

BEFORE THE METRO COUNCIL

AMENDING THE FY 2007-08 BUDGET AND)
APPROPRIATIONS SCHEDULE)
TRANSFERRING CONTINGENCY IN THE)
METRO CAPITAL FUND TO THE OREGON ZOO)
CAPITAL PROJECTS ACCOUNT FOR STORM)
WATER SYSTEM IMPROVEMENTS,)
AMENDING THE FY 2007-08 THROUGH FY)
2011-12 CAPITAL IMPROVEMENT PLAN, AND)
DECLARING AN EMERGENCY)

ORDINANCE NO. 08-1172
Introduced by Michael Jordan, Chief
Operating Officer, with the concurrence of
Council President David Bragdon

WHEREAS, the Metro Council has reviewed and considered the need to increase appropriations within the FY 2007-08 Budget; and

WHEREAS, Oregon Budget Law ORS 294.326 allows for the expenditure in the year of receipt of grants, gifts, bequests, and other devices received by a municipal corporation in trust for a specific purpose; and

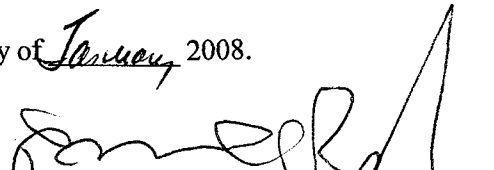
WHEREAS, the need for the increase of appropriation has been justified; and

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

THE METRO COUNCIL ORDAINS AS FOLLOWS:

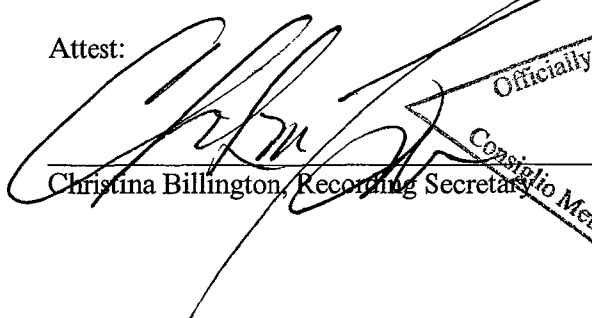
1. That the FY 2007-08 Budget and Schedule of Appropriations are hereby amended as shown in the column entitled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring contingency in the Metro Capital Fund to the Oregon Zoo Capital Projects Account for storm water system improvements.
2. That the FY 2007-08 through FY 2011-12 Capital Improvement Plan is hereby amended to include the projects shown in Exhibit C to this Ordinance.
3. This Ordinance being necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this 31st day of January, 2008.



David Bragdon, Council President

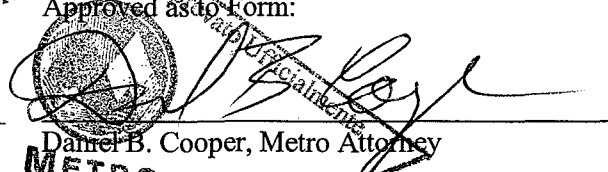
Attest:



Christina Billington, Recording Secretary

Officially Approved

Approved as to Form:



Daniel B. Cooper, Metro Attorney

METRO
COUNCIL

Metro Council

Exhibit A
Ordinance No. 08-1172

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
Metro Capital Fund							
Metro Capital Fund Total							
Total Personal Services		2.00	\$119,572	-	\$0	2.00	\$119,572
Total Materials & Services			\$746,499		\$0		\$746,499
Capital Outlay							
<i>CAPNON</i>	<i>Capital Outlay (non-CIP Projects)</i>						
5710	Improve-Oth thn Bldg (non-CIP)		192,000		0		192,000
5730	Exhibits and Related (non-CIP)		115,000		0		115,000
<i>CAPCIP</i>	<i>Capital Outlay (CIP Projects)</i>						
5715	Improve-Oth thn Bldg (CIP)		1,828,000		250,000		2,078,000
5725	Buildings & Related (CIP)		4,717,000		0		4,717,000
5745	Equipment & Vehicles (CIP)		200,959		0		200,959
5755	Office Furniture & Equip (CIP)		483,000		0		483,000
Total Capital Outlay			\$7,535,959		\$250,000		\$7,785,959
Total Interfund Transfers			\$29,750		\$0		\$29,750
Contingency & Unappropriated Balance							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency						
	* General contingency		2,735,977		(250,000)		2,485,977
	* Prior Year PERS Reserve		6,552		0		6,552
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance						
	* Prior Year PERS Reserve		6,553		0		6,553
	* Renewal & Replacement - Gen'l		5,700,000		0		5,700,000
	* Parks Capital Projects Account		597,735		0		597,735
	* Parks Renewal & Replacement		363,810		0		363,810
	* Oxbow Park Nature Center Account		324,659		0		324,659
Total Contingency & Unappropriated Balance			\$9,735,286		(\$250,000)		\$9,485,286
TOTAL REQUIREMENTS		2.00	\$18,167,066	-	\$0	2.00	\$18,167,066

Exhibit A
Ordinance No. 08-1172

ACCT	DESCRIPTION	Current		Revision		Amended	
		FTE	Amount	FTE	Amount	FTE	Amount
Metro Capital Fund							
Metro Capital Fund - Oregon Zoo Capital Projects							
Total Personal Services		2.00	\$119,572	-	\$0	2.00	\$119,572
<u>Capital Outlay</u>							
<i>CAPCIP</i>	<i>Capital Outlay (CIP Projects)</i>						
5715	Improve-Oth thn Bldg (CIP)		0		250,000		250,000
5725	Buildings & Related (CIP)		4,020,000		0		4,020,000
5745	Equipment & Vehicles (CIP)		100,000		0		100,000
Total Capital Outlay			\$4,120,000		\$250,000		\$4,370,000
<u>Contingency & Unappropriated Balance</u>							
<i>CONT</i>	<i>Contingency</i>						
5999	Contingency						
	* General contingency		1,598,030		(250,000)		1,348,030
	* Prior Year PERS Reserve		6,552		0		6,552
<i>UNAPP</i>	<i>Unappropriated Fund Balance</i>						
5990	Unappropriated Fund Balance						
	* Prior Year PERS Reserve		6,553		0		6,553
Total Contingency & Unappropriated Balance			\$1,611,135		(\$250,000)		\$1,361,135
TOTAL REQUIREMENTS		2.00	\$5,850,707	-	\$0	2.00	\$5,850,707

Exhibit B
Ordinance 08-1172
Schedule of Appropriations

	<u>Current Appropriation</u>	<u>Revision</u>	<u>Revised Appropriation</u>
METRO CAPITAL FUND			
Oregon Zoo	4,239,572	250,000	4,489,572
Regional Parks	2,152,124	0	2,152,124
Special Appropriation	2,010,334	0	2,010,334
Non-Departmental			
Interfund Transfers	29,750	0	29,750
Contingency	2,742,529	(250,000)	2,492,529
Unappropriated Balance	6,992,757	0	6,992,757
Total Fund Requirements	\$18,167,066	\$0	\$18,167,066

All Other Appropriations Remain as Previously Adopted

Note: The current appropriation column assumes adoption of ordinance 08-1171

**EXHIBIT C
Ordinance 08-1172**

Capital Project Request - Project Detail

Project Title: Storm Water Connection to Big Pipe **Fund:** Zoo Capital Projects Fund

Project Status: Incomplete **Funding Status:** Funded **FY First Authorized:** 2007-08 **Department:** Oregon Zoo

Project Number: TEMP334 **Active:** **Dept. Priority:** 0 **Facility:** Oregon Zoo **Division:** Construction Maintenance

Source Of Estimate: Preliminary **Source:** **Start Date:** 1/07 **Date:** 12/21/2007 **Cost Type:** Facilities

Type of Project: New **Request Type:** Initial **Completion Date:** **Prepared By:** Craig Stroud

Project Estimates	Actual	Budget/Est	Prior						
Capital Cost:	Expend	2007-2008	Years	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	Total
Construction	\$0	\$250,000	\$250,000	\$0	\$0	\$0	\$0	\$0	\$250,000
Total:	\$0	\$250,000	\$250,000	\$0	\$0	\$0	\$0	\$0	\$250,000

Funding Source:	Actual	Budget/Est	Prior						
Capital Cost:	Expend	2007-2008	Years	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013	Total
Fund Balance - Capital Reserve	\$0	\$250,000	\$250,000	\$0	\$0	\$0	\$0	\$0	\$250,000
Total:	\$0	\$250,000	\$250,000	\$0	\$0	\$0	\$0	\$0	\$250,000

Annual Operating Budget Impact:

Project Description / Justification: **Estimated Useful Life (yrs):** **First Full Fiscal Year of Operation:**

The zoo has been working diligently on the Predators of the Serengeti and Red Ape Reserve projects by obtaining architectural, survey, and design element plans, and working with the City of Portland, Bureau of Environmental Services (city) on approvals and construction permits. During this process, the city stipulated that the two construction projects require incorporation of storm water separation and diversion to the combined sewer overflow pipe that runs along Highway 26 as a condition of approval and permitting.

Zoo staff obtained preliminary plans and drawings for diverting storm water for the two major projects. Both projects require connecting arterial storm water lines to a 30-inch main that runs down a ravine on the south edge of the zoo property to connect to the city's combined sewer overflow system on Highway 26. The cost to install these lines and connect to the system was estimated by the zoo's engineering firm at \$250,000. This cost was not anticipated in the zoo's budget requests for the two major projects, and existing project appropriation is insufficient to cover these costs.

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 08-1172, AMENDING THE FY 2007-08 BUDGET AND APPROPRIATIONS SCHEDULE TRANSFERRING CONTINGENCY IN THE METRO CAPITAL FUND TO THE OREGON ZOO CAPITAL PROJECTS ACCOUNT FOR STORM WATER SYSTEM IMPROVEMENTS, AMENDING THE FY 2007-08 THROUGH FY 2011-12 CAPITAL IMPROVEMENT PLAN, AND DECLARING AN EMERGENCY.

Date: December 18, 2007

Prepared by: Craig M. Stroud

BACKGROUND

The Oregon Zoo's Capital Improvement Plan (CIP) includes two major exhibit construction projects in fiscal year 2007-08. The *Predators of the Serengeti* is a \$4 million exhibit for African lions, cheetahs, wild dogs, and other African predators. Based on the theme "It's Hard to Be a Hunter," the interpretive elements make learning an integral part of the zoo experience, enlightening visitors about why African predators are key to the entire system of the Serengeti...and the wider world. *Predators of the Serengeti* has a two-year construction schedule and will open to the public by June 2009.

The *Red Ape Reserve* is a \$1.8 million renovation of the Orangutan exhibit, which is attached to the primates building. The primates building, constructed in 1959, has undergone significant renovations in the past five years. Following the theme "Forests of the World", the zoo has been transforming the building, in phases, from a mid-century relic to a state-of-the-art, naturalistic experience for visitors and animals. The *Red Ape Reserve* continues the transformation, becoming the cornerstone exhibit for the Asian forest wing of the building and housing the zoo's orangutans and gibbons. The exhibit is scheduled to open to the public during the 2008 summer.

The zoo has been working diligently on these two projects by obtaining architectural, survey, and design element plans, and working with the City of Portland, Bureau of Environmental Services (city) on approvals and construction permits. During this process, the city stipulated that the two construction projects require incorporation of storm water separation and diversion to the combined sewer overflow pipe that runs along Highway 26 as a condition of approval and permitting. The city has taken the position that these zoo projects, and all future major zoo construction projects, require storm water diversion from the sewer system to the city's combined sewer overflow system to eliminate sewage discharges to the Willamette River during heavy storm water periods. The city is currently completing a \$1.4 billion Big Pipe project to upgrade the combined sewer and storm system.

Zoo staff obtained preliminary plans and drawings for diverting storm water for the two major projects. Both projects require connecting arterial storm water lines to a 30-inch main that runs down a ravine on the south edge of the zoo property to connect to the city's combined sewer overflow system on Highway 26. The cost to install these lines and connect to the system was estimated by the zoo's engineering firm at \$250,000. This cost was not anticipated in the zoo's budget requests for the two major projects, and existing project appropriation is insufficient to cover these costs.

Revenues	
Zoo Capital Fund Contingency	\$250,000
Expenditures	
Improvements Other than Buildings (CIP)	\$250,000

This ordinance amends the Oregon Zoo's fiscal year 2007-08 through FY 2011-12 CIP by recognizing the storm water project and funds the project from contingency in the Metro Capital Fund, Oregon Zoo Capital Projects Account.

ANALYSIS/INFORMATION

- 1. Known Opposition:** None known.
- 2. Legal Antecedents:** ORS 294.450 provides for transfers of appropriations within a fund, including transfers from contingency, if such transfers are authorized by official resolution or ordinance of the governing body for the local jurisdiction.
- 3. Anticipated Effects:** This action amends the zoo's fiscal year 2007-08 CIP by recognizing the storm water project and provides the zoo budget limitation to complete the project.
- 4. Budget Impacts:** This action increases the Improvements Other than Buildings (CIP) appropriation in the Metro Capital Fund, Zoo Capital Projects Account by transferring \$250,000 from Contingency in the fiscal year 2007-08 adopted budget.

RECOMMENDED ACTION

The Chief Operating Officer recommends adoption of this Ordinance.