

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1994-95 )	ORDINANCE NO. 94-571
BUDGET AND APPROPRIATIONS )	
SCHEDULE BY TRANSFERRING \$110,000 )	Introduced by Rena Cusma,
FROM THE SPECTATOR FACILITIES FUND )	Executive Officer
CONTINGENCY TO FUND RESTROOM )	
REMODEL AT THE CIVIC AUDITORIUM; 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;

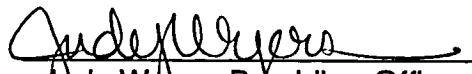
1. That the FY 1994-95 Budget and Schedule of Appropriations are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$110,000 from the Spectator Facilities Fund Contingency to the Performing Arts Center Capital Outlay to fund restroom remodel at the Civic Auditorium.

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 13th day of October, 1994.

ATTEST:

  
Clerk of Council

  
Judy Wyers, Presiding Officer

**Exhibit A  
Ordinance No. 94-571**

FISCAL YEAR 1994-95		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
<b>SPECTATOR FACILITIES FUND:Civic Stadium Operations</b>							
<b>TOTAL EXPENDITURES</b>		<b>15.88</b>	<b>1,860,967</b>	<b>0.00</b>	<b>0</b>	<b>15.88</b>	<b>1,860,967</b>

**SPECTATOR FACILITIES FUND:Performing Arts Center Operations**

<b>Total Personal Services</b>		<b>111.22</b>	<b>3,401,462</b>	<b>0.00</b>	<b>0</b>	<b>111.22</b>	<b>3,401,462</b>
<b>Total Materials &amp; Services</b>			<b>743,630</b>		<b>0</b>		<b>743,630</b>
<u>Capital Outlay</u>							
571300	Purchased Buildings, Exhibits & Related		0		110,000		110,000
<b>Total Capital Outlay</b>			<b>0</b>		<b>110,000</b>		<b>110,000</b>
<b>TOTAL EXPENDITURES</b>		<b>111.22</b>	<b>4,145,092</b>	<b>0.00</b>	<b>110,000</b>	<b>111.22</b>	<b>4,255,092</b>

**SPECTATOR FACILITIES FUND:General Expenses**

<b>Total Interfund Transfers</b>			<b>640,545</b>		<b>0</b>		<b>640,545</b>
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		182,000		(110,000)		72,000
599990	Unappropriated Balance		1,232,155		0		1,232,155
<b>Total Contingency and Unappropriated Balance</b>			<b>1,414,155</b>		<b>(110,000)</b>		<b>1,304,155</b>
<b>TOTAL EXPENDITURES</b>		<b>127.10</b>	<b>8,060,759</b>	<b>0.00</b>	<b>0</b>	<b>127.10</b>	<b>8,060,759</b>

**Exhibit B**  
**Ordinance No. 94-571**  
**FY 1994-95 SCHEDULE OF APPROPRIATIONS**

	<b>Current Appropriation</b>	<b>Revision</b>	<b>Proposed Appropriation</b>
<b>SPECTATOR FACILITIES OPERATING FUND</b>			
Civic Stadium			
Personal Services	578,538	0	578,538
Materials & Services	1,032,429	0	1,032,429
Capital Outlay	250,000	0	250,000
<b>Subtotal</b>	<b>1,860,967</b>	<b>0</b>	<b>1,860,967</b>
Performing Arts Center			
Personal Services	3,401,462	0	3,401,462
Materials & Services	743,630	0	743,630
Capital Outlay	0	110,000	110,000
<b>Subtotal</b>	<b>4,145,092</b>	<b>110,000</b>	<b>4,255,092</b>
General Expenses			
Interfund Transfers	640,545	0	640,545
Contingency	182,000	(110,000)	72,000
<b>Subtotal</b>	<b>822,545</b>	<b>(110,000)</b>	<b>712,545</b>
Unappropriated Balance	1,232,155	0	1,232,155
<b>Total Fund Requirements</b>	<b>8,060,759</b>	<b>0</b>	<b>8,060,759</b>

**All other appropriations remain as previously adopted**

## FINANCE COMMITTEE REPORT

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### ORDINANCE NO. 94-571 AMENDING THE FY 94-95 BUDGET AND APPROPRIATION SCHEDULE TO FUND RESTROOM REMODEL AT THE CIVIC AUDITORIUM

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Date: October 4, 1994

Presented By: Councilor Kvistad

**COMMITTEE RECOMMENDATION:** At its September 28 meeting the Committee voted unanimously to recommend Council adoption of Ordinance No. 94-571. All Councilors were present and voting.

**COMMITTEE DISCUSSION/ISSUES:** Heather Teed, MERC Director of Fiscal Operations, and Mark Hunter, MERC Construction Projects Manager, presented the Staff Report. Ms. Teed stated the ordinance transfers \$110,000 from the Spectator Facilities Fund Contingency to the Performing Arts Center Capital Outlay Category. The purpose of the transfer is to appropriate sufficient funds to construct six new unisex restrooms in the Civic Auditorium. She pointed out that the need for the additional restroom facilities overrides the concern for preserving the fund balance in the Spectator Facility Fund. Significant numbers of the public have complained about the inadequate restroom facilities at the Civic Auditorium and the MERC is concerned about the potential negative impact on the use of the facility.

In response to a question from Councilor Washington regarding inconvenience to the users caused by construction during the upcoming season, Mr. Hunter stated the restrooms are planned to be completed by February 1995 rather than November as stated in the Staff Report. He noted that existing facilities would be kept open during the remodel period and added that much of the work could be done during the day. He stated that nine to ten partitioned water closets were to be added to the first balcony restroom facility as well as the addition of three unisex bathrooms on alternate levels with two being on the north side and one on the south side of the building.

**METRO**

DATE: September 28, 1994  
TO: Finance Committee  
FROM: Casey Short *CS*  
RE: Ordinance No. 94-571

Ordinance No. 94-571 would authorize a transfer of \$110,000 from the Spectator Facilities Fund contingency to fund construction of additional restrooms at Civic Auditorium. The Regional Facilities Committee discussed this issue at its last meeting, in reviewing the MERC resolution authorizing the request for the budget amendment. In the course of that discussion, some issues were raised concerning the current status of disabled access to women's restrooms, to which MERC staff has responded to me; I am passing along their comments.

The women's restrooms on each floor of the Auditorium currently have one stall with disabled access, although the one on the first floor is not accessible to those in wheelchairs because there are stairs leading to the restroom. All three are not quite as wide (five feet) as current standards call for, but are otherwise compliant. All have hard doors, and none has ever had a curtain instead of a door.

The proposal would add a unisex bathroom on each floor, which would be fully compliant with current standards. The designs have been preliminarily approved by the City of Portland Bureau of Buildings; final approval won't come until later in the process.

## STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 94-571 AMENDING THE FY 1994-95 BUDGET AND APPROPRIATIONS SCHEDULE BY TRANSFERRING \$110,000 FROM THE SPECTATOR FACILITIES FUND CONTINGENCY TO FUND RESTROOM REMODEL AT THE CIVIC AUDITORIUM; AND DECLARING AN EMERGENCY.

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Date: September 7, 1994

Presented By: Heather Teed

### FACTUAL BACKGROUND AND ANALYSIS

The FY 1993-94 Performing Arts Center budget included capital outlay appropriation for the remodeling necessary to create six new unisex restroom in the Civic Auditorium. The planned improvements would have addressed the ADA requirement to provide accessible restrooms at each seating level and increased the restroom capacity to serve both men and women. Research and planning had identified that it was not feasible to install ramps for access over the steps between the lobby and restroom on the main floor. Creating a separate unisex restroom on both the north and south sides of the lobby areas on each level constituted an efficient and cost effective solution. However, in the course of FY 1993-94, the severity of the financial picture for PCPA was defined and an administrative freeze was placed on a series of budgeted line items, including capital outlay. The planned restroom remodel was not accomplished during that year.

In recent months, the Metropolitan Exposition-Recreation Commission has approved two multi-year agreements for presentation of popular touring musical theater productions at Civic Auditorium, thereby increasing the number of revenue producing commercial events in the Civic Auditorium. In addition, MISS SAIGON is announced to play a series of weeks in 1995 in the facility. The potential for sell-out crowds in the 1994-95 season has been significantly increased -- with the related pressure on inadequate convenience facilities. The single greatest citizen complaint about PCPA is the inadequacy of women's restroom facilities at Civic Auditorium. Frustrated citizens have reached the MERC Chairman as well as all levels of PCPA staff on this issue. Callers have indicated they will not renew subscriptions to the Opera if there is no action on this issue. There is clear audience demand for the improvements proposed in this action, with potential positive impact on attendance.

When the FY 1994-95 budget was adopted, it was the goal of MERC staff to avoid the use of Contingency in order to reduce the overall draw down of the ending balance. The transfer of funds from Contingency to Capital Outlay, and approval of this project reverses that prior commitment. The change is recommended because of the seriousness of the issue, and the positive impact it is expected to have on the attendance at commercial and resident company events at the Civic Auditorium.

If approved, this action would transfer \$110,000 from the Spectator Facilities Fund Contingency to the Performing Arts Center Capital Outlay, to fund restroom remodel at the

Civic Auditorium. The "season" at the Auditorium begins in November. In order to complete the remodel with the least inconvenience to the resident companies and patrons, the project needs to begin immediately upon adoption.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 94-571 and declaring an emergency.



**METRO**

DATE: October 17, 1994  
TO: Rena Cusma, Executive Officer  
FROM: Paulette Allen, Clerk of the Council  
RE: TRANSMITTAL OF ORDINANCE NOS. 94-568, 94-571, 94-569, 94-572A AND 94-573

Attached for your consideration are true copies of the ordinances referenced above adopted by the Council on October 13, 1994.

If you wish to veto any of the ordinances referenced above, I must receive a signed and dated written veto message from you no later than 5:00 p.m., Thursday, October 20, 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.

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I, Paulette Allen, received this memo and true copies of Ordinance Nos. 94-568, 94-571, 94-569, 94-572A and 94-573 from the Clerk of the Council on 10/17/94.