

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1994-95)	ORDINANCE NO. 94-565 <u>B</u>
BUDGET AND APPROPRIATIONS)	
SCHEDULE BY TRANSFERRING \$34,935)	Introduced by Rena Cusma,
FROM THE SOLID WASTE REVENUE FUND)	Executive Officer
CONTINGENCY TO THE ADMINISTRATION)	
DIVISION MATERIALS & SERVICES, LEGAL)	
FEES LINE ITEM FOR THE PURPOSE OF)	
PROVIDING LEGAL SERVICES REGARDING)	
METRO EXECUTIVE OFFICER)	
CONTRACTING AUTHORITY)	

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1994-95 Budget; and

WHEREAS, The need for a transfer of appropriation has been justified; and

WHEREAS, Adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL HEREBY ORDAINS;

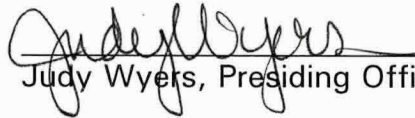
1. That the FY 1994-95 Budget and Schedule of Appropriations are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$34,935 from the Solid Waste Revenue Fund Contingency to the Administration Division Materials & Services, Legal Fees line item to fund legal services for the Executive Officer in determining contract authority.

2. That the FY 1994-95 Budget will reflect a transfer of \$45,000 in the Solid Waste Revenue Fund Administration Division Materials & Services from

ORDINANCE NO. 94-565B

Misc. Professional Services to the Legal Fees line item as shown in Exhibit A, to improve tracking of expenditures for Council legal expenses relating to contract authority suit.

ADOPTED by the Metro Council this 22 day of September, 1994.



Judy Wyers, Presiding Officer

ATTEST:



Clerk of the Council

Exhibit A
Ordinance No. 94-565B

Solid Waste Revenue Fund

FISCAL YEAR 1994-95		CURRENT BUDGET		REVISION		ORD. NO. 94-565B	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Operating Account (Administration)							
	Total Personal Services	10.50	552,982			10.50	552,982
	<u>Materials & Services</u>						
521100	Office Supplies		21,565				21,565
521260	Printing Supplies		5,974				5,974
521293	Promotion Supplies		650				650
521310	Subscriptions		8,193				8,193
521320	Dues		2,725				2,725
521540	Maintenance & Repairs Supplies-Equipment		490				490
524120	Legal Fees		0		79,935		79,935
524190	Misc. Professional Services		45,000		(45,000)		0
525640	Maintenance & Repairs Services-Equipment		1,414				1,414
525710	Equipment Rental		1,030				1,030
526200	Ads & Legal Notices		1,715				1,715
526310	Printing Services		9,075				9,075
526410	Telephone		8,034				8,034
526420	Postage		310				310
526440	Delivery Service		1,895				1,895
526500	Travel		6,222				6,222
526510	Mileage Reimbursement		672				672
526700	Temporary Help Services		12,855				12,855
526800	Training, Tuition, Conferences		6,570				6,570
529500	Meetings		1,600				1,600
529800	Miscellaneous		1,500				1,500
	Total Materials & Services		137,489		34,935		172,424
	TOTAL EXPENDITURES	10.50	690,471		34,935	10.50	725,406
General Expenses							
	Total Interfund Transfers		3,686,836				3,686,836
599999	Contingency		8,291,755		(34,935)		8,256,820
599990	Unappropriated Fund Balance		14,651,441				14,651,441
	Total Contingency and Unappropriated Balance		22,943,196		(34,935)		22,908,261
TOTAL S. W. REVENUE FUND EXPENDITURES		102.95	90,550,007		0	102.95	90,550,007

Exhibit B
Ordinance No. 94-565B

FY 1994-95 SCHEDULE OF APPROPRIATIONS

	Current		ORD. No. 94-565
	Appropriation	Revision	Proposed
			Appropriation
SOLID WASTE REVENUE FUND			
Administration			
Personal Services	552,982		552,982
Materials & Services	137,489	34,935	172,424
Subtotal	690,471	34,935	725,406
Budget and Finance			
Personal Services	495,560		495,560
Materials & Services	1,072,255		1,072,255
Subtotal	1,567,815		1,567,815
Operations			
Personal Services	2,362,635		2,362,635
Materials & Services	43,060,626		43,060,626
Subtotal	45,423,261		45,423,261
Engineering & Analysis			
Personal Services	723,405		723,405
Materials & Services	224,751		224,751
Subtotal	948,156		948,156
Waste Reduction			
Personal Services	557,059		557,059
Materials & Services	1,178,421		1,178,421
Subtotal	1,735,480		1,735,480
Planning and Technical Services			
Personal Services	548,384		548,384
Materials & Services	377,033		377,033
Subtotal	925,417		925,417
Recycling Information and Education			
Personal Services	377,608		377,608
Materials & Services	217,518		217,518
Subtotal	595,126		595,126

Debt Service Account			
Debt Service	2,879,579		2,879,579
Subtotal	2,879,579		2,879,579
Landfill Closure Account			
Materials & Services	6,344,000		6,344,000
Subtotal	6,344,000		6,344,000
Construction Account			
Capital Outlay	1,650,000		1,650,000
Subtotal	1,650,000		1,650,000
Renewal and Replacement Account			
Capital Outlay	149,000		149,000
Subtotal	149,000		149,000
General Account			
Capital Outlay	661,670		661,670
Subtotal	661,670		661,670
Master Project Account			
Debt Service	350,000		350,000
Subtotal	350,000		350,000
General Expenses			
Interfund Transfers	3,686,836		3,686,836
Contingency	8,291,755	(34,935)	8,256,820
Subtotal	11,978,591	(34,935)	11,943,656
Unappropriated Balance	14,651,441		14,651,441
Total Fund Requirements	90,550,007	0	90,550,007
TOTAL APPROPRIATIONS	203,772,351	203,772,351	203,772,351

All Other Appropriation Levels Remain as Previously Adopted

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1994-95)	ORDINANCE NO. 94-565B
BUDGET AND APPROPRIATIONS)	
SCHEDULE BY TRANSFERRING \$68,262)	Introduced by Rena Cusma,
34,935 FROM THE SOLID WASTE REVENUE)	Executive Officer
FUND CONTINGENCY TO THE)	
ADMINISTRATION DIVISION MATERIALS &)	
SERVICES, [MISC. PROFESSIONAL)	
SERVICES ACCOUNT] <u>LEGAL FEES LINE</u>)	
<u>ITEM</u> FOR THE PURPOSE OF PROVIDING)	
LEGAL SERVICES REGARDING METRO)	
EXECUTIVE OFFICER CONTRACTING)	
AUTHORITY; AND DECLARING AN)	
EMERGENCY)	

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1994-95 Budget; and

WHEREAS, The need for a transfer of appropriation has been justified; and

WHEREAS, Adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL HEREBY ORDAINS;

1. That the FY 1994-95 Budget and Schedule of Appropriations are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$~~[68,262]~~ 34,935 from the Solid Waste Revenue Fund Contingency to the Administration Division Materials & Services, [~~Misc. Professional Services account]~~ Legal Fees line item to fund legal services for the Executive Officer in determining contract authority.

2. That the FY 1994-95 Budget will reflect a transfer of \$45,000 in the Solid Waste Revenue Fund Administration Division Materials & Services from Misc. Professional Services to the Legal Fees line item as shown in Exhibit A, to improve tracking of expenditures for Council legal expenses relating to the contract authority suit.

ORDINANCE NO. 94-565B

[2] 3. This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this _____ day of _____, 1994.

ATTEST:

Ed Washington, Deputy Presiding Officer

Clerk of Council

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FINANCE COMMITTEE REPORT

ORDINANCE NO. 94-565A, AMENDING THE FY 1994-95 BUDGET AND APPROPRIATIONS SCHEDULE BY TRANSFERRING \$68,262 FROM THE SOLID WASTE REVENUE FUND CONTINGENCY TO THE ADMINISTRATION DIVISION MATERIALS & SERVICES, LEGAL FEES LINE ITEM FOR THE PURPOSE OF PROVIDING LEGAL SERVICES REGARDING METRO EXECUTIVE OFFICER CONTRACTING AUTHORITY, AND DECLARING AN EMERGENCY

Date: September 1, 1994

Presented by: Councilor Van Bergen

COMMITTEE RECOMMENDATION: At its August 24, 1994 meeting the Finance Committee voted 5-2 to recommend Council adoption of Ordinance No. 94-565. Voting in favor were Councilors Monroe, Kvistad, McLain, Van Bergen, and Washington. Councilors Devlin and Gardner voted in opposition. Councilor Buchanan was absent.

COMMITTEE DISCUSSION/ISSUES: Deputy Executive Officer Dick Engstrom presented the staff report. Councilor Van Bergen asked how much had been billed in this fiscal period. Mr. Engstrom said there have been no bills in FY 1994-95; bills from the previous fiscal year total some \$6,800.

Councilor Van Bergen said he supports the ordinance, but did not support placing the funds in Miscellaneous Professional Services. He said the funds for this lawsuit should be segregated from other "miscellaneous" funds. Council Administrator Don Carlson said the line item in question is also the source of funds for the Council's attorneys in this suit.

Councilor Gardner asked what would be the effect of this ordinance not being approved. Mr. Engstrom said the Executive would not have any money for legal representation in the suit. Councilor Gardner and Mr. Engstrom confirmed that there is an existing contract with Jacob Tanzer for legal services, which is limited to \$10,000; Mr. Engstrom noted that Resolution No. 94-2014 is a companion to this ordinance, which would increase the amount of that contract. Councilor Gardner asked if other funds could be made available for the Executive's legal expenses if the ordinance is not approved. Mr. Engstrom said he is aware of none.

Councilor Devlin said he opposes this ordinance and the resolution because he thinks there is a more cost-effective way to resolve the issues than by bringing this suit. He added that he will also vote against expenditures for Council's legal costs.

Councilor Gardner said he also opposes the lawsuit, and will vote against any expenditures that support it.

Councilor Van Bergen moved the ordinance, with an amendment stipulating that the \$68,262 it authorizes be placed in an account identified as "professional services account to fund legal services for the Executive Officer in determining contract authority."

Councilor Kvistad said he did not want to support the ordinance because he does not support the actions taken by the Executive Officer regarding the Oregon Waste Systems contract amendment, but he also understands that the Council has an obligation to fund the Executive's legal costs if it funds Council's legal costs.

Councilor Van Bergen said the Executive is entitled to the funds to pay her lawyer, just as the Council is entitled. He added that it is up to the court to decide the matter in question.

Councilor McLain said she supports the legislation before the committee because the issue needs resolution, and that requires the services of attorneys. She said resolution of the issue is needed to add credence to the Metro Code.

Councilor Monroe noted that although the Council disagreed with the Executive's actions, she took those actions consistent with legal advice she had received.

Councilor Washington said he supports the ordinance out of a sense of fairness, saying that the Executive deserves the opportunity for legal defense.

Chair Monroe opened a public hearing and no one testified.

Councilor Gardner said he agrees that a vote on this issue should not be interpreted as an expression of support or opposition to the Executive's actions. He said he would vote against the ordinance to express his opposition to the Council's action in initiating the litigation.

NOTE: The amendment approved by the Committee to segregate the money for legal fees into a separate account has been drafted to place the \$68,262 into line item 524120 - Legal Fees. Accounting Manager Don Cox has created a specific account number for the Executive Officer's legal fees, and another account for the Council's legal fees. The Council's account is tentatively established in the same Legal Fees line item, but will not become effective unless the Council acts to amend this ordinance to move its legal funds from Miscellaneous Professional Services to Legal Fees. Prior to this action, the Legal Fees line item had no appropriation, so any expenditures from it would be easily tracked against the appropriations for costs in this lawsuit.

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1994-95) ORDINANCE NO. 94-565A
BUDGET AND APPROPRIATIONS)
SCHEDULE BY TRANSFERRING \$68,262) Introduced by Rena Cusma,
FROM THE SOLID WASTE REVENUE FUND) Executive Officer
CONTINGENCY TO THE ADMINISTRATION)
DIVISION MATERIALS & SERVICES, [~~MISC:~~)
~~PROFESSIONAL SERVICES ACCOUNT~~])
LEGAL FEES LINE ITEM FOR THE PURPOSE)
OF PROVIDING LEGAL SERVICES)
REGARDING METRO EXECUTIVE OFFICER)
CONTRACTING AUTHORITY; AND)
DECLARING AN EMERGENCY)

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1994-95 Budget; and

WHEREAS, The need for a transfer of appropriation has been justified; and

WHEREAS, Adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL HEREBY ORDAINS;

1. That the FY 1994-95 Budget and Schedule of Appropriations are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$68,262 from the Solid Waste Revenue Fund Contingency to the Administration Division Materials & Services, [~~Misc. Professional Services account~~] Legal Fees line item to fund legal services for the Executive Officer in determining contract authority.

2. This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this _____ day of _____, 1994.

ATTEST:

Ed Washington, Deputy Presiding Officer

Clerk of Council

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Exhibit A
Ordinance No. 94-565A
Solid Waste Revenue Fund

FISCAL YEAR 1994-95		ADOPTED BUDGET		REVISION		ORD. NO. 94-565	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Operating Account (Administration)							
	Total Personal Services	10.50	552,982			10.50	552,982
	<u>Materials & Services</u>						
521100	Office Supplies		21,565				21,565
521260	Printing Supplies		5,974				5,974
521293	Promotion Supplies		650				650
521310	Subscriptions		8,193				8,193
521320	Dues		2,725				2,725
521540	Maintenance & Repairs Supplies-Equipment		490				490
524120	Legal Fees		0		68,262		68,262
524190	Misc. Professional Services		45,000				45,000
525640	Maintenance & Repairs Services-Equipment		1,414				1,414
525710	Equipment Rental		1,030				1,030
526200	Ads & Legal Notices		1,715				1,715
526310	Printing Services		9,075				9,075
526410	Telephone		8,034				8,034
526420	Postage		310				310
526440	Delivery Service		1,895				1,895
526500	Travel		6,222				6,222
526510	Mileage Reimbursement		672				672
526700	Temporary Help Services		12,855				12,855
526800	Training, Tuition, Conferences		6,570				6,570
529500	Meetings		1,600				1,600
529800	Miscellaneous		1,500				1,500
	Total Materials & Services		137,489		68,262		205,751
	TOTAL EXPENDITURES	10.50	690,471		68,262	10.50	758,733
General Expenses							
	Total Interfund Transfers		3,686,836				3,686,836
599999	Contingency		8,291,755		(68,262)		8,223,493
599990	Unappropriated Fund Balance		14,651,441				14,651,441
	Total Contingency and Unappropriated Balance		22,943,196		(68,262)		22,874,934
	TOTAL REVENUE FUND EXPENDITURES	102.95	90,550,007		0	102.95	90,550,007

**Exhibit B
Ordinance No. 94-565A**

FY 1994-95 SCHEDULE OF APPROPRIATIONS

	Current		ORD. No. 94-565
	Appropriation	Revision	Proposed
			Appropriation
SOLID WASTE REVENUE FUND			
Administration			
Personal Services	552,982		552,982
Materials & Services	137,489	68,262	205,751
Subtotal	690,471	68,262	758,733
Budget and Finance			
Personal Services	495,560		495,560
Materials & Services	1,072,255		1,072,255
Subtotal	1,567,815		1,567,815
Operations			
Personal Services	2,362,635		2,362,635
Materials & Services	43,060,626		43,060,626
Subtotal	45,423,261		45,423,261
Engineering & Analysis			
Personal Services	723,405		723,405
Materials & Services	224,751		224,751
Subtotal	948,156		948,156
Waste Reduction			
Personal Services	557,059		557,059
Materials & Services	1,178,421		1,178,421
Subtotal	1,735,480		1,735,480
Planning and Technical Services			
Personal Services	548,384		548,384
Materials & Services	377,033		377,033
Subtotal	925,417		925,417
Recycling Information and Education			
Personal Services	377,608		377,608
Materials & Services	217,518		217,518
Subtotal	595,126		595,126

Debt Service Account			
Debt Service	2,879,579		2,879,579
Subtotal	2,879,579		2,879,579
Landfill Closure Account			
Materials & Services	6,344,000		6,344,000
Subtotal	6,344,000		6,344,000
Construction Account			
Capital Outlay	1,650,000		1,650,000
Subtotal	1,650,000		1,650,000
Renewal and Replacement Account			
Capital Outlay	149,000		149,000
Subtotal	149,000		149,000
General Account			
Capital Outlay	661,670		661,670
Subtotal	661,670		661,670
Master Project Account			
Debt Service	350,000		350,000
Subtotal	350,000		350,000
General Expenses			
Interfund Transfers	3,686,836		3,686,836
Contingency	8,291,755	(68,262)	8,223,493
Subtotal	11,978,591	(68,262)	11,910,329
Unappropriated Balance	14,651,441		14,651,441
Total Fund Requirements	90,550,007	0	90,550,007

All Other Appropriation Levels Remain as Previously Adopted



METRO

Date: September 8, 1994
To: Councilor George Van Bergen
From: Donald E. Carlson, Council Administrator
Re: Possible Amendment to Ordinance No. 94-565A (Legal Fees for Executive Officer)

Please find attached a copy of Ordinance No. 94-565A with a possible amendment to transfer the \$45,000 currently budgeted in the Miscellaneous Professional Services line item in the Solid Waste Revenue Fund Administration Division budget for the Council's projected legal costs to the Legal Services line item. As you know the ordinance as recommended by the Finance Committee places the requested funds for the Executive Officers projected costs in the Legal Services line item.

This proposed amendment would not provide for any additional funds than are already budgeted or requested for legal services but rather puts all the legal services funds in one line item designated for that specific purpose. Specifically, the proposed amendment adds new language in Section 2 of the Ordinance and re-numbers the old Section 2 as Section 3. Both the Executive Office and the Council Office would use the Accounting Divisions proposed coding system to keep separate accounting for the respective legal service expenses (See attached E-Mail message from Don Cox dated 8/26/94).

Please let me know if you want to propose this amendment at the September 8, 1994 Council meeting and I will make the necessary copies for Council consideration.

cc: Metro Council
Dan Cooper
Jennifer Sims

GVB 94-565A.amend

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1994-95)
BUDGET AND APPROPRIATIONS)
SCHEDULE BY TRANSFERRING \$68,262)
FROM THE SOLID WASTE REVENUE FUND)
CONTINGENCY TO THE ADMINISTRATION)
DIVISION MATERIALS & SERVICES, [MISC.)
PROFESSIONAL SERVICES ACCOUNT])
LEGAL FEES LINE ITEM FOR THE PURPOSE)
OF PROVIDING LEGAL SERVICES)
REGARDING METRO EXECUTIVE OFFICER)
CONTRACTING AUTHORITY; AND)
DECLARING AN EMERGENCY)

ORDINANCE NO. 94-565A
Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Metro Council has reviewed and considered the need to :
transfer appropriations within the FY 1994-95 Budget; and

WHEREAS, The need for a transfer of appropriation has been justified; and

WHEREAS, Adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL HEREBY ORDAINS;

1. That the FY 1994-95 Budget and Schedule of Appropriations are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$68,262 from the Solid Waste Revenue Fund Contingency to the Administration Division Materials & Services, [~~Misc. Professional Services account~~] Legal Fees line item to fund legal services for the Executive Officer in determining contract authority.

2. That \$45,000 included in the Solid Waste Operating Account, Administration Division, for legal services for the Council in determining contract authority, is hereby transferred from line item Misc. Professional Services to Legal Fees.

Ordinance No. 94-565A

[2]3. This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this _____ day of _____, 1994.

ATTEST:

Ed Washington, Deputy Presiding Officer

Clerk of Council

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Exhibit A
Ordinance No. 94-565A
Solid Waste Revenue Fund

FISCAL YEAR 1994-95		ADOPTED BUDGET		REVISION		ORD. NO. 94-565	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
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521540	Maintenance & Repairs Supplies-Equipment		490				490
524120	Legal Fees		0		113,262		113,262
524190	Misc. Professional Services		45,000		(45,000)		0
525640	Maintenance & Repairs Services-Equipment		1,414				1,414
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General Expenses							
	Total Interfund Transfers		3,686,836				3,686,836
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**Exhibit B
Ordinance No. 94-565A**

FY 1994-95 SCHEDULE OF APPROPRIATIONS

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	Appropriation	Revision	Proposed
			Appropriation
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Subtotal	6,344,000		6,344,000
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Subtotal	1,650,000		1,650,000
Renewal and Replacement Account			
Capital Outlay	149,000		149,000
Subtotal	149,000		149,000
General Account			
Capital Outlay	661,670		661,670
Subtotal	661,670		661,670
Master Project Account			
Debt Service	350,000		350,000
Subtotal	350,000		350,000
General Expenses			
Interfund Transfers	3,686,836		3,686,836
Contingency	8,291,755	(68,262)	8,223,493
Subtotal	11,978,591	(68,262)	11,910,329
Unappropriated Balance	14,651,441		14,651,441
Total Fund Requirements	90,550,007	0	90,550,007

All Other Appropriation Levels Remain as Previously Adopted

From: Don Cox (DON COX)
To: Dick Engstrom, Roosevelt Carter, Don Carlson
Date: Friday, August 26, 1994 12:07 pm
Subject: Coding of Legal Fees

As you know, coding of legal fees was discussed in the Finance Committee Wednesday evening. As a result of these conversations the following account numbers can be used to accomplish the task:

Object Code: 524120 Legal Fees
Project Codes: 29200 Legal Services - Council - Harrang, Long, Gary
 29300 Legal Services - Executive - Tanzer

I trust this will help. Let me know if you have questions.

CC: Jennifer Sims, Craig Prosser, Kathy Rutkowski

STAFF REPORT

IN CONSIDERATION OF:

RESOLUTION NO. 94-2014 FOR THE PURPOSE OF AMENDING A CONTRACT WITH JACOB TANZER FOR LEGAL SERVICES REGARDING METRO EXECUTIVE OFFICER CONTRACTING AUTHORITY, AND;

ORDINANCE NO. 94-565 AMENDING THE FY 94-95 BUDGET AND APPROPRIATIONS SCHEDULE BY TRANSFERRING \$68,262 FROM THE SOLID WASTE REVENUE FUND CONTINGENCY TO THE ADMINISTRATION DIVISION MATERIALS & SERVICES, MISC. PROFESSIONAL SERVICES ACCOUNT FOR THE PURPOSE OF PROVIDING LEGAL SERVICES REGARDING METRO EXECUTIVE OFFICER CONTRACTING AUTHORITY; AND DECLARING AN EMERGENCY.

Date: August 28, 1994

Presented by: Dick Engstrom

FACTUAL BACKGROUND AND ANALYSIS

The Metro Council approved Resolution No. 94-1973 on June 9, 1994, directing special legal counsel to initiate litigation to obtain a judicial declaration as to the validity of Amendment No. 4 to the contract between Metro and Oregon Waste Systems, Inc. executed by the Metro Executive Officer on March 16, 1994. The Metro Council approved Resolution No. 94-1994 increasing the maximum authorized payment on the contract with special legal counsel of Harrang Long Gary Rudnick, P.C., to \$75,000.

At the request of the Executive Officer, Metro General Counsel entered into a contract with Jacob Tanzer to provide legal services for the Executive Officer in defending her actions in executing Amendment No. 4 to the contract between Metro and Oregon Waste Systems, Inc.

Resolution No. 94-2014 authorizes an increase in the maximum authorized payment on the contract with special legal counsel Tanzer to \$75,000; amends the Scope of Work of the contract; and exempts the contract amendment from the competitive procurement procedures of Section 2.04.053 of the Metro Code. The amendment to the scope of work provides, "The Contractor shall advise the Executive Officer regarding any proceedings for a judicial declaration as to the validity of Amendment No. 4 to the Contract between Metro and Oregon Waste Systems, Inc. executed by the Executive Officer on March 16, 1994; and the Contractor shall represent the Metro Executive Officer in such proceeding at the trial level."

Six thousand seven hundred and thirty eight dollars were spent on this contract in FY 1993-94. This ordinance amends the FY 1994-95 Solid Waste budget and appropriations schedule by transferring \$68,262 from the Solid Waste Revenue Fund contingency to the Administration Division Misc. Professional Services account from which this contract will be paid. Contract expenses are being incurred in both FY 1993-94 and FY 1994-95. The \$68,262 transfer will provide funds for payments made in FY 1994-95 and total maximum funding of \$75,000 for the contract.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Resolution 94-2014.
The Executive Officer recommends approval of Ordinance No. 94-565 and declaring an emergency.

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1994-95)	ORDINANCE NO. 94-565
BUDGET AND APPROPRIATIONS)	
SCHEDULE BY TRANSFERRING \$68,262)	Introduced by Rena Cusma,
FROM THE SOLID WASTE REVENUE FUND)	Executive Officer
CONTINGENCY TO THE ADMINISTRATION)	
DIVISION MATERIALS & SERVICES, MISC.)	
PROFESSIONAL SERVICES ACCOUNT FOR)	
THE PURPOSE OF PROVIDING LEGAL)	
SERVICES REGARDING METRO EXECUTIVE)	
OFFICER CONTRACTING AUTHORITY; AND)	
DECLARING AN EMERGENCY)	

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1994-95 Budget; and

WHEREAS, The need for a transfer of appropriation has been justified; and

WHEREAS, Adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL HEREBY ORDAINS;

1. That the FY 1994-95 Budget and Schedule of Appropriations are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$68,262 from the Solid Waste Revenue Fund Contingency to the Administration Division Materials & Services Misc. Professional Services account to fund legal services for the Executive Officer in determining contract authority.

2. This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this _____ day of _____, 1994.

ATTEST:

Ed Washington, Deputy Presiding Officer

Clerk of Council

Exhibit A
Ordinance No. 94-565
Solid Waste Revenue Fund

FISCAL YEAR 1994-95		ADOPTED BUDGET		REVISION		ORD. NO. 94-565	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Operating Account (Administration)							
	Total Personal Services	10.50	552,982			10.50	552,982
	<u>Materials & Services</u>						
521100	Office Supplies		21,565				21,565
521260	Printing Supplies		5,974				5,974
521293	Promotion Supplies		650				650
521310	Subscriptions		8,193				8,193
521320	Dues		2,725				2,725
521540	Maintenance & Repairs Supplies-Equipment		490				490
524190	Misc. Professional Services		45,000		68,262		113,262
525640	Maintenance & Repairs Services-Equipment		1,414				1,414
525710	Equipment Rental		1,030				1,030
526200	Ads & Legal Notices		1,715				1,715
526310	Printing Services		9,075				9,075
526410	Telephone		8,034				8,034
526420	Postage		310				310
526440	Delivery Service		1,895				1,895
526500	Travel		6,222				6,222
526510	Mileage Reimbursement		672				672
526700	Temporary Help Services		12,855				12,855
526800	Training, Tuition, Conferences		6,570				6,570
529500	Meetings		1,600				1,600
529800	Miscellaneous		1,500				1,500
	Total Materials & Services		137,489		68,262		205,751
	TOTAL EXPENDITURES	10.50	690,471		68,262	10.50	758,733
General Expenses							
	Total Interfund Transfers		3,686,836				3,686,836
599999	Contingency		8,291,755		(68,262)		8,223,493
599990	Unappropriated Fund Balance		14,651,441				14,651,441
	Total Contingency and Unappropriated Balance		22,943,196		(68,262)		22,874,934
	TOTAL REVENUE FUND EXPENDITURES	102.95	90,550,007		0	102.95	90,550,007

**Exhibit B
Ordinance No. 94-565A**

FY 1994-95 SCHEDULE OF APPROPRIATIONS

	Current		ORD. No. 94-565
	Appropriation	Revision	Proposed
			Appropriation
SOLID WASTE REVENUE FUND			
Administration			
Personal Services	552,982		552,982
Materials & Services	137,489	68,262	205,751
Subtotal	690,471	68,262	758,733
Budget and Finance			
Personal Services	495,560		495,560
Materials & Services	1,072,255		1,072,255
Subtotal	1,567,815		1,567,815
Operations			
Personal Services	2,362,635		2,362,635
Materials & Services	43,060,626		43,060,626
Subtotal	45,423,261		45,423,261
Engineering & Analysis			
Personal Services	723,405		723,405
Materials & Services	224,751		224,751
Subtotal	948,156		948,156
Waste Reduction			
Personal Services	557,059		557,059
Materials & Services	1,178,421		1,178,421
Subtotal	1,735,480		1,735,480
Planning and Technical Services			
Personal Services	548,384		548,384
Materials & Services	377,033		377,033
Subtotal	925,417		925,417
Recycling Information and Education			
Personal Services	377,608		377,608
Materials & Services	217,518		217,518
Subtotal	595,126		595,126

Debt Service Account			
Debt Service	2,879,579		2,879,579
Subtotal	2,879,579		2,879,579
Landfill Closure Account			
Materials & Services	6,344,000		6,344,000
Subtotal	6,344,000		6,344,000
Construction Account			
Capital Outlay	1,650,000		1,650,000
Subtotal	1,650,000		1,650,000
Renewal and Replacement Account			
Capital Outlay	149,000		149,000
Subtotal	149,000		149,000
General Account			
Capital Outlay	661,670		661,670
Subtotal	661,670		661,670
Master Project Account			
Debt Service	350,000		350,000
Subtotal	350,000		350,000
General Expenses			
Interfund Transfers	3,686,836		3,686,836
Contingency	8,291,755	(68,262)	8,223,493
Subtotal	11,978,591	(68,262)	11,910,329
Unappropriated Balance	14,651,441		14,651,441
Total Fund Requirements	90,550,007	0	90,550,007

All Other Appropriation Levels Remain as Previously Adopted

FINANCE COMMITTEE REPORT

ORDINANCE NO. 94-565B AMENDING THE FY 1994-95 BUDGET AND APPROPRIATIONS SCHEDULE BY TRANSFERRING \$34,935 FROM THE SOLID WASTE REVENUE FUND CONTINGENCY TO THE ADMINISTRATION DIVISION MATERIALS & SERVICES LEGAL FEES LINE ITEM TO PROVIDE LEGAL SERVICES REGARDING METRO EXECUTIVE OFFICER AUTHORITY

Date: September 15, 1994

Presented By: Councilor Van Bergen

COMMITTEE RECOMMENDATION: At its September 14, 1994 meeting the Committee voted to send Ordinance No. 94-565A as amended to the Council without a recommendation. Committee members voting in favor of the motion were Councilors Devlin, McLain, Van Bergen and Washington. Councilors Buchanan and Kvistad voted against the motion and Councilors Gardner and Monroe were absent.

COMMITTEE DISCUSSION/ISSUES: Dick Engstrom, Deputy Executive Officer gave the Staff Report. He stated he would defer to Don Carlson, Council Administrator who has developed several options for funding the appellate portion of the current litigation between the Council and the Executive Officer. Don Carlson stated the Ordinance No. 94-565A had been re-referred to the Committee by the Council to consider charging the costs of the appeal to funds other than the Solid Waste Revenue Fund. Mr. Carlson referred the Committee to a memorandum which lists three options for paying the cost of the appeal (See Attachment 1 to this Committee Report). The three options are: A) continue to pay for the costs from the Solid Waste Revenue Fund; B) pay for the costs from funds transferred from the Support Service Fund Contingency; or C) pay for the costs from funds transferred from the General Fund Contingency. Mr. Carlson stated each of the options is legal and valid and the choice on the basic assumption for pursuing the appeal.

Mr. Carlson pointed out that through September 8, 1994 (date of the Council decision to appeal) the total estimated cost of the litigation was \$79,606. Of this \$59,606 was for the Council's costs and \$20,000 was for the Executive Officers costs. The estimated cost of the appeal is \$45,394 to be apportioned \$15,394 for the Council and \$30,000 for the Executive Officer. The Council's amount is determined by subtracting expenditures through September 8, 1994 from the total contract amount of \$75,000. Mr. Gary has told the Council he can complete the appeal within the existing contract amount. The Executive Officer's amount is an estimate made by Council Staff and assumes Mr. Tanzer will need to do more extensive research than done at the trial level.

Mr. Carlson stated that another important consideration is to look at the relative fiscal condition of the respective funds under consideration. He pointed out the several requests that have already been made and will likely be made to use Support Service and General Fund Contingencies. In response to a request from Chair Devlin, Mr. Carlson recommended the following order of

preference for charging the cost of the appeal: 1) continue to charge the Solid Waste Revenue Fund; 2) transfer funds from the Support Service Fund Contingency; and 3) transfer funds from the General Fund Contingency. He stated that the purpose of the litigation as adopted by the Council is to determine the validity of Amendment No. 4 to the OWS Contract and the appeal is a necessary step toward that end.

In response to a question from Chair Devlin, Mr. Engstrom stated he agreed in general with the Council Staff recommendation. Regarding the \$30,000 estimated for the Executive Officers appeal costs, he said he had not discussed this with Mr. Tanzer because he was out of town.

During Committee discussion Councilors Kvistad and Buchanan stated that the actions of the Executive Officer precipitated the need for the litigation and the Council should exercise its "power of the purse" and not authorize funds for the Executive Officers legal costs. If the Executive Officer wants to participate, she can use her own funds. Councilor Devlin stated he would not vote for any funds for the litigation since he opposed filing a court case in the beginning. Councilors McLain, Van Bergen and Washington stated that the Council has an obligation to pay for all legal costs to get a resolution of the matter and that by doing so we will get a better decision.



ATTACHMENT 1
(Fin. Comm. Rpt/94-565B)

METRO

Date: September 14, 1994

To: Finance Committee

From: Donald E. Carlson, ^{WEE} Council Administrator

Re: Ordinance No. 94-565A Amending the FY 94-95 Budget and Appropriations Schedule to Pay for Legal Services Regarding Metro Executive Officer Contracting Authority

This ordinance has been re-referred to the Finance Committee to consider charging the costs of legal fees for the appellate portion of the litigation between the Council and Executive Officer regarding the validity of the approval of Contract Amendment No. 4 to the Oregon Waste Systems contract to a different fund. Several Councilors at the September 8, 1994 Council meeting expressed concern that the issue to be appealed as a result of Judge Johnson's ruling to dismiss the case was no longer a solid waste related issue but rather an issue which affects the entire agency. The request of the Council was to consider funding the appeal from by other appropriate means. The two other appropriate funds to pay for these costs are the General Fund and the Support Service Fund.

Attached for the Committee's consideration are Exhibits which provide three alternatives:

- Option A -- Continue to pay for the costs from the Solid Waste Revenue Fund. This option assumes that the purpose of the appeal is to continue to pursue litigation which will determine the validity of Amendment No. 4.
- Option B -- Pay for the costs of the appeal from funds transferred from the Support Service Fund Contingency to the General Counsel's Office Materials and Services category in a specific Legal Services line item. This option assumes that the primary purpose of the litigation is to determine who has authority to control file litigation on behalf of the agency.
- Option C -- Pay for the costs of the appeal from funds transferred from the General Fund Contingency to the General Counsel's Office in the Support Service Fund specifically in the Legal Services line item in the Materials and Services Category. This option is based on the same assumption as Option B.

All options are legal and valid. This is a policy decision available to the Council.

Factors to consider in this decision are 1) the basic assumption for pursuing the appeal; and 2) the amount of funds needed in relation to the fiscal condition of the Fund under consideration.

In regard to the amount of money needed to pay for the appeal, Mr. Gary has indicated that to date (through 9/8/94) he has billed or will bill a total of \$59,606. This is broken out as \$29,570 for initial research, \$25,272 for litigation and \$4,764 from the period of 8/28/94 through 9/8/94. Part of the total \$59,606 was paid from the FY 1993-94 Budget and the remainder will be paid from the current year Budget. Mr. Gary has stated that he will complete the appeal within the current contract amount of \$75,000. This means there is \$15,394 left for the appeal for the Council's legal costs.

Deputy Executive Officer Dick Engstrom has estimated that Mr. Tanzer has spent from \$16,000 to \$20,000 through September 8, 1994. It is difficult to estimate the amount needed by Mr. Tanzer to complete the appeal. Council Staff recommends that \$30,000 be authorized for Mr. Tanzer's legal expenses on the assumption that additional legal research will be needed to be done by Mr. Tanzer.

Based on the above the additional amount for the appeal to be budgeted and appropriated should total \$45,394. The exhibits assume this amount.

The fiscal condition of the Contingency category for the Support Service Fund and the General Fund is or could be as follows:

Support Service Fund:

Amount as of 9/14/94	\$170,000
Less \$10,500 from Ord.94-564	\$159,500
Less \$22,218 from Ord.94-570A.	\$137,282
Less \$45,394 from Ord.94-565A.	\$ 91,888

General Fund:

Amount as of 9/14/94	\$563,475
Less \$100,000 from Ord.94-570A	\$463,475
Less \$45,394 from Ord.94-565A.	\$418,081
Less \$90,000 for Greenspaces request	\$328,081
Less \$55,000 for Exec.Mgmt request	\$273,081
Less \$40,000 for Auditor request	\$233,081

It should be noted that the latter three amounts in the General Fund listing are items which are likely to be requested during the current fiscal year. They are mentioned only to indicate the likelihood of demands on the General Fund Contingency. In addition, the General Fund Contingency is a source of funds for potential unexpected needs in the Planning Fund.

Exhibit A
Ordinance No. 94-565B

Solid Waste Revenue Fund

FISCAL YEAR 1994-95		CURRENT BUDGET		REVISION		ORD. NO. 94-565B	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Operating Account (Administration)							
	Total Personal Services	10.50	552,982			10.50	552,982
	<u>Materials & Services</u>						
521100	Office Supplies		21,565				21,565
521260	Printing Supplies		5,974				5,974
521293	Promotion Supplies		650				650
521310	Subscriptions		8,193				8,193
521320	Dues		2,725				2,725
521540	Maintenance & Repairs Supplies-Equipment		490				490
524120	Legal Fees		0		79,935		79,935
524190	Misc. Professional Services		45,000		(45,000)		0
525640	Maintenance & Repairs Services-Equipment		1,414				1,414
525710	Equipment Rental		1,030				1,030
526200	Ads & Legal Notices		1,715				1,715
526310	Printing Services		9,075				9,075
526410	Telephone		8,034				8,034
526420	Postage		310				310
526440	Delivery Service		1,895				1,895
526500	Travel		6,222				6,222
526510	Mileage Reimbursement		672				672
526700	Temporary Help Services		12,855				12,855
526800	Training, Tuition, Conferences		6,570				6,570
529500	Meetings		1,600				1,600
529800	Miscellaneous		1,500				1,500
	Total Materials & Services		137,489		34,935		172,424
	TOTAL EXPENDITURES	10.50	690,471		34,935	10.50	725,406
General Expenses							
	Total Interfund Transfers		3,686,836				3,686,836
599999	Contingency		8,291,755		(34,935)		8,256,820
599990	Unappropriated Fund Balance		14,651,441				14,651,441
	Total Contingency and Unappropriated Balance		22,943,196		(34,935)		22,908,261
TOTAL S. W. REVENUE FUND EXPENDITURES		102.95	90,550,007		0	102.95	90,550,007

Exhibit A
Ordinance No. 94-565B
SUPPORT SERVICES FUND

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Office of General Counsel							
	Total Personal Services	6.00	447,725			6.00	447,725
	<u>Materials & Services</u>						
521100	Office Supplies		1,494				1,494
521110	Computer Software		1,275				1,275
521111	Computer Supplies		1,150				1,150
521290	Other Supplies		215				215
521310	Subscriptions		14,887				14,887
521320	Dues		1,737				1,737
524120	Legal Fees		0		45,394		45,394
525640	Maintenance & Repairs Services-Equipment		880				880
526310	Printing Services		235				235
526440	Delivery Services		350				350
526500	Travel		2,366				2,366
526700	Temporary Help Services		1,200				1,200
526800	Training, Tuition, Conferences		2,959				2,959
529020	Litigation Expense		600				600
529500	Meetings		450				450
529800	Miscellaneous		200				200
	Total Materials & Services		29,998		45,394		75,392
	<u>Capital Outlay</u>						
571500	Purchases-Office Furniture & Equipment		3,600				3,600
	Total Capital Outlay		3,600				3,600
	TOTAL EXPENDITURES	6.00	481,323		45,394	6.00	526,717

SUPPORT SERVICES FUND:General Expenses

Total Interfund Transfers			806,169				806,169
	<u>Contingency and Unappropriated Balance</u>						
599999	Contingency						
	* General		137,282		(45,394)		91,888
	* Builders License		62,987				62,987
	* Construction Services (Tri-Met Contract)		2,539				2,539
599990	Unappropriated Fund Balance-Contractors License						
	* Builders License		207,625				207,625
	* Capital Replacement Reserve		200,000				200,000
	Total Contingency and Unappropriated Balance		610,433		(45,394)		565,039
	TOTAL EXPENDITURES	81.25	7,668,704		0	82.00	7,768,704

Assumes passage of and Ordinance 94-570A

Exhibit A
Ordinance No. 94-565B

Option B
p. 2 of 2

Solid Waste Revenue Fund

FISCAL YEAR 1994-95		CURRENT BUDGET		REVISION		ORD. NO. 94-565B	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Operating Account (Administration)							
	Total Personal Services	10.50	552,982			10.50	552,982
	<u>Materials & Services</u>						
521100	Office Supplies		21,565				21,565
521260	Printing Supplies		5,974				5,974
521293	Promotion Supplies		650				650
521310	Subscriptions		8,193				8,193
521320	Dues		2,725				2,725
521540	Maintenance & Repairs Supplies-Equipment		490				490
524120	Legal Fees		0		0		0
524190	Misc. Professional Services		45,000		(10,459)		34,541
525640	Maintenance & Repairs Services-Equipment		1,414				1,414
525710	Equipment Rental		1,030				1,030
526200	Ads & Legal Notices		1,715				1,715
526310	Printing Services		9,075				9,075
526410	Telephone		8,034				8,034
526420	Postage		310				310
526440	Delivery Service		1,895				1,895
526500	Travel		6,222				6,222
526510	Mileage Reimbursement		672				672
526700	Temporary Help Services		12,855				12,855
526800	Training, Tuition, Conferences		6,570				6,570
529500	Meetings		1,600				1,600
529800	Miscellaneous		1,500				1,500
	Total Materials & Services		137,489		(10,459)		127,030
	TOTAL EXPENDITURES	10.50	690,471		(10,459)	10.50	680,012
General Expenses							
	Total Interfund Transfers		3,686,836				3,686,836
599999	Contingency		8,291,755		10,459		8,302,214
599990	Unappropriated Fund Balance		14,651,441				14,651,441
	Total Contingency and Unappropriated Balance		22,943,196		10,459		22,953,655
TOTAL S. W. REVENUE FUND EXPENDITURES		102.95	90,550,007		0	102.95	90,550,007

Exhibit A
Ordinance No. 94-565B

FISCAL YEAR 1994-95		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND:General Expenses							
<u>Interfund Transfers</u>							
581513	Trans. Indirect Costs to Bldg. Fund-Regional Center		303,807				303,807
581610	Trans. Indirect Costs to Support Svcs. Fund		519,495				519,495
581615	Trans. Indirect Costs to Risk Mgmt. Fund-Gen'l		3,244				3,244
581615	Trans. Indirect Costs to Risk Mgmt. Fund-Workers' Comp		6,008				6,008
583610	Trans.Direct Costs to Support Svcs. Fund		28,130		45,394		73,524
583615	Trans.Direct Costs to Risk Management Fund		15,758				15,758
<u>Excise Tax Transfers</u>							
582140	Trans. Resources to Planning Fund		2,676,264				2,676,264
582513	Trans. Resources to Building Mgmt. Fund		55,984				55,984
582610	Trans. Resources to Support Svcs. Fund		100,000				100,000
582160	Trans. Resources to Reg. Parks/Expo Fund		560,785				560,785
582160	Trans. Resources to Reg. Parks/Expo Fund (contingency)		84,474				84,474
Total Interfund Transfers			4,353,949		45,394		4,399,343
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		399,125		(45,394)		353,731
599990	Unappropriated Fund Balance		200,000				200,000
Total Contingency and Unappropriated Balance			599,125		(45,394)		553,731
TOTAL EXPENDITURES		13.50	6,664,018	0	13.50		6,664,018

Note: This action assumes adoption of Ordinances No. 94-569, Auditor's Office, No. 94-570, implementation of the Construction Excise Tax, and No. 94-572 Greenspaces Public Awareness Plan, and No. 94-573.

Exhibit A
Ordinance No. 94-565B
SUPPORT SERVICES FUND

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SUPPORT SERVICES FUND:Resources							
<u>Resources</u>							
305000	Fund Balance		398,016				398,016
321100	Contractors' License Fee		275,000				275,000
339200	Contract and Professional Services Services		98,182				98,182
361100	Interest on Investments		0				0
379000	Other Miscellaneous Revenue		0				0
391010	Trans. of Resources from General Fund-Excise Tax		100,000				100,000
391140	Trans. of Resources from Planning Fund		0				0
392010	Trans. Indirect Costs from General Fund		519,495				519,495
392120	Trans. Indirect Costs from Zoo Oper. Fund		1,178,797				1,178,797
392140	Trans. Indirect Costs from Planning Fund		1,548,361				1,548,361
392142	Trans. Indirect Costs from Plan. & Dev. Fund		0				0
392531	Trans. Indirect Costs from S.W. Revenue Fund		2,311,955				2,311,955
392550	Trans. Indirect Costs from OCC Operating Fund		419,607				419,607
392558	Trans. Indirect Costs from Conv. Ctr. Mgmt. Fund		0				0
392559	Trans. Indirect Costs from Conv. Ctr. Cap. Fund		53,053				53,053
392553	Trans. Indirect Costs from Spec. Fac. Fund		271,903				271,903
392552	Trans. Indirect Costs from Coliseum Oper. Fund		0				0
392160	Trans. Indirect Costs from Reg. Parks/Expo.Fund		405,977				405,977
393010	Trans. Direct Costs from General Fund		28,130		45,394		73,524
393140	Trans. Direct Costs from Planning Fund		0				0
393531	Trans. Direct Costs from S.W. Revenue Fund		0				0
393550	Trans. Direct Costs from OCC Operating Fund		98,838				98,838
393553	Trans. Direct Costs from Spec. Fac. Fund		61,390				61,390
393552	Trans. Direct Costs from Coliseum Oper. Fund		0				0
393559	Trans. Direct Costs from Conv. Ctr. Cap. Fund		0				0
TOTAL RESOURCES			7,768,704		45,394		7,814,098

Exhibit A
Ordinance No. 94-565B
SUPPORT SERVICES FUND

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Office of General Counsel							
	Total Personal Services	6.00	447,725			6.00	447,725
	<u>Materials & Services</u>						
521100	Office Supplies		1,494				1,494
521110	Computer Software		1,275				1,275
521111	Computer Supplies		1,150				1,150
521290	Other Supplies		215				215
521310	Subscriptions		14,887				14,887
521320	Dues		1,737				1,737
524120	Legal Fees		0		45,394		45,394
525640	Maintenance & Repairs Services-Equipment		880				880
526310	Printing Services		235				235
526440	Delivery Services		350				350
526500	Travel		2,366				2,366
526700	Temporary Help Services		1,200				1,200
526800	Training, Tuition, Conferences		2,959				2,959
529020	Litigation Expense		600				600
529500	Meetings		450				450
529800	Miscellaneous		200				200
	Total Materials & Services		29,998		45,394		75,392
	<u>Capital Outlay</u>						
571500	Purchases-Office Furniture & Equipment		3,600				3,600
	Total Capital Outlay		3,600				3,600
	TOTAL EXPENDITURES	6.00	481,323		45,394	6.00	526,717
TOTAL EXPENDITURES		81.25	7,668,704		45,394	82.00	7,814,098

Exhibit A
Ordinance No. 94-565B

Solid Waste Revenue Fund

FISCAL YEAR 1994-95		CURRENT BUDGET		REVISION		ORD. NO. 94-565B	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Operating Account (Administration)							
	Total Personal Services	10.50	552,982			10.50	552,982
	<u>Materials & Services</u>						
521100	Office Supplies		21,565				21,565
521260	Printing Supplies		5,974				5,974
521293	Promotion Supplies		650				650
521310	Subscriptions		8,193				8,193
521320	Dues		2,725				2,725
521540	Maintenance & Repairs Supplies-Equipment		490				490
524120	Legal Fees		0		0		0
524190	Misc. Professional Services		45,000		(10,459)		34,541
525640	Maintenance & Repairs Services-Equipment		1,414				1,414
525710	Equipment Rental		1,030				1,030
526200	Ads & Legal Notices		1,715				1,715
526310	Printing Services		9,075				9,075
526410	Telephone		8,034				8,034
526420	Postage		310				310
526440	Delivery Service		1,895				1,895
526500	Travel		6,222				6,222
526510	Mileage Reimbursement		672				672
526700	Temporary Help Services		12,855				12,855
526800	Training, Tuition, Conferences		6,570				6,570
529500	Meetings		1,600				1,600
529800	Miscellaneous		1,500				1,500
	Total Materials & Services		137,489		(10,459)		127,030
	TOTAL EXPENDITURES	10.50	690,471		(10,459)	10.50	680,012
General Expenses							
	Total Interfund Transfers		3,686,836				3,686,836
599999	Contingency		8,291,755		10,459		8,302,214
599990	Unappropriated Fund Balance		14,651,441				14,651,441
	Total Contingency and Unappropriated Balance		22,943,196		10,459		22,953,655
TOTAL S. W. REVENUE FUND EXPENDITURES		102.95	90,550,007		0	102.95	90,550,007



METRO

DATE: September 26, 1994

TO: Rena Cusma, Executive Officer

FROM: Susan Lee, Acting Clerk of the Council *sl*

RE: TRANSMITTAL OF ORDINANCE NOS. 94-562B, 94-564, 94-565B, 94-570B, and 94-567

Attached for your consideration are true copies of the ordinances referenced above adopted by the Council on September 22, 1994.

If you wish to veto any of the above referenced ordinances, I must receive a signed and dated written veto message from you no later than 5:00 p.m., Thursday, September 29, 1994. The veto message, if submitted, will become part of the permanent record. If no veto message is received by the time and date stated above, these ordinances will be considered finally adopted.

Risa Agui, received this memo and true copies of Ordinance Nos. 94-562B, 94-564, 94-565B, 94-570B, and 94-567 from the Clerk of the Council on September 26, 1994.