

MINUTES OF THE METRO COUNCIL GOVERNMENTAL AFFAIRS COMMITTEE

April 7, 1993

Council Chamber

Committee Members Present: Mike Gates (Chair), Jim Gardner (Vice Chair), Sandi Hansen, Terri Moore, Judy Wyers

Councilors Also Present: Ruth McFarland, Richard Devlin

Chair Gates called the special meeting to order at 6:02 p.m.

1. Consideration of Proposed Transfer of Operations of Multnomah County Parks and Expo Center to Metro

Donald E. Carlson, Council Administrator, and Dick Engstrom, Deputy Executive Officer, presented the staff report. Mr. Carlson said in late 1991 discussions began regarding transfer of Operations of Multnomah County Parks and Expo Center to Metro. He said the Executive Officer created several task forces, and in March 1992 results were reported back to the Governmental Affairs Committee. He said in 1993 these continuing discussions resulted in the inclusion of an item in the Proposed FY 1993-94 Metro Budget.

Mr. Carlson discussed the relationship to the Greenspaces Master Plan, and said the legal and fiscal authority as well as assumptions should be considered. Mr. Carlson referenced a memorandum from himself and from Mr. Engstrom dated April 7, 1993, and noted a pre-Charter opinion indicated Metro could enter into such an agreement. He noted the memorandum referenced Charter authorities which currently gave Metro such authority.

Mr. Carlson discussed sites involved such as Beggar's Tick Marsh Addition (Johnson Creek Watershed), Burlington Bottom Addition (Willamette River watershed), Fairview Lake-Blue Lake Addition (Fairview Creek watershed), Sandy River Gorge (Sandy River watershed), and Sauvie Island/Bybee - Howell Marsh Addition (Columbia River watershed).

Councilor Devlin noted the Greenspaces Master Plan clarified Metro would acquire such facilities only at the request of local jurisdictions, and noted that was the case in this instance. Mr. Carlson concurred, and read the pertinent section as referenced in his April 6, 1993 memorandum to Mr. Engstrom, page 4.

Mark Williams, Office of General Counsel, referenced a memorandum dated February 14, 1992 in which a legal opinion was offered by Larry Shaw, Senior Assistant Counsel. This document was attachment to Mr. Carlson's April 6 memorandum to Mr. Engstrom.

The Committee and Staff discussed the Charter further.

In response to Councilor Van Bergen, Mr. Williams said it was the view of his office that the Charter strengthened Metro's position in the matter, and noted the requirement of voter approval was not involved under the home rule provided for in the Charter.

In response to Councilor Van Bergen, Mr. Williams said he had not received a request to provide an opinion in writing regarding the cemetery issue.

Councilor Van Bergen asked Mr. Carlson to transmit to Mr. Cooper in writing his request for an opinion in writing regarding the cemetery issue.

Councilor Devlin asked the legal opinion include the matter of the broad issue of interpretation of the Charter Sections 6 and 7.

(Continued)

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Jennifer Sims, Finance and Management Information Director, presented information regarding financial analysis of the proposed transfer, and said the transfer was regarded as part of a financial package. She concluded \$300,000 would be necessary to fund the various functions contained in the package should the transfer occur

Jeff Blosser, Director, Oregon Convention Center and Interim General Manager for Metro ER Commission, address the Committee. He said there was a need for the facility to book events that were overflow to the OCC. He said with enhancements he believed an area for RV parking could be provided which would produce substantial revenue and felt improvements to upgrade and facelift the Center would be beneficial

The Committee and Staff discussed project funding concepts.

Mr. Sims said it was necessary to complete the feasibility analysis prior to undertaking implementation of an improvement plan.

The Committee and Staff discussed the possible types of bonds that could be utilized such as general obligation of revenue bonds.

Councilor Devlin noted in discussions with Multnomah County, in which Ms. Sims had participated, it had been understood the transfer was always discussed with the Expo Center as part of a total package

Gary Hansen, Multnomah County Commissioner, addressed the Committee, and said he would be ready to urge the Council to support the action providing for the transfer, and invited Councilors to tour the facilities at their pleasure. He indicated structure of the Intergovernmental Agreements necessary to accomplish the transfer should be flexible in nature, and discussed the revenue sources potential in the proposed transfer

Chair Gates referenced a letter from Rena Cusma dated November 20, 1991

Councilor Wyers noted Commissioner Hansen had heard legal counsel opinion that no MPAC approval was necessary for this intergovernmental agreement to take place. Commissioner Hansen indicated he planned to take the matter to MPAC for discussion.

Councilor Gardner noted he had seen the agenda for April 14, 1993 for MPAC and said the item was on the agenda.

In response to Councilor Van Bergen's inquiry regarding the Multnomah County Fair, Commissioner Hansen said his personal recommendation was the transfer would take place October 1, 1993 noting Multnomah County would handle operations through the current year. He felt the Fair could perhaps be held elsewhere in the region.

In response to Councilor Van Bergen, Commissioner Hansen said the total package was designed to be revenue neutral. Councilor Van Bergen requested copies of the contracts for the golf course and the restaurant and whether the facilities were subject to income tax

Councilor Van Bergen noted he had prepared a list of questions to which he would appreciate a response. Chair Gates requested Commissioner Hansen provide responses to Councilor Van Bergen's questions, to which Commissioner Hansen agreed.

Councilor Devlin noted funds would be dedicated to the regional systems within the county

Julie Hammerstead, Commissioner, Clackamas County, addressed the Committee, and said concerns had been expressed by all the cities in Clackamas County. She felt the matter was a regional issue, and indicated Clackamas County would want to participate in the process, and felt the matter should go through the MPAC process. Commissioner Hammerstead said she felt the participation of Clackamas County would help bring about a positive resolution, and noted Clackamas County support for Greenspaces

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Councilor Van Bergen noted the hotel/motel tax portion contributed by Multnomah County provided the funding necessary in another revenue neutral situation at the Oregon Convention Center. He said he wanted this venture to be truly revenue neutral.

Councilor Gardner commented it had been understood the PCPA would run at a deficit, and said it had been funded by drawing down the reserves from the Coliseum, which he noted were depleted and the PCPA was in crisis. He said he would like to see the transfer take place for the benefit of the long range plans for the Greenspaces system. He noted should operations be transferred to Metro, Metro employees would be involved as well, and said he was pleased to see the matter on the MPAC agenda

Commissioner Hammerstead advocated that different legal opinions from a legal source outside of Metro be offered in the matter Chair Gates questioned the issue of funding.

Commissioner Hammerstead felt the Greenspaces Master Plan addressed county differences with due regard

Mike Houck, representing Greenspaces, noted he had written to Commissioner Hammerstead on numerous occasions and said he supported Greenspaces measures. He said he did not want to see a plan that ended up on the shelf, but rather he wanted to see a system created and implemented. He said numerous jurisdictions had indicated they did not want to be involved in Greenspaces, but, he said, rather supported Metro's role in the matter.

The Committee and Staff discussed cemeteries and the definitions in Goal 5. Councilor Devlin said cemeteries and golf courses, although not envisioned in the Master Plan, were being presented as part of a package. Mr. Houck said they were important parts of the regional landscape. Mr. Houck indicated he was pleased Councilor Wyers contacted him regarding tonight's meeting.

Mr. Engstrom said the assumptions in the memorandum had been reviewed and referenced Exhibit 5 regarding proposed assumptions regarding the transfer. This document has been made part of the permanent meeting record.

Councilor Gardner commented regarding the revenue generated by the transfer would affect the excise tax revenue

In response to Councilor Van Bergen, Mr. Engstrom said the Expo Center would be transferred to the MERC for operation.

Casey Short, Council Analyst, said he had letter from Multnomah County dated March 15, 1993 addressing the question. This document has been made part of the permanent meeting record.

The Committee and Staff discussed impact on the FY 1993-94 budget.

Councilor Wyers felt Councilors should go to Clackamas County for further roundtable discussions.

In response to Chair Gates, Mr. Engstrom referenced Exhibit 6, a process for completing negotiations which outlined a proposed timeline to conclude May 6, 1993 with an action by the Council as a Memorandum of Understanding

Councilor Moore asked for a clarification of MPAC's role in the matter

The Committee discussed the benefits of reaching a decision as soon as possible, and discussed a possible timeframe

The Committee discussed the necessity of obtaining further details, such as an inventory of property and equipment. Councilor Moore agreed, and noted a decision did not have to be made within the context of the FY 1993-94 budget. Mr. Carlson indicated further information would be provided.

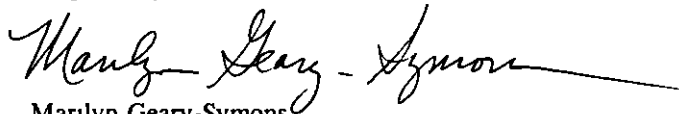
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There being no further business, the meeting adjourned at 8.30 p m

Respectfully submitted,

A handwritten signature in cursive script that reads "Marilyn Geary-Symons". The signature is written in black ink and extends across the width of the page.

Marilyn Geary-Symons
Committee Recorder