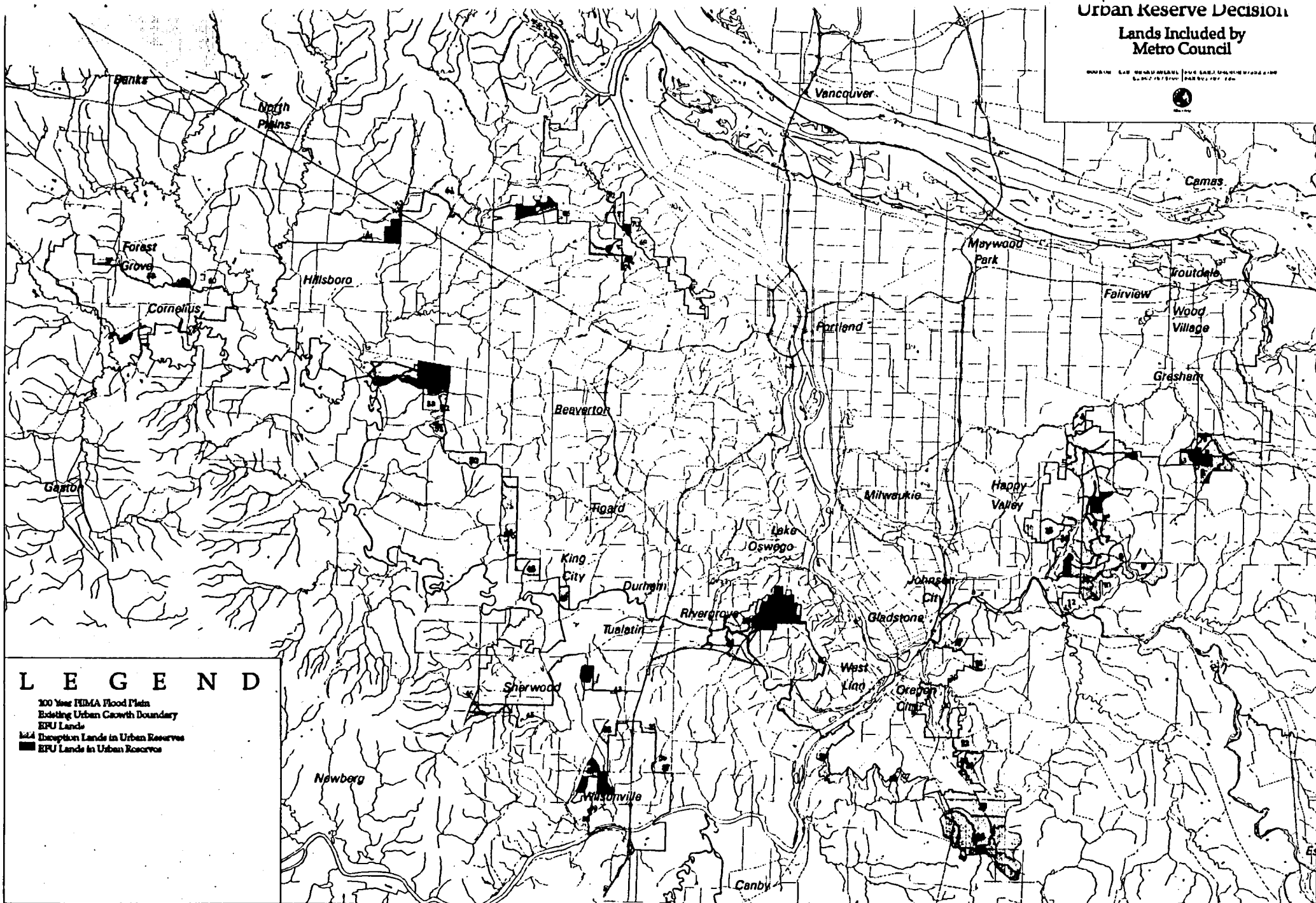
The attached map is exhibit B to Ordinance 96-655B, and reflects Metro Council decisions on December 5 and 12, 1996. It also reflects council action on February 6, 1997 to modify sites 18, 52 and 67, based on proposed legal findings.

mm
2/6/97

Urban Reserve Decision

Lands Included by Metro Council

BOUNDARY LINE: METRO COUNCIL LANDS INCLUDED BY METRO COUNCIL



LEGEND

- 100 Year FEMA Flood Plain
- Existing Urban Growth Boundary
- EPU Land
- 1/4 EPU Land in Urban Reserves
- 1/4 EPU Land in Urban Reserves

Agenda Item Number 8.1

Resolution No. 97-2460, For the Purpose of Endorsing the South/North Light Rail Project Finance Plan.

**Metro Council Meeting
Thursday February 20, 1997
Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ENDORSING THE
SOUTH/NORTH LIGHT RAIL PROJECT
FINANCE PLAN

) RESOLUTION NO. 97-2460
) Introduced by
) Mike Burton,
) Executive Officer

WHEREAS, The Intermodal Surface Transportation Efficiency Act (ISTEA) was adopted by Congress in 1991; and

WHEREAS, ISTEA is scheduled to expire at the end of federal Fiscal Year 1997 (September 30, 1997); and

WHEREAS, Congress will be considering reauthorization of ISTEA beginning in March 1997 and has asked for requests for federal funding to be submitted by February 25, 1997; and

WHEREAS, The South/North Light Rail Project requires federal funds in order to be constructed; and

WHEREAS, It is through ISTEA that a federal "New Rail Starts" funding commitment would be made; and

WHEREAS, Metro Council adopted Resolution No. 96-2442 in January 1997, which endorsed a Regional Position on reauthorization of ISTEA; and

WHEREAS, Resolution No. 96-2442 calls for the development of a detailed financial plan for the South/North Light Rail Project; and

WHEREAS, The South/North Steering Committee adopted a detailed financial plan for the South/North Light Rail Project on February 4, 1997; now, therefore,

BE IT RESOLVED,

That the Metro Council:

1. Endorses the South/North Light Rail Project Financial Plan as adopted by the South/North Steering Committee on February 4, 1997 and included herein as Exhibit A.
2. Excludes State Transportation Improvement Program funding from Fiscal Year 1998-2001 from the South/North Finance Plan with the exception of the \$55 million of Regional STP funds committed to the project.
3. Requests that the South/North Steering Committee develop and adopt revisions to the South/North Light Rail Project Financial Plan as required in order to respond to the federal

reauthorization process and/or to the adoption of the "locally preferred strategy" at the end of the Draft Environmental Impact Statement process.

ADOPTED by the Metro Council this _____ day of _____, 1997

Jon Kvistad, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

February 12, 1997

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STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 97-2460 FOR THE PURPOSE OF ENDORING THE SOUTH/NORTH LIGHT RAIL PROJECT FINANCE PLAN

Date: February 11, 1997

Presented by: Andrew Cotugno

PROPOSED ACTION

This resolution endorses the South/North Light Rail Project Financial Plan as adopted by the South/North Steering Committee on February 4, 1997. The resolution also excludes State Transportation Improvement Program funding from Fiscal Year 1998-2001 from the South/North Finance Plan. Finally, the resolution requests that the South/North Steering Committee develop and adopt revisions to the South/North Light Rail Project Financial Plan as required in order to respond to the federal reauthorization process and/or to the adoption of the "locally preferred strategy" at the end of the Draft Environmental Impact Statement process (DEIS).

FACTUAL BACKGROUND AND ANALYSIS

Background

The South/North Finance Plan was adopted by the South/North Steering Committee on February 4, 1997 in response to Resolution No. 96-2442 (for the purpose of endorsing a regional position on reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA)) approved by Metro Council on January 23, 1997. Specifically, Exhibit A of Resolution No. 96-2442 calls for the adoption of a detailed financial plan that would propose local and federal funding shares for a South/North Phase One project to form the basis of the Region's request for federal Section 3 "New Starts" funds to be included within the reauthorization of ISTEA.

On January 28, 1997, a joint work session of the South/North Steering Committee and the South/North Citizens Advisory Committee was held. At the work session, members of the committees discussed various conceptual cost-cutting measures being developed by project staff. Those cost-cutting measures, while conceptual and preliminary, could provide the opportunity to reduce project costs by approximately one-third. The committees discussed several project segments and their preliminary costs and ridership estimates as a result of those measures.

Specifically, a potential Phase I project from the Clackamas Regional Center to the vicinity of Lombard Street in North Portland was discussed as having the highest ridership potential with the lowest cost per mile if a funding plan for approximately \$1.3 billion could be developed. It was explained that the Phase I project would need to be divided into two construction segments. The first construction segment (or Interim Operable Segment (IOS)) would be funded under the pending ISTEA reauthorization. The second construction segment would be funded under the subsequent ISTEA reauthorization.

Summary of the Finance Plan

Subsequent to the work session, a draft finance plan for the South/North Project was discussed at the January 30, 1997 meeting of the Finance Committee of the Joint Policy Committee on Transportation (JPACT). The JPACT Finance Committee recommended the adoption of the draft finance plan to the South/North Steering Committee reflecting further consideration by JPACT of a resolution concerning a potential light rail extension to the Portland International Airport.

The South/North Finance Plan includes the following key elements:

- The Phase I South/North Light Rail Project would run between the Clackamas Regional Center and Lombard Street in North Portland. The Phase II South/North Project would complete the Downtown Portland North Mall light rail extension between Pioneer Square and the Steel Bridge and extend the project to Clark County and Oregon City.
- The Phase I South/North Project would be constructed in segments (see Figure 1). The first "interim operable segment" (IOS-1) would run between the Clackamas Regional Center and the Rose Quarter. The second segment (IOS-2) would extend the line from the Rose Quarter to Lombard Street.
- The funding request for the upcoming reauthorization of ISTEA is for the construction of IOS-1 and final design for IOS-2.
- The region has committed \$540 million for the Phase I project from voter approved general obligation bonds and other locally controlled funds. In order to keep the Section 3 request as low as possible, locally controlled funds would be advanced into IOS-1.
- The Section 3 request for the upcoming reauthorization bill is \$487.1 million. The federal share would be 49 percent for the initial IOS-1 request and 58 percent for the overall Phase I South/North Project.
- Federal funding for IOS-2 would be requested in a subsequent federal authorization bill. The local overmatch in IOS-1 (plus the non-federal funds used to construct the Airport Light Rail, if appropriate) would be used to match the federal share for IOS-2.

The finance plan is based upon the assumption that approximately \$500 million in cost reductions (approximately one-third) would be made (compared to the November 1996

Clackamas Regional Center to Rose Quarter representative alignment). However, the finance plan does not stipulate which cost-cutting measures should be adopted to reach that target.

Finally, the finance plan and resolution note that the plan may be amended to respond to the results of the federal reauthorization process and/or to the adoption of the "locally preferred strategy" at the end of the DEIS process.

Related Activities

The process to amend the range of alternatives to be studied further in the DEIS will be initiated in March 1997. The purpose of the amendments will be to address possible cost-cutting options within the DEIS, in order to provide comparative information on costs, benefits and travel demand. Following publication of the DEIS, the region will adopt the locally preferred strategy (LPS). The LPS will adopt the length and alignment for the preferred Phase I project, the first construction segment and the specific cost-cutting measures to incorporate into the design of the project.

Extensive public involvement activities have and will continue to be incorporated into the South/North Light Rail Project. Following the November 1996 election, project staff and Steering Committee members met with various citizen and business groups and with the South/North Citizens Advisory Committee (CAC) as the project worked to determine which next steps the project should take. The CAC also discussed and unanimously recommended the adoption of the ISTEA position paper. In addition, participating jurisdiction staff, CAC members and elected officials have been participating in presentations and discussions with established community groups throughout the region. The next steps in the public involvement process will be to tally the results of a mailer/questionnaire (over 100,000 have been distributed to date). In March 1997, the project will implement a public involvement program supporting the process to amend the DEIS alternatives. And finally, an extensive public process will be incorporated into the adoption of the LPS report, including a 45-day public comment period immediately following publication of the DEIS.

The South/North Steering Committee forwarded the adopted finance plan to members of the Oregon congressional delegation. In addition, the project will be submitting responses to several questions asked by the House Committee on Transportation and Infrastructure, Subcommittee on Surface Transportation. The subcommittee, which is considering elements of the ISTEA reauthorization bill, requested that all members of Congress seeking funding through the bill respond to fourteen specific questions by February 25, 1997. The project's response to those questions will be based on the adopted finance plan and on-going environmental and travel demand forecasting analysis.



METRO

February 4, 1997

The Honorable Ron Wyden
259 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Wyden:

On February 4, 1997, the South/North Steering Committee adopted the attached funding plan for the South/North Light Rail Project. The funding plan was recommended to the Steering Committee by the Joint Policy Advisory Committee on Transportation (JPACT) Finance Committee. Based on this plan, we request \$487.1 million in federal funds in the upcoming Intermodal Surface Transportation Efficiency Act (ISTEA) reauthorization bill for the initial segment of the South/North Light Rail Project. The plan may be amended to respond to the results of the federal reauthorization process and to the adoption of the "locally preferred strategy" at the end of the Draft Environmental Impact Statement (DEIS) process.

FUNDING PLAN

Following are the major elements of the adopted finance plan:

- The Phase I South/North Light Rail Project would run between the Clackamas Regional Center and Lombard Street in North Portland. The Phase II South/North Project would complete the Downtown Portland North Mall light rail extension between Pioneer Square and the Steel Bridge and extend the project to Clark County and Oregon City.
- The Phase I South/North Project would be constructed in segments (see Figure 1). The first "interim operable segment" (IOS-1) would run between the Clackamas Regional Center and the Rose Quarter. The second segment (IOS-2) would extend the line from the Rose Quarter to Lombard Street.
- The funding request for the upcoming reauthorization of ISTEA is for the construction of IOS-1 and final design for IOS-2.
- The Region has committed \$540 million for the Phase I project from voter approved general obligation bonds and other locally controlled funds. In order to keep the Section 3 request as low as possible, locally controlled funds would be advanced into IOS-1.
- The Section 3 request for the upcoming reauthorization bill is \$487.1 million. The federal share would be 49 percent for the initial IOS-1 request and 58 percent for the overall Phase I South/North Project.
- Federal funding for IOS-2 would be requested in a subsequent federal authorization bill. The local overmatch in IOS-1 (plus the non-federal funds used to construct the Airport Light Rail, if appropriate) would be used to match the federal share for IOS-2.

AIRPORT LIGHT RAIL EXTENSION

The region is considering pursuing an "undertaking" consisting of the Phase I South/North Light Rail Project and the Airport Light Rail Project, if such an undertaking helps to secure congressional approval of the Section 3 request for the South/North Light Rail Project. The Airport Light Rail Project would be fully funded with non-federal funds and would be pursued in a manner that does not

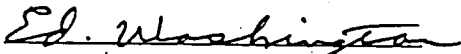
compete for funding with the South/North Light Rail Project. The resulting federal share for the South/North Light Rail-Airport Light Rail "undertaking" would be 52 percent. If referencing the Airport Light Rail Project in the ISTEA language is ill-advised, the proposed ISTEA language would focus solely on the South/North Light Rail Project.

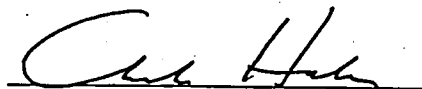
ASSUMPTIONS

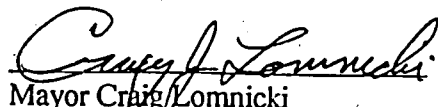
Following are key assumptions of the adopted finance plan:

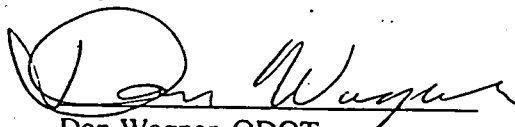
- Approximately \$500 million in cost reductions, compared with the November 1996 Clackamas Regional Center to Rose Quarter representative alignment, will be adopted through the DEIS process and "locally preferred strategy" decision.
- The Full Funding Grant Agreement or a Letter of No Prejudice will be executed in mid-1999.
- Construction will be expedited within a five-year schedule by using local funds for advanced design prior to the execution of the Full Funding Grant Agreement or Letter of No Prejudice.
- Appropriations will run about \$100 million per year and more than \$120 million of interim borrowing capacity will be available. Lower levels of annual appropriations will necessitate higher levels of interim borrowing.

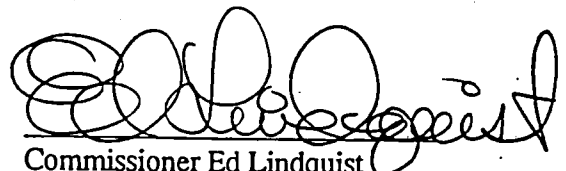
Attachment: Funding Plan, Tables One and Two.

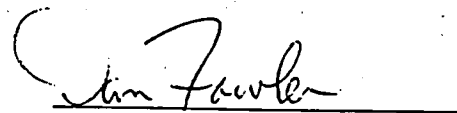

Councilor Ed Washington
Metro
Chair, South/North Steering Committee

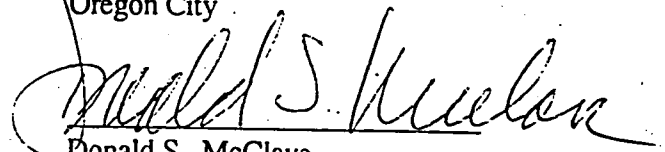

Commissioner Charlie Hales
City of Portland


Mayor Craig Lomnicki
City of Milwaukie


Don Wagner, ODOT
Region 1 Administrator


Commissioner Ed Lindquist
Clackamas County


Mayor Dan Fowler
Oregon City


Donald S. McClave
Tri-Met Board of Directors


Commissioner Gary Hansen
Multnomah County

**South North Light Rail
Finance Plan
February 4, 1997**

I. South/North Project Description

This finance plan is based upon a Phase I South/North Light Rail Project which would run between the Clackamas Regional Center and Lombard Street in north Portland. This plan, which was recommended by the Joint Policy Advisory Committee on Transportation (JPACT), was adopted unanimously by the South/North Steering Committee on February 4, 1997.

II. Segmentation

Under the finance plan, the Phase I Project would be built in two construction segments called Interim Operable Segments (IOS)—see Figure 1. The first construction segment (IOS-1) would be built between Clackamas Regional Center and the Rose Quarter. IOS-1 includes funding for the final design of IOS-2. The construction of the Rose Quarter to Lombard Street segment (IOS-2) would immediately follow IOS-1. From an outside perspective, the project would appear seamless, although the initial Full Funding Grant Agreement (FFGA) would only fund IOS-1 and the final design of IOS-2. The FFGA would have to be amended to incorporate the construction of IOS-2 when federal funds are authorized for this segment during ISTEA-3. The initial FFGA would state an intent to construct the full-length project.

III. ISTEA-2 Authorization Needs

The Section 3 authorization needed in ISTEA-2 is derived from the funding plan for IOS-1 shown in Table 2 (again, this plan includes funding for the final design of IOS-2). The funding plan includes a five-year construction schedule beginning on the FFGA execution date. This would require that advanced design for IOS-1 be prepared concurrently with Preliminary Engineering/Final Environmental Impact Statement activities which could be funded with \$15 million of local funds from the 1990 General Obligation Bond (G.O. Bond). Since this effort occurs prior to the construction schedule shown in Table 1, these activities are not included in Table 1.

As shown in Table 1, the Section 3 authorization request for the upcoming reauthorization of the Intermodal Surface Transportation Efficiency Act (ISTEA-2) is proposed to be \$487.1 million. The Section 3 match ratio for IOS-1 would be 48.6%. This results from advancing all available G.O. Bond funds toward the construction of IOS-1. However, no FY 2005 (or later) Surface Transportation Program (STP) funds would be advanced into IOS-1—these would be used for IOS-2.

It should be noted that, given the appropriation level assumptions (e.g., Section 3 funds would be appropriated at 50% of project needs up to \$100 million), \$118.6 million of (end-of-year) interim borrowing would be needed for IOS-1 (see footnotes on Table 1 and Table 2). It is assumed that

these funds would be repaid as soon as and to the extent that subsequent Section 3 appropriation levels exceed annual project funding requirements.

IV. Total Project Match Ratio

Table 1 shows the total project finance plan (IOS-1 and IOS-2 together). The total estimated cost of the project is \$1.3 billion in year-of-expenditures dollars (based upon the expenditure flow within this plan). The total Section 3 authorization requirement, which would be requested over two authorization cycles, would be \$760 million—\$487.1 million in ISTEA-2 and \$272.9 million in ISTEA-3.

Viewed on a percentage basis, 58% of the total (IOS-1 and IOS-2) project would be funded by Section 3 funds, 4% by STP funds, 1% by development-related sources (tax increment) and 37% by the G.O. Bonds.

V. Assumptions

The plan is based upon a FFGA execution date in mid-1999 and on a schedule that would use the \$15 million of 1990 G.O. Bonds for "advanced design" activities during the PE/FEIS stage. Both of these elements of the funding plan schedule are needed to achieve the aggressive construction schedule used herein.

This finance plan is also based on capital cost estimates that would incorporate about \$500 million in cost savings to be derived from decisions to accept cost reduction actions. This plan does not stipulate which of those reductions is taken.

It is important to note that there is no slack in the finance plan—a \$487.1 million authorization is needed in ISTEA-2 to execute an FFGA which covers a CRC to Rose Quarter IOS-1 and final design for the Rose Quarter to Lombard Street segment. Additional funding would be needed if a more expensive alignment option—for example, Caruthers Bridge, Interstate Avenue, etc.—was selected than assumed in this base finance plan. Also, note that annual appropriation levels may be less than those assumed in the plan (even if the authorization request is approved). Lower than anticipated annual appropriations would have a major impact on the amount of interim borrowing that would be needed.

If the Section 3 authorization is roughly \$30 million less than requested, then the CRC to Rose Quarter segment can be built, but the final design for IOS-2 would not be included in IOS-1 (and, as a result, the cost of IOS-2 would increase). An authorization below \$457 million implies that additional local funding and/or cost reductions would have to be found to construct the CRC to Rose Quarter segment. Even with additional local funds and cost savings, Congress may authorize Section 3 funding below what is needed for IOS-1. In that case, the scope of IOS-1 would have to be changed from CRC to Rose Quarter to a shorter segment, such as Milwaukie to Rose Quarter. A revised financing plan would be produced if this situation arises.

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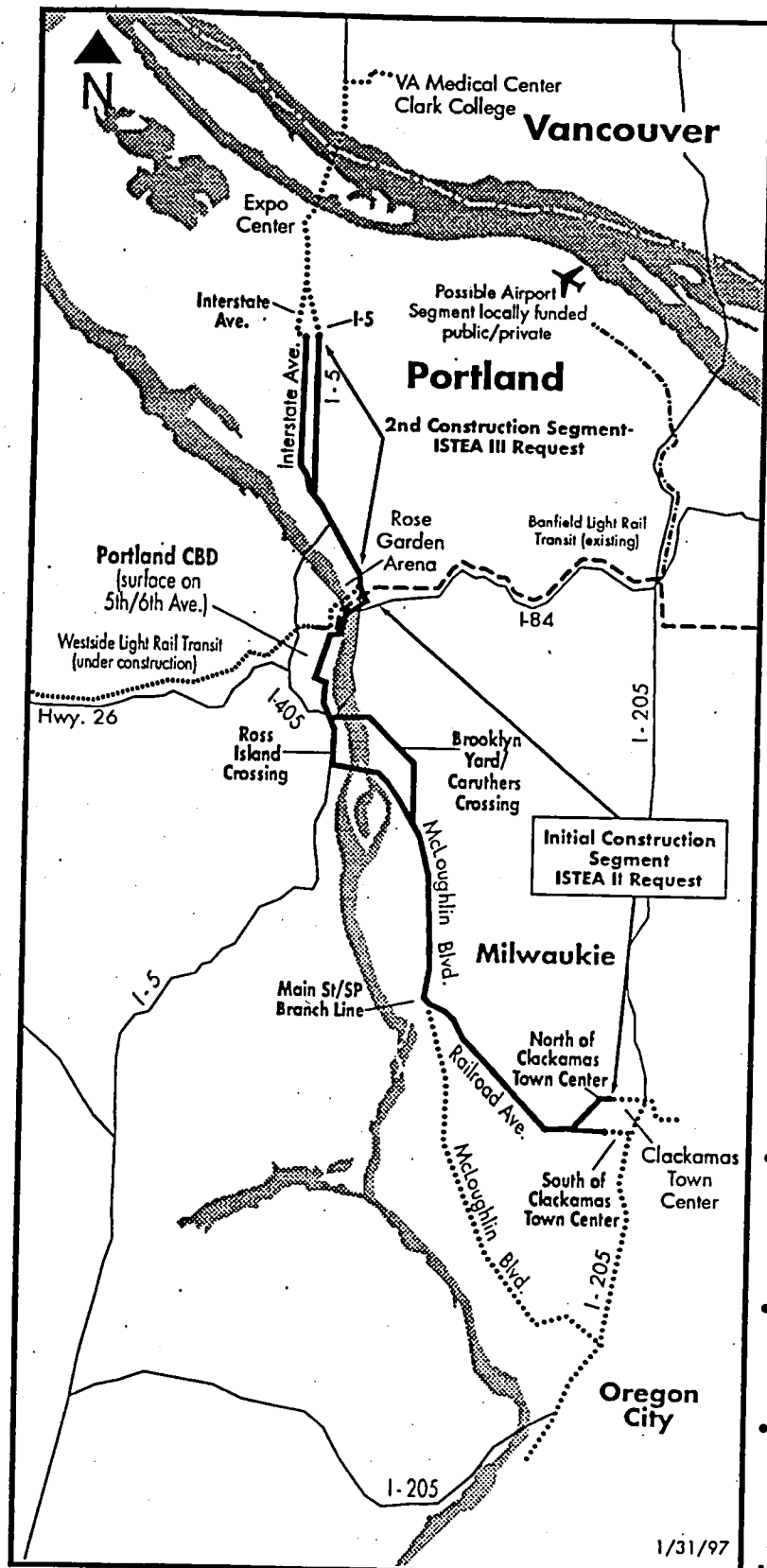


Figure 1
South/North Transit
Corridor Study
"Snapshot"

Need

- It is estimated that approximately 700,000 more people will live in the Portland Metro area by the year 2015.
- Congestion will increase and air quality will deteriorate.

The Project

- A Full-Length Bi-State Project connecting Clackamas, Multnomah and Clark Counties.
- A 15 Mile Phase One Project starting in Clackamas Town Center in the south and ending near Lombard Street in North Portland. Phase Two extensions to Clark County and Oregon City.

Benefits

- By the year 2015, 40,000 rides per week-day would be taken on Phase One South/North Light Rail. The Full-Length Bi-State project would carry over 68,000 rides.
- Travel by light rail during rush hour between major points like Clackamas Town Center and the downtowns of Portland, Milwaukie and Vancouver would be faster than by car or bus.
- South/North LRT will add the equivalent long-term capacity of a six-lane freeway from Clackamas Town Center through downtown Portland at approximately one-third the cost.
- Approximately 29,000 full-time family-wage jobs would be created by the project during the construction period.
- In the year 2015, The Phase One South/North Project would reduce total air pollution by approximately 400 tons per year.

ISTEA II Request

- \$487.1 million in Section 3 Funds for the Initial Construction Segment.

South/North LRT

- Phase One Project
- Phase Two Extension

East/West MAX

- Banfield LRT
- Possible Airport Extension
- Westside LRT

Table 1
South/North Funding Plan

Federal Fiscal Year:	FY00	FY01	FY02	FY03	FY04	FY05	FY06	FY07	FY08	Total
Requirements										
IOS-1 Construction Costs	\$ 30.2	\$103.4	\$282.2	\$299.4	\$247.3					\$962.4
Finance Costs	\$3.5		\$6.0		\$2.3					\$11.8
IOS-1 Total Obligations	\$33.7	\$103.4	\$288.2	\$299.4	\$249.6					\$974.3
IOS-2 Construction Costs					\$27.9	\$106.5	\$112.0	\$63.4		\$313.8
Finance Costs						\$4.7	\$4.8	\$4.4	\$2.0	\$11.9
IOS-2 Total Obligations					\$27.9	\$111.2	\$116.8	\$67.8	\$2.0	\$325.7
Total Obligations	\$33.7	\$103.4	\$288.2	\$299.4	\$277.5	\$111.2	\$116.8	\$67.8	\$2.0	\$1,300.0
Revenues										
Section 3 Funds Approp. ¹	\$16.9	\$51.7	\$100.0	\$100.0	\$100.0	\$100.0	\$100.0	\$100.0	\$91.4 ³	\$760.0
STP Funds	\$6.0	\$6.0	\$6.0	\$6.0	\$6.0	\$5.0	\$10.0	\$10.0		\$55.0
Tax Increment Funds		\$10.0								\$10.00
G.O. Bond	\$10.8	\$35.7	\$182.2	\$193.4	\$52.9					\$475.0
Interim Borrowing ²					\$118.6	\$6.2	\$6.8	[\$42.2]	[\$89.4]	\$0.0
Total Revenues	\$33.7	\$103.4	\$288.2	\$299.4	\$277.5	\$111.2	\$116.8	\$67.8	\$2.0	\$1,300.0

¹ This financing plan assumes that no more than \$100 million of Section 3 funds would be appropriated to the project in any one fiscal year.

² Interim borrowing is used to bridge revenue needs caused by the assumed \$100 million limit on federal appropriations.

³ These funds are used to repay the outstanding interim borrowing costs.

Note: All dollar amounts shown in millions. Totals may differ from FY detail due to rounding.

Table 2
South/North Funding Plan: IOS-1

Federal Fiscal Year:	FY00	FY01	FY02	FY03	FY04	FY05	FY06	FY07	Total
Requirements									
IOS-1 Construction Costs	\$ 30.2	\$103.4	\$282.2	\$299.4	\$247.3				\$962.4
Finance Costs	\$3.5		\$6.0		\$2.3				\$11.8
IOS-1 Total Obligations	\$33.7	\$103.4	\$288.2	\$299.4	\$249.6				\$974.3
IOS-2 Construction Costs					\$27.9				\$27.9
Finance Costs					\$0.0				\$0.0
IOS-2 Total Obligations					\$27.9				\$27.9
Total Obligations	\$33.7	\$103.4	\$288.2	\$299.4	\$277.5				\$1,002.1
Revenues									
Section 3 Funds Approp.	\$16.9	\$51.7	\$100.0	\$100.0	\$100.0	\$118.6 ¹			\$487.1 ¹
STP Funds	\$6.0	\$6.0	\$6.0	\$6.0	\$6.0				\$30.0
Tax Increment Funds		\$10.0							\$10.00
G.O. Bond	\$10.8	\$35.7	\$182.2	\$193.4	\$52.9				\$475.0
Interim Borrowing					\$118.6	[\$118.6] ¹			\$0.0
Total Revenues	\$33.7	\$103.4	\$288.2	\$299.4	\$277.5	\$0.0			\$1,002.1

¹ The \$487.1 million total Section 3 requirement is an "authorization" number. Assuming the project proceeds with IOS-2, the \$118.6 million interim borrowing repayment shown in FY 2005 in this table would not actually occur until the end of IOS-2 in FY 2007 and 2008. Instead, the federal Section 3 appropriation in FY 2005 would be used for IOS-2 and the interim borrowing for IOS-1 would be carried forward. If IOS-2 did not proceed, then these funds would be used to repay the interim borrowing.

Note: All dollar amounts shown in millions. Totals may differ from FY detail due to rounding.

Agenda Item Number 8.2

Resolution No. 97-2452, For the Purpose of Authorizing the Executive Officer to Make Any Amendments to the Salary Ranges Required to Implement Current and Future Minimum Wage Increases.

**Metro Council Meeting
Thursday February 20, 1997
Council Chamber**

BEFORE THE METRO COUNCIL

**FOR THE PURPOSE OF AUTHORIZING
THE EXECUTIVE OFFICER TO MAKE
ANY ADJUSTMENTS TO THE SALARY
RANGES REQUIRED TO IMPLEMENT
CURRENT AND FUTURE MINIMUM
WAGE INCREASES.**

RESOLUTION NO. 97-2452

Introduced by

Mike Burton, Executive Officer

WHEREAS, Metro Code 2.02.055 requires the Executive Officer to prepare Pay Plans for seasonal employees for approval by the Metro Council; and,

WHEREAS, The Metro Washington Park Zoo uses the minimum wage for compensating its seasonal workers; and,

WHEREAS, The Oregon voters authorized increase to the State minimum wage effective January 1, 1997,

BE IT RESOLVED,

- 1. That the Executive Officer can authorize adjusting the seasonal workers pay plan and salary ranges as the State minimum wage increases.**
- 2. That this Resolution being necessary for the public health, safety, or welfare, for the reason of orderly administration of the seasonal employees pay plan, and this Resolution is effective January 1, 1997.**

ADOPTED this ____ day of _____, 1997.

Jon Kvistad, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 97-2452 , FOR THE PURPOSE OF AUTHORIZING THE EXECUTIVE OFFICER TO MAKE ANY ADJUSTMENTS TO THE SALARY RANGES REQUIRED TO IMPLEMENT CURRENT AND FUTURE MINIMUM WAGE INCREASES.

Date: January 23, 1997

Presented By: Judy Gregory

BACKGROUND:

Oregon State voters passed Measure 36 in November, 1996, mandating the increase of the minimum wage from \$4.75/hour to \$6.50/hour, over a three year period:

- Effective January 1, 1997, the minimum wage increases from \$4.75/hour to \$5.50/Hour;
- Effective January 1, 1998, the minimum wage increases from \$5.50/hour to \$6.00/hour;
- Effective January 1, 1999, the minimum wage increases from \$6.00/hour to \$6.50/hour.

The current minimum wage of \$4.75/hour has been in effect since January 1, 1991, and is used at Metro facilities, particularly the Metro Washington Park Zoo, for non-represented seasonal Visitor Service Workers.

Visitor Service Workers perform important duties during peak Zoo seasons, and return in following seasons with enhanced skills and experience essential to the success of the Zoo.

The new state law increases the starting salary in the ranges currently used for Visitor Service Workers. Resolution No. 97-2452 would authorize that change and would authorize raising the top step of the Visitor Service Worker salary range. Without this action the salary ranges become compressed, placing the Zoo at a disadvantage in competing for skilled employees.

FISCAL IMPACT:

The Zoo estimates the increase for the current fiscal year portion of the increase is \$21,897. The Zoo is able to fund this increase out of their existing appropriation.

RECOMMENDATION:

Because the Visitor Service Division at the Metro Washington Park Zoo directly applies the minimum wage in the hiring of its seasonal employees during peak seasons, and because increases to the minimum wage are mandated by Oregon voters, the Metro Executive Officer, therefore, recommends approving this Resolution.

Executive Officer's Budget Presentation

1997-98 Budget

2/20/97

- Before I begin, I am pleased to announce that the Government Finance Officers Association has awarded Metro the Distinguished Budget Presentation Award--the highest form of recognition in governmental budgeting.

The budget I'm about to overview emphasizes four areas of primary concern:

First and foremost--completion of the **Regional Framework Plan** mandated by our charter by December of 1997. A great deal of work has already gone forward but much remains to be done. Perhaps more significant than the plan itself is the ability of local governments--who have to date been collaborative partners with us in this process--to continue with implementation. The effect of Ballot Measure 47 is not fully realized at this point but we have strong indications that planning is an area where cuts may be made.

Metro, on the other hand has no choice but to carry out its charter-mandated responsibilities in this area and the budget and management of planning activities will focus on our assisting local governments who will need assistance.

Another priority is in the area of our responsibility toward the **region's transportation system**. Focus has been placed, quite naturally, on light rail, completion of the west-side and continuation of the South/North line.

But a transportation system goes far beyond light rail and quite bluntly, it is my opinion that our transportation system faces serious difficulties. The growth in population and freight into this region that we have experienced in the past few years has simply outstripped the ability of our system's infrastructure to keep up. A failure of system will result not only in loss of personal travel access but could cost us any edge we have had in economic advantage to move commodities within and outside the region.

The legislature appears to be only interested in adding additional cents to the gas tax without indexing. That means any increase will be consumed, go flat and become negative within a short time span.

We must, therefore, continue to encourage alternative to auto-use in the system--work to implement the recommendations of Tri-Met's Transit Choices for Livability Regional Advisory Committee. We must also look for non-road solutions to freight movement and ensure citizens have greater opportunities to walk or bicycle in the region.

A third area of emphasis is in our **green infrastructure**. Here I am speaking of looking beyond the operation of our park system and remaining purchases of open space. Those elements are particularly significant but our growth planning must also emphasize the need to preserve and enhance our watersheds and water systems. This budget allocates money for Metro to be a full-partner in the region's water consortium. The work being done by WRPAC is significant to the future livability of the region.

The full implementation of Title III and Goal 5 should be obvious to all. Yesterday, the Presiding Officer and I dedicated a plaque at Oxbow Park to commemorate the flood of 1996. The destruction done by the flood was incredible--and that is in an undeveloped area! Maintaining urban greenspaces is a critical component to preserving watersheds, water quality and over all livability of the region.

And finally, the budget emphasizes the **changing role we have in Regional Environmental Management**. This Council has already approved a change in our contract for waste disposal. As the market changes, Metro will find itself in a changing environment and its roles must adapt accordingly. You will soon have rate revisions before you as well as a code overhaul. You will also make decisions about future franchising opportunities and our regulatory relationship with local governments and facility operators. None of this should overshadow Metro's commitment to and responsibilities for waste reduction, reuse and recycling.

- I am pleased to present my proposed budget for Metro for fiscal year 1997-98.
- Development of this budget has been the most difficult of the three budgets I have proposed

It has required a delicate balance of maintaining services for the preservation and enhancement of regional livability while we adjust to reductions in revenues.

This budget continues to stress the themes I laid out at the beginning of my administration:

- Preserve and enhance regional livability
- Enhance Metro's ability to serve the public
- Increase Metro's efficiency
- Continue building partnerships with local governments

Again, this is a balanced budget with significant reductions in revenue while It adheres to the themes that are the core of our work here at Metro.

SLIDE 1

- The total budget is \$391.1 million which is a decrease of \$33 million from the FY 1996-97 budget of \$424.4 million.

SLIDE 2

- I am recommending an overall reduction of 6.7 FTE. That reduction would be greater if not for the 7.2 additional MERC FTE required by increases in facilities business and paid for by the anticipated increased revenue.

SLIDE 3

- This budget breaks new ground with the proposed \$4 per ton reduction in the solid waste tipping fee from \$75 per ton to \$71 per ton--the first ever reduction of the tipping fee. Action by the Rate Review Committee last night would bring the rate to \$70 per ton. As you can see on this slide, the reduction is even more significant considering the effects of inflation.

SLIDE 4

- Revenue is down for several Metro functions, although not in all operations. Most significant are:
 - A projected loss of some \$1.7 million in property tax revenues at the Zoo resulting from Ballot Measure 47;
 - A drop in solid waste revenues from the proposed reduction of the tipping fee;
 - While there was no way to incorporate all the potential changes under the recently adopted facilities consolidation agreement, the budget does include \$600,000 from the city of Portland and the reallocation of Multnomah County hotel/motel tax revenue for the operation of the PCPA, and a 6.6% reduction in support service charges to MERC.

SLIDE 5

- Total excise tax receipts are expected to remain stagnant, and the budget makes no overall increases in General Fund program expenditures.

SLIDE 6

- I have attempted to minimize the effects of Measure 47 on the operations of the Zoo in a number of ways, including reallocating \$170,000 in support services costs among other departments and utilizing contingency and reserve funds. However, the public will notice differences at the Zoo--the insect zoo will be closed, train hours will be reduced to peak season, landscaping will be reduced, small primates (exhibits such as the Tamarinds will be closed), and some events like the Valentine Poetry Contest and the Walk on the Wild Side will be eliminated. Also, I have had to make the tough decision to eliminate or outsource 16 positions that will result in 10 lay-offs.

Measure 47 will have two major indirect effects on Metro beyond its direct impact on the Zoo:

FISCAL RESTRAINTS

- Several Greenspaces acquisitions which were anticipated to be land banked and maintained by local governments will remain with Metro due to local governments' inability to absorb additional maintenance costs.
- Local governments' capacity to implement 2040 and the Regional Framework Plan may be significantly reduced.

This budget reflects the focus of Metro's work in the following areas:

Preserve and enhance regional livability

- Adheres to the Charter mandate to provide funds "sufficient to assure timely completion" of the Regional Framework Plan which must be adopted by December 31, 1997.
- Enables the Transportation Department to complete the Final Environmental Impact Statement for South/North Light Rail.

SLIDE 7

- Continues early implementation measures for the 2040 Growth Concept. We have had the following requests for assistance from local governments in the planning area.
- Continues the Open Spaces acquisition program with funds authorized in the 1995 bond measure and includes additional personnel to speed the acquisition process and meet the goal of making 85% of purchases by the end of the budget year.
- Provides funding for the Transit Oriented Development program to promote development around transit corridors that is compatible with 2040.
- Reduces waste disposal rates and streamlines REM, while continuing Metro's commitment to waste reduction and recycling in this region.
- Includes \$50,000 for the Regional Arts and Culture Council (RACC) to fund neighborhood arts programs throughout the region.

Enhance Metro's ability to serve the public

- Undertakes major design and preliminary construction work on the Zoo's Oregon Project, following approval of a \$28.8 million bond measure in September, 1996.
- Appropriates funds for needed capital improvements at Civic Stadium and the Portland Center for the Performing Arts.
- Provides capacity for increased maintenance at the Oregon Convention Center.
- Expands Metro's Internet presence and capability to provide increased access and information on regional growth management and livability issues.
- Includes election costs for a bond measure to expand the Oregon Convention Center (as was requested by Council)

Increase Metro's efficiency

- Incorporates into the budget an anticipated reduction in the solid waste tip fee from \$75 to \$71, and in the regional user fee from \$17.50 to \$16.00. And as I said, given the increase in

tonnage and the re-evaluation of rates at Forest Grove, I can support a \$70 per ton rate. The department is being reorganized and has been reduced by 5 FTE.

- Implements the first phases of InfoLink, Metro's new management information system, and continues work on succeeding phases.
 - Establishes a Data Warehouse to allow increased access to geographic information and free up Data Resource Center staff to make better use of their technical expertise both internally and externally.
 - Improves management of the Metro Regional Center parking structure to make it self-supporting and increase revenue.
 - Includes a Capital Improvement Program in the budget for the first time.
 - Provides for more efficient purchasing procedures.
- Consolidates the employee benefits program with Metro's other insurance programs.

Continue building partnerships with other local governments

- Makes technical planning assistance available to local governments for comprehensive plan reviews, zoning ordinance revisions, and model code development.
- Focuses efforts in Growth Management Services on assistance to local governments and individual communities to develop and implement public information and outreach programs.
- Continues region-wide coordination of transportation planning activities including development of a final alignment for South/North light rail.
- Coordinates regional efforts to address funding issues resulting from adoption of Ballot Measure 47.
- Continues quarterly meetings of city and county administrators from throughout the region to share information on topics of interest.

Conclusion

- My 1997-98 Proposed Budget focuses on maintaining services geared toward realizing Metro's charter mandate to perform "planning and policy making to preserve and enhance the quality of life and the environment for ourselves and future generations."
- This budget accomplishes this focus with a reduction in property tax revenues and solid waste tipping fees.
- This budget meets our challenge to continue our work with the region's citizens and their local elected representatives to effectively manage growth, provide the regional services for

which Metro is responsible, and meet the requirements of our Charter in efficient and cost-effective ways.

- I look forward to working with the Council in their process of reviewing my proposed budget and adopting a final budget for 1997-98.

STAFF REPORT**UPDATE ON METRO PARTICIPATION IN THE IMPLEMENTATION OF A
MARTIN LUTHER KING JR. BOULEVARD MAIN STREET**

Date: February 11, 1997**Presented by: Mary Weber**

Since spring 1996, Metro has been facilitating a partnership to build a strong and vibrant main street along Martin Luther King Jr. Boulevard. This partnership is a pilot project for the state's Community Solutions Team, established by Governor Kitzhaber. The Community Solutions Team is made up of the directors of the Oregon departments of transportation, environmental quality, housing and community services, land conservation and development, and economic development to work with local communities around the state to resolve growth related issues.

The decision making body for this pilot project is the Martin Luther King Jr. Boulevard (MLK) Action Committee, comprised of individual business owners, neighborhood and business associations, nonprofit agencies, state agencies, Metro and the City of Portland. Metro has staffed this group to assist in its efforts to build a revitalized community which will carry out the principles of the 2040 Growth Concept.

The committee began meeting in June 1996, focusing its energies on community needs by asking neighborhood, business and local nonprofit associations to identify pressing community issues. These groups identified key local needs and proposed short- and long-term projects to address them. The public sector partners took these recommendations and further defined the proposed projects.

Over the summer, the Action Committee prioritized projects and developed work plans for implementation. It was successful in implementing a transportation pilot project by the end of 1996 and has initiated several other economic development, environmental management, transportation, and housing projects to date. Efforts have been focused on:

- Environmental clean up efforts that will allow redevelopment of vacant brownfield sites
- Programs to build strong, locally owned businesses
- Transportation improvements that will create a district that is easily accessed by all modes of transportation

- Housing projects which will bring-quality-new housing stock within reach of more residents
- A main street implementation plan which will design and develop funding strategies for implementation of the streetscape changes needed to develop Martin Luther King Jr. Boulevard as a main street

In 1997, the MLK Action Committee will continue to meet and to implement projects developed last year. The Committee plans to finish its work by December 1997. Metro's role in the coming year will be two-fold. With the aid of a grant from the Oregon Department of Transportation, Metro will continue to provide staff support. In addition, Metro will participate in funding a Main Street Implementation Plan for the Boulevard. Other funding partners in this effort include the City of Portland, the Oregon Department of Transportation, and the Department of Land Conservation and Development. The City of Portland will manage the project.

Last spring Metro Council approved \$25,000 to support a main street project on MLK. Approximately \$5,000 has been used to fund an intern which provided much of the day-to-day project support for the MLK Action Committee. The remaining \$20,000 will be used to fund Metro's share of the Main Street Implementation Plan. Metro will enter into an intergovernmental agreement with the City of Portland for this project.

The Implementation Plan has two major products: 1) design and preliminary engineering needed to construct transportation improvements recommended by the MLK Action Committee on two segments of MLK, and 2) sufficient design and implementation tools to ensure that needed right-of-way changes continue as the boulevard is redeveloped. Of the \$20,000, \$15,000 has been budgeted for this street design project.

The remaining \$5,000 has been set aside for a grant to a local business group to establish a "main street manager" for MLK Boulevard. This manager will work with local businesses, residents, and organizations to address both the policy issues and the day-to-day coordination activities needed to maintain a healthy main street environment.

A scope of work for the Metro funded portion of the Main Street Implementation Plan is attached.

Attachment 1

Exhibit "A"

Scope of Work

Martin Luther King Jr. Boulevard Main Street Implementation Plan

Description and Objectives

Metro is responsible for the regional aspects of transportation planning and a Regional Framework Plan. Metro adopted a Growth Concept in December 1994. The Growth Concept establishes a policy statement for how the region intends to manage its long-term growth and the issues associated with growth.

The 2040 Growth Concept relies on a variety of land use and urban form concepts, including "main streets". Main streets typically will serve neighborhoods and may develop a regional specialization - such as antiques, theaters, fine dining, or specialty clothing - that draws people from other parts of the region. While main streets would accommodate automobile traffic, they would be designed to facilitate a variety of transportation modes including pedestrians, transit, and bicycles.

As part of Metro's 2040 Concept, Martin Luther King Jr. (MLK) Boulevard has been identified as a main street. An MLK Boulevard Main Street should accommodate current and future automobile, truck and bus capacity while creating an improved pedestrian environment.

MLK Boulevard has been chosen as a pilot project for the state's Community Solutions Team. Governor Kitzhaber established the Community Solutions Team from five state agencies to work with local communities around the state to solve growth related issues. To implement this pilot project, an MLK Action Committee was formed with representatives from the community and state, regional and local governments to address livability concerns and to strengthen the Albina community. One need identified in this process is a plan for implementing main street changes on MLK Boulevard.

The purpose of the MLK Boulevard Main Street Implementation Plan will be to create design guidelines and to identify implementation strategies for the streetscape changes needed to develop MLK Boulevard into a strong and vibrant main street community. The Implementation Plan will provide specific streetscape design guidelines for the transportation improvements planned as phase 2 of the MLK Action Committee work and will identify tools to implement right-of-way design changes as redevelopment continues along the corridor.

The Implementation Plan will be coordinated closely with the MLK marketing plan which will be prepared by the Portland Development Commission. The marketing plan will identify the types of businesses which have good potential for success in the corridor and will enhance the main street community. The Implementation Plan will use information on potential business attraction as a key guideline for developing streetscape design.

Metro is funding only a portion of the project, the streetscape design guidelines and a grant to enhance business association efforts on the main street. The tasks listed below are steps in an entire process which will be funded not only by Metro, but by the city of Portland, ODOT, and DLCD. The city of Portland will fund transportation engineering and analysis. ODOT will contribute public involvement resources. DLCD is providing more detailed building design elements intended to capture the context of MLK Boulevard so that the street will fit within the larger Albina community. A complete work plan for all elements of the implementation plan is attached as Exhibit B.

Costs and Project Management

Costs for the Metro portion of the proposed project are not to exceed \$20,000. Consultant services will be sought for \$15,000 of the project and \$5,000 is earmarked for a grant to enhance the local business associations to support main street efforts. André Baugh will be the project manager for the city of Portland. Marian Maxfield Hull will be the project manager for Metro.

Metro shall receive proposals, plans and all other documents related to this project to review for consistency with the 2040 Concept and this agreement a minimum of one week before said documents are made available to the public. Metro staff will serve on the technical advisory committee and project management team for the MLK Main Street Implementation Plan. All work shall be completed and billed to Metro by June 30, 1997.

Work Program

Task 1: Business Association Enhancement Grant

This task entails designing and awarding a grant to a local business association to create a "main street management" program. The grant will pay for business association efforts to implement a healthy main street. The purpose of this task is to establish an effective "main street manager" for Martin Luther King Jr. Boulevard. This manager will work with local businesses, residents, and organizations to address both the policy issues and the day-to-day coordination activities needed to maintain a healthy main street environment. Subtasks include:

- A) Perform an inventory of efforts currently taking place on Martin Luther King Jr. Boulevard. Record who is involved and what kinds of activities are happening.
- B) Identify what activities remain to be created to encourage a cohesive main street environment on Martin Luther King Jr. Boulevard.
- C) Identify the primary activities of a main street manager. Establish an organizational structure for a main street manager, either as a part of an existing organization or as a new entity. Identify the relationship between the main street manager and other organizations with interests on MLK Boulevard. Set roles and responsibilities, membership/dues structure, staffing needs.
- D) Identify funding and other resource needs for both long and short term for main street activities. Begin to develop a plan to identify funding and support options.

Products:

- Memo outlining planned activities and possible funding sources
- Flow chart of organizational structure and roles
- Organizational by-laws
- Membership recruitment materials

Time Frame: February - June 1997

Grant Costs: \$5,000

Task 2: Streetscape Guidelines

Develop specific streetscape designs that enhance access to local businesses for all modes of transportation while maintaining a safe environment. Specific transit and pedestrian improvements will be incorporated into the design scheme.

This task has several distinct components. These include, but are not limited to, the following activities and plan review efforts:

- A) Perform background research on issues pertaining to street design on MLK including but not limited to:
 - Albina Community Plan
 - Main street guidelines
 - Existing conditions
 - New developments currently in planning
 - Community context and connectivity research to be done by DLCD Quick Response program
- B) Meet with stakeholders to determine key issues.
- C) Develop materials, including a base map of the project area that includes, but is not limited to, the location of existing right-of-way, location of existing road improvements, location and description of existing structures, sidewalk improvements and condition, and size and species of trees.
- D) Select several sites along MLK Boulevard to develop detailed designs through a charrette design process. The proposed phase 2 northern and southern improvement areas shall be two of the sites.
- E) Conduct a design charrette to develop design solutions for the areas of critical concern.
- F) Meet with project management team to assimilate information gained through the charrette process.
- G) For each alternative, based on the results of the charrette, develop a streetscape plan which shows how proposed improvements would be developed and implemented. The streetscape plans will show, at a

minimum: 1) existing and proposed right-of-way; 2) existing and proposed building setbacks; 3) lot areas and property dimensions; 4) proposed alterations to existing structures, parking areas and access; and 5) improvements such as landscaped areas, sidewalks, retaining walls, transit facilities and all proposed main street design components; 6) ongoing maintenance needs of the various designs.

Product: Recommended streetscape plan for MLK corridor from
Broadway to Columbia
Time Frame: February through June 1997
Consulting: \$15,000

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Attachment 2

Martin Luther King Jr. Boulevard Main Street Manager

Purpose: Establish an effective "main street manager" for Martin Luther King Jr. Boulevard. This manager will work with local businesses, residents, and organizations to address both the policy issues and the day-to-day coordination activities needed to maintain a healthy main street environment.

Task 1: Perform an inventory of efforts currently taking place on Martin Luther King Jr. Boulevard. Record who is involved and what kinds of activities are happening.

Task 2: Identify what activities remain to be created to encourage a cohesive main street environment on Martin Luther King Jr. Boulevard.

Task 3: Identify the primary activities of a main street manager. Establish an organizational structure for a main street manager, either as a part of an existing organization or as a new entity. Identify the relationship between the main street manager and other organizations with interests on MLK Boulevard. Set roles and responsibilities, membership/dues structure, staffing needs.

Task 4: Identify funding and other resource needs for both long and short term for main street activities. Begin to develop a plan to identify funding and support options.

Products:

- Memo outlining planned activities and possible funding sources
- Flow chart of organizational structure and roles
- Organizational by-laws
- Membership recruitment materials

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING)	ORDINANCE NO 96-659 <u>A</u>
METRO CODE TITLE X, METRO)	
REGIONAL PARKS AND GREENSPACES)	Introduced by Executive Officer Mike
)	Burton

WHEREAS, through an Intergovernmental Agreement dated March 21, 1996 between Metro and Multnomah County known as the Phase II Agreement, and through the Greenspaces Program approved by the regional electorate, Metro now owns or operates Regional Parks and Greenspaces facilities, including certain properties formerly owned or operated by Multnomah County; and

WHEREAS, section 3(G) of the Phase II Agreement between Metro and Multnomah County provided that the County Code provisions previously governing the transferred Multnomah County parks and facilities would remain in full force and effect until superseded or amended by future action by Metro; and

WHEREAS, the Metro Council has determined that it is in the best interests of the Metro region to adopt Metro Code provisions governing the use and enjoyment of Metro owned or operated Regional Parks and Greenspaces facilities, including but not limited to properties formerly owned or operated by Multnomah County; and

WHEREAS, user fees for park facilities are a part of this Code and reflect some adjustments over current fees; now, therefore,

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THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. A new Title X, Metro Regional Parks and Greenspaces, is hereby added to the Metro Code as shown on the attached Exhibit A.

ADOPTED by the Metro Council this ____ day of _____ 1997.

Jon Kvistad, Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

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EXHIBIT A
Ordinance No. 96-659A

TITLE X

METRO REGIONAL PARKS AND GREENSPACES

CHAPTERS	TITLE
10.01	Metro Regional Parks and Greenspaces Regulations
10.02	Regional Park Fees.

CHAPTER 10.01

METRO REGIONAL PARKS AND GREENSPACES REGULATIONS

SECTIONS	TITLE
10.01.010	Purpose
10.01.020	Definitions
10.01.030	Policy
10.01.040	Enforcement Authority/Park Rules
10.01.050	Park Property Destruction and Other Property Prohibitions
10.01.060	Trees, Shrubbery and Lawns Prohibitions
10.01.070	Animals, Birds and Fish Prohibitions
10.01.080	Pollution of Waters and Soils Prohibited
10.01.090	Refuse and Trash Prohibitions
10.01.100	Traffic Prohibitions
10.01.110	Parking Prohibitions
10.01.120	Bicycle Prohibitions
10.01.130	Bathing and Swimming Prohibitions
10.01.140	Blue Lake Boating Prohibitions
10.01.150	Fishing Prohibited in Swimming Areas
10.01.160	Hunting and Firearms Prohibitions
10.01.170	Camping Prohibitions
10.01.180	Prohibited Games
10.01.190	Horseback Riding Restricted
10.01.200	Consumption of Alcoholic Beverages Limited
10.01.210	Fireworks and Explosives Prohibited
10.01.220	Domestic Animals Restricted
10.01.230	Soliciting Prohibited
10.01.240	Fires Limited
10.01.250	Games of Chance Prohibited
10.01.260	Violent and Excessively Loud Conduct Prohibited
10.01.270	Exhibiting Permits Required
10.01.280	Interference with Permittees Prohibited
10.01.290	Vending and Peddling Restricted
10.01.300	Signs Restricted
10.01.310	Park Hours
10.01.320	Posting of Park Rules
10.01.330	Closed Areas
10.01.340	Lost and Found Articles
10.01.350	Permits for Camping, Group Picnics and Vending
10.01.360	Special Use Permit
10.01.370	Permit Revocation
10.01.380	Boats and Moorages
10.01.390	Enforcement Personnel
10.01.400	Ejectment and Exclusion

- 10.01.410 Seizure of Property .
- 10.01.420 Hearing Regarding Seized Property
- 10.01.430 Other Laws Applicable
- 10.01.440 Severability
- 10.01.600 Penalties
- 10.01.610 Bail and Fine Collection

10.01.010 Purpose

The purpose of this chapter is to provide for regulations governing the use of Metro owned or operated Regional Parks and Greenspaces facilities by members of the public in order to provide protection for wildlife, plants and property, and to protect the safety and enjoyment of any person visiting these facilities. This chapter is intended to supersede and replace any Multnomah County Code provisions previously applicable to any properties formerly owned or operated by Multnomah County.

10.01.020 Definitions

As used in this chapter, unless the context requires otherwise:

(a) "Council" shall have the meaning assigned thereto in Metro Code section 1.01.040(a).

(b) "Director" means the director of Metro's Regional Parks and Greenspaces Department or the director's designee.

(c) "District" shall have the meaning assigned thereto in Metro Code section 1.01.040(b).

(d) "Executive officer" means the Metro executive officer, and shall include any person(s) to whom the executive officer has delegated authority under this chapter.

(e) "Metro Code" means the Code of the Metropolitan Service District.

(f) "Park" means a forest, reservation, playground, beach, natural area, recreation center, cemetery, or any other similar area owned, operated or managed by Metro, through its Regional Parks and Greenspaces Department, and devoted to active or passive recreation.

(g) "Park rules" means rules adopted by the director pursuant to section 10.01.040 of this chapter.

(h) "Person" shall have the meaning assigned thereto in Metro Code section 1.01.040(f).

(i) "Public" means any person other than a Regional Parks and Greenspaces Department employee.

(j) "Vehicle" means any wheeled conveyance, whether motor-powered, animal-drawn or self-propelled, including a bicycle, and includes any trailer in tow of any size, kind or description, but does not include baby carriages or vehicles in the service of Metro Regional Parks and Greenspaces.

(k) "Regional Parks and Greenspaces Department employee" means any paid employees of the Regional Parks and Greenspaces Department, any other paid employees of Metro performing tasks or functions at any park at the request or direction of either the director or the Metro council, volunteers performing functions and duties assigned or authorized by the director, and any contractors or agents of the Regional Parks and Greenspaces Department carrying out their duties or obligations to the Regional Parks and Greenspaces Department.

10.01.030 Policy

The council has determined that it is necessary to adopt these Code provisions in order to insure the efficient operation, protection and maintenance of regional parks and greenspaces and to protect the health, safety and welfare of the public; therefore, this chapter shall be liberally construed to effectuate this purpose.

10.01.040 Enforcement Authority/Park Rules

(a) The director shall have the authority to enforce all of the provisions of this chapter, including but not limited to the authority to enforce any park rules adopted pursuant to this chapter.

(b) The director shall have the authority to adopt park rules which are not inconsistent with the provisions of this chapter, including but not limited to park rules governing fees. Park rules shall be in writing, shall be posted as otherwise required by this chapter, and shall be filed with the Metro council.

(c) No person shall violate any park rule which has been adopted by the director pursuant to this chapter.

10.01.050 Park Property Destruction and Other Property Prohibitions

No person shall, within the boundaries of any park:

(a) Willfully mark, deface, disfigure, injure, tamper with, displace or remove any buildings, rest rooms, bridges, tables, benches, fireplaces, railings, paving or paving material, water lines or other public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, other structures or equipment, recreation facilities or park property or appurtenances whatsoever, either real or personal.

(b) Dig, or remove any soil, rock, stones, trees, shrubs or plants, down-timber or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency.

(c) Damage or destroy any park tree, shrub, plant, structure or appurtenance through the use of a motor vehicle, whether intentional or not.

(d) Use any metal or mineral locating devices of any kind.

10.01.060 Trees, Shrubbery and Lawns Prohibitions

No person shall, within the boundaries of any park:

(a) Damage, cut, carve, transplant or remove any tree or plant or any part of any tree or plant, regardless of whether the tree or plant is dead or alive. Use of chain saws is prohibited.

(b) Climb any tree or walk, stand or sit upon monuments, vases, fountains, railing, fences or upon any other property not designated or customarily used for those purposes.

(c) Plant any tree or shrub in a park or cemetery area without the written permission of the director.

10.01.070 Animals, Birds and Fish Prohibitions

No person shall, within the boundaries of any park:

(a) Hunt, molest, harm, frighten, kill, trap, chase, shoot or throw missiles at any bird, fish or other living creature or remove or have in possession any wild animal, bird, fish, or reptile or the eggs or nest of any reptile or bird. However, angling is permitted in designated areas in accordance with

applicable rules and regulations as promulgated by the Oregon Department of Fish & Wildlife.

(b) Give or offer to give food items to any animal or bird, except for those items intended for that purpose approved by the director.

(c) Give or offer to give to any animal or bird any tobacco, alcohol or other noxious substances.

10.01.080 Pollution of Waters and Soils Prohibited

No person shall throw, discharge or otherwise place or cause to be placed in the soils of any Metro park or waters of any fountain, pond, lake, stream, bay or other body of water in or adjacent to any park, any matter or thing, liquid or solid, which will or may result in the pollution of those waters or soils.

10.01.090 Refuse and Trash Prohibitions

No person shall deposit, dump, place or leave any rubbish, bottles, cans, garbage or refuse of any type regardless of its source in a park area, except refuse, garbage or litter occasioned through use of those areas which shall be deposited in refuse receptacles provided for that purpose.

10.01.100 Traffic Prohibitions

No person shall, within the boundaries of any park:

(a) Fail to comply with all applicable provisions of the state motor vehicles traffic laws in regard to equipment and operation of vehicles together with such regulations as are contained in this chapter and other ordinances.

(b) Fail to obey all authorized enforcement personnel and park employees, which persons hereby are authorized and instructed to direct traffic whenever and wherever needed in the parks and on the highways, streets or roads immediately adjacent to the parks in accordance with the provisions of this chapter and such supplementary rules as may be issued by the director.

(c) Fail to observe and obey all traffic signs indicating speed, direction, caution, stopping or parking, and all other signs posted for proper control and to safeguard life and property.

(d) Drive any vehicle on any area except the park roads or parking areas or such other areas as may be specifically designated by the director.

10.01.110 Parking Prohibitions

No person shall, within the boundaries of any park:

(a) Park a vehicle in other than an established or designated parking area or not comply with the posted directions and with instructions of any attendant who may be present at an established or designated parking area.

(b) Double park any vehicle on a road or parkway unless directed by a park attendant.

(c) Leave any vehicle parked in any park area after normal park operation hours without first obtaining permission from authorized enforcement personnel.

(d) Leave any vehicle parked on a boat ramp except while loading or unloading a boat.

10.01.120 Bicycle Prohibitions

No person shall, within the boundaries of any park:

(a) Ride a bicycle on other than a vehicular road or path designed for that purpose. A bicyclist shall be permitted to wheel or push a bicycle by hand over any grassy area or wooded trail or on any paved area reserved for pedestrian use.

(b) Ride a bicycle other than on the right-hand side of the road paving as close as conditions permit. Bicycles shall be kept in single file when two or more are operating as a group. Bicyclists shall at all times operate their bicycles with reasonable regard to the safety of others, signal all turns, pass to the right of any vehicle they are overtaking and pass to the right of any vehicles they may be meeting.

(c) Ride a bicycle on any road between 30 minutes after sunset and 30 minutes before sunrise without an attached headlight plainly visible at least 200 feet in front of, and without a red taillight or reflector plainly visible from at least 200 feet from the rear of the bicycle.

(d) Use bikes on trails or other areas not specifically designated for such use.

10.01.130 Bathing and Swimming Prohibitions

No person shall, within the boundaries of any park:

(a) Swim, bathe or wade in any waters or waterways in or adjacent to Blue Lake Park, except in such waters and at such times and places as are designated and in compliance with this chapter or rules adopted under this chapter.

(b) Allow a child under the age of five to swim, bathe or wade in Blue Lake.

(c) Construct or install rope swings adjacent to waterways in any park area.

10.01.140 Blue Lake Boating Prohibitions

Except as provided in subsections (a) through (d), no person shall bring into or launch any watercraft of any type from Blue Lake Park. Boating activities shall be in accordance with applicable rules of the State of Oregon.

(a) Watercraft belonging to residents whose property adjoins Blue Lake. Such watercraft shall be identified by the current decal and number of the Interlachen Homeowners Association.

(b) Watercraft for rent at the Park.

(c) Privately owned watercraft between October 1st and April 30th of each year provided that they shall not exceed 14 feet in length (17 feet for canoes), and 3.0 horsepower in motor capability for the purpose of angling in accordance with rules promulgated by the Oregon Department of Fish and Wildlife.

(d) As allowed by the director for special events or other special purposes.

10.01.150 Fishing Prohibited in Swimming Areas

No person shall fish, within the boundaries of any park, in any designated swimming area.

10.01.160 Hunting and Firearms Prohibitions

No person shall discharge a firearm, air rifle, spring gun, bow and arrow or other weapon in or over any park except in areas

specifically designed for that purpose. All weapons which are brought into parks areas shall be completely unloaded and kept in the owner's vehicle at all times.

10.01.170 Camping Prohibitions

No person shall, within the boundaries of any park:

- (a) Camp overnight or longer without first obtaining a camping permit.
- (b) Camp longer than five consecutive days in any specific park.
- (c) Camp for more than 10 days in any 30-day period in any specific park.
- (d) Camp at any time or in any place except as specifically provided for in a camping permit.
- (e) Camp if he/she is under the age of 18, unless he/she is accompanied by an adult.
- (f) Camp in nondesignated areas.
- (g) Allow more than eight people to occupy a site.
- (h) Ignore the 10:00 p.m. to 6:00 a.m. quiet time period.
- (i) Check out after 2:00 p.m. without paying the fee for an additional day.

10.01.180 Prohibited Games

No person shall, within the boundaries of any park, take a part in or abet the playing of any games involving thrown or otherwise propelled objects such as stones, arrows, sharp objects, vehicles, javelins or power-projected model airplanes or boats except in areas set apart for those forms of recreation.

10.01.190 Horseback Riding Restricted

No person shall, within the boundaries of any park, ride a horse except on designated bridle trails. Horses shall be unloaded at designated areas only, shall be thoroughly broken and properly restrained, shall be ridden with due care, and shall not be allowed to graze or go unattended. Horse waste shall be removed

by the owner when such waste occurs in an area designated for horse trailer parking.

10.01.200 Consumption of Alcoholic Beverages Limited

(a) Except as provided in subsection (b) and (c) of this section, no person shall bring into or consume alcoholic beverages in any park, provided, however, that the council may, from time to time, designate certain parks or park areas where alcohol may be brought for use in meal preparation or consumption with meals.

(b) The director may, by issuance of a permit, allow the sale of alcoholic beverages on the premises of designated facilities when duly licensed by the Oregon Liquor Control Commission.

(c) After the proper permit(s) are secured from the director, alcohol may be consumed in designated areas at Blue Lake Park, Oxbow Park and Howell Territorial Park.

10.01.210 Fireworks and Explosives Prohibited

No person shall, within the boundaries of any park, bring, or have in possession, or set off or otherwise cause to explode or discharge or burn, any firecrackers, torpedoes, rockets or other fireworks or explosives or inflammable material, or discharge them or throw them into any park from any adjacent land or highway. This prohibition includes any substance, compound, mixture or article that in conjunction with any other substance or compound would be dangerous from any of the foregoing standpoints. The director, however, may issue a special fireworks permit in accordance with state law.

10.01.220 Domestic Animals Restricted

Except for "dog guides," "dog guide trainees," "hearing aid dogs," "hearing aid dog trainees," "assistance animals," and "assistance animal trainees," all as defined by ORS chapter 346.610 et seq., and except as required by any other law, no person shall bring a dog or other domestic animal into any park, on or off leash or within a motor vehicle, except as may be specifically allowed by the director.

10.01.230 Soliciting Prohibited

No person shall, within the boundaries of any park, solicit for any public or private purpose.

10.01.240 Fires Limited

No person shall, within the boundaries of any park:

(a) Build or attempt to build a fire except in such areas and under such rules as may be designated by the director. All fires shall be completely extinguished after use.

(b) Drop, throw or otherwise scatter lighted matches, burning cigarettes or cigars, tobacco paper or other inflammable material within any park or on any highway, road or street abutting and contiguous to any park.

10.01.250 Games of Chance Prohibited

No person shall, within the boundaries of any park, gamble or participate in or abet any game of chance except as approved by the director in writing and in compliance with the statutes of the State of Oregon.

10.01.260 Violent and Excessively Loud Conduct Prohibited

No person shall, within the boundaries of any park, engage in, promote, instigate, encourage, aid or abet fighting or similar violent conduct which would threaten the physical well-being of the public or a park employee, or cause excessive amplified or nonverbal noise.

10.01.270 Exhibiting Permits Required

No person shall:

(a) Fail to produce and exhibit any permit from the director the person claims to have, upon request of any authorized enforcement personnel or park employee who shall desire to inspect the permit for the purpose of enforcing compliance with any ordinance or rule.

(b) Fail to clearly display at all times, while within the boundaries of any park, any required proof of entrance and/or parking fee payment on the dashboard of the person's vehicle so that such proof is plainly visible from the exterior of the vehicle.

10.01.280 Interference with Permittees Prohibited

No person shall disturb or interfere unreasonably with any person or party occupying any park area or participating in any activity in a park under the authority of a permit.

10.01.290 Vending and Peddling Restricted

Except as expressly provided in this chapter, no person shall, within the boundaries of any park, expose, advertise or offer for sale or rent any article or thing, or station or place any stand, cart or vehicle for the transportation, sale or display of any article or thing, unless the person is a regularly licensed concessionaire acting by and under the written authority of the director.

10.01.300 Signs Restricted

No person shall, within the boundaries of any park:

(a) Paste, glue, tack or otherwise post any sign, placard, advertisement or inscription whatsoever, or cause to be erected any sign whatsoever, except upon permission of the director, unless the person is a regularly licensed concessionaire acting by and under the written authority of the director.

(b) Distribute or otherwise place any non-authorized printed material on any vehicle parked in a park facility.

10.01.310 Park Hours

Except for unusual or unforeseen circumstances and emergencies, and except as otherwise provided by any park rules, park hours are as follows:

(a) Blue Lake Park

Summer and Winter Hours: 8:00 a.m. to legal sunset.

(b) Oxbow Park

Summer and Winter Hours: 6:30 a.m. to legal sunset.

(c) Chinook Landing Marine Park

Summer and Winter Hours: 6:00 a.m. to legal sunset.

(d) All other parks

Summer and Winter Hours: 7:00 a.m. to legal sunset.

10.01.320 Posting of Park Rules

The rules and provisions for use and administration of parks, notice of those rules or summaries of those rules shall be kept posted within the main entrance of each park or at suitable other locations.

10.01.330 Closed Areas

All or any section or part of any park may be declared closed to the public by the director at any time and for any interval of time, either temporarily or at regular and stated intervals, daily or otherwise, and either entirely or merely to certain uses, as the director shall find reasonably necessary.

10.01.340 Lost and Found Articles

The finding of lost articles by park employees shall be reported to the director or his/her designee, who shall make every reasonable effort to find and return lost articles and dispose of unclaimed articles as prescribed by law.

10.01.350 Permits for Camping, Group Picnics and Vending

A permit shall be obtained as indicated before participating in the following park activities:

(a) In those parks where overnight camping is allowed, a permit shall be obtained from the park attendant at the park.

(b) A permit must be secured from the Regional Parks and Greenspaces main office for any organized event consisting of more than 25 persons.

(c) Before a person may act as a concessionaire at a park, the person shall secure an executed contract in compliance with Metro's standard contracting procedures.

(d) A permit for concessions at special events which are intended to raise funds for Metro parks purposes may be issued by the director.

10.01.360 Special Use Permit

A special use permit shall be obtained prior to pursuing the following activities in any park:

(a) Movie, commercial or television filming, photography and production.

(b) Fishing, water-skiing, track or any other organized sporting event.

(c) Special educational events or festivals, except those specifically hosted by Metro.

(d) Amplified sound, pony rides, dunk tanks, use of alcohol with a reservation permit or any other type of special use.

(e) Any other organized event or activity involving 25 persons or more except for picnics where a reservation has been secured.

10.01.370 Permit Revocation

The director or his/her designee shall have the authority to revoke a permit upon a finding of violation of any rule, ordinance, statute, or any special use or reservation permit provision.

10.01.380 Boats and Moorages

No person shall:

(a) Disobey any applicable signage posted in boat launching, moorage and beach areas.

(b) Moor a boat longer than 30 minutes on boarding docks or 12 hours on transient docks.

(c) Improperly secure a boat in such a manner as to cause personal injury or damage to park property or resources.

(d) Swim, fish or water ski in the immediate area of or from boat moorage docks.

10.01.390 Enforcement Personnel

(a) The director and the director's authorized representatives shall, in connection with their duties imposed by law, diligently enforce the provisions of this chapter.

(b) No person shall harass, obstruct, interfere with or disobey the direction of any authorized enforcement personnel or park employee carrying out the enforcement of this chapter or rules adopted under this chapter.

10.01.400 Ejectment and Exclusion

The director and authorized enforcement personnel shall:

(a) Have the authority to arrest, cite in lieu of arrest or eject from the park any person acting in violation of this chapter or the laws of the State of Oregon.

(b) Exclude from the park any person acting in violation of this chapter or the laws of the State of Oregon.

(c) Exclusions exceeding one year shall be approved by the director.

10.01.410 Seizure of Property

The director and any authorized enforcement personnel shall have the authority to seize and confiscate any property, thing or device, including but not limited to motor vehicles and chain saws, used in violation of this chapter.

10.01.420 Hearing Regarding Seized Property

(a) Persons who have had any property, thing or device confiscated under section 10.01.410 may request an immediate hearing by filing a written request for hearing with the director.

(b) The director shall, upon receipt of request for immediate hearing, set a time and place for hearing at the earliest possible time and promptly notify the person requesting hearing as to the time and place for the hearing.

(c) The person requesting the hearing and park staff may make argument, submit testimony and written briefs, cross-examine witnesses and submit rebuttal evidence on matters pertinent to the issue to be determined.

(d) All hearings shall be recorded in a manner which will allow for a written transcription to be made and all materials submitted at the hearing shall be retained by the director for a period of at least two years.

(e) Failure of the person requesting hearing to appear at the hearing shall constitute a waiver of the right to a hearing.

(f) If the director determines there was a wrongful confiscation of property, the property shall be returned to the person requesting the hearing or, if the property has been destroyed, restitution shall be made.

(g) The director shall issue an order within two weeks after the hearing and shall mail a copy of the order to the person requesting the hearing.

(h) Any property, thing or device which was not wrongfully confiscated shall become the property of Metro and shall be disposed of in a manner to be determined by the director.

10.01.430 Other Laws Applicable

This chapter shall in no way be a substitute for or eliminate the necessity of conforming with any and all state laws and rules and other ordinances which are now or may be in the future in effect which relate to the activities regulated in this chapter.

10.01.440 Severability

If any section, subsection, sentence, clause, phrase or portion of this chapter is for any reason held invalid or unconstitutional by a court of competent jurisdiction, that portion shall be considered a separate, distinct and independent provision, and the holding shall not affect the validity of the remaining portion of this chapter.

10.01.600 Penalties

Any person convicted of a violation of this chapter shall be punished by a term of not more than one year in jail or by a fine of not more than \$500, or both. Each day of a continuous violation of this chapter shall be considered a new, separate and distinct violation. Restitution shall be made in cases involving damage or destruction to park property or improvements.

10.01.610 Bail and Fine Collection

District Court shall be responsible for the collection of any bails and/or fines set for penalties described in this chapter. Any bail or fine remaining after disbursement through District Court shall be returned to Metro and placed in the Regional Parks and Expo Fund for training of authorized enforcement personnel.

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CHAPTER 10.02

REGIONAL PARK FEES

SECTIONS	TITLE
10.02.010	Purpose and Authority
10.02.020	Park Fees
10.02.030	Suspension of Fees
10.02.040	Park Use Without Required Fee Prohibited
10.02.050	Fees for Memorials and Cemeteries
10.02.100	Penalties
10.02.110	Bail and Fine Collection

10.02.010 Purpose and Authority

It is the purpose of this chapter to establish park fees pursuant to Metro Code section 10.01.010

10.02.020 Park Fees

The following fees shall be charged and collected by Metro for and prior to the following park uses and activities:

(a) Reservation fees for shelters and reservable picnic areas at Blue Lake Park shall be set forth in Appendix "A" to chapter 10.02. However, reservation fees for weekday events (except holidays) shall be reduced by 20 percent. Off-season reservation fees (November 1 through May 14) shall be reduced by 50 percent.

(b) Fees for alcohol permits at Blue Lake Park shall be as follows:

(1) \$150.00 for areas with capacity of 51 or more.

(2) \$85.00 for areas with a capacity of 50 or less.

(c) Overnight camping fees at Oxbow Park shall be \$10.00 per site per night. Permit must be displayed. The fee for each additional vehicle shall be \$2.00 per night. Each vehicle must pay entry fee on initial day of entry.

(d) Entry fees at Blue Lake Park and Oxbow Park shall be \$3.00 per motorized vehicle on all days and \$6.00 per bus on all days.

(e) Boat launching and/or parking fees at the M. James Gleason Boat Ramp shall be \$3.00 and fees at the Chinook Landing Marine Park shall be \$4.00 per motorized vehicle on all days.

(f) Fees for special events shall be set by the director of the Regional Parks and Greenspaces Department.

(g) Fees for nightly use of overnight group camps at Oxbow Park by nonprofit and youth organizations shall be as follows:

- (1) \$20.00 minimum for the first 10 people for Group Camp #2 and #3 and then \$2.00 per person up to a \$70.00 maximum (this does not include the vehicle entry fee). 35 people per night maximum per site.
- (2) \$40.00 minimum for the first 20 people for Group Camp #1 and then \$2.00 per person up to a \$300.00 maximum (this does not include the vehicle entry fee). 150 people maximum per night.

(h) Picnic area reservation fees at Oxbow Park shall be as follows (does not include vehicle entry fees):

Area A - \$231.00
Area B - \$143.00
Area C - \$176.00
Area D - \$121.00

However, reservation fees for weekday events (except holidays) shall be reduced by 20 percent. Off-season reservation fees (November 1 through May 14) shall be reduced by 50 percent.

(i) The fee for annual passes in lieu of daily entrance fees, launching and/or parking fees at Blue Lake Park, Oxbow Park, Chinook Landing, and M. James Gleason Boat Ramp shall be as follows:

(1) Premium: \$50.00 per year (October 1 through September 30)

(2) Regular: \$35.00 per year (October 1 through September 30)

(3) Seniors: \$25.00 per year (October 1 through September 30)

(4) Low-Income/Disabled: \$10.00 per year (October 1 through September 30).

(j) Entrance fees at Blue Lake and Oxbow Regional Parks shall be waived for any police officer or Metro employee who presents valid current identification at the park entrance. Fee waivers shall not apply to any special events or other facilities.

(k) Except for use by Metro, rental fees, along with \$100.00 refundable deposit, for "The Lake House" at Blue Lake Park shall be:

- (1) April 1 to October 31:
10:00 a.m. to 4:00 p.m. \$537.50
6:00 p.m. to midnight \$537.50
10:00 a.m. to 10:00 p.m. \$860.00
- (2) November 1 to March 30:
10:00 a.m. to 4:00 p.m. \$430.00
6:00 p.m. to midnight \$430.00
10:00 a.m. to 10:00 p.m. \$724.50
- (3) Weekdays (Monday through 5:00 p.m. Friday):
\$38.00 per hour with a three-hour minimum charge.

10.02.030 Suspension of Fees

Collection of any fee under section 10.02.020 may be waived or suspended by order of the director of Regional Parks and Greenspaces or his/her designee for such period of time as the order may provide. The director shall develop and implement a written policy to guide decisions related to the waiver or suspension of fees.

10.02.040 Park Use Without Required Fee Prohibited

No person shall engage in a park activity for which there is a fee without first paying the required fee. Any person engaged in a park activity for which there is a fee shall be required to produce and exhibit the receipt from the director showing fee payment, which the person claims to have, upon request of any authorized person who shall desire to inspect the receipt for the purpose of enforcing compliance with this chapter or rules promulgated pursuant thereto.

10.02.050 Fees for Memorials and Cemeteries

(a) For the services of Regional Parks and Greenspaces in connection with memorials, cemeteries, and related matters, the grave fees shall be as follows:

Grave Price Range	\$600.00 - \$750.00
Cremain Graves	\$360.00
Child Graves	\$175.00

All service fees will be set by the director of Regional Parks and Greenspaces to reflect the average cost of services as charged by the industry in the Portland metropolitan region.

(b) The director may waive fees for grave sales and burial services in situations of extreme financial hardship. All waivers or exemptions shall be written by order setting forth the facts to justify the waiver or exemption.

10.02.100 Penalties

Any person convicted of a violation of this chapter shall be punished by a fine of not more than \$500.00

10.02.110 Bail and Fine Collection

District Court shall be responsible for the collection of any bails and/or fines set for penalties described in chapter 10.02. Any bail or fine amounts remaining after disbursement through District Court shall be returned to Metro and placed in the Regional Parks and Expo Fund for training of authorized enforcement personnel.

APPENDIX "A"
TO CHAPTER 10.02.020(a)
PARK FEES, BLUE LAKE REGIONAL PARK

<u>AREA</u>	<u>GROUP SIZE</u>	<u>FEE</u>	<u>ENTIRE AREA FEE</u>
11A	100	\$55.00	
11B Full Canopy	50	\$83.00	\$138.00
12A Half Canopy	100	\$99.00	
12B	50	\$39.00	
12C	50	\$39.00	
12D	50	\$39.00	\$216.00
13A	50	\$39.00	
13B	50	\$39.00	
13C	100	\$55.00	
13D	50	\$39.00	\$172.00
14A	100	\$55.00	
14B Full Canopy	50	\$83.00	
14C	50	\$39.00	
14D	100	\$55.00	
14E	50	\$39.00	\$271.00
Celilo Shelter *			
A	60	\$110.00	
B	60	\$110.00	\$220.00
Chinook Shelter *			
A	125	\$176.00	
B	125	\$176.00	\$352.00
17A	100	\$55.00	
17B	100	\$55.00	
17C	100	\$55.00	
17D	100	\$55.00	\$220.00
18A *	100	\$55.00	
18B *	100	\$55.00	\$110.00
19	100	\$55.00	\$55.00
20A Full Canopy	50	\$83.00	
20B Full Canopy	50	\$83.00	\$166.00
Multnomah Shelter *			
A	60	\$110.00	
B	60	\$110.00	
C	60	\$110.00	
D	60	\$110.00	\$440.00
Shahala Shelter *			
A	125	\$176.00	
B	125	\$176.00	\$352.00
Clatsop Shelter *			
A	125	\$176.00	
B	125	\$176.00	\$352.00
Bandstand *	200	\$138.00	\$138.00

* Alcohol allowed in these areas only; alcohol permit must be obtained from Reservation Office at the time reservation is booked (additional fee) pursuant to sections 10.01.200 and 10.02.020(b).

Please Note: The cost of a reservation does not include the entry fee.

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