

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING ) RESOLUTION NO. 95-2249  
AN AMENDMENT TO THE EXISTING )  
INTERGOVERNMENTAL AGREEMENT ) Introduced by Mike Burton,  
WITH MULTNOMAH COUNTY REGARD- ) Executive Officer  
ING PARKS AND OTHER FACILITIES )

WHEREAS, Metro and Multnomah County entered into an Intergovernmental Agreement in December of 1993 which provided for the transfer of certain Multnomah County parks, natural areas, golf courses, cemeteries, and trade/spectator facilities from Multnomah County to Metro; and

WHEREAS, The agreement provides for an automatic termination effective July 1, 1996, unless Metro and Multnomah County have entered into a mutual written agreement for a final transfer of facilities' ownership by January 1, 1996; and

WHEREAS, A Metro negotiating team and representatives of Multnomah County have reached a tentative agreement for final transfer of facilities from the County to Metro; and

WHEREAS, The parties desire to extend the deadline for reaching a final written agreement for such transfer from January 1, 1996, to April 1, 1996, in order to complete an orderly preparation of documents for consideration by the Metro Council and the Multnomah County Board in a timely fashion; now, therefore,

BE IT RESOLVED,

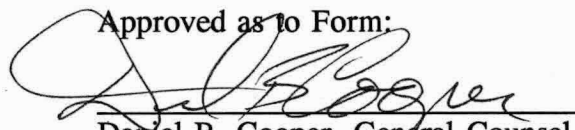
That the Executive Officer is authorized to enter into an agreement amending the existing Intergovernmental Agreement regarding transfer of Multnomah County parks,

natural areas, golf courses, cemeteries, and trade/spectator facilities presently owned and operated by Multnomah County to Metro in a form substantially similar to the attached Exhibit "A."

ADOPTED by the Metro Council this 14 day of Dec., 1995.

  
\_\_\_\_\_  
J. Ruth McFarland, Presiding Officer

Approved as to Form:

  
\_\_\_\_\_  
Daniel B. Cooper, General Counsel

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EXHIBIT "A"

AMENDMENT NO. 1

INTERGOVERNMENTAL AGREEMENT

Intergovernmental Agreement Regarding Transfer of Regional Parks,  
Natural Areas, Golf Courses, Cemeteries, and Trade/Spectator Facilities  
Presently Owned and Operated by Multnomah County to Metro  
Dated as of December 9, 1993

Effective on the last date of execution hereof Metro and Multnomah County hereby agree that SECTION 7(B) Automatic Termination is amended to read as follows:

In the event that the parties do not reach a mutual written agreement for PHASE II, Transfer of Ownership, by ~~January 1, 1996~~ ~~April 1, 1996~~, this Agreement shall terminate effective June 30, 1996. On the effective date of the termination, the event described in subsection (D)(1-9) of this Section shall occur.

All other terms and conditions of the Agreement shall remain unchanged.

APPROVED AS TO FORM

MULTNOMAH COUNTY

\_\_\_\_\_  
Multnomah County Counsel

By: \_\_\_\_\_  
Beverly Stein, County Chair  
Date: \_\_\_\_\_

APPROVED AS TO FORM

METRO

\_\_\_\_\_  
Metro General Counsel

By: \_\_\_\_\_  
Mike Burton,  
Executive Officer  
Date: \_\_\_\_\_

## STAFF REPORT

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### RESOLUTION NO. 95-2249, AUTHORIZING AN AMENDMENT TO THE EXISTING INTERGOVERNMENTAL AGREEMENT WITH MULTNOMAH COUNTY REGARDING PARKS AND OTHER FACILITIES

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Date: December 7, 1995

Presenter: Executive Officer Mike Burton

**BACKGROUND:** The Council adopted Resolution No. 93-1877 on December 9, 1993, which approved an Intergovernmental Agreement (IGA) with Multnomah County for the transfer of Expo Center and Regional Parks management to Metro, effective January 1, 1994. The IGA stipulated that, "In the event that the parties do not reach a mutual written agreement for PHASE II, Transfer of Ownership, by January 1, 1996, this Agreement shall terminate effective June 30, 1996."

Metro and Multnomah County representatives have negotiated the terms of a final transfer of the County facilities, including Expo, Blue Lake and Oxbow Regional Parks, Glendoveer Golf Course, fourteen Pioneer Cemeteries, and other facilities. Negotiators for Metro were Executive Officer Mike Burton and Presiding Officer Ruth McFarland; for Multnomah County, County Chair Beverly Stein and Commissioner Tanya Collier. These officials agreed in principle on November 27 to the terms of a final transfer. Legal counsel and staffs of both agencies are working to prepare a Phase II IGA to effect the transfer, to be effective July 1, 1996.

Resolution No. 95-2249 proposes to amend the original Intergovernmental Agreement to extend for three months the deadline for a mutual written agreement to transfer the facilities from Multnomah County to Metro. This resolution is needed to avoid triggering the automatic termination provision in the 1993 IGA, returning the facilities to the County. Approval of Resolution 95-2249 only extends the time for preparation of the final agreement; it does not constitute approval of the final transfer itself. The Phase II IGA making the transfer will come before Council for consideration when it has been drafted.

**RECOMMENDATION:** The Executive Officer recommends approval of Resolution No. 95-2249.