

METROPOLITAN EXPOSITION-RECREATION COMMISSION

RESOLUTION NO. 94-63

Authorizing an agreement for PCPA participation in the Clean and Safe Services District for 1994-97, and payment of the revised fee in FY 1994-95.

The Metro Exposition-Recreation Commission finds:

1. The Commission has approved PCPA participation in the Economic Improvement District for supplementary services necessary in the downtown for the period 1988 through 1994, including budget authorization for FY 1994-95;

2. The supplementary maintenance and security services are proposed to be continued under the Clean and Safe Services District for 1994-97 under the revised funding mechanism of a property management license fee, approved by the City of Portland;

3. PCPA facilities have been identified as eligible for a non-standard negotiated fee, and negotiations have been concluded as follows:

1994-95	\$26,125
1995-96	\$30,000
1996-97	\$35,000

4. The approved PCPA FY 1994-95 Budget contains sufficient funds in the appropriate category to pay the revised fee in year one of the revised 3-year program, and subsequent agreed payments would be subject to availability of funds and budgetary approval.

Be it therefore resolved that the Metro Exposition-Recreation Commission approves PCPA participation in Clean and Safe District for 1994-97 and payment of the above fee for 1994-95.

Passed by the Commission on October 19, 1994.


Chairman


Secretary/Treasurer

Approved As to Form:
Daniel B. Cooper, General Counsel

By: 
Mark B. Williams
Senior Assistant Counsel

MERC STAFF REPORT

Agenda Item/Issue: Authorization and approval of PCPA participation in Economic Improvement District for 1994-95 thru 1997-98

Resolution No. 94-63

Date: October 19, 1994 Presented By: Harriet Sherburne

Background and Analysis: The three buildings which comprise the Portland Center for the Performing Arts are located within the boundaries of the Economic Improvement District (EID) of Downtown Portland established 1988-91 and 1991-93. The program is under the administration of the Association for Portland Progress (APP) and has been renamed the Clean and Safe District, providing an array of supplemental services within the defined 220 block area. Property owners in the district (including MERC) have been voluntarily funding the program since its inception, on the basis of 3-year agreements; a new 3-year agreement cycle begins October, 1994. The budget for the program has undergone critical review to define the character and frequency of service necessary to achieve the "clean and safe" community objectives. Because of the changes in Oregon law for assessments of this nature, the program has revised the financial mechanism to a property management license fee that creates a fair method for funding the needed downtown services. The revised funding mechanism was approved by the Portland City Council earlier in 1994, with broad support from the participating property owners.

It has been acknowledged that the activities in PCPA facilities contribute to the vitality and safety of the Downtown area; likewise, PCPA benefits from the activities of the program to maintain a clean and safe environment for its performances and audiences. PCPA had an assessment of \$18,442 for 1988-91; the same rate was continued for the second interval 1991-94. Under the revised funding mechanism, the license fee would be changed substantially. However, as the program proceeded through the City's legislative approval, it was determined that PCPA qualified for a negotiated rate, rather than the standard calculation for financial participation. Negotiations with APP have occurred, with the parties attaining agreement on a 3-year schedule of payments which would be made, providing funds are available and approved through the annual budget process:

1994-95	\$26,125
1995-96	\$30,000
1996-97	\$35,000

Fiscal Impact: The approved 1994-95 PCPA Budget includes \$28,500 for payments to other agencies, which includes this payment. The category is sufficient to cover the increased payment for the first year of the new agreement. The 1995-96 figure will be incorporated in the proposal for FY 1995-96.

Recommendation: It is recommended that the Metro Exposition-Recreation Commission authorize PCPA participation in the Clean and Safe Services District for 1994-97, and payment of \$26,125 in 1994-95.

**Amendment to Agreement Between
Metro Exposition-Recreation Commission
and
Friends of the Performing Arts Center**

Recitals:

The parties entered into an Agreement dated September 8, 1993 and extending through September 30, 1994; and

The parties have performed the respective Duties and purposes with respect to the PCPA under the Agreement; and

The parties have determined that is in the interest of both MERC and Friends to continue the agreement for an extended term.

Amendment:

Section 1. Term of the Agreement. This Agreement is effective as of the initial date and will continue in force until June 30, 1996, unless terminated earlier by the parties.

Section 2. Amount and Payment. The maximum amount to be received from MERC for use by the Friends is \$2,500 per MERC fiscal year, to be paid as requisitioned based on costs incurred or obligated.

All other terms and conditions of the Agreement shall be continued without change.

This amendment was entered into between the parties on this nineteenth day of October, 1994.

Metro Exposition Recreation Commission

by: _____

Friends of the Performing Arts Center

by _____
Jim Neill, President