

MINUTES OF THE COUNCIL CONVENTION, ZOO AND VISITOR FACILITIES
COMMITTEE OF THE METROPOLITAN SERVICE DISTRICT

December 5, 1989
Regular Meeting

Committee Members: David Knowles (Chair), Tom DeJardin
(Vice Chair), Roger Buchanan, Ruth
McFarland and George Van Bergen

Committee Members Absent: None.

Chair David Knowles called the meeting to order at 4:05 p.m.

1. Consideration of Minutes of October 24, November 7 and
November 15, 1989

Motion: Councilor Van Bergen moved approval of the minutes
of October 24, November 7 and November 15, 1989.

Vote: The four councilors present voted aye. Councilor
McFarland was absent.

The motion carried.

2. Convention Center Construction Update

Mr. Glenn Taylor, Metro Construction Coordinator distributed the
Construction Status Report No. 27 dated December 1, 1989 and
summarized its contents. He said that work was 72 percent
complete and billing approximately 78 percent complete. He said
that work was progressing on schedule, no new claims had been
filed and permanent heat to the building was expected by mid-
January. Councilor Buchanan asked if the construction site had
experienced any vandalism, and Mr. Taylor replied that none had
been reported to him and that if there had been or would be in
the future, it would be the contractor's responsibility to
rectify. He also said that a graffiti coating was being applied
to the structure, and security was on duty evenings and weekends.

3. General Counsel Update Regarding City Actions on Phase I
Consolidation Agreement

General Counsel Dan Cooper said that a letter had been delivered
to Committee members explaining suggested changes to the
consolidation agreement. He said that additionally, he was
proposing additional minor changes for consistency. He
identified those changes as follows:

Page 11, paragraph B., after the word contracts add "(, permits,
rental agreements and licenses)" to be consistent with the rest
of the agreement. On pages 4 and 8, change dates from January 1
to January 4, 1990.

Councilor Van Bergen asked if the contracting and budgeting procedures in the consolidation agreement violated any of the Council's statutory obligations. Mr. Cooper said that ordinance and agreement were consistent with state law and Metro's ability to appoint commissions. Mr. Chris Thomas, representing the City of Portland in the consolidation matter agreed with Mr. Cooper and further noted that the ordinance also contained certain elements to satisfy requirements of the independent auditors. Councilor Van Bergen asked if there were any provisions in the ordinance or agreement whereby the Metropolitan Exposition-Recreation Commission (Metro E-R Commission) could become involved with PDC in financing a convention headquarters hotel. Mr. Cooper said that the headquarters hotel had never been discussed in any of negotiations regarding this agreement and that the Commission had no independent authority to enter into such an agreement without specific authorization from Metro Council. Councilor Van Bergen asked that Messrs. Cooper and Thomas review the minutes of the meeting prior to their presentation to the Committee for approval to assure that their responses to his questions were understood and properly recorded.

Mr. Thomas also handed out additional revisions to the Consolidation Agreement desired by the City of Portland which added additional language to Section 3(A) and Section 6(A). Mr. Thomas' proposed amendments have been filed with the agenda packet and are by reference a part of these minutes.

Motion: Councilor DeJardin moved approval of the revised "Agreement Regarding Consolidation of Regional Convention, Trade, Spectator and Performing Arts Facilities" as attached to General Counsel Daniel Cooper's December 1, 1989 letter addressed to Councilor David Knowles.

The amendments submitted by Mr. Thomas were not made a part of the motion. Councilor DeJardin asked that written affirmation be sent to the City of Portland indicating that it was Metro's intent to comply with the amendments they had requested: to maintain the ERC facilities in as good condition as on the transfer of their use to Metro and to prepare each fiscal year a 5-year capital improvement plan for the facilities.

Vote: Four Committee members voted aye. Councilor Van Bergen voted nay.

The motion carried.

4. Ordinance No. 89-325, For the Purpose of Amending the Metro Code Regarding the Metropolitan Exposition-Recreation Commission

The Chair explained that adoption of the ordinance would authorize the Executive Officer to execute the "Agreement Regarding Consolidation of Regional Convention, Trade, Spectator and Performing Arts Facilities" as the Committee had previously amended it earlier in the meeting. Councilor Knowles then opened and closed the public hearing. There was no testimony. In response to a query from Councilor Van Bergen, General Counsel Cooper explained that a revised ordinance (No. 89-325A) had been distributed to the Committee which added subsection 4 to Section 2.02.010 authorizing the Executive Officer to execute the Consolidation Agreement. Mr. Cooper also explained that previously, that the appointment process for the Metro E-R Commission had been set out by Executive Order, and that adoption of Ordinance No. 89-325A would codify the appointment process.

Motion: Councilor DeJardin moved to recommend the Council adopt Ordinance No. 89-325A.

Vote: The five committee members voted in favor of the motion.

The motion carried unanimously.

5. Resolution No. 89-1166, Approving a Request for Bids Document for Construction of the Africa Rain Forest Exhibit at the Metro Washington Park Zoo

Councilor Knowles explained that the Committee at a previous meeting had requested additional information regarding the resolution and that subsequent to the Committee's request and 3-2 conditional approval, the Executive Officer had requested that the resolution be referred back to Committee for additional discussion. Councilor Knowles said that the Zoo had supplied additional information contained in the meeting agenda packet.

Motion: Councilor Buchanan moved to recommend Council adoption of Resolution No. 89-1166.

Councilor Knowles asked what the department anticipated to be the increased estimated cost of the exhibit construction cost over the original estimate. Zoo Assistant Director Kay Rich replied that it was expected that exhibit construction would cost \$683,000 more than anticipated; and that construction costs would be funded by an unanticipated \$450,000 increase in donations and \$233,000 from the current levy. Councilor Knowles asked for assurance that there were sufficient funds, and Mr. Rich said that there were sufficient levy funds remaining and that the Zoo was in receipt of approximately three-quarters of the donation

funds, and the revenue would be budgeted in the 1990-91 fiscal year budget.

Vote: The five councilors present voted in favor of the motion.

The motion carried unanimously.

6. Zoo Tax Levy Worksession

Zoo Director Sherrie Sheng explained that the Friends of the Zoo had contracted with Bob Moore of Moore Information Incorporated and Tim Hibbitts of TH Research Incorporated to conduct two surveys on the viability of funding measures for the Zoo. It was noted that the surveys were funded entirely by the Friends of the Zoo.

Messrs. Moore and Hibbitts distributed a report titled "Zoo funding surveys sponsored by Friends of the Zoo." Mr. Moore summarized the hand-out and said that both surveys were conducted during November, 1989, and that as a result, he deemed two levy funding level options not viable (\$48,000,000 levy; 5-year operations plus \$24,000,000 capital and \$56,000,000 levy; 5-year operations plus \$32,000,000 capital). He said that two other options were deemed viable (\$14,000,000 levy; 2-year operations plus \$5,000,000 capital and \$19,000,000 levy; 3-year operations plus \$5,000,000 capital). Mr. Moore said that the survey also asked respondents if maintenance of current attractions or expansion/upgrading the Zoo were more preferable. He said that 56 percent of the respondents replied both were desired; 29 percent thought current attractions were satisfactory, and 9 percent preferred expansion and upgrading. Mr. Moore said that the survey indicated both a \$14 million levy and \$5 million tax base for operating support were both viable as were the two funding measures together.

Councilor McFarland asked about the sample size. Mr. Moore said the first survey sample size was 500 voters in the Metro District tri-county area with a margin of error of +/- 4 percent, and the second survey sample size was 300 voters in the tri-county area with a margin of error of +/- 6 percent. In discussion about whether March or May would be a better time to place measures on the ballot, Mr. Ray Phelps, Director of Finance and Administration pointed out that in May, the District for the first time would be able to use the Voters' Pamphlet. Executive Officer Rena Cusma said that she recommended after meetings with the pollsters, staff and committee members, that the tax base and serial levy be placed on the ballot for the May election. Ms. Cusma stressed the need for a good campaign.

Motion: Councilor McFarland moved to forward a tax base measure (as included in and identified as Draft #2 in the December 5, 1989 Committee agenda packet) and a three-year serial levy measure (similar to that identified as Draft #3 in the December 5, 1989 Committee agenda packet) to the Council for consideration at the December 14, 1989 meeting.

Councilor Van Bergen requested a draft resolution for both a three-year and a two-year serial levy measure. Chair Knowles noted that both measures would be forwarded to the Committee from the Council for further refinement.

Vote: The five committee members voted aye.

The motion carried unanimously.

Councilor Knowles announced that the Friends of the Zoo was making available free Zoo passes for low-income families. Greg McMurdo, Government Relations Manager, announced that it was necessary to enact an ordinance in order to utilize the Voters' Pamphlet.

There was no other business, and the meeting was adjourned at 5:55 p.m.

Respectfully submitted,



Gwen Ware-Barrett
Clerk of the Council

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