

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF RESCINDING) RESOLUTION NO. 90-1197
ORDER NO. 89-21 AND)
AUTHORIZING PAYMENT OF THE) Introduced by
RELOCATION CLAIM OF THE) Councilor Ruth McFarland
VENETIAN BLIND COMPANY)

WHEREAS, Venetian Blind Company submitted a relocation claim to the Metropolitan Service District pursuant to the District's Relocation Regulations; and

WHEREAS, Venetian Blind Company's request for additional compensation under the Relocation Regulations was referred to a Hearings Officer for a contested case hearing;

WHEREAS, On February 15, 1989, a contested case hearing was held before the Hearings Officer, at which time the parties submitted testimony and evidence; and

WHEREAS, On March 27, 1989, the Hearings Officer submitted Findings of Fact, Opinion, and Recommendation; and

WHEREAS, Venetian Blind Company submitted Exceptions to the Hearings Officer's Findings of Fact, Opinion, and Recommendation; and

WHEREAS, At its June 22, 1989, meeting the Council of the Metropolitan Service District, after reviewing the Hearings Officer's Report, the Exceptions, and hearing the oral arguments of the parties, remanded the case back to the Hearings Officer for the limited purpose of obtaining additional evidence on the costs for the woodworking and paint rooms at Venetian Blind Company's new location; and

WHEREAS, On August 22, 1989, the Hearings Officer held a hearing to receive additional evidence regarding the costs claimed for the woodworking and paint rooms; and

WHEREAS, On October 17, 1989, the Hearings Officer submitted his revised Findings of Fact, Opinion, and Recommendation; and

WHEREAS, At its November 9, 1989, meeting, the Council reviewed the record and exceptions, and heard oral argument from the parties; and

WHEREAS, At its November 9, 1989, meeting, the Council adopted the Hearings Officer's Findings of Fact, Opinion and Recommendation denying Venetian Blind Company's claim for reimbursement of costs related to the woodworking and paint rooms at its new location; and

WHEREAS, The record establishes that the additional costs claimed by Venetian Blind Company were incurred to build a woodworking room and a paint room, and that these rooms are an essential part of Venetian Blind Company's business operations; now, therefore,

BE IT RESOLVED,

1. That Order No. 89-21 denying the claim of the Venetian Blind Company for reimbursement of costs related to the woodworking and paint rooms at its new location is rescinded.

2. That the Metropolitan Service District pay the Venetian Blind Company the sum of \$34, 839.54 for costs incurred to build a woodworking room and a paint room at its new location.

ADOPTED by the Council of the Metropolitan Service

District this _____ day of _____, 1989.

NOT ADOPTED

Mike Ragsdale, Presiding Officer

Considered 12/28/89
by Convention Committee
and tabled



METRO

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

DATE: December 14, 1989
TO: Mike Ragsdale, Presiding Officer
FROM: Councilor Ruth McFarland *RMF*
RE: ORDER NO. 89-21

Please find attached a copy of Resolution No. 90-1197, For the Purpose of Rescinding Order No. 89-21 and Authorizing Payment of the Relocation Claim of the Venetian Blind Company.

I am introducing this for Council consideration and request you refer the resolution to the Council Convention Center, Zoo and Visitor Facilities Committee.

RM:DEC:pa
A:\RM1214.mem