



# METRO

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Agenda

REVISED AGENDA: AGENDA ITEM NOS. 5.5 AND 5.6  
HAVE BEEN ADDED TO THE CONSENT AGENDA

DATE: February 27, 1992  
MEETING: METRO COUNCIL  
DAY: Thursday  
TIME: 5:30 p.m.  
PLACE: Metro Council Chamber

Approx.  
Time\*

Presented  
By

5:30  
(15 min.)

## CALL TO ORDER/ROLL CALL

### 1. SWEARING IN OF ED WASHINGTON AS DISTRICT 11 COUNCILOR

5:45  
(10 min.)

### 2. INTRODUCTIONS

### 3. CITIZEN COMMUNICATIONS TO THE COUNCIL ON NON-AGENDA ITEMS

5:55  
(10 min.)

### 4. EXECUTIVE OFFICER COMMUNICATIONS

4.1 Presentation to Retiring Solid Waste Rate Review Committee  
Members: Jonathan Block, Charles O'Connor and Milton Fyre

6:05  
(15 min.)

### 4.2 Arts Plan 2000+ Presentation of Final Report

6:20  
(5 min.)

### 5. CONSENT AGENDA (Action Requested: Motion to Adopt the Consent Agenda)

#### 5.1 Minutes of December 12 and 19, 1991

5.2 Resolution No. 92-1572, For the Purpose of Appointing Shirley A. Coffin, Jim Cozzetto, Jr., Elenora C. Fielder, Ross M. Hall, Steve Schwab and Andrew Thaler to the Solid Waste Rate Review Committee

5.3 Resolution No. 92-1560, For the Purpose of Appointing Members to the Metro Central Station Community Enhancement Committee

Hansen

5.4 Resolution No. 92-1545, For the Purpose of Confirming the Appointment of Pamela R. Williams to Fill a Vacancy on the Composter Community Enhancement Committee

Buchanan

5.5 Resolution No. 92-1578, For the Purpose of Endorsing Comments and Recommendations Regarding ODOT's 1993-1996 Six-Year Transportation Improvement Program

5.6 Resolution No. 92-1558, For the Purpose of Authorizing Staff of Smith and Bybee Lakes Trust Fund to Serve as Liaison for Acquisition of Land in the Lakes Management Area

### 6. ORDINANCES, SECOND READINGS

#### URBAN GROWTH BOUNDARY ORDINANCE

6:25  
(20 min.)

6.1 Ordinance No. 92-444, An Ordinance Adopting a Final Order and Amending the Metro Urban Growth Boundary for Contested Case No. 91-2: Forest Park (Action Requested: Motion to Adopt the Ordinance)

\* All times listed on this agenda are approximate; items may not be considered in the exact order listed.

**6. ORDINANCES, SECOND READINGS (Continued)**

**REFERRED FROM THE REGIONAL FACILITIES COMMITTEE**

- 6:45  
(10 min.)      **6.2 Ordinance No. 92-412A, Amending Metro Code Chapter 4.01 Metro Washington Park Zoo Regulations PUBLIC HEARING**      **McFarland**  
(Action Requested: Motion to Adopt the Ordinance)

**7. RESOLUTIONS**

**REFERRED FROM THE SOLID WASTE COMMITTEE**

- 6:55  
(20 min.)      **7.1 Resolution No. 92-1569, For the Purpose of Approving Projects for the One Percent for Recycling Program for 1991-92 Fiscal Year (Action Requested: Motion to Adopt the Resolution)**      **McLain**

**BEFORE THE CONTRACT REVIEW BOARD**

- 7:15  
(10 min.)      **7.2 Resolution No. 92-1566, For the Purpose of Approving an Exemption from the Competitive Bidding Requirements and Authorizing the Executive Officer to Execute an Amendment to the Metro Central Construction and Operation Agreements (Action Requested: Motion to Adopt the Resolution)**

**REFERRED FROM THE TRANSPORTATION & PLANNING COMMITTEE**

- 7:25  
(20 min.)      **7.3 Resolution No. 92-1561C, For the Purpose of Providing the Assessment of Dues to Local Governments for FY 1992-93 (Action Requested: Motion to Adopt the Resolution)**
- 7:45  
(10 min.)      **7.4 Resolution No. 92-1559, For the Purpose of Endorsing Tri-Met Grant Applications for Funding Under 1) Section 20, Human Resources Program, and 2) Section 16(B)(2)/Cigarette Tax, Special Transportation Discretionary Program (Action Requested: Motion to Adopt the Resolution)**      **McLain**

**REFERRED FROM THE GOVERNMENTAL AFFAIRS COMMITTEE**

- 7:55  
(10 min.)      **7.5 Resolution No. 92-1568, For the Purpose of Establishing a Regional Student Congress to Consider Issues of Concern to Metro and the Citizens of the Region (Action Requested: Motion to Adopt the Resolution)**

**REFERRED FROM THE REGIONAL FACILITIES COMMITTEE**

- 8:05  
(10 min.)      **7.6 Resolution No. 92-1556, Authorizing a Planning and Development Effort for Financing Regional Facilities and Programs (Action Requested: Motion to Adopt the Resolution)**      **DeJardin**

**REFERRED FROM THE FINANCE COMMITTEE**

- 8:15  
(10 min.)      **7.7 Resolution No. 92-1565A, For the Purpose of Ratifying the Tentative Agreement with the Laborers International Union, Local 483, and AFSCME Local 3580 Concerning a Pay Increase, Effective 7-1-91 (Action Requested: Motion to Adopt the Resolution)**



**7. RESOLUTIONS (Continued)**

8:25  
(10 min.)

- 7.8 Resolution No. 92-1571, For the Purpose of Reauthorizing Proceedings to Advance Refund Series 1987 General Obligation (Convention Center Bonds) (Action Requested: Motion to Adopt the Resolution)**

8:35  
(15 min.)

- 7.9 Resolution No. 92-1574, For the Purpose of Recognizing a Bad Debt Write-Off Related to Accounts Receivable No. 5481 - OK Sanitary Service, and No. 52230. - Helzer Sanitary Service (Action Requested: Motion to Adopt the Resolution)**

8:50  
(10 min.)

**8. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS**

- 8.1 Report on January 30 Presentation to the Metro Charter Committee**

9:00

**ADJOURN**



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METRO COUNCIL AGENDA  
February 27, 1992  
Page 3

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- OK Sanitary Service, and No. 52230. - Helzer Sanitary  
Service (Action Requested: Motion to Adopt the  
Resolution)

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(10 min.)      8. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

8.1 Report on January 30 Presentation to the Metro Charter  
Committee

9:00      ADJOURN



Meeting Date: February 27, 1992  
Agenda Item No. 5.1

**MINUTES**

MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

December 12, 1991

Council Chamber

Councilors Present: Presiding Officer Tanya Collier, Deputy  
Presiding Officer Jim Gardner, Larry  
Bauer, Roger Buchanan, Richard Devlin,  
Sandi Hansen, David Knowles, Ruth  
McFarland, Susan McLain, George Van  
Bergen and Judy Wyers

Councilors Absent: None

Also Present: Executive Officer Rena Cusma

Presiding Officer Collier called the meeting to order at 5:35  
p.m.

Presiding Officer Collier announced that Agenda No. 5.3,  
Resolution No. 91-1538, For the Purpose of Authorizing the Award  
of the Metro Headquarters Design/Build Contract to Hoffman  
Construction Company, would be considered before Agenda Item No.  
5.2, Resolution No. 91-1537, For the Purpose of Authorizing the  
Closing of the Real Estate Transaction to Acquire the Sears  
Building and the Adjacent Parking Garage.

1. INTRODUCTIONS

None

2. CITIZEN COMMUNICATIONS TO COUNCIL ON NON-AGENDA ITEMS

None.

2A. NON-REFERRED RESOLUTIONS

Resolution No. 91-1542, For the Purpose of Expressing  
Appreciation to Karla Forsythe for Services Rendered to the  
Metropolitan Service District

Motion to Suspend the Rules: Councilor Gardner moved,  
seconded by Councilor McFarland, to suspend the  
Council's rules requiring resolutions to be referred by  
Committee so that the Council as a whole could consider  
Resolution No. 91-1542.

Vote on Motion to Suspend: Councilors Bauer, Buchanan,  
DeJardin, Gardner, Hansen, Knowles, McFarland, McLain,  
Van Bergen and Collier voted aye. Councilors Devlin  
and Wyers were absent. The vote was unanimous and the  
motion passed.



Presiding Officer Collier announced Karla Forsythe, Council Analyst, resigned from the Council Department effective December 12, 1991, to take a position with the Homebuilders Association. Presiding Officer Collier read Resolution No. 91-1542 for the record.

Motion: Councilor Gardner moved, seconded by Councilor Buchanan, for adoption of Resolution No. 91-1542.

Vote: Councilors Bauer, Buchanan, DeJardin, Gardner, Hansen, Knowles, McFarland, McLain, Van Bergen, Wyers and Collier voted aye. Councilor Devlin was absent. The vote was unanimous and Resolution No. 91-1542 was adopted.

Ms. Forsythe thanked the Council for the resolution expressing appreciation for her services to Metro.

### 3. EXECUTIVE OFFICER COMMUNICATIONS

Executive Officer Cusma noted she would send the Council a draft resolution on December 13 recommending Metro begin responding to the Charter Committee's draft proposals to-date.

### 4. ORDINANCES, SECOND READINGS

#### 4.1 Ordinance No. 91-439A, An Ordinance Establishing a Plan for the Financing from Time to Time of Various Facilities and Operations of the Metropolitan Service District; Authorizing the Issuance of One or More Series of Revenue Bonds for Such Purpose Under the Provisions of Supplemental Ordinances Adopted Pursuant Hereto; and Establishing and Determining Other Matters in Connection Herewith

The Clerk read the ordinance for a second time by title only.

Presiding Officer Collier announced Ordinance No. 91-439 was first read on November 14 and referred to the Finance Committee for consideration. The Finance Committee considered the ordinance on December 5 and recommended Ordinance No. 91-439A to the full Council for adoption.

Main Motion: Councilor Van Bergen moved, seconded by Councilor Buchanan, for adoption of Resolution No. 91-439A.

Councilor Van Bergen gave the Finance Committee's report and recommendations. He explained the financing bond was similar to other financing bond ordinances adopted in the past. He said the

ordinance was complex and the actions recommended by staff for security purposes were good. He said after the Finance Committee met December 5, he had since been advised two of the three rating firms indicated the bond would receive an "A" rating and the third had stated a rating of "A-." He said the ordinance should be amended to achieve an "A" rating from all three rating firms to receive lower interest rates. He noted a memo from Jennifer Sims, Director of Finance and Management Information dated December 11, 1991, "Amendment to Ordinance No. 91-439."

Presiding Officer Collier opened the public hearing. No citizens appeared to testify and the public hearing was closed.

Dan Cooper, General Counsel, explained the amendment would add language to "Definitions" in Section 101 on page 13: "'Unrestricted Taxes' means any tax now or hereafter imposed or levied by the Issuer which is not restricted by law in a manner that precludes the Issuer from using the revenues derived from such tax to make a General Assessment for the payment of debt service on Outstanding Debt Obligations, including but not limited to any ad valorem tax, excise tax or any other tax." He explained the amendment would also add to page 18, Section 205, "Additional Bonds and Financial Obligations; Completion Obligations and Refunding Obligations. (II) Report of Qualified Consultant as to Future Unrestricted Taxes and Debt Service. A report of a Qualified Consultant stating that in the opinion of such Qualified Consultant the Issuer, in each of the three Fiscal Years described in (1)(A)(2) above, can generate and collect Unrestricted Taxes in an amount equal to 125% of the Annual Debt Service for the Outstanding Debt Obligations, including the Debt Obligations to be issued or incurred."

Motion to Amend: Councilor Van Bergen moved, seconded by Councilor DeJardin, to amend Ordinance No. 91-439A with amendment language as listed above from Ms. Sims' memo.

Vote on Motion to Amend: Councilors Bauer, Buchanan, DeJardin, Gardner, Hansen, Knowles, McFarland, McLain, Van Bergen, Wyers and Collier voted aye. Councilor Devlin was absent. The vote was unanimous and the motion to amend passed.

Vote on the Main Motion as Amended: Councilors Bauer, Buchanan, DeJardin, Gardner, Hansen, Knowles, McFarland, McLain, Van Bergen, Wyers and Collier voted aye. Councilor Devlin was absent. The vote was unanimous and Ordinance No. 91-439B was adopted.



4.2 Ordinance No. 91-440A, An Ordinance Enacted as a Supplemental Ordinance to Ordinance No. 91-439; Establishing a Plan for Financing the Metro Headquarters Building; Authorizing the Issuance of the Metro Headquarters Building Bonds for Such Purpose; and Establishing and Determining Other Matters in Connection Therewith

The Clerk read the ordinance for a second time by title only.

Presiding Officer Collier announced Ordinance No. 91-440 was first read on November 14 and referred to the Finance Committee for consideration. The Finance Committee considered the ordinance on December 5 and recommended Ordinance No. 91-440A to the full Council for adoption.

Motion: Councilor Van Bergen moved, seconded by Councilor Buchanan, for adoption of Ordinance No. 91-440A.

Councilor Van Bergen gave the Fiancee Committee's report and recommendations. He explained the ordinance served as a supplemental bond ordinance to Ordinance No. 91-439B.

Presiding Officer Collier opened the public hearing. No citizens appeared to testify and the public hearing was closed.

Vote: Councilors Bauer, Buchanan, DeJardin, Gardner, Hansen, Knowles, McFarland, McLain, Van Bergen, Wyers and Collier voted aye. Councilor Devlin was absent. The vote was unanimous and Ordinance No. 91-440A was adopted.

4.3 Ordinance No. 91-421A, For the Purpose of Amending the Regional Waste Water Management Plan and Authorizing the Executive Officer to Submit it for Recertification

The Clerk read the ordinance for a second time by title only.

Presiding Officer Collier announced that Ordinance No. 91-421 was first read on November 14 and referred to the Transportation & Planning Committee for consideration. The Transportation & Planning Committee considered the ordinance on November 25 and recommended Ordinance No. 91-421A to the full Council for adoption.

Motion: Councilor Devlin moved, seconded by Councilor Hansen, for adoption of Ordinance No. 91-421A.

Councilor Devlin gave the Transportation & Planning Committee's report. He said Committee discussion centered on general water

issues related to the Water Resources Division of the Planning & Development Department. He said the ordinance was amended because Legal Counsel believed the ordinance needed technical amendments to more closely match the requirements of the Code of the Metropolitan Service District.

Presiding Officer Collier opened the public hearing. No citizens appeared to testify and the public hearing was closed.

Vote: Councilors Bauer, Buchanan, Devlin, DeJardin, Gardner, Hansen, Knowles, McFarland, McLain, Van Bergen, Wyers and Collier voted aye. The vote was unanimous and Ordinance No. 91-421A was adopted.

## 5. RESOLUTIONS

### 5.1 Resolution No. 91-1530, For the Purpose of Considering the Recommendations of the Region 2040 Management Committee for Consultant Selection and Contract Approval

Motion: Councilor Gardner moved, seconded by Councilor Wyers, for adoption of Resolution No. 91-1530.

Councilor Gardner gave the Transportation & Planning Committee's report and recommendations. He explained the resolution adopted the Management Committee's recommendations on proposals received for consulting services. He said the consultants would perform studies for the Region 2040 Plan, the next step in Metro's planning program to deal with regional growth management issues. He said Region 2040 was a direct result of Regional Urban Growth Goals and Objectives (RUGGOS) adopted via Ordinance No. 91-418A on September 26, 1991. He said funds were budgeted this fiscal year for FY 1991-92 and that nine responses were received. He said after review of the proposals, the Management Committee reduced the responses to four teams of consulting firms who were asked to submit more detailed proposals and then interviewed. He said the Management Committee selected a team of firms which included ECO Northwest, Cogan Sharpe Cogan, Cambridge Systematics, CH2M Hill, Pacific Rim Resources, Decision Sciences, Walter Macy, Saluddin Khan and Ernie Munch. He said those consultants would work on Phase I for approximately one year.

Councilor Gardner said Phase I would assess projected growth in the region for the next 20 years and develop different scenarios on how that growth might occur. He said the team would develop different options to choose based on existing land use and transportation policies to offer a look at how growth would occur within those changes. He said the process would develop products to describe the scenarios in detail including descriptions and

tabloids to be offered for public distribution and comment. He said the process would start with public outreach to find out if the public thought growth should occur, how that growth should occur, and what could be done about it. He said citizen input would be used when developing the alternative scenarios.

Councilor Van Bergen said he voted nay on the resolution at the Committee because he objected to one firm on the selection team and would vote nay on the resolution for that reason at this meeting also.

Councilor McLain stated for the record her concerns about the composition of the Management Team selected to manage the consultant team. She believed the management team should have a Council analyst as a voting member because the Council represented citizens also.

Councilor Devlin discussed Committee meeting debate about the composition of the Management Team. He said the management team should manage the consultants and steer clear of policy issues. He said the team would receive policy input from other bodies. Councilor McLain said she was not attempting to infuse the Management Team with policy issues but said policy makers such as the Council, should be well informed, especially on technical information. She said for the Council to be informed, a Council Department staff person should be present.

Vote: Councilors Bauer, Buchanan, Devlin, DeJardin, Gardner, Hansen, Knowles, McFarland, McLain, Wyers and Collier voted aye. Councilor Van Bergen voted nay. The vote was 11-1 in favor and Resolution No. 91-1530 was adopted.

5.3 Resolution No. 91-1538, For the Purpose of Authorizing the Award of the Metro Headquarters Design/Build Contract to Hoffman Construction Company

Motion: Councilor Bauer moved, seconded by Councilor Buchanan, for adoption of Resolution No. 91-1538.

Councilor Bauer gave the Regional Facilities Committee's report and recommendations. He said Agenda Item No. 5.3 was being considered before Agenda Item No. 5.2 because Resolution No. 91-1538 contained criteria that required adoption before adoption of Resolution No. 91-1537. He said Resolution No. 91-1538 awarded the Sears Building design/build contract to Hoffman Construction Company. He said six firms responded to the original RFP and three of those firms responded to the subsequent RFP issued. He said the selection team concluded Hoffman

Construction Company to be the most appropriate bidder and that Hoffman met all the criteria listed to complete the project in 396 days for \$9.36 million.

Presiding Officer Collier opened a public hearing.

Ruth Miller, Inner City Strategies, 33 NE Cook, Portland, asked that Metro make the Sears Building into a model demonstration facility for waste reduction and energy conservation for office buildings by maximizing solar access during the winter by placing as many windows as possible along the south side; minimizing late spring and summer solar access by placing an overhang above south and west facing winds at the appropriate angle and planting deciduous trees on those sides; building open, well-designed stairways at the center of the work space and encouraging people to use them; placing elevators off to the side to discourage their use; putting easy to use waste recovery and recycling systems in each work and kitchen area; and installing a passive solar water heating system such as the Copper Cricket. Ms. Miller said Metro could utilize demolition and construction techniques and materials that minimized waste, and made other energy and resource efficient suggestions.

Councilor McFarland instructed Neil Saling, Director of Regional Facilities, to contact Ms. Miller to incorporate Inner City Strategies' recommendations into the design work. Councilor McFarland noted she had spoken with Ms. Miller previously and had given Ms. Miller's letter to Mr. Saling and said Regional Facilities staff was aware of the suggestions made by Inner City Strategies. She told Regional Facilities staff and Hoffman representatives to consider all of Ms. Miller's suggestions and related issues and recommendations seriously.

Vote: Councilors Bauer, Buchanan, Devlin, DeJardin, Gardner, Hansen, Knowles, McFarland, McLain, Van Bergen, Wyers and Collier voted aye. The vote was unanimous and Resolution No. 91-1538 was adopted.

5.2 Resolution No. 91-1537, For the Purpose of Authorizing the Closing of the Real Estate Transaction to Acquire the Sears Building and the Adjacent Parking Garage

Motion: Councilor Bauer moved, seconded by Councilor Buchanan, for adoption of Resolution No. 91-1537.

Councilor Bauer gave the Regional Facilities Committee's report and recommendations. He explained the resolution was companion legislation to Resolution No. 91-1538. He said this resolution would close the real estate acquisition to acquire the Sears



Building and the adjacent parking garage. He said Executive Officer Cusma had done an excellent job in acquiring the facility at a fair price and said the facility was a good investment for Metro. He said the resolution would authorize the release of \$250,000 in earnest money previously agreed to, authorized acquisition of the parking garage approved via Resolution No. 91-1529, and noted the total project cost was \$23 million.

Councilor Gardner said Sears Building issues had been discussed several times at Council and committee meetings at length and stated he could not support the purchase of the Sears Building. He did not believe a comprehensive review had been made of all available options. He was aware of staff's extensive work, but said Metro did not receive competitive bids to acquire a headquarters building. He said the timing was bad in view of the current regional economic situation and said the building costs would raise Metro's overall program costs. He said Metro would have as many as three different measures on the November 1992 ballot asking for funds including the Greenspaces Program, a funding base for the regional recreational facilities, and the Metro Charter with its financing component for the agency as a whole. He said current space needs were undeniable, and the building did represent a good investment, especially over 20 years, but said it was a good deal at the wrong time. Councilor Gardner said the parking space acquisition was a good investment also, but did not believe government should be in the parking business.

Councilor Devlin concurred with Councilor Gardner, but said definite site criteria and a competitive process had been used to procure the builder. He said there was a difference between the public perception and the public's best interest. He said acquisition of the Sears building was definitely in the public's best interest.

Councilor DeJardin said the building would be a good investment and that if Metro waited, costs would not be any lower. He said currently the Metro headquarters did not have sufficient space and parking facilities. He noted Ms. Miller's testimony and said Metro would be recycling a building that had not been utilized to its fullest potential in the past and that Metro's occupancy of the building would help to revitalize that part of Portland.

Councilor McFarland said she voted against the extra parking space at Committee because she did not agree with using taxpayers' money to build a business to compete with those taxpayers. She said Metro should not acquire space simply to rent it out.

Councilor Buchanan said it was appropriate for government to enter into proprietary functions and cited the Bonneville Power Administration as an example. He said the parking space represented a good investment.

Vote: Councilors Bauer, Buchanan, Devlin, DeJardin, Hansen, Knowles, McLain, Van Bergen, Wyers and Collier voted aye. Councilors Gardner and McFarland voted nay. The vote was 10 to 2 in favor and Resolution No. 91-1527 was adopted.

5.4 Resolution No. 91-1536, For the Purpose of Approving Metro's Participation in the Forum on Cooperative Urban Services

Motion: Councilor DeJardin moved, seconded by Councilor Devlin, for adoption of Resolution No. 91-1536.

Councilor DeJardin gave the Governmental Affairs Committee's report and recommendations. Councilor DeJardin said the resolution would approve Metro's participation in the Forum on Cooperative Urban Services (FOCUS). He said the Forum was not meant to supplant regional government, the League of Oregon Cities, or the Oregon Association of Counties. He said the Forum would build trust and cooperation between cities, counties and Metro. He said the group would have no direct authority but would make policy recommendations on growth. He said Metro's FOCUS members would be Metro's Presiding Officer and Executive Officer Cusma. He said the resolution provided for payment of dues annually of not more than \$2,000. He said FOCUS would study special districts, Clark and Yamhill Counties and the City of Newberg. He said there would be utilization of Portland State University's Institute on Metropolitan Studies, the Governor's tax project, transportation issues, the Oregon Department of Transportation (ODOT), lightrail and other transit issues, as well as emphasis on controlling congestion which tied into RUGGOs and a formalized tax coordination process.

Councilor Wyers asked how FOCUS differed from Metro and why Metro was not able to perform the functions described on its own. Councilor DeJardin said Metro had various task forces and different groups at which elected officials met, but said those were Metro-sponsored and related. He said FOCUS was meant for all general purpose governments in the metropolitan area and formed for communication purposes and coordination efforts to meet six times per year and twice a year at workshops. Councilor Wyers said Metro should sponsor such communications efforts.

Councilor Hansen said most regional politicians were part-time and it was difficult for them find opportunities to communicate

with each other. She said FOCUS would serve as a forum in which to solve common problems, form consensus, hold survey discussions and that it did not view itself as a policy-making body. She said FOCUS would provide Metro with an opportunity for community outreach. She said Metro should apply for membership in the League of Oregon Cities and possibly the Association of Oregon Counties. She said Metro was so specialized that it did not get invited to all the functions Metro representatives should attend.

Councilor McLain said since FOCUS would operate anyway, Metro should join it. Councilor Devlin concurred and said it was not beneficial for Metro to isolate itself. Councilor Gardner noted FOCUS organizers debated whether Metro should be invited to join or not. He said it was appropriate for Metro to join in informational discussions on issues of mutual concern. He said it would be good to show other governments Metro was not the threat they sometimes thought it could be. Councilor Van Bergen noted there were jurisdictions other than cities and asked why special districts were omitted from membership. Councilor DeJardin said they were not as organized as the cities and other entities and met less often. He assumed the special districts were not as interested in participation as the cities were. The Council discussed the issues further. Councilor Wyers said FOCUS activities would likely lead to policy analysis. Councilor Devlin said not all regional issues were necessarily issues Metro would deal with.

Vote: Councilors Buchanan, Devlin, DeJardin, Gardner, Hansen, McFarland, McLain, Van Bergen and Collier voted aye. Councilor Wyers voted nay. Councilors Bauer and Knowles were absent. The vote was 9 to 1 in favor and Resolution No. 91-1536 was adopted.

5.5 Resolution No. 91-1534, For the Purpose of Accepting the Report of Independent Certified Public Accountants on Metro's FY 1991 Comprehensive Annual Financial Report and Schedule of Federal Financial Assistance

Motion: Councilor Buchanan moved, seconded by Councilor Hansen, for adoption of Resolution No. 91-1534.

Councilor Buchanan presented the Finance Committee's report and recommendations. He explained the Finance Committee received the report on December 5.

Councilor Van Bergen noted adoption of Resolution No. 91-1534 signified acceptance and not approval of the report.

Vote: Councilors Bauer, Buchanan, Devlin, Gardner, Hansen, McFarland, McLain, Van Bergen, Wyers and Collier voted aye. Councilors DeJardin and Knowles were absent. The vote was unanimous and Resolution No. 91-1534 was adopted.

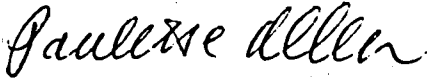
6. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

Presiding Officer Collier discussed the resolution to be transmitted to the Charter Committee.

Councilor Van Bergen discussed issues related to the Metropolitan Exposition-Recreation Commission (MERC).

There being no further business, Presiding Officer Collier adjourned the meeting at 6:55 p.m.

Respectfully submitted,



Paulette Allen  
Clerk of the Council



MINUTES OF THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

December 19, 1992

Council Chamber

Councilors Present: Presiding Officer Tanya Collier, Deputy Presiding Officer Jim Gardner, Larry Bauer, Roger Buchanan, Richard Devlin, Tom DeJardin, Sandi Hansen, David Knowles, Ruth McFarland, Susan McLain, George Van Bergen and Judy Wyers

Councilors Absent: None

Also Present: Executive Officer Rena Cusma

Presiding Officer Collier called the meeting to order at 5:31 p.m.

1. INTRODUCTIONS

None.

2. CITIZEN COMMUNICATIONS TO THE COUNCIL ON NON-AGENDA ITEMS

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

3.1 Presentation of Public Policy Advisory Committee for Regional Convention, Trade, Performing Arts and Spectator Facilities Final Report

Councilor Knowles introduced Cliff Carlsen, chair, Public Policy Advisory Committee for Regional Convention, Trade, Performing Arts and Spectator Facilities (PPAC) who presented that Committee's final report dated December 1991.

Mr. Carlsen said the Council appointed the PPAC in August 1990 and it first met in October 1990. He said the PPAC was supposed to return with its final report June 1991, but said after the PPAC was appointed, certain circumstances delayed their final report. He said two pending items still affected the outcome of the final report. He said the PPAC was charged with assessing the state of the arts in the region, but that Arts Plan 2000+ had not yet issued its final report. He said PPAC's final report referred to findings by Arts Plan 2000+ made to-date. He said another issue affecting PPAC's final report was the Blazers' proposal to construct a new arena and manage the Coliseum. He said PPAC's report should be considered a prelude to final financing solutions for the regional recreational facilities. He said the PPAC's report discussed costs for each of the

facilities, capital needs for continued operation, use/expansion of some facilities that could be better utilized for the public use, and the need for new, separate facilities.

Mr. Carlsen said the PPAC appointed five subcommittees on each of which at least two PPAC members served. He said other members represented geographic concerns and brought expertise to their particular subcommittee's area of concern.

Mr. Carlsen said the Arena Subcommittee realized early that the region needed a new facility, primarily because the Coliseum was 30 years old, was too small, and could not be expanded. He said the Subcommittee proposed, before the Blazers submitted their proposal, that the new arena result from a public/private partnership and said the Blazers submitted their proposal as such. He said the Subcommittee explored the use of the Coliseum after the construction of a new arena and concluded it had potential for use by the community and could be used efficiently if managed in conjunction with the new arena.

Mr. Carlsen discussed the Stadium Subcommittee. He noted another active committee not related to Metro had set up to study the viability of a domed stadium. He said the Dome Committee concluded there was not sufficient support for a domed facility and disbanded. He said the Stadium Subcommittee concluded also there was not enough public support for such a facility. He said they decided a group should be charged with handling work on, and review of that, and other proposed facilities on an ongoing basis. He said a sports commission could be created to consider the viability of such facilities.

Mr. Carlsen discussed the findings of the Convention Center and Expo Center Subcommittee. He said the Expo Center was under Multnomah County's auspices and was the only facility reviewed by the PPAC that was not managed by the Metropolitan Exposition-Recreation Commission (MERC). He said the Convention, Trade and Spectator (CTS) Committee, active during the mid-80's, recommended the Expo Center and the Convention Center be combined for greater efficiency. He said the Subcommittee recommended that option be looked at again as well as expanding the Convention Center. The Subcommittee noted the need for a headquarters hotel and other hotel space. He said the Expo Center was the only facility beside the Memorial Coliseum that made money and its funds went to Multnomah County's general fund. He did not know if the facility could be transferred. He said the Subcommittee's chair was Multnomah County Commissioner Pauline Anderson and that the Subcommittee did vote to transfer the Expo Center to MERC.

Mr. Carlsen said the Portland Center for the Performing Arts (PCPA) Subcommittee realized losing the Coliseum would cut its funding source. He said the PCPA did not make money and said similar facilities in other parts of the country did not either. He said most believed such facilities should make a profit and others believed that such facilities were not performing needed educational functions. He said others believed the PCPA should be affordable to the citizens who had funded it to begin with.

Mr. Carlsen said the subcommittees concluded all of the regional recreational facilities had to achieve a permanent funding base of some kind. He said they also concluded the facilities were necessary and enhanced the region's quality of life. Mr. Carlsen said the subcommittees submitted their findings to the Finance Subcommittee chaired by Councilor Knowles.

Councilor Knowles thanked the Finance Subcommittee members for their work; Dennis Derby, Washington County representative; Kim Duncan, former Metro employee; Bob Gittes, PPAC member; Alice Norris, Clackamas County representative; and Harold Pollin, hotel industry representative.

Councilor Knowles said the Finance Subcommittee took the subcommittees' recommendations and assembled them to determine a funding package for all of the facilities. He said the Subcommittee agreed on four principles to do so: 1) Any funding source had to be regional in nature; 2) That the funding source be equitable; 3) That the funding source was adequate to meet all needs; 4) That the funding source had to be politically feasible. He said the Subcommittee considered different options including: 1) An admissions tax; 2) A hotel-motel tax; 3) A food/beverage tax; 4) A sales tax; 5) A real estate transfer tax; 6) An income tax; and 7) A property tax. He said all options were discussed in depth against the criteria listed. He said the Subcommittee commissioned a poll to test public responses to those revenue sources. He said the two revenue sources that best fit the criteria were the admissions tax and the hotel-motel tax. He said the hotel industry indicated it was not appropriate to establish any particular industry for support of the facilities.

Councilor Knowles said the Finance Subcommittee recommended two options to the Metro Council. Listed on page 40 of the Final Report, he said the first option would meet the basic operational requirements of the facilities. He said operational support was required for the PCPA and the Civic Stadium. He said the Coliseum was not made part of the financial recommendations because of the Blazer agreement. He said the PCPA and Civic Stadium required capital renewals and replacements. He said the

Subcommittee recommended a general obligation bond for those needs plus a 6 percent admissions tax on all events.

Councilor Knowles said the second option took care of capital and program needs. He said the first option required periodic public votes to provide for the major capital improvements. He said the second option would reserve against current operations for capital needs. He said program items included operational support for the End of the Oregon Trail Project, reduced rents to non-profit arts organizations and Phase I of Arts Plan 2000+. He said funds could be raised from a 10 percent hotel-motel tax imposed in Multnomah, Clackamas and Washington Counties.

Councilor Knowles suggested further consolidation of MERC functions to achieve savings. He said the Council could aggressively use the budget process to achieve that goal. He said the Council should appoint another committee similar to the PPAC to achieve consensus on the funding options and return to the Council with final findings. He said reserve funds would run out in 1994 or early 1995. He said the Council should communicate with the Charter Committee about the authorities Metro needed to achieve resolution of regional recreational facility issues.

Councilor Knowles said the issues could be related to other Metro issues because of expected population growth and quality of life. He said all of the facilities provided a cultural and social infrastructure and were just as necessary as schools, transportation systems and sewer systems. He said \$4 million a year was not much when perceived in that context. He said Metro would deal primarily with growth and related issues and the regional facilities tied into those issues.

Councilor Buchanan commended Councilor Knowles and Mr. Carlsen on the PPAC report. He said basic public needs should be paid attention to at all the facilities related to seating, rest rooms and other facilities. He said the seats at the Arlene Schnitzer Concert Hall were uncomfortable and that citizens would not buy tickets to use that facility because of that reason. Mr. Carlsen said Concert Hall seating and the sound system required work. He said the Civic Auditorium required \$3 million for needed work without even considering rest room facilities. Mr. Carlsen discussed the issues further. He said the Symphony lost seats moving from the Auditorium to the Schnitzer which had caused the current tight seating situation at the Schnitzer.

Mr. Carlsen thanked all participants in the process for their hard work including Regional Facilities Department staff Neil Saling, Pam Erickson, Sherry Oeser and Jane Popple.



Councilor Devlin noted current perception seemed to be that since MERC would lose the Coliseum, the facilities would lose their subsidy source. He said the regional facilities would need funds regardless of the Coliseum's status, whether it was regionally operated or privately managed. He said another perception was that the hotel-motel tax meant a 4 percent increase in Clackamas County, a 3 percent increase in Washington County and a 1 percent increase in Multnomah County. He clarified that in Multnomah County, 3 of the existing 9 cents were already allocated to regional facilities. He said 4 cents would be added from all the Counties for regional facilities. He was afraid support would dwindle if people thought Multnomah County's tax would increase by only 1 cent in comparison to other proposed county increases which he said was not the case. Councilor Knowles said the PPAC wanted to disconnect the subsidy from the Convention Center from Multnomah County and make it a region-wide lodging tax. He said the PPAC wanted to achieve a level regional rate.

Councilor Gardner said the report did not mention capital funding needs for the Oregon Trail Project. Councilor Knowles said the PPAC believed the project was valuable and should be pursued, but said no attempt was made to identify a funding source for it because the project arose after the PPAC had started. Councilor Gardner agreed that the system of facilities must be kept open and maintained, and that the funds to do so should be regionally based, if only for fairness. He said the Sports Commission's purpose was described to seek and secure sports events and professional franchises. He said that could fall under the auspices of an expanded marketing program for the sports facilities Metro currently had. He said the seeking and securing sports franchises meant there could be an advocate-for-profit for sports franchises negotiating with the MERC for the use of a regional facility and was bothered by the potential conflict which he said could lead to two entities working at cross-purposes. Mr. Carlsen said PPAC had not recommended that and said the Stadium Subcommittee recommended the creation of a Sports Commission for the purpose of ongoing studies. He said those concerns were discussed. He said the facilities would be kept separate from acquisition of sports franchises. Councilor Knowles said the Sports Commission could help to coordinate and attract national sporting events, both amateur and professional, and those efforts would be community-based rather than facility-based. The Council discussed the proposed Sports Commission and the PPAC's final report further.

Presiding Officer Collier asked if there were other Executive Officer Communications.

Executive Officer Cusma recognized and introduced Kurt Walker, Peter Walker & Son, and David Neibert, TrashCo. She said Solid Waste Department staff had noted that Mr. Walker and Mr. Neibert have habitually gone to extraordinary efforts to make sure the clean-up area at Metro Central was always left in a neat, clean and orderly manner, and that they tidied up the area not only after themselves, but after others as well. Executive Officer Cusma presented Mr. Walker and Mr. Neibert with plaques expressing Metro's appreciation. Executive Officer Cusma introduced Barry Hale, Trans Industries, who thanked Mr. Walker and Mr. Neibert also and presented them with dinner certificates to Jake's Restaurant.

#### 4. ORDINANCES, FIRST READINGS

##### 4.1 Ordinance No. 91-433, For the Purpose of Adopting Revisions to the Regional Transportation Plan

The Clerk read the ordinance for a first time by title only.

Presiding Officer Collier referred the ordinance to the Transportation & Planning Committee for consideration.

##### 4.2 Ordinance No. 92-442, An Ordinance Amending Ordinance No. 91-390A Revising the FY 1991-92 Budget and Appropriations Schedule for the Purpose of Transferring Appropriations to Personal Services in the Solid Waste Revenue Fund

The Clerk read the ordinance for a first time by title only.

Presiding Officer Collier referred the ordinance to the Finance Committee for consideration.

##### 4.3 Ordinance No. 91-443, For the Purpose of Establishing a Metropolitan Sports Authority

The Clerk read the ordinance for a first time by title only.

Presiding Officer Collier referred the ordinance to the Regional Facilities Committee for consideration.

#### RESOLUTIONS

##### 5.1 Resolution No. 91-1539, For the Purpose of Confirming the Appointment of Clifford Carlsen to the Metropolitan Exposition-Recreation Commission

Motion: Councilor Knowles moved, seconded by Councilor DeJardin, for adoption of Resolution No. 91-1539.

Councilor Knowles gave the Regional Facilities Committee's report and recommendations. He strongly endorsed Mr. Carlsen for service on MERC.

Vote: Councilors Bauer, Buchanan, Devlin, DeJardin, Gardner, Hansen, Knowles, McFarland, McLain, Van Bergen, Wyers and Collier voted aye. The vote was unanimous and Resolution No. 91-1539.

Executive Officer Cusma stated how pleased she was to have been able to forward Mr. Carlsen's name for appointment to MERC.

5.2 Resolution No. 91-1540, For the Purpose of Authorizing the Executive Officer to Execute a Contract with Metropolitan Disposal Corporation for Sewage Grit and Screenings

Motion: Councilor McFarland moved, seconded by Councilor DeJardin, for adoption of Resolution No. 91-1540.

Councilor McFarland gave the Solid Waste Committee's report and recommendations. She said the Council previously adopted Resolution No. 91-1525A to begin hauling sewage grit and screenings on a regional basis to be stored at the City of Portland's Columbia Sewage Treatment Plant before final hauling and disposal. She said Metropolitan Disposal Corporation (MDC) submitted the low bid for hauling services for a period of five years. She said MDC's bid was \$2 per ton lower than the next lowest bid and that the City of Portland had approved their hauling equipment for use. She said it appeared at this time however that MDC would not get its Public Utilities Commission (PUC) permit at this time. General Counsel Dan Cooper said MDC had not notified Metro whether or not it planned to pursue the PUC permit. He advised the Council to award the contract to MDC, which as the low bidder if it did not get its PUC permit, would forfeit its security deposit of \$1,000 to Metro.

Councilor Knowles declared a conflict of interest because MDC was a client of the law firm he worked for. The Council briefly discussed the resolution further.

Vote: Councilors Bauer, Buchanan, Devlin, DeJardin, Gardner, Hansen, McFarland, McLain, Van Bergen, Wyers and Collier voted aye. Councilor Knowles abstained from the vote. The vote was unanimous and Resolution No. 91-1526 was adopted.

5.3 Resolution No. 91-1526, For the Purpose of Endorsing  
Comments and Recommendations Regarding ODOT's November 1991  
Draft Oregon Transportation Plan Policy Element

Motion: Councilor Devlin moved, seconded by Councilor  
Gardner, for adoption of Resolution No. 91-1526.

Councilor Devlin gave the Transportation & Planning Committee's  
report and recommendations.

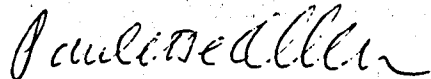
Vote: Councilors Buchanan, Devlin, DeJardin, Gardner,  
Hansen, Knowles, McFarland, McLain, Van Bergen and  
Collier voted aye. Councilors Bauer and Wyers  
were absent. The vote was unanimous and  
Resolution No. 91-1526 was adopted.

6. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

Councilor Gardner briefed the Council on the activities of the  
Building (Sears) Committee to-date. The Council as a whole  
discussed a resolution to be transmitted to the Charter Committee  
on that Committee's activities to-date. Councilor Wyers  
discussed Riedel's current financial status with regard to the  
Metro Composter Facility. Councilor Gardner discussed the FY  
1992-93 Budget process and a retreat to discuss the same.  
Councilor Buchanan reported on the Tri-Met Handicapped  
Transportation Committee and its discussion to date on the  
federal Americans with Disabilities Act.

There being no further business, Presiding Officer Collier  
adjourned the meeting at 7:00 p.m.

Respectfully submitted,



Paulette Allen  
Clerk of the Council



Meeting Date: February 27, 1992  
Agenda Item No. 5.2

RESOLUTION NO. 92-1572

## SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 92-1572, FOR THE PURPOSE OF APPOINTING SHIRLEY A. COFFIN, JIM COZZETTO, JR., ELENORA C. FIELDER, ROSS M. HALL, STEVE SCHWAB AND ANDREW THALER TO THE SOLID WASTE RATE REVIEW COMMITTEE

-----  
Date: February 19, 1992

Presented by: Councilor Van Bergen

Committee Recommendation: At the February 18 meeting, the Committee voted 4-0 to recommend Council adoption of Resolution No. 92-1572. Voting in favor: Councilors Buchanan, Hansen, McFarland and Van Bergen. Councilor Wyers was excused.

Committee Issues/Discussion: Roosevelt Carter, Solid Waste Department, explained that the appointments were being made in response to Council-adopted changes in the rate review process that increased the size and nature of the membership of the Rate Review Committee. He noted that the committee will now have seven members and be chaired by a Councilor.

Carter reviewed the background of the proposed appointees. The staff attempted to achieve geographic balance with at least two representatives from each county. He noted that the hauler appointees had been nominated by the haulers association. Mr. Hall and Mr. Thaler served on the prior rate review committee and will provide continuity and historical perspective on the new committee.

Councilor McFarland expressed concern about having two haulers on the committee, but noted that the task force that recommended the new committee membership had thoroughly discussed these issues prior to making its recommendation.

**BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT**

<b>FOR THE PURPOSE OF APPOINTING</b>	)	<b>RESOLUTION NO. 92-1572</b>
<b>SHIRLEY A. COFFIN, JIM COZZETTO, JR.,</b>	)	
<b>ELENORA C. FIELDER, ROSS M. HALL,</b>	)	<b>Introduced by Rena Cusma,</b>
<b>STEVE SCHWAB, AND ANDREW THALER TO</b>	)	<b>Executive Officer</b>
<b>THE SOLID WASTE RATE REVIEW COMMITTEE)</b>		

WHEREAS, Chapter 5.08 of Code of the Metropolitan Service District provides for the establishment of a Rate Review Committee composed of seven members, including one Metro Councilor, who shall serve as Committee chair and who shall be appointed by the Council Presiding Officer and all other members shall be appointed by the Executive Officer, subject to confirmation by the Council; and

WHEREAS, The Executive Officer's appointments shall include two persons engaged in the business of hauling solid waste; one person with business-related financial experience; one person with experience in establishing rates; one person involved with a local recycling or waste reduction program and one citizen ratepayer; and

WHEREAS, The initial terms for the six non-Council members shall be two members for four years, two members for three years, and two members for two years, designation to be determined by lot; and

WHEREAS, Following the initial term, terms for all non-Council members shall be four years each, a non-Council member may be reappointed for a consecutive term, not to exceed one full term; and

WHEREAS, Jim Cozzetto, Jr. and Steve Schwab have been recommended by the Tri - County Haulers Association to fill the positions designated for those engaged in the business of hauling solid waste; and

WHEREAS, Ross M. Hall and Andrew Thaler have prior business-related financial experience and prior experience in establishing rates respectively and have served on the prior rate review committee and would provide important continuity to the committee; and

WHEREAS, Shirley A. Coffin now serves on the Board of Directors for the Portland Recycling Team and is a member of the Association of Oregon Recyclers; and

WHEREAS, Elenora C. Fielder has been an active member of various organizations including the American Business Women's Association, the North-Northeast Business Boosters, Association and the Albina Rotary and is well suited to carry out the duties of the citizen ratepayer; now, therefore,

BE IT RESOLVED,

THAT the following individuals are confirmed for appointment to the Rate Review Committee, to fill the positions indicated: Jim Cozzetto, Jr., Steve Schwab, as members engaged in the business of hauling waste; Ross M. Hall, as a member with business related financial experience; Andrew Thaler, as a member with experience in establishing rates; Shirley A. Coffin, as a member involved with a local recycling or waste reduction program; and Elenora C. Fielder, as a member who is a citizen ratepayer.

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_ day of February 1992.

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Jim Gardner, Presiding Officer

METROPOLITAN SERVICE DISTRICT  
2000 S.W. First Avenue  
Portland, OR 97201-5403  
(503) 221-1646

APPLICATION FORM FOR APPOINTMENT TO:

Solid Waste Rate Review Committee

\*\*\*\*\*  
Metro office comments:

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NAME: Shirley A. Coffin DATE: Feb. 1, 1992

HOME ADDRESS: 65 S.W. 93rd Ave. Portland OR 97225  
Street City State Zip

BUSINESS ADDRESS: \_\_\_\_\_  
Street City State Zip

HOME PHONE: 292-9338 BUSINESS PHONE: \_\_\_\_\_

DATE OF BIRTH: 10-4-34 SOCIAL SECURITY #: 532-34-8238

METRO DISTRICT #: 3 (i.e. the district that you live in) Tim Gordon's dist.

Affirmative Action Information:

Sex F Racial/Ethnic Background Caucasian

(To assist in the program, you are asked to provide information which is necessary for statistical reporting purposes. Under State and Federal law, this information may not be used to discriminate against you)

Have you ever been a defendant in a civil action or filed for bankruptcy? yes \_\_\_\_\_ no X

Have you been arrested for any crime, violation, or major traffic offense? yes \_\_\_\_\_ no X

School (Include High School) Location Dates Major/Degree

Northport Union H.S. Northport, WA '50-'52 diploma

Whitman College Walla Walla, WA '52-'56 BA - Biology

University of Oregon Eugene, OR '56-'58 MA-Biology; Teaching Certificate

Portland State University Portland, OR '83 Graduate hours - renewal of Teaching Credentials



List major paid employment (include significant volunteer activities). List chronologically beginning with most recent experiences and include all experiences you believe are relevant.

Date (to/from)	Employer/Organization & Position Held	Address
1983 to present	Beaverton Schools - Substitute Teacher	P.O. Box 2000 Beaverton OR 9707

Volunteer: Washington County Solid Waste Advisory Committee Jan. 1991 - present  
Metro Solid Waste Policies Advisory Committee 1980-87  
Board of Directors - Portland Recycling Team 1984 - present  
MSD (Metro) Citizen's Advisory Committee 1973-74  
Association of Oregon Recyclers 1977 - present Education Chair '77, '8  
Curriculum work '76, '77.

LIST EXPERIENCE, SKILLS OR QUALIFICATIONS WHICH YOU FEEL WOULD QUALIFY YOU FOR THE POSITION:

I've had many years' contact with the world of solid waste management and the issues involved. I do not have a technical background as to the calculations involved in rate setting, but have a great deal of experience judging & weighing the facts & figures, and background knowledge in the field.

Initially, I was asked to apply to serve as a balance on the committee as to geography, background, and gender. — I feel I can provide this balance, and bring some expertise to the group.

I certify that the information provided on this form is true to the best of my knowledge.

2-1-92  
Date

Shirley A. Coffin  
Applicant's Signature

(To provide additional information or references, please attach a separate sheet/resume)

Jim Cozzetto, Jr.

Metropolitan Disposal Corp

8443 N Kerby 285-0571

Home: 8205 SW 2nd, Portland 97219

hm: 244-8331

date of birth: 9/9/55 SS# 544-72-3958

Education: Central Catholic High School  
no college

Has been with MDC for 20 years

past 8 years has been Operations Mgr.  
and last 2 of 8 has served more  
as General Manager.

Has been serving on The rate committee  
for The City of Portland Franchise  
Development

METROPOLITAN SERVICE DISTRICT  
2000 S.W. First Avenue  
Portland, OR 97201-5403  
(503) 221-1646

APPLICATION FORM FOR APPOINTMENT TO:

Solid Waste Rate Review Committee

\*\*\*\*\*  
Metro office comments:

\*\*\*\*\*

NAME: Elenora Christina - Fielder DATE: 12-31-91

HOME ADDRESS: 6210 N.E. 9th Ave Portland Oregon 97211  
Street City State Zip

BUSINESS ADDRESS: Retired — — —  
Street City State Zip

HOME PHONE: 282-1177 BUSINESS PHONE: —

DATE OF BIRTH: 12-29-19 SOCIAL SECURITY #: 457-24-5785

METRO DISTRICT #: 11 (i.e. the district that you live in)

Affirmative Action Information:

Sex F Racial/Ethnic Background AFRO American  
(To assist in the program, you are asked to provide information which is necessary for statistical reporting purposes. Under State and Federal law, this information may not be used to discriminate against you)

Have you ever been a defendant in a civil action or filed for bankruptcy? yes — no ✓

Have you been arrested for any crime, violation, or major traffic offense? yes — no ✓

School (Include High School) Location Dates Major/Degree

Phyllis Wheatley, San Antonio, Texas 1934 General Ed.

St Marys Academy, San Antonio, Texas 1935

Portland Community College, Portland, Ore 1969 Criminal Justice

Portland State, Portland, Ore. 1970, 71, 72 Psychology, Sociology

List major paid employment (include significant volunteer activities). List chronologically beginning with most recent experiences and include all experiences you believe are relevant.

Date (to/from) Employer/Organization & Position Held Address

1991-1981 American Business Women Assoc. Volunteer Board Member, Portland, Ore.  
1991-1980 North West Small Bus Finance Corp. Director, Board Member, Port, Ore.  
1991-1981 North West Small Business Brokers Assoc. Director, Board Member, Port, Ore.  
1991-1990 Albina Rotary Active Community Conductor, Portland, Ore.  
1986-1968 State of Oregon FBS Program, Emp Counselor Portland, Ore.

LIST EXPERIENCE, SKILLS OR QUALIFICATIONS WHICH YOU FEEL WOULD QUALIFY YOU FOR THE POSITION:

Having been an active member of various organizations dealing with land use, business locations, zone changes etc. I would like to become a knowledgeable member of the Solid Waste Committee; to bring the views of an average citizen to the Committee.

IN THE SPACE PROVIDED, STATE YOUR REASONS AND PURPOSES FOR APPLYING FOR THE POSITION:

As a citizen rate-payer I am interested in learning how the rates are determined for waste reduction and local recycling.

I certify that the information provided on this form is true to the best of my knowledge.

12-31-91

Date

Elena Christina Fielder

Applicant's Signature

(To provide additional information or references, please attach a separate sheet/resume)

Steve Schwab

work add: 9435 SE Clatsop phone: 774-4122

home add: 13871 SE Hampshire Way  
Clackamas 97015

home phone: 658-8072

date of birth: 9/23/55 SS# 540-56-9261

La Salle High School

Portland Comm Coll 2 yrs

U of Oregon 1 yr

Portland State 1 yr

} accounting major

Experience / Skills / committees served:

Metro's SW technical Committee

President of Clackamas Cty. Refuse Disposal  
Committee

Alternate on The OSSI Board

Past member of ~~AOR~~

Tri-C (?) Community Representative for  
Clackamas Cty

20 years in The business - (at Sunset Garbage  
Collection)



## STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 92-1572, FOR THE PURPOSE OF CONFIRMING THE APPOINTMENT OF JIM COZZETTO, JR., STEVE SCHWAB, ROSS M. HALL, ANDREW THALER, SHIRLEY A. COFFIN, AND ELENORA C. FIELDER TO THE SOLID WASTE RATE REVIEW COMMITTEE.

Date: February 10, 1992

Presented by: Don Rocks

### FACTUAL BACKGROUND AND ANALYSIS

Ordinance No. 91-436A, Metro Code Chapter 5.08 establishes a seven member solid waste rate review committee, six members to be appointed by the Executive Officer, subject to confirmation by the Council. The members appointed by the Executive Officer shall include: two persons engaged in the business of hauling solid waste; one person with business-related financial experience; one person with experience in establishing rates; one person involved with a local recycling or waste reduction program; and one citizen ratepayer. The seventh committee member will be a Metro Councilor, who shall be appointed by the Council Presiding Officer.

In meeting the requirements of Ordinance No. 91-436A, the Executive Officer accepted the recommendations of the Tri-County Haulers Association in filling the two positions reserved for persons engaged in the business of hauling solid waste. The Executive Officer's recommendations for these positions include: Jim Cozzetto, Jr. of the Metropolitan Disposal Corporation and Steve Schwab of Sunset Garbage Collection. A brief vitae of each appointee is attached.

Ross M. Hall and Andrew Thaler have both served on Metro's Rate Review Committee. Mr. Hall meets the qualifications of "business-related financial experience" and Mr. Thaler meets the requirements of "experience in establishing rates." Mr. Hall's and Mr. Thaler's appointments would serve to provide important continuity to Metro's rate setting process from the prior year.

Ms. Shirley A. Coffin meets the requirement of being involved with a local recycling or waste reduction program. She lives in Washington County and is a member of the Washington County Solid Waste Advisory Committee, is on the Board of Directors of the Portland Recycling Team and is a member of the Association of Oregon Recyclers. A brief vitae is attached.

Ms. Elenora C. Fielder is being appointed to the citizen ratepayer position. She has significant community involvement with such agencies as the American Business Women's Association, the North-Northeast Business Boosters and the Albina Rotary. A brief vitae is attached.

These appointees represent a cross section of the District's citizenry, representing each county while meeting the specific position requirements.

**EXECUTIVE OFFICER'S RECOMMENDATION:** The Executive Officer recommends Resolution No. 92- 1572 be adopted.

Meeting Date: February 27, 1992  
Agenda Item No. 5.3

RESOLUTION NO. 92-1560

## SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 92-1560, FOR THE PURPOSE OF APPOINTING MEMBERS TO THE METRO CENTRAL STATION COMMUNITY ENHANCEMENT COMMITTEE

-----  
Date: February 19, 1992

Presented by: Councilor Hansen

Committee Recommendation: At the February 18 meeting, the Committee voted unanimously to recommend Council adoption of Resolution No. 92-1560. Voting in favor: Councilors Buchanan, Hansen, McFarland, Van Bergen and Wyers.

Committee Issues/Discussion: Katie Dowdall, Enhancement Committee Staff, explained the proposed appointees will be the first members of the Metro Central Station Enhancement Committee. She noted that each of the appointing authorities had submitted a single name, but that staff and the Executive Officer agreed that the appointees were all very well qualified.

Dowdall provided a brief description of the background of each of the potential appointees, noting that each had a strong involvement in neighborhood activities. In addition, two have a background in the preparation of grants which will be valuable when reviewing funding proposals that will come before the committee. The appointee from the environmental community received widespread support from environmental organizations contacted by the staff.

Committee members expressed support for the proposed appointees and unanimously approved the resolution.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPOINTING	)	RESOLUTION NO. 92-1560
MEMBERS TO THE METRO CENTRAL	)	
STATION COMMUNITY ENHANCEMENT	)	Introduced by Rena Cusma
COMMITTEE	)	Executive Officer

WHEREAS, The Council of the Metropolitan Service District adopted Ordinance No. 91-437 for the purpose of amending Chapter 5.06 of the Metro Code to provide for a Metro Central Station Community Enhancement Program and creating a Metro Central Station Community Enhancement Committee; and

WHEREAS, In order to implement the Metro Central Station Enhancement Program, there shall be created a Metro Central Station Community Enhancement Committee consisting of seven members; and

WHEREAS, The Executive Officer is authorized to appoint six members for Council confirmation. Said appointments shall be made as follows:

- One member shall be appointed from a list of nominees submitted by the Forest Park Neighborhood Association
- One member shall be appointed from a list of nominees submitted by the Friends of Cathedral Park
- One member shall be appointed from a list of nominees submitted by the Linnton Neighborhood Association
- One member shall be appointed from a list of nominees submitted by the Northwest District Neighborhood Association
- One member shall be appointed from a list of nominees submitted by the Northwest Industrial Neighborhood Association
- One member shall be appointed from a list or lists of nominees submitted by environmental organizations that have or will have an interest in the enhancement area
- The committee shall be chaired by the Metro Councilor representing District #12

WHEREAS, The Executive Officer solicited nominations from eligible neighborhood associations and environmental groups within the enhancement area; and

WHEREAS, said organizations submitted the names of individuals to serve on the committee; and

WHEREAS, The Executive Officer has reviewed the nominations and recommends the following individuals for appointment to the committee: Leslie Blaize, Forest Park Neighborhood Association; Theodore E. White, Friends of Cathedral Park; Joan Chase, Linnton Neighborhood Association; Marvin Pohl, Northwest District Neighborhood Association; Charles H. Martin, Northwest Industrial Neighborhood Association; and Christopher H. Foster representing the environmental organizations; now, therefore,

BE IT RESOLVED,

1. That the Council of the Metropolitan Service District hereby confirms the appointments of Leslie Blaize, Theodore E. White, Joan Chase, Marvin Pohl, Charles H. Martin, and Christopher H. Foster.

2. That the Committee membership initial terms of service for the six non-Council members shall be three members for two years and three members for one year, designation to be determined by lot. Members initially serving a one year term may be reappointed for consecutive terms not to exceed two full terms. All other non-Council members may be reappointed for a consecutive term not to exceed one full term. Following the initial term, terms for all non-Council members shall be two years.

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_\_ day of \_\_\_\_\_, 1992.

---

Jim Gardner, Presiding Officer



METROPOLITAN SERVICE DISTRICT  
2000 S.W. First Avenue  
Portland, OR 97201-5403  
(503) 221-1646

APPLICATION FORM FOR APPOINTMENT TO:

METRO CENTRAL STATION COMMUNITY ENHANCEMENT COMMITTEE

\*\*\*\*\*  
Metro office comments:

\*\*\*\*\*

NAME: Leslie Blaize DATE: 14 Jan 92

HOME ADDRESS: 9630 SKYLINE Pot OR 97231  
Street City State Zip

BUSINESS ADDRESS: Above ↑  
Street City State Zip

HOME PHONE: 286-2206 BUSINESS PHONE: 286-2206

DATE OF BIRTH: 22 Sept 46 SOCIAL SECURITY #: 426-92-1576

METRO DISTRICT #: 12 (i.e. the district that you live in)

Affirmative Action Information:

Sex M Racial/Ethnic Background \_\_\_\_\_

(To assist in the program, you are asked to provide information which is necessary for statistical reporting purposes. Under State and Federal law, this information may not be used to discriminate against you)

Have you ever been a defendant in a civil action or filed for bankruptcy? yes \_\_\_\_\_ no ✓

Have you been arrested for any crime, violation, or major traffic offense? yes \_\_\_\_\_ no ✓

School (Include High School) Location Dates Major/Degree

Astoria High Astoria, OR 1961

Bay High Bay St. Louis, Miss 62-64

Pearl River Jr. Col. Poplarville, Miss 65-66 CHEMISTRY

University of Miss + So. Miss Miss 67-68 ✓

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JAN 21 1992

List major paid employment (include significant volunteer activities). List chronologically beginning with most recent experiences and include all experiences you believe are relevant.

Date (to/from) Employer/Organization & Position Held Address

1982 → Present BELAY INC Marine Chemist/owner  
Present MARINE + ENVIRONMENTAL TESTING / Consultant  
Volunteer Work : Forest Park Neighborhood Assoc.: Board Member,  
Development Comm., Environmental/Garbage  
Comm. Chairperson.  
Friends of Forest Park : Board member, Membership  
Comm.

LIST EXPERIENCE, SKILLS OR QUALIFICATIONS WHICH YOU FEEL WOULD QUALIFY YOU FOR THE POSITION: At the present I am semi-Retired

and am Not Biased From the stand point of Money or Job  
related situations. I have A strong Back ground in Environmental  
Training, My Volunteer Work has given me strong ongoing base for  
information concerning the growth and needs of All the Adjuded  
neighborhoods

IN THE SPACE PROVIDED, STATE YOUR REASONS AND PURPOSES FOR APPLYING FOR THE POSITION: As Environmental Chairperson For Forest Park

Neighborhood Asser. I bring an Informed opinion at what  
the neighborhood considers real changes in order to improve our  
lives, To preserve wild life, To create recreational opportunities  
or in general To enhance the Area for the Viability of  
not only the people but the Park + Business Also.

This is a method for Real Change + I would like To Be Involved.

I certify that the information provided on this form is true to the best of my knowledge.

13 Jan 91

Date

  
Applicant's Signature

Leslie Blair

(To provide additional information or references, please attach a separate sheet/resume)

METROPOLITAN SERVICE DISTRICT  
2000 S.W. First Avenue  
Portland, OR 97201-5403  
(503) 221-1646

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FEB 4 1992

APPLICATION FORM FOR APPOINTMENT TO:

FILE CODE:

METRO SOLID WASTE DEPT.

METRO CENTRAL STATION COMMUNITY ENHANCEMENT COMMITTEE

\*\*\*\*\*  
Metro office comments:

\*\*\*\*\*  
NAME: Theodore (Ted) E. White DATE: Feb. 3, 1992

HOME ADDRESS: 7400 N. Willamette Blvd., Portland, Oregon 97203  
Street City State Zip

BUSINESS ADDRESS: 6495 NW Cornelius Pass Road, West Union, Oregon 97124  
Street City State Zip

HOME PHONE: 289-5187 BUSINESS PHONE: 645-8166

DATE OF BIRTH: Oct. 6, 1942 SOCIAL SECURITY #: 541-46-9266

METRO DISTRICT #: 12 (i.e. the district that you live in)

Affirmative Action Information:

Sex Male Racial/Ethnic Background Cau.

(To assist in the program, you are asked to provide information which is necessary for statistical reporting purposes. Under State and Federal law, this information may not be used to discriminate against you)

Have you ever been a defendant in a civil action or filed for bankruptcy? yes \_\_\_\_\_ no #

Have you been arrested for any crime, violation, or major traffic offense? yes \_\_\_\_\_ no #

School (Include High School)	Location	Dates	Major/Degree
<u>Astoria High School</u>	<u>Astoria, Or</u>	<u>56-60</u>	<u>grad</u>
<u>Oregon State University</u>	<u>Corvallis, Or</u>	<u>60-64</u>	<u>BS</u>

List major paid employment (include significant volunteer activities). List chronologically beginning with most recent experiences and include all experiences you believe are relevant.

Date (to/from) Employer/Organization & Position Held Address  
Real Estate Sales 1985- Present Associate Broker

Skyline Realty Inc., Realtors, 6495 NW Cornelius Pass R  
West Union, Oregon 97124

White's Home Furnishings 1965-1990 Owner

Retail Furniture and Appliances

51583 Columbia River Highway, Scappoose, Oregon 97056

Management, budgeting, sales, purchasing, "making payroll" etc.

LIST EXPERIENCE, SKILLS OR QUALIFICATIONS WHICH YOU FEEL WOULD QUALIFY YOU FOR THE POSITION:

15 years on the Scappoose Planning commission

Member Columbia County Charter Review Committee

Past President Columbia County Board of Realtors

IN THE SPACE PROVIDED, STATE YOUR REASONS AND PURPOSES FOR APPLYING FOR THE POSITION:

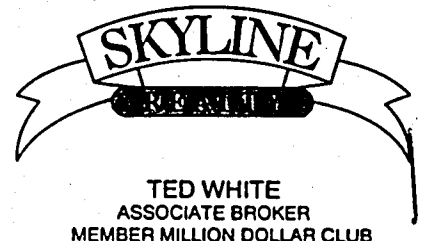
The Cathedral Park Neighborhood Association appointed me to serve on the Metro Station Community Enhancement Committee. I asked for the appointment because it provides an opportunity to serve my immediate neighborhood and our larger Portland community.

I certify that the information provided on this form is true to the best of my knowledge.

FEB 3, 1992  
Date

7a  
Applicant

(To provide additional information or re  
separate sheet/resume)



TED WHITE  
ASSOCIATE BROKER  
MEMBER MILLION DOLLAR CLUB

METROPOLITAN SERVICE DISTRICT  
2000 S.W. First Avenue  
Portland, OR 97201-5403  
(503) 221-1646

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APPLICATION FORM FOR APPOINTMENT TO:

FILE CODE:  
METRO SOLID WASTE DEPT.

Metro Enhancement Committee

\*\*\*\*\*  
Metro office comments:

\*\*\*\*\*

NAME: Joan Chase DATE: 1/29/91

HOME ADDRESS: 9889 N.W. Hogg Portland Or 97231  
Street City State Zip

BUSINESS ADDRESS: 10614 N.W. St. Helen's Rd Or 97231  
Street City State Zip

HOME PHONE: 286-6100 BUSINESS PHONE: 286-1344

DATE OF BIRTH: 5/8/43 SOCIAL SECURITY #: 552-46-0172

METRO DISTRICT #: 12 (i.e. the district that you live in)

Affirmative Action Information:

Sex F Racial/Ethnic Background Caucasian

(To assist in the program, you are asked to provide information which is necessary for statistical reporting purposes. Under State and Federal law, this information may not be used to discriminate against you)

Have you ever been a defendant in a civil action or filed for bankruptcy? yes \_\_\_\_\_ no ✓

Have you been arrested for any crime, violation, or major traffic offense? yes \_\_\_\_\_ no ✓

School (Include High School)	Location	Dates	Major/Degree
<u>Lincoln High School</u>	<u>San Francisco</u>	<u>'56-'60</u>	<u>English</u>
<u>University of California, Davis</u>	<u>"</u>	<u>'60-'64</u>	<u>English B.A.</u>
<u>"</u>	<u>"</u>	<u>"</u>	<u>graduate work English</u>



List major paid employment (include significant volunteer activities). List chronologically beginning with most recent experiences and include all experiences you believe are relevant.

Date (to/from) Employer/Organization & Position Held Address

'84 - Present Linton Comm. Center Exe. Director 10614 NW 11th  
'69-'83 Producers/Director Henry Waters Light Show

LIST EXPERIENCE, SKILLS OR QUALIFICATIONS WHICH YOU FEEL WOULD QUALIFY YOU FOR THE POSITION:

I have had years of grant writing experience  
I have always been a neighborhood activist.

IN THE SPACE PROVIDED, STATE YOUR REASONS AND PURPOSES FOR APPLYING FOR THE POSITION:

My Board at the Linton Community  
Center unanimously voted me into the position

I certify that the information provided on this form is true to the best of my knowledge.

1/29/91  
Date

Jan Chae  
Applicant's Signature

(To provide additional information or references, please attach a separate sheet/resume)

METROPOLITAN SERVICE DISTRICT  
2000 S.W. First Avenue  
Portland, OR 97201-5403  
(503) 221-1646

APPLICATION FORM FOR APPOINTMENT TO:

METRO CENTRAL STATION COMMUNITY ENHANCEMENT COMMITTEE

\*\*\*\*\*  
Metro office comments:

\*\*\*\*\*

NAME: MARVIN POHL DATE: 1-15-92

HOME ADDRESS: 3485 N.W. Raleigh St. Portland, OR 97210  
Street City State Zip

BUSINESS ADDRESS: SAME  
Street City State Zip

HOME PHONE: 227-0121 BUSINESS PHONE: SAME

DATE OF BIRTH: 7/25/49 SOCIAL SECURITY #: 070-40-8136

METRO DISTRICT #: 12 (i.e. the district that you live in)

Affirmative Action Information:

Sex MALE Racial/Ethnic Background White  
(To assist in the program, you are asked to provide information which is necessary for statistical reporting purposes. Under State and Federal law, this information may not be used to discriminate against you)

Have you ever been a defendant in a civil action or filed for bankruptcy? yes \_\_\_\_\_ no X

Have you been arrested for any crime, violation, or major traffic offense? yes \_\_\_\_\_ no X

School (Include High School) Location Dates Major/Degree

FALLSBURG High School FALLSBURG N.Y. Graduated-1967 -

STATE UNIV. of New York AT ALBANY - ALBANY, N.Y. 1971 - B.A. - Philosophy/Sociology

Portland State Univ. Portland, OR. 1988 - MSW

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List major paid employment (include significant volunteer activities). List chronologically beginning with most recent experiences and include all experiences you believe are relevant.

Date (to/from) Employer/Organization & Position Held Address

8-1992 - Lutheran Family Service - Training Institute Coordinator, Grant writer, Family Therapist  
87-present - Self-Employed - Consultant to private industry even-profit Soc. Sw. programs  
present - Board of Directors - Northwest Dist. Assoc. - Chair - Parks & Recreation Comm.  
present - Board of Directors - Friends of Forest Park - Chair - Membership Comm.  
1979-1983 - Program Founder - group therapy program developed stress Mgt. Seminars for Or. Dept. of Corrections

LIST EXPERIENCE, SKILLS OR QUALIFICATIONS WHICH YOU FEEL WOULD QUALIFY YOU FOR THE POSITION:

Licensed Clinical Social Worker

Researcher & Grant Writer

Community Development

Self Employed Consultant to Social Sw. programs

IN THE SPACE PROVIDED, STATE YOUR REASONS AND PURPOSES FOR APPLYING FOR THE POSITION:

I was chosen by the Board of NWOD to represent the Association. I believe that my awareness of community needs & skills as a researcher & grant writer will be an asset to the Metro Enhancement Comm.

I certify that the information provided on this form is true to the best of my knowledge.

1/15/92  
Date

Maria R. [Signature]  
Applicant's Signature

(To provide additional information or references, please attach a separate sheet/resume)

METROPOLITAN SERVICE DISTRICT  
2000 S.W. First Avenue  
Portland, OR 97201-5403  
(503) 221-1646

APPLICATION FORM FOR APPOINTMENT TO:

METRO CENTRAL STATION COMMUNITY ENHANCEMENT COMMITTEE

\*\*\*\*\*  
Metro office comments:

\*\*\*\*\*

NAME: Charles H. Martin DATE: 12-18-91

HOME  
ADDRESS: 2637 S.W. Patton Ct. Portland Oregon 97201  
Street City State Zip

BUSINESS  
ADDRESS: 3030 N.W. 29th Ave. Portland Oregon 97210  
Street City State Zip

HOME PHONE: 224-1259 BUSINESS PHONE: 221-0656

DATE OF BIRTH: 3-13-38 SOCIAL SECURITY #: 542-40-3150

METRO DISTRICT #: \_\_\_\_\_ (i.e. the district that you live in)

Affirmative Action Information:

Sex M Racial/Ethnic Background White  
(To assist in the program, you are asked to provide information which is necessary for statistical reporting purposes. Under State and Federal law, this information may not be used to discriminate against you)

Have you ever been a defendant in a civil action or filed for bankruptcy? yes \_\_\_\_\_ no x

Have you been arrested for any crime, violation, or major traffic offense? yes \_\_\_\_\_ no x

School (Include High School)	Location	Dates	Major/Degree
<u>Lincoln High School</u>	<u>Portland, Oregon</u>	<u>1951-1955</u>	<u>graduated</u>
<u>Oregon State University</u>	<u>Corvallis, Oregon</u>	<u>1955-1959</u>	<u>B.S.</u>
<u>University of California</u>	<u>Berkeley, California</u>	<u>1964-1966</u>	<u>MBA</u>

List major paid employment (include significant volunteer activities). List chronologically beginning with most recent experiences and include all experiences you believe are relevant.

Date (to/from) Employer/Organization & Position Held Address  
1/1/1978 - current Hampton Power Products, Inc. President (see front)

CURRENT VOLUNTEER ACTIVITIES

Vice Chair	TALN board (see brochure)	Chair of Funding Task Force
Vice President	Northwest Industrial Neighborhood Assoc.	Neighborhood Assoc.
Chair - of Trustees Committee		Hanna Carwash International Inc.

LIST EXPERIENCE, SKILLS OR QUALIFICATIONS WHICH YOU FEEL WOULD QUALIFY YOU FOR THE POSITION:

Well experience and competent in leadership, communications, analysis,  
and negotiating.

Strong interest in neighborhood enhancement through neighborhood activism  
at grass roots level.

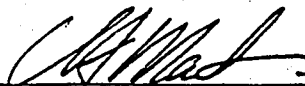
IN THE SPACE PROVIDED, STATE YOUR REASONS AND PURPOSES FOR APPLYING FOR THE POSITION:

Our neighborhood association Board of Directors as nominated myself for this  
position.

I certify that the information provided on this form is true to the best of my knowledge.

12-18-91

Date



Applicant's Signature

(To provide additional information or references, please attach a separate sheet/resume)





Established 1916

3155 N.W. Yeon Avenue

(503) 228-0251

PORTLAND, OREGON 97210

FAX (503) 241-1877

December 19, 1991

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DEC 20 1991  
METRO SERVICE DISTRICT  
EXECUTIVE

Ms. Rena Cusma  
Executive Officer Metro  
2000 SW First Avenue  
Portland, OR 97201-5398

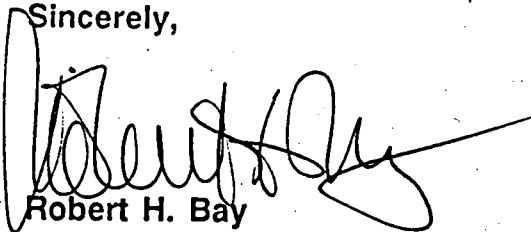
Dear Ms. Cusma,

Enclosed is the only application form that we will submit to Metro for the NINA appointment to the Metro Central Station Community Enhancement Committee. We are asking that Charles Martin be appointed to the Committee.

Chuck is President of Hampton Power Products and is the Vice President of NINA. He will probably be our next President as our Vice President usually becomes President.

Chuck has shown a great interest in working on this Committee and should be an asset to the work that this Committee will be doing.

Sincerely,



Robert H. Bay

jp  
enclosure



METROPOLITAN SERVICE DISTRICT  
2000 S.W. First Avenue  
Portland, OR 97201-5403  
(503) 221-1646

APPLICATION FORM FOR APPOINTMENT TO:

METRO CENTRAL STATION COMMUNITY ENHANCEMENT COMMITTEE

\*\*\*\*\*  
Metro office comments:

\*\*\*\*\*

NAME: Christopher H. Foster DATE: 12/30/91

HOME ADDRESS: 15400 N.W. McNamee Rd. Portland OR 97231  
Street City State Zip

BUSINESS ADDRESS: SAME AS ABOVE  
Street City State Zip

HOME PHONE: 621-3564 BUSINESS PHONE: 621-3564  
621-3686 (FAX)

DATE OF BIRTH: 1/04/50 SOCIAL SECURITY #: 541-62-2873

METRO DISTRICT #: 12 (i.e. the district that you live in)

Affirmative Action Information:

Sex M Racial/Ethnic Background Caucasian

(To assist in the program, you are asked to provide information which is necessary for statistical reporting purposes. Under State and Federal law, this information may not be used to discriminate against you)

Have you ever been a defendant in a civil action or filed for bankruptcy? yes \_\_\_\_\_ no ✓

Have you been arrested for any crime, violation, or major traffic offense? yes \_\_\_\_\_ no ✓

School (Include High School)	Location	Dates	Major/Degree
<u>Lincoln High School</u>	<u>Portland</u>	<u>64-68</u>	
<u>University of Oregon</u>	<u>Eugene</u>	<u>68-72</u>	<u>Philosophy B.S.</u>

List major paid employment (include significant volunteer activities). List chronologically beginning with most recent experiences and include all experiences you believe are relevant.

Date (to/from) Employer/Organization & Position Held Address

1991 - V.P. Friends of Forest Park - Volunteer

1991 - Metro Central Enhancement Fund Advisory Committee

(Linnton Community representative) - Volunteer

1986-present - Construction Cost Consultant on Commercial

Building Projects - (Review budgets, assign monthly progress values for the purpose of disbursing payment) Self employed.

1972-1986 - Residential/Commercial Building Contractor - " "

1990-91 - Friends of Silcox Hut - Restoration of Historic Building - Volunteer

LIST EXPERIENCE, SKILLS OR QUALIFICATIONS WHICH YOU FEEL WOULD QUALIFY YOU FOR THE POSITION:

1<sup>st</sup> - A full understanding of the goals as a member of the Advisory Committee.

2<sup>nd</sup> - A strong commitment to fairness and sharing as a member of more than one group of the Enhancement Committee. (Linnton Community, Friends of Forest Park, and Portland Audubon Society).

3<sup>rd</sup> - Work related skills including scrutiny of budgets, fiscal responsibility and disbursement of large sums of money.

IN THE SPACE PROVIDED, STATE YOUR REASONS AND PURPOSES FOR APPLYING FOR THE POSITION:

To serve the community in assuring that the goals of the program are ~~implemented~~ implemented as proposed.

I certify that the information provided on this form is true to the best of my knowledge.

12/30/91

Date

Christopher H. Foster

Applicant's Signature

(To provide additional information or references, please attach a separate sheet/resume)

# FRIENDS OF FOREST PARK

*Dedicated to Protecting and Enhancing Portland's Forest Park*

1912 NW Aspen  
Portland, Oregon 97210  
(503) 241-9348  
FAX 241-8326

12/31/91

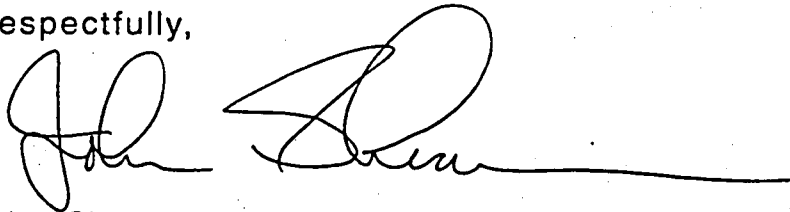
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JAN 10 1992  
METRO SERVICE DISTRICT  
12201 NW 10TH AVE

Rena Cusma, Executive Officer  
METRO  
2000 SW First Ave.  
Portland, OR 97201-5398

Dear Ms. Cusma,

Friends of Forest Park nominates Christopher Foster to the Metro Central Station Community Enhancement Committee. In addition to being active in the Linnton Community, the Skyline Community, and Friends of Forest Park. He is also a member of Portland Audubon and the Oregon Natural Resources Council. Chris served on the Metro Central Enhancement Fund Advisory Committee and has a thorough understanding of the intent of the funding guidelines. His professional background is in commercial cost construction consulting, and he is skilled in both review of projected budgets and budget management.

Respectfully,

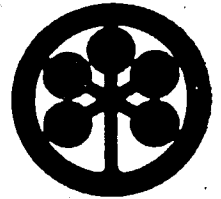
A handwritten signature in black ink, appearing to read "John Sherman", written over a horizontal line.

John Sherman, President



CITY OF PORTLAND  
BUREAU OF PARKS AND RECREATION

1120 S.W. 5TH, ROOM 1302  
PORTLAND, OREGON 97204-1933  
(503) 796-5193



MIKE LINDBERG, Commissioner

CHARLES JORDAN, Director

January 14, 1992

Rena Cusma  
Executive Officer  
Metro  
2000 S.W. First Avenue  
Portland, OR 97201

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JAN 15 1992  
METRO SERVICE DISTRICT  
EXECUTIVE MANAGER

Dear Ms. Cusma:


Thank you for providing the opportunity to nominate to the newly created Metro Central Station Community Enhancement Committee. I am enclosing a nomination for Mr. Chris Foster to the committee.

Chris is presently active with the Friends of Forest Park and has been active with conservation issues for many years. He is well qualified to fill the position available for a representative from an environmental organization. Furthermore, he has agreed to serve on the committee if nominated.

(The Friends of Forest Park have also nominated Chris and our enclosed nomination form refers to information already submitted under the Friends' nomination.)

Please keep me informed regarding this process.

Sincerely,

  
Charles Jordan  
Director

enclosure

c: Chris Foster  
Metro Councilor Sandi Hansen

METROPOLITAN SERVICE DISTRICT  
2000 S.W. First Avenue  
Portland, OR 97201-5403  
(503) 221-1646

Please see nomination  
form submitted by  
Friends of Forest Park  
for additional infor-  
mation on this nomine

APPLICATION FORM FOR APPOINTMENT TO:

METRO CENTRAL STATION COMMUNITY ENHANCEMENT COMMITTEE

\*\*\*\*\*  
Metro office comments:

*Sinda Robinson*  
**FAUNA**

\*\*\*\*\*  
NAME: Chris Foster DATE: 1/17/92

HOME ADDRESS: 15400 NW McNamee Rd - Portland, OR 97231  
Street City State Zip

BUSINESS ADDRESS: \_\_\_\_\_  
Street City State Zip

HOME PHONE: 621-3564 BUSINESS PHONE: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_ SOCIAL SECURITY #: \_\_\_\_\_

METRO DISTRICT #: \_\_\_\_\_ (i.e. the district that you live in)

Affirmative Action Information:

Sex \_\_\_\_\_ Racial/Ethnic Background \_\_\_\_\_  
(To assist in the program, you are asked to provide information  
which is necessary for statistical reporting purposes. Under State  
and Federal law, this information may not be used to discriminate  
against you)

Have you ever been a defendant in a civil action or filed for  
bankruptcy? yes \_\_\_\_\_ no \_\_\_\_\_

Have you been arrested for any crime, violation, or major traffic  
offense? yes \_\_\_\_\_ no \_\_\_\_\_

School (Include High School) Location Dates Major/Degree


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JAN 22 1992



List major paid employment (include significant volunteer activities). List chronologically beginning with most recent experiences and include all experiences you believe are relevant.

Date (to/from)    Employer/Organization & Position Held    Address

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LIST EXPERIENCE, SKILLS OR QUALIFICATIONS WHICH YOU FEEL WOULD QUALIFY YOU FOR THE POSITION: \_\_\_\_\_

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IN THE SPACE PROVIDED, STATE YOUR REASONS AND PURPOSES FOR APPLYING FOR THE POSITION: \_\_\_\_\_

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I certify that the information provided on this form is true to the best of my knowledge.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Signature

(To provide additional information or references, please attach a separate sheet/resume)

## STAFF REPORT

### RESOLUTION NO. 92-1560 FOR THE PURPOSE OF APPOINTING MEMBERS TO THE METRO CENTRAL STATION COMMUNITY ENHANCEMENT COMMITTEE

Date: January 24, 1992

Presented by: Katie Dowdall

#### FACTUAL BACKGROUND

The Council of the Metropolitan Service District adopted Ordinance NO. 91-437 for the purpose of amending Chapter 5.06 of the Metro Code to provide for a Metro Central Station Community Enhancement Program and creating a Metro Central Station Community Enhancement Committee. The Ordinance established the geographic boundaries for the area, the funding criteria, and specific membership composition of the committee that recommends projects for funding. The seven-member committee will be comprised of the Metro Councilor from District #12, one member submitted by environmental organizations that have or will have interest in the enhancement area, and one member from each of the following neighborhood associations: Forest Park, Friends of Cathedral Park, Linnton, Northwest District Association and Northwest Industrial.

The Executive Officer solicited nominations from each of the neighborhood associations. Letters were sent requesting each organization to identify and submit names of up to three individuals from which one would be selected to serve on the committee. The Executive Officer also sent letters to nine environmental organizations that have or would have interest in the enhancement area.

One nomination was received from each one of the Neighborhood Associations. One nomination was received with three letters of recommendation from the environmental community. All nominations met the criteria set in Ordinance No. 91-437.

Sandi Hansen, Chair	Councilor, District #12
Leslie Blaize	Forest Park Neighborhood Association
Theodore E. White	Friends of Cathedral Park
Joan Chase	Linnton Neighborhood Association
Marvin Pohl	Northwest District Neighborhood Association
Charles H. Martin	Northwest Industrial Neighborhood Association
Christopher Foster	Environmental Organizations Representative

Ordinance No. 91-437 also provided for terms of membership to be staggered and determined by lot with three non-Council members to serve two-year terms and three non-Council members to serve one-year terms. Members initially serving a one-year term may be reappointed for consecutive terms not to exceed two full terms. All other non-Council members may be reappointed for a consecutive term not to exceed one full term. Following the initial term, terms for all non-Council members shall be two years each.

### **EXECUTIVE OFFICER RECOMMENDATION**

The Executive Officer recommends confirmation of the above nominations for appointment to the Metro Central Station Community Enhancement Committee as specified in Resolution No. 92-1560.

KD:gbc  
CENTSTAF0124.RPT

Meeting Date: February 27, 1992  
Agenda Item No. 5.4

RESOLUTION NO. 92-1545

## SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 92-1545, FOR THE PURPOSE OF CONFIRMING THE APPOINTMENT OF PAMELA R. WILLIAMS TO FILL A VACANCY ON THE COMPOSTER COMMUNITY ENHANCEMENT COMMITTEE

-----  
Date: February 19, 1992

Presented by: Councilor Buchanan

Committee Recommendation: At the February 18 meeting, the Committee voted unanimously to recommend Council adoption of Resolution No. 92-1545. Voting in favor: Councilors Buchanan, Hanson, McFarland, Van Bergen and Wyers.

Committee Issues/Discussion: Katie Dowdall, Enhancement Committee Staff, explained that the Composter Community Enhancement Committee member representing the Rose City Park Neighborhood Association had resigned due to the need to relocate in Bend. Dowdall noted that Pamela Williams had been nominated by the association as its new representative on the committee. Dowdall described Williams background included her strong involvement in community and neighborhood affairs.

Committee members expressed satisfaction with and support of the nominee and unanimously adopted the resolution.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF CONFIRMING	)	RESOLUTION NO. 92-1545
THE APPOINTMENT OF PAMELA R.	)	
WILLIAMS TO FILL A VACANCY ON	)	Introduced by Rena Cusma,
THE COMPOSTER COMMUNITY	)	Executive Officer
ENHANCEMENT COMMITTEE	)	

WHEREAS, The Council of the Metropolitan Service District adopted Ordinance No.90-331A and Ordinance No. 91-429B for the purpose of amending Metro Code Chapter 5.06 to allow the creation of a Composter Community Enhancement Program and Committee for the Composter Facility; and

WHEREAS, The Executive Officer has authority to appoint members to the committee for Council confirmation; and

WHEREAS, Member Paul Eisenberg, representative from the Rose City Park Neighborhood Association, resigned from the Composter Community Enhancement Committee on November 28, 1991; and

WHEREAS, The Executive Officer duly solicited nominations from the Rose City Park Neighborhood Association, the appropriate neighborhood association from which the vacancy occurred; and

WHEREAS, Said organization submitted the name of Ms. Pamela R. Williams to fill said vacancy on the Committee; and

WHEREAS, The Executive Officer recommends the following individual Ms. Pamela R. Williams for appointment to the Committee; now, therefore

BE IT RESOLVED,



1. That the Council of the Metropolitan Service District hereby confirm the appointment of Ms. Pamela R. Williams to fill the vacancy on the Composter Community Enhancement Committee.

2. That Ms. Williams' term of service shall be determined by lot, which method applies to all members and shall be accomplished at a committee meeting.

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_\_ day of \_\_\_\_\_, 1992

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Jim Gardner, Presiding Officer

METROPOLITAN SERVICE DISTRICT  
2000 SW First Avenue  
Portland, Oregon 97213-5403  
(503) 221-1646

APPLICATION FORM FOR APPOINTMENT TO:

Community Composter Enhancement Committee

\*\*\*\*\*  
Metro office comments:

\*\*\*\*\*  
Pamela R. Williams February 5, 1992

Home: 3204 NE 59th Avenue, Portland, Oregon 97213-3308

Work: 3950 NW Aloclek Place, Hillsboro, Oregon 97124

Home: 284-9638 Work: 645-1118 x8249

DOB: 9-29-57 543-78-9433 Metro District 11

Female, Caucasian

I have not been a defendant in a civil action or filed for bankruptcy.

I have not been arrested for any crime, violation, or major traffic offense.

EDUCATION

Madison High School, Portland, Oregon 9/71-6/75, High School Diploma

Portland State University, Portland Oregon, 9/75-6/79, Bachelor of Arts Degree in Mathematics

EMPLOYMENT

12/89 - Present, Epson Portland Inc., Hillsboro, Oregon, MIS Assistant Manager

10/84 - 12/89, Floating Point Systems, Beaverton, Oregon, Systems and Programming Supervisor

7/79 - 10/84, ESCO Corporation, Portland, Oregon, Systems Analyst

1986 - Present, Deliver Rose City Park Neighborhood Newsletters (Volunteer)

### SKILLS

Excellent communication skills.

Work well with others.

Heavy involvement with project team and task force activities at Epson and Floating Point.

### PURPOSE

Increase my involvement in community activities, especially at the neighborhood level.

Expand my knowledge of how local government functions.

I certify that the information provided on this form is true to the best of my knowledge

February 5, 1992

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## STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 92-1545 FOR THE PURPOSE OF APPOINTING PAMELA R. WILLIAMS TO FILL A VACANCY ON THE COMPOSTER COMMUNITY ENHANCEMENT COMMITTEE.

Date: February 3, 1992  
Katie Dowdall

Presented by:

### FACTUAL BACKGROUND AND ANALYSIS

The Composter Community Enhancement Program and Committee was created by Ordinance NO. 90-331A and Ordinance No. 91-429B for the purpose of amending Metro Code Chapter 5.06 to allow for committee member reappointment, staggered terms, and establishing Committee membership. The Committee is made up of ten members; two of whom are the Metro Councilors representing Council Districts 10 and 11. Eight members are appointed by the Executive Officer subject to confirmation by the Council. The Executive Officers appoints from a list of nominees submitted by each association: three from Cully Association of Neighborhoods, one from Concordia Community Association, one from Beaumont-Wilshire Neighborhood Association, one from Madison North Neighborhood Association, one from Rose City Park Neighborhood Association, and one representing the business community within the enhancement program boundary. (Metro Code 5.06.040 attached)

Mr. Paul Eisenberg resigned from the Composter Community Enhancement Committee November 28, 1991 as he was relocate to Bend, Oregon. This created a vacancy on the Composter Community Enhancement Committee. Mr. Eisenberg was appointed from a list of nominees submitted by the Rose City Park Neighborhood Association.

To fill the vacancy left by Mr. Eisenberg on the Composter Community Enhancement Committee, Rose City Park Neighborhood Association on February 3, 1992 submitted Ms. Pamela R. Williams nominations to Executive Officer Rena Cusma for her recommendation. Ms. Williams comes highly recommended by the Rose City Park Neighborhood Association and resides within the narrow geographical area of the Rose City Park Neighborhood that is included within the enhancement boundary.

### EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer Rena Cusma recommends confirmation of the appointment of Ms. Pamela R. Williams to fill the vacancy on the Composter Enhancement Committee. Ms. Williams' term of service will be determined by lot at a full Composter Committee meeting.

FROM THE DESK OF PAUL EISENBERG

\* 3015 NE 58TH AVENUE \* PORTLAND, OREGON 97213 \* 503-288-9400 \* 503-789 6406 MOBILE \*

November 28, 1991

Judith Mandt  
Katie Dowdall  
METRO  
2000 SW First Avenue  
Portland, Oregon 97201-5398

RE: Composter Enhancement Committee

Dear Judith and Katie:

As you may know, I have been job searching since April of this year. Yesterday morning I accepted a very exciting position that will require me to relocate in the Bend/Sunriver area as soon as possible. Clearly Bend lies outside of even our "liberalized" boundary definition for the Composter Improvement District so I must resign from the Committee, effective immediately.

While I am looking forward to my new project and the advantages of relocating to Central Oregon, I regret that I won't be able to serve with this group. I was impressed with the first meeting, and was looking forward to doing some good work while having a bit of fun.

I hope that this situation does not cause you a great deal of inconvenience, and I apologize for the effort that I know awaits you to fill the vacancy.

Best wishes to you, and please pass along my sincere encouragement and my regrets to the other members of the Committee.

Thanks,



Paul Eisenberg

RECEIVED  
DEC 02 1991

Meeting Date: February 27, 1992  
Agenda Item No. 6.1

ORDINANCE NO. 92-444



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

**DATE:** February 27, 1992

**TO:** Metro Council  
Executive Officer  
Interested Parties

**FROM:** Paulette Allen, Clerk of the Council *PA*

**RE:** AGENDA ITEM NO. 6.1; ORDINANCE NO. 92-444

Full documentation for Ordinance No. 92-444 has been printed separately from the Council agenda packet. Supplemental packets have been provided to Councilors and at the February 13 Council meeting. Those packets are available upon request by contacting the Clerk of the Council at ext. 206 and will be provided at the Council meeting February 27 also.



## STAFF REPORT

### CONSIDERATION OF AN ORDINANCE ADOPTING A FINAL ORDER AND AMENDING THE METRO URBAN GROWTH BOUNDARY FOR CONTESTED CASE 91-2:FOREST PARK

Date: January 24, 1992

Presented By: Ethan Seltzer

#### BACKGROUND

Contested Case No. 91-2 is a petition from the City of Portland and HGW, Inc. for a trade of lands into and out of the urban growth boundary (UGB). Trades are considered by Metro under MC 3.01 as a locational adjustment to the UGB. The property proposed for inclusion in the UGB (labelled parcel A) totals approximately 120 acres and is located southeast of NW Skyline Boulevard and north of NW Laidlaw and NW North Roads in Multnomah County. The property proposed for removal from the UGB (labelled parcel D) is located at the northern end of Forest Park, southeast of Newberry Road, in Multnomah County. The City of Portland has taken a position in support of the petition and Multnomah County has decided to not take a position either in favor of or opposition to the petition.

As will be described below, this is a complex matter involving a third property (referred to as the "Ramsey property" below) in addition to the lands proposed for addition to and removal from the UGB. Metro Hearings Officer Chris Thomas held a hearing on this matter on October 2, 1991, in the Metro Council Chambers. Testimony was received from both the petitioner and from concerned citizens. The Hearings Officer's Report and Recommendation, attached as Exhibit B to the Ordinance, concludes that the petition complies with the applicable standards in MC Chapter 3.01, but recommends that the approval not take affect unless, within 90 days of passage of the Ordinance, the Council receives written notification that the portion of the transaction involving the Ramsey property has been or will be completed to the City's satisfaction. One exception to the decision has been filed and is attached to this staff report for your review.

Following presentation of the case by the Hearings Officer, and comments by the petitioner, the parties to the case will be allowed to present their exceptions to the Council. The petitioner will be given the opportunity to respond to the exceptions posed by parties. The Hearings Officer will be available to clarify issues as they arise.

At its meeting on the 13th of February, 1992, Council can, following the public hearing, pass the Ordinance on to second reading or remand the findings to staff or the Hearings Officer for modification. Since all properties affected by this petition are presently within the Metro District boundary, no action by the Boundary Commission is required prior to final Council action.

## ANALYSIS

This petition is part of a larger "3-way" transaction involving the City of Portland, HGW, Inc., and the Ramsey family. In brief, the Ramsey family owns about 120 acres of land within Forest Park that, if developed, could cause significant disruption to wildlife corridors and existing and planned park trail networks. HGW, Inc., owns 120 acres outside and south of the park that could be developed with up to 12 dwellings under the current rural zoning. If the HGW, Inc., property could be brought within the UGB, it could be developed with up to 60 dwellings, although about 40 would be more likely given steep slopes on the site. However, there is currently not a need within the existing UGB for additional residential land.

By trading land owned by the City of Portland out of the UGB, there would be no net change in the land area within the UGB. In fact, Metro's locational adjustment process includes a trade procedure in recognition of the fact that land now designated for urban use may be less well suited for urban development than land currently outside and adjacent to the UGB. In exchange for the City's willingness to remove some of its property from the UGB, and recognizing the increase in development potential that would result if parcel A was brought inside the UGB, HGW, Inc., has agreed to purchase the Ramsey property and convey it to the City.

Therefore, although the trade before the Council technically only concerns parcels A and D, it is really part of this larger transaction involving the Ramsey property as well. If the Ramsey property was not involved in the transaction, the City of Portland would not be an applicant and there would be no trade proposal before the Metro Council. Currently, Metro considers petitions for trades according to the criteria outlined in MC Chapter 3.01. The standards for considering a trade are:

- 1) The trade results in a net of no more than 10 vacant acres being added or 50 acres being removed. In this case, a net of 19 acres would be removed, satisfying this requirement.
- 2) Each City or County with jurisdiction has taken a position in favor, in opposition, or declining to express an opinion. The City of Portland has taken a position in support of the proposed trade, and Multnomah County, for reasons discussed below, has taken a position of "no comment. Therefore, the petition satisfies this requirement.
- 3) The petition must be filed by a city whose planning area is contiguous with the sites, or by a group of not less than 50 percent of the property owners who own more than 50 percent of the land area in each site involved in the trade. With the City of Portland as an applicant and HGW, Inc. the sole owner of the proposed addition to the UGB, this petition meets this requirement. However, as noted by the Hearings

Officer, the City of Portland would not be an applicant if the Ramsey property were not a part of the overall transaction. Therefore, if the Ramsey property is not conveyed to the City by HGW, Inc., the transaction cannot be completed, the City would no longer be an applicant, and this petition would not meet this requirement.

4) The petition must meet the strict requirements of MC Chapter 3.01.040(a)(4) and (c)(1) for the preservation of agricultural land. The property proposed for addition is currently zoned MUF-19 which, under Multnomah County zoning, is intended to be protected for forest use. Multnomah County has taken a position of "no comment" largely because of its concern regarding the preservation of forest land and its conclusion that parcel A is capable of supporting and suitable for forest use. However, Multnomah County, in a previous action to which Metro was a party, determined that the property was not suitable for agricultural use. For reasons stated in his report, the Hearings Officer has determined that the petition meets this requirement because agricultural land, as envisioned in the Metro Code and Statewide Land Use Planning Goals, is not affected by the proposed action.

5) The land proposed for inclusion in the UGB must be more suitable for urbanization than the land proposed for removal. The Hearings Officer, based on factual testimony in the record, has concluded that the land proposed for addition to the UGB is better suited for urbanization than the lands to be removed.

6) Nearby agricultural land either won't be affected or can be protected from the affects of urbanizing the lands proposed for addition to the UGB. The Hearings Officer has concluded that the petition meets this requirement.

Hence, the Hearings Officer has concluded that the petition meets the requirements for trades, as long as the transaction involving the Ramsey property is successfully completed. His recommendation, therefore, is conditioned on the completion of the overall transaction.

The exception filed by Mr. Rochlin agrees with the Hearings Officer's conclusion but proposes stricter conditions pertaining to the exact nature of the property to be conveyed by HGW, Inc., to the City of Portland.

#### Executive Officer's Recommendation

The Metro Council should accept the recommendation of the Hearings Officer, including the condition as proposed. The appropriate place to raise the issue of the satisfaction of the City of Portland with the final transaction is with the City, not Metro.

December 4, 1991

Forest Park Neighborhood Assoc.  
2934 NW 53rd Dr.  
Portland, OR 97210

Ethan Seltzer, Land Use Coordinator  
Metro  
2000 SW First Ave.  
Portland, OR 97201-5398

**RE: CONTESTED CASE 91-2: FOREST PARK**

By this letter, the Forest Park Neighborhood Association (FPNA) files an exception to the November 15, 1991 recommendation of the Hearing Officer. The decision to file this exception was made by vote of the Development Committee on December 2, 1991.

The Hearing Officer's Report (the Report) says, on page 37, under the heading VIII. Recommendation, "The petition should be approved, provided that the ordinance approving the petition should state that the approval shall not be effective unless the City of Portland has filed with Metro, within 90 days of passage of the ordinance, a written notification that the Ramsey part of the overall transaction has been completed, or its completion has been provided for, in a manner satisfactory to the City."

FPNA supports with conviction the proposed UGB exchange, including the Ramsey part of the transaction. The Report identifies the Ramsey part as important and necessary to the entire proposal.\* We agree. However, the Report does not adequately define the Ramsey part. Page 10, lines 7-12 come closest to a definition: "The Ramsey part of the proposed transaction will have HGW, Inc. purchase all of the 73 acre parcel and all, or the part deepest into Forest Park, of the 46 acre parcel. HGW, Inc. then will give the land it has acquired to the City of Portland. The City will add the land to Forest Park, thus assuring it is kept in an undeveloped state."

The problems are:

1. The Report, page 10, fails to define "the part deepest into Forest Park" sufficiently to allow reasonable people to agree on what property is necessary to the transaction.
2. The Recommendation would leave the entire Ramsey part of the transaction, which is recognized by all as vital, to a determination by the City that it is satisfied. This includes even the 73 acre parcel.

During the hearing, Richard Whitman (attorney for HGW) testified that HGW would acquire and donate the entire Ramsey 73 acre property and at least 23 acres of the Ramsey 46 acre property. All who testified in favor of the transaction did so having heard the Whitman testimony. This testimony must have been in the mind of the Hearing Officer upon making his recommendation. To require mere satisfaction of the City is an excessive delegation of power to the City. If the Ramsey properties are essential, and all agreed that they are, then they must be defined in the ordinance in their essential character. We ask that

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\* Page 8 line 22 to page 10 line 14, page 11 line 24 to page 12 line 5, page 28 lines 3 to 11 and page 33 lines 3 to 11.

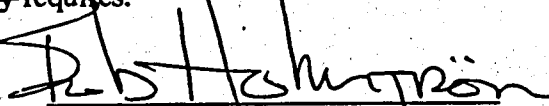
the ordinance implement an amended recommendation. Add to the paragraph ending on page 37, line 23:

**"The Ramsey part shall consist of donation by HGW, or provision for donation, of the 73 acre Ramsey property, and at least 20.7 acres of the 46 acre Ramsey property. The minimum 20.7 acres shall be the part of the property deepest into Forest Park and farthest from Skyline Blvd. Alternatively, at HGW's option, HGW may substitute for the 20.7 acres, the portion of the 46 acre Ramsey parcel which, on December 2, 1991, bears the EP overlay zone, regardless of the ultimate disposition of any legal challenge to the validity of the ordinance designating the EP zone on the property. The EP zone area may be more or less than 20.7 acres."**

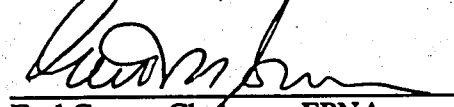
A map generally illustrating the 20.7 acre area is attached. The actual boundary lines might be changed to better conform to features on the land or overlay zone transitions, or for other reasons. 20.7 acres is acceptable as we understand that, when Mr. Whitman testified, no survey line had been drawn, and he may be reasonably understood to have been approximating. We think a ten percent margin of error is reasonable. We also believe that 20.7 acres represents a sufficient quantity of the most sensitive land to satisfy the requirements. As the text of the proposed amendment indicates, the EP zone area on the property, regardless of acreage, will be satisfactory. The amended recommendation is completely consistent with the intent and understanding of the Hearing Officer. He says in the Report on page 11 line 25 that the transaction "...would bring the one Ramsey parcel and all or a major part of the other Ramsey parcel into City ownership..."

If the Recommendation were adopted as proposed by the Hearing Officer, the City would be placed in the position of determining how much of a gift to itself justifies approval of a UGB exchange. This invites HGW to reopen negotiations. The less land acquired from the Ramseys, the less cost to HGW. The City might have good reason to accept far less than anticipated by the Hearing Officer and parties, if faced with an alternative of getting nothing at all. The City in such a position cannot well represent the interest of the general metropolitan area in determining whether the UGB exchange should proceed or not. The Recommendation as written places too much temptation in the path of both HGW and the City.

In closing, we emphasize our support for the general proposal. We would support it even if not amended as we request. But, prudence requires that Metro not gamble, and that it should specifically state what it specifically requires.



Bob Holmstrom, FPNA President



Earl Grove, Chairman FPNA  
Development Committee

Certificate of Service follows map attachment.

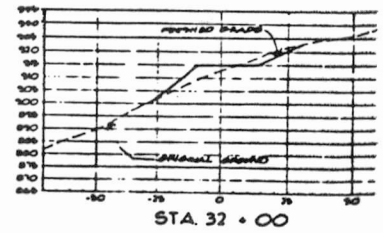
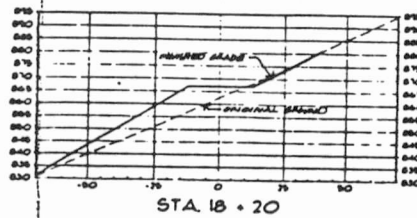
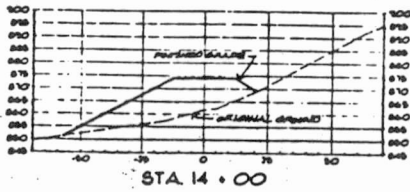
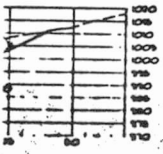
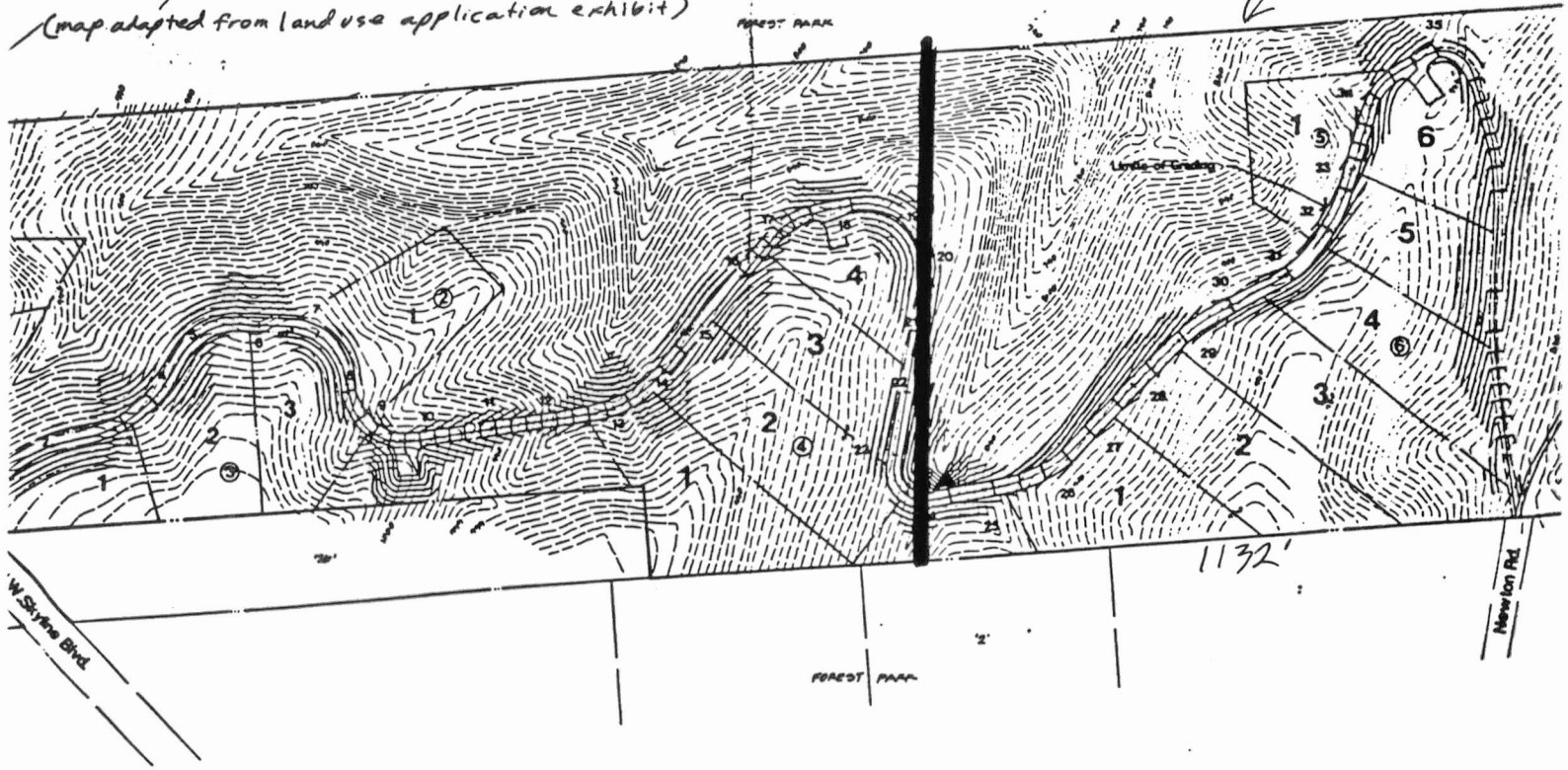
• Attachment to Exception on case 91-2

Ramsey 46 acre property

(map adapted from land use application exhibit)



Proposed HGW  
donation to city



CERTIFICATE OF SERVICE

I hereby certify that on December 4, 1991, I served a true copy of the foregoing letter taking exception to the November 15, 1991 Recommendation of the Hearing Officer in Contested Case No. 91-2 on each of the persons listed below by deposit in US Mail with first class postage paid.



Richard M. Whitman  
Ball, Janik & Novak  
101 S.W. Main Street, Suite 1100  
Portland, OR 97204-3274

John Sherman  
Friends of Forest Park  
1912 N.W. Aspen  
Portland, OR 97210

City of Portland  
c/o Bureau of Parks & Recreation  
Attention: Jim Sjulín  
1120 S.W. Fourth Avenue, #1302  
Portland, OR 97204

Don Joyce  
226 N.W. Hermosa Blvd.  
Portland, OR 97210

Arnold Rochlin  
Route 2, Box 58  
Portland, OR 97231

Hilde Freed Taylor Trust  
John B. Taylor Trust  
5805 N.W. Skyline Blvd.  
Portland, OR 97229



BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE ADOPTING A FINAL ORDER	)	ORDINANCE NO: 92-444
AND AMENDING THE METRO URBAN	)	
GROWTH BOUNDARY FOR CONTESTED CASE	)	
NO. 91-2:FOREST PARK	)	

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY  
ORDAINS:

Section 1. On Wednesday, October 2, 1991, Metro Hearings Officer Chris Thomas held a public hearing for Contested Case No. 91-2:Forest Park. Based on testimony received at that hearing and on written materials submitted in conjunction with the petition, the Hearings Officer has recommended that Metro approve the petition for amendment of the Urban Growth Boundary provided that within 90 days of the passage of this ordinance, the Metro Council receive written notification that the Ramsey portion of the overall transaction has been completed or provided for in a manner satisfactory to the City of Portland.

Section 2. The Council of the Metropolitan Service District hereby accepts and adopts as the Final Order in Contested Case No. 91-2 the Hearings Officer's Report and Recommendations in Exhibit B of this Ordinance, which is incorporated by this reference.

Section 3. The District Urban Growth Boundary, as adopted by Ordinance No. 79-77, will be amended as shown in Exhibit A of this Ordinance, which is incorporated by this reference, upon receipt by the Metro Council of written notification from the City of Portland that the Ramsey portion of the overall transaction has been or will be completed in a manner satisfactory to the City of Portland. If no such written notification is received within 90 days of the passage of this ordinance, then no amendment of the urban growth boundary shall occur and the petition will be rejected.

Section 4. Parties to Contested Case No. 91-2 may appeal this Ordinance under Metro Code Section 205.05.050 and ORS Ch. 197.

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of the Council

ES/es  
1/24/92

Meeting Date: February 27, 1992  
Agenda Item No. 6.2

ORDINANCE NO. 92-412A

## REGIONAL FACILITIES COMMITTEE REPORT

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ORDINANCE NO. 92-412A, AMENDING METRO CODE CHAPTER 4.01 METRO WASHINGTON PARK ZOO REGULATIONS

Date: February 13, 1992

Presented by: Councilor McFarland

**COMMITTEE RECOMMENDATION:** At its February 11, 1992 meeting the Regional Facilities Committee voted 4-0 to recommend Council adoption of Ordinance No. 92-412A. Voting were Councilors McLain, Collier, DeJardin, and McFarland. Councilor Gardner was excused.

**COMMITTEE DISCUSSION/ISSUES:** The Committee considered this ordinance at its January 28 and February 11 meetings. At the first meeting, General Counsel Dan Cooper presented the staff report. He said the intent of the ordinance was to clean up and clarify an outdated Code chapter without changing existing policy. He referred to his October 15, 1991 memo to David Knowles which cited certain anomalies in the current Zoo Code that this ordinance corrects. The revised chapter provides new definitions, and makes a clear distinction between Zoo employees and members of the public. The Code is intended to regulate actions of the public on the Zoo grounds; employees' activities are controlled through other means. He illustrated his point by saying that employees have to weed the flower beds but the public is not to pick the flowers. Current Code language does not make a clear distinction between those two activities, but the revised language does.

Mr. Cooper also pointed out that the ordinance continues the prohibition on bringing a firearm into the Zoo, though the Oregon Supreme Court has historically upheld the broad right of citizens to carry unconcealed weapons. He said we would probably lose if challenged on this prohibition, but he chose to include it anyway.

In response to a question from Councilor Collier, Mr. Cooper said the intent was to make the Code clearer and more enforceable, not to change policy. Councilor Gardner asked Mr. Cooper to comment on an amendment suggested by Council staff, which would specifically authorize the Metro Council to direct staff to perform tasks at the Zoo (in addition to the Executive Officer and the Zoo Director). Mr. Cooper agreed it was a good amendment and would include it.

Chair McLain opened the public hearing and no one testified.

At the February 11 meeting Mr. Cooper summarized changes from the original draft, saying he had added the amendment discussed above and made minor wording changes elsewhere. Councilor McFarland asked what was of substance in the ordinance. Mr. Cooper reiterated his comments from the previous meeting: this is an attempt to clarify the old Code so its regulations would apply to the public and not to Metro employees and agents; and it eliminates unconstitutional provisions on free speech, replacing them with proper restrictions.

Councilor DeJardin asked for clarification of a point regarding alcohol sales, suggesting that such sales be limited to authorized concessions. Mr. Cooper replied that such improper activity by an employee can be handled through other established means, and does not need to be addressed in this ordinance.

Chair McLain opened the public hearing, and no one testified.



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

**Date:** October 15, 1991

**To:** Councilor David Knowles, Chair  
Regional Facilities Committee

**From:** Daniel B. Cooper, General Counsel *DBC*

**Regarding:** Ordinance No. 91-412

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Ordinance No. 91-412 has been prepared by this Office at the request of the Executive Officer. The Ordinance substantially rewrites Metro Code Chapter 4.01, Metro Washington Park Zoo Regulations.

Research reveals that this chapter originated in the Portland City Code prior to the transfer of the Zoo to Metro. At that time, the Zoo was a Portland Bureau of Parks and Recreation facility for purposes of the City Code. The provisions of the City Code pertaining to the Zoo had to be read in conjunction with provisions contained in the City Code pertaining to parks in general. This created several anomalies when Metro, after assuming operation of the Zoo, adopted the provisions of the City Code regulating the Zoo without revising the regulations to reflect the provisions that were applicable to the Zoo because the Zoo was a City park. For example, present provisions of the Zoo Code prohibit the consumption of beverages with an alcohol content of less than 4 percent, however, possession or consumption of alcoholic beverages with a higher alcohol content is not presently prohibited. In the City Code all alcoholic beverages with a higher alcohol content were prohibited in all parks.

The provisions of Ordinance No. 91-412 have been prepared to correct these anomalies, as well as to bring the Metro Code into a format that is more readable and understandable and in conformity with present practice. The Ordinance would expand the present six sections of the Chapter pertaining to the Metro Washington Park Zoo to ten.

The new sections can be described as follows:

Section 4.01.010, Purpose, sets forth in one paragraph a broad purpose for adopting the Chapter. In part, this paragraph replaces a portion of section 4.01.010(a) which comes close to being a general preamble for the present Code provisions.

Section 4.01.020, Definitions, establishes new definitions for the Parking Lot, Public, Special Event, Zoo Employee, and Zoo Railroad in the Code. These terms are used throughout the Chapter presently, but are undefined. The proposed Code as drafted clearly delineates rules of conduct for members of the "Public" and exempts "Zoo Employees." These are key definitions for the purpose of the new Code. The reason for making these distinctions was to clearly define that the Zoo regulations are to regulate the conduct of the public through potential use of the courts and the power to evict persons from the Zoo who violate the regulations. Any "Zoo Employee," as broadly defined in the Ordinance, is subject to direct supervision and the normal employee disciplinary process. Many acts such as feeding animals, cutting the shrubs, etc., which are necessary acts for Zoo Employees, are clearly improper if done by a member of the public. These explicit definitions eliminate the need to make general exceptions for Zoo Employees, as is now the case.

Section 4.01.030, Operating Authority, sets forth directly and specifically that operations at the Zoo are under the general supervision of the Zoo Director, subject to the overall control of the Executive Officer. Zoo employees are directed and controlled by the Zoo Director and Executive Officer subject to the Personnel Rules and applicable Collective Bargaining Agreements of the District. This statement is implied from the existing Code language, but is not directly set forth therein. Adding it directly removes considerable ambiguity from the existing Code.

Section 4.01.040, Hours of Operation, sets forth in Code language the present practice on the establishment of Zoo hours.

Section 4.01.050, Admission Fees and Policies, is a restatement of the existing provisions of Section 4.01.060 with no substantive changes.

Section 4.01.060, Rules of Conduct for Public Within Zoo Premises, is a restatement of present provisions of Section 4.01.020 with changes made to eliminate present language regulating speech which is unconstitutional and clarifying present provisions. A new paragraph [4.01.060(b)] has been added to explicitly state that payment of the Zoo admission, except as specifically authorized, is a requirement for entry for members of the public. No present provision of the Code would penalize any person who walked through the gate without paying required admission, though the present Code provisions to prohibit persons from climbing over the fence. Subsection (h) contains a constitutionally valid prohibition against making loud electronically amplified noises. Subsection (i) incorporates by reference all existing provisions of Oregon law and the City of Portland Police Code and is a substitute for present provisions that prohibit gambling and some but not all criminal conduct at the Zoo.

Councilor David Knowles

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Section 4.01.070, Parking Regulations, restates present provisions of the Code that are presently a subsection of existing Section 4.01.030.

Subsection 4.01.080, Rules of Conduct for Members of Public and Zoo Parking Lot, sets forth conduct standards for persons in the parking lot and outside the parameter surrounding Zoo, but on Zoo property. These provisions are in part presently contained in present Section 4.01.030.

Section 4.01.090, Zoo Railroad, is a restatement of present Section 4.01.040.

Section 4.01.100, Penalties, is a restatement of present Section 4.01.050.



## STAFF REPORT

### CONSIDERATION OF ORDINANCE NO. 91-412 UPDATING CHAPTER 4.01 OF THE METRO CODE

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Date: October 3, 1991

Presented by: A. McKay Rich

#### FACTUAL BACKGROUND AND ANALYSIS

Ordinance No. 91-412 repeals the present provisions of Metro Code Chapter 4.01, Metropolitan Washington Park Zoo Regulations and substitutes a new Chapter 4.01. The existing chapter, except for amendments, was adopted by the Metropolitan Service District Board prior to the merger creating Metro. Many parts of the chapter consist of regulations carried forward from the days when the Zoo was owned by the City of Portland. The new chapter brings the Code up to date, fully recognizing the Zoo as an operating department of Metro.

The definition section has been extended significantly and brings more clarity to the chapter. Operating authority and hours of operation are addressed specifically. Rules of conduct for the public within the Zoo premises and the parking area are clarified as is the section on penalties.

General Counsel Dan Cooper will fully explain the changes being proposed. Staff recommends adoption of the new Code Chapter 4.01.

#### EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Ordinance No. 91-412.

AMR/cak.admfee.sr

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AMENDING )	ORDINANCE NO. 92-412-A
METRO CODE CHAPTER 4.01 METRO )	
WASHINGTON PARK ZOO REGULA- )	Introduced by Rena Cusma,
TIONS )	Executive Officer

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. The present provisions of Metro Code Chapter 4.01, Metropolitan Washington Park Zoo Regulations, in effect immediately prior to the effective date of this Ordinance, are hereby repealed.

Section 2. The following provisions are hereby adopted as Chapter 4.01, Metropolitan Washington Park Zoo Regulations of the Code of the Metropolitan Service District:

SECTIONS

4.01.010	Purpose
4.01.020	Definitions
4.01.030	Operating Authority
4.01.040	Hours of Operation
4.01.050	Admission Fees
4.01.060	Rules of Conduct for Public within Zoo Premises
4.01.070	Parking Regulations
4.01.080	Rules of Conduct for Members of Public in Zoo
	Parking Lot
4.01.090	Zoo Railroad
4.01.100	Penalties

4.01.010 Purpose: The purpose of this Chapter is to provide for the operation of the Zoo and to provide for regulations governing the use of the Zoo and Zoo parking areas by members of the public in order to provide protection of Zoo animals, plants, and property, and to protect the safety and enjoyment of persons visiting the Zoo.

4.01.020 Definitions:

(a) As used in this Chapter, unless the context requires otherwise:

- (1) "Director" or "Zoo Director" means the Director of the Metro Washington Park Zoo, and also includes such subordinate employees of the Zoo or other Metro employees to the extent the Zoo Director or Executive Officer has delegated specific duties in writing.
- (2) "Parking Lot" means that portion of the Zoo outside of the premises including the paved parking lot area adjacent to the Zoo leased from the City of Portland, but not the public right-of-way located therein, and also includes the adjacent sidewalks, landscaped areas, and plaza outside of the Zoo gates.
- (3) "Premises" means the property, buildings, and grounds within the perimeter fence surrounding the Zoo, the admission and exit gates, all Zoo buildings including but not limited to the administrative, commissary, haybarn, and shop buildings, the employee parking lot, the Zoo vehicular storage area, and the Zoo Railroad right-of-way from the Zoo to and including the Metro Washington Park Station.
- (4) "Public" means any person other than a Zoo employee.
- (5) "Special Event" means any event or occasion held on the premises other than during normal operating hours as specifically authorized by the Zoo Director and Executive Officer.
- (6) "Zoo" means the Metro Washington Park Zoo and includes the parking lot and the premises.
- (7) "Zoo Employee" means all any paid employees of the Metro Washington Park Zoo, any other paid employees of Metro performing tasks or functions at the Zoo at the request or direction of either the Zoo Director, the Metro Council, or the Executive Officer, volunteers performing functions and duties assigned or authorized by the Zoo Director, and any contractors or agents of the Zoo carrying out their duties or obligations to the Zoo.
- (8) "Zoo Railroad" means the equipment, rails, and right-of-way extending from within the Zoo premises through the City of Portland park

adjacent to the Zoo to a location near the Rose Test Gardens, also known as the Washington Park and Zoo Railway.

4.01.030 Operating Authority: Operation of the Zoo and management of the Zoo premises and parking lot shall be under the general supervision of the Zoo Director except as may be specifically provided to the contrary by the Executive Officer. All Zoo employees shall be directed and controlled by the Zoo Director and Executive Officer subject to the personnel rules and applicable collective bargaining agreements of the District.

4.01.040 Hours of Operation: Hours of operations of the Zoo, including all times the Zoo is open to the public or for special events, shall be established by the Zoo Director and approved by the Executive Officer. In cases of inclement weather, or in any case of emergency, the Zoo may be closed in order to protect the safety of members of the public, Zoo employees or animals, and other Zoo property.

4.01.050 Admission Fees:

(a) Regular Fees:

(1) Definitions:

- (A) An Education Discount is offered to groups of students in a state accredited elementary, middle, junior, or high school, or pre-school/daycare center. Qualifications for education discount include a minimum of one chaperon for every five (5) students of high school age or under; registration for a specific date at least two weeks in advance; and the purchase of curriculum materials offered by the Zoo, or submission of a copy of the lesson plan that will be used on the day of the visit.
- (B) The Group Discount is defined as any group of twenty-five (25) or more (including school groups that have not met the advance registration and curriculum requirements for the education discount; groups of students not accompanied by a minimum of one chaperon for every five (5) students shall not qualify for the group discount).

(2) Fee Schedule:

Adult (12 years and over)	\$5.00
Youth (3 years through 11 years)	\$3.00
Child (2 years and under)	free
Senior Citizen (65 years and over)	\$3.50
Education Groups (per student)	\$2.00
Chaperons accompanying education groups	free
Groups other than education groups 25 or more per group	20% discount from appropriate fee listed above

(b) Free and Reduced Admission Passes:

- (1) Free and reduced admission passes may be issued by the Director in accordance with this Chapter.
- (2) A free admission pass will entitle the holder only to enter the Zoo without paying an admission fee.
- (3) A reduced admission pass will entitle the holder only to enter the Zoo by paying a reduced admission fee.
- (4) The reduction granted in admission, by use of a reduced admission pass (other than free admission passes), shall not exceed 20 percent.
- (5) Free or reduced admission passes may be issued to the following groups or individuals and shall be administered as follows:
  - (A) Metro employees shall be entitled to free admission upon presentation of a current Metro employee identification card.
  - (B) Metro Councilors and the Metro Executive Officer shall be entitled to free admission.
  - (C) Free admission passes in the form of volunteer identification cards may, at the Director's discretion, be issued to persons who perform volunteer work at the Zoo. Cards shall bear the name of the volunteer, shall be signed by the Director, shall be non-transferrable, and shall terminate at the end of each calendar year or upon termination of volunteer duty, whichever date occurs

first. New identification cards may be issued at the beginning of each new calendar year for active Zoo volunteers.

- (D) Reduced admission passes may be issued to members of any organization approved by the Council, the main purpose of which is to support the Metro Washington Park Zoo. Such passes shall bear the name of the passholder, shall be signed by an authorized representative of the organization, shall be non-transferrable, and shall terminate not more than one year from the date of issuance.
- (E) Other free or reduced admission passes may, with the approval of the Director, be issued to other individuals who are working on educational projects or projects valuable to the Zoo. Such passes shall bear an expiration date not to exceed three months from the date of issuance, shall bear the name of the passholder, shall be signed by the Director and shall be non-transferable.

(c) Special Admission Days:

- (1) Special admission days are days when the rates established by this Code are reduced or eliminated for a designated group or groups. Six special admission days may be allowed, at the discretion of the Director, during each calendar year.
- (2) Three additional special admission days may be allowed each year by the Director for designated groups. Any additional special admission days designated under this subsection must be approved by the Executive Officer.

(d) Special Free Hours: Admission to the Zoo shall be free for all persons from 3:00 p.m. until closing on the second Tuesday of each month.

(e) Commercial Ventures: Proposed commercial or fund-raising ventures with private profit or nonprofit entities involving admission to the Zoo must be authorized in advance by the Executive Officer. The Executive Officer may approve variances to the admission fees to facilitate such ventures.

(f) Special Events: The Zoo, or portions thereof, may be utilized for special events designed to enhance Zoo revenues

during hours that the Zoo is not normally open to the public. The number, nature of, and admission fees for such events shall be subject to the approval of the Executive Officer.

4.01.060 Rules of Conduct for Public within Zoo Premises: The following rules of conduct and regulations shall be applicable to all members of the public within the Zoo premises. In addition to penalties provided for herein or by applicable law, adherence to these standards of conduct shall be a condition of admission to the Zoo premises.

(a) Limited Right-of-Entry: Public entry into the Zoo premises is prohibited except during hours of public operation as established pursuant to Section 4.01.040. Members of the public attending special events after normal hours of operation may do so only as specifically authorized by the Zoo Director, and may only enter those portions of the Zoo premises specifically authorized for the conduct of the special event.

(b) Admission Fee Required: All members of the public entering the Zoo shall do so only after payment of the applicable admission fee except as entry may be specifically authorized by the Zoo Director or Executive Officer.

(c) Destruction Prohibited: No member of the public may destroy, damage, or remove any property including plants located on Zoo premises.

(d) Protection of Zoo Animals: No member of the public shall:

- (1) Kill, injure, or disturb any animal by any means except to secure personal safety;
- (2) Pet, attempt to pet, handle, move, or remove the animals except where expressly permitted;
- (3) Feed the animals except when and where expressly permitted;
- (4) Catch, attempt to catch, trap, remove, or kill any free roaming animals inhabiting the premises;
- (5) Go over, under, between, or otherwise cross any guardrail, fence, moat, wall, or any other safety barrier; or



- (6) Except as provided in paragraph (3), throw any object or material at any animal or into any animal enclosure or exhibit area.

(e) Conformity with Signs and Emergency Directions: Members of the public shall comply with official signs of a prohibitory or directory nature, and with the directions of Zoo employees.

(f) Littering: Littering, dumping, or any other disposal of rubbish, trash, or other wastes at the Zoo by any member of the public other than in designated receptacles is prohibited.

(g) Alcohol: Possession or consumption by any member of the public on the Zoo premises of any alcoholic beverage of any nature whatsoever other than beverages purchased from Zoo employees or as expressly authorized in writing by the Zoo Director is prohibited.

(h) Sound Amplification Devices: Possession or use by any member of the public of musical instruments, radios or other electric sound-producing or amplification devices that make or emit sounds audible to anyone other than the user of the device is prohibited.

(i) State and Local Laws: All members of the public on Zoo premises shall comply with all provisions of the Oregon Criminal Code, the City of Portland Police Code, and other provisions of applicable law.

(j) Soliciting, Vending, and the Distribution of Handbills: The soliciting of alms and contributions, commercial soliciting, and vending or distribution of samples of any kind, the display or distribution of commercial advertising, and the disseminating of written materials, and canvassing for political, charitable, or religious purposes by members of the public are prohibited within the Zoo premises.

(k) Animals: Except for assistance animals authorized by ORS 346.685, no animals shall be brought on the premises for other than official purposes by any member of the public. Use of assistance animals at the Zoo shall be subject to reasonable guidelines established by the Zoo Director and approved by the Executive Officer.

(l) Photographs for News, Advertising, or Commercial Purposes: No photographs for advertising or any other commercial purpose may be taken on the premises unless officially authorized by the Zoo Director by any member of the public unless officially authorized by the Zoo Director.



(m) Weapons and Explosives: No member of the public while on the premises shall:

- (1) Carry a firearm, loaded or unloaded. "Firearm" is defined to include a pistol, revolver, gun, rifle or other ordinance, including a miniature weapon, which projects a missile or shot by force of gunpowder or any other explosive, by spring or by compressed air.
- (2) Carry a dangerous or deadly weapon. "Dangerous or deadly weapon" includes a firearm, metal knuckles, straight razor, weapon of the type commonly known as a nunchaku, blackjack, sap or sap glove, slingshot, bomb or bombshell, and any type of knife other than an ordinary pocketknife with a blade not longer than three and one-half (3-1/2) inches. When carried with intent to use the same unlawfully against another, "dangerous or deadly weapon" also includes any instrument or device capable of inflicting injury to the person or property of another.
- (3) Carry, discharge, or set off any fireworks or explosives of any nature.

4.01.070 Parking Regulations: The following rules shall govern all vehicles operated within the area of the Zoo parking lot and Zoo premises:

(a) It shall be a violation of this Code for the driver of any motor vehicle or bus to violate any legend or direction contained on any sign, signal, or marking now installed or hereafter installed upon any portion of the Zoo premises or parking lot areas. Drivers of all vehicles shall drive in a careful and safe manner at all times, and shall comply with the signals and directions of the police or security officers and all posted traffic signs. Blocking of entrances, driveways, walks, loading platforms, fire lanes, or fire hydrants is prohibited. Parking without authority, or parking in unauthorized locations or in locations reserved for other persons or contrary to the directions of posted signs, is prohibited.

(b) Security personnel designated by the Executive Officer as serving as a Zoo parking patrol shall have the authority and duty to issue parking citations in accordance with subsection (c) of this section for a violation specified by subsection (a) of this section. The Zoo parking patrol shall have no other police authority or duty. Persons appointed as Zoo parking patrol shall

be special police officers of the Metropolitan Service District. As special police officers, the Zoo parking patrol personnel and the Zoo parking patrol supervisor shall have authority to issue citations for violations of parking or non-moving traffic violations occurring on Zoo property or property adjacent to the Zoo leased from the City of Portland by the Metropolitan Service District for Zoo parking purposes, and particularly they shall have authority to issue citations. To the extent of the power and authority granted in this section, such personnel and their supervisor shall exercise full police power and authority.

(c) Parking Citations:

- (1) Form of citations. All parking citation forms used by the Zoo parking patrol shall be in a form approved by the General Counsel of Metro and as issued by the District Court for the State of Oregon for Multnomah County. Such parking citations shall, at a minimum, clearly state:
  - (A) the date, place, and nature of the charge;
  - (B) time and place for the defendant's appearance in court;
  - (C) name of the issuing officer;
  - (D) license number of the vehicle.
- (2) Procedure for issuing citations. Any citation form issued pursuant to this Code section shall either be delivered to the defendant or placed in a conspicuous place upon the vehicle involved in the violation. A duplicate original of the notice shall serve as the complaint in the case when it is filed with the court. In all other aspects, the procedure now provided by law in such cases shall be followed, but ORS 810.365 does not apply. The officer need not have observed the act of parking, but need only observe that the car was parked in violation of the Metro Code.
- (3) Use of parking citation as a complaint. The original of the traffic citation form when completed to meet the minimum requirements of ORS 221.340 may serve as a complaint, other forms of parking complaints are prohibited.

- (4) Citation form books issued by District Court. Citation form books for parking violations shall be provided by the District Court and upon request distributed to the Zoo parking patrol officers who issue them.
- (5) List of parking citations. A list of the parking citations issued by Zoo parking patrol officers shall be forwarded to the District Court within twenty-four (24) hours.

(d) Person Responsible for Violation Charged by the Citation: The registered owner of the vehicle is prima facie responsible for the violation charged by the citation.

4.01.080 Rules of Conduct for Members of Public in Zoo Parking

Lot: The following rules of conduct and regulations shall be applicable to all members of the public within the Zoo parking lot. In addition to penalties provided for herein or by applicable law adherence to these standards of conduct shall be a condition of admission to the Zoo parking lot.

(a) Advertising, Canvassing, Soliciting, and Disseminating of Written Materials for Political, Charitable, or Religious Purposes: Commercial or non-commercial speech activity including advertising, canvassing, soliciting, or disseminating of written materials for commercial or non-commercial purposes including political, charitable, or religious purposes is permitted only on the parking lot and sidewalks between the parking lot and the perimeter fence surrounding the Zoo, otherwise such activity by members of the public is prohibited. Such activities must be conducted in accordance with the following conditions:

- (1) Parking lot entrances, exits, and travel lanes must not be obstructed. Interference with traffic flow is prohibited.
- (2) Loudspeakers, musical instruments, and other sound-making or amplification devices of any nature are prohibited.
- (3) Activity causing a crowd to gather is prohibited if pedestrian or vehicular traffic is obstructed or impeded.
- (4) Activity conducted within twenty (20) feet of an admission gate, ticket booth, entrance, or exit is prohibited.

- (5) Obstructing Zoo visitors' line of travel or detaining a Zoo visitor or employee against his or her will is prohibited.
- (6) Actual or threatened physical harm directed against a Zoo visitor or employee is prohibited.
- (7) The sale of food or items of any nature is prohibited.

(b) Littering: Littering, dumping, or any other disposal of rubbish, trash, or any solid waste on the Zoo parking lot by any member of the public is prohibited.

(c) State and Local Laws: All members of the public within the Zoo parking lot shall comply with all provisions of the Oregon Criminal Code, the Oregon Traffic Code, the City of Portland Police and Traffic Codes, and other provisions of applicable law.

(d) Alcohol: Possession or consumption on the Zoo parking lot by any member of the public of any alcoholic beverage of any nature whatsoever is prohibited.

4.01.090 Zoo Railroad: No member of the public shall:

- (a) Enter or exit the train except when the train is stopped.
- (b) Enter the train without authorization.
- (c) Throw or propel any object or material from or at the train.
- (d) Smoke on the train.
- (e) Destroy, damage, or deface the train, equipment, rolling stock, stations, tracks, or switches or attempt to do the same.

4.01.100 Penalties:

(a) Each violation of these Rules and Regulations shall be punishable by a fine of not more than \$500.

(b) In addition to prosecution under paragraph (a) above, any person violating these Rules and Regulations may be ejected from the Zoo. The decision to eject shall be made by the Zoo

Director or his/her designate, a security officer, or a peace officer.

(c) In addition to the measures prescribed in subsection (a) and (b) above, violation of these Rules and Regulations may be grounds for exclusion from the Zoo premises and the Zoo parking lot. In the event of a violation of these Rules and Regulations, or a violation of any of the laws of the State of Oregon, any police officer, Zoo security officer, Zoo Director or his/her designate, or any individual providing security services under contract with Metro may exclude for a period of not more than forty-five (45) days, any person who violates any provision of these Rules and Regulations, or any of the laws of the State of Oregon.

- (1) Written notice shall be given to any person excluded from the Zoo, or Zoo Parking Lot. The notice shall specify the violation of Zoo Rules and Regulations or State Law which is the basis for the exclusion and shall specify the dates covered by the exclusion. The notice shall be signed by the issuing party. Warning of the consequences for failure to comply with the exclusion shall be prominently displayed on the notice.
- (2) A person receiving an exclusion notice may appeal to the Metro Council in accordance with the Contested Case procedure in Chapter 2.05 of the Metro Code.
- (3) At any time within the period of exclusion, a person receiving an exclusion notice may apply in writing to the Zoo Director for a temporary waiver from the exclusion. The Zoo Director may grant a temporary waiver of an exclusion upon a showing of good cause for said waiver.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1992.

Jim Gardner, Presiding Officer

ATTEST:

Clerk of the Council

DBC/gl 1044

TITLE IV

METRO WASHINGTON PARK ZOO

CHAPTERS:

4.01 Metro Washington Park Zoo Regulations

## CHAPTER 4.01

### METRO WASHINGTON PARK ZOO REGULATIONS

#### SECTIONS:

4.01.010	General; Definitions
4.01.020	Buildings and Grounds of the Zoo
4.01.030	Parking Lot and Sidewalk Adjacent to the Zoo
4.01.040	Zoo Railroad
4.01.050	Penalties
4.01.060	Admission Fees and Policies

#### 4.01.010 General and Definitions:

(a) These rules and regulations apply to all buildings and grounds of the Metro Washington Park Zoo, to sidewalks and parking lots adjacent thereto and to the Metro Washington Park Zoo Train and tracks, and to all persons entering in or on such buildings, grounds, parking lots, sidewalks, train or tracks.

(b) As used in these Rules and Regulations, unless the context requires otherwise:

- (1) "Director" or "Zoo Director" means the Director of the Metro Washington Park Zoo.
- (2) "Premises" means the property, buildings and grounds within the perimeter fence surrounding the Zoo, the admission and exit gates, the administrative, commissary, haybarn and shop buildings, the employee parking lot, the Zoo vehicular storage area and the Zoo Train right-of-way from the Zoo to the Metro Washington Park Station.
- (3) "Zoo" means the Metro Washington Park Zoo.

(Ordinance No. No. 45, Sec. 1; amended by Ordinance No. 89-269, Sec. 2)

#### 4.01.020 Buildings and Grounds of the Zoo:

(a) Recording Presence: Except as otherwise ordered, the Zoo buildings and grounds shall be closed to the public to after posted visiting hours. Such buildings and grounds, or portions thereof, shall be also closed to the public in emergency situations and at such other times as may be necessary for the orderly conduct of business. Whenever the buildings and grounds or portions thereof are closed to the public for any reasons, visitors will immediately leave the premises upon being requested

by an authorized individual. Admission to such premises during periods when closed to the public will be limited to those on official Zoo business who will be required to register and identify themselves when requested by security officers or other authorized individuals. Climbing or cutting the fence or other means of unauthorized entry is prohibited.

(b) Preservation of Property: It is unlawful to destroy, damage, or remove any property belonging to or a part of the Zoo. In order to remove any property from the premises, a properly completed property pass signed by the Zoo Director, or his/her designate, may be required for removal.

(c) Protection of Zoo Animals: Except for official purposes, no person shall:

- (1) Kill, injure or disturb any animal by any means except to secure personal safety;
- (2) Pet, attempt to pet, handle, move, or remove the animals except where expressly permitted;
- (3) Feed the animals where prohibited by authorized signs;
- (4) Catch, attempt to catch, trap, remove or kill any free roaming animals inhabiting the premises;
- (5) Go over, under, between, or otherwise cross any guardrail, fence, moat, wall or any other safety barrier;
- (6) Except as provided in paragraph (3), throw any object or material at any animal or into any animal enclosure or exhibit area.

(d) Conformity with Signs and Emergency Directions: Persons in or on the premises shall comply with official signs of a prohibitory or directory nature and with the directions of members of the Zoo staff or volunteers.

(e) Nuisances: The use of unreasonably loud, abusive or obscene language; the improper disposal of rubbish; climbing on buildings, trees and fences; and any other disorderly conduct as defined by ORS 166.025 is prohibited.

(f) Gambling: Participating in games for money or other personal property or the operation of gambling devices, the conduct of a lottery or pool, or the selling or purchasing of numbers tickets in or on the premises is prohibited.

(g) Alcoholic Beverages and Narcotics:



- (1) Consumption of alcoholic beverages on the premises is prohibited, unless officially authorized by the Director or his/her designate. Alcoholic beverages is defined to include wine and beer of less than four (4) percent alcohol by weight.
- (2) Entering the premises under the influence of a narcotic or dangerous drug or the use of a narcotic or dangerous drug on the premises except when administered or dispensed by or under the direction of a person authorized by law to prescribe or administer narcotic drugs and dangerous drugs to human beings is prohibited.

(h) Soliciting, Vending and the Distribution of Handbills: The soliciting of alms and contributions, commercial soliciting and vending of all kinds, the display or distribution of commercial advertising, and the disseminating of written materials and canvassing for political, charitable or religious purposes are prohibited. This rules does not apply to concessions operated by the Zoo or by a contractor for the Zoo.

(i) Animals: No animals shall be brought on the premises for other than official purposes.

(j) Photographs for News, Advertising or Commercial Purposes: No photographs for advertising or any other commercial purpose may be taken on the premises unless officially authorized by the Zoo Director or his/her designate.

(k) Weapons and Explosives: Except for official purposes, no person while on the premises shall:

- (1) Carry a firearm, loaded or unloaded. "Firearm" is defined to include a pistol, revolver, gun, rifle or other ordinance, including a miniature weapon, which projects a missile or shot by force of gunpowder or any other explosive, by spring or by compressed air.
- (2) Carry a dangerous or deadly weapon. "Dangerous or deadly weapon" includes a firearm, metal knuckles, straight razor, weapon of the type commonly known as a nunchaku, blackjack, sap or sap glove, slingshot, bomb or bombshell, and any type of knife other than an ordinary pocketknife with a blade not longer than three and one-half (3-1/2) inches. When carried with intent to use the same unlawfully against another, "dangerous or deadly weapon" also includes any instrument or device capable or inflicting injury to the person or property of another.

- (3) Carry, discharge or set off any fireworks or explosives of any nature.

(Ordinance No. 45, Sec. 1; amended by Ordinance No. 89-269, Sec. 1)

4.01.030 Parking Lot and Sidewalk Adjacent to the Zoo:

(a) Vehicular and Pedestrian Traffic:

- (1) It shall be a violation of this Code for the driver of any motor vehicle or bus to violate any legend or direction contained on any sign, signal or marking now installed or hereafter installed upon any street, avenue, parking lot or other public way within the boundaries of the Metro Washington Park Zoo or the surrounding area leased by the City of Portland to Metro for public access or for public parking at the Zoo. Drivers of all vehicles shall drive in a careful and safe manner at all times and shall comply with the signals and directions of the police or security officers and all posted traffic signs.
- (2) Blocking of entrances, driveways, walks, loading platforms, or fire hydrants is prohibited. Parking without authority, or parking in unauthorized locations or in locations reserved for other persons or contrary to the directions of posted signs, is prohibited.

(b) Security personnel designated by the Executive Officer of Metro as serving as a Zoo Parking Patrol shall have the authority and duty to issue parking citations in accordance with subsection (c) of this section for a violation specified by subsection (a) of this section. The Zoo parking patrol shall have no other police authority or duty. Persons appointed as Zoo parking patrol shall be special police officers of the Metropolitan Service District. As special police officers the

Zoo parking patrol personnel and the Zoo parking patrol supervisor shall have authority to issue citations for violations of parking or non-moving traffic violations occurring on Zoo property or property adjacent to the Zoo leased from the City of Portland by the Metropolitan Service District for Zoo parking purposes, and particularly they shall have authority to issue citations as provided for in Section 4.01.030 of the Metro Code. To the extent of the power and authority granted in this section, such personnel and their supervisor shall exercise full police power and authority.

(c) Parking Citations:

(1) Form of citations. All parking citations forms used by the Zoo parking patrol shall be in a form approved by the General Counsel of Metro and as issued by the District Court for the State of Oregon for Multnomah County. Such parking citations shall, at a minimum, clearly state:

- (A) the date, place and nature of the charge;
- (B) time and place for the defendant's appearance in court;
- (C) name of the issuing officer;
- (D) license number of the vehicle.

(2) Procedure for issuing citations. Any citation form issued pursuant to this Code section shall either be delivered to the defendant or placed in a conspicuous place upon the vehicle involved in the violation. A duplicate original of the notice shall serve as the complaint in the case when it is filed with the court. In all other aspects, the procedure now provided by law in such cases shall be followed, but ORS 810.365 does not apply. The officer need not have observed the act of parking, but need only observe that the car was parked in violation of the Metro Code.

(3) Use of parking citation as a complaint. The original of the traffic citation form when completed to meet the minimum requirements of ORS 221.340 may serve a complaint, other forms of parking complaints are prohibited.

(4) Citation form books issued by District Court. Citation form books for parking violations shall be provided by the District Court and upon request distributed to the Zoo parking patrol officers who issue them.

(5) List of parking citations. A list of the parking citations issued by Zoo parking patrol officers shall be forwarded to the District Court within twenty-four (24) hours.

(d) Person Responsible for Violation Charged by the Citation. The registered owner of the vehicle is prima facie responsible for the violation charged by the citation.

(e) Advertising, Canvassing, Soliciting and Disseminating of Written Materials for Political, Charitable or Religious

Purposes. Advertising, canvassing, soliciting and disseminating of written materials for political, charitable, or religious purposes is permitted on the parking lot and sidewalks between the parking lot and the perimeter fence surrounding the Zoo. Such activities must be conducted in accordance with the following conditions:

- (1) Parking lot entrances, exits and travel lanes must not be obstructed. Interference with traffic flow is prohibited.
- (2) Loudspeakers and other sound devices are prohibited.
- (3) Activity causing a crowd to gather is prohibited if pedestrian or vehicular traffic is obstructed or impeded.
- (4) Activity conducted within twenty (20) feet of an admission gate, ticket booth, entrance or exit is prohibited.
- (5) Activity shall be conducted by no more than two (2) persons in the vicinity of the entrances or exists for each cause or candidate.
- (6) Obstructing Zoo visitors' line of travel or detaining a Zoo visitor or employee against his or her will is prohibited.
- (7) Abusive language and actual or threatened physical harm directed against a Zoo visitor or employee is prohibited.
- (8) A person conducting such activity shall identify his or her cause or candidate and shall not misrepresent his or her purpose.
- (9) The dissemination or sale of food or goods other than written materials is prohibited.

(Ordinance No. 45, Sec. 1; Amended by Ordinance No. 88-251, Sec. 1)

4.01.040 Zoo Railroad: Except for official purposes, no person shall:

- (a) Enter or exit the train except when the train is stopped.
- (b) Enter the train without authorization.
- (c) Throw any object or material from or at the train.
- (d) Smoke on the train while it is in motion.
- (e) Destroy, damage or deface the train, equipment, rolling stock, tracks or switches or attempt to do the same.

(Ordinance No. 45, Sec. 1)

4.01.050 Penalties:

(a) Each violation of these Rules and Regulations shall be punishable by a fine of not more than \$500.

(b) In addition to prosecution under paragraph (a) above, any person violating these Rules and Regulations may be ejected from the Zoo. The decision to eject shall be made by the Zoo Director or his/her designate, a security officer, or a peace officer.

(c) In addition to the measures prescribed in subsection (a) and (b) above, violation of these Rules and Regulations may be grounds for exclusion from Zoo premises. In the event of a violation of these Rules and Regulations or a violation of any of the laws of the State of Oregon, any police officer, Zoo security officer, Zoo Director or his/her designate, or any individual providing security services under contract with Metro may exclude for a period of not more than forty-five (45) days, any person who violates any provision of these Rules and Regulations, or any of the laws of the State of Oregon.

- (1) Written notice shall be given to any person excluded from the Zoo premises. The notice shall specify the violation of Zoo Rules and Regulations or State law which is the basis for the exclusion and shall specify the dates covered by the exclusion. The notice shall be signed by the issuing party. Warning of the consequences for failure to comply with the exclusion shall be prominently displayed on the notice.
- (2) A person receiving an exclusion notice may appeal to the Metro Council in accordance with the

Contested Case procedure in Chapter 2.05 of the Metro Code.

- (3) At any time within the period of exclusion, a person receiving an exclusion notice may apply in writing to the Zoo Director for a temporary waiver from the exclusion. The Zoo Director may grant a temporary waiver of an exclusion upon a showing of good cause for said waiver.

(Ordinance No. 45, Sec. 1; and Ordinance No. 90-358)

4.01.060 Admission Fees and Policies:

(a) Regular Fees:

(1) Definitions:

- (A) An Education discount is offered to groups of five (5) or more students in a state accredited elementary, middle, junior or high school or pre-school/daycare center. Qualifications for Education Discount include a minimum of one chaperon for every five (5) students of high school age or under; registration for a specific date at least two weeks in advance; and the purchase of curriculum materials offered by the Zoo, or submission of a copy of the lesson plan that will be used on the day of the visit.
- (B) The Group Discount is defined as any group of twenty-five (25) or more (including school groups that have not met the advance registration and curriculum requirements for the Education Discount; groups of students not accompanied by a minimum of one chaperon for every five students shall not qualify for the Group Discount).

(2) Fee Schedule:

Adult (12 years and over)	\$4.50
Youth (3 years through 11 years)	\$2.50
Child (2 years and under)	free
Senior Citizen (65 years and over)	\$3.00
Education Groups (per student)	\$2.00
Chaperons accompanying	
Education groups	free
Groups other than Education groups	
25 or more per group	20% discount from appropriate

fee listed above

(b) Free and Reduced Admission Passes:

- (1) Free and reduced admission passes may be issued by the Director in accordance with this ordinance.
- (2) A free admission pass will entitle the holder only to enter the Zoo without paying an admission fee.
- (3) A reduced admission pass will entitle the holder only to enter the Zoo by paying a reduced admission fee.
- (4) The reduction granted in admission, by use of a reduced admission pass (other than free admission passes), shall not exceed twenty percent.
- (5) Free or reduced admission passes may be issued to the following groups or individuals and shall be administered as follows:
  - (A) Metro employees shall be entitled to free admission upon presentation of a current Metro employee identification card.
  - (B) Metro Councilors and the Metro Executive Officer shall be entitled to free admission.
  - (C) Free admission passes in the form of volunteer identification cards may, at the Director's discretion, be issued to persons who perform volunteer work at the Zoo. Cards shall bear the name of the volunteer, shall be signed by the Director, shall be non-transferrable, and shall terminate at the end of each calendar year or upon termination of volunteer duty, whichever date occurs first. New identification cards may be issued at the beginning of each new calendar year for active Zoo volunteers.
  - (D) Reduced admission passes may be issued to members of any organization approved by the Council, the main purpose of which is to support the Metro Washington Park Zoo. Such passes shall bear the name of the pass holder, shall be signed by an authorized representative of the organization, shall be non-transferrable, and shall terminate not more than one year from the date of issuance.
  - (E) Other free or reduced admission passes may, with the approval of the Director, be issued

to other individuals who are working on educational projects or projects valuable to the Zoo. Such passes shall bear an expiration date not to exceed three months from the date of issuance, shall bear the name of the pass holder, shall be signed by the Director and shall be nontransferable.

(c) Special Admission Days:

- (1) Special admission days are days when the rate established by this ordinance are reduced or eliminated for a designated group or groups. Six special admission days may be allowed, at the discretion of the Director, during each calendar year.
- (2) Three additional special admission days may be allowed each year by the Director for designated groups. Any additional special admission days designated under this subsection must be approved by the Executive Officer.

(d) Special Free Hours: Admission to the Zoo shall be free for all persons from 3:00 p.m. until closing on the second Tuesday of each month.

(e) Commercial Ventures: Proposed commercial or fund-raising ventures with private profit or nonprofit corporations involving admission to the Zoo must be authorized in advance by the Executive Officer. The Executive Officer may approve variances to the admission fees to facilitate such ventures.

(f) Special Events: The Zoo, or portions thereof, may be utilized for special events designed to enhance Zoo revenues during hours that the Zoo is not normally open to the public. The number, nature of and admission fees for such events shall be subject to the approval of the Executive Officer.

(Ordinance No. 81-108, Sec. 2; amended by Ordinance No. 85-185, Sec. 1, Ordinance No. 87-235, Sec. 1; Ordinance No. 89-269, Sec. 1; Ordinance No. 89-326, Sec. 1; Ordinance No. 90-354; and Ordinance No. 91-376B, Sec. 1)



Meeting Date: February 27, 1992  
Agenda Item No. 7.1

RESOLUTION NO. 92-1569

## SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 92-1569, FOR THE PURPOSE OF APPROVING PROJECTS FOR THE ONE PERCENT FOR RECYCLING PROGRAM 1991-92 FISCAL YEAR

-----  
Date: February 19, 1992

Presented by: Councilor McLain

Committee Recommendation: At the February 18 meeting, the Committee voted unanimously to recommend Council adoption of Resolution No. 92-1569. Voting in favor: Councilors Buchanan, Hansen, McFarland, Van Bergen and Wyers.

Committee Issues/Discussion: Judith Mandt, Solid Waste Department, reviewed the history of the One Percent Program, noting that the program is intended to fund innovative programs related to recycling and waste reduction. A citizens committee that is chaired by a Councilor provides oversight for the program and reviews and makes recommendations concerning the funding of various proposed projects.

This is the fourth funding cycle under the program. Approximately \$225,000 was allocated this year. The committee chose to retain a contingency balance of \$5,000 in case any of this year's projects should require small amounts of additional funding.

Mandt provided a chronology of the committee's work related to this year's projects including the development of an evaluation process, solicitation of proposed projects and the review and selection of the projects proposed for funding. A total of 28 proposals were received and seven are being recommended for funding.

Members of the One Percent Committee presented each of the recommended projects (note: a full description of each project is provided in the staff report and Council staff analysis).

Project #1 -- Environmental Learning Center and Environmental Plastics --\$44,350. The project would facilitate production of composite lumber using recycled plastics. Councilor McFarland noted that Environmental Plastics had received a prior 1% grant and asked about policy relating to the awarding of multiple grants to the same recipient. Mandt noted that the committee members use a "blind" evaluation process to focus the evaluation on the technical merits of a proposal. The identity of the proposer is not known to the evaluators. Thus, the receipt of multiple grants is possible, but it is based on the merits of the proposal. Mandt noted that this project is particularly important because it will provide composite lumber that meets the specific needs of local contractors. Non-spec composite lumber is currently available from Eastern manufacturers, but it frequently does not meet specific local needs.

Project #2 -- Gale & Associates -- \$10,000. The project will develop a program for the recycling of textbooks and magazines from schools and libraries in Washington County. Councilor Van Bergen asked about the demand for this type of recycled material. Wilbert Randall, One Percent Committee Member, indicated that demand for such material is high.

Project #3 -- Gale & Associates -- \$21,000. The project will provide assistance in the marketing, location of test sites, and evaluation of the potential for a new "wood string" product to be manufactured from ground yard debris.

Project #4 -- David Brook and Jeanne Roy -- \$27,000. The project will develop an education and training program to establish a master recycler program. Councilor McFarland asked how this project would relate to this year's emphasis on funding recycling market development projects. Karen Griffin, One Percent Committee member, responded that increased consumer education related to recycling will increase demand for recycled products. Councilor Van Bergen asked how the effectiveness or value of education programs such as this can be measured. Griffen responded that such value is difficult to assess, but that this particular project would conduct surveys in an effort to measure its effectiveness.

Project #5 -- Palermini & Associates -- \$19,400. The project will establish an education and informational program to encourage the purchase of recycled building materials. Councilor Hansen asked how individuals would find out about the program. Forest Soth, One Percent Committee member, responded that workshops would be held to inform the public about the program.

Project #6 -- Russell Plaeger -- \$19,800. The project would develop an informational network to encourage schools and community groups to sell recycled paper products as fundraising events.

Project #7 -- Sunflower Recycling Cooperative -- \$77,700. The project would partially fund the purchase of equipment related to creating a recycling program for green wine bottles. Councilor McFarland asked about the source of the bottles for the program. Mandt noted that they would come from other recyclers, restaurants and bars and possibly from the major entertainment facilities operated by the MERC.





# METRO

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

To: Solid Waste Committee Members

From: John Houser, Council Analyst

Date: February 11, 1992

Re: Resolution No. 92-1569, For the Purpose of Approving Projects  
For the One Percent For Recycling Program 1991-92 Fiscal Year

Resolution No. 92-1569 is scheduled to be considered by the committee at the February 18 meeting.

## Background

The resolution provides for Council approval of seven projects to receive funding from the 1% For Recycling Program for the current funding cycle. These projects are being recommended by the 1% For Recycling Committee following an extensive evaluation of 28 proposals that were submitted for consideration. A total of \$225,000 was appropriated to fund projects during the current fiscal year. The total allocated to the seven proposed projects is \$219,250.

## Issues and Questions

The committee may wish to consider the following issues and questions related the proposed projects:

Project #1 -- Environmental Learning Center and Environmental Plastics -- \$44,350

The project would increase the ability of Environmental Plastics to produce composite lumber using post-consumer plastics. The grant would be used to purchase and install equipment to allow the firm to produce lumber to the specifications needed by local purchasers. Possible uses would include landscaping, park development and trail construction.

1) It appears that this is the second 1% grant received by Environmental Plastics for equipment-related purchases. Have others received multiple grants? Did the committee receive some assurances that the firm is adequately capitalized to expand its operations?

2) This year's 1% program is targetting recycling material market development through either new products, manufacturing processes or purchasing programs. It would appear that the grant will give Environmental Plastics the opportunity to provide existing types of

products using existing types of manufacturing processes in the local marketplace. Is this really a new technology or product that will be produced?

3) It would appear that similar products using similar technologies are being successfully manufactured in other parts of the country. Did the proposer offer any evidence that they are unable to obtain financing from other public or private sources?

4) The staff references the development of a product testing capability by the proposer, noting that such testing is not done. Will the grant fund any activities related to product testing? What evidence is there that no other manufacturers have developed testing programs?

Project #2 -- Gale & Associates -- \$10,000

This project proposes to establish a network to encourage the recycling of surplus textbooks and magazines at schools and community libraries in Washington County. The proposed "Recycle by the Book" program would address the recycling of an estimated 105 tons of material produced each year.

1) The staff report notes that "the necessary arrangements between collection, processing and markets were in place." If this is the case, then what is the purpose of the proposed grant?

2) In light of the large number of schools and libraries involved in the project were alternative funding sources explored for the project?

3) What evidence was submitted that would indicate that the program would continue following the expiration of the 1% grant?

Project #3 -- Gale and Associates -- \$21,000

This project would involve funding for the development and testing of a new product from ground yard debris. The product would be a wood "string" about 3" long and 1/2" wide. Potential uses would include embankments, animal bedding, temporary roads and playground equipment areas.

1) This is the second grant received by Gale & Associates. Is there a precedent for giving multiple grants to the same source during the same funding cycle?

Project #4 -- David Brook and Jeanne Roy -- \$27,000

The grant would fund staff and material costs related to education and training to establish a master recycler program for the region. Persons trained under the program would "pay back" to cost of their training by engaging in community education activities related to recycling and waste reduction.

1) How does this project relate to this year's emphasis on development of markets for recycled materials?

2) How would the program be administered following the expiration of the 1<sup>st</sup> grant?

3) Are there other sources for this type of education or training?

Project #5 -- Palermini & Associates -- \$19,400

This grant would fund the development of an education and informational program to encourage the purchase of recycled building materials.

No issues or questions.

Project #6 -- Russell Plaeger -- \$19,800

The grant would fund the development of an informational network to encourage schools and community groups to sell recycled paper products as fundraising projects. The project also would have a side benefit of educating children and others concerning the availability and uses of recycled paper products.

No issues or questions.

Project #7 -- Sunflower Recycling Cooperative -- \$77,700

The grant would fund the purchase of equipment related to creating a recycling program for green wine bottles. Large amounts of wine bottles are received by local recyclers, but there are virtually no local markets for this material. The proposed recycling project would permit the reuse of 54 varieties of green corkable wine bottles. Up to 2 million bottles could be recycled each year. The proposers will work with local vintners who have indicated that there is a market for the recycled containers.

1) A portion of the funding would be for the purchase and outfitting of a recycling truck to pick up the material. The staff report notes that Sunflower will be offering a premium price for the bottles above that which could be received elsewhere in order to develop a large and stable supply. If such a premium is paid, would other large recyclers be willing to transport their own material to Sunflower?

2) Will Sunflower rely on existing stockpiles of bottles at other facilities, or is it their intent to develop a collection network from other sources that may not currently be recycling?

**BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT**

**FOR THE PURPOSE OF APPROVING  
PROJECTS FOR THE ONE PERCENT FOR  
RECYCLING PROGRAM 1991-92 FISCAL YEAR**

) **RESOLUTION NO. 92-1569**  
)  
) **Introduced by Rena Cusma,**  
) **Executive Officer**

**WHEREAS, A One Percent for Recycling Program was established by Ordinance No. 88-250B on July 14, 1988, to foster implementation of innovative recycling projects and programs; and**

**WHEREAS, An Advisory Committee was created to develop criteria and guidelines for the One Percent for Recycling Program; and**

**WHEREAS, Recommended criteria, guidelines and a Request for Applications were adopted by the Council of the Metropolitan Service District on October 24, 1991; and**

**WHEREAS, The Advisory Committee received and evaluated 28 proposals and interviewed 9 proposers; and**

**WHEREAS, The Advisory Committee has recommended 7 projects to be funded during this funding cycle; and**

**WHEREAS, Two hundred twenty-five thousand dollars (\$225,000) for recycling projects is available this fiscal year to fund projects; and**

**WHEREAS, The resolution was submitted to the Executive Officer for consideration and was forwarded to the Council for approval; now therefore,**

**BE IT RESOLVED, That the Council of the Metropolitan Service District, as provided in Section 5.04.050 (a) of the Metro Code, approves the projects recommended by the One Percent for Recycling Committee as shown in Attachment A.**

**ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_ day of \_\_\_\_\_, 1992.**

\_\_\_\_\_  
**Jim Gardner, Presiding Officer**

JM:ay  
February 10, 1992  
MAND\1PCT\921569.RES

## STAFF REPORT

### REPORT ON RECOMMENDATIONS OF THE ONE PERCENT FOR RECYCLING ADVISORY COMMITTEE FOR FISCAL YEAR 1991-92.

Date: February 10, 1992

Presented by: Judith Mandt  
Leigh Zimmerman

This staff report presents the recommendations by the 1 % For Recycling Advisory Committee for the 1991-92 funding cycle and constitutes the 1 % For Recycling Project List. This year, \$225,000 is available for the program.

History: The program was established in the 1988-1989 fiscal year; this is the fourth funding cycle. A seven-member advisory committee serves in a review capacity to solicit proposals and make recommendations for the project list. The committee is comprised of seven members, two from each of the three counties and appointed by the Executive Officer, and the chair, who is a Metro Councilor appointed by the Presiding Officer.

The committee began meeting in the summer to review and revise the program criteria and guidelines for the 1991-92 fiscal year. These criteria and guidelines as well as the Request For Applications were presented to and approved by the Council, October 24, 1991. Applications were solicited for a period of 45 days with advertisements placed in newspapers of local circulation. There were 26 applications submitted by the application deadline of 4:00 p.m., December 9, 1991. Two late applicants who arrived after 4:00 p.m. requested that the committee consider an appeal of the deadline.

The committee heard their appeal at its December 16 meeting and determined that the two proposers had made a good faith effort to meet the deadline and that no harm would be caused if the applications were accepted since they had arrived the same day that they were due. The committee also voted that next year there be no exceptions, and that the application directly state that applications received after the deadline will not be accepted. The deadline time was changed to 5:00 p.m. consistent with the "end of the working day."

The applications, divided into the categories promotion/education, waste reduction, and markets were reviewed during December and January; assistance from Solid Waste and Public Affairs staff in conducting the proposal evaluation was provided. A standard evaluation tool was used to score assigned points to the proposals, based upon the extent to which the program objectives identified in the criteria and guidelines were met. Emphasis was placed on projects featuring market development for recycled products and/or source reduction, or "precycling."



The committee continues the policy of requiring that the applicant's identity be withheld until the review process is completed. This is done in order to protect objectivity and to ensure that proposals are evaluated solely on their merits. Interviews were conducted in Metro offices January 8 and 13. Following evaluation, the committee selected seven proposals for recommendation for funding.

At the conclusion of each project, an evaluation will be conducted by the project coordinator and Metro staff using evaluation methods identified in the contract Scope of Work. Conclusions from these assessments will be compiled into a report for the Council and other interested parties.

The proposals that have been selected by the committee for funding are shown as Attachment A attached to this report.

#### EXECUTIVE OFFICER'S COMMENTS

The proposals recommended for funding by the 1 % For Recycling Committee meet the criteria established for this year's program. As such, they represent the Projects List specified in Metro Code Section 5.04.050(a) for this program for the 1991-92 fiscal year.

## **Attachment A**

**Gerry Herrmann, Environmental Learning Center  
Stan Kezar, Environmental Plastics**

**\$44,350**

**Project: Market development for recycled post-consumer plastics to produce composite building materials (waste reduction, markets)**

This project will provide funds to expand the capabilities of Environmental Plastics, a plastics recycling plant located in Oregon City, to produce composite lumber. Environmental Plastics, in conjunction with the Environmental Learning Center, a plastics recycling depot in Clackamas County, will manage the project and provide post-consumer plastics to produce dimensional lumber for building materials. Environmental Plastics will produce specification lumber and posts for use in landscaping, park development, trail construction, and for other outdoor applications. The company will also continue to receive nursery containers and agricultural film for reprocessing, using the washing system previously funded from a 1 % For Recycling grant.

Funds will be used to purchase composite production machinery and install an already-purchased extruder. The equipment will enable the system to produce special order plastic lumber that meets specifications of purchasers in the local market. After reprocessing, different plastics will be mixed together to create certain characteristics in the product to achieve variations in material weight, strength, and color. Environmental Learning Center has teamed up with the Forest Product Technologies Department of Oregon State University to test the blends and evaluate them for use in composite building materials. The proposer desires to produce a quality material that can be guaranteed to the application. At present, no product testing of any of the major composite lumber products is done, although Metro has near completion some demonstration project sites for existing materials. Product dependability and application tests for new materials being introduced at this facility are desired in order to increase the consumer demand for this product, which at present has many of the same uses as wood.

Composite plastic lumber has been available for a few years and is used in outdoor settings in the metropolitan area at this time. The material used in the northwest is shipped here from eight eastern companies. Although use is not yet widespread, it is beginning to have greater demand and that is expected to increase with wood product slowdown and changing regulations affecting pressure-treated woods (most commonly used in outdoor construction). The existing product is limited in flexibility, however. It can be dense and heavy and color variances can result in orders being rejected. The long shipping distances cause delays if problems develop, re-ordering and re-shipping takes time, and this can result in missing portions of or all of a building season. This project is directed at overcoming such problems at the source by producing specification materials locally and, where problems develop, correcting them locally.

Local markets will be sought to produce tailor-made materials that fit the client's demand. This system has the advantage of being able to use the mixed plastics for which there is currently no home, such as food containers and household product bottles which look the same but are of

different materials. Plastics recycling, to be successful, has depended upon separation and very low contamination from mixed materials. This project will assist in providing a practical remedy for low grade loads in the Metro area, much of which are being sent overseas or landfilled.

More products need to be available locally from plastics that are generated and recycled locally. The experience of the partners in this project lowers the potential risks associated with the venture. Both Environmental Learning Center and Environmental Plastics have already made substantial investments in plastics recycling and have developed the supply of materials and sources of demand for composite lumber. The testing of various mixes of plastic materials to produce composite lumber with specific characteristics is needed and will contribute markedly in assuring product reliability.

Anne Gale  
Gale & Associates

\$10,000

**Project: "Recycle by the Book" a textbook recycling project in Washington County (waste reduction)**

This project will provide surplus textbook and magazine recycling for over 90 schools and 12 community libraries in Washington County. In addition to improving waste recovery for these materials, "Recycle by the Book" will promote the idea of recycling books and set up a program that can be carried on by schools, libraries or interested volunteer groups.

The proposer estimates that approximately 105 tons of low grade waste paper in the form of old textbooks and magazines is disposed of annually by schools and libraries in the county. Although some books and magazines can be sold and reused, others go to the landfill. This project will offer recycling service for those materials.

The 1 % grant will cover the costs of the contractor's time, will purchase cardboard collection boxes and a small trailer to transport books to Farwest Fibers Recycling Center in Beaverton. Softcover books and magazines can be recycled directly; hard covers will be removed and separated. The recovered paper will be sold to Smurfit Paper in Oregon City. In addition to providing the recycling service, the contractor will establish a network between schools, libraries, the recycling depot and Smurfit that will make it easy for administrators or volunteer organizations to continue the program after the 1 % grant is completed.

The 1 % advisory committee selected this proposal because they felt it provided a needed service at a low cost. The necessary arrangements between collection, processing and markets were in place, and the model established in Washington County has the potential to be expanded to other parts of the region.

**Anne Gale  
Gale & Associates**

**\$21,000**

**Project: "Recycling Wood Strings" testing and market development for recycled construction/demolition/land clearing (CDL) wood debris (markets)**

This project will introduce a new product for CDL wood debris into the market place. The product, a wood string about 3" long with a 1/2" cross section, will be derived from ground wood debris to produce a material for use in cut embankments, animal bedding, temporary roads, and playground equipment areas.

The proposer will work in partnership with Lakeside Reclamation, located in Washington County, to develop and test the product to be sold in bulk. It will be tested for suitability for the proposed uses at public parks, in construction and land clearing sites, and uses involving livestock. The equipment for grinding wood debris is in place at Lakeside Reclamation and can be adjusted to produce a string-like fiber. The advantage of this material over sawdust and bulk wood chips, which tend to move away from the location over time, is that the wood strings will interlock to form a net that remains in place. The net formed by the strings is resilient and is considered ideal for riding arenas and holds up to heavy foot and hoof traffic.

Funds from this grant will be used to locate and develop test sites for the various applications. The testing methods will be developed in consultation with the users who agree to have their properties used as "laboratories" to experiment with various applications and performance. Once the tests have been completed and results are compiled, the product will be marketed throughout the region for suitable uses.

New products need to be developed for CDL wood. The current markets are dominated by hog fuel, which is lower on the state solid waste hierarchy. The product appears to have a potential niche and research is needed to prove it is viable; the use in embankments in particular is thought to be a good, though not proven, method for erosion control. A significant commitment of capital and substantial experience of the project partner, Lakeside Reclamation, results in a good cost-benefit ratio for the project.

**David Brook, Oregon State University  
Jeanne Roy, Recycling Advocates**

**\$27,000**

**Project: Master Recycler Volunteer Program (education)**

This project, modeled on the "Master Gardener" concept, will provide training in waste reduction, recycling and composting for approximately 80 volunteers. The curriculum will cover an overview of the solid waste system in the Metro area, recycling in the home and office, precycling, buying recycled products, home composting and communication skills. The training program will include five evening sessions, two field trips and a workshop. The contractor plans to conduct three separate sessions beginning in May 1992, October 1992, and February 1993.

After volunteers have completed the course, they will be required to pay back their training hours through community education activities. These may include speaking before civic organizations; staffing booths at fairs, conventions, home shows, shopping centers and grocery stores; setting up projects in their workplaces, schools or apartments; or conducting workshops for neighborhood associations. Volunteers who have completed their payback hours, will be presented with a Master Recycler Certificate.

One percent grant funds will pay personnel costs for the project coordinator and for production of the training manual and other promotional materials, such as a slide show and brochures. The Oregon State University Extension Service and Recycling Advocates are providing in-kind contributions.

The 1% Advisory Committee selected this project because it focused on volunteers as a valuable resource in promoting waste reduction and recycling. They felt the experience of the Extension Service in training and the commitment of Recycling Advocates provided a strong partnership. They hoped this program would complement Metro's home composting program and waste reduction promotional campaigns and provide another approach to influence waste disposal behavior.

**Debbie Palermini  
Palermini & Associates**

**\$19,400**

**Project: Market development for building materials with recycled content (education)**

This project will develop a promotion and education campaign on purchasing building products with recycled content, reducing waste at the construction site, reusing building materials, and recycling when there is a viable secondary market. Special emphasis will be placed on "buying recycled" to increase awareness of existing building materials with recycled content and stimulate market development for new products.

The contractor will work closely with the Building Owners and Managers Association, the American Institute of Architects, the Oregon Remodelers Association and the Home Builders Association of Metropolitan Portland. She also has the support of local building wholesale suppliers, lumber yards, home remodeling centers, building product manufacturers and local utilities to showcase new products and promote their use in remodeling and new construction projects.

The contractor will conduct three separate workshops and prepare an education program, including a slide show and a listing of local suppliers of building materials and interior furnishings with recycled content. A survey will be conducted at the beginning and end of the project to evaluate the impact of the education program on the purchase of recycled products and the costs of such products.

The Advisory Committee recommends this proposal because of its potential impact on the waste stream and market development for recycled products. The information on recycled products

should provide impetus to the construction industry to incorporate these materials in new building, landscaping and erosion control projects. The committee felt that given rising landfill costs, and the scarcity of top quality lumber and durable wood products, the construction industry would be very receptive to this program.

**Russell Plaeger**

**\$19,800**

**Project: Promote "Buy Recycled" via purchase of recycled paper products for fundraising projects (education)**

This project will promote the use of recycled paper products, such as gift wrap, cards and stationery, as a fundraising tool for school and community groups. The contractor will contact fundraising companies, parent/teacher organizations and schools to set up an information network that will expedite selling recycled products and that can be utilized after the 1 % grant is completed. The goal is to contact 80-100 schools in the region.

The contractor will prepare a direct mailer to PTA presidents and principals or activity leaders at several pilot schools. He will meet with these individuals to develop a useful program suited for elementary and secondary schools as well as community groups. Following the initial contacts an information kit will be prepared that promotes the idea of selling recycled products.

The information kit will list potential companies that distribute recycled products, answer questions and summarize the experiences of local groups that have tried and succeeded with these products. General information on the importance of buying recycled will also be included. The kit will be designed so that it can be updated easily and reused several times. The results of sales from this program will be evaluated periodically over the course of the grant.

This project is recommended because of its potential impact. The committee felt that schools are always looking for new fundraising activities and that promoting environmentally sound products would be supported by students, parents and the larger community. The fact that thousands of consumers are contacted through fundraising events provides a wonderful opportunity to teach the value of buying attractive, recycled products as an alternative to more traditional fundraising items. Increased awareness should translate into increased demand for these and other products.

**John Garofalo and Alexander Patterson**  
**Sunflower Recycling Cooperative**

**\$77,700**

**Project: Collection of green wine bottles for resale as wine bottles to local vintners (reuse, waste reduction)**

This project will develop a collection center to sort and wash 54 varieties of corkable green wine bottles. Located at the Sunflower Recycling Center in Southeast Portland, the facility will be housed in a large building leased on site. Funds will be used to purchase a bottle washer and related equipment, set up the facility, help to purchase and outfit a recycling truck, and provide staff training. Up to 2 million green wine bottles per year will be processed for reuse. This

represents about 10% of the 20 million bottles of wine consumed in Oregon each year, of which the Metro area consumes about 9 million.

Green glass is a significant factor in the recycling industry and may constitute a management crisis if alternatives for its use aren't developed. Huge mountains of cullet, largely wine bottles, are stockpiled on site at Owings-Brockway Glass Company in northeast Portland, the glass recycler which receives most local glass. In order to contain the growing supply, the company has shipped loads of glass to Texas. We are aware of no proposal being developed prior to this project which would offer a solution to this problem.

Sunflower Recycling is no longer in the garbage collection business with the inception of the garbage franchise system recently implemented in Portland. Its resources are now directed at operating solely as a recycling center, processing materials collected by the East Portland Recycling Cooperative. The Center has retained the services of Richard Dixon, an Oregon vintner, to help establish and operate the facility and market the used bottles to other Oregon vintners. The economic incentive exists for vintners to purchase reused bottles, because they are less costly than purchasing new corkable bottles. They are very willing to purchase quality reused bottles and do so whenever possible. It is estimated that about 40% of their demand could be met by this project.

Sunflower plans to pay a premium of \$.05 per bottle, depending on their condition. Since this is much more than the amount recyclers receive now for green glass, the supply of green bottles in good condition is expected to be high and stable. Used wine bottles will be collected from area restaurants, taverns and clubs, and wine festivals and wine tasting rooms. In most cases, the bottles will be stored safely for collection in the same cardboard boxes in which they were delivered.

The partners in this project have substantial experience in recycling and wine distribution. Sunflower is ideally suited at this time to expand its operations to an on-site facility. Their connection to the region's recyclers is stable and constitutes an established supply that is already very large. The experience of Richard Dixon, a successful local vintner with extensive contacts in the wine industry, makes for a strong project with low risk and high potential to advance the goals of the solid waste hierarchy.

JM1%STAF00210.RPT

Meeting Date: February 27, 1992  
Agenda Item No. 7.2

RESOLUTION NO. 92-1566



## SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 92-1566, FOR THE PURPOSE OF APPROVING AN EXEMPTION FROM THE COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZING THE EXECUTIVE OFFICER TO EXECUTE AN AMENDMENT TO THE METRO CENTRAL CONSTRUCTION AND OPERATION AGREEMENTS

-----  
Date: February 19, 1992

Presented by: Councilor McFarland

Committee Recommendation: At the February 18 meeting, the Committee voted 4-0 to recommend Council adoption of Resolution No. 92-1566. Voting in favor: Councilors Buchanan, Hansen, McFarland and Van Bergen. Councilor Wyers was excused.

Committee Issues/Discussion: Jim Watkins, Solid Waste Department, explained that the purpose of the resolution was to adopt an agreement between Metro and Trans Industries resolving outstanding issues related to Metro's acceptance of the Metro Central Station. Watkins noted that the agreement provided that Metro will receive a total of \$1,930,938 as compensation for the unacceptable operation of two material recovery lines at the facility. The sources of the compensation will include:

-Metro retention of unpaid construction Balance owed to Trans Industries	\$504,438
-Three years of facility maintenance costs at an estimated \$237,500/yr.	\$712,500
-Reduction of monthly Metro payments to Trans Industries, \$16,500/month for 36 months	\$594,000
-Guaranteed minimum salvage for one bag breaker	\$120,000

Watkins responded to questions raised in Council staff analysis. He noted that the value of the defective recovery lines was based on the invoiced cost of the installation of the lines, including equipment costs. The estimate for the value of maintenance costs to be assumed by Trans Industries is based on a Trans Industries estimate of 10% of original equipment costs per year. Watkins explained that this estimate is similar to that included in the two recent proposals for construction of a new transfer station in Forest Grove.

Watkins noted that Metro would retain ownership of the defective lines and that alternative recycling-related uses for the lines will be explored. Metro has not estimated a salvage value for the lines and does not intend to dismantle them in the near future. The budget for the current fiscal year provides \$175,000 for material recovery enhancements at Metro Central. Watkins indicated that these funds would not be used due to the revenue shortfall caused by a decline in solid waste tonnage in the region.

Watkins explained that the \$504,000 in construction funds that will be retained by Metro will be used to supplement an existing appropriation to build a household hazard waste disposal facility at Metro Central. The revised estimated cost of this facility is approximately \$960,000 versus an original appropriation of \$450,000. Watkins indicated that the remaining funds that would be received from the agreement would be used to address the current revenue shortfall.

Councilor McFarland noted that with the Composter not in operation and material recovery rates at Metro Central below expectations, it may be difficult for Metro to reach its waste reduction goals. Bob Martin noted that the Composter closure is only temporary and that while it may be more difficult to reach our waste reduction goals, he was confident that it can be done. McFarland asked about possibly dedicating a portion of the revenue from the agreement to recycling and waste reduction. Martin indicated that the current revenue shortfall would make such a dedication of funds difficult. Martin indicated that any economic or rate incentives to encourage waste or source reduction would need to be considered carefully because of their potential effect on existing private recycling operations.



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

**To: Solid Waste Committee Members**

**From: John Houser, Council Analyst**

**Date: February 11, 1992**

**Re: Resolution No. 92-1566, For the Purpose of Approving An Exemption From the Competitive Bidding Requirements and Authorizing the Executive Officer to Execute an Amendment to the Metro Central Construction and Operation Agreements**

Resolution No. 92-1566 is scheduled to be considered by the Committee at the February 18 meeting.

## Background

The purpose of the resolution is to adopt an agreement between Metro and Trans Industries to resolve outstanding construction and acceptance issues relating to Metro Central Station. Staff has prepared an extensive analysis and history of the development of the agreement as Attachment A to the resolution.

Briefly, the negotiations related to the agreement centered on the ineffectiveness of the two mixed waste material recovery lines at Metro Central. Performance testing determined that the amount and types of material that could be recovered from the lines was significantly less than had been forecast in the original facility proposal submitted by Trans Industries. The overall recovery rate during testing was 7.7 % versus an estimated 25.2% in the Trans Industries proposal. Less than .5% of the recovered material came from the MSW recovery lines. Metro staff determined that the lines were ineffective and uneconomical. Though Trans Industries continues to work to improve the two recovery lines, negotiations were held to determine how Metro should be compensated under the constructions and operating agreements with Trans Industries.

Amendments to these agreements are provided by the resolution. The proposed settlements is based on an estimated value of the MSW Lines of between \$1.7 and \$2.1 million and would include:

* A Credit Against the Unpaid Balance due to Trans Industries under the Construction Agreement	\$504,438
* Payment of Certain Maintenance Costs By Trans Industries For Three Year Estimated At (\$237,500 per year)	\$712,500
* Monthly Payment Reduction of \$16,500/month For 36 Months	\$594,000
* Salvage Value of Bag Breaker (MSW Line #2)	\$120,000
<b><u>Total</u></b>	<b>\$1,930,938</b>

In addition, the lines will be Metro property and remain in place unless Metro decides to remove them. Trans Industries must continue its efforts to maintain a material recovery rate of at least 5% or the original maintenance agreement can be reinsituted.

Subsequent to Council approval of the agreement amendments, Metro would accept the facility. The Operating Agreement would be considered to have become effective October 1, 1991.

#### Issues and Questions

The committee may wish to address the following issues related to the proposed resolution:

- 1) How was the estimated value of the lines determined (eg. independent appraisal, Metro staff appraisal, etc.)? Does Trans Industries agree with the value estimate?
- 2) The estimated value of the maintenance costs to be picked up by Trans Industries is based on an estimated annual value of total maintenance costs equal to 10% of the original equipment costs. On what basis was this estimate made (experience at Metro South Station, other facilities, etc.)? Is there a maximum or minimum amount of the maintenance costs to be paid by Trans Industries under the agreement?
- 3) The agreement specifically provides that Metro receive \$120,000 as salvage value for the bag breaker on MSW Line #2. Should Metro choose to remove and dispose of all of the equipment in the two lines, has a salvage estimate been established for the remaining equipment?
- 4) The contract list for FY 91-92 includes two contracts totalling \$175,000 for material recovery "enhancements" at Metro Central. Does the department intend to pursue these contracts and, if so, when and for what purpose?
- 5) The staff report indicates that the \$504,000 construction credit will be used to build the household hazardous waste facility at Metro Central. This facility was originally budgeted at \$450,000. Does staff anticipate that this credit will pay the entire construction cost for the facility? If so, what will the department use the original construction appropriation for?

6) The staff report does not indicate how the department will allocate the maintainance and monthly payment cost savings or the salvage revenue from the bag breaker? Has the department identified potential uses for these funds and, if so, what?

BEFORE THE CONTRACT REVIEW BOARD OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPROVING AN	)	RESOLUTION NO. 92-1566
EXEMPTION FROM THE COMPETITIVE BIDDING	)	
REQUIREMENTS AND AUTHORIZING THE	)	Introduced by Rena Cusma,
EXECUTIVE OFFICER TO EXECUTE AN	)	Executive Officer
AMENDMENT TO THE METRO CENTRAL	)	
CONSTRUCTION AND OPERATION AGREEMENTS	)	

WHEREAS, Resolution No. 89-1169A authorized the award of contracts to Trans Industries for construction and operation of Metro Central Station; and

WHEREAS, Because acceptance of the Metro Central facility without acceptably functioning mixed solid waste (MSW) processing lines can be viewed as a material deletion from the original scope of work, approval of the amendment contained in Exhibit A is required by the Contract Review Board under Metro Code Section 2.04.045; and

WHEREAS, The events leading up to the negotiated contract settlement are described in Attachment 1 to the staff report; and

WHEREAS, The amendment contained in Exhibit A is acceptable to Trans Industries; and

WHEREAS, This resolution was submitted to the Executive Officer for consideration and was forwarded to the Council for approval; now therefore,

BE IT RESOLVED,

That the Contract Review Board of the Metropolitan Service District hereby exempts the amendment attached to this Resolution as Exhibit A from the competitive bidding process.

ADOPTED by the Contract Review Board of the Metropolitan Service District this  
\_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
Jim Gardner, Presiding Officer

## EXHIBIT A

### FOURTH MODIFICATION OF THE 1989 METRO TRANSFER STATION CONSTRUCTION AGREEMENT AND 1989 METRO TRANSFER STATION OPERATION AGREEMENT

This Agreement, between the Metropolitan Service District of Portland, Oregon, a service district organized under Chapter 268 of the Oregon Revised Statutes, and a municipal corporation and public body, corporate and politic, of the State of Oregon, (herein "Metro"), and Trans Industries, (herein "Contractor"), a joint venture of Browning-Ferris Industries of Oregon, Inc., an Oregon corporation, and Trans-Waste, Inc. an Oregon Corporation, is a modification of two agreements entered into between the parties on December 8, 1989, the first entitled "1989 Metro Transfer Station Construction Agreement" (herein "Construction Agreement"), and the second entitled "1989 Metro Transfer Station Operation Agreement" (herein after "Operation Agreement"). In exchange for the promises and other consideration, set forth in the Construction and Operation Agreements, earlier modifications, and in this modification, the parties agree as follows:

1. Purpose. The purpose of this modification is to reduce the Facility Price by \$1,930,938 and define the terms under which this price adjustment will be made. This adjustment is considered a settlement that allows Metro to accept the facility at a reduced price given that both parties agree that the performance of a portion of the materials recovery system was unacceptable during the Acceptance Test. Under the terms of this modification, all materials recovery equipment shall remain installed in the Facility as property of Metro, but the Contractor shall: 1) credit to Metro the remaining balance due on all construction payments; 2) assume all maintenance costs at the Facility; 3) guarantee a fixed payment to Metro for the salvage of the bag breaker on MSW Line #2 should Metro choose to have it removed and 4) provide monthly payments to remit the remaining amount of the adjustment.
2. Effective Date. This modification shall take effect on the Acceptance Date.
3. Adjustment to Facility Price.
  - a. The Facility Price specified in the Construction Agreement, Section 1. Definitions (page 10), as " \$18,269,825 as that sum may be adjusted in accordance with the terms hereof " shall be reduced by \$1,930,938.
  - b. The Facility Price adjustment shall be made through a combination of the following three methods such that the total adjustment equals \$1,930,938:



- (A) Contractor shall remit to Metro the entire unpaid balance of \$504,438 due to the Contractor on the original facility cost and all change orders.
- (B) Contractor shall assume all maintenance costs for the facility for the first three years of the Operation Agreement.

- (i) For the first three years of the Operation Agreement, Section 7.3.2 of the Operation Agreement shall be changed to reflect this assumption of responsibility by deleting and adding text as indicated below:

**7.3.2 Other Repairs and Maintenance; Capital Improvements.**

7.3.2.1 The Contractor shall make all repairs of equipment and perform all maintenance, in addition to periodic maintenance set forth in section 7.3.1, reasonably required for the operation of the Facility in conformity with this Agreement and the Performance Standards, ~~and shall be reimbursed by Metro for one half of its Direct Costs thereof, to the extent of Cost Substantiation; provided, however, Contractor shall not be entitled to reimbursement for costs up to a cumulative total of \$25,000 times the number of Contract Years (or portions thereof) this Agreement has been in effect.~~ Contractor shall be entitled to full reimbursement for Direct Costs result from Metro Fault or Change in Law. If the Direct Costs for any repair or maintenance resulting from Metro Fault or Change in Law are estimated to be less than \$10,000, or are required in order to avoid injury to persons or property or a material stoppage in the Processing of Acceptable Waste, the Contractor shall effect the same and promptly notify Metro; in all other cases resulting from Metro Fault or Change in Law where Direct Costs are estimated to be greater than \$10,000, Metro shall be notified of and approve such actions in a procedure substantially equivalent to that for a Change Order under the Construction Agreement.

- (ii) Metro agrees to assign a value of \$237,500 for each of the first three years of the Operation Agreement (for a total of \$712,500) to the above maintenance costs and to credit this amount toward the Facility Price adjustment, subject to the following condition: Contractor shall continue to operate and maintain the material recovery systems such that the Facility recovers a minimum of 5 % of the Acceptable Waste received ( excluding any residuals received from the Reidel Compost Facility). If the average recovery rate for a three month period falls below this level,



Metro may, at its sole discretion, choose to reinstate the original maintenance agreement by written notice to the Contractor. The value of the maintenance services provided up to the date of the Metro decision, calculated by prorating the yearly assigned value of \$237,500, shall be credited against the Facility Price reduction.

- (iii) If Metro exercises its right to reinstate the original maintenance agreement, the future maintenance costs Metro would have credited toward the Facility Price reduction had the Contractor continued to assume all maintenance costs, shall be remitted by the Contractor through reductions in payments made under the Operation Agreement. The payment reductions shall be a fixed amount equal to the total value of the payment reductions divided by the number of months left in the first three years of the Operation Agreement. These reductions are in addition to the reductions Metro is entitled to below under Section 3.b.(D).
- (C) Contractor will provide to Metro the salvage value of the bag breaker on MSW Line #2 should Metro choose to have it removed. Contractor guarantees that the value shall not be less than \$120,000 provided that the decision to remove the bag breaker is made by Metro on or before December 31, 1992. Contractor shall remit the value to Metro through a lump sum credit against the next monthly payment under the Operation Agreement following either the Contractor's receipt of the salvage value or within 120 days of the equipment's removal if a buyer cannot be found.
- (D) The remainder of the Facility Price reduction not remitted by the methods described above ( Sections 3.b.(A),(B), and (C) ), shall be made through a reduction in the Contractor's monthly payments of \$16,500 for the first three years of the Operation Agreement for a total of \$594,000. For those payment reductions not made from the start of the Operation Agreement in October, 1991, until the effective date of this modification, a lump sum deduction shall be made from the Contractor's first monthly payment after the effective date of this modification.
- (E) In the event of default or termination of the Operation Agreement by either Metro or the Contractor, any balances remaining on payment reductions in Sections 3.b.(B), (C) and (D) shall be payable in full.

4. Railroad Crossing Construction and Maintenance Agreement. Contractor shall reimburse Metro for billings from Burlington Northern Railroad for any remaining construction costs and for the maintenance costs for the track and signal equipment for the term of the Operation Agreement. Payments shall be made through reductions in Contractor's monthly payments under the Operation Agreement.
5. Provisions Not Modified. All provisions of the Construction and Operation Agreements not specifically modified herein, including any previous Change Orders thereof, shall remain in full force and effect. All capitalized terms herein defined in the Construction and Operation Agreements shall have the meaning ascribed thereto in such Agreements.

The parties agree, as specified above, on the latter of the dates set forth below.

TRANS INDUSTRIES

METROPOLITAN SERVICE DISTRICT

By: \_\_\_\_\_

By: \_\_\_\_\_

F. Ralph Orrino

Authorized Representative

General Manager

\_\_\_\_\_  
(Print name and title)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 92-1566 FOR THE PURPOSE OF APPROVING AN EXEMPTION FROM THE COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZING THE EXECUTIVE OFFICER TO EXECUTE AN AMENDMENT TO THE METRO CENTRAL CONSTRUCTION AND OPERATION AGREEMENTS

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Date: February 10, 1992

Presented by: Jim Watkins

### PROPOSED ACTION

That the Contract Review Board of the Metropolitan Service District exempt the amendment, attached as Exhibit A, from the competitive bidding process.

### SUMMARY OF FACTUAL BACKGROUND AND ANALYSIS

The contract amendment will modify the Construction Agreement to reduce the facility price of Metro Central Transfer Station by \$1.9 million.

The amendment is the product of negotiations conducted between Metro and Trans Industries after the completion of the Acceptance Test showed that the performance of portions of the materials recovery systems was unacceptable.

The reduction will be remitted to Metro through a credit on the balance due on remaining construction payments, assumption of all maintenance costs at the facility, and a series of monthly payments to cover the remaining balance.

If the amendment is approved by Council, the final activities and procedures required for Acceptance of the facility will be initiated and Acceptance is expected to occur on or before March 31, 1992.

The proposed final settlement assigns the following monetary values to the above terms:

- |   |           |
|---|-----------|
| • Credit against unpaid balance due to Trans Industries:            | \$504,438 |
| • Three years of maintenance costs estimated at \$237,500 per year: | \$712,500 |
| • Payment reduction of \$16,500 per month:                          | \$594,000 |
| • Salvage value of bag breaker on MSW Line #2:                      | \$120,000 |

<b>TOTAL</b>	<b>\$1,930,938</b>
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Attached to this staff report is an additional report providing background on the plans for material recovery at Metro Central, a summary of the results of the Acceptance Test , detail regarding the negotiations which generated the proposed agreement, and a description of the facility's existing material recovery capabilities.

### **BUDGET IMPACT**

For the first three years of the Operation Agreement, the waste tonnage received at Metro Central Station are expected to be under 35,000 tons per month resulting in a fixed payment of \$285,250 per month to the operator (as adjusted annually by the Consumer Price Index). The proposed settlement will reduce this payment by \$16,500.

For each of the first three years of the Operation Agreement, Metro had expected to incur maintenance and repairs estimated at \$237,500. The proposed settlement will eliminate these expected costs and the risk of even greater expenses.

The credit of \$504,438 against the unpaid balances due Trans Industries on the Construction Agreement will remain in Metro's Construction Account and be available for construction of the Metro Central Household Hazardous Waste Collection Facility.

If Metro elects to salvage the bag breaker, a \$120,000 credit will be obtained through reductions in operating payments made to Trans Industries.

The proposed agreement provides the value to which Metro is entitled and improved terms under which the facility can be operated over the next three years.

### **EXECUTIVE OFFICER RECOMMENDATION**

The Executive Officer recommends exempting the amendment, attached as Exhibit A, from the competitive bidding process.

STAF0205.RPT  
February 10, 1992

## **ATTACHMENT 1**

### **DETAILED STAFF REPORT ON FOURTH MODIFICATION TO METRO CENTRAL CONSTRUCTION AND OPERATION AGREEMENTS**

#### **Introduction**

The contract amendment will modify the Construction Agreement to reduce the facility price of Metro Central Transfer Station by \$1.9 million.

The amendment is the product of negotiations conducted between Metro and Trans Industries after the completion of the Acceptance Test showed that the performance of portions of the materials recovery systems was unacceptable.

The reduction will be remitted to Metro through a credit on the balance due on remaining construction payments, assumption by Trans Industries of all maintenance costs at the facility, and a series of monthly payments to cover the remaining balance.

If the amendment is approved by Council, the final activities and procedures required for Acceptance of the facility will be initiated and Acceptance is expected to occur on or before March 31, 1992.

The staff report below provides:

- A background discussion of Metro's original intentions regarding the material recovery capabilities of the facility.
- An overview of the contract issues and events leading up to the conduct of the Acceptance Test, and a description of the results of the test. The discussion will focus on attempted material recovery from the residential waste stream during the test.
- A review of the negotiations which produced the amendment, and a description of the terms of the agreement as expressed in the amendment.
- A description of the materials recovery capabilities of Metro Central Station as presently equipped and operated.

## **Background - Materials Recovery at Metro Central**

The Solid Waste Management Plan's policy guidelines for Metro Central required that options and costs for 10%, 20% and 30% recovery levels at the facility be studied prior to its design. In accord with the plan, a study was conducted by an independent consultant and the information reviewed by Metro management and staff.

Consideration of these issues, however, confirmed doubts about the feasibility of attempting to build or procure a facility whose operator could reasonably guarantee any specific rate of recovery. There were simply too many uncertainties involved. These included: changes in the characteristics of waste streams, volatility in markets for recovered materials, and the experimental nature of many recovery technologies.

The alternative that emerged from these considerations was the "avoided cost" approach. Under this approach, Metro pays to the facility operator an amount equal to the cost of transporting and disposing of materials at the Columbia Ridge Landfill, for any materials recovered for resale through the active efforts of the facility operator. The operator also collects the revenue from the sale of the recovered materials. Under the "avoided cost" approach, the level of recovery at the facility is determined by what is economically feasible for the operator. The operator of the facility has the flexibility to increase or decrease recovery efforts if either markets or waste streams change.

The Request for Proposal approved by Council and issued for the facility required proposers to design material recovery systems for the facility under the assumption that the facility would operate under an "avoided cost" approach. Recognizing that under an avoided cost approach there would not be any guaranteed recovery, the RFP evaluation criteria rated vendors on their corporate resources, experience, and commitment to recovery.

The proposals submitted to Metro varied in their approach to recovery technologies and in their representations as to what levels of recovery were achievable. The proposals in general reflected a lack of industry experience with large scale materials recovery efforts at transfer stations. The industry also had limited experience in proposing optimal systems for recovery under "avoided cost" incentives.

While the expected rate of recovery was an important consideration in the evaluation process, basic and traditional concerns over cost, siting, and the vendor's ability to get the facility on line by January, 1991, had considerable impact on the selection process. It is reasonable to state that Trans Industries' cost proposal, site, and perceived ability to deliver on time were the key factors in its selection. The fact that the recovery rate estimates provided by Trans Industries were among the highest, enhanced the attractiveness of the proposal. Nevertheless, the evaluation report included strong concerns regarding the ability of the material recovery systems proposed by Trans Industries to perform at the levels represented to Metro.

## **Background - Contracts**

Metro signed three agreements with Trans Industries for the Metro Central facility including a Real Estate Purchase and Sale Agreement, a Construction Agreement, and an Operation Agreement. The Real Estate Purchase and Sale Agreement was for the purchase of the site at 6161 NW 61st and was contingent upon Trans Industries obtaining a permit from DEQ for the facility. The permit was obtained and the Real Estate Purchase closed in June 1990.

Under the Construction and Operation Agreements, Trans Industries agreed that the facility would, within 13 months of the contracts' signing (January 1991), be capable of receiving and transferring wastes to the Columbia Ridge Landfill. Completion of construction of the facility's material recovery systems and Acceptance Testing were allowed to take up to an additional 6 months. The Operation Agreement is for five years with Metro having the option of terminating the Agreement without cause at any time after three years. The agreement provided that the term of the Operation Agreement would begin upon Final Acceptance of the facility.

Trans Industries successfully opened the facility on schedule, allowing the closure of St. Johns Landfill to proceed as scheduled. As winter proceeded, the prospect of completing of the materials recovery features of the facility within the remaining time period became problematic.

In early spring, 1991, Trans Industries changed the structure of its project team by placing Ralph Orrino, an experienced manager, in charge of the project. At that time, Metro negotiated an amendment to the operation and construction agreements that resolved operational concerns and reestablished schedules for deliverables that would need to be completed prior to Metro's acceptance of the facility. The negotiations also extended the final Acceptance Date one month to August 15, 1991. This first modification and Mr. Orrino's management helped reestablish an effective, good faith, working relationship between Metro and Trans Industries. Trans Industries fulfilled the requirements of the first modification by completing construction and producing deliverables within the required time frames.

## **Acceptance Plan**

During the spring of 1991, Trans Industries also worked to develop its Acceptance Plan, with Metro staff closely reviewing and commenting on the developing plan. The Construction Agreement required that Trans Industries develop the plan but it was very general with regard to specific form.

Discussions regarding the plan focused on two key issues: First, what was the "Acceptance Phase" to cover, and second, what exactly was the facility required to demonstrate during an "Acceptance Test"?

With regard to the first issue, Metro viewed acceptance more broadly than Trans Industries. Metro was concerned not just with the plan for an "Acceptance Test" period but with developing a process that would also insure that: 1) the facility had been built as designed; 2) the compactors performed properly; and 3) regulatory and permitting requirements had been met. Trans Industries was responsive to these concerns and incorporated this approach into their plan.

With regard to the issue of what the facility would be required to demonstrate during the Acceptance Test, both parties agreed that the criteria for the Acceptance Test would have to be consistent with specifications in the Construction Agreement and with representations made by Trans Industries in its original proposal. The Construction Agreement specified that the facility be capable of transferring 2500 tons per day of waste and that the process lines function properly. The proposal provided the expected recovery rates for each of the lines.

## **Acceptance Test Processing Plan**

Trans Industries original proposal assumed that 90% of the waste brought to the facility would be from commercial haulers and 10% would be self hauled. Of the commercial hauled waste, half was considered to come from "commercial" sources and half from "residential" sources.

The proposal stated that the residential portion of the commercially hauled waste would be processed over the "mixed solid waste" process lines (MSW Lines #1 and #2), recovering 15% of the material processed. The commercial portion of the commercially hauled waste was considered to be about half "office" waste which would be processed on the "Commercial Line," where a 30% recovery rate was projected. A little less than a quarter of the commercial waste was designated as "construction" waste, and was to be sent to the wood line where a 75% recovery rate was expected. The remaining fraction was to be sent directly to the compactors. Recovery from self haul was to be limited to removing materials suitable for the wood line.



At the these recovery rates, the proposal anticipated that the recovery profile for the facility would be as follows ( percentages are of all waste received at the facility):

MSW Lines	6.8%
Commercial Line	6.6%
Wood Line	9.6%
Source Separated (from self haul)	2.2%
<b>TOTAL</b>	<b>25.2%</b>

When Trans Industries began to operate the lines during the shakedown period preceding the test, the simple operational plan described in the proposal and summarized above was shown to be inadequate. Much of the commercially hauled waste arriving at the facility was a mix of residential and commercial materials, with the residential wastes often contaminating the commercial materials. In addition, it was often unknown what types of materials were included in each load until it was tipped on the floor. As a result, it was necessary to develop a number of "preprocessing" procedures. These included removing large contaminants (hazardous wastes, concrete, tires), pulling large recyclable items (metals, cardboard, wood), and presorting and pushing materials to the front of the appropriate process line. Trans Industries also had to embark on a learning curve with regard to the actual recovery capabilities and operating parameters (line speed, material in feed rates etc.) of each of the process lines.

### **Acceptance Test Results**

As the day for the start of the Acceptance Test approached (June 24, 1991), Metro and Trans Industries agreed that it would be useful to delay its start. It was agreed that a delay could provide the opportunity to develop better operational procedures and greater experience in running the materials recovery equipment. The test was reset for late August and final Acceptance extended to mid November.

The test was conducted over the three week period beginning August 26, 1991 and ending September 14, 1991. During this time the facility operated normally, handling approximately 6,400 tons of waste each week. This flow represented about half the facility's required capacity. (1200 tons per day based on five days per week. Little commercial waste is received on Saturday and Sunday). On average about 1,500 tons of the weekly tonnage was residual material from the Riedel Compost Facility and was not suitable material for any recovery efforts. The Riedel residual was delivered to Metro Central in order to compact the waste into Jack Gray Transport trailers as the compost facility did not have a compactor. In addition, approximately 300 tons per week of direct haul material was back hauled to Riedel to fulfill Metro's contractual obligations to Riedel. Tables 1,2, and 3 show the basic test results.

**TABLE 1**      **Summary of Waste Processing**  
Amounts in Tons - for 3 week test period

Waste Received	19,051
Reidel Residual	4,618
Riedel Backload	921
Available for recycling	13,511
Recycled	1,044
% Recycled of Available	7.7%

**TABLE 2**      **Summary of Recovered Materials**  
Amounts in Tons Recovered - for 3 week test period

	OCC	Wood	Mixed Paper	Ferrous	Al	Tires	Batteries	News	Glass	Tin Cans	TOTALS
Floor Sort	120.2			98.2		9.3	1.2				228.9
MSW 1,2 & Commercial Line			48.0		0.2						48.2
Wood Line		764.5									764.5
Source Separated								1.4		0.8	2.1
TOTALS	120.2	764.5	48.0	98.2	0.2	9.3	1.2	1.4		0.8	1043.7

**TABLE 3**      **Summary of Recovered Materials**  
As Percentage of Waste Available for Recovery - for 3 week test period

	OCC	Wood	Mixed Paper	Ferrous	Al	Tires	Batteries	News	Glass	Tin Cans	TOTALS
Floor Sort	.89%			.73%		.07%	.01%				1.69%
MSW 1,2 & Commercial Line			.36%		.00%						.36%
Wood Line		5.66%									5.66%
Source Separated								.01%		.01%	.02%
TOTALS	.89%	5.66%	.36%	.73%	.00%	.07%	.01%				7.72%

## Discussion of Test Results

### **MSW Lines and Residential Waste**

During the test period, it was clearly demonstrated that the MSW lines were not suitable for recovering materials from a "residential" waste stream. While the lines could function for several hours at a time without excessive mechanical breakdown, an insignificant amount of material was recovered, when they were used to process residential waste. Even during the shakedown period, it was quite apparent that the only way in which significant quantities of materials would be recovered by the MSW lines was if the lines were supplied with materials already relatively rich in recoverables. Nevertheless, one test day was devoted to running residential waste over an MSW line. While a large amount of material went through the line, the predominate "recovered" material was a very contaminated mixed paper product. The test run conclusively established the lines' basic inability to recover marketable materials from the residential waste stream.

### **MSW Lines and Commercial Waste**

Trans Industries concentrated its efforts during the test period to refining operational procedures for use of the MSW lines to extract recoverables (primarily mixed paper) from dry mixed waste loads from offices, stores or other commercial sources. Residential waste was generally pushed directly to the compactors or back hauled to the compost facility. The standard procedure was to identify loads or parts of commercial loads which appeared to have a large percentage of recoverable mixed paper in them. These loads were then preprocessed by removing large contaminants, and breaking and removing plastic bags.

Because only limited amounts of the dry commercial material was entering the facility, the lines were able to run only 1 to 3 times a week, and then for only 2 to 4 hour periods at a time. During the test period, there was enough of the dry commercial material to run the MSW lines a total of just over 35 hours. The total amount of material recovered from these dry wastes was approximately 48 tons of mixed paper and a small amount of aluminum (beverage cans). For the test period, when using the dry commercial wastes the lines had a through put rate of approximately 14 tons per hour and an average recovery rate of under 10% of the material processed over the line. By the end of the test period, the recovery rate was probably higher as personnel became more experienced, especially in preselecting and preprocessing materials. However, many of the techniques that can be used to increase recovery are labor intensive. Given the low market prices for the recovered mixed paper product, the extra steps may not be very cost effective.

During the first week of the test period, it became increasingly evident that the bag breaker on MSW #2 harmed rather than helped the recovery process. Because the lines are functionally similar excepting the bag breaker, most testing was therefore done on MSW #1.

## Commercial Line

Testing of the Commercial Line was limited due to the lack of suitable material being received at the facility. Testing did demonstrate that the line functioned well mechanically and was capable of removing contaminants from suitable loads. Trans Industries has experimented with using the Commercial Line for secondary processing of mixed paper recovered from the MSW lines in order to raise the grade of the paper product. At the present time, however, paper prices do not justify the added labor costs.

## Wood Line

During the test period, the wood line was responsible for almost three quarters of the total amount of recovered materials. The line ran most test days (excluding weekends) for 2 to 4 hours each day for a total of approximately 40 hours. The line was demonstrated to be capable of processing up to 40 tons per hour.

## Compactors

The compactors were tested during the acceptance period in accord with previous agreements negotiated between Metro, Trans Industries, and Jack Gray Transport regarding the acceptability of the two Shredding System Inc. (SSI) compactors Trans Industries had purchased. The tests demonstrated that the SSI compactors would not damage the transfer trailers and could perform at the required contract specifications of 100 tons per hour. The Amfab compactor was also tested and passed the performance specification.

## Analysis

Staff believes that attempts at recovery from the "post-consumer" residential waste stream are inherently difficult. The inability of the MSW lines to recover materials is a result of design inadequacies rather than the method of construction. The lines were a refinement and modification of Rabanco's technology for recovery of material from "commingled" recyclables, that clearly does not work when applied to the raw residential waste stream.

Staff believes the MSW lines failed for two primary reasons. First, Trans Industries greatly overestimated the ability of the lines to produce suitable recoverable materials. While parts of the lines function properly - separated lights and heavies, removed ferrous materials, etc. - the products that emerge are too contaminated to qualify as "recovered" by any reasonable marketing standard. While extensive further manual sorting might result in production of a useful product, the effort would not be cost effective. Both Metro and Trans Industries have agreed that the MSW lines as designed and constructed could not feasibly be modified to improve their performance on the residential waste stream.

Second, staff believes Trans Industries estimates of what was recoverable from the residential waste stream were much too optimistic. The residential waste stream as it arrives at a transfer station is simply too mashed and contaminated for a successful mechanical recovery process.

## Negotiated Settlement

The Acceptance Test demonstrated that while the facility was able to function and process materials at adequate throughput levels, the level of materials recovery was well below expectations. Metro believed that Trans Industries personnel had worked hard to conduct the test in good faith, and determined that rerunning the test would not significantly improve the level of recovery. Metro and Trans Industries therefore entered into discussions over the conditions under which the facility could be accepted by Metro.

The discussions produced a settlement with the following framework:

- Metro receives compensation for the failure of MSW Lines #1 and # 2 to perform their intended function. The amount of compensation was negotiated at \$1.9 million. The lines, however, will be Metro's property and remain in place unless Metro decides to remove them.
- The compensation package will include:
  1. A credit to Metro for the unpaid balance due Trans Industries on the Construction Contract.
  2. Trans Industries is responsible for all maintenance and repair costs for the three year term of the Operation Agreement.
  3. A reduction in the required monthly payment .
  4. If Metro decides to remove the bag breaker on MSW Line #2, Metro is guaranteed to receive a salvage value of at least \$120,000.

The proposed final settlement assigns the following monetary values to the above terms:

• Credit against unpaid balance due to Trans Industries:	\$504,438
• Three years of maintenance costs, at \$237,500 per year:	\$712,500
• Payment reduction of \$16,500 per month:	\$594,000
• Salvage value of bag breaker on MSW Line #2:	\$120,000

<b>TOTAL</b>	<b>\$1,930,938</b>
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The structure of the proposed compensation package was a result of intensive negotiations. While a simple cash settlement was always considered an option, several approaches to structuring a compensation package were explored. The proposed package is one which provides mutual advantages. For Metro, the proposed agreement provides the value to which we are entitled and improved terms under which the facility can be operated over the next three years.

## **Negotiation Details**

### **MSW Lines**

Negotiations first focused on determining a value for the MSW lines. Metro's contract with Trans Industries for the Metro Central facility is for a fixed price plus the value of change orders. The fixed price did not include a breakdown for the cost for the MSW lines.

In estimating a value for the MSW lines, Metro staff looked at Trans Industries original proposal and the schedule of values for the project under which Trans Industries had been paid during construction. On this basis, Metro staff estimated a value for the MSW Lines #1 and #2, including shakedown and testing costs, of between \$1.7 and \$2.1 million. Trans Industries also came to the negotiations with estimates of what they actually expended on construction of the lines.

During these discussion, the parties agreed that the MSW Lines as constructed should remain in place since they may prove to be of some value in the future. Metro will own the MSW Lines and receive any salvage value should Metro order parts of or all of the lines removed. In particular, it was agreed that should Metro order the bag breaker (actually a shredder) on MSW Line #2 removed, Trans Industries would guarantee Metro a salvage value of not less than \$120,000.

### **Maintenance Costs**

Under the Operation Agreement, Trans Industries is responsible for routine and periodic maintenance items, while Metro is at risk for 50% of all other repair and maintenance costs beyond \$25,000 per year. During the discussion over the MSW line's values, Trans Industries offered the suggestion they be allowed to pay part of whatever compensation was due by assuming Metro's share of maintenance costs under the Operation Agreement.

Trans Industries' offer to assume these costs is favorable to Metro for at least two reasons. First, without the change, Metro and Trans Industries are likely to engage in disputes and suffer high administrative costs over determining which costs are for periodic maintenance costs and which are shared costs. Second, under the change, Trans Industries will have twice the incentive to perform the preventative maintenance and repairs which, if neglected, might lead to major or catastrophic equipment failure. Given that such costs (for example, a compactor failure) could be substantial, this element of the proposed agreement represents a substantial reduction in risk exposure for Metro.

The proposed settlement estimates annual nonroutine maintenance and repair costs for the equipment in the station as 10% of original capital equipment costs. For the settlement, the value of waste handling and material recovery equipment (excluding the MSW Lines) at Metro Central was estimated at \$5 million. Nonroutine maintenance and repair would therefore be estimated at \$500,000 per year. After subtracting the \$25,000 per year Trans Industries

would be required to pay under the original agreement, the cost being assumed by Trans Industries can be calculated as 50% of \$475,000 or \$237,500 per year.

Metro staff believe this is a reasonable estimate of the costs Trans Industries will be assuming. First, the amount is based on a \$5 million equipment estimate. This estimate is conservative and does not include the capital cost of building systems (for example, the roof fans) that may require repair and extra maintenance. Second, the estimate also does not put a value on the reduction in risk exposure Metro would receive.

The proposed final settlement also includes a condition that Trans Industries show a continued effort at materials recovery of at least 5% or the original cost sharing maintenance agreement can be reinstituted by Metro. This level of recovery is primarily achieved by operating the wood line. Metro believes that the wood line has high maintenance costs. Should Trans Industries choose not to operate the line, Metro believes that the proposed maintenance agreement would be unfairly generous.

#### Development of Final Compensation Package

The last issue in the negotiations was to determine what monthly payment would be required to defray the balance of the compensation after subtracting the credit for the construction balance, maintenance costs, and the bag breaker. In order to reach a settlement which was relatively easy to administer, final discussions settled on setting a fixed monthly payment reduction acceptable to both parties. The amount agreed upon was \$16,500 for 36 months for a total of \$594,000.

The sum of the parts of the compensation package totals slightly more than \$1.9 million. Metro staff recognizes that a more technical analysis of the monthly payment and maintenance costs parts of the package in "present dollars" terms could give a different value depending on what interest and inflation rates were used. However, during negotiations both parties were well aware of these factors, so the proposed package should be viewed as having internalized these considerations.

The basic package was settled upon before the contract's November 15 Acceptance Date deadline. However, staff determined that the reduction in facility price was a change which would require Metro Council action. As a result, Metro and Trans Industries agreed to a modification to the agreements which would extend the Acceptance Date until Council action but would make the term of the Operation Agreement commence as of October 1, 1991.

## Existing and Future Materials Recovery at Metro Central

### Wood Line

Both during the Acceptance Test and in the weeks since, the major source of materials recovered at the facility has been the wood processing line. At the present waste flows, the line produces about 900 tons per month. The wood line has been used to mainly produce hog fuel but also could be used to produce chips for chipboard. Trans Industries has chosen to produce hog fuel because the market prices are good ( \$20 per ton less \$10 per ton in transport costs), and the fact that they are able to blend in small amounts of yard debris, brown paper, and wax cardboard.

The output of the wood line is primarily limited by the availability of wood wastes. If there were more wood, it would also be possible to mix in more scrape paper material. At the present time, the line is run 3 days a week with 2 other days devoted to maintenance. Trans Industries estimates that it could be relatively easy to increase output from the existing 80 tons per day to 200 tons per day.

### MSW Lines

In the months following the Acceptance Test, Trans Industries continued efforts to process dry commercial waste loads on MSW Line #1. They have refined their preprocessing procedures and attempted to determine the most effective and efficient use of labor. During December 1991, the line recovered 236 tons of mixed paper which was marketed at \$10 per ton.

At the present time, however, the price for mixed paper has dropped to \$3.50 per ton. At this price, Trans Industries has stated that, even with the "avoided cost" incentive, running the lines is not cost effective. They are looking at the cost effectiveness of improving the grade, and thus the market price, of their paper product through increased processing. Whether that effort would be cost effective is an open question, as the extra processing generally involves very labor intensive efforts to remove contaminants such as plastic bags and plastic film.

Nevertheless. Trans Industries is still running the lines when there are good paper loads available and to test new operational procedures. If paper market prices improve, they could be well positioned to take advantage of the opportunity.

### Floor Sort

"Dump and pick" operations are the most important recovery activity which occurs at the facility. Almost all the material which goes on the wood line was sorted out from loads tipped on the floor. While the amount of corrugated cardboard (OCC) recovered looks modest (165 tons in December, 1991), it gets a very good price on the market of \$60 per ton. Mixed scrap metals is also a relatively valuable commodity. Trans Industries is able to pull over 100 tons per month for which it receives \$40 per ton.



## Source Separated

The amount of source separated material arriving at the facility is relatively small - between 12 and 15 tons per month. During the first months of operation, Trans Industries had a problem with materials such as newspaper and glass being rejected by buyers due to contamination. In order to eliminate this problem, Trans Industries has instituted new procedures where self hauler customers place their recyclables in small containers which are then checked for contaminants and consolidated into the larger drop boxes by TI employees.

Trans Industries has the Metro contract to deal with the source separated yard debris which comes to the facility. They have been using the wood line to mix this material with the hog fuel or to generate a cover material used at the landfill. Accounting procedures are used which insures that Trans Industries does not receive the avoided cost credit for the source separated yard debris.

**TABLE 4** Summary of Waste Processing  
Amounts in Tons - for December 1991

Waste Received	28,399
Reidel Residual	6,548
Riedel Backload	2,471
Available for recycling	23,458
Recycled	1,460
% Recycled of Available	6.2%

**TABLE 5** Summary of Recovered Materials  
Amounts in Tons Recovered - for December 1991

	OCC	Wood	Mixed Paper	Ferrous	Brass	Copper	Motors	Al	Tires	Batteries	News	Glass	Tin Cans	TOTALS
Floor Sort	165.2			111.5	0.4	0.1	1.8	3.5		0.9				283.3
MSW 1,2 & Commercial Line			236.2											236.2
Wood Line		899.0												899.0
Source Separated		41.0												41.0
TOTALS	165.2	940.0	236.2	111.5	0.4	0.1	1.8	3.5	0.0	0.9	0.0	0.0	0.0	1459.6

**TABLE 6** Summary of Recovered Materials  
As Percentage of Waste Available for Recovery - for December 1991

	OCC	Wood	Mixed Paper	Ferrous	Brass	Copper	Motors	Al	Tires	Batteries	News	Glass	Tin Cans	TOTALS
Floor Sort	0.70%			0.48%	0.00%	0.00%	0.01%	0.01%		0.00%				1.21%
MSW 1,2 & Commercial Line			1.01%											1.01%
Wood Line		3.83%												3.83%
Source Separated		0.17%												0.17%
TOTALS	0.70%	4.01%	1.01%	0.48%	0.00%	0.00%	0.01%	0.01%		0.00%				6.22%

Meeting Date: February 27, 1992  
Agenda Item No. 7.3

RESOLUTION NO. 92-1561



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

**DATE:** February 20, 1992

**TO:** Metro Council  
Executive Officer  
Interested Parties

**FROM:** Paulette Allen, Clerk of the Council *PA*

**RE:** AGENDA ITEM NO. 7.3; RESOLUTION NO. 92-1561

The Council agenda will be printed before the Transportation & Planning Committee meets February 25 to consider Resolution No. 92-1561 for the second time. Committee reports will be distributed in advance to Councilors and available at the Council meeting February 27, 1992.



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

Date: January 29, 1992

To: TPAC/JPACT/RPAC

From: Andrew C. Cotugno, Transportation Director  
Ethan Seltzer, Planning Supervisor

Re: Local Government Dues Assessment

In accordance with ORS 268, the Metro Council must notify local governments of the planned dues assessment 120 days prior to the start of the fiscal year (i.e., by March 1). In addition, Metro must consult with a "local government advisory committee" to determine whether it is necessary to assess the dues.

In January 1990, the Metro Council designated JPACT and the UGM PAC as the "local government advisory committees" to satisfy this requirement, JPACT for the Transportation Department use of the dues and the UGM PAC for the Planning and Development Department's use of the dues. Pending formation of RPAC, it is proposed that JPACT serve this purpose for the FY 93 budget.

ACC:lmk

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF PROVIDING ) RESOLUTION NO. 92-1561C  
THE ASSESSMENT OF DUES TO LOCAL ) Introduced by Rena Cusma  
GOVERNMENTS FOR FY 1992-93 ) Executive Officer

WHEREAS, ORS 268.513 authorizes the Council of the Metropolitan Service District (Metro) to "charge the cities and counties within the District for the services and activities carried out under ORS 268.380 and 268.390"; and

WHEREAS, Metro Ordinance 84-180 requires the Metro Council to seek the advice of the Local Government Advisory Committee regarding the assessment of dues as authorized by ORS 268.513; and

WHEREAS, The Joint Policy Advisory Committee on Transportation (JPACT) and the Regional Policy Advisory Committee (RPAC) ~~was~~ were appointed as the Local Government Advisory Committees to review ~~Transportation Department~~ use of the local government dues by Resolution No. 90-1212 and this requirement has been fulfilled; now, therefore,

BE IT RESOLVED:

1. ~~[That the Metro Council hereby establishes local government dues assessment within the District in the amount of \$\_\_\_\_\_ per capita for FY 1992-93.]~~ That the Metro Council intends to assess local governments at a rate of up to \$.43 per capita and amounts shown on Exhibit A attached hereto. The Council will establish the final assessment rate and amount based upon deliberation on the FY 1992-93 budget.

2. That the Metro Council further requests a recommendation from RPAC and JPACT regarding the specific work program and

amount of the dues assessment during the budget process.

23. That notification of the assessment be sent to all cities and counties within the District, Tri-Met and the Port of Portland prior to March 3, 1992.

ADOPTED by the Metro Council this \_\_\_\_\_ day of February 1992.

Jim Gardner, Presiding Officer

92-1561C.RES  
ACC:lmk  
2-12-92

## EXHIBIT A

	POPULATION Estimate 1991	ASSESSMENT @.35/	ASSESSMENT @.43/	ASSESSMENT @.51/
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## Clackamas County

Total In Metro	197783			
Gladstone	10420	\$3,647.00	\$4,480.60	\$5,314.20
Happy Valley	1650	\$577.50	\$709.50	\$841.50
Johnson City	610	\$213.50	\$262.30	\$311.10
Lake Oswego	31545	\$11,040.75	\$13,564.35	\$16,087.95
Milwaukie	19450	\$6,807.50	\$8,363.50	\$9,919.50
Oregon City	16760	\$5,866.00	\$7,206.80	\$8,547.60
Rivergrove	295	\$103.25	\$126.85	\$150.45
West Linn	17160	\$6,006.00	\$7,378.80	\$8,751.60
Wilsonville	8755	\$3,064.25	\$3,764.65	\$4,465.05
Unincorporated In Metro	91138	\$31,898.46	\$39,189.53	\$46,480.61

## Multnomah County

Total In Metro	592724			
Fairview	2590	\$906.50	\$1,113.70	\$1,320.90
Gresham	71225	\$24,928.75	\$30,626.75	\$36,324.75
Maywood Park	780	\$273.00	\$335.40	\$397.80
Portland	453065	\$158,572.75	\$194,817.95	\$231,063.15
Troutdale	8195	\$2,868.25	\$3,523.85	\$4,179.45
Wood Village	2930	\$1,025.50	\$1,259.90	\$1,494.30
Unincorporated In Metro	53939	\$18,878.80	\$23,193.96	\$27,509.11

## Washington County

Total In Metro	295718			
Beaverton	57290	\$20,051.50	\$24,634.70	\$29,217.90
Cornelius	6345	\$2,220.75	\$2,728.35	\$3,235.95
Durham	770	\$269.50	\$331.10	\$392.70
Forest Grove	13830	\$4,840.50	\$5,946.90	\$7,053.30
Hillsboro	39500	\$13,825.00	\$16,985.00	\$20,145.00
King City	2060	\$721.00	\$885.80	\$1,050.60
Sherwood	3305	\$1,156.75	\$1,421.15	\$1,685.55
Tigard	30835	\$10,792.25	\$13,259.05	\$15,725.85
Tualatin	16220	\$5,677.00	\$6,974.60	\$8,272.20
Unincorporated In Metro	125563	\$43,947.19	\$53,992.26	\$64,037.34
Total Local		\$380,179.20	\$467,077.30	\$553,975.41
Port of Portland		\$47,522.40	\$58,384.66	\$69,246.93
Tri-Met		\$47,522.40	\$58,384.66	\$69,246.93
TOTAL ASSESSMENT		\$475,224.00	\$583,846.63	\$692,469.26



## STAFF REPORT

### CONSIDERATION OF RESOLUTION NO. 92-1561C FOR THE PURPOSE OF PROVIDING THE ASSESSMENT OF DUES TO LOCAL GOVERNMENTS FOR FY 1992-93

Date: February 12, 1992

Presented by: Andrew Cotugno

## FACTUAL BACKGROUND AND ANALYSIS

### Assessment Authorization and Procedure

ORS 268.513 (Attachment A) authorizes the Metro Council to:

"charge the cities and counties within the District for the services and activities carried out under ORS 268.380 and 268.390."

If the Council follows the recommendation of the Local Government Advisory Committee and determines that it is necessary to charge these local governments, it must establish the total amount to be charged and assess each city and county on the basis of population. The assessment cannot exceed \$.51 per capita per year.

In making the assessment, the Council is required to notify each city, county, Tri-Met and the Port of Portland of its intent to assess and the amount of the assessment at least 120 days before the beginning of the fiscal year for which the charge will be made. The notification for the FY 1991-92 assessment must be made prior to March 3, 1992. Assessments must be paid before October 1, 1992.

TPAC reviewed the proposed dues assessment at its meeting on January 31 and deferred action until its special February 12 meeting to allow further review of jurisdictional budgets prior to its recommendation. At that time, they recommended adoption of this resolution.

### Proposed FY 1991-92 Assessment

Exhibit A shows the population figures and proposed dues assessment schedule. The values are based upon the latest certified population figures from the Center for Population Research and Census at Portland State University. Each county's unincorporated population estimate is based upon data provided by the Center for Population Research and Census using a formula devised by Metro staff.

The maximum assessment at \$.51 per capita for cities and counties and at 12.5 percent of that rate for Tri-Met and the Port of Portland is \$689,280. In the FY 91-92 budget, the actual dues

assessment was approved at \$.43 which in FY 92-93 would be \$581,158. The Transportation and Planning and Development Departments' proposed budgets are based upon continuation of this \$.43 level. However, options for a higher level assessment are presented in Attachment B.

Use of the dues assessment for the Transportation Department and the Planning and Development Department at a \$.43 level generally falls into the following major categories:

1. Grant Match - \$150,845 - The dues plus ODOT and Tri-Met local match are used to leverage federal funding toward Transportation Planning. The program areas, which must be approved in the FY 92 Unified Work Program, include:

- Model Refinement
- Local Technical Assistance
- Regional Transportation Plan Update
- Transportation Improvement Program
- Willamette River Bridge Study
- Demand Management
- Air Quality Plan
- Regional HCT Plan
- Management and Coordination

2. Data Resource Center - \$281,425 - The Data Resource Center publishes periodic updates of historical and forecasted population and employment growth throughout the Portland metropolitan area. In addition, the Regional Land Information System (RLIS) is operational and provides land use-related data. Funding sources for the Data Resource Center include dues, transportation grants, solid waste fees and Metro's General Fund. In general, the dues share is approximately 25 percent of the Data Section budget. Revenues collected from data sales are used to reduce the dues share of this budget.
3. Region 2040/Urban Growth Management - \$148,887 - The Transportation Department and Planning and Development Department are jointly sponsoring the Region 2040 program. In addition, associated projects relating to urban reserves and infill are underway. Other funding sources in the program include Metro General Fund, Tri-Met and ODOT.

#### EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 92-1561C.

## ATTACHMENT A

268.513 Service charge for planning functions of district. (1) The council shall consult with the advisory committee appointed under ORS 268.170 before determining whether it is necessary to charge the cities and counties within the district for the services and activities carried out under ORS 268.380 and 268.390. If the council determines that it is necessary to charge cities and counties within the district for any fiscal year, it shall determine the total amount to be charged and shall assess each city and county with the portion of the total amount as the population of the portion of the city or county within the district bears to the total population of the district provided, however, that the service charge shall not exceed the rate of 51 cents per capita per year. For the purposes of this subsection the population of a county does not include the population of any city situated within the boundaries of that county. The population of each city and county shall be determined in the manner prescribed by the council.

(2) The council shall notify each city and county of its intent to assess and the amount it proposes to assess each city and county at least 120 days before the beginning of the fiscal year for which the charge will be made.

(3) The decision of the council to charge the cities and counties within the district, and the amount of the charge upon each, shall be binding upon those cities and coun-

ties. Cities and counties shall pay their charge on or before October 1 of the fiscal year for which the charge has been made.

(4) When the council determines that it is necessary to impose the service charges authorized under subsection (1) of this section for any fiscal year, each mass transit district organized under ORS chapter 267 and port located wholly or partly within the district shall also pay a service charge to the district for that fiscal year for the services and activities carried out under ORS 268.380 and 268.390. The charge for a mass transit district or port shall be the amount obtained by applying, for the population of the mass transit district or port within the boundaries of the district, a per capita charge that is 12-1/2 percent of the per capita rate established for cities and counties for the same fiscal year. Subsections (2) and (3) of this section apply to charges assessed under this subsection.

(5) This section shall not apply to a fiscal year that begins on or after July 1, 1993. [1977 c.665 §16; 1979 c.804 §10; 1981 c.353 §5; 1985 c.210 §1; 1989 c.327 §2]

## ATTACHMENT B

Proposed FY 93  
Local Government Dues Assessment

## I. Proposed Budget @ 43¢

Data Resource Center	\$1,286,565	\$281,425	22%
Model Refinement	1,050,735	18,998	1.8%
Local Technical Assistance	139,950	18,990	13.6%
RTP Update	210,550	11,555	5.5%
TIP	142,900	4,822	3.3%
Willamette River Br. Study	193,450	6,951	3.6%
* Region 2040 - Phase I	193,500	3,265	1.7%
** Region 2040 - Phase II	258,500	37,500	14.5%
Demand Management	140,600	10,060	7.2%
Air Quality Plan	92,500	9,250	10%
Regional HCT Plan	241,450	40,725	16.7%
Management & Coordination	197,000	29,494	15%
Transp. Dept. Subtotal		<u>\$473,035</u>	
Urban Growth Mgmt. (P & D)	\$411,000	<u>\$108,122</u>	26%
TOTAL		\$581,157	

## \* Also includes carryover:

Dues . . . . .	\$ 31,250
Metro General Fund . . . . .	31,250
ODOT . . . . .	31,250
Tri-Met. . . . .	<u>31,250</u>
	\$125,000

## \*\* Also includes:

Metro General Fund . . . . .	\$ 37,500
Tri-Met. . . . .	37,500
ODOT . . . . .	<u>37,500</u>
	\$112,500

II. Proposed RLIS support from PSU - \$35,000 . . . 2.58¢

III. Potential Region 2040 enhancement up to maximum of 51¢  
 5.42¢ . . . . . \$ 73,122  
 8¢. . . . . \$108,122

## STAFF REPORT

### CONSIDERATION OF RESOLUTION NO. 92-1561 FOR THE PURPOSE OF PROVIDING THE ASSESSMENT OF DUES TO LOCAL GOVERN- MENTS FOR FY 1992-93

Date: January 29, 1992

Presented by: Andrew Cotugno

## FACTUAL BACKGROUND AND ANALYSIS

### Assessment Authorization and Procedure

ORS 268.513 (Attachment A) authorizes the Metro Council to:

"charge the cities and counties within the District for the services and activities carried out under ORS 268.380 and 268.390."

If the Council follows the recommendation of the Local Government Advisory Committee and determines that it is necessary to charge these local governments, it must establish the total amount to be charged and assess each city and county on the basis of population. The assessment cannot exceed \$.51 per capita per year.

In making the assessment, the Council is required to notify each city, county, Tri-Met and the Port of Portland of its intent to assess and the amount of the assessment at least 120 days before the beginning of the fiscal year for which the charge will be made. The notification for the FY 1991-92 assessment must be made prior to March 3, 1992. Assessments must be paid before October 1, 1992.

TPAC reviewed the proposed dues assessment at its meeting on January 31 and deferred action until its special February 12 meeting to allow further review of jurisdictional budgets prior to its recommendation.

### Proposed FY 1991-92 Assessment

Attachment B shows the population figures and proposed dues assessment schedule. The values are based upon the latest certified population figures from the Center for Population Research and Census at Portland State University. Each county's unincorporated population estimate is based upon data provided by the Center for Population Research and Census using a formula devised by Metro staff (Attachment C).

The maximum assessment at \$.51 per capita for cities and counties and at 12.5 percent of that rate for Tri-Met and the Port of Portland is \$689,280. In the FY 91-92 budget, the actual dues assessment was approved at \$.43 which in FY 92-93 would be

\$581,158. The Transportation and Planning and Development Departments' proposed budgets are based upon continuation of this \$.43 level. However, options for a higher level assessment are presented in Attachment C.

Use of the dues assessment for the Transportation Department and the Planning and Development Department at a \$.43 level generally falls into the following major categories:

1. Grant Match - \$150,845 - The dues plus ODOT and Tri-Met local match are used to leverage federal funding toward Transportation Planning. The program areas, which must be approved in the FY 92 Unified Work Program, include:

- Model Refinement
- Local Technical Assistance
- Regional Transportation Plan Update
- Transportation Improvement Program
- Willamette River Bridge Study
- Demand Management
- Air Quality Plan
- Regional HCT Plan
- Management and Coordination

2. Data Resource Center - \$281,425 - The Data Resource Center publishes periodic updates of historical and forecasted population and employment growth throughout the Portland metropolitan area. In addition, the Regional Land Information System (RLIS) is operational and provides land use-related data. Funding sources for the Data Resource Center include dues, transportation grants, solid waste fees and Metro's General Fund. In general, the dues share is approximately 25 percent of the Data Section budget. Revenues collected from data sales are used to reduce the dues share of this budget.
3. Region 2040/Urban Growth Management - \$148,887 - The Transportation Department and Planning and Development Department are jointly sponsoring the Region 2040 program. In addition, associated projects relating to urban reserves and infill are underway. Other funding sources in the program include Metro General Fund, Tri-Met and ODOT.

#### EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends adoption of Resolution No. 92-1561.

## ATTACHMENT A

**268.513 Service charge for planning functions of district.** (1) The council shall consult with the advisory committee appointed under ORS 268.170 before determining whether it is necessary to charge the cities and counties within the district for the services and activities carried out under ORS 268.380 and 268.390. If the council determines that it is necessary to charge cities and counties within the district for any fiscal year, it shall determine the total amount to be charged and shall assess each city and county with the portion of the total amount as the population of the portion of the city or county within the district bears to the total population of the district provided, however, that the service charge shall not exceed the rate of 51 cents per capita per year. For the purposes of this subsection the population of a county does not include the population of any city situated within the boundaries of that county. The population of each city and county shall be determined in the manner prescribed by the council.

(2) The council shall notify each city and county of its intent to assess and the amount it proposes to assess each city and county at least 120 days before the beginning of the fiscal year for which the charge will be made.

(3) The decision of the council to charge the cities and counties within the district, and the amount of the charge upon each, shall be binding upon those cities and coun-

ties. Cities and counties shall pay their charge on or before October 1 of the fiscal year for which the charge has been made.

(4) When the council determines that it is necessary to impose the service charges authorized under subsection (1) of this section for any fiscal year, each mass transit district organized under ORS chapter 267 and port located wholly or partly within the district shall also pay a service charge to the district for that fiscal year for the services and activities carried out under ORS 268.380 and 268.390. The charge for a mass transit district or port shall be the amount obtained by applying, for the population of the mass transit district or port within the boundaries of the district, a per capita charge that is 12-1/2 percent of the per capita rate established for cities and counties for the same fiscal year. Subsections (2) and (3) of this section apply to charges assessed under this subsection.

(5) This section shall not apply to a fiscal year that begins on or after July 1, 1993. [1977 c.665 §16; 1979 c.804 §10; 1991 c.353 §5; 1993 c.210 §1; 1999 c.327 §2]

# ATTACHMENT B

	POPULATION Estimate 1991	ASSESSMENT @.35/	ASSESSMENT @.43/	ASSESSMENT @.51/
<b>Clackamas County</b>				
Total In Metro	197783			
Gladstone	10420	\$3,647.00	\$4,480.60	\$5,314.20
Happy Valley	1650	\$577.50	\$709.50	\$841.50
Johnson City	610	\$213.50	\$262.30	\$311.10
Lake Oswego	31545	\$11,040.75	\$13,564.35	\$16,087.95
Milwaukie	19450	\$6,807.50	\$8,363.50	\$9,919.50
Oregon City	16760	\$5,866.00	\$7,206.80	\$8,547.60
Rivergrove	295	\$103.25	\$126.85	\$150.45
West Linn	17160	\$6,006.00	\$7,378.80	\$8,751.60
Wilsonville	8755	\$3,064.25	\$3,764.65	\$4,465.05
Unincorporated In Metro	91138	\$31,898.46	\$39,189.53	\$46,480.61
<b>Multnomah County</b>				
Total In Metro	592724			
Fairview	2590	\$906.50	\$1,113.70	\$1,320.90
Gresham	71225	\$24,928.75	\$30,626.75	\$36,324.75
Maywood Park	780	\$273.00	\$335.40	\$397.80
Portland	453065	\$158,572.75	\$194,817.95	\$231,063.15
Troutdale	8195	\$2,868.25	\$3,523.85	\$4,179.45
Wood Village	2930	\$1,025.50	\$1,259.90	\$1,494.30
Unincorporated In Metro	53939	\$18,878.80	\$23,193.96	\$27,509.11
<b>Washington County</b>				
Total In Metro	295718			
Beaverton	57290	\$20,051.50	\$24,634.70	\$29,217.90
Cornelius	6345	\$2,220.75	\$2,728.35	\$3,235.95
Durham	770	\$269.50	\$331.10	\$392.70
Forest Grove	13830	\$4,840.50	\$5,946.90	\$7,053.30
Hillsboro	39500	\$13,825.00	\$16,985.00	\$20,145.00
King City	2060	\$721.00	\$885.80	\$1,050.60
Sherwood	3305	\$1,156.75	\$1,421.15	\$1,685.55
Tigard	30835	\$10,792.25	\$13,259.05	\$15,725.85
Tualatin	16220	\$5,677.00	\$6,974.60	\$8,272.20
Unincorporated In Metro	125563	\$43,947.19	\$53,992.26	\$64,037.34
Total Local		\$380,179.20	\$467,077.30	\$553,975.41
Port of Portland		\$47,522.40	\$58,384.66	\$69,246.93
Tri-Met		\$47,522.40	\$58,384.66	\$69,246.93
<b>TOTAL ASSESSMENT</b>		<b>\$475,224.00</b>	<b>\$583,846.63</b>	<b>\$692,469.26</b>



# ATTACHMENT C

## Proposed FY 93 Local Government Dues Assessment

### I. Proposed Budget @ 43¢

Data Resource Center	\$1,286,565	\$281,425	22%
Model Refinement	1,050,735	18,998	1.8%
Local Technical Assistance	139,950	18,990	13.6%
RTP Update	210,550	11,555	5.5%
TIP	142,900	4,822	3.3%
Willamette River Br. Study	193,450	6,951	3.6%
*Region 2040 - Phase I	193,500	3,265	1.7%
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Air Quality Plan	92,500	9,250	10%
Regional HCT Plan	241,450	40,725	16.7%
Management & Coordination	197,000	29,494	15%
Transp. Dept. Subtotal		\$473,035	
Urban Growth Mgmt. (P & D)	\$411,000	\$108,122	26%
TOTAL		\$581,157	

#### \*Also includes carryover:

Dues . . . . .	\$ 31,250
Metro General Fund . . . . .	31,250
ODOT . . . . .	31,250
Tri-Met. . . . .	31,250
	<u>\$125,000</u>

#### \*\*Also includes:

Metro General Fund . . . . .	\$ 32,500
Tri-Met. . . . .	37,500
ODOT . . . . .	37,500
	<u>\$112,500</u>

### II. Proposed RLIS support from PSU - \$50,000 . . . 3.7¢

### III. Potential Region 2040 enhancement up to maximum of 51¢

4.3¢ . . . . .	\$ 58,122
8¢ . . . . .	\$108,122

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF PROVIDING ) RESOLUTION NO. 92-1561  
THE ASSESSMENT OF DUES TO LOCAL ) Introduced by Rena Cusma  
GOVERNMENTS FOR FY 1992-93 ) Executive Officer

WHEREAS, ORS 268.513 authorizes the Council of the Metropolitan Service District (Metro) to "charge the cities and counties within the District for the services and activities carried out under ORS 268.380 and 268.390"; and

WHEREAS, Metro Ordinance 84-180 requires the Metro Council to seek the advice of the Local Government Advisory Committee regarding the assessment of dues as authorized by ORS 268.513; and

WHEREAS, The Joint Policy Advisory Committee on Transportation was appointed as the Local Government Advisory Committee to review Transportation Department use of the local government dues by Resolution No. 90-1212 and this requirement has been fulfilled; now, therefore,

BE IT RESOLVED:

1. That the Metro Council hereby establishes local government dues assessment within the District in the amount of \$\_\_\_\_ per capita for FY 1992-93.

2. That notification of the assessment be sent to all cities and counties within the District, Tri-Met and the Port of Portland prior to March 3, 1992.

ADOPTED by the Metro Council this \_\_\_\_ day of February 1992.

Jim Gardner, Presiding Officer

92-1561.RES  
ACC:lmk  
1-19-92

Meeting Date: February 27, 1992  
Agenda Item No. 7.4

RESOLUTION NO. 92-1559

## TRANSPORTATION AND PLANNING COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 92-1559, FOR THE PURPOSE OF ENDORSING TRI-MET GRANT APPLICATIONS FOR FUNDING UNDER 1) SECTION 20, HUMAN RESOURCES PROGRAM, AND 2) SECTION 16(B)(2)/CIGARETTE TAX, SPECIAL TRANSPORTATION DISCRETIONARY PROGRAM

-----  
Date: February 12, 1992

Presented by: Councilor McLain

Committee Recommendation: At the February 11 meeting, the Committee voted unanimously to recommend Council adoption of Resolution No. 92-1559. Voting in favor: Councilors Devlin, McLain and Buchanan. Excused: Councilors Bauer and Gardner.

Committee Issues/Discussion: Andrew C. Cotugno, Director of Transportation, reviewed the staff report relating to the request. Tri-Met intends to submit grant applications for the funding of two projects:

1) A Section 20 Human Resources Program application to the Federal Transit Administration for \$187,500 (\$150,000 federal) to provide for a Disadvantaged Business Enterprise (DBE) training program to enable DBE's to participate in contracts related to the Westside Light Rail Project. Tri-Met received similar Section 20 funding for the Banfield Light Rail Project.

2) A Section 16 (b)(2)/Cigarette Tax, Special Transportation Discretionary Program grant requesting approximately \$1.0 million with a distribution of 60 percent for capital and 40 percent for operating and training. Funding comes from the ODOT-administered Special Transportation Fund Discretionary Program for elderly persons and persons with disabilities.

TPAC has recommended approval of the resolution with a request that additional details be provided the Committee by Tri-Met's Committee on Accessible Transportation (CAT) following its next meeting. CAT and Tri-Met's Special Transportation Fund Advisory Committee are currently developing project specifics and a final decision by the Tri-Met Board is anticipated in February. Grant funds would be used to purchase specifically equipped vehicles and/or equipment and to provide transportation services.

The committee accepted the staff report and approved the resolution with limited discussion.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ENDORSING	)	RESOLUTION NO. 92-1559
TRI-MET GRANT APPLICATIONS FOR	)	
FUNDING UNDER 1) SECTION 20,	)	Introduced by
HUMAN RESOURCES PROGRAM, AND	)	Councilor Richard Devlin
2) SECTION 16(B)(2)/CIGARETTE	)	
TAX, SPECIAL TRANSPORTATION	)	
DISCRETIONARY PROGRAM	)	

Whereas, Tri-Met intends to submit a Section 20 Human Resources Program grant application to the Federal Transit Administration by the end of February; and

Whereas, This funding would provide for a Disadvantaged Business Enterprise (DBE) training program to enable Disadvantaged Business Enterprises to participate in contracts related to the Westside Light Rail Project; and

Whereas, Tri-Met is also preparing a grant application in the amount of \$1.0 million to utilize funds under the ODOT-administered Special Transportation Fund Discretionary Program for the elderly and disabled; and

Whereas, The Discretionary Program optionally uses a combination of cigarette taxes and Section 16(b)(2) funds, the ratio of which is not established at this time; now, therefore,

BE IT RESOLVED:

1. That the Council of the Metropolitan Service District (Metro) endorses Tri-Met's grant application for the Section 20 Human Resources Program as outlined in Exhibit A to the resolution.

2. That Metro endorses Tri-Met's grant application for

funding under ODOT's Special Transportation Fund Discretionary Program for the elderly and disabled, and recognizes that the amounts from the cigarette tax and from Section 16(b)(2) will be determined at a later time as will the list of projects when Tri-Met has developed them.

3. That the Transportation Improvement Program and its Annual Element be amended to reflect these allocations.

4. That these actions are consistent with the Regional Transportation Plan and affirmative Intergovernmental Project Review is hereby given.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1992.

Jim Gardner, Presiding Officer

ACC:BP:lmk  
92-1559.RES  
1-22-92

## EXHIBIT A

### Disadvantaged Business Enterprise Training Program

Tri-Met intends to apply for a Section 20 Human Resources Program grant to provide funding for a Disadvantaged Business Enterprise (DBE) Training Program to enable DBE's to participate in contracting opportunities available through the Westside Light Rail Project. The Westside Light Rail Project will be the most extensive public works project in the history of the metropolitan area and will offer opportunities for participation by DBE's in professional services, equipment and supplies, and construction contracts. The training program will be designed to provide DBE's information on contracting opportunities and the procurement process, bonding, and required certification. The program will include workshops conducted locally and at other locations within the region as well as production of a videotape to be distributed throughout the nation. The goal is to provide technical assistance to DBE's to increase their participation in Westside contracting opportunities.

Budget:       \$187,500  
              \$150,000 (Federal share)

## STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 92-1559 FOR THE PURPOSE  
OF ENDORSING TRI-MET GRANT APPLICATIONS FOR FUNDING  
UNDER 1) SECTION 20, HUMAN RESOURCES PROGRAM, AND  
2) SECTION 16(B) (2)/CIGARETTE TAX, SPECIAL TRANSPORTA-  
TION DISCRETIONARY PROGRAM

Date: January 22, 1992

Presented by: Andrew Cotugno

### PROPOSED ACTION

Adopt Resolution No. 92-1559 endorsing Tri-Met's grant applica-  
tions for funding two projects:

- 1) Section 20, Human Resources Program . . . . . \$187,500 total  
(\$150,000 federal)
- 2) Section 16(b) (2)/Cigarette Tax, Special  
Transportation Discretionary Program. . . . . \$1,000,000 total  
(State and federal amounts to be determined  
later.)

TPAC has reviewed the grant application requests and recommends  
approval of Resolution No. 92-1559 with a request that additional  
details be provided the Committee by Tri-Met's Committee on  
Accessible Transportation following its next meeting.

### FACTUAL BACKGROUND AND ANALYSIS

#### Section 20, Human Resources Program

Tri-Met intends to submit a Section 20 Human Resources Program  
grant application to the Federal Transit Administration by the  
end of February. The funding would provide for a Disadvantaged  
Business Enterprise (DBE) training program to enable Disadvan-  
taged Business Enterprises to participate in contracts related to  
the Westside Light Rail Project. Tri-Met received Section 20  
funds for a similar program during construction of the Banfield  
Light Rail Project. Exhibit A describes the program to be  
undertaken using the funds.

#### Section 16(b) (2)/Cigarette Tax, Special Transportation Discretionary Program

Tri-Met is also preparing a grant application requesting  
approximately \$1.0 million with a distribution of 60 percent for  
capital and 40 percent for operating and training. The funding  
will come from the ODOT-administered Special Transportation Fund  
Discretionary Program for the elderly and disabled (now termed  
'elderly persons and persons with disabilities').

Project specifics are currently being developed by the Committee  
on Accessible Transportation and Tri-Met's Special Transportation



Fund Advisory Committee for approval by the Tri-Met Board in February. The grant funds would be used to purchase specially equipped vehicles and/or equipment and to provide transportation services.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 92-1559.

ACC:BP:lmk  
92-1559.RES  
1-31-92

Meeting Date: February 27, 1992  
Agenda Item No. 7.5

RESOLUTION NO. 92-1568



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

**DATE:** February 20, 1992

**TO:** Metro Council  
Executive Officer  
Interested Persons

**FROM:** Paulette Allen, Clerk of the Council *PA*

**RE:** AGENDA ITEM NO. 7.5; RESOLUTION NO. 92-1568

The Governmental Affairs Committee report on Resolution No. 92-1568 will be distributed in advance to Councilors and available at the Council meeting February 27.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ESTABLISHING)	RESOLUTION NO. 92-1568
A REGIONAL STUDENT CONGRESS )	
TO CONSIDER ISSUES OF CONCERN )	Introduced by Councilor Hansen,
TO METRO AND THE CITIZENS OF )	Councilor McLain and Executive
THE REGION )	Officer Rena Cusma

WHEREAS, The Metropolitan Service District supports and participates in activities which involve citizens and student youth in issues of Metropolitan significance; and

WHEREAS, A frame for involvement in regional affairs exists n the State Student Congress format which provides and organized forum for the presentation of a Regional Student Congress; and

WHEREAS, Said Regional Student Congress can enhance the benefits of student education through a public discussion of important regional issues; and

WHEREAS, A small investment of public funds can assure sound planning and execution of a Regional Student Congress and leverage private contributors to sponsor various activities entailed in successful congress presentation; now therefore

BE IT RESOLVED, that:

1. The Metropolitan Service District take the lead in sponsoring a Regional Student Congress; and
2. That a sum not to exceed \$10,000 be budgeted and a workplan prepared that assures the presentation of a well-considered, instructive and successful Regional Student Congress in May of 1992; and
3. That the Executive Officer and Council representatives to

the congress planning process, identify regional issues for debate that reflect the regional agenda confronting Metro and the citizens of the region.

ADOPTED by the council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1992.

Jim Gardner, Presiding Officer

## STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 92-1568 FOR THE PURPOSE OF ESTABLISHING A REGIONAL STUDENT CONFERENCE TO CONSIDER ISSUES OF CONCERN TO METRO AND THE CITIZENS OF THE REGION

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Date: February 20, 1992

Presented by: Don Rocks

## FACTUAL BACKGROUND AND ANALYSIS

An informal committee met beginning several months ago around the proposition that a student convention to discuss and debate a Home Rule Charter for Metro both would be instructive for the students involved and heighten interest and awareness generally.

Participants included Executive Officer Cusma, Councilors Hansen, McLain, and Collier, Dick Engstrom, Ken Gervais, Len Bergstein, Harold Hart, and Marko Haggard.

After some discussion it was agreed that to sponsor a one-issue student convention around the Metro Charter issue was overly narrow, potentially perceived as self-serving and likely to require the construction of a special format and a present formidable organizational effort.

Councilor McLain's familiarity with the State Student Congress, its format and ready made organizational structure, persuaded the group that using this well established vehicle and enlarging the subject matter to a set of regional issues was a better idea. And thus it came pass.

Early indications place high school student enrollees at over 200 and perhaps as high as 400 from throughout the region. School districts in Eugene and Medford have also expressed their intent to participate.

The Resolution proposes that the council approve the expenditure of some \$9,500. For a personal service contract with Northwest Strategies to produce appropriate materials and orchestrate the necessary logistics associated with a successful Regional Student Congress. Those logistics include the sign-up of sundry Congress co-sponsors to assume the cost of necessary goods and services associated with the event. Such goods and services will have an estimated value of \$40 to \$50,000.

The site of the congress shall be, appropriately, The Oregon Convention Center. The date is set for May 9, 1992.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer and Co-Sponsors Councilor's Hansen and McLain enthusiastically recommend approval of Resolution No. 92-1568

Meeting Date: February 27, 1992  
Agenda Item No. 7.6

RESOLUTION NO. 92-1556



## REGIONAL FACILITIES COMMITTEE REPORT

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RESOLUTION NO. 92-1556, AUTHORIZING A PLANNING AND DEVELOPMENT EFFORT FOR FINANCING REGIONAL FACILITIES AND PROGRAMS

Date: February 13, 1992

Presented by: Councilor DeJardin

COMMITTEE RECOMMENDATION: At its February 11, 1992 meeting the Regional Facilities Committee voted 4-0 to recommend Council adoption of Resolution No. 92-1556. Voting were Councilors McLain, Collier, DeJardin, and McFarland. Councilor Gardner was excused.

COMMITTEE DISCUSSION/ISSUES: Project Manager Pamela Erickson presented the staff report. She cited the report of the Public Policy Advisory Committee for Regional Facilities, which projected the need for \$2.2 million in annual operating support for Metro's regional facilities. The Arts Plan 2000+ report has recently been issued, which identifies a \$4.6 million annual need for support of arts programs in the region. She concluded that there needs to be a marriage between the programs for facilities and for the arts, and that Resolution 92-1556 represents that marriage. It is a recognition that we can't have facilities without programs and that financing the needs of both ought to be considered together. The goal of the task force is to achieve a regional consensus on financing facilities and programs.

Bill Bulick, Director of the Metropolitan Arts Commission, and Ann Mason, Director of Arts Plan 2000+, made a presentation on Arts Plan's findings, which included a slide show. They spoke to the value of public support of the arts and the financial difficulties of many local arts organizations. Mr. Bulick summarized the Arts Plan report, saying the arts deserve more support than they are getting, both from the public and private sectors, because of the return they provide to the community. He cited three necessary elements: renewed leadership from the public and private sectors; increased investment from both; and regional cooperation.

Councilor McFarland said the impact of cultural events goes beyond the direct observers and participants. It permeates society and can raise people's concerns to a level higher than the basic needs of food and shelter. She said we cannot as a society afford not to have a healthy arts community.

Councilors DeJardin and McLain added their support and thanks.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF AUTHORIZING A	)	Resolution No. 92-1556
PLANNING AND DEVELOPMENT EFFORT	)	
FOR FINANCING REGIONAL FACILITIES	)	Introduced by Rena Cusma,
AND PROGRAMS	)	Executive Officer

WHEREAS, in May of 1986 the Councils of the Metropolitan Service District and the City of Portland adopted the Convention, Trade, and Spectator Facilities Master Plan which established the Metropolitan Service District as the lead agency for regional convention, trade, and spectator facilities; and

WHEREAS, in December of 1987, the Council of the Metropolitan Service District created the Metropolitan Exposition-Recreation Commission to operate the region's inventory of convention, trade, and spectator facilities; and

WHEREAS, in December of 1989, the Councils of the Metropolitan Service District and the City of Portland approved a Phase 1 consolidation agreement providing for the management of City Spectator and Performing Arts Facilities by the Metropolitan Exposition-Recreation Commission; and

WHEREAS, in May of 1990, the Council of the Metropolitan Service District authorized a study of permanent operational funding for Metropolitan Exposition-Recreation Commission facilities, the feasibility of constructing new facilities, and interest in public funding for the arts; and

WHEREAS, in July of 1990, the Council of the Metropolitan Service District established the Public Policy Advisory Committee for Regional Convention, Trade, Performing Arts, and Spectator Facilities to conduct that study with elected and citizen representatives from Clackamas, Washington and Multnomah Counties, Metro, and the City of Portland; and

WHEREAS, in September of 1990, Arts Plan 2000 Plus was launched by the City of Portland, the Metropolitan Service District, other regional governments and private sector entities to study the regional arts industry and establish goals and priorities for cultural development; and

WHEREAS, Arts Plan 2000 Plus and the Public Policy Advisory Committee for Regional Facilities were intended to complement one another and to coordinate their research, findings and goals in subject areas of mutual concerns; and

WHEREAS, the Public Policy Advisory Committee and Arts Plan 2000 Plus submitted final reports to the Metropolitan Service District, the City of Portland and other appropriate governments and agencies in December of 1991 and January and February of 1992; and

WHEREAS, the Public Policy Advisory Committee found that if no new funds become available within three years to cover ongoing operational and capital costs of regional entertainment facilities and support for the programs of regional arts organizations, the region stands to lose its significant investment in its complex of facilities and programs; and

WHEREAS, the Public Policy Advisory Committee determined that to adequately meet the most immediate operating and capital improvements needs of the Portland Center for the Performing Arts and Civic Stadium, approximately \$2.2 million is needed annually, and that program needs identified in the Committee report and by Arts Plan 2000 Plus will require an additional \$4.6 million per year to stabilize arts organizations and implement a regional arts agenda for a total need of \$6.8 million annually; and

WHEREAS, both the Public Policy Advisory Committee and the the Arts Plan 2000 Plus Steering Committee recommended that long-

term funding sources should be of regional scope and address arts and entertainment facilities and arts programs; now therefore,

BE IT RESOLVED, that:

1. The Metropolitan Service District and the City of Portland agree to work together to develop adequate long-term funding for regional arts and entertainment facilities and programs. The Metropolitan Service District will take the lead and the City of Portland will participate through the office of the City Commissioner responsible for the Metropolitan Arts Commission and liaison to the Metropolitan Exposition-Recreation Commission.

2. The Council of the Metropolitan Service District authorizes the Executive Officer to undertake a planning and development effort to address the specific financial needs of the region's performing arts and entertainment facilities and the Arts Plan 2000 Plus agenda for the arts, which process shall meet the following purposes:

a. To make recommendations to the Metropolitan Service District Executive Officer and Council on financing facility and arts program needs;

b. To promote a regional consensus on financing through coalitions with other jurisdictions, advocate groups, and community and civic organizations;

c. To develop recommended intergovernmental agreements and funding packages needed to provide regional coordination and support for arts and entertainment facilities and programs; and

d. To provide public information on financing issues to the general public, media, other public bodies, advocate groups, and civic organizations.

3. By subsequent resolution the Council shall establish a Task Force to advise staff in the conduct of this effort and to develop recommended actions. It is the Council's intent that the Task Force will represent a diversity of interests in terms of constituencies, jurisdictions, and points of view. Membership on

the Task Force shall include representatives of the public at large, Arts Plan 2000 Plus, the Metropolitan Exposition-Recreation Commission, the Metropolitan Arts Commission, the Portland Center for the Performing Arts Advisory Committee, arts and entertainment organizations, the hospitality industry, and the business community.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1992.

---

Jim Gardner, Presiding Officer

## Staff Report

### CONSIDERATION OF RESOLUTION NO. 92-1556 FOR THE PURPOSE OF AUTHORIZING A PLANNING AND DEVELOPMENT EFFORT FOR FINANCING REGIONAL FACILITIES AND PROGRAMS

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Date: January 31, 1992

Presented by: Pamela Erickson

#### Background

Over the past five years, the Metropolitan Service District has evolved into the lead agency in the region for regional convention, trade, performing arts and spectator facilities. In 1986, the Convention, Trade, and Spectator (CTS) Master Plan served as the planning document for major facilities including the Oregon Convention Center.

In 1987, the Metro Council created the Metropolitan Exposition-Recreation Commission (MERC) to operate the region's convention, trade and spectator facilities. The Metro Council and the City of Portland Council approved the first phase of a consolidation agreement in 1989 that provided for management of city spectator and performing arts facilities by MERC.

In 1990, the Council created the Public Policy Advisory Committee for Regional Convention, Trade, Performing Arts, and Spectator Facilities (PPAC) to conduct a study of funding needs for MERC facilities, the feasibility of constructing new facilities, and interest in public funding for the arts. The Advisory Committee, which included elected officials and citizens from throughout the region, completed its study and presented its findings to the Council in December 1991.

Also in 1990, Arts Plan 2000+ was launched. Arts Plan 2000+ was an eighteen-month citizen planning process to develop a comprehensive long-range plan for arts and culture for the Portland metropolitan region. The final report was just released. Arts Plan was initiated by the City of Portland and included Metro as an active participant and financial supporter.

#### Resolution No. 92-1556

Resolution No. 92-1556 represents a merger of the Public Policy Advisory Committee study and Arts Plan 2000+. It is the first step needed to achieve a regional consensus for regional funding for arts facilities and programs. A similar resolution has been filed by City Commissioner Mike Lindberg with the Portland City Council, recognizing Metro as the lead agency for this effort.

Metro's Public Policy Advisory Committee report provides background information and a summary of the many issues surrounding region convention, trade, performing arts and

spectator facilities. The Committee found that, to adequately meet the most immediate operating and capital improvement needs of the Portland Center for the Performing Arts and Civic Stadium, \$2.2 million is needed on an annual basis. In addition, Arts Plan 2000+ identified in its study an estimated \$4.6 million annually in arts program needs.

While the Advisory Committee recommended consideration of two financing options, no regional consensus exists on the amount of funding needed nor is there regional consensus on funding sources to adequately address these needs. There is, however, regional agreement that Metro should continue to be the lead agency in developing a regional consensus. Both the PPAC and the Arts Plan 2000+ final reports identify Metro as the logical agency to perform the coordinating and planning role.

Resolution No. 92-1556 represents a continuation of Metro's planning and development efforts regarding regional entertainment facilities as well as merging Metro's efforts with those of Arts Plan 2000+. The City of Portland will join Metro and other jurisdictions as partners in this effort.

Resolution No. 92-1556 authorizes the Executive Officer to undertake a planning effort to address specific financial needs of the region's arts and entertainment facilities and the Arts Plan 2000+ agenda. The effort is intended to result in 1) recommendations to the Metro Executive Officer and Council on financing facility and arts program needs, 2) a regional consensus on financing, 3) development of intergovernmental agreements and funding packages needed to provide regional coordination and support for arts and entertainment facilities and programs, and 4) information to the public on financing issues.

A subsequent resolution will establish a Task Force to carry out this effort. The Task Force will be composed of public members and representatives of various government bodies in the region, the business community, and arts and entertainment groups.

Because this Task Force will be a continuation of the Public Policy Advisory Committee process, current personnel will provide staff support to the Task Force.

#### Executive Officer Recommendation

The Executive Officer recommends approval of Resolution No. 92-1556.

Meeting Date: February 27, 1992  
Agenda Item No. 7.7

RESOLUTION NO. 92-1565





**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

**DATE:** February 20, 1992

**TO:** Metro Council  
Executive Officer  
Interested Parties

**FROM:** Paulette Allen, Clerk of the Council *PA*

**RE:** AGENDA ITEM NO. 7.7; RESOLUTION NO. 92-1565

The Council agenda will be printed before the Finance Committee meets February 20 to consider Resolution No. 92-1565. Committee reports will be distributed in advance to Councilors and available at the Council meeting February 27.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF RATIFYING THE	)	RESOLUTION NO. 92-1565
TENTATIVE AGREEMENT WITH THE	)	
LABORERS INTERNATIONAL UNION,	)	Introduced by Rena Cusma,
LOCAL 483, AND AFSCME LOCAL 3580	)	Executive Officer
CONCERNING A PAY INCREASE,	)	
EFFECTIVE 7-1-91.	)	

WHEREAS, Collective bargaining was conducted with the Unions in 1991 under the assumption that PERS membership was offered in lieu of a pay increase; and

WHEREAS, After the completion of collective bargaining, PERS notified Metro that the valuated annual membership rate was less than originally projected; and

WHEREAS, Metro realized its good faith obligation to inform the Unions of the unexpected change in bargaining assumptions; and

WHEREAS, The parties therefore reconvened to negotiate on the issue of a cost-of-living increase, and reached tentative agreement on February 3, 1992; now, therefore,

BE IT RESOLVED,

That the Council of the Metropolitan Service District hereby ratifies the afore-mentioned tentative agreement with the Laborers International Union, Local 483, and AFSCME Local 3580, and applies the same agreement to the non-represented, regular full-time and regular part-time Metro employees.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 1992.

---

Jim Gardener, Presiding Officer

STAFF REPORT

CONSIDERATION OF RESOLUTION 92-1565  
RECOMMENDING RATIFICATION OF THE TENTATIVE AGREEMENT  
REACHED BETWEEN METRO, AFSCME LOCAL 3580  
AND LIU LOCAL 483 CONCERNING A COST OF LIVING INCREASE  
EFFECTIVE 7-1-91 THROUGH 6-30-92

Date: February 13, 1992

Presented by: Paula Paris  
and Mike Brock

**Background:** During 1991 collective bargaining with AFSCME Local 3580 and LIU Local 483, one of Metro's major objectives was to negotiate PERS membership with the unions. To that end, an amount equal to 5% of gross salaries was placed in contingency for FY 91/92 to cover the anticipated increased fringe benefit costs associated with joining PERS, over and above the 11% of gross payroll that Metro had been paying for its retirement program up to that time. Accordingly, Metro's position throughout bargaining was that PERS membership was being offered in-lieu of a pay increase, since the information provided by PERS indicated there were not enough funds budgeted to pay for both PERS membership and a cost of living increase.

However, in December 1991, PERS officially notified Metro that the rate effective January 1, 1992 would be 12% of gross payroll rather than the 16% projected rate that had been anticipated and budgeted for. Thus, we were left with 4% , rather than the original 5%, that had been budgeted, bargained, but not spent. Personnel, therefore, realized that, because there had been a change in the information from PERS originally given to the unions at the bargaining table relative to the cost of PERS "eating up" the budgeted 5%, Metro had a good faith obligation to notify the unions there had been a change in the fiscal assumptions under which the agreements had been bargained during 1991.

After notification to the unions, the parties subsequently met on two occasions to discuss the disposition of the funds made available by the unexpectedly low PERS valuation, and on February 3, 1992, the parties reached the following agreement:

1. Effective March 1, 1992, all current pay rates and ranges specified in the agreements will be increased by 3.25%, as specified by Exhibits A and B, attached.
2. Effective upon Council ratification, the 3.25% increase will be retroactive to July 1, 1991, based on each employee's actual gross salary from July 1, 1991 through February 29, 1992. This increase will apply to all Metro employees who are represented by AFSCME Local 3580 and LIU Local 483 as of the date of Council ratification, scheduled for February 27, 1992.

3. The AFSCME Local 3580 and LIU Local 483 representatives have advised Personnel that both groups have ratified the agreements spelled out in paragraphs #1 and #2, above.

The 3.25% increase, as specified in #1 and #2 above, will also be applied to the current pay rates of all non-represented regular full-time and regular part-time Metro employees, as specified in Exhibit C and employed as of the date of Council ratification. The increase will not apply to non-represented temporary employees and Seasonal Visitor Service Workers at the Zoo as defined by Section 2.02.275 (b) (1) (A) of the Metro Personnel Rules.

One budget amendment, Ordinance 91-428, was adopted in October, 1991, and moved 3% from Contingency into Fringe Benefits, of which 1% will be used for the increased cost of PERS. This action will, therefore, require a second amendment to remove the remaining contingency funds into Personal Services.

**METROPOLITAN SERVICE DISTRICT  
AFSCME PAY SCHEDULE**

<b>Range #</b>	<b>Class Code</b>	<b>Classification</b>	<b>Pay Range (Hourly Rates):</b>							
			<b><u>Base Rate</u></b>	<b><u>1st Step</u></b>	<b><u>2nd Step</u></b>	<b><u>3rd Step</u></b>	<b><u>4th Step</u></b>	<b><u>5th Step</u></b>	<b><u>6th Step</u></b>	<b><u>7th Step</u></b>
1	012*	Office Assistant	6.78	7.12	7.48	7.85	8.24	8.65	9.08	9.53
2			7.12	7.48	7.85	8.24	8.65	9.08	9.53	10.01
3	018* 037* 538*	Receptionist Accounting Clerk 1 Safety/Security Officer 1	7.48	7.85	8.24	8.65	9.08	9.53	10.01	10.51
4			7.85	8.24	8.65	9.08	9.53	10.01	10.51	11.04
5	022* 040* 364* 625*	Secretary Program Assistant 1 Graphics Technician Word Processing Operator	8.24	8.65	9.08	9.53	10.01	10.51	11.04	11.59
6	013* 017* 539*	Scalehouse Technician Reproduction Clerk Safety/Security Officer 2	8.65	9.08	9.53	10.01	10.51	11.04	11.59	12.17
7	006* 015* 038* 330*	Food Service/Retail Specialist Building Service Worker Accounting Clerk 2 Planning Technician	9.08	9.53	10.01	10.51	11.04	11.59	12.17	12.78
8	021* 035*	Administrative Secretary Payroll Clerk	9.53	10.01	10.51	11.04	11.59	12.17	12.78	13.42
9	042* 626*	Program Assistant 2 Lead Word Processing Operator	10.01	10.51	11.04	11.59	12.17	12.78	13.42	14.09
10	005* 031 036	Storekeeper Administrative Assistant Lead Accounting Clerk	10.51	11.04	11.59	12.17	12.78	13.42	14.09	14.79
11	634*	Data Processing Operator	11.04	11.59	12.17	12.78	13.42	14.09	14.79	15.53

\* Non-exempt classifications. Employees in these classifications are eligible to receive overtime compensation.

Effective: July 1, 1991 - June 30, 1992 (Pending Council Adoption on February 27, 1992)

**METROPOLITAN SERVICE DISTRICT  
AFSCME PAY SCHEDULE**

Range #	Class Code	Classification	Pay Range (Hourly Rates):							
			Base Rate	1st Step	2nd Step	3rd Step	4th Step	5th Step	6th Step	7th Step
12	023	Program Coordinator	11.59	12.17	12.78	13.42	14.09	14.79	15.53	16.31
	329	Management Technician								
	331*	Hazardous Waste Technician								
	360	Graphics/Exhibit Designer								
13			12.17	12.78	13.42	14.09	14.79	15.53	16.31	17.13
14	268	Volunteer Coordinator	12.78	13.42	14.09	14.79	15.53	16.31	17.13	17.99
	333	Asst Management Analyst								
	338	Asst Public Affairs Specialist								
	348	Asst Transportation Planner								
	354*	Asst Regional Planner								
	637*	Technical Specialist								
15	306	Asst Engineer	13.42	14.09	14.79	15.53	16.31	17.13	17.99	18.89
	343	Asst Solid Waste Planner								
	635	D.P. Operations Analyst								
16	039	Senior Accountant	14.09	14.79	15.53	16.31	17.13	17.99	18.89	19.83
	332	Hazardous Waste Specialist								
	334	Assoc Management Analyst								
	339	Assoc Public Affairs Specialist								
	349	Assoc Transportation Planner								
	355	Assoc Regional Planner								
	362	Graphics Coordinator								
	638	Programmer/Analyst								
17	307	Associate Engineer	14.79	15.53	16.31	17.13	17.99	18.89	19.83	20.82
	344	Associate Solid Waste Planner								
	636	D.P. Systems Analyst								
18	335	Senior Management Analyst	15.53	16.31	17.13	17.99	18.89	19.83	20.82	21.86
	340	Senior Public Affairs Specialist								
	350	Senior Transportation Planner								
	356	Senior Regional Planner								
19	308	Senior Engineer	16.31	17.13	17.99	18.89	19.83	20.82	21.86	22.95
	345	Senior Solid Waste Planner								

\* Non-exempt classifications. Employees in these classifications are eligible to receive overtime compensation.

Effective: July 1, 1991 - June 30, 1992 (Pending Council Adoption on February 27, 1992)

**PROPOSED--Exhibit B**

**METROPOLITAN SERVICE DISTRICT  
LABORERS INTERNATIONAL UNION, LOCAL 483 PAY SCHEDULE**

Range #	Class Code	Classification	Pay Range (Hourly Rates):		
			Entrance Rate	After Six Months	After One Year
60	019*	Typist-Receptionist	7.75	8.11	8.70
61	035*	Clerk/Bookkeeper	8.95	9.55	10.17
62	*	Clerk/Stenographer	9.58	10.18	10.87
63	430*	Laborer (90 working days)	9.61	-----	-----
64	461*	Stationmaster	10.55	10.90	11.30
65	465*	Gardener 1	10.91	11.68	12.09
65	445*	Maintenance Worker 1	10.91	11.68	12.09
66	535*	Nutrition Technician	11.34	12.27	13.21
67	470*	Animal Keeper	11.34	-----	13.21
68	466*	Gardener 2	11.88	12.47	13.38
68	446*	Maintenance Worker 2	11.88	12.47	13.38
69	447*	Maintenance Worker 3	12.64	13.22	14.11
69	448*	Maintenance Technician	12.64	13.22	14.11
70	467*	Senior Gardener	13.66	14.26	15.15
70	478*	Work Center Coordinator	13.66	14.26	15.15
71	471*	Senior Animal Keeper	13.95	-----	-----
72	455*	Maintenance Mechanic	14.30	-----	14.72
73	456*	Master Mechanic	14.71	-----	16.41
74	457*	Maintenance Electrician	17.99	-----	-----

\* Non-exempt classifications. Employees in these classifications are eligible to receive overtime compensation.



**METROPOLITAN SERVICE DISTRICT  
NON-REPRESENTED EMPLOYEES PAY SCHEDULE  
(Monthly and Annual Rate Based on 2,080 Hours Per Year)**

<u>SALARY RANGE</u>	<u>CLASS CODE</u>	<u>CLASSIFICATION</u>	<u>BEGINNING RATE</u>	<u>ENTRY MERIT RATE</u>	<u>MAXIMUM MERIT RATE</u>	
1	012*	Office Assistant	6.78	7.12	9.89	Hourly
	265*	Education Service Aide 1	1,175	1,234	1,714	Monthly
			14,102	14,810	20,571	Annual
4	266*	Education Service Aide 2	7.85	8.24	11.45	Hourly
	530*	Animal Hospital Attendant	1,361	1,428	1,985	Monthly
			16,328	17,139	23,816	Annual
5	010*	Management Intern	8.24	8.65	12.02	Hourly
	022*	Secretary	1,428	1,499	2,083	Monthly
			17,139	17,992	25,002	Annual
8	021*	Administrative Secretary	9.53	10.01	13.92	Hourly
			1,652	1,735	2,413	Monthly
			19,822	20,821	28,954	Annual
10	004	Food Service/Retail Coord	10.51	11.04	15.34	Hourly
	031	Administrative Assistant	1,822	1,914	2,659	Monthly
	108*	Legal Secretary	21,861	22,963	31,907	Annual
11	032	Clerk of the Council	11.04	11.59	16.11	Hourly
	520*	Veterinarian Technician	1,914	2,009	2,792	Monthly
			22,963	24,107	33,509	Annual
12	075	Assistant Research Coord	11.59	12.17	16.91	Hourly
	329	Management Technician	2,009	2,109	2,931	Monthly
	360	Graphics/Exhibit Designer	24,107	25,314	35,173	Annual
14	333	Asst Management Analyst	12.78	13.42	18.65	Hourly
	540	Safety/Security Supervisor	2,215	2,326	3,233	Monthly
			26,582	27,914	38,792	Annual
15	007	Retail Supervisor	13.42	14.09	19.58	Hourly
	014	Site Supervisor	2,326	2,442	3,394	Monthly
	107	Law Clerk	27,914	29,307	40,726	Annual
16	016	Senior Site Supervisor	14.09	14.79	20.56	Hourly
	270	Education Services Spec	2,442	2,564	3,564	Monthly
	334	Assoc. Management Analyst	29,307	30,763	42,765	Annual
	362	Graphics Coordinator				

\* Non-exempt classification. Employees in this classification are eligible to receive overtime compensation.

**Effective: July 1, 1991 (Pending Council Adoption on February 27, 1992)**

**METROPOLITAN SERVICE DISTRICT  
NON-REPRESENTED EMPLOYEES PAY SCHEDULE  
(Monthly and Annual Rate Based on 2,080 Hours Per Year)**

<b>SALARY RANGE</b>	<b>CLASS CODE</b>	<b>CLASSIFICATION</b>	<b>BEGINNING RATE</b>	<b>ENTRY MERIT RATE</b>	<b>MAXIMUM MERIT RATE</b>	
17	009	Food Service Supervisor	14.79	15.53	21.60	Hourly
	076	Research Coordinator	2,564	2,692	3,744	Monthly
	473	Fac. Mgt. Project Coord	30,763	32,302	44,928	Annual
18	030	Support Services Supervisor	15.53	16.31	22.67	Hourly
	335	Senior Management Analyst	2,692	2,827	3,929	Monthly
	340	Senior PA Specialist	32,302	33,925	47,154	Annual
	472	Assistant Curator				
	474	Facilities Supervisor				
19	060	Zoo Marketing Manager	16.31	17.13	23.81	Hourly
	061	Zoo Development Officer	2,827	2,969	4,127	Monthly
	525	Veterinarian	33,925	35,630	49,525	Annual
20	062	Visitors Services Manager	17.13	17.99	25.00	Hourly
	091	Data Processing Admin	2,969	3,118	4,333	Monthly
	275	Education Services Manager	35,630	37,419	52,000	Annual
	336	Management Analyst Supv				
	341	Public Information Supv				
	351	Trans. Planning Supervisor				
	357	Regional Planning Supv				
	476	Construction Coordinator				
21	063	Curator	17.99	18.89	26.24	Hourly
	085	Mgr Development Services	3,118	3,274	4,548	Monthly
	309	Engineering Supervisor	37,419	39,291	54,579	Annual
	346	Solid Waste Planning Supv				
	353	Data Resource Center Supv				
	475	Zoo Facilities Manager				
22	071	Chief Accountant	18.89	19.83	27.56	Hourly
	103	Sr Assistant Counsel	3,274	3,437	4,777	Monthly
	320	SW Budget & Finance Mgr	39,291	41,246	57,325	Annual
	337	Administrative Manager				
	347	Waste Reduction Manager				

\* Non-exempt classification. Employees in this classification are eligible to receive overtime compensation.

Effective: July 1, 1991 (Pending Council Adoption on February 27, 1992)

**METROPOLITAN SERVICE DISTRICT  
NON-REPRESENTED EMPLOYEES PAY SCHEDULE  
(Monthly and Annual Rate Based on 2,080 Hours Per Year)**

<b><u>SALARY RANGE</u></b>	<b><u>CLASS CODE</u></b>	<b><u>CLASSIFICATION</u></b>	<b><u>BEGINNING RATE</u></b>	<b><u>ENTRY MERIT RATE</u></b>	<b><u>MAXIMUM MERIT RATE</u></b>	
23	068	Procurement Officer	19.83	20.82	28.93	Hourly
	070	Personnel Manager	3,437	3,609	5,015	Monthly
	072	Risk Manager	41,246	43,306	60,174	Annual
	090	Transportation Tech Mgr				
	092	Govt Relations Manager				
	311	Engineering/Analysis Mgr				
	322	Solid Waste Facilities Mgr				
	352	Transportation Planning Mgr				
	477	Construction Manager				
24	064	Assistant Zoo Director	20.82	21.86	30.38	Hourly
			3,609	3,789	5,266	Monthly
			43,306	45,469	63,190	Annual
25	080	Dir of Regional Facilities	21.86	22.95	31.89	Hourly
	081	Director of Public Affairs	3,789	3,978	5,528	Monthly
	084	Dir Finance & Mgmt Info	45,469	47,736	66,331	Annual
	088	Convention Ctr Proj Dir				
	093	Council Administrator				
	094	Director of P & D				
	095	Deputy Executive Officer				
26	089	Director of Tran Planning	22.95	24.10	33.48	Hourly
	105	General Counsel	3,978	4,177	5,803	Monthly
			47,736	50,128	69,638	Annual
28	086	Director of Solid Waste	25.31	26.58	36.92	Hourly
	087	Zoo Director	4,387	4,607	6,399	Monthly
			52,645	55,286	76,794	Annual

**ADDITIONAL PROVISION:**

As provided in Metro Code Section 2.02.160, the Executive Officer may annually award an Incentive Salary Rate of 1 to 3 percent above the Maximum Merit Rate.

- \* Non-exempt classification. Employees in this classification are eligible to receive overtime compensation.

**Effective: July 1, 1991 (Pending Council Adoption on February 27, 1992)**

Meeting Date: February 27, 1992  
Agenda Item No. 7.8

RESOLUTION NO. 92-1571



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503-221-1646

# Memorandum

**DATE:** February 20, 1992

**TO:** Metro Council  
Executive Officer  
Interested Parties

**FROM:** Paulette Allen, Clerk of the Council *PA*

**RE:** AGENDA ITEM NO. 7.8; RESOLUTION NO. 92-1571

The Council agenda will be printed before the Finance Committee meets February 20 to consider Resolution No. 92-1571. Committee reports will be distributed in advance to Councilors and available at the Council meeting February 27.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF	)	RESOLUTION NO. 92-1571
REAUTHORIZING PROCEEDINGS TO	)	
ADVANCE REFUND SERIES 1987	)	Introduced by Executive
GENERAL OBLIGATION CONVENTION	)	Officer Rena Cusma
CENTER BONDS	)	

WHEREAS, The Metropolitan Service District adopted Resolution No. 87-767 authorizing the issuance and sale of \$65 million of general obligation bonds on June 11, 1987 to finance the acquisition and construction of the regional convention and trade show center; and

WHEREAS, A "call" provision was designed in terms of that bond issue to permit advance refunding of the bonds in the event of a significant decrease in interest rates for tax-exempt bonds; and

WHEREAS, At current interest rates for tax-exempt bonds, a significant financial savings will accrue to the taxpayers of the Metropolitan Service District if the 1987 Convention Center Bonds are advance refunded; now, therefore,

BE IT RESOLVED,

That the Director of Finance and Management Information is authorized to proceed with development of all documents necessary to advance refund the Series 1987 Metropolitan Service District Convention Center Bonds, and that Bond Counsel prepare the necessary Bond Resolution and related exhibits for submission to, consideration of, and approval by the Council of the Metropolitan Service District at a subsequent meeting thereof.

ADOPTED by the Council of the Metropolitan Service District  
this \_\_\_\_\_ day of \_\_\_\_\_, 1992.

Jim Gardner, Presiding Officer

**STAFF REPORT ON RESOLUTION NO. 92-1571 FOR THE PURPOSE OF  
REAUTHORIZING PROCEEDINGS TO ADVANCE REFUND THE SERIES  
1987 GENERAL OBLIGATION CONVENTION CENTER BONDS.**

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**Date: February 11, 1992**

**Presented by: Jennifer Sims**

**Background**

In 1987 the Council authorized the issuance of \$65 million General Obligation Convention Center Bonds Series 1987 (the 1987 Bonds) to acquire and construct a regional convention and trade show center. These bonds were issued at a total interest cost of 7.28% with average annual debt service of approximately \$5,700,000.

The financial structure for the 1987 Bonds included "call" dates in advance of the final bond maturities that would allow Metro to redeem the bonds if it becomes deemed financial beneficial. Current interest rates for tax-exempt financing are at historic lows and it would be financially advantageous to undertake an advance refunding now.

It is estimated that an advance refunding would generate the following savings:

1. Gross savings:	\$5,823,189
2. Present value savings:	3,455,606
3. Approximate annual savings:	277,000
4. PV savings as a % of refunded bonds	5.69%

The State Treasurer office, which must approve the refinancing, requires a present value savings equal to 3%. Our estimate of current savings exceeds this amount.

The steps required to undertake this refinancing include:

1. Adoption of Resolution No. 92-1571.
2. Development of the plan of refinance and redemption (attached for information).
3. Approval of the plan and refinance and redemption by the State Treasurer's office.
4. Development of the necessary bond documents including a resolution of the Council authorizing issuance and sale of the bonds.
5. Pricing, issuance, and sale of the refunding bonds.

**Executive Officer Recommendation**

The Executive Officer recommends approval of Resolution 92-1571.

**PRELIMINARY  
ADVANCE REFUNDING PLAN**

**METROPOLITAN  
SERVICE DISTRICT**

**Proposed Advance Refunding of  
Series 1987 General Obligation  
Convention Center Bonds**

**February 1992**

**Public Financial Management, Inc.  
1300 SW Fifth Avenue, Suite 2929  
Portland, OR 97201  
(503) 223-3383**



**1. Request and Authorization for an Advance Refunding Bond Sale.**

# METROPOLITAN SERVICE DISTRICT

State Treasury Form 1/86

## REQUEST AND AUTHORIZATION FOR AN ADVANCE REFUNDING BOND SALE

Date of Application	February 14, 1992
Issuer	Metropolitan Service District
Contact Person	Mr. Christopher Scherer 221-1646 ext. 124
Financial Consultant	Public Financial Managment, Inc. (Chip Pierce, Brad Farrar)
Bond Counsel	To be determined
Escrow Agent	First Interstate Bank of Oregon (Alice Garrett)

### REFUNDING ISSUE

Par Amount	Approximately \$66,545,000
Type of Bonds	General Obligation Bonds
Date of Sale	March 25, 1992
Date of Issue	March 15, 1992
Maturity Dates	December 1, 1992 - 2012
Purpose of Issue	Debt Service Savings
Par Amount of Bonds to be Refunded	\$60,680,000
Number of Bond Issues	1
Total call premiums	\$0
Transferred Funds	\$0
Projected Present Value Savings	\$2,935,729
Date of Present Value	April 21, 1992
True Interest Cost (TIC)	6.0952%
Savings Ratio	4.4116%
Escrow Funds Invested at Unrestricted Yield	\$0
 TOTAL PRESENT VALUE SAVINGS	 \$2,935,729
SAVINGS RATIO	4.4116%

2. **Copy of the Resolution or Ordinance of the Governing Body Authorizing Submission of the Plan to the Treasurer.**

# DRAFT

## BEFORE THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF REAUTHORIZING) RESOLUTION NO. 92-1571  
PROCEEDINGS TO ADVANCE REFUND )  
SERIES 1987 GENERAL OBLIGATION ) INTRODUCED BY RENA CUSMA,  
CONVENTION CENTER BONDS ) EXECUTIVE OFFICER

WHEREAS, the Metropolitan Service District adopted Resolution No. 87-767 authorizing the issuance and sale of \$65 million of general obligation bonds on June 11, 1987 to finance the acquisition and construction of the a regional convention and trade show center; and

WHEREAS, a "call" provision was designed into the terms of that bond issue to permit advance refunding of the bonds in the event of a significant decrease in interest rates for tax-exempt bonds; and

WHEREAS, at current interest rates for tax-exempt bonds, a significant financial savings will accrue to the taxpayers of the Metropolitan Service District if the 1987 Convention Center Bonds are advance refunded; now therefore,

BE IT RESOLVED, that,

the Director of Finance and Management Information is authorized to proceed with development of all documents necessary to advance refund the Series 1987 Metropolitan Service District Convention Center Bonds, and that Bond Counsel prepare the necessary Bond Resolution and related exhibits for submission to, consideration of, and approval by the Council of the Metropolitan Service District at a subsequent meeting thereof.

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_\_ day of \_\_\_\_\_, 1992.

\_\_\_\_\_  
Jim Gardner, Presiding Officer

**3. A Statement of the Purpose(s) of the Sale.**

***THE PURPOSE OF THIS REFUNDING IS TO EFFECT A DEBT  
SERVICE SAVINGS.***

**4. A Description of the Bonds to be Refunded:**

- a) **Date the Bonds to be Refunded are First Callable;**  
***THE SERIES 1987 BONDS ARE CALLABLE AT PAR ON DECEMBER 1, 1997.***
- b) **Semi-annual Debt Service to Final Maturity;**
- c) **Present value of each semi-annual payment.**

Metropolitan Service District  
General Obligation Convention Center Bonds  
Full Refunding Scenario

DEBT SERVICE SCHEDULE

DATE	PRINCIPAL	COUPON	INTEREST	DEBT SERVICE
12/01/1991	-	-	-	-
6/01/1992	-	-	2,210,788.75	2,210,788.75
12/01/1992	1,250,000.00	8.20000%	2,210,788.75	3,460,788.75
6/01/1993	-	-	2,159,538.75	2,159,538.75
12/01/1993	1,335,000.00	5.75000%	2,159,538.75	3,494,538.75
6/01/1994	-	-	2,121,157.50	2,121,157.50
12/01/1994	1,425,000.00	6.00000%	2,121,157.50	3,546,157.50
6/01/1995	-	-	2,078,407.50	2,078,407.50
12/01/1995	1,530,000.00	6.20000%	2,078,407.50	3,608,407.50
6/01/1996	-	-	2,030,977.50	2,030,977.50
12/01/1996	1,640,000.00	6.40000%	2,030,977.50	3,670,977.50
6/01/1997	-	-	1,978,497.50	1,978,497.50
12/01/1997	1,760,000.00	6.60000%	1,978,497.50	3,738,497.50
6/01/1998	-	-	1,920,417.50	1,920,417.50
12/01/1998	1,890,000.00	6.80000%	1,920,417.50	3,810,417.50
6/01/1999	-	-	1,856,157.50	1,856,157.50
12/01/1999	2,040,000.00	6.90000%	1,856,157.50	3,896,157.50
6/01/2000	-	-	1,785,777.50	1,785,777.50
12/01/2000	2,195,000.00	7.00000%	1,785,777.50	3,980,777.50
6/01/2001	-	-	1,708,952.50	1,708,952.50
12/01/2001	2,370,000.00	7.10000%	1,708,952.50	4,078,952.50
6/01/2002	-	-	1,624,817.50	1,624,817.50
12/01/2002	2,560,000.00	7.20000%	1,624,817.50	4,184,817.50
6/01/2003	-	-	1,532,657.50	1,532,657.50
12/01/2003	2,770,000.00	7.30000%	1,532,657.50	4,302,657.50
6/01/2004	-	-	1,431,552.50	1,431,552.50
12/01/2004	2,995,000.00	7.40000%	1,431,552.50	4,426,552.50
6/01/2005	-	-	1,320,737.50	1,320,737.50
12/01/2005	3,240,000.00	7.40000%	1,320,737.50	4,560,737.50
6/01/2006	-	-	1,200,857.50	1,200,857.50
12/01/2006	3,510,000.00	7.50000%	1,200,857.50	4,710,857.50
6/01/2007	-	-	1,069,232.50	1,069,232.50
12/01/2007	3,805,000.00	7.50000%	1,069,232.50	4,874,232.50
6/01/2008	-	-	926,545.00	926,545.00
12/01/2008	4,120,000.00	7.50000%	926,545.00	5,046,545.00
6/01/2009	-	-	772,045.00	772,045.00
12/01/2009	4,465,000.00	7.60000%	772,045.00	5,237,045.00
6/01/2010	-	-	602,375.00	602,375.00
12/01/2010	4,840,000.00	7.60000%	602,375.00	5,442,375.00
6/01/2011	-	-	418,455.00	418,455.00
12/01/2011	5,250,000.00	7.65000%	418,455.00	5,668,455.00
6/01/2012	-	-	217,642.50	217,642.50
12/01/2012	5,690,000.00	7.65000%	217,642.50	5,907,642.50
TOTAL	60,680,000.00	-	61,935,180.00	122,615,180.00

Public Financial Management, Inc.  
Financial and Investment Advisors

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YIELD STATISTICS

Accrued Interest from 12/01/1991 to 12/01/1991...	-
Average Life.....	13.714 YEARS
Bond Years.....	832,165.00
Average Coupon.....	7.4426562%
Net Interest Cost (NIC).....	7.4411144%
Bond Yield for Arbitrage Purposes.....	7.3992995%
True Interest Cost (TIC).....	7.3992995%
Effective Interest Cost (EIC).....	7.3992995%

Metropolitan Service District  
General Obligation Convention Center Bonds  
Full Refunding Scenario

PROOF OF TIC @ 6.0951657%

DATE	DEBT SERVICE	PV FACTOR	PRESENT VALUE
4/02/1992	-	1.0000000x	-
6/01/1992	2,210,788.75	0.9902081x	2,189,141.04
12/01/1992	3,460,788.75	0.9609232x	3,325,552.26
6/01/1993	2,159,538.75	0.9325044x	2,013,779.33
12/01/1993	3,494,538.75	0.9049260x	3,162,298.99
6/01/1994	2,121,157.50	0.8781633x	1,862,722.57
12/01/1994	3,546,157.50	0.8521920x	3,022,007.03
6/01/1995	2,078,407.50	0.8269888x	1,718,819.78
12/01/1995	3,608,407.50	0.8025310x	2,895,858.98
6/01/1996	2,030,977.50	0.7787966x	1,581,718.28
12/01/1996	3,670,977.50	0.7557640x	2,774,392.72
6/01/1997	1,978,497.50	0.7334127x	1,451,055.12
12/01/1997	3,738,497.50	0.7117223x	2,660,772.17
6/01/1998	1,920,417.50	0.6906735x	1,326,381.45
12/01/1998	3,810,417.50	0.6702472x	2,553,921.48
6/01/1999	1,856,157.50	0.6504249x	1,207,291.08
12/01/1999	3,896,157.50	0.6311889x	2,459,211.40
6/01/2000	1,785,777.50	0.6125218x	1,093,827.65
12/01/2000	3,980,777.50	0.5944068x	2,366,201.06
6/01/2001	1,708,952.50	0.5768275x	985,770.74
12/01/2001	4,078,952.50	0.5597681x	2,283,267.37
6/01/2002	1,624,817.50	0.5432132x	882,622.31
12/01/2002	4,184,817.50	0.5271479x	2,206,017.87
6/01/2003	1,532,657.50	0.5115578x	784,042.87
12/01/2003	4,302,657.50	0.4964287x	2,135,962.69
6/01/2004	1,431,552.50	0.4817471x	689,646.21
12/01/2004	4,426,552.50	0.4674996x	2,069,411.64
6/01/2005	1,320,737.50	0.4536735x	599,183.67
12/01/2005	4,560,737.50	0.4402564x	2,007,893.74
6/01/2006	1,200,857.50	0.4272360x	513,049.55
12/01/2006	4,710,857.50	0.4146007x	1,953,124.82
6/01/2007	1,069,232.50	0.4023391x	430,194.02
12/01/2007	4,874,232.50	0.3904401x	1,903,095.81
6/01/2008	926,545.00	0.3788930x	351,061.43
12/01/2008	5,046,545.00	0.3676874x	1,855,551.21
6/01/2009	772,045.00	0.3568133x	275,475.89
12/01/2009	5,237,045.00	0.3462607x	1,813,382.76
6/01/2010	602,375.00	0.3360202x	202,410.16
12/01/2010	5,442,375.00	0.3260825x	1,774,663.51
6/01/2011	418,455.00	0.3164388x	132,415.40
12/01/2011	5,668,455.00	0.3070803x	1,740,670.79
6/01/2012	217,642.50	0.2979985x	64,857.15
12/01/2012	5,907,642.50	0.2891854x	1,708,403.79
<b>TOTAL</b>	<b>122,615,180.00</b>	<b>-</b>	<b>69,027,127.80</b>

Public Financial Management, Inc.  
Financial and Investment Advisors

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DERIVATION OF TARGET AMOUNT

Par Amount of Bonds..... \$60,680,000.00



**5. A Description of the Proposed Advance Refunding Issue:**

- a) Debt Service to Maturity**
- b) Present Value of Debt Service to Maturity**
- c) Call Date on Refunding Bonds**

***THE REFUNDING BONDS WILL BE SUBJECT TO REDEMPTION AT PAR PLUS ACCRUED INTEREST ON DECEMBER 1, 2002 AND ANY INTEREST PAYMENT DATE THEREAFTER.***

Metropolitan Sevice District  
General Obligation 1987 Convention Center  
Series 1992 Refunding Bonds  
Full Refunding  
DEBT SERVICE SCHEDULE

DATE	PRINCIPAL	COUPON	INTEREST	DEBT SERVICE
6/01/1992	-	-	798,339.89	798,339.89
12/01/1992	2,865,000.00	3.65000%	1,890,805.00	4,755,805.00
6/01/1993	-	-	1,838,518.75	1,838,518.75
12/01/1993	1,875,000.00	4.10000%	1,838,518.75	3,713,518.75
6/01/1994	-	-	1,800,081.25	1,800,081.25
12/01/1994	1,955,000.00	4.35000%	1,800,081.25	3,755,081.25
6/01/1995	-	-	1,757,560.00	1,757,560.00
12/01/1995	2,040,000.00	4.55000%	1,757,560.00	3,797,560.00
6/01/1996	-	-	1,711,150.00	1,711,150.00
12/01/1996	2,130,000.00	4.75000%	1,711,150.00	3,841,150.00
6/01/1997	-	-	1,660,562.50	1,660,562.50
12/01/1997	2,230,000.00	4.95000%	1,660,562.50	3,890,562.50
6/01/1998	-	-	1,605,370.00	1,605,370.00
12/01/1998	2,345,000.00	5.20000%	1,605,370.00	3,950,370.00
6/01/1999	-	-	1,544,400.00	1,544,400.00
12/01/1999	2,465,000.00	5.35000%	1,544,400.00	4,009,400.00
6/01/2000	-	-	1,478,461.25	1,478,461.25
12/01/2000	2,595,000.00	5.50000%	1,478,461.25	4,073,461.25
6/01/2001	-	-	1,407,098.75	1,407,098.75
12/01/2001	2,740,000.00	5.60000%	1,407,098.75	4,147,098.75
6/01/2002	-	-	1,330,378.75	1,330,378.75
12/01/2002	2,895,000.00	5.70000%	1,330,378.75	4,225,378.75
6/01/2003	-	-	1,247,871.25	1,247,871.25
12/01/2003	3,060,000.00	5.80000%	1,247,871.25	4,307,871.25
6/01/2004	-	-	1,159,131.25	1,159,131.25
12/01/2004	3,235,000.00	5.95000%	1,159,131.25	4,394,131.25
6/01/2005	-	-	1,062,890.00	1,062,890.00
12/01/2005	3,425,000.00	6.05000%	1,062,890.00	4,487,890.00
6/01/2006	-	-	959,283.75	959,283.75
12/01/2006	3,635,000.00	6.15000%	959,283.75	4,594,283.75
6/01/2007	-	-	847,507.50	847,507.50
12/01/2007	3,860,000.00	6.15000%	847,507.50	4,707,507.50
6/01/2008	-	-	728,812.50	728,812.50
12/01/2008	4,095,000.00	6.20000%	728,812.50	4,823,812.50
6/01/2009	-	-	601,867.50	601,867.50
12/01/2009	4,350,000.00	6.25000%	601,867.50	4,951,867.50
6/01/2010	-	-	465,930.00	465,930.00
12/01/2010	4,620,000.00	6.30000%	465,930.00	5,085,930.00
6/01/2011	-	-	320,400.00	320,400.00
12/01/2011	4,910,000.00	6.30000%	320,400.00	5,230,400.00
6/01/2012	-	-	165,735.00	165,735.00
12/01/2012	5,220,000.00	6.35000%	165,735.00	5,385,735.00
TOTAL	66,545,000.00	-	50,075,164.89	116,620,164.89

Public Financial Management, Inc.  
Financial and Investment Advisors

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YIELD STATISTICS

Accrued Interest from 03/15/1992 to 04/02/1992...	178,576.03
Average Life.....	12.483 YEARS
Bond Years.....	830,705.89
Average Coupon.....	6.0280257%
Net Interest Cost (NIC).....	6.1041270%
Bond Yield for Arbitrage Purposes.....	5.9785117%
True Interest Cost (TIC).....	6.0951657%

Metropolitan Sevice District  
General Obligation 1987 Convention Center  
Series 1992 Refunding Bonds  
Full Refunding  
PROOF OF TIC @ 6.0951657%

DATE	DEBT SERVICE	PV FACTOR	PRESENT VALUE
4/02/1992	-	1.0000000x	-
6/01/1992	798,339.89	0.9902081x	790,522.66
12/01/1992	4,755,805.00	0.9609232x	4,569,963.44
6/01/1993	1,838,518.75	0.9325044x	1,714,426.78
12/01/1993	3,713,518.75	0.9049260x	3,360,459.68
6/01/1994	1,800,081.25	0.8781633x	1,580,765.20
12/01/1994	3,755,081.25	0.8521920x	3,200,050.18
6/01/1995	1,757,560.00	0.8269888x	1,453,482.48
12/01/1995	3,797,560.00	0.8025310x	3,047,659.73
6/01/1996	1,711,150.00	0.7787966x	1,332,637.73
12/01/1996	3,841,150.00	0.7557640x	2,903,002.97
6/01/1997	1,660,562.50	0.7334127x	1,217,877.57
12/01/1997	3,890,562.50	0.7117223x	2,769,000.23
6/01/1998	1,605,370.00	0.6906735x	1,108,786.50
12/01/1998	3,950,370.00	0.6702472x	2,647,724.24
6/01/1999	1,544,400.00	0.6504249x	1,004,516.24
12/01/1999	4,009,400.00	0.6311889x	2,530,688.81
6/01/2000	1,478,461.25	0.6125218x	905,589.74
12/01/2000	4,073,461.25	0.5944068x	2,421,292.90
6/01/2001	1,407,098.75	0.5768275x	811,653.21
12/01/2001	4,147,098.75	0.5597681x	2,321,413.46
6/01/2002	1,330,378.75	0.5432132x	722,679.29
12/01/2002	4,225,378.75	0.5271479x	2,227,399.65
6/01/2003	1,247,871.25	0.5115578x	638,358.25
12/01/2003	4,307,871.25	0.4964287x	2,138,550.94
6/01/2004	1,159,131.25	0.4817471x	558,408.08
12/01/2004	4,394,131.25	0.4674996x	2,054,254.71
6/01/2005	1,062,890.00	0.4536735x	482,205.08
12/01/2005	4,487,890.00	0.4402564x	1,975,822.16
6/01/2006	959,283.75	0.4272360x	409,840.55
12/01/2006	4,594,283.75	0.4146007x	1,904,793.25
6/01/2007	847,507.50	0.4023391x	340,985.39
12/01/2007	4,707,507.50	0.3904401x	1,837,999.68
6/01/2008	728,812.50	0.3788930x	276,141.97
12/01/2008	4,823,812.50	0.3676874x	1,773,655.26
6/01/2009	601,867.50	0.3568133x	214,754.30
12/01/2009	4,951,867.50	0.3462607x	1,714,637.00
6/01/2010	465,930.00	0.3360202x	156,561.88
12/01/2010	5,085,930.00	0.3260825x	1,658,433.02
6/01/2011	320,400.00	0.3164388x	101,387.00
12/01/2011	5,230,400.00	0.3070803x	1,606,152.74
6/01/2012	165,735.00	0.2979985x	49,388.79
12/01/2012	5,385,735.00	0.2891854x	1,557,475.78
<b>TOTAL</b>	<b>116,620,164.89</b>	<b>-</b>	<b>66,091,398.51</b>

Public Financial Management, Inc.  
Financial and Investment Advisors

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2/11/1992 11:46 AM

DERIVATION OF TARGET AMOUNT

Par Amount of Bonds.....	\$66,545,000.00
Accrued Interest from 03/15/1992 to 04/02/1992....	178,576.03
Total Underwriter's Discount (0.950%).....	\$632,177.50
<b>Total Purchase Price</b>	<b>\$66,091,398.53</b>

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Metropolitan Sevice District  
General Obligation 1987 Convention Center  
Series 1992 Refunding Bonds  
Full Refunding  
SOURCES AND USES

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Dated 3/15/1992 Delivery 4/02/1992

Par Amount of Bonds..... \$66,545,000.00  
Accrued Interest from 03/15/1992 to 04/02/1992... 178,576.03

Total Sources \$66,723,576.03

Total Underwriter's Discount (0.950%)..... \$632,177.50  
Costs of Issuance..... 100,000.00  
Deposit to Debt Service Fund..... 178,576.03  
Deposit to Escrow Fund..... 65,810,861.29  
Contingency..... 1,961.21

Total Uses \$66,723,576.03

Public Financial Management, Inc.  
Financial and Investment Advisors

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2/10/1992 1:21 PM

**6. A Description of the Escrow Account:**

- a) Confirmation of Escrow Securities**
- b) Cost of Escrow Securities**
- c) Escrow Cash Balancing Report**

Metropolitan Sevice District General Obligation 1987 Convention Center Series 1992 Refunding Bonds Full Refunding SLGS PRINCIPAL AND INTEREST				
DATE	PRINCIPAL	COUPON	INTEREST	SLGS P+I
4/02/1992	-	-	-	-
6/01/1992	1,626,400.00	-	584,386.88	2,210,786.88
12/01/1992	1,678,400.00	-	1,782,379.99	3,460,779.99
6/01/1993	377,200.00	-	1,782,379.99	2,159,579.99
12/01/1993	1,712,100.00	-	1,782,379.99	3,494,479.99
6/01/1994	338,800.00	-	1,782,379.99	2,121,179.99
12/01/1994	1,763,800.00	-	1,782,379.99	3,546,179.99
6/01/1995	296,000.00	-	1,782,379.99	2,078,379.99
12/01/1995	1,826,000.00	0.44300%	1,782,379.99	3,608,379.99
6/01/1996	252,700.00	5.88000%	1,778,335.40	2,031,035.40
12/01/1996	1,900,000.00	6.10000%	1,770,906.02	3,670,906.02
6/01/1997	265,600.00	6.27000%	1,712,956.02	1,978,556.02
12/01/1997	53,773,800.00	6.34000%	1,704,629.46	55,478,429.46
TOTAL	65,810,800.00	-	20,027,873.71	85,838,673.71

Public Financial Management, Inc.  
Financial and Investment Advisors

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#### RESTRICTED PORTFOLIO INFORMATION

Cost of Primary SLGS Investments.....	65,810,800.00
Cost of Alternate Restricted Investments.....	-
Cost of Restricted Escrow Investments.....	65,810,800.00

Metropolitan Sevice District  
General Obligation 1987 Convention Center  
Series 1992 Refunding Bonds  
Full Refunding  
SLGS PROOF OF YIELD @ 5.9784948%

DATE	NET SLGS P+I	PV FACTOR	PRESENT VALUE
4/02/1992	-	1.0000000x	-
6/01/1992	2,210,786.88	0.9903920x	2,189,545.55
12/01/1992	3,460,779.99	0.9616460x	3,328,045.16
6/01/1993	2,159,579.99	0.9337343x	2,016,474.02
12/01/1993	3,494,479.99	0.9066329x	3,168,210.35
6/01/1994	2,121,179.99	0.8803180x	1,867,312.86
12/01/1994	3,546,179.99	0.8547669x	3,031,157.18
6/01/1995	2,078,379.99	0.8299574x	1,724,966.84
12/01/1995	3,608,379.99	0.8058680x	2,907,877.98
6/01/1996	2,031,035.40	0.7824778x	1,589,240.12
12/01/1996	3,670,906.02	0.7597665x	2,789,031.44
6/01/1997	1,978,556.02	0.7377144x	1,459,609.26
12/01/1997	55,478,429.46	0.7163023x	39,739,329.25
TOTAL	85,838,673.71	-	65,810,800.00

Public Financial Management, Inc.  
Financial and Investment Advisors

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DERIVATION OF TARGET AMOUNT

Cost of Restricted Escrow Investments.....	65,810,800.00
Adjusted SLGS Purchase Price.....	\$65,810,800.00

Metropolitan Sevice District  
General Obligation 1987 Convention Center  
Series 1992 Refunding Bonds  
Full Refunding  
ESCROW FUND CASHFLOW

DATE	PRINCIPAL	COUPON	INTEREST	RECEIPTS	DISBURSEMENTS	CASH BALANCE
4/02/1992	-	-	-	61.29	-	61.29
6/01/1992	1,626,400.00	-	584,386.88	2,210,786.88	2,210,788.75	59.42
12/01/1992	1,678,400.00	-	1,782,379.99	3,460,779.99	3,460,788.75	50.66
6/01/1993	377,200.00	-	1,782,379.99	2,159,579.99	2,159,538.75	91.90
12/01/1993	1,712,100.00	-	1,782,379.99	3,494,479.99	3,494,538.75	33.14
6/01/1994	338,800.00	-	1,782,379.99	2,121,179.99	2,121,157.50	55.63
12/01/1994	1,763,800.00	-	1,782,379.99	3,546,179.99	3,546,157.50	78.12
6/01/1995	296,000.00	-	1,782,379.99	2,078,379.99	2,078,407.50	50.61
12/01/1995	1,826,000.00	0.44300%	1,782,379.99	3,608,379.99	3,608,407.50	23.10
6/01/1996	252,700.00	5.88000%	1,778,335.40	2,031,035.40	2,030,977.50	81.00
12/01/1996	1,900,000.00	6.10000%	1,770,906.02	3,670,906.02	3,670,977.50	9.52
6/01/1997	265,600.00	6.27000%	1,712,956.02	1,978,556.02	1,978,497.50	68.04
12/01/1997	53,773,800.00	6.34000%	1,704,629.46	55,478,429.46	55,478,497.50	-
TOTAL	65,810,800.00	-	20,027,873.71	85,838,735.00	85,838,735.00	-

Public Financial Management, Inc.  
Financial and Investment Advisors

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ESCROW INFORMATION

Escrow Target.....	\$65,810,797.96
Escrow Arbitrage	(2.04)
Cost of Restricted Escrow Investments.....	65,810,800.00
Cash Deposit to Escrow.....	61.29
Total Cost of Escrow Investments.....	\$65,810,861.29
Restricted Escrow Portfolio Yield.....	5.9784948%
Yield on Escrow Investments.....	5.9784731%



**7. A Copy of the Present Value Savings Table:**

- a) Savings Report**
- b) Present Value Savings Calculation**

Metropolitan Sevice District  
General Obligation 1987 Convention Center  
Series 1992 Refunding Bonds  
Full Refunding  
PRESENT VALUE SAVINGS @ 6.0951657%

DATE	PRIOR D/S	NEW D/S	SAVINGS	PV FACTOR	PRESENT VALUE	CUMULATIVE PV
4/02/1992	-	-	-	1.0000000x	-	-
6/01/1992	2,210,788.75	798,339.89	1,412,448.86	0.9902081x	1,398,618.37	1,398,618.37
12/01/1992	3,460,788.75	4,755,805.00	(1,295,016.25)	0.9609232x	(1,244,411.18)	154,207.19
6/01/1993	2,159,538.75	1,838,518.75	321,020.00	0.9325044x	299,352.55	453,559.74
12/01/1993	3,494,538.75	3,713,518.75	(218,980.00)	0.9049260x	(198,160.70)	255,399.05
6/01/1994	2,121,157.50	1,800,081.25	321,076.25	0.8781633x	281,957.36	537,356.41
12/01/1994	3,546,157.50	3,755,081.25	(208,923.75)	0.8521920x	(178,043.15)	359,313.26
6/01/1995	2,078,407.50	1,757,560.00	320,847.50	0.8269888x	265,337.30	624,650.56
12/01/1995	3,608,407.50	3,797,560.00	(189,152.50)	0.8025310x	(151,800.75)	472,849.81
6/01/1996	2,030,977.50	1,711,150.00	319,827.50	0.7787966x	249,080.56	721,930.37
12/01/1996	3,670,977.50	3,841,150.00	(170,172.50)	0.7557640x	(128,610.25)	593,320.11
6/01/1997	1,978,497.50	1,660,562.50	317,935.00	0.7334127x	233,177.56	826,497.67
12/01/1997	3,738,497.50	3,890,562.50	(152,065.00)	0.7117223x	(108,228.06)	718,269.61
6/01/1998	1,920,417.50	1,605,370.00	315,047.50	0.6906735x	217,594.96	935,864.57
12/01/1998	3,810,417.50	3,950,370.00	(139,952.50)	0.6702472x	(93,802.76)	842,061.80
6/01/1999	1,856,157.50	1,544,400.00	311,757.50	0.6504249x	202,774.84	1,044,836.65
12/01/1999	3,896,157.50	4,009,400.00	(113,242.50)	0.6311889x	(71,477.41)	973,359.24
6/01/2000	1,785,777.50	1,478,461.25	307,316.25	0.6125218x	188,237.90	1,161,597.14
12/01/2000	3,980,777.50	4,073,461.25	(92,683.75)	0.5944068x	(55,091.85)	1,106,505.29
6/01/2001	1,708,952.50	1,407,098.75	301,853.75	0.5768275x	174,117.53	1,280,622.83
12/01/2001	4,078,952.50	4,147,098.75	(68,146.25)	0.5597681x	(38,146.09)	1,242,476.73
6/01/2002	1,624,817.50	1,330,378.75	294,438.75	0.5432132x	159,943.01	1,402,419.75
12/01/2002	4,184,817.50	4,225,378.75	(40,561.25)	0.5271479x	(21,381.78)	1,381,037.97
6/01/2003	1,532,657.50	1,247,871.25	284,786.25	0.5115578x	145,684.62	1,526,722.59
12/01/2003	4,302,657.50	4,307,871.25	(5,213.75)	0.4964287x	(2,588.26)	1,524,134.33
6/01/2004	1,431,552.50	1,159,131.25	272,421.25	0.4817471x	131,238.14	1,655,372.47
12/01/2004	4,426,552.50	4,394,131.25	32,421.25	0.4674996x	15,156.92	1,670,529.39
6/01/2005	1,320,737.50	1,062,890.00	257,847.50	0.4536735x	116,978.59	1,787,507.98
12/01/2005	4,560,737.50	4,487,890.00	72,847.50	0.4402564x	32,071.58	1,819,579.56
6/01/2006	1,200,857.50	959,283.75	241,573.75	0.4272360x	103,209.00	1,922,788.56
12/01/2006	4,710,857.50	4,594,283.75	116,573.75	0.4146007x	48,331.56	1,971,120.12
6/01/2007	1,069,232.50	847,507.50	221,725.00	0.4023391x	89,208.63	2,060,328.75
12/01/2007	4,874,232.50	4,707,507.50	166,725.00	0.3904401x	65,096.13	2,125,424.88
6/01/2008	926,545.00	728,812.50	197,732.50	0.3788930x	74,919.46	2,200,344.34
12/01/2008	5,046,545.00	4,823,812.50	222,732.50	0.3676874x	81,895.94	2,282,240.29
6/01/2009	772,045.00	601,867.50	170,177.50	0.3568133x	60,721.59	2,342,961.87
12/01/2009	5,237,045.00	4,951,867.50	285,177.50	0.3462607x	98,745.75	2,441,707.63
6/01/2010	602,375.00	465,930.00	136,445.00	0.3360202x	45,848.27	2,487,555.90
12/01/2010	5,442,375.00	5,085,930.00	356,445.00	0.3260825x	116,230.49	2,603,786.40
6/01/2011	418,455.00	320,400.00	98,055.00	0.3164388x	31,028.41	2,634,814.80
12/01/2011	5,668,455.00	5,230,400.00	438,055.00	0.3070803x	134,518.06	2,769,332.86
6/01/2012	217,642.50	165,735.00	51,907.50	0.2979985x	15,468.36	2,784,801.22
12/01/2012	5,907,642.50	5,385,735.00	521,907.50	0.2891854x	150,928.01	2,935,729.23
TOTAL	122,615,180.00	116,620,164.89	5,995,015.11	-	2,935,729.23	-

Public Financial Management, Inc.  
Financial and Investment Advisors

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PV COMPARISON METHOD

NET TO NET

Daycount Method.....

30/360

Compounding Frequency to use for PV calculations..

2 PER YEAR

**8. A Breakdown of the Administrative Costs, Expenses, and Fees**

## **METROPOLITAN SERVICE DISTRICT**

### **BREAKDOWN OF COSTS**

State Treasurer's Fee		\$5,000
Bond Counsel		35,000
Rating Fee		15,000
CPA Verification		2,500
Escrow Agent Fee		2,000
Registration Set-up		2,000
Financial Consulting Fee		30,000
Official Statement:		
	Typing	500
	Printing	2,500
Miscellaneous		2,000
Publication		<u>3,500</u>
TOTAL		\$100,000

**9. A Copy of the Contract Between the Issuer and the Financial Consultant.**

## **CONTRACT CHANGE FOR FINANCIAL ADVISORY SERVICES RELATED TO SERIES 1987 GENERAL OBLIGATION BOND REFUNDING**

Public Financial Management, Inc. ("PFM") serves as financial advisor to the Metropolitan Service District ("Metro") under a long-term contract. In its capacity as financial advisor to Metro, PFM will perform the scope of services specified below on Metro's behalf with respect to the issuance of the Series 1992 General Obligation Convention Center Refunding Bonds.

PFM, in consideration of the non-contingent fees established in Metro's contract with PFM, agrees to exercise its best efforts on Metro's behalf and will not be a purchaser of the refunding bonds at a negotiated sale.

### **SCOPE OF SERVICES**

Public Financial Management, Inc., (hereafter, "PFM"), will provide financial advisory services to Metro sufficient to complete the contemplated financing set forth in the foregoing Agreement in a satisfactory and efficient manner including the following specific tasks:

1. Conduct a preliminary refunding analyses, and assist Metro in setting goals for the refunding.
2. Coordinate the participation of all parties in the preparation of documents and execution of tasks necessary for the sale of bonds. This will include the preparation of a financing schedule which will be updated over the course of the project to reflect changes in tasks and/or timing.
3. Assist Metro, through presentations to the Metro Council (the Council).
4. Prepare a term sheet describing the characteristics of the refunding bonds.
5. Prepare the official statement.
6. Notify the State Treasury of Metro's plans to sell bonds.
7. Represent Metro before bond rating agencies, bond insurers and investors.
8. Negotiate on Metro's behalf the interest rates and underwriter compensation in the course of the negotiated pricing, verify the interest costs, and calculate the final principal amounts and maturities.
9. Procure US Government securities required for the escrow account.
10. Coordinate all aspects of the closing, including CPA verification, printing and registration of the bonds, trustee contracts, investment of the bond proceeds and legal and tax opinions of bond counsel.
11. Arrange, attend and participate in meetings with Metro staff, bond counsel, and other parties to consider the time, terms and conditions of the financing and bond issue alternatives.

State of Oregon  
Permanent Administrative Rule

Procedure for Submission, Review and Approval of  
An Advance Refunding Plan

Section 1. Components of Plan An Advance Refunding Plan shall consist of:

1. A completed "Request and Authorization for an Advance Refunding Bond Sale", substantially in the form of Treasury Form AR 1/86.
2. A copy of the resolution or ordinance of the governing body authorizing submission of the plan to the Treasurer.
3. A statement of the purpose(s) of the advance refunding sale.

Bonds issued for a favorable reorganization of debt, will require submission of a study conducted by qualified authorities elaborating upon the anticipated benefits to the issuer.

4. A description of the bonds to be refunded, including (a) the date each is first callable; (b) semi-annual debt service to final maturity for each issue and (c) the present value of each semi-annual payment.
5. A description of the proposed advance refunding issue, (a) including the semi-annual debt service; (b) the present value of each semi-annual payment; and (c) the call date, if any. The true interest rate (TIC) which was used to calculate this debt service and the issue date, or date of closing, of the advance refunding bonds should be utilized in all present value calculations throughout the plan.
6. A description of the escrow account, including the type of securities to be utilized and the redemption date of the account.
7. A copy of the Present Value Savings Table. The subtraction of the annual present value debt service payments provides the projected present value savings. This total must be entered on the application form and shall be utilized in the review process. Note that this amount is the total debt service savings.
  - (A) Any bond issuance expenses not included in either the advance refunding proceeds or the escrow account shall be subtracted from the savings total. Any expenses due at a future date may be discounted to present value.
  - (B) Any cash, other than bond proceeds, which is added to the advance refunding to complete the escrow account shall be subtracted from the total savings.
8. A breakdown of the administrative costs, expenses or fees and their allocation to either the advance refunding issue or to the escrow account. The Treasurer shall review administrative costs to determine whether they are comparable with similar offerings.
9. A copy of the contract between the issuer and the financial consultant.

Items required in 1 - 9 must be received prior to preliminary approval.

Considered to be a part of the application but which may be submitted when available are the following:

10. The Official Statement.
11. The issuer's certification relating to arbitrage; including any supporting documentation.
12. A copy of the indenture.
13. A copy of bond counsel's approving opinion.
14. A copy of the escrow agreement and copy of the escrow verification report demonstrating the ability of the escrow account to meet all future debt service and related costs relative to the refunded bonds.

**Section 3. Financial Consultant Required** The issuer shall employ an independent financial consultant whose sole function shall be to advocate the interests of and advise the issuer in the refinancing transaction. OMS 280.320 requires that the issuer assume a reasonable, non-contingent fee obligation to the consultant for services rendered.

The financial consultant shall be retained by the issuer prior to the start of negotiations between the issuer and potential underwriter. The financial consultant shall, after evaluation of the various alternatives, recommend the desirability or undesirability of doing an advance refunding. The contract between issuer and financial consultant shall include the following language:

"The financial consultant, in consideration of the fees contracted for herein, agrees to exercise its best efforts on the issuer's behalf and will not be a purchaser of the refunding bonds at a negotiated sale."

The contract shall also reflect the obligations of the parties for the contingency of a sale not consummated as planned.

Any report prepared by a financial consultant regarding the pricing and terms and conditions of the bonds shall be submitted in writing both to the municipality as well as to the State Treasurer as soon as it is available. No final approval shall be given by the State Treasurer until this report and all other documentation is received and evaluated by the Treasury.

**Section 4. Significant Savings Tests** To facilitate the review of issues designed to provide a savings, three tests have been developed. Equating or surpassing any one of the three shall indicate that the significant savings test is met. Advance refundings designed for other purposes may require a lengthier review and consideration. In order to receive State Treasury approval, the forecast savings must equal one of the following:

1. Present value savings of \$5,000,000 or more; or
2. A savings ratio of 3% or more; or
3. An annual "tax rate impact" of \$.15 per \$1,000 or more.

A. Savings Ratio: This ratio is calculated by dividing the total present value savings by the par amount of the advance refunding issue, the result being expressed as a percent.

B. Tax Rate Impact: This test is intended to reflect the potential favorable impact on the taxpayer of the smaller jurisdictions. It is not intended as a precise calculation of the real tax rate effect, but rather, using readily available figures, will approximate that tax rate impact. It is calculated as follows:

$$\text{Annual savings estimate} = \frac{\text{Total Present Value Savings}}{\text{Number of Maturities of Advance Refunding Issue}}$$

$$\text{Tax Rate Impact} = \frac{\text{Annual Savings Estimate}}{\text{Issuer Assessed Valuation}/1000}$$

**Section 5. Authorization Procedure** Following a review of the plan (Component items 1 - 9), the Treasurer may issue a preliminary authorization. It will state an intention to issue a final authorization following the sale, provided that:

- A. Items 10 - 15 of the plan are submitted and approved.
- B. And the TIC of the sale is within the parameters set forth in the preliminary authorization.



Section 7. Several Proposals Recommended Issuers are urged, when considering advance refunding, to review several proposals.

The Treasury has found wide variations in proposals, both in the fees charged and the savings presented. A list of consultants may be obtained from the Municipal Debt Advisory Commission, Room 60A State Capitol, Salem, Oregon 97310; telephone: 378-4930.

Section 8. Ongoing Evaluation The State Treasurer intends to evaluate the statewide impact of advance refunding through a benchmarking process. Current bond interest rates are compiled into an "Oregon Index", similar to the Bond Buyer national index. Adverse trends associated with advance refunding bond sales may result in a review and revision of the savings tests, thereby diminishing any undesirable impact upon the higher priority "new money" bond issues.

Section 9. Redemption Notice Publication The issuer shall cause a "Notice of Redemption" of the refunded bonds to be published in one or more newspapers of general circulation throughout the state of Oregon and in a business and financial newspaper published in Portland, Oregon; 30 to 60 days prior to the redemption of the bonds. For registered bonds, the last interest payment of a bond to be redeemed, mailed to the bondholder of record, shall include a "notice of redemption".

Section 10. Waiver of Certain Provisions The Treasurer may, in the Treasurer's discretion, waive certain provisions of this rule to accommodate unusual circumstances.

Meeting Date: February 27, 1992  
Agenda Item No. 7.9

RESOLUTION NO. 92-1574



**METRO**

2000 S.W. First Avenue  
Portland, OR 97201-5398  
503/221-1646

# Memorandum

**DATE:** February 20, 1992

**TO:** Metro Council  
Executive Officer  
Interested Parties

**FROM:** Paulette Allen, Clerk of the Council *PA*

**RE:** AGENDA ITEM NO. 7.9; RESOLUTION NO. 92-1574

The Council agenda will be printed before the Finance Committee meets February 20 to consider Resolution No. 92-1574. Committee reports will be distributed in advance to Councilors and available at the Council meeting February 27.

BEFORE THE COUNCIL OF THE  
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF RECOGNIZING )  
A BAD DEBT WRITE-OFF RELATED TO )  
ACCOUNTS RECEIVABLE NO. 5481 - )  
O.K. SANITARY SERVICE, AND NO. )  
5220. - HELZER SANITARY SERVICE )

RESOLUTION NO. 92-1574

Introduced by Rena Cusma,  
Executive Officer

WHEREAS, The Metropolitan Service District Code, Section 5.02.060 (i), provides that the Executive Officer may end pursuit of accounts receivable consistent with prudent credit practices, when the likelihood of collection does not justify future collection costs. Such actions will be reported to Council in writing when the amount exceeds \$500, and amounts over \$10,000 will require Council approval.

WHEREAS, the following accounts:

OK Sanitary Service \$39,780.00

Will Helzer Sanitary Service \$11,846.65

are over \$10,000 dollars and do not justify future collection efforts or cost.

BE IT RESOLVED,

That account number 5481, OK Sanitary Service, with a balance of \$39,780.00, and account number 5220, Will Helzer Sanitary Service, with a balance of \$11,846.65, are approved for an accounting recognition as bad debt write-offs.

ADOPTED by the Council of the Metropolitan Service District this \_\_\_\_ day of \_\_\_\_\_, 1992.

---

Jim Gardner, Presiding Officer

## STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 92-1574 FOR THE PURPOSE OF RECOGNIZING A BAD DEBT WRITE-OFF RELATED TO ACCOUNTS NO. 5481--O.K. SANITARY SERVICE, AND NO. 5220--WILL HELZER SANITARY SERVICE.

Date: February 11, 1992

Presented by: Jennifer Sims  
Karen Feher

### PURPOSE OF REPORT

The Solid Waste Department operations produce accounts receivable from charge customers using Metro's facilities. It is necessary and appropriate to recognize some of these balances as a bad debt expense when there is no financial justification for keeping them on the books. This recognition involves charging these balances to the allowance for uncollectible accounts. All of the listed accounts have previously been included in the allowance for bad debt expense and recognized as bad debt expense on the appropriate financial statements of Metro. Our current allowance for bad debt expense is \$141,479.

As required by generally accepted accounting principles, it is necessary to periodically review the overdue accounts to identify those for which there is no likelihood of recovery. The accounts so identified are then "written off" or removed as accounts receivable, and the allowance for bad debt is reduced accordingly.

Metro has not undertaken a bad debt write-off for three years. In response to the audit management letter received in FY 1989-90, we have conducted a review of overdue accounts receivable in coordination with the FY 1990-91 audit and are making the recommendations contained below. Henceforth, we will conduct an annual review of overdue accounts receivable for the purpose of conducting a write-off of bad debt accounts.

### CODE REQUIREMENTS

Metro Code 5.002.060(h)/(i) states that adjustments and charges to bad debt expenses will follow prudent credit practices. Amounts over \$500 will be reported to the Council and amounts over \$10,000 will require Council approval.

The attachment to this report provides the detail and justification for recognition as a bad debt write-off for the accounts listed below.

Staff Report  
February 11, 1992  
Accounts Receivable Adjustment/Bad Debt

<u>Account</u>	<u>Amount*</u>
<b>ACCOUNTS REQUIRING COUNCIL APPROVAL:</b>	
5481-O.K. Sanitary Service	\$39,780.00
5220-Will Helzer Sanitary Service	<u>\$11,846.65</u>
	\$51,626.65
<b>ACCOUNTS REQUIRING A REPORT TO COUNCIL:</b>	
5393-T.J. Sunde Drop Box Service	\$ 7,787.16
5062-Multnomah Garbage Service	\$ 7,351.02
6076-SRH Associates	\$ 5,310.16
6140-Pacific Tank	\$ 6,558.18
5567-Plew Drop Box & Recycling, Inc.	\$ 4,614.86
5758-Aaron Roofing & Construction, Inc.	\$ 4,352.23
6058-Southeast Roofing Supply, Inc.	\$ 2,927.22
5915-Dan Obrist	\$ 2,244.15
5024-Dematteo Sanitary Service	\$ 2,184.21
5507-Norvac Services	\$ 2,024.56
5478-Tom Abraham Factory Homes	\$ 1,144.10
6172-RMF Design	<u>\$ 742.18</u>
	<u>\$46,236.03</u>
<b>TOTAL</b>	<b>\$98,862.68</b>

\*AMOUNT is the account balance as of December 31, 1991

CREDIT VOLUME AND COLLECTIONS PERFORMANCE

The total write-offs covered in this report are \$98,862.68 as of December 31, 1991. This figure represents about .7% of combined Solid Waste year-ending receivable for the fiscal years 1989, 1990 and 1991. This low percentage supports Metro's effectiveness in accounts receivable and credit control.

Staff Report  
February 11, 1992  
Accounts Receivable Adjustment/Bad Debt

#### REVIEW OF THE CREDIT APPROVAL/COLLECTION PROCESS

Businesses, municipalities, and non-profit entities may apply for Metro credit by completing a Metro credit application and submitting it to the Credit Manager. Approval shall be consistent with prudent credit practices. Credit accommodations are not provided to individuals since their sporadic use and minimal volumes are more appropriate for payment by cash, credit card or guaranteed check (Metro Code 5.02.060).

Billings are provided to the customers by the accounting division on the tenth of each month, payment is due by the last day of that month, and the account is considered "past due" thereafter. An accounts receivable aging report is provided to the Credit Manager to identify the accounts that are "past due" and in need of collection effort. Collection consists of telephone calls and letters, with placement of the account on "cash only" or "access denied" as a collection tool. Collection efforts are more effective with commercial haulers with a continuing need for use of the facilities than with other commercial users who use the facilities less frequently.

Customer delinquencies are caused by a poor economic climate, inadequate capital, inadequate management, and errors in billing that must be reconciled before the customer will pay.

Extensive effort is devoted to the collection of overdue accounts. The payment aging schedule is reviewed daily and a past due letter is sent at 45 days past due. Immediate phone contact is established with customers whose balances are more than 60 days overdue. A detailed procedure of demand letters and legal actions follows such contact. The current procedures are contained later in this Report.

As collection efforts prove unsuccessful because of the inability or unwillingness to pay, a determination is made to refer the account to a collection agency, to Metro's Office of General Counsel, or to discontinue further effort as cost ineffective. When collection efforts reach this point it is also appropriate to remove these accounts from the accounts receivables by writing them off.

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FUTURE REFINEMENTS

Established procedures continue to remain effective as evidenced by Metro's low overall write-off percentage; however, the experience gained by the comprehensive review of accounts leading to this Report has resulted in the following updated procedures. These procedures have been implemented.

1. Prompt and persistent collection effort is necessary at the first sign of delinquency by the following actions:
  - a. Immediate phone contact at the onset of delinquency.
  - b. If no resolution of the delinquency is achieved by phone, a series of three letters is to be sent. The intent of these letters is to elicit payment from the customer and to minimize Metro's exposure to non-paying customers by quickly placing the account as cash only or deny access to the facilities.
  - c. If there is no response to the series of letters, each account will be reviewed on the basis of the possibility of collection and the cost of further collection activity. On the basis of the review, one of two actions will be taken as follows:
    - (1.) Referral to the Office of General Counsel for legal action. Accounts under \$2,500 to be pursued in a small claims action, accounts over that amount to be reviewed by legal counsel for direct suit.
    - (2.) Referral to a collection agency on accounts where we are unable to identify or locate assets to proceed against, the company has been reported out of business, or the company has moved with no forwarding address.
2. To minimize accrued finance charges, accounts that file bankruptcy will be immediately placed on non-accrual of finance charges.
3. The Credit Manager will perform a quarterly review of all accounts receivable for collectability. This review will include accounts that have previously been identified in the allowance for uncollectible accounts as well as any account over \$500 and over ninety days past due. This review will be submitted to the Financial Planning Manager, Accounting Manager and Solid Waste Budget and Finance Manager for their information and action as required.



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**EXECUTIVE OFFICER'S RECOMMENDATION**

The Executive Officer recommends adoption of Resolution No. 92-1574 for the purpose of recognizing a bad debt expense related to account receivable No. 5481, O.K. Sanitary Service, and account receivable No. 5220, Will Helzer Sanitary Service.

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Section 5.02.060(i) - Write-offs

<u>Account</u>	<u>Amount</u>
<b>ACCOUNTS REQUIRING COUNCIL APPROVAL:</b>	
5481-O.K. Sanitary Service	\$39,780.00
5220-Will Helzer Sanitary Service	\$11,846.65
<b>ACCOUNTS REPORTED TO COUNCIL:</b>	
5393-T.J. Sunde Drop Box Service	\$ 7,787.16
5062-Multnomah Garbage Service	\$ 7,351.02
6140-Pacific Tank	\$ 6,558.18
5076-SRH Associates	\$ 5,310.16
5567-Plew Drop Box & Recycling, Inc.	\$ 4,614.86
5758-Aaron Roofing & Construction, Inc.	\$ 4,352.23
6058-Southeast Roofing Supply, Inc.	\$ 2,927.22
5915-Dan Obrist Trucking	\$ 2,244.15
5024-Dematteo Sanitary Service	\$ 2,184.21
5507-Norvac Services	\$ 2,024.56
5478-Tom Abraham Factory Homes	\$ 1,144.10
6172-RMF Design	\$ 742.18

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BACKGROUND:

ACCOUNTS REQUIRING COUNCIL APPROVAL:

5481-OK Sanitary Service

<u>Tip Fee</u>	<u>Finance Charge</u>	<u>Total</u>
\$27,588.87	\$12,191.03	\$39,780.00

This customer was granted credit privileges in September 1983 on the basis of a Dun & Bradstreet report indicating a clear history and a fair financial condition.

This company paid slow early in its relationship with Metro but was usually current until mid-1988. There was no response to demand letters sent December 2, 1988, and February 14, 1989, resulting in this account being referred to a collection agency March 8, 1989. The collection agency has collected \$1,917.06 on this account.

Based upon the referral to a collection agency and the slowly declining balance on this account, we recommend the Council recognize this loss at this time. If any additional funds are received from the collection agency, they will be considered a recovery to bad debt, consistent with generally accepted accounting principles.

5220-Will Helzer Sanitary Service

<u>Tip Fee</u>	<u>Finance Charge</u>	<u>Total</u>
\$8,255.55	\$3,591.10	\$11,846.65

Records for this account indicate activity back to July 1980.

In May of 1989 it was discovered this account was 91+ days past due and a certified demand letter to the company was sent. It was received and signed for by Joyce Helzer. Upon further investigation it was found that this company was sold to Metropolitan Disposal Corp in December 1988. A copy of that sales agreement was obtained. A call from Gary Dilley, son-in-law of Mr. Helzer, indicated that all proceeds of the sale went to the IRS to pay back taxes. He indicated Mr. Helzer is 72, retired and living on social security. Mr. Dilley suggested a negotiated settlement of approximately 24% of the outstanding balance. At that time the decision was made to pursue the full balance.

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In a memo dated July 11, 1989, the account was referred to Legal Counsel for action to sue for the full balance of the account. An additional demand letter was sent at the advice of Counsel July 20, 1989. No response was received from that letter. No assets were discovered justifying pursuit of the lawsuit.

Based upon the age of this account and the low probability of collection, we recommend the Council recognize this loss at this time.

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ACCOUNTS REPORTED TO COUNCIL:

5393-T.J. Sunde Drop Box Service

<u>Tip Fee</u>	<u>Finance Charge</u>	<u>Total</u>
\$4,674.16	\$3,113.00	\$7,787.16

This account was granted open credit privilege in May 1983 on the basis of a May 14, 1983, Dun & Bradstreet report indicating that the company was in business two years and maintained a clear payment history.

It appears the company developed a delinquency problem in late 1987 and was unresponsive to collection efforts. The account was referred to a collection agency March 8, 1989. This account should have been charged to loan losses at that time and any funds received from the collection agency booked as a recovery of a bad debt. The collection agency continues to work this account and from time to time forwards funds to be applied toward this balance.

Based upon the referral to a collection agency, we are recognizing our loss as this time.

5062-Multnomah Garbage Service

<u>Tip Fee</u>	<u>Finance Charge</u>	<u>Total</u>
\$5,997.82	\$1,353.20	\$7,351.02

This customer was granted credit in April 1980 as a Sole Proprietorship owned by Max J. Holenstein. Credit was granted on the basis of good trade references indicating prompt payment.

The company developed a history of late payments to Metro but always eventually paid. In May 1990 balances began growing and demand letters and phone calls were ignored by the customer. On June 26, 1990, the account was placed on cash only and on July 11, 1990, was denied access to facilities.

A July 16, 1990, a letter from Mr. Doyle C. Dahl, a lawyer representing Multnomah Garbage Service, and Max Holenstein indicated the IRS had filed liens against all of Mr. Holenstein's assets.

On the basis of this information, action was taken to recognize our loss on this account.

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6140-Pacific Tank Corp.

<u>Tip Fee</u>	<u>Finance Charge</u>	<u>Total</u>
\$6,558.18	\$ 0	\$6,558.18

This account was opened without credit application May 1990 by providing a cash down payment. This procedure has since been discontinued.

The account was not delinquent when we received a notice of Chapter 11 Bankruptcy filed September 30, 1990. A proof of claim in the bankruptcy was filed in a timely manner. A Motion for Authority to Sell Property Free and Clear of Liens and Notice of Hearing Thereon was received November 26, 1990. No apparent action was taken on that notice. It appears that this notice was notification of the sale of the only assets netting \$65,830.00 to the bankrupt estate. Pacific listed assets of \$949,000 and liabilities of \$1,137,000. Subsequent contact with the bankruptcy trustee indicates this account was converted to a Chapter 7 and the sale of assets fell through.

Based upon the unlikelihood of recovery, this account balance has been written off while we continue to pursue recovery through the bankruptcy courts. Because this account had no finance charges owing at the time of bankruptcy filing, the financing charges were incorrectly applied.

6076-SRH Associates

<u>Tip Fee</u>	<u>Finance Charge</u>	<u>Total</u>
\$4,617.46	\$692.70	\$5,310.16

This account was opened October 9, 1989, on the basis of a favorable Dun & Bradstreet report, trade references indicating prompt payment and a satisfactory bank report.

This account became delinquent in late 1989 and early 1990. The account reached a high balance of \$44,455.02 in March of 1990 at which time it was placed on cash only. The company indicated cash flow problems. A repayment program was initiated and maintained until December 1990. Frequent contact and promises to continue repayment failed to materialize. Ron Shubert, comptroller of the company, indicated early in October that the business was being taken over by employees and repayment would commence with the completion of this restructure. The employee purchase apparently took place as expected but the company is now unresponsive to messages left. This account will be referred to legal counsel to

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investigate the prudence of legal action or referred to a collection agency for their efforts in collection.

On the basis of this information, we are recognizing our loss at this time. Any funds received will be treated as a recovery of bad debt.

5567-Plew Drop Box & Recycling, Inc.

<u>Tip Fee</u>	<u>Finance Charge</u>	<u>Total</u>
\$4,144.67	\$470.19	\$4,614.86

This account was originally opened in April 1980 and ownership of the company changed hands several times as indicated by various credit applications on file. It appears that the decision to continue credit privileges to the latest stockholders was based upon the credit history of previous stock ownership. New ownership commenced October 1989.

In October 1990 the company became delinquent and on January 28, 1991, we received a letter indicating previous owners had repossessed assets and the company had gone out of business.

Upon the basis of this information, action was taken to recognize our loss on this account.

5758-Aaron Roofing & Construction, Inc.

<u>Tip Fee</u>	<u>Finance Charge</u>	<u>Total</u>
\$3,259.38	\$1,092.85	\$4,352.23

This customer was approved for credit May 24, 1988, on the basis of a positive Dun & Bradstreet credit report.

Delinquencies began in early 1989, and a subsequent Dun & Bradstreet report disclosed deteriorating payment habits. There were at least five letters and numerous phone calls to remedy the delinquency. The customer was placed on "cash only" August 14, 1989, and access was denied November 1, 1989.

On October 27, 1989, \$1,000 was received, reducing the balance owed to the tip fee amount listed above.

The account was referred to Metro counsel February 25, 1991. During the course of our obtaining judgment rights, we were notified of the company's petition for bankruptcy (Chapter 7) dated June 21, 1991. A review of the supporting schedules reveals \$4,692 in

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assets, \$6,104 in priority claims, and \$147,310 in unsecured claims (including our balance).

On the basis of this information, action was taken recognize our loss on this account.

6058-Southeast Roofing Supply Co.

<u>Tip Fee</u>	<u>Finance Charge</u>	<u>Total</u>
\$2,267.23	\$659.99	\$2,927.22

This customer was approved for credit September 12, 1989, on the basis of a positive TRW credit report.

The first collection letter was sent December 6, 1989, followed by phone calls and additional letters. They were placed on "cash only" January 9, 1990, and "access denied" February 22, 1990.

A small claims judgment was obtained October 24, 1990; however, no assets were located for attachment/garnishment at that time. The account was referred to Metro counsel February 25, 1991. The judgment was used to garnish a bank account; however, the reply from the bank stated that no funds were available.

Action was taken to recognize our loss on this account. It is our intention to take the proper steps to renew a contract with a collection agency and assign this account for their collection. Any future collection from their efforts will be treated as a recovery of bad debt.

5915-Dan Obrist Trucking

<u>Tip Fee</u>	<u>Finance Charge</u>	<u>Total</u>
\$2,058.87	\$185.28	\$2,244.15

This account was granted credit July 5, 1988, on the basis of a Dun & Bradstreet report that indicated a clear financial picture and prompt payment of trade debt.

The account paid generally as agreed until January 1991. At that time the company was doing a large government job and accrued tip fees in excess of \$180,000. They suffered delays in receiving payment for that job and were late paying the tip fees, accumulating finance charges. Mr. Obrist requested we waive the finance charges. We declined to do so. After being denied an appeal, Mr. Obrist has refused to pay the balance on this account.



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On the basis of the above information, action was taken to recognize our loss on this account. We will proceed against the company on a small claims action.

5024-Dematteo Sanitary Service

<u>Tip Fee</u>	<u>Finance Charge</u>	<u>Total</u>
\$1,383.45	\$ 780.01	\$2,163.46

This customer was approved for credit April 28, 1980, on the basis of excellent credit references indicating a very prompt payment history.

Delinquencies began in February 1988. The company was a sole proprietorship. Certified demand letters were sent and signed for by the owner. The company ceased business on July 11, 1988. No response was made to demand letters. A small claims action was filed and a payment program of \$200 a month was agreed upon by the owner in a mediation session September 24, 1990. The owner never paid the payments, therefore the settlement was converted to a judgment October 23, 1990.

On the basis of inability to locate assets to execute upon, action was taken to recognize our loss on this account.

5507-Norvac Services Inc.

<u>Tip Fee</u>	<u>Finance Charge</u>	<u>Total</u>
\$1,410.89	\$613.67	\$2,024.56

This account was granted credit in May 1986 on the basis of a positive Dun & Bradstreet report dated May 12, 1986.

The company became delinquent in mid-1988. A letter from the company, dated August 22, 1988, indicated they were experiencing financial difficulties and attempting to recapitalize the company. That letter was accompanied by a July 31, 1988, financial statement displaying a \$117,000 book overdraft and a \$379,000 negative net worth. Contact with a previous shareholder and creditor indicated that the business ceased in November 1988. A memo in file dated June 21, 1989, recommended prompt legal action.

Action was taken to recognize our loss on this account.

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5478-Tom Abraham Factory Homes

<u>Tip Fee</u>	<u>Finance Charge</u>	<u>Total</u>
\$773.93	\$370.17	\$1,144.10

This customer was granted credit privilege September 18, 1983, on the basis of a positive Dun & Bradstreet report.

The account began to become delinquent in April 1989. The customer was placed on cash only after ignoring a series of demand letters sent to them in June 1989. All subsequent attempts at contact have failed and several reports have been printed in trade journals indicating various fraud and breach of contract suits against this company.

August 17, 1989, contact with a John Barringer, who represents one of the plaintiffs of the law suits, explained that in addition to the various lawsuits we knew about, the State of Oregon was also suing Tom Abraham and Tom Abraham's Factory Homes. We have received information indicating that the State has appointed a "receiver" who is operating the business.

On the basis of this information, action has been taken to recognize our loss on this account.

6172-RMF Design

<u>Tip Fee</u>	<u>Finance Charge</u>	<u>Total</u>
\$684.94	\$57.24	\$742.18

This account was granted credit privileges July 24, 1990, on the basis of a satisfactory bank report, five years in business and trade credits reporting prompt satisfactory payment habits.

This account paid well until January 1991 when it continued to charge through March but stopped making payments. Attempts to contact the customer by phone were unsuccessful. Certified letters were signed for but no payment or contact was made. The account was placed on deny access. Further attempts to contact failed as the phone was disconnected with no new number. One of the principles, Robert Ficker, filed personal bankruptcy.

On the basis of the above information, action was taken to recognize our loss. This account will be referred to a collection agency for skip tracing and funds recovered will be treated as a recovery to bad debt.