



Agenda

COUNCIL MEETING

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: February 28, 1985

Day: Thursday

Time: 5:30 p.m.

Place: Council Chamber

Approx.
Time *

Presented By

5:30

CALL TO ORDER
ROLL CALL

1. Introductions
2. Councilor Communications
3. Executive Officer Communications
4. Written Communications to Council on Non-Agenda Items
5. Citizen Communications to Council on Non-Agenda Items

6:00

6. CONSENT AGENDA

- 6.1 Approval of the Minutes of the Meeting of February 7, 1985
- 6.2 Consideration of Resolution No. 85-541, for the Purpose of Amending Resolution No. 83-431 (Guidelines for Council Expenditures)
- 6.3 Consideration of Resolution No. 85-542, for the Purpose of Appointing Citizen Members to the Budget Committee
- 6.4 Consideration of Resolution No. 85-548, for the Purpose of Amending the FY 1985 and FY 1984 Unified Work Programs
- 6.5 Consideration of Intergovernmental Project Review

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

Approx.
Time

Presented By

7. RESOLUTIONS

- | | | | |
|------|-----|--|----------------------|
| 6:05 | 7.1 | <u>Consideration of Resolution No. 85-549, for the Purpose of Providing for the Assessment of Dues to Local Governments for FY 1985-86</u> | Siegel |
| 6:15 | 7.2 | <u>Consideration of Resolution No. 85-550, for the Purpose of Adding to the Approved List of Hearings Officers (Gail Achterman, Adrienne Brockman and Beth Mason)</u> | Hinckley |
| 6:20 | 7.3 | <u>Consideration of Resolution No. 85-551, for the Purpose of Establishing Priorities and Objectives for 1985 and 1986</u> | Bonner/
Gustafson |
| 6:40 | 7.4 | Consideration of Resolutions for the Purpose of Adopting Council Positions on Proposed Legislation: | Fell |
| | | <u>Resolution No. 85-543, for the Purpose of Adopting a Council Position on Proposed Legislation Extending Energy Tax Credits</u> | |
| | | <u>Resolution No. 85-544, for the Purpose of Adopting a Council Position on Proposed Legislation Establishing a State Advisory Commission on Intergovernmental Affairs</u> | |
| | | <u>Resolution No. 85-545, for the Purpose of Adopting a Council Position on Proposed Legislation Modifying State Landfill Siting Authority</u> | |
| | | <u>Resolution No. 85-546, for the Purpose of Adopting a Council Position on Proposed Legislation Allowing Metro to Create Citizen Commissions</u> | |
| | | <u>Resolution No. 85-547, for the Purpose of Adopting a Council Position on Proposed Legislation to Protect Exotic Animals</u> | |
| | | <u>Resolution No. 85-552, for the Purpose of Adopting a Council Position on Proposed Legislation Exempting Metro's Zoo and Solid Waste Services from Sales Tax</u> | |

8. OTHER BUSINESS

- | | | | |
|------|-----|--|---------|
| 7:05 | 8.1 | Consideration of a Contract with Coldwell Banker to Provide Representation in Subleasing Office Space | Carlson |
| 7:15 | 8.2 | Consideration of a Contract with Jones & Jones to Provide for the Design of the Africa Bush Exhibit, Phase I | Rich |
| 7:25 | 10. | COMMITTEE REPORTS | |
| 7:30 | | ADJOURN | |

amn
2890C/D1-6
02/20/85

LEGISLATIVE PROGRESS REPORT

METRO-SUPPORTED BILLS

BILL NO.	DESCRIPTION	DEPT. INTEREST	FIRST BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	OTHER BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	GOVERNOR'S ACTION
HB 2036	Zoo uncoupling and tax bill	Metro Zoo	Intergovern- mental Affairs (IGA)- 1/14	Passed, 2/11	Passed, 2/13	Senate Governmental Operations, 2/19			
HB 2037	Local government dues bill	Metro IRC	IGA - 1/14	Passed with amendments, 2/12	Rereferred to IGA Committee, 2/15				
HB 2053	Energy tax credits for energy recovery facilities & recycling	Solid Waste	Energy & Environment (E & E), 1/14	Passed with amendments, 2/7					
HB 2275	Metro excise taxes	Metro	IGA - 1/14						
HB 2255	Hazardous waste information	Solid Waste	E & E, 1/22						
HB 2266	2¢ gas tax increase	IRC	Transportation 1/18 then Revenue & School Finance	Passed with amendments 2/26					

LEGISLATIVE PROGRESS REPORT

METRO-SUPPORTED BILLS

BILL NO.	DESCRIPTION	DEPT. INTEREST	FIRST BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	OTHER BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	GOVERNOR'S ACTION
HB 2276	18¢ cigarette tax; 1¢ for COGs and MSDs	Metro IRC	Revenue, 1/22 then Ways & Means						
HB 2308	State Intergovernmental Relations Commission	Metro	IGA, 2/1 then Ways & Means						
HB 2558	Metro creating commissions	Metro	IGA, 2/20						
HB 2572	Executive Officer of Metro appoints transit district board members	Metro IRC	IGA, 2/20						

LEGISLATIVE PROGRESS REPORT

METRO-SUPPORTED BILLS

BILL NO.	DESCRIPTION	DEPT. INTEREST	FIRST BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	OTHER BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	GOVERNOR'S ACTION
SB 99	Appellate Court jurisdiction	Legal Counsel	Judiciary, 1/18						

LEGISLATIVE PROGRESS REPORT

METRO-OPPOSED BILLS

BILL NO.	DESCRIPTION	DEPT. INTEREST	FIRST BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	OTHER BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	GOVERNOR'S ACTION
SB 32	Weight/mile tax	IRC	Transportation 1/28 then Revenue & Schl. Finance						
SB 91	Time limits for civil suits	Legal Counsel	Judiciary, 1/18						
HB 2202	Resource recovery facilities and Public Utility Commission regulation	Solid Waste	Energy & Environment (E & E), 2/1						
HB 2605	Metro budget requires voter approval	Metro	Intergovern- mental Affairs (IGA), 2/26						
HB 2608	Abolishes Metro	Metro	IGA, 2/26						

February 27, 1985

LEGISLATIVE PROGRESS REPORT

METRO-INTEREST BILLS

BILL NO.	DESCRIPTION	DEPT. INTEREST	FIRST BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	OTHER BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	GOVERNOR'S ACTION
HB 2038	Metro Executive Officer as thirteenth member of Metro Council	Metro	IGA, 1/14						
HB 2094	Circuit Court Judges Salaries	Exec. Mgmt.	Judiciary, then ----- Ways & Means	Passed with amendments					
HB 2183	10¢ cigarette tax; 1¢ for cities and counties	Metro	Revenue						
HB 2200	Defines telecommunications for public utility regulation	IRC	Energy & Environment 1/15						
HB 2229	Collection and distribution of property taxes	Zoo	Revenue, 1/22						
HB 2244	Land use regulations and state water policy	Legal Counsel	Water Policy, 1/18						
HB 2254	Hazardous substance information in workplace	F & A	Labor, 1/22 then Ways & Means						

LEGISLATIVE PROGRESS REPORT

METRO-INTEREST BILLS

BILL NO.	DESCRIPTION	DEPT. INTEREST	FIRST BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	OTHER BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	GOVERNOR'S ACTION
HB 2262	Enterprise zones and eligibility criteria	IRC	Trade & Econ. Development then Revenue						
HB 2277	Creation of new cities	IRC	IGA, 1/14						
HB 2292	Uniform medical schedule for Workers Compensation	F & A	Labor, 1/24						
HB 2297	Notice of injuries, Workers Compensation	F & A	Labor, 1/24						
HB 2301	Annexations within UGBs	IRC	IGA, 1/14						
HB 2322	Workers Compensation benefits to surviving spouses	F & A	Labor, 2/4						
HB 2427	Appointment of Metro Executive Officer	Metro	IGA, 2/13						

LEGISLATIVE PROGRESS REPORT

METRO-INTEREST BILLS

BILL NO.	DESCRIPTION	DEPT. INTEREST	FIRST BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	OTHER BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	GOVERNOR'S ACTION
SB 33	Wage discrimination on gender	Legal Counsel	Labor, 1/17						
SB 36	Minimum wage laws	Legal Counsel	Labor, 1/17						
SB 41	Definition of place of public employment	Legal Counsel	Labor, 1/23						
SB 69	Managerial employees and collective bargaining	Legal Counsel	Labor, 1/17						
SB 80	Workers compensation and local governments	Finance/ Administra- tion	Labor, 1/18						
SB 83	Construction of regional correction facilities	IRC	Judiciary, 1/18						

LEGISLATIVE PROGRESS REPORT

METRO-INTEREST BILLS

BILL NO.	DESCRIPTION	DEPT. INTEREST	FIRST BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	OTHER BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	GOVERNOR'S ACTION
SB 97	Workers compensation and conscience or religious belief	F & A	Labor, 1/18						
SB 136	State Lottery	IRC	Government Operations, 1/28						
SB 143	Public Tort Liability exemptions	Legal Counsel	Tabled in Judiciary, 1/29						
SB 144	Occupation of land by public condemners	Legal Counsel	Judiciary, 1/18						
SB 162	Independent contractors and Workers compensation	Legal Counsel	Labor, 1/18						
SB 234	Removes sunset on industrial revenue bonds	IRC	Trade & Econ. Development, 1/21						

LEGISLATIVE PROGRESS REPORT

METRO-INTEREST BILLS

BILL NO.	DESCRIPTION	DEPT. INTEREST	FIRST BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	OTHER BODY COMMITTEE	COMMITTEE ACTION	FLOOR ACTION	GOVERNOR'S ACTION
SB 298	Drainage basin program statements	IRC	Water Policy, 1/21						
SB 314	Appropriates \$___ from lottery to Basic Research Fund	IRC	Trade/Econ. Development, 1/21 then Ways & Means						
SB 338	Installment payments for connecting to municipal sewer system	IRC	Govt. Opera- tions, 2/1						
SB 339	Installment payments for sewer connection charges to county system	IRC	Govt. Opera- tions, 1/29						
SB 382	Government contracts	F & A	Govt. Opera- tions, 2/11						

Agenda Item No. 6.1

Meeting Date Feb. 28, 1985

MINUTES OF THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT
INFORMAL MEETING

February 7, 1985

Councilors Present: Councilors Cooper, DeJardin, Gardner, Hansen, Kelley, Myers, Oleson, Van Bergen, Waker and Bonner

Councilors Absent: Councilors Kafoury and Kirkpatrick

Also Present: Executive Officer Rick Gustafson

Staff Present: Philip Fell, Steve Siegel, Leigh Zimmerman, Peg Henwood, Dennis Mulvihill, Ray Barker

Presiding Officer Bonner called to order an informal meeting of the Council at 5:30 p.m. Staff briefed the Council on the status of proposed and existing state legislation that would effect the Metropolitan Service District.

Metro's Legislative Package (Presented by Councilor Hardy Myers and Executive Officer Rick Gustafson)

1. HB 2036 Separates question of Zoo tax base and additional responsibilities for Metro. The Zoo tax base would no longer be the triggering mechanism for adding service responsibilities. Rather, a public vote on each additional service proposed for Metro is substituted.
2. HB 2037 Dues bill. Removes sunset, requires consultation with advisory committee, requires ports and mass transit districts to pay service charges.
3. HB 2275 Allows Metro to impose excise taxes for general government operations on District functions and facilities.

Other Legislative Issues (Presented by Philip Fell)

1. HB 2038 Provides Executive Officer to become the thirteenth member of the Metro Council.
2. HB 2308 Creates State Commission on Intergovernmental Relations.
3. HB 1363 Establishes landfill siting principles.

Metro Council
February 7, 1985
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4. LC XXXX Changes Metro's Executive Officer from an elected to appointed official.
5. HB 2053 Extends energy tax credit for energy or recycling facilities erected, constructed or installed before January 1, 1985.

Before the Metropolitan Legislative Agenda was presented, the Presiding Officer called a recess from 7:20 p.m. to 7:30 p.m.

Metropolitan Legislative Agenda (Presented by Steve Siegel)

Existing and proposed legislation of concern to local governments within the Metro region include:

1. State Tax Reform
2. State Gas Tax
3. Oregon Lottery
4. Cigarette Tax
5. Convention, Spectator and Trade Facilities
6. State and Regional Corrections Facilities

At the Council meeting of February 14, 1985, the Presiding Officer will introduce of series of resolutions requesting the Council to adopt positions regarding the Metropolitan Legislative Agenda and other proposed legislation.

Presiding Officer Bonner adjourned the informal meeting at 8:10 p.m.

Respectfully submitted,



A. Marie Nelson
Clerk of the Council

amn
2930C/313-2
02/13/85

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING) RESOLUTION NO. 85-551
PRIORITIES AND OBJECTIVES FOR THE)
METROPOLITAN SERVICE DISTRICT FOR) Introduced by Presiding
THE YEARS 1985 AND 1986) Officer Bonner, and
) Executive Officer Gustafson

WHEREAS, The Metropolitan Service District (Metro) adopted
Priorities and Objectives on June 28, 1984; and

WHEREAS, Many of the objectives have been accomplished
over the past year; and

WHEREAS, Metro reviews its priorities and objectives
annually to ensure that they are an accurate reflection of its
future direction; and

WHEREAS, The priorities and objectives provide a basis for
the development and administration of work programs for Metro; now,
therefore,

BE IT RESOLVED,

That the following priorities and objectives are hereby
adopted by the Metropolitan Service District:

PRIORITY A: EFFECTIVELY ADMINISTER THE EXISTING SERVICES OF METRO

OBJECTIVES:

1. Implement Adopted Policies and Procedures and Conduct Periodic Reviews
 - a. Personnel Rules
 - b. Affirmative Action Plan
 - c. Disadvantaged Business Program
 - d. Contract Procedures

2. Administer Effective Financial Management

- a. Adopt budget by June 1985
- b. Prepare financial reports on a monthly basis
- c. Complete annual audit by October 1985

3. Meet Major Program Commitments Adopted by the Council

a. Zoo

- * Complete central bear habitat and Zoo street renovation by Spring 1986
- * Complete design of Phase I of the Africa Bush Exhibit by Spring 1986
- * Complete construction of Phase I of the Africa Bush Exhibit by Spring 1987
- * Begin design of Phase II of the Africa Bush Exhibit by the summer of 1986

b. Solid Waste

- * Acquire site and commence design and construction of Washington Transfer & Recycling Center
- * Complete alternatives study and adopt 1984-85 Solid Waste Management Plan Update
- * Develop methane gas project

c. Intergovernmental Resource Center (IRC)

- * Update Regional Transportation Plan
- * Conduct or participate in various transportation studies including: regional light rail transit, Southwest Corridor, Elderly and Handicapped Plan, Bike Safety Encouragement Program and Transportation Improvement Program
- * Update Population and Employment Forecasts
- * Monitor and process Urban Growth Boundary change requests

d. Finance and Administration

- * Improve personnel system
- * Improve data processing system

4. Maintain Effective Service Operations

a. Solid Waste

- * Continue state of art environmental management of St. Johns Landfill and Clackamas Transfer & Recycling Center
- * Negotiate and award contracts for operating solid waste facilities

- * Continue management improvements of Metro field operations
- * Continue development of effective regional waste reduction program

b. Zoo

- * Continue operation and promotion of Zoo in a manner which will achieve attendance projections and approximately 50 percent of operating costs from non-tax sources
- * Continue implementation of facility maintenance schedule

PRIORITY B: ESTABLISH AND MAINTAIN ADEQUATE AND FIRM FINANCIAL SUPPORT FOR ALL SERVICES

OBJECTIVES:

1. Secure Authorization for General Fund Revenues from the 1985 Legislature
 - a. State-shared revenues
 - b. Excise tax authority
2. Implement Policies to Secure General Fund Revenue Sources by the End of 1985
3. Determine Allocation of Methane Gas Revenues
4. Secure Permanent Finances for Zoo Operations and Maintenance in 1986 and Adopt a Method for Financing the Implementation of the Zoo Master Plan
5. Establish Long-Term Financial Support for Financing the IRC
 - a. Obtain legislative authorization for dues in 1985
 - b. Prepare five-year financial plan for IRC
 - c. Secure grant commitments to replace loss of Interstate Transfer funds for transportation planning
6. Implement Five Operating Fund System for FY 1986-87, Adding a Support Service Fund
 - a. Define the elements of the Support Service Fund
 - b. Adopt a cost allocation system
7. Develop Criteria for Determining Which Projects Will be Funded by Dues and Which by Metro and Other Sources

PRIORITY C: ENSURE THAT THE REGION WILL HAVE AN ENVIRONMENTALLY SAFE AND FINANCIALLY SOUND SOLID WASTE DISPOSAL SITE

OBJECTIVES:

1. Create an Understanding of the Solid Waste "Dilemma," Including the Need for a Regional General Purpose Landfill, Through the System Planning Process
2. Pursue State Landfill Siting Authority
3. Seek the Issuance of Appropriate Landfill Land Use Permit(s) at County and/or City Level

PRIORITY D: USE THE INTERGOVERNMENTAL RESOURCE CENTER CONSENSUS BUILDING MODEL TO ESTABLISH A LONG-RANGE PARTNERSHIP FOR IDENTIFYING AND RESOLVING ISSUES OF REGIONAL AND MUTUAL INTEREST

OBJECTIVES:

1. Utilize the Intergovernmental Resource Center (IRC) as a Mechanism to Create Regional Task Forces to Prepare Recommendations on Critical Regional Issues for Consideration and Action by the Affected Governing Bodies
2. Reinforce Metro's Role of Being a Center for Intergovernmental Resolution of Problems by Demonstrating Political Leadership and Staff Support to this Approach
3. Improve Capability to Better Meet the Needs of the Local Governments and the Requirements of Increased Intergovernmental Cooperation
4. Establish Metro Priorities in Addressing Regional Service Needs Requiring Intergovernmental Review

PRIORITY E: INCREASE PUBLIC AWARENESS OF METRO'S ROLE IN THE REGION AND ASSURE THE OPPORTUNITY FOR PUBLIC INVOLVEMENT IN METRO'S IMPORTANT DECISION-MAKING PROCESSES

OBJECTIVES:

1. Public Awareness
 - a. Continue semi-annual newsletter, annual report, annual video production and other methods of direct communication to residents
 - b. Increase dissemination of public information

- c. Continue to provide and participate in forums on regional issues
- d. Schedule periodic Metro Council meetings around the region; invite selected groups for briefings and tours

2. Public Involvement

- a. Require all projects to have public involvement, including work at the neighborhood level
- b. Continue implementation of public involvement programs in the following projects: Washington County Transfer & Recycling Center; Waste Reduction Plan; and landfill siting process re-assessment

3. Metro Council Involvement

- a. Make use of existing forums to increase participation of Metro Councilors in the community
- b. Listen for, and help disseminate the ideas of, individuals and groups in the region who are speaking out on regional issues

ADOPTED by the Council of the Metropolitan Service District

this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

slr/gl
2808C/406-5
02/19/85

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF EXEMPTING
METRO'S REGIONAL SERVICES AND
PURCHASES FROM A SALES TAX

552
RESOLUTION NO. 85-550
Introduced by
Presiding Officer Bonner and
Executive Officer Gustafson

WHEREAS, The Oregon Legislature has indicated its intention to refer a sales tax measure to a vote of the people;

WHEREAS, The question of whether local governments will be required to pay a sales tax on the goods they purchase or to charge a sales tax for the services they provide remains unclear;

WHEREAS, Local governments, including the Metropolitan Service District, would be required to increase their property tax levies and/or the fees they charge their citizens for the services they deliver; and

WHEREAS, Metro could be forced to pass a sales tax on to its constituents; now, therefore,

BE IT RESOLVED,

That the Metro Council supports exemption from the sales tax of regional services and those materials used in providing regional services.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

FINANCIAL SUMMARY

Billing Unit	Assessed Value		Annual Budget		Property Taxes		Tax Rate Per \$1,000		Outstanding Bonded	
	000 Omitted (1)				After Offsets		Assessed Value		Debt (2)	
	1983-84	1984-85	1983-84	1984-85	1983-84	1984-85	1983-84	1984-85	1983-84	1984-85
JUNTY:										
Winnemah County	\$ 17,186,890	\$ 18,164,755	\$ 174,343,070	\$ 248,964,318	\$ 52,784,301	\$ 56,853,354	\$ 3.08	\$ 3.13	\$ 3,477,800	\$ 3,175,000
CITIES:										
City of Portland (3)	\$ 11,866,835	\$ 12,816,729	\$ 597,419,270	\$ 769,482,305	\$ 78,075,025	\$ 82,398,465	\$ 6.58	\$ 6.43	\$292,632,808	\$295,260,391
City of Fairview	40,548	43,594	1,229,460	1,107,967	23,347	24,748	.58	.57	201,000	189,000
City of Gresham	947,849	1,175,154	28,738,756	49,383,015	4,330,757	5,264,146	4.57	4.48	11,111,900	10,396,000
City of Maywood Park	17,833	18,818	74,220	40,009	None	None	None	None	None	None
City of Troutdale	149,816	163,100	2,856,569	4,217,036	427,419	449,440	2.86	2.76	3,934,460	3,622,043
City of Wood Village	56,287	66,374	916,500	2,227,734	70,802	88,239	1.26	1.33	76,000	60,000
TOTAL - CITIES			\$ 631,234,775	\$ 826,458,066	\$ 82,927,350	\$ 88,225,038			\$307,956,168	\$309,527,434
SPECIAL PURPOSE DISTRICTS:										
City of Portland (3)	\$ 32,993,542	\$ 34,835,586	\$ 370,554,127	\$ 431,853,613	\$ 6,186,293	\$ 14,154,723	\$.19	\$.41	\$279,193,184	\$283,982,909
1963-73 Debt	17,186,890	18,164,755	In Above	In Above	834,787	None	.05	None	55,450,000	52,250,000
1-Met (3)	--	--	259,294,804	224,026,538	None	None	None	None	None	None
Trout Service Dist. (3)	29,733,210	31,423,560	41,010,459	45,890,191	4,997,430	4,999,592	.17	.16	None	None
Wynline Crest Rd. Dist. (4)	3,159	3,346	(4)	(4)	1,262	1,338	.40	.40	None	None
TOTAL - SPECIAL PURPOSE DISTRICTS			\$ 670,859,390	\$ 701,770,342	\$ 12,019,772	\$ 19,155,653			\$334,643,184	\$336,232,909
EDUCATION DISTRICTS:										
1 - Portland (3)	\$ 12,726,031	\$ 13,333,917	\$ 277,242,910	\$ 306,809,378	\$159,659,620	\$169,277,979	\$12.55	\$12.70	None	None
2 - Gresham High (3) (7)	1,239,590	1,319,023	13,404,166	14,075,710	6,169,806	6,326,691	4.98	4.80	\$ 145,000	None
3 - Gresham	759,301	851,058	13,449,646	16,857,616	9,374,244	9,918,864	12.35	11.66	300,000	\$ 150,000
4 - Gresham Grade (6)	939,853	1,007,351	17,079,945	17,779,230	7,048,865	8,013,048	7.50	7.96	9,205,000	8,650,000
6 - Orient (3) (6)	127,888	133,573	2,330,168	2,330,597	915,007	987,962	7.16	7.40	15,000	None
7 - Reynolds	1,069,941	1,140,777	25,782,021	28,306,243	11,777,082	13,533,367	11.01	11.87	9,120,000	8,645,000
19 - Sauvie Island	39,951	43,883	881,650	868,791	560,000	521,374	14.02	11.89	700,000	680,000
28 - Centennial (3)	553,309	590,107	18,268,567	19,722,297	7,952,378	8,926,708	14.38	15.13	5,675,000	5,410,000
39 - Corbett	76,949	83,693	3,559,886	3,993,603	1,550,481	1,755,778	20.15	20.98	1,175,000	1,065,000
40 - David Douglas	917,942	1,000,301	25,948,951	27,176,807	12,349,154	13,641,535	13.46	13.64	420,000	320,000
46 - Bonneville	7,746	9,779	179,910	183,790	67,131	122,638	8.67	12.55	None	None
51 - Riverdale (3)	120,122	127,549	1,401,334	1,797,710	1,116,726	1,170,132	9.30	9.18	160,000	145,000
Education Service District:										
Elementary School (3)	17,339,033	18,321,989	29,701,744	36,041,453	13,304,440	14,191,105	.77	.78	None	None
High School (3)	17,510,881	18,500,088	In Above	In Above	6,652,698	6,989,648	.38	.38	None	None
Hood Comm. College (3)	5,284,460	5,683,903	30,638,095	28,580,183	8,497,853	8,954,209	1.61	1.58	12,435,000	11,690,000
Riverland Comm. College (3)	23,350,695	24,645,278	64,220,749	68,208,747	13,109,529	13,946,010	.57	.57	None	None
TOTAL - EDUCATION DISTRICTS			\$ 524,089,742	\$ 572,732,155	\$260,105,014	\$278,277,048			\$ 39,350,000	\$ 36,755,000
WATER DISTRICTS:										
to Park WD	\$ 4,770	\$ 5,065	\$ 10,200	\$ 10,670	\$ 7,423	\$ 8,523	\$ 1.56	\$ 1.69	None	None
Clifton WD	9,918	10,286	101,555	113,230	23,049	34,733	2.33	3.38	None	None
Corbett WD	61,262	65,776	222,383	245,428	44,775	48,258	.74	.74	None	None
Clifton WD	13,742	13,306	48,376	56,607	4,626	2,327	.34	.18	\$ 6,000	\$ 3,000
Corbett WD	95,399	133,159	252,700	264,100	None	None	None	None	None	None
Waldwood WD	607,484	632,141	1,676,590	2,425,300	None	None	None	None	None	None
Westwood WD	26,017	27,943	423,887	469,587	3,325	9,168	.13	.33	140,000	130,000
Latrine Hill WD (3)	113,595	120,680	210,400	208,950	None	None	None	None	33,000	30,000
Corbett WD	515,743	318,918	2,690,275	2,894,140	121,717	None	.24	None	330,000	220,000
Pleasant Home WD (3)	32,125	33,724	136,482	138,751	36,414	26,596	1.14	.79	176,000	153,000
Well Valley Rd. WD	538,652	569,817	2,001,318	1,680,350	None	None	None	None	400,000	370,000
Clifton WD	46,595	48,833	151,006	160,679	16,994	18,014	.37	.37	4,000	None
Clifton WD	985,043	1,029,338	4,042,731	4,210,469	210,284	None	.22	None	1,495,000	1,360,000
Seaside City WD	164,273	171,330	329,475	355,635	None	None	None	None	None	None
Clifton WD	97,699	106,887	260,095	567,260	7,221	6,339	.08	.06	45,000	40,000
Clifton View WD	48,277	51,301	295,426	277,565	180,111	154,016	3.74	3.01	8,000	4,000
TOTAL - WATER DISTRICTS			\$ 12,852,899	\$ 14,078,721	\$ 655,939	\$ 307,974			\$ 2,637,000	\$ 2,310,000
FIRE DISTRICTS:										
1 - Jantzen Beach	\$ 148,891	\$ 161,189	\$ 565,463	\$ 533,536	\$ 571,334	\$ 526,288	\$ 3.84	\$ 3.27	None	None
4 - Sylvan	58,126	61,576	208,776	201,930	215,000	203,600	3.70	3.31	None	None
10 - Powellhurst	3,369,003	3,176,652	11,975,000	11,067,000	11,431,972	10,568,554	3.40	3.33	None	None
11 - Riverdale (3)	138,014	146,305	216,000	236,000	212,000	224,720	1.54	1.54	None	None
14 - Corbett	75,149	80,035	213,875	185,350	124,385	131,574	1.66	1.65	\$ 10,000	None
20 - Skyline	29,641	31,978	72,713	80,033	26,333	28,221	.89	.89	None	None
30 - Sauvie Island	31,958	34,328	31,135	32,100	33,665	31,053	1.06	.91	None	None
TOTAL - FIRE DISTRICTS			\$ 13,282,962	\$ 12,335,949	\$ 12,614,689	\$ 11,714,010			\$ 10,000	None
JUNTY SERVICE DISTRICTS:										
1 - Thornton (3)	\$ 106,629	\$ 113,568	\$ 147,401	\$ 179,752	\$ 9,400	\$ 37,027	\$.09	\$.33	\$ 224,000	\$ 196,000
2 - West Hills	91,518	98,448	157,570	148,506	None	None	None	None	None	None
3 - Central County	1,360,909	1,176,039	6,482,700	2,851,500	None	None	None	None	33,000	24,000
4 - Mid-County (5)	--	--	1,711,150	1,925,500	None	None	None	None	None	None
TOTAL - COUNTY SERVICE DISTRICTS			\$ 8,498,821	\$ 5,105,258	\$ 9,400	\$ 37,027			\$ 257,000	\$ 220,000
TOTAL - ALL UNITS			\$2,035,161,659	\$2,381,444,809	\$421,116,465	\$454,570,104			\$688,331,152	\$688,220,343

(1) The ratio of Assessed to Market Value for 1984-85 is 96% for all property; for 1983-84 the ratio is 90.3% for Homestead property and 90.9% for non-Homestead property.

(2) Debt includes general obligation, revenue, improvement and urban renewal bonds.

(3) Unit boundary extends into adjoining county.

(4) Unit is exempt from Local Budget Law, but has taxing authority.

(5) Unit is organized for street lighting services financed by special assessments. Other county service districts are organized for sanitary sewer service.

(6) Unit provides elementary education only.

(7) Unit provides secondary education only.

REPRESENTATIVE TOTAL PROPERTY TAX RATES

Per \$1,000 assessed value

For Property Located In	1983-84	1984-85
CITY OF PORTLAND: (001)		
Portland School District No. 1	\$ 12.55	\$ 12.70
Education Service District	1.15	1.16
Portland Community College	.57	.57
City of Portland	6.58	6.43
Multnomah County	3.08	3.13
Port of Portland	.24	.41
Metro Service District	.17	.16
Total Tax Rate	\$ 24.34	\$ 24.56
CITY OF GRESHAM: (026)		
Gresham School District No. 4	\$ 7.50	\$ 7.96
Gresham Union High No. 2	4.98	4.80
Education Service District	1.15	1.16
Mt. Hood Community College	1.61	1.58
City of Gresham	4.57	4.48
Multnomah County	3.08	3.13
Port of Portland	.24	.41
Metro Service District	.17	.16
Total Tax Rate	\$ 23.30	\$ 23.68
CITY OF TROUTDALE: (242)		
Reynolds School District No. 7	\$ 11.01	\$ 11.87
Education Service District	1.15	1.16
Mt. Hood Community College	1.61	1.58
City of Troutdale	2.86	2.76
Rural Fire District No. 10	3.40	3.33
Multnomah County	3.08	3.13
Port of Portland	.24	.41
Metro Service District	.17	.16
Total Tax Rate	\$ 23.52	\$ 24.40
DAVID DOUGLAS SCHOOL AREA: (078)		
David Douglas School District No. 40	\$ 13.46	\$ 13.64
Education Service District	1.15	1.16
Mt. Hood Community College	1.61	1.58
Powell Valley Road Water District	0	--
Rural Fire District No. 10	3.40	3.33
Multnomah County	3.08	3.13
Port of Portland	.24	.41
Metro Service District	.17	.16
Total Tax Rate	\$ 23.11	\$ 23.41
PARKROSE SCHOOL AREA: (334)		
Parkrose School District No. 3	\$ 12.35	\$ 11.66
Education Service District	1.15	1.16
Mt. Hood Community College	1.61	1.58
Parkrose Water District	.24	--
Rural Fire District No. 10	3.40	3.33
Multnomah County	3.08	3.13
Port of Portland	.24	.41
Metro Service District	.17	.16
Total Tax Rate	\$ 22.24	\$ 21.43
CENTENNIAL SCHOOL AREA: (064)		
Centennial School District No. 28	\$ 14.38	\$ 15.13
Education Service District	1.15	1.16
Mt. Hood Community College	1.61	1.58
Rockwood Water District	.22	--
Rural Fire District No. 10	3.40	3.33
Multnomah County	3.08	3.13
Port of Portland	.24	.41
Metro Service District	.17	.16
Total Tax Rate	\$ 24.25	\$ 24.90

**BULK RATE
 U.S. POSTAGE
 PAID
 PORTLAND, OR
 PERMIT NO. 708**

TAX SUPERVISING AND CONSERVATION COMMISSION
 1510 Portland Building
 1120 S.W. Fifth Avenue
 Portland, Oregon 97204-1950

Summary of Valuations, Annual Budgets, Property Tax Levies, Tax Rates and Indebtedness for Local Governments in Multnomah County

Fiscal Years
 1983-84 and 1984-85

Tax Supervising and Conservation Commission
 Multnomah County, Oregon



Memo

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201-5287 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: February 22, 1985

To: Metro Council

From: ^{RB} Ray Barker, Council Assistant

Regarding: Appointments to the Budget Committee

A total of 12 citizens expressed interest in serving on the Budget Committee for FY 1985-86. Their names appear in the agenda packet for the February 28 Council Meeting.

The Council Management Committee reviewed the resumes of the citizen candidates on February 21. Selecting five individuals to serve on the Budget Committee was difficult because there were 12 very qualified candidates. After considering Metro's current needs, trying to balance the representation from around the region, and other factors, the Management Committee recommended to Council the following appointments:

1. Marc Kelley
2. James Knoll
3. Margaret Post
4. Norman Rose
5. Robert Phillips
6. Barbara Ledbury (alternate)

Copies of their resumes are attached. Also attached is a revised copy of Resolution No. 85-542 which includes the names of the recommended appointees.

RB:amn

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPOINTING) RESOLUTION NO. 85-542
CITIZENS TO THE METROPOLITAN)
SERVICE DISTRICT'S BUDGET) Introduced by
COMMITTEE)

WHEREAS, Citizens of the Portland region have served on the Metropolitan Service District's Budget Committee during the budget review process for fiscal years 1983-84 and 1984-85; and

WHEREAS, Citizen members of the Budget Committee have provided valuable service in helping shape the budget and in making recommendations to the Metropolitan Service District Council; and

WHEREAS, The Metropolitan Service District Council desires to have five citizens of the Portland metropolitan area serve on the Budget Committee during the budget review process for FY 1985-86; now, therefore,

BE IT RESOLVED,

That the following five individuals are hereby appointed to serve on the Budget Committee: Marc Kelley, James Knoll, Robert Phillips, Margaret Post and Norman Rose. Barbara Ledbury is hereby appointed to serve as alternate.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

RB/gl
2909C/405-3
02/22/85

James L. Knoll
1000 Willamette Center
121 S.W. Salmon
Portland, Oregon 97204
Telephone: (503) 228-6351

EDUCATION:

The University of Chicago Law School, Chicago, Illinois
J.D., June, 1967
Brown University, Providence, R.I.
B.A., International Relations, June, 1964

OCCUPATION:

Partner, Bullivant, Wright, Leedy, Johnson, Pendergrass
& Hoffman, 1000 Willamette Center, 121 S.W. Salmon,
Portland, Oregon, 97204, August, 1971 to present
Adjunct Professor, Lewis & Clark Law School, Portland,
Oregon, 1982-1983
United States Navy Reserve, October, 1967 through 1971

Licensed to practice in Oregon and Illinois as well
as the United States District Court for the
District of Oregon, and the Ninth Circuit
Court of Appeals

BAR RELATED ACTIVITIES:

Member and Chairman of the Uniform State Laws Committee
of the Oregon State Bar, 1973 to 1975
Member and Chairman of the Pleading and Practice Com-
mittee of the Oregon State Bar, 1978 to 1981
Member of the Ad Hoc Committee on the Evidence Code,
1980 and 1981
Member of the Continuing Legal Education Committee
of the Oregon State Bar, 1982 to 1985
Member of the Oregon Association of Defense Counsel,
President, 1984
Author of several publications on Insurance Law

OTHER ACTIVITIES:

Member of Portland City Club Research Board,
1981 to 1982
Education Standing Committee, 1977 to 1979
Eastmoreland Neighborhood Association Board,
1979 to 1982
Duniway Citizens' Advisory Committee, 1976 to 1978
Schools for the City Executive Board, 1982 to 1984

RESUME

(For: Metropolitan Service District 1984-85 Budget Committee)

Robert E. Phillips
4106 N.E. 15th
Portland, OR 97211

Home Phone: (503) 287-2951
Work Phone: (503) 378-6868

EDUCATION:

Master of Social Work
Portland State University, 1975
Bachelor of Science
Oregon State University, 1973
Division of Continuing Education, 1976-78
 Budgeting Systems, 1976
 Management by Objectives, 1977

PROFESSIONAL CERTIFICATES:

Certified for Leadership Training in Community Development
Block Grant and Department of Energy Programs: conducted by the
National Citizen Participation Council, Inc., April 21, 1979.

BUDGET EXPERIENCE:

Portland Police Budget Advisory Committee
1974-79, 1982-85 Vice-Chairperson
Portland Human Resources Budget
Advisory Committee
1979-80 Vice-Chairperson
Portland Youth Service Centers Budget
Advisory Committee
1980-81 Chairperson
Multnomah County Mental Health Budget and Program
Advisory Board
1983-84

CITIZEN INVOLVEMENT:

Chairperson, Greater N.E. Police Precinct Council
Second Vice-President, Portland Branch N.A.A.C.P.

EMPLOYMENT:

Deputy Director, Governor's Affirmative Action Office

Margaret A. Post
3671 S.E. Alder
Hillsboro, Or. 97123
648-1142 (home/message)
659-5171 (work)

Employment:

1983-present, City of Milwaukie, Finance Director; responsible for all aspects of financial accounting, budget preparation and and municipal court. Functional responsibility also for facility maintenance and recording is in the process of being transferred to this department.

1974-1983, Washington County, Department of Finance and Administration. 1980-1983 Director of Department of Finance and Administration. Administration and direction of all departmental operations including: accounting and treasury functions, budget analysis and preparation, purchasing and contract review, supervision of six major county divisions including data processing, word processing, communications, property maintenance and central services.

1980-present: Portland Community College, part-time instructor in the areas of public finance and budgeting.

Education:

B.S., Political Science, Portland State University
Certificate of Urban Planning, Portland State University
Certificate of Professional Development, Treasury Management

Other:

Budget Committee for Hillsboro Elementary School District,
1982-84. Chairman in 1983 and 1984.

Hillsboro Elementary School District Board member, 1984-1988.

Norman C. Rose
2855 NW 153rd Avenue
Beaverton, OR 97006

Home phone: 645-1858
Bus. phone: 229-3514

Having been a member of the school board of the Beaverton School District for 13 years and, thus, automatically having been a member of the budget committee for this same period of time, I am well acquainted with the budgeting process and terminology associated with the budgets of local government agencies. The last Beaverton School District budget was for \$70 million plus, a reasonably good size budget.

It is recognized that the budget committee is not a policy making committee, but rather has the function of providing an informed, arms-length review of the expenses and revenues. This review is to help ensure that the budget is reasonable for carrying out the council's policies. I would bring to the budget committee a supportive point of view, would not expect to be a rubber stamp but to be rational in my positions, and would devote the time needed to understand the budget and its implications. I have a good feel for numbers, pay attention to details, can identify and define problems, and can recognize viable solutions - characteristics which should be of value to a budget committee member.

In the year in which Mr. Gustafson was elected to his present position, I ran for for a position on the council of the MSD. Obviously, I was not successful. Of possible interest was that my position then was to support the MSD not to dismantle it - a position I still hold.

At present I am a professor of chemistry and an assistant dean at Portland State University. We have lived in the Beaverton area for 18 years. I have been active as a volunteer in youth and church activities.

M A R C D. K E L L E Y

9960 Southwest Melnore

Portland, Oregon 97225

(H) (503) 292-8769
(B) (503) 646-3121

PROFESSIONAL
OBJECTIVE

Work which will allow me to utilize my experience in sales, marketing and government relations to bring increased business profits and personal growth potential.

SUMMARY OF
QUALIFICATIONS

Feature over 10 years of diverse management experience, dealing not only with sales and marketing but also with government relations. Have dealt with Federal, state, regional and local government officials and programs and am well-acquainted with how they work.

Some of my more salient skills are as follows:

- . Familiar with sales and marketing program development and coordination.
- . Able to effectively handle large amounts of supervisory, monetary and personal responsibility.
- . Possess a strong management sense; am able to anticipate and evaluate administrative aspects of management processes.
- . Thorough knowledge of how to hire, train and work with distributors and representatives.
- . Effective management of time; work well under deadline pressures.

Have used my experience to reinforce professional training which has included such topics as marketing and sales distribution, marketing and business applications of teleconferencing and teleports, satellite communications and software additions to computer systems, and numerous speeches and classes of government operations.

EMPLOYMENT
HISTORY

Instromedix, Inc., Beaverton, Oregon
Manager of Sales, 1983-Present

Have primary responsibility for managing a nationwide distribution network and all O.E.M. accounts. Duties involved with this include new product development and responsibility for pricing structures and advertising. Company currently manufactures and distributes 18 products through 65 distributors and representative groups, and manufactures 24 products for O.E.M. customers.

PACCOM, Inc., Beaverton, Oregon
Major Systems Marketing Manager, 1983

This work involved numerous classes and seminars in conjunction with projects oriented towards communications systems. Specific work included Teleports, Shared Switching, Teleconferencing, Telephone Bypass Networking and Resale (details follow on page two).

EMPLOYMENT HISTORY
(continued)

PACCOM, Inc., Beaverton, Oregon

Seminars included Telephone Bypass Networking (overview of technology and business opportunities), Teleports (communications systems allowing multiple users to send and receive information from one location), Shared Switching (gathering information on shared tenant switching in a large building), Teleconferencing (business opportunities and technology changes), Resale (discussions on business planning and technology), How to Market and Sell Major Systems (total volume sales in Key Systems and PBX systems).

Projects have included the Pacific Western Financial Center, which concerned a centralized communication center in conjunction with Russell Development Corporation; the Sunset Corridor Project with the Oregon Graduate Center, which will involve central communications facilities with possible satellite links. Emphasis on this project was on selling data capacity to high tech industries along the Sunset Corridor.

Instromedix, Inc., Beaverton, Oregon
1981-83

Held positions in the Company as follows:

Project Manager, Sales Manager for Northern California and Director of New Product and Market Development.

Project Manager: Duties included setting a commercial service which monitored pacemaker users via telephonic link. Learned how to interpret ECG strips, and sold the service to Cardiologists and Cardiovascular Surgeons. Negotiated with Medicare to set up an insurance reimbursement schedule and to arrange the details of an internal filing and retrieval system.

Northern California Sales Manager: Responsible for establishing a sales network from the Oregon Border to Bakersfield. Traveled the entire territory, working with Cardiologists, Cardiovascular Surgeons and hospitals; explained the various aspects of the retail line and attempted to secure product endorsements. Additional duties included negotiation of insurance rates with major carriers, ensuring the equipment frequency was adaptable by working with private phone systems, and hiring five representatives to represent the company in Northern California.

Director of New Product and Market Development: Initial time was spent selling equipment directly, but work progressed towards training and supervision as additional sales representatives were hired. Position eventually became oriented towards development of the Northern California market through representatives. Provided considerable training and support to the representatives as part of duties. Have worked closely with the Cardiology Department at the Stanford Medical Center and with the University of Southern California Pacemaker Department, and have supervised the development of a new product which involved coordination with engineering, manufacturing, marketing and sales personnel.

EMPLOYMENT HISTORY
(continued)

Department of Transportation, Region X
Regional Representative, 1979-81

Was responsible to the Secretary of Transportation for policy and projects within Oregon, Washington, Idaho and Alaska. Duties concerned all agencies of the department, which included the Coast Guard, Federal Highway Administration, Urban Mass Transit Administration, Federal Aviation Administration and the National Highway Traffic Safety Administration.

Specific projects have included construction of a coal facility by the Alaska Railroad, two freeway withdrawals, supertanker regulations and managing highway and air traffic after the Mount St. Helens eruption.

Dealt extensively with elected and appointed officials concerning Federal policies, and gave over 50 prepared speeches.

City of Portland, Oregon
Intergovernmental Coordinator, 1975-79

Was responsible to the Mayor and the City Council; acted as the Chief Lobbyist for the City in Salem. Coordinated 40 city bureaus and presented or evaluated testimony on 225 to 325 pieces of legislation during each legislative session. Also worked on behalf of the city in Washington, D.C. on both legislation and grants.

Oversaw the city's Federal grants program, including supervision of a staff of 14; dealt with over 50 different grants, totalling over \$47 million each year.

Portland General Electric, Portland, Oregon
Public Affairs Representative, 1972-75

Was part of a two person team handling the State Government activities; duties included lobbying and working with various state agencies. Participated in the licensing of the Trojan Nuclear Power Plant, and developed and executed a process which enabled P.G.E. to obtain necessary permits for all projects (system is still in use today).

Was the youngest person selected to attend the Public Utilities Executive course, which was oriented to utilities financing and regulation.

EDUCATION

Formal Education

B.S., Political Science
University of Oregon
Eugene, Oregon, 1970.

Professional Education

- . Telephone bypass networking;
- . Business applications of Teleports;
- . Teleconferencing as a Business;
- . Technology and Business Planning in Resale;

(more)

Marc D. Kelley, page four

Professional Education, continued

- . Marketing and Selling Major Systems;
- . Public Utility Financing and Rate Regulation;
- . Management by Objective and Human Relations;
- . Have taught many classes on lobbying and Government Regulations.

SPECIAL PROJECTS

Have restructured the pricing and volume discounts for all Instromedix products and renegotiated all distribution contracts; have also acted as Chairman of Alaska Railroad and the Alaska Coordination Council while serving with the Department of Transportation.

REFERENCES

Will be furnished upon request.

February 4, 1985

Ray Barker
Metropolitan Service District
527 SW Hall
Portland, OR 97201

RE: Budget Committee

I would like to be a part of this year's Budget Committee because of an ongoing interest in the operation of various levels of government.

At present I am responsible for preparing and carrying out a budget of almost \$400,000. I have been on various committees such as Boring/Sandy Land Use, Damascus Community Association, Community Development Advisory Committee, Multnomah County Mental Health Advisory Committee, Governor's Taskforce on Mental Health, Mental Health Association of Oregon, Oregon Apartment Association Board, School Food Service Association Board, etc.

Current employment - Parkrose School District
Food Service Director

Previous employment- Oregon Department of Education
Food and Nutrition Services

Education - Oregon State University
California State University - B.A.

Please call or write for further information.

Barbara Ledbury

Barbara Ledbury
23975 SE Bohna Park Road
Boring, Oregon 97009

Home 658-3823
Work 257-5212



Agenda

COUNCIL MEETING

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: February 28, 1985

Day: Thursday

Time: 5:30 p.m.

Place: Council Chamber

CONSENT AGENDA

The following business items have been reviewed by the staff and an officer of the Council. In my opinion, these items meet with the Consent Agenda Criteria established by the Rules and Procedures of the Council. The Council is requested to approve the recommendations presented on these items.

- 6.1 Approval of the Minutes of the Meeting of February 7, 1985
- 6.2 Resolution No. 85-541, Amending Resolution No. 83-431
(Guidelines for Council Expenditures)
- 6.3 Resolution No. 85-542, Appointing Citizen Members to the
Budget Committee
- 6.4 Resolution No. 85-548, Amending the FY 1985 and FY 1984
Unified Work Programs
- 6.5 Intergovernmental Project Review


Rick Gustafson
Executive Officer

amn
2970C/D3-1
2/19/85

STAFF REPORT

Agenda Item No. 6.2

Meeting Date Feb. 28, 1985

CONSIDERATION OF RESOLUTION NO. 85-541 FOR THE
PURPOSE OF AMENDING RESOLUTIN NO. 83-431
(GUIDELINES FOR COUNCIL EXPENDITURES)

Date: February 7, 1985

Presented by: Ray Barker

FACTUAL BACKGROUND AND ANALYSIS

On November 22, 1983, the Council established guidelines for the expenditure of Council per diem, expense and general materials and services accounts. These guidelines require certain actions on the part of the Council Coordinating Committee.

The Council Coordinating Committee was abolished on July 5, 1984, and the Council Management Committee established. It was given some of the same duties and powers as the former Coordinating Committee.

Because the expenditure guidelines call for various actions on the part of the Coordinating Committee, it is recommended that all references to the Coordinating Committee be changed to read the Council Management Committee. A copy of the Expenditure Guidelines is attached with the recommended changes indicated.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 85- 541.

RB/gl
2908C/405-2
02/13/85

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING) RESOLUTION NO. 85-541
RESOLUTION NO. 83-431)
(GUIDELINES FOR COUNCIL EXPENDITURES) Introduced by
)

WHEREAS, The Metropolitan Service District adopted Resolution No. 83-431, on November 22, 1983, for the purpose of establishing guidelines for the expenditure of Council per diem, expense and general materials and services accounts; and

WHEREAS, The existing guidelines require various actions on the part of the Council Coordinating Committee; and

WHEREAS, The resolution creating the Council Coordinating Committee was rescinded July 5, 1984; and

WHEREAS, Resolution No. 84-482 (adopted July 5, 1984) established a standing committee called the Council Management Committee and gave that committee some of the same duties and powers as the former Council Coordinating Committee; now, therefore,

BE IT RESOLVED,

That Resolution No. 83-431 is hereby amended to delete all references to the Council Coordinating Committee and insert in each case the Council Management Committee as shown in Exhibit "A."

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

RB/gl
2908C/405-2
02/13/85

EXHIBIT "A"

GUIDELINES FOR THE EXPENDITURE OF COUNCIL PER DIEM, EXPENSE AND GENERAL MATERIALS AND SERVICES ACCOUNTS

COUNCILOR PER DIEM

1. Each Councilor is authorized to receive up to \$2,160 (36 meetings per half year, i.e., July-December/January-June) each fiscal year in per diem from the Council Per Diem account.
2. Per diem shall be paid at a rate of \$30 per meeting.
3. Per diem shall be authorized for attendance at regular and special Council meetings, and regular and special Council committee and task force meetings. Per diem may also be collected for attendance at a task force meeting or function approved by the Presiding Officer.
4. Payments within these limits shall be authorized by the fiscal officer of the Metropolitan Service District.

COUNCILOR EXPENSES

1. Each Councilor is authorized to receive up to \$1,500 each fiscal year as reimbursement for authorized expenses incurred for necessary Council-related activities.
2. Each request for reimbursement must be accompanied by supporting documentation which shall include the nature and purpose of the activity, the names and titles of all persons for whom the expense was incurred and receipts justifying the expense as required by the Internal Revenue Service. No reimbursement shall be authorized for any expense submitted without the above-required documentation.
3. In addition to necessary Council-related travel, meals and lodging expenses, expenses may include:
 - a. Advance reimbursement for specific expenses, provided that any advance reimbursement in excess of actual expenses incurred shall be returned or shall be deducted from subsequent expense reimbursement requests;
 - b. Up to \$200 per year for memberships in non-partisan community organizations;
 - c. Expenses to publish and distribute a Council-related district newsletter may not be mailed within 120 days of an election in which a Councilor is a candidate;
 - d. Council business-related books, publications and subscriptions;
 - e. Meeting or conference registration fees; and
 - f. Child care costs for necessary Metro business with documentation as outlined in No. 2 of this section, including duration of the activity.

4. Reimbursement shall not be authorized for the following:
 - a. Alcoholic beverages;
 - b. Laundry or dry cleaning costs;
 - c. Contributions to political campaigns of any kind;
 - d. Parking tickets or citations for traffic violations;
 - e. Contributions to fund-raising efforts of any kind;
 - f. Entertaining or other social functions; or
 - g. Any other costs or purchases considered to be of a personal nature, such as supplies for personal use.
5. Payments within these limits shall be authorized by the fiscal officer of the Metropolitan Service District. Other requests for Metro-related business must be approved by the [Council Coordinating Committee] Council Management Committee.

TRANSFERS

Notwithstanding the limits on per diem and expenses indicated above, the [Council Coordinating Committee] Council Management Committee may, upon advance request by a Councilor, authorize the fiscal officer to transfer funds between a Councilor's per diem and expense accounts. Such transfers may be made only to the extent that the combined total of each Councilor's authorized per diem and expense accounts is not exceeded. Transfers between one Councilor's per diem and/or expense accounts and another Councilor's per diem and/or expense accounts are not authorized.

GENERAL PROVISIONS

1. A Councilor may receive per diem, plus mileage to the meeting, and/or reimbursement for actual authorized expenses incurred, for attendance at Council, Council committee, Council task force meetings or other meetings approved by the Presiding Officer or chair of a committee.
2. Reimbursement for travel and subsistence on official business shall only be for the amount of actual and reasonable expenses incurred during the performance of official duty as a Metro Councilor.

COUNCIL GENERAL ACCOUNT

1. The purpose of the Council General account is to provide support for the General Council, Council committees and Council task forces.
2. Authorized expenses which may be charged to appropriate Materials and Services categories in the Council General account include:
 - a. Meals for regular and special Council, Council committee and Council task force meetings;
 - b. Facilities rentals for public meetings;

- c. Meeting equipment such as audio-visual aids, public address systems, tape recorders, etc., for public meetings;
 - d. Receptions for guests of the Council, Council committees or Council task forces;
 - e. Honoraria;
 - f. Expenses for official visitors;
 - g. General Council, Council committee or Council task force information, publications, promotional materials or supplies;
 - h. Remembrances from the Council, Council committee or Council task force;
 - i. Professional services for the Council, Council committee or Council task force.
 - j. Outside consultants to the Council, Council committee or Council task force; and
 - k. Authorized travel on behalf of the Council, Council committee or Council task force.
3. Expenses to the Council General account shall not be authorized for the following:
- a. Alcoholic beverages;
 - b. Contributions to political campaigns of any kind;
 - c. Contributions to fund-raising efforts of any kind; or
 - d. Social functions including birthday and retirement parties, and holiday observances.
4. Within the Council General account up to \$1,200 per year shall be reserved for expenses incurred by the Presiding Officer of the Council in carrying out official duties associated with that office.
5. An individual Councilor may request reimbursement from the Council General account for expenses incurred for general Council business.
6. All requests for reimbursement or expenditure from the Council General account must be approved by the Presiding Officer. The Presiding Officer shall submit a budget for the General account to the [Council Coordinating Committee] Council Management Committee. The Presiding Officer can authorize expenditures within the limits approved by the [Council Coordinating Committee] Council Management Committee. The Fiscal Officer shall provide monthly reports to the [Council Coordinating Committee] Council Management Committee. Each request must be accompanied by supporting documentation which shall include the nature and purpose of the expense, the names and titles of all persons for whom the expense was or will be incurred and receipts justifying the expense.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING) RESOLUTION NO. 83-431
GUIDELINES FOR THE EXPENDITURE)
OF COUNCIL PER DIEM, EXPENSE AND) Introduced by Councilors
GENERAL MATERIALS AND SERVICES) Kafoury and Kirkpatrick
ACCOUNTS)

WHEREAS, The adopted budget of the Metropolitan Service District appropriates funds to Council Per Diem and Council Expense accounts to be equally distributed to each Councilor at the beginning of the fiscal year; and

WHEREAS, The adopted budget of the Metropolitan Service District appropriates funds to a Council General account for Materials and Services expenses for general Council support; and

WHEREAS, ORS 268.160 declares that, "notwithstanding the provisions of ORS 198.195, Councilors shall receive no other compensation for their office than a per diem for meetings, plus necessary meals, travel and other expenses as determined by the Council"; and

WHEREAS, The Council has never defined and adopted guidelines for the expenditure of:

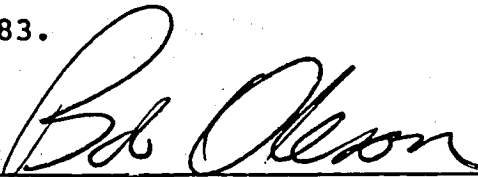
- Individual Councilor per diem appropriations;
- Individual Councilor expense appropriations; and
- Council General account Materials and Services appropriations; now, therefore,

BE IT RESOLVED,

1. That guidelines for the expenditure of Council Per Diem, Expense, and General Council Materials and Services accounts, attached hereto as Exhibit "A," are hereby adopted by the Council of the Metropolitan Service District.

2. That the Metropolitan Service District shall publish and distribute to each Councilor a monthly report documenting all per diem and expense charges and all Council General account Materials and Services charges authorized for the previous month.

ADOPTED by the Council of the Metropolitan Service District
this 22nd day of November, 1983.


Deputy Presiding Officer

gl
0015C/353
9/19/83

CONSIDERATION OF RESOLUTION NO. 85-542, FOR THE
PURPOSE OF APPOINTING CITIZENS TO THE
METROPOLITAN SERVICE DISTRICT'S BUDGET COMMITTEE

Date: February 19, 1985

Presented By: Ray Barker

FACTUAL BACKGROUND AND ANALYSIS

As part of the budget review process, the Council will appoint five citizens to the Budget Committee. Councilors and citizens will have equal voting rights in shaping the FY 1985-86 budget and making recommendations to the full Metro Council.

The Council Management Committee will recommend to Council five citizens to serve on the Budget Committee. The candidates will be selected from a list of nominees submitted by Metro Councilors and from individuals responding to the Metro news release.

Attached is a list of citizens that have expressed interest to date in serving on the Budget Committee. The Management Committee will review the letters and resumes of the candidates at the Committee meeting on February 21.

EXECUTIVE OFFICER'S RECOMMENDATION

No recommendation.

RB:amn



Memo

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201-5287 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: February 13, 1985

To: Metro Council

From: Ray Barker, Council Assistant *RB*

Regarding: Citizen Nominees for the Budget Committee

To date, the following citizens have been nominated by a Metro Councilor or have personally requested to be considered for appointment to the Metro Budget Committee for FY 1985-86:

<u>Name</u>	<u>Nominated By</u>
1. Barbara Ledbury	Self*
2. James L. Knoll	Councilor Bonner
3. Mary E. Naylor	Self*
4. Henry S. Blauer	Self*
5. Steve Chassaing	Self*
6. Thomas J. Magee	Self*
7. Robert Phillips	Self*
8. Roberto Reyes-Colón	Self*
9. Margaret A. Post	Councilor Van Bergen
10. Norman C. Rose	Self*
11. Marc Kelley	Executive Officer Gustafson
12. Joan M. Mitchel	Self*

* Responded to one of Metro's news releases.

RB:amn

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPOINTING) RESOLUTION NO. 85-542
CITIZENS TO THE METROPOLITAN)
SERVICE DISTRICT'S BUDGET) Introduced by
COMMITTEE)

WHEREAS, Citizens of the Portland region have served on the Metropolitan Service District's Budget Committee during the budget review process for fiscal years 1983-84 and 1984-85; and

WHEREAS, Citizen members of the Budget Committee have provided valuable service in helping shape the budget and in making recommendations to the Metropolitan Service District Council; and

WHEREAS, The Metropolitan Service District Council desires to have five citizens of the Portland metropolitan area serve on the Budget Committee during the budget review process for FY 1985-86; now, therefore,

BE IT RESOLVED,

That the following five individuals are hereby appointed to serve on the Budget Committee:

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

RB/gl
2909C/405-2
02/13/85

CONSIDERATION OF RESOLUTION NO. 85-548 FOR THE
PURPOSE OF AMENDING THE FY 1985 AND FY 1984
UNIFIED WORK PROGRAMS

Date: January 29, 1985

Presented by: Andy Cotugno

FACTUAL BACKGROUND AND ANALYSIS

Proposed Action

Adopt the attached resolution providing for \$60,000 of new Section 9 funding and \$67,500 of reprogrammed funds in the currently adopted Unified Work Program for the following purposes:

- | | |
|--|-----------------|
| 1. Metro travel-forecasting computer expansion | + \$ 60,000 |
| 2. Tri-Met terminal for using travel forecasts | + 30,000 |
| 3. Metro model refinement to complete conversion of models and recalibration to 1983 | + <u>37,500</u> |
| | \$127,500 |

This amendment to the Unified Work Program is consistent with Metro Ordinance No. 85-186 amending the Metro FY 1984-85 Budget.

TPAC and JPACT have reviewed this amendment and recommend approval of Resolution No. 85-548.

Background

1. Computer Expansion -- In 1983, Metro acquired a new computer package to convert the travel-forecasting operation from a UTPS system at Multnomah County Data Processing Authority to an in-house system. This was designed to improve the usability of the forecasts and reduce costs. The equipment acquired was based upon the requirement of converting ongoing regional forecasting operations. This conversion is basically accomplished and meets the needs of Metro's ongoing operations. The expansion proposed by this resolution is to permit greater use by outside agencies for studies in addition to those that are the responsibility of Metro. Over the past 18 months, as more of the travel-forecasting package has been converted, there has been greater outside demand for these

services. Although Metro is currently budgeted at \$71,500 to provide these services to outside jurisdictions, it is clear that this level of expenditure is not possible within existing computer capacity and still meet demands for Metro's ongoing regional studies. This trend is expected to escalate as more outside staff become proficient at using the system under less Metro supervision. The expansion is budgeted with \$30,000 of new Section 9 transit planning funds to permit its use in transit planning and \$30,000 of reprogrammed highway planning funds to permit its use in highway planning. The highway planning amount is to be reprogrammed from the technical assistance budget, resulting in a reduction from \$71,500 to \$41,500. This is because the expansion is for outside agency technical assistance and because it is clear the full \$71,500 will not be expended based upon the actual first six-month expenditure of \$15,700.

The computer expansion also includes a terminal to permit Tri-Met to connect in as a remote work station similar to ODOT. This terminal is proposed to be funded at \$30,000 of new Section 9 transit planning funds.

2. Model Refinement -- This represents a budget increase from \$79,000 to \$116,500 to permit completion of the conversion to EMME-2, calibration to new 1983 population/employment patterns, traffic counts and transit ridership and refinement of a detailed forecasting system for the western part of the region. These activities have incurred delays and cost increases due to unexpected complications with the new package and competition for computer space with outside users. It is essential that these be completed since they are fundamental steps toward updated 2005 forecasts.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 85-548.

AC/srs
2859C/327-4
02/14/85

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING THE)
FY 1985 AND FY 1984 UNIFIED WORK)
PROGRAMS)

RESOLUTION NO. 85-548

) Introduced by the Joint
) Policy Advisory Committee
) On Transportation

WHEREAS, The FY 85 Unified Work Program (UWP) was adopted
in May 1984 by Resolution No. 84-462; and

WHEREAS, Changes to the UWP must be approved by the Council
of the Metropolitan Service District (Metro) and the federal funding
agencies; and

WHEREAS, The FY 85 and FY 84 UWPs must be revised to
accurately reflect revised task priorities and actual funding
availability; now, therefore,

BE IT RESOLVED,

1. That the Metro Council hereby approves the amendments
to the FY 85 and FY 84 UWPs as shown in Attachment "A."
2. That the Metro Council hereby amends the Transportation
Improvement Program to include the Metro and Tri-Met computer
equipment.
3. That staff is directed to submit this Resolution with
its exhibits and necessary grant amendments to the federal agencies
for approval.
4. That the Metro Council finds the project in accordance

with the Regional Transportation Plan and gives Affirmative Inter-governmental Project Review approval.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

KT/srs
2859C/327-4
02/19/85

FY 84/85 UWP AMENDMENT

<u>Project</u>	<u>85 PL/ODOT</u>	<u>84 PL/ODOT</u>	<u>85 Sec. 8</u>	<u>Section 9</u>	<u>85 e(4)</u>	<u>Total</u>
Model Refinement	\$ 26,436 + 5,232 <u>\$ 31,668</u>		\$ 52,564 +32,268 <u>\$ 84,832</u>			\$ 79,000 +37,500 <u>\$ 116,500</u>
Metro Computer	0 +24,768 <u>\$ 24,768</u>	0 +5,232 <u>\$5,232</u>		0 +30,000 <u>\$30,000</u>		0 +60,000 <u>\$ 60,000</u>
Tri-Met Terminal				0 +30,000 <u>\$30,000</u>		0 +30,000 <u>\$ 30,000</u>
Technical Assistance	\$ 40,000 -20,000 <u>\$ 20,000</u>		\$ 31,500 -10,000 <u>\$ 21,500</u>			\$ 71,500 -30,000 <u>\$ 41,500</u>
Southwest Corridor	\$ 25,552 -10,000 <u>\$ 15,552</u>				\$ 80,948 0 <u>\$ 80,948</u>	\$ 106,500 -10,000 <u>\$ 96,500</u>
Elderly & Handicapped			\$ 9,500 -5,500 <u>\$ 4,000</u>			\$ 9,500 -5,500 <u>\$ 4,000</u>
Management & Coordination	\$ 28,326 0 <u>\$ 28,326</u>		\$ 64,674 -7,000 <u>\$ 57,674</u>			\$ 93,000 -7,000 <u>\$ 86,000</u>
Transp. Imp. Program	\$ 16,854 0 <u>\$ 16,854</u>	\$5,232 -5,232 <u>0</u>	\$ 26,250 -9,768 <u>\$ 16,482</u>		\$ 60,746 0 <u>\$ 60,746</u>	\$ 109,082 -15,000 <u>\$ 94,082</u>
Other Projects	\$ 91,847 0 <u>\$ 91,847</u>		\$120,711 0 <u>\$120,711</u>	\$1,189,790 0 <u>\$1,189,790</u>	\$305,365 0 <u>\$305,365</u>	\$1,707,713 0 <u>\$1,707,713</u>
TOTAL	\$229,015 0 <u>\$229,015</u>	\$5,232 0 <u>\$5,232</u>	\$305,199 0 <u>\$305,199</u>	\$1,189,790 +60,000 <u>\$1,249,790</u>	\$447,059 0 <u>\$447,059</u>	\$2,176,295 +60,000 <u>\$2,236,295</u>



Memo

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: February 28, 1985
To: Metro Council
From: Rick Gustafson, Executive Officer
Regarding: Intergovernmental Project Review Report

The following is a summary of staff responses regarding grant applications for federal assistance.

- Project Title: State Health Planning #848-3
Applicant: State of Oregon, Health Planning and Development Agency
Project Summary: Funds will be used for identifying and analyzing long-range health service needs and resources for underserved rural areas within the state. The plan will address various options including utilization of public and private resources; networking among new and existing clinics; and communication and cooperation between local, state and federal programs and strategies for successful implementation of these options.
Federal Funds Requested: \$47,460 Bureau of Health Care Delivery and Assistance
Staff Response: Favorable action.
- Project Title: Cascade Highway South #848-4
Applicant: Oregon Department of Transportation (ODOT)
Project Summary: Funds will be used for constructing a climbing lane and widening shoulders to improve safety on Oregon Highway 213 between Spangler Hill Road and Mulino in Clackamas County.
Federal Funds Requested: \$1,584,000 Federal Highway Administration (FHWA)
Staff Response: Favorable action.
- Project Title: Multnomah County Community Development Projects #848-5
Applicant: Multnomah County
Project Summary: Funds will be used for constructing sidewalks at a site being developed by the Housing Authority of Portland in the Parkrose area.
Federal Funds Requested: \$36,000 Housing and Urban Development (HUD)
Staff Response: Favorable action.

4. Project Title: Kelso Road #848-6
Applicant: ODOT
Project Summary: Funds will be used to reconstruct North Bluff county road between Kelso Road and Mt. Hood Highway in Clackamas County. Project will provide wider traffic lanes which improve safety and a bike path.
Federal Funds Requested: \$460,000 FHWA
Staff Response: Favorable action.

5. Project Title: Marpol Ridge Park #848-7
Applicant: City of Gresham
Project Summary: Funds will be used to develop a 3.6 acre park in Gresham to provide outdoor recreational facilities to meet the recreation and open space needs in a quickly developing area. This phase of the project development will include site preparation, installation of irrigation and open grass areas and pathways. Future improvements will include play equipment, landscaping, drinking fountains and picnic areas.
Federal Funds Requested: \$21,066.50 National Park Service
Staff Response: Favorable action.

6. Project Title: Troutdale Parks #848-8
Applicant: City of Troutdale
Project Summary: Funds will be used for the planting of large trees in Troutdale's neighborhood parks. A total of 50 trees will be planted at nine sites.
Federal Funds Requested: \$6,555 National Park Service
Staff Response: Favorable action.

7. Project Title: Multnomah County Community Development Block Grant #848-9
Applicant: Multnomah County
Project Summary: Funds will be used to implement the first year of Multnomah County's CDBG program as an urban county. Activities include housing rehabilitation, emergency home repairs, street and sidewalk construction, economic development, community facilities and public services.
Federal Funds Requested: \$1,846,000 HUD
Staff Response: Favorable action.

8. Project Title: Public Housing #848-11
Applicant: Housing Authority of Washington County
Project Summary: Funds will be used to acquire 50 large family units in unincorporated areas of Washington County. The units will be at scattered sites and rented to low-income families.
Federal Funds Requested: \$3,412,000 HUD
Staff Response: Favorable action.

9. Project Title: Public Housing #848-12
Applicant: Housing Authority of Portland
Project Summary: Funds will be used to acquire 50 large family units at scattered sites throughout Multnomah County. Units will be rented to low-income families.
Federal Funds Requested: \$2,525,000 HUD
Staff Response: Favorable action.
10. Project Title: Meldrum Park #848-13
Applicant: City of Gladstone
Project Summary: Funds will be used to widen the access road into the park to improve safety. Project requires relocating five mobile homes, installing underground utilities and constructing improved access road into the park.
Federal Funds Requested: \$29,600 National Park Service
Staff Response: Favorable action.
11. Project Title: Sellwood Riverfront Park #849-1
Applicant: City of Portland
Project Summary: Funds will be used for developing 6.29 acres of property on the Willamette River into a water-oriented neighborhood and regional river access park. The improvements include park lighting, automatic irrigation, pond development, bank stabilization, park beachfront improvements and signage.
Federal Funds Requested: \$78,000 National Park Service
Staff Response: Favorable action.
12. Project Title: North Plains City Park #849-2
Applicant: City of North Plains
Project Summary: Funds will be used to make improvements at the city park. Improvements include work on the baseball field, horseshoe pits and parking lot.
Federal Funds Requested: \$6,000 National Park Service
Staff Response: Favorable action.
13. Project Title: Lake Oswego Athletic Field #849-3
Applicant: City of Lake Oswego
Project Summary: Funds will be used to make improvements on athletic fields at Lake Oswego Junior High School. Improvements include work on baseball, football and soccer fields, and installation of lighting.
Federal Funds Requested: \$60,000 National Park Service
Staff Response: Favorable action.
14. Project Title: Flood Insurance #849-7
Applicant: State of Oregon, Department of Land Conservation and Development
Project Summary: Funds will be used to operate the National Flood Insurance program throughout the state. Activities include: responding to requests for information from lenders, agents, state agencies, communities, federal agencies and citizens; and providing

floodplain management expertise, technical assistance and guidance to parties involved in floodplain issues.
Federal Funds Requested: \$50,000 Federal Emergency Management Administration
Staff Response: Favorable action.

15. Project Title: Waluga Park #849-4
Applicant: City of Lake Oswego
Project Summary: Funds will be used to improve Waluga Park in Lake Oswego. Activities include: making turf improvements to the play fields and installing an irrigation system, and backstop and outfield fences.
Federal Funds Requested: \$60,000 National Park Service
Staff Response: Favorable action.
16. Project Title: Head Start #849-6
Applicant: Clackamas County Children's Commission
Project Summary: Funds will be used to provide a full-time Head Start program for 161 low-income and handicapped preschoolers for one year in Clackamas County. Program activities include classroom education, home visits, social services and nutrition assistance. Health, mental health and dental screening, treatment and follow-up are also provided.
Federal Funds Requested: \$426,263 Health and Human Services (HHS)
Staff Response: Favorable action.
17. Project Title: Portland Interceptors #8410-1
Applicant: City of Portland
Project Summary: Funds will be used for construction of the 122nd Avenue interceptor, and Cherry Park interceptor and pumping station in mid-Multnomah County. By intergovernmental agreement, the City of Portland is financing and constructing all interceptor and trunk sewers within the Central County Service District in mid-Multnomah County. The two projects to be funded are within the funding range on the statewide sewerage works construction grants priority list adopted by the Environmental Quality Commission, August 10, 1984. These projects are consistent with the Regional Waste Treatment Management Plan ("208" Plan).
Federal Funds Requested: \$3,006,000 Environmental Protection Agency (EPA)
Staff Response: Favorable action.
18. Project Title: Water Distribution System Improvements #8411-1
Applicant: Alder Creek-Barlow Water District
Project Summary: Funds will be used to replace substandard water lines, and install new water meter and water tank for fire hydrants.
Federal Funds Requested: \$133,000 Rural Water and Sewer Assistance Program, Agriculture Department
Staff Response: Favorable action.

19. Project Title: Indian Economic Development #8411-2
Applicant: Urban Indian Council, Inc.
Project Summary: Funds will be used to pay for strategic planning and organizational studies for the Urban Indian Council. A major component of the study will be developing a private fund-raising strategy.
Federal Funds Requested: \$126,600 Native American Program
Staff Response: Favorable action.
20. Project Title: Hillsboro Neighborhood Improvements #8411-3
Applicant: City of Hillsboro
Project Summary: Funds will be used for constructing new streets, sidewalks, curbs and replacing outdated water and sewer lines and storm drains in two neighborhoods.
Federal Funds Requested: \$134,685 HUD
Staff Response: Favorable action.
21. Project Title: Portland Police Block Redevelopment #8412-1
Applicant: City of Portland
Project Summary: Funds will be used for low-interest loans, and architectural and planning fees for the redevelopment of the old police station building into office and retail space.
Federal Funds Requested: \$1,620,000 HUD
Staff Response: Favorable action.
22. Project Title: Multnomah County Community Development Block Grant Projects #8412-4
Applicant: Multnomah County
Project Summary: Funds will be used to replace substandard waterlines and storm drains in Troutdale, install fire hydrants in Errol Heights, and replace waterlines in the Powell Valley Road area.
Federal Funds Requested: \$202,300 HUD
Staff Response: Favorable action.
23. Project Title: Agricultural Conservation and Forestry Incentive Program #8412-3
Applicant: Oregon State Department of Forestry
Project Summary: Funds will be used for a statewide cooperative forestry assistance program. Activities include insect and disease control, fire prevention and control, and forest resource planning.
Federal Funds Requested: \$514,200 Forest Service, Department of Agriculture
Staff Response: Favorable action.

CONSIDERATION OF RESOLUTION NO. 85-549 FOR THE
PURPOSE OF PROVIDING FOR THE ASSESSMENT OF DUES
TO LOCAL GOVERNMENTS FOR FY 1985-86

Date: February 28, 1985

Presented by: Steve Siegel

FACTUAL BACKGROUND AND ANALYSIS

Assessment Authorization and Procedure

Chapter 353 Oregon Laws 1981 authorizes the Council to:

"charge the cities and counties within the district for the services and activities carried out under ORS 268.380 and 268.390."

If the Council determines that it is necessary to charge these local governments, it must determine the total amount to be charged and assess each city and county on a population basis. The population of the county cannot include the population of any city within that county. The Council's assessment cannot exceed \$.51 per capita per year. The Council has the ability to determine the population of each city and county.

In making the assessment, the Council is required to notify each city and county of its intent to assess and the amount of the assessment at least 120 days before the beginning of the fiscal year for which the charge will be made. The Council must make the notification for the FY 1985-86 assessment by no later than March 1, 1985. Assessments charged to cities and counties are mandatory and they must pay them before October 1, 1985.

A copy of the assessment portion of ORS 268.513 is attached as Exhibit A.

Metro Ordinance No. 84-180 established a local officials advisory committee for the purpose of recommending an Intergovernmental Resource Center work program and related dues level. This advisory committee has met three times to review the related material and formulate a recommendation. Their recommended dues assessment is \$.51 per capita. Tri-Met and the Port of Portland are assessed at .125 of this rate.

Proposed FY 1985-86 Assessment

Exhibit B attached shows the proposed assessments for FY 1985-86.

The proposed assessments are based upon the latest certified population figures from the Center for Population Research and Census at Portland State University. The County's unincorporated population estimate is based upon data provided by the Center for Population Research using a formula devised by Metro staff.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends that the Council establish a FY 1985-86 dues assessment at \$.51 per capita.

COMMITTEE CONSIDERATION AND RECOMMENDATION

On February 22, 1985, the Intergovernmental Resource Committee unanimously recommended Council adoption of a FY 1985-86 Local Government Dues Assessment of \$.51 per capita.

SS/srs
7575B/327
02/28/85

268.505 Income tax; rate limitation; elector approval required. (1) To carry out the purposes of this chapter, a district may by ordinance impose a tax:

(a) Upon the entire taxable income of every resident of the district subject to tax under ORS chapter 316 and upon the taxable income of every nonresident that is derived from sources within the district which income is subject to tax under ORS chapter 316; and

(b) On or measured by the net income of a mercantile, manufacturing, business, financial, centrally assessed, investment, insurance or other corporation or entity taxable as a corporation doing business, located, or having a place of business or office within or having income derived from sources within the district which income is subject to tax under ORS chapter 317 or 318.

(2) The rate of the tax imposed by ordinance adopted under authority of subsection (1) of this section shall not exceed one percent. The tax may be imposed and collected as a surtax upon the state income or excise tax.

(3) Any ordinance adopted pursuant to subsection (1) of this section may require a nonresident, corporation or other entity taxable as a corporation having income from activity both within and without the district taxable by the State of Oregon to allocate and apportion such net income to the district in the manner required for allocation and apportionment of income under ORS 314.280 and 314.605 to 314.675.

(4) If a district adopts an ordinance under this section, the ordinance shall be consistent with any state law relating to the same subject, and with rules and regulations of the Department of Revenue prescribed under ORS 305.620.

(5) Any ordinance adopted by the district under subsection (1) of this section shall receive the approval of the electors of the district before taking effect. [1977 c.665 §22]

268.510 [1969 c.700 §18; repealed by 1981 c.641 §9]

268.512 Public lands within water control project subject to assessments and fees. Any land situated within a surface water control project undertaken by the district, the title to which is vested in the state or any county, city or town, shall be subject to assessment and imposition of service fees by the district. The full amount of assessments or service fees due against such land shall be paid to the district at the same times and in the same manner as other district assessments and service fees. [1977 c.665 §23a]

268.513 Service charge for planning functions of district. (1) The council, in its sole discretion, may determine that it is necessary to charge the cities and counties within the district for the services and activities carried out under ORS 268.380 and 268.390. If the council determines that it is necessary to charge cities and counties within the district for any fiscal year, it shall determine the total amount to be charged and shall assess each city and county with the portion of the total amount as the population of the portion of the city or county within the district bears to the total population of the district provided, however, that the service charge shall not exceed the rate of 51 cents per capita per year. For the purposes of this subsection the population of a county does not include the population of any city situated within the boundaries of that county. The population of each city and county shall be determined in the manner prescribed by the council.

(2) The council shall notify each city and county of its intent to assess and the amount it proposes to assess each city and county at least 120 days before the beginning of the fiscal year for which the charge will be made.

(3) The decision of the council to charge the cities and counties within the district, and the amount of the charge upon each, shall be binding upon those cities and counties. Cities and counties shall pay their charge on or before October 1 of the fiscal year for which the charge has been made.

(4) This section shall not apply to a fiscal year which ends later than June 30, 1985. [1977 c.665 §16; 1979 c.804 §10; 1981 c.353 §5]

268.515 Service and user charges; grants; loans. (1) A district may impose and collect service or user charges in payment for its services or for the purposes of financing the planning, design, engineering, construction, operation, maintenance, repair and expansion of facilities, equipment, systems or improvements authorized by this chapter.

(2) A district may seek and accept grants of financial and other assistance from public and private sources.

(3) A district may, with the approval of a majority of members of its governing body, borrow money from any county or city with territory in the district.

(4) A district may, by entering into loan or grant contracts or by the issuance of bonds, notes or other obligations with the approval of a majority of members of its governing body, borrow money from the state or its agencies or

EXHIBIT B

PROPOSED LOCAL GOVERNMENT DUES

UNIT	Pop. Est. ¹ 1984	Proposed Dues FY 1985-86 @ \$0.51/
Clackamas Co. (unincorp.)	81,746	\$ 41,690.46
Gladstone	9,600	4,896.00
Happy Valley	1,460	744.60
Johnson City	375	191.25
Lake Oswego	23,500	11,985.00
Milwaukie	17,475	8,912.25
Oregon City	14,440	7,364.40
Rivergrove	320	163.20
West Linn	12,620	6,436.20
Wilsonville	3,475	1,772.25
Multnomah Co. (unincorp.)	137,137	69,939.87
Fairview	1,800	918.00
Gresham	36,370	18,548.70
Maywood Park	825	420.75
Portland	371,500	189,465.00
Troutdale	6,850	3,493.50
Wood Village	2,580	1,315.80
Washington Co. (unincorp.)	118,747	60,560.97
Beaverton	33,450	17,059.50
Cornelius	4,970	2,534.70
Durham	685	349.35
Forest Grove	11,700	5,967.00
Hillsboro	29,750	15,172.50
King City	1,800	918.00
Sherwood	2,595	1,323.45
Tigard	18,450	9,409.50
Tualatin	<u>10,150</u>	<u>5,176.50</u>
LOCAL GOVERNMENT ASSESSMENT	954,370	\$486,728.70
Port of Portland		60,841.09
Tri-Met		60,841.09
TOTAL PROPOSED ASSESSMENT		<u>\$608,410.88</u>

¹Population estimate based upon July 1, 1984, certified estimates or population for Oregon cities and counties prepared by the Center for Population Research and Census, Portland State University.

7575B/327
02/15/85

FOOTNOTES TO EXHIBIT B

¹Population estimate based upon July 1, 1984 certified estimates of population for Oregon cities and counties prepared by the Center for Population Research and Census, Portland State University.

²Unincorporated county population estimate based upon data provided by the Center for Population Research and Census using the formula described in the body of this report. The equation by counties are as follows:

Clackamas County:

Step 1 -	1984 Unincorporated Pop. Est.	146,920
	1980 Unincorporated Pop. Est.	<u>143,800</u>
		+3,120

$$3,120 : 143,800 = .0217$$

Step 2 - .0217 X 80,010 (1980 Unincorporated inside Metro) =
1,736

Step 3 - 1,736 + 80,010 = 81,746 1984 estimate

Multnomah County:

Step 1 -	1984 Unincorporated Pop. Est.	142,375
	1980 Unincorporated Pop. Est.	<u>152,259</u>
		-9,884

$$5,723 : 152,259 = -.0649$$

Step 2 - -.0649 X 146,657 (1980 Unincorporated inside Metro) =
-9,520

Step 3 - -9,520 + 146,657 = 137,137 1984 estimate

Washington County:

Step 1 -	1984 Unincorporated Pop. Est.	144,535
	1980 Unincorporated Pop. Est.	<u>143,753</u>
		+782

$$782 : 143,753 = .0054$$

Step 2 - .0054 X 118,104 (1980 unincorporated inside Metro) =
643

Step 3 - 643 + 118,104 = 118,747 1984 estimate

³Certified population as of December 31, 1984 from center for population research and census (Supplement I).

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF PROVIDING FOR) RESOLUTION NO. 85-549
THE ASSESSMENT OF DUES TO LOCAL)
GOVERNMENTS FOR FY 1985-86) Introduced by the
) Executive Officer

WHEREAS, ORS Chapter 268 authorizes the Council of the
Metropolitan Service District (Metro) to:

"charge the cities and counties within
the District for the services and
activities carried out under ORS 268.380
and 268.390."; now, therefore,

WHEREAS, Metro Ordinance No. 84-180 requires that the Metro
Council seek the advice of local government officials regarding dues
level through the Intergovernmental Resource Committee and this
condition has been fulfilled; now, therefore,

BE IT RESOLVED,

That the Metro Council hereby establishes local government
dues assessments within the District in the amount of \$.51 per
capita for Fiscal Year 1985-86; and

BE IT FURTHER RESOLVED,

That notification of the assessment be sent to all cities
and counties within the District prior to March 2, 1985.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

AN/gl
0781C/373
02/28/85

CONSIDERATION OF RESOLUTION NO.85-550 FOR THE
PURPOSE OF ADDING TO THE APPROVED LIST OF
HEARINGS OFFICERS

Date: February 13, 1985

Presented by: Jill Hinckley

FACTUAL BACKGROUND AND ANALYSIS

The Metropolitan Service District (Metro) maintains a list of hearings officers, approved by the Council, from which hearings officers are selected on a case-by-case basis. Presently, the list includes Frank Josselson, Paul Norr, Dale Hermann, Mike Holstun, Larry Derr and Andy Jordan.

None of those on the list are available to hear a petition for an Urban Growth Boundary (UGB) adjustment in Washington County which will shortly be completed and submitted to Metro for hearing. Paul Norr and Mike Holstun are no longer in private practice. All of the remaining four are subject to a conflict of interest or other reason that prevents them from hearing this case.

Rather than add only one additional name for this one case, several have been included to provide more flexibility for comparable situations in the future. An active affirmative action effort was undertaken to identify qualified women and minorities, through consultation with area planners, attorneys and others. Three women are proposed for addition to the list, based upon their qualifications and the enthusiastic recommendations of those familiar with their work: Adrienne Brockman, Beth Mason and Gail Achterman. Two other candidate are still being considered for possible addition in the future.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 85-550.

JH/srs
2949C/405-4
02/19/85

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADDING TO) RESOLUTION NO. 85-550
THE APPROVED LIST OF HEARINGS)
OFFICERS) Introduced by the
) Executive Officer

WHEREAS, Section 2.05.025(a) of the Code of the Metropolitan Service District provides that the Metropolitan Service District Council may approve a list of hearings officers from which the Executive Officer may select a hearings officer for a particular case or cases, provided the names on such a list are members of the Oregon State Bar; and

WHEREAS, The Council has previously approved a list of such hearings officers; and

WHEREAS, Gail Achterman, Adrienne Brockman and Beth Mason are members of the Oregon State Bar, and are qualified to conduct contested case hearings on matters relating to land use; now, therefore,

BE IT RESOLVED,

That Gail Achterman, Adrienne Brockman and Beth Mason shall be added to list of approved hearings officers pursuant to Section 2.05.025 of the Code of the Metropolitan Service District.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

JH/srs
2949C/405-3
02/19/85

CONSIDERATION OF RESOLUTION NO. 85-551 FOR THE
PURPOSE OF ADOPTING PRIORITIES AND OBJECTIVES FOR
THE METROPOLITAN SERVICE DISTRICT FOR 1985-86

Date: February 19, 1985

Presented by: Ernie Bonner,
Presiding Officer; and Rick
Gustafson, Executive Officer

FACTUAL BACKGROUND AND ANALYSIS

In 1984 a series of Council/Executive Officer workshops resulted in the Council adoption of a Metro Mission and Purposes and Priorities and Objectives on June 28, 1984. The priorities and objectives have served as a guideline in carrying out our programs and as a basis for our Quarterly Program Progress Reports. Over the past year many of the objectives have been accomplished.

While our priorities cover two calendar years, they should be reviewed on an annual basis so they are an accurate reflection of our future direction. It is timely that this be done prior to the development of the annual budget so that programs are budgeted which carry out the priorities and objectives. Therefore, in January the Council and Executive Officer undertook a review of those priorities and objectives.

At the first meeting in January, Councilors were assigned to work with the Executive Officer and staff to review the priorities and objectives and prepare recommendations for discussion at a workshop scheduled January 31, 1985. The assignments were as follows:

Priority A	-	Councilor George Van Bergen Don Carlson
Priority B	-	Councilor Dick Waker Executive Officer Rick Gustafson
Priority C	-	Councilor Gary Hansen Dan Durig
Priority D	-	Councilor Corky Kirkpatrick Steve Siegel
Priority E	-	Councilor Sharron Kelley Ray Barker
Priority F	-	Councilor Ernie Bonner Phillip Fell

The recommendations were reviewed and discussed by Councilors, Executive Officer and staff at the workshop on January 31, 1985, and

consensus agreement was reached on priorities and objectives for 1985-86.

Changes were made in three of the priorities and several new objectives were developed to accomplish the continuing and new priorities. Many of the objectives have been written in greater detail than previously.

SUMMARY OF REVISED PRIORITIES

PRIORITY A: EFFECTIVELY ADMINISTER THE EXISTING SERVICES OF METRO

This is a general ongoing priority and has not been changed. The objectives remain basically the same, although they have been reorganized and are more detailed. The first three objectives relate to Council policies and programs and internal management. The last one relates to the service operations -- Zoo and Solid Waste.

PRIORITY B: ESTABLISH AND MAINTAIN ADEQUATE AND FIRM FINANCIAL SUPPORT FOR ALL SERVICES

This is still a major priority for Metro. The objectives have been revised to reflect activity that is now needed to achieve and implement financial stability.

PRIORITY C: ENSURE THAT THE REGION WILL HAVE AN ENVIRONMENTALLY SAFE AND FINANCIALLY SOUND SOLID WASTE DISPOSAL SITE

There was consensus agreement that the current priority should be maintained although some language changes were made. The major discussion focused on whether a long-term disposal site or all the elements of a solid waste disposal system should be the priority for Metro. The objectives have been revised to relate directly to the priority. Objectives which carry out other aspects of the solid waste system are included under Priority A.

PRIORITY D: USE THE INTERGOVERNMENTAL RESOURCE CENTER CONSENSUS BUILDING MODEL TO ESTABLISH A LONG-RANGE PARTNERSHIP FOR IDENTIFYING AND RESOLVING ISSUES OF REGIONAL AND MUTUAL INTEREST

This priority combines the previous D and E priorities relating to intergovernmental cooperation and regional service needs analysis into one. The objectives carry out the priority and reinforce the IRC model for addressing regional issues and continue to emphasize improvement of professional support to local governments.

PRIORITY E: INCREASE PUBLIC AWARENESS OF METRO'S ROLE IN THE REGION
AND ASSURE THE OPPORTUNITY FOR PUBLIC INVOLVEMENT IN METRO'S
IMPORTANT DECISION-MAKING PROCESSES

This continues to be a priority for Metro and is the old Priority "F." The previous objectives also continue and remain fairly specific. New objectives relating to Metro Council involvement have been added.

PRESIDING OFFICER AND EXECUTIVE OFFICER'S RECOMMENDATION

The Presiding Officer and Executive Officer recommend adoption of Resolution No. 85-551.

SR/gl
2925C/405-2
02/19/85



Memo

Agenda Item No. 7.4

Meeting Date Feb. 28, 1985

METROPOLITAN SERVICE DISTRICT 527 S.W. HALL ST., PORTLAND, OREGON 97201 503 221-1646
Providing Zoo, Transportation, Solid Waste and other Regional Services

Date: February 20, 1985

To: Metro Councilors

From: Phillip Fell, Acting Public Affairs Director

Regarding: Resolutions on proposed legislation

RESOLUTION NO. 85-543 FOR THE PURPOSE OF ADOPTING A COUNCIL POSITION
ON PROPOSED LEGISLATION EXTENDING ENERGY TAX
CREDITS

The Metro Council has adopted positions favoring energy recovery facilities and recycling as methods of waste management. Oregon's Energy Tax Credit program is an important component of financing these energy recovery facilities by virtue of making them cost-effective to construct. Staff contacts with several area recycling firms indicate that these firms would not have invested in necessary equipment if they had not been able to count on the tax credit offered under the existing program. This program is scheduled to sunset this year unless H.B. 2053, which would extend the program until 1991, is passed.

RESOLUTION NO. 85-544 FOR THE PURPOSE OF ADOPTING A COUNCIL POSITION
ON PROPOSED LEGISLATION ESTABLISHING A STATE
ADVISORY COMMISSION ON INTERGOVERNMENTAL
AFFAIRS

Overlapping responsibilities and duplication of services have long been problems which all levels of government have tried to reduce. They contribute to an inefficient allocation of both functions and finances among governments and a public perception of government which is out of control and wasteful.

The Federal government acted to reduce these problems in 1958 by creating a Federal Advisory Commission on Intergovernmental Relations. Since that time, the ACIR has encouraged a reevaluation of relations between the federal and state governments which has reduced the duplication of services among levels of government. H.B. 2038, if passed, would create the same type of commission focusing primarily on state and local relations. The commission would be charged to recommend changes in the structural, functional and financial relationships existing among Oregon's cities, counties, special districts and the State. Although the Commission's authority would be limited to making recommendations, an analysis of the

existing relationships by an independent third party is clearly the first step toward reducing existing inefficiencies in governmental service provision.

RESOLUTION NO. 85-545 FOR THE PURPOSE OF ADOPTING A COUNCIL POSITION
ON PROPOSED LEGISLATION MODIFYING STATE
LANDFILL SITING AUTHORITY

Although the Metro Council has not introduced any legislative proposals seeking to streamline the landfill siting process, we are aware of the existence of at least one such bill. At its special Council meeting on the Legislature, the Council decided that it would be easiest to evaluate those principles which such a bill should contain, rather than attempt to analyze any specific bill when we aren't sure that we have all related bills in our possession. Accordingly, Resolution No. 85-545 contains the five principles which the Council had discussed prior to this date. Of these five principles, the greatest controversy has surrounded the proposal that statewide land use goals are a more appropriate criteria than an acknowledged comprehensive plan.

RESOLUTION NO. 85-546 FOR THE PURPOSE OF ADOPTING A COUNCIL POSITION
ON PROPOSED LEGISLATION ALLOWING METRO TO
CREATE CITIZEN COMMISSIONS

Citizen commissions are a time-honored Oregon mechanism for involving the public in administering the provision of various services. Local governments and the public at large are looking to Metro today as a vehicle to provide additional services, such as parks, on a regional basis. Should Metro actually assume a greater service delivery role, the Council should have the option of using citizen commissions to provide those services. Legislation which was originally introduced as an amendment to a Metro bill, would provide us the necessary authority, which we currently lack, to appoint citizen commissions. These amendments have since been introduced by the House Inter-governmental Affairs Committee as H.B. 2558. The language in the bill is exactly the same as the language in the attached amendments.

RESOLUTION NO. 85-547 FOR THE PURPOSE OF ADOPTING A COUNCIL POSITION
ON PROPOSED LEGISLATION TO PROTECT EXOTIC
ANIMALS

Under current law, a person can keep exotic animals without regard to any safety or hygenic standards as long as that person does not exhibit or sell the animals.

In September of last year, a raid on the Siletz Game Ranch resulted in the owner's arrest on charges of animal cruelty. Because the owner did not exhibit nor attempt to sell the animals, State Police were forced into an after-the-fact enforcement situation.

Legislation recently introduced in the Senate would require all keepers of exotic animals, for whatever reason, to comply with the regulations of, and receive a license from, the U.S. Department of Agriculture. The U.S.D.A. regularly inspects its licensees, such as the Washington Park Zoo, to assure that the animals are receiving

a certain standard of care. Passage of this legislation would provide authorities with a necessary tool to prevent animal cruelty, rather than limiting them to arresting an irresponsible keeper after-the-fact.

RESOLUTION NO. 85-552 FOR THE PURPOSE OF EXEMPTING METRO'S ZOO AND SOLID WASTE SERVICES FORM A SALES TAX

Although the House version of a state-wide sales tax has emerged from the Revenue Committee, the final form of the sales tax will be determined by the Senate Revenue Committee.

One of the more controversial elements of the tax plan has been the question of local government's responsibility to pay a sales tax on their purchases. Local governments have consistently pointed to the irony of being forced to increase either property tax revenues or fee schedules to raise the money they would be forced to pay the State in the form of a sales tax levied on their purchases.

Resolution No. 85-552 would give Metro's legislative representative the authority to seek exemption from the sales tax for solid waste disposal fees; zoo admissions and food purchased for resale at the Zoo in the event that the Legislature determines that local jurisdictions should be included in the sales tax payments.

PF/cam

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING A
COUNCIL POSITION ON PROPOSED
LEGISLATION EXTENDING ENERGY
TAX CREDITS

)
)
)
)
)

RESOLUTION NO. 85-543

Introduced by
Councilor Ernie Bonner and
Executive Officer Rick Gustafson

WHEREAS, Energy tax credits are an important component of the financing for an energy recovery facility because such credits allow the facility to be cost-effective; and

WHEREAS, The Council of the Metropolitan Service District (Metro) has adopted policies encouraging the increase in the volume of material which is recycled; and

WHEREAS, These same energy tax credits have encouraged the investment of over \$6 million in recycling equipment by metropolitan area recyclers, and are an important factor in encouraging additional increases in the volume of material recycled; now, therefore,

BE IT RESOLVED,

That the Metro Council supports passage of House Bill 2053 which would extend Oregon's Energy Tax Credit program from 1985 until 1991.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

PF/srs
2952C/405-1
02/19/85

House Bill 2053

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Department of Energy)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Requires facility receiving energy conservation tax credit to be facility for which first year energy savings yields simple payback period greater than one year.

Revises kinds of facilities which are to receive preference in determining eligibility for tax credit. Permits Director of Department of Energy to set aside portion of annual allocation for tax credit for projects given statutory preference.

Extends tax credit for energy facility or recycling facility to facility erected, constructed or installed before January 1, 1991. Imposes fee to be submitted with application for preliminary certification. Permits director to adopt fee schedule. Permits applicant to submit receipts for cost of facility if actual cost is less than \$10,000 rather than certified actual cost by certified public accountant. Applies to tax years beginning after December 31, 1985.

A BILL FOR AN ACT

1
2 Relating to energy; creating new provisions; and amending ORS 469.185, 469.195, 469.200, 469.205 and
3 469.215.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 469.185 is amended to read:

6 469.185. As used in ORS 469.185 to 469.225:

7 (1) "Cost" means the capital costs and expenses necessarily incurred in the acquisition, erection, construc-
8 tion and installation of [*an energy conservation*] a facility.

9 (2) "Energy [*conservation*] facility" [*or "facility"*] means any capital investment for which the first year
10 energy savings yields a simple payback period of greater than one year. An energy facility includes:

11 (a) Any land, structure, building, installation, excavation, machinery, equipment or device, or any addition
12 to, reconstruction of or improvement of, land or an existing structure, building, installation, excavation,
13 machinery, equipment or device necessarily acquired, erected, constructed or installed by any person in
14 connection with the conduct of a trade or business and actually used in the processing or utilization of renewable
15 energy resources to:

16 (A) Replace a substantial part or all of an existing use of electricity, petroleum or natural gas;

17 (B) Provide the initial use of energy where electricity, petroleum or natural gas would have been used;

18 (C) Generate electricity to replace an existing source of electricity or to provide a new source of electricity for
19 sale by or use in the trade or business; or

20 (D) Perform a process that obtains energy resources from material that would otherwise be solid waste as
21 defined in ORS 459.005.

22 (b) Any addition to, reconstruction of or improvement of land or an existing structure, building, installation,
23 excavation, machinery, equipment or device necessarily acquired, erected, constructed or installed by any person
24 in connection with the conduct of a trade or business in order to substantially reduce the consumption of
25 purchased energy.

NOTE: Matter in bold face in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.

(c) A necessary feature of a new commercial building or multiple unit dwelling, as dwelling is defined by ORS 469.160, that causes that building or dwelling to exceed an energy performance standard in the state building code.

(d) The replacement of an electric motor with another electric motor that substantially reduces the consumption of electricity.

(3) "Facility" means an energy facility or a recycling facility.

[(e)] (4) "Recycling facility" means equipment used by a trade or business solely for recycling:

[(A)] (a) Including:

[(i)] (A) Equipment used solely for hauling and refining used oil;

[(ii)] (B) New vehicles or modifications to existing vehicles used solely to transport used recyclable materials that cannot be used further in their present form or location such as glass, metal, paper, aluminum, rubber and plastic;

[(iii)] (C) Trailers, racks or bins that are used for hauling used recyclable materials and are added to or attached to existing waste collection vehicles; and

[(iv)] (D) Any equipment used solely for processing recyclable materials such as bailers, flatteners, crushers, separators and scales.

[(B)] (b) But not including equipment used for transporting or processing scrap materials that are recycled as a part of the normal operation of a trade or business as defined by the director.

[(f)] *Any land, structure, building, installation, excavation, machinery, equipment or device, or any addition to, reconstruction of or improvement of land or an existing structure, building, installation, excavation, machinery, equipment or device necessarily acquired, erected, constructed or installed by any person as a trade or business and actually used in the utilization of a renewable energy resource to supply or displace existing sources of electricity, petroleum or natural gas.*

[(3)] (5) "Renewable energy resource" includes, but is not limited to, straw, forest slash, wood waste or other wastes from farm or forest land, industrial or municipal waste, solar energy, wind power, water power or geothermal energy.

SECTION 2. ORS 469.195 is amended to read:

469.195. In determining the eligibility of [energy conservation] facilities for tax credits, preference shall be given to those projects which:

[(1)] *Are not routinely used in a commercial or industrial trade or business;*

[(2)] *Have the potential, if developed at other suitable locations, for making a significant contribution to meeting the energy needs of the state; or*

[(3)] *Are not reasonably expected, in the absence of the tax credit granted under ORS 316.140 to 316.142, 317.104 and 469.185 to 469.225, to be cost effective within five years of erection, construction or installation.*

(1) Are research development or demonstration facilities of new renewable resource generating and conservation technologies; or

(2) Provide long-term energy savings from the use of renewable resources or conservation of energy resources.

SECTION 3. ORS 469.200 is amended to read:

469.200. (1) The total of all costs of [energy conservation] facilities that receive a preliminary certification from the director for tax credits in any calendar year shall not exceed \$40 million. *[If the applications exceed the*

1 \$40 million limit.] The director annually may set aside a portion of the \$40 million limit to be allocated, in
 2 accordance with applicable standards and application deadlines, to facilities qualifying as priority projects under
 3 ORS 469.195. The director[, in the director's discretion.] shall determine the dollar amount certified for any
 4 facility and the priority between applications for certification based upon the criteria contained in ORS 469.185
 5 to 469.225 and applicable rules and standards adopted under ORS 469.185 to 469.225.

6 (2) Not less than \$5 million of the \$40 million annual certification limit shall be allocated to facilities having
 7 a certified cost of \$100,000 or less for any facility.

8 (3) With respect to the balance of the annual certification limit, the maximum cost certified for any facility
 9 shall not exceed \$10 million. However, if the applications certified in any calendar year do not total \$35 million,
 10 the director, in the director's discretion, may increase the certified costs above the \$10 million maximum for
 11 previously certified facilities. The increases shall be allocated according to the director's determination of how
 12 the previously certified facilities meet the criteria of ORS 469.185 to 469.225. The increased allocation to
 13 previously certified facilities under this subsection shall not include any of the \$5 million reserved under
 14 subsection (2) of this section.

15 SECTION 4. ORS 469.205 is amended to read:

16 469.205. (1) Prior to erection, construction or installation of a proposed facility any person may apply to the
 17 department for preliminary certification under ORS 469.210 if:

18 (a) The erection, construction or installation of the facility is to be commenced on or after October 3, 1979,
 19 and before January 1, [1986] 1991;

20 (b) The facility complies with the standards or rules adopted by the director; and

21 (c) The applicant will be the owner or contract purchaser of the [energy conservation] facility at the time of
 22 erection, construction or installation of the proposed facility, and:

23 (A) The applicant is the owner, contract purchaser or lessee of a trade or business that plans to utilize the
 24 [energy conservation] facility in connection with Oregon property; or

25 (B) The applicant is the owner, contract purchaser or lessee of a trade or business that plans to lease the
 26 [energy conservation] facility to a person who will utilize the facility in connection with Oregon property.

27 (2) [Applications] An application for preliminary certification shall be made in writing on a form prepared by
 28 the department and shall contain:

29 (a) A statement that the applicant or the lessee of the applicant's facility:

30 (A) Intends to convert from a purchased energy source to a renewable energy resource;

31 (B) Plans to construct a facility that will use a renewable energy resource or solid waste instead of electricity,
 32 petroleum or natural gas;

33 (C) Plans to use a renewable energy resource in the generation of electricity for sale or to replace an existing
 34 or proposed use of an existing source of electricity;

35 (D) Plans to construct or install a facility that substantially reduces the consumption of purchased electricity;
 36 or

37 (E) Plans to construct or install equipment for recycling as defined in ORS 469.185 [(2)(e)] (4).

38 (b) A detailed description of the proposed facility and its operation and information showing that the facility
 39 will operate as represented in the application.

40 (c) Information on the amount by which consumption of electricity, petroleum or natural gas by the
 41 applicant or the lessee of the applicant's facility will be reduced, and on the amount of energy that will be
 42 produced for sale, as the result of using the facility.

1 (d) The projected cost of the facility.

2 (e) Any other information the director [*deems*] considers necessary to determine whether the proposed
3 facility is in accordance with the provisions of ORS 469.185 to 469.225, and any applicable rules or standards
4 adopted by the director.

5 (3) An application for preliminary certification shall be accompanied by a fee established under section 7 of
6 this 1985 Act. The director may refund the fee if the application for certification is rejected.

7 [(3)] (4) The director may [*waive the filing of*] allow an applicant to file the preliminary application after the
8 start of erection, construction or installation of the facility if the director finds: [*the*]

9 (a) Filing the application before the start of erection, construction or installation is inappropriate because
10 special circumstances render [*the*] filing earlier unreasonable; [,] and [*if the director finds such*]

11 (b) The facility would otherwise qualify for tax credit certification pursuant to ORS 469.185 to 469.225.

12 SECTION 5. ORS 469.215 is amended to read:

13 469.215. (1) No certification shall be issued by the director under this section unless the facility was acquired,
14 erected, constructed or installed under a preliminary certificate of approval issued under ORS 469.210[, *except*
15 *where the filing of a preliminary application has been waived under ORS 469.205.*] and in accordance with the
16 applicable provisions of ORS 469.185 to 469.225 and any applicable rules or standards adopted by the director.

17 (2) Any person may apply to the department for final certification of a facility:

18 (a) [*Unless filing has been waived.*] After having obtained preliminary certification for the facility under ORS
19 469.210; and

20 (b) After completion of erection, construction or installation of the proposed facility.

21 (3) [*Applications*] An application for final certification shall be made in writing on a form prepared by the
22 department and shall contain:

23 (a) [*Unless filing has been waived.*] A statement that the conditions of the preliminary certification have been
24 complied with;

25 (b) The actual cost of the facility certified to by a certified public accountant who is not an employe of the
26 applicant or, if the actual cost of the facility is less than \$10,000, copies of receipts for purchase and installation of
27 the facility;

28 (c) A statement that the facility is in operation or, if not in operation, that the applicant has made every
29 reasonable effort to make the facility operable; and

30 (d) Any other information determined by the director to be necessary prior to issuance of a final certificate,
31 including inspection of the facility by the department.

32 (4) The director shall act on an application for certification before the 60th day after the filing of the
33 application under this section. The action of the director shall include certification of the actual cost of the
34 facility. However, in no event shall the director certify an amount for tax credit purposes which is more than 10
35 percent in excess of the amount approved in the preliminary certificate issued for the facility.

36 (5) If the director rejects an application for final certification, or certifies a lesser actual cost of the facility
37 than was claimed in the application, the director shall send to the applicant written notice of the action, together
38 wjth a statement of the findings and reasons therefor, by certified mail, before the 60th day after the filing of the
39 application. Failure of the director to act constitutes rejection of the application.

40 (6) If the application is rejected for any reason, or if the applicant is dissatisfied with the certification of cost,
41 then, within 60 days of the date of mailing of the notice under subsection (5) of this section or from a denial under

1 subsection (5) of this section, the applicant may request a hearing to appeal the rejection under the provisions of
2 ORS 183.310 to 183.550 governing contested cases.

3 (7) Upon approval of an application for final certification of a facility, the director shall certify the facility.
4 Each certificate shall bear a separate serial number for each device. Where one or more devices constitute an
5 operational unit, the director may certify the operational unit under one certificate.

6 (8) The director shall not grant final certification under this section for any facility after December 31, [1988]
7 1993.

8 **SECTION 6.** Section 7 of this Act is added to and made a part of ORS 469.185 to 469.225.

9 **SECTION 7.** By rule and after hearing, the director may adopt a schedule of reasonable fees which the
10 department may require of applicants for preliminary or final certification under ORS 469.185 to 469.225. Before
11 the adoption or revision of the fees, the department shall estimate the total cost of the program to the department.
12 The fees shall be used to recover the anticipated cost of filing, investigating, granting and rejecting applications
13 for certification and shall be designed not to exceed the total cost estimated by the department. Any excess fees
14 shall be held by the department and shall be used by the department to reduce any future fee increases. The fee
15 may vary according to the size and complexity of the facility. The fee shall not be considered as part of the cost of
16 the facility to be certified.

17 **SECTION 8.** This Act applies to tax years beginning after December 31, 1985.

HOUSE AMENDMENTS TO HOUSE BILL 2053

By COMMITTEE ON ENVIRONMENT AND ENERGY

February 7

Amended Summary

Requires facility receiving energy conservation tax credit to be facility for which first year energy savings yields simple payback period greater than one year.

Revises kinds of facilities which are to receive preference in determining eligibility for tax credit. Permits Director of Department of Energy to set aside *[portion]* \$6 million of annual allocation for tax credit for *[projects given statutory preference]* research development or demonstration facilities of new renewable resource generating and conservation technologies .

Extends tax credit for energy facility or recycling facility to facility erected, constructed or installed before January 1, 1991. Imposes fee to be submitted with application for preliminary certification. Permits director to adopt fee schedule. Permits applicant to submit receipts for cost of facility if actual cost is less than \$10,000 rather than certified actual cost by certified public accountant. Applies to tax years beginning after December 31, 1985.

1 On page 2 of the printed bill, delete lines 35 and 36 and insert:

2 "(1) Provide energy savings for real or personal property within the state inhabited as the principal residence
3 of a tenant, including:

4 "(a) Nonowner occupied single family dwellings; and

5 "(b) Multiple unit residential housing; or".

6 On page 3, line 1, delete "a portion" and insert "\$6 million".

7 In line 2, delete "facilities qualifying as priority projects under".

8 In line 3, delete "ORS 469.195" and insert "research development or demonstration facilities of new
9 renewable resource generating and conservation technologies".

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING A) RESOLUTION NO. 85-544
COUNCIL POSITION ON PROPOSED)
LEGISLATION ESTABLISHING A STATE) Introduced by
ADVISORY COMMISSION ON INTER-) Councilor Ernie Bonner and
GOVERNMENTAL AFFAIRS) Executive Officer Rick Gustafson

WHEREAS, Government's ability to effectively and efficiently deliver services to our citizens could be enhanced by improving the structural, functional and financial relationships which currently exist among federal, state and local governmental entities; and

WHEREAS, No formal mechanism currently exists to share information about current developments in local government operation with all of Oregon's cities, counties and special districts; and

WHEREAS, Such information-sharing is a necessary precursor to more efficient and effective service delivery to the public; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District supports passage of House Bill 2038 which would establish a Commission on Intergovernmental Affairs to provide a formal mechanism for sharing information directed at improving the ability of all levels of government to serve the public.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

House Bill 2308

Sponsored by Representative McCracken, Senator Otto

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Creates Commission on Intergovernmental Relations. Establishes terms, qualifications, number and method of appointment of commission members. Prescribes duties, powers and functions of commission. Appropriates \$140,000 from General Fund, to commission.

A BILL FOR AN ACT

1
2 Relating to the Commission on Intergovernmental Relations; and appropriating money.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** As used in this Act:

5 (1) "Commission" means the Commission on Intergovernmental Relations established by section 2 of this
6 Act.

7 (2) "District" has the meaning given that term by ORS 198.010 and, in addition, means a council of
8 governments established under ORS 190.003 to 190.110 and a local government boundary commission formed
9 under ORS 199.410 to 199.519.

10 (3) "Local government" includes a city, county and district.

11 **SECTION 2.** (1) There is established the Commission on Intergovernmental Relations consisting of 14
12 members appointed as provided in section 3 of this Act and the executive secretary of the Commission on Indian
13 Services who shall serve as a member of the commission *ex officio*.

14 (2) The term of each appointed member of the commission is four years and shall begin on January 1 in an
15 even-numbered year. Before the expiration of the term of an appointed member, the appointing authority shall
16 appoint a successor. A member is eligible for reappointment. If there is a vacancy for any cause, the appointing
17 authority shall make an appointment to become immediately effective for the unexpired term.

18 (3) Members of the commission are not entitled to compensation for service on the commission. However,
19 in accordance with the rules of the commission and ORS 292.495 (2), members may be reimbursed from funds
20 available to the commission for actual and necessary travel expenses incurred by them in the performance of
21 their official duties.

22 **SECTION 3.** Fourteen members of the commission shall be appointed as follows:

23 (1) The Speaker of the House of Representatives shall appoint two members of the House of Representatives
24 to the commission.

25 (2) The President of the Senate shall appoint one member of the Senate to the commission.

26 (3) The Governor shall appoint to the commission:

27 (a) Two county officers, at least one of whom shall be popularly elected.

28 (b) Two city officers, at least one of whom shall be popularly elected.

29 (c) Two district officers, at least one of whom shall be popularly elected.

NOTE: Matter in bold face in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.

1 (d) One member of the Governor's staff.

2 (e) Two heads of administrative departments in the state government.

3 (f) Two residents of this state who are not public officers or employes.

4 **SECTION 4.** The Commission on Intergovernmental Relations shall:

5 (1) Elect from among its members a chairperson who shall serve for a term of two years.

6 (2) Prescribe its internal organization and adopt rules to govern its proceedings.

7 (3) Meet at least once every three months.

8 (4) Study the structural, functional and financial relationships among federal, state and local governmental
9 entities, issue findings and recommendations regarding those relationships and publish reports regarding them.

10 (5) Propose constitutional amendments, statutes, charter provisions, ordinances, administrative rules and
11 other measures that would, if adopted, implement the recommendations of the commission.

12 (6) Publish annual reports of current developments in state and local government in Oregon and of the
13 activities of the commission.

14 (7) Provide notice to, and solicit information, advice and assistance from, state and local governmental
15 entities and nongovernmental persons and institutions concerning any activity of the commission that might
16 affect those entities, persons and institutions and offer them the services of the commission.

17 **SECTION 5.** The Intergovernmental Relations Division of the Executive Department, upon request, shall
18 provide the commission with professional, technical and clerical services. The commission may also contract
19 with units of the Department of Higher Education or with other public or private persons for other specific
20 services.

21 **SECTION 6.** The commission may apply for and receive funds and other assistance from governmental and
22 nongovernmental sources. The Executive Department shall account for the income and expenditures of the
23 commission separately from other governmental accounts.

24 **SECTION 7.** For purposes of ORS 182.605 to 182.635, the Commission on Intergovernmental Relations is
25 an agency.

26 **SECTION 8.** (1) Notwithstanding the term of office specified by section 2 of this Act, of the 14 members first
27 appointed to the commission, seven shall serve for terms ending December 31, 1987. The seven members shall
28 be determined by lot in the manner prescribed by the commission. The remaining members shall serve for terms
29 ending December 31, 1989.

30 (2) Notwithstanding subsection (1) of section 4 of this Act, the Governor shall designate a chairperson pro
31 tempore who shall preside over the deliberations of the commission until it organizes itself and elects a
32 permanent chairperson.

33 **SECTION 9.** There is appropriated to the Commission on Intergovernmental Relations, for the biennium
34 beginning July 1, 1985, out of the General Fund, the sum of \$140,000 for the purpose of carrying out this Act.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING A) RESOLUTION NO. 85-545
COUNCIL POSITION ON PROPOSED)
LEGISLATION MODIFYING STATE) Introduced by
LANDFILL SITING AUTHORITY) Councilor Ernie Bonner and
) Executive Officer Rick Gustafson

WHEREAS, The process of siting a sanitary landfill is characterized by lengthy time requirements, ambiguous authority and criteria; and

WHEREAS, The need for a new sanitary landfill site in the Portland metropolitan area is manifest; and

WHEREAS, Legislation modifying existing state landfill siting authority is likely to be introduced by persons or organizations outside the Metropolitan Service District; and

WHEREAS, Metro is responsible for operating solid waste disposal sites and has an interest, therefore, in the siting process; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District supports legislation establishing state landfill siting authority which:

1. Protects the environment of the people of the tri-county area;
2. Reduces the time frame for the landfill siting decision and appeal process;
3. Permits Metro to request initiation of the state landfill siting process;

4. Allows a landfill to be sited within the Solid Waste Management Plan area for Washington, Multnomah and Clackamas counties; and
5. Applies State Land Use Goals, the Solid Waste Management Plan for the tri-county area, and DEQ's Solid Waste Disposal Rules as the sole criteria for state action in siting a landfill only if local governments fail to select a site after an opportunity to do so.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

PF/srs
2952C/405-1
02/19/85

(c) Construction, loading and operation of vehicles used in performing solid waste collection service to prevent the contents thereof from dropping, sifting, leaking or escaping onto public highways.

(d) Definition of other "wastes" subject to regulation pursuant to ORS 459.005 to 459.105, 459.205 to 459.245, 459.255 to 459.285 and 459.992 (1), (2) and (3).

(e) Closure and post-closure maintenance of land disposal sites.

(2) The commission may by rule:

(a) Exempt a class of land disposal sites from the requirement to provide financial assurance under ORS 459.270; or

(b) Establish criteria which an individual land disposal site must meet to be exempted from the requirement to provide financial assurance under ORS 459.270.

(3) The commission shall adopt rules on other subjects as necessary to carry out ORS 459.005 to 459.105, 459.205 to 459.245 and 459.255 to 459.285.

(4) The commission shall adopt rules which have modified or limited application in different geographic areas of the state when special conditions prevail in specified geographic areas. Special conditions that shall be considered include, but are not limited to, climatic conditions, zone classification of the area, population characteristics, methods and costs of solid waste management, solid waste management plans and other conditions in the area. Modifications or limitations shall not be unreasonable, arbitrary or inimical to the policy and purposes of ORS 459.005 to 459.105, 459.205 to 459.245 and 459.255 to 459.285.

(5) All rules adopted under this section shall be adopted after public hearing and in accordance with ORS 183.310 to 183.550.

(6) Unless a rule adopted under this section is adopted pursuant to the authority granted by ORS 183.335 (2), the commission shall mail copies of the proposed rules to all persons who have requested such copies. The copies shall be mailed at least 30 days prior to the hearing required by subsection (5) of this section. [1971 c.648 §5; 1973 c.835 §137; 1981 c.709 §2; 1983 c.766 §6]

459.047 Landfill assistance from department; landfill disposal site certificate; effect of issuance. Upon request by a city or county responsible for implementing a department approved solid waste management plan which identifies a need for a landfill disposal site, and subject to policy direction by the com-

mission, the Department of Environmental Quality shall:

(1) Assist the local government unit in the establishment of the landfill including assisting in planning, location, acquisition, development and operation of the site.

(2) Site and issue a solid waste disposal permit pursuant to ORS 459.205 to 459.245, 459.255 and 459.265 for a landfill disposal site within the boundaries of the requesting local government unit. Subject to the conditions set forth therein, any permit for a landfill disposal site authorized by the Environmental Quality Commission under this subsection shall bind the state and all counties and cities and political subdivisions in this state as to the approval of the site and the construction and operation of the proposed facility. Affected state agencies, counties, cities and political subdivisions shall issue the appropriate permits, licenses and certificates necessary to construction and operation of the landfill disposal site, subject only to condition of the site certificate. Each state or local government agency that issues a permit, license or certificate shall continue to exercise enforcement authority over such permit, license or certificate. [1979 c.773 §3]

459.049 Mandated sites in certain counties; establishment by state. (1) Upon its own motion or upon the recommendation of the department, the Environmental Quality Commission may determine that a landfill disposal site within the counties of Marion, Polk, Clackamas, Washington or Multnomah must be established in order to protect the health, safety and welfare of the residents of an area for which a local government solid waste management plan has identified the need for a landfill disposal site. In making its determination on the need for a landfill disposal site or, where applicable, on the location of a landfill disposal site, the commission shall give due consideration to:

(a) The legislative policy and findings expressed in ORS 459.015, 459.017 and 459.065, and particularly the policy that action taken under this section be exercised in cooperation with local government;

(b) The provisions of the solid waste management plan or plans for the affected area;

(c) Applicable local government ordinances, rules, regulations and plans other than for solid waste management;

(d) The state-wide planning goals adopted under ORS 197.005 to 197.430;

(e) The need for a landfill disposal site;

(f) The availability and capacity of alternative disposal sites or resource recovery systems and facilities;

(g) The time required to establish a landfill disposal site;

(h) Information received from public comment and hearings; and

(i) Any other factors the commission considers relevant.

(2) If the commission makes a determination under subsection (1) of this section that there is a need for a landfill disposal site within a plan area, the commission may adopt an order directing the local government unit responsible for implementing the plan to establish a landfill disposal site within a specified period of time. The order may specify a time schedule for the completion of the major elements required to establish the site. A local government unit directed to establish a landfill disposal site under this section may request assistance from the department or request that the department establish the disposal site as provided in ORS 459.047.

(3) If the commission determines that the establishment of a landfill disposal site ordered by the commission under subsection (2) of this section is not being accomplished or that the completion of major elements has fallen behind the time schedule specified in the order, the commission may direct the department to establish the disposal site or complete the establishment of the disposal site undertaken by the local government unit. The commission may direct the department to establish or complete the establishment of a landfill under this section only if the commission finds that:

(a) The action is consistent with the statewide planning goals relating to solid waste management adopted under ORS 197.005 to 197.430 and any applicable provisions of a comprehensive plan or plans; and

(b) The responsible local government unit is unable to establish the landfill disposal site ordered by the commission under subsection (2) of this section.

(4) If the commission directs the department to establish or complete the establishment of a landfill disposal site under subsection (3) of this section, the department may establish the site subject only to the approval of the commission and the provisions of the solid waste management plan adopted for the area and in consultation with all affected local government units. Notwithstanding any city, county or other local government charter or ordinance to the con-

trary, the department may establish a landfill disposal site under this subsection without obtaining any license, permit, franchise or other form of approval from a local government unit. [1979 c.773 §4; 1983 c.827 §54]

459.050 [1967 c.428 §5; 1969 c.593 §45; repealed by 1971 c.648 §33]

459.051 Procedural rules. In accordance with the requirements of ORS 183.310 to 183.550 and after public hearing, the commission shall adopt rules:

(1) To establish a procedure for local government units to request assistance from the department in the establishment of landfill disposal sites under ORS 459.047, and to give notice of such requests.

(2) To establish a procedure for obtaining public comment on determinations of need for landfill sites made by the commission under ORS 459.049.

(3) To provide for public hearings in the area affected by a proposed landfill disposal site to be established by the department under ORS 459.049. [1979 c.773 §5]

459.053 Powers of department regarding landfill disposal sites. Subject to policy direction by the commission in carrying out ORS 215.213, 215.214, 215.283, 459.017, 459.047 to 459.065, 459.245 and 468.220, the department may:

(1) By mutual agreement, return all or part of the responsibility for development or operation of the site to the local government unit within whose jurisdiction the site is to be established, or contract with the local government unit to establish the site.

(2) To the extent necessary, acquire by purchase, gift, grant or exercise of the power of eminent domain, real and personal property or any interest therein, including the property of public corporations or local government.

(3) Lease and dispose of real or personal property.

(4) At reasonable times and after reasonable notice, enter upon land to perform necessary surveys or tests.

(5) Acquire, modify, expand or build landfill disposal site facilities.

(6) Subject to any limitations in ORS 468.195 to 468.260, use money from the Pollution Control Fund created in ORS 468.215 for the purposes of carrying out ORS 459.047 and 459.049.

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING A
COUNCIL POSITION ON PROPOSED
LEGISLATION ALLOWING METRO TO
CREATE CITIZEN COMMISSIONS

) RESOLUTION NO. 85-546
)
) Introduced by
) Councilor Ernie Bonner and
) Executive Officer Rick Gustafson

WHEREAS, The Metropolitan Service District has the
potential to provide additional regional services; and

WHEREAS, It would be appropriate for Metro to possess the
authority to provide these additional services through the use of
citizen commissions; and

WHEREAS, The commission alternative is in the Oregon
tradition of directly involving our citizens in the provision of
services; now, therefore,

BE IT RESOLVED,

That the Metropolitan Service District supports the passage
of House Bill 2558 which enables Metro to appoint commissions to
supervise the delivery of services which Metro may be authorized to
provide.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

PF/srs
2952C/405-1
02/19/85

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF EXEMPTING) RESOLUTION NO. 85-552
METRO'S ZOO AND SOLID WASTE)
SERVICES FROM A SALES TAX) Introduced by Presiding
) Officer Bonner, and
) Executive Officer Gustafson

WHEREAS, The Oregon Legislature has indicated its intention to refer a sales tax measure to a vote of the people;

WHEREAS, The question of whether local governments will be required to pay a sales tax on the goods they purchase or to charge a sales tax for the services they provide remains unclear;

WHEREAS, Local jurisdictions would be required to increase their property tax levies and/or the fees they charge their citizens for the services they delivery; and

WHEREAS, The Metropolitan Service District (Metro) could be forced to pass a sales tax on to its constituents in the form of solid waste disposal fees; Zoo admissions and food purchased for resale at the Zoo; now, therefore,

BE IT RESOLVED,

That the Metro Council supports exemption from the sales tax of solid waste disposal charges; Zoo admission fees and food purchased for resale at the Zoo.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

1 PROPOSED AMENDMENTS TO HOUSE BILL 2036

2 In line 2 of the printed bill, after the semicolon insert
3 "creating new provisions; and".

4 After line 23, insert:

5 "SECTION 2. Section 3 of this Act is added to and made a part
6 of ORS chapter 268.

7 "SECTION 3. (1) A metropolitan service district may create by
8 ordinance commissions for all powers or functions of a metropolitan
9 service district as prescribed by law and including those in ORS
10 268.310, 268.312 and 268.370.

11 "(2) The ordinance shall describe the powers of the commission
12 which may include all powers of the council of the metropolitan
13 service district, except that the power to adopt ordinances and all
14 budget, revenue and planning authority remain in the council of the
15 metropolitan service district.

16 "(3) The ordinance shall describe the number of members of the
17 commission, qualifications of members, terms of office and method
18 of appointment."

This will be introduced as a separate committee bill

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING A) RESOLUTION NO. 85-547
COUNCIL POSITION ON PROPOSED)
LEGISLATION TO PROTECT EXOTIC) Introduced by
ANIMALS) Councilor Ernie Bonner and
) Executive Officer Rick Gustafson

WHEREAS, The Council of the Metropolitan Service District recognizes and demonstrates a responsibility for compassionate care of exotic animals in its operation of the Washington Park Zoo; and

WHEREAS, The Washington Park Zoo complies with standards of, and is licensed by, the U. S. Department of Agriculture; and

WHEREAS, Other organizations and people in the state of Oregon are authorized to keep exotic animals in a captive environment; and

WHEREAS, Evidence of neglect in the care of exotic animals in unlicensed, non-zoo environments was recently revealed to be of current concern in the state of Oregon; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District supports legislation which requires such organizations and people to obtain a license from the U. S. Department of Agriculture before they are permitted to keep exotic animals for any purpose.

ADOPTED by the Council of the Metropolitan Service District
this _____ day of _____, 1985.

Ernie Bonner, Presiding Officer

PF/srs/2952C/405-1
02/19/85

Owner held in raid on Siletz exotic-game ranch

Compiled from correspondent reports

SILETZ — Oregon State Police raided an exotic-game ranch Thursday and arrested its owner after finding some animals kept in what a Humane Society official called "very deplorable" conditions.

Robert Thomas Fieber, 46, was charged with cruelty to animals, failure to maintain adequate cages and shelter and not having a holding permit for an exotic animal.

Fieber said he had about 150 animals, including 14 lions, three Bengal tigers, a cougar, a bobcat and six buffalo, at his Siletz Game Ranch. State police said Fieber was keeping 20 lions, four Bengal tigers, 10 wolves, a jaguar, two cougars and other animals.

Humane Society officials called the raid the largest such one in Oregon history.

Fieber said about 20 vehicles showed up at his farm early Thursday, and that most of the police were armed. "They were there with guns, freaking out my lions," Fieber said.

He said the ranch, which he has owned since 1970, was open to the public until about three years ago.

Fieber was released from custody after posting \$19,000 bail. Arraignment was scheduled for Monday in Lincoln County Circuit Court.

State Police refused to allow anyone, including Fieber's family, past the locked gate to his 80-acre property, located about 15 miles east of Newport.

Officials from the Oregon Department of Fish and Wildlife delivered water for the animals. Veterinarians were brought in to exam-

ine the game.

Fieber said he was concerned about two young white lions, which he said were extremely rare and valuable, because they needed feeding every 1½ hours. Five lion cubs were among the animals taken from the ranch to an undisclosed location; it was not known whether the white lions were among them.

Fieber said he raised most of the animals himself.

His father, Ray Fieber, 80, of Toledo, said, "Bob wouldn't hurt an animal under any condition. He'd starve himself first. He treats his animals better than most people treat their kids."

Eric Sakach of the Humane Society of the United States, based in Sacramento, Calif., said conditions were "among the more deplorable

I've ever seen animals in."

Drinking water, he said, was filthy, contaminated with fecal matter and mosquito larvae, "and some of it was as black as oil."

"A number of animals were in very poor to moderate condition," and security was haphazard, he said, urging stronger state regulations of such enterprises.

The raid was prompted by complaints by private individuals to authorities. Tim Grayhovens, executive director of the Humane Society of the Willamette Valley, indicated that state police had used an undercover agent to gain evidence for arrest warrants.

In addition to the five lion cubs, a bobcat, raccoon and tiger cub were taken away. Sakach said he didn't know where they were being taken.



ANIMAL RANCH RAIDED — A lion walks in an enclosure at Siletz Game Ranch, where authorities arrested owner Robert Thomas Fieber on Thursday on charges of animal cruelty.

The Oregonian/RANDY WOOD

Game ranch owner charged with abuse

By CARMEL FINLEY
Correspondent, The Oregonian

NEWPORT — The owner of an exotic game ranch raided by police last week was charged Monday in Lincoln County District Court with 15 counts involving cruelty to animals.

Robert Thomas Fieber, 46, of Siletz was also charged with manufacturing a controlled substance. District Attorney Ulys Stapleton said further charges were pending.

Judge Robert J. Huckleberry continued the case until Sept. 24. Fieber, who was not accompanied by an attorney, said he would plead innocent to all the charges.

Police and Humane Society officials raided Fieber's 80-acre ranch near Siletz Thursday. Authorities took away five lion cubs, a bobcat, a raccoon, and a tiger cub. Three other animals — two bison and an elk — were seized on the ranch by authorities and

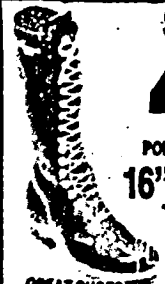
were being fed daily by representatives of the Central Coast Humane Society.

Fieber says he has about 150 animals in all, about half of them various kinds of deer, as well as 14 lions, three Bengal tigers, a cougar, a bobcat and six bison. The ranch has not been open to the public since 1981, when Fieber's license to exhibit was taken by the U.S. Department of Agriculture because the ranch did not meet its stand-

ards for showing exotic animals.

Stapleton asked the court to amend Fieber's conditional release agreement to say that he must not harass officials entering his property to feed the bison and elk.

Three of the 15 animal abuse charges involve a bobcat, which authorities removed from the ranch. Fieber said the animal was brought to him "seven-eighths dead after it had been caught in a trap."



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CONSIDERATION OF A CONTRACT WITH COLDWELL BANKER
TO PROVIDE EXCLUSIVE REPRESENTATION IN SUBLEASING
OFFICE SPACE

Date: February 19, 1985

Presented by: Jennifer Sims

FACTUAL BACKGROUND AND ANALYSIS

The Need

Metro has 21,000 square feet of excess space available at the 2000 S. W. 1st Avenue building. This is available immediately for a term of up to ten years. Also on moving, the 527 S. W. Hall Street space may be available for up to one year. It is recommended that Metro secure a qualified commercial real estate agent to serve as Metro's exclusive representative in leasing this space to do the following:

1. Research and identify potential tenants;
2. Prepare and implement a complete marketing strategy;
3. Advise Metro on how to best present the space;
4. Assist in establishing a reasonable lease rate; and
5. Advise Metro in sublease negotiations.

The Process

Seven firms judged capable and qualified to perform the work were notified by telephone and in writing of Metro's need for service. Only Coldwell Banker responded with a timely proposal. Cushman & Wakefield submitted a proposal three days late and required a higher fee. Based on direct experience in working with Coldwell Banker, the firm and its agent, Mark Madden, were determined to be qualified. Further, a proposal was submitted outlining a marketing approach, reporting process, and target lease schedule.

The Proposed Contract

This contract is for an exclusive sublease listing. This provides for subleasing needs at both the 527 S. W. Hall Street and 2000 S. W. 1st Avenue locations.

This contract is for a one-year term. The contract amount will be determined by the number of square feet which are leased, the lease rate and the tenant. The commissions paid under this contract will be paid at the rate of 5 percent of the total base rental for

the first five years, plus 3-1/2 percent for the remainder of the sublease term. Six companies which were identified as prospects prior to February 14, 1985, are subject to a commission schedule at 50 percent of the standard rate. The reduced schedule also applies to two different prospects for the Hall Street building. Finally, three companies are entirely excluded from the listing and will require no broker fee. If 100 percent of the available space is leased under the regular schedule, the maximum commission paid would be \$95,026.00.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of this contract.

COUNCIL OFFICE RELOCATION COMMITTEE RECOMMENDATION

This committee discussed the need for an exclusive listing and contract terms at its February 11, 1985, meeting. Generally the consensus was that a broker is needed but a full commission should not be paid for work done during negotiations for the "IBM Building." This concern has been addressed by a reduced schedule for these prospects.

JS/gl
2887C/405-3
02/20/85

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
 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 _____ AMOUNT \$ _____
 TYPE OF BOND _____ AMOUNT \$ _____

14. LIST OF KNOWN SUBCONTRACTORS (IF APPLICABLE)

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	Feb. 28, 1985 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 _____

PERSONAL SERVICES AGREEMENT

THIS AGREEMENT dated this 1st day of March, 1985,
is between the METROPOLITAN SERVICE DISTRICT, a municipal
corporation, hereinafter referred to as "METRO," whose address is
527 S. W. Hall Street, Portland, Oregon 97201,
and Coldwell Banker, hereinafter
referred to as "CONTRACTOR," whose address
is 1300 SW 5th Ave, Suite 2600, Portland, OR, 97201 for the period
of March 1, 1985, through February 28, 1986,
and for any extensions thereafter pursuant to written agreement of
both parties.

W I T N E S S E T H :

WHEREAS, This Agreement is exclusively for Personal
Services;

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

CONTRACTOR AGREES:

1. To perform the services and deliver to METRO the materials described in the Exclusive Subleasing Listing Agreement attached hereto;
2. To provide all services and materials in a competent and professional manner in accordance with the Exclusive Subleasing Listing Agreement;
3. To comply with all applicable provisions of ORS Chapters 187 and 279, and all other terms and conditions necessary to be inserted into public contracts in the state of Oregon, as if such provisions were a part of this Agreement;
4. To maintain records relating to the Exclusive Subleasing Listing Agreement on a generally recognized accounting basis and to make said records available to METRO at mutually convenient times;

5. To indemnify and hold METRO, its agents and employees harmless from any and all claims, demands, damages, actions, losses and expenses, including attorney's fees, arising out of or in any way connected with its performance of this Agreement, with any patent infringement arising out of the use of CONTRACTOR'S designs or other materials by METRO and for any claims or disputes involving subcontractors; and.

6. To comply with any other "Contract Provisions" attached hereto as so labeled.

METRO AGREES:

1. To pay CONTRACTOR for services performed and materials delivered in the maximum sum of \$_____ and in the manner and at the time designated in the Exclusive Subleasing Listing Agreement; and

2. To provide full information regarding its requirements for the Exclusive Subleasing Listing Agreement.

BOTH PARTIES AGREE:

1. That METRO may terminate this Agreement upon giving CONTRACTOR sixty (60) days written notice without waiving any claims or remedies it may have against CONTRACTOR;

2. That, in the event of termination, METRO shall pay CONTRACTOR for services performed and materials delivered prior to the date of termination; but shall not be liable for indirect or consequential damages;

3. That, in the event of any litigation concerning this Agreement, the prevailing party shall be entitled to reasonable attorney's fees and court costs, including fees and costs on appeal to an appellate court;

4. That this Agreement is binding on each party, its successors, assigns, and legal representatives and may not, under any condition, be assigned or transferred by either party;

5. That this Agreement may be amended only by the written agreement of both parties; and

6. That CONTRACTOR is an independent contractor and assumes sole responsibility for the performance of its services and assumes full responsibility for all liability for bodily injuries or physical damage to person or property arising out of or related to this Agreement.

CONTRACTOR

METROPOLITAN SERVICE DISTRICT

By: _____

By: _____

Date: _____

Date: _____

:gl
3365/40

Meeting Date Feb. 28, 1985

CONSIDERATION OF A CONTRACT WITH JONES & JONES
TO PROVIDE DESIGN OF THE AFRICA BUSH EXHIBIT,
PHASE I

Date: February 15, 1985

Presented by: A.M. Rich

FACTUAL BACKGROUND AND ANALYSIS

Phase I of the Africa Bush Exhibit is a priority one project in the Zoo Master Plan adopted by the Council. This project includes animal exhibits and holding areas that will replace those now located in east paddocks, the new Africafe, modification of the concert lawn and a railway station at the train loop. It is the first of a three phase project that when completed will redo the entire hoofstock area - one of the most outdated and least visited sections of the Zoo.

Requests for proposals went out in October. Proposals were received from the following six firms: The Portico Group; Jones & Jones; Guthrie, Slusarenko, Leeb; Fletcher, Finch, Farr & Ayotte; Herbert W. Reimer; and Bloodworth, Ellis Associates.

The selection process provided detailed analysis of the architectural and design abilities of each firm with specific emphasis on the approach and expertise of the specialized area of zoological exhibit design. This specialized area within the field of architecture requires specific technical expertise not normally found in general firms, i.e., building physical facilities for animal care and management programs, effective yet natural perimeter barriers in exhibits, effective control of sight lines, and use of other techniques that will create an environment for visitors yet duplicate natural environments as much as possible. This specialized expertise had to be considered in addition to the specific application of more traditional architectural approaches in the design of the Africafe and similar components of the project. A desire of the committee was to strive for an exhibit which would build on the successes of existing facilities and create a new standard of exhibitry for the Africa Bush and zoological parks in this country. Specific selection criteria were:

1. Firm's general approach to the project;
2. Ability of Team to provide necessary discipline and effectively coordinate and participate;
3. Interpretive design approach;
4. Adequacy of construction observation services;

5. Accessibility of consulting team members and compatibility with Zoo design team;
6. Approach to Africafe, concert area and railroad station;
7. Overall impression based upon materials presented and interaction of team members; and
8. Reasonableness of fee in relationship to scale of project.

Based on these criteria, the last two firms listed above were dropped in the initial screening; the remaining four were scheduled for interviews in December, 1984. Members of the screening committee were: Ted Argo, a local architect; Dick Waker, member of the Council; and staff members McKay Rich, Steve McCusker, Bob Porter, Jack Delaini, Jane Hartline and Gayle Rathbun. After this interview, the Committee narrowed the list to Guthrie, Slusarenko, Leeb; Jones & Jones; and Fletcher, Finch, Farr and Ayotte.

The Committee provided information to the newly selected Zoo director, Gene Leo, Jr., for review and scheduled a meeting with him on February 1, 1985.

At that meeting a series of questions was developed to be discussed by representatives of the three firms at an additional interview scheduled for February 12, 1985.

After careful consideration based on the selection criteria, the Committee is recommending that the design contract for Africa Bush Phase I be awarded to Jones & Jones. This firm made an outstanding presentation. They have designed the Cascade Stream and Pond and Penguinarium exhibits, both of which won AAZPA awards. They also are the design firm for the remodel of the West Bear Grottos.

Because this project involves the preliminary design for such a major portion of the Zoo, it is prudent to select a firm with broad experience in zoological exhibit design. Jones & Jones has that experience.

The negotiated fee for the project is \$610,000. Other fees proposed were: Fletcher, Finch, Farr & Ayotte - \$613,450; Guthrie, Slusarenko, Leeb - \$528,800.

EXECUTIVE OFFICIER'S RECOMMENDATION

The Executive Officer recommends approval of this contract.

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

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 _____ AMOUNT \$ _____

TYPE OF BOND _____ AMOUNT \$ _____

14. LIST OF KNOWN SUBCONTRACTORS (IF APPLICABLE)

NAME _____ SERVICE _____ MBE

NAME _____ SERVICE _____ MBE

NAME _____ SERVICE _____ MBE

NAME _____ SERVICE _____ 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 _____

ARCHITECTURAL SERVICES AGREEMENTS

THIS AGREEMENT, effective _____, 1985, is by and between the METROPOLITAN SERVICE DISTRICT, hereinafter called "Metro," whose principal offices are located at 527 S. W. Hall Street, Portland, Oregon 97201; and JONES & JONES, hereinafter called "Architect," whose address is 233 S. W. Front Avenue, Portland, Oregon 97204.

THE PARTIES AGREE AS FOLLOWS:

ARTICLE 1

Scope of Work

A. This Agreement is exclusively for personal services. Architect shall perform the services and deliver to Metro the materials described in the Scope of Work attached hereto and incorporated herein as "Attachment A," and "Attachment B," and as otherwise described in this Article 1. All services and materials shall be provided in a timely, competent and professional manner in accordance with this Article 1. Concept Design, Design Development, Working Drawings, and Bidding and Negotiation duties are described in "Attachment A" and "Attachment B," and Construction Observation duties are described in Part B of this Article 1.

B. Architect shall perform the following Construction Observation services, all of which shall be carried out in conformance with the construction contract entered into between Metro and the construction contractor:

1. Review contractor's initial cost breakdown which will be used as the basis for contractor's progress payments.
2. Verify contractor's statement of quantities of materials priced on a unit cost basis; reimbursable field costs of the contractor, if any, for authorized overtime and time and material work; and amount of construction "work in place" completed each month for purpose of the contractor's application for payment.
3. Review and approve shop drawings and construction materials samples.
4. Submit weekly construction progress reports to Owner.
5. Interpret contract documents and resolve unanticipated field problems by on-site visits.
6. Inspect all work to determine and assure the progress, quality, quantity and conformance of the work in accordance with the contract documents, contract procedures and construction schedule.

7. Participate in job coordination meetings with Owner and contractor.

8. Attend and prepare minutes of field meetings. Such meetings shall be held at regular intervals and as may be required.

9. Observe contractor's safety measures for protection of persons and property.

10. Prepare progress reports and evaluate project schedules.

11. Issue field orders as directed by the Owner's project manager.

12. Recommend changes or change orders to Owner where needed to prevent delay or where otherwise needed to facilitate completion of the project.

13. Prepare and issue bulletins and change orders as approved by Owner.

14. Verify and approve quantities of work put in place during the preceding month on contractor's application for payment.

15. Coordinate with local agencies and Owner as may be required, for the tie-in of new facilities.

16. Witness and approve field tests and equipment performance tests, and supervise the start-up and check-out of major and specialized systems.

17. Advise the Owner of problems, such as strikes, delays and receipt of materials, etc., which may affect the construction schedule, and recommend solutions where applicable.

18. Prepare punch lists at time of substantial completion of construction, with subsequent inspections until final completion.

19. Assure that contractor maintains an up-to-date set of drawings reflecting "as-built" conditions of the work at all times.

20. Issue certificates of completion, attesting to the fact that the construction has been completed in accordance with plans and specifications, and in accordance with all applicable laws, regulations, ordinances, and requirements of government authorities and agencies having jurisdiction.

21. Review and approve for accuracy and completeness the contractor's submission of "as-built" drawings, and operation

and maintenance manuals prior to Architect's submission of same to Owner and prior to certification of contractor's application for final payment.

C. Architect shall prepare all plans, drawings, and technical specifications to be incorporated into the contract documents. Owner shall provide the general conditions and the general contract to be signed by contractor.

D. Architect's services shall be performed by or under the personal supervision of Keith Larson, Project Manager.

E. Any change in the Scope of Work shall be made in writing. If any such change in the Scope of Work results in reduced or increased work, Architect shall promptly advise Owner in writing prior to the change in the Scope of Work and shall include a cost proposal for the additional or deleted work. If Owner and Architect cannot agree on an equitable adjustment of the Contract Sum, at Owner's written direction, Architect shall continue to perform its duties under this Agreement, and such dispute shall be resolved by arbitration pursuant to Article 12.

ARTICLE 2

Commencement and Completion of Agreement

Services to be performed under this Agreement, except for construction observation services, shall commence on the date this Agreement is signed by both parties and shall be completed no later than _____, 1985. Architect shall not be liable for delays or defaults beyond the control of Architect including, but not limited to, strike, riot, and acts of God. Time is of the essence in this Agreement.

ARTICLE 3

Contract Sum

Metro shall compensate Architect for services performed and materials delivered in the amounts set forth below:

<u>Contract Phase</u>	<u>Fee</u>
Concept Design (Phases I, II and III)	\$149,000.00
Design Development (Phases I and II)	168,000.00
Construction Drawings (Phase I)	181,000.00
Bidding and Negotiation (Phase I)	26,000.00
Construction Observation (Phase I)	<u>86,000.00</u>
LUMP SUM CONTRACT TOTAL	\$610,000.00

Payment shall be made in the manner and at the times as designated in Article 4, "Terms of Payment."

ARTICLE 4

Terms of Payment

A. On the 28th day of each month, Architect may invoice Metro for the percentage of completion mutually agreed upon by Architect and the Zoo Assistant Director. Each invoice shall be supported by a general description of work progress or such other evidence of Architect's right to payment as Metro may direct. Each invoice shall be approved in writing by the Zoo Assistant Director prior to payment. In the event the Zoo Assistant Director does not agree upon the invoice, he shall approve that portion of the invoice on which he does agree and shall submit in writing his objections to Architect on the unapproved portion within seven (7) days of the date of the invoice. Architect shall be paid for the approved portion of the invoice and shall be paid on the unapproved portion if no written objection is provided as required herein. If written objections are provided, Architect shall attempt to resolve such objections with the Zoo Assistant Director within five (5) working days and if there is not resolution, such objections shall be referred to the Deputy Executive Officer for final resolution. Said portion of the invoice shall not be paid until approved by the Deputy Executive Officer.

B. Metro shall pay Architect for the amount of all approved invoices within thirty (30) days after receipt of same.

C. Architect shall notify Metro in writing when all services are completed and all terms of this Agreement are satisfied by Architect. If Metro agrees, it shall acknowledge in writing within five (5) working days that the services are accepted. If Metro disagrees, it shall so notify Architect in writing within five (5) working days and advise of alleged deficiencies. Thereupon, Architect shall take or cause a subcontractor to take corrective measures, upon the conclusion of which Metro shall then issue its acceptance of the services.

D. Upon receipt of Metro's acceptance of services, Architect may submit its final invoice for all amounts which may then be due and payable.

ARTICLE 5

Expenses

Architect is solely responsible for the payment of consultants and subconsultants retained by Architect, none of whom are or will be third parties to this Agreement.

ARTICLE 6

Metro's Responsibilities

A. Metro shall provide full information regarding its requirements for the Scope of Work.

B. Metro designates _____ as its Project Coordinator authorized to act in its behalf. The representative shall examine submissions made by the Architect and shall render decisions pertaining thereto promptly to avoid unreasonable delay in the progress of the Architect's work.

C. Metro shall furnish information requested by Architect when mutually agreed upon, such as additional survey information and existing utility information, as expeditiously as necessary for the orderly progress of the work and the Architect shall be entitled to rely upon the accuracy and completeness thereof.

D. Metro shall pay for the cost of permits required after the construction bidding process, for plan checks, connection and user fees as they relate to the Scope of Work.

ARTICLE 7

Architect's Records

Records of the Architect's services performed shall be kept in accordance with the fee schedule included in Article 3, "Contract Sum," of this Agreement, and shall be available to Metro through monthly progress statements which shall accompany Architect's invoices.

ARTICLE 8

Liability and Indemnity

A. Architect is an independent contractor and assumes sole responsibility for the contents of its work and performance of its services and assumes full responsibility for all liability for bodily injuries or physical damage to person or property, including the site, arising out of or related to this Agreement.

B. Architect shall defend, indemnify, and hold harmless Metro, its agents and employees, from liability for any and all claims, demands, damages, actions, losses and expenses, including attorney's fees, arising out of any act, error or omission for which Architect would be liable to claimant, or for any patent infringement arising out of the use of Architect's designs. Architect shall also defend, indemnify and hold Metro harmless from any actions, suits or claims alleging liability based on Architect's acts, errors or omissions or those of Architect's consultants or subconsultants.

ARTICLE 9

Drawings and Data

All drawings, specifications, designs and data collected or prepared by Architect hereunder shall become the property of Metro and may be used for any purposes whatsoever, except that such drawings and data shall not be resold by Metro. Architect shall

have the right to use copies of all such documents prepared by it hereunder in the conduct of its business, without accounting to Metro. The drawings, specifications, designs and data are intended solely for the construction of the renovation of the Africa Bush Exhibit and related areas, and the Architect assumes no liability beyond this project.

ARTICLE 10

Termination

Metro may terminate this Agreement upon giving Architect seven (7) days written notice. In the event of termination, Architect shall be entitled to payment for work progress completed to the date of termination plus a \$3,000.00 termination fee. Termination by Metro shall not constitute a waiver of any claims, rights or remedies it may have against Architect.

ARTICLE 11

Public Contracts

Architect shall comply with all applicable provisions of ORS Chapters 187 and 279 and all other conditions and terms necessary to be inserted into public contracts in the state of Oregon, and such provisions are incorporated in this Agreement by reference. Architect acknowledges receipt of copies of ORS 187.010 through 187.020 and 279.310 through 279.430, which are also made a part of this Agreement as if restated herein in their entirety.

ARTICLE 12

Arbitration

Any controversy or claim arising out of or relating to this Agreement or the breach of this Agreement shall be exclusively settled by arbitration under the laws of the state of Oregon, in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association. All disputes shall be heard and decided by one arbitrator, unless either party makes claims which exceed \$100,000, in which even each party hereto shall select one arbitrator and the two so selected shall then select a third arbitrator. Each party hereto accepts jurisdiction of the courts of the state of Oregon for the purposes of commencing, conducting and enforcing such arbitration proceeds and agrees to accept notice in writing by registered letter addressed to said party of intention to proceed with arbitration and of any other step in connection therewith or enforcement thereof, with the same effect as though personally served therewith in the state of Oregon. The decision of the arbitrator shall be final and binding upon both parties who hereby agree to comply therewith. In every case where the arbitrator shall decide this Agreement has been properly fulfilled by Owner, or in every case where Owner has, before the arbitration decision has been rendered, offered settlement which meets or

exceeds the arbitrator's award which Architect refuses to accept, all costs and fees including attorney's fees and the arbitrator's fees incurred or necessitated by the arbitration proceeding shall be paid by Architect.

Architect agrees to consolidation of any arbitration between Architect and Metro with any other arbitration or court proceeding relating to or arising from this Project.

ARTICLE 13

Attorney's Fees

In the event suit or action is instituted to enforce any right granted herein, the prevailing party shall be entitled to, in addition to the statutory costs and disbursements, a reasonable attorney's fee to be fixed by the trial court; and on appeal, if any, similar fees in the appellate court to be fixed by the appellate court.

ARTICLE 14

Successors and Assigns

Metro and the Architect each binds itself, its partners, successors, assigns and legal representatives to the other party to this Agreement and to the partners, successors, assigns, and legal representatives of such other party with respect to all covenants to this Agreement. This Agreement may not under any condition be assigned or transferred by either party.

ARTICLE 15

Extent of Agreement

This Agreement represents the entire and integrated Agreement between Metro and the Architect and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both Metro and Architect.

ARTICLE 16

Responsibility for Construction Cost

Evaluations of the Owner's Project Budget and Statements of Probable Construction Cost represent the Architect's best judgment as a design professional familiar with the construction industry. It is recognized, however, that neither the Architect nor the Owner has control over the cost of labor, materials or equipment, over the General Contractor's methods of determining bid prices, or over competitive bidding, market or negotiating conditions. Accordingly, the Architect cannot and does not warrant or represent that bids will not vary from the project budget

established by the Owner, or from any Statement of Probable Construction Cost or other cost estimate prepared by the Architect. However, if the lowest bid for construction of the project exceeds the proposed budget by 20 percent or more, Architect will amend its work to conform to the proposed budget at no additional charge to Metro.

ARTICLE 17

Notices

Any notice to be given by one party to the other shall be in writing and addressed as follows:

Metro: Metro's Washington Park Zoo
Attention: A. M. Rich
4001 S. W. Canyon Road
Portland, OR 97221

Jones & Jones Jones & Jones
Attention: Keith Larson
233 S. W. Front Avenue
Portland, OR 97204

METROPOLITAN SERVICE DISTRICT

By: _____
Title: _____
Date: _____

JONES & JONES

By: _____
Title: _____
Date: _____

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