

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF PROVIDING FOR)	RESOLUTION NO. 84-454
THE ASSESSMENT OF DUES TO LOCAL)	
GOVERNMENTS FOR FY 1984-85)	Introduced by the
)	Council Coordinating Committee

WHEREAS, ORS Chapter 268 authorizes the Council of the
Metropolitan Service District 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,


BE IT RESOLVED,

That the Council of the Metropolitan Service District
hereby establishes local government dues assessments within the
District in the amount of \$.50 per capita for fiscal year 1984-85;
and

BE IT FURTHER RESOLVED,

That notification of the assessment be sent to all cities
and counties within the District prior to March 2, 1984.

ADOPTED by the Council of the Metropolitan Service District
this 23rd day of February, 1984.



Presiding Officer

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02/22/84

STAFF REPORT

Agenda Item No. 6.7

Meeting Date February 23, 1984

CONSIDERATION OF FY 1984-85 LOCAL GOVERNMENT DUES
ASSESSMENT

Date: February 6, 1984

Presented by: Jennifer Sims

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 1984-85 assessment by no later than March 2, 1984. Assessments charged to cities and counties are mandatory and they must pay them before October 1.

A copy of the assessment portion of Chapter 353 Oregon Laws 1981 is attached as Exhibit A.

Proposed FY 1984-85 Assessment

Exhibit B attached provides a comparison of the FY 1983-84 actual assessments with two possible alternatives for FY 1984-85. One alternative is an assessment based on \$.50 per capita (the rate used for FY 1983-84), and the second being an assessment based on the \$.51 per capita maximum. The assessments for the Port of Portland and Tri-Met are voluntary. It is proposed that their assessments remain at the FY 1983-84 level of \$57,500.

The proposed assessments are based upon the latest certified population figures from the Center for Population Research and

Census at Portland State University. As indicated in the footnotes to Exhibit B, the certified population date is July 1, 1983 (with the exception of certain cities which have received a certified population estimate for December 31, 1983). The County's unincorporated population estimate is based upon data provided by the Center for Population Research using a formula devised by Metro staff. The formula is as follows:

- Step 1 Determine the percentage difference between the unincorporated County-wide 1980 certified population estimate (from the Secretary of State's office 09/15/81) and the unincorporated County-wide 1983 certified estimate.
- Step 2 Multiply the percentage figure derived in Step 1 by the 1980 unincorporated county population inside the Metro boundary to determine the estimated 1980-1983 growth inside the Metro boundary.
- Step 3 Add the population increase figure derived in Step 2 to the 1980 unincorporated county inside the Metro boundary. If the county-wide unincorporated population estimate is lower in 1983 than in 1980 (Step 1), the population figure derived in Step 2 would be subtracted from the 1980 county estimate.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends that the Council maintain the current level of dues assessment at \$.50 per capita.

COMMITTEE CONSIDERATION AND RECOMMENDATION

On February 13, 1984, the Council Coordinating Committee unanimously recommended Council adoption of a FY 1984-85 Local Government Dues Assessment of \$.50 per capita.

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(3) Notwithstanding ORS 198.580, a number of signatures of qualified voters equal to but not greater than four percent of the total number of all votes cast in the district for all candidates for Governor at the election at which a Governor was elected for a term of four years next preceding the filing of the petition shall be required to order a referendum on district legislation or a part thereof. A number of signatures equal to but not greater than six percent of the votes cast for Governor in the district shall be required for a petition to propose an initiative ordinance.

(4) In addition to the provisions of ORS 268.990, violation of the district's ordinances [or rules] may be enjoined by the district upon suit in a court of competent jurisdiction.

(5) In addition to any other penalty provided by law, any person who violates any ordinances or order of the district pertaining to one or more of its authorized functions shall incur a civil penalty not to exceed \$500 a day for each day of violation.

(6) The civil penalty authorized by subsection (5) of this section shall be established, imposed and collected in the same manner as civil penalties are established, imposed and collected under ORS chapter 468.

Section 5. ORS 268.513 is amended to read:

268.513. (1) The council, in its sole discretion, may determine that it is necessary to charge the cities[,] and counties [and other municipal corporations] 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) If the council determines that it is necessary to charge other municipal corporations within the district it shall do so in a fair manner, proportionate to the services and activities the district will perform for those governmental bodies provided, however, that the service charge shall not exceed the rate of 51 cents per capita each year.]

[(3)] (2) The council shall notify each [governmental body] city and county of its intent to assess and the amount it proposes to assess each [governmental body] city and county at least [30] 120 days before the beginning of the fiscal year for which the charge will be made.

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

[(5)] (4) This section shall not apply to a fiscal year which ends later than June 30, [1981] 1985.

SECTION 6. (1) For the fiscal year beginning on July 1, 1981, the council shall notify each city and county within the district of its intent to assess a service charge under ORS 268.513, and the amount of the charge, not later than September 1, 1981.

(2) For the fiscal year beginning on July 1, 1981, ORS 294.480 (3) shall not apply to any city or county making additional appropriations and expenditures under a supplemental budget prepared for the purpose of paying a service charge under ORS 268.513. This subsection does not authorize any increased levy of taxes.

SECTION 7. This Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Act takes effect on passage.

Approved by the Governor July 18, 1981.

Filed in the office of Secretary of State July 20, 1981.

EXHIBIT B

ACTUAL FY 1983-84 AND PROPOSAL FY 1984-85
LOCAL GOVERNMENT ASSESSMENTS

UNIT	ACTUAL FY 1983-84		PROPOSED FY 1984-85		
	Pop. Est. 1982	Assess. @ \$.50/	Pop. Est. ¹ 1983	Assess. @ \$.50/	Assess. @ \$.51/
Clackamas Co. (unincorp.)	81,394	\$ 40,697.00	82,138	\$41,069.00	\$41,890.38
Gladstone	9,680	4,840.00	9,445	4,722.50	4,816.95
Happy Valley	1,480	740.00	1,480	740.00	754.80
Johnson City	355	177.50	375	187.50	191.25
Lake Oswego	22,845	11,422.50	22,740 ³	11,370.00	11,597.40
Milwaukie	17,727	8,863.50	17,350	8,675.00	8,848.50
Oregon City	14,610	7,305.00	14,291 ³	7,145.50	7,288.41
Rivergrove	325	162.50	320	160.00	163.20
West Linn	12,400	6,200.00	11,371 ³	5,685.50	5,799.21
Wilsonville	3,390	1,695.00	3,320	1,660.00	1,693.20
Multnomah Co. (unincorp.)	144,633	72,316.50	141,143 ^{2,3}	70,571.50	71,982.93
Fairview	1,745	872.50	1,780	890.00	907.80
Gresham	34,377	17,188.50	34,340	17,170.00	17,513.40
Maywood Park	1,070	535.00	820	410.00	418.20
Portland	368,100	184,050.00	365,044 ³	182,522.00	186,172.44
Troutdale	6,545	3,272.50	6,640	3,320.00	3,386.40
Wood Village	2,510	1,255.00	2,465	1,232.50	1,257.15
Washington Co. (unincorp.)	119,627	59,813.50	117,348 ^{2,3}	58,674.00	59,847.48
Beaverton	33,640	16,820.00	33,050	16,525.00	16,855.50
Cornelius	4,896	2,448.00	4,910	2,455.00	2,504.10
Durham	700	350.00	680	340.00	346.80
Forest Grove	11,919	5,959.50	11,500	5,750.00	5,865.00
Hillsboro	29,305	14,652.50	29,674 ³	14,837.00	15,133.74
King City	1,860	930.00	1,800	900.00	918.00
Sherwood	2,554	1,277.00	2,520	1,260.00	1,285.20
Tigard	18,004	9,002.00	18,221 ³	9,110.50	9,292.71
Tualatin	9,400	4,700.00	9,752 ³	4,876.00	4,973.52
LOCAL GOVERNMENT ASSESSMENT	955,091	\$477,545.50	944,517	\$472,258.50	\$481,703.67
Port of Portland				\$57,500.00	
Tri-Met				\$57,500.00	
TOTAL PROPOSED ASSESSMENT				\$587,258.50	

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FOOTNOTES TO EXHIBIT B

¹Population estimate based upon July 1, 1983 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 -	1983 Unincorporated Pop. Est.	147,620
	1980 Unincorporated Pop. Est.	<u>143,800</u>
		+3,820

$$3,820 : 143,800 = .0266$$

Step 2 - $.0266 \times 80,010$ (1980 Unincorporated inside Metro) =
2,128

Step 3 - $2,128 + 80,010 = \underline{82,138}$ 1983 estimate

Multnomah County:

Step 1 -	1983 Unincorporated Pop. Est.	146,536
	1980 Unincorporated Pop. Est.	<u>152,259</u>
		-5,723

$$5,723 : 152,259 = -.0376$$

Step 2 - $-.0376 \times 146,657$ (1980 Unincorporated inside Metro) =
-5,514

Step 3 - $-5,514 + 146,657 = \underline{141,143}$ 1983 estimate

Washington County:

Step 1 -	1983 Unincorporated Pop. Est.	142,829
	1980 Unincorporated Pop. Est.	<u>143,753</u>
		-924

$$-924 : 143,753 = .0064$$

Step 2 - $.0064 \times 118,104$ (1980 unincorporated inside Metro) =
-756

Step 3 - $-756 + 118,104 = \underline{117,348}$ 1983 estimate

³Certified population as of December 31, 1983 from center for population research and census (Supplement I).