

A G E N D A

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METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
DATE: July 5, 2001
DAY: Thursday
TIME: 2:00 PM
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATIONS

3. EXECUTIVE OFFICER COMMUNICATIONS

4. AUDITOR COMMUNICATIONS

- Food Service: Evaluation of Contract and Financial Controls

5. MPAC COMMUNICATIONS

6. LEGISLATIVE UPDATE

7. COMMITTEE CHAIR REPORTS

8. CONSENT AGENDA

- 8.1 Consideration of Minutes for the June 21, 2001 Metro Council Regular Meeting.

9. ORDINANCES - FIRST READING

- 9.1 **Ordinance No. 01-913**, For the Purpose of Amending the Metro Code Chapter 5.02 to Modify the Direct-Haul Disposal Charge and to Facilitate Payment by Personal Check for Disposal Services at Metro Transfer Stations.

10. RESOLUTION

- 10.1 **Resolution No. 01-3078**, For the Purpose of Replacing the Current Classification of Paralegal I with a Job Series Classification of Paralegal I and Paralegal II at Metro.

Burkholder

- 10.2 **Resolution No. 01-3079**, For the Purpose of Confirming the Appointments of Jean Esty-Hoops, Jason Graf, Susan Landauer and Trevor Nelson to fill Four Expiring Terms on the North Portland Rehabilitation and Enhancement Committee. Burkholder
- 10.3 **Resolution No. 01-3082**, For the Purpose of Revising Metro's Non-Represented Employee Pay Plan. McLain
- 10.4 **Resolution No. 01-3085**, For the Purpose of Appointing Michael Leichner to Solid Waste Rate Review Committee. Atherton

11. COUNCILOR COMMUNICATION

ADJOURN

Cable Schedule for July 5, 2001 Metro Council Meeting

	Sunday (7/8)	Monday (7/9)	Tuesday (7/10)	Wednesday (7/11)	Thursday (7/5)	Friday (7/6)	Saturday (7/7)
CHANNEL 11 (Community Access Network) (most of Portland area)						2:00 P.M.	
CHANNEL 21 (TVCA) (Washington Co., Lake Oswego, Wilsonville)	7:00 P.M.	1:00 A.M.		7:00 P.M.	1:00 A.M. (previous meeting)		
CHANNEL 30 (TVCA) (NE Washington Co. -- people in Wash. Co. who get Portland TCI)	7:00 P.M.	1:00 A.M.		7:00 P.M.	1:00 A.M. (previous meeting).		
CHANNEL 30 (CityNet 30) (most of Portland area)		POSSIBLE 2:00 P.M. (previous meeting)					
CHANNEL 30 (West Linn Cable Access) (West Linn, Rivergrove, Lake Oswego)	8:00 A.M. (previous meeting)		8:00 A.M. (previous meeting)	1:00 P.M. (previous meeting)	2:00 P.M. (previous meeting)	8:00 A.M. (previous meeting)	11:00 P.M. (previous meeting)
CHANNEL 33 (ATT Consumer Svcs.) (Milwaukie)	4:00 P.M. (previous meeting)					10:00 P.M. (previous meeting)	9:00 A.M. (previous meeting)

PLEASE NOTE THAT ALL SHOWING TIMES ARE TENTATIVE BASED ON THE INDIVIDUAL CABLE COMPANIES' SCHEDULES. PLEASE CALL THEM OR CHECK THEIR WEB SITES TO CONFIRM SHOWING TIMES.

Portland Cable Access	www.pcatv.org	(503) 288-1515
Tualatin Valley Cable Access	www.tvca.org	(503) 629-8534
West Linn Cable Access	www.ci.west-linn.or.us/wltskcd	(503) 722-3424
Milwaukie Cable Access		(503) 654-2266

Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, 797-1542. Public Hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be considered included in the decision record. Documents can be submitted by email, fax or mail or in person to the Clerk of the Council. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

Consideration of the June 21, 2001 Regular Metro Council Meeting minutes.

Metro Council Meeting
Thursday, July 5, 2001
Metro Council Chamber

MINUTES OF THE METRO COUNCIL MEETING

June 21, 2001

Metro Council Chamber

Councilors Present: David Bragdon (Presiding Officer), Susan McLain, Rex Burkholder, Rod Park, Bill Atherton, Rod Monroe, Carl Hosticka

Councilors Absent: None.

Presiding Officer Bragdon convened the Regular Council Meeting at 2:01 PM.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

There were none.

3. EXECUTIVE OFFICER COMMUNICATIONS

Mike Burton, Executive Officer, spoke of the conference he had attended in Ottawa, Canada. The Government Finance Office Association, made up of our peers, recently ranked our finance section. We earned two awards this year. We won the Distinguished Budget Presentation award for the 5th time, and the Excellence in Financial Reporting for the 8th time. He recognized key budget staff, Tony Mounts, Kathy Rutkowski, Cherie Yasami, Karin Feher, Sarah Follett, Claudia Wilton, and the key financial reporting staff, Don Cox, Karla Lenox, Estelle Mazurkiewicz as the people who deserved credit for these awards.

Councilor Atherton thanked the personnel who had earned the award. He asked how many agencies had received this award.

Mr. Burton thought it was about 1% of the agencies that receive these awards annually. It was a very detailed review of the process.

Presiding Officer Bragdon said they had acknowledged the good work of staff at the budget meeting earlier in the week.

Councilor McLain presented the awards to the Financial Planning and Accounting staff.

Councilor Park commented on Mr. Duany and the urban growth boundary. Its original design was to separate those areas we were going to urbanize and not urbanize and it has served that function. However, it was not originally designed as a tool to determine how to utilize the land within that urban boundary. He suggested that some history might help him better understand our goals.

Councilor Atherton noted the importance of receiving these awards. He also mentioned a new rule from the Government Accounting Standards Board #34 which dealt with renewal and

replacement accounts. A report will be made to the Council and Task Force about the process of this ground breaking way of doing business.

Councilor Monroe commented at the TSCC hearing. TSCC gave high praise to Ms. Jennifer Sims, Chief Financial Officer, and her staff for their budget preparation and assistance. The budget was in excellent shape.

4. AUDITOR COMMUNICATIONS

Alexis Dow, Metro Auditor, shared that the auditor's office received the Knighton Award for excellence. NALGA recognized the best audit report and the best special project award.

This year Metro's Auditor's Office received both awards. She spoke to the criteria that the judges used to make the award. She then reviewed which audits received the awards and why.

Councilor McLain congratulated Ms. Dow and her staff for the awards. She suggested doing more contract audits.

5. MPAC COMMUNICATIONS

Presiding Officer Bragdon said MPAC had not met since the last council meeting. Their next meeting would be Wednesday, June 27th at 5:00 PM.

6. LEGISLATIVE UPDATE

Jeff Stone, Chief of Staff, reviewed legislation which was being considered at the state legislature. He said the Senate continues to act on Conservation Incentives. House Bill 3002B on Salmon Recovery will be taken up in the house and will appoint a task force to define recovery of the species. All the changes that the Council had adopted for RTA appeared to be in the RTA language. The Senate passed House Bill 2142 on Transportation Funding. Measure 7 was still being worked on by Mr. Dan Cooper, General Council.

Councilor Atherton said House Bill 2460 had passed and was now before the governor. This bill was a protection of the citizens to speak out and not be restrained by the threat of lawsuits. He asked that the Council endorse sending a letter to the governor urging his support in signing this bill.

Motion: Councilor Atherton moved to have the council support the bill by sending a letter urging the governor's support.

Seconded: Councilor Monroe seconded the motion.

Councilor Atherton indicated that he would prepare the letter. He also pointed out that if this bill were passed it would also provide the defendant the ability to collect on attorney fees.

Councilor Park remarked that the bill also safeguarded against people being shielded when they knowingly said something false. It allowed more public involvement and still protected the rights of all individuals involved.

Presiding Officer Bragdon also supported the idea of a letter.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

7. CONSENT AGENDA

7.1 Consideration of minutes of the June 14, 2001 Regular Council Meeting.

Motion: **Councilor Burkholder** moved to adopt the meeting minutes of the June 14, 2001, Regular Council meeting.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain, and the motion passed.

8. ORDINANCES- SECOND READING

8.1 **Ordinance No. 01-891A**, For the Purpose of Adopting the Annual Budget for Fiscal Year 2001-2002, making appropriations, and levying ad valorem taxes, and declaring an emergency.

Presiding Officer Bragdon announced that there was no need for a motion as this ordinance had been carried over from last week's council meeting.

Councilor McLain reviewed the budget process, the public hearings, and the upcoming amendments.

Motion to

Amend: **Councilor McLain** moved to amend Ordinance No. 01-891A with a budget amendment packet (which may be found in the meeting record).

Seconded: **Councilor Atherton** seconded the motion.

Presiding Officer Bragdon clarified that these amendments were technical in nature.

Councilor McLain summarized the types of amendments before the Council, such as grant funds, amendments to move funds from one account to another, and to clarify the budget.

Councilor Park asked for clarification about the correction for the Clean Water Services agency name change.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

Presiding Officer Bragdon opened a public hearing on Ordinance No. 01-891A. No one came forward to testify. **Presiding Officer Bragdon** closed the public hearing.

Councilor Hosticka asked for clarification about the bond series.

Presiding Officer Bragdon noted that the bond issue would be considered in resolution later on the agenda.

Ms. Jennifer Sims, Chief Financial Officer, said that since the budget had already been approved these savings would be reflected in the following year.

Councilor McLain closed by saying that we would continue to refine the budget to reflect our goals and our mission.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain, and the motion passed.

Presiding Officer Bragdon said that the Council harmony on this issue was the result of the groundwork by Council and Committees going back to last Fall.

Councilor Monroe noted that for the second year in a row there had been a unanimous vote on the budget, something that had not occurred in his previous tenure – ever.

Councilor Park thanked the staff. He noted special thanks to Councilor McLain for her work on the budget, especially moving into the new system in 2003.

9. RESOLUTIONS

9.1 **Resolution No. 01-3075**, For the Purpose of Confirming the Appointment of George Bell to the Metropolitan Exposition-Recreation Commission.

Motion: **Councilor Park** moved to adopt Resolution No. 01-3075.

Seconded: **Councilor Monroe** seconded the motion.

Councilor Park reviewed the staff report for this resolution and noted George Bell's commitment, leadership and qualifications.

Councilor Atherton seconded Councilor Park's remarks.

Councilor Monroe noted Mr. Bell's dedication.

Presiding Officer Bragdon enjoyed working with Mr. Bell, his background in business and interest in the arts added to his MERC commitments.

Councilor Park urged an aye vote.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain, and the motion passed.

9.2 **Resolution No. 01-3076**, A resolution of the Metro Council Authorizing General Obligation Bonds, 2001, Series A.

Motion: **Councilor Monroe** moved to adopt Resolution No. 01-3076.

Seconded: **Councilor McLain** seconded the motion.

Councilor Monroe said this resolution would refund the Metro Oregon Convention Center bonds which will save the property tax payers over \$4 million. He thanked Ms. Sims and her staff for understanding the potential for savings and for bringing this to us. He urged support by all members of the council.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain, and the motion passed.

- 9.3 **Resolution No. 01-3080**, For the Purpose of Declaring that July 16-27, 2001, be "Car Free and Carefree 2001" to encourage citizens to commute to work by bus, carpool, Max, bike or walking.

Motion: **Councilor Monroe** moved to adopt Resolution No. 01-3080.

Seconded: **Councilor Atherton** seconded the motion.

Councilor Monroe was pleased to bring forward the declaration. The resolution spoke to one of Metro's goals. He said it encouraged our citizens to take alternate forms of transportation other than one person in one car, as well as increased fitness, and keeping the air clean.

Presiding Officer Bragdon said that we would post a copy of the resolution at the Council reception area.

Councilor Burkholder wondered if car free also meant light truck free.

Councilor Hosticka pointed out that the opening of the Portland streetcar occurred during this period so we may want to recognize it as well.

Presiding Officer Bragdon said July 20th was the opening of the streetcar.

Councilor Atherton expressed a desire to see Metro build a regional trunk bike pathway that was safe in order to enhance the car free resolution.

Councilor McLain mentioned that Metro encouraged employees to use alternate transportation all year round even to the extent of having awards. She encouraged Council and staff to continue to find alternate forms of transportation.

Councilor Atherton shared with Council how many European countries have increased bike use to nearly 25%. He urged that the United States should strive for these numbers.

Councilor Monroe said despite the fact that we are behind European countries, Portland had been rated as the most bicycle friendly city in the United States. We could still do better and provide more and better routes.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain, and the motion passed.

- 9.4 **Resolution No. 01-3081**, For the Purpose of Confirming the Appointment of Craig Dye, Kent Squires, Walter Mintkeski, Terry Peters, Randy Stinson, Sue Marshall, Rob Burkhart, Bill Fujii, and Dave Jarrett to the Water Resources Policy Advisory Committee.

Motion: **Councilor McLain** moved to adopt Resolution No. 01-3081.

Seconded: **Councilor Park** seconded the motion.

Councilor McLain spoke to the qualification of each of these individuals. They had been volunteering and attending meetings even prior to being confirmed.

Councilor Hosticka urged support.

Councilor McLain said that we take appointments seriously and although there was a delay, it had been resolved and the Council was happy to welcome these folks aboard.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain, and the motion passed.

9.5 **Resolution No. 01-3074**, For the Purpose of Appointing Jim Kimball to the Metro Committee for Citizen Involvement.

Motion: **Councilor Burkholder** moved to adopt Resolution No. 01-3074.

Seconded: **Councilor Atherton** seconded the motion.

Councilor Burkholder spoke to the committee's responsibilities. He noted Mr. Kimball's qualifications.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain, and the motion passed.

10. COUNCILOR COMMUNICATION

Councilor Park wished Councilors Bragdon and Hosticka happy birthday.

Councilor Burkholder said Metro was a co-sponsor of the 16th Annual Hazardous Materials Management Conference on Household and Small Business Waste. This was a 4-day conference in Portland. Dr. Doug McKenzie Moore would be the keynote speaker, to be held September 6th. He requested that Council members try to attend. (A copy of the brochure may be found in the meeting record).

Second, **Councilor Burkholder** said three members of MCCI, Bill Merchant, Jerry Penk, and, Aleta Woodruff, retired from the committee.

Councilor McLain also acknowledged the MCCI commitment to Metro and suggested that we put up citizen involvement principles in the chamber.

Presiding Officer Bragdon spoke to the forthcoming charter reform. The council office would be absorbing new functions. In order to maximize the efficiency of the existing office and facilitate successful change the process would start with the Council. To this end, he and Councilor McLain had chosen consultants with public sector backgrounds, and had developed a proposal. The consultants would start by interviewing the councilors and staff.

Councilor McLain added that the consultants would be looking for refinement. She emphasized the need for commitment by the Council and pointed out the limited time frame to make this a successful transition.

Presiding Officer Bragdon said to expect this transition to be a multi-step process. By starting with Council we can learn a workable process and model things to ease the transition for the rest of the agency.

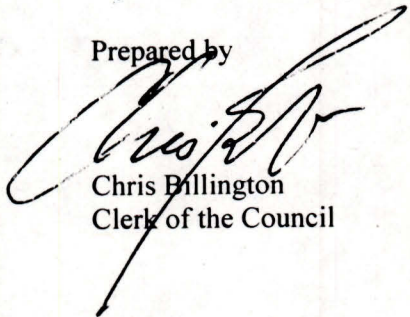
Councilor Burkholder thanked the Presiding Officer and Deputy Presiding Officer for taking the lead on this. You need leadership to take the first step to have effective change.

Presiding Officer Bragdon said they would have an Informal.

11. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Bragdon adjourned the meeting at 3:05 PM.

Prepared by



Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JUNE 21, 2001

TOPIC	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT NUMBER
RESTRUCTURING/TRANSI TION OF COUNCIL	6/21/01	MEMO TO COUNCIL MEMBERS RE RESTRUCTURING	062101-01
2001-02 ANNUAL BUDGET	6/19/01	SPREADSHEET OF COUNCIL ACTIONS TO APPROVED BUDGET	062101-02
HAZARDOUS MATERIALS MANAGEMENT CONFERENCE		BROCHURE ON HAZARDOUS MATERIALS CONFERENCE	062101-03

Agenda Item Number 4.0

Food Service: Evaluation of Contract and Financial Controls

Metro Council Meeting
Thursday, July 5, 2001
Metro Council Chamber

METRO
**Metropolitan Exposition-
Recreation Commission**

***Food Service: Evaluation of
Contract and Financial Controls***

June 2001

A Report by the Office of the Auditor



METRO

2001-10767-AUD

Alexis Dow, CPA
Metro Auditor



METRO
OFFICE OF THE AUDITOR

June 25, 2001

To the Metropolitan Exposition-Recreation Commission and Metro Council:

The Metropolitan Exposition-Recreation Commission (MERC) receives about \$8 million a year from concession and catering sales at its facilities. MERC contracts with a private concessionaire to operate the concessions business. MERC management is responsible for assuring that it receives the concession revenue it is entitled to, paying the concessionaire a fair fee, and protecting public funds from fraud and waste. To accomplish this, MERC needs to ensure that these elements are in place:

- contract requirements can hold the concessionaire accountable for providing quality services and providing Metro the revenue to which it is entitled
- compensation processes result in fair and accurate payments
- management controls reasonably prevent and detect concessionaire errors and fraud and safeguard assets used by the concessionaire.

The first two elements are in place, but the third can be improved.

Key recommendations of the report include:

- establishing a formal process for evaluating concessionaire financial performance
- evaluating and testing concessionaire's internal controls over revenue, expenses and inventory annually
- documenting concession management and oversight policies and procedures in management directives, administrative policies and an operating manual
- maintaining relevant food service operation documentation in a readily available location.

We reviewed a draft of this report with the Metropolitan Exposition-Recreation Commission Chair, George Bell. The last section of this report presents his written response. We sincerely appreciate the cooperation and assistance provided by MERC and ARAMARK staff as we conducted this review.

Very truly yours,

Alexis Dow, CPA
Metro Auditor

Auditor: Jim McMullin, CPA

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MERC Chair – George Bell	

Executive Summary

The Metropolitan Exposition-Recreation Commission (MERC) receives about \$8 million a year from concession and catering sales at the Oregon Convention Center, Expo Center and Portland Center for the Performing Arts. MERC has contracted with a private concessionaire to operate the concessions business. MERC management is responsible for assuring that it receives the concession revenue it is entitled to, paying the concessionaire a fair fee, and protecting public funds from fraud and waste. To carry out these responsibilities, MERC management needs to ensure that these elements are in place:

- contract requirements can hold the concessionaire accountable for providing quality services and providing Metro the revenue to which it is entitled
- compensation processes result in fair and accurate payments
- management controls are in place to reasonably prevent and detect concessionaire errors and fraud and safeguard assets used by the concessionaire.

The first two elements are in place, but the third can be improved by:

- developing ways to formally evaluate the concessionaire's financial performance
- evaluating the concessionaire's internal controls each year, as well as conducting periodic spot checks of control and safeguard procedures
- documenting policies and procedures for overseeing the concessionaire and maintaining these policies and procedures and other relevant documentation in a central location.

MERC has not had the range of controls needed to reduce risk to a reasonable level. For example, MERC has never evaluated or tested concessionaire internal controls over cash and inventory. Several recent thefts at the Oregon Convention Center (OCC) and Portland Center for the Performing Arts (PCPA) demonstrate that the risk of loss is high and needs to be reduced. In addition, risk has been greater during the past 1½ years due to high turnover in staff responsible for concessionaire oversight activities.

MERC management is aware of the need to improve control procedures and safeguards over food service operations and has made major strides in doing so. MERC has hired a new director of administration and other supporting personnel, so the control risk due to staff turnover is subsiding as these personnel gain experience. In addition, the director of administration is developing more accounting and control procedures for overseeing the contract and evaluating financial performance. Furthermore, the recent thefts have prompted MERC management to evaluate the physical security and cash handling procedures at each MERC facility. The concessionaire has reimbursed MERC for all losses connected with the thefts.

Our more specific recommendations are presented on the following page.

Recommendations

We discussed these recommendations with MERC management during the audit. Management accepted them and was working to implement them as the audit was completed.

1. MERC should establish a formal process for evaluating concessionaire financial performance.

MERC can do this by establishing detailed monthly budgets that set targeted revenue, expenses and profit. MERC can then measure actual results against these targets. Significant variations may indicate areas where performance needs to be improved.

2. MERC should annually evaluate and test the concessionaire's internal controls over revenue, expenses and inventory.

MERC can do this by making its own evaluations or hiring a Certified Public Accountant (CPA) firm. In the industry, most contracts provide for an annual CPA audit that is paid for from operating revenue. If MERC decides to evaluate concessionaire controls itself, MERC should:

- Use the budget process mentioned above to identify areas where internal controls may be weak. Significant variances from budget may indicate that revenue or expenses are being manipulated.
- Conduct unannounced cash audits and other spot checks of food service activities, such as observing product inventory counts.
- Consider the extent to which the concessionaire's internal audit can be relied upon. As a minimum, MERC should formally require the concessionaire to inform MERC when an audit is underway, provide MERC a copy of informal and formal audit reports and provide MERC an action plan for correcting identified deficiencies. In addition, MERC should establish procedures to follow up on audit findings to assure corrective action has taken place.

3. MERC should document its concession management and oversight policies and procedures in management directives, administrative policies and an operating manual.
4. MERC should maintain relevant documentation relating to food service operations, such as contracts and proposals, in a readily available location.

Introduction and Background

The Facilities The Metropolitan Exposition-Recreation Commission (MERC), a unit of Metro, manages the regional convention, trade and performing arts facilities, consisting of:

- the Oregon Convention Center (OCC)
- the Portland Metropolitan Exposition Center (the Expo Center)
- the Portland Center for the Performing Arts (PCPA).

Concessions and catering activities¹ at these facilities generate revenues of about \$8 million a year. One private contractor runs these concession operations. The directors of each facility are responsible for overseeing the contractor's concession activities at their facility. MERC's director of administration is responsible for monitoring the contractor's financial controls and providing the facility directors financial reports to assist in their oversight activities.

The Concessionaire



Beginning July 1, 1999, MERC entered a five-year contract with ARAMARK/Giocometti², the "concessionaire", to provide concession management services at all its facilities. The concessionaire was selected from a field of four firms that responded to MERC's Request for Proposals to manage its concessions activities. The concessionaire, with minor exceptions, has exclusive rights to manage, operate and sell food and beverages in MERC facilities.

The concessionaire is a \$7.3 billion company, headquartered in Philadelphia, providing managed services – food and support services, uniform and career apparel, and childcare and early education programs. The company is privately owned, has about 170,000 employees and operates in 15 countries. The concessionaire manages food services at 70 stadiums and arenas, 27 convention centers, and several conference centers, national parks and resorts.

The concessionaire has a full time staff of 23 persons managing MERC's concessions operations, including a controller, managers for each facility, chefs, sales personnel and accounting support staff. In addition, the concessionaire hires many part-time staff as needed to operate concession stands and cater specific events.

¹ Catering refers to providing meals to a particular group, whereas concession refers to selling food and beverages to customers at stands. The term "concessions" is used throughout this report to refer to both catering and concession activities.

² ARAMARK/Giocometti is a joint venture. ARAMARK Sports And Entertainment Services, Inc., provides the services required under the MERC contract and Giocometti, an Oregon corporation, provides expertise in advancing minority businesses.

**Revenue, Expense
and Net Profit**

Of MERC's three facilities, the Convention Center is the largest source of revenue. About three quarters of its revenue comes from catering, whereas catering accounts for one quarter or less of the revenue at the Expo Center and the PCPA.

In fiscal year 2000, MERC earned \$2.6 million in net profit on \$9.4 million of concessions revenue. This revenue included \$1.3 million from the Civic Stadium, which MERC did not manage after FY 2000. For the first 11 months of FY 2001, MERC earned \$1.6 million in net profit on \$7.0 million of concessions revenue.

**Concessionaire
Compensation**

For FY 2000, the concessionaire earned \$561,700 in total compensation. In FY 2001, through May 23, 2001, the concessionaire earned \$369,300.³ The latter does not include an amount for a qualitative incentive, which will be determined after year-end. The qualitative incentive is discussed later in the body of this report. The concessionaire will earn less compensation in FY 2001 because MERC was no longer managing the Civic Stadium.

**Objectives, Scope
and Methodology**

The objective of our review was to evaluate whether the food service contract reasonably protects Metro's financial interests and whether MERC's controls over the concessionaire's financial operations reasonably protect public funds from fraud and waste. Our scope included evaluating and testing whether the concessionaire's internal controls adequately protect revenue and inventory.

To accomplish our objective we:

- interviewed MERC officials, including the general manager, two facility directors, the director of administration and accounting personnel
- reviewed three facility director responses to a set of questions
- interviewed a food industry consultant to discuss contract types and financial controls
- interviewed concessionaire personnel, including the regional vice president, local controller and a senior auditor from ARAMARK headquarters
- reviewed the contract terms and provisions to determine whether they provide a reasonable basis for holding the concessionaire accountable
- evaluated MERC's policies and procedures for overseeing the concessionaire's financial operations
- read recent reports prepared by a Metro consultant, Metro's outside auditor, and the concessionaire's internal auditors.

³ These compensation amounts are from the concessionaire's statements of operation. MERC's director of administration said this is the best information available because, until recently, MERC's accounting system did not capture this information at this level of detail.

Our criteria consisted primarily of:

- the contract management framework established in our report “Contracting: A Framework for Enhancing Contract Management”, dated December 2000
- the internal control standards developed for the Committee of Sponsoring Organizations (COSO) of the Treadway Commission published in 1992.

The COSO report, “Internal Control – Integrated Framework”, is aimed at establishing a definitive framework against which public and private organizations can assess their control systems and determine how to improve them. COSO report concepts have been incorporated into regulation and professional standards in the United States, including adoption by the United States General Accounting Office for use in the federal government. They serve as a control framework for hundreds of companies and form the basis for standards in Canada, the United Kingdom and other countries.

Regarding the testing of the concessionaire’s internal controls, we relied on the audit work performed by the concessionaire’s central office internal audit staff. We believe that the concessionaire’s internal audit

team is far enough removed organizationally and geographically from the concessionaire’s local operations to be sufficiently independent for this reliance.

We also considered the following factors in deciding to rely on the concessionaire’s internal audit:

- The concessionaire’s manual of financial and operational controls contains a comprehensive and reasonable set of controls that all concessionaire food service operations must follow.
- The concessionaire’s central internal audit staff conducted an unannounced audit of these controls at the time of our audit. We interviewed the senior auditor, read their audit work program and their draft audit report. Their approach was comprehensive and involved testing selected transactions. Their draft report identified many inconsistencies with prescribed procedures.

Our audit was performed from January through April 2001 in accordance with generally accepted government auditing standards.

Contract Requirements Generally Protect the Public Interest

Setting contract requirements is essential to establish contractor accountability and ensure appropriate and efficient use of public funds. Two main processes are involved in setting contract requirements. One is selecting the appropriate contract type; the other is including contract language that contains clear statements of expected services, clearly defined performance standards and clear statements of how the contractor will be evaluated.

Our evaluation of the contract shows that MERC selected a contract type appropriate for its goals, the contract contains key provisions that protect the public interest, and the contract reasonably defines expected duties and establishes a process for evaluating their performance. The contract, however, does not address how financial performance will be evaluated.

Contract Type Is Appropriate

Selecting the appropriate contract type is probably the single most important decision made in obtaining a contracted service, because it determines how the service is to be provided, how much financial risk Metro assumes, and the type and level of contract monitoring and administration required.

MERC's food service contract is a management fee, cost reimbursable contract. We believe this contract type is appropriate for MERC given its goal to provide high quality food service and maintain an active role in managing food service operations. Under a management fee contract, the concessionaire receives a certain percent of the gross revenue and a percent of the profits. This arrangement creates incentives for the concessionaire to increase food service sales and control expenses in order to maximize the concessionaire's profit. The MERC contract builds on this framework by establishing an additional incentive, the qualitative incentive, whereby the concessionaire receives additional income depending on how well certain service goals are met.

Specifically, the MERC contract provides that the concessionaire will receive the following compensation:

- 3.9% of net gross receipts⁴
- 8% of net profits in any accounting year
- up to 2.5% of net profits in any year dependent upon attaining certain qualitative goals
- an additional 2% of net profits, if total net profits in any year exceed \$3,350,000.

⁴ The contract defines "net gross receipts" as gross revenue less applicable Metro excise tax.

The other major type of food service contract – the commission or “P&L” type⁵ – is not well suited to MERC’s intention of having an active management role and lacks incentives for the concessionaire to maintain high quality service. Under this type of contract, the facility owner receives a straight percentage of sales, while the concessionaire retains all profits and bears all losses. This contract type presents the least financial risk to the owner because the owners receive their income regardless of profit or loss. In addition, the owner’s administrative costs are lower, because only revenue has to be monitored and controlled to assure it is being properly handled and reported. The owner is generally not involved in managing most aspects of the food operation.

Despite its financial advantages, the P&L contract can contribute to an adversarial relationship between the parties. The concessionaire is generally interested in maximizing profit, which can conflict with offering good service. To increase profits, concessionaire may be motivated to increase prices, maintain minimal staff, make minimal capital improvements, skimp on cleaning and advertising and not be flexible in dealing with event producers to get their business. As a result, there can be a lot of friction in such a relationship.

**Key Provisions
Protect the Public
Interest**

The contract contains provisions that protect the public interest in that MERC has control over key aspects of its concessions business. Even though the concessionaire is responsible for managing day to day operations, the contract gives MERC the power to:

- prescribe policies and procedures for the concessions operations
- approve the kind, quality, brand and price of concessions products
- approve all repairs and maintenance to concessions facilities and equipment
- audit the concessionaire’s financial records and operations
- require the concessionaire to retain records for a prescribed time period.

The public interest benefits in another way under the contract. The concessionaire was required to make an initial investment of \$1 million for renovations, equipment, signs and operations at MERC facilities. Metro is the sole owner of these funds and MERC management makes the final decision on how the money will be spent.

⁵ “P&L” is industry terminology that refers to the fact that under this type of contract the concessionaire assumes all risk of making a profit or taking a loss.

Accordingly, the public benefits from the improvements this money buys and until this money is spent, Metro earns interest on the unspent balance. The fund, for example, was used to set up a Starbucks kiosk at the Convention Center that, according to MERC and concessionaire officials, has proven highly profitable to MERC.

**Concessionaire
Duties Reasonably
Defined and
Evaluated**

To hold a contractor accountable, contract language should contain clear statements of expected services, clearly defined performance standards and clear statements of how the contractor will be evaluated. The concessions contract contains a unique combination of requirements that results in MERC reasonably meeting the intent of this standard. The contract details the concessionaire's duties and establishes a process for the concessionaire to earn additional compensation by meeting certain qualitative goals. This combination reasonably holds the concessionaire accountable for fulfilling important duties and provides the concessionaire with strong incentive to perform them well in order to earn additional compensation.

The contract provides that the concessionaire is responsible for performing satisfactorily all functions, duties, and activities outlined in the contract and any incidental activities required to successfully accomplish these functions and duties. The concessionaire must manage and operate the concessions in a professional and efficient manner, which will be conducive to providing first-class, high quality services and products to facility patrons in a clean and appealing environment. The contract then lists 23 specific duties, relating to many facets of the catering business, including:

- professional management
- ordering and handling food and supplies
- employee training
- cleanliness and sanitation
- uniform design and cleanliness
- accounting
- marketing.

The contract enables the concessionaire to earn additional compensation for meeting certain qualitative goals, termed the qualitative incentive. MERC and the concessionaire defined these goals, called quality/service criteria, and many of these consist of duties required under the contract. The criteria were defined for each facility and MERC staff evaluates and scores the concessionaire's performance on the criteria. These criteria consist of several categories, such as customer service, safety and sanitation, and information analysis and reporting. These, in turn, have specific performance requirements associated with them.

**Process Needed
For Measuring
Financial
Performance**

While MERC facility directors meet periodically with concessionaire staff and quarterly with MERC's general manager to discuss the concessionaire's overall performance, we believe MERC should have a written formal process for evaluating the concessionaire's financial performance.

The contract does not specifically address how the concessionaire's financial performance will be evaluated. The contract, however, does require the concessionaire to prepare and submit an annual operating budget to MERC for approval. A detailed budget is the key to evaluating performance, according to the food service consultant we contacted. MERC has not used the concessionaire's budget in this way.

The food service consultant told us that a detailed budget, broken into months, is the best tool for holding the concessionaire accountable and for determining whether revenue and expenses are reasonable. The budget sets the targeted revenue, expenses and net profit. Thus, each line item, in effect, becomes a performance standard against which to compare the concessionaire's actual financial performance.

The consultant said management should track actual revenue and expenses against the budget at least monthly. Significant variations should be evaluated because they indicate that management action may be needed, including looking for fraud.

Compensation Processes Appear Reasonable

MERC is responsible for ensuring that a concessionaire is not overpaid. Providing this assurance involves two main processes:

- conducting a price analysis⁶ before awarding the contract
- relating compensation to specific work completed.

We believe MERC's processes adequately assure that the concessionaire is being paid fair and reasonable compensation.

Adequate Price Analysis Conducted

MERC conducted a reasonable price analysis before awarding the contract. A seven-member selection committee⁷ evaluated proposals from four firms responding to the request for proposals. The committee considered and scored the proposals on many factors, including compensation. The concessionaire received the highest overall score and was awarded the contract.

Compensation Relates to Work Completed

The concessionaire's compensation, including the qualitative incentive, is always related to work the concessionaire has completed because the compensation is calculated on the amount of sales and profit already earned. In addition, we evaluated MERC's process for determining the percentage amount of the incentive and found that although the process is basically subjective, it is also reasonable. The process is as follows:

Under terms of the contract, MERC and the concessionaire developed goals in the form of quality/service criteria for each MERC facility. These criteria consist of several categories, such as customer service, safety and sanitation, and information analysis and reporting. These, in turn, have specific performance requirements associated with them. Possible points are assigned to each category and each performance requirement. There are 100 possible points. A MERC staff person responsible for a given area at each facility determines whether the concessionaire fulfilled the performance requirements in their area and scores the concessionaire accordingly. The staff report the scores to the directors of each facility who, in turn, compile an overall score for the facility and forward it to MERC's general manager who uses the scores to subjectively determine the percentage of profits the concessionaire will receive.

⁶ Price analysis is a process of comparing a contractor's proposed price to comparable pricing data, such as competing bids.

⁷ The committee was composed of three MERC commissioners, the general manager of MERC, the director of the OCC, the manager of visitor services at the Oregon Zoo and a representative of the hotel industry.

**MERC Procedures
Assure Accurate
Payments**

The concessionaire's compensation is calculated based on net gross receipts and net profit. To ensure accurate compensation, MERC needs to verify the accuracy of these figures. We believe the following procedures used by MERC provide reasonable assurance that compensation is calculated accurately.

Monthly, the concessionaire invoices MERC for fees earned. The fees are based on the revenue and profit information shown on their statement of operations. MERC verifies the invoiced fees by recalculating the fees based on the concessionaire's statement of operations, reconciling the revenue shown on the statement of operations to actual deposits received by MERC, and testing expense amounts shown on the statement of operations to invoices MERC has received during the month from the concessionaire. MERC's director of administration said he also tests the reasonableness of the invoiced fees by comparing the revenue and profit shown on the concessionaire statement of operations against a report showing total revenue and profit according to Metro's accounting system.

MERC Can Improve Oversight Controls

Even though the contract incentives act to reasonably ensure that the concessionaire's interests are consistent with MERC management's interests, MERC must still have procedures to monitor and audit both revenue and expenses. This is because this type of contract still has incentives to manipulate revenue and expenses. For example, the cost reimbursable nature of the contract means that MERC pays all of the concessionaire's expenses, so expenses have to be monitored carefully to make sure they are allowable and reasonable under the contract and have not been inflated or manipulated. In addition, the food service business involves handling a lot of cash and easily marketable inventory, such as food and liquor, increasing the risk of theft. Accordingly, MERC must have management controls to reasonably assure that food service revenue is protected, errors and fraud are detected and that the concessionaire has adequate safeguards to protect cash and inventory.

MERC has not had the full range of controls needed to mitigate these risks. The following recent reports and events demonstrate that MERC needs to strengthen its oversight controls:

- In January 2000, a consultant hired by MERC to review the former concessionaire's expenditures concluded that although there was no evidence of improper expenditures, MERC still needed to improve its internal control and compliance procedures. Specific recommendations were made to improve procedures for establishing the validity of expenditures, compliance with the contract, timeliness and documentation of reviews, including annually reviewing and documenting the concessionaire's cash control procedures, conducting product inventories with concessionaire personnel and performing spot checks of concessionaire activities.
- In March 2001, the concessionaire's internal auditors identified inconsistencies with the concessionaire's prescribed internal control procedures over petty cash, inventory, accounts receivable, accounts payable and sales accountability. Control issues involved inadequate segregation of duties, not maintaining perpetual inventories over alcoholic beverages, unsigned and missing contracts, incomplete receiving logs and spoilage reports, and incomplete documentation to provide a basis for accurate accounting.
- From January to April 2001, over \$14,000 in cash was stolen from food service funds at the OCC and PCPA. The three separate thefts apparently involved concessionaire employees. The largest theft was about \$13,000 stolen from the PCPA safe of which about \$10,600

was MERC money consisting of undeposited receipts and the remainder was the concessionaire's petty cash. The other two thefts involved a stand shortage at the Starbucks kiosk and concessionaire petty cash at the OCC. The concessionaire reimbursed Metro for all of the lost funds so there was no loss to the public. It should be noted that, while the system did not prevent the large theft or identify the culprit, the system did enable the concessionaire and MERC to identify that the theft occurred and its amount.

MERC's new director of administration recognized that MERC needed better information and processes for evaluating the catering business. Accordingly, he has been working to establish a comprehensive reporting and accountability system to enable MERC managers to better identify potential problems and opportunities and measure actual performance. Part of the system is intended to provide more effective oversight over the concessionaire's financial activities. For example, a recently hired staff person has been charged specifically with assuring the integrity of the financial information reported and submitted by the concessionaire and for monitoring and evaluating concessionaire financial activities.

These efforts are a very positive step. We think they can be further enhanced in the following ways:

- using detailed monthly budgets as a key accountability control
- annually reviewing the adequacy of the concessionaire's internal controls and periodically conducting other spot checks
- documenting management and oversight policies and procedures in an operations manual and ensuring that other documents related to food service operations are readily available.

Using Budgets as an Accountability Control

As discussed earlier, a detailed budget is an effective tool for evaluating the concessionaire's financial performance, and that is one reason why we think MERC can make better use of budgets. At the same time, a budget can act as an effective oversight tool. Significant variances between targeted and actual amounts may indicate that revenue or expenses are being manipulated and indicate where to check for weaknesses in controls.

Evaluating the Concessionaire's Internal Controls

MERC does not have a formal policy to evaluate and test concessionaire internal controls. Accordingly, MERC has never provided for independent reviews of the concessionaire's internal controls and has not made its own assessments of these controls. Such assessments are essential for reasonably assuring that the concessionaire is properly handling cash, safeguarding receipts, controlling inventory and preparing accurate reports.

According to the food service consultant we contacted, the typical management fee contract requires the concessionaire to be audited annually by a CPA firm. MERC does not require such an audit. The consultant said that if the contract does not provide for such an audit, then management must have its own assurance procedures for checking the concessionaire's internal controls over revenue, inventories and expenses.

As part of this oversight activity, it is also important for MERC to conduct periodic spot checks of the concessionaire's internal controls. Such checks could include surprise cash counts, observations of inventory counts, or observation of cash handling by employees at concession stands. Such checks would help ensure that these controls are operating effectively.

In developing policies and procedures for evaluating the concessionaire's internal controls, MERC should also consider the extent to which the concessionaire's internal auditors will be relied upon. Issues to consider involve how recently the concessionaire's internal audit was conducted and whether the auditors can be considered sufficiently independent for MERC to rely on their work. These are judgement decisions that affect the extent to which MERC may decide to test particular concessionaire internal controls. At a minimum, MERC should formally require the concessionaire to inform MERC when an internal audit is underway, provide MERC a copy of informal and formal audit reports and provide MERC an action plan for correcting deficiencies. MERC should establish procedures to follow up on audit findings to assure corrective action has taken place.

**Documenting
Control Policies
and Procedures**

MERC does not have written policies and procedures relating to key elements of managing the food service contract, including:

- preparing the annual food service budget
- accounting for food service revenues and expenses, including the concessionaire reimbursement process
- determining the qualitative incentive fee to be paid to the concessionaire under the terms of the contract
- monitoring the concessionaire, including evaluating the concessionaire's internal controls
- preparing financial reports.

The absence of such documentation made it difficult for the new director of administration and other new staff to quickly learn what they needed to do and how to do it. The absence also resulted in our taking extra time identifying existing policies and procedures.

The documentation should appear in management directives, administrative policies, or operating manuals. Such documentation is important because it provides the basis for overseeing and holding management and staff accountable, training new employees, assuring that important duties are not neglected or forgotten, providing consistency in handling recurring matters, and efficient and economical audit.

In addition, MERC can improve its documentation by ensuring it has copies of important documents readily available. At times, MERC staff was not able to readily find documents and other information we requested. Relevant documentation was not available in a central place and knowledge of where documents might be was diffused between the MERC Administrative Office and the OCC Office. MERC never was able to provide us a copy of one of the vendor proposals.

**MERC
Management
Supports Need for
Control
Procedures**

During the audit, we discussed the MERC consultant's and our recommendations for improving MERC's controls with MERC's general manager and director of administration. They agreed that MERC should have these controls. The general manager said that due to staff turnover and budget cuts, MERC had not been able to implement all of the consultant's recommendations. He said MERC now has a fully staffed financial team that is working to implement the consultant's and our recommendations. He also agreed that MERC should document its policies and procedures and maintain documentation so it is readily available.

The new director of administration has made significant strides in restructuring the accounting and staffing support needed for effective oversight, such as assigning staff to oversee day-to-day activities, establishing additional accounting codes to provide the basis for better management reports and independent reviews of concessionaire reports. The accounting system he has developed and continues to design and implement will enable MERC to track actual revenue and expenses against a detailed budget. He is also developing the specific procedures needed for preparing annual and monthly budgets and tracking results.

The director of administration told us that as a result of the recent thefts, many changes in procedures and physical safeguards are being made to improve controls over concession cash, including:

- establishing a MERC procedure to assure that deposits are made timely and not allowed to accumulate

- purchasing new safes for PCPA that have separate cash boxes for each cash handler so that only a supervisor will have access to all the money
- redesigning the cash count room at PCPA and requiring two persons to count the cash
- reviewing the cash handling procedures and physical safeguards for food service at each facility to identify ways to improve them.

Response to the Report



arts. sports. conventions. shows.



METROPOLITAN EXPOSITION-RECREATION COMMISSION

June 14, 2001

Honorable Alexis Dow
Metro Auditor
600 NE Grand Avenue
Portland, OR 97232

Re: Response to MERC Food Service Audit

Dear Ms. Dow:

Thank you for the opportunity to review and respond to your recent audit of MERC's food service operations. We appreciate the extensive work that you and your staff have done on this project.

Food and beverage is an important part of our business at MERC. We are pleased that you found that our concessions contract type is appropriate for our goals, that we have crafted key contractual provisions to protect the public interest, that the contract reasonably defines the concessionaire's expected duties, and that we have established a reasonable process for evaluating concessionaire performance.

MERC takes selection of a food and beverage contractor very serious. Our last selection committee was chaired by former MERC Commissioner Baruti Artharee, currently Deputy Director of the Portland Development Commission. Commissioner Artharee led a committee that included outside food and beverage experts and visitor industry representatives as well as MERC staff. We are pleased that you have concluded that MERC's selection process resulted in a fair and reasonable compensation arrangement for our concessionaire. As you noted, MERC's requirement that the concessionaire provide MERC with an initial \$1 million cash payment for food and beverage related capital investments also resulted in a significant benefit to the public.

We are also pleased that you have found that MERC's procedures for calculating concessionaire compensation on a regular basis provide reasonable assurance of accuracy. As you noted, our food and beverage contract allows MERC to:

- prescribe policies and procedures for the concessions operations
- approve the kind, quality, brand and price of concessions products
- approve all repairs and maintenance to concessions facilities and equipment
- audit the concessionaire's financial records and operations
- require the concessionaire to retain records for a prescribed time period

As you noted, our contractual arrangements reasonably hold the concessionaire accountable for fulfilling important duties and provide the concessionaire with strong incentive to perform them well in order to earn additional compensation.



METRO
Creating Livable Communities

We also agree that there are steps MERC can take to do even better in our food and beverage oversight activities. We agree with your recommendations and intend to implement them, as follows:

1. We will establish a formal written process for evaluating concessionaire financial performance.

MERC will do this by establishing detailed monthly budgets that set targeted revenue, expenses and profit. We will then measure actual results against these targets. We agree with you that significant variations may indicate areas where performance needs to be improved. We will begin implementation of this recommendation by September 1, 2001. This will enable us to get through the current fiscal year final year-end closing and provide a base of information from which to work. Implementation of this recommendation will be ongoing throughout the next fiscal year.

2. MERC will annually evaluate and test the concessionaire's internal controls over revenue, expenses and inventory. MERC will investigate the potential costs and benefits of making these evaluations in-house or by hiring a Certified Public Accountant (CPA) firm. We will decide on an in-house or outside annual evaluation program no later than October 1, 2001. If an outside contractor option is selected (as we suspect), we will promptly launch the appropriate selection procedures and move expeditiously to complete the evaluation.
3. MERC will formally document its concession management and oversight policies and procedures in written management directives, written administrative policies and a written operating manual. We will finalize all required written documentation no later than January 1, 2002.
4. MERC will ensure that all relevant documentation relating to food service operations, such as contracts and proposals, is maintained in a readily available location, no later than January 1, 2002.

Thank you once again for your attention to our operations. Please feel free to contact our General Manager, Mark B. Williams, or me if we can be of any further assistance.

Sincerely,



Commissioner George Bell
MERC Commission Chairman

Cc: Metro Executive Officer Mike Burton
Metro Council Presiding Officer David Bragdon
Metro Councilors
Metro Council Chief of Staff Jeff Stone
MERC Commission
MERC General Manager Mark B. Williams
Metro Chief Operating Officer Pete Sandrock
Art Fortuna, Aramark



METRO

Metro Auditor Report Evaluation Form

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Your feedback helps us do a better job. If you would please take a few minutes to fill out the following information for us, it will help us assess and improve our work.



Name of Audit Report:

MERC Food Service: Evaluation of Contract and Financial Controls

Please rate the following elements of this report by checking the appropriate box.

	Too Little	Just Right	Too Much
Background Information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Details	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Length of Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarity of Writing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potential Impact	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Suggestions for our report format: _____

Suggestions for future studies: _____

Other comments, ideas, thoughts: _____

Name (optional): _____

Thanks for taking the time to help us.

Fax: 503.797.1831

Mail: Metro Auditor, 600 NE Grand Avenue, Portland, OR 97232-2736

Call: Alexis Dow, CPA, Metro Auditor, 503.797.1891

Email: dowa@metro.dst.or.us

Agenda Item Number 9.1

Ordinance No. 01-913, For the Purpose of Amending the Metro Code Chapter 5.02 to Modify the Direct-Haul Disposal Charge and to Facilitate Payment by Personal Check for Disposal Services at Metro Transfer Stations.

First Reading

Metro Council Meeting
Thursday, July 5, 2001
Metro Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING)
METRO CODE CHAPTER 5.02 TO)
MODIFY THE DIRECT-HAUL)
DISPOSAL CHARGE, AND TO)
FACILITATE PAYMENT BY PERSONAL)
CHECK FOR DISPOSAL SERVICES AT)
METRO TRANSFER STATIONS)

ORDINANCE NO. 01-913

Introduced by Mike Burton,
Executive Officer

WHEREAS, Metro authorizes certain solid waste facilities to transport waste directly to the Columbia Ridge Landfill; and

WHEREAS, Metro pays for the disposal of such waste and is reimbursed by the direct haulers on a per-ton basis an amount equal to the Direct-haul Disposal charge specified in Metro Code Chapter 5.02; and

WHEREAS, the actual per-ton cost of disposal at Columbia Ridge Landfill varies throughout the year; and

WHEREAS, inflation and solid waste tonnage fluctuations have increased the per-ton cost of disposal at Columbia Ridge Landfill such that the current Direct-haul Disposal charge is inadequate to recover Metro's disposal costs; and

WHEREAS, a variable Direct-haul Disposal charge will, on average, recover actual disposal costs; and

WHEREAS, Metro Code Chapter 5.02 permits payment for disposal services at Metro South and Metro Central transfer stations in cash, by credit, or by guaranteed check; and

WHEREAS, guaranteed checks no longer are a practical method of payment because few banks offer personal check guarantees; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

SECTION 1. Metro Code Section 5.02.030 is amended to read:

5.02.030 Charges for Direct-haul Disposal

Each facility licensed or franchised under Metro Code Chapter 5.01 and authorized to transport solid waste directly to the Columbia Ridge Landfill shall pay to Metro a per ton charge of ~~\$16.78 per ton~~ as provided in this

section for the disposal of solid waste which is generated or originates within the Metro boundary and which the facility directly transports to the Columbia Ridge Landfill.

For each ton disposed under this section during each calendar quarter, such direct haul disposal charge shall be equal to the sum of the total amount that Metro paid to its contract operator for disposal of solid waste during the previous calendar quarter divided by the sum of the number of tons of solid waste disposed by Metro at the Columbia Ridge Landfill during the previous calendar quarter and the number of tons of solid waste disposed under Direct-Haul authorization during the previous calendar quarter.

SECTION 2. Metro Code Section 5.02.060 is amended to read:

5.02.060 Account Policy at Metro Solid Waste Disposal Facilities

(a) Disposal charges, including all fees and taxes, may be paid at the time of disposal in cash, by credit card, or by ~~guaranteed~~ check, or may be paid under Metro's credit policy. No credit shall be granted to any person prior to approval of a credit application in a form or forms provided by Metro.

(b) Metro's executive officer shall establish and maintain appropriate account requirements for new and existing accounts, which requirements shall be designed to diminish Metro's risk of loss due to nonpayment. Existing account holders may be required to make new application for credit or provide additional guarantees, as deemed necessary or prudent by the executive officer.

(c) Account charges shall accrue on a monthly basis. Metro will mail statements on or about the 10th day of the month for disposal services rendered in the prior month. A statement must be paid no later than the last business day of the month in which it is mailed; the statement will be considered past due thereafter. A payment shall under no circumstances be considered received by Metro unless it is delivered personally to the Metro Department of Administrative Services during business hours or, if delivered by mail, received in Metro's mail room on or before the due date.

(d) A finance charge of 1.5 percent shall be assessed on all past due charges on the 15th day of the month following the month in which a statement is mailed, and on the 15th day of each month thereafter. Finance charges will be assessed only on unpaid past due balances, and not on previously assessed finance charges. Finance charges will continue to be assessed on negotiated repayment schedules. Payments will be applied first to finance charges and then to the oldest amount past due.

(e) An account that is 15 days past due may be placed on a cash only basis, until all past due disposal and finance charges are paid. Facility access may be denied to a person whose account is past due and unpaid for 30 days. A decision to place an account on a cash only basis or deny facility access shall be at the discretion of the director of the Department of Administrative Services.

(f) An account customer that sells, terminates, or makes a substantial change in the scope of its business after its application for credit has been approved must notify Metro immediately. Failure to provide the notice required by this subsection may result in termination of credit at Metro facilities pending reapplication for credit.

(g) The Department of Administrative Services may adjust accounts receivable and reverse finance charges in accordance with prudent credit practices. Adjustments over \$500 shall be reported to the council in writing on a monthly basis, and adjustments over \$10,000 shall require council approval.

(h) The executive officer may end pursuit of an account receivable, consistent with prudent credit practices, when the likelihood of collecting does not justify further collection costs. Such action shall be reported to the council in writing on a monthly basis when the amount exceeds \$500, and amounts over \$10,000 shall require council approval.

(Ordinance No. 82-146, Sec. 11. Amended by Ordinance No. 90-350; Ordinance No. 91-386C, Sec. 8; Ordinance No. 92-455, Sec. 1. Repealed and re-established by Ordinance No. 93-504A. Amended by Ordinance No. 97-681B, Sec. 6; Ordinance No. 98-720A, Sec. 24.)

ADOPTED by the Metro Council this _____ day of _____, 2001.

Presiding Officer

ATTEST:

Approved as to Form:

Recording Secretary

Daniel B. Cooper, General Counsel

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EXECUTIVE SUMMARY ORDINANCE 01-913

PROPOSED ACTION

- Adopt Ordinance 01-913 that modifies the direct-haul disposal charge, and facilitates payment by personal check for disposal services at Metro transfer stations.

WHY NECESSARY

- The current direct-haul charge of \$16.78 per ton, set in Metro Code Chapter 5.02, is more than one dollar less than Metro's forecasted cost of disposal for FY 2001-2002, and will result in a revenue shortfall of about \$45,000 during the fiscal year.
- Guaranteed checks, one of the payment methods permitted at Metro's transfer stations, are no longer commonly available at banks. Not requiring such a check guarantee would simplify payment for many transfer station customers.

ISSUES/CONCERNS

- Currently, direct-haul facilities reimburse Metro \$16.78 per ton, as specified in Metro Code Chapter 5.02, for disposal that will cost Metro over \$18 per ton in FY 2001-2002. This will result in a revenue shortfall of about \$45,000 during FY 2001-2002.
- Modifying the direct-haul charge to a per ton charge for the current calendar quarter based on actual costs incurred during the previous calendar quarter would dramatically lower the probability of a revenue shortfall from Direct-haul disposal.
- Metro transfer station customers who wish to pay by check currently cannot write Metro a personal check unless accompanied by a check guarantee card. Most banks no longer offer such guarantee cards, effectively leaving cash and credit as the only two payment methods accepted at Metro transfer stations.
- Permitting payment by personal check without requiring a bank guarantee would once again make payment by check practicable for Metro transfer station customers.
- Permitting payment by non-guaranteed personal check at Metro transfer stations introduces some risk that "bad" checks may be accepted for payment; however, transfer station personnel have already developed risk reduction measures to minimize the acceptance of bad checks (e.g., comparing personal information from valid ID to that printed on check, requiring check signer to be present, and not accepting temporary checks). In addition, scalehouse staff conducted a three-month trial accepting personal checks with the above risk reduction measures in place and observed no increase in the number of bad checks written.

BUDGET/FINANCIAL IMPACT

- Making the recommended change to the Direct-haul charge will increase projected revenues by approximately \$45,000.

- Permitting payment by personal check at Metro transfer stations is not anticipated to have any measurable financial effect on Metro.

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 01-913, FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.02 TO MODIFY THE DIRECT-HAUL DISPOSAL CHARGE, AND TO FACILITATE PAYMENT BY PERSONAL CHECK FOR DISPOSAL SERVICES AT METRO TRANSFER STATIONS.

April 2001

Presented by: Terry Petersen

BRIEF DESCRIPTION OF ORDINANCE

This ordinance would codify that a new direct-haul charge calculation be implemented. This change would ensure that facilities that direct haul solid waste to Columbia Ridge Landfill pay an amount equal to the actual cost of solid waste disposal. It would not change the established Metro solid waste tip fee of \$62.50 per ton.

Additionally, this ordinance would remove the requirement for a *guaranteed* check from customers paying by check for disposal services at Metro transfer stations. This change would benefit mainly relatively low-volume self-haul customers by allowing them to write personal checks at Metro transfer stations.

EXISTING LAW

Direct-haul Charge

Individual solid waste facility franchise agreements authorize certain solid waste facilities to haul solid waste directly to the Columbia Ridge Landfill. Recycle America, WRI, and Pride Disposal are examples of facilities with direct-haul authority.

Metro pays for the disposal of direct-hauled waste as if delivered under the Metro-Waste Management disposal contract. To recover the cost of disposal, Metro bills the direct hauler \$16.78 per ton disposed, an amount set in Metro Code Chapter 5.02.

Guaranteed Check

Metro Code Chapter 5.02 authorizes payment for disposal services at Metro's two transfer stations "in cash, by credit card, or by guaranteed check." Because few banks still offer check guarantee cards, few customers have one. Hence, few transfer station customers are permitted to pay by check.

BACKGROUND

Direct-haul Charge

The direct-haul designation was designed to preserve system efficiencies by granting certain solid waste facilities the authority to haul wet waste directly to Columbia Ridge Landfill for disposal. Metro pays for the cost of such direct-haul disposal as if under its disposal services contract with Waste Management, and bills direct haulers \$16.78 per ton, as specified in Metro Code Chapter 5.02.

Because of inflation and tonnage fluctuations, Metro anticipates that its average per-ton disposal price at Columbia Ridge Landfill during Fiscal Year 2001-2002 alone will be in excess of \$18.00. If the Direct-haul disposal charge remains at \$16.78 per ton, this will cause a shortfall in disposal revenue of at least \$45,000 due to direct hauling (\$1.29 per ton shortfall x 34,456 direct-haul tons = \$44,448).

Approving the proposed Code change will significantly reduce the probability of such a shortfall in direct-haul disposal revenues.

Guaranteed Check

At the time Section 5.02.060 (a) of the Metro Code was adopted specifying the acceptable methods for payment of disposal services at Metro's transfer stations, guaranteed checks were a commonly available form of payment. This is no longer the case, as few banks now offer check guarantees.

Allowing customers to write personal checks to pay for disposal services at Metro's transfer stations instead of requiring a *guaranteed* check will update this section of the Metro Code. New security measures for screening personal checks have been developed and tested by transfer station personnel and approved by transfer station management. These include checking for the issuing bank's name and address, verifying that the personal information from valid state-issued identification matches that printed on the check, requiring the check signer to be present, and not accepting temporary checks. Over a three-month test period, such measures provided adequate protection against bad checks.

BUDGET IMPACT

Direct-haul Charge

This Ordinance should have approximately a \$45,000 positive effect on revenue. Without the direct-haul change, Metro will undercollect disposal revenue by about \$45,000. With the change, an estimated no revenue shortfall is expected due to Direct-haul disposal.

Guaranteed Check

Accepting personal checks at Metro transfer stations will have no measurable impact on Metro's budget.

OUTSTANDING QUESTIONS

None

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Ordinance 01-913.

Resolution No. 01-3078, For the Purpose of Replacing the Current Classification of Paralegal I with a Job Series Classification of Paralegal I and Paralegal II at Metro.

**Metro Council Meeting
Thursday, July 5, 2001
Metro Council Chamber**

Staff Report

RESOLUTION 01-3078; FOR THE PURPOSE OF REPLACING THE CURRENT CLASSIFICATION OF PARALEGAL I WITH A JOB SERIES CLASSIFICATION OF PARALEGAL I AND PARALEGAL II AT METRO

Date: June 21, 2001

Presented by: Lilly Aguilar

Proposed Action

Resolution No. 01-3078 replaces the current classification of Paralegal I with a job series classification of Paralegal I and Paralegal II at Metro.

Existing Law

Under Metro Code 2.02.340 any new job classification added to Metro's classification plan requires Council approval.

Background and Analysis

With the increasing complexity of the transactions dealt with by the Office of General Counsel regarding real estate and land use matters, it is vital to have employees with the legal skills, knowledge and experience working on the various title issues, environmental issues, real estate and land use issues that arise on a continuous basis.

In addition to performing all of the tasks in the Paralegal I position, the Paralegal II employee will perform those tasks with a high degree of independence and skill. The employee in the Paralegal II job series will perform complex para-professional tasks including analyzing complex transactions, performing preliminary reviews of relevant statutes and closing complex multi-party transactions. The employee will analyze transactions with a higher level of complexity, which may include complex title issues, difficult water rights issues, boundary and encroachment issues and environmental issues with a high degree of independence and skill.

The proposed new series classification is Paralegal. The salaries would be established at the existing Paralegal I classification of \$34,147 to \$47,807 with a Paralegal II salary of \$35,855 to \$50,197. This new series classification and the defined job duties have been reviewed and approved by the General Counsel and by Human Resources. The classification description is attached to Resolution No. 01-3078 as Exhibit A.

Findings

Creating this classification serves the following objectives:

- Enables the Office of General Council to have employees with greater depth of skills and knowledge in the para-professional classification.
- Enables Metro to more efficiently and successfully analyze and resolve complex real estate and land use issues.

Budget Impact

There is no budget impact, because the subject wages are covered by the current Metro budget. This work has previously been done in part by employees within the classification of Paralegal I and Legal Counsel I which has a salary range of \$48,050 to \$67,289.

Executive Officer's Recommendation

The Executive Officer recommends passage of Resolution No. 01-3078.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REPLACING THE)	RESOLUTION NO. 01-3078
CURRENT CLASSIFICATION OF)	INTRODUCED BY
PARALEGAL I WITH A JOB SERIES)	MIKE BURTON
CLASSIFICATION OF PARALEGAL I)	EXECUTIVE OFFICER
AND PARALEGAL II AT METRO)	

WHEREAS, Metro Code Section 2.02.340 requires that any new job classification added to the classification plan requires Council approval; and

WHEREAS, Metro's classification contains a single level Paralegal I job and does not currently include a job series with duties encompassing a Paralegal I and Paralegal II; and

WHEREAS, Metro requires the addition of a Paralegal II level to create a job series classification that will enable the Office of General Counsel to have staff capable of performing complex para-professional legal duties related to real estate and land use issues and transactions; and

WHEREAS, Human Resources has appropriately classified the job series of Paralegal I at the current annual salary range of \$34,147 to \$47,807 and the Paralegal II at an annual salary range of \$35,855 to \$50,197; and

WHEREAS, the current Office of General Counsel budget is sufficient to encompass the pay range for the Paralegal I and Paralegal II; now, therefore,

BE IT RESOLVED,

1. That the new job series classification of Paralegal I and Paralegal II is added to Metro's classification plan as shown on Exhibit A attached hereto.

ADOPTED by the Metro Council this 21st day of June 2001.

David Bragdon, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

METRO
Classification Description

Class No. 1250, ____
Title: Paralegal
Pay Grade: 111, 112
Bargaining Unit: Non-Represented

Established: 6/01
Revised:
AA/EEO

GENERAL SUMMARY

Jobs assigned to this series provide a variety of para-professional assistance to legal counsel through review and analysis of legal documents, site inspections of real property, and identification, analysis, and recommendation of remedies and resolutions to problem issues related to real estate transactions and properties.

DISTINGUISHING FEATURES OF THE SERIES

This series classification includes Paralegal I and Paralegal II. The primary distinctions between the two levels is the complexity and responsibility of assignments and the amount of supervision received and given. The Paralegal I is assigned to less complex para-professional tasks including review and analysis of legal documents, site inspections of real property and identification, analysis and recommendation of remedies and resolutions to problem issues related to real estate transactions and properties. The Paralegal I receives greater supervision than the Paralegal II. The Paralegal II is assigned to more complex para-professional tasks including analyzing complex transactions, performing preliminary reviews of relevant statutes and closing complex multi-party transactions. The Paralegal II performs with a high degree of independence and skill.

ESSENTIAL FUNCTIONS/MAJOR RESPONSIBILITIES

(The essential functions/major responsibilities listed are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position. Duties and responsibilities are also subject to change by the employer as the needs of the employer and requirements of the job change.)

Paralegal I

1. Reviews and analyzes real estate transactions including documentation, acquisition and sale timetables and docket dates, ordering and reviewing documents including title reports and legal descriptions, and defining research issues and areas for further investigation including environmental issues and selection of an environmental consultant if needed.
2. Performs due diligence including research of water rights, reforestation, access, easement, boundary and encroachment issues; reviews the site by walking it in person as necessary; defines problem issues, remedies and resolutions; drafts documents as needed and presents information to counsel for review and direction.
3. Closes transactions including issue resolution, attorney and client conferences, assuring completion of closure checklist, requesting and coordinating funding, and performing post closing follow-up (holdbacks, debris removal, escrow document review, file organizations, etc.)

Metro Series Classification Description

Paralegal

Page 2

4. Acts as primary contact for Metro staff assigned property acquisition duties and as a resource for questions on Metro real estate transactions, policies and procedures.
5. Assists Counsel as requested with other legal issues such as collective bargaining, conducting legal research, writing legal memorandum and providing direction to clerical staff in performance of duties related to paralegal work.

Paralegal II

1. In addition to those functions and responsibilities listed above for Paralegal I, the Paralegal II analyzes transactions with a higher level of complexity, which may include complex title issues, difficult water rights issues, boundary and encroachment issues and environmental issues. These duties are performed with a high degree of independence and skill.
2. Performs preliminary review of relevant statutes.
3. Prepares complex land use applications such as lot line adjustments and partitions.
4. Works with local cities and counties to move land use applications forward.
5. Works with environmental contractors to resolve issues in cases of large environmental matters.
6. Closes complex transactions, including multi-party transactions.

SECONDARY FUNCTIONS

1. Performs related duties as assigned.

INTERPERSONAL CONTACTS

Inside the organization, works with all staff engaged in the acquisition and management of property. Outside the organization, works with a variety of individuals such as title and escrow companies, real estate attorneys, environmental consultants and municipal and county agencies.

WORKING CONDITIONS

Duties are performed in an office setting and outdoors. Individuals assigned to this classification are exposed to toxic materials and chemicals normally found in an office environment and to the hazards of walking on unimproved land or areas where toxic wastes or derelict buildings are found. Travel, evening meetings and extensive overtime may be required.

SPECIFIC JOB SKILLS

(Note: Unless specifically noted, the level of the specified skills will vary based on the level the job is assigned to in this series). Knowledge of paralegal work methods, practices and statutes and laws as they relate to real estate and land use. Ability to perform complex land and real estate legal research; develop, analyze and report on a variety of related documents; work effectively with staff and other professionals in a sometimes stressful environment; and organize and manage multiple projects.

MENTAL AND PHYSICAL REQUIREMENTS

Mental activities required by the job include frequent decision making, interpersonal skills, teamwork, creativity, customer service, discretion, presentations, problem analysis, and to perform math and speak, read write and understand English. Required physical activities include frequent sitting, hearing, talking, repetitive motions of the hands and wrists, and the ability to walk on a variety of terrain.

EDUCATION AND/OR EXPERIENCE

Paralegal I

Bachelor degree in paralegal studies, ABA-approved paralegal training, or a law degree plus two years of paralegal experience including demonstrated ability with real estate transactions or any combination of experience and education that provides the applicant with the desired skills, knowledge and ability required to perform the job.

Paralegal II

Bachelor degree in paralegal studies, ABA-approved paralegal training and two years experience in complex real estate transactions and properties, or a law degree plus three years of paralegal experience including demonstrated ability with complex real estate transactions or any combination of experience and education that provides the applicant with the desired skills, knowledge and ability required to perform the job.

NECESSARY SPECIAL QUALIFICATIONS

Valid driver's license.

Resolution No. 01-3079, For the Purpose of Confirming the Appointments of Jean Esty-Hoops, Jason Graf, Susan Landauer and Trevor Nelson to fill Four Expiring Terms on the North Portland Rehabilitation and Enhancement Committee.

**Metro Council Meeting
Thursday, July 5, 2001
Metro Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING)	RESOLUTION NO. 01-3079
THE APPOINTMENTS OF JEAN)	
ESTEY-HOOPS, JASON GRAF, SUSAN)	
LANDAUER, AND TREVOR NELSON TO)	Introduced by Mike Burton,
THE NORTH PORTLAND REHABILITATION)	Executive Officer
AND ENHANCEMENT COMMITTEE)	

WHEREAS, Chapter 2.19 of the Metro Code Relating to Advisory Committees; Section 2.19.140 provides for a North Portland Rehabilitation and Enhancement Committee (NPREC); and

WHEREAS, Section 2.19.140 authorizes representatives for Committee membership; and

WHEREAS, The seven citizen members of NPREC must be appointed by the Executive Officer and are subject to confirmation by the Metro Council; and

WHEREAS, Vacancies have occurred in the NPREC membership; and

WHEREAS, The Executive Officer has appointed these individuals, subject to confirmation by the Metro Council; now, therefore

BE IT RESOLVED, That the new NPREC members Ms. Jean Estey-Hoops, Mr. Jason Graf, Ms. Susan Landauer, and Mr. Trevor Nelson are confirmed to serve on North Portland Rehabilitation and Enhancement Committee.

ADOPTED by the Metro Council this ____ day of _____, 2001.

David Bragdon, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

STAFF REPORT

RESOLUTION NO. 01-3079, FOR THE PURPOSE OF CONFIRMING THE APPOINTMENTS OF JEAN ESTEY-HOOPS, JASON GRAF, SUSAN LANDAUER, AND TREVOR NELSON TO THE NORTH PORTLAND REHABILITATION AND ENHANCEMENT COMMITTEE

DATE: June, 2001

Presented by: Terry Petersen

BACKGROUND INFORMATION

Per Metro Code Section 2.19.140, the following persons have been nominated to fill the following vacancies on the NPREC. The Executive officer has accepted the nominations and has appointed the following individuals subject to Council confirmation.

Jean Estey-Hoops, resident of Cathedral Park neighborhood
Jason Graf, resident of Overlook neighborhood
Susan Landauer, resident of Portsmouth neighborhood
Trevor Nelson, resident of St. Johns neighborhood

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 01-3079.



APPOINTMENT INTEREST FORM
SPECIAL INTERESTS:

NORTH PORTLAND ENHANCEMENT COMMITTEE

METRO OFFICE COMMENTS:

NAME Jean Estey Hoops

DATE April 2, 2001

HOME ADDRESS: 6933 N Richmond
STREET

Portland Oregon 97203
CITY STATE ZIP

BUSINESS ADDRESS: same
STREET

CITY STATE ZIP

HOME PHONE: 503-283-6935

BUSINESS PHONE: same

FAX 503-285-8836

E-MAIL jehoops@hevanet.com

SOCIAL SECURITY NO. 531-30-2078

METRO DISTRICT NO. #5
(i.e., District that you live in)

NEIGHBORHOOD Cathedral Park

THE FOLLOWING INFORMATION IS VOLUNTARY:

SEX: Female

ETHNIC ORIGIN Caucasian

(METRO STRIVES FOR ETHNIC AND MINORITY BALANCE, AS WELL AS GEOGRAPHIC REPRESENTATION, IN ITS MEMBERSHIP COMPOSITION.)

SCHOOL (INCLUDE HIGH SCHOOL)	LOCATION	MAJOR OR DEGREE
Castle Rock High School	Castle Rock, WA	
Willamette University		
Portland State University		Bachelor of Science

APPOINTM

LIST MAJOR EMPLOYMENT AND/OR VOLUNTEER ACTIVITIES, BEGINNING WITH MOST RECENT (INCLUDE ALL EXPERIENCES YOU BELIEVE TO BE RELEVANT)

DATE (TO/FROM)	EMPLOYER/ORGANIZATION	POSITION
2000-2001	RACC	Board Member
1998-2001	Latino Music Festival	Grant writer
1997-2001	Portland Festival Symphony	Grant writer
1998-2001	Friends of Cathedral Park NA	Chair
1999-2001	Wapato Jail Committee	Board Member
2000-2001	Northgate Beach Project	Committee member
2000-2001	Peninsula Affiliated	Board of Directors member

EXPERIENCE, SKILLS, OR QUALIFICATIONS YOU FEEL WOULD CONTRIBUTE TO A PUBLIC SERVICE APPOINTMENT:

Self employed; 37 years; Interior Design (commercial & residential)

Chair of Cathedral Park Neighborhood Association - 4 years

Chair, Cathedral Park Land Use Committee - 4 years

Volunteer, St. Johns Parade - 5 years

I possess the ability to listen and compromise. I have vision and can interject humor when needed.

Have you volunteered for any minority organizations?

Latino community

OUTLINE YOUR REASONS AND INTERESTS IN APPLYING FOR AN APPOINTMENT:

To help ensure that requests presented continue to enhance our neighborhoods in North Portland from restoration to beautification

Date

4.3 2001

Signature

Jan E. Hoops

APPOINTMENT INTEREST FORM
SPECIAL INTERESTS:



NORTH PORTLAND ENHANCEMENT COMMITTEE

.....
METRO OFFICE COMMENTS:

~~~~~  
NAME Jason N. Graf DATE 04.19.01

HOME ADDRESS: 1334 N. Humboldt St. Portland OR 97217  
STREET CITY STATE ZIP

BUSINESS ADDRESS: 1334 N. Humboldt St. Portland OR 97217  
STREET CITY STATE ZIP

HOME PHONE: 503. 287. 7056

BUSINESS PHONE: 503. 287. 7056

FAX 503. 287. 7056

E-MAIL graflandscape@yahoo.com

SOCIAL SECURITY NO. 572.43.5594

METRO DISTRICT NO. #5  
(i.e., District that you live in)

NEIGHBORHOOD OVERLOOK

THE FOLLOWING INFORMATION IS VOLUNTARY:

SEX: male

ETHNIC ORIGIN \_\_\_\_\_

(METRO STRIVES FOR ETHNIC AND MINORITY BALANCE, AS WELL AS GEOGRAPHIC REPRESENTATION, IN ITS MEMBERSHIP COMPOSITION.)

| SCHOOL (INCLUDE HIGH SCHOOL)     | LOCATION                | MAJOR OR DEGREE                |
|----------------------------------|-------------------------|--------------------------------|
| <u>EDGEWOOD HIGH SCHOOL</u>      | <u>Ellettsville, IN</u> | <u>ACAD.</u>                   |
| <u>UNIVERSITY OF KENTUCKY</u>    | <u>Lexington, KY</u>    | <u>Landscape Arch.</u>         |
| <u>PORTLAND STATE UNIVERSITY</u> | <u>Portland, OR</u>     | <u>Urban + Regional Plnng.</u> |

APPOINTM

LIST MAJOR EMPLOYMENT AND/OR VOLUNTEER ACTIVITIES, BEGINNING WITH MOST RECENT (INCLUDE ALL EXPERIENCES YOU BELIEVE TO BE RELEVANT)

| DATE (TO/FROM)                                | EMPLOYER/ORGANIZATION                                 | POSITION                  |
|-----------------------------------------------|-------------------------------------------------------|---------------------------|
| CURRENT - 02.01<br><del>02.01 - CURRENT</del> | VOL. Albina Youth Opport. Sch. (VOL. / PROJ. DEVL.P.) |                           |
| CURRENT - 09.94<br><del>09.94 - CURRENT</del> | graf / DESIGN                                         | SOLE PROPRIETOR/URB. DES. |
| 03.01 - 02.99                                 | Urban Design Collaborative                            | CONTRACT/CONSULT.         |
| 01.95 - 01.94                                 | Demuth Glick Consultants Ltd.                         | Urban designer            |
| 04.92 - 02.92                                 | Habitat for Humanity                                  | volunteer                 |

EXPERIENCE, SKILLS, OR QUALIFICATIONS YOU FEEL WOULD CONTRIBUTE TO A PUBLIC SERVICE APPOINTMENT:

My professional career has revolved around public projects either as a consultant for public agencies or private citizens. My work has involved, to a large degree, the community involvement process. As an urban designer I am well aware that the issues and opportunities of a given project has implications/impacts within a larger surrounding area or context. In addition I am required to analyze and assess the issues/impacts/opportunities of a particular design in conjunction with multiple factors such as transportation, safety, econ., and development potential. OVER, Thank you

Have you volunteered for any minority organizations?

No

OUTLINE YOUR REASONS AND INTERESTS IN APPLYING FOR AN APPOINTMENT:

As a member of The Overlook Neighborhood, and as a potential committee member I support <sup>all</sup> of North Portland for a balanced and fair assessment of grant nominees.

I support: Advocacy for Community Development/Involvement

- support community initiated development learning projects
- support projects to enhance economic viability/sustainability for North Portland
- support community involvement as NPEC citizen advisors
- support community involvement in local design issues of livability

Advocacy for Community Development/Environmental

- support community design projects that minimize negative environmental impacts to our watershed
- support community projects that integrate develop/environ. issues into a learning process for area schools and overall community

04.19.01

Date

Signature

Jam N. Gray

As a citizen and volunteer I am currently working on a neighborhood development project that addresses issues of the environment and historical context, within a public Right-of Way/public land. The project is being developed through an area school.

#### Advocacy for Community Parks and Open Space

- support enhancement of existing open spaces, such as Bybee/South Lakes, Kelley Point, Radio Tower Land etc... as significant both locally and regionally.
- support creation and enhancement of local parks and open space that directly impact/support neighborhoods.



METRO

APPOINTMENT INTEREST FORM  
SPECIAL INTERESTS:

NORTH PORTLAND ENHANCEMENT COMMITTEE

METRO OFFICE COMMENTS:



NAME Susan Landauer

DATE April 9, 2001

HOME ADDRESS: 7706 N Hodge Avenue  
STREET

Portland Oregon 97203  
CITY STATE ZIP

BUSINESS ADDRESS: n/a  
STREET

CITY STATE ZIP

HOME PHONE: 503-240-8713

BUSINESS PHONE: n/a

FAX n/a

E-MAIL n/a

SOCIAL SECURITY NO. 070-34-9433

METRO DISTRICT NO. #5  
(i.e., District that you live in)

NEIGHBORHOOD Portsmouth

THE FOLLOWING INFORMATION IS VOLUNTARY:

SEX: Female

ETHNIC ORIGIN Caucasian

(METRO STRIVES FOR ETHNIC AND MINORITY BALANCE, AS WELL AS GEOGRAPHIC REPRESENTATION, IN ITS MEMBERSHIP COMPOSITION.)

| SCHOOL (INCLUDE HIGH SCHOOL) | LOCATION                  | MAJOR OR DEGREE |
|------------------------------|---------------------------|-----------------|
| <u>Carthage Central</u>      | <u>Carthage, New York</u> | <u>Academic</u> |
| <u>Barnard College</u>       | <u>New York, New York</u> | <u>History</u>  |

LIST MAJOR EMPLOYMENT AND/OR VOLUNTEER ACTIVITIES, BEGINNING WITH MOST RECENT (INCLUDE ALL EXPERIENCES YOU BELIEVE TO BE RELEVANT)

| DATE (TO/FROM) | EMPLOYER/ORGANIZATION                    | POSITION     |
|----------------|------------------------------------------|--------------|
| 1972-1989      | Multnomah County Aging Services Division | Case Manager |
| 1989-Present   | Retired, Volunteer                       |              |
|                |                                          |              |
|                |                                          |              |
|                |                                          |              |
|                |                                          |              |

EXPERIENCE, SKILLS, OR QUALIFICATIONS YOU FEEL WOULD CONTRIBUTE TO A PUBLIC SERVICE APPOINTMENT:

There is not room to list all my volunteer activities. I have been very committed to the Community Association of Portsmouth, my neighborhood association. I have been busy with our Target Area, Portsmouth Vision 20/20, both on the steering committee and on many projects. I spend many hours on restoring the urban forest, as a member of the Portland Forestry Commission, as a Neighborhood Tree Liaison, as a Neighborhood Co-chair with Friends of Trees, and partnering with a seventh grade science class at Portsmouth Middle School. I have been honored with the Mayor's Spirit of Portland Award; Volunteer of the Year from Friends of Trees, Have you volunteered for any minority organizations? SOLV, Urban Forestry; and Gladys McCoy Volunteer Award.

None

OUTLINE YOUR REASONS AND INTERESTS IN APPLYING FOR AN APPOINTMENT:

The NPEF has significant influence in shaping the future of the Peninsula. The challenge of using that money to enhance our community would justify my commitment of time and energy. I am a good team player, a good listener, and try to be a good citizen. I think my record in the community, and the set of values embodied in my volunteer work, would qualify me to be on the committee. I want to see a community where everyone is respected, and feels respected; and where people have the opportunity to develop to their full, best potential.

April 9, 2001  
Date

Juan Hernandez  
Signature

**APPOINTMENT INTEREST FORM  
SPECIAL INTERESTS:****NORTH PORTLAND ENHANCEMENT COMMITTEE****METRO OFFICE COMMENTS:**NAME Trevor Nelson DATE 4-19-2001HOME ADDRESS: 9305 N. Tioga Ave. Portland OR 97203  
STREET CITY STATE ZIPBUSINESS ADDRESS: \_\_\_\_\_  
STREET CITY STATE ZIPHOME PHONE: 503/286-8284BUSINESS PHONE: 503/228-5617Wk. FAX 503/273-8584E-MAIL tenelson@teleport.comSOCIAL SECURITY NO. 516-06-8554METRO DISTRICT NO. 45  
(i.e., District that you live in)NEIGHBORHOOD St. Johns**THE FOLLOWING INFORMATION IS VOLUNTARY:**

SEX: \_\_\_\_\_

ETHNIC ORIGIN \_\_\_\_\_

(METRO STRIVES FOR ETHNIC AND MINORITY BALANCE, AS WELL AS GEOGRAPHIC REPRESENTATION, IN ITS MEMBERSHIP COMPOSITION.)

SCHOOL (INCLUDE HIGH SCHOOL) LOCATION

MAJOR OR DEGREE

Wolf Point, Bozeman, Fromberg [MT] High Schools.Montana State University - Bozeman, MT - ArchitecturePortland State University - Masters of Urban &(currently)Regional Planning

APPOINTMENT

This is page two of the application. Please review this document in addition to the hand written, faxed front page. Thank you, T. Nelson

### List Major Employment...

|                   |                                          |                                                                |
|-------------------|------------------------------------------|----------------------------------------------------------------|
| 2-2001 – present  | Soderstrom Architects                    | Architectural Intern                                           |
| 10-2000 – present | St. Johns Neighborhood Assn.             | Active member,<br>current Land Use Co-chair                    |
| 7-97 – present    | St Johns in the 21 <sup>st</sup> Century | Steering Committee Member,<br>former Chair, current Vice Chair |
| 5-98 – present    | AIA Urban Design Committee               | Committee Member                                               |
| 7-2000 – 1-2001   | Shur Associates Architects               | Architectural Intern                                           |
| 1-2000 – 4-2000   | Crandall Arambula, PC                    | Urban Design/Planning Intern                                   |
| 1-99 – 12-99      | William Wilson Architects PC             | Architectural Intern                                           |
| 7-96 – 10-98      | Fletcher Farr Ayotte Architects, PC      | Architectural Intern,<br>Urban Design Intern                   |
| 4-98 – present    | Christmas In April                       | Home Renovation Participant                                    |
| 3-93 – 6-93       | Assoc. Students of MSU                   | Student Senator                                                |

### Experience, Skills, or Qualifications...

*Student Senate of MSU:* I negotiated proposals & budget, distributed grant money to University groups and organizations, represented off-campus constituency which was quite diverse in age and ethnicity.

*St Johns in the 21<sup>st</sup> Century:* Inspired by the Town Hall Mtg. In June '97, I began serving on the Steering Committee. Three years later, having chaired the SJ21 Committee through some very wrenching issues, we have aligned with the NPNO as our fiscal agent, our Action Plan is completed, and we have implemented a good number of items, including the storefront grants program. We have also worked at mending ties with the St. Johns Boosters.

I feel that my strength as a creative problem solver and my situational judgement have increased as well as my ability to provide leadership and vision. I hope that I have become a much better listener and am always trying to learn something new.

*Urban Design Intern:* (1 yr.) I began learning the process of long range planning and priorities and a bit about the workings of PDC's development process.

*AIA Urban Design Committee:* Worked with BES, ASLA, landowners, hired consultants, and various environmental groups to forge a recommendation for the North Macadam Greenway. Currently working to increase ped/bike access in St. Johns TC and over St. Johns Bridge.

*Christmas-In-April:* This charity organization selects a needy person from a 'depressed' community and fully renovates their home, or as much as they can accomplish toward that end, all on the last Saturday in April. Will be participating for the second time with UP/Soderstrom Architects on house in St. Johns!

*Resident and Homeowner:* I am currently renovating my own home in St Johns and understand the costs of home ownership, and renovation, as well as time and energy constraints and balances that are involved with volunteer work.

**Have you volunteered for any minority organizations?**

As a member of the Steering Committee I have been involved, albeit minor roles, in community outreach. Our outreach committee put together a survey that was printed in Spanish and worked to have both Spanish and Russian translation available for our Town Halls. This seems a token gesture, by most measures, but there was *response* and more importantly feedback. It was the best thing to happen, as far as diversity, that people came and helped us understand how what to communicate. I feel that the constructive criticism received during that process has clarified for me the nature and importance of inter-cultural communications.

I also participated in the Art on the Peninsula group for a period. I love art, but I am passionate for urban design and community building....

**Outline your reasons and interests...**

My motivations are twofold. I see enormous change on the horizon in North Portland and I feel that it is very important to be aware of that in distributing the Enhancement Grants. It can be used as a very effective way of maintaining community morale and neighborhood pride, rather than competitiveness and resentment. This grant money provides a way for any person to make a positive impact, and a personal investment, whether they conceived the idea or benefited from it.

My personal motive for applying for this seat is simply to learn as much as I can about St Johns, N. Portland and METRO, in order to better serve on the SJ21 Committee, SJNA, and enrich my personal experience. Helping people, helping people help people.

I had a discussion a while ago with another active North Portlander. It surprised me for a moment when he said he noticed an extraordinary number of active community members' addresses were from my street—North Tioga Avenue—in St. Johns. I think my response was something like, "...yeah, I met most of them while I was building the front porch on my house..."

*Agenda Item Number 10.3*

**Resolution No. 01-3082, For the Purpose of Revising Metro's Non-Represented Employee Pay Plan.**

**Metro Council Meeting  
Thursday, July 5, 2001  
Metro Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REVISING METRO'S  
NON-REPRESENTED EMPLOYEE PAY PLAN

) RESOLUTION NO. 01-3082  
)  
) Introduced by Mike Burton, Executive  
) Officer

WHEREAS, Metro Code Section 2.02.055 requires the Executive Officer to review pay plans and recommend revisions to the Council; and

WHEREAS, the National Consumers Price Index - W (Urban Wage Earners) calculated annually from March to March was 2.8 percent; and

WHEREAS, the Executive Officer has recommended that the Council apply a cost-of-living adjustment to non-represented salary ranges; now, therefore,

BE IT RESOLVED:

1. That salary ranges within the classification and pay plan for Metro non-represented employees shall be increased 2.9 percent pursuant to Metro Code 2.02.060(a).
2. That the Metro Executive is authorized to take all actions necessary to see that the provisions of this resolution are carried out promptly.

ADOPTED by the Metro Council this \_\_\_\_ day of \_\_\_\_\_ 2001.

\_\_\_\_\_  
David Bragdon, Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
Daniel B. Cooper, General Counsel

## **STAFF REPORT**

### **IN CONSIDERATION OF RESOLUTION 01-3082, FOR THE PURPOSE OF REVISING METRO'S NON-REPRESENTATED EMPLOYEE PAY PLAN**

---

Date: July 5, 2001

Presented by: Lilly Aguilar

#### **BACKGROUND**

This Resolution is submitted to comply with the provisions of Metro Code, Section 2.02.055 requiring Council approval of revisions to the pay plan for non-represented employees. Adopting this resolution will result in a 2.9% cost-of-living adjustment to all non-represented salary ranges.

The following represents information from the two different Consumer Price Indexes Metro uses in negotiating with its bargaining units:

PORTLAND AREA CPI-U (All Urban Consumers)  
Second half of 2000                      2.9%

PORTLAND AREA CPI-W (Urban Wage Earners)  
Second half of 2000                      2.9%

The Metro 2001-02 budget, as adopted, includes 3.00% for anticipated cost-of-living increases for non-represented employees.

#### **FISCAL IMPACT**

The 2001-02 budget includes an approved 3.0% COLA increase. The 2.9% increase is less than the amount included in the 2001-02 budget.

#### **EXECUTIVE OFFICER'S RECOMMENDATION**

The Executive Officer recommends adoption of resolution 01-3082.

**Resolution No. 01-3085, For the Purpose of Appointing Michael Leichner to  
Solid Waste Rate Review Committee.**

**Metro Council Meeting  
Thursday, July 5, 2001  
Metro Council Chamber**

BEFORE THE METRO COUNCIL

|                               |   |                              |
|-------------------------------|---|------------------------------|
| FOR THE PURPOSE OF APPOINTING | ) | RESOLUTION NO. 01-3085       |
| MICHAEL LEICHNER TO THE SOLID | ) |                              |
| WASTE RATE REVIEW COMMITTEE   | ) | Introduced by Bill Atherton, |
|                               | ) | Metro Councilor              |

WHEREAS, Chapter 2.19 of the Metro Code provides for the establishment of a Rate Review Committee composed of seven members, including one Metro Councilor who shall serve as Committee Chair and who shall be appointed by the Council Presiding Officer, and six other members who shall be appointed by the Executive Officer subject to confirmation by the Council; and,

WHEREAS, the Tri-County Haulers' Association nominated Michael Leichner to serve on the Rate Review Committee; and,

WHEREAS, Mr. Leichner would bring twenty-five years of solid waste experience to the Rate Review Committee; and

WHEREAS, this resolution was submitted to the Executive Officer for consideration and was forwarded to the Council for approval; now, therefore,

BE IT RESOLVED, that Michael Leichner is appointed to the Rate Review Committee, to fill the position indicated, whose term shall expire in September 2004.

ADOPTED by the Metro Council this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

Approved as to Form:

\_\_\_\_\_  
David Bragdon, Presiding Officer

\_\_\_\_\_  
Daniel B. Cooper, General Counsel

## **EXECUTIVE SUMMARY**

### **RESOLUTION 01-3085 SOLID WASTE RATE REVIEW COMMITTEE APPOINTMENT**

#### **PROPOSED ACTION**

- Council confirmation of the appointment of Michael Leichner to the Solid Waste Rate Review Committee.

#### **WHY NECESSARY**

- The final term of Steve Schwab, engaged in the business of hauling solid waste, expired in September 2000.

#### **ISSUES/CONCERNS**

- Mr. Leichner has twenty-five years experience in the solid waste industry and is an active participant in his community.
- The Rate Review Committee reviews important rate-related issues that could impact haulers and their customers.

#### **BUDGET/FINANCIAL IMPACT**

- None

## **STAFF REPORT**

### **CONSIDERATION OF RESOLUTION NO. 01-3085 FOR THE PURPOSE OF APPOINTING MICHAEL LEICHNER TO THE SOLID WASTE RATE REVIEW COMMITTEE.**

Date: June 2001

Presented by: Bill Atherton, Metro Councilor

#### **EXISTING LAW**

Metro Code Chapter 2.19 establishes a seven-member Solid Waste Rate Review Committee, six members of which are to be appointed by the Executive Officer, subject to confirmation by the Council. The members appointed by the Executive Officer shall include the following: two persons engaged in the business of hauling solid waste, one person with experience establishing rates, one person involved with a local recycling or waste reduction program, and one citizen rate-payer. The seventh committee member shall be a Metro Councilor, who shall be appointed by the Council Presiding Officer.

#### **BACKGROUND**

In September 2000 Steve Schwab completed his final term on the Rate Review Committee, leaving a vacancy for a new member engaged in the business of hauling solid waste. The Tri-County Haulers' Association nominated Mike Leichner, who is engaged in the business of hauling solid waste.

#### **BUDGET IMPACT**

None

#### **OUTSTANDING QUESTIONS**

None



METRO

APPOINTMENT INTEREST FORM

SPECIAL INTERESTS:

RATE REVIEW COMMITTEE

METRO OFFICE COMMENTS:

NAME Mike Lechner

DATE 6-22-01

HOME ADDRESS: 17217 SE Fisker Dr  
STREET

Vancouver  
CITY

WA  
STATE

98685  
ZIP

BUSINESS ADDRESS: 13980 SW Tualatin-Sherwood Rd  
STREET

Sherwood  
CITY

OR  
STATE

97140  
ZIP

LISTING PHONE: 361-881-2853

BUSINESS PHONE: 503-625-6177

FAX 503-625-6179

E-MAIL ADDRESS: mike@pride-disposal.com

MEMBER SINCE

Wash. District 10  
(i.e., District that you live in)

THE FOLLOWING INFORMATION IS VOLUNTARY:

SEX: \_\_\_\_\_

ETHNIC ORIGIN \_\_\_\_\_

(METRO STRIVES FOR ETHNIC AND MINORITY BALANCE, AS WELL AS GEOGRAPHIC REPRESENTATION, IN ITS MEMBERSHIP COMPOSITION)

SCHOOL (INCLUDE HIGH SCHOOL)

LOCATION

MAJOR OR DEGREE

R.A. Long H.S.

Longview, WA

Diploma

Clark College

Vancouver, WA

2-yr degree

END OF DOCUMENT

LIST MAJOR EMPLOYMENT AND/OR VOLUNTEER ACTIVITIES, BEGINNING WITH MOST RECENT (INCLUDE ALL EXPERIENCES YOU BELIEVE TO BE RELEVANT)

See attached list of activities that Pride Disposal sponsors and that I am an active participant.

EXPERIENCE, SKILLS, OR QUALIFICATIONS YOU FEEL WOULD CONTRIBUTE TO A PUBLIC SERVICE APPOINTMENT:

- ★ - 25 years in Solid Waste Business: 3<sup>rd</sup> Generation Family Business
- Active in 2 Chamber of Commerces, Lions, Youth Soccer Referee,

Have you volunteered for any minority organizations?

NO

OUTLINE YOUR REASONS AND INTERESTS IN APPLYING FOR AN APPOINTMENT:

I feel the need to promote Metro's fiscal responsibility to the ratepayers as a Regional Government.

6-22-01

Date

Michael L. Lechner, Jr.

Signature

## **Pride Disposal Believes in- - - Strong Community Support**

Audubon Society  
Bulky Waste Day  
Cat Adoption Team  
Christmas in April (Washington County)  
Community Cleanup events  
D.A.R.E.  
Durham Elementary P.S.O.  
Girl Scouts  
King City Lions  
Neighborhood Watch  
Northwest Medical Team  
Onion Festival  
S.O.L.V.  
Saint Anthony's School Auctions  
Sherwood American Legion  
Sherwood Art Festival  
Sherwood Bible Fellowship  
Sherwood Boy Scouts  
Sherwood Chamber of Commerce (Scholarships)  
Sherwood Christmas Bazaar  
Sherwood Community Fair  
Sherwood Crusin  
Sherwood Elks  
Sherwood Moms & Dads Club  
Sherwood Play School  
Sherwood Robin Hood Festival  
Sherwood Schools  
(Bowman Baseball, Basketball (Cheerleading & All Night  
Grad party)  
Students Against Violence  
Tigard American Legion  
Tigard Balloon Festival .....  
Tigard Chamber of Commerce (Scholarships)  
Tigard Days  
Tigard High Auction  
(Arts, Athletics, Activities & All Night Grad party)  
Tigard Little League  
Tigard Soccer Club  
Tualatin Wildlife Refuge

Since 1985, when the community enhancement grants program was established, Metro has invested monies in projects that benefit areas directly affected by Metro's garbage disposal facilities through a collection of 50cents a ton on garbage going through the facilities. The first of Metro's four-enhancement program, the North Portland Enhancement Committee started giving away grants in 1987. With this year's grant award of \$199,001, NPEC now has funded 293 projects totaling \$1,786,263 with an estimated impact to the community of \$6.5 million dollars including matching funds, donated materials and labor. These projects meet the community needs, create real change and enrich and enhance the livability of this community. The enhancement program is a real asset. It is successful because the community sets the agendas, establishes the priorities and selects the projects.

Today I would like to introduce to the Council the four new members on the Metro North Portland Enhancement Committee.

- Jean-Estey Hoops from Cathedral Park is an active member in her neighborhood association and has served as chair for the past four years. During her chairmanship she has written grants to the committee for the Latino Music Festival and the Portland Festival Symphony. She works very hard on the North Beach Feasibility project. She is also a board member on the Wapato Jail Committee.
- Jason Graft from Overlook is an urban designer and planner and is currently a volunteer with the Albina Youth Opportunity School. He is currently working on a neighborhood development project that addresses issues of the environment and historical context. He is supportive of community parks and open space and is an advocate for the community involvement process.
- Susan Landauer from Portsmouth is a long-time community activist. She is currently on the steering committee for the Portsmouth Vision 20/20. She is a member of the Portland Forestry Commission, Neighborhood co-chair with Friends of Trees, and partners with a seventh grade science class at Portsmouth Middle School. She received the Mayor's Spirit of Portland Award and the Gladys McCoy Volunteer Award.
- Trevor Nelson from St. Johns filled a vacant position on this committee for the past two years and will now serve his own two-year term. He is a great asset to the committee by bringing his knowledge of architect, urban design and through his active involvement in the community. He is currently a member of the St. Johns 21<sup>st</sup> Century Steering Committee and the current land use co-chair for the St. Johns Neighborhood Association.

NORTH PORTLAND ENHANCEMENT GRANTS 2001-2002  
LIST OF GRANT AWARDS

| CONTRACT NUMBERS | NAME & ADDRESS                                                                                                             | DESCRIPTION                                                                                                                                                                                                          | AMOUNT REQUESED | FINAL AWARD |
|------------------|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-------------|
|                  | Boys & Girls Clubs<br>7119 S E Milwaukie Ave.<br>Portland, OR 97202-5813<br>Marlene Montooth<br>503 232-0077               | Grant funds to support "Project Outreach" a new program to reach high-risk youth in the Pier Park apartment complexes.                                                                                               | \$25,750        | \$ 6,800    |
|                  | Caring Community of North Portland<br>2209 N Schofield<br>Portland, OR 97217<br>Pam Arden<br>503 735-9623                  | Grant funds to support the 3 <sup>rd</sup> annual "Back to School Readiness Fair", Aug. 25, 2001 for families in North Portland at St. Johns Community Center and Park.                                              | \$ 7,150        | \$ 5,100    |
|                  | Cathedral Park Jazz Festival Committee<br>7325 N Alta Ave<br>Portland, OR 97203<br>Joe Beeler<br>503 286-1312              | Grant funds to support the 21 <sup>st</sup> Annual Cathedral Park Jazz Festival and 12 <sup>th</sup> annual Blue Heron Music Festival.                                                                               | \$ 5,445        | \$ 3,000    |
|                  | Christmas in April *Portland<br>5000 N Willamette Blvd.<br>Portland, OR 97203<br>Mike Malone Ex. Dir.<br>503 943-7515      | Christmas in April will use grant funds to partially fund their 2001-2002 Rebuilding Together Christmas in April project. This project repairs and rehabilitates low-income seniors' homes and community facilities. | \$12,000        | \$ 5,950    |
|                  | Friends of Cathedral Park Neighborhood Assoc.<br>6933 N Richmond<br>Portland, OR 97203<br>Jean Estey-Hoops<br>503 283-6935 | Grant funds to support the sixth annual Portland Festival Symphony a free classical music concert in Cathedral Pak Aug. 4, 2002.                                                                                     | \$ 4,000        | \$ 3,000    |
|                  | Friends of Trees<br>3117 NE MLDK Jr. Blvd.<br>Portland, OR 97212<br>Chad Honl<br>503 282-8846 x19                          | Friends of Trees will use grant funds to target six neighborhoods in North Portland for its Neighborhood tree Subsidy Project.                                                                                       | \$15,999        | \$ 5,000    |
|                  | Graffiti Nemesis of St. John's<br>5617 N Bowdoin Street<br>Portland, OR 97203<br>Brenda Richards<br>503 283-4313           | Continue support for supplies to aide Dennis Kemple in his efforts to remove graffiti in North Portland                                                                                                              | \$ 5,621        | \$ 5,621    |
|                  | In & About St. Johns<br>8410 N Lombard Street<br>Portland, OR 97203<br>Michael Kaufman<br>503 286-4477                     | Grant funds to support downtown St. Johns cleanup and planting project.                                                                                                                                              | \$ 3,000        | \$ 850      |

**NORTH PORTLAND ENHANCEMENT GRANTS 2001-2002  
LIST OF GRANT AWARDS**

|  |                                                                                                                              |                                                                                                                                                                                                                                             |          |          |
|--|------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------|
|  | Janus Youth Programs, Inc.<br>707 NE Couch Street<br>Portland, OR 97232<br>Tillie MakePeace<br>503 283-8277                  | Grant funds to support Janus Youth Program at Columbia Villa/Tamarack Youth Advancement Program (YAT). This program provides student/needs-based support to 8 to 13 years old children and their families living at Columbia Villa Tamarack | \$ 9,650 | \$ 3,825 |
|  | Metropolitan Family Service<br>1808 SE Belmont Street<br>Portland, OR 97214<br>Stefana Sardo<br>503 232-007 x 204            | Grant funds to support Experience Corps' Summer Camp, a pilot project to benefit children in non-school setting at Columbia Villa-Tamarack.                                                                                                 | \$ 2,608 | \$ 1,275 |
|  | North Portland Community & Family Center<br>Unity Inc.<br>5139 n Lombard<br>Portland, OR 97203<br>Riki Brown<br>503 285-9871 | Grant funds to support the teen mothers program "Connections Young Mom's".                                                                                                                                                                  | \$ 7,367 | \$ 4,250 |
|  | North Portland Crime Prevention<br>2209 N Schofield<br>Portland, OR 97217<br>Melissa Delaney                                 | Grant funds to assist with research and leadership training necessary to implement a Peer Accountability Board for North Portland. This project will support "A community Fit for Children- A Call to Action" program.                      | \$ 4,000 | \$ 3,400 |
|  | North Portland Neighborhood Services<br>2209 N Schofield<br>Portland, OR 97217<br>Tom Griffin-Valade<br>503 823-4524         | Grant funds to support the North Portland Latino Network to assist Latinos in strengthening intercultural and cross cultural communications                                                                                                 | \$ 5,250 | \$ 3,200 |
|  | Open Meadow Alternative Schools<br>7621 N Wabash<br>Portland, OR 97217<br>Carole Smith<br>503 978-1935                       | Grant funds to support Open Meadow's Middle School Literacy Project catching and correcting deficits in reading and writing at a critical age.                                                                                              | \$ 4,500 | \$ 3,825 |

NORTH PORTLAND ENHANCEMENT GRANTS 2001-2002  
LIST OF GRANT AWARDS

|  |                                                                                                                                                      |                                                                                                                                                                                                                                     |          |                                   |
|--|------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------------------------------|
|  | Oregon State University<br>Extension Faculty<br>4-H Urban Natural Resources<br>6941 N Central<br>Portland, OR 97203<br>Maureen Hosty<br>503 725-2046 | Grant funds to support<br>Roosevelt High School 4H<br>Habitat and Garden Project.<br>This program will be a two-<br>year commitment and will be<br>year round.                                                                      | \$28,886 | \$ 4,500<br>one<br>green<br>house |
|  | Oregon Tradeswomen<br>P. O. Box 86620<br>Portland, OR 97286<br>Darcy Varney<br>503 943-2250                                                          | Grant funds to support<br>Trades Offer Girls Options<br>program at Roosevelt High<br>School, George Portsmouth<br>and Ockley Green Middles<br>Schools. This program<br>offers potential opportunities<br>to girls in trade careers. | \$ 8,000 | \$ 3,400                          |
|  | Peninsula Senior Center<br>7508 N Hereford Street<br>Portland, OR 997203<br>Joyce McLaughlin<br>503 289-8208                                         | Grant funds to support<br>health services for the<br>seniors including a three<br>times a month foot clinic,<br>weekly free blood pressure<br>clinics, yearly health van<br>visits and flu immunization<br>each fall.               | \$ 1,830 | \$ 1,830                          |
|  | Peninsula Senior Center<br>7508 N Hereford Street<br>Portland, OR 97203<br>Joyce McLaughlin<br>503-289-8208                                          | Grant funds to provide social<br>activities for seniors at the<br>Center.                                                                                                                                                           | \$ 6,813 | \$ 3,400                          |
|  | Roosevelt PTSA<br>7114 N Mohawk Ave<br>Portland, OR 97203-4916<br>Diane Clark<br>503 735-1036                                                        | A clean up of the grounds of<br>Roosevelt High School is<br>scheduled for Aug. 18.<br>Grant funds are requested to<br>provide lunch for the<br>volunteers.                                                                          | \$ 200   | \$ 200                            |
|  | Sisters in Action for Power<br>1732 NE Portland<br>Portland, OR 97211<br>Amara Haydee Perez<br>503 331-1244                                          | Grant funds to support Youth<br>Leadership Development<br>Program that is designed to<br>develop and build leadership<br>skills for low-income girls of<br>color 11-18 years of age.                                                | \$10,000 | \$ 5,100                          |
|  | Society of St. Vincent dePaul<br>3601 SE 27 <sup>th</sup> Ave.<br>Portland, OR 97202<br>Janice Pelster, Ex. Dir.<br>503 235-7837                     | Grant funds to support a pilot<br>project to provide<br>stabilization grants for low<br>income families in North<br>Portland                                                                                                        | \$ 7,500 | \$ 3,400                          |
|  | St. Johns Foot Patrol, Inc.<br>9571 N Tioga Ave<br>Portland, OR 97203                                                                                | Grant funds to purchase<br>general support supplies and<br>outreach materials for the                                                                                                                                               | \$ 1,170 | \$ 1,170                          |

**NORTH PORTLAND ENHANCEMENT GRANTS 2001-2002  
LIST OF GRANT AWARDS**

|                    |                                                                                                                               |                                                                                                                                                                                                   |           |           |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|-----------|
|                    | Leora Mahoney                                                                                                                 | foot patrol.                                                                                                                                                                                      |           |           |
|                    | St. Johns Neighborhood Assoc.<br>8541 N Bruce Ave<br>Portland, OR 97203<br>Marion Warfield<br>503 240-7435                    | Grant funds to support the completion of a skateboard Park at Pier Park in St. Johns.                                                                                                             | \$10,000  | \$ 4,530  |
|                    | St. Johns Parade Committee<br>P. O. Box 83162<br>Portland, OR 97283-0162<br>Mrs. Lila Estes<br>503 286-1550                   | Grant funds to support the 40 <sup>th</sup> annual St. Johns Parade                                                                                                                               | \$ 2,625  | \$ 2,625  |
|                    | Theodore Roosevelt Women's Scholarship Assoc.<br>17006 NW Pauly Road<br>Cece Hall<br>503 645-7412                             | Grant funds to purchase a laptop computer and software to maintain the Theodore Roosevelt Women's scholarship data base and mailing lists.                                                        | \$ 1,750  | \$ 1,000  |
|                    | TLC-TNT<br>Portland Public Schools<br>5103 N Willis Blvd.<br>Portland, OR 97203<br>Faye Palmerton/Roy Pittman<br>503 916-5669 | Grant funds to support TLC-TNT Peer Counselor Component. This is a program where high school and college students give of their time and energy to help youth.                                    | \$ 10,000 | \$ 5,950  |
|                    | University Park Community Center<br>9009 N Foss<br>Portland, OR 97203<br>Lee Jenkins<br>503 823-3631                          | Funds to support three major cultural and artistic events in North Portland featuring the history and culture of three different ethnic groups: African Americans, Hispanics and Native American. | \$ 5,650  | \$ 4,250  |
|                    | YMCA of Greater Portland<br>4610 N Maryland Ave<br>Portland, OR 97203<br>Deborah Riley<br>503 721-6758                        | Grant funds to furnish a new Community Room at the YWCA's SafeHaven Shelter for homeless families on North Maryland Avenue.                                                                       | \$ 4,330  | \$ 2,550  |
|                    |                                                                                                                               |                                                                                                                                                                                                   |           |           |
| Total of 58 Grants | \$564,640                                                                                                                     |                                                                                                                                                                                                   |           |           |
|                    |                                                                                                                               | Total number of grant awards 28                                                                                                                                                                   |           | \$ 99,001 |

NORTH PORTLAND ENHANCEMENT GRANTS 2001-2002  
LIST OF GRANT AWARDS

|  |                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                     |                  |
|--|--------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|------------------|
|  | <p>Peninsula Children's Center<br/>4720 N Maryland Ave<br/>Portland, OR 97217<br/>Marcia Mulvey, Ex. Dir.<br/>503 280-0534</p> | <p>This request is for a \$100,000 grant from the NPEC principal fund. Peninsula Children's Center is required to raise \$250,000 to match a challenge grant from the Bill &amp; Melinda Gates Foundation. The total \$500,000 will be used to finish buying their building, thus freeing \$50,000 in loan and interest payments annually. The additional \$50,000 annually will contribute to their capacity building efforts.</p> | <p>\$100,000<br/>principal fund</p> | <p>\$100,000</p> |
|--|--------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|------------------|

S/SHARE/DOWD/NPEC/2002CONTRACTS/GRANTSREQ2.DOC

**AUDIT****Food Service: Evaluation of Contract and Financial Controls, June 2001**Questions re: Recommendations

1. *MERC should establish a formal process for evaluating concessionaire financial performance*
  - No questions
2. *MERC should annually evaluate and test the concessionaire's internal controls over revenue, expenses, and inventory*
  - Auditor suggests that MERC can do this by making its own evaluations, or hiring a CPA firm. Is this a cost effective strategy? Will the benefit mesh with the cost?
  - Does MERC have an annual audit apart from Metro's? If so, are other contracts audited in this manner?
3. *MERC should document its concession management and oversight policies and procedures in management directives, administrative policies and an operating manual*
  - No questions
4. *MERC should maintain relevant documentation relating to food service operations, such as contracts and proposals, in a readily available location.*
  - No questions

Other Questions : The goal of the audit was to review MERC's existing food service contract for financial controls. It was not the goal of the audit to evaluate alternatives. **However, in the Auditor's opinion, would it be worth exploring:**

- how other facilities in Metro utilize caterers (e.g., Zoo, Glendoveer, etc.) and how financial controls compare
- how other convention centers with similar food quality and contracts manage their contracts – are there ways our contract could be revised to make it more efficient or cost effective?
- whether MERC should continue using an outside contractor, or take the operation in-house
- whether there is a way to measure net profit (e.g., such as per square foot, or by number of visitors)