



METRO

Agenda

2000 S.W. Fifth Avenue
Portland, OR 97201
503-221-1644

MEETING: METRO COUNCIL
DATE: March 14, 1991
DAY: Thursday
TIME: 5:30 p.m.
PLACE: Metro Council Chamber

REVISED AGENDA
Agenda Item No. 5.3
has been added to the agenda

Approx.
Time

Presented
By

5:30 1. CALL TO ORDER/ROLL CALL
(5 min.) 2. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA
ITEMS
(15 min.) 3. EXECUTIVE OFFICER COMMUNICATIONS
Executive Officer Presentation of the Proposed
FY 1991-92 Budget

Cusma

5:50 4. CONSENT AGENDA (Action Requested: Motion to
(5 min.) Adopt the Consent Agenda)

4.1 Minutes of January 24, 1991

5:55 5. ORDINANCES, FIRST READINGS
(5 min.)

5.1 Ordinance No. 91-390, For the Purpose of
Adopting the Annual Budget for Fiscal Year 1991-
92, Making Appropriations and Levying Ad Valorem
Taxes (Referred to the Finance Committee)

5.2 Ordinance No. 91-389, For the Purpose of
Exempting the Oregon Convention Center Grand
Opening from the Provisions of Metro Code
Chapter 7.01 Excise Tax (Referred to the
Finance Committee)

5.3 Ordinance No. 91-392, Amending Ordinance No. 90-
340A Revising the FY 90-91 Budget and
Appropriations Schedule for the Purpose of
Funding the Charter Commission (Referred to
Finance and Governmental Affairs Committees)

6. ORDINANCES, SECOND READINGS

6:00 6.1 Ordinance No. 91-388, For the Purpose of
(15 min.) Amending Metro Code Chapter 5.05, Regulating the
Flow of Solid Waste Originating Within the
Boundaries of the Metropolitan Service District
Public Hearing (Action Requested: Motion to
Adopt the Ordinance)

McFarland

Continued

* All times listed on this agenda are approximate. Items may not be considered in the exact order listed.

Approx.
Time:

Presented
By:

- 6:15 (15 min.) 6.2 Ordinance No. 91-370A, An Ordinance Amending Ordinance No. 91-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Adopting a Supplemental Budget and Creating the Smith and Bybee Lakes Trust Fund Public Hearing (Action Requested: Motion to Adopt the Ordinance) Hansen
- 6:30 (15 min.) 6.3 Ordinance No. 91-387, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget & Appropriations Schedule for the Purpose of Funding Initial Financing and Purchase Costs of the Hanna Property Public Hearing (Action Requested: Motion to Adopt the Ordinance) Van Bergen
7. RESOLUTIONS
- REFERRED FROM THE TRANSPORTATION AND PLANNING COMMITTEE
- BEFORE THE CONTRACT REVIEW BOARD OF THE METROPOLITAN SERVICE DISTRICT
- 6:45 (10 min.) 7.1 Resolution No. 91-1404, For the Purpose of Authorizing a Sole Source Contract Under Metro Code 2.04.060 (Action Requested: Motion to Adopt the Resolution)
- REFERRED FROM THE SOLID WASTE COMMITTEE
- BEFORE THE CONTRACT REVIEW BOARD OF THE METROPOLITAN SERVICE DISTRICT
- 6:55 (10 min.) 7.2 Resolution No. 91-1411, For the Purpose of Authorizing an Exemption to the Competitive Procurement Procedures of Metro Code 2.04.053 and Authorizing a Change Order to the Design Services Agreement with Parametrix, Inc. (Action Requested: Motion to Adopt the Resolution) Gardner

Continued

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Approx.
Time:

Presented
By:

REFERRED FROM THE TRANSPORTATION & PLANNING COMMITTEE

- | | | |
|-------------------|---|---------|
| 7:05
(10 min.) | 7.3 Resolution No. 91-1403, For the Purpose of Demonstrating Support for Amendment of the Oregon Revised Statutes, Chapter 197, Pertaining to Acknowledgement and Periodic Review of Regional Goals and Objectives (Action Requested: Motion to Adopt the Resolution) | Gardner |
| 7:15
(15 min.) | 7.4 Resolution No. 91-1388A, For the Purpose of Endorsing Principles Associated with DEQ's Comprehensive Emissions Fee Proposal (Action Requested: Motion to Adopt the Resolution) | Bauer |

REFERRED FROM THE SOLID WASTE COMMITTEE

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| 7:30
(10 min.) | 7.5 Resolution No. 91-1412A, For the Purpose of Establishing the Metro Central Station Community Enhancement Advisory Committee (Action Requested: Motion to Adopt the Resolution) | McLain/
Hansen |
| 7:40
(10 min.) | 7.6 Resolution No. 91-1288, For the Purpose of Granting a Franchise to K.B. Recycling, Inc. For the Purpose of Operating a Solid Waste Facility (Action Requested: Motion to Adopt the Resolution) | Wyers |

REFERRED FROM THE REGIONAL FACILITIES COMMITTEE

- | | | |
|-------------------|---|-------|
| 7:50
(10 min.) | 7.7 Resolution No. 91-1409A, For the Purpose of Expressing Support for a Zoo Station in the Preferred Alternative for Westside LRT (Action Requested: Motion to Adopt the Resolution) | Bauer |
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REFERRED FROM THE GOVERNMENTAL AFFAIRS COMMITTEE

- | | | |
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| 8:00
(15 min.) | 7.8 Resolution No. 91-1416, For the Purpose of Establishing a Process for Reapportioning Metro Council Subdistricts (Action Requested: Motion to Adopt the Resolution) | Devlin |
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Continued

* All times listed on this agenda are approximate. Items may not be considered in the exact order listed.

METRO COUNCIL
March 14, 1991
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Approx.
Time:

Presented
By:

REFERRED FROM THE FINANCE COMMITTEE

- | | | |
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| 8:15
(10 min) | 7.9 Resolution No. 91-1413, For the Purpose of
Adopting an Amended Application to the Public
Employees Retirement System (Action Requested:
Motion to Adopt the Resolution) | Devlin |
| 8:25
(10 min.) | 8. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS | |
| 8:35 | ADJOURN | |

Continued

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METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Agenda

MEETING: METRO COUNCIL
DATE: March 14, 1991
DAY: Thursday
TIME: 5:30 p.m.
PLACE: Metro Council Chamber

Approx.
Time

Presented
By

- 5:30 1. **CALL TO ORDER/ROLL CALL**
2. **CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS**
3. **EXECUTIVE OFFICER COMMUNICATIONS**
- 5:35 4. **CONSENT AGENDA** (Action Requested: Motion to
(5 min.) Adopt the Consent Agenda)
4.1 **Minutes of January 24, 1991**
- 5:40 5. **ORDINANCES, FIRST READINGS**
(5 min.)
5.1 **Ordinance No. 91-390, For the Purpose of Adopting the Annual Budget for Fiscal Year 1991-92, Making Appropriations and Levying Ad Valorem Taxes** (Referred to the Finance Committee)
5.2 **Ordinance No. 91-389, For the Purpose of Exempting the Oregon Convention Center Grand Opening from the Provisions of Metro Code Chapter 7.01 Excise Tax** (Referred to the Finance Committee)
6. **ORDINANCES, SECOND READINGS**
- 5:45 6.1 **Ordinance No. 91-388, For the Purpose of Amending Metro Code Chapter 5.05, Regulating the Flow of Solid Waste Originating Within the Boundaries of the Metropolitan Service District**
(15 min.) Public Hearing (Action Requested: Motion to Adopt the Ordinance)
- 6:00 6.2 **Ordinance No. 91-370A, An Ordinance Amending Ordinance No. 91-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Adopting a Supplemental Budget and Creating the Smith and Bybee Lakes Trust Fund**
(15 min.) Public Hearing (Action Requested: Motion to Adopt the Ordinance)

McFarland

Continued

* All times listed on this agenda are approximate. Items may not be considered in the exact order listed.

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By:

6:15 6.3 Ordinance No. 91-387, An Ordinance Amending
(15 min.) Ordinance No. 90-340A Revising the FY 1990-91
Budget & Appropriations Schedule for the Purpose
of Funding Initial Financing and Purchase Costs
of the Hanna Property Public Hearing (Action
Requested: Motion to Adopt the Ordinance)

7. RESOLUTIONS

REFERRED FROM THE TRANSPORTATION AND PLANNING COMMITTEE

BEFORE THE CONTRACT REVIEW BOARD OF THE METROPOLITAN SERVICE
DISTRICT

7:00 7.1 Resolution No. 91-1404, For the Purpose of
(10 min.) Authorizing a Sole Source Contract Under Metro
Code 2.04.060 (Action Requested: Motion to
Adopt the Resolution)

REFERRED FROM THE SOLID WASTE COMMITTEE

BEFORE THE CONTRACT REVIEW BOARD OF THE METROPOLITAN SERVICE
DISTRICT

7:10 7.2 Resolution No. 91-1411, For the Purpose of Gardner
(10 min.) Authorizing an Exemption to the Competitive
Procurement Procedures of Metro Code 2.04.053
and Authorizing a Change Order to the Design
Services Agreement with Parametrix, Inc. (Action
Requested: Motion to Adopt the Resolution)

REFERRED FROM THE TRANSPORTATION & PLANNING COMMITTEE

7:20 7.3 Resolution No. 91-1403, For the Purpose of
(10 min.) Demonstrating Support for Amendment of the
Oregon Revised Statutes, Chapter 197, Pertaining
to Acknowledgement and Periodic Review of
Regional Goals and Objectives (Action
Requested: Motion to Adopt the Resolution)

7:30 7.4 Resolution No. 91-1388A, For the Purpose of
(15 min.) Endorsing Principles Associated with DEQ's
Comprehensive Emissions Fee Proposal (Action
Requested: Motion to Adopt the Resolution)

Continued

* All times listed on this agenda are approximate. Items may not be
considered in the exact order listed.

Approx.
Time:

Presented
By:

7. RESOLUTIONS (Continued)

REFERRED FROM THE SOLID WASTE COMMITTEE

- | | | |
|-------------------|--|-------------------|
| 7:45
(10 min.) | 7.5 Resolution No. 91-1412A, For the Purpose of Establishing the Metro Central Station Community Enhancement Advisory Committee (Action Requested: Motion to Adopt the Resolution) | McLain/
Hansen |
| 7:55
(10 min.) | 7.6 Resolution No. 91-1288, For the Purpose of Granting a Franchise to K.B. Recycling, Inc. For the Purpose of Operating a Solid Waste Facility (Action Requested: Motion to Adopt the Resolution) | Wyers |

REFERRED FROM THE REGIONAL FACILITIES COMMITTEE

- | | | |
|-------------------|---|--|
| 8:05
(10 min.) | 7.7 Resolution No. 91-1409A, For the Purpose of Expressing Support for a Zoo Station in the Preferred Alternative for Westside LRT (Action Requested: Motion to Adopt the Resolution) | |
|-------------------|---|--|

REFERRED FROM THE GOVERNMENTAL AFFAIRS COMMITTEE

- | | | |
|-------------------|--|--|
| 8:15
(15 min.) | 7.8 Resolution No. 91-1416, For the Purpose of Establishing a Process for Reapportioning Metro Council Subdistricts (Action Requested: Motion to Adopt the Resolution) | |
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REFERRED FROM THE FINANCE COMMITTEE

- | | | |
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| 8:30
(10 min) | 7.9 Resolution No. 91-1413, For the Purpose of Adopting an Amended Application to the Public Employees Retirement System (Action Requested: Motion to Adopt the Resolution) | |
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8:40 8. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

8:50 ADJOURN



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503.221-1646

Memorandum

DATE: March 18, 1991

TO: Metro Council
Executive Officer
Interested Persons

FROM: Paulette Allen, Clerk of the Council *PA*

RE: METRO COUNCIL ACTIONS OF MARCH 14, 1991 (REGULAR MEETING)

COUNCILORS PRESENT: Presiding Officer Tanya Collier, Deputy Presiding Officer Jim Gardner, Larry Bauer, Roger Buchanan, Richard Devlin, Sandi Hansen, David Knowles, Ruth McFarland, George Van Bergen and Judy Wyers.
COUNCILORS ABSENT: Tom DeJardin and Susan McLain

AGENDA ITEM

ACTION TAKEN

1. CALL TO ORDER/ROLL CALL
2. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS None.
3. EXECUTIVE OFFICER COMMUNICATIONS
Executive Officer Cusma presented the Proposed Budget for FY 1991-92. Executive Officer Cusma noted Metro's receipt of a planning award.
4. CONSENT AGENDA
4.1 Minutes of January 24, 1991 Approved (Buchanan/Devlin; 8-0 vote).
5. ORDINANCES, FIRST READINGS
5.1 Ordinance No. 91-390, For the Purpose of Adopting the Annual Budget for Fiscal Year 1991-92, Making Appropriations and Levying Ad Valorem Taxes Referred to the Finance Committee
5.2 Ordinance No. 91-389, For the Purpose of Exempting the Oregon Convention Center Grand Opening from the Provisions of Metro Code Chapter 7.01 Excise Tax Referred to the Finance Committee
5.3 Ordinance No. 91-392, Amending Ordinance No. 90-340A Revising the FY 90-91 Budget and Appropriations Schedule for the Purpose of Funding the Charter Commission Referred to the Finance and Governmental Affairs Committees

(Continued)

AGENDA ITEM

ACTION TAKEN

6. ORDINANCES, SECOND READINGS

- 6.1 Ordinance No. 91-388, For the Purpose of Amending Metro Code Chapter 5.05, Regulating the Flow of Solid Waste Originating Within the Boundaries of the Metropolitan Service District Public Hearing No public testimony given. Adopted (McFarland/Devlin; 9-0 vote).
- 6.2 Ordinance No. 91-370A, An Ordinance Amending Ordinance No. 91-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Adopting a Supplemental Budget and Creating the Smith and Bybee Lakes Trust Fund Public Hearing No public testimony given. Adopted (Hansen/Devlin; 10-0 vote).
- 6.3 Ordinance No. 91-387A, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget & Appropriations Schedule for the Purpose of Funding Initial Financing and Purchase Costs of the Hanna Property Public Hearing No public testimony given. Adopted (Devlin/Hansen; 10-0 vote).
7. RESOLUTIONS
- 7.1 Resolution No. 91-1404, For the Purpose of Authorizing a Sole Source Contract Under Metro Code 2.04.060 Adopted by the Contract Review Board (Van Bergen/Devlin; 9-0 vote).
- 7.2 Resolution No. 91-1411, For the Purpose of Authorizing an Exemption to the Competitive Procurement Procedures of Metro Code 2.04.053 and Authorizing a Change Order to the Design Services Agreement with Parametrix, Inc. Adopted by the Contract Review Board (Gardner/Wyers; 10-0 vote).
- 7.3 Resolution No. 91-1403, For the Purpose of Demonstrating Support for Amendment of the Oregon Revised Statutes, Chapter 197, Pertaining to Acknowledgement and Periodic Review of Regional Goals and Objectives Adopted (Gardner/Devlin; 10-0 vote).

(Continued)

METRO COUNCIL ACTIONS

March 14, 1991

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AGENDA ITEM

ACTION TAKEN

- 7.4 Resolution No. 91-1388A, For the Purpose of Endorsing Principles Associated with DEQ's Comprehensive Emissions Fee Proposal Amended (Knowles/Gardner; 9-1 vote. Councilor Van Bergen voted nay and Councilors DeJardin and McLain were absent). Adopted as amended (Bauer/Wyers; 9-1 vote. Councilor Van Bergen voted nay and Councilors DeJardin and McLain were absent).
- 7.5 Resolution No. 91-1412A, For the Purpose of Establishing the Metro Central Station Community Enhancement Advisory Committee Adopted (Hansen/Wyers; 9-0 vote).
- 7.6 Resolution No. 91-1288, For the Purpose of Granting a Franchise to K.B. Recycling, Inc. For the Purpose of Operating a Solid Waste Facility Adopted (Wyers/Hansen; 9-0 vote).
- 7.7 Resolution No. 91-1409A, For the Purpose of Expressing Support for a Zoo/OMSI/World Forestry Center Station in the Preferred Alternative for Westside LRT Adopted (Bauer/Wyers; 10-0 vote).
- 7.8 Resolution No. 91-1416A, For the Purpose of Establishing a Process for Reapportioning Metro Council Subdistrict Amended (Devlin/Gardner; 10-0 vote). Adopted as amended (Devlin/Hansen; 10-0 vote).
- 7.9 Resolution No. 91-1413A, For the Purpose of Adopting an Amended Application to the Public Employees Retirement System Adopted (Devlin/Hansen; 10-0 vote).

8. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

1) Councilor Knowles discussed possible Code amendments on 1% for Art criteria for solid waste facilities; 2) Councilor Devlin noted the Governmental Affairs Committee (State Legislature) moved Senate Bill 241 from "monitor" to "support" and noted the 25 day time limit for appointments to the Charter Commission; 3) Presiding Officer Collier discussed the Metro Council retreat scheduled for March 23; and Councilor Wyers discussed linking solid waste rate setting with the budget process.

Agenda Item No. 4.1
Meeting Date: March 14, 1991

JANUARY 24, 1991 MINUTES

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

January 24, 1991

Council Chamber

Councilors Present: Jim Gardner (Deputy Presiding Officer), Larry Bauer, Roger Buchanan, Richard Devlin, Tom DeJardin, Sandi Hansen, David Knowles, Ruth McFarland, Susan McLain, George Van Bergen and Judy Wyers

Councilors Absent: Tanya Collier (Presiding Officer)

Deputy Presiding Officer called the regular meeting to order at 5:38 p.m. He announced an agenda changed and noted a new agenda item added which was Agenda Item No. 6.2, Resolution No. 91-1374, For the Purpose of Confirming the Reappointment of Richard Ares, Clackamas County, and Sam Brooks, City of Portland, to the Metropolitan Exposition-Recreation Commission. He noted the resolution was referred to the Council on January 22, 1991, by the Council Regional Facilities Committee.

1. INTRODUCTIONS

Deputy Presiding Officer Gardner introduced Paulette Allen, new Clerk of the Council, and Marilyn Geary-Symons, new Council Committee Clerk.

2. CITIZENS COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

Frank Gearhart, Gresham, Oregon, asked the current status of Senate Bill 298 in relation to the future Charter Committee. Councilor Devlin said the Government Operations and Elections Committee considered and passed the bill through and would soon be considered on the Senate floor. He said the Speaker of the House would refer it eventually to the Governmental Affairs Committee. Mr. Gearhart asked if the bill was amended. Councilor Devlin said the bill was amended on January 23 and the amendments included to 1) restore the number of appointments made by Councilors from three to six; 2) to have the appointments paired by District; 3) to prohibit employees and elected officials from cities, counties and special districts from serving on the Charter Commission; and 4) an inclusion on the amount of funds to be provided to the Charter Commission, a \$100,000 minimum, subject to the District's budget.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. CONSENT AGENDA

4.1 Resolution No. 91-1389, For the Purpose of Declaring Certain Property Surplus and Authorizing the Execution of A Sublease

4.2 Resolution No. 91-1392, For the Purpose of Authorizing the Release of the Metropolitan Service District's Request for Proposal (RFP) for Audit and Tax Services for Fiscal Years 1991, 1992, 1993

4.3 Resolution No. 91-1380, Approving Use of Portland Region Federal-Aid Urban System Funds in Partial Support of the Oregon Roads Finance Study Update

Motion: Councilor Van Bergen moved, seconded by Councilor DeJardin, to adopt the Consent Agenda.

Vote: All Councilors present voted aye. Councilor Collier was absent. The vote was unanimous and the Consent Agenda was adopted.

5. ORDINANCES, SECOND READINGS

5.1 Ordinance No. 91-381, Amending the FY 1990-91 Budget and Appropriations Schedule to Fund an Intergovernmental Agreement with the Special Districts Association of Oregon for Legislative Services to the District

The Clerk read the ordinance for a second time by title only.

Deputy Presiding Officer Gardner announced the first reading of the ordinance was on January 10, 1991. The Council referred the ordinance to the Finance Committee and a hearing was conducted before the Committee on January 17.

Motion: Councilor Wyers moved, seconded by Councilor Buchanan, for adoption of Ordinance No. 90-381.

Councilor Wyers explained the resolution provided for the transfer of available funds in the amount of \$36,000 from the Personal Services Category, Government Relations Manager line item, to the Executive Management Department Materials & Services Fund, to provide funds for the intergovernmental agreement with the Special Districts Association of Oregon (SDAO) to acquire legislative services for the 1991 Legislative Session. She said Resolution No. 90-1377 approved that intergovernmental agreement.

Deputy Presiding Officer Gardner opened the public hearing.

No citizens appeared to testify and the public hearing was closed.

Councilor Bauer spoke as the Council representative to SDAO and supported adoption of the ordinance as a gesture of cooperation. Councilor Devlin concurred with Councilor Bauer and said SDAO's services provided to Metro in the past had been excellent.

Vote: All Councilors present voted aye. Councilor Collier was absent. The vote was unanimous and Ordinance No. 91-381 was adopted.

5.2 Ordinance No. 91-382, Amending the FY 1990-91 Budget and Appropriations Schedule to Increase the Convention Center Capital Fund Personal Services Appropriations

The Clerk read the ordinance for a second time by title only.

Deputy Presiding Officer Gardner announced Ordinance No. 91-382 was first read before the Council on January 10, 1991, and referred to the Finance Committee. The Finance Committee held a public hearing on January 17 and recommended the ordinance to the full Council for adoption.

Motion: Councilor Buchanan moved, seconded by Councilor DeJardin, for adoption of Ordinance No. 91-382.

Councilor Buchanan explained Neil McFarland, Project Manager, gave staff's report to the Finance Committee. He said Mr. McFarland indicated the original budget request approved by Council provided approximately six months of Convention Center Project Office staff time to complete the Oregon Convention Center construction project. He said because of subsequent decisions to slightly expand the project such as completion of the Sky View Terraces, additional staff time was needed to complete the work. He said staff was budgeted in both the Convention Center Project Management Fund and the Convention Center Project Capital Fund. He said the Management Fund had a sufficient budget and appropriation level to complete necessary work, but the Capital Fund did not.

Deputy Presiding Officer Gardner opened the public hearing.

No citizens appeared to testify on the ordinance and the public hearing was closed.

Vote: All Councilors present voted aye. Councilor Collier was absent. The vote was unanimous and Ordinance No. 91-382 was adopted.

5.3 Ordinance No. 91-376B, Revising Admission Fees and Policies at the Metro Washington Park Zoo

The Clerk read the ordinance for a second time by title only.

Deputy Presiding Officer announced Ordinance No. 91-376B was first read before the Council December 13, 1990, and referred to both the Zoo and Finance Committees. The Finance Committee amended the ordinance December 20, 1990, and referred Ordinance No. 91-376A to the Council for adoption. The full Council referred the ordinance on January 10, 1991, to the Regional Facilities Committee for review. The Regional Facilities Committee amended the ordinance on January 22 and recommended Ordinance No. 91-376B for adoption.

Motion: Councilor McFarland moved, seconded by Councilor Devlin, for adoption of Ordinance No. 91-376B.

Councilor McFarland explained the Regional Facilities Committee amended the ordinance to eliminate the proposal that free tickets be supplied to compensate for higher admission prices and recommended instead free admission on the first Tuesday afternoon of each month. She said Committee discussion and proposals covered whether to include or add the excise tax in the higher admission price, but noted the Committee decided excise tax issues should be discussed in detail during the budget process. Councilor McFarland noted the Committee requested Zoo Director Sherry Sheng conduct exit interviews on free Tuesdays to determine how many people accessed the Zoo at that time and why.

Deputy Presiding Officer Gardner opened the public hearing. He noted the ordinance itself dealt only with admission policies and free Tuesday adjustments. He said Resolution No. 91-1383 dealt with the closure of the Children's Zoo itself.

No citizens appeared to testify on the ordinance and the public hearing was closed.

Councilor Bauer said the excise tax should be inclusive with admission fees and that periodic transfers could be performed.

Councilor Knowles stated for the record his association with the law firm which represented the citizen currently challenging Ballot Measure No. 5 and said it was possible the Council's actions on this issue at this meeting could be used for the evidentiary record. He said the Regional Facilities Committee would focus on excise tax issues during the budget process and the impact of Ballot Measure No. 5.

Councilor Van Bergen informed the Council that the substantive committees must thoroughly define policy issues before they sent their recommendations to the Budget Committee for review.

Vote: All Councilors present voted aye. Councilor Collier was absent. The vote was unanimous and Ordinance No. 91-376B was adopted.

6.1 Resolution No. 91-1383, Acknowledging Adjustments to the FY1990-91 Budget of the Metro Washington Park Zoo

Motion: Councilor McFarland moved, seconded by Councilor Hansen, for adoption of Resolution No. 91-1383.

Councilor McFarland gave the Regional Facilities Committee report and explained Zoo staff had worked hard to maintain quality service despite future budget cutbacks due to Ballot Measure No. 5. She said the resolution would inform the public that costs could be cut without loss of quality in service and to prevent the admission fees from being raised more than necessary. She explained cuts included closure of the

Children's Zoo, Night Country and reductions in the Zoolights Program and of night shift staff.

Deputy Presiding Officer Gardner opened a public hearing.

Jan McCoy, Children's Zoo keeper, said she had worked at the Childrens Zoo since 1979. She said the facility had deteriorated and either had to renovated or closed. She said if it were kept open, the roofs must be repaired and said the current animal facilities were not adequate. Councilor McFarland asked Ms. McCoy where she would work when the Childrens Zoo closed. Ms. McCoy said she would continue to keep Childrens Zoo animals because 80 percent of the animals were used for educational shows.

Neil Frederick, Zoo volunteer, said Councilor McFarland and Ms. McCoy explained the problems related to Childrens Zoo upkeep accurately.

Councilor Bauer said Ballot Measure No. had made painful decisions such as the one to close the Childrens Zoo necessary. Councilor McLain complimented the Regional Facilities Committee and Zoo staff and said they had tried to minimize loss of service for the public. She was impressed with Zoo volunteer efforts to continue some contact with the animals and said Zoo staff had made good recommendations. Councilor DeJardin concurred with Councilor McLain and expressed his desire to see the Childrens Zoo rehabilitated if funds became available. Councilor Wyers said \$46,000 did not appear to be a large savings when contrasted with closing the Childrens Zoo. She said it was important for urban children to experience the Zoo. Councilor Knowles noted the entire Zoo served children. He said the facility was too deteriorated to maintain properly and said it was unfortunate the bond measure to rehabilitate it did not pass in fall of 1990. He said bond issues fell outside of Ballot Measure No. 5 parameters, but said it was too soon to attempt a bond issue at this time. Councilor Hansen noted elementary schools had animals which students had access to.

Vote: All Councilors present voted aye. Councilor Collier was absent. The vote was unanimous and Resolution No. 91-1383 was adopted.

6.2 Resolution No. 91-1374, For the Purpose of Confirming the Reappointment of Richard Ares, Clackamas County, and Sam Brooks, City of Portland, to the Metropolitan Exposition-Recreation Commission

Motion: Councilor Knowles moved, seconded by Councilor DeJardin, for adoption of Resolution No. 91-1374.

Councilor Knowles noted Mr. Ares' and Mr. Brooks' terms had expired and said the Regional Facilities Committee was satisfied they both represented their jurisdictions well and kept regional needs in mind with respect to the various facilities for which they had oversight.

Mr. Brooks said in his second term he would work to consolidate the Commission's transition from the City of Portland to Metro. Mr. Ares said as Clackamas County's representative, he kept regional perspectives in mind and said implementation of regionalism was good policy.

Councilor Devlin asked Mr. Ares and Mr. Brooks what they thought would be the Commission's greatest challenges over the next four years. Mr. Ares said the greatest challenge was funding and said their concerns were similar to those expressed by the Council when discussing the previous Zoo legislation. He discussed the huge cost of upkeep for public facilities as well as safety costs. Mr. Brooks said it was essential to efficiently manage existing and new facilities and integrate their operations with Metro's other general operations.

Councilor Van Bergen asked how much Exposition-Recreation Commission (ERC) funding was left and asked how that fund related to the possible purchase of the Hanna property. Mr. Ares said how much longer the ERC fund lasted depended on the overhead services provided by Metro and how much funds MERC sent Metro. He said the Memorial Coliseum operated at a profit, but the Civic Stadium and the Portland Center for the Performing Arts did not and did not believe those circumstances would change. He said what was left of the ERC fund was needed for items such as asbestos removal. Mr. Ares discussed the centralization/decentralization study and said its objective was to realize where economies of scale could be achieved, determine common ground, and avoidance of duplication of services. Councilor Van Bergen referred to MERC Resolution No. 109 which asked for a one-time variance request from the Oregon Liquor Control Commission (OLCC) to allow the sale and consumption of alcoholic beverages in the Memorial Coliseum seating area. Mr. Ares noted if beer could be sold at Trailblazer games in the seating area, MERC could make an additional \$500,000 per year.

Executive Officer Cusma recommended the Council reappoint Mr. Ares and Mr. Brooks and said they had served MERC and Metro well.

Vote: All Councilors present voted aye. Councilor Collier was absent. The vote was unanimous and Resolution No. 91-1374 was adopted.

6.3 Resolution No. 91-1387A, For the Purpose of Authorizing Issuance of a Request for Proposal for Coordination of Home Composting Demonstration Sites and Entering Into a Multi-Year Contract with the Most Qualified Proposer, and Waiving the Requirement for Council Approval of the Contract and Authorizing the Executive Officer to Execute the Contract Subject to Conditions

Motion: Councilor Wyers moved, seconded by Councilor Buchanan, for adoption of Resolution No. 91-1387A.

Councilor Wyers explained the Solid Waste Committee's consideration and amendment of Resolution No. 91-1387A. She said Solid Waste staff requested a waiver because of timing considerations, and the Committee

agreed to the waiver, but stipulated the waiver be reflected in the resolution title and that any waiver be subject to conditions to ensure there were no changes subsequent to the release of procurement documents. She said the Committee made other minor changes and stipulated the contract not exceed \$34,000.

Vote: All Councilors present voted aye. Councilors Bauer, Buchanan, Knowles and Collier were absent. The vote was unanimous and Resolution No. 91-1387A was adopted.

6.4 Resolution No. 91-1385, For the Purpose of Approving Projects for the One Percent for Recycling Program 1990-91 Fiscal Year

Motion: Councilor McLain moved, seconded by Councilor DeJardin, for adoption of Resolution No. 91-1385.

Councilor McLain explained the One Percent for Recycling projects for FY 1990-91 emphasized projects featuring market development for recycled products or "preycling." Councilor McLain said winning proposals were Phase 2 of "Recyclotron" submitted by the Oregon Museum of Science and Industry (OMSI); Vermiculture Technology submitted by Oregon Soil Corporation; the "Most Liveable City Program - Precycling Campaign" submitted by the City of West Linn; "Recycling in a Local Business District" submitted by Waste Matters Consulting and Becker Projects; "Cleaning System for Contaminated Plastics" submitted by Environmental Plastics; "Alternative Building Materials Reuse Program" submitted by John Inskeep Environmental Learning Center; "Baled Wood Chip Product to Recycle Wood from Construction/Demolition Debris" submitted by Gale & Associates; "Reusable Cloth Bags to Replace Plastic Disposable Bags Used for Diaper Delivery and Pick Up" submitted by Babyland Diaper Service; "1991 Street of Dreams Construction Recycling Project" submitted by O'Neill & Company; "In-Store Plastics Recycling, Durst's Thriftee Market" submitted by O'Neill & Company; and "Earth Aid Kits and Boxes (an education project for grades K-6 in Clackamas County schools)" submitted by Earth Aid.

Councilor Wyers noted her previous service as One Percent for Recycling Advisory Committee chair and said the program encouraged competition and staff encouraged public involvement.

Councilor McLain said the vermiculture project was a fascinating concept. Leigh Zimmerman, Associate Solid Waste Planner, briefed the Council on the progress of "Dejashoe," a project approved FY 1989-90.

Councilor Devlin and Judith Mandt, Assistant to the Director of Solid Waste, discussed an applicant who submitted a proposal, did not hear from Metro by June, and was then told by staff his project was never considered. He said staff had to be accurate about information given to the public. The Council and staff discussed the need for clear communication with the public further.

Vote: All Councilors present voted aye. Councilors Knowles and Collier were absent. The vote was unanimous and Resolution No. 91-1385 was adopted.

6.5 Resolution No. 91-1379, Endorsing a Position on the Surface Transportation Act of 1991

Motion: Councilor Devlin moved, seconded by Councilor DeJardin, for adoption of Resolution No. 91-1379.

Councilor Devlin gave the Governmental Affairs and Transportation & Planning Committee reports. Councilor Devlin noted both Committees voted unanimously to recommend Council adoption of the resolution but noted the position paper did not speak to the possibility of separation of highway funds into urban and rural pots, with more flexibility given to the urban funds to allow alternatives such as transit. Councilor Devlin noted the Oregon Department of Transportation (ODOT) did not support that position while the National Association of Regional Councils (NARC) did.

Deputy Presiding Officer Gardner opened a public hearing.

Jim Howell, citizen, Portland, objected to Item No. 2, Interstate Preservation, of the Oregon's Position on the Surface Transportation Act. He said for every dollar spent on public transit, \$4 was spent on the highway system and said such planning was short-sighted and made the country even more dependent on foreign oil.

Andy Cotugno, Director of Transportation, said he agreed in part with Mr. Howell's testimony but noted funding would be kept flexible for alternative improvements. The Council and Mr. Howell discussed the issues further.

Vote: All Councilors present voted aye. Councilor Collier was absent. The vote was unanimous and Resolution No. 91-1379 was adopted.

6.6 Resolution No. 91-1378, For the Purpose of Endorsing Westside Corridor Project Implementation Measures

Motion: Councilor Devlin moved, seconded by Councilor DeJardin, for adoption of Resolution No. 91-1378.

Councilor DeJardin gave the Governmental Affairs Committee report. Councilor Devlin gave the Transportation & Planning Committee report.

Vote: All Councilors present voted aye. Councilor Collier was absent. The vote was unanimous and Resolution No. 91-1378 was adopted.

7.1 Councilor Communications and Committee Reports

Councilor Knowles gave the Regional Affairs Committee reports and reported on Committee consideration of MERC Resolution Nos. 102, 104, 105, 106, 108, 109, 110, and 111. The Council discussed Resolution No. 109, a one-time variance request by the Oregon Dome to allow the sale and consumption of alcoholic beverage within the seating area of the Portland Memorial Coliseum. Councilor Van Bergen objected strongly to the resolution because both adults and children would be present at the event and noted he had served as an Oregon Liquor Control Commission (OLCC) inspector and said such a variance should not have been requested. He told MERC representatives present he would appeal such resolutions in the future. Councilor Van Bergen noted the Clerk of the Council received the MERC resolutions January 11 and did not distribute them to the Council until January 17 and that the late distribution of MERC resolutions and other important information was not acceptable and should be done on a timely basis in the future. The Council and MERC representatives discussed Resolution No. 109 and criteria for future similar events.

Councilor Devlin gave an update on the Legislative Task Force.

Deputy Presiding Gardner adjourned the meeting at 8:20 p.m.

Respectfully submitted,



Paulette Allen
Clerk of the Council
MCMIN91.024

Agenda Item No. 5.1
Meeting Date: March 14, 1991

ORDINANCE NO. 91-390



METRO

Memorandum

2000 S.W. First Avenue
Portland, OR 97201-5398
503-221-1646

DATE: March 7, 1991
TO: Interested Parties
FROM: Paulette Allen, Clerk of the Council *PA*
RE: ORDINANCE NO. 91-390

Ordinance No. 91-390 has been scheduled for first reading only and will be referred to the Budget Committee. Ordinance Exhibits B, C, and D, the Budget and Appropriations Schedule documents, will be distributed by staff at the Council meeting March 14, 1991. Those interested in obtaining copies after that date may contact the Clerk at 221-1646, ext. 206.

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 91-390 ADOPTING THE
ANNUAL BUDGET FOR FISCAL YEAR 1991-92, MAKING
APPROPRIATIONS AND LEVYING AD VALOREM TAXES

Date: March 6, 1991

Presented by: Rena Cusma
Executive Officer

FACTUAL BACKGROUND AND ANALYSIS

I am forwarding to the Council for consideration and approval of my proposed budget for Fiscal Year 1991-92.

Council action, through Ordinance No. 91-390, is the first step in the process for the adoption of the District's operating financial plan for the forthcoming fiscal year. Final action by the Council to adopt this plan is scheduled for June 27, 1991.

Oregon Revised Statutes 294.635, Oregon Budget Law, requires that Metro prepare and submit the District's approved budget to the Tax Supervising and Conservation Commission by May 15, 1991. The Commission will conduct a hearing during June 1991, for the purpose of receiving information from the public regarding the Council's approved budget. Following the hearing, the Commission will certify the budget to the Council for adoption and may provide recommendations to the Council regarding any aspect of the budget.

Once the budget plan for Fiscal Year 1991-92 is adopted by the Council, the number of funds and their total dollar amount and the maximum tax levy cannot be amended without review and certification by the Tax Supervising and Conservation Commission. Adjustments, if any, by the Council to increase the level of expenditures in a fund are limited to no more than 10 percent of the total value of that fund in the period between approval, scheduled for May 2, 1991, and adoption.

Exhibits B, C and D of the Ordinance will be available at the public hearing on March 14, 1991.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends that the Council conduct a public hearing on Ordinance No. 91-390. The Executive Officer recommends that the Council schedule consideration of the proposed budget and necessary actions to meet the key dates as set out in Oregon Budget Law described above.

JS/kc
js\bud\90340

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING THE) ORDINANCE NO. 91-390
ANNUAL BUDGET FOR FISCAL YEAR)
1991-92, MAKING APPROPRIATIONS) Introduced by
AND LEVYING AD VALOREM TAXES) Rena Cusma, Executive Officer

WHEREAS, The Multnomah County Tax Supervising and Conservation Commission held its public hearing on the annual budget of the Metropolitan Service District for the fiscal year beginning July 1, 1991, and ending June 30, 1992; and

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

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

1. The "Fiscal Year 1991-92 Budget of the Metropolitan Service District", as attached hereto as Exhibit B, and the Schedule of Appropriations, attached hereto as Exhibit C, are hereby adopted.

2. The Council of the Metropolitan Service District does hereby levy ad valorem taxes, as provided in the budget adopted by Section 1 of this Ordinance, for a total amount of FOURTEEN MILLION FIVE HUNDRED THIRTY THREE THOUSAND EIGHTY (\$14,533,080) DOLLARS to be levied upon taxable properties within the Metropolitan Service District as of 1:00 a.m., January 1, 1991.

FIVE MILLION FOUR HUNDRED SIX THOUSAND (\$5,406,000) DOLLARS shall be for the Zoo Operating Fund, said amount authorized in a tax base, said tax base approved by the voters of the Metropolitan Service District at a general election held May 15, 1990.

NINE MILLION ONE HUNDRED TWENTY SEVEN THOUSAND EIGHTY (\$9,127,080) DOLLARS shall be for the Convention Center Project Debt Service Fund, said levy needed to repay a portion of the proceeds of General Obligation bonds as approved by the voters of the Metropolitan Service District at a general election held November 4, 1986.

3. An annual loan not to exceed THREE MILLION TWO HUNDRED FIFTY THOUSAND (\$3,250,000) DOLLARS is hereby authorized from the Solid Waste Revenue Fund to the Oregon Convention Center Debt Service Fund. The loan is needed to pay debt service on general obligation bonds prior to receiving property tax revenues. Simple interest shall be paid on the loan amount at the average monthly rate paid by the State of Oregon Local Government Investment Pool for the duration of the loan based on a 360-day year. The loan amount and interest due shall be returned to the Solid Waste Revenue Fund General Account by the end of the fiscal year in which it is borrowed.

4. An annual loan not to exceed THREE HUNDRED NINETY THOUSAND (\$390,000) DOLLARS is hereby authorized from the Solid Waste Revenue Fund to the Transportation Planning Fund. The loan is needed to fund initial urban arterial program work. The loan

will be repaid in future fiscal years from vehicle license fees or by the participating jurisdictions. Simple interest shall be paid on the loan amount at the average monthly rate paid by the State of Oregon Local Government Investment Pool for the duration of the loan based on a 360-day year.

5. An annual loan not to exceed TWELVE MILLION TWO HUNDRED FIFTY THOUSAND (\$12,250,000) DOLLARS is hereby authorized from the Solid Waste Revenue Fund to the Building Management Fund. The loan is needed to finance the non-exempt portion of the Sears facility purchase and construction prior to the sale of Revenue Bonds. Simple interest shall be paid on the loan amount at the average monthly rate paid by the State of Oregon Local Government Investment Pool for the duration of the loan based on a 360-day year. The loan amount and interest due shall be returned to the Solid Waste Revenue Fund from the sale of General Revenue Bonds.

6. The purpose of the Rehabilitation & Enhancement Fund is hereby redefined for the purpose of accounting for all rehabilitation and enhancement fees, host fees and mitigation fees as established by the Council. Fees and expenditures specific to each facility will be reported in unique "Accounts" within the Fund.

7. The purpose of the Building Management Fund is hereby redefined to include the construction and management of any facility to be used by Metro as its office headquarters.

8. In accordance with Section 2.02.125 of the Metropolitan Service District Code, the Council of the Metropolitan Service District hereby authorizes personnel positions and expenditures in accordance with the Annual Budget adopted by Section 1 of this Ordinance, and hereby appropriates funds for the fiscal year beginning July 1, 1991, from the funds and for the purposes listed in the Schedule of Appropriations, Exhibit C.

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

a. Multnomah County Assessor

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

b. Clackamas and Washington County Assessor and Clerk

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

ADOPTED by the Council of the Metropolitan Service

District this _____ day of _____, 1991.

Tanya Collier, Presiding Officer

Attest:

Clerk of the Council

sg\budget\91390.ord

Agenda Item No. 5.2
Meeting Date: March 14, 1991

ORDINANCE NO. 91-389

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 91- 389 FOR THE PURPOSE OF EXEMPTING THE OREGON CONVENTION CENTER GRAND OPENING FROM THE PROVISIONS OF METRO CODE CHAPTER 7.01 EXCISE TAX.

Date: February 28, 1991

Presented by: Jennifer Sims
Dominic Buffetta

The Metropolitan Exposition-Recreation Commission at its meeting of February 13, 1991 adopted Metro ERC Resolution No. 112. The Resolution is a request that the Metropolitan Service District Council grant a one-time exemption from Metro Code Chapter 7.01 which would have the effect of waiving the Metro excise tax as it relates to revenues from Grand Opening festivities.

Subject revenues of \$785,344, produce an excise tax obligation of \$37,397.

The \$37,397 in excise tax at issue was not projected as revenue by Metro; and if it was to be collected, it would constitute unanticipated revenue.

Grand opening planning by the steering committee did not anticipate an excise tax requirement, and the convention center FY 1990-91 budget does not include excise taxes in conjunction with the Grand Opening.

The Metropolitan Exposition-Recreation Commission, lacking ability to introduce an ordinance amendment waiving the Metro excise tax, has asked the Executive Officer to introduce an amendment on its behalf granting a one-time exemption.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF EXEMPTING THE)	ORDINANCE NO. 91-389
OREGON CONVENTION CENTER GRAND)	
OPENING FROM THE PROVISIONS OF)	Introduced by Rena Cusma,
METRO CODE CHAPTER 7.01 EXCISE TAX)	Executive Officer, At the
)	request of Metro ERC

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Council finds:

a. The Metropolitan Exposition-Recreation Commission, at public expense, sponsored and promoted a grand opening celebration for the benefit of the public to showcase the new Oregon Convention Center to citizens of the region, state, nation, and world.

b. Pursuant to Metro Code Chapter 7.01, providing for the imposition and collection of an excise tax on all uses of District facilities, revenues derived by Metro ERC to defray the public cost of sponsoring the grand opening celebration are subject to the provision of Chapter 7.01.

c. Metro ERC has requested, pursuant to Metro ERC Resolution No. 112, that the Council adopt a one-time exemption for the provision of Chapter 7.01 for the Grand Opening celebration.

d. The Council finds it appropriate to create such a one-time exemption, and determines that because the exemption is limited in time and scope, and shall be applied to one occasion, it is not appropriate to amend the Metro Code to reflect the creation of the exemption.

Section 2. The Council hereby provides that notwithstanding any provision of Metro Code Chapter 7.01 to the contrary revenues in the amount of \$785,344 received by Metro ERC from users of the Oregon Convention Center facility in conjunction with the Oregon Convention Center grand opening celebration are exempted from the provisions of Metro Code Chapter 7.01.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____ 1991.

Rena Cusma, Executive Officer

ATTEST:

Clerk of the Council

DBC/gl
1040

Metropolitan Exposition-Recreation Commission

P.O. Box 2746 • Portland, Oregon 97208 • 503/731-7800 Fax #731-7870 • 777 NE Martin Luther King Jr. Blvd.

RECEIVED

FEB 27 1991

TIME 9:01 am
METRO SERVICE DISTRICT
OFFICE GENERAL COUNSEL

February 26, 1991

RECEIVED
FEB 26 1991
METRO SERVICE DISTRICT
EXECUTIVE MANAGEMENT

TO: Rena Cusma, Executive Officer
FROM: Lee Fehrenkamp, General Manager *Lee*
SUBJECT: Excise Tax Exemption

At the last meeting of the Metro ER Commission, Resolution #112 was adopted requesting a one time exemption from Metro Code Chapter 7.01, excise tax, specifically for the Oregon Convention Center Grand Opening festivities. I have attached copies of the resolution and staff report for your information and review.

The OCC Grand opening was produced by the Commission to showcase Oregon's newest facility to the Regional and State community, to its potential users, and to say thank you to all who made the Convention Center a reality. This grand celebration nearly reached the Commissions goal of being totally self funded leaving approximately 15% of expenses as a MERC investment.

Throughout the FY 90-91 budget process the Metro excise tax was expected to apply to all applicable revenues from business following the Grand Opening. The projected excise tax revenue to Metro of \$78,633 will not be affected by granting an exemption and because of current business levels is expected to be higher than the budgeted \$78,633. Likewise the Grand Opening budget development and weekly reviews never considered the excise tax as a \$37,397 cost involved with producing the Grand Opening.

I am asking for your support of the Metro ERC Resolution #112 requesting a one time exemption from the excise tax for the OCC Grand opening by sponsorship of an ordinance requesting this exemption from Metro Council.

cc:
MERC
Dick Engstrom

METROPOLITAN EXPOSITION-RECREATION COMMISSION

RESOLUTION NO. 112

Requesting a one-time exemption from Metro Code Chapter 7.01, from the Council of the Metropolitan Service District, for the Oregon Convention Center Grand Opening festivities, from the Metro excise tax.

The Metropolitan Exposition-Recreation Commission finds:

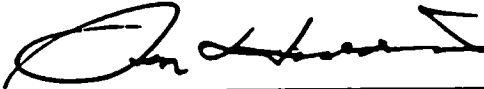
1. That the revenues generated from activities associated with the Oregon Convention Center, other than Concessions and Catering revenues, are subject to a Metro excise tax under Metro Code 7.01.
2. That these revenues come to \$785,344 and the excise tax would amount to \$37,397.
3. That included in the Oregon Convention Center FY 1990-91 budget is \$78,633 as projected excise tax revenues from operations following opening of the facility, which did not include any excise tax revenues from grand opening activities.
4. That included in the Oregon Convention Center FY 1990-91 budget was \$209,000 for a net Grand Opening Investment, which did not include payment for any excise tax.
5. That since the basic concept behind the convention center grand opening was to showcase the center to the potential users and recognize the people involved in design and construction of the center, and since the convention center FY 1990-91 budget does not include any excise taxes in conjunction with the grand opening, and since Staff and the Steering Committee assumed that the excise tax would take effect once the facility was open and conducting business, Staff recommends the Commission request a one-time exemption from the excise tax for activities associated with the Oregon Convention Center Grand Opening.

BE IT THEREFORE RESOLVED that the Commission request that the Council of the Metropolitan Service District grant a one-time exemption from Metro Code Chapter 7.01 for the Oregon Convention Center Grand Opening festivities, from the Metro excise tax.

Passed by the Commission February 13, 1991



Chairman



Secretary-Treasurer

APPROVED AS TO FORM:



Metro General Counsel

Metropolitan Exposition-Recreation Commission

P.O. Box 2746 • Portland, Oregon 97208 • 503/731-7800 • Fax #731-7870 • 777 NE Martin Luther King Jr. Blvd.

February 8, 1991

TO: Metropolitan Exposition-Recreation Commission
FROM: *DB* Dominic Buffetta
SUBJECT: Oregon Convention Center Grand Opening - Exemption From
Excise Tax

Background:

Beginning September 17 thru September 23, 1990, the Metro ER Commission produced festivities the Oregon Convention Center. At the time the convention center budget was approved, for this fiscal year, it was much too early to project which activities and events would be included in the grand opening, or how much sponsorship, concessions, catering, etc. revenues we would generate, or how much would be spent.

The Commission did agree, during the budget process, that Grand Opening festivities must reach all the people who may, or may not, realize they will benefit from the convention center, that the whole region needs to be targeted, and the opening needs to be an event which involves all segments of our community and generates excitement. The Commission agreed, also, that some of the funds for the Grand Opening would come from the Metro E-R Commission, but that a vigorous and continuous effort be made to generate Public and Corporate support toward a self sustaining event. To this end, the Metro Commission allocated \$209,000 for a net Grand Opening investment in the Oregon Convention Center FY 1990-91 Budget. Following is a summary of revenues and expenses associated with grand opening (see attached for a more detailed summary):

Concessions/Catering	\$ 209,325
Sponsorships, grants, gifts, donations, exhibit sales, etc.	785,344

Total Revenues	994,669
Less: Expenses	1,182,987

Net Grand Opening Investment	<u><u>\$ (188,319)</u></u>

UpDate:

We have recently been notified that under Metro Code Chapter 7.01 all gross revenues associated with Grand Opening, other than Concessions/Catering revenues, are subject to the Metro 5% excise tax; however, all other revenues associated with the grand opening, \$785,344, would be subject to the excise tax. The excise tax on the \$785,344 would amount to \$37,397.

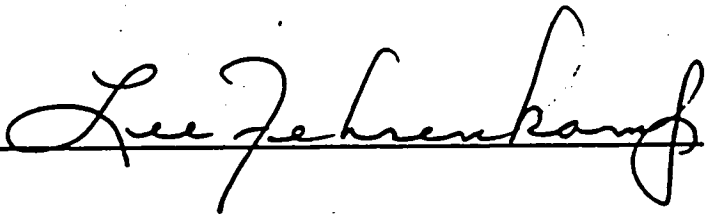
Recommendation:

Since the basic concept behind the "Grand Opening" was to showcase the "Center" to the Community and potential users and to recognize the people involved in design and construction of the "Oregon Convention Center" (in other words "a grand thank you" and a once in a life time marketing opportunity) and this is the only Grand Opening the Convention Center will ever have, the staff believes we should request from Metro Council a one-time exemption from Metro Code Chapter 7.01 for the Convention Center Grand Opening celebration.

Included in the convention center FY 1990-91 budget is \$78,633 for projected excise tax revenues to Metro from operations following opening of the facility. This budgeted amount did not include any excise taxes in conjunction with the grand opening; therefore, the expected excise tax money transferred to Metro this Fiscal year will not be impacted. The staff and Steering Committee for the Grand Opening Celebration never considered the excise tax in its planning and budgeting process and assumed the excise tax would take effect once the facility was open and conducting business.

Staff recommends approval of Resolution No. 112, which would request the Metro Council, by Ordinance, grant a one-time exemption, for the Oregon Convention Center Grand Opening festivities, from the Metro excise tax.

General Managers' Concurrence

A handwritten signature in black ink, appearing to read "Lee J. Lehman", written over a horizontal line.

	Summary (2/5/91)		
	Budget	Actual	Variance

Revenues			

Sponsorships:			
Fundraising Dinner/Founders' Luncheon (U.S. West Communications)	30,000	30,000	0
Artists' Event (Key Bank)	5,000	5,000	0
Construction Workers Barbecue (ZGF & Hoffman/Marmalejo)	12,000	12,000	0
Street Dance (Safeway/Coca-Cola/Bluebell)	25,000	25,000	0
Service Industry Reception (Blitz-Weinhard)	5,500	5,500	0
Visitor Industry Reception/Dinner (Sundown Sound & Hollywood Lights)	5,000	5,000	0
Fine Host Catering	50,000	50,000	0
Beer Gardens (Coast Distrib./Miller Beer)	0	6,008	6,008
Patron Tables/Points of Interest	60,000	47,450	(12,550)
Hospitality Room (City Center Parking Port of Ptd./Greyhound Expo/POVA/ M&M Prod./Update Mgmt/OCC)	0	18,250	18,250
	-----	-----	-----
Sub Total Sponsorships	192,500	204,208	11,708
Concessions/Catering (Gross)	210,900	209,325	(1,575)
	-----	-----	-----
Total Sponsorships & Concessions/Catering	403,400	413,533	10,133
	-----	-----	-----
Other:			
Trade Show (Gross)	440,000	474,421	34,421
Novelties Net	15,000	11,604	(3,396)
Ticket Sales - Industry/Gala	160,000	79,775	(80,225)
Electrical/Phone	15,000	15,336	336
	-----	-----	-----
Sub Total	630,000	581,136	(48,864)
	-----	-----	-----
Total Revenues	1,033,400	994,669	(38,731)
	-----	-----	-----
Less:			
- Grand Opening Events Expenses (NW Strategies) (Schedule A-2)	639,059	576,176	62,883
- NW Strategies Fee/Out Of Pocket	86,800	85,937	863
- Trade Show Expenses (Schedule A-3)	312,138	334,652	(22,514)
- Concessions/Catering Expenses	185,900	183,323	2,577
- Hospitality Room	0	2,899	(2,899)
	-----	-----	-----
Total Expenses	1,223,897	1,182,987	40,910
	-----	-----	-----
Net Grand Opening Investment	(190,497)	(188,319)	2,178
	=====	=====	=====

Agenda Item No. 6.1
Meeting Date: March 14, 1991

ORDINANCE NO. 91-388

SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF ORDINANCE NO. 91-388, AMENDING METRO CODE
CHAPTER 5.05 RELATING TO SOLID WASTE FLOW CONTROL

Date: March 6, 1991

Presented by: Councilor McFarland

COMMITTEE RECOMMENDATION: At the March 5, 1991 meeting, the Committee voted 4-0 to recommend Council adoption of Ordinance 91-388. Voting in favor were Councilors Gardner, McFarland, McLain and Wyers. Councilor DeJardin was excused.

COMMITTEE DISCUSSION/ISSUES: Todd Sadlo, Senior Assistant Counsel, described the proposed changes to the current flow control ordinance. He said the amendment sets priorities for the Solid Waste Director to follow when issuing an order directing haulers to use a facility which the hauler would prefer not to use. He said the amendment adds language establishing a process for haulers to request reconsideration of required use orders, and also permits gatehouse employees to enforce the orders by turning vehicles away and redirecting them to the proper facility.

Councilor McLain noted that one of the standards for the Council to apply in reviewing a reconsideration request is whether exceptional circumstances warrant revocation or modification of the order. She was concerned that this language may be vague. Phil North, Senior Solid Waste Planner, responded that this language is intended to cover those circumstances for which the non-financial impacts cannot be contemplated in advance. Mr. Sadlo added that the language would not permit reconsideration under ordinary circumstances. He gave as an example the situation in which a hauler seeks reconsideration on the basis that a hauler serving a neighboring area has been directed to a different facility.

Merle Irvine, Vice President of Wastech, inquired about the potential impact of the flow control ordinance on the Metro franchise agreement with Oregon Processing and Recovery Center (OPRC). Bob Martin, Solid Waste Director, explained that Metro's only tonnage commitment is to the Riedel composter. However, he said that Metro will not direct waste coming to OPRC to go elsewhere.

Councilor McFarland indicated her view that in the event a problem arises, OPRC can point to exceptional circumstances.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING METRO) ORDINANCE NO. 91-388
CODE CHAPTER 5.05, REGULATING THE)
FLOW OF SOLID WASTE ORIGINATING) Introduced by Rena Cusma,
WITHIN THE BOUNDARIES OF THE) Executive Officer
METROPOLITAN SERVICE DISTRICT)

WHEREAS, The Metropolitan Service District Code Chapter 5.05 provides a framework for issuance by Metro of Orders requiring waste haulers and other persons to use specific designated facilities; and

WHEREAS, It is necessary to provide additional details regarding the issuance of such Required Use Orders; and

WHEREAS, The issuance by Metro of Required Use Orders may soon become necessary to ensure the efficient utilization of Metro facilities; now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Metro Code Section 5.01.010 is amended to read:

"5.05.010 Definitions. Notwithstanding anything expressed or implied in the Metro code [sic] to the contrary, as used in this Chapter 5.05, the following terms shall have the respective meanings set forth below unless the context requires otherwise:

"Act" shall mean Oregon Revised Statutes Chapter 268, as amended, and other applicable provisions of the laws of the State of Oregon.

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

"Designated Facility" means one of the facilities constituting a part of the system designated from time to time pursuant to Section 5.05.030 of this Chapter 5.05, to which solid waste may be directed by a Required Use Order.

"Disposal Site" means the land and facilities determined from time to time by Metro as constituting part of the system, whether owned by Metro or another person and whether or not open to the public, used for the disposal of solid wastes, but does not include transfer stations or processing facilities.

"Director" means the Director of the Metro Department of Solid Waste or the Director's designee.

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

"Executive Officer" shall mean the duly elected or appointed, qualified and acting Executive Officer of Metro, or any officer of Metro hereafter succeeding to the powers and duties of such Executive Officer with respect to the system.

"Metro Code" means the Code of the Metropolitan Service District.

"Non-System Facility" means any solid waste disposal site, transfer station, processing facility, recycling drop center, resource recovery facility or other facility for the disposal, recycling or other processing of solid waste which does not constitute part of the system.

"Non-System License" means a license issued pursuant to and in accordance with Metro Code Section 5.05.030(d).

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

"Processing Facility" shall mean a facility described in Metro Code Section 5.01.010(n) which has been designated by Metro as constituting part of the system.

"Regional Solid Waste Management Plan" means the Metro Regional Solid Waste Management Plan adopted by Ordinance No. 88-266B on October 27, 1988.

"Required Use Order" means a written order issued pursuant to Metro Code Section 5.04.040 requiring a waste hauler or other person to use a designated facility pursuant to the terms of the order.

"Resource Recovery Facility" shall mean a facility described in Metro Code Section 5.01.010(q) which has been designated by Metro as constituting part of the system.

"Service Area" shall mean the area within the jurisdictional boundaries of Issuer within which the system operates to provide solid and liquid waste disposal services, all as contemplated by the Act.

"Solid Waste" shall have the meaning assigned thereto in Metro Code Section 5.01.010(s).

"Source Separated Recyclable Material" shall have the meaning assigned thereto in ORS 459.005(15) and 459.005(21).

"State" shall have the meaning assigned thereto in Metro Code Section 1.01.040(g).

"System" shall mean any and all facilities now or hereafter designated by Metro as part of its system for the management and disposal of solid and liquid waste, including, but not limited to recycling and other volume reduction facilities, sanitary landfills, or other disposal means, resource recovery facilities (including steam production and electrical generating facilities using solid waste as fuel), recycling and transfer stations, roads, water lines, wastewater lines and treatment facilities to the extent provided or operated to carry out the provisions of the Act, and all buildings, fixtures, equipment and all property, real and personal now or hereafter owned, leased, operated or used by Metro, all for the purpose of providing for solid and liquid waste disposal; as of the date of enactment of this Chapter 5.05, said system consists of the initial designated facilities described in Section 5.05.030(a) of this Chapter.

"Transfer Station" shall mean a facility described in Metro Code Section 5.01.010(u) which has been designated by Metro as constituting part of the system.

"User Fee" shall have the meaning assigned thereto in Metro Code Section 5.01.010(v).

"Waste Hauler" means any person engaged, in whole or part, in the collection, transportation, delivery, or disposal of solid waste generated within the service area, including any person engaged in such activities with respect to solid waste generated by such person as well as any person engaged in such activities with respect to solid waste generated by others."

Section 2. Metro Code Section 5.05.030 is amended to read:

"5.05.030 Use of Designated Facilities.

(a) Initial Designated Facilities. The following described facilities shall constitute the ~~initial~~ designated facilities to which Metro may direct solid waste pursuant to a Required Use Order:

(1) Metro South Station. The Metro South Station located at 2001 Washington, Oregon City, Oregon 97045.

(2) Metro-Reidel Compost Facility. The Metro-Riedel Compost Facility located at 5437 N.E. Columbia Boulevard, Portland, Oregon 97217.

(3) Metro Central Station. The Metro Central Station located at 6161 N.W. 61st Avenue, Portland, Oregon 97210.

{3} (4) St. Johns Landfill. The St. Johns Landfill located at 9363 N. Columbia Boulevard, Portland, Oregon 97203.

{4} (5) Franchise Facilities. All disposal sites, transfer stations, processing facilities and resource recovery facilities within the District which operate pursuant to a Metro franchise under Chapter 5.01 of the Metro Code.

{5} (6) Lakeside Reclamation (limited purpose landfill). The Lakeside Reclamation limited purpose landfill, Route 1, Box 849, Beaverton, Oregon 97005, subject to the terms of the agreement in existence on November 14, 1989, authorizing the receipt of solid waste generated within the service area.

{6} (7) Hillsboro Landfill (limited purpose landfill). The Hillsboro Landfill, 3205 S.E. Minter Bridge Road, Hillsboro, Oregon 97123, subject to the terms of the agreement in existence on November 14, 1989, authorizing the receipt of solid waste generated within the service area.

{7} (8) Arlington Columbia Ridge Landfill. The Arlington Columbia Ridge Landfill owned and operated by Oregon Waste Systems, Inc. subject to the terms of the agreements in existence on November 14, 1989, between Metro and Oregon Waste Systems and between Metro and Jack Gray Transport, Inc, [sic]; provided that except as otherwise provided pursuant to a duly issued non-system license, no waste hauler or other person (other than Jack Gray Transport, Inc. as provided in the aforementioned agreement) shall be permitted to transport solid waste generated within the service area directly to, or to otherwise dispose of such solid waste at, said Arlington Columbia Ridge Landfill unless such solid waste has first been processed at another designated facility.

(b) Changes to Designated Facilities to be Made by Council. From time to time, the Council, acting pursuant to a duly enacted ordinance, may remove from the list of initial designated facilities any one or more of the facilities described in Metro Code Section 5.04.030(a). In addition, from time to time, the Council, acting pursuant to a duly enacted ordinance, may add to the list of designated facilities one or more additional facility.

(c) Use of Non-System Facilities Prohibited. Except to the extent that solid waste generated within the service area is transported, disposed of or otherwise processed in accordance

with the terms and conditions of a non-system license issued pursuant to Metro Code Section 5-05-030A 5.05.035, no waste hauler or other person shall transport solid waste generated within the service area to, or utilize or cause to be utilized for the disposal or other processing of any solid waste generated within the service area, any non-system facility."

Section 3. Metro Code Section 5.05.040 is repealed, and the following is adopted in lieu thereof:

5.05.040 Issuance of Required Use Orders.

(a) The Director may issue a Required Use Order to any waste hauler or other person within the Service Area, requiring the recipient to deliver waste to a specific designated facility. In issuing a Required Use Order, the Director shall comply with the provisions of this Section and Section 5.05.050.

(b) The following priorities shall govern the Director in determining whether to issue Required Use Orders:

(1) To the extent consistent with Metro facility contractual obligations and facility limitations, waste haulers and other persons should be allowed to utilize the designated facility of their choice; and

(2) It may be necessary for the Director to override the facility choice of a waste hauler or other person if the Director finds that allowing specific haulers to exercise their choice appears likely to result in:

(A) Metro's failure to meet contractual obligations for waste deliveries;

(B) The overloading or underutilization of a specific designated facility or facilities;
or

(C) Other system inefficiencies specified by the Director.

(c) If, after considering the priorities in subsection (b) of this Section, the Director determines that it is necessary to issue or amend Required Use Order(s), the Director may do so giving due regard to the following factors:

(1) The location of the waste hauler or other person's route and/or facilities in relation to designated facilities, in terms of travel time and/or distance;

(2) The equipment being utilized by the hauler at the time of issuance of the order in relation to the

equipment handling capabilities of designated facilities;

(3) The types of wastes being disposed of by the waste hauler or other person, in relation to the capabilities of designated facilities to most appropriately process those wastes;

(4) Geographic and jurisdictional boundaries; and

(5) Other considerations deemed relevant by the Director, including but not limited to other health, safety and welfare considerations, and other equitable considerations.

[NOTE: The following Section, which is proposed to be repealed by this Ordinance, is reproduced below for the convenience of the reader:]

~~5-05-040--Required-Use-Orders-and-Development-of-Rules-and-Procedures-for-Issuance.--Prior-to-issuing-any-required-use-order directing-solid-waste-to-a-particular-designated-facility, the rules-governing-the-issuance-of-required-use-orders-with-respect to-such-designated-facility-shall-be-approved-and-adopted-by Council-pursuant-to-a-duly-enacted-ordinance.--Such-required-use order-rules-for-each-designated-facility-shall-be-prepared-by-the Executive-Officer-and-submitted-to-Council-for-approval-and adoption-as-aforsaid.--The-required-use-order-rules-for-each designated-facility-shall-be-prepared, approved-and-adopted giving-due-regard-to-the-following-factors:~~

~~(a)--the-type-of-facility-to-which-solid-waste-is-to-be delivered;~~

~~(b)--limitations-on-the-solid-waste-quantity-or-composition at-the-facility-to-which-such-solid-waste-is-to-be-delivered;~~

~~(c)--to-the-extent-not-inconsistent-with-the-efficient-and financially-responsible-operation-of-the-system-from-Metro's standpoint, the-ease-of-access-to-the-facility, in-terms-of-time and-distance, by-the-waste-haulers-or-Persons-to-be-subject-to the-required-use-order;~~

~~(d)--the-amount-of-suitable-solid-waste-estimated-to-be delivered-to-the-facility-in-the-absence-of-waste-being-directed to-the-facility;~~

~~(e)--the-ability-to-obtain-voluntary-agreement-by-waste haulers-and-Persons-to-deliver-solid-waste-of-suitable composition-and-quantity-to-a-specific-facility;~~

~~{f}--to-the-extent-not-inconsistent-with-the-efficient,-safe and-financially-responsible-operation-of-the-system-from-Metro's standpoint,-the-fair-distribution-of-any-inconvenience-or-burden on-waste-haulers-or-persons-to-be-subject-to-the-required-use order,-and~~

~~{g}--such-other-reasonable-and-appropriate-factors-as-the Executive-Officer-or-Council-may-deem-appropriate-~~

~~Following-the-approval-and-adoption-of-the-required-use order-rules-for-a-particular-designated-facility-as-provided above,-required-use-orders-with-respect-to-such-designated facility-may-be-issued-from-time-to-time-by-the-Executive-Officer in-accordance-with-the-applicable-rules-as-circumstances-require, for-the-purpose-of-requiring-delivery-of-solid-waste-to-a designated-facility.--The-content-of-such-order-shall-be-as specified-in-Section-5.05.050-~~

Section 4. Metro Code Section 5.05.050 is amended to read:

"5.05.050 Content of Required Use Orders; Notice.

(a) Required Use Orders issued by the Executive-Officer Director shall set forth the following:

~~{a}~~ (1) The names of the waste haulers or persons to be subject to the Required Use Order together with their addresses or places of business and telephone numbers;

~~{b}~~ (2) The type and quantity of solid waste subject to the Required Use Order;

~~{c}~~ describe-the-point-or-points-for-delivery-of-the-solid waste-to-be-subject-to-the-required-use-order,

(3) The name and location of the designated facility that the recipient is required to use pursuant to the Order;

~~{d}~~ (4) The effective date of the required use order, which date, in the absence of an emergency, shall not be less than ten (10) days from the date of the Order; and

(5) A brief description of the procedure for requesting that the Director reconsider issuance of the Order, or specific details of the Order; and

~~{e}~~ (6) Such other information as the Executive Officer Director may consider necessary or appropriate.

(b) Within two (2) days after the date of any Required Use Order, the Executive-Officer Director shall cause notice of such Required Use Order to be given as follows:

(1) by United States mail, postage prepaid, to each waste hauler and person to be subject to such Required Use Order at the last known address thereof; and

~~(2) --by-posting-notice-of-such-required-use-order-in-a public-place-at-the-principal-offices-of-Metro-and-at each-designated-facility.~~

(2) By any other method deemed by the Director as necessary, and most likely, to ensure actual notice to the waste hauler or other person subject to the Order.

(c) The failure of any waste hauler or person subject to a Required Use Order to receive notice thereof shall not affect the validity of such Required Use Order nor excuse such waste hauler or person from complying with the terms thereof.

Section 5. The following Sections 5.05.052 and 5.05.054 are added to and made part of Metro Code Chapter 5.05:

"5.05.052 Requests for Reconsideration.

(a) Any waste hauler or other person receiving a Required Use Order may request that the Director reconsider issuance of the Order or specific details of the Order. The request may be premised on any matter that was relevant to issuance of the Order, as specified in Metro Code Section 5.05.040.

(b) A Request for Reconsideration must be in writing, on a form provided by Metro. To be timely, a Request for Reconsideration must be received by the Director within thirty (30) days of the date of issuance of the Required Use Order, as specified in the Order.

(c) The Director shall review a Request for Reconsideration and, within fifteen (15) days of receipt, issue a written affirmance of the original Order, or a modified Order.

(1) The affirmance or modification shall be considered timely if it is deposited in the mail within the 15-day period, with regular first class postage and addressed to the person requesting review.

(2) The affirmance or modification shall include a brief statement of the basis for the decision, and a brief statement of the procedure for requesting review of the decision by the Executive Officer.

(d) Review by the Director of a Request for Reconsideration is intended to be informal, and may include personal, written, or telephone contact between the waste hauler or other person and the Director or Solid Waste Department staff.

(e) If the Director fails to issue a timely decision, the waste hauler or other person receiving the Order may appeal the decision to the Executive Officer as specified in Section 5.05.054.

(f) A Request for Reconsideration shall not stay the Order issued. A Required Use Order shall be effective on the date issued, and shall remain in effect until modified or revoked."

"5.05.054 Appeals to the Executive Officer.

(a) A waste hauler or other person receiving a Required Use Order may appeal the Director's affirmance or modification of the Order to the Executive Officer. The Executive Officer may be asked to review any matter that was relevant to issuance of the Order, as specified in Metro Code Section 5.05.040.

(b) An appeal to the Executive Officer shall be in writing and on a form provided by Metro. To be timely, the appeal must be received by the Executive Officer within thirty (30) days of the date of issuance of the Director's affirmed or modified Order.

(c) The Executive Officer shall review a Request for Reconsideration and, within fifteen (15) days of receipt, issue a written order affirming or modifying the decision of the Director.

(1) The affirmance or modification shall be considered timely if it is deposited in the mail within the 15-day period, with regular first class postage and addressed to the person requesting review.

(2) The affirmance or modification shall include a brief statement of the basis for the decision, and a brief statement of the process for contested case review of the decision by the Metro Council.

(d) Review by the Executive Officer of the Director's decision is intended to be informal, and may include personal, written, or telephone contact between the waste hauler or other person and the Executive Officer.

(e) If a waste hauler or other person is not satisfied with the Executive Officer's decision, or if the Executive Officer fails to issue a timely decision, the waste hauler or other person receiving the Order may appeal the decision to the Metro

Council as a contested case proceeding. Review in such proceeding shall be limited to the following:

(1) Whether exceptional circumstances of the waste hauler or other person warrant revocation or modification of the Order; or

(2) Whether the Order is likely to cause extreme financial hardship to the waste hauler or other person subject to the Order, warranting revocation or modification of the Order.

(f) A Request for Reconsideration shall not stay the Order issued. A Required Use Order shall be effective on the date issued, and shall remain in effect until modified or revoked."

Section 6. Metro Code Section 5.05.070 is amended to read:

"5.05.070 Solid Waste Flow Control Enforcement; Fines, Penalties and Damages for Violations.

(a) Any waste hauler or person who violates or fails to comply with any provision of this Chapter 5.05 or who fails to comply with the terms and conditions of any non-system license or Required Use Order shall be subject to the fines and penalties set forth in this Section, which fines and penalties shall be assessed by the Executive Officer.

(a) (1) A fine in the amount of not to exceed five hundred dollars (\$500.00) for each violation; and

(b) (2) Such waste hauler or person shall not be extended any credit by Metro for the use of any facility constituting a part of the system until such time as all fines owing under this Chapter as a result of such violation or failure to comply have been paid in full.

(b) In addition to the foregoing fines and penalties:

(1) any waste hauler or person who fails to comply with the terms and conditions of any non-system license shall be required to pay to Metro a fine in the amount equal to the user fee multiplied by the number of tons (or fractions thereof) of solid waste generated within the service area transported, disposed of or otherwise processed in violation of the terms and conditions of such non-system license; and

(2) any waste hauler or person who, without having a non-system license then in effect, transports solid waste generated within the service area to, or utilizes

or causes to be utilized for the disposal or other processing of any solid waste generated within the service area, any non-system facility shall be required to pay to Metro a fine in an amount equal to the \$500.00 non-system license application fee, plus the \$500.00 non-system license issuance fee, plus an amount equal to the user fee multiplied by the number of tons (or fractions thereof) of solid waste generated within the service area transported, recycled, disposed of or otherwise processed to or at any non-system facility.

(c) If in the judgment of the Executive Officer such action is warranted, Metro shall commence an appropriate action in a State court of competent jurisdiction for the purpose of collecting the fines and penalties provided for above and/or enjoining any violations of the provisions of this Chapter 5.05 or any non-compliance with the terms and conditions of any non-system license or Required Use Order.

(d) Within six (6) months from the date of enactment of this Chapter, the Executive Officer shall recommend to Council a schedule of fines which impose sanctions based on the nature and extent of the violation or failure to comply.

(e) A Required Use Order may be enforced by authorized Gatehouse employees at any Metro facility, by denying facility access to a waste hauler or other person who is subject to a Required Use Order and is attempting to deliver waste to a facility not specified in the Order. This enforcement shall be in addition to the fines and penalties that may be levied pursuant to this Section."

Section 7. Metro Code Section 5.05.080 is amended to read:

"5.05.080 Administrative Rules. Except-for-the-rules-governing the-issuance-of-required-use-orders-which-are-to-be-prepared, approved-and-adopted-as-provided-in-Section-5-05-040-hereof-and Except for the system tracking pursuant to Section 5.05.060 hereof, the Executive Officer is hereby authorized and empowered to make such administrative rules and regulations as she the Executive Officer considers proper to effectuat effectively carry out the purposes of this Chapter 5.05."

Section 8. Renumbering. Current Sections 5.05.010A and 5.05.030A shall be renumbered 5.05.015 and 5.05.095,

/////
/////

respectively, and all references to the previous Section numbers shall be corrected.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1991.

Tanya Collier, Presiding Officer

ATTEST:

Clerk of the Council

TSS/gl
1038

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 91-388 FOR THE PURPOSE OF AMENDING METRO CODE CHAPTER 5.05 REGULATING THE FLOW OF SOLID WASTE ORIGINATING WITHIN THE BOUNDARIES OF THE METROPOLITAN SERVICE DISTRICT

February 28, 1991

Presented by: Bob Martin
Roosevelt Carter

Factual Background and Analysis

In November 1989 the Metro Council adopted Ordinance No. 89-319. This ordinance is a master bond ordinance adopted for the purpose of facilitating financing of major solid waste projects. Chapter 5.05 of the Metro Code, "Solid Waste Flow Control", was adopted as Appendix A to the master bond ordinance. The flow control ordinance plays a critical role in satisfying bonding issues related to financing major solid waste projects.

At the time of passage, the flow control ordinance intentionally did not address the procedural issues related to implementation and issuance of "Required Use Orders" to direct haulers to particular facilities. The Metro Central Station and the Metro-Riedel Compost Facility were not yet under construction and significant data to assist in implementation had not yet been developed. These two facilities are now complete or near completion and the development of background data on hauling practices and preferences has been developed. Also continued development of the quarterly Solid Waste Information System (SWIS) report has contributed to the supporting data to be used in "Required Use Order" issuance.

The proposed ordinance allows the Solid Waste Director to issue Required Use Orders to waste haulers and other persons, directing them to use specified Metro facilities. The preferences of haulers are given priority, to the extent consistent with Metro contracted obligations and the efficient use of Metro facilities.

The ordinance specifies the factors the Director must consider in determining what facility a waste hauler or other person must use. Since numerous initial orders may be necessary, as well as seasonal adjustments, a procedure is established for allowing the Director to reconsider orders issued on an informal basis. The order may then be appealed to the Executive Officer, with a more limited review through Metro Council contested case proceedings.

Additionally, the current ordinance makes a technical amendment to the original flow control ordinance by adding the name of the Metro Central Station to the list of Designated Facilities and by amending the name of the Arlington Landfill to "Columbia Ridge Landfill."

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends passage of Ordinance No. 91-388.

Agenda Item No. 6.2
Meeting Date: March 14, 1991

ORDINANCE NO. 91-370A



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

DATE: March 7, 1991
TO: Interested Parties
FROM: Paulette Allen, Clerk of the Council *PA*
RE: ORDINANCE NO. 91-370A

The Council agenda will be printed before the Finance Committee meets to consider Ordinance No. 91-370A. The Finance Committee report on the ordinance will be distributed in advance to Councilors and available at the Council meeting March 14.

FINANCE COMMITTEE REPORT

ORDINANCE NO. 91-370A, FOR THE PURPOSE OF REVISING THE
FY 1990-91 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE
PURPOSE OF ADOPTING A SUPPLEMENTAL BUDGET AND CREATING THE
SMITH AND BYBEE LAKES TRUST FUND

Date: March 11, 1991

Presented by: Councilor Hansen

COMMITTEE RECOMMENDATION: The Committee at its March 7, 1991 meeting voted unanimously to recommend Council adoption of Ordinance No. 91-370A. Present and voting were Councilors Buchanan, Devlin, Hansen and Van Bergen. Councilor Wyers was excused.

COMMITTEE DISCUSSION / ISSUES: Jennifer Sims, Director of Finance and Management Information, presented the Staff Report. Ms. Sims indicated the Council approved the Supplemental Budget for transmittal to the Tax Supervising and Conservation Commission (TSCC) on November 29, 1990 by adopting Resolution No. 90-1347. The TSCC held its public hearing on the Supplemental Budget on February 13, 1991 and subsequently forwarded its certification to the District with two recommendations related to the Sears facility. She referred the Committee to the Executive Officer's written response to the TSCC comments which is included as Attachment 1 to this Committee report. Ms. Sims pointed out that the original Ordinance needs to be amended to delete the interfund loan for the purchase of the Sears facility and to clarify that Exhibits A and B are revised accordingly. Council Staff distributed Ordinance No. 91-370A which makes the appropriate amendments.



METRO

2000 S W First Avenue
Portland, OR 97201-5348
503 221-1646

Memorandum

DATE: February 22, 1991

TO: Metro Council

FROM: Rena Cusma, Executive Officer *Rena Cusma*

REGARDING: RESPONSE TO TSCC CERTIFICATION OF METRO'S FY 1990-91
SUPPLEMENTAL BUDGET

On February 13, 1991, the Tax Supervising and Conservation Commission (TSCC) held a public hearing on Metro's FY 1990-91 Supplemental Budget. This memo is in response to their recommendations in their certification letter dated February 15, 1991.

1. "The Commission recommends that the Council, prior to purchase of the Sears property, give very careful consideration to the economic justification for the project including consideration of alternative locations for a Metro Center."

RESPONSE: Metro is currently conducting an in-depth study of the economic feasibility of purchasing the Sears facility. This study includes careful examination of construction costs, leasing opportunities and possible alternative locations.

2. "The Building Management Fund proposes a loan of \$4,744,339 from the Unappropriated Balance of the Solid Waste Revenue Fund. Unappropriated Balances may not be used for such a purpose and we recommend alternative short term financing arrangements."

"Construction cost estimates, developed several weeks ago, need to be adjusted to anticipated needs before June 30th and we recommend that surplus appropriations be placed into contingency."

RESPONSE: With the extension of the due diligence period to April 30, 1991, the amount previously required as an interfund loan has been reduced and alternative short term financing will be arranged. In addition, the purchase and construction cost estimates have been revised to reflect the change in purchase date of the facility from December 31, 1990 to April 30, 1991. The surplus appropriation has been placed into the Building Management Fund Contingency.

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BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING ORDINANCE NO.)
90-340A REVISING THE FY 1990-91)
BUDGET AND APPROPRIATIONS SCHEDULE)
FOR THE PURPOSE OF ADOPTING A)
SUPPLEMENTAL BUDGET AND CREATING)
THE SMITH AND BYBEE LAKES TRUST)
FUND)

ORDINANCE NO. 91-370A
Introduced by Rena Cusma,
Executive Officer

WHEREAS, Various conditions exist which had not been ascertained at the time of the preparation of the FY 1990-91 Budget and a change in financial planning is required; and

~~[WHEREAS, Financing for the purchase of the Sears Facility will not be complete until FY 1991-92 and an interfund loan will be needed in the current fiscal year; and]~~

WHEREAS, The Multnomah County Tax Supervising and Conservation Commission held its public hearing on the Supplemental Budget of the Metropolitan Service District for the fiscal year beginning July 1, 1990 and ending June 30, 1991; and

WHEREAS, Recommendations from the Tax Supervising and Conservation Commission have been received and acted upon, as reflected in the Budget and in the Schedule of Appropriations; now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

1. That Ordinance No. 90-340A, Exhibit B, FY 1990-91 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in the column titled "Total Revision" in Exhibits A and B to this Ordinance.

2. That the Smith and Bybee Lakes Trust Fund is hereby created for the purpose of implementing the Smith and Bybee Lakes Management Plan. The fund will be managed by the Smith and Bybee Lakes Management

Committee with oversight by Metro. Funding will be received from intergovernmental transfers from the City of Portland and Metro contributions of \$0.50 per ton for the remaining life of the St. Johns Landfill.

~~[3. An Interfund loan not to exceed FOUR MILLION SEVEN HUNDRED FORTY FOUR THOUSAND THREE HUNDRED THIRTY NINE (\$4,744,339) DOLLARS is hereby authorized from the Solid Waste Revenue Fund to the Building Management Fund in accordance with ORS 294.460(1). The loan is needed because financing to purchase the Sears Facility will not be completed prior to the closing date of the real estate transaction. Simple interest shall be paid on the loan amount at the average daily rate paid by the State of Oregon Local Government Investment Pool for the duration of the loan based on a 360 day year. The loan amount and interest due will be repaid from anticipated financing no later than June 30, 1992.]~~

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1991.

Tanya Collier, Presiding Officer

ATTEST:

Clerk of the Council

kr:ord90-91:supp:ord2
March 7, 1991



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

DATE: February 22, 1991

TO: Metro Council

FROM: Rena Cusma, Executive Officer *R. Cusma*

REGARDING: RESPONSE TO TSCC CERTIFICATION OF METRO'S FY 1990-91
SUPPLEMENTAL BUDGET

On February 13, 1991, the Tax Supervising and Conservation Commission (TSCC) held a public hearing on Metro's FY 1990-91 Supplemental Budget. This memo is in response to their recommendations in their certification letter dated February 15, 1991.

1. "The Commission recommends that the Council, prior to purchase of the Sears property, give very careful consideration to the economic justification for the project including consideration of alternative locations for a Metro Center."

RESPONSE: Metro is currently conducting an in-depth study of the economic feasibility of purchasing the Sears facility. This study includes careful examination of construction costs, leasing opportunities and possible alternative locations.

2. "The Building Management Fund proposes a loan of \$4,744,339 from the Unappropriated Balance of the Solid Waste Revenue Fund. Unappropriated Balances may not be used for such a purpose and we recommend alternative short term financing arrangements."

"Construction cost estimates, developed several weeks ago, need to be adjusted to anticipated needs before June 30th and we recommend that surplus appropriations be placed into contingency."

RESPONSE: With the extension of the due diligence period to April 30, 1991, the amount previously required as an interfund loan has been reduced and alternative short term financing will be arranged. In addition, the purchase and construction cost estimates have been revised to reflect the change in purchase date of the facility from December 31, 1990 to April 30, 1991. The surplus appropriation has been placed into the Building Management Fund Contingency.

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BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING ORDINANCE NO.)
90-340A REVISING THE FY 1990-91)
BUDGET AND APPROPRIATIONS SCHEDULE)
FOR THE PURPOSE OF ADOPTING A)
SUPPLEMENTAL BUDGET AND CREATING)
THE SMITH AND BYBEE LAKES TRUST)
FUND)

ORDINANCE NO. 91-370A

Introduced by Rena Cusma,
Executive Officer

WHEREAS, Various conditions exist which had not been ascertained at the time of the preparation of the FY 1990-91 Budget and a change in financial planning is required; and

WHEREAS, The Multnomah County Tax Supervising and Conservation Commission held its public hearing on the Supplemental Budget of the Metropolitan Service District for the fiscal year beginning July 1, 1990 and ending June 30, 1991; and

WHEREAS, Recommendations from the Tax Supervising and Conservation Commission have been received and acted upon, as reflected in the Budget and in the Schedule of Appropriations; now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

1. That Ordinance No. 90-340A, Exhibit B, FY 1990-91 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in the column titled "Total Revision" in Exhibits A and B to this Ordinance.

2. That the Smith and Bybee Lakes Trust Fund is hereby created for the purpose of implementing the Smith and Bybee Lakes Management Plan. The fund will be managed by the Smith and Bybee Lakes Management Committee with oversight by Metro. Funding will be received from intergovernmental transfers from the City of Portland and Metro

Ordinance No. 91-370A
Page 2

contributions of \$0.50 per ton for the remaining life of the St. Johns
Landfill.

ADOPTED by the Council of the Metropolitan Service District this

_____ day of _____, 1991.

Tanya Collier, Presiding Officer

ATTEST:

Clerk of the Council

kr:ord90-91:supp:ord1
February 27, 1991

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND TOTAL											
	Personal Services										
511110	ELECTED OFFICIALS										
	Executive Officer	1.00	67,000							1.00	67,000
511121	SALARIES-REGULAR EMPLOYEES (full time)										
	Deputy Executive Officer	1.00	58,464							1.00	58,464
	Council Administrator	1.00	63,120							1.00	63,120
	Managers (Finan., Const.)	0.30	18,432							0.30	18,432
	Sr. Management Analyst	4.40	177,382							4.40	177,382
	Asst. Management Analyst	0.40	12,576							0.40	12,576
	Government Relations Mgr.	1.00	30,816							1.00	30,816
	Sr. Public Info. Specialist	0.50	20,055							0.50	20,055
	Administrative Assistant	1.00	28,362							1.00	28,362
	Clerk of the Council	1.00	27,310							1.00	27,310
511221	WAGES-REGULAR EMPLOYEES (full time)										
	Administrative Secretary	4.20	95,830							4.20	95,830
511235	WAGES-TEMPORARY EMPLOYEES (part time)										
	Temporary Intern	0.20	3,055							0.20	3,055
	Temporary Administrative Support	1.30	19,765							1.30	19,765
512000	FRINGE		193,143		(12,672)				(12,672)		180,471
	Service Reimbursement-Workers' Compensation		0		12,672				12,672		12,672
	Total Personal Services	17.30	815,310	0.00	0	0.00	0	0.00	0	17.30	815,310
	Total All Other Fund Requirement		2,518,323		0		0		0		2,518,323
	TOTAL EXPENDITURES	17.30	3,333,633	0.00	0	0.00	0	0.00	0	17.30	3,333,633

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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SUPPORT SERVICE FUND											
Personal Services											
511121	SALARIES-REGULAR EMPLOYEES (full time)										
	Directors	2.00	130,354	0	0	0	0	0	0	2.00	130,354
	Managers (Finan., Const.)	2.00	123,665	0	0	0	0	0	0	2.00	123,665
	General Counsel	1.00	67,464	0	0	0	0	0	0	1.00	67,464
	Legal Counsel	2.00	111,030	0	0	0	0	0	0	2.00	111,030
	Personnel Manager	1.00	47,197	0	0	0	0	0	0	1.00	47,197
	Assistant Personnel Manager	1.00	40,413	0	0	0	0	0	0	1.00	40,413
	Data Processing Administrator	1.00	50,550	0	0	0	0	0	0	1.00	50,550
	Chief Accountant	1.00	57,441	0	0	0	0	0	0	1.00	57,441
	Sr. Management Analyst	3.00	118,641	0	0	0	0	0	0	3.00	118,641
	Assoc. Management Analyst	5.00	167,533	0	0	0	0	0	0	5.00	167,533
	Asst. Regional Planner	0.50	14,251	0	0	0	0	0	0	0.50	14,251
	Public Information Supervisor	1.00	40,591	0	0	0	0	0	0	1.00	40,591
	Sr. Public Info. Specialist	2.50	89,377	0	0	0	0	0	0	2.50	89,377
	Assoc. Public Info. Specialist	3.00	100,808	0	0	0	0	0	0	3.00	100,808
	Asst. Public Info. Specialist	1.00	27,142	0	0	0	0	0	0	1.00	27,142
	Support Services Supervisor	0.50	22,123	0	0	0	0	0	0	0.50	22,123
	D.P. Systems Analyst	4.00	159,217	0	0	0	0	0	0	4.00	159,217
	Administrative Assistant	0.75	21,407	0	0	0	0	0	0	0.75	21,407
	Senior Accountant	3.00	116,551	0	0	0	0	0	0	3.00	116,551
	Graphics/Exhibit Designer	1.00	27,144	0	0	0	0	0	0	1.00	27,144
	Lead Accounting Clerk	1.00	34,337	0	0	0	0	0	0	1.00	34,337
511221	WAGES-REGULAR EMPLOYEES (full time)										
	D.P. Computer Operator	1.00	24,339	0	0	0	0	0	0	1.00	24,339
	D.P. Computer Technician	1.00	27,821	0	0	0	0	0	0	1.00	27,821
	Administrative Secretary	4.95	120,373	0	0	0	0	0	0	4.95	120,373
	Secretary	2.50	50,452	0	0	0	0	0	0	2.50	50,452
	Program Assistant 2	2.00	45,790	0	0	0	0	0	0	2.00	45,790
	Lead Accounting Clerk	1.00	23,291	0	0	0	0	0	0	1.00	23,291
	Receptionist	1.00	18,803	0	0	0	0	0	0	1.00	18,803
	Personnel Clerk	1.00	17,962	0	0	0	0	0	0	1.00	17,962
	Reproduction Clerk	1.00	24,638	0	0	0	0	0	0	1.00	24,638

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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SUPPORT SERVICE FUND (continued)											
	Payroll Clerk	1.00	23,469		0		0		0	1.00	23,469
	Accounting Clerk 2	3.00	60,778		0		0		0	3.00	60,778
	Accounting Clerk 1	3.00	48,661		0		0		0	3.00	48,661
	Building Operations Worker	0.50	10,639		0		0		0	0.50	10,639
	Office Assistant	1.00	14,378		0		0		0	1.00	14,378
511235	WAGES-TEMPORARY EMPLOYEES (part time)										
	Temporary Professional Support	0.50	9,000		0		0		0	0.50	9,000
	Temporary Administrative Support	1.00	16,803		0		0		0	1.00	16,803
511400	OVERTIME		3,250		0		0		0		3,250
512000	FRINGE		654,379		(40,937)		0		(40,937)		613,442
	Service Reimbursement-Workers' Compensation		0		40,937		0		40,937		40,937
Total Personal Services		62.70	2,762,062	0.00	0	0.00	0	0.00	0	62.70	2,762,062
All Other Fund Requirements			1,615,060		0		0		0		1,615,060
TOTAL EXPENDITURES		62.70	4,377,122	0.00	0	0.00	0	0.00	0	62.70	4,377,122

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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
BUILDING MANAGEMENT FUND											
Resources											
347220	Sublease Income		95,086		0		0		0		95,086
361100	Interest		0		285,349		(185,349)		100,000		100,000
374000	Parking Fees		51,061		70,000		(45,000)		25,000		76,061
385800	Bond Anticipation Note Proceeds-Exempt		0		7,920,000		230,349		8,150,349		8,150,349
385800	Bond Anticipation Note Proceeds-Non-Exempt		0		0		4,744,339		4,744,339		4,744,339
391531	Trans. Resource from S.W. Revenue Fund		25,000		4,744,339		(4,744,339)		0		25,000
392010	Trans. Indirect Costs from Gen'l Fund		117,577		0		0		0		117,577
392140	Trans. Indirect Costs from Transportation		94,062		0		0		0		94,062
392142	Trans. Indirect Costs from Plan. & Dev. Fund		41,946		0		0		0		41,946
392531	Trans. Indirect Costs from S.W. Revenue Fund		107,408		0		0		0		107,408
392558	Trans. Indirect Costs from Conv. Cnt. Mgmt. Fund		5,847		0		0		0		5,847
392559	Trans. Indirect Costs from Conv. Cnt. Cap. Fund		19,575		0		0		0		19,575
392610	Trans. Indirect Costs from Support Svs. Fund		249,137		0		0		0		249,137
Total Resources			806,699		13,019,688		0		13,019,688		13,826,387

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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
BUILDING MANAGEMENT FUND											
Metro Center Management Account											
Personal Services											

511121	SALARIES-REGULAR EMPLOYEES (full time)										
	Support Services Supervisor	0.50	22,123		0		0		0	0.50	22,123
	Administrative Assistant	0.25	5,830		0		0		0	0.25	5,830
511221	WAGES-REGULAR EMPLOYEES (full time)										
	Administrative Secretary	0.25	6,468		0		0		0	0.25	6,468
	Building Operation Worker	0.50	10,639		0		0		0	0.50	10,639
511235	WAGES-TEMPORARY EMPLOYEES (part time)										
	Temporary Administrative Support	0.60	18,512		0		0		0	0.60	18,512
512000	FRINGE		19,707		(1,240)		0		(1,240)		18,467
	Service Reimbursement-Workers' Compensation		0		1,240		0		1,240		1,240
Total Personal Services		2.10	83,279	0.00	0	0.00	0	0.00	0	2.10	83,279
Materials & Services											

521100	Office Supplies		300		0		0		0		300
521110	Computer Software		350		0		0		0		350
521220	Custodial Supplies		10,520		0		0		0		10,520
521240	Graphics/Reprographic Supplies		1,000		0		0		0		1,000
521290	Other Supplies		600		0		0		0		600
521292	Small Tools		500		0		0		0		500
521320	Dues		175		0		0		0		175
521510	Maintenance & Repairs Supplies-Building		2,000		0		0		0		2,000
524190	Misc. Professional Services		28,536		0		0		0		28,536
525110	Utilities-Electricity		88,833		0		0		0		88,833
525120	Utilities-Water & Sewer		3,566		0		0		0		3,566
525130	Utilities-Natural Gas		25,895		0		0		0		25,895
525190	Utilities-Other		4,245		0		0		0		4,245
525200	Cleaning Services		38,114		0		0		0		38,114
525610	Maintenance & Repairs Services-Building		29,175		0		0		0		29,175

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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
BUILDING MANAGEMENT FUND											
Metro Center Management Account (continued)											
525620	Maintenance & Repairs Services-Grounds		4,495		0		0		0		4,495
525640	Maintenance & Repairs Services-Equipment		100		0		0		0		100
525690	Maintenance & Repairs Services-Other		40,000		0		0		0		40,000
525731	Operating Lease Payments-Building		239,086		0		0		0		239,086
526200	Ads & Legal Notices		1,050		0		0		0		1,050
526500	Travel		500		0		0		0		500
526700	Temporary Help Services		1,380		0		0		0		1,380
526800	Training, Tuition, Conferences		1,000		0		0		0		1,000
528100	License, Permits, Payments to Other Agencies		250		0		0		0		250
528310	Real Property Taxes		16,600		0		0		0		16,600
529500	Meetings		100		0		0		0		100
529800	Miscellaneous		50		0		0		0		50
	Total Materials & Services		538,420		0		0		0		538,420
Capital Outlay											
574570	Construction Work/Materials-Leasehold Imp.		110,000		0		0		0		110,000
	Total Capital Outlay		110,000		0		0		0		110,000
	TOTAL EXPENDITURES	2.10	731,699	0.00	0	0.00	0	0.00	0	2.10	731,699

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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
		FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
BUILDING MANAGEMENT FUND											
Sears Facility Construction Account											
Personal Services											
511121	SALARIES-REGULAR EMPLOYEES (full time)										
	Construction Manager	0	0.35	19,140	(0.25)	(13,671)	0.10	5,469	0.10	5,469	
	Project Coordinator	0	0.10	5,852	0.10	5,852	0.20	11,704	0.20	11,704	
	Senior Management Analyst	0	0.40	15,756		0	0.40	15,756	0.40	15,756	
	Assistant Management Analyst	0	0.30	9,207		0	0.30	9,207	0.30	9,207	
511221	WAGES-REGULAR EMPLOYEES (full time)										
	Administrative Secretary	0	0.20	5,744		0	0.20	5,744	0.20	5,744	
511235	WAGES-TEMPORARY EMPLOYEES (part time)										
	Engineering Aide	0	0.20	4,630	(0.20)	(4,630)		0		0	
512000	FRINGE										
	Service Reimbursement-Workers' Compensation	0		17,526		(3,616)		13,910		13,910	
		0		1,176		0		1,176		1,176	
	Total Personal Services	0.00	0	79,031	(0.35)	(16,065)	1.20	62,966	1.20	62,966	
Materials & Services											
521100	Office Supplies	0		500		0		500		500	
521110	Computer Software	0		500		0		500		500	
521220	Custodial Supplies	0		500		0		500		500	
521240	Graphics/Reprographic Supplies	0		2,500		0		2,500		2,500	
521260	Printing Supplies	0		500		0		500		500	
524190	Misc. Professional Services	0		298,000		0		298,000		298,000	
525100	Utilities	0		30,000		0		30,000		30,000	
526100	Insurance	0		25,000		0		25,000		25,000	
526200	Ads & Legal Notices	0		1,500		0		1,500		1,500	
526310	Printing Services	0		10,000		0		10,000		10,000	
525710	Equipment Rental	0		1,500		0		1,500		1,500	
526410	Telephone	0		1,500		0		1,500		1,500	
526420	Postage	0		1,000		0		1,000		1,000	
526440	Delivery Services	0		500		0		500		500	

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ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
BUILDING MANAGEMENT FUND											
Sears Facility Construction Account (continued)											
526500	Travel		0		1,500		0		1,500		1,500
526700	Temporary Help Services		0		1,500		0		1,500		1,500
528100	License, Permits, Payments to Other Agencies		0		95,000		0		95,000		95,000
528310	Real Property Taxes		0		55,000		0		55,000		55,000
529500	Meetings		0		500		0		500		500
	Total Materials & Services		0		527,000		0		527,000		527,000
Capital Outlay											
571100	Purchases-Land/Building		0		5,150,000		0		5,150,000		5,150,000
571300	Purchases-Buildings, Exhibits & Related		0		30,000		(30,000)		0		0
571500	Purchases-Office Furniture & Equipment		0		5,000		(5,000)		0		0
574110	Construction Management		0		237,500		(237,500)		0		0
574120	Architectural Services		0		550,000		(500,000)		50,000		50,000
574130	Engineering Services		0		20,000		0		20,000		20,000
574190	Other Construction Services		0		100,000		(90,000)		10,000		10,000
574510	Construction Work/Materials-Other than Buildings		0		1,000,000		(1,000,000)		0		0
574520	Construction Work/Materials-Buildings		0		2,500,000		(2,500,000)		0		0
	Total Capital Outlay		0		9,592,500		(4,362,500)		5,230,000		5,230,000
	TOTAL EXPENDITURES	0.00	0	1.55	10,198,531	(0.35)	(4,378,565)	1.20	5,819,966	1.20	5,819,966

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ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
BUILDING MANAGEMENT FUND											
General Expenses											
Contingency and Unappropriated Balance											
599999	Contingency		50,000		500,000		4,378,565		4,878,565		4,928,565
599990	Unappropriated Balance		25,000		2,321,157		0		2,321,157		2,346,157
Total Contingency and Unappropriated Balance			75,000		2,821,157		4,378,565		7,199,722		7,274,722
TOTAL EXPENDITURES		2.10	806,699	0.00	13,019,688	0.00	0	0.00	13,019,688	2.10	13,826,387

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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
INSURANCE FUND											
Resources											
299000	Fund Balance		2,959,435		0		0		0		2,959,435
361100	Interest on Investments		276,755		12,500		0		12,500		289,255
	Service Reimbursements-Workers' Compensation										
	From General Fund		0		12,672		0		12,672		12,672
	From Support Service Fund		0		40,937		0		40,937		40,937
	From Building Management Fund		0		2,416		0		2,416		2,416
	From Zoo Operating Fund		0		95,566		0		95,566		95,566
	From Zoo Capital Fund		0		1,253		0		1,253		1,253
	From Solid Waste Revenue Fund		0		72,071		0		72,071		72,071
	From Transportation Planning Fund		0		21,387		0		21,387		21,387
	From Planning & Development Fund		0		12,515		0		12,515		12,515
	From Smith & Bybee Lakes Trust Fund		0		311		0		311		311
	From Conv. Center Project Mgmt. Fund		0		798		0		798		798
	From Conv. Center Project Capital Fund		0		1,952		0		1,952		1,952
	From Metro ERC Management Pool Fund		0		8,988		0		8,988		8,988
	From Spectator Facilities Operating Fund		0		70,335		0		70,335		70,335
	From Oregon Conv. Center Operating Fund		0		21,229		0		21,229		21,229
392010	Trans. Indirect Costs from Gen'l Fund		6,804		0		0		0		6,804
392120	Trans. Indirect Costs from Zoo Oper. Fund		173,275		0		0		0		173,275
392140	Trans. Indirect Costs from Transportation		5,897		0		0		0		5,897
392142	Trans. Indirect Costs from Planning & Develop.		5,897		0		0		0		5,897
392531	Trans. Indirect Costs from S.W. Revenue Fund		46,267		0		0		0		46,267
392550	Trans. Indirect Costs from OCC Operating Fund		71,154		0		0		0		71,154
392558	Trans. Indirect Costs from Conv. Cnt. Mgmt. Fund		626		0		0		0		626
392559	Trans. Indirect Costs from Conv. Cnt. Cap. Fund		2,096		0		0		0		2,096
392610	Trans. Indirect Costs from Support Svs. Fund		26,762		0		0		0		26,762
392750	Trans. Indirect Costs from Spec. Fac. Fund		114,822		0		0		0		114,822
393531	Trans. Direct Costs from S.W. Revenue Fund		500,000		0		0		0		500,000
Total Resources			4,189,790		374,930		0		374,930		4,564,720

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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
INSURANCE FUND (continued)											
Materials & Services											

LIABILITY AND CASUALTY PROGRAM											
521320	Dues		1,600		0		0		0		1,600
524190	Misc. Professional Services		20,000		0		0		0		20,000
526100	Insurance		382,000		0		0		0		382,000
529810	Claims Paid		50,000		0		0		0		50,000
WORKERS COMPENSATION PROGRAM											
	Medical Expenses Paid		0		112,104		0		112,104		112,104
	Time Loss Expenses Paid		0		102,731		0		102,731		102,731
	Reserves Paid		0		160,095		0		160,095		160,095
Total Materials & Services			453,600		374,930		0		374,930		828,530
Contingency and Unappropriated Balance											

599999	Contingency		529,769		0		0		0		529,769
599990	Unappropriated Balance		3,206,421		0		0		0		3,206,421
Total Contingency & Unapp. Balance			3,736,190		0		0		0		3,736,190
TOTAL EXPENDITURES			4,189,790		374,930		0		374,930		4,564,720

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
ZOO OPERATING FUND											
Personal Services											
	TOTAL SALARIES AND WAGES		4,151,226		0		0		0		4,151,226
511400	OVERTIME		97,392		0		0		0		97,392
512000	FRINGE		1,395,181		(95,566)		0		(95,566)		1,299,615
	Service Reimbursement-Workers' Compensation		0		95,566		0		95,566		95,566
	Total Personal Services	179.45	5,643,799	0.00	0	0.00	0	0.00	0	179.45	5,643,799
	All Other Fund Requirements		6,799,944		0		0		0		6,799,944
	TOTAL EXPENDITURES	179.45	12,443,743	0.00	0	0.00	0	0.00	0	179.45	12,443,743

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
		FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
ZOO CAPITAL FUND											
Resources											
299000	Fund Balance		4,715,764		535,000		0		535,000		5,250,764
361100	Interest on Investments		282,946		20,000		0		20,000		302,946
365100	Donations & Bequests		925,000		0		0		0		925,000
TOTAL RESOURCES			5,923,710		555,000		0		555,000		6,478,710
Personal Services											
511121	SALARIES-REGULAR EMPLOYEES (full time)										
	Construction Coordinator	1.00	52,061		0		0		0	1.00	52,061
	SALARIES-REGULAR EMPLOYEES (Part Time)										
	Secretary	0.50	9,039		0		0		0	0.50	9,039
512000	FRINGE		17,719		(1,253)		0		(1,253)		16,466
	Service Reimbursement-Workers' Compensation		0		1,253		0		1,253		1,253
Total Personal Services		1.50	78,819	0.00	0	0.00	0	0.00	0	1.50	78,819
Materials & Services											
521100	Office Supplies		468		0		0		0		468
521110	Computer Software		494		0		0		0		494
521320	Dues		104		0		0		0		104
526500	Travel		988		0		0		0		988
526800	Training, Tuition & Conferences		515		0		0		0		515
Total Materials & Services			2,569		0		0		0		2,569

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91	CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION		
	ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	
ZOO CAPITAL FUND (continued)											
Capital Projects											
571500		Purchases-Office Furniture & Equipment		2,184		0		0		0	2,184
ALASKA EXHIBIT											
574190		Other Construction Services		2,600		0		0		0	2,600
MISC. EXHIBIT IMPROVEMENTS											
574120		Architectural Services		15,000		0		0		0	15,000
574130		Engineering Services		4,000		0		0		0	4,000
574520		Const. Work/Materials-Bldgs, Exhibits & Rel.		106,000		0		0		0	106,000
UPDATE MASTER PLAN											
574120		Architectural Services		100,000		0		0		0	100,000
AFRICA RAIN FOREST											
574120		Architectural Services		77,000		0		0		0	77,000
574130		Engineering Services		23,000		0		0		0	23,000
574190		Other Construction Services									
574520		Const. Work/Materials-Bldgs, Exhibits & Rel.	3,065,181		555,000			0	555,000		3,620,181
RESEARCH AND PROPAGATION CENTER											
574120		Architectural Services		8,000		0		0		0	8,000
574130		Engineering Services		2,000		0		0		0	2,000
574520		Const. Work/Materials-Bldgs, Exhibits & Rel.		115,000		0		0		0	115,000
MINI TRAIN/TROLLEY											
574130		Engineering Services		50,000		0		0		0	50,000
574520		Const. Work/Materials-Bldgs, Exhibit & Rel.		200,000		0		0		0	200,000
Total Capital Projects				3,769,965		555,000		0		555,000	4,324,965
Contingency and Unappropriated Balance											
599999		Contingency		166,057		0		0		0	166,057
599990		Unappropriated Balance		1,906,300		0		0		0	1,906,300
Total Contingency and Unappropriated Balance				2,072,357		0		0		0	2,072,357
TOTAL REQUIREMENTS			1.50	5,923,710	0.00	555,000	0.00	0	0.00	555,000	1.50 6,478,710

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91	CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION		
	ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	
SOLID WASTE REVENUE FUND											
Resources											
Fund Balance											
		* Construction Account		11,880,239		0		0		0	11,880,239
		* Reserve Account		2,850,000		0		0		0	2,850,000
341500		Documents & Publications		2,381		0		0		0	2,381
343111		Disposal Fees-Commercial		18,602,773		0		0		0	18,602,773
343115		Disposal Fees-Public		1,356,507		0		0		0	1,356,507
343121		User Fees-Commercial		17,202,285		0		0		0	17,202,285
343125		User Fees-Public		1,295,889		0		0		0	1,295,889
343131		Regional Transfer Charge-Commercial		3,136,994		0		0		0	3,136,994
343135		Regional Transfer Charge-Public		277,167		0		0		0	277,167
343151		Rehabilitation & Enhancement Fee-Commercial		120,382		0		0		0	120,382
343155		Rehabilitation & Enhancement Fee-Public		6,670		0		0		0	6,670
343161		Mitigation Fee-Commercial		126,473		0		0		0	126,473
343165		Mitigation Fee-Public		23,791		0		0		0	23,791
343171		Host Fees-Commercial		133,704		0		0		0	133,704
343175		Host Fees-Public		5,255		0		0		0	5,255
343211		DEQ - Orphan Site Account - Commercial		341,607		0		0		0	341,607
343215		DEQ - Orphan Site Account - Public		35,449		0		0		0	35,449
343221		DEQ - Promotional Program - Commercial		520,326		0		0		0	520,326
343225		DEQ - Promotional Program - Public		46,594		0		0		0	46,594
343180		Special Waste Fee		278,667		0		0		0	278,667
343200		Franchise Fees		1,143		0		0		0	1,143
343300		Salvage Revenue		6,000		0		0		0	6,000
343900		Tarp Sales		762		0		0		0	762
347220		Sublease Income		5,714		0		0		0	5,714
361100		Interest on Investments		3,215,617		0		0		0	3,215,617
363000		Finance Charge		50,000		0		0		0	50,000
375000		Pass Through Debt Service Receipts		0		2,318,085		0		2,318,085	2,318,085
379000		Other Miscellaneous Revenue		8,817		0		0		0	8,817

EXHIBIT A
 ORDINANCE NO. 91-370A
 SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
		FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE REVENUE FUND (continued)											
391251	Trans. Resources from Conv. Ctr. Debt Srv. Fund		4,756	0	0	0	0	0	0		4,756
391530	Trans. Resources from S.W. Oper. Fund		8,500,000	0	0	0	0	0	0		8,500,000
391534	Trans. Resources from S.W. Capital Fund		3,690,000	0	0	0	0	0	0		3,690,000
391535	Trans. Resources from St. Johns Reserve Fund		26,375,520	0	0	0	0	0	0		26,375,520
393768	Trans. Direct Cost from Rehab. & Enhance.		4,483	0	0	0	0	0	0		4,483
Total Resources			100,105,965		2,318,085		0		2,318,085		102,424,050

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91	CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
	ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE REVENUE FUND										
Operating Account										
Personal Services										
511121	SALARIES-REGULAR EMPLOYEES (full time)									
	Dir. of Solid Waste Planning	1.00	75,484	0	0	0	0	0	1.00	75,484
	Budget and Finance Manager	1.00	56,318	0	0	0	0	0	1.00	56,318
	Engineering Manager	1.00	48,646	0	0	0	0	0	1.00	48,646
	Facilities Superintendent	1.00	45,815	0	0	0	0	0	1.00	45,815
	Sr. Engineer	2.00	76,208	0	0	0	0	0	2.00	76,208
	Assoc. Engineer	2.00	65,826	0	0	0	0	0	2.00	65,826
	Sr. Solid Waste Planner	5.00	202,027	0	0	0	0	0	5.00	202,027
	Assoc. Solid Waste Planner	8.00	273,568	0	0	0	0	0	8.00	273,568
	Sr. Management Analyst	4.00	160,573	0	0	0	0	0	4.00	160,573
	Assoc. Management Analyst	1.00	32,913	0	0	0	0	0	1.00	32,913
	Asst. Management Analyst	1.00	34,590	0	0	0	0	0	1.00	34,590
	Assoc. Public Affairs Spec.	1.00	32,913	0	0	0	0	0	1.00	32,913
	Administrative Assistant	1.00	28,434	0	0	0	0	0	1.00	28,434
	Waste Reduction Manager	1.00	46,352	0	0	0	0	0	1.00	46,352
	Site Supervisor	3.00	67,057	0	0	0	0	0	3.00	67,057
	Hazardous Waste Specialist	2.00	34,500	0	0	0	0	0	2.00	34,500
511221	WAGES-REGULAR EMPLOYEES (full time)									
	Administrative Secretary	1.00	23,404	0	0	0	0	0	1.00	23,404
	Secretary	2.00	36,657	0	0	0	0	0	2.00	36,657
	Program Assistant 2	1.00	23,404	0	0	0	0	0	1.00	23,404
	Program Assistant 1	4.00	76,293	0	0	0	0	0	4.00	76,293
	Hazardous Waste Technician	4.00	56,722	0	0	0	0	0	4.00	56,722
	Scalehouse Clerk	15.00	209,115	0	0	0	0	0	15.00	209,115
	Office Assistant	1.00	17,456	0	0	0	0	0	1.00	17,456
511225	WAGES-REGULAR EMPLOYEES (part time)									
	Office Assistant	1.00	16,273	0	0	0	0	0	1.00	16,273
	Scalehouse Clerk	1.75	46,001	0	0	0	0	0	1.75	46,001

EXHIBIT A
 ORDINANCE NO. 91-370A
 SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE REVENUE FUND Operating Account (continued)											
511235	WAGES-TEMPORARY EMPLOYEES (part time)		0		0		0		0		0
	Temporary		2,056		0		0		0		2,056
511400	OVERTIME		23,841		0		0		0		23,841
512000	FRINGE		651,632		(71,166)		0		(71,166)		580,466
	Service Reimbursement-Workers' Compensation		0		71,166		0		71,166		71,166
	Total Personal Services	65.75	2,464,078	0.00	0	0.00	0	0.00	0	65.75	2,464,078
	All Other Operating Account Requirements		33,619,831		0		0		0		33,619,831
	TOTAL EXPENDITURES	65.75	36,083,909	0.00	0	0.00	0	0.00	0	65.75	36,083,909

EXHIBIT A
 ORDINANCE NO. 91-370A
 SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91	CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
	ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE REVENUE FUND										
Construction Account										
Personal Services										

511121	SALARIES-REGULAR EMPLOYEES (full time)									
	Construction Coordinator		1.00	46,399	0	0	0	0	1.00	46,399
512000	FRINGE			14,848	(905)	0	0	(905)		13,943
	Service Reimbursement-Workers' Compensation			0	905	0	0	905		905
Total Personal Services			1.00	61,247	0.00	0	0.00	0	0.00	61,247
Capital Outlay										

METRO EAST										
574130	Engineering Services			50,000	0	0	0	0		50,000
574520	Const. Work/Materials-Bldgs, Exhibits & Rel.			12,300,000	0	0	0	0		12,300,000
Total Capital Outlay				12,350,000	0	0	0	0		12,350,000
Total Requirements			1.00	12,411,247	0.00	0	0.00	0	1.00	12,411,247

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91	CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
	ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE REVENUE FUND										
Master Project Account										
Requirements										
533220	Reidel Compost Facility-Series A (1)		0	1,933,085		0	1,933,085		1,933,085	
533220	Reidel Compost Facility-Series One (2)		0	385,000		0	385,000		385,000	
	Total Requirements		0	2,318,085		0	2,318,085		2,318,085	

(1) The Series A Bonds bear interest at a floating rate. The interest component of the debt service liability has been estimated with an average interest rate of 7 percent. An additional 10 percent of estimated FY 1990-91 interest due has been included to compensate for variances in rates. Metro's obligation to pay debt service on the Series A Bonds is limited to the Loan Repayments received from Riedel (see Solid Waste Revenue Fund Resources, account number 375000 - Pass through Debt Service Receipts). At such time as the Compost Facility begins processing waste, Metro will pay a tip fee per ton which will include an element related to debt service on the Series A Bonds. This tip fee obligation, is budgeted in the Operating Account, Operations Division, line item 526610 - Disposal Operations. Only one month tip fee obligation has been budgeted for FY 90-91.

(2) The Series One Bonds bear interest at a floating rate. The interest component of the debt service liability has been estimated with an average interest rate of 7 percent. An additional 10 percent of estimated FY 1990-91 interest due has been included to compensate for variances in rates. Metro's obligation to pay debt service on the Series One Bonds is limited to the Loan Repayments received from Riedel (see Solid Waste Revenue Fund Resources, account number 375000 - Pass through Debt Service Receipts).

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE REVENUE GENERAL EXPENSES											
Interfund Transfers											
OPERATING ACCOUNT											
581610	Trans. Indirect Costs to Support Svs. Fund		1,475,534		0		0		0		1,475,534
581513	Trans. Indirect Costs to Bldg. Fund		107,408		0		0		0		107,408
581615	Trans. Indirect Costs to Insurance Fund		46,267		0		0		0		46,267
582513	Trans. Resources to Bldg. Fund		25,000		4,744,339		(4,744,339)		0		25,000
582140	Trans. Resources to Transport. Plan. Fund		208,153		0		0		0		208,153
582142	Trans. Resources to Plan. & Developmt Fund		1,092,112		0		0		0		1,092,112
582768	Trans. Resources to Rehab. & Enhance. Fund		133,405		0		0		0		133,405
583610	Trans. Direct Costs to Supp. Svs. Fund		147,474		0		0		0		147,474
583615	Trans. Direct Costs to Insurance Fund		500,000		0		0		0		500,000
Total Interfund Transfers			3,735,353		4,744,339		(4,744,339)		0		3,735,353
Contingency and Unappropriated Balance											
599999	Contingency		2,221,798		0		0		0		2,221,798
599990	Unappropriated Fund Balance		31,671,463		(4,744,339)		4,744,339		0		31,671,463
Total Contingency and Unappropriated Balance			33,893,261		(4,744,339)		4,744,339		0		33,893,261
All Other Fund Requirements			13,982,195		0		0		0		13,982,195
TOTAL REVENUE FUND EXPENDITURES		66.75	100,105,965	0.00	2,318,085	0.00	0	0.00	2,318,085	66.75	102,424,050

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
TRANSPORTATION PLANNING FUND											
Personal Services											
511121	SALARIES-REGULAR EMPLOYEES (full time)										
	Transportation Director	1.00	67,714		0		0		0	1.00	67,714
	Trans. Planning Manager	1.00	53,959		0		0		0	1.00	53,959
	Technical Manager	1.00	55,729		0		0		0	1.00	55,729
	Regional Planning Supervisor	1.00	52,179		0		0		0	1.00	52,179
	Trans. Planning Supervisor	3.00	142,855		0		0		0	3.00	142,855
	Senior Regional Planner	3.00	115,299		0		0		0	3.00	115,299
	Senior Management Analyst	1.00	39,609		0		0		0	1.00	39,609
	Senior Trans. Planner	4.00	145,042		0		0		0	4.00	145,042
	Assoc. Trans. Planner	5.00	155,878		0		0		0	5.00	155,878
	Asst. Trans. Planner	3.00	89,995		0		0		0	3.00	89,995
	Asst. Regional Planner	2.00	54,324		0		0		0	2.00	54,324
	Administrative Assistant	1.00	29,921		0		0		0	1.00	29,921
511221	WAGES-REGULAR EMPLOYEES (full time)		0		0		0		0		0
	Administrative Secretary	1.00	26,520		0		0		0	1.00	26,520
	Secretary	1.00	21,840		0		0		0	1.00	21,840
	Planning Technician	1.00	19,258		0		0		0	1.00	19,258
511225	WAGES-REGULAR EMPLOYEES (part time)		0		0		0		0		0
	Secretary	0.50	10,000		0		0		0	0.50	10,000
511235	WAGES-TEMPORARY EMPLOYEES (part time)		0		0		0		0		0
	Temporary	1.00	16,662		0		0		0	1.00	16,662
512000	FRINGE		340,003		(21,387)		0		(21,387)		318,616
	Service Reimbursement-Workers' Compensation		0		21,387		0		21,387		21,387
Total Personal Services		30.50	1,436,787	0.00	0	0.00	0	0.00	0	30.50	1,436,787
All Other Fund Requirements			3,193,661		0		0		0		3,193,661
TOTAL EXPENDITURES		30.50	4,630,448	0.00	0	0.00	0	0.00	0	30.50	4,630,448

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91 ----- ACCOUNT # DESCRIPTION		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
		FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
PLANNING & DEVELOPMENT FUND RESOURCES											
Resources											
331110	Federal Grants-Operating-Categorical-Direct										
	Natural Areas 3		75,000		0		0		0		75,000
	Natural Areas 4		20,000		0		0		0		20,000
331120	Federal Grants-Operating-Categorical-Indirect										
	Soil Digitization		50,000		0		0		0		50,000
334210	State Grants-Operating-Non-Categorical-Direct										
	Water Quality		40,000		0		0		0		40,000
	DLCD		25,000		0		0		0		25,000
	Nat Areas 3		10,000		0		0		0		10,000
	Nat Areas 4		5,000		0		0		0		5,000
337210	Local Grants-Operating-Non-Categorical-Direct										
	Parks, Natural Areas 3		20,500		0		0		0		20,500
	Soils Digitization		40,000		0		0		0		40,000
339100	Local Government Assessment Dues		240,149		0		0		0		240,149
341310	UGB Fees		1,429		0		0		0		1,429
341500	Documents & Publications		9,524		0		0		0		9,524
341600	Conferences & Workshops		19,048		0		0		0		19,048
365100	Donations and Bequests		12,500		0		0		0		12,500
391010	Trans. Resources from Gen'l Fund		695,423		0		0		0		695,423
391531	Trans. Resources from S.W. Rev. Fund		1,092,112		0		0		0		1,092,112
392140	Trans. Resources from Transportation Fund		111,582		0		0		0		111,582
	Trans. Direct Costs from Lakes Trust Fund		0		3,556		0		3,556		3,556
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	Total Resources		2,467,267		3,556		0		3,556		2,470,823

EXHIBIT A
ORDINANCE NO. 91-370A
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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
PLANNING & DEVELOPMENT FUND											
Personal Services											
511121	SALARIES-REGULAR EMPLOYEES (full time)										
	Director of Planning & Develop	1.00	62,220		0		0		0	1.00	62,220
	Regional Planning Supervisor	2.00	91,511		0		0		0	2.00	91,511
	Assoc. Solid Waste Planner	2.00	67,635		0		0		0	2.00	67,635
	Senior Regional Planner	4.00	160,067		0		0		0	4.00	160,067
	Senior Management Analyst	4.00	147,527		0		0		0	4.00	147,527
	Assoc. Regional Planner	0.50	17,194		0		0		0	0.50	17,194
	Assoc. Management Analyst	1.00	34,662		0		0		0	1.00	34,662
	Administrative Assistant	1.00	28,501		0		0		0	1.00	28,501
511221	WAGES-REGULAR EMPLOYEES (full time)										
	Administrative Secretary	1.00	23,459		0		0		0	1.00	23,459
	Secretary	1.00	17,495		0		0		0	1.00	17,495
511235	WAGES-TEMPORARY EMPLOYEES (part time)										
	Temporary Administrative Help	0.50	8,200		0		0		0	0.50	8,200
512000	FRINGE	0.00	204,468		(12,515)		0		(12,515)	0.00	191,953
	Service Reimbursement-Workers' Compensation	0.00	0		12,515		0		12,515	0.00	12,515
Total Personal Services		18.00	862,939	0.00	0	0.00	0	0.00	0	18.00	862,939
Materials & Services											
521100	Office Supplies		10,650		0		0		0		10,650
521110	Computer Software		7,955		0		0		0		7,955
521240	Graphics/Reprographic Supplies		7,500		0		0		0		7,500
521260	Printing Supplies		5,175		0		0		0		5,175
521290	Promotion Supplies		300		0		0		0		300
521310	Subscriptions		4,695		0		0		0		4,695
521320	Dues		3,325		0		0		0		3,325
524190	Misc. Professional Services		874,159		0		0		0		874,159
525640	Maint. & Repairs Services-Equipment		7,550		0		0		0		7,550
525710	Equipment Rental		750		0		0		0		750

EXHIBIT A
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FISCAL YEAR 1990-91 ACCOUNT # DESCRIPTION		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
		FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
PLANNING & DEVELOPMENT FUND (continued)											
526200	Ads & Legal Notices		4,500	0	0	0	0	0	0		4,500
526310	Printing Services		45,000	0	0	0	0	0	0		45,000
526320	Typesetting & Reprographics Services		9,000	0	0	0	0	0	0		9,000
526410	Telephone		6,310	0	0	0	0	0	0		6,310
526420	Postage		15,000	0	0	0	0	0	0		15,000
526440	Delivery Service		3,000	0	0	0	0	0	0		3,000
526500	Travel		23,400	0	0	0	0	0	0		23,400
526700	Temporary Help Services		2,500	0	0	0	0	0	0		2,500
526800	Training, Tuition, Conferences		20,000	0	0	0	0	0	0		20,000
529500	Meetings		13,300	0	0	0	0	0	0		13,300
	Total Materials & Services		1,064,069	0	0	0	0	0	0		1,064,069
Capital Outlay											
571400	Purchases-Equipment & Vehicles		17,050	0	0	0	0	0	0		17,050
571500	Purchases-Office Furniture & Equipment		5,600	0	0	0	0	0	0		5,600
	Total Capital Outlay		22,650	0	0	0	0	0	0		22,650
Interfund Transfers											
581010	Trans. Indirect Costs to Gen'l Fund		298,485	0	0	0	0	0	0		298,485
581513	Trans. Indirect Costs to Bldg. Fund		41,946	0	0	0	0	0	0		41,946
581615	Trans. Indirect Costs to Insurance Fund		5,897	0	0	0	0	0	0		5,897
	Total Interfund Transfers		346,328	0	0	0	0	0	0		346,328

EXHIBIT A
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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
PLANNING & DEVELOPMENT FUND (continued)											
Contingency and Unappropriated Balance											
599999	Contingency		171,281		3,556		0		3,556		174,837
	Total Contingency and Unappropriated Balance		171,281		3,556		0		3,556		174,837
	TOTAL EXPENDITURES	18.00	2,467,267	0.00	3,556	0.00	0	0.00	3,556	18.00	2,470,823

EXHIBIT A
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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SMITH AND BYBEE LAKES TRUST FUND											
Resources											
339200	Contract Services (Intergovernmental Agreement)		0		1,908,070		0		1,908,070		1,908,070
361100	Interest on Investments		0		30,000		0		30,000		30,000
Total Resources			0		1,938,070		0		1,938,070		1,938,070
Personal Services											
511121	SALARIES-REGULAR EMPLOYEE (full time)										
	Senior Regional Planner		0	0.50	16,495		0	0.50	16,495	0.50	16,495
512000	FRINGE		0		4,638		0		4,638		4,638
	Service Reimbursement-Workers' Compensation		0		311		0		311		311
Total Personal Services		0.00	0	0.50	21,444	0.00	0	0.50	21,444	0.50	21,444
Materials & Services											
521100	Office Supplies		0		1,200		0		1,200		1,200
521110	Computer Software		0		1,000		0		1,000		1,000
524190	Misc. Professional Services		0		100,000		0		100,000		100,000
Total Materials & Services			0		102,200		0		102,200		102,200
Capital Outlay											
571100	Purchases - Land		0		500,000		0		500,000		500,000
571500	Purchases-Office Furniture & Equipment		0		1,500		0		1,500		1,500
Total Capital Outlay			0		501,500		0		501,500		501,500

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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SMITH AND BYBEE LAKES TRUST FUND (continued)											
Interfund Transfer											
583142	Trans. Direct Costs to Plan. & Devel. Fund		0		3,556		0		3,556		3,556
Total Interfund Transfers			0		3,556		0		3,556		3,556
Contingency and Unappropriated Balance											
599999	Contingency		0		100,000		0		100,000		100,000
599990	Unappropriated Balance		0		1,209,370		0		1,209,370		1,209,370
Total Contingency & Unapp. Balance			0		1,309,370		0		1,309,370		1,309,370
TOTAL EXPENDITURES		0.00	0	0.50	1,938,070	0.00	0	0.50	1,938,070	0.50	1,938,070

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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
CONVENTION CENTER PROJECT MANAGEMENT FUND											
Personal Services											
51121	SALARIES-REGULAR EMPLOYEES (full time)										
	Project Manager	0.30	17,555							0.30	17,555
	Senior Management Analyst	0.30	11,501							0.30	11,501
	Assistant Management Analyst	0.20	6,138							0.20	6,138
511221	WAGES-REGULAR EMPLOYEES (full time)										
	Administrative Secretary	0.20	5,744							0.20	5,744
512000	FRINGE		12,281		(798)				(798)		11,483
	Service Reimbursement-Workers' Compensation		0		798				798		798
Total Personal Services		1.00	53,219	0.00	0	0.00	0	0.00	0	1.00	53,219
ALL OTHER FUND REQUIREMENTS			273,304		0		0		0		273,304
TOTAL EXPENDITURES		1.00	326,523	0.00	0	0.00	0	0.00	0	1.00	326,523

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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
CONVENTION CENTER PROJECT CAPITAL FUND											
Personal Services											
511121	SALARIES-REGULAR EMPLOYEES (full time)										
	Construction Coordinator	0.25	13,639							0.25	13,639
	Project Manager	0.40	27,406							0.40	27,406
	Senior Management Analyst	0.90	37,502							0.90	37,502
	Assistant Management Analyst	0.40	13,776							0.40	13,776
511221	WAGES-REGULAR EMPLOYEES (full time)										
	Administrative Secretary	0.40	12,488							0.40	12,488
511235	WAGES-TEMPORARY EMPLOYEES (part time)										
	Temporary Professional Support	0.25	5,788							0.25	5,788
512000	FRINGES		34,530		(1,952)				(1,952)		32,578
	Service Reimbursement-Workers' Compensation		0		1,952				1,952		1,952
	Total Personal Services	2.60	145,129	0.00	0	0.00	0	0.00	0	2.60	145,129
	ALL OTHER FUND REQUIREMENTS		13,533,623		0		0		0		13,533,623
	TOTAL EXPENDITURES	2.60	13,678,752	0.00	0	0.00	0	0.00	0	2.60	13,678,752

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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
METRO ERC MANAGEMENT POOL FUND											
Personal Services											
511121	SALARIES-REGULAR EMPLOYEES (full time)										
	General Manager	1.00	80,000		0		0		0	1.00	80,000
	Assistant General Manager	1.00	67,600		0		0		0	1.00	67,600
	Convention Center Manager	1.00	65,000		0		0		0	1.00	65,000
	Assistant General Manager, Operation	1.00	56,247		0		0		0	1.00	56,247
	Special Services Director	1.00	44,520		0		0		0	1.00	44,520
	Admissions Director	1.00	40,413		0		0		0	1.00	40,413
	Controller	1.00	38,528		0		0		0	1.00	38,528
	Manager, Technical Services	1.00	34,933		0		0		0	1.00	34,933
	Systems Administrator	1.00	33,540		0		0		0	1.00	33,540
	Administrative Assistant	1.00	33,220		0		0		0	1.00	33,220
	R&D/Special Project	1.00	31,678		0		0		0	1.00	31,678
	Graphics Coordinator	1.00	24,785		0		0		0	1.00	24,785
511131	SALARIES-TEMPORARY EMPLOYEES (full time)										
	Purchasing/Contracts Coordinator	0.50	15,839		0		0		0	0.50	15,839
512000	FRINGE		198,206		(8,988)		0		(8,988)		189,218
	Service Reimbursement-Workers' Compensation		0		8,988		0		8,988		8,988
Total Personal Services		12.50	764,509	0.00	0	0.00	0	0.00	0	12.50	764,509
Materials & Services											
524190	Misc. Professional Services		132,216		0		0		0		132,216
526500	Travel		20,000		0		0		0		20,000
Total Materials & Services			152,216		0		0		0		152,216

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FISCAL YEAR 1990-91	CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
	ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
OREGON CONVENTION CENTER OPERATING FUND RESOURCES										
Resources										
OREGON CONVENTION CENTER OPERATIONS										
299000	Fund Balance		1,802,961		0		0		0	1,802,961
338100	Hotel/Motel Tax		2,900,000		0		0		0	2,900,000
347100	Admissions/Ticket Sales		0		75,750		0		75,750	75,750
347220	Rentals-Building		648,084		474,421		0		474,421	1,122,505
347230	Rentals-Equipment		50,773		0		0		0	50,773
347311	Food Service-Concessions/Food		1,071,375		209,325		0		209,325	1,280,700
347500	Merchandising		0		11,604		0		11,604	11,604
347600	Utility Services		307,619		15,296		0		15,296	322,915
347900	Miscellaneous Revenue		0		14,500		0		14,500	14,500
361100	Interest on Investments		142,300		0		0		0	142,300
365110	Event Sponsorship		0		183,458		0		183,458	183,458
372100	Reimbursements - Labor		182,851		0		0		0	182,851
374000	Parking		383,326		0		0		0	383,326
Total Resources			7,489,289		984,354		0		984,354	8,473,643

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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
METRO ERC MANAGEMENT POOL FUND (continued)											
Contingency and Unappropriated Balance											
599999	Contingency		95,000		0		0		0		95,000
	Total Contingency and Unappropriated Balance		95,000		0		0		0		95,000
	TOTAL EXPENDITURES	12.50	1,011,725	0.00	0	0.00	0	0.00	0	12.50	1,011,725

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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
OREGON CONVENTION CENTER OPERATING FUND											
Personal Services											
51121	SALARIES-REGULAR EMPLOYEES (full time)										
	Marketing Manager/Director of Sales and Ma	1.00	36,643		0		0		0	1.00	36,643
	Sales Associate	1.00	28,682		0		0		0	1.00	28,682
	Event Coordinator	2.00	43,562		0		0		0	2.00	43,562
	Event Manager	1.00	34,932		0		0		0	1.00	34,932
	Chief Engineer	1.00	36,643		0		0		0	1.00	36,643
	Electrician	1.00	33,220		0		0		0	1.00	33,220
	Operating Engineer	2.75	71,580		0		0		0	2.75	71,580
	Set-up Superintendent	0.92	25,126		0		0		0	0.92	25,126
	Utility Technician	2.00	54,622		0		0		0	2.00	54,622
51122	WAGES-REGULAR EMPLOYEES (full time)										
	Secretary	2.00	39,090		0		0		0	2.00	39,090
	Bookkeeper	1.00	23,631		0		0		0	1.00	23,631
	Clerical/Receptionist	3.33	57,036		0		0		0	3.33	57,036
	Lead Engineer/Mechanic	0.92	30,562		0		0		0	0.92	30,562
	Maintenance/Utility Lead	16.50	350,064		0		0		0	16.50	350,064
	Security Watch staff	5.83	91,222		0		0		0	5.83	91,222
	Sound/Audio Visual Technician	1.00	24,784		0		0		0	1.00	24,784
	Supervisor	1.83	45,355		0		0		0	1.83	45,355
	Telephone System Coordinator	0.92	25,126		0		0		0	0.92	25,126
	Utility Maintenance	1.83	47,633		0		0		0	1.83	47,633
	Utility-Grounds	2.75	54,225		0		0		0	2.75	54,225
511235	WAGES-TEMPORARY EMPLOYEES (part time)										
	Secretary/Receptionist	1.50	26,945		0		0		0	1.50	26,945
	Operations Workers	5.00	72,800	0.71	10,406		0	0.71	10,406	5.71	83,206
	Facility Security	1.50	27,249		0		0		0	1.50	27,249
	Data Entry Clerk	1.00	16,388		0		0		0	1.00	16,388
	Box Office Supervisor	0.41	10,156		0		0		0	0.41	10,156
	Ticket Sellers	1.64	25,560		0		0		0	1.64	25,560
	Head Gate Attendant	0.41	8,307		0		0		0	0.41	8,307

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FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
OREGON CONVENTION CENTER OPERATING FUND (continued)											
	Gate Attendant	2.25	35,145	0.55	8,654		0	0.55	8,654	2.80	43,799
	Uniformed Security Supervisor	0.82	17,892		0		0		0	0.82	17,892
	Uniformed Agent	2.46	44,065	0.68	12,098		0	0.68	12,098	3.14	56,163
	Medical Specialist	0.56	12,138		0		0		0	0.56	12,138
512000	FRINGE		468,137		(13,439)		0		(13,439)		454,698
	Service Reimbursement-Workers' Compensation		0		21,229		0		21,229		21,229
	Total Personal Services	68.13	1,918,520	1.94	38,948	0.00	0	1.94	38,948	70.07	1,957,468
	Materials & Services										
521100	Office Supplies		6,000		0		0		0		6,000
521290	Other Supplies		70,500		0		0		0		70,500
521292	Small Tools		4,000		0		0		0		4,000
521310	Subscriptions		215		0		0		0		215
521320	Dues		4,770		0		0		0		4,770
524120	Legal Fees		3,000		0		0		0		3,000
524130	Promotion/Public Relations		74,288		0		0		0		74,288
524190	Misc. Professional Services		1,403,415		740,113		0		740,113		2,143,528
525110	Utilities-Electricity		266,200		0		0		0		266,200
525120	Utilities-Water and Sewer		30,300		0		0		0		30,300
525130	Utilities-Natural Gas		92,000		0		0		0		92,000
525190	Utilities-Other		11,500		0		0		0		11,500
525610	Maintenance & Repair Services-Building		61,000		0		0		0		61,000
525640	Maintenance & Repair Services-Equipment		20,000		0		0		0		20,000
525710	Equipment Rental		20,000		0		0		0		20,000
525720	Building Rental		7,500		0		0		0		7,500
526200	Ads & Legal Notices		15,820		0		0		0		15,820
526310	Printing Services		55,000		0		0		0		55,000
526320	Typesetting and Reprographics		5,800		0		0		0		5,800
526410	Telephone		71,200		0		0		0		71,200
526420	Postage		16,360		0		0		0		16,360
526440	Delivery Service		360		0		0		0		360
526500	Travel		19,195		0		0		0		19,195

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91 ACCOUNT # DESCRIPTION	CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
OREGON CONVENTION CENTER OPERATING FUND (continued)										
526690	Concession/Catering Contract	906,065		183,323		0		183,323		1,089,388
526691	Parking Contract	40,841		0		0		0		40,841
526800	Training, Tuition, Conferences	8,869		0		0		0		8,869
526910	Uniforms and Cleaning	20,500		0		0		0		20,500
529500	Meetings	4,500		0		0		0		4,500
529800	Miscellaneous	7,000		0		0		0		7,000
529835	External Promotion Expenses	12,600		0		0		0		12,600
531100	Capital Lease Payments-Office Equipment	9,275		0		0		0		9,275
	Total Materials & Services	3,268,073		923,436		0		923,436		4,191,509
	Capital Outlay									
571400	Purchases - Equipment and Vehicles	55,000		0		0		0		55,000
571500	Purchases - Office Furniture and Equipment	123,000		0		0		0		123,000
574520	Construction Work/ Building	22,000		0		0		0		22,000
	Total Capital Outlay	200,000		0		0		0		200,000
	Interfund Transfers									
581610	Trans. Indirect Costs to Support Svs. Fund	193,633		0		0		0		193,633
581615	Trans. Indirect Cost to Insur. Fund	71,154		0		0		0		71,154
582751	Trans. Resources to MERC Management Pool	373,695		0		0		0		373,695
583610	Trans. Direct Costs to Support Svs. Fund	30,590		0		0		0		30,590
	Total Interfund Transfers	669,072		0		0		0		669,072

**EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)**

FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
OREGON CONVENTION CENTER OPERATING FUND (continued)											
Contingency and Unappropriated Balance											
599999	Contingency		300,000		0		0		0		300,000
599990	Unappropriated Balance		1,133,624		21,970		0		21,970		1,155,594
Total Contingency and Unappropriated Balance			1,433,624		21,970		0		21,970		1,455,594
TOTAL EXPENDITURES		68.13	7,489,289	1.94	984,354	0.00	0	1.94	984,354	70.07	8,473,643

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES FUND REVENUE											
Resources											
COLISEUM											
299000	Beginning Balance		2,615,000		0		0		0		2,615,000
347110	Users' Fee		950,000		0		0		0		950,000
347220	Rentals-Building		1,500,000		0		0		0		1,500,000
347311	Food Service-Concessions/Food		4,663,375		0		0		0		4,663,375
347500	Merchandising		400,000		0		0		0		400,000
347600	Electrical Contract		55,000		0		0		0		55,000
347700	Commissions		140,000		0		0		0		140,000
347900	Miscellaneous Revenue		150,000		0		0		0		150,000
361100	Interest		350,000		0		0		0		350,000
372100	Reimbursements - Labor		596,742		0		0		0		596,742
374000	Parking		1,676,338		0		0		0		1,676,338
CIVIC STADIUM											
347110	Users' Fee		157,400		0		0		0		157,400
347220	Rentals-Building		175,000		0		0		0		175,000
347311	Food Service-Concessions/Food		1,127,225		0		0		0		1,127,225
347500	Merchandising		40,000		0		0		0		40,000
347700	Commissions		13,000		0		0		0		13,000
347900	Miscellaneous Revenue		20,000		0		0		0		20,000
372100	Reimbursements - Labor		110,800		0		0		0		110,800
PERFORMING ARTS CENTER											
347110	Users' Fee		740,000		0		0		0		740,000
347220	Rentals-Building		975,000		0		0		0		975,000
347311	Food Service-Concessions/Food		165,000		0		0		0		165,000
347500	Merchandising		75,000		0		0		0		75,000
347700	Commissions		495,000		0		0		0		495,000
347900	Miscellaneous Revenue		143,450		0		0		0		143,450
361100	Interest		40,000		0		0		0		40,000
372100	Reimbursements - Labor		991,935		270,756		270,756		270,756		1,262,691
Total Resources			18,365,265		270,756		270,756		270,756		18,636,021

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES OPERATING FUND											
Memorial Coliseum											
Personal Services											
511121	SALARIES-REGULAR EMPLOYEES (full time)										
	Coliseum/Stadium Manager	0.75	42,750	0	0	0	0	0	0.75	42,750	
	Accountant	1.00	34,932	0	0	0	0	0	1.00	34,932	
	Assistant Accountant	1.00	26,029	0	0	0	0	0	1.00	26,029	
	Assistant Director of Security	1.00	33,220	0	0	0	0	0	1.00	33,220	
	Admissions Assistant Director	1.00	33,280	0	0	0	0	0	1.00	33,280	
	Admissions Supervisor	1.00	48,423	0	0	0	0	0	1.00	48,423	
	Event Manager	1.00	38,528	0	0	0	0	0	1.00	38,528	
	Customer Services Representative	3.00	74,444	0	0	0	0	0	3.00	74,444	
	Sales Manager	1.00	42,465	0	0	0	0	0	1.00	42,465	
	Promotions Coordinator	1.00	30,137	0	0	0	0	0	1.00	30,137	
	Group Sales Coordinator	1.00	21,574	0	0	0	0	0	1.00	21,574	
	Sales Associate	1.00	26,029	0	0	0	0	0	1.00	26,029	
	Lead Engineer	1.00	33,220	0	0	0	0	0	1.00	33,220	
	Operations Engineer	4.00	126,548	0	0	0	0	0	4.00	126,548	
	Maintenance Section Superintendent	1.00	40,413	0	0	0	0	0	1.00	40,413	
	Set-Up Supervisor	2.00	55,993	0	0	0	0	0	2.00	55,993	
511221	WAGES-REGULAR EMPLOYEES (full time)										
	Bookkeeper II	1.00	22,561	0	0	0	0	0	1.00	22,561	
	Bookkeeper I	1.00	19,682	0	0	0	0	0	1.00	19,682	
	Accounting Clerk	1.00	18,052	0	0	0	0	0	1.00	18,052	
	Office Assistant	1.00	20,585	0	0	0	0	0	1.00	20,585	
	Switchboard/Receptionist	1.00	20,585	0	0	0	0	0	1.00	20,585	
	Data Entry Clerk	1.00	17,963	0	0	0	0	0	1.00	17,963	
	Marketing Staff Assistant	1.00	17,963	0	0	0	0	0	1.00	17,963	
	Security Watchman	2.00	37,548	0	0	0	0	0	2.00	37,548	
	Security Secretary	1.00	20,585	0	0	0	0	0	1.00	20,585	
	Marketing Secretary	1.00	20,585	0	0	0	0	0	1.00	20,585	
	Utility/Grounds	1.00	22,318	0	0	0	0	0	1.00	22,318	
	Utility Lead	15.00	346,948	0	0	0	0	0	15.00	346,948	

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES OPERATING FUND Memorial Coliseum (continued)											
	Utility Maintenance	3.00	67,372		0		0		0	3.00	67,372
	Set Up Staff Assistant	1.00	23,631		0		0		0	1.00	23,631
511225	WAGES-REGULAR EMPLOYEES (part time)	55.45	1,043,798		0		0		0	55.45	1,043,798
511400	OVERTIME		45,132		0		0		0		45,132
	PREMIUM PAY		8,519		0		0		0		8,519
512000	FRINGE		814,036		(36,916)		(36,916)		(36,916)		777,120
	Service Reimbursement-Workers' Compensation		0		36,916		36,916		36,916		36,916
	Total Personal Services	108.20	3,295,848	0.00	0	0.00	0	0.00	0	108.20	3,295,848
	All Other Memorial Coliseum Requirements		5,545,526		0		0		0		5,545,526
	TOTAL EXPENDITURES	108.20	8,841,374	0.00	0	0.00	0	0.00	0	108.20	8,841,374

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES OPERATING FUND											
Civic Stadium											
Personal Services											

511121	SALARIES-REGULAR EMPLOYEES (full time)										
	Coliseum/Stadium Manager	0.25	14,250		0		0		0	0.25	14,250
	Set-up Supervisor	1.00	30,137		0		0		0	1.00	30,137
	Admissions Supervisor	2.00	46,538		0		0		0	2.00	46,538
511221	WAGES-REGULAR EMPLOYEES (full time)										
	Utility Lead	2.00	46,800		0		0		0	2.00	46,800
	Assistant Set-up Supervisor	1.00	28,682		0		0		0	1.00	28,682
	Security Watch Staff	1.00	18,782		0		0		0	1.00	18,782
511225	WAGES-REGULAR EMPLOYEES (part time)	12.36	204,303		0		0		0	12.36	204,303
511400	OVERTIME		7,506		0		0		0		7,506
	PREMIUM PAY		307		0		0		0		307
512000	FRINGE		119,640		(5,426)		(5,426)		(5,426)		114,214
	Service Reimbursement-Workers' Compensation		0		5,426		5,426		5,426		5,426
Total Personal Services		19.61	516,945	0.00	0	0.00	0	0.00	0	19.61	516,945
All Other Civic Stadium Requirements			1,171,896		0		0		0		1,171,896
TOTAL EXPENDITURES		19.61	1,688,841	0.00	0	0.00	0	0.00	0	19.61	1,688,841

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES OPERATING FUND											
Performing Arts Center											
Personal Services											

511121	SALARIES-REGULAR EMPLOYEES (full time)										
	PAC Manager	1.00	54,881		0		0		0	1.00	54,881
	Program Development Manager	1.00	39,478		0		0		0	1.00	39,478
	Booking coordinator	1.00	26,029		0		0		0	1.00	26,029
	PAC Events Director	1.00	36,650		0		0		0	1.00	36,650
	Operations Engineer	1.00	31,637		0		0		0	1.00	31,637
	Stage/Operations Coordinator	1.00	33,220		0		0		0	1.00	33,220
	Building Maintenance Supervisor	1.00	30,137		0		0		0	1.00	30,137
	Box Office Manager	1.00	27,311		0		0		0	1.00	27,311
	Box Office Supervisor	4.00	92,382		0		0		0	4.00	92,382
	Customer Service Representative	2.00	44,135		0		0		0	2.00	44,135
511221	WAGES-REGULAR EMPLOYEES (full time)										
	Utility Lead	4.00	87,922		0		0		0	4.00	87,922
	Switchboard/Receptionist	1.00	18,774		0		0		0	1.00	18,774
	Administrative Secretary	1.00	20,585		0		0		0	1.00	20,585
	Secretary	1.00	18,774		0		0		0	1.00	18,774
	Data Entry	1.00	17,963		0		0		0	1.00	17,963
	Staff Assistant	1.00	22,561		0		0		0	1.00	22,561
	Security Watchman	3.00	53,030		0		0		0	3.00	53,030
511235	WAGES-TEMPORARY EMPLOYEES (part time)	75.61	1,449,842		225,630		225,630		225,630	75.61	1,675,472
511400	OVERTIME		23,092		0		0		0		23,092
	PREMIUM PAY		1,200		0		0		0		1,200
512000	FRINGE		572,156		17,133		17,133		17,133		589,289
	Service Reimbursement-Workers' Compensation		0		27,993		27,993		27,993		27,993
Total Personal Services		101.61	2,701,759	0.00	270,756	0.00	270,756	0.00	270,756	101.61	2,972,515
Materials & Services											

521100	Office Supplies		16,000		0		0		0		16,000
521290	Other Supplies		62,718		0		0		0		62,718

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91		CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES OPERATING FUND											
Performing Arts Center (continued)											
521292	Small Tools		1,600		0		0		0		1,600
524130	Promotion/Public Relation Services		60,400		0		0		0		60,400
524190	Misc. Professional Services		4,340		0		0		0		4,340
525110	Utilities-Electricity		198,000		0		0		0		198,000
525120	Utilities-Water and Sewer		16,486		0		0		0		16,486
525130	Utilities-Natural Gas		54,251		0		0		0		54,251
525190	Utilities-Other		12,038		0		0		0		12,038
525610	Maintenance & Repair Services-Building		81,775		0		0		0		81,775
525710	Equipment Rental		16,612		0		0		0		16,612
525720	Building Rental		94,200		0		0		0		94,200
526310	Printing Services		118,750		0		0		0		118,750
526410	Telephone		59,060		0		0		0		59,060
526420	Postage		11,200		0		0		0		11,200
526500	Travel		7,000		0		0		0		7,000
526700	Temporary Help Services		13,300		0		0		0		13,300
526800	Training, Tuition, Conferences		2,300		0		0		0		2,300
526910	Uniforms and Cleaning		17,118		0		0		0		17,118
528100	License, Permits, Payments to Other Agencies		18,887		0		0		0		18,887
529800	Miscellaneous		83,025		0		0		0		83,025
529835	External Promotion Expenses		125,000		0		0		0		125,000
	Total Materials & Services		1,074,060		0		0		0		1,074,060
	Capital Outlay										
571400	Purchases - Equipment and Vehicles		17,975		0		0		0		17,975
571500	Purchases - Office Furniture and Equipment		6,300		0		0		0		6,300
574520	Construction Work/Materials - Buildings, Exhibits		288,300		0		0		0		288,300
	Total Capital Outlay		312,575		0		0		0		312,575
	TOTAL EXPENDITURES	101.61	4,088,394	0.00	270,756	0.00	270,756	0.00	270,756	101.61	4,359,150

EXHIBIT A
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)

FISCAL YEAR 1990-91	CURRENT ADOPTED BUDGET		PROPOSED REVISION		RECOMMENDED REVISIONS		TOTAL REVISIONS		RECOMMENDED FOR ADOPTION	
	ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES OPERATING FUND										
General Expenses										
Interfund Transfers										
581610	Trans. Indirect Costs to Support Svs. Fund		312,466		0		0		0	312,466
581615	Trans. Indirect Cost to Insur. Fund		114,822		0		0		0	114,822
582751	Transfer Resources to Metro ERC Management Pool		603,030		0		0		0	603,030
583610	Transfer Direct Costs to Support Svs. Fund		45,885		0		0		0	45,885
	Total Interfund Transfers		1,076,203		0		0		0	1,076,203
Contingency and Unappropriated Balance										
599999	Contingency		665,000		0		0		0	665,000
599990	Unappropriated Balance		2,005,453		0		0		0	2,005,453
	Total Contingency and Unappropriated Balance		2,670,453		0		0		0	2,670,453
	TOTAL SPECTATOR FACILITIES REQUIREMENTS	229.42	18,365,265	0.00	270,756	0.00	270,756	0.00	270,756	229.42 18,636,021

EXHIBIT B
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)
SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	PROPOSED REVISION	RECOMMENDED REVISION	TOTAL REVISION	RECOMMENDED APPROPRIATION
GENERAL FUND					
Council					
Personal Services	373,323	0	0	0	373,323
Materials & Services	308,570	0	0	0	308,570
Capital Outlay	3,800	0	0	0	3,800
Subtotal	685,693	0	0	0	685,693
Executive Management					
Personal Services	441,987	0	0	0	441,987
Materials & Services	172,816	0	0	0	172,816
Capital Outlay	4,400	0	0	0	4,400
Subtotal	619,203	0	0	0	619,203
General Expense					
Interfund Transfers	1,863,737	0	0	0	1,863,737
Contingency	100,000	0	0	0	100,000
Subtotal	1,963,737	0	0	0	1,963,737
Unappropriated Balance	65,000	0	0	0	65,000
Total General Fund Requirements	3,333,633	0	0	0	3,333,633
SUPPORT SERVICES FUND					
Finance & Administration					
Personal Services	1,569,883	0	0	0	1,569,883
Materials & Services	940,004	0	0	0	940,004
Capital Outlay	59,511	0	0	0	59,511
Subtotal	2,569,398	0	0	0	2,569,398

EXHIBIT B
 ORDINANCE NO. 91-370A
 SUPPLEMENTAL BUDGET (Revised 2/27/91)
 SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	PROPOSED REVISION	RECOMMENDED REVISION	TOTAL REVISION	RECOMMENDED APPROPRIATION

SUPPORT SERVICE FUND (continued)					
Personnel					
Personal Services	347,427	0	0	0	347,427
Materials & Services	31,445	0	0	0	31,445
Capital Outlay	8,036	0	0	0	8,036
Subtotal	386,908	0	0	0	386,908
Office of General Counsel					
Personal Services	296,913	0	0	0	296,913
Materials & Services	18,120	0	0	0	18,120
Capital Outlay	8,500	0	0	0	8,500
Subtotal	323,533	0	0	0	323,533
Public Affairs					
Personal Services	547,839	0	0	0	547,839
Materials & Services	98,661	0	0	0	98,661
Capital Outlay	12,768	0	0	0	12,768
Subtotal	659,268	0	0	0	659,268
General Expense					
Interfund Transfers	275,899	0	0	0	275,899
Contingency	132,116	0	0	0	132,116
Subtotal	408,015	0	0	0	408,015
Unappropriated Balance	30,000	0	0	0	30,000
Total Support Services Fund Requirements	4,377,122	0	0	0	4,377,122

EXHIBIT B
 ORDINANCE NO. 91-370A
 SUPPLEMENTAL BUDGET (Revised 2/27/91)
 SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	PROPOSED REVISION	RECOMMENDED REVISION	TOTAL REVISION	RECOMMENDED APPROPRIATION
BUILDING MANAGEMENT FUND					
Metro Center Account					
Personal Services	83,279	0	0	0	83,279
Materials & Services	538,420	0	0	0	538,420
Capital Outlay	110,000	0	0	0	110,000
Subtotal	731,699	0	0	0	731,699
Sears Facility Account					
Personal Services	0	79,031	(16,065)	62,966	62,966
Materials & Services	0	527,000	0	527,000	527,000
Capital Outlay	0	9,592,500	(4,362,500)	5,230,000	5,230,000
Subtotal	0	10,198,531	(4,378,565)	5,819,966	5,819,966
General Expenses					
Contingency	50,000	500,000	4,378,565	4,878,565	4,928,565
Unappropriated Balance	25,000	2,321,157	0	2,321,157	2,346,157
Subtotal	75,000	2,821,157	4,378,565	7,199,722	7,274,722
Total Building Management Fund Requirements	806,699	13,019,688	0	13,019,688	13,826,387
INSURANCE FUND					
Materials & Services	453,600	374,930	0	374,930	828,530
Contingency	529,769	0	0	0	529,769
Unappropriated Balance	3,206,421	0	0	0	3,206,421
Total Insurance Fund Requirements	4,189,790	374,930	0	374,930	4,564,720

EXHIBIT B
 ORDINANCE NO. 91-370A
 SUPPLEMENTAL BUDGET (Revised 2/27/91)
 SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	PROPOSED REVISION	RECOMMENDED REVISION	TOTAL REVISION	RECOMMENDED APPROPRIATION
ZOO OPERATING FUND					
Administration					
Personal Services	614,906	0	0	0	614,906
Materials & Services	314,718	0	0	0	314,718
Capital Outlay	7,679	0	0	0	7,679
Subtotal	937,303	0	0	0	937,303
Animal Management					
Personal Services	1,691,662	0	0	0	1,691,662
Materials & Services	343,187	0	0	0	343,187
Capital Outlay	14,500	0	0	0	14,500
Subtotal	2,049,349	0	0	0	2,049,349
Facilities Management					
Personal Services	1,419,748	0	0	0	1,419,748
Materials & Services	1,355,570	0	0	0	1,355,570
Capital Outlay	453,846	0	0	0	453,846
Subtotal	3,229,164	0	0	0	3,229,164
Education					
Personal Services	610,453	0	0	0	610,453
Materials & Services	297,859	0	0	0	297,859
Capital Outlay	39,050	0	0	0	39,050
Subtotal	947,362	0	0	0	947,362
Marketing					
Personal Services	165,773	0	0	0	165,773
Materials & Services	315,887	0	0	0	315,887
Capital Outlay	5,950	0	0	0	5,950
Subtotal	487,610	0	0	0	487,610

EXHIBIT B
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)
SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	PROPOSED REVISION	RECOMMENDED REVISION	TOTAL REVISION	RECOMMENDED APPROPRIATION
ZOO OPERATING FUND (continued)					
Visitor Services					
Personal Services	1,141,257	0	0	0	1,141,257
Materials & Services	1,118,888	0	0	0	1,118,888
Capital Outlay	64,051	0	0	0	64,051
Subtotal	2,324,196	0	0	0	2,324,196
General Expenses					
Interfund Transfers	783,999	0	0	0	783,999
Contingency	496,264	0	0	0	496,264
Subtotal	1,280,263	0	0	0	1,280,263
Unappropriated Balance	1,188,496	0	0	0	1,188,496
Total Zoo Operating Fund Requirements	12,443,743	0	0	0	12,443,743
ZOO CAPITAL FUND					
Personal Services	78,819	0	0	0	78,819
Materials & Services	2,569	0	0	0	2,569
Capital Outlay	3,769,965	555,000	0	555,000	4,324,965
Contingency	166,057	0	0	0	166,057
Unappropriated Balance	1,906,300	0	0	0	1,906,300
Total Zoo Capital Fund Requirements	5,923,710	555,000	0	555,000	6,478,710

EXHIBIT B
 ORDINANCE NO. 91-370A
 SUPPLEMENTAL BUDGET (Revised 2/27/91)
 SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	PROPOSED REVISION	RECOMMENDED REVISION	TOTAL REVISION	RECOMMENDED APPROPRIATION
SOLID WASTE REVENUE FUND					
Administration					
Personal Services	334,895	0	0	0	334,895
Materials & Services	118,826	0	0	0	118,826
Subtotal	453,721	0	0	0	453,721
Budget and Finance					
Personal Services	320,065	0	0	0	320,065
Materials & Services	284,850	0	0	0	284,850
Subtotal	604,915	0	0	0	604,915
Operations					
Personal Services	747,200	0	0	0	747,200
Materials & Services	28,847,736	0	0	0	28,847,736
Subtotal	29,594,936	0	0	0	29,594,936
Engineering and Analysis					
Personal Services	428,843	0	0	0	428,843
Materials & Services	545,920	0	0	0	545,920
Subtotal	974,763	0	0	0	974,763
Waste Reduction					
Personal Services	633,075	0	0	0	633,075
Materials & Services	3,822,499	0	0	0	3,822,499
Subtotal	4,455,574	0	0	0	4,455,574
Debt Service Account					
Debt Service	1,360,427	0	0	0	1,360,427
Subtotal	1,360,427	0	0	0	1,360,427

EXHIBIT B
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)
SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	PROPOSED REVISION	RECOMMENDED REVISION	TOTAL REVISION	RECOMMENDED APPROPRIATION
SOLID WASTE REVENUE FUND (continued)					
Landfill Closure Account					
Capital Outlay	6,155,000	0	0	0	6,155,000
Subtotal	6,155,000	0	0	0	6,155,000
Construction Account					
Personal Services	61,247	0	0	0	61,247
Capital Outlay	12,350,000	0	0	0	12,350,000
Subtotal	12,411,247	0	0	0	12,411,247
Renewal & Replacement Account					
Capital Outlay	519,000	0	0	0	519,000
Subtotal	519,000	0	0	0	519,000
General Account					
Capital Outlay	5,947,768	0	0	0	5,947,768
Subtotal	5,947,768	0	0	0	5,947,768
Master Project Account					
Debt Service	0	2,318,085	0	2,318,085	2,318,085
Subtotal	0	2,318,085	0	2,318,085	2,318,085
General Expense					
Interfund Transfers	3,735,353	4,744,339	(4,744,339)	0	3,735,353
Contingency	2,221,798	0	0	0	2,221,798
Subtotal	5,957,151	4,744,339	(4,744,339)	0	5,957,151
Unappropriated Balance	31,671,463	(4,744,339)	4,744,339	0	31,671,463
Total Solid Waste Revenue Fund Requirements	100,105,965	2,318,085	0	2,318,085	102,424,050

EXHIBIT B
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)
SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	PROPOSED REVISION	RECOMMENDED REVISION	TOTAL REVISION	RECOMMENDED APPROPRIATION
SOLID WASTE OPERATING FUND					
Interfund Transfers	8,500,000	0	0	0	8,500,000
Total Solid Waste Operating Fund Requirements	8,500,000	0	0	0	8,500,000
SOLID WASTE CAPITAL FUND					
Interfund Transfers	3,690,000	0	0	0	3,690,000
Total Solid Waste Capital Fund Requirements	3,690,000	0	0	0	3,690,000
ST. JOHNS RESERVE FUND					
Interfund Transfer	26,375,520	0	0	0	26,375,520
Total St. Johns Reserve Fund Requirements	26,375,520	0	0	0	26,375,520
REHABILITATION & ENHANCEMENT FUND					
Materials & Services	551,900	0	0	0	551,900
Contingency	4,483	0	0	0	4,483
Interfund Transfers	20,000	0	0	0	20,000
Unappropriated Balance	1,652,019	0	0	0	1,652,019
Total Rehab. & Enhancement Fund Requirements	2,228,402	0	0	0	2,228,402

EXHIBIT B
 ORDINANCE NO. 91-370A
 SUPPLEMENTAL BUDGET (Revised 2/27/91)
 SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	PROPOSED REVISION	RECOMMENDED REVISION	TOTAL REVISION	RECOMMENDED APPROPRIATION
TRANSPORTATION PLANNING FUND					
Personal Services	1,436,787	0	0	0	1,436,787
Materials & Services	2,384,606	0	0	0	2,384,606
Capital Outlay	103,235	0	0	0	103,235
Interfund Transfers	594,497	0	0	0	594,497
Contingency	92,479	0	0	0	92,479
Unappropriated Balance	18,844	0	0	0	18,844
Total Transportation Planning Fund Requirements	4,630,448	0	0	0	4,630,448
PLANNING & DEVELOPMENT FUND					
Urban Growth Management					
Personal Services	465,607	0	0	0	465,607
Materials & Services	669,234	0	0	0	669,234
Capital Outlay	11,100	0	0	0	11,100
Subtotal	1,145,941	0	0	0	1,145,941
Solid Waste Planning					
Personal Services	397,332	0	0	0	397,332
Materials & Services	394,835	0	0	0	394,835
Capital Outlay	11,550	0	0	0	11,550
Subtotal	803,717	0	0	0	803,717
General Expenses					
Interfund Transfer	346,328	0	0	0	346,328
Contingency	171,281	3,556	0	3,556	174,837
Subtotal	517,609	3,556	0	3,556	521,165
Total Planning & Development Fund Requirements	2,467,267	3,556	0	3,556	2,470,823

EXHIBIT B
 ORDINANCE NO. 91-370A
 SUPPLEMENTAL BUDGET (Revised 2/27/91)
 SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	PROPOSED REVISION	RECOMMENDED REVISION	TOTAL REVISION	RECOMMENDED APPROPRIATION
SMITH AND BYBEE LAKES TRUST FUND					
Personal Services	0	21,444	0	21,444	21,444
Materials & Services	0	102,200	0	102,200	102,200
Capital Outlay	0	501,500	0	501,500	501,500
Interfund Transfers	0	3,556	0	3,556	3,556
Contingency	0	100,000	0	100,000	100,000
Unappropriated Balance	0	1,209,370	0	1,209,370	1,209,370
Total Smith and Bybee Lakes Trust Fund	0	1,938,070	0	1,938,070	1,938,070
CONVENTION CENTER PROJECT MANAGEMENT FUND					
Personal Services	53,219	0	0	0	53,219
Materials & Services	221,635	0	0	0	221,635
Interfund Transfers	50,032	0	0	0	50,032
Contingency	1,637	0	0	0	1,637
Total Convention Center Project Management Fund Requirements	326,523	0	0	0	326,523
CONVENTION CENTER PROJECT CAPITAL FUND					
Personal Services	145,129	0	0	0	145,129
Materials & Services	58,089	0	0	0	58,089
Capital Outlay	13,304,030	0	0	0	13,304,030
Interfund Transfers	167,500	0	0	0	167,500
Contingency	4,004	0	0	0	4,004
Total Convention Center Project Capital Fund Requirements	13,678,752	0	0	0	13,678,752

EXHIBIT B
ORDINANCE NO. 91-370A
SUPPLEMENTAL BUDGET (Revised 2/27/91)
SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	PROPOSED REVISION	RECOMMENDED REVISION	TOTAL REVISION	RECOMMENDED APPROPRIATION
CONVENTION CENTER PROJECT DEBT SERVICE FUND					
Debt Service	5,687,278	0	0	0	5,687,278
Interfund Transfers	4,756	0	0	0	4,756
Total Convention Center Project Debt Service Fund Requirements	5,692,034	0	0	0	5,692,034
METRO ERC MANAGEMENT POOL FUND					
Personal Services	764,509	0	0	0	764,509
Materials & Services	152,216	0	0	0	152,216
Contingency	95,000	0	0	0	95,000
Total Metro ERC Management Pool Fund Requirements	1,011,725	0	0	0	1,011,725
OREGON CONVENTION CENTER OPERATING FUND					
Personal Services	1,918,520	38,948	0	38,948	1,957,468
Materials & Services	3,268,073	923,436	0	923,436	4,191,509
Capital Outlay	200,000	0	0	0	200,000
Interfund Transfers	669,072	0	0	0	669,072
Contingency	300,000	0	0	0	300,000
Unappropriated Balance	1,133,624	21,970	0	21,970	1,155,594
Total Oregon Convention Center Operating Fund Requirements	7,489,289	984,354	0	984,354	8,473,643
SPECTATOR FACILITIES OPERATING FUND					
Memorial Coliseum					
Personal Services	3,295,848	0	0	0	3,295,848
Materials & Services	5,277,026	0	0	0	5,277,026
Capital Outlay	268,500	0	0	0	268,500
Subtotal	8,841,374	0	0	0	8,841,374

EXHIBIT B
 ORDINANCE NO. 91-370A
 SUPPLEMENTAL BUDGET (Revised 2/27/91)
 SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	PROPOSED REVISION	RECOMMENDED REVISION	TOTAL REVISION	RECOMMENDED APPROPRIATION
SPECTATOR FACILITIES OPERATING FUND (continued)					
Civic Stadium					
Personal Services	516,945	0	0	0	516,945
Materials & Services	1,150,196	0	0	0	1,150,196
Capital Outlay	21,700	0	0	0	21,700
Subtotal	1,688,841	0	0	0	1,688,841
Performing Arts Center					
Personal Services	2,701,759	270,756	0	270,756	2,972,515
Materials & Services	1,074,060	0	0	0	1,074,060
Capital Outlay	312,575	0	0	0	312,575
Subtotal	4,088,394	270,756	0	270,756	4,359,150
General Expense					
Interfund Transfers	1,076,203	0	0	0	1,076,203
Contingency	665,000	0	0	0	665,000
Subtotal	1,741,203	0	0	0	1,741,203
Unappropriated Balance	2,005,453	0	0	0	2,005,453
Total Spectator Facilities Operating Fund Requirements	18,365,265	270,756	0	270,756	18,636,021
PORTLAND CENTER FOR THE PERFORMING ARTS CAPITAL FUND					
Capital Outlay	965,000	0	0	0	965,000
Contingency	105,468	0	0	0	105,468
Total Portland Center for the Performing Arts Center Capital Fund Requirements	1,070,468	0	0	0	1,070,468
TOTAL APPROPRIATIONS	226,706,355	19,464,439	0	19,464,439	246,170,794

APPENDICES

**Ordinance No. 91-370A
FY 1990-91
Supplemental Budget**

Debt Service Schedule

**METROPOLITAN SERVICE DISTRICT
Raidel Compost Facility**

**Waste Disposal Project Revenue Bonds
Variable Rate Bonds Set By Market
Principal Payments as Shown
Estimated Interest Rate 7.00%**

\$25,105,000 Series A

\$5,000,000 Series 1

<u>YEAR</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
FY90-91	0	1,757,350	1,757,350	0	350,000	350,000
FY91-92	0	1,757,350	1,757,350	0	350,000	350,000
FY92-93	600,000	1,725,850	2,325,850	0	350,000	350,000
FY93-94	600,000	1,683,850	2,283,850	0	350,000	350,000
FY94-95	700,000	1,638,350	2,338,350	0	350,000	350,000
FY95-96	800,000	1,582,350	2,382,350	0	350,000	350,000
FY96-97	800,000	1,526,350	2,326,350	0	350,000	350,000
FY97-98	800,000	1,470,350	2,270,350	0	350,000	350,000
FY98-99	1,000,000	1,403,850	2,403,850	0	350,000	350,000
FY99-00	1,000,000	1,333,850	2,333,850	0	350,000	350,000
FY00-01	1,000,000	1,263,850	2,263,850	0	350,000	350,000
FY01-02	1,200,000	1,183,350	2,383,350	0	350,000	350,000
FY02-03	1,200,000	1,099,350	2,299,350	0	350,000	350,000
FY03-04	1,400,000	1,004,850	2,404,850	0	350,000	350,000
FY04-05	1,400,000	906,850	2,306,850	0	350,000	350,000
FY05-06	1,600,000	798,350	2,398,350	0	350,000	350,000
FY06-07	1,700,000	682,850	2,382,850	0	350,000	350,000
FY07-08	1,800,000	556,850	2,356,850	0	350,000	350,000
FY08-09	2,000,000	420,350	2,420,350	0	350,000	350,000
FY09-10	2,100,000	276,850	2,376,850	0	350,000	350,000
FY10-11	2,200,000	122,850	2,322,850	0	350,000	350,000
FY11-12	1,205,000	0	1,205,000	5,000,000	0	5,000,000

The Bonds and all obligations of the Issuer under or with respect to the Bonds, the 1989 Supplemental Ordinance and the 1989 Credit Agreement shall be and remain limited obligations of the Issuer payable solely and only out of the Trust Estates. No recourse shall be had against any property, funds, or assets of the Issuer for the payment of any amount owing under or with respect to the Bonds, the 1989 Supplemental Ordinance or the 1989 Credit Agreement. Payments to the Trust Estates are made pursuant to irrevocable direct-pay letter of credit issued by Credit Suisse for Series A and United States National Bank of Oregon for Series 1. Loan repayments will be derived solely from the revenues generated by the operation of the 1989 Compost Project which will be owned by Riedel Oregon Compost Company, Inc. Metro covenants to deliver waste to Riedel pursuant to the Mass Composting Facility Service Agreement, dated August 16, 1989.

APPENDIX B
Estimate of Workers' Compensation Dollars
By Department or Program Within Fund

	<u>Workers'</u> <u>Comp</u> <u>Dollars</u>
<u>General Fund</u>	
Executive Management	\$ 7,115
Council	5,557
<u>Support Service Fund</u>	
Finance & Administration:	
Accounting	8,121
Support Services	2,589
Finance	3,526
Data Processing	5,801
Construction Management	3,330
Office of General Counsel	4,420
Personnel	4,995
Public Affairs	8,155
<u>Building Management Fund</u>	
Metro Center Account	1,240
Sears Facility Construction Account	1,176
<u>Zoo Operating Fund</u>	
Administration	9,295
Animal Management	29,231
Facilities Management	24,532
Education Services	9,087
Marketing	2,468
Visitor Services	20,953
<u>Zoo Capital Fund</u>	
	1,253
<u>Solid Waste Revenue Fund</u>	
Administration	4,947
Budget & Finance	4,728
Operations	45,804
Engineering	6,335
Waste Reduction	9,352
Construction	905
<u>Transportation Planning Fund</u>	
	21,387
<u>Planning & Development Fund</u>	
Urban Growth Management	6,601
Solid Waste Planning	5,914
<u>Smith & Bybee Lakes Trust Fund</u>	
	311

<u>Convention Center Project</u>	
Management Fund	798
Capital Fund	1,952
<u>Metro ERC Management Pool Fund</u>	8,988
<u>Spectator Facilities Operating Fund</u>	
Memorial Coliseum	36,916
Civic Stadium	5,426
Performing Arts Center	27,993
<u>Oregon Convention Center Operating Fund</u>	21,229
TOTAL WORKERS' COMPENSATION DOLLAR ESTIMATE	\$362,430

Agenda Item No. 6.3
Meeting Date: March 14, 1991

ORDINANCE NO. 91-387



METRO

Memorandum

2000 S.W. First Avenue
Portland, OR 97201-5398
503.221-1646

DATE: March 7, 1991
TO: Interested Parties
FROM: Paulette Allen, Clerk of the Council *PA*
RE: ORDINANCE NO. 91-387

The Council agenda will be printed before the Finance Committee meets to consider Ordinance No. 91-387. The Finance Committee report on the ordinance will be distributed in advance to Councilors and available at the Council meeting March 14.

FINANCE COMMITTEE REPORT

ORDINANCE NO. 91-387A, AN ORDINANCE AMENDING ORDINANCE NO. 90-340A REVISING THE FY 1990-91 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF FUNDING INITIAL FINANCING AND PURCHASE COSTS OF THE HANNA PROPERTY

Date: March 11, 1991 Presented by: Councilor Van Bergen

COMMITTEE RECOMMENDATION: At its March 7, 1991 meeting the Committee voted unanimously to recommend Council approval of Ordinance No. 91-387 as amended subject to a recommendation of approval by the Regional Facilities Committee to which the Finance Committee referred Ordinance No. 91-387. Present and voting were Councilors Buchanan, Devlin, Hansen and Van Bergen. Councilor Wyers was excused.

COMMITTEE DISCUSSION / ISSUES: Jennifer Sims, Director of Finance and Management presented staff's report. She indicated the purpose of the ordinance is to provide options to the Metro ER Commission regarding the possible acquisition of the so called Hanna property located at the corner of N. Williams and N.E. Hassalo near the Memorial Coliseum. She pointed out that this property is in bankruptcy and that the Metro ER Commission has been interested in acquiring the property for several months, and that a private party has made an offer to acquire the property. The Metro ER Commission adopted a resolution on February 27, 1991 to amend the Spectator Facility Operating Fund to transfer funds for the initial phase of the acquisition, and has asked that the Council proceed with the ordinance (Resolution No. 115). The ordinance transfers funds from the Contingency category to Materials and Services and Capital Outlay categories to fund back taxes and initial renovation of facilities. Ms. Sims pointed out that the Consolidation Agreement with the City of Portland requires that the City Council must also approve the budget amendments since it involves the Spectator Facilities Fund.

In response to a question by Councilor Devlin, Council Staff pointed out that the Regional Facilities Committee had not determined whether or not the acquisition of this property was in the Metro ER Commission's best interest. The Committee is meeting on March 12, 1991 to review Metro ER Commission Resolution No. 115.

Chair Van Bergen expressed concern about acquisition of this property at a time when the Metro ER Commission is running out of operating funds. Such an expense for a capital lease would be paid out of operating funds and could require the elimination of other operating expenses such as employees or programs at the spectator facilities.

Dominic Buffetta, Metro ER Commission Assistant General Manager, pointed out that the proposed property has an appraisal value of

approximately \$1.4 to \$1.6 million and said it could generate approximately \$60,000 in annual revenue from parking. He agreed with Chair Van Bergen that this revenue would not cover the financing costs for the property.

Ms. Sims requested that the Committee amend Exhibits A and B to the ordinance to move the \$76,500 shown in the Materials and Services category to the Capital Outlay category to reflect that all proposed expenditures are a capital expense.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN-ORDINANCE AMENDING ORDINANCE NO.)
90-340A REVISING THE FY 1990-91)
BUDGET AND APPROPRIATIONS SCHEDULE)
FOR THE PURPOSE OF FUNDING INITIAL)
FINANCING AND PURCHASE COSTS OF THE)
HANNA PROPERTY)

ORDINANCE NO. 91-387A

Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Council of the Metropolitan Service District has reviewed and considered the need to transfer appropriations within the FY 1990-91 Budget; and

WHEREAS, The need for a transfer of appropriation has been justified; and

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

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

That Ordinance No. 90-340A, Exhibit B, FY 1990-91 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$200,000 from the Spectator Facilities Operating Fund Contingency to fund initial financing and purchase costs of the Hanna Property.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1991.

Tanya Collier, Presiding Officer

ATTEST:

Clerk of the Council

EXHIBIT A
ORDINANCE NO. 91-387A

FISCAL YEAR 1990-91 ACCOUNT # DESCRIPTION	CURRENT BUDGET		REVISION		PROPOSED BUDGET	
	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES OPERATING FUND						
Memorial Coliseum						
Total Personal Services	108.20	3,295,848	0.00	0	108.20	3,295,848
Materials & Services						
521100 Office Supplies		25,000				25,000
521290 Other Supplies		82,909				82,909
521292 Small Tools		12,715				12,715
521400 Fuels & Lubricants		3,350				3,350
524110 Audit Services		2,000				2,000
524120 Legal Fees		25,000				25,000
524130 Promotion/Public Relation Services		137,025				137,025
524190 Misc Professional Services		11,682		0		11,682
524310 Management Consulting Services		4,000				4,000
525110 Utilities-Electricity		262,851				262,851
525120 Utilities-Water and Sewer		64,468				64,468
525130 Utilities-Natural Gas		2,297				2,297
525140 Utilities-Heating Oil		44,688				44,688
525190 Utilities-Other		33,881				33,881
525610 Maintenance & Repair Services-Building		155,848				155,848
525710 Equipment Rental		31,598				31,598
526310 Printing Services		25,862				25,862
526410 Telephone		50,923				50,923
526420 Postage		25,500				25,500
526500 Travel		29,800				29,800
526690 Concessions/Catering Contract		3,391,375				3,391,375
526691 Parking Contract		421,338				421,338
526700 Temporary Help Services		357,280				357,280
526800 Training, Tuition, Conferences		10,500				10,500
526910 Uniforms and Cleaning		23,611				23,611
528310 Real Estate Taxes		0		0		0
529800 Miscellaneous		41,525				41,525
Total Materials & Services		5,277,026		0		5,277,026
Capital Outlay						
571400 Purchases - Equipment and Vehicles		36,500				36,500
571500 Purchases - Office Furniture and Equipment		30,000				30,000
574510 Construction Work Other Than Building		76,000		76,500		152,500
574520 Construction Work - Building		126,000		123,500		249,500
Total Capital Outlay		268,500		200,000		468,500
TOTAL EXPENDITURES	108.20	8,841,374	0.00	200,000	108.20	9,041,374

EXHIBIT A
ORDINANCE NO. 91-387A

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES FUND							
General Expenses							
<u>Interfund Transfers</u>							
581610	Trans. Indirect Costs to Support Svs. Fund		312,466				312,466
581615	Trans. Indirect Cost to Insur. Fund		114,822				114,822
582751	Transfer Resources to Metro ERC Management Pool		603,030				603,030
583610	Transfer Direct Costs to Support Svs. Fund		45,885				45,885
	Total Interfund Transfers		1,076,203		0		1,076,203
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		665,000		(200,000)		465,000
599990	Unappropriated Balance		2,005,453				2,005,453
	Total Contingency and Unappropriated Balance		2,670,453		(200,000)		2,470,453
TOTAL EXPENDITURES		229.42	18,636,021	0.00		0	229.42 18,636,021

EXHIBIT B
ORDINANCE NO. 91-387A
Schedule of Appropriations

	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
SPECTATOR FACILITIES OPERATING FUND			
Memorial Coliseum			
Personal Services	3,295,848	0	3,295,848
Materials & Services	5,277,026	0	5,277,026
Capital Outlay	268,500	200,000	468,500
Subtotal	8,841,374	-200,000	9,041,374
Civic Stadium			
Personal Services	516,945	0	516,945
Materials & Services	1,150,196	0	1,150,196
Capital Outlay	21,700	0	21,700
Subtotal	1,688,841	0	1,688,841
Performing Arts Center			
Personal Services	2,972,515	0	2,972,515
Materials & Services	1,074,060	0	1,074,060
Capital Outlay	312,575	0	312,575
Subtotal	4,359,150	0	4,359,150
General Expense			
Interfund Transfers	1,076,203	0	1,076,203
Contingency	665,000	(200,000)	465,000
Subtotal	1,741,203	(200,000)	1,541,203
Unappropriated Balance	2,005,453	0	2,005,453
Total Spectator Facilities Operating Fund Requirements	18,636,021	0	18,636,021

ALL OTHER APPROPRIATIONS REMAIN AS PREVIOUSLY ADOPTED

REGIONAL FACILITIES COMMITTEE REPORT

ORDINANCE NO. 91-387A, AMENDING ORDINANCE NO. 90-340A REVISING THE FY 1990-91 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF FUNDING INITIAL FINANCING AND PURCHASE COSTS OF THE HANNA PROPERTY

Date: March 13, 1991

Presented by: Councilor Buchanan

COMMITTEE RECOMMENDATION: At its March 12, 1991 meeting, the Council Regional Facilities voted 3-0, with one abstention, to recommend Council approval of Ordinance No. 91-387A. Voting aye were Councilors Knowles, Buchanan, and McFarland. Councilor Gardner abstained. Councilor Bauer was excused.

COMMITTEE DISCUSSION/ISSUES: Committee staff Casey Short gave a brief staff report on the background of the Hanna property purchase issue, and outlined the issues raised in the Finance Committee's discussion of the ordinance. (See Finance Committee report for this information.)

MERC Commissioner Dick Waker presented testimony on the issue. He pointed out that the Hanna property is the last piece of property in the contiguous Coliseum/Convention Center complex that is not in public ownership. He clarified that a private concern has made a bid on the property to the Hanna bankruptcy trustee, and that MERC does not now have an active bid. He spoke to the potential vacation of N. Williams Avenue, which would connect the parcel with the Coliseum parking lot; even without the street vacation the land could be used to add 200 parking spaces. The site is one of the Trailblazers' top sites for an arena, and its purchase now would be an investment in a piece of property that has more value than cost.

Commissioner Waker addressed the question of how the property would be paid for in the long run by saying that the issue of financing MERC operations must be resolved regardless of a decision on this property. There is a revenue shortfall in the not-too-distant future anyway; Metro's Public Policy Advisory Committee on Regional Facilities is looking at long-term funding issues. The funding problem needs to be solved, as do questions of parking, arena sites, and a headquarters hotel. Regarding the private concern that is bidding on the property, Commissioner Waker said he has reason to believe they plan to cash out the property, and did not think they plan to develop it.

Councilor Knowles asked legal counsel Dan Cooper who would have title to the property. Mr. Cooper responded that under the terms of the consolidation agreement with the City of Portland, the City would have title if the property is paid for from the Spectator Facilities Fund, as is proposed. He clarified that this fund includes the Coliseum, Civic Stadium, and the Performing Arts Center complex, which was transferred to Metro with a positive fund balance.

Commissioner Waker said the choice of fund was relatively simple because the scope of the Convention Center Fund doesn't extend beyond the 11 blocks that constitute the Convention Center site.

Councilor Gardner asked whether there were Convention Center funds available to pay for the property, or at least to pay the \$200,000 that is requested in Ordinance 91-387A. He said he would like Metro to own the property. He also asked where the money would come from to pay the debt service, acknowledging that the property is expected to generate \$60,000 per year in parking revenues which will pay a portion of the debt service.

Commissioner Waker spoke to the issue of parking revenue, saying that the Trailblazers have agreed to waive their rights to that revenue, which under the terms of their contract would otherwise have gone to them. They did so to promote their own interests, which they say will be better served with public ownership of the parcel.

Councilor Gardner asked if the decision to use Spectator Facilities funds was taken because that was the only source of available funds, or was it a political decision. Commissioner Waker said it was a little of both, and said that unspent Convention Center revenues are being held for improvements to the Convention Center.

Councilor McFarland asked Mr. Cooper to explain the purpose of his March 12 memo to Don Carlson (see Attachment 1). Mr. Cooper said that it was in response to Mr. Carlson's question, which asked whether approval of this ordinance would give MERC the authority to buy the property without further Council action. Mr. Cooper's opinion is that a supplemental budget action would be necessary if the property is bought this fiscal year, and that funds would have to be recognized and appropriated through the coming budget process if the purchase takes place next fiscal year.

Councilor Buchanan asked to have the location of the property clarified, which was done. He then asked whether approval of this ordinance would establish City of Portland ownership. There was some discussion of this, with Mr. Cooper confirming a statement of Councilor Gardner's that the question will be finally established by the appropriate budget action. Councilor Gardner further said that if Metro could identify funds in a budget action to pay the debt service, those funds could repay the Spectator Facilities Fund and Metro could be the owner.

Councilor Buchanan said that he has reservations about the ownership issues, but he wouldn't oppose the ordinance. He then asked whether the additional parking from this parcel would ease Convention Center parking problems. Commissioner Waker said that the site was not too far to serve this purpose, but that extra parking was only needed for local shows; the Coliseum needs the parking more, especially for Trailblazer games.

Councilor Gardner said that he would abstain in the vote on the ordinance because of concerns about the ownership issue.

Chair Knowles opened the public hearing, and no one testified.

Mr. Short asked under what circumstances this ordinance would be needed; Commissioner Waker said that it would only be needed if the private bidder chose not to buy the property after all. He expressed his belief that it would not be used, but was developed to preserve MERC's options under state budget law.

**METRO**2000 S.W. First Avenue
Portland, OR 97201-5398
503 221-1646

Memorandum

Date: March 12, 1991

To: Don Carlson, Council Administrator

From: Daniel B. Cooper, General Counsel *DB*

Regarding: ORDINANCE NO. 91-387

After review of ORS ch 294 (Local Budget Law) and discussion with staff to the TSCC, I have concluded that Metro ERC will need to obtain formal approval of a supplemental budget in order to purchase the Hanna property if it desires to do so prior to July 1, 1991, notwithstanding the adoption of Ordinance No. 91-387 by the Metro Council.

If the purchase is to occur after July 1, 1991, there will need to be a recognition of the revenue and expenditure in the Fiscal Year 1991-1992 budget for Metro ERC.

I hope this answers your question to me in this regard.

dr
1348

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING ORDINANCE NO.)
90-340A REVISING THE FY 1990-91)
BUDGET AND APPROPRIATIONS SCHEDULE)
FOR THE PURPOSE OF FUNDING INITIAL)
FINANCING AND PURCHASE COSTS OF THE)
HANNA PROPERTY)

ORDINANCE NO. 91-387

Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Council of the Metropolitan Service District has reviewed and considered the need to transfer appropriations within the FY 1990-91 Budget; and

WHEREAS, The need for a transfer of appropriation has been justified; and

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

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

That Ordinance No. 90-340A, Exhibit B, FY 1990-91 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$200,000 from the Spectator Facilities Operating Fund Contingency to fund initial financing and purchase costs of the Hanna Property.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1991.

Tanya Collier, Presiding Officer

ATTEST:

Clerk of the Council

EXHIBIT A
ORDINANCE NO. 91-387

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES OPERATING FUND							
Memorial Coliseum							
	Total Personal Services	108.20	3,295,848	0.00	0	108.20	3,295,848
	Materials & Services						
521100	Office Supplies		25,000				25,000
521290	Other Supplies		82,909				82,909
521292	Small Tools		12,715				12,715
521400	Fuels & Lubricants		3,350				3,350
524110	Audit Services		2,000				2,000
524120	Legal Fees		25,000				25,000
524130	Promotion/Public Relation Services		137,025				137,025
524190	Misc Professional Services		11,682		3,500		15,182
524310	Management Consulting Services		4,000				4,000
525110	Utilities-Electricity		262,851				262,851
525120	Utilities-Water and Sewer		64,468				64,468
525130	Utilities-Natural Gas		2,297				2,297
525140	Utilities-Heating Oil		44,688				44,688
525190	Utilities-Other		33,881				33,881
525610	Maintenance & Repair Services-Building		155,848				155,848
525710	Equipment Rental		31,598				31,598
526310	Printing Services		25,862				25,862
526410	Telephone		50,923				50,923
526420	Postage		25,500				25,500
526500	Travel		29,800				29,800
526690	Concessions/Catering Contract		3,391,375				3,391,375
526691	Parking Contract		421,338				421,338
526700	Temporary Help Services		357,280				357,280
526800	Training, Tuition, Conferences		10,500				10,500
526910	Uniforms and Cleaning		23,611				23,611
528310	Real Estate Taxes		0		73,000		73,000
529800	Miscellaneous		41,525				41,525
	Total Materials & Services		5,277,026		76,500		5,353,526
	Capital Outlay						
571400	Purchases - Equipment and Vehicles		36,500				36,500
571500	Purchases - Office Furniture and Equipment		30,000				30,000
574510	Construction Work Other Than Building		76,000				76,000
574520	Construction Work - Building		126,000		123,500		249,500
	Total Capital Outlay		268,500		123,500		392,000
	TOTAL EXPENDITURES	108.20	8,841,374	0.00	200,000	108.20	9,041,374

EXHIBIT A
ORDINANCE NO. 91-387

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SPECTATOR FACILITIES FUND							
General Expenses							
Interfund Transfers							
581610	Trans. Indirect Costs to Support Svs. Fund		312,466				312,466
581615	Trans. Indirect Cost to Insur. Fund		114,822				114,822
582751	Transfer Resources to Metro ERC Management Pool		603,030				603,030
583610	Transfer Direct Costs to Support Svs. Fund		45,885				45,885
Total Interfund Transfers			1,076,203		0		1,076,203
Contingency and Unappropriated Balance							
599999	Contingency		665,000		(200,000)		465,000
599990	Unappropriated Balance		2,005,453				2,005,453
Total Contingency and Unappropriated Balance			2,670,453		(200,000)		2,470,453
TOTAL EXPENDITURES		229.42	18,636,021	0.00		0 229.42	18,636,021

EXHIBIT B
ORDINANCE NO. 91-387
Schedule of Appropriations

	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
SPECTATOR FACILITIES OPERATING FUND			
Memorial Coliseum			
Personal Services	3,295,848	0	3,295,848
Materials & Services	5,277,026	76,500	5,353,526
Capital Outlay	268,500	123,500	392,000
	-----	-----	-----
Subtotal	8,841,374	200,000	9,041,374
Civic Stadium			
Personal Services	516,945	0	516,945
Materials & Services	1,150,196	0	1,150,196
Capital Outlay	21,700	0	21,700
	-----	-----	-----
Subtotal	1,688,841	0	1,688,841
Performing Arts Center			
Personal Services	2,972,515	0	2,972,515
Materials & Services	1,074,060	0	1,074,060
Capital Outlay	312,575	0	312,575
	-----	-----	-----
Subtotal	4,359,150	0	4,359,150
General Expense			
Interfund Transfers	1,076,203	0	1,076,203
Contingency	665,000	(200,000)	465,000
	-----	-----	-----
Subtotal	1,741,203	(200,000)	1,541,203
Unappropriated Balance	2,005,453	0	2,005,453
Total Spectator Facilities Operating Fund Requirements	18,636,021	0	18,636,021

ALL OTHER APPROPRIATIONS REMAIN AS PREVIOUSLY ADOPTED

STAFF REPORT

**AMENDING ORDINANCE NO. 90-340A REVISING THE
FY 1990-91 BUDGET AND APPROPRIATIONS SCHEDULE
FOR THE PURPOSE OF FUNDING INITIAL FINANCING
AND PURCHASE COSTS OF THE HANNA PROPERTY**

Date: February 20, 1991 **Presented by:** Dominic Buffetta and
Jennifer Sims

FACTUAL BACKGROUND AND ANALYSIS

The attached Ordinance revising the FY 1990-91 Budget is introduced in order to facilitate acquisition and renovation of the Hanna property by the Metro ER Commission.

The property is a rectangular piece of land bordered by a parking area to the north, Interstate 5 to the east, N.E. Hassalo to south and N. Williams to the west. It is approximately 62,400 square feet in size. It consists of a single story building with parking areas undercover and additional parking areas adjacent to the north and east sides of the building.

MERC has previously authorized an option to acquire the Hanna property. That option was never consummated and at this time a private interest has an offer pending. Property is in bankruptcy with MDFC Loan Corporation being the holder of the lien on the property.

The following steps are necessary in order to execute the purchase of this property:

1. MERC approve resolution for budget amendments for FY 1990-91 requirements and Supplemental Budget.
2. Secure MERC approval to enter into capital lease agreement for purchase of property.
3. Adoption of budget revision Ordinance No. 91-387. This ordinance provides for the out-of-pocket direct expenses associated with the acquisition of the property for FY 1990-91.
4. Approve Supplemental Budget recognizing lease proceeds and purchase of the property. Debt service payments will be scheduled to begin in FY 1991-92.
5. Secure City of Portland approval for acquisition of real property as required by Section 3.D of the Consolidation Agreement.

Estimated FY 1990-91 expenses are as follows:

Materials & Services

Taxes/Liens	\$ 73,000
Title Search and Insurance	2,200
Financing Costs	<u>1,300</u>
Subtotal	\$ 76,500

Capital

Roof Repair	\$ 13,500
Removal of Underground Storage Tanks	65,000
Lighting Renovation	3,500
Glass Replacement	4,000
Exterior Structure Repair	2,500
Painting/Aesthetics	10,000
Asbestos Removal	<u>25,000</u>
Subtotal	\$123,500

Total Expenses	\$200,000
----------------	-----------

These are the projected costs to make the property available and useful in the short-term. These are conservative estimates of costs. No specific analysis of asbestos requirements has been made. The \$25,000 estimate is an average, estimates range from \$15,000 to \$40,000 for this work.

Funds for the purchase of this property will derived from a capital lease financed over a 10-year period. Initial interest rate estimates are at about 8 percent. The debt service payments and acquisition costs would be paid from the Spectator Facilities Fund. As required by the Consolidation Agreement, title to this property would be in the name of the City of Portland or ERC.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 91-387.

je\hanna.stfrpt

Agenda Item No. 7.1
Meeting Date: March 14, 1991

RESOLUTION NO. 91-1404

TRANSPORTATION and PLANNING COMMITTEE REPORT

RESOLUTION NO. 91-1404,
AUTHORIZING a SOLE SOURCE CONTRACT
under METRO CODE 2.04.060

Date: February 27, 1991 Presented by: Councilor Van Bergen

COMMITTEE RECOMMENDATION

At its February 26, 1991 meeting, the Transportation and Planning Committee voted unanimously (Bauer, Devlin, Gardner, McLain, and Van Bergen) to recommend the Contract Review Board adopt Resolution No. 91-1404, exempting Transportation's purchase of ALOGIT software from public bidding or applicable alternative procurement procedure as a sole source agreement pursuant to Metro Code Section 2.04.060.

The Committee found that

- o ALOGIT is the software the Transportation Department needs,
- o the Hague Consulting Group is the only qualified provider of ALOGIT software, and
- o the contract (6,000 Dutch Guilders plus 1,000 Guilders to instal, equivalent to \$3,500 - \$4,500) exceeds \$2,500.

BACKGROUND

Code Section 2.04.060 requires the initiating department to document that there is only one qualified provider of the service required, and that a sole source contract may not exceed \$2,500 unless the Contract Review Board exempts the contract from the public bidding or applicable alternative procurement procedure.

In Ordinance No. 90-374, Council amended Transportation's FY 90-91 budget to allow for computer and software acquisitions.

COMMITTEE DISCUSSION/ISSUES

The Committee wanted to understand what this software does and why Transportation needs it. The terminology in the staff report confused and amused Committee members.

Transportation explained that the software would enable them to use smaller samples to make projections which take into account many variables. This is much less costly than doing surveys and working with large samples. The software is specific to transportation, is used in Europe, and comes recommended by qualified sources. Transportation will use the software to predict patterns of rail and bus ridership inter-related with how riders reach transit, where they have come from, and where they are going.

BEFORE THE CONTRACT REVIEW BOARD
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING A) RESOLUTION NO. 91-1404
SOLE SOURCE CONTRACT UNDER METRO)
CODE 2.04.060) Introduced by David Knowles,
) Chair, Joint Policy Advisory
) Committee on Transportation

WHEREAS, Metro needs a specific logit estimation package for better light rail and park-and-ride model development; and

WHEREAS, The Metro Council in Ordinance No. 90-374 amended the Transportation Department's FY 90-91 budget to allow for computer acquisitions including this acquisition of software; and

WHEREAS, ALOGIT is the only software discovered in a search by the department that satisfies the requirements without extensive customizing or modification; and

WHEREAS, the Hague Consulting Group is the only provider of this software and the contract exceeds \$2,500; and

WHEREAS, Metro Code Section 2.04.060 requires Council approval of sole source agreements; now, therefore,

BE IT RESOLVED,

That the ALOGIT purchase through the Hague Consulting Group (or a U.S. designee) is authorized as a sole source agreement pursuant to Metro Code Section 2.04.060.

ADOPTED by the Contract Review Board of the Metropolitan Service District this ____ day of _____, 1991.

Tanya Collier, Presiding Officer

STAFF REPORT

FOR THE PURPOSE OF AUTHORIZING A SOLE SOURCE CONTRACT UNDER
METRO CODE 2.04.060

Date: February 7, 1991

Presented by: T. Keith Lawton

FACTUAL BACKGROUND AND ANALYSIS

Ordinance No. 90-374 adopted by the Metro Council (December 13, 1990) included replacement of the MASSCOMP and software acquisition.

One piece of software envisaged at that time was an advanced multinomial logit estimator with attributes allowing the use of both scaled and unscaled variables and an easy implementation of nested logit estimation. This type of software is very transportation specific and can be developed using user programming in the SAS or Gauss packages, or it could be custom built (with time and cost implications) in the Systat package. A search for an existing implementation of this software was carried out by querying other organizations familiar with sophisticated destination/mode choice model development; we contacted other MPOs and the consulting firms Cambridge Systematics and transek ab (Stockholm). For the kind of models we are attempting to develop (rail-specific, bus-specific, with mode of arrival estimation), both consultants suggested ALOGIT, a program developed in the Netherlands by the Hague Consulting Group. Documentation of the package reveals that it will satisfy our requirements.

We have contacted the Hague Consulting Group and have been quoted a price of 6,000 Dutch Guilders plus 1,000 Dutch Guilders to port to our SUN system. This translates to approximately \$3,500 (@ 50¢/Guilder). This price is very reasonable and certainly much lower than the cost of programming using existing software and much quicker than getting custom programming (the RFP process, contract letting, etc., would take three to six months without the time to carry out the contract -- this RFP process alone typically costs more than \$3,500 in salary, fringe and overhead!). We have been unable to find a comparable package and request permission to sole source this acquisition.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 91-1404.

Cambridge Systematics, Inc.
222 Third Street
Cambridge, Massachusetts 02142
(617)354-0167
Fax (617) 354-1542

Notice of Fax Transmission

Fax number: 503 241-7417
To: Kieth Lawton
Company: _____
From: Tomy Atherton
Date: 12/5/90
Project No.: ~~0941~~ 09041.05
Number of pages including cover: 15

Tomy Atherton

If there are any problems with this transmission, please call us at 617-354-0167

Re: _____

Kieth -

Attached is a description of
ALOGIT. As I mentioned,
there are two versions:

Standard MVL @ 2000 Dutch Smiles
Keated MVL @ 6000 " "

I'll let you know when I hear
from Andrew re: availability
for UNIX/SUN

- Tomy

Cambridge Systematics, Inc.
222 Third Street
Cambridge, Massachusetts 02142
(617)354-0167
Fax (617) 354-1542

1-17
10:30

Notice of Fax Transmission

Fax number: 503 241-7417

To: Keith Lawton

Company: _____

From: Terry Atherton

Date: 1/17/91

Project No.: 09141.05

Number of pages including cover: 1

If there are any problems with this transmission, please call us at 617-354-0167

Re: Keith -

Andrew Aaby can provide a SUN
version of ALOGIT, at an additional
cost of 1,000 Dutch guilders.

If you would like to proceed, we
would need specific ~~detail~~ details
of the hardware, and operating
system (Unix version number, etc.)

Regards,

Terry

1. INTRODUCTION

This document gives an overview of the ALOGIT suite of computer programs. These programs are designed for the analysis of statistical models of the "logit" form, which are widely applied for analysis and forecasting of qualitative response in many analytical fields, particularly in transportation planning.

ALOGIT is a professional tool, containing many sophisticated features that can handle advanced model forms. Yet it is designed so that these features are largely invisible from the user who does not need them: simple models can be set up, estimated and applied very quickly and with few complications.

The following Chapter defines the logit model and gives an overview of the way in which the programs may be used to define, estimate and study a model. The second Chapter describes briefly some of the detailed features of the programs. An appendix gives more technical details outlining the methodology used by the programs, both for straightforward logit analysis and to handle two useful extensions made to the form of the model, and also gives details of how program facilities may be used to deal with particular types of data.

This document is designed to be read in conjunction with the ALOGIT User's Manual, which gives full details of the application of the programs themselves.

Agenda Item No. 7.2
Meeting Date: March 14, 1991

RESOLUTION NO. 91-1411

SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 91-1411, FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION TO THE COMPETITIVE PROCUREMENT PROCEDURES OF METRO CODE 2.04.053, AND AUTHORIZING A CHANGE ORDER TO THE DESIGN SERVICES AGREEMENT WITH PARAMETRIX, INC.

Date: March 6, 1991

Presented by: Councilor Gardner

COMMITTEE RECOMMENDATION: At the March 5, 1991 meeting, the Committee voted 4-0 to recommend Contract Review Board approval of Resolution No. 91-1411. Voting in favor were Councilors Gardner, McFarland, McLain, and Wyers. Councilor DeJardin was excused.

COMMITTEE DISCUSSION/ISSUES: Dennis O'Neil, Senior Solid Waste Planner, said that this change order stems from a change in the landfill closure construction strategy. He said that the Solid Waste Department now anticipates purchasing most of the cover soil in 1991 and 1991, and stockpiling it. Also, the Department anticipates awarding separate annual contracts for closure work on each area of the landfill, rather than contracting with one contractor for the entire landfill. The change order, which totals \$117,985, would authorize the current design services contractor to develop technical documents for soil procurement, to develop a soil settlement monitoring plan, to develop a detailed closure construction sequence, and to provide technical assistance to Metro in procuring energy recovery from landfill gas.

In response to a question from Councilor Wyers, Jim Watkins, Engineering and Analysis Manager, explained that this project would incorporate the gas study discussed during the FY 90-91 budget process.

Councilor McFarland said that although she voted in favor, she is concerned that once a contractor obtains a Metro contract, the work awarded to the contractor is extended through the change order process. She questions whether the public is well-served by continued exemption from the bid process established in the Metro Code.

Councilor Gardner highlighted several reasons why this change order differs from the change order which will authorize the current contractor at Metro South Station to construct the household hazardous waste facility. The scope of work under the change order with Parametrix is a refinement of the design process for the closure project, whereas the household hazardous waste facility at Metro South is a new project. The dollar value of the Parametrix change order also is substantially less. He believes these factors warrant approval of a change order with Parametrix.

Councilor Wyers agreed. She said that a majority of Solid Waste Committee members have expressed similar views, and that although this change order warrants approval of the exemption, change orders will continue to receive close scrutiny from the Committee.

BEFORE THE CONTRACT REVIEW BOARD OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING	)	RESOLUTION NO. 91-1411
AN EXEMPTION TO THE COMPETITIVE)	
PROCUREMENT PROCEDURES OF METRO	)	Introduced by Rena Cusma,
CODE 2.04.053, AND AUTHORIZING	)	Executive Officer
A CHANGE ORDER TO THE DESIGN)	
SERVICES AGREEMENT WITH)	
PARAMETRIX, INC.)	

WHEREAS, It is in the public interest that the St. Johns Landfill closure process move forward in an expeditious manner; and

WHEREAS, The closure process can be expedited through the use of the existing engineering contractor to perform tasks described in Change Order No. 2; and

WHEREAS, The project has required additional design services that could not have been anticipated at the time of Contract award; and

WHEREAS, It is impractical to solicit proposals for the work described in Change Order No. 2; and

WHEREAS, Change Order No. 2 cannot be approved unless an exemption to the Competitive Procurement Process pursuant to Metro Code 2.04.054 is granted by the Metro Contract Review Board; and

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

BE IT RESOLVED,

That the Metropolitan Service District Contract Review Board exempts Change Order No. 2 to the Design Services Agreement with Parametrix, Inc. from the Competitive Procurement Procedures of Metro Code 2.04.053 and authorizes execution of Change Order No. 2.

ADOPTED by the Contract Review Board of the Metropolitan Service District this _____ day of _____, 1991.

Tanya Collier, Presiding Officer

CHANGE ORDER NO. 2

TO THE CONTRACT BETWEEN PARAMETRIX, INC. AND
THE METROPOLITAN SERVICE DISTRICT ENTITLED
"DESIGN SERVICES AGREEMENT" (Contract No. 901-270)

St. Johns Landfill Closure Engineering Services Related To
Procurement of Soil, Evaluation of Metro's Construction Sequence
Plan, and Procurement of Landfill Gas Energy Recovery

The Scope of Work/Schedule of the "Design Services Agreement" is
hereby modified to incorporate the changes described below:

SCOPE OF WORK

**Task I Develop Technical Documents for Material
Procurement/Preload Contract**

CONTRACTOR will provide the technical documents to be used by
Metro in obtaining competitive bids in 1991 for material
procurement, subgrade preparation, placement of subgrade
embankment and the placement of preload. These technical
documents will be included with Metro-prepared bidding, general
conditions and other documents necessary to obtain a bid-ready
set of contract documents. This objective will be met by
performing the following tasks:

1. Review Closure Design in Sub-area (SA) -5 and prepare
Design Change Memo
 - ▲ A Design Change Memo will be prepared by
Parametrix to clearly identify and list Closure
Design elements requiring future design revisions
to accommodate the recently revised SA-5 grading
plan. The review will include the Final grades,
Final Cover System, Stormwater Management System
and the Gas Management System. The identified
design changes will be incorporated into future
contract document revisions that will be performed
prior to the bidding of final closure improvements
in the affected areas.

2. Prepare Subgrade Embankment Documents for SA-5 and the
Power Line Corridor (PLC)
 - ▲ Provide construction specifications, drawings, and
details concerning procurement, grade preparation,
placement, and protection of subgrade embankment.

material in SA-5 and the PLC. Necessary construction documents for the stockpiling and protection of existing clay materials removed from SA-5 during grade preparation shall also be included. The PLC area will not be stripped of any existing clay material prior to placement of subgrade embankment material.

- ▲ These documents will also specifically provide for the subgrade preparation of the Motor Blower Flare (MBF) Facility in SA-5. Construction of the MBF facility will occur at a future date and will not be a part of these technical documents.

3. Prepare Preload Documents for SA-5 and the PLC

- ▲ Provide construction specifications, drawings, and details concerning procurement, placement, and protection of the soils that will be used to Preload SA-5 and the southerly portion of PLC. The preload will include subgrade embankment and Type 1 sand materials. Revise existing drawings and details where appropriate and supplement with new drawings as needed.
- ▲ The construction documents shall include details concerning installation of the lateral gas trenches in the PLC prior to placement of preload and the extension of existing groundwater monitoring wells in SA-5 and the PLC.
- ▲ Specific locations, details and construction specifications for placement, extension during construction, protection and initial monitoring of settlement monitoring plates during construction will be prepared by CONTRACTOR and its subconsultants.
- ▲ METRO has estimated that approximately 572,000 cubic yards (CY) of subgrade embankment material (estimated volume required for closure of Sub-Areas 1, 2, 3 and PLC) and 431,000 CY of Type 1 sand (estimated volume required for closure of subareas 1, 2, 3, 4, and PLC) will be procured under this set of contract documents. A portion of the procured subgrade materials will be used to achieve final subgrades in SA-5 and in the southerly portion of the PLC. The remaining material procured will be placed in SA-5 and the PLC as preload. Placement of the preload shall be

designed in a cost effective manner to allow for the future use of the materials in other parts of the landfill during construction of the final cover.

4. Prepare Surface Water Control Documents for SA-5 and the PLC
 - ▲ Provide construction specifications, drawings, and details for stormwater management measures to be undertaken during and after stripping and preloading of SA-5 and PLC.
5. Prepare Quantity Take-off and Engineers Estimate of Anticipated Cost
6. Provide Project Administration and Coordination
 - ▲ Administer the work as described in Task 1, including coordination of CONTRACTOR staff and its subconsultants; coordination of work development with METRO staff and participation in client reviews of CONTRACTOR documents. Attend three (3) meetings with METRO; one early in the project to address METRO's intent, one to discuss METRO's review comments concerning the draft Technical Document submittal, and one to discuss the final submittal and finalization of design work.
 - ▲ CONTRACTOR will also perform a QA/QC review of the draft technical documents prepared under this contract.
7. Deliver five (5) sets of Draft Technical Documents to Metro
8. Revise Draft Technical Documents and Deliver Final Technical Documents to Metro
 - ▲ The Final Technical Documents shall be a final package that requires minimal technical modifications or additions by METRO. CONTRACTOR shall deliver to METRO one set of reproducible mylar drawings in final form for bid set production by METRO. In addition, a digital copy of the final specifications text (in an MS DOS compatible format, WordPerfect 5.1, on a 5 1/4" high density disk) and a hard copy of the final technical specifications shall be delivered to Metro.

9. Perform a Biddability Review of the METRO-prepared "Request for Bids" package.

- ▲ CONTRACTOR will review the bidding package as prepared by METRO staff and provide written comments to METRO for METRO's consideration.
- ▲ METRO will be responsible for bid advertisement, reproduction of bid documents and bid administration. When requested by METRO, CONTRACTOR will assist METRO during the bidding period in accordance with the Engineering Services Agreement executed in June, 1990.

Task II Develop a Settlement monitoring Plan for the St. Johns Landfill

CONTRACTOR, in association with subcontractor Cornforth Consultants, will develop a settlement monitoring plan for the landfill that will allow for an indication of when SA-4, SA-5, and the southern portion of the PLC can be closed. Guidelines for revising final contours will be developed for these three areas. A general plan for less detailed settlement monitoring of the remaining areas of the landfill will also be developed. The subtasks required to attain this task include items 1 through 5, presented below:

1. Develop a general plan to monitor the settlement over the entire landfill. Within the development of the general plan, SA-3 is identified as a critical area and will be given additional consideration. SA-5, a portion of the PLC, and SA-4 is addressed in more detail below.
2. Develop a detailed plan to monitor the settlement in SA-4, SA-5, and the southerly portion of the PLC. This plan will include the development of "predicted" settlement curves for SA-4, SA-5 and the portion of the PLC adjacent to SA-3. The following would be carried out in developing these curves:
 - a. Collect the preliminary settlement information and upgrade parameters based on the results of the monitoring well installations.
 - b. Evaluate actual loading in SA-4 and SA-5 over the last six months.

- c. Refine previously developed log time versus settlement curves for the three points in SA-4, three points in SA-5 and two points in the portion of PLC adjacent to SA-3.
 - d. Based on the amount of procured materials available, roughly "predict" log time versus settlement curves under the preload for SA-5 and the PLC.
 - e. Estimate relative amounts of garbage versus silt settlement for the three areas in order to better predict the continuation of settlement as, and after, preload is removed.
3. The settlement monitoring plan shall address monitoring point locations and/or the possible use of aerial topography for monitoring, monitoring methods and procedures, and monitoring intervals. The detailed plans for SA-4 shall be separate from the plan for SA-5 and the PLC such that METRO may use the SA-4 information independently.
 4. Coordinate with the task to Develop Technical Documents for a Material Procurement/Preload Construction Contact. The specific settlement monitoring plan for SA-5 and PLC will be developed in conjunction with the Construction Technical Documents task for those Sub-Areas. The remaining subtasks to develop this Settlement Monitoring Plan task will be completed at a later date.
 5. Two technical memorandums shall be submitted. One shall summarize the details of the settlement monitoring plans. The other shall summarize the preload analysis including the curves needed for analyzing the settlement monitoring data for SA-5 and the southerly portion of the PLC.

Task III Detailed Evaluation of METRO's Construction Sequencing Plan for Years 1992-1995

- ▲ CONTRACTOR shall evaluate the overall Construction Sequencing Plan for Years 1992-1995 as presented by METRO. This detailed work will focus on construction risks to METRO, sequence of work by season and size of final closure and other specialty work contracts, an analysis of stripping off cover and stockpiling to minimize handling and cost effective management of on-site and preload soil material. The outcome of this evaluation will be suggested revisions to METRO's Draft

Sequencing Plan. Once finalized, this Sequencing Plan will provide the basis for future year's construction work. CONTRACTOR shall identify for each construction year the specific construction activities. CONTRACTOR shall use this Sequencing Plan to develop a cash flow chart for construction costs per Design Services Agreement, Task 2.2.2.

Task IV Evaluation of Landfill Gas Utilization

CONTRACTOR will assist METRO throughout the procurement process for energy recovery from landfill gas on an as-needed, time and material basis. There are three subtasks for this element of the project.

1. Review of the Draft Request for Proposal

METRO will prepare a Request for Proposals for private vendors to consider developing a methane recovery and utilization project at the St. Johns Landfill. Utilization will include production of medium or high BTU gas, electrical generation or production of alternative fuel products. Once a draft is prepared, CONTRACTOR will review the draft RFP document for technical issues and accuracy in terms of gas generation, quality and quantity, performance and financial requirements and the general conditions of the RFP. CONTRACTOR will also provide input into the review process and evaluation criteria.

Comments on the Draft RFP will be forwarded to METRO in writing within ten (10) days of receipt of the Draft RFP.

2. Participation in Review of Responses to RFP

When requested by METRO, CONTRACTOR will conduct an evaluation of the proposals based upon pre-determined evaluation criteria. When requested by METRO, CONTRACTOR will complete a preliminary report based on the written responses to the RFP. The report will include a rating of each proposal based on the evaluation criteria.

When requested by METRO, the Project Manager and/or Gas Specialist will meet once with METRO staff, and will also participate in an interview with proposers.

3. Additional Investigations and Evaluation Activities

In conducting a formal RFP process to determine the utilization of methane gas, METRO anticipates that special tasks may be required of CONTRACTOR. For example, METRO may request independent investigation regarding certain technologies as to performance or other technical or financial issues. METRO may also ask CONTRACTOR for technical assistance when developing a draft agreement for energy recovery from landfill gas. CONTRACTOR shall perform work when requested by METRO within a work scope and cost limit authorized by METRO.

SCHEDULE

CONTRACTOR shall complete Task I within five (5) weeks of authorization to proceed; Task II within seven (7) weeks of authorization to proceed; and Task III within nine (9) weeks of authorization to proceed. CONTRACTOR and METRO shall mutually agree upon a cost and Schedule before authorization to proceed is issued for each subtask of Task IV.

COST

CONTRACTOR shall receive \$53,500 (lump sum) for Task I, \$17,235 for Task II, and \$17,200 for Task III. For Task IV, CONTRACTOR shall receive not more than \$30,000.

All other terms and conditions of the original agreement and previous amendments remain in full force and effect.

PARAMETRIX, INC.

METROPOLITAN SERVICE DISTRICT

BY: _____

BY: _____

(Print name and title)

(Print name and title)

DATE: _____

DATE: _____

DO:gbc
PARDESIG.CO2

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 91-1411 FOR THE PURPOSE OF AUTHORIZING AN EXEMPTION TO THE COMPETITIVE PROCUREMENT PROCEDURES OF METRO CODE 2.04.053 AND AUTHORIZING A CHANGE ORDER TO THE DESIGN SERVICES AGREEMENT WITH PARAMETRIX, INC.

Date: February 20, 1991

Presented by: Jim Watkins
Dennis O'Neil

PROPOSED ACTION

Adopt Resolution No. 91-1411, which grants exemption from the competitive procurement process and authorizes execution of Change Order No. 2 to the Design Services Agreement with Parametrix, Inc. for engineering services related to the St. Johns Landfill closure.

FACTUAL BACKGROUND AND ANALYSIS

In May 1990, Metro executed a 2.3 million dollar Design Services Agreement with Parametrix, Inc. Parametrix, Inc. is to provide engineering services for the St. Johns Landfill closure. The firm's proposal was selected over one other proposal costing 3.7 million dollars. Since then, Parametrix has worked with Metro's engineering staff and DEQ to develop plans, designs and specifications for closure improvements. Ninety percent of the development of these plans, designs and specifications is complete, but significant tasks related to bidding and construction management remain.

The original Design Services Agreement was based on a construction strategy under which one set of plans, designs, and specifications would be provided and would be used in one competitive bidding process to select one contractor to construct all closure improvements.

During the design development process, it became apparent that two modifications of the strategy were desirable. First, Metro would purchase most of the cover soil and stockpile it on-site in 1991 and 1992. The stockpiles will be located on areas of the landfill where considerable settlement is anticipated, and the weight of the stockpiles will be used to accelerate the settlement before final cover is applied. The purpose of this is to reduce the risk that rapid settlement after cover application would cause increased post-closure maintenance costs because of cover failure. Metro would also gain cost advantages from buying soil in bulk, and reducing the risk to construction contractors of delayed soil deliveries during the construction season.

Secondly, Metro would pursue an open competitive bid process each year for an area of the landfill, rather than let one contract for the entire landfill. Metro would be able to learn from the actual construction experience of each year, and use this knowledge to revise contracts for subsequent years. Smaller contracts would tend to allow more potential bidders to compete. Since contractors would only be responsible for one year's construction, they would be less likely to add contingencies for future cost changes.

These modifications in construction strategy require that the Design Services Contract with Parametrix, Inc. be modified. Change Order No. 2 authorizes Parametrix, Inc. to perform the additional tasks of developing technical documents for soil procurement and preloading to be included in a Metro bid package to be developed as soon as possible. Change Order No. 2 also authorizes Parametrix, Inc. to develop a settlement monitoring plan to help Metro monitor the effects of preloading and determine the order of closure of the various sub-areas. Parametrix, Inc. would also develop a detailed closure construction sequence and cash flow estimate based on Metro's construction strategy outline. The cost of these tasks is \$87,935.00.

Finally, Change Order No. 2 authorizes Parametrix, Inc. to provide technical assistance to Metro in its procurement process for energy recovery from landfill gas. This task would cost not more than \$30,000.00. Mr. Drennen, the Project Manager for Parametrix, Inc. was responsible for Metro's procurement process for energy recovery from landfill gas. Parametrix, Inc., therefore, has experience specific to energy recovery from St. Johns Landfill gas.

Metro Code 2.04.054 states that a contract amendment exceeding \$10,000.00 shall not be approved unless the Contract Review Board (Metro Council) exempts the amendment from the competitive procurement process of Section 2.04.053.

An exemption is clearly justified in this instance. As detailed above, the work contemplated is most logically viewed as part of the ongoing work of Parametrix, Inc. Parametrix, Inc. has an up-to-date and intimate knowledge of St. Johns Landfill and its closure, and will continue to perform engineering services related to landfill closure until 1996. Metro's planning for landfill closure was never intended to be piecemeal and fragmented between consultants. It would be inefficient to now hire an additional engineering consultant to carry out this relatively small component of landfill closure engineering.

BUDGET IMPACT

The current fiscal year budget for St. Johns Landfill closure engineering services is 1.2 million dollars. Change Order No. 2,

for no more than \$117,935.00 is not expected to cause this budget to be exceeded.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 91-1411.

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GRANT/CONTRACT SUMMARY

METRO METROPOLITAN SERVICE DISTRICT

GRANT/CONTRACT NO. 901-270 BUDGET CODE NO. 531-319320-574130-75960
 FUND: Landfill closr account DEPARTMENT: Solid Waste (IF MORE THAN ONE) _____
 SOURCE CODE (IF REVENUE) _____

INSTRUCTIONS

- OBTAIN GRANT/CONTRACT NUMBER FROM CONTRACTS MANAGER. CONTRACT NUMBER SHOULD APPEAR ON THE SUMMARY FORM AND ALL COPIES OF THE CONTRACT.
- COMPLETE SUMMARY FORM.
- IF CONTRACT IS —
 - SOLE SOURCE, ATTACH MEMO DETAILING JUSTIFICATION.
 - UNDER \$2,500, ATTACH MEMO DETAILING NEED FOR CONTRACT AND CONTRACTOR'S CAPABILITIES, BIDS, ETC.
 - OVER \$2,500, ATTACH QUOTES, EVAL FORM, NOTIFICATION OF REJECTION, ETC.
 - OVER \$50,000, ATTACH AGENDA MANAGEMENT SUMMARY FROM COUNCIL PACKET, BIDS, RFP, ETC.
- PROVIDE PACKET TO CONTRACTS MANAGER FOR PROCESSING

RECEIVED IN THE CONTRACTS DIVISION ON:

FEB 29 1991

DEPARTMENT HEAD _____
 ADMIN. SECRETARY _____
 CONTR. ADMINISTRATOR _____

1. PURPOSE OF GRANT/CONTRACT Change order #2- assist in material procurement/preload, development settlement monitoring plan, develop construction sequence plan, assist in energy recovery

2. TYPE OF EXPENSE
- | | | |
|---|---|---------------------------------------|
| <input checked="" type="checkbox"/> PERSONAL SERVICES | <input type="checkbox"/> LABOR AND MATERIALS | <input type="checkbox"/> PROCUREMENT |
| <input type="checkbox"/> PASS THROUGH AGREEMENT | <input type="checkbox"/> INTER-GOVERNMENTAL AGREEMENT | <input type="checkbox"/> CONSTRUCTION |
| | | <input type="checkbox"/> OTHER |

OR

TYPE OF REVENUE GRANT CONTRACT OTHER

3. TYPE OF ACTION CHANGE IN COST CHANGE IN WORK SCOPE
 CHANGE IN TIMING NEW CONTRACT

4. PARTIES METRO / PARAMETRIX, Inc.

5. EFFECTIVE DATE May 24, 1990 TERMINATION DATE April 30, 1996
 (THIS IS A CHANGE FROM _____)

6. EXTENT OF TOTAL COMMITMENT:	ORIGINAL/NEW	\$ <u>2,301,692.00</u>
	PREV. AMEND	<u>9,900.00</u>
	THIS AMEND	<u>117,935.00</u>
	TOTAL	\$ <u>2,429,527.00</u>

7. BUDGET INFORMATION

- A. AMOUNT OF GRANT/CONTRACT TO BE SPENT IN FISCAL YEAR 1991-92 \$ est. 930,000.00
 B. BUDGET LINE ITEM NAME Engineering Services AMOUNT APPROPRIATED FOR CONTRACT \$ 1,220,000.00
 C. ESTIMATED TOTAL LINE ITEM APPROPRIATION REMAINING AS OF January 31, 1991 \$ 500,000.00

8. SUMMARY OF BIDS OR QUOTES (PLEASE INDICATE IF A MINORITY BUSINESS ENTERPRISE)
see original contract summary

SUBMITTED BY _____	\$ _____	<input type="checkbox"/> MBE
	AMOUNT	
SUBMITTED BY _____	\$ _____	<input type="checkbox"/> MBE
	AMOUNT	
SUBMITTED BY _____	\$ _____	<input type="checkbox"/> MBE
	AMOUNT	

9. NUMBER AND LOCATION OF ORIGINALS Parametrix, Inc. / Metro Solid Waste / Metro Contracts Division

10. A. APPROVED BY STATE/FEDERAL AGENCIES? YES NO NOT APPLICABLE
 B. IS THIS A DOT/UMTA/FHWA ASSISTED CONTRACT YES NO
11. IS CONTRACT OR SUBCONTRACT WITH A MINORITY BUSINESS? YES NO N/A
 IF YES, WHICH JURISDICTION HAS AWARDED CERTIFICATION _____
12. WILL INSURANCE CERTIFICATE BE REQUIRED? YES NO
13. WERE BID AND PERFORMANCE BONDS SUBMITTED? YES NOT APPLICABLE
 TYPE OF BOND N/A AMOUNT \$ _____
 TYPE OF BOND _____ AMOUNT \$ _____
14. LIST OF KNOWN SUBCONTRACTORS (IF APPLICABLE)
 See original contract summary
- | | | |
|------------|---------------|------------------------------|
| NAME _____ | SERVICE _____ | <input type="checkbox"/> MBE |
| NAME _____ | SERVICE _____ | <input type="checkbox"/> MBE |
| NAME _____ | SERVICE _____ | <input type="checkbox"/> MBE |
| NAME _____ | SERVICE _____ | <input type="checkbox"/> MBE |
15. IF THE CONTRACT IS OVER \$10,000
 A. IS THE CONTRACTOR DOMICILED IN OR REGISTERED TO DO BUSINESS IN THE STATE OF OREGON?
 YES NO
- B. IF NO, HAS AN APPLICATION FOR FINAL PAYMENT RELEASE BEEN FORWARDED TO THE CONTRACTOR?
 YES DATE _____ INITIAL _____

16. COMMENTS:

GRANT/CONTRACT APPROVAL

INTERNAL REVIEW

**CONTRACT REVIEW BOARD
(IF REQUIRED) DATE _____**

**COUNCIL REVIEW
(IF REQUIRED)**

DEPARTMENT HEAD

1. _____
COUNCILOR

DATE _____

FISCAL REVIEW

2. _____
COUNCILOR

BUDGET REVIEW

3. _____
COUNCILOR

LEGAL COUNSEL REVIEW AS NEEDED:

A. DEVIATION TO CONTRACT FORM _____

B. CONTRACTS OVER \$10,000 _____

C. CONTRACTS BETWEEN GOVERNMENT AGENCIES _____

Agenda Item No. 7.3
Meeting Date: March 14, 1991

RESOLUTION NO. 91-1403

TRANSPORTATION and PLANNING COMMITTEE REPORT

RESOLUTION NO. 91-1403, DEMONSTRATING SUPPORT for AMENDMENT of the OREGON REVISED STATUTES, CHAPTER 197, pertaining to ACKNOWLEDGEMENT AND PERIODIC REVIEW of REGIONAL GOALS and OBJECTIVES

Date: February 27, 1991

Presented by: Councilor Gardner

COMMITTEE RECOMMENDATION

At its February 26, 1991 meeting, the Transportation and Planning Committee voted unanimously (Devlin, Gardner, McLain, and Van Bergen) to recommend Council adopt Resolution No. 91-1403.

BACKGROUND

Resolution No. 91-1403 supports, and directs Metro staff to work toward, amending state statutes (Chapter 197) so that the State will determine if metropolitan area land use planning goals and objectives are consistent with State land use goals and objectives. The process would closely resemble the process of acknowledgement and periodic review now provided for comprehensive land use plans.

The purpose of this amendment is to avoid requiring persons to conform to two sets of goals and objectives which might not be consistent.

The Urban Growth Management Policy Advisory Committee voted on January 30, 1991 to recommend Council seek this change.

The Governmental Affairs Committee, at its February 21, 1991 meeting, voted unanimously to recommend Council adopt Resolution No. 91-1403.

In order not to miss the filing deadline, Metro staff have already asked Legislative Counsel to draft a bill to accomplish this result.

COMMITTEE DISCUSSION/ISSUES

There was no Committee discussion.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF DEMONSTRATING) RESOLUTION NO. 91-1403
SUPPORT FOR AMENDMENT OF THE)
OREGON REVISED STATUTES, CHAPTER)
197, PERTAINING TO ACKNOWLEDGE-)
MENT AND PERIODIC REVIEW OF) Introduced by Jim Gardner,
REGIONAL GOALS AND OBJECTIVES) Deputy Presiding Officer

WHEREAS, Oregon Revised Statutes 268.380 (1) require the Metropolitan Service District to adopt "land use goals and objectives" for the region "consistent with statewide goals"; and

WHEREAS, the means to show consistency with statewide goals is through an acknowledgement and periodic review procedure, administered by the Land Conservation and Development Commission; and

WHEREAS, the Land Use Board of Appeals, LWV v. Metro, case 88-102, ruled that the current definition of "acknowledgement" applies only to comprehensive plans and their implementing ordinances; and

WHEREAS, the Metropolitan Service District is currently completing "Regional Urban Growth Goals and Objectives", which are intended to meet the requirements of ORS 268.380 (1); and

WHEREAS, the draft "Regional Urban Growth Goals and Objectives" are not intended to be comprehensive plans or implementing ordinances; and

WHEREAS, the Urban Growth Management Policy Advisory Committee voted on January 30th , 1991 to recommend that the Council of the Metropolitan Service District seek such changes; now, therefore

BE IT RESOLVED,

That the Metropolitan Service District hereby supports the amendment of the Oregon Revised Statutes, Chapter 197, to clarify procedures intended to show the consistency of any regional land use goals and objectives with state goals. Said regional land use goals and objectives may include the draft "Regional Urban Growth Goals and Objectives" or any part thereof, or as may be revised. Further, the Council directs its staff and representatives to work with members of the State Legislature, and other persons as may be appropriate, to request such amendments.

ADOPTED by the Council of the Metropolitan Service District the _____ day of _____, 1991.

Tanya Collier, Presiding Officer

STAFF REPORT

CONSIDERATION OF RESOLUTION 91-1403, FOR THE PURPOSE OF DEMONSTRATING SUPPORT FOR THE AMENDMENT OF THE OREGON REVISED STATUTES, CHAPTER 197, PERTAINING TO ACKNOWLEDGEMENT AND PERIODIC REVIEW OF REGIONAL GOALS AND OBJECTIVES.

Date: February 19, 1991

Presented by : Rich Carson

FACTUAL BACKGROUND

Metro is mandated by the state to adopt "land use goals and objectives" for the region "consistent with statewide goals". Currently, as an interim measure, Metro is operating within the old CRAG (Columbia Region Association of Governments) Goals, which at this point are over 10 years old, and in several cases very much out-of-date.

The Urban Growth Management Policy Advisory Committee is currently drafting Regional Urban Growth Goals and Objectives, in part to meet the requirements of state statute.

However, the latest LUBA case (LVW v. Metro) indicates that acknowledgement only applies to comprehensive plans and implementing ordinances.

Accordingly, there is no means to determine whether any regional goals and objectives are consistent with state goals. There is a real concern that with either the existing CRAG goals or the draft RUGGO (when adopted), litigation could be filed by any party who may erroneously seek to use the district goals as a basis of appeal of a local land use action. Additionally, as it now stands, "consistency" could only be defined by the courts in a contested case.

For these reasons, the Urban Growth Management Policy Advisory Committee has recommended that Metro seek amendments to state statutes to clarify acknowledgement and periodic review.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends the approval of Resolution No. 91-1404, supporting the amendment of Chapter 197 of the Oregon Revised Statutes.



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

Date: February 5, 1991

To: Burton Weast, Western Advocates, Inc.

From: ^{RAC} Richard Carson, Director, Planning & Development

Regarding: METRO BILL: ACKNOWLEDGMENT AND PERIODIC REVIEW OF REGIONAL GOALS AND OBJECTIVES

Legislative Intent

Metro seeks amendments to ORS ch 197 for statutory clarification of LCDC's authority to acknowledge that its land use goals and objectives are consistent with statewide land use goals. Also, once acknowledged these district goals and objectives must be subject to periodic review for continued acknowledgment.

The intent of these amendments is to clearly utilize the same process for acknowledgment and periodic review of district goals and objectives that has been used for determining comprehensive plan statewide goal compliance. The existing statutory standard that district goals and objectives must be "consistent" with statewide goals must be retained because regional goals and objectives are not intended to be comprehensive plans. Therefore, this legislation retains the distinction between district goals and objectives, which address issues of metropolitan significance, and city-county comprehensive plans which must contain all land use policies to be implemented.

Background

ORS 268.380(1) requires Metro to adopt "land use goals and objectives" for the region "consistent with statewide goals." Such goals and objectives, intended to fulfill this requirement, are currently under consideration to replace CRAG's 1976 Goals and Objectives. However, a recent LUBA case confirms that there is currently no process in State law for determining RUGGO "consistency" with statewide planning goals.¹

¹LWV v. Metro, LUBA No. 88-102 (1989) interpreted ORS 197.015(1), the definition of "acknowledgment," to apply only to comprehensive plans and their implementing ordinances.

Memorandum
Page 2
February 5, 1991

In the absence of a specific procedure, like that created for acknowledgment of comprehensive plans in ORS 197.251, uncertainty exists about how to determine State goal consistency. Without amendments to ORS ch 197, "consistency" would be tested in case by case LUBA appeals whenever a litigant perceives that the district goals and objectives have been applied to a Metro land use action.

Further, without some kind of binding determination of consistency for district goals and objectives, like acknowledgment of comprehensive plans is binding in ORS 197.175(2)(d), litigants may erroneously attempt to use district goals and objectives as the basis for appeal of local land use actions as well. LCDC's determination that district goals and objectives are consistent with statewide planning goals will clarify the role of district goals and objectives and reduce unnecessary land use appeals.

RC/LS/der
1196

Agenda Item No. 7.4
Meeting Date: March 14, 1991

RESOLUTION NO. 91-1388A



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503-221-1646

Memorandum

DATE: March 7, 1991
TO: Interested Parties
FROM: Paulette Allen, Clerk of the Council *PA*
RE: RESOLUTION NO. 91-1388A

Because of the large volume of supporting documentation for Resolution No. 91-1388A, only the Transportation & Planning Committee report, Resolution No. 91-1388A, the exhibits to that resolution and the original Resolution No. 91-1388 have been printed in this agenda packet. The remaining materials, comprised of Senate Bills, charts, and other informational materials, will be distributed in advance to Councilors in a supplemental packet and will be available at the Council meeting March 14. Those interested in obtaining those materials may contact the Clerk at 221-1646, ext. 206.

TRANSPORTATION and PLANNING COMMITTEE REPORT

**RESOLUTION NO. 91-1388A, ENDORSING PRINCIPLES ASSOCIATED WITH
D.E.Q.'S COMPREHENSIVE EMISSIONS FEE PROPOSAL**

Date: February 27, 1991 Presented by: Councilor Bauer

COMMITTEE RECOMMENDATION: At its February 26, 1991 meeting, the Transportation and Planning Committee voted 4-1 (Councilors Bauer, Devlin, Gardner, and McLain in favor, Councilor Van Bergen opposed) to recommend Council adopt Resolution No. 91-1388A, with four amendments:

- 1 add the phrase "Bi-State Policy Advisory Committee" following the term "JPACT" in RESOLVED #4 (Bauer);
- 2 add the phrase "Bi-State Policy Advisory Committee" following the term "JPACT" in RESOLVED #5 (Bauer); and
- 3 add a RESOLVED #6 as follows:
"Limitations on the use of motor vehicle fee alternatives due to restrictions of the Oregon Constitution should be changed." (Gardner)
- 4 renumber the existing RESOLVED #6 as RESOLVED #7. (Gardner)

The history of Resolution No. 91-1388A is outlined in the Transportation and Planning Committee's staff report. The Governmental Affairs Committee has recommended its adoption.

- COMMITTEE DISCUSSION:** John Kowalczyk of DEQ explained that
- o HB 2175 extends the \$25/ton industrial emission fee of the Clean Air Act to other sources of air pollution, including motor vehicles. This is appropriate and fair, and may be necessary, because Oregon could find its federal highway money impounded if it fails to implement the Act.
 - o The Portland metropolitan area needs time beyond the Legislative session to use the JPACT process to develop and implement an added market-sensitive air quality strategy.

Councilor Bauer noted that the Bi-State Commission endorsed the comprehensive emissions fee prior to Resolution No. 91-1388A and supports a statewide fee on new vehicle sales, which may be included in HB 2175. The Committee unanimously approved his amendment to keep the Commission in the metropolitan area "loop" to develop and implement an area air quality strategy.

Councilor Gardner noted Metro's past Legislative support for changing the Constitutional limits on the use of vehicle fees. He moved to add a provision to that effect from the original draft of Resolution No. 91-1388. The amendment passed, over the opposition of Councilors Devlin and Van Bergen who said that it was a separate issue (which is the subject of HB 1984) and would be unnecessary for emissions fees currently being proposed.

Implementing the fee concept concerned Councilor Van Bergen.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ENDORSING) RESOLUTION NO. 91-1388A
PRINCIPLES ASSOCIATED WITH DEQ'S)
COMPREHENSIVE EMISSIONS FEE) Introduced by David Knowles,
PROPOSAL) Chair, Joint Policy Advisory
) Committee on Transportation

WHEREAS, The Portland metropolitan area is in violation
of air quality standards for carbon monoxide and ozone; and

WHEREAS, Motor vehicles are a significant contributor to
this air quality problem; and

WHEREAS, Significant growth of population, vehicle travel
and congestion threaten to exacerbate this problem; and

WHEREAS, DEQ has proposed a market-sensitive approach to
reduce emissions through fees on polluters at the rate of \$25.00
per ton; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District
adopts the following principles:

1. Motor vehicles are a significant source of air
pollution statewide and should shoulder their share of the burden
of meeting air quality standards.

2. A market-sensitive statewide approach to addressing
this problem is appropriate.

3. Programs and fees proposed to control automobile
emissions should be consistent with state, regional and local land
use objectives and assist in implementing a multi-modal approach to
meeting air quality objectives.

4. The Metro Council, JPACT, and TPAC and Bi-State Committee should be further involved in the development of program details.

5. An added approach should be pursued to meeting air quality problems in the Portland metropolitan area; TPAC should work with the Department of Environmental Quality to recommend to JPACT, Bi-State Committee and the Metro Council specific language to be incorporated into HB 2175 calling for the development and implementation of the added approach in the Portland metropolitan area.

7-6. Limitations on the use of motor vehicle fee alternatives due to restrictions of the Oregon Constitution should be changed.

7. This resolution does not endorse any specific proposal to implement these principles.

ADOPTED by the Council of the Metropolitan Service District this ____ day of _____, 1991.

Tanya Collier, Presiding Officer

MH:mk
91-1388A.RES
02-27-91

COUNCIL STAFF REPORT

RESOLUTION NO. 91-1388A, ENDORSING PRINCIPLES ASSOCIATED WITH DEQ'S COMPREHENSIVE EMISSIONS FEE PROPOSAL

Date: February 19, 1991

By: Martin Winch

BACKGROUND

On September 27, 1990, the Air Quality Subcommittee of the Bi-State Policy Advisory Committee recommended expanding the emission fee concept to "all major sources of air pollution," stating that these sources "are potentially more effectively controlled through a non-regulatory, market-based approach which should include establishing an air quality improvement fund from the fees to support public and private projects that would cost-effectively reduce emissions." (see Exhibit A) On October 26, 1990, the Bi-State Policy Advisory Committee accepted and endorsed this recommendation and urged Metro and IGR to forward it to their respective state legislatures. (see Exhibit A)

On November 13, 1990, the Intergovernmental Relations Committee unanimously recommended Council approval of Resolution No. 90-1352, Approving the Recommendations of the Bi-State Policy Advisory Committee Regarding Air Pollution Measures, which Council did adopt on November 29, 1990. (Exhibit A)

On January 4, 1991, the Transportation Policy Alternatives Committee (TPAC) reviewed and discussed the November 26, 1990 Legislative draft of the Comprehensive Emission Fee bill. Questions were raised about the feasibility, cost, legal complications and fairness of various fees and fee collection mechanisms. Resolution No. 91-1388 was crafted as a motion, with the intent of reciting basic principles relating to transportation and air quality which were the foundation of the draft legislation. A motion to table for a month narrowly failed. Over several dissenting votes and abstentions, TPAC passed the recital of principles which became Resolution No. 91-1388. (Exhibit B)

The Governmental Affairs Committee considered Resolution No. 91-1388 on January 17, 1991. The Committee tabled the Resolution with the purpose of monitoring it.

The Transportation and Planning Committee considered Resolution No. 91-1388 on January 22, 1991. The Committee deferred action on the Resolution until after consideration by the Bi-State Policy Advisory Committee and JPACT review.

JPACT first considered Resolution No. 91-1388 on January 17, 1991. JPACT decided to defer the Resolution to its February meeting, on account of concern over questions inherent in the comprehensiveness of the proposed legislation and its implementation measures, the parking fee in particular.

TPAC again considered Resolution No. 91-1388 on February 8, 1991. TPAC had before it two draft modifications of the Resolution, labelled

(A) (Exhibit C) and (B) (Exhibit D). TPAC, however, drafted another version, which is now Resolution No. 91-1388A.

JPACT considered Resolution No. 91-1388A at its February 14, 1991 meeting. The Resolution passed, with the Washington County cities' representative dissenting.

COMPARING RESOLUTIONS NO. 91-1388 AND 91-1388A

The recitals are identical in both versions.

Three of the "Resolved's" are substantially the same:

Resolution No.	91-1388	91-1388A	comment
Resolved #1	"its"	"their"	grammatical
Resolved #2		add, "market-sensitive"	
Resolved	#7	#4	renumbered

Two of the "Resolved's" in 91-1388, were deleted entirely in 91-1388A:

#5 (fee revenue from the metro area should be linked to transportation improvements in the metro area, particularly to implementing transit expansion called for in the R.T.P.); and

#6 (change the Constitutional restrictions on the use of vehicle fees).

Two of the "Resolved's" in 91-1388 were significantly changed in 91-1388A:

#3 in 91-1388 ("Significant air quality problems in the Portland region warrant implementation of a special approach for this airshed.") has become #5 in 1388A ("An added approach should be pursued to meeting air quality problems in the Portland metropolitan area; TPAC should work with DEQ to recommend to JPACT and the Metro Council specific language to be incorporated into HB 2175 calling for the development and implementation of the added approach in the Portland metropolitan area.")

#4 in 1388 ("Programs proposed to control automobile emissions should be consistent with state, regional and local land use objectives") has become #3 in 1388A ("Programs and fees proposed to control automobile emissions should be consistent with state, regional and local land use objectives and assist in implementing a multi-modal approach to meeting air quality objectives.")

Finally, #6 in 91-1388A is added: "This resolution does not endorse any specific proposal to implement these principles."

After JPACT approved Resolution No. 91-1388A, members orally instructed Metro's Transportation Department to use the JPACT/TPAC process to gain regional consensus on HB 2175 as a whole, not limited to the metro-area language of new "Resolved" #5.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

EXHIBIT "A"
(T & P 2/26/91)

FOR THE PURPOSE OF APPROVING THE	)	RESOLUTION NO. 90-1352
RECOMMENDATIONS OF THE BI-STATE)	
POLICY ADVISORY COMMITTEE	)	INTRODUCED BY COUNCILOR
REGARDING AIR QUALITY	)	LAWRENCE BAUER, CO-CHAIR
PROTECTION MEASURES	)	BI-STATE POLICY ADVISORY
	)	COMMITTEE

WHEREAS, the Metro Council and the Intergovernmental Resource Center of Clark County established the Bi-State Policy Advisory Committee (Bi-State) by joint resolution on September 24, 1981; and

WHEREAS, Metro's charge to Bi-State includes the direction, "to develop recommendations for consideration by the Metro Council;" and

WHEREAS, Bi-State has identified air quality as one of the seven issues for its investigation, in recognition of the importance of the local air quality problem and the need for a regional approach to address it; and

WHEREAS, Bi-State has established an Air Quality Subcommittee to investigate air quality issues in the Portland-Vancouver metropolitan area; and

WHEREAS, Bi-State's Air Quality Subcommittee has developed recommendations in support of standardized air quality protection measures for the Portland-Vancouver airshed; and

WHEREAS, Bi-State adopted Resolution 10-01-1990 on October 26, 1990 (attached as Exhibit A), which "accepts and endorses the recommendations of the Air Quality Subcommittee and encourages Metropolitan Service District and Intergovernmental Resource Center to forward these recommendations to their respective state legislatures;" and

WHEREAS, the recommendations of the Air Quality Subcommittee and the full Bi-State committee (attached as Exhibit B) include calls to standardize and enhance an expanded motor vehicle inspection/maintenance program, standardize regulations and enforcement procedures on stationary sources of air pollution on both sides of the Columbia River, establish and enforce a standardized system of stationary source emissions fees, expand the Emission Fee concept to all major area sources of air pollution, and preserve local control of air-quality policy in order to coordinate policy implementation; and

WHEREAS, it is in the public interest that standardized air quality protection measures be based on the higher of the two states' standards; now, therefore,

BE IT RESOLVED,

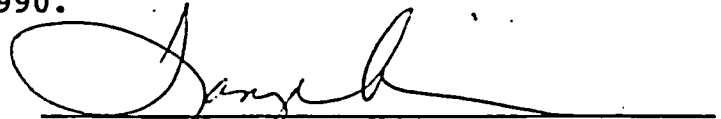
That the Council of the Metropolitan Service District accepts and endorses the recommendations of the Bi-State Policy Advisory Committee regarding air quality protection, and further recommends that the more stringent of the Oregon and Washington regulations form the basis for establishing air quality standards for the Portland-Vancouver airshed; and

BE IT FURTHER RESOLVED,

That the Council directs that copies of this Resolution, with Exhibits A and B attached, shall be sent to the Governor and Governor-Elect of Oregon; members of Metro's legislative delegation; members of the Joint Committee on Environment, Energy and Hazardous Materials; and members of relevant House and Senate Committees, including the House Environment and Energy Committee and Senate Agriculture and Natural Resources Committee.

ADOPTED by the Council of the Metropolitan Service District this

29th day of November, 1990.



Tanya Collier, Presiding Officer

cs:bisairq.res

RECEIVED OCT 31 1990

BI-STATE POLICY ADVISORY COMMITTEE
RESOLUTION 10-01-1990

Exhibit "A"

For the purpose of recommending that Metropolitan Service District and Intergovernmental Resource Center forward recommendations to their respective state legislatures concerning consistent and uniform approaches to air quality regulations affecting the Portland-Vancouver metropolitan area.

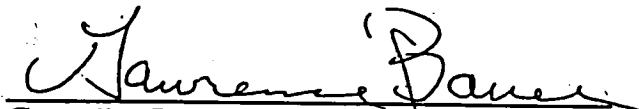
WHEREAS, the Bi-State Policy Advisory Committee established a subcommittee to investigate air quality issues in the Portland-Vancouver metropolitan area; and

WHEREAS, the Air Quality Subcommittee met on two occasions during the months of August and September of 1990 to formulate recommendations regarding air quality regulations applied to the metropolitan area; and

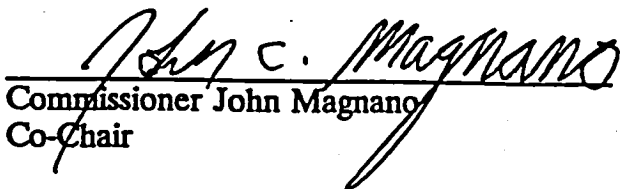
WHEREAS, the September 27, 1990 meeting of the Air Quality Subcommittee culminated in policy recommendations to the Bi-State Policy Advisory Committee as expressed in an October 12, 1990 letter from Stuart Clark, Air Program Manger with the Washington State Department of Ecology, and John Kowalczyk, Air Quality Planning and Development Manager with Oregon State Department of Environmental Quality, to Councilor Larry Bauer and Commissioner John Magnano, a copy of which is appended to this Resolution.

NOW THEREFORE BE IT RESOLVED that the Bi-State Policy Advisory Committee accepts and endorses the recommendations of the Air Quality Subcommittee and encourages Metropolitan Service District and Intergovernmental Resource Center to forward these recommendations to their respective state legislatures.

Adopted this 26th day of October, 1990, by the Bi-State Policy advisory Committee.



Councilor Lawrence Bauer
Co-Chair



Commissioner John Magnano
Co-Chair

October 12, 1990

Councilor Lawrence Bauer, Co-Chair
Commissioner John Magnano, Co-Chair
Bi-State Policy Advisory Committee
1351 Officers' Row
Vancouver, WA 98661

RE: Recommendations on Air-Quality Issues

Dear Councilor Bauer and Commissioner Magnano:

The States of Washington and Oregon share a mutual concern for maintaining the unique quality of life enjoyed by residents in the Portland-Vancouver metropolitan area. This concern has formed the agenda of the Bi-State Policy Advisory Committee. Through this intergovernmental mandate, the committee has identified the airshed shared by the two states as a common resource impacted by the inevitable and rapid growth of urban areas on both sides of the Columbia River. In establishing the Bi-State Air Quality Subcommittee, the Advisory Committee has acknowledged both the importance of the local air quality problem and the need for a regional approach to addressing it.

We of the Air Quality Subcommittee believe there is a need for understanding the ways in which different emissions affect the environment in order to formulate policies which are consistent and equitable, a "leveling of the playing field" that ensures that both the public and private industry are paying costs proportionate to their respective levels of pollutants, for example.

As the time for new legislative sessions approaches in Salem and Olympia, we urge that the Advisory Committee put forward recommendations to Governors Gardner and Goldschmidt which we believe will result in constructive new legislation of benefit to both states. Our recommendations are as follows:

Councilor Lawrence Bauer
Commissioner John Magnano
October 12, 1990
Page 2

1. *The Bi-State Air Quality Subcommittee supports a more consistent and uniform approach by the governments of Washington and Oregon regarding air quality issues affecting the Portland-Vancouver metropolitan area. With respect to proposed legislation, such an approach would seek to adopt regulations which would be largely standardized between the states and which would not place disproportionate costs on any group or area. We recommend the following policy actions:*
 - a. *Standardize and enhance an expanded motor vehicle emission inspection and maintenance (I/M) program to cover major urban areas on both sides of the Columbia River. The EPA has determined that I/M programs are among the most cost-effective for controlling urban air pollution. We recommend that projections of urban growth's impact on local travel be used to determine the boundaries of the I/M program.*
 - b. *Standardize regulations and enforcement procedures on stationary sources of air pollution on both sides of the Columbia River. These sources, also called point sources, are monitored and regulated differently in the two states, resulting in inconsistent control of industrial emissions within the region.*
 - c. *Establish and enforce a standardized system of stationary source emissions fees within the framework of the new Clean - Air Act requirements to further limit air pollution from major industrial and commercial sources.*
 - d. *Expand the Emission Fee concept to all major area sources of air pollution. These sources are potentially more effectively controlled through a nonregulatory, market-based approach which should include establishing an air quality improvement fund from the fees to support public and private projects that would cost-effectively reduce emissions.*
 - e. *Preserve local control of air-quality policy, with the objective being coordination--not centralization--of policy implementation.*

We are in the process of formulating additional and more specific recommendations to the Advisory Committee in the coming weeks, realizing that time is growing short for submission of formal recommendations to the state legislatures. We are also aware of a need for educating the public in Portland, Vancouver, and particularly the surrounding small communities and rural areas on the significance and implications of air-quality issues. We will be considering ways to inform residents of the metro area on why the varying impacts of different categories of emissions require a range of approaches to control.

Councilor Lawrence Bauer
Commissioner John Magnano
October 12, 1990
Page 3

On behalf of the subcommittee members, we invite your questions and comments in response to these recommendations, which should be directed to subcommittee coordinator Dave Anderson.

Sincerely,



Stuart Clark, Air Program Analyst
Washington State Department of Ecology
Member, Bi-State Air Quality Subcommittee



John Kowalczyk, Manager, Air Quality Planning & Development
Oregon State Department of Environmental Quality
Member, Bi-State Air Quality Subcommittee

Other Subcommittee members listed below:

John Magnano, Clark County Commissioner
Richard Brandman, Transportation Planning Manager,
Metropolitan Service District of Portland
Dick Serdoz, Director, SW Washington Air Pollution Control
Authority
Elsa Coleman, Parking Manager, City of Portland

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

(T & P 2/26/91)

FOR THE PURPOSE OF ENDORSING)
PRINCIPLES ASSOCIATED WITH)
DEQ'S COMPREHENSIVE EMISSIONS)
FEE PROPOSAL)

RESOLUTION NO. 91-1388

Introduced by
George Van Bergen, Chair
Joint Policy Advisory Committee
on Transportation

WHEREAS, The Portland metropolitan area is in violation
of air quality standards for carbon monoxide and ozone; and

WHEREAS, Motor vehicles are a significant contributor
to this air quality problem; and

WHEREAS, Significant growth of population, vehicle
travel and congestion threaten to exacerbate this problem; and

WHEREAS, DEQ has proposed a market-sensitive approach
to reduce emissions through fees on polluters at the rate of
\$25.00 per ton; now, therefore

BE IT RESOLVED,

That the Council of the Metropolitan Service District
adopts the following principles:

1. Motor vehicles are a significant source of air
pollution statewide and should shoulder its share of the burden
of meeting air quality standards.

2. A statewide approach to addressing this problem is
appropriate.

3. Significant air quality problems in the Portland
region warrant implementation of a special approach for this
airshed.

4. Programs proposed to control automobile emissions

should be consistent with state, regional and local land use objectives.

5. Revenues from fees imposed on transportation sources in this area should be linked to transportation improvements in this area, particularly to assist in implementing the transit expansion aspects of the Regional Transportation Plan.

6. Limitations on the use of motor vehicle fee alternatives due to restrictions of the Oregon Constitution should be changed.

7. The Metro Council, JPACT and TPAC should be further involved in the development of program details.

ADOPTED by the Council of the Metropolitan Service District this ____ day of _____, 1991.

Tanya Collier, Presiding Officer

ACC:lmk
91-1388.RES
1-7-91

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

(T & P 2/26/91)

FOR THE PURPOSE OF ENDORSING	)	RESOLUTION NO. 91-1388 (A)
PRINCIPLES ASSOCIATED WITH DEQ'S)	
COMPREHENSIVE EMISSIONS FEE	)	Introduced by David Knowles,
PROPOSAL	)	Chair, Joint Policy Advisory
	)	Committee on Transportation

WHEREAS, The Portland metropolitan area is in violation of air quality standards for carbon monoxide and ozone; and

WHEREAS, Motor vehicles are a significant contributor to this air quality problem; and

WHEREAS, Significant growth of population, vehicle travel and congestion threaten to exacerbate this problem; and

WHEREAS, DEQ has proposed a market-sensitive approach to reduce emissions through fees on polluters at the rate of \$25.00 per ton; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District adopts the following principles:

1. Motor vehicles are a significant source of air pollution statewide and should shoulder their share of the burden of meeting air quality standards.

2. A ~~market sensitive~~ statewide approach to addressing this problem is appropriate.

3. Significant air quality problems in the Portland region warrant ~~implementation~~ ~~consideration and further study~~ of a special approach for this airshed.

4. Programs proposed to control automobile emissions should be consistent with state, regional and local land use objectives.

5. Revenues from any special fees which may be imposed on considered for transportation sources in this the Portland area should be linked to dedicated for transportation improvements in this area, particularly to assist in implementing the transit expansion aspects of the Regional Transportation Plan.

6. Limitations on the use of motor vehicle fee alternatives due to restrictions of the Oregon Constitution should be changed.

7. The Metro Council, JPACT and TPAC should be further involved in the development of program details.

8. This resolution does not endorse any specific proposal to implement these principles.

ADOPTED by the Council of the Metropolitan Service District this ____ day of _____, 1991.

Tanya Collier, Presiding Officer

MH:mk
91-1388.REA
02-07-91

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

(T & P 2/26/91)

FOR THE PURPOSE OF ENDORSING	)	RESOLUTION NO. 91-1388 (B)
PRINCIPLES ASSOCIATED WITH DEQ'S)	
COMPREHENSIVE EMISSIONS FEE	)	Introduced by David Knowles,
PROPOSAL	)	Chair, Joint Policy Advisory
	)	Committee on Transportation

WHEREAS, The Portland metropolitan area is in violation of air quality standards for carbon monoxide and ozone; and

WHEREAS, Motor vehicles are the largest source of air pollution emissions in the state; and

WHEREAS, Motor vehicles are a significant contributor to this air quality problem major contributor to violations of air quality standards in several areas of the state, particularly in the Portland metropolitan area; and

WHEREAS, Significant expected growth of in population, vehicle travel and congestion threaten to exacerbate this problem; and

WHEREAS, Being in violation of air quality standards significantly impedes growth in all sectors of the economy; and

WHEREAS, Attaining air quality standards and providing airshed capacity is critical for encouraging orderly economic growth and development; and

WHEREAS, Some means of further reducing air pollution emissions, particularly from motor vehicles, will be necessary in the future; and

WHEREAS, DEQ has proposed a market-sensitive based approach to reduce emissions through fees on all major sources of pollution at the rate of \$25.00 per ton; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District adopts the following principles:

1. Motor vehicles are a significant source of air pollution statewide and should shoulder their share of the burden of meeting air quality standards.

2. A ~~market-based~~ statewide approach to addressing this problem is appropriate.

43. ~~Market-based~~ programs proposed to ~~control~~ ~~address~~ automobile ~~motor vehicle~~ emissions should be consistent with state, regional and local land use objectives.

4. ~~Market-based programs proposed to address motor vehicle emissions should be designed to the greatest extent possible to avoid disadvantaging any sector within the economy, and avoid disadvantaging the state as a whole.~~

5. ~~Market-based programs proposed to address motor vehicle emissions should be designed to provide incentives to reduce emissions and raise revenue available for non-highway transportation improvements while minimizing administration and fee collection costs.~~

56. Revenues from ~~statewide~~ fees ~~imposed on transportation sources in this area~~ ~~motor vehicles~~ should be ~~linked to~~ ~~used for~~ ~~transportation improvements in this area,~~ ~~projects and programs to~~ ~~reduce vehicle emissions,~~ and particularly to assist in implementing the transit expansion aspects of the Regional Transportation Plan.

37. Significant air quality problems in the Portland region warrant implementation consideration of a special supplemental approach for this airshed with any funds from a supplemental vehicle emission fee which might be established for the region being dedicated for mitigating motor vehicle emissions in the region.

68. Limitations on the use of motor vehicle fee alternatives due to restrictions of the Oregon Constitution should be changed.

79. The Metro Council, JPACT and TPAC should be further involved in the development of program details and specific amendments to H.B. 2175 to implement these principles.

10. This resolution does not endorse any specific proposal to implement these principles.

ADOPTED by the Council of the Metropolitan Service District this ____ day of _____, 1991.

Tanya Collier, Presiding Officer

MH:mk
91-1388.REB
02-07-91

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 91-1388 FOR THE PURPOSE OF
ENDORING PRINCIPLES ASSOCIATED WITH DEQ'S COMPREHENSIVE
EMISSIONS FEE PROPOSAL

Date: January 7, 1991

Presented by: Andrew C. Cotugno

FACTUAL BACKGROUND AND ANALYSIS

PROPOSED ACTION

Adopt Resolution No. 91-1388 endorsing principles regarding DEQ's proposed emissions fee program proposed for consideration by the 1991 Oregon Legislature.

BACKGROUND

The Joint Interim Committee on Energy, Environment and Hazardous Materials with the assistance of DEQ have developed a proposal for a comprehensive emissions fee program. Under this program, consistent with recently adopted federal requirements on industry, a \$25.00 per ton fee is proposed on polluters. Included is a proposed emission fee on automobiles statewide and a parking fee program proposed for the Portland metropolitan area. An overview of the proposal is described in Attachments A and B from DEQ.

The aspects of the program affecting transportation include a fee on all automobiles statewide to be collected through annual vehicle registrations, new car sales or tire sales. Because of the significance of the air quality problem in the Portland region, an additional program designed to reduce vehicle miles of travel involves a fee on parkers for work trips to encourage use of alternative forms of transportation. Numerous details remain to be defined and are not reflected in the legislative proposal. These could be established through amendments considered by the Oregon Legislature or at a later date through DEQ Administrative Rule. Because of the lack of specificity, it is not recommended to specifically endorse the proposed bill. However, a number of objectives that the bill are intended to accomplish merit endorsement and therefore the proposed resolution endorsing a series of principles is recommended for adoption.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 91-1388.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ENDORSING) RESOLUTION NO. 91-1388
PRINCIPLES ASSOCIATED WITH)
DEQ'S COMPREHENSIVE EMISSIONS) Introduced by
FEE PROPOSAL) George Van Bergen, Chair
Joint Policy Advisory Committee
on Transportation

WHEREAS; The Portland metropolitan area is in violation
of air quality standards for carbon monoxide and ozone; and

WHEREAS, Motor vehicles are a significant contributor
to this air quality problem; and

WHEREAS, Significant growth of population, vehicle
travel and congestion threaten to exacerbate this problem; and

WHEREAS, DEQ has proposed a market-sensitive approach
to reduce emissions through fees on polluters at the rate of
\$25.00 per ton; now, therefore

BE IT RESOLVED,

That the Council of the Metropolitan Service District
adopts the following principles:

1. Motor vehicles are a significant source of air
pollution statewide and should shoulder its share of the burden
of meeting air quality standards.

2. A statewide approach to addressing this problem is
appropriate.

3. Significant air quality problems in the Portland
region warrant implementation of a special approach for this
airshed.

4. Programs proposed to control automobile emissions

should be consistent with state, regional and local land use objectives.

5. Revenues from fees imposed on transportation sources in this area should be linked to transportation improvements in this area, particularly to assist in implementing the transit expansion aspects of the Regional Transportation Plan.

6. Limitations on the use of motor vehicle fee alternatives due to restrictions of the Oregon Constitution should be changed.

7. The Metro Council, JPACT and TPAC should be further involved in the development of program details.

ADOPTED by the Council of the Metropolitan Service District this ____ day of _____, 1991.

Tanya Collier, Presiding Officer

ACC:lmk
91-1388.RES
1-7-91

Agenda Item No. 7.5
Meeting Date: March 14, 1991

RESOLUTION NO. 91-1412A

SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 91-1412, FOR THE PURPOSE
OF ESTABLISHING THE METRO CENTRAL STATION COMMUNITY
ENHANCEMENT ADVISORY COMMITTEE

Date: March 6, 1991

Presented by: Councilor Susan McLain

Committee Recommendation: At the March 5, 1991 meeting, the Committee voted unanimously to recommend Council adoption of Resolution No. 91-1412 as amended. Voting in favor were Councilors DeJardin, Gardner, McFarland, McLain, and Wyers.

Committee Issues/Discussion: Councilor Sandi Hansen explained that Resolution No. 91-1412 will create the Metro Central Station Community Enhancement Advisory Committee, outline its duties, and appoint its members. She said that neighborhood associations in the area impacted by the new transfer station have forwarded the names of representatives to serve on the Advisory Committee.

John Lee Sherman, representing Friends of Forest Park, asked that the Solid Waste Committee include a representative from his organization on the Advisory Committee.

Councilor Hansen said that a representative from Friends of Forest Park had not been included in the list of proposed Advisory Committee members, because it was thought that representatives from Linnton Community Association and Forest Park Neighborhood Association could adequately represent the Park's interests, since it lies within their boundaries.

Councilor McLain suggested that since the Friends of Forest Park desire to become involved, it would be a positive step to include a representative on the advisory committee. She could not identify any negative consequences.

Councilors Hansen and Gardner stated that they were not adverse to amending Resolution No. 91-1412 to provide for a representative from the Friends of Forest Park. The Committee voted unanimously to amend the Resolution accordingly.

The Committee asked that the Friends of Forest Park confer and provide the name of a representative to Council staff before the next Council meeting on March 14, 1991. Exhibit A to the amended resolution will then be revised to add the name of the Friends of Forest Park representative to the list of Advisory Committee members.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ESTABLISHING) RESOLUTION NO. 91-1412A
THE METRO CENTRAL STATION)
COMMUNITY ENHANCEMENT ADVISORY) Introduced by
COMMITTEE) Councilor Hansen

WHEREAS, The adopted Regional Solid Waste Management Plan requires the District to apportion an amount of the service charge for solid waste disposed at each public or privately owned site for the enhancement of the area in and around the disposal site; and

WHEREAS, The transfer station located at 6161 N.W. 61st Avenue is a disposal site as defined by the solid waste management plan; and

WHEREAS, The Council of the Metropolitan Service District is seeking recommendations regarding the administration of the community enhancement program for the area surrounding the transfer station, now, therefor,

BE IT RESOLVED,

1. The Metro Council hereby establishes an advisory committee to be known as the Metro Central Station Enhancement Advisory Committee.

2. The purpose of the Committee shall be to make recommendations to the Metro Council regarding policies and the administration of the enhancement program for the Metro Central Station area, to include the following:

- a. specify the boundaries of the area to be enhanced;
- b. criteria for determining how funds will be used for community enhancement; and
- c. the membership composition of a committee to recommend projects for funding.

The Committee shall complete its recommendations within six months of the date of Council appointment.

3. The Committee chairperson shall be the Metro Councilor from District No. 12. The Metro Council shall appoint [~~five (5)~~] six (6) area citizens as follows: one from the Forest Park Neighborhood Association; one from the Friends of Forest Park; one from the Linnton Community Association; one from Northwest District Neighborhood Association; one from Northwest Industrial Neighborhood Association; and one from St. Johns Neighborhood Association/Friends of Cathedral Park Neighborhood Association. The citizen appointees are indicated on Exhibit A attached which shows the membership roster of the Advisory Committee.

4. The Metro Council staff shall provide administrative services to the advisory committee.

ADOPTED by the Council of the Metropolitan Service District
the _____ day of _____, 1991

Tanya Collier, Presiding Officer

mgs
\SWC\91-1412A.AM1

EXHIBIT A

Resolution No. 91-1412A

METRO CENTRAL STATION
COMMUNITY ENHANCEMENT ADVISORY COMMITTEE

- o **Sandi Hansen, Chair**
Metro Councilor, District No. 12

- o **Don Joyce**
Forest Park Neighborhood Association

- o **John Sherman**
Friends of Forest Park

- o **Chris Foster**
Linnton Community Association

- o **Ed Leek**
Northwest District Association

- o **Mark Young**
Northwest Industrial Neighborhood Association

- o **Terry Scott**
St. Johns Neighborhood Association /
Friends of Cathedral Park Neighborhood Association



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

TO: Council Solid Waste Committee
FROM: Councilor Sandi Hansen, ^{SH} District 12
DATE: February 26, 1991
RE: Resolution No. 91-1412

I am asking the Solid Waste Committee to recommend Council approval of Resolution No. 91-1412, which would create the Metro Central Station Community Enhancement Advisory Committee, outline its duties, and appoint its members.

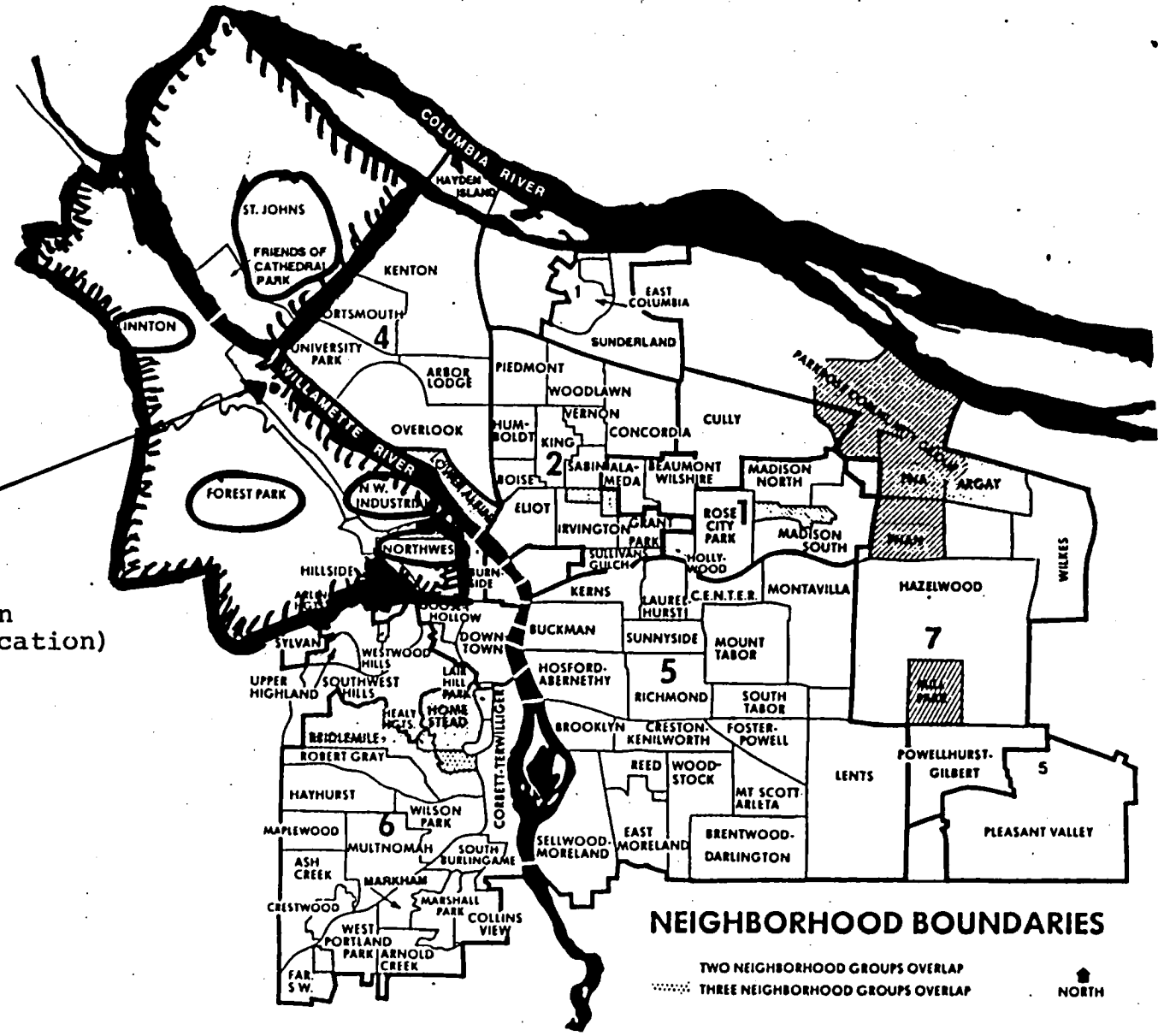
Under the terms of the resolution, the Advisory Committee will recommend to the Council the boundaries of the area to be enhanced, criteria for determining how funds will be used, and the membership composition of the permanent enhancement committee.

The Resolution provides that I will serve as Advisory Committee Chair, in my capacity as the Metro Councilor representing the district in which Metro Central Station is located. The other five committee members will represent the neighborhoods impacted by the transfer station. These neighborhoods are Forest Park, Linnton, Northwest District, Northwest Industrial, and St. Johns/Friends of Cathedral Park.

I have attached two maps showing the approximate location of the transfer station. On one map the impacted neighborhoods are outlined; the other map deletes the outline so that association boundaries can be shown clearly.

At my request, the neighborhood associations representing these neighborhoods have each submitted the name of a person to serve on the Advisory Committee. These citizens are listed in Exhibit A, with the exception of the representative from Linnton. It is my understanding that the Linnton Community Association will be forwarding the name of its representative to Council staff prior to the Solid Waste Committee meeting on March 5, 1991. The Resolution will be revised to incorporate the Linnton representative as soon as the name is provided.

Once the Council approves this Resolution, with the assistance of Council Analyst Karla Forsythe I will convene regular meetings of the Advisory Committee. I anticipate bringing recommendations regarding the permanent committee to the Council for adoption in the fall, in accordance with the six-month deadline established in the Resolution for the Advisory Committee's work.

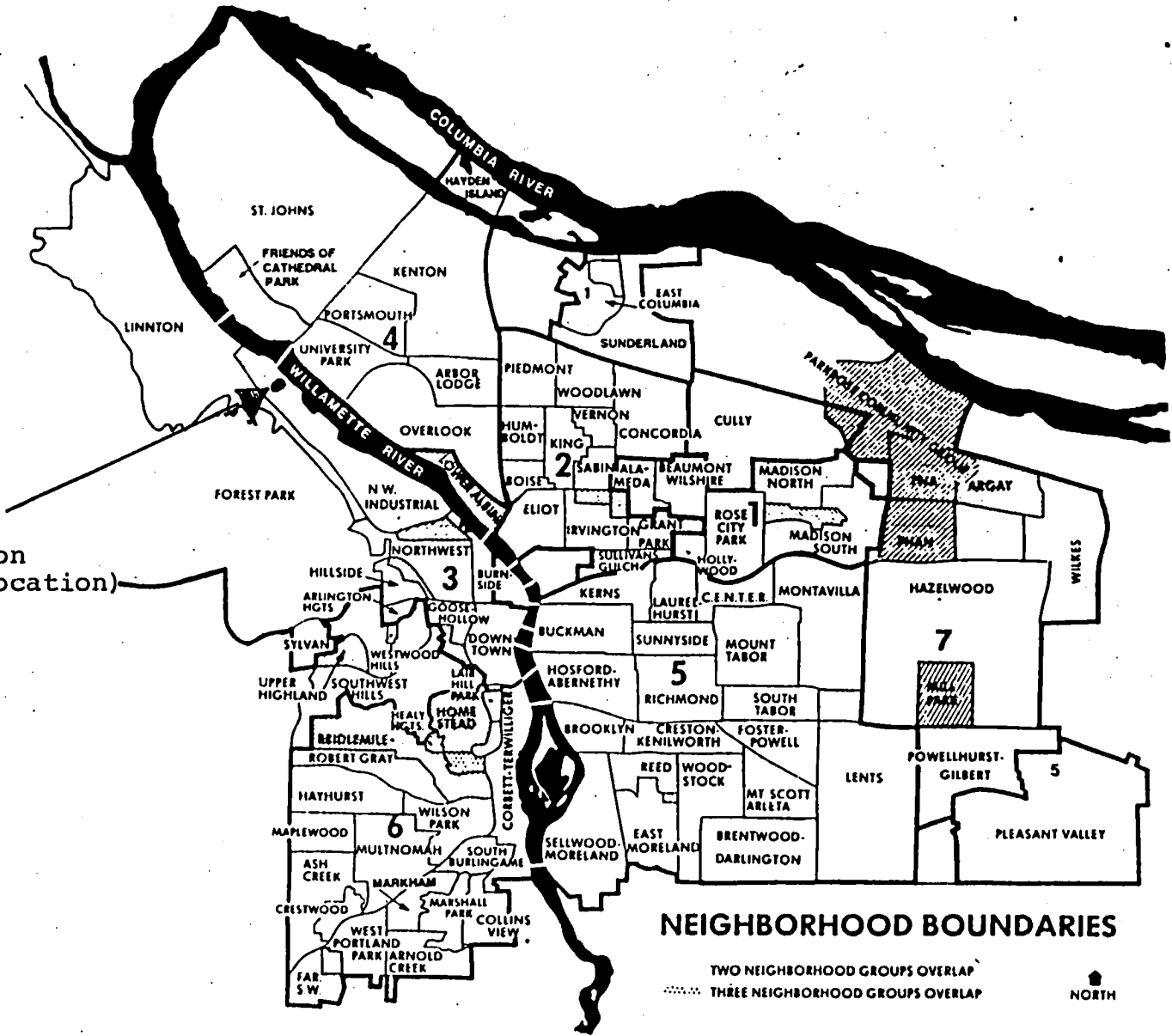


Metro Central
 Transfer Station
 (approximate location)

15

15

Metro Central Transfer Station (approximate location)



BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ESTABLISHING) RESOLUTION NO. 91-1412
THE METRO CENTRAL STATION)
COMMUNITY ENHANCEMENT ADVISORY) Introduced by
COMMITTEE) Councilor Hansen

WHEREAS, The adopted Regional Solid Waste Management Plan requires the District to apportion an amount of the service charge for solid waste disposed at each public or privately owned site for the enhancement of the area in and around the disposal site; and

WHEREAS, The transfer station located at 6161 N.W. 61st Avenue is a disposal site as defined by the solid waste management plan; and

WHEREAS, The Council of the Metropolitan Service District is seeking recommendations regarding the administration of the community enhancement program for the area surrounding the transfer station, now, therefor,

BE IT RESOLVED,

1. The Metro Council hereby establishes an advisory committee to be known as the Metro Central Station Enhancement Advisory Committee.

2. The purpose of the Committee shall be to make recommendations to the Metro Council regarding policies and the administration of the enhancement program for the Metro Central Station area, to include the following:

- a. specify the boundaries of the area to be enhanced;
- b. criteria for determining how funds will be used for community enhancement; and
- c. the membership composition of a committee to recommend projects for funding.

The Committee shall complete its recommendations within six months of the date of Council appointment.

3. The Committee chairperson shall be the Metro Councilor from District No. 12. The Metro Council shall appoint five (5) area citizens as follows: one from the Forest Park Neighborhood Association; one from the Linnton Community Association; one from Northwest District Neighborhood Association; one from Northwest Industrial Neighborhood Association; and one from St. Johns Neighborhood Association/Friends of Cathedral Park Neighborhood Association. The citizen appointees are indicated on Exhibit A attached which shows the membership roster of the Advisory Committee.

4. The Metro Council staff shall provide administrative services to the advisory committee.

ADOPTED by the Council of the Metropolitan Service District
the _____ day of _____, 1991

Tanya Collier, Presiding Officer

mgs.
\SWC\91-1412.RES

EXHIBIT A

Resolution No. 91-1412

METRO CENTRAL STATION
COMMUNITY ENHANCEMENT ADVISORY COMMITTEE

- o **Sandi Hansen, Chair**
Metro Councilor, District No. 12

- o **Don Joyce**
Forest Park Neighborhood Association

- o _____
Linnton Community Association

- o **Ed Leek**
Northwest District Association

- o **Mark Young**
Northwest Industrial Neighborhood Association

- o **Terry Scott**
St. Johns Neighborhood Association /
Friends of Cathedral Park Neighborhood Association

Agenda Item No. 7.6
Meeting Date: March 14, 1991

RESOLUTION NO. 91-1288

SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 91-1288, FOR THE PURPOSE OF GRANTING A FRANCHISE TO K.B. RECYCLING, INC. FOR THE PURPOSE OF OPERATING A SOLID WASTE PROCESSING FACILITY

Date: March 6, 1991

Presented by: Councilor Wyers

COMMITTEE RECOMMENDATION: At the March 5, 1991 meeting, the Committee voted 4-0 to recommend Council approval of Resolution No. 91-1288. Voting in favor were Councilors Gardner, McFarland, McLain, and Wyers. Councilor DeJardin was excused.

COMMITTEE DISCUSSION/ISSUES: Steve Kraten, Senior Solid Waste Planner, explained that the franchise is requested because K.B. Recycling, which is now a buy back center, would like to add a pick line for loads which are 70% recyclable. This franchise would satisfy provisions of the EQC order. Phil North, Senior Solid Waste Planner, said that K.B. Recycling has requested several variances, and that staff recommended granting them with the exception of the request to waive the 90-day notice requirement prior to facility closure.

Councilor Gardner asked about the anticipated impact on revenue at Metro South Station, which now receives some of this waste. Mr. Kraten indicated that the revenue attributable to this waste is not substantial.

Councilor Gardner asked how the plans for disposal of this waste relate to the contract with Oregon Waste System which requires Metro to send to the Columbia Ridge Landfill 90% of the waste destined for a general purpose landfill. Mr. North said that waste out of the system requires a non-system license order under the flow control ordinance, and that it is the Department's position that plans for disposal of this waste are not impacted by the contract.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF GRANTING A) RESOLUTION NO. 91-1288
FRANCHISE TO K.B. RECYCLING, INC.)
FOR THE PURPOSE OF OPERATING A) Introduced by Rena Cusma,
SOLID WASTE PROCESSING FACILITY) Executive Officer

WHEREAS, Section 5.01.030 of the Metropolitan Service District Code requires a Metro Franchise for any person to establish, operate, maintain or expand a disposal site, processing facility, transfer station or resource recovery facility within the District; and

WHEREAS, K.B. Recycling, Inc. (K.B.) has applied for a non-exclusive franchise (Exhibit A) to operate a processing center at 8277 S. Deer Creek Lane, Milwaukie, Oregon; and

WHEREAS, K.B. has submitted evidence of compliance with Metro Code Section 5.01.060 requirements for franchise applications and operational plans; and

WHEREAS, K.B. has applied for variances from Metro Code Sections 5.01.070(g) - flow control authority of solid waste, 5.01.120(b) - prior notice to discontinue service, 5.01.180 - determination of rates, 5.01.190(e) - divestiture of rights of franchisee, 5.01.200 - right to purchase; and

WHEREAS, K.B. has met the purpose and intent of Metro Code Section 5.01.180 and has met variance criterion (3) under Metro Code Section 5.01.110 as set out in its application for a variance from rate regulation; and

WHEREAS, The franchise request has been reviewed in accordance with Code Section 5.01.070 including consistency with the District's Regional Solid Waste management Plan, specifically with respect to policy 8.4 of the Regional Solid Waste Management Plan, and

WHEREAS, A draft franchise agreement has been prepared for consideration by the Executive Officer (Exhibit B); and

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

BE IT RESOLVED,

1. That the Council of the Metropolitan Service District authorizes the District to enter into the attached Franchise Agreement with K.B. Recycling, Inc. within ten (10) days of the adoption of this Resolution.

2. That the Metropolitan Service District acknowledges a maximum facility capacity of 111 tons per week, 417 tons per month and 5,000 tons per year and agrees not to direct flows to this facility in excess of these maximums, as might otherwise be permitted under Section 5.01.070(g).

3. That the requested variance from Metro Code Section 5.01.120(b) to exempt the franchisee from the requirement to provide Metro with notice prior to discontinuing service is denied because it is counter to safeguarding the public interest.

4. That the variance from Metro Code Section 5.01.180 to exempt the facility from having the Metro Council establish disposal rates is granted subject to the condition that the franchisee not establish disposal rates that are higher than those charged by Metro at the Metro South Station without specific prior approval of the Metro Council and that Metro retain the right to impose its rate-setting authority at any time. Further, the variance shall be reviewed by the Executive Officer within one (1) year from the date of issuance of the Franchise. If, in the opinion of the Executive Officer, this variance warrants additional review it shall be reconsidered by the Council.

5. That the variance from the Metro Code Section 5.01.190(e) allowing Metro to require that the franchisee divest his/her ownership in the event of non-renewal or revocation of franchise is granted based on the finding that the facility is small and suspension of activity would not adversely affect the rest of the solid waste system and that revocation or non-renewal adequately safeguard the public interest.

6. That the variance from Metro Code Section 5.01.200 that grants Metro the right to condemn or purchase any real or personal property or any interest therein of the franchisee is granted based on a finding that the facility is small and suspension of activity would not adversely affect the rest of the solid waste system, that revocation or non-renewal adequately safeguard the public interest, and that the facility was constructed using entirely private funding.

7. That, subject to the issuance by Metro of a non-system license, the franchisee be allowed to dispose of any residual materials outside the District boundary at the franchisee's proposed transfer facility in Canby or the Riverbend Landfill provided, however, that the Metro User Fee and any other appropriate charges are collected on these residuals and forwarded to Metro.

Adopted by the Council of the Metropolitan Service District
this _____ day of _____, 1991.

Tanya Collier, Presiding Officer

EXHIBIT A

MAIL THIS APPLICATION TO:
METROPOLITAN SERVICE DISTRICT
Solid Waste Department
2000 S.W. 1st Avenue
Portland, Oregon 97201-5398

DATE RECEIVED BY METRO

August 14, 1990

SOLID WASTE FRANCHISE APPLICATION

Check all that apply:

Transfer Station _____
Processing Center y
Resource Recovery Facility _____
Other (Specify) _____

DATE OF APPLICATION: AUG. 1, 1990

1. NAME OF FACILITY K.B. RECYCLING, INC.
FACILITY ADDRESS 8277 S.E. DEER CREEK LANE

2. PROSPECTIVE FRANCHISEE

PUBLIC AGENCY _____ PRIVATE x
NAME OF FRANCHISEE: K.B. RECYCLING, INC.
MAILING ADDRESS: P.O. BOX 550
 CANBY, OREGON 97013
PHONE NUMBER: 659-7004

3. OWNER(S) OF PROPERTY

NAME FRED A. & JERALD A. KAHUT
MAILING ADDRESS: P.O. BOX 550
 CANBY, OREGON 97013
PHONE NUMBER: 659-7004

4. SUBCONTRACTOR(S)

Name, address and function of prospective franchisee's
facility operation subcontractors, if any:

5. SITE LEGAL DESCRIPTION

(Include tax lot(s) descriptions, Section, Township and Range):

T2 5, R2E SECTION 5 DA TAX LOTS 1700 & 1790 WM

SECTION _____ TOWNSHIP _____ RANGE _____

6. ZONING

Present Land Use Zone: I-3

Restrictions: NONE

7. IS A CONDITIONAL USE PERMIT NECESSARY FOR THE PROPOSED FACILITY? YES _____ NO X

IF REQUIRED, HAS THE PERMIT BEEN OBTAINED? YES _____ NO _____

8. PUBLIC HEARING(S)

Date(s) and nature of Public Hearing(s) held or to be held, if any: _____

9. PERMITS ISSUED OR APPLIED FOR

List name and number of all permits (i.e., DEQ Solid Waste Disposal Permit, Conditional Use Permit, National Pollution Discharge Elimination System Permit, Etc.), plus name, address and contact person at the agency responsible for issuing the permit(s).

Permit(s) Applied For:

DEQ - SOLID WASTE

Permit(s) Received:

10. CITY OR COUNTY LICENSE OR FRANCHISE

Is the solid waste facility licensed or franchised by a city or county?

Yes _____ No Identify _____

11. POPULATION DATA

Estimated population to be served by the facility:

12. ESTIMATED QUANTITY OF SOLID WASTE TO BE ACCEPTED

Annually:	_____	Cubic Yards	Daily:	_____	Cubic Yards
Annually:	<u>18,460</u>	Tons	Daily:	<u>60-80</u>	Tons

13. ESTIMATED ANNUAL TYPE AND QUANTITY OF MATERIAL TO BE RECEIVED, RECOVERED AND DISPOSED FROM SOLID WASTE RECEIVED

	Tons Received	Tons Recovered	Tons Residual	% of Total
Commercial				
Industrial				
Residential				
TOTAL				
Putrescible Food Waste				
Glass				
Newspaper				
Corrugated / Kraft Paper	1365	887	342	35
Office Paper				
Ledger Paper				
Mixed Waste Paper	136			10
Aluminum				
Steel/Ferrous				
Other Metals				
Motor Oil				
Yard Debris				
Constr./Demo Debris				
Special Waste				
Hazardous Waste				
Tires				
Plastic				
Other ()				
TOTAL				

14. CHECK ITEMS THAT ARE TO BE EXCLUDED FROM THE FACILITY.

None	
Bulky Combustible materials (wood waste, etc.)	
Waste Oil	
Junk Automobiles	X
Construction/Demolition Debris	x
Hazardous Materials	X
Putrescible Waste	X
Dead Animal Carcasses	x
Sewage or Industrial Sludges	X
Large Appliances	
Tires	
Other Materials - (Please Specify) _____	
Other Materials - (Please Specify) _____	
Other Materials - (Please Specify) _____	
Other Materials - (Please Specify) _____	

16. PUBLIC/COMMERCIAL OPERATIONS

Will the facility be open to the public? Yes _____ No X

Will the facility be open to commercial solid waste collectors? Yes X No _____

17. OPERATING HOURS AND TRAFFIC VOLUME

OPERATING HOURS	PUBLIC	COMMERCIAL
Hours Per Day		14
Days Per Week		5
Estimated Vehicles Per Day		5-10

18. Does the owner/operator of this facility own, operate, maintain, have a proprietary interest in, or is the owner financially associated with or subcontracting the operation of the facility to any individual, partnership or corporation involved in the business of collecting residential, commercial, industrial or demolition refuse within the boundary of the Metropolitan Service District?

Yes _____ No X _____

19. Will the facility be open to any solid waste collection companies not wholly owned by the franchisee that collect refuse within the boundary of the Metropolitan Service District?

Yes X _____ No _____

20. Will the facility be open to solid waste collection companies who collect outside the boundary of the Metropolitan Service District other than the franchisee?

Yes X _____ No _____

NOTES:

ATTACHMENTS

1. Attachment "A" - The proposal for processing solid waste (i.e., composting, shredding, milling, pulverizing, hand sorting, other) or recovering energy from solid waste (i.e., incineration).
2. Attachment "B" - a statement indicating the need for your proposed facility, including:
 - How the proposed facility will benefit the current solid waste system, and
 - How the proposed facility will further recycling or materials recovery processing within the boundary of the Metropolitan Service District, and
 - What the impact (positive, no effect, negative) the proposed facility will have on other solid waste disposal facilities within the boundary of the Metropolitan Service District, including transfer stations, processing centers, energy recovery facilities and landfills.
3. Attachment "C" - a letter demonstrating that the applicant can obtain public liability insurance, including automotive coverage, in the amounts of not less than Three Hundred Thousand Dollars (\$300,000) for any number of claims arising out of a single accident or occurrence, Fifty Thousand Dollars (\$50,000) to any claimant for any number of claims for damage to or destruction of property, and One Hundred Thousand Dollars (\$100,000) to any claimant for all other claims arising out of a single accident or occurrence or such other amounts as may be required by State Law for public contracts.
4. Attachment "D" - If the applicant is not an individual, submit a list of stockholders holding more than five percent (5%) of a corporation or similar entity, or of the partners of a partnership.
5. Attachment "E" - If rates will be charged, attach a schedule of proposed rates and fill out the attached financial information forms.
6. Attachment "F" - Include a map showing the approximate geographical service area of the proposed facility.

7. Attachment "G" - List major equipment to be used, including:

Make and Model Number	Purchase Price	Purchase Date (If Known)	Scheduled Date to Replace	Description of Equipment
Baler HRB	375,000.	1988		HRB 10AS
POWEL SCALE	20,000.			
BOB CAT	50,000	1990		LOADER (2)
HYSTER	25,000	1986		FORKLIFT
HYSTER	25,000.	1988		FORKLIFT
HYSTER	25,000	1987		FORKLIFT
KRAUSE	55,000	1988		CONVEYOR
DURAQUIP	15,000	1988		CONVEYOR

8. Attachment "H" - A facility layout plan including site boundaries and all access roads.
9. Attachment "I" - One copy each of any required federal, state, county, city or other permits or licenses and one copy each of all correspondence pertaining to all such permits or licenses.
10. Attachment "J" - Letters of support (as appropriate).
11. Attachment "K" - Other pertinent materials.



CLACKAMAS COUNTY

Department of Transportation & Development

December 9, 1986

WINSTON KURTH
EXECUTIVE DIRECTOR

RICHARD DOPP
DIRECTOR
OPERATIONS & ADMINISTRATION

TOM VANDERZANDEN
DIRECTOR
PLANNING & DEVELOPMENT

Metro
200 S.W. First
Portland, OR 97201

SUBJ: K.B. Recycling's High Grade Sorting

The new K.B. Recycling operation at 8277 S.E. Deer Creek Lane is located in an I-3 zone and is subject to the Clackamas County Zoning and Development Ordinance. The Ordinance allows the operation of a facility that would recover paper from select commercial loads of a mixed waste.

Section 603.03 of the Zoning Ordinance permits outright "primary uses, recycling collection depots and transfer stations and processing or treatment of paper, glass, metal or rags". So, the proposed use is permitted.

There are some constraints, however. The site and its building is not very large, so a tight control over the number of trucks using the site is a must. At least during the initial phase, the operation should be limited to Clackamas County haulers until the County, Metro and K.B. Recycling can see how it will work and smooth out any glitch in the system before the operation is expanded to include out of County waste.

The County is looking forward to having the facility operational to be able to begin producing high grade loads to further reduce our waste stream.

David G. Phillips

DAVID G. PHILLIPS - Administrator
Community Environment Section

/mb



CLACKAMAS COUNTY

Department of Transportation & Development

WINSTON KURTH
EXECUTIVE DIRECTOR

RICHARD DOPP
DIRECTOR
OPERATIONS & ADMINISTRATION

TOM VANDERZANDEN
DIRECTOR
PLANNING & DEVELOPMENT

September 8, 1987

Metro
2000 S.W. First
Portland, OR 97201

Att: Steve Rapp

SUBJ: KB Recycling Franchise Application

Clackamas County when granting its approval for past collection sorting operation of K. B. Recycling expressed a desire to confine the flow to that originating in Clackamas County. The reason for this was that the County has concerns that the capacity of the building is not sufficient to have an open ended volume arriving there.

The County will withdraw that stipulation as long as a maximum volume limit is placed on the volume and the amount of that maximum should be worked out with Fred Kahut.

A handwritten signature in cursive script, appearing to read "David G. Phillips".

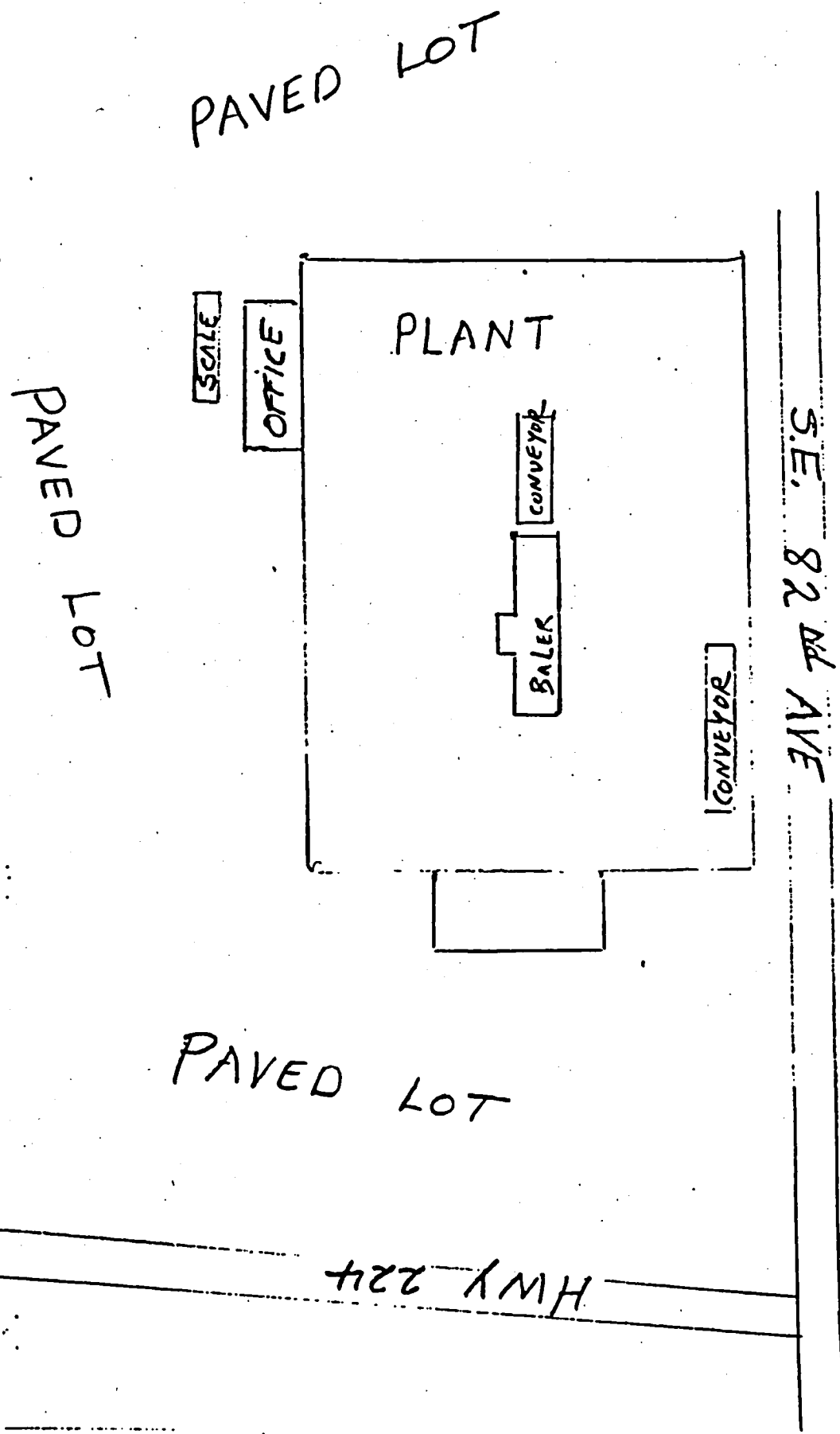
DAVID G. PHILLIPS - Administrator
Community Environment Section

/mb

K.B. Recycling, Inc.
8277 S.E. Deer Creek Lane
Milwaukie, Or 97222

NOT TO SCALE

Total Acres = 2.3
Usable Acres = 2.3





RECEIVED AUG 24 1987
Department of Environmental Quality

811 S.W. SIXTH AVENUE, PORTLAND, OREGON 97204 PHONE: (503) 229-5696

August 21, 1987

Mr. Fred Kahut
K-B Recycling Center
P.O. Box 550
Canby, OR 97013

Re: K-B Recycling Center
Clackamas County
SW Permit No. 389

Dear Mr. Kahut:

On July 31, 1987, the Department issued Solid Waste Permit No. 389 for operation of the K-B Recycling Processing Center.

The permit was issued to defer any delay in your operation once a Metro franchise was granted. Since you are within Metro boundaries and will be receiving waste from the Metro area, you must have permission from Metro before you begin operation.

If you have questions regarding the above, please contact me at 229-6237.

Sincerely,

Robert L. Brown
Environmental Analyst
Hazardous and Solid Waste Division

RLB:f

cc: Metro

ACORD. CERTIFICATE OF INSURANCE

ISSUE DATE (MM/DD/YY)

05/31/90

PRODUCER

KBI INSURANCE, INC
18650 SW BOONES FERRY RD.
P.O. BOX 888
TUALATIN, OREGON 97062

RECEIVED

AUG 16 1990

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW

COMPANIES AFFORDING COVERAGE

- COMPANY LETTER **A** CALIFORNIA INSURANCE CO.
- COMPANY LETTER **B**
- COMPANY LETTER **C**
- COMPANY LETTER **D**
- COMPANY LETTER **E**

CODE

SUB-CODE

INSURED

Canby Disposal Company
K.B. Recycling, Inc. etal
PO Box 550
Canby, Oregon 97013

COVERAGES

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

CO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	ALL LIMITS IN THOUSANDS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS MADE <input checked="" type="checkbox"/> OCCUR. OWNER'S & CONTRACTOR'S PROT.	OR879-6443	05/15/90	05/15/91	GENERAL AGGREGATE \$ 2,000, PRODUCTS-COMP/OPS AGGREGATE \$ 2,000, PERSONAL & ADVERTISING INJURY \$ 1,000, EACH OCCURRENCE \$ 1,000, FIRE DAMAGE (Any one fire) \$ 50, MEDICAL EXPENSE (Any one person) \$ 5,
	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS GARAGE LIABILITY				OR879-6443	05/15/90	05/15/91	COMBINED SINGLE LIMIT $ 1,000, BODILY INJURY (Per person) $ BODILY INJURY (Per accident) $ PROPERTY DAMAGE $
	EXCESS LIABILITY OTHER THAN UMBRELLA FORM				EACH OCCURRENCE \$ AGGREGATE \$
	WORKER'S COMPENSATION AND EMPLOYERS' LIABILITY				STATUTORY \$ (EACH ACCIDENT) \$ (DISEASES-POLICY LIMIT) \$ (DISEASES-EACH EMPLOYEE)
	OTHER				

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/RESTRICTIONS/SPECIAL ITEMS

copy to Keith Thompson @ metra 8/15/90

CERTIFICATE HOLDER

Metropolitan Service Dist
2000 S. First
Portland, Or 97201
Attn: Steve Rapp Keith Thompson

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

CH Kilhefer

EXHIBIT B

**SOLID WASTE FRANCHISE
issued by the
METROPOLITAN SERVICE DISTRICT
2000 S.W. 1st
Portland, Oregon 97201-5398
503-221-1646**

FRANCHISE NUMBER: _____
DATE ISSUED: _____
AMENDMENT DATE: _____
EXPIRATION DATE: 5 years from date of issuance shown above.
ISSUED TO: K.B. Recycling, Inc.
NAME OF FACILITY: K.B. Recycling, Inc.
ADDRESS: 8277 S.E. Deer Creek Lane
LEGAL DESCRIPTION: T25, R2E, Section 5 DA, Tax Lots 1700 and 1790
WM.
CITY, STATE, ZIP: Milwaukie, Oregon 97222
NAME OF OPERATOR: Fred and Jerald Kahut
PERSON IN CHARGE: Fred Kahut
ADDRESS: 8277 S.E. Deer Creek Lane
CITY, STATE, ZIP: Milwaukie, Oregon 97222
TELEPHONE NUMBER: (503) 659-7004

This Franchise will automatically terminate on the expiration date shown above, or upon modification or revocation, whichever occurs first. Until termination, K.B. Recycling, Inc. is authorized to operate and maintain a solid waste processing facility at the above location in accordance with the Metro Code and the attached Franchise Schedules A, B, C, D, and E and in accordance with the provisions specified in the Solid Waste Disposal Site Permit No. 389, issued by the State of Oregon, Department of Environmental Quality.

This Franchise may be revoked at any time for any violation of the conditions of this Franchise or the Metro Code. This Franchise does not relieve the Franchise Holder from responsibility for compliance with ORS Chapter 459 or other applicable federal, state or local statutes, rules, regulations, codes, ordinances or standards.

Facility Owner or Owner's
Representative

Rena Cusma
Executive Officer
Metropolitan Service District

**FRANCHISE CONDITIONS
SCHEDULE A**

Franchise Number:

Expiration Date:

AUTHORIZED AND PROHIBITED SOLID WASTES

- SA-1 The Franchise Holder is authorized to accept loads of dry mixed solid waste containing at least 70 percent recyclable materials by weight for processing. No other wastes shall be accepted unless specifically authorized in writing by Metro supplementary to this Franchise. The Franchise Holder shall operate and maintain the facility in accordance with all applicable federal, state and local laws, rules, regulations, codes or ordinances.
- SA-2 The following types of materials are specifically prohibited from the processing facility:
- A. Bulky combustible material, car bodies, dead animals, tires, sewage sludges, septic tank pumpings and hospital wastes.
 - B. All chemicals, liquids, explosives, infectious materials and other materials that may be hazardous or difficult to manage, unless specifically authorized by Metro.
- SA-3 Dumping by commercial solid waste haulers is allowed. No commercial hauler will be excluded from this site except when the load contains a recoverable percentage recyclable content of less than 70%. Public dumping of mixed waste is not allowed.
- SA-4 Salvaging and hand or mechanical sorting of dry mixed waste on the tipping floor to recover materials is authorized. Piles of dry mixed waste on the tipping floor shall be maintained at a reasonable size and shall be controlled so as to not create unsightly conditions or rodent or vector harborage. No waste shall be allowed to remain on the tipping floor for longer than a 24-hour period.
- SA-5 Non-recoverable material shall be removed from the processing tipping floor and shall be transported to a franchised or authorized disposal site on a weekly basis or more often if necessary. Storage and transportation shall be carried out to avoid rodent or vector production and bird attraction.

- SA-6 Materials separated and recovered for recycling (such as newsprint, waste paper, cardboard, glass, metals, yard debris, tires, appliances, and wood) shall be neatly stored in containers or areas provided for this purpose and shall be transported off-site to materials markets as often as necessary.
- SA-7 The Franchise Holder shall perform litter patrols to keep the facility free of blowing paper and other material on at least a daily basis or more often if necessary.
- SA-8 The Franchise Holder shall operate the processing facility in accordance with the Application and Operation Plan dated August 14, 1990.
- SA-9 The Franchise Holder shall not, by act or omission, discriminate against, treat unequally or prefer any user of the processing facility through application of fees or the operation of the facility.
- SA-10 All solid waste transferring vehicles and devices using public roads shall be constructed, maintained, and operated so as to prevent leaking, sifting, spilling, or blowing of solid waste while in transit and shall be operated and maintained in accordance with all applicable federal, state and local laws, rules, regulations, codes or ordinances.
- SA-11 The Franchise Holder may dispose of residual wastes at the operator's proposed transfer facility in Canby or the Riverbend Landfill provided that the holder first obtains a non-system license from Metro and provided that the Metro User Fee, Regional Transfer Charge, or other fees required by the non-system license are collected and forwarded to Metro.
- SA-12 The Franchise Holder may accept no more than 18,000 tons of mixed waste per year without amendment to this Franchise Agreement.
- SA-13 The entire perimeter of the site shall be screened by an eight (8)-foot high sight-obscuring fence approved by this department.
- SA-14 All landscaped planter strips and islands shall be weeded, cleaned of litter, and mulched with compost, barkdust, or planted to a ground cover plant.
- SA-15 Additional plantings of evergreen trees and/or shrubs (subject to County review) shall be installed along the 82nd Avenue frontage outside the fence as a buffering element.

- SA-16 Additional shrubs and ground cover shall be installed in the planter adjacent to the south entrance off Deer Creek Lane.
- SA-17 No required parking or loading spaces shall be used to store materials whether contained or loose.
- SA-18 Materials may be stored outside of an enclosed structure south of the building (the area formerly zoned C-3); however, no materials may be stored above the fence line.
- SA-19 No dropboxes, freight trailers, or other containers may be stored on the right-of-way of Deer Creed Lane.
- SA-20 Litter blowing off the site or off trucks traveling Deer Creek Lane to the site shall be picked up daily.
- SA-21 The franchise holder shall comply with all applicable Clackamas County zoning and planning requirements.
- SA-22 All of the conditions noted above must be satisfied prior to accepting any high-grade loads under the franchise.

**FRANCHISE CONDITIONS
SCHEDULE B**

Franchise Number:

Expiration Date:

MINIMUM MONITORING AND REPORTING REQUIREMENTS

SB-1 The Franchise Holder or designated Representative shall effectively monitor the processing facility operation and maintain records of the following required data to be submitted to Metro per the schedule indicated below:

	DATA TYPE	FREQUENCY
A.	Name and Address	Each Report
B.	Date	Each Report
C.	Tons or Cubic Yards of Waste Delivered by Commercial Collection Vehicles	Daily
D.	Number of Commercial Collection Vehicles	Daily
E.	Unusual Occurrences Affecting the Operation of the Facility	Each Occurrence
F.	Tons or Cubic Yards of Reject Material Disposed of at Authorized Disposal Sites	Monthly
G.	Disposal Rate Charged for Incoming Material	Daily
H.	Tons or Cubic Yards of Waste Material Recovered by Material Type	Monthly
I.	Signature and Title of the Franchisee or Designated Agent	Each Report

SB-2 Monitoring results shall be reported on approved forms. The reporting period is the calendar month. Reports must be submitted to Metro by the 10th day of the month following the end of each month.

SB-3 The Franchise Holder shall pay an annual franchise fee established in Metro Code Section 5.03.030 within 30 days of the effective date of the Franchise Agreement and each year thereafter.

SB-4 The Franchise Holder shall report to Metro any changes in excess of five (5%) of ownership of the Franchisee's corporation or similar entity, or of the partners of a partnership within ten (10) days of such changes of ownership.

- SB-5 The Franchisee may contract with another person to operate the disposal facility only upon ninety (90) days prior written notice to Metro and the written approval of the Executive Officer. If approved, the Franchisee shall remain responsible for compliance with this Franchise Agreement.
- SB-6 The Franchisee shall establish and follow procedures designed to give reasonable notice prior to refusing service to any person. Copies of notification and procedures for such action will be retained on file for three (3) years by each Franchisee for possible review by Metro.
- SB-7 The Franchisee shall maintain during the term of the Franchise public liability insurance in the amounts set forth in SC-1 and shall give thirty (30) days written notice to Metro of any lapse or proposed cancellation of insurance coverage or performance bond.
- SB-8 The Franchisee shall file an Annual Operating Report detailing the operation as outlined in this Franchise on or before the anniversary date of the Franchise of each year for the preceding year.
- SB-9 The Franchise Holder shall submit to Metro within 30 days duplicate copies of any information submitted to, or required by, the Department of Environmental Quality pertaining to the solid waste permit for this facility.
- SB-10 The Franchise Holder shall report to Metro the names of solid waste credit customers that are sixty (60) days or more past due in paying their disposal fees at the processing facility. Such report shall be submitted in writing each month on Metro approved forms. For the purposes of this section sixty (60) days past due means disposal charges due, but not paid on the first day of the second month following billing.
- SB-11 In the event a breakdown of equipment, fire or other occurrence causes a violation of any conditions of this Franchise Agreement or of the Metro Code, the Franchise Holder shall:
- a. Immediately take action to correct the unauthorized condition or operation.
 - b. Immediately notify Metro so that an investigation can be made to evaluate the impact and the corrective actions taken and determine additional action that must be taken.

SB-12 In the event that the processing facility is to be closed permanently or for a protracted period of time during the effective period of this Franchise, the Franchise Holder shall provide Metro with written notice, at least ninety (90) days prior to closure, of the proposed time schedule and closure procedures.

SB-13 The Franchisee shall file a monthly report on forms approved by Metro indicating the types (wood, paper, cardboard, metal, glass, etc.) and quantities (tonnage or cubic yards) of non-source separated solid wastes accepted at the facility, as specified in this schedule.

SB-14 Authorized representatives of Metro shall be permitted to inspect source separated recyclable quantity information during normal working hours or at other reasonable times with notice.

**FRANCHISE CONDITIONS
SCHEDULE C**

Franchise Number:

Expiration Date:

GENERAL CONDITIONS AND COMPLIANCE SCHEDULES

- SC-1 The Franchise Holder shall furnish Metro with certified copies of public liability insurance, including automotive coverage, in the amount of not less than \$500,000 for any number of claims arising out of a single accident or occurrence, \$50,000 to any claimant for any number of claims for damage to or destruction of property, and \$100,000 to any claimant for all other claims arising out of a single accident or occurrence, or such other amounts as specified in ORS 30.270. Metro shall be named as an additional insured in this insurance policy.
- SC-2 The term processing facility is used in this Franchise as defined in Section 5.01.010(n) of the Metro Code.
- SC-3 The conditions of this Franchise shall be binding upon, and the Franchise Holder shall be responsible for, all acts and omissions of all contractors and agents of the Franchise Holder.
- SC-4 The processing facility operation shall be in strict compliance with all applicable sections of the Metro Code regarding storage, collection, transportation, recycling and disposal of solid waste.
- SC-5 The Franchise Holder shall provide an adequate operating staff that is duly qualified to carry out the reporting functions required to ensure compliance with the conditions of this Franchise Agreement..
- SC-6 Metro may reasonably regulate the hours of site operation as it finds necessary to ensure compliance with this Franchise Agreement.
- SC-7 At least one sign shall be erected at the entrance to the processing facility. This sign shall be easily visible, legible, and shall contain at least the following:
- a. Name of facility;
 - b. Emergency phone number;
 - c. Operational hours during which material will be received;
 - d. Disposal rates; ,

- e. Metro information phone number; and
- f. Acceptable materials.

SC-8 If the Executive Officer finds that there is a serious danger to the public health or safety as a result of the actions or inactions of a Franchisee, he/she may take whatever steps necessary to abate the danger without notice to the Franchisee.

SC-9 Authorized representatives of Metro shall be permitted access to the premises of the processing facility owned or operated by the Franchise Holder at all reasonable times for the purpose of making inspections and carrying out other necessary functions related to this Franchise. Access to inspect is authorized:

- a. during all working hours;
- b. at other reasonable times with notice; and
- c. at any time without notice where, at the discretion of the Metro Solid Waste Department Director, such notice would defeat the purpose of the entry.

SC-10 This Franchise Agreement is subject to suspension, modification, revocation or non-renewal upon finding that:

- a. The Franchisee has violated the Disposal Franchise Ordinance, the Franchise Agreement, the Metro Code, ORS Chapter 459 or the rules promulgated thereunder or any other applicable law or regulation; or
- b. The Franchisee has misrepresented material facts or information in the Franchise Application, Annual Operating Report, or other information required to be submitted to Metro; or
- c. The Franchisee has refused to provide adequate service at the franchised site, facility or station, after written notification and reasonable opportunity to do so.
- d. There has been a significant change in the quantity or character of solid waste received or the method of solid waste processing.

SC-11 This Franchise Agreement, or a photocopy thereof, shall be displayed where it can be readily referred to by operating personnel.

SC-12

The granting of a Franchise shall not vest any right or privilege in the Franchise to receive specific types or quantities or solid waste during the term of the Franchise.

- a. To ensure a sufficient flow of solid waste to Metro's resource recovery facilities, the Executive Officer may, at any time during the term of the Franchise, without hearing, direct solid wastes away from the Franchisee. In such case, Metro shall make every reasonable effort to provide notice of such direction to affected haulers of solid waste.
- b. To carry out any other purpose of the Metro Disposal Franchise Ordinance, the Executive Officer may, upon sixty (60) days prior written notice, direct solid wastes away from the Franchisee or limit the type of solid wastes that the Franchisee may receive.
- c. Any Franchisee receiving said notice shall have the right to a contested case hearing pursuant to Code Chapter 2.05. A request for a hearing shall not stay action by the Executive Officer. Prior notice shall not be required if the Executive Officer finds that there is an immediate and serious danger to the public or that a health hazard or public nuisance would be created by a delay.

SC-13

All notices required to be given to the Franchisee under this Franchise Agreement shall be given to Fred Kahut, K.B. Recycling, Inc. 8277 S.E. Deer Creek Lane, Milwaukie, Oregon 97222. All notices and correspondence required to be given to Metro under this Agreement shall be given to the Solid Waste Director, Solid Waste Department, Metropolitan Service District, 2000 S.W. First Avenue, Portland, OR 97201-5398.

**FRANCHISE CONDITIONS
SCHEDULE D**

Franchise Number:

Expiration Date:

WASTE REDUCTION PLAN

SD-1

To fulfill the requirements of the Waste Reduction Plan as stated in Section 5.01.120(k) of the Metro Code, the Franchisee shall provide the services described in Attachment I and other operational functions described in the Franchise Application dated August 14, 1990. The Franchisee shall participate in an annual review with Metro of the facility's performance in accomplishing waste reduction goals and shall complete annual objectives for waste reduction that may be mutually identified through the process.

**FRANCHISE CONDITIONS
SCHEDULE E**

Franchise Number:

Expiration Date:

DISPOSAL RATES

- SE-1 In accordance with the variance granted by the Metro Council, the rates charged at this facility shall be exempt from Metro rate-setting provided, however, that Metro reserves the right to exercise its authority to regulate rates pursuant to Metro Code Section 5.01.180.
- SE-2 Franchisee's facility is exempted from collecting and remitting Metro Fees on incoming waste received. Franchisee is fully responsible for paying all costs associated with disposal of residual material generated at the facility. In the event Franchisee chooses to dispose of residual material anywhere other than at a Metro facility, Franchisee shall first obtain a non-system license from Metro and shall remit to Metro the Tier 1 (one) User Fee and/or any other fee specified in the non-system license on all residual material thus disposed.
- SE-3 Until Metro establishes rates that are to be charged at the facility, the Franchisee shall adhere to the following conditions in the disposal rates that are charged at K.B. Recycling, Inc.:
- a. Franchisee shall establish and clearly post disposal rates at the facility provided, however, that disposers may not be charged more than what would be charged at the Metro South Station unless approval to do so is granted by the Metro Council.
 - b. Franchisee may modify rates to be charged and rate schedules on a quarterly basis. Rates may be adjusted on January 1, April 1, July 1 and October 1. Rates shall not change more frequently unless written approval is obtained from Metro. Metro shall be notified ten (10) days prior to any proposed rate changes.
 - c. All applicable rates charged at the facility shall be posted on a sign near where fees are collected. All customers within a given disposal class shall receive equal, consistent and non-discriminatory treatment in the collection of fees.

- d. Franchisee shall maintain complete and accurate records of all costs, revenues, rates and other information (see Schedule B, Section SB-1) as they may be directed by Metro to obtain pertaining to the franchise operation. These records shall be made available on request and summary reports shall be provided to Metro within 30 days after each quarter (first quarter report would be due May 1, and so on).

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 91-1288 FOR THE PURPOSE
OF GRANTING A FRANCHISE TO K.B. RECYCLING, INC. FOR THE
PURPOSE OF OPERATING A SOLID WASTE PROCESSING FACILITY

Date: February 15, 1991

Presented by: Debbie Gorham
Phil North
Steve Kraten

FACTUAL BACKGROUND AND ANALYSIS

The purpose of this staff report is to introduce Resolution No. 91-1288, that grants a non-exclusive processing facility franchise to K.B. Recycling, Inc. (hereinafter referred to as K.B.). The applicant has applied to Metro for a franchise to operate a solid waste processing facility at 8277 S.E. Deer Creek Lane, Milwaukie, Oregon. The application was accepted as complete on December 21, 1990. The District, per Metro Code Section 5.01.020, has the authority to grant franchises for private facilities accepting mixed waste.

K.B. is owned jointly by Fred and Jerald Kahut. The facility is operated as a source separated drop center and buy-back facility for public and commercial loads of recyclable materials. The facility currently receives approximately 30,000 - 36,000 tons per year of nearly 100 percent recoverable materials, primarily cardboard and paper. The owners propose to increase the throughput volume to accept up to an additional 5,000 tons per year of dry mixed waste paper containing at least 70 percent recyclable content.

The dry loads of mixed waste paper will be dumped onto the tipping floor, moved by conveyor to a sorting area where workers will recover the recyclable content. The estimated minimum recovery level for this material is 70 percent, or 3,500 tons per year at maximum throughput. The residual, non-recoverable materials are proposed to be disposed of outside the Metro boundary by either hauling to a transfer facility in Canby owned by Mr. Kahut, or hauling directly to the Riverbend Landfill. Such residual waste would qualify for disposal at a limited purpose landfill. The facility will continue to operate as a drop-off and buy-back center.

The Metro South Station, prior to retrofitting to allow for the shipment of wastes to Columbia Ridge Landfill, had a small compactor that allowed the contract operator to compact loads of dry waste paper, principally cardboard, that contained 90% or greater recoverable content for recycling. The facility operator is presently using a baler for the same purpose. The total volume of dry, recyclable waste paper processed at Metro South Station is 25 - 50 tons per month or 300 - 600 tons per year.

If this franchise application is approved, much of the 90 percent cardboard loads currently being recovered at Metro South may begin to flow directly to K.B. In addition, Metro will be able to redirect to K.B. loads containing significant quantities of dry mixed waste paper and cardboard that are presently being landfilled.

The applicant has filed previous franchise applications, but difficulties arising from variance requests were not able to be resolved satisfactorily so no franchise was ever issued. The current application contains substantially the same variance requests. However, new waste processing facilities such as Metro Northwest Station and the Compost Facility will provide Metro with increased system flexibility, thus lessening previous concerns regarding the variance requests.

Metro Code Section 5.01.070(e)(2) states a corporate surety bond is required for this type of operation. Using the criteria outlined in Metro resolution No. 86-672 for determining the amount of any bond that may be required pursuant to a facility franchise, the bond amount required is \$0.

The applicant requests that Metro recognize that the receiving and processing capacity of the facility is limited and that Metro agree not to exceed these limits. This is entirely consistent with the Metro Code and in no way affects any right Metro has to redirect flow.

ISSUANCE OF A FRANCHISE

After receiving supporting information, the application was accepted as complete on December 21, 1990. Staff has prepared a proposed franchise agreement that will be issued to the applicant within ten (10) days following Council approval of the franchise application. Metro Code Section 5.01.070 states in part, "the Executive Officer shall formulate recommendations regarding whether the applicant is qualified, whether the proposed franchise complies with the District's Solid Waste Management Plan, whether the proposed franchise is needed considering the location and number of existing and planned disposal sites, transfer station, processing facilities and resource recovery facilities and their remaining capacities, and whether or not the applicant has complied or can comply with all other applicable regulatory requirements." The following staff analysis is submitted to Council for review, as required.

Qualifications of the Applicant

K.B. Recycling, Inc. (hereinafter referred to as K.B.) opened in 1987. The facility is owned by Fred and Jerald Kahut who also own Canby Disposal, a commercial hauling company outside the Metro boundaries. Canby Disposal was preceded by Kahut Brothers Sanitary, a Portland hauling company begun in 1968, but no longer in existence. K.B. is located near the intersection of 82nd Avenue

and Highway 224 in Milwaukie, Oregon. It is currently operated as a non-franchised public drop-off and buy-back center for source separated recyclable materials.

K.B. currently receives approximately 30,000 - 36,000 tons per year of clean, source separated, nearly 100 percent recoverable materials consisting of primarily cardboard and paper. The applicant proposes to accept up to an additional 5,000 tons per year of dry mixed waste paper to recover corrugated and other miscellaneous paper grades from loads that contain at least 70 percent recyclable content. The proposed expansion will also allow Metro to redirect approximately 300 - 600 tons annually of recyclable waste paper away from the Metro South Station for materials recovery processing at K.B. Staff has visited the facility and considers the applicant qualified to operate the proposed facility and the site adequate for the proposed use.

Compliance with the Solid Waste Management Plan

The proposed facility fully complies with the Goals, Objectives and Policies of the Regional Solid Waste Management Plan, including the Waste Reduction Chapter, adopted by the Metro Council in 1988. Also, the Environmental Quality Commission (EQC) Order No. SW-WR-89-01, Section 4.J.(b) requires that Metro "either redesign Metro South Station to accept loads of high grade wastes for materials recovery that consist of 75% or higher of recyclable material, or shall identify an alternate facility within five miles that can accept that material, and then direct all high grade commercial loads of waste to that alternative facility." Compliance with the Order will be monitored by the Oregon Department of Environmental Quality (DEQ).

Staff reviewed various design options for retrofitting the Metro South Station, but does not consider it economically feasible to retrofit Metro South Station for materials recovery processing at this time. Pursuant to the EQC Order referenced above, staff also examined the availability of an alternate processing and recovery facility near Metro South Station. Staff reported to the DEQ on April 1, 1990 that, although Metro South Station is not economically feasible to retrofit at the current time, an acceptable alternative facility, K.B., is available pending successful completion of negotiations for the required Metro disposal facility franchise.

The Regional Solid Waste Management Plan (RSWMP) that states, in part, "Purpose: To recover recyclable materials and reusable items from the waste stream through facilities that process waste that contains a high percentage of economically recoverable material." K.B. facility will accomplish waste reduction by recovering materials that would otherwise go unprocessed at the Metro South Station and ultimately be shipped to the Columbia Ridge Landfill. Additionally, the facility will be privately owned and operated and will thus require no public investment in plant or equipment.

Need and Compatibility

This franchise will allow Metro to redirect volumes of materials from the Metro South Station to K.B. for processing and recovery, thus reducing the volume shipped to the Columbia Ridge Landfill for disposal. Given the anticipated processing volume of 5,000 tons projected by the applicant, effects at other regional waste processing facilities will be minimal.

Staff analysis¹ indicates that there is approximately 180,000 tons per year of high grade waste paper being generated but not recovered in the region. Current regional processing and recovery capability for mixed wastes is limited, although the Metro Northwest Station and the Metro Compost Facility will both be able to process and recover substantial volumes of recyclables from mixed wastes.

At present, there are two other major mixed waste processing and recovery operations in the region, Oregon Processing and Recovery Center (OPRC) and East County Recycling, Inc (East County). OPRC receives approximately 10,000 tons per year, although they have recently announced an expansion plan that would increase their capacity by approximately 90,000 tons per year to an estimated 100,000 tons per year. East County's franchise limits them to 100,000 yards per year. An application is pending to expand the East County operation. As indicated in the staff analysis referenced above, when OPRC's expansion is completed, there will still be approximately 80,000 tons of potentially recoverable waste paper in the region. Thus, K.B.'s proposed processing capacity would have a negligible effect on the total amount of dry waste paper available to other processing and recovery facilities in the system.

Oregon Processing and Recovery Center attracts most of its loads from downtown rather than from the Clackamas area. East County services an area where disposers might be attracted to K.B., but diversion is expected to be minimal because: (1) the area of overlap is small, (2) K.B. deals in primarily high grade materials whereas East County Recycling deals in other types of materials as well, and (3) any diversion will be based on competitive factors not related to franchising K.B.

The recommended term of the franchise is five years. Metro Code Section 5.01.080 states the term of the franchise shall be the lesser of five years or the site longevity. This facility has an expected useful life (based on the population served and the intended use) of longer than five years.

¹ Refer to the staff report, dated April, 1990, to the Department of Environmental Quality titled "AN ANALYSIS TO DETERMINE THE REGIONAL CAPACITY TO RECEIVE AND PROCESS WASTE PAPER AT EXISTING FACILITIES WITHIN THE BOUNDARY OF THE METROPOLITAN SERVICE DISTRICT"

Conformity with Regulatory Requirements

The applicant understands the regulations imposed on franchised operations and has been responsible in addressing all relevant requirements. The applicant is not currently involved in the collection of solid waste within the District boundary. The applicant has secured public liability insurance, including automotive coverage, in the necessary amounts and naming Metro as an additional insured, in compliance with Metro Code Section 5.01.070(e)(4).

It had been previously represented by Clackamas County that the K.B. facility would require County Planning Division approval. By letter of December 19, 1990, Dave Phillips, Administration, Community Environment Section, informed Metro that the initial determination of the County had been modified (Attachment A). It has been determined that the K.B. facility was an existing non-conforming use under prior General Industrial zoning I-3. As a result no additional permit is necessary, but notwithstanding this new determination, the facility still must be in compliance with County approved design review. Mr. Phillips letter listed nine concerns to be addressed in the franchise. Staff has discussed these concerns with Mr. Phillips and believes them to be reasonable and compatible with the proposed franchise. The nine items have been incorporated into the proposed franchise agreement and satisfy the requirements of Policy 8.4 (mitigation) set forth in the Regional Solid Waste Management Plan.

Metro Code Section 5.01.070(e)(2) states that a corporate surety bond is required for all facilities such as this. Metro resolution No. 86-672 adopted criteria for determining the amount of any bond that may be required pursuant to a facility franchise should Metro need to provide for continued operations or cleanup after closure, or in the event of failure to perform. Using the method stipulated in the resolution, the amount of the bond is \$0. Although the facility is small and continued operation would probably not be necessary, Metro could be responsible for cleaning up any waste in the event of a total business collapse. The cost of any cleanup that may be required is estimated to be less than \$10,000, including equipment rental, labor, haul and disposal of wastes and administration. This estimate is based on staff's estimate of a "worst case" closure and remediation scenario of having to excavate and dispose of 50 - 100 cubic yards of petroleum contaminated soil. Since this is not greater than the minimum \$10,000 figure stated in the resolution, staff recommends approving the variance request and requiring no bond.

The applicant requests that Metro acknowledge, per Metro Code Section 5.01.070(c)(2), that the receiving and processing capacity of the facility is limited to a maximum quantity of waste, not to exceed 111 tons per week, 416 tons per month and 5,000 tons per year.

VARIANCE REQUESTS

Prior Notice

The applicant requests a variance from Metro Code Section 5.01.120(b), which states that the franchisee may discontinue service only upon ninety (90) days written notice to the District. Staff analysis indicates that this would be counter to the best interests of Metro and the public and recommends denial of the variance request.

Rates

The applicant requests a variance from Metro Code Section 5.01.180 which states that the Metro Council must set rates for franchised facilities. The applicant asserts that the rate setting provision of the Code is unnecessary and would, in fact, hamper operations because: (1) they will be operating in a competitive environment, (2) disclosure of proprietary agreements as part of rate setting would be detrimental to the business, and (3) the nature and complexity of the business makes rate-setting too inflexible. Detailed arguments are presented in the operator's attached application.

Granting this variance request has precedence since similar variance requests have been granted to the OPRC and East County operations. A key factor in the applicant's successful operation will be the flexibility to charge a competitive disposal rate in order to attract the volume anticipated. The franchise agreement includes wording that requires the applicant to charge no more than the disposal fee established by Metro at Metro South Station unless the operator submits a detailed justification and obtains Metro approval for a higher disposal rate. Staff recommends approval of this variance with the condition that the applicant's rates not exceed those established at Metro South Station.

Staff recommends that Metro reserve the right, however, to impose its rate setting and review authority at any time. There are two reasons for this recommendation. First, the District needs to ensure the public that franchisees won't disrupt the recycling or disposal system by charging too much or too little. Second, it is possible that conditions could change and that rate setting may become necessary.

Rights of Franchisee

The applicant requests a variance from Metro Code section 5.01.090(e) which states that if a franchise is revoked or not renewed, the District may require the owner to sell his interest to allow for the continued operation of the facility. Because the facility will be small, the net impact from discontinuing operations should the franchise be revoked or not renewed will have little effect on overall system operations. Staff therefore recommends that this variance be granted.

Flow Control Authority

The applicant requests that Metro modify its flow control authority, per Metro Code Section 5.01.070(g), to direct waste to or from the facility. The applicant requests that Metro recognize that the receiving and processing capacity of the facility is limited and that a specific maximum limitation of 111 tons per week, 416 tons per month and 5,000 tons per year be acknowledged as the maximum processing throughput volume for the facility and that Metro agrees not to exceed these limits. This volume limitation in no way affects any other right Metro has to redirect flow. Staff recommends approving the variance as noted above.

Right to Condemn or Purchase

The applicant requests a variance from Metro Code section 5.01.200 which states that Metro may purchase or condemn any real property, or interest therein, of the franchisee. Since the effect of discontinuing operations at K.B. would be small, this provision of the Code is not necessary to provide adequate protection of Metro's and the public's interests. Also, the applicant believe that they may find it difficult to obtain commercial funding for physical expansion, if required, if there is a risk of involuntary conversion of the property to Metro as provided in the Code. Metro's ability to revoke the franchise should the public's interest not be adequately served should provide sufficient safeguards. Staff therefore recommends that this variance be granted.

RATE REVIEW COMMITTEE RECOMMENDATION

The Rate Review Committee recommends approval of the franchise application as written.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 91-1288, and issuance of a franchise to K.B. Recycling, Inc.

SK:BY
STAF0215.RPT
February 20, 1991



CLACKAMAS COUNTY

Department of Transportation & Development

WINSTON KURTH
EXECUTIVE DIRECTOR

RICHARD DOPP
DIRECTOR
OPERATIONS & ADMINISTRATION

TOM VANDERZANDEN
DIRECTOR
PLANNING & DEVELOPMENT

December 19, 1990

METRO
ATTENTION: Keith Thompson
2000 S.W. First Avenue
Portland, OR 97201

SUBJECT: K. B. RECYCLING - PROPOSED FRANCHISE
TAX LOTS 1700 & 1790, SECTION 5 DA, T. 2S, R. 2E, W.M.
SITE ADDRESS: 8277 S.E. DEER CREEK LANE, MILWAUKIE, OR

Previously, this office sent a letter, dated October 2, 1990, to METRO concerning the proposed franchising of the K. B. Recycling facility for a high-grade recycling program. That letter indicated that the facility is classified as an existing nonconforming use in the General Commercial, C-3 Zoning District, and that the proposed high-grade program would require review and approval by the County Planning Division.

Additional information has come to our attention necessitating a change in that determination. At the time the facility became operational, the subject property was located partly in General Industrial, I-3 and partly in General Commercial, C-3 zoning classifications. The major portion of the facility was located in the I-3 zoned portion. In that zoning district, recycling collection depots, transfer stations, and the processing or treatment of paper, glass, metal, or rags were listed as permitted primary use. It appears that K. B. Recycling has accepted mixed loads of waste containing high percentages of recyclable paper and/or corrugated cardboard since the beginning of operations at the site under this provision (see attached letter).

Therefore, that usage is also part of the permitted nonconforming use status of the facility and may be continued as proposed.

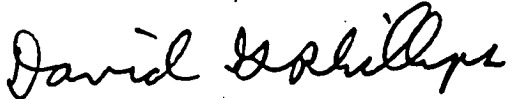
However, as noted in the October 2, 1990 letter, the facility is not now in compliance with the County-approved design review, Planning File No. 430-84-V,D, of the facility. If a franchise is approved, it shall include the following conditions:

1. The entire perimeter of the site shall be screened by an eight (8) foot high sight-obscuring fence approved by this department;
2. All landscaped planter strips and islands shall be weeded, cleaned of litter, and mulched with compost, barkdust, or planted to a groundcover plant. These planters shall be maintained regularly pursuant to Section 1009 of the Clackamas County Zoning and Development Ordinance;
3. Additional plantings of evergreen trees and/or shrubs (subject to County review) shall be installed along the 82nd Avenue frontage outside the fence as a buffering element;
4. Additional shrubs and groundcover shall be installed in the planter adjacent to the south entrance off Deer Creek Lane as required by Design Review approval 430-84-V,D, subject to review and approval by the County.
5. No required parking or loading spaces shall be used to store materials whether contained or loose;
6. Materials may be stored outside of an enclosed structure south of the building (the area formerly zoned C-3); however, no materials may be stored above the fence line;
7. No dropboxes, freight trailers, or other containers may be stored on the right-of-way of Deer Creek Lane;
8. Litter blowing off the site or off trucks traveling Deer Creek Lane to the site shall be picked up daily; and
9. All of the conditions noted above must be satisfied prior to accepting any high-grade loads under the franchise.

In summary, it now appears that the proposal to franchise K. B. Recycling's Clackamas facility as a High Grade Recovery Center is consistent with the facility's prior-approved, nonconforming use status and, therefore, in compliance with the Clackamas County Zoning and Development Ordinance subject to satisfaction of the conditions stated above.

Page 3
Metro
December 20, 1990

If you have any questions, please call me at 655-8521.

A handwritten signature in cursive script that reads "David G. Phillips".

DAVID G. PHILLIPS - Administrator
Community Environment Section

/krb

cc: Nancy Craven, Attorney-at-Law
Fred Kahut, K. B. Recycling

Agenda Item No. 7.7
Meeting Date: March 14, 1991

RESOLUTION NO. 91-1409A

REGIONAL FACILITIES COMMITTEE REPORT

RESOLUTION NO. 91-1409A, EXPRESSING SUPPORT FOR A ZOO/OMSI/WORLD FORESTRY CENTER STATION IN THE PREFERRED ALTERNATIVE FOR WESTSIDE LRT

Date: March 4, 1991

Presented by: Councilor Bauer

COMMITTEE RECOMMENDATION: At its February 26, 1991 meeting, the Council Regional Facilities Committee voted unanimously to recommend Council adoption of Resolution No. 91-1409A. Committee members voting were Councilors Knowles, Bauer, Buchanan, Gardner, and McFarland.

COMMITTEE DISCUSSION/ISSUES: Committee staff Casey Short briefly discussed the background to Resolution 91-1409, pointing out that the final decisions on the Preferred Alternative for Westside Light Rail will soon be made. With the end of the process in sight, any testimony regarding a Zoo Station must be made at the appropriate public hearings in March.

Andy Cotugno spoke to the resolution, suggesting minor amendments. Those include a language change in the first Whereas to acknowledge that the line is to run between Portland and Washington County; simplifying language referring to access and parking problems at the Zoo; and referring to the Zoo Station as the Zoo/OMSI/World Forestry Center Station. Mr. Cotugno also expressed his opinion that the Metro Council should not adopt this resolution until after the close of public testimony on the Draft Environmental Impact Statement, because the Council will be voting on the Preferred Alternative Report. He suggested that Council consideration of this resolution wait until the March 14 Council meeting, and the Committee agreed to recommend the deferral. The Committee then approved Mr. Cotugno's suggested amendments.

Mr. Robin Drews testified in favor of the Resolution. Mr. Drews is a member of Friends of the Zoo, and identified himself as a Zoo supporter since 1965. He supports a Zoo Station because there is inadequate parking, and we need MAX to move people and help cut down our use of cars and our "oil addiction."

Following Mr. Drews' testimony, Councilor Knowles pointed out that the Council would be acting in its capacity as owner/operator of the Zoo in endorsing a Zoo Station.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF EXPRESSING) RESOLUTION NO. 91-1409A
SUPPORT FOR A ZOO/OMSI/WORLD)
FORESTRY CENTER STATION IN THE)
PREFERRED ALTERNATIVE FOR WESTSIDE) INTRODUCED BY THE REGIONAL
LRT) FACILITIES COMMITTEE

WHEREAS, the Westside Corridor Project is the region's highest transportation priority, consisting of highway improvements and construction of a light rail line [into] between Portland and Washington County; and

WHEREAS, the Metro Washington Park Zoo abuts Highway 26 (Canyon Road) in the Canyon segment of the project; and

WHEREAS, the Metro Washington Park Zoo is the top paid tourist attraction in Oregon; and

WHEREAS, the Zoo faces problems of access and parking availability[, particularly on weekends in good weather]; and

WHEREAS, a Zoo/OMSI/World Forestry Center station on the Westside LRT line providing light rail access to the Zoo is critical to [improve problems of access at peak times and to help alleviate parking problems] meeting the objectives for Zoo expansion limited by problems of access and parking; and

WHEREAS, the process for determining the region's Preferred Alternative for the project is nearing completion; and

WHEREAS, the Metro Council wishes to express its support for including a Zoo/OMSI/World Forestry Center Station in the Preferred Alternative and encourage advisory bodies, elected governing bodies, and the Tri-Met board of directors to include a

Zoo/OMSI/World Forestry Center Station in the Preferred
Alternative; now, therefore,

BE IT RESOLVED

That the Council of the Metropolitan Service District
expresses its support for a Zoo/OMSI/World Forestry Center Station
in the Westside Light Rail Project and encourages decision-making
bodies to include a Zoo/OMSI/World Forestry Center Station in the
region's Preferred Alternative for the project.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1991.

Tanya Collier, Presiding Officer

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF EXPRESSING)
SUPPORT FOR A ZOO STATION IN THE)
PREFERRED ALTERNATIVE FOR WESTSIDE)
LRT)

RESOLUTION NO. 91-1409
INTRODUCED BY THE REGIONAL
FACILITIES COMMITTEE

WHEREAS, the Westside Corridor Project is the region's highest transportation priority, consisting of highway improvements and construction of a light rail line into Washington County; and

WHEREAS, the Metro Washington Park Zoo abuts Highway 26 (Canyon Road) in the Canyon segment of the project; and

WHEREAS, the Metro Washington Park Zoo is the top paid tourist attraction in Oregon; and

WHEREAS, the Zoo faces problems of access and parking availability, particularly on weekends in good weather; and

WHEREAS, a Zoo station on the Westside LRT line providing light rail access to the Zoo is critical to improve problems of access at peak times and to help alleviate parking problems; and

WHEREAS, the process for determining the region's Preferred Alternative for the project is nearing completion; and

WHEREAS, the Metro Council wishes to express its support for including a Zoo Station in the Preferred Alternative and encourage advisory bodies, elected governing bodies, and the Tri-Met board of directors to include a Zoo Station in the Preferred Alternative; now, therefore,

BE IT RESOLVED

That the Council of the Metropolitan Service District expresses its support for a Zoo Station in the Westside Light Rail

Project and encourages decision-making bodies to include a Zoo Station in the region's Preferred Alternative for the project.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1991.

Tanya Collier, Presiding Officer

Agenda Item No. 7.8
Meeting Date: March 14, 1991

RESOLUTION NO. 91-1416



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

DATE: March 7, 1991
TO: Interested Parties
FROM: Paulette Allen, Clerk of the Council *PA*
RE: RESOLUTION NO. 91-1416

The Council agenda will be printed before the Governmental Affairs Committee meets to consider Resolution No. 91-1416. The Governmental Affairs Committee report will be distributed in advance to Councilors and available at the Council meeting March 14.

GOVERNMENTAL AFFAIRS COMMITTEE REPORT

RESOLUTION NO. 91-1416A, ESTABLISHING A PROCESS FOR
REAPPORTIONING METRO COUNCIL SUBDISTRICTS

Date: March 8, 1991

Presented by: Councilor Devlin

COMMITTEE RECOMMENDATION: At its March 7, 1991 meeting, the Governmental Affairs Committee unanimously recommended Council approval of Resolution No. 91-1416A. Voting were Councilors Collier, Devlin, and Hansen. Councilors DeJardin and Knowles were excused.

COMMITTEE DISCUSSION/ISSUES: Committee staff Casey Short described the contents of the resolution. Councilor Devlin called for public testimony, and one person testified. Mr. Bob Goldstein said he had been involved with redistricting since 1979, and pointed out that citizens can challenge a redistricting plan. He encouraged the committee to hold more than the one public hearing called for in the resolution. He further advised that he will be tracking our process. Councilor Devlin responded to Mr. Goldstein's point about public hearings, saying that the resolution called for at least one public hearing before the plan was developed; there will be more hearings on the plan as it is developed.

Councilor Collier suggested three amendments to the resolution, all in Exhibit A. The first called for clarification to the interview process called for in point #2. Councilor Devlin suggested a process, which would have each Councilor interviewed by two members of the Governmental Affairs Committee. A staff person would be present at each interview, the interviews would be recorded, and a summary of the interviews would be compiled and distributed to the Council. Councilor Hansen asked who would develop the questions to be asked in the interviews. Councilor Devlin responded that the interviews would focus on Councilors' insights into features of their districts, and would therefore not require a set list of questions; he said it was incumbent on Councilors to bring pertinent information to the committee.

Councilor Collier moved to delete reference to July 4 as a date for a committee meeting to approve a reapportionment ordinance; the amended resolution will refer to the first committee meeting in July. Finally, Councilor Collier moved to change the language in the July 25 paragraph to delete the reference to Council approving the reapportionment ordinance. The language will instead refer to Council voting on the ordinance, with no presumption of approval.

The committee approved the amendments, and then approved the resolution as amended.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ESTABLISHING A) RESOLUTION NO. 91-1416A
PROCESS FOR REAPPORTIONING METRO)
COUNCIL SUBDISTRICTS) INTRODUCED BY GOVERNMENTAL
AFFAIRS COMMITTEE

WHEREAS, ORS 268.150 requires the Metro Council to reapportion Council subdistricts following the compilation and release of the decennial census; and

WHEREAS, ORS 268.150 further requires that the reapportionment must be enacted at least 250 days before the May 1992 primary election; and

WHEREAS, the Oregon Legislature in its 1989 session amended ORS 268.150 to require the Metro Council to consist of 13 councilors elected from separate subdistricts, effective January 1, 1993; and

WHEREAS, Resolution No. 91-1382, adopted by the Council on January 10, 1991, charges the Governmental Affairs Committee with developing a reapportionment plan for Council consideration; and

WHEREAS, the Governmental Affairs Committee wishes to establish a process for reapportionment which provides for adequate involvement from each Councilor and from the public, and which sets out a time line for accomplishing specific tasks; now, therefore,

BE IT RESOLVED

That the Council of the Metropolitan Service District establishes a plan to reapportion Council subdistricts as described in Exhibit A.

ADOPTED by the Council of the Metropolitan Service District this
_____ day of _____, 1991.

Tanya Collier, Presiding Officer

cs:91-1416

EXHIBIT A

PROCESS FOR DEVELOPING A REAPPORTIONMENT PLAN FOR METRO COUNCIL SUBDISTRICTS

1. The Governmental Affairs Committee shall hold at least one public hearing in the District before it begins formal consideration of a plan to establish 13 Council subdistricts. The purpose of the hearing(s) will be to determine the public's views of the needs and desires of the people in prospective subdistricts regarding subdistrict makeup. Issues to be discussed will include the preservation of ethnic minorities within a subdistrict; determination of historic neighborhood and community boundaries; and identification of significant geographical and transportation features to be considered in establishing subdistrict boundaries.
2. Prior to the Governmental Affairs Committee's formal consideration of a plan to establish 13 Council subdistricts, each Councilor will be interviewed to determine his/her views of geographic and transportation features and historic neighborhood and community boundaries to be considered in establishing Council subdistricts. Each Councilor will be interviewed by two members of the Government Affairs Committee. A staff person will be present at each interview, the interviews will be recorded, and a summary of the interviews will be compiled and distributed to Council.
3. The Governmental Affairs Committee and the full Council shall observe the statutory direction for criteria to be considered in the reapportionment of subdistricts. As stated in ORS 268.150(2), those include:
 - subdistricts shall be substantially equal in population;
 - area within each subdistrict shall be contiguous;
 - consideration shall be given to existent precincts,maintaining historic and traditional communities and counties as opposed to following existent city or special district boundaries or the political boundaries of state representative or state senate election districts except when these political boundaries coincide with natural boundaries.
4. The following timeline shall be observed in preparing and adopting a reapportionment plan:
 - March 15 - April 11: Councilor interviews
 - April 4: Public Hearing (as specified in #1, above)
Staff presentation on census results
 - April 18: Committee determination of potential geographic, transportation, neighborhood, and community features to be considered in establishing subdistricts.
 - May 2 - June 20: Committee work sessions on reapportionment plan ordinance.

[* July 4] First Committee meeting in July: Committee approval of reapportionment ordinance, to be submitted to Council for first reading.

[(* Date subject to change to accommodate holiday.)]

July 11: First reading of ordinance. (Ordinance shall include an emergency clause establishing effective date of September 12, 1991.)

July 18: Committee holds public hearing and work session on ordinance.

July 25: Council holds public hearing and votes on ordinance[, and votes to approve it]. Sufficient time built in to allow for Executive Officer veto and Council amendment or override.

September 12: Deadline for final approval of reapportionment ordinance.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ESTABLISHING A) RESOLUTION NO. 91-1416
PROCESS FOR REAPPORTIONING METRO)
COUNCIL SUBDISTRICTS) INTRODUCED BY GOVERNMENTAL
AFFAIRS COMMITTEE

WHEREAS, ORS 268.150 requires the Metro Council to reapportion Council subdistricts following the compilation and release of the decennial census; and

WHEREAS, ORS 268.150 further requires that the reapportionment must be enacted at least 250 days before the May 1992 primary election; and

WHEREAS, the Oregon Legislature in its 1989 session amended ORS 268.150 to require the Metro Council to consist of 13 councilors elected from separate subdistricts, effective January 1, 1993; and

WHEREAS, Resolution No. 91-1382, adopted by the Council on January 10, 1991, charges the Governmental Affairs Committee with developing a reapportionment plan for Council consideration; and

WHEREAS, the Governmental Affairs Committee wishes to establish a process for reapportionment which provides for adequate involvement from each Councilor and from the public, and which sets out a time line for accomplishing specific tasks; now, therefore,

BE IT RESOLVED

That the Council of the Metropolitan Service District establishes a plan to reapportion Council subdistricts as described in Exhibit A.

ADOPTED by the Council of the Metropolitan Service District this
_____ day of _____, 1991.

Tanya Collier, Presiding Officer

CS:91-1416

EXHIBIT A

PROCESS FOR DEVELOPING A REAPPORTIONMENT PLAN FOR METRO COUNCIL SUBDISTRICTS

1. The Governmental Affairs Committee shall hold at least one public hearing in the District before it begins formal consideration of a plan to establish 13 Council subdistricts. The purpose of the hearing(s) will be to determine the public's views of the needs and desires of the people in prospective subdistricts regarding subdistrict makeup. Issues to be discussed will include the preservation of ethnic minorities within a subdistrict; determination of historic neighborhood and community boundaries; and identification of significant geographical and transportation features to be considered in establishing subdistrict boundaries.

2. Prior to the Governmental Affairs Committee's formal consideration of a plan to establish 13 Council subdistricts, each Councilor will be interviewed to determine his/her views of geographic and transportation features and historic neighborhood and community boundaries to be considered in establishing Council subdistricts.

3. The Governmental Affairs Committee and the full Council shall observe the statutory direction for criteria to be considered in the reapportionment of subdistricts. As stated in ORS 268.150(2), those include:

- subdistricts shall be substantially equal in population;
- area within each subdistrict shall be contiguous;
- consideration shall be given to existent precincts,

maintaining historic and traditional communities and counties as opposed to following existent city or special district boundaries or the political boundaries of state representative or state senate election districts except when these political boundaries coincide with natural boundaries.

4. The following timeline shall be observed in preparing and adopting a reapportionment plan:

March 15 - April 11: Councilor interviews

April 4: Public Hearing (as specified in #1, above)
Staff presentation on census results

April 18: Committee determination of potential geographic, transportation, neighborhood, and community features to be considered in establishing subdistricts.

May 2 - June 20: Committee work sessions on reapportionment plan ordinance.

* July 4: Committee approval of reapportionment ordinance, to be submitted to Council for first reading.
(* Date subject to change to accommodate holiday.)

July 11: First reading of ordinance. (Ordinance shall include an emergency clause establishing effective date of September 12, 1991.)

July 18: Committee holds public hearing and work session on ordinance.

July 25: Council holds public hearing on ordinance, and votes to approve it. Sufficient time built in to allow for Executive Officer veto and Council amendment or override.

September 12: Deadline for final approval of reapportionment ordinance.

Council
3/14/91
7.8

PROPOSED AMENDMENT TO RESOLUTION NO. 91-1416A

On page 1 of Exhibit A, amend item #4 to read as follows:

4. The following timeline shall be observed in preparing and adopting a reapportionment plan:

March 15 - April 11: Councilor interviews

April 3 - 7: Public Hearing(s) (as specified in #1, above)

April 4: [Public Hearing (as specified in #1, above)]
Staff presentation on census results

All other items remain unchanged.

Agenda Item No. 7.9
Meeting Date: March 14, 1991

RESOLUTION NO. 91-1413



METRO

2000 S.W. First Avenue
Portland, OR 97201-5398
503/221-1646

Memorandum

DATE: March 7, 1991
TO: Interested Parties
FROM: Paulette Allen, Clerk of the Council *PA*
RE: RESOLUTION NO. 91-1413

The Council agenda will be printed before the Governmental Affairs Committee meets to consider Resolution No. 91-1413. The Governmental Affairs Committee report will be distributed in advance to Councilors and available at the Council meeting March 14.

FINANCE COMMITTEE REPORT

RESOLUTION NO. 91-1413, FOR THE PURPOSE OF ADOPTION AN
AMENDED APPLICATION TO THE PUBLIC EMPLOYES RETIREMENT SYSTEM

Date: March 11, 1991 Presented by: Councilor Richard Devlin

COMMITTEE RECOMMENDATION: At its March 7, 1991 meeting the Committee recommended Council adoption of Resolution No. 91-1413A as amended. Present and voting were Councilors Buchanan, Devlin, Hansen, Van Bergen. Councilor Wyers was excused.

COMMITTEE DISCUSSION / ISSUES: Kim Huey, Acting Personnel Officer, presented Staff Report. Ms. Huey indicated the District's PERS application was approved by the Employees Retirement Board Staff, but not by the Board. The District's application was withdrawn on November 20, 1990 for clarification of the acquisition of Tri-Met employees and the issue of disqualification of the current District retirement plans. The amendments included in the proposed new application are as follows:

- o to specify that Metro Exposition/Recreation Commission employees' membership in PERS is retroactive to July 1, 1990
- o to provide for effective dates of PERS membership in the collective bargaining agreements rather than on the various dates such agreements are ratified
- o to differentiate between current Metro non-represented and represented employees and those who may be transferred to Metro in later mergers
- o to allow permissive membership in PERS if Metro's current retirement plans become disqualified

Council Staff proposed amendments to the resolution and Exhibit A to clarify that the Council was approving the attached Exhibit A.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING AN	)	RESOLUTION NO. 91-1413A
AMENDED APPLICATION TO THE)	
PUBLIC EMPLOYES RETIREMENT	)	Introduced by Rena Cusma,
SYSTEM	)	Executive Officer

WHEREAS, The Council of the Metropolitan Service District adopted Resolution No. 90-1242 authorizing the Executive Officer to make application to the Public Employes Retirement System substantially in the form contained in Exhibit "A" to that Resolution; and

WHEREAS, It is necessary to amend the application to correct the effective dates for PERS membership for represented classes; and

WHEREAS, It is necessary to amend the application to differentiate between current Metro employees and those who may be transferred to Metro as a result of mergers at a later date; and

WHEREAS, It is necessary to amend the application to reflect retroactive membership of Metro Exposition/Recreation Commission employees; and

WHEREAS, It is necessary to amend the application to allow permissive membership in the Public Employes Retirement System if Metro's current retirement plans become disqualified for necessary Internal Revenue Service exemptions; and

WHEREAS, The proposed application (attached as Exhibit "A") which has been informally approved by Public Employees Retirement System Board staff encompasses the required amendments; and

WHEREAS, It continues to be in the best interest of Metro to become a participating employer of the Public Employees Retirement System in accordance with the attached amended application; now, therefore,

BE IT RESOLVED,

1. That the amended application to the Public Employees Retirement System attached as Exhibit A hereto is approved.

2. That the Metro Executive Officer is authorized to proceed with filing the amended application with the Public Employees Retirement System.

ADOPTED by the Council of the Metropolitan Service District this 14th day of March 1991.

Tanya Collier, Presiding Officer

EXHIBIT "A"

BEFORE THE PUBLIC EMPLOYEES RETIREMENT BOARD

In the Matter of the Application
of the Metropolitan Service District
to Become a Participating Employer
under ORS chapter 237

The Metropolitan Service District makes this application pursuant to ORS 268.240 to become a participating employer under ORS chapter 237 to the extent of providing membership for each class of employees described in the application.

1. Metro is a regional government organized and existing pursuant to the provision of ORS chapter 268.
2. The Executive Officer of Metro makes this application with the approval of the Council of the Metropolitan Service District pursuant to Resolution No. ~~90-1242~~ 91-1413A (Exhibit attached.)
3. Metro is not, as of this date, participating in the Public Employes Retirement System.
4. Metro applies to this Board to allow the District employees in the following classes of District employees to become members of PERS without entering into a contract of integration (ORS 237.051) but pursuant to this contract authorized by ORS 268.240(3).
 - a. A class of District employees composed of all eligible City of Portland Exposition-Recreation Commission employees transferring ed to Metropolitan Exposition-Recreation Commission employment on July 1, 1990, based on Metro's 1989 Intergovernmental Agreement with the City of Portland. Inclusion of that class into PERS ~~should~~ shall be effective July 1, 1990, the date of transferred employment under that Agreement. Inclusion is subject to applicable rights granted to transferring employees pursuant to ORS 236.620(2) and 237.011(2).
 - b. A class of employees composed of all eligible employees hired by the Metropolitan Exposition-Recreation Commission after July 1, 1990. Inclusion of this class shall be effective July 1, 1990.

- c. A class of employees composed of all eligible employees currently employed as of July 1, 1990, by the Metropolitan Exposition-Recreation Commission. Inclusion of this class shall be effective July 1, 1990.
- d. A class of employees composed of all eligible employees hired by Metro departments after July 1, 1991, who are not represented by an exclusive collective bargaining agent on the effective date of hire, excluding any public employees transferred from another public employer because the duties of employment have been assumed by Metro.
- e. A class of employees composed of all eligible Metro employees who are not represented by an exclusive collective bargaining agent on July 1, 1991, who exercise the option to become members of PERS effective July 1, 1991, excluding any public employees transferred from another public employer because the duties of employment have been assumed by Metro. Upon any disqualification of Metro's current retirement plans for exemption from federal income tax, these remaining eligible Metro employees not represented by an exclusive bargaining agent may become members of PERS.
- f. A class of employees composed of all eligible employees represented by American Federation of State, County and Municipal Employees (AFSCME), Local 3580, effective on the date provided for in a Collective Bargaining Agreement specifically providing for PERS membership by all members of the unit which is ratified by both parties.

Metro will place on the negotiating table the issue of PERS membership at the bargaining sessions expected to commence prior to the expiration of the current contract on June 30, 1991, consistent with its Agreement in accordance with ORS 268.240(4), below.

- g. A class of employees composed of all eligible persons employees represented by Laborers International Union Local 483 effective on the date provided for in a Collective Bargaining Agreement specifically providing for PERS membership by all members of the unit which is ratified by both parties.

Metro will place on the negotiating table the issue of PERS membership at the bargaining sessions expected to commence prior to the

expiration of the current contract on June 30, 1991, consistent with its agreement in accordance with ORS 268.240(4), below.

- h. Each class of eligible employees represented by an exclusive collective bargaining agent for public employees transferred from another public employer because the duties of employment have been assumed by Metro. Inclusion of each class of represented employees shall be effective on the date provided for in a collective bargaining agreement specifically providing for PERS membership by all members of the unit which is ratified by both parties. Inclusion is subject to any applicable rights granted to transferring employees pursuant to ORS 236.620(2) and 237.011(2).

Metro will place on the negotiating table the issue of PERS membership at the bargaining sessions commencing after the duties of each class of represented employees have been assumed by Metro.

- i. Each class of eligible employees not represented by an exclusive collective bargaining agent for public employees transferred from another public employer because the duties of employment have been assumed by Metro. Inclusion of each class of nonrepresented employees shall be effective on the date provided for in an intergovernmental agreement transferring the employees or other action of the Metro Council effecting the transfer of such employees.

5. Metro hereby agrees eventually to extend PERS coverage to all eligible District employees in accordance with ORS 268.240(4).

6. a. Terms of admission of current employees transferring to PERS membership shall include prior eligibility service, but shall not include prior benefit service or the unused sick leave option, unless the Metro Council approves additional options in collective bargaining agreements for represented classes or in a Resolution for nonrepresented classes. Metro ERC classes shall retain the unused sick leave option.
- b. Pursuant to ORS 237.075, Metro has agreed to continue to assume payment of employee contributions for Metro ERC classes so compensated under the ERC, including all nonrepresented Metro ERC employees.

- c. Metro agrees to assume payment of employee contributions for Metro nonrepresented employee classes.
- d. Metro has not agreed to assume payment of employee contributions for represented classes of Metro employees, unless the Metro Council approves such payment in collective bargaining agreements.

7. The dates provided for in Section 4(d) and 4(e) and the level of the benefits for employees included in PERS provided for in Section 6 hereof may be amended by mutual agreement of PERS and Metro, subject to Metro Council approval.

8. This application and the terms hereof shall, upon approval of the Board, constitute the contract between PERS and Metro contemplated by ORS 268.240. The effective date of the contract shall be the date approved by the Board. The effective date of PERS membership of District employees shall be the first date of eligibility under ORS chapter 237 inclusion of the class under the terms of this application.

Rena Cusma, Executive Officer
Metropolitan Service District

Date: _____

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING AN	)	RESOLUTION NO. 91-1413
AMENDED APPLICATION TO THE)	
PUBLIC EMPLOYES RETIREMENT	)	Introduced by Rena Cusma,
SYSTEM	)	Executive Officer

WHEREAS, The Council of the Metropolitan Service District adopted Resolution No. 90-1242 authorizing the Executive Officer to make application to the Public Employes Retirement System substantially in the form contained in Exhibit "A" to that Resolution; and

WHEREAS, It is necessary to amend the application to correct the effective dates for PERS membership for represented classes; and

WHEREAS, It is necessary to amend the application to differentiate between current Metro employees and those who may be transferred to Metro as a result of mergers at a later date; and

WHEREAS, It is necessary to amend the application to reflect retroactive membership of Metro Exposition/Recreation Commission employees; and

WHEREAS, It is necessary to amend the application to allow permissive membership in the Public Employes Retirement System if Metro's current retirement plans become disqualified for necessary Internal Revenue Service exemptions; and

WHEREAS, The proposed application (attached as Exhibit "A") which has been informally approved by Public Employes Retirement System Board staff encompasses the required amendments; and

WHEREAS, It continues to be in the best interest of Metro to become a participating employer of the Public Employes Retirement System in accordance with the attached amended application; now, therefore,

BE IT RESOLVED,

1. That the amended application to the Public Employes Retirement System is approved.

2. That the Metro Executive Officer is authorized to proceed with filing the amended application with the Public Employes Retirement System.

ADOPTED by the Council of the Metropolitan Service District this 14th day of March 1991.

Tanya Collier, Presiding Officer

EXHIBIT "A"

BEFORE THE PUBLIC EMPLOYES RETIREMENT BOARD

In the Matter of the Application
of the Metropolitan Service District
to Become a Participating Employer
under ORS chapter 237

The Metropolitan Service District makes this application pursuant to ORS 268.240 to become a participating employer under ORS chapter 237 to the extent of providing membership for each class of employees described in the application.

1. Metro is a regional government organized and existing pursuant to the provision of ORS chapter 268.

2. The Executive Officer of Metro makes this application with the approval of the Council of the Metropolitan Service District pursuant to Resolution No. ~~90-1242~~ _____
(Exhibit attached.)

3. Metro is not, as of this date, participating in the Public Employes Retirement System.

4. Metro applies to this Board to allow the District employees in the following classes of District employees to become members of PERS without entering into a contract of integration (ORS 237.051) but pursuant to this contract authorized by ORS 268.240(3).

- a. A class of District employees composed of all eligible City of Portland Exposition-Recreation Commission employees transferring ed to Metropolitan Exposition-Recreation Commission employment on July 1, 1990, based on Metro's 1989 Intergovernmental Agreement with the City of Portland. Inclusion of that class into PERS ~~should~~ shall be effective July 1, 1990, the date of transferred employment under that Agreement. Inclusion is subject to applicable rights granted to transferring employees pursuant to ORS 236.620(2) and 237.011(2).
- b. A class of employees composed of all eligible employees hired by the Metropolitan Exposition-Recreation Commission after July 1, 1990. Inclusion of this class shall be effective July 1, 1990.

- c. A class of employees composed of all eligible employees currently employed as of July 1, 1990, by the Metropolitan Exposition-Recreation Commission. Inclusion of this class shall be effective July 1, 1990.
- d. A class of employees composed of all eligible employees hired by Metro departments after July 1, 1991, who are not represented by an exclusive collective bargaining agent on the effective date of hire, excluding any public employees transferred from another public employer because the duties of employment have been assumed by Metro.
- e. A class of employees composed of all eligible Metro employees who are not represented by an exclusive collective bargaining agent on July 1, 1991, who exercise the option to become members of PERS effective July 1, 1991, excluding any public employees transferred from another public employer because the duties of employment have been assumed by Metro. Upon any disqualification of Metro's current retirement plans for exemption from federal income tax, these remaining eligible Metro employees not represented by an exclusive bargaining agent may become members of PERS.
- f. A class of employees composed of all eligible employees represented by American Federation of State, County and Municipal Employees (AFSCME), Local 3580, effective on the date provided for in a Collective Bargaining Agreement specifically providing for PERS membership by all members of the unit which is ratified by both parties.

Metro will place on the negotiating table the issue of PERS membership at the bargaining sessions expected to commence prior to the expiration of the current contract on June 30, 1991, consistent with its Agreement in accordance with ORS 268.240(4), below.

- g. A class of employees composed of all eligible persons employees represented by Laborers International Union Local 483 effective on the date provided for in a Collective Bargaining Agreement specifically providing for PERS membership by all members of the unit which is ratified by both parties.

Metro will place on the negotiating table the issue of PERS membership at the bargaining sessions expected to commence prior to the

expiration of the current contract on June 30, 1991, consistent with its agreement in accordance with ORS 268.240(4), below.

- h. Each class of eligible employees represented by an exclusive collective bargaining agent for public employees transferred from another public employer because the duties of employment have been assumed by Metro. Inclusion of each class of represented employees shall be effective on the date provided for in a collective bargaining agreement specifically providing for PERS membership by all members of the unit which is ratified by both parties. Inclusion is subject to any applicable rights granted to transferring employees pursuant to ORS 236.620(2) and 237.011(2).

Metro will place on the negotiating table the issue of PERS membership at the bargaining sessions commencing after the duties of each class of represented employees have been assumed by Metro.

- i. Each class of eligible employees not represented by an exclusive collective bargaining agent for public employees transferred from another public employer because the duties of employment have been assumed by Metro. Inclusion of each class of nonrepresented employees shall be effective on the date provided for in an intergovernmental agreement transferring the employees or other action of the Metro Council effecting the transfer of such employees.

5. Metro hereby agrees eventually to extend PERS coverage to all eligible District employees in accordance with ORS 268.240(4).

- 6. a. Terms of admission of current employees transferring to PERS membership shall include prior eligibility service, but shall not include prior benefit service or the unused sick leave option, unless the Metro Council approves additional options in collective bargaining agreements for represented classes or in a Resolution for nonrepresented classes. Metro ERC classes shall retain the unused sick leave option.
- b. Pursuant to ORS 237.075, Metro has agreed to continue to assume payment of employee contributions for Metro ERC classes so compensated under the ERC, including all nonrepresented Metro ERC employees.

- c. Metro agrees to assume payment of employee contributions for Metro nonrepresented employee classes.
- d. Metro has not agreed to assume payment of employee contributions for represented classes of Metro employees, unless the Metro Council approves such payment in collective bargaining agreements.

7. The dates provided for in Section 4(d) and 4(e) and the level of the benefits for employees included in PERS provided for in Section 6 hereof may be amended by mutual agreement of PERS and Metro, subject to Metro Council approval.

8. This application and the terms hereof shall, upon approval of the Board, constitute the contract between PERS and Metro contemplated by ORS 268.240. The effective date of the contract shall be the date approved by the Board. The effective date of PERS membership of District employees shall be the first date of eligibility under ORS chapter 237 inclusion of the class under the terms of this application.

Rena Cusma, Executive Officer
Metropolitan Service District

Date: _____

EXHIBIT "A"

BEFORE THE PUBLIC EMPLOYES RETIREMENT BOARD

In the Matter of the Application
of the Metropolitan Service District
to Become a Participating Employer
under ORS chapter 237

The Metropolitan Service District makes this application pursuant to ORS 268.240 to become a participating employer under ORS chapter 237 to the extent of providing membership for each class of employees described in the application.

1. Metro is a regional government organized and existing pursuant to the provision of ORS chapter 268.

2. The Executive Officer of Metro makes this application with the approval of the Council of the Metropolitan Service District pursuant to Resolution No. _____ (Exhibit attached.)

3. Metro is not, as of this date, participating in the Public Employes Retirement System.

4. Metro applies to this Board to allow the District employees in the following classes of District employees to become members of PERS without entering into a contract of integration (ORS 237.051) but pursuant to this contract authorized by ORS 268.240(3).

- a. A class of District employees composed of all eligible City of Portland Exposition-Recreation Commission employees transferred to Metropolitan Exposition-Recreation Commission employment on July 1, 1990, based on Metro's 1989 Intergovernmental Agreement with the City of Portland. Inclusion of that class into PERS shall be effective July 1, 1990, the date of transferred employment under that Agreement. Inclusion is subject to applicable rights granted to transferring employees pursuant to ORS 236.620(2) and 237.011(2).
- b. A class of employees composed of all eligible employees hired by the Metropolitan Exposition-Recreation Commission after July 1, 1990. Inclusion of this class shall be effective July 1, 1990.

- c. A class of employees composed of all eligible employees currently employed as of July 1, 1990, by the Metropolitan Exposition-Recreation Commission. Inclusion of this class shall be effective July 1, 1990.
- d. A class of employees composed of all eligible employees hired by Metro departments after July 1, 1991, who are not represented by an exclusive collective bargaining agent on the effective date of hire, excluding any public employees transferred from another public employer because the duties of employment have been assumed by Metro.
- e. A class of employees composed of all eligible Metro employees who are not represented by an exclusive collective bargaining agent on July 1, 1991, who exercise the option to become members of PERS effective July 1, 1991, excluding any public employees transferred from another public employer because the duties of employment have been assumed by Metro. Upon any disqualification of Metro's current retirement plans for exemption from federal income tax, these remaining eligible Metro employees not represented by an exclusive bargaining agent may become members of PERS.
- f. A class of employees composed of all eligible employees represented by American Federation of State, County and Municipal Employees (AFSCME), Local 3580, effective on the date provided for in a Collective Bargaining Agreement specifically providing for PERS membership by all members of the unit which is ratified by both parties.

Metro will place on the negotiating table the issue of PERS membership at the bargaining sessions expected to commence prior to the expiration of the current contract on June 30, 1991, consistent with its Agreement in accordance with ORS 268.240(4), below.

- g. A class of employees composed of all eligible employees represented by Laborers International Union Local 483 effective on the date provided for in a Collective Bargaining Agreement specifically providing for PERS membership by all members of the unit which is ratified by both parties.

Metro will place on the negotiating table the issue of PERS membership at the bargaining

sessions expected to commence prior to the expiration of the current contract on June 30, 1991, consistent with its agreement in accordance with ORS 268.240(4), below.

- h. Each class of eligible employees represented by an exclusive collective bargaining agent for public employees transferred from another public employer because the duties of employment have been assumed by Metro. Inclusion of each class of represented employees shall be effective on the date provided for in a collective bargaining agreement specifically providing for PERS membership by all members of the unit which is ratified by both parties. Inclusion is subject to any applicable rights granted to transferring employees pursuant to ORS 236.620(2) and 237.011(2).

Metro will place on the negotiating table the issue of PERS membership at the bargaining sessions commencing after the duties of each class of represented employees have been assumed by Metro.

- i. Each class of eligible employees not represented by an exclusive collective bargaining agent for public employees transferred from another public employer because the duties of employment have been assumed by Metro. Inclusion of each class of nonrepresented employees shall be effective on the date provided for in an intergovernmental agreement transferring the employees or other action of the Metro Council effecting the transfer of such employees.

5. Metro hereby agrees eventually to extend PERS coverage to all eligible District employees in accordance with ORS 268.240(4).

- 6. a. Terms of admission of current employees transferring to PERS membership shall include prior eligibility service, but shall not include prior benefit service or the unused sick leave option, unless the Metro Council approves additional options in collective bargaining agreements for represented classes or in a Resolution for nonrepresented classes. Metro ERC classes shall retain the unused sick leave option.
- b. Pursuant to ORS 237.075, Metro has agreed to continue to assume payment of employee contributions for Metro ERC classes so compensated

under the ERC, including all nonrepresented Metro ERC employees.

- c. Metro agrees to assume payment of employee contributions for Metro nonrepresented employee classes.
- d. Metro has not agreed to assume payment of employee contributions for represented classes of Metro employees, unless the Metro Council approves such payment in collective bargaining agreements.

7. The dates provided for in Section 4(d) and 4(e) and the level of the benefits for employees included in PERS provided for in Section 6 hereof may be amended by mutual agreement of PERS and Metro, subject to Metro Council approval.

8. This application and the terms hereof shall, upon approval of the Board, constitute the contract between PERS and Metro contemplated by ORS 268.240. The effective date of the contract shall be the date approved by the Board. The effective date of PERS membership of District employees shall be the first date of eligibility under ORS chapter 237 inclusion of the class under the terms of this application.

Rena Cusma, Executive Officer
Metropolitan Service District

Date: _____

STAFF REPORT

RELATING TO THE RESOLUTION FOR THE PURPOSE
OF ADOPTING AN AMENDED APPLICATION TO THE
PUBLIC EMPLOYEES RETIREMENT SYSTEM

February 27, 1991

Presented by
Kim Huey,
Acting Personnel Manager

BACKGROUND

In May 1990 Metro Council adopted Resolution No. 90-1240 authorizing the Executive Officer to make application to the Public Employes Retirement System substantially in the form attached as Exhibit "A" to the Resolution.

Metro's July 30, 1990 PERS application was approved by the Public Employes Retirement Board staff, but not officially approved by Board action when, based on the advice of General Counsel, it was withdrawn by Metro on November 20, 1990 for amendments clarifying the effect of acquisition of Tri-Met employees. In addition to the complications raised by the potential of a merger with Tri-Met, the issue of a possible disqualification of the current Metro plans was raised by the agency's pension plan manager, WM Benefits Group. Should such disqualification occur Metro employees who had originally elected to participate in the current plans would need assurance that their membership in PERS would be guaranteed. On January 29, 1991 Dick Engstrom, Larry Shaw and Sarah Keele met with Julia Huddleston, Public Employes Retirement System Board staff, to discuss and reach agreement on required amendments to the original PERS application. These amendments, incorporated in the proposed new application, are:

- to specify that Metro Exposition/Recreation Commission employees' membership in PERS is retroactive to July 1, 1990
- to provide for effective dates of PERS membership in the collective bargaining agreements rather than on the various dates such agreements are ratified
- to differentiate between current Metro non-represented and represented employees and those who may be transferred to Metro in later mergers
- to allow permissive membership in PERS if Metro's current retirement plans become disqualified

If approved by Metro Council this amended application could receive final action by the PERS Board on March 25, 1991.

FISCAL IMPACT

Approval of this Resolution will result in no additional fiscal impact.

RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 91-1413 with the amended application to the Public Employees Retirement System.

Audubon Society of Portland

5151 N.W. Cornell Road
Portland, Oregon 97210
503-292-6855

Council
3/14/91
7.7



March 14, 1991

To: Metropolitan Service District Council
Tri-Met
From: Mike Houck
Re: Westside Lightrail Zoo/OMSI/Forestry Center Stop

Portland Audubon Society would like to go on record as strongly supporting a lightrail stop (regardless of the alternative route selected) at the Zoo-OMSI-Forestry Center complex.

This stop is important, not only for service to these educational institutions, but also as a critical mass transit link to the 40-Mile Loop. This regional trail system is an important element in our efforts to provide natural history and recreational experiences to Portland-Vancouver metropolitan residents. The combination of eastside and westside lightrail connections to the 40-Mile Loop, and north-south connector over the I-205 bridge, is an important link between one form of alternative transit (lightrail) with another form (walking). We should be encouraging such links throughout the metropolitan region.

One of the strategies identified in Metro's recent growth management conference to address transportation issues is to encourage more walking-oriented transit. This is also a goal identified by the Portland Future Focus land use/environment subcommittee on growth management. Recent studies demonstrate that in European countries walking constitutes 80% of daily trips. In the U. S. that figure is approximately 15-20%. If we are to encourage more walking in the Portland metropolitan region we must take advantage of every opportunity to link mass transit with what we hope will be a growing regional trail network. You have the opportunity to put one such link in place with a zoo station on westside lightrail. We hope you support that decision.

Sincerely,

Michael C. Houck
Urban Naturalist