



METRO

DATE: June 23, 1994
 MEETING: Metro Council
 DAY: Thursday
 TIME: 4:00 p.m.
 PLACE: Metro Council Chamber

Approx.
Time*

Presented
By

4:00

CALL TO ORDER/ROLL CALL

1. INTRODUCTIONS
2. CITIZEN COMMUNICATIONS TO THE COUNCIL ON NON-AGENDA ITEMS
3. EXECUTIVE OFFICER COMMUNICATIONS

4:05
 (5 min.)

4. CONSENT AGENDA (Action Requested: Motion to Adopt the Council Agenda)

4.1 Minutes of May 31, 1994

REFERRED FROM THE GOVERNMENTAL AFFAIRS COMMITTEE

- 4.2 **Resolution No. 94-1794**, For the Purpose of Accepting the May 17, 1994 Primary Election Abstract of Votes for Metro

REFERRED FROM THE REGIONAL FACILITIES COMMITTEE

- 4.3 **Resolution No. 94-1957**, For the Purpose of Authorizing the Executive Officer to Execute a One-Year Lease for the Warehouse at 2516 NW 29th, Portland, Oregon

5. ORDINANCES, SECOND READINGS

REFERRED FROM THE FINANCE COMMITTEE

4:10
 (10 min.)

- 5.1 **Ordinance No. 94-522B**, An Ordinance Amending the FY 1993-94 Budget and Appropriations Schedule For the Purpose of Funding Legislative Increases in Elected Officials Salaries and Other Personal Services Needs, and Declaring an Emergency PUBLIC HEARING (Action Requested: Motion to Adopt the Ordinance)

Monroe

4:20
 (10 min.)

- 5.2 **Ordinance No. 94-547**, An Ordinance Amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule For the Purpose of Reflecting Expenditure Increases Due to Delivered Tonnage in Excess of Budget Expectations, Costs Associated with Household Hazardous Waste Events and Shifts Coverage; and Declaring an Emergency PUBLIC HEARING (Action Requested: Motion to Adopt the Ordinance)

For assistance/services per the Americans with Disabilities Act (ADA), dial TDD 797-1804 or 797-1534 (Clerk)

* Times are approximate; items may not be considered in the exact order listed.

METRO COUNCIL AGENDA

June 23, 1994

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5. ORDINANCES, SECOND READINGS (Continued)

- 4:30 (10 min.) **5.3 Ordinance No. 94-548**, An Ordinance Amending the FY 1993-94 Budget and Appropriations Schedule For the Purpose of Funding Salary and Fringe for the Office of Government Relations; and Declaring an Emergency PUBLIC HEARING (Action Requested: Motion to Adopt the Ordinance) Gardner
- 4:40 (10 min.) **5.4 Ordinance No. 94-550**, An Ordinance Amending the FY 1993-94 Budget and Appropriations Schedule to Revise the Regional Parks and Expo Fund Budget to Reflect the January 1, 1994, Transfer of Operations, and Declaring an Emergency PUBLIC HEARING (Action Requested: Motion to Adopt the Ordinance) Devlin/
Gates
- 4:50 (10 min.) **5.5 Ordinance No. 94-552**, Amending the FY 1993-94 Budget and Appropriations Schedule For the Purpose of Transferring \$31,000 from the Zoo Operating Fund, Facilities Management Division Capital Outlay to the Facilities Management Division Materials and Services to Fund the Purchase of Higher than Expected Utility Costs, and Declaring an Emergency PUBLIC HEARING (Action Requested: Motion to Adopt the Ordinance) Kvistad/
Washington
- 5:00 (10 min.) **5.6 Ordinance No. 94-553**, An Ordinance Amending the FY 1993-94 Budget and Appropriations Schedule For the Purpose of Funding Outside Counsel Opinion Regarding Contract Authority; and Declaring an Emergency PUBLIC HEARING (Action Requested: Motion to Adopt the Ordinance)
- 5:10 (20 min.) **5.7 Ordinance No. 94-535A**, For the Purpose of Adopting the Annual Budget for Fiscal Year 1994-95, Making Appropriations and Levying Ad Valorem Taxes; and Declaring an Emergency PUBLIC HEARING (Action Requested: Motion to Adopt the Ordinance) Monroe

6. RESOLUTIONS

REFERRED FROM THE PLANNING COMMITTEE

- 5:30 (10 min.) **6.1 Resolution No. 94-1964**, For the Purpose of Adopting the FY 1995 to Post-1998 Transportation Improvement Program and the FY 1995 Through 1997 Three-Year Approved Program (Action Requested: Motion to Adopt the Resolution) Monroe

REFERRED FROM THE SOLID WASTE COMMITTEE

- 5:40 (10 min.) **6.2 Resolution No. 94-1940A**, For the Purpose of Supporting Programs to Improve the Collection and Recycling of Rigid Plastic Containers (Action Requested: Motion to Adopt the Resolution) Monroe

REFERRED FROM THE REGIONAL FACILITIES COMMITTEE

- 5:50 (10 min.) **6.3 Resolution No. 94-1970**, For the Purpose of Confirming Appointments to the Greenspaces Policy Advisory Committee (Action Requested: Motion to Adopt the Resolution) Moore

METRO COUNCIL AGENDA

June 23, 1994

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6. RESOLUTIONS (Continued)

REFERRED FROM THE GOVERNMENTAL AFFAIRS COMMITTEE &
BEFORE THE CONTRACT REVIEW BOARD (6.4)

- | | | |
|-------------------|--|------------|
| 6:00
(10 min.) | 6.4 Resolution No. 94-1963 , For the Purpose of Waiving and Postponing a Competitive RFP Process and Extending Metro Contract No. 902675 with Howard Johnson & Company and Rainier Trust for Administrative Record Keeping and Trust Services for the Metro Employee Salary Savings Plan (Action Requested: Motion to Adopt the Resolution) | Van Bergen |
| 6:10
(10 min.) | 6.5 Resolution No. 94-1996 , For the Purpose of Amending the Contract with Harrang, Long, Gary, Rudnick P.C. for Legal Services on Council Contracting Authority (Action Requested: Motion to Adopt the Resolution) | Van Bergen |
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(10 min.) | 6.6 Resolution No. 94-1997 , For the Purpose of Recommending A and B Contract Designations for the Personnel and Executive Management Departments (Action Requested: Motion to Adopt the Resolution) | Van Bergen |

REFERRED FROM THE FINANCE COMMITTEE

- | | | |
|-------------------|--|------------|
| 6:30
(10 min.) | 6.7 Resolution No. 94-1959 , For the Purpose of Amending Personal Services Agreement 902953 Between Metro and Public Financial Management, Inc., to Increase the Maximum Compensation and to Add Projects to the Scope of Work (Action Requested: Motion to Adopt the Resolution) | Van Bergen |
|-------------------|--|------------|

6:40 (10 min.) **7. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS**

6:50 **ADJOURN**

REVISED AGENDA: Agenda Item Nos. 3.1, 5.8 and 8.1
 have been added.



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1. INTRODUCTIONS
2. CITIZEN COMMUNICATIONS TO THE COUNCIL ON NON-AGENDA ITEMS
3. EXECUTIVE OFFICER COMMUNICATIONS
 - 3.1 Presentation of Certificates of Appreciation to David Douglas High School Ecology Club

4:15
 (5 min.)

4. CONSENT AGENDA (Action Requested: Motion to Adopt the Council Agenda)
 - 4.1 Minutes of May 31, 1994

REFERRED FROM THE GOVERNMENTAL AFFAIRS COMMITTEE

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ADDITIONAL/NEW ITEM: EMERGENCY ORDINANCE

- 5.8 Ordinance No. 94-558**, An Ordinance Amending the FY 1993-94 Budget and Appropriations Schedule to Fund Increased Civic Stadium Personal Services Requirements for the Promise Keepers Event, and Declare an Emergency

6. RESOLUTIONS

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- 6:50
(10 min.) **7.** **COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS**

8. **NON-REFERRED RESOLUTIONS**

- 7:00
(10 min.) **8.1** **Resolution No. 94-2000**, For the Purpose of Making Appointments to Council Standing Committees (Action Requested: Motion to Adopt the Resolution)

- 7:10 **ADJOURN**

Meeting Date: June 23, 1994
Agenda Item No. 4.1

MINUTES

MINUTES OF THE METRO COUNCIL

May 31, 1994

Council Chamber

Councilors Present: Presiding Officer Judy Wyers, Deputy Presiding Officer Ed Washington, Richard Devlin, Jim Gardner, Mike Gates, Sandi Hansen, Jon Kvistad, Ruth McFarland, Susan McLain, Rod Monroe, Terry Moore and George Van Bergen

Councilors Absent: Roger Buchanan

Presiding Officer Wyers called the special meeting to order at 5:45 p.m.

1. EXECUTIVE SESSION - Held pursuant to ORS 192.660(1)(f) to consider records that are exempt by law from public inspection, specifically, written records of attorney-client communications with Council's outside legal counsel employed to advise the Council regarding its authority under the 1992 Metro Charter

The Executive Session began at 5:45 p.m.

Councilors present: Councilors Devlin, Gardner, Gates, Hansen, Kvistad, McFarland, McLain, Monroe, Moore, Van Bergen, Washington and Wyers.

Staff present: Don Carlson, Council Administrator.

Also present: Gordon Oliver, The Oregonian; and Bill Gary and Jim Mountain of Harrang Long Gary & Rudnick.

The Executive Session ended at 8:39 p.m.

Presiding Officer Wyers asked if it would be possible to review the issues discussed at this meeting at the regular June 9 Council meeting. Mr. Gary said he would be in trial that date.

Councilor Devlin asked if the Council would have a non-referred resolution for consideration at the June 9 Council meeting.

Presiding Officer Wyers said there should be two resolutions before the Council for their consideration. Councilor Monroe concurred. He said one could represent Councilor Devlin's point of view and one could express Councilor Van Bergen's point of view and that both could be amended if necessary.

Councilor McLain said Councilors who would have voted one way in March on the amendment to Metro's contract with Oregon Waste Management, Inc. (OWS) might vote differently now. She asked if all of the Council had received all information available on the amendment at the time and all information current the date of this meeting. Mr. Carlson said John Houser, Senior Council Analyst, would provide all pertinent data to the Council.

Councilor Gates asked what would occur at the Council meeting June 9. Mr. Carlson said two resolutions would be produced based on option nos. 3 and 6 as provided by Mr. Gary.

Councilor Kvistad said he preferred option no. 6 because it focussed on the separation of powers issue. Councilor Moore said she preferred no. 3.

METRO COUNCIL

May 31, 1994

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Councilor Devlin said the resolution(s) should be crafted to demonstrate that the contract amendment was such that it had to be approved by Council.

Mr. Carlson asked if the memo distributed by legal counsel for the Executive Session was now available for public dissemination. Mr. Gary said it should be considered information exempt from public access per The Public Records and Meetings Manual.

Presiding Officer Wyers adjourned the special meeting at 8:50 p.m.

Respectfully submitted,

Paulette Allen
Clerk of the Council
MCMIN94.151

Meeting Date: June 23, 1994
Agenda Item No. 4.2

RESOLUTION NO. 94-1794

GOVERNMENTAL AFFAIRS COMMITTEE REPORT

RESOLUTION NO. 94-1974, ACCEPTING THE MAY 17, 1994 PRIMARY
ELECTION ABSTRACT OF VOTES FOR METRO

Date: June 15, 1994

Presented by: Councilor Gates

COMMITTEE RECOMMENDATION: At its June 14, 1994 meeting the Governmental Affairs Committee voted 3-0 to recommend Council adoption of Resolution No. 94-1974. Voting in favor were Councilors Gates, Buchanan, and Van Bergen. Councilor Wyers was absent.

COMMITTEE DISCUSSION/ISSUES: Council Analyst Casey Short presented the staff report, saying that state law requires the Council formally to accept the results of Metro elections. There was no committee discussion.



METRO

DATE: June 8, 1994
TO: Metro Council
FROM: Paulette Allen, Clerk of the Council *PA*
RE: METRO VOTE ABSTRACTS FOR MAY 17, 1994 PRIMARY ELECTION

Attached is a resolution accepting the abstract of votes from Clackamas, Multnomah and Washington Counties for the May 17, 1994 primary election.

Per ORS ch. 255.295, Metro has 30 days to process the abstracts from the date of receipt and notify Multnomah County Elections that it has certified the election results. Resolution No. 94-1974 has been prepared for Governmental Affairs Committee consideration on June 14 and Council consideration June 23 to comply with those deadlines.

255.240 [Repealed by 1957 c.608 §231]

255.241 [1957 c.608 §200; 1961 c.532 §2; 1969 c.83 §2; 1971 c.94 §5; 1975 c.766 §13; 1977 c.364 §2; repealed by 1979 c.190 §431]

255.245 Nomination to fill vacancy that occurs after time for regular nomination; Secretary of State to adopt rules. If a vacancy occurs in the office of district board member within such time that a candidate for the vacancy could not be nominated under the procedures of this chapter before the regular district election, the Secretary of State by rule shall provide a nominating schedule when practicable so that candidates' names may be printed on the regular election ballot. With regard to this vacancy, requirements of publication of notice and sample ballots may be waived. The rule shall require notice of the vacancy and nominating procedure to the district electors by the most reasonable and expeditious means practicable under the circumstances, including but not limited to single publication in a newspaper of general circulation in the district. [Formerly 259.075]

255.250 [Amended by 1955 c.96 §2; repealed by 1957 c.608 §231]

255.260 [Repealed by 1957 c.608 §231]

CONDUCT OF ELECTIONS

255.265 Printing of proposed district measure in voters' pamphlet; filing; fees; "district" defined. (1) For the purpose of this section, "district" means:

(a) A mass transit district organized under ORS 267.010 to 267.390;

(b) A metropolitan service district organized under ORS chapter 268;

(c) A port organized under ORS 777.005 to 777.725 and 777.915 to 777.953; and

(d) The Port of Portland established by ORS 778.010.

(2) The Secretary of State shall print in the primary or general election voters' pamphlet any district measure, and any information appearing on the ballot relating to the measure, if the district election authority, not later than the 70th day before the primary or general election, files the measure and other information with the secretary, and if the time for filing a petition for judicial review of the ballot title under ORS 255.155 has passed. The district shall pay to the Secretary of State the cost of including the measure and other information in the pamphlet as determined by the secretary. [Formerly 259.045; 1981 c.173 §35; 1987 c.267 §55]

255.275 Consolidated use of election supplies. The county clerk, when practical, shall use the same election notices, election boards, polling places, official and sample ballots, poll books, equipment and materials

necessary for the conduct of the elections. [Formerly 259.220]

255.285 Combining of election precincts. The county clerk may combine precincts for any district election not later than the 30th day before the election. [Formerly 259.120; 1985 c.471 §12]

255.288 Methods of providing map of proposed boundaries for election on boundary question. At any election in which the question of establishing or changing the exterior boundaries of a district or the question of establishing or changing boundaries of electoral zones or subdistricts within a district is submitted to a vote, the election officer shall provide a map indicating the proposed boundaries. The election officer shall provide the map by:

(1) Posting the map in each voting compartment or by each shelf or table, within view of the elector;

(2) Printing the map in any voters' pamphlet prepared for the district election and making the voters' pamphlet available at each polling place; or

(3) Mailing the map with the ballot in an election conducted by mail if the county does not produce a voters' pamphlet for the election. [1983 c.350 §74; 1993 c.493 §47]

255.291 Ballot to state position or zone number of candidate. In a district in which a position or zone number is assigned to each office on the district board, the ballot shall state the position or zone number of the office to which the candidate seeks election. The candidate's name shall appear on the ballot only for the designated position or zone. [1983 c.350 §79]

255.295 Preparing abstract; notification of results. (1) Not later than the 20th day after the date of an election held on the same day as a primary or general election, or not later than the 10th day after an election held on any other day, the county clerk shall prepare an abstract of the votes and deliver it to the district election authority. Not later than the 30th day after receiving the abstract the district election authority shall determine from it the result of the election.

(2) A certificate of election shall be issued by the county clerk only after the district election authority has notified the county clerk in writing of the result of the election. The notification to the county clerk shall contain a statement indicating whether any candidate elected to district office is qualified to hold the office. [Formerly 259.200; 1989 c.221 §1; 1993 c.493 §102]

255.305 Expenses paid by district; apportionment of expenses. (1) Except as

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ACCEPTING)	RESOLUTION NO. 94-1974
THE MAY 17, 1994 PRIMARY)	
ELECTION ABSTRACT OF VOTES FOR)	Introduced by the
METRO)	Governmental Affairs
)	Committee

WHEREAS, A Primary Election was held in the State of Oregon on May 17, 1994; and

WHEREAS, The positions of Metro Executive Officer, Metro Auditor and Metro Councilors representing Districts 1, 2, 3, 4, 5, 6 and 7 appeared on the Primary Election ballot; and

WHEREAS, ORS Ch. 255.295 requires that Metro shall determine the result of the election within 30 days upon receipt of the abstract of votes and notify the Multnomah County Elections Division of same; and

WHEREAS, The Multnomah and Washington County abstracts were received by Metro on June 2, 1994; and

WHEREAS, The Clackamas County abstracts were received by Metro on June 6, 1994; and

WHEREAS, Metro must acknowledge receipt by or on the 30th day of receiving said abstracts; now, therefore,

BE IT RESOLVED,

1. That the Metro Council hereby accepts the results of the May 17, 1994, Primary Election, relating to the Metro Executive Officer, Metro Auditor and Metro Council races.

2. That the voters of the Metro region have nominated Mike Burton and Bonnie L. Hays as candidates for Metro Executive Officer at the General Election to be held November 8, 1994.

3. That the voters of the Metro region have elected Alexis Dow to the position of Metro Auditor.

4. That the voters of Metro District 1 have nominated Ruth McFarland and Robert A. Morris as candidates for Metro Councilor at the General Election to be held November 8, 1994.

5. That the voters of Metro District 2 have nominated Don Morrisette and Ralph Groener as candidates for Metro Councilor at the General Election to be held November 8, 1994.

6. That the voters of Metro District 3 have elected Jon Kvistad to the position of Metro Councilor.

7. That the voters of Metro District 4 have nominated Susan McLain and Kevin Cappuzzi as candidates for Metro Councilor at the General Election to be held November 8, 1994.

8. That the voters of Metro District 5 have nominated Ed Washington and Jeffrey L. Rogers as candidates for Metro Councilor at the General Election to be held November 8, 1994.

7. That the voters of Metro District 6 have elected Rod Monroe to the position of Metro Councilor.

8. That the voters of Metro District 7 have nominated Patricia McCaig and Judy Wyers as candidates for Metro Councilor at the General Election to be held November 8, 1994.

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

Judy Wyers, Presiding Officer

CLACKAMAS COUNTY, OREGON
PRIMARY ELECTION
MAY 17, 1994

John Kauffman

* I CERTIFY THAT THE VOTES RECORDED ON THIS ABSTRACT CORRECTLY * BY : * DATE OF ABSTRACT : *
* SUMMARIZE THE RESULT OF VOTES CAST AT THE ELECTION INDICATED. * * JUN 2 1994 *

METRO - EXECUTIVE OFFICE

- A -- KEN GERVAIS
- B -- BONNIE L HAYS
- C -- MIKE BURTON
- D -- MIKE RAGSDALE

pct code	A	B	C	D	over	under	total
0001	42	86	116	76	1	116	437
0002	49	91	99	105	4	133	481
0003	34	79	115	63	5	157	453
0005	20	48	62	30	2	89	251
0006	39	98	106	94	1	166	504
0007	46	129	157	115	3	224	674
0008	38	74	87	57	2	120	378
0009	14	47	53	35	1	80	230
0010	0	0	2	0	0	1	3
0031	6	52	42	37	2	91	230
0032	20	57	29	35	3	70	214
0033	56	133	115	77	3	208	592
0034	59	121	123	92	4	152	551
0037	15	33	40	25	0	49	162
0038	26	88	79	51	0	155	399
0039	44	93	94	71	0	133	435
0051	34	89	106	100	1	113	443
0053	31	66	105	57	1	108	368
0054	32	75	102	60	1	96	366
0056	32	73	81	50	2	93	331
0057	42	90	117	93	3	142	487
0058	34	74	83	52	0	92	335
0060	45	97	81	78	1	164	466
0062	50	126	111	77	0	165	529
0063	37	92	117	76	1	145	468
0064	34	112	113	61	2	164	486
0090	0	0	0	0	0	0	0
0091	6	14	13	7	1	11	52
0092	7	12	7	9	0	11	46
0093	7	15	21	13	0	21	77
0094	0	1	1	0	0	1	3
0095	0	0	0	0	0	0	0
0096	51	127	123	100	2	203	606
0130	40	98	100	53	0	104	395
0131	43	121	111	79	1	118	473
0132	23	88	100	65	1	98	375
0133	28	68	93	65	0	104	358
0134	19	53	59	40	1	68	240
0135	36	115	97	47	0	98	393
0136	34	99	92	78	1	121	425
0137	0	0	1	2	0	1	4

CLACKAMAS COUNTY, OREGON
PRIMARY ELECTION
MAY 17, 1994

* I CERTIFY THAT THE VOTES RECORDED ON THIS ABSTRACT CORRECTLY * BY : *John Kauffman* * DATE OF ABSTRACT : *
* SUMMARIZE THE RESULT OF VOTES CAST AT THE ELECTION INDICATED. * * JUN 2 1994 *

METRO - EXECUTIVE OFFICE

- A -- KEN GERVAIS
- B -- BONNIE L HAYS
- C -- MIKE BURTON
- D -- MIKE RAGSDALE

pct code	A	B	C	D	over	under	total
0138	46	107	96	70	2	100	421
0139	31	92	106	66	2	133	430
0140	23	63	73	46	0	63	268
0151	38	123	120	118	3	150	552
0152	31	128	89	81	0	123	452
0153	31	111	87	77	1	110	417
0154	21	67	54	42	1	57	242
0155	40	135	159	89	2	180	605
0157	9	60	41	35	1	53	199
0158	42	101	98	87	1	123	452
0159	42	165	118	106	0	146	577
0160	39	133	89	71	0	115	447
0161	6	20	20	17	0	23	86
0162	36	137	94	88	0	128	483
0163	30	119	117	79	1	132	478
0164	31	107	95	72	2	119	426
0165	13	107	94	75	1	124	414
0166	28	123	110	111	3	128	503
0167	32	98	73	73	2	87	365
0168	9	38	33	29	0	39	148
0169	19	57	41	42	1	54	214
0201	23	65	46	31	0	75	240
0202	33	101	90	60	0	116	400
0203	55	160	95	121	2	189	622
0204	50	149	101	105	2	150	557
0205	18	51	40	31	2	70	212
0206	17	80	47	31	2	94	271
0251	0	2	0	0	0	1	3
0252	31	120	63	52	1	137	404
0300	28	69	61	49	1	110	318
0301	27	56	52	37	0	82	254
0303	24	93	73	48	0	80	318
0304	28	77	91	52	1	84	333
0305	2	10	6	15	0	7	40
0306	4	3	7	2	0	7	23
0312	11	34	23	19	0	29	116
0313	24	61	60	50	1	91	287
0326	24	63	76	43	0	77	283
0327	39	94	79	75	1	118	406
0328	3	11	5	2	0	22	43
0390	25	41	58	39	2	98	263

CLACKAMAS COUNTY, OREGON
PRIMARY ELECTION
MAY 17, 1994

* I CERTIFY THAT THE VOTES RECORDED ON THIS ABSTRACT CORRECTLY * BY : *John Kauffman* * DATE OF ABSTRACT : *
* SUMMARIZE THE RESULT OF VOTES CAST AT THE ELECTION INDICATED. * * JUN 2 1994 *

METRO - EXECUTIVE OFFICE

- A -- KEN GERVAIS
- B -- BONNIE L HAYS
- C -- MIKE BURTON
- D -- MIKE RAGSDALE

pct code	A	B	C	D	over	under	total
0391	16	45	50	26	0	101	238
0393	30	50	63	43	1	106	293
0394	30	62	79	41	2	129	343
0401	22	60	59	45	0	103	289
0403	21	47	58	45	0	82	253
0405	42	68	58	41	3	123	335
0407	18	31	32	15	0	72	168
0411	50	104	137	81	1	222	595
0412	49	64	95	53	4	123	388
0413	24	59	74	36	1	86	280
0414	15	47	67	30	2	88	249
0422	8	27	15	11	0	32	93
0441	9	29	23	13	0	30	104
0442	44	91	82	58	0	114	389
0443	37	88	86	65	1	146	423
0444	43	75	82	70	1	143	414
0445	26	85	82	49	3	112	357
0451	22	59	40	35	2	106	264
0452	24	41	58	35	0	63	221
0453	45	102	109	85	3	119	463
0454	43	75	102	62	1	154	437
0456	6	25	31	24	0	34	120
0475	42	96	107	79	1	165	490
0478	32	81	88	67	3	114	385
0480	27	79	95	43	2	128	374
0481	21	78	68	52	0	59	278
0490	0	0	0	0	0	2	2
0491	7	25	37	26	2	25	122
0492	0	6	10	5	1	10	32
0503	40	89	108	77	0	185	499
0505	45	112	122	107	1	197	584
0506	16	67	61	53	2	72	271
0507	25	96	75	69	3	99	367
0521	26	82	93	61	0	114	376
0522	25	71	45	58	3	117	319
0523	17	41	53	32	0	56	199
0525	34	94	117	65	1	119	430
0526	36	114	121	80	2	152	505
0530	35	91	106	100	4	191	527
0531	33	95	109	56	1	144	438
0532	25	71	71	42	0	90	299

CLACKAMAS COUNTY, OREGON
 PRIMARY ELECTION
 MAY 17, 1994

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METRO - EXECUTIVE OFFICE

- A -- KEN GERVAIS
- B -- BONNIE L HAYS
- C -- MIKE BURTON
- D -- MIKE RAGSDALE

pct code	A	B	C	D	over	under	total
0533	23	96	105	63	1	125	413
0538	22	74	69	57	1	110	333
0549	34	63	60	57	0	95	309
0550	46	119	128	86	3	175	557
0551	29	89	122	82	0	126	448
0552	18	108	110	53	1	150	440
0553	18	36	48	40	0	56	198
0555	42	120	142	93	1	180	578
0560	23	76	98	63	0	173	433
0561	8	28	34	28	1	62	161
0562	2	7	12	3	0	8	32
0563	20	68	61	64	0	101	314
0565	0	0	0	0	0	0	0
0568	6	12	26	13	0	23	80
0569	2	6	4	3	0	4	19
0587	2	13	11	8	0	30	64
TOTAL	3,641	10,002	10,031	7,309	147	13,754	44,884

METRO EXECUTIVE OFFICER
 MISCELLANEOUS WRITE-INS 1

CLACKAMAS COUNTY, OREGON
PRIMARY ELECTION
MAY 17, 1994

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* SUMMARIZE THE RESULT OF VOTES CAST AT THE ELECTION INDICATED. * * * * *

* * * * *
* * * * *

METRO - AUDITOR
A -- ALEXIS DOW
B -- HANK MIGGINS

pct code	A	B	over	under	total
0001	128	122	0	187	437
0002	152	109	1	219	481
0003	133	97	2	221	453
0005	68	58	0	125	251
0006	144	106	1	253	504
0007	201	163	3	307	674
0008	115	88	2	173	378
0009	59	61	0	110	230
0010	0	0	0	3	3
0031	64	42	0	124	230
0032	54	57	0	103	214
0033	166	133	0	293	592
0034	159	144	2	246	551
0037	55	42	1	64	162
0038	115	68	0	216	399
0039	134	105	0	196	435
0051	146	109	1	187	443
0053	100	104	0	164	368
0054	123	82	2	159	366
0056	119	85	1	126	331
0057	144	113	1	229	487
0058	95	76	0	164	335
0060	127	110	1	228	466
0062	150	121	0	258	529
0063	147	120	1	200	468
0064	144	105	0	237	486
0090	0	0	0	0	0
0091	20	12	0	20	52
0092	18	10	0	18	46
0093	22	14	0	41	77
0094	2	0	0	1	3
0095	0	0	0	0	0
0096	182	127	1	296	606
0130	132	89	1	173	395
0131	167	122	1	183	473
0132	126	88	1	160	375
0133	111	77	0	170	358
0134	81	54	0	105	240
0135	117	81	0	195	393
0136	138	83	0	204	425
0137	2	1	0	1	4
0138	150	90	1	180	421
0139	153	78	0	199	430

CLACKAMAS COUNTY, OREGON
 PRIMARY ELECTION
 MAY 17, 1994

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METRO - AUDITOR
 A -- ALEXIS DOW
 B -- HANK MIGGINS

pct code	A	B	over	under	total
0140	102	48	0	118	268
0151	185	105	1	261	552
0152	140	99	0	213	452
0153	154	73	0	190	417
0154	99	50	0	93	242
0155	204	112	1	288	605
0157	82	43	0	74	199
0158	156	85	1	210	452
0159	197	107	0	273	577
0160	192	76	0	179	447
0161	25	24	0	37	86
0162	173	94	0	216	483
0163	176	83	0	219	478
0164	152	75	0	199	426
0165	147	80	1	186	414
0166	167	117	3	216	503
0167	148	63	0	154	365
0168	61	25	0	62	148
0169	79	41	0	94	214
0201	76	54	0	110	240
0202	125	93	0	182	400
0203	192	98	2	330	622
0204	176	112	1	268	557
0205	61	42	1	108	212
0206	84	47	1	139	271
0251	2	0	0	1	3
0252	126	65	0	213	404
0300	104	62	0	152	318
0301	75	55	0	124	254
0303	122	67	1	128	318
0304	119	73	1	140	333
0305	15	11	0	14	40
0306	7	6	0	10	23
0312	38	21	0	57	116
0313	92	49	0	146	287
0326	86	66	0	131	283
0327	119	87	0	200	406
0328	12	5	0	26	43
0390	72	52	1	138	263
0391	58	47	0	133	238
0393	75	69	0	149	293
0394	91	67	0	185	343
0401	84	63	0	142	289

CLACKAMAS COUNTY, OREGON
PRIMARY ELECTION
MAY 17, 1994

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METRO - AUDITOR
A -- ALEXIS DOW
B -- HANK MIGGINS

pct code	A	B	over	under	total
0403	74	60	0	119	253
0405	94	79	0	162	335
0407	37	43	0	88	168
0411	163	104	1	327	595
0412	111	94	1	182	388
0413	88	59	0	133	280
0414	64	59	1	125	249
0422	28	24	0	41	93
0441	39	23	0	42	104
0442	143	95	0	151	389
0443	124	103	0	196	423
0444	131	84	1	198	414
0445	127	82	2	146	357
0451	78	58	0	128	264
0452	56	59	1	105	221
0453	152	118	1	192	463
0454	112	100	0	225	437
0456	33	28	0	59	120
0475	137	110	0	243	490
0478	117	92	1	175	385
0480	112	88	2	172	374
0481	96	80	0	102	278
0490	0	0	0	2	2
0491	45	33	2	42	122
0492	11	6	0	15	32
0503	163	93	0	243	499
0505	190	125	0	269	584
0506	85	68	0	118	271
0507	119	91	0	157	367
0521	111	88	0	177	376
0522	113	62	1	143	319
0523	60	41	0	98	199
0525	142	102	0	186	430
0526	182	104	0	219	505
0530	172	97	2	256	527
0531	142	95	0	201	438
0532	98	65	1	135	299
0533	139	85	0	189	413
0538	101	61	0	171	333
0549	94	78	1	136	309
0550	156	130	1	270	557
0551	149	105	0	194	448
0552	135	96	0	209	440

CLACKAMAS COUNTY, OREGON
PRIMARY ELECTION
MAY 17, 1994

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METRO - AUDITOR
A -- ALEXIS DOW
B -- HANK MIGGINS

pct code	A	B	over	under	total
0553	62	54	0	82	198
0555	168	127	1	282	578
0560	116	81	0	236	433
0561	41	30	1	89	161
0562	8	10	0	14	32
0563	101	84	0	129	314
0565	0	0	0	0	0
0568	23	17	0	40	80
0569	9	4	0	6	19
0587	13	10	0	41	64
TOTAL	14,177	9,741	60	20,906	44,884

METRO AUDITOR
MISCELLANEOUS WRITE-INS 2

CLACKAMAS COUNTY, OREGON
 PRIMARY ELECTION
 MAY 17, 1994

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METRO (2) - COUNCILOR ZONE 2

- A -- ED GRONKE
- B -- RALPH GROENER
- C -- DON MORISSETTE
- D -- JAMES R WALKER

pct code	A	B	C	D	over	under	total
0001	32	192	95	35	5	78	437
0002	30	176	128	43	7	97	481
0003	27	141	123	35	1	126	453
0005	12	81	79	9	1	69	251
0006	26	222	136	23	5	92	504
0007	44	281	183	35	8	123	674
0008	31	116	108	34	2	87	378
0009	11	71	59	22	3	64	230
0010	0	0	1	0	0	2	3
0031	14	97	52	11	3	53	230
0032	15	93	45	10	4	47	214
0033	39	173	197	32	6	145	592
0034	29	230	123	51	6	112	551
0037	13	47	59	9	1	33	162
0038	27	95	125	26	0	126	399
0039	23	109	167	30	1	105	435
0090	0	0	0	0	0	0	0
0094	0	1	1	0	0	1	3
0096	40	132	225	36	3	170	606
0130	39	136	103	34	4	79	395
0131	49	172	145	32	3	72	473
0132	18	135	115	34	3	70	375
0133	29	105	118	24	2	80	358
0134	22	82	74	13	0	49	240
0135	44	111	142	22	2	72	393
0136	24	118	151	32	5	95	425
0137	0	1	2	0	0	1	4
0138	43	98	151	34	4	91	421
0139	40	101	137	38	4	110	430
0140	25	92	81	17	2	51	268
0151	56	105	196	40	8	147	552
0152	42	93	170	29	9	109	452
0153	33	95	157	29	6	97	417
0154	30	42	100	19	2	49	242
0155	58	127	218	43	8	151	605
0157	24	37	80	23	0	35	199
0158	58	89	159	32	8	106	452
0159	36	116	236	56	7	126	577
0160	27	81	189	51	4	95	447
0161	5	22	28	10	0	21	86
0162	43	120	178	28	4	110	483

CLACKAMAS COUNTY, OREGON
PRIMARY ELECTION
MAY 17, 1994

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METRO (2) - COUNCILOR ZONE 2

- A -- ED GRONKE
- B -- RALPH GROENER
- C -- DON MORISSETTE
- D -- JAMES R WALKER

pct code	A	B	C	D	over	under	total
0163	33	90	203	29	9	114	478
0164	41	64	193	21	5	102	426
0165	30	80	153	36	4	111	414
0166	40	110	201	33	10	109	503
0167	32	76	141	36	5	75	365
0168	9	44	50	13	3	29	148
0169	27	37	87	17	3	43	214
0300	27	74	98	19	1	99	318
0301	11	72	76	23	3	69	254
0303	16	28	64	15	0	33	156
0304	40	108	81	33	1	70	333
0305	3	10	15	3	0	9	40
0306	3	10	3	1	0	6	23
0312	10	30	43	9	1	23	116
0313	16	30	58	14	3	53	174
0326	31	86	93	9	4	60	283
0327	30	95	132	30	2	117	406
0328	2	7	16	3	0	15	43
0390	11	48	71	28	2	103	263
0391	7	35	68	23	1	104	238
0393	12	50	111	22	0	98	293
0394	22	68	87	27	5	134	343
0401	17	39	90	33	2	108	289
0403	16	46	83	28	0	80	253
0405	16	52	105	34	5	123	335
0407	14	24	35	26	0	69	168
0411	31	130	175	25	3	162	526
0412	19	105	131	24	1	108	388
0413	22	67	94	15	2	80	280
0414	14	38	101	21	2	73	249
0422	7	17	33	8	0	28	93
0441	7	22	36	7	1	29	104
0442	29	84	150	24	9	93	389
0443	27	86	125	48	1	136	423
0444	29	90	143	35	3	114	414
0445	18	88	127	27	6	91	357
0451	1	1	2	0	0	5	9
0454	0	0	0	0	0	0	0
0475	18	84	110	19	0	108	339
0480	12	116	115	25	6	100	374
0490	0	0	0	0	0	2	2

CLACKAMAS COUNTY, OREGON
 PRIMARY ELECTION
 MAY 17, 1994

John Kauffman

 * I CERTIFY THAT THE VOTES RECORDED ON THIS ABSTRACT CORRECTLY * BY : * DATE OF ABSTRACT : *
 * SUMMARIZE THE RESULT OF VOTES CAST AT THE ELECTION INDICATED. * * JUN 2 1994 *

METRO (2) - COUNCILOR ZONE 2
 A -- ED GRONKE
 B -- RALPH GROENER
 C -- DON MORISSETTE
 D -- JAMES R WALKER

pct code	A	B	C	D	over	under	total
0491	8	31	46	13	2	22	122
0492	2	9	7	3	0	11	32
0503	32	142	140	33	7	145	499
0505	37	183	184	41	7	132	584
0506	14	71	99	23	6	58	271
0507	23	117	107	32	2	86	367
0521	14	124	103	31	1	103	376
0522	30	72	99	22	5	91	319
0523	9	45	91	11	1	42	199
0525	28	151	138	29	1	83	430
0526	31	148	177	34	4	111	505
0530	32	148	138	39	5	165	527
0531	23	150	123	28	2	112	438
0532	21	86	98	26	3	65	299
0533	29	131	115	24	4	110	413
0538	20	106	105	24	4	74	333
0549	15	102	92	26	4	70	309
0550	39	175	155	55	5	128	557
0551	48	148	125	33	6	93	453
0552	25	134	128	27	4	122	440
0553	8	53	68	17	1	51	198
0555	39	185	163	43	3	145	578
0560	22	134	115	27	2	133	433
0561	14	47	41	14	2	43	161
0562	3	13	5	1	0	10	32
0563	17	99	98	25	2	73	314
0565	0	0	0	0	0	0	0
0568	3	32	13	4	2	26	80
0569	1	9	4	2	0	3	19
0587	5	20	20	3	0	16	64
TOTAL	2,500	9,541	11,332	2,616	329	8,754	35,072

CLACKAMAS COUNTY, OREGON
PRIMARY ELECTION
MAY 17, 1994

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METRO (3) - COUNCILOR ZONE 3

- A -- RICK HOHNBAUM
- B -- JON KVISTAD
- C -- TERRY MOORE

pct code	A	B	C	over	under	total
0201	60	39	62	0	79	240
0202	74	79	109	0	138	400
0203	54	201	140	0	227	622
0204	58	191	129	1	178	557
0205	50	45	44	1	72	212
0206	43	46	63	1	118	271
0251	2	0	0	0	1	3
0252	51	106	74	0	173	404
TOTAL	392	707	621	3	986	2,709

CLACKAMAS COUNTY, OREGON
PRIMARY ELECTION
MAY 17, 1994

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METRO (6) - COUNCILOR ZONE 6
A -- ROD MONROE
B -- ANTHONY L LARSON

pct code	A	B	over	under	total
0093	30	14	0	33	77
0411	21	7	0	41	69
0451	78	47	0	130	255
0452	76	46	1	98	221
0453	188	102	2	171	463
0454	138	77	3	219	437
0456	44	27	1	48	120
0478	53	42	1	75	171
0481	112	78	2	86	278
TOTAL	740	440	10	901	2,091

CLACKAMAS COUNTY, OREGON
PRIMARY ELECTION
MAY 17, 1994

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METRO (7) - COUNCILOR ZONE 7
A -- PATRICIA MCCAIG
B -- KARL WAYNE ROMAN
C -- JUDY WYERS

pct code	A	B	C	over	under	total
0051	94	66	114	2	167	443
0053	69	73	99	0	127	368
0054	72	59	103	1	131	366
0056	64	57	103	3	104	331
0057	111	61	136	1	178	487
0058	58	43	104	0	130	335
0060	84	59	129	0	194	466
0062	120	82	119	1	207	529
0063	107	53	127	2	179	468
0064	80	63	141	1	201	486
0091	10	5	21	0	16	52
0092	11	6	14	0	15	46
0095	0	0	0	0	0	0
0303	49	26	39	1	47	162
0313	35	13	22	0	43	113
0475	23	25	40	0	63	151
0478	51	27	63	1	72	214
TOTAL	1,038	718	1,374	13	1,874	5,017

MULTNOMAH COUNTY PRIMARY ELECTION, MAY 17, 1994
METRO EXECUTIVE OFFICER

064

	REGISTRATION	BALLOTS CAST	TURNOUT	METRO EXECUTIVE OFFICER BLANK	OVER-VOTES	KEN GERVAIS	BONNIE L. HAYS	MIKE BURTON	MIKE RAGSDALE	Misc.					
PCT 5901	808	310	38.3	97	0	24	71	71	43						
PCT 5902	569	182	31.9	24	0	21	63	42	28						
ABSENTEE TOTALS	358990	0	0.0	0	0	0	0	0	0						
GRAND TOTALS	358990	118388	32.9	24414	204	10620	24247	35443	22686	173					

Certificate

I certify that the votes recorded on this abstract correctly summarize the tally of votes cast at the election indicated.

Vicki K. Ervin
Vicki K. Ervin, Director of Elections
Multnomah County, Oregon

MULTNOMAH COUNTY PRIMARY ELECTION, MAY 17, 1994
METRO COUNCILOR, 1ST DISTRICT

065

	REGISTRATION	BALLOTS CAST	TURNOUT	METRO COUNCILOR, 1ST DIST BLANK	OVER-VOTES	KAREN BURGER-KIMBER	HERB BROWN	AL ALLEY	RUTH MCFARLAND	ROBERT A. MORRIS	MISC.							
PCT 5825	1414	581	41.0	146	0	56	76	18	200	81								
PCT 5828	1239	493	39.7	136	4	37	51	28	172	64								
PCT 5829	865	319	37.9	82	0	37	33	12	111	43								
PCT 5840	1217	493	40.9	155	1	49	51	15	150	69								
PCT 5842	1118	551	49.2	163	2	70	40	14	198	59								
PCT 5843	989	362	36.6	106	0	42	32	8	132	34								
PCT 5845	1071	326	30.4	73	0	40	44	12	117	36								
PCT 5846	814	372	45.7	114	0	41	33	17	116	48								
PCT 5850	397	252	63.5	59	1	35	30	10	89	27								
PCT 5851	1183	478	40.4	159	2	38	36	13	178	48								
PCT 5853	1189	495	41.6	136	1	35	47	26	165	83								
PCT 5854	897	334	37.2	77	0	34	32	12	121	56								
PCT 5855	1364	626	45.8	174	0	69	41	25	203	107								
PCT 5857	751	323	43.0	111	0	24	22	11	98	52								
PCT 5858	1259	437	34.8	121	0	57	31	19	159	45								
PCT 5859	824	272	33.0	82	0	25	21	12	107	22								
PCT 5860	1063	428	40.2	106	0	62	36	13	159	48								
PCT 5861	1388	606	43.6	169	0	60	53	26	215	79								
PCT 5864	781	303	38.7	74	1	30	20	12	113	51								
PCT 5865	931	375	40.2	85	2	37	33	12	157	46								
PCT 5866	1427	614	43.0	171	1	63	50	17	216	91								
PCT 5867	359	127	35.3	42	0	12	16	2	47	8								
PCT 5868	1163	409	35.1	100	2	35	46	23	139	59								
PCT 5869	936	367	39.2	106	0	33	26	15	127	57								
PCT 5870	1056	331	31.3	90	1	37	36	13	114	34								
PCT 5871	1236	353	28.5	94	1	39	49	11	117	38								
PCT 5872	912	259	28.3	59	0	27	25	3	112	28								
PCT 5873	1290	390	30.2	101	0	30	57	20	122	53								
PCT 5874	895	278	31.0	74	0	37	24	13	93	34								
PCT 5875	836	277	33.1	88	0	33	21	7	94	31								
PCT 5876	1065	447	41.9	157	1	38	51	15	138	42								
PCT 5900	996	380	38.1	73	1	39	41	12	151	38								
PCT 5901	808	310	38.3	99	0	34	29	2	105	39								
PCT 5902	569	182	31.9	31	0	21	16	4	84	20								
ABSENTEE TOTALS	91726	0	0.0	0	0	0	0	0	0	0								
GRAND TOTALS	91726	31026	33.8	7878	62	3171	3584	1259	10691	4110	55							

Certificate

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Vicki K. Ervin
 Vicki K. Ervin, Director of Elections
 Multnomah County, Oregon

067

MULTNOMAH COUNTY PRIMARY ELECTION, MAY 17, 1994
METRO COUNCILOR, 5TH DISTRICT

	REGISTRATION	BALLOTS CAST	TURNOUT	METRO COUNCILOR, 5TH DIST BLANK	OVER-VOTES	SANDI HANSEN	DAVID MCCALLUM	KEN MCGUIRE	JEFF ROGERS	ED WASHINGTON	Misc.						
PCT 0102	510	188	36.8	74	0	27	11	10	43	22							
PCT 0103	13	7	53.8	1	0	2	1	1	2	0							
PCT 0104	6	2	33.3	0	0	0	0	0	1	1							
PCT 0158	198	79	39.8	31	0	6	8	3	19	12							
PCT 0159	148	53	35.8	5	0	11	8	2	19	8							
PCT 0300	30	9	30.0	3	0	2	0	0	2	2							
PCT 0500	0	0	0.0	0	0	0	0	0	0	0							
PCT 0503	0	0	0.0	0	0	0	0	0	0	0							
PCT 1001	497	143	28.7	54	0	25	22	14	26	22							
PCT 1002	192	66	34.3	22	0	13	4	6	10	11							
PCT 1013	1338	497	37.1	103	0	77	32	11	173	98							
PCT 1017	721	352	48.8	58	0	39	9	7	199	38							
PCT 1019	1350	607	44.9	145	2	64	32	17	254	87							
PCT 1025	1129	301	26.6	51	0	61	26	11	65	54							
PCT 1028	898	179	19.9	42	1	36	10	8	32	46							
PCT 1031	1172	343	29.2	64	0	42	8	5	135	88							
PCT 1043	1129	269	23.8	57	1	56	17	17	63	58							
PCT 1045	267	126	47.1	25	0	17	9	3	62	10							
PCT 1049	1422	338	23.7	100	1	73	17	18	75	51							
PCT 1053	1017	171	16.8	43	0	43	13	8	29	33							
PCT 1101	535	285	53.2	77	0	10	15	3	159	19							
PCT 1103	872	326	37.3	110	0	55	25	10	84	41							
PCT 1117	481	191	39.7	60	0	29	12	5	58	27							
PCT 1118	1403	318	22.6	88	1	51	25	12	75	64							
PCT 1155	460	125	27.1	30	0	22	9	6	31	26							
PCT 1240	743	319	42.9	92	1	38	25	12	105	46							
PCT 1305	999	216	21.6	55	1	51	30	12	34	39							
PCT 1308	783	176	22.4	36	1	37	28	8	35	29							
PCT 1313	1258	452	35.9	117	0	98	39	12	113	70							
PCT 1315	1145	496	43.3	168	0	82	53	14	112	65							
PCT 1320	453	98	21.6	18	0	26	8	6	17	23							
PCT 1500	308	98	31.8	29	0	26	7	9	21	6							
PCT 1503	193	79	40.9	26	0	10	4	1	23	13							
PCT 1507	330	161	48.7	45	0	19	10	5	66	16							
PCT 2002	1112	281	25.2	54	0	110	28	16	32	40							
PCT 2005	1474	392	26.5	63	2	122	60	34	52	55							
PCT 2015	1430	446	31.1	86	0	142	55	39	76	43							
PCT 2018	1391	431	30.9	107	0	126	51	31	61	52							
PCT 2023	1422	380	26.7	89	1	127	46	23	48	42							
PCT 2026	1252	233	18.6	33	2	56	29	18	18	73							
PCT 2027	1155	308	26.6	61	1	102	40	18	24	57							
PCT 2029	1419	375	26.4	105	0	132	21	26	46	41							
PCT 2034	422	202	47.9	48	0	69	18	9	31	24							
PCT 2043	1370	343	25.0	82	0	106	45	23	53	31							
PCT 2049	1132	351	31.0	60	1	128	34	24	56	47							
PCT 2051	1313	535	40.7	127	0	195	58	19	84	50							
PCT 2061	1387	496	35.7	115	1	159	48	29	77	66							
PCT 2077	1334	522	39.1	110	1	165	46	38	98	60							
PCT 2083	505	112	22.1	29	0	37	14	5	13	13							
PCT 2086	1169	305	26.0	64	0	81	25	11	49	71							
PCT 2099	1429	257	17.9	36	0	43	12	8	29	127							
PCT 2100	1283	484	37.7	103	0	175	46	21	80	59							
PCT 2109	1416	367	25.9	62	3	143	33	21	55	47							
PCT 2114	1339	429	32.0	100	0	142	28	27	51	79							
PCT 2118	1435	350	24.3	88	1	70	28	26	57	77							
PCT 2139	1161	211	18.1	38	1	26	13	9	24	95							
PCT 2142	963	415	43.0	72	1	164	26	13	70	65							
PCT 2143	777	261	33.5	65	0	72	33	21	33	35							
PCT 2144	737	225	30.5	62	0	46	28	10	40	38							
PCT 2145	981	315	32.1	51	1	121	40	17	46	32							
PCT 3001	1243	339	27.2	64	0	79	45	22	44	83							
PCT 3004	1356	321	23.6	58	0	62	18	11	38	124							
PCT 3008	1283	398	31.0	38	3	63	29	9	39	214							
PCT 3021	1360	359	26.3	70	1	69	28	25	52	109							
PCT 3026	1331	239	17.9	32	0	35	18	11	29	109							
PCT 3027	1289	260	20.1	47	2	48	15	13	33	98							
PCT 3032	1252	343	27.3	63	2	63	20	12	46	132							
PCT 3039	992	233	23.4	50	1	33	7	20	35	85							
PCT 3042	1396	200	14.3	33	0	36	10	12	23	79							
PCT 3052	1230	485	39.4	101	3	84	41	24	100	130							
PCT 3058	1258	251	19.9	54	0	47	26	13	29	82							
PCT 3071	1117	175	15.6	35	1	19	13	7	23	76							

067

MULTNOMAH COUNTY PRIMARY ELECTION, MAY 17, 1994
METRO COUNCILOR, 5TH DISTRICT

	REGISTRATION	BALLOTS CAST	TURNOUT	METRO COUNCILOR, 5TH DIST BLANK	OVER-VOTES	SANDI HANSEN	DAVID MCCALLUM	KEN MCGUIRE	JEFF ROGERS	ED WASHINGTON	Misc.						
PCT 3073	1332	262	19.6	46	1	40	13	13	27	117							
PCT 3080	1243	355	28.6	78	1	64	35	13	171	188							
PCT 3086	1402	426	30.3	33	1	80	46	33	74	93							
PCT 3090	990	392	39.5	90	0	54	38	16	88	104							
PCT 3097	1330	412	30.9	73	0	64	23	9	108	132							
PCT 3109	1384	583	42.1	93	0	76	26	16	193	175							
PCT 3113	1420	638	44.9	136	0	67	24	19	199	192							
PCT 3126	728	286	39.2	51	0	38	18	8	83	84							
PCT 3128	1423	583	40.9	123	0	57	36	19	139	204							
PCT 3135	934	420	44.9	96	0	51	16	9	136	110							
PCT 3138	1164	527	45.2	102	0	70	19	14	158	160							
PCT 3144	1342	575	42.8	83	0	62	16	12	196	200							
PCT 3151	1229	407	33.1	45	0	39	16	4	75	224							
PCT 3155	859	154	17.9	28	0	31	6	2	19	66							
PCT 3253	1207	365	30.2	68	0	58	16	9	77	130							
PCT 3258	1194	469	39.2	94	0	54	30	17	148	123							
PCT 3259	1040	401	38.5	109	0	51	34	19	93	94							
PCT 3263	1003	421	41.9	85	0	47	28	11	111	135							
PCT 3268	649	222	34.2	58	0	35	16	12	24	72							
PCT 3273	0	0	0.0	0	0	0	0	0	0	0							
PCT 3297	1283	303	23.6	57	0	64	25	20	51	81							
PCT 3299	857	222	25.9	49	0	49	25	8	40	42							
PCT 3338	1047	256	24.4	47	0	45	13	6	63	80							
PCT 3339	1091	376	34.4	52	0	34	27	15	47	194							
PCT 4022	0	0	0.0	0	0	0	0	0	0	0							
PCT 4049	0	0	0.0	0	0	0	0	0	0	0							
ABSENTEE TOTALS	94266	0	0.0	0	0	0	0	0	0	0							
GRAND TOTALS	94266	28954	30.7	6150	71	5875	2228	1277	6256	6867	49						

Certificate

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Vicki K. Ervin
 Vicki K. Ervin, Director of Elections
 Multnomah County, Oregon

MULTNOMAH COUNTY PRIMARY ELECTION, MAY 17, 1994
METRO COUNCILOR, 6TH DISTRICT

068

	REGISTRATION	BALLOTS CAST	TURNOUT	METRO COUNCILOR, 6TH DIST BLANK	OVER-VOTES	ROD MONROE	ANTHONY L. LARSON	Misc.											
PCT 4299	1149	309	26.8	96	0	119	89												
PCT 4307	1305	439	33.6	85	0	152	99												
PCT 4319	1367	529	38.6	149	0	254	125												
PCT 4320	635	144	22.6	41	0	60	41												
PCT 4337	856	204	23.8	50	0	78	72												
PCT 4339	1334	294	22.0	67	1	134	88												
PCT 4340	899	210	23.3	49	0	112	46												
PCT 5029	555	216	38.9	83	0	76	56												
ABSENTEE TOTALS	85840	0	0.0	0	0	0	0												
GRAND TOTALS	85840	27920	32.5	8722	21	12020	6925	48											

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Multnomah County, Oregon

MULTNOMAH COUNTY PRIMARY ELECTION, MAY 17, 1994
METRO COUNCILOR, 7TH DISTRICT

069

	REGISTRATION	BALLOTS CAST	TURNOUT	METRO COUNCILOR, 7TH DIST BLANK	OVER-VOTES	PATRICIA MCCAIG	KARL WAYNE ROMAN	JUDY WYERS	Misc.
PCT 4240	688	189	27.4	31	0	44	27	86	
PCT 4242	1432	492	34.3	30	0	119	83	198	
PCT 4243	1097	341	31.0	82	0	95	36	124	
PCT 4244	920	432	46.9	104	0	103	56	166	
PCT 4246	191	78	40.8	14	0	19	15	28	
PCT 4248	219	69	31.5	19	0	13	13	24	
PCT 4254	959	319	33.2	77	0	122	33	94	
PCT 4259	1486	691	46.5	107	0	179	90	309	
PCT 4264	1411	539	38.1	80	0	172	43	238	
PCT 4271	961	425	44.2	110	0	137	43	134	
PCT 4282	1438	674	46.8	147	0	246	66	213	
PCT 4285	1409	463	32.8	86	0	106	62	205	
PCT 4295	1433	372	25.9	74	1	96	39	160	
PCT 4296	181	79	43.6	20	0	19	13	26	
PCT 4342	1029	288	27.9	64	0	106	28	87	
PCT 4349	877	275	31.3	56	1	110	24	82	
ABSENTEE TOTALS	85412	0	0.0	0	0	0	0	0	
GRAND TOTALS	85412	29991	35.1	7187	51	9963	3238	9364	30

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Multnomah County, Oregon

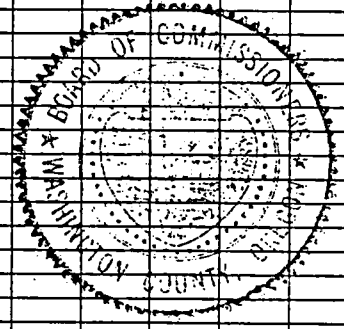
**** UNOFFICIAL STATEMENT OF VOTES CAST AT THE PRIMARY ELECTION ON MAY 17, 1994 ****
 METRO DIST COUNCIL P 2

RECEIVED JUN 02 1994

Page Number 170.001.001

REGISTERED VOTERS	TURNOUT	TURNOUT PERCENTAGE	ED GORONKE METRO DIST COUNCIL P 2	RALPH GROENER METRO DIST COUNCIL P 2	DON MORISSETTE METRO DIST COUNCIL P 2	JAMES R WALKER METRO DIST COUNCIL P 2
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186 PIPERS RUN COMM BLDG	4	2	50.0%	0	0	2	0
187 PIPERS RUN COMM BLDG	23	11	47.8%	0	2	5	1
**** TOTALS ****	27	13	48.1%	0	2	7	1



CERTIFIED TO BE A TRUE AND
 CORRECT COPY OF THE ORIGINAL
 Date May 27, 1994
 WASHINGTON COUNTY
 ELECTIONS DIVISION
 BY M. Crawley

**** UNOFFICIAL STATEMENT OF VOTES CAST AT THE PRIMARY ELECTION ON MAY 17 1994 ****
 METRO DIST AUDITOR

Page Number 181.001.001	REGISTERED VOTERS	TURNOUT	TURNOUT PERCENTAGE	ALEXIS DOW AUDITOR	HANK DIGGINS AUDITOR
063 MONTCLAIR SCH	1230	510	41.4%	193	99
064 RALEIGH HLS SCH	1180	561	47.5%	200	113
065 VALLEY COMM CH	975	495	50.7%	193	92
066 RALEIGH PK SCH	596	226	37.9%	98	54
067 VALLEY COMM CH	909	395	43.4%	151	76
068 ST MATTHEW LUTHERAN	802	276	34.4%	116	52
069 W SYLVAN SCHOOL	1157	396	34.2%	153	84
070 RIDGEWOOD SCH	1076	576	53.5%	221	120
071 ST MATTHEW LUTHERAN	112	37	33.0%	19	9
072 ST BARTHOLOMEWS CHUR	1150	400	34.7%	158	94
073 W WALKER SCHOOL	713	299	41.9%	107	70
074 CEDAR PK JR HI	474	203	42.8%	73	50
075 CHEHALEM SCHOOL	1046	316	30.2%	109	57
076 COOPER MT SCHOOL	14	8	57.1%	3	0
077 CEDAR HILLS REC	1210	531	43.8%	207	127
078 BARNES SCHOOL	957	358	37.4%	122	97
079 BEAVER ACRE SCH	913	337	36.9%	118	68
080 MEADOW PK JR HI	1129	370	32.7%	145	76
081 MCKINLEY SCHOOL	653	185	28.3%	70	43
082 PRINCE OF PEACE	1137	294	25.8%	108	64
083 CHRIST UNI METH CHUR	1101	467	42.4%	156	105
084 CEDAR MILL SCH	334	173	51.7%	72	38
085 CEDAR MILL SCH	867	405	46.7%	138	79
086 W TUALATIN VIEW	736	198	26.9%	69	33
087 W TUALATIN VIEW	1112	552	49.6%	162	104
088 CHRIST UNI METH CHUR	993	450	45.3%	122	100
089 ST ANDREW LUTHERAN C	1144	460	40.2%	156	122
090 CEDAR PK JR HI	1244	551	44.2%	193	116
091 INDIAN HLS SCH	624	163	26.1%	57	41
092 RALEIGH PK SCH	1057	546	51.6%	181	113
093 MONTCLAIR SCH	868	369	42.5%	113	85
094 GARDEN HM METH CHUR	796	365	45.8%	118	85
095 WHITFORD JR HI	922	382	41.4%	120	83
096 FAITH BIBLE CH	921	234	25.4%	83	56
097 HERITAGE VL CTR	1048	347	33.1%	138	81
098 MCKAY SCHOOL	902	370	41.0%	141	90
099 GARDEN HM REC CTR	552	219	39.6%	71	37
100 WHITFORD JR HI	535	215	40.1%	76	39
101 ST MARY VALLEY	961	211	21.9%	73	58
102 DAVID HILL SCH	820	233	28.4%	76	71
103 HILLSBORO LIB	928	267	28.7%	103	72
104 BROOKWOOD SCH	1173	492	41.9%	151	99
105 JACKSON SCHOOL	916	369	40.2%	106	80
106 PUB SERVICE BLD	1067	433	40.5%	137	104
107 POYNTER JR HIGH	595	186	31.2%	58	40
108 BROOKWOOD SCH	1227	429	34.9%	142	118
109 W HENRY SCHOOL	892	278	31.1%	90	68
110 ECHO SHAW SCH	983	294	29.9%	104	70
111 CORN GRADE SCH	886	292	32.9%	97	73
112 DILLEY ELEM SCH	330	129	39.0%	0	1
113 UNITED METH CH	980	425	43.3%	119	122
114 N ARMSTRONG SCH	1295	561	43.3%	182	151
115 FG HIGH SCHOOL	1029	452	43.9%	153	110
116 1ST CHRISTIAN	611	170	27.8%	49	49
117 JOSEPH GALE SCH	1147	334	29.1%	101	80
119 SEXTON MT SCH	1001	393	39.2%	123	79
120 BEAVER ACRE SCH	414	59	14.2%	24	14
122 JOSEPH GALE SCH	414	156	37.6%	23	15
123 TUAL VALLEY ACA	167	59	35.3%	26	9
126 INDIAN HLS SCH	1290	313	24.2%	109	82

**** UNOFFICIAL STATEMENT OF VOTES CAST AT THE PRIMARY ELECTION ON MAY 17, 1994 ****
 METRO DIST AUDITOR

Page Number 182.001.001

	REGISTERED VOTERS	TURNOUT	TURNOUT PERCENTAGE	ALEXIS DISTRICT AUDITOR	HANK MIGINIS METRO DIST AUDITOR
127 GALES CREEK SCH	689	285	41.3%	3	1
130 T MCCALL MID	104	55	52.8%	7	3
131 BETHLEHEM LUTHERAN C	935	360	38.5%	109	104
132 ALOHA CHRISTIAN CHUR	825	301	36.4%	101	102
133 ORENCO PRESB CH	389	153	39.3%	42	41
134 EVERGREEN JR HI	365	135	36.9%	2	1
138 TERRA LINDA SCH	573	275	47.9%	85	55
139 BETHANY SCHOOL	827	304	36.7%	100	61
140 ROCK CREEK SCH	1021	378	37.0%	117	93
144 T MCCALL MID	1143	602	52.6%	185	126
145 GREENWAY SCHOOL	953	384	40.2%	150	80
146 BETHANY BAPT CH	1452	657	45.2%	203	156
147 ROCK CREEK SCH	768	348	45.3%	128	57
148 MOOBERRY SCHOOL	1285	591	45.9%	176	139
149 MOOBERRY SCHOOL	1052	358	34.0%	130	96
150 WV MCKINNEY SCH	1186	427	36.0%	127	124
151 HILLSBORO HIGH	1329	464	34.9%	145	112
152 GOLDEN RD BAPT CHURC	1400	445	31.7%	138	110
153 LENOX SCHOOL	1145	380	33.1%	121	90
154 HILLSBORO HIGH	811	313	38.5%	107	71
155 BETHANY SCHOOL	820	344	41.9%	124	63
156 OAK HILLS SCH	527	156	29.6%	58	28
157 ORENCO PRESB CH	293	79	26.9%	32	26
158 BROWN JR HIGH	360	159	44.1%	44	38
159 OAK HILLS SCH	834	404	48.4%	144	78
160 SONRISE BAPT CH	199	80	40.2%	4	7
161 HITEON ELEM SCH	1090	406	37.2%	128	82
163 HAZELDALE SCH	944	330	34.9%	99	82
165 CHRIST THE KING LUTH	671	322	47.9%	64	52
166 GRONER SCHOOL	247	102	41.2%	5	6
167 FARMINGTON VIEW	374	146	39.0%	3	3
168 LADD ACRES SCH	1031	327	31.7%	128	82
171 DAVID HILL SCH	185	55	29.7%	19	15
172 BEAVER ACRE SCH	678	197	29.0%	64	42
173 ST ALEXANDERS	159	81	50.9%	1	0
175 GOLDEN RD BAPT CHURC	1268	392	30.9%	149	95
177 FG HIGH SCHOOL	134	60	44.7%	8	11
178 UNITED METH CH	641	256	39.9%	82	66
179 BROOKWOOD SCHOOL	38	18	47.3%	6	3
180 SUMMERFLD CLUB	913	525	57.5%	162	101
181 TUAL VALLEY ACA	226	46	20.3%	14	16
182 SW BIBLE CHURCH	704	86	12.2%	31	24
183 HAZELBROOK MIDDLE SC	75	36	48.0%	9	12
184 HOPKINS SCHOOL	143	83	58.0%	20	15
185 HAZELWOOD MIDDLE SCH	27	19	70.3%	6	3
186 PIPERS RUN COMM BLDG	4	2	50.0%	1	1
187 PIPERS RUN COMM BLDG	23	11	47.8%	4	2
188 COOPER MT SCH	1029	345	33.5%	107	71
189 TUAL COUNCIL BLDG	1072	171	15.9%	64	46
190 GARDEN HOME REC	324	53	16.3%	23	12
191 MAISON ARMORY	71	19	26.7%	9	4
192 METZGER SCHOOL	750	192	25.6%	70	45
193 SW BIBLE CHURCH	213	82	38.4%	24	28
194 PHIL LEWIS SCH	801	213	26.5%	73	65
195 FRIENDS CHURCH	780	261	33.4%	88	52
196 OAK HILLS SCH	983	414	42.1%	136	113
197 MONTCLAIR SCH	171	37	21.6%	18	5
198 RIDGEWOOD SCH	534	265	49.6%	102	43
199 CEDAR MILL SCH	989	418	42.2%	136	94
200 MEADOW PK INTER	390	129	33.0%	39	33

**** UNOFFICIAL STATEMENT OF VOTES CAST AT THE PRIMARY ELECTION ON MAY 17, 1994 ****
 METRO DIST AUDITOR

Page Number 183.001.001

	REGISTERED VOTERS	TURNOUT	TURNOUT PERCENTAGE	ALEXIS DOW AUDITOR	HANK MINGGINS METRO DIST AUDITOR
201 ECHO SHAW SCHOOL	47	17	36.1%	1	1
202 CORN GRADE SCH	386	136	35.2%	27	14
204 WASH CO MUSEUM	733	245	33.4%	0	1
205 EVERGREEN JR HIGH SC	3	0	0.0%	0	0
206 W HENRY SCHOOL	482	198	41.0%	59	53
207 TUALATIN HIGH SCHOOL	6	3	50.0%	0	2
208 ROYAL VILLA REC	182	73	40.1%	29	21
209 RALEIGH HLS SCH	74	16	21.6%	8	4
210 ECHO SHAW SCH	893	253	28.3%	66	80
211 MT VIEW SCHOOL	616	192	31.1%	76	51
212 HILLS SENIOR CENTER	711	258	36.2%	83	66
213 ED BYROM SCHOOL	1335	471	35.2%	175	109
214 E HASSELL SCH	1152	414	35.9%	136	93
215 C F TIGARD SCH	693	215	31.0%	75	50
216 1ST UNITED METH	428	138	32.2%	47	41
217 METZGAR SCHOOL	49	10	20.4%	5	1
218 POYNTER JR HIGH SCHO	401	90	22.4%	27	29
219 FIVE OAKS INT	1152	329	28.5%	107	71
220 SEXTON MT SCH	927	194	20.9%	60	41
221 FOWLER MID SCH	750	264	35.2%	94	64
222 CHEHALEM SCHOOL	1089	331	30.3%	131	72
223 SHERWOOD INTERM	1507	831	55.1%	225	155
224 FOWLER MID SCH	644	184	28.5%	53	47
225 CHUR OF CHRIST	1258	423	33.6%	138	104
226 M WOODWARD ELEM SCHO	932	269	28.8%	97	49
227 LENOX SCHOOL	670	235	35.0%	94	41
228 W TUALATIN VIEW	756	277	36.6%	116	50
229 POYNTER JR HIGH	698	231	33.0%	86	42
230 REEDVILLE SCH	1146	340	29.6%	114	83
231 MCKINLEY SCHOOL	901	129	14.3%	48	34
232 FIVE OAKS INT	1086	312	28.7%	104	63
233 CEDAR HILLS REC BLDG	2	1	50.0%	0	1
234 LENOX SCHOOL	8	7	87.5%	1	4
235 TUALATIN HIGH SCHOOL	88	34	38.6%	15	3
236 WEST TUALATIN VIEW S	3	1	33.3%	0	1
238 TUALATIN COUNCIL BLD	9	0	0.0%	0	0
239 CHRIST KING LUT	849	307	36.1%	115	63
240 ELDORADO VILLA	1083	540	49.8%	188	120
241 NANCY RYLES SCHOOL	1216	415	34.1%	124	80
242 BETHANY SCHOOL	617	244	39.5%	89	51
243 BETHANY SCHOOL	800	261	32.6%	81	71
244 ST MARY VALLEY	953	333	34.9%	103	75
245 WESTSIDE CHURCH	636	190	29.8%	79	41
246 WESTSIDE CHURCH	392	117	29.8%	40	25
247 HITEON ELEM SCH	565	252	44.6%	109	52
248 BEAVER ACRE SCH	892	235	26.3%	81	59
249 W TUALATIN VIEW	709	156	22.0%	65	26
250 FRIENDS CHURCH	634	250	39.4%	77	49
251 M WOODWARD ELEM SCHO	666	222	33.3%	77	53
252 KINNAMAN SCHOOL	542	178	32.8%	59	46
253 E HASSELL SCH	526	174	33.0%	68	42
254 JACKSON SCHOOL	662	293	44.2%	101	57
255 POYNTER JR HIGH	848	381	44.9%	120	87
**** TOTALS ****	181101	66802	36.8%	22074	14690

Meeting Date: June 23, 1994
Agenda Item No. 4.3

RESOLUTION NO. 94-1957

REGIONAL FACILITIES COMMITTEE REPORT

RESOLUTION NO. 94-1957, AUTHORIZING THE EXECUTIVE OFFICER TO EXECUTE A ONE-YEAR LEASE FOR THE WAREHOUSE AT 2516 NW 29TH, PORTLAND, OR.

Date: June 16, 1994

Presented by: Councilor Washington

COMMITTEE RECOMMENDATION: At its June 15, 1994 meeting the Regional Facilities Committee voted 4-0 to recommend Council adoption of Resolution No. 94-1957. Voting were Councilors Washington, Gates, McFarland, and Moore. Councilor Hansen was absent.

COMMITTEE DISCUSSION/ISSUES: Event Coordinator Russell Guinn presented the staff report. He said that Council had approved a lease for this warehouse space in February 1993, and the space has proved satisfactory. This resolution is required to extend the lease for another year.

There was no committee discussion.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE EXECUTIVE OFFICER TO EXECUTE A ONE-YEAR LEASE FOR THE WAREHOUSE AT 2516 NW 29TH, PORTLAND, OR) RESOLUTION NO 94-1957) Introduced by Rena Cusma, Executive Officer)

WHEREAS, the Metro Washington Park Zoo has historically organized annual events to attract visitors and boost ticket sales; and

WHEREAS, two of these events, ZooLights (in the last six years) and ZooBoo (in the past three years) have brought in over 380,000 visitors and \$1,776,000 in gross revenues; and

WHEREAS, the Zoo continues to depend heavily upon volunteers for ZooBoo and ZooLights productions; and

WHEREAS, the Zoo continues to lack on-site storage for these activities and therefore needs safe and secure off-site workshop space to maintain or hopefully increase this volunteer support; and

WHEREAS, the space at 2516 NW 29th, Portland, OR for which an ongoing lease was approved by the Metro Council in February 1993 continues to be very suitable for volunteer involvement due to its close proximity to the Zoo (within eight minutes), its secure parking in a low crime area, and its traditional amenities, of proper heat, ventilation, and accessible restrooms; and

WHEREAS, such space continues to allow for consolidation of inventory and tools while providing an adequate shop space for construction, layout and refurbishing of all event sets on a full year basis (instead of 2-3 months at a contractor's shop); and

WHEREAS, this space consisting of 5,500 sq. ft. of open warehouse, 400 sq. ft. of enclosed tool/small part storage, and 400 sq. ft. of secured prop/costume storage, with high ceilings and delivery van access via an overhead garage door, continues to be available at a cost of \$0.24 per sq. ft. or \$1,500 monthly; now, therefore,

BE IT RESOLVED

That the Metro Council hereby authorizes the Executive Officer to execute a one year lease as attached for the warehouse at 2516 NW 29th, Portland, OR at a cost of \$1,500 per month and including a one year option to extend the lease as long as current needs continue and the lease rate remains unchanged.

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

Judy Wyers, Presiding Officer

NABE



THIS INDENTURE OF LEASE, entered into this 1st day of March, 1994, between 09 Properties

hereinafter called the lessor, and METRO

hereinafter called the lessee,

WITNESSETH: In consideration of the covenants herein, the lessor hereby leases unto the lessee those certain premises, as is, situated in the City of Portland, County of Multnomah and State of Oregon, hereinafter called the premises, described as follows:

Building #6 at 2516 N.W. 29th. Approximately 6320 sq. feet plus a 400 sq. foot mezzanine.

To Have and to Hold the premises commencing with the 1st day of March, 1994, and ending at midnight on the 28th day of February, 1995, for a rental of \$18,000.00 for the whole term, which lessee agrees to pay, at 09 Properties, 221 N.W. Front Ave., City of Portland, State of Oregon, at the following times and in the following amounts, to-wit:

\$1500.00 monthly, payable in advance, due on the first day of each month. Monthly rental not received by the 15th day of each month shall be subject to a late fee of 3 percent (\$45.00) which is automatically due and payable immediately.

Lessee is responsible for electricity and gas bills.

In consideration of the leasing of the premises and of the mutual agreements herein contained, the parties agree as follows:

**LESSEE'S
ACCEPTANCE
OF LEASE**

(1) The lessee accepts this letting and agrees to pay to the order of the lessor the monthly rentals above stated for the full term of this lease, in advance, at the times and in the manner aforesaid.

**USE OF
PREMISES**

(2a) The lessee shall use the premises during the term of this lease for the conduct of the following business:
storage and repairs of Zoo property and installations

..... and for no other purpose whatsoever without lessor's written consent.

(2b) The lessee will not make any unlawful, improper or offensive use of the premises; the lessee will not suffer any strip or waste thereof; the lessee will not permit any objectionable noise or odor to escape or to be emitted from the premises or do anything or permit anything to be done upon or about the premises in any way tending to create a nuisance; the lessee will not sell or permit to be sold any product, substance or service upon or about the premises, excepting such as lessee may be licensed by law to sell and as may be herein expressly permitted.

(2c) The lessee will not allow the premises at any time to fall into such a state of repair or disorder as to increase the fire hazard thereon; the lessee will not install any power machinery on the premises except under the supervision and with written consent of the lessor; the lessee will not store gasoline or other highly combustible materials on the premises at any time; the lessee will not use the premises in such a way or for such a purpose that the fire insurance rate on the improvements on the premises is thereby increased or that would prevent the lessor from taking advantage of any rulings of any agency of the state in which the premises are situated, or which would allow the lessor to obtain reduced premium rates for long term fire insurance policies.

(2d) The lessee shall comply at lessee's own expense with all laws and regulations of any municipal, county, state, federal or other public authority respecting the use of the premises. These include, without limitation, all laws, regulations and ordinances pertaining to air and water quality, Hazardous Materials as herein defined, waste disposal, air emissions, and other environmental matters. As used herein, Hazardous Material means any hazardous or toxic substance, material, or waste, including but not limited to those substances, materials, and waste listed in the U.S. Department of Transportation Hazardous Materials Table or by the U.S. Environmental Protection Agency as hazardous substances and amendments thereto, petroleum products, or such other substances, materials, and waste that are or become regulated under any applicable local, state, or federal law.

(2e) The lessee shall regularly occupy and use the premises for the conduct of lessee's business, and shall not abandon or vacate the premises for more than ten days without written approval of lessor.

(2f) Lessee shall not cause or permit any Hazardous Material to be brought upon, kept or used in or about the premises by lessee, its agents, employees, contractors, or invitees without the prior written consent of lessor, which consent will not be unreasonably withheld so long as lessee demonstrates to lessor's reasonable satisfaction that such Hazardous Material is necessary or useful to lessee's business and will be used, kept, and stored in a manner that will comply at all times with all laws regulating any such Hazardous Material so brought upon or used or kept on or about the premises.

UTILITIES (3) The lessee shall pay for all heat, light, water, power, and other services or utilities used in the premises during the term of this lease. Lessor shall pay normal water and sewer.

REPAIRS AND IMPROVEMENTS (4a) The lessor shall not be required to make any repairs, alterations, additions or improvements to or upon the premises during the term of this lease, except only those hereinafter specifically provided for; the lessee hereby agrees to maintain and keep the premises, including all interior and exterior walls and doors, heating, ventilating and cooling systems, interior wiring, plumbing and drain pipes to sewers or septic tank, in good order and repair during the entire term of this lease, at lessee's own cost and expense, and to replace all glass which may be broken or damaged during the term hereof in the windows and doors of the premises with glass of as good or better quality as that now in use; it is further agreed that the lessee will make no alterations, additions or improvements to or upon the premises without the written consent of the lessor first being obtained.

(4b) The lessor agrees to make all necessary structural repairs to the building, including exterior walls, foundation, roof, gutters and downspouts, and the abutting sidewalks. The lessor reserves and at any and all times shall have the right to alter, repair or improve the building of which the premises are a part, or to add thereto, and for that purpose at any time may erect scaffolding and all other necessary structures about and upon the premises and lessor and lessor's representatives, contractors and workers for that purpose may enter in or about the premises with such materials as lessor may deem necessary therefor, and lessee waives any claim to damages, including loss of business resulting therefrom.

LESSOR'S RIGHT OF ENTRY (5) It shall be lawful for the lessor, the lessor's agents and representatives, at any reasonable time to enter into or upon the premises for the purpose of examining into the condition thereof, or for any other lawful purpose.

RIGHT OF ASSIGNMENT (6) The lessee will not assign, transfer, pledge, hypothecate, surrender or dispose of this lease, or any interest herein, sublet, or permit any other person or persons whomsoever to occupy the premises without the written consent of the lessor being first obtained in writing; this lease is personal to lessee; lessee's interests, in whole or in part, cannot be sold, assigned, transferred, seized or taken by operation of law, or under or by virtue of any execution or legal process, attachment or proceedings instituted against the lessee, or under or by virtue of any bankruptcy or insolvency proceedings had in regard to the lessee, or in any other manner, except as above mentioned.

LIENS (7) The lessee will not permit any lien of any kind, type or description to be placed or imposed upon the improvements in which the premises are situated, or any part thereof, or the land on which they stand.

ICE, SNOW, DEBRIS (8) If the premises are located at street level, then at all times lessee shall keep the sidewalks in front of the premises free and clear of ice, snow, rubbish, debris and obstruction; and if the lessee occupies the entire building, the lessee will not permit rubbish, debris, ice or snow to accumulate on the roof of the building so as to stop up or obstruct gutters or downspouts or cause damage to the roof, and will save harmless and protect the lessor against any injury whether to lessor or to lessor's property or to any other person or property caused by lessee's failure in that regard.

OVERLOADING OF FLOORS (9) The lessee will not overload the floors of the premises in such a way as to cause any undue or serious stress or strain upon the building in which the premises are located, or any part thereof, and the lessor shall have the right, at any time, to call upon any competent engineer or architect whom the lessor may choose, to decide whether or not the floors of the premises, or any part thereof, are being overloaded so as to cause any undue or serious stress or strain on the building, or any part thereof, and the decision of the engineer or architect shall be final and binding upon the lessee; and in the event that it is the opinion of the engineer or architect that the stress or strain is such as to endanger or injure the building, or any part thereof, then and in that event the lessee agrees immediately to relieve the stress or strain, either by reinforcing the building or by lightening the load which causes such stress or strain, in a manner satisfactory to the lessor.

ADVERTISING SIGNS (10) The lessee will not use the outside walls of the premises, or allow signs or devices of any kind to be attached thereto or suspended therefrom, for advertising or displaying the name or business of the lessee or for any purpose whatsoever without the written consent of the lessor; however, the lessee may make use of the windows of the premises to display lessee's name and business when the workmanship of such signs shall be of good quality and permanent nature; provided further that the lessee may not suspend or place within said windows or paint thereon any banners, signs, sign-boards or other devices in violation of the intent and meaning of this section.

LIABILITY INSURANCE

(11) At all times during the term hereof, the lessee will, at the lessee's own expense, keep in effect and deliver to the lessor and the lessee against all liability for damage to persons or property in, upon, or about the premises. The amount of such insurance shall be not less than \$ one million for injury to one person, not less than \$ one million for injury to all persons arising out of any single incident, and not less than \$ one million for damage to property, or a combined single limit of not less than \$ It shall be the responsibility of lessor to purchase casualty insurance with extended coverage so as to insure any structure on the premises against damage caused by fire or the effects of fire (smoke, heat, means of extinguishment, etc.), or any other means of loss. It shall be the responsibility of the lessee to insure all of the lessee's belongings upon the premises, of whatsoever nature, against the same. With respect to these policies, lessee shall cause the lessor to be named as an additional insured party. Lessee agrees to and shall indemnify and hold lessor harmless against any and all claims and demands arising from the negligence of the lessee, lessee's officers, agents, invitees and/or employees, as well as those arising from lessee's failure to comply with any covenant of this lease on lessee's part to be performed, and shall at lessee's own expense defend the lessor against any and all suits or actions arising out of such negligence, actual or alleged, and all appeals therefrom and shall satisfy and discharge any judgment which may be awarded against lessor in any such suit or action.

FIXTURES

(12) All partitions, plumbing, electrical wiring, additions to or improvements upon the premises, whether installed by the lessor or lessee, shall be and become a part of the building in which the premises are located as soon as installed and the property of the lessor unless otherwise herein provided.

LIGHT AND AIR

(13) This lease does not grant any rights of access to light and air over the premises or any adjacent property.

DAMAGE BY CASUALTY, FIRE AND DUTY TO REPAIR

(14) In the event of the destruction of the improvements in which the premises are located by fire or other casualty, either party hereto may terminate this lease as of the date of fire or casualty, provided, however, that in the event of damage to the improvements by fire or other casualty to the extent of 50 per cent or more of the sound value thereof, the lessor may or may not elect to repair the same; written notice of lessor's election shall be given lessee within fifteen days after the occurrence of the damage; if notice is not so given, lessor conclusively shall be deemed to have elected not to repair; in the event lessor elects not to repair, then and in that event this lease shall terminate with the date of the damage; but if the improvements in which the premises are located be but partially destroyed and the damage so occasioned shall not amount to the extent indicated above, or if greater than said extent and lessor elects to repair, as aforesaid, then the lessor shall repair the same with all convenient speed and shall have the right to take possession of and occupy, to the exclusion of the lessee, all or any part thereof in order to make the necessary repairs, and the lessee hereby agrees to vacate upon request, all or any part thereof which the lessor may require for the purpose of making necessary repairs, and for the period of time between the day of such damage and until such repairs have been substantially completed there shall be such an abatement of rent as the nature of the injury or damage and its interference with the occupancy of the premises by the lessee shall warrant; however, if the premises be but slightly injured and the damage so occasioned shall not cause any material interference with the occupation of the premises by lessee, then there shall be no abatement of rent and the lessor shall repair the damage with all convenient speed.

WAIVER OF SUBROGATION RIGHTS

(15) Neither the lessor nor the lessee shall be liable to the other for loss arising out of damage to or destruction of the premises, or the building or improvement of which the premises are a part or with which they are connected, or the contents of any thereof, when such loss is caused by any of the perils which are or could be included within or insured against by a standard form of fire insurance with extended coverage, including sprinkler leakage insurance, if any. All such claims for any and all loss, however caused, hereby are waived. Such absence of liability shall exist whether or not the damage or destruction is caused by the negligence of either lessor or lessee or by any of their respective agents, servants or employees. It is the intention and agreement of the lessor and the lessee that the rentals reserved by this lease have been fixed in contemplation that both parties shall fully provide their own insurance protection at their own expense, and that both parties shall look to their respective insurance carriers for reimbursement of any such loss, and further, that the insurance carriers involved shall not be entitled to subrogation under any circumstances against any party to this lease. Neither the lessor nor the lessee shall have any interest or claim in the other's insurance policy or policies, or the proceeds thereof, unless specifically covered therein as a joint assured.

EMINENT DOMAIN

(16) In case of the condemnation or purchase of all or any substantial part of the premises by any public or private corporation with the power of condemnation this lease may be terminated, effective on the date possession is taken, by either party hereto on written notice to the other and in that case the lessee shall not be liable for any rent after the termination date. Lessee shall not be entitled to and hereby expressly waives any right to any part of the condemnation award or purchase price.

FOR SALE AND FOR RENT SIGNS

(17) During the period of 60 days prior to the date above fixed for the termination of this lease, the lessor herein may post on the premises or in the windows thereof signs of moderate size notifying the public that the premises are "for sale" or "for lease."

DELIVERING UP PREMISES ON TERMINATION

(18) At the expiration of the lease term or upon any sooner termination thereof, the lessee will quit and deliver up the premises and all future erections or additions to or upon the same, broom-clean, to the lessor or those having lessor's estate in the premises, peaceably, quietly, and in as good order and condition, reasonable use and wear thereof, damage by fire, unavoidable casualty and the elements alone excepted, as the same are now in or hereafter may be put in by the lessor.

ADDITIONAL COVENANTS OR EXCEPTIONS

- (19) 1. Lessee shall name 09 Properties on their liability insurance as an additional insured party and provide certificate of insurance to 09 Properties.
2. No smoking will be allowed in the building.
3. Garbage, and disposal thereof, is the lessee's responsibility.
4. Lessee shall have the option to extend the lease for one year.

**LESSEE'S
ACCEPTANCE
OF LEASE**

**USE OF
PREMISES**

(1) The lessee accepts this letting and agrees to pay to the order of the lessor the monthly rentals above stated for the full term of this lease, in advance, at the times and in the manner aforesaid.

(2a) The lessee shall use the premises during the term of this lease for the conduct of the following business:
storage and repairs of Zoo property and installations

..... and for no other purpose whatsoever without lessor's written consent.

(2b) The lessee will not make any unlawful, improper or offensive use of the premises; the lessee will not suffer any strip or waste thereof; the lessee will not permit any objectionable noise or odor to escape or to be emitted from the premises or do anything or permit anything to be done upon or about the premises in any way tending to create a nuisance; the lessee will not sell or permit to be sold any product, substance or service upon or about the premises, excepting such as lessee may be licensed by law to sell and as may be herein expressly permitted.

(2c) The lessee will not allow the premises at any time to fall into such a state of repair or disorder as to increase the fire hazard thereon; the lessee will not install any power machinery on the premises except under the supervision and with written consent of the lessor; the lessee will not store gasoline or other highly combustible materials on the premises at any time; the lessee will not use the premises in such a way or for such a purpose that the fire insurance rate on the improvements on the premises is thereby increased or that would prevent the lessor from taking advantage of any rulings of any agency of the state in which the premises are situated, or which would allow the lessor to obtain reduced premium rates for long term fire insurance policies.

(2d) The lessee shall comply at lessee's own expense with all laws and regulations of any municipal, county, state, federal or other public authority respecting the use of the premises. These include, without limitation, all laws, regulations and ordinances pertaining to air and water quality, Hazardous Materials as herein defined, waste disposal, air emissions, and other environmental matters. As used herein, Hazardous Material means any hazardous or toxic substance, material, or waste, including but not limited to those substances, materials, and waste listed in the U.S. Department of Transportation Hazardous Materials Table or by the U.S. Environmental Protection Agency as hazardous substances and amendments thereto, petroleum products, or such other substances, materials, and waste that are or become regulated under any applicable local, state, or federal law.

(2e) The lessee shall regularly occupy and use the premises for the conduct of lessee's business, and shall not abandon or vacate the premises for more than ten days without written approval of lessor.

(2f) Lessee shall not cause or permit any Hazardous Material to be brought upon, kept or used in or about the premises by lessee, its agents, employees, contractors, or invitees without the prior written consent of lessor, which consent will not be unreasonably withheld so long as lessee demonstrates to lessor's reasonable satisfaction that such Hazardous Material is necessary or useful to lessee's business and will be used, kept, and stored in a manner that will comply at all times with all laws regulating any such Hazardous Material so brought upon or used or kept on or about the premises.

UTILITIES

term of this lease.

(3) The lessee shall pay for all heat, light, water, power, and other services or utilities used in the premises during the term of this lease. Lessor shall pay normal water and sewer.

**REPAIRS AND
IMPROVEMENTS**

(4a) The lessor shall not be required to make any repairs, alterations, additions or improvements to or upon the premises during the term of this lease, except only those hereinafter specifically provided for; the lessee hereby agrees to maintain and keep the premises, including all interior and exterior walls and doors, heating, ventilating and cooling systems, interior wiring, plumbing and drain pipes to sewers or septic tank, in good order and repair during the entire term of this lease, at lessee's own cost and expense, and to replace all glass which may be broken or damaged during the term hereof in the windows and doors of the premises with glass of as good or better quality as that now in use; it is further agreed that the lessee will make no alterations, additions or improvements to or upon the premises without the written consent of the lessor first being obtained.

(4b) The lessor agrees to make all necessary structural repairs to the building, including exterior walls, foundation, roof, gutters and downspouts, and the abutting sidewalks. The lessor reserves and at any and all times shall have the right to alter, repair or improve the building of which the premises are a part, or to add thereto, and for that purpose at any time may erect scaffolding and all other necessary structures about and upon the premises and lessor and lessor's representatives, contractors and workers for that purpose may enter in or about the premises with such materials as lessor may deem necessary therefor, and lessee waives any claim to damages, including loss of business resulting therefrom.

**LESSOR'S
RIGHT OF
ENTRY**

(5) It shall be lawful for the lessor, the lessor's agents and representatives, at any reasonable time to enter into or upon the premises for the purpose of examining into the condition thereof, or for any other lawful purpose.

**RIGHT OF
ASSIGNMENT**

(6) The lessee will not assign, transfer, pledge, hypothecate, surrender or dispose of this lease, or any interest herein, sublet, or permit any other person or persons whomsoever to occupy the premises without the written consent of the lessor being first obtained in writing; this lease is personal to lessee; lessee's interests, in whole or in part, cannot be sold, assigned, transferred, seized or taken by operation at law, or under or by virtue of any execution or legal process, attachment or proceedings instituted against the lessee, or under or by virtue of any bankruptcy or insolvency proceedings had in regard to the lessee, or in any other manner, except as above mentioned.

LIENS

(7) The lessee will not permit any lien of any kind, type or description to be placed or imposed upon the improvements in which the premises are situated, or any part thereof, or the land on which they stand.

**ICE, SNOW,
DEBRIS**

(8) If the premises are located at street level, then at all times lessee shall keep the sidewalks in front of the premises free and clear of ice, snow, rubbish, debris and obstruction; and if the lessee occupies the entire building, the lessee will not permit rubbish, debris, ice or snow to accumulate on the roof of the building so as to stop up or obstruct gutters or downspouts or cause damage to the roof, and will save harmless and protect the lessor against any injury whether to lessor or to lessor's property or to any other person or property caused by lessee's failure in that regard.

**OVERLOADING
OF FLOORS**

(9) The lessee will not overload the floors of the premises in such a way as to cause any undue or serious stress or strain upon the building in which the premises are located, or any part thereof, and the lessor shall have the right, at any time, to call upon any competent engineer or architect whom the lessor may choose, to decide whether or not the floors of the premises, or any part thereof, are being overloaded so as to cause any undue or serious stress or strain on the building, or any part thereof, and the decision of the engineer or architect shall be final and binding upon the lessee; and in the event that it is the opinion of the engineer or architect that the stress or strain is such as to endanger or injure the building, or any part thereof, then and in that event the lessee agrees immediately to relieve the stress or strain, either by reinforcing the building or by lightening the load which causes such stress or strain, in a manner satisfactory to the lessor.

**ADVERTISING
SIGNS**

(10) The lessee will not use the outside walls of the premises, or allow signs or devices of any kind to be attached thereto or suspended therefrom, for advertising or displaying the name or business of the lessee or for any purpose whatsoever without the written consent of the lessor; however, the lessee may make use of the windows of the premises to display lessee's name and business when the workmanship of such signs shall be of good quality and permanent nature; provided further that the lessee may not suspend or place within said windows or paint thereon any banners, signs, sign-boards or other devices in violation of the intent and meaning of this section.

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 94-1957 FOR THE PURPOSE OF AUTHORIZING THE EXECUTION OF A LEASE FOR WORK AND STORAGE SPACE FOR ZOOLIGHTS, ZOOBOO, AND ZOOBLOOM VOLUNTEER ACTIVITIES

Date: May 11, 1994

Presented by: Jane Hartline

FACTUAL BACKGROUND

The Metro Washington Park Zoo has consistently organized two (2) major events (ZooBoo and ZooLights) annually and this year plans to initiate a new ZooBloom festival to attract visitors and boost ticket sales at times when Zoo attendance is normally down.

Two of these events, ZooLights (in the last six years) and ZooBoo (in the past three years) have brought in over 380,000 visitors and \$1,776,000 in gross revenues.

These events would have been impossible without the support of the Zoo's dedicated volunteers. They have devoted thousands of hours, sometimes working under very adverse conditions, to make these events successful. However, to continue to recruit and receive such support, the Metro Washington Park Zoo has an urgent need for decent workshop and storage space for these volunteer and their creations.

In the past, the Zoo was forced to heavily rely upon a contractor's shop space to build the ZooBoo sets, and pursue painting and assembly outdoors even in inclement weather. Such dependence upon a single contractor create innate problems with the competitive bidding of the projects and numerous hardships for the volunteer program.

No on-site storage was available thereby necessitating the constant transfer of volunteer creations to an old, 1200 square foot exhibit at the Zoo (Night Country), and outdoor storage under plastic and on wooden pallets at a multitude of additional locations on Zoo grounds.

The Zoo has previously depended upon volunteers to assume up to fifty percent of the ZooBoo production. But, ZooLights sets have been built and installed almost totally by volunteers. The latter production pieces previously were committed to 900 sq. ft. of public storage at \$0.50 / ft. or \$450 per month (after previous storage at bingo parlor on Murray Road proved totally inadequate in size and to accommodate light construction).

ANALYSIS

In order to support these events at the previous levels and avoid the continuing exodus of volunteer support, minimize contractor involvement and maximize revenues. To that end, acquisition of combined storage and workshop space is proposed for the ZooBoo, ZooLights and ZooBloom events.

Consolidated workshop and storage facilities would:

- Allow consolidation of over \$75,000 in inventory and tool supplies in a 3,000 sq. ft. area;
- Provide a full year (instead of 2-3 month) calendar and 3,000 sq. ft. for the simultaneous layout, construction and refurbishing of all event sets;
- Appeal to volunteer involvement, if in close proximity to the Zoo, in a low crime area, offering a secure parking arrangement and the traditional amenities of heat, good ventilation and restrooms.
- Allow adequate storage space to accommodate purchase versus rental of lighting equipment for the three (3) events and the summer concert series.

The Zoo's Event Technical Coordinator has surveyed the local area for such space at a reasonable cost, and concluded that a facility at 2516 N.W. 29th will meet those specific needs. The facility has:

- 5500 sq. ft. of open warehouse space, 400 sq. ft. of enclosed tool and small part storage space, and 400 sq. ft. of secured costume and prop storage;
- An existing restroom with utility sink;
- Access via an overhead garage door (which will allow van deliveries);
- Adequate space for loading and unloading sets;
- High ceilings that will allow the protective hanging of large light sculptures;
- Over 100 amps of power for the required welding equipment and woodworking power tools;
- An eight (8) minute commute from the Zoo;
- A well lighted, fenced parking area within an industrial complex;

BUDGET IMPACT

In view of the above; the \$0.24 per sq. ft. or \$1500 monthly, one year lease negotiated; and the Event Technical Coordinator's contention that this is the minimum space, lowest cost and limited term lease available, the Metro Washington Park Zoo hereby recommends and the Director of Regional Facilities concurs in a request for the one-year lease of this warehouse / shop space with an option to extend, as per the attached agreement, and continued until the development of a more long-term space on Zoo grounds can be planned, funded and developed.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer hereby recommends approval of Resolution No. 94-1957

Meeting Date: June 23, 1994
Agenda Item No. 5.1

ORDINANCE NO. 94-522B

FINANCE COMMITTEE REPORT

ORDINANCE NO. 94-522B AMENDING THE FY 93-94 BUDGET AND APPROPRIATIONS SCHEDULE TO FUND LEGISLATIVE INCREASES IN ELECTED OFFICIALS SALARIES AND OTHER PERSONAL SERVICE NEEDS

Date: June 14, 1994

Presented By: Councilor Monroe

COMMITTEE RECOMMENDATION: At its June 8, 1994 meeting the Committee voted unanimously to recommend Council approval of Ordinance No. 94-522A as amended. Committee members present and voting were Councilors Gardner, Kvistad, Monroe and Van Bergen. Councilors Buchanan, Devlin and McLain were absent.

COMMITTEE DISCUSSION/ISSUES: Don Carlson, Council Administrator, presented the Staff Report. He stated Ordinance No. 94-522 was first heard by the Finance Committee at its February 23, 1994 meeting. The Committee recommended Council approval of the Ordinance as amended to include an additional Associate Council Analyst position for the remainder of FY 1993-94. At the March 10, 1994 Council meeting Ordinance No. 94-522A was re-referred to the Finance Committee for further consideration. Mr. Carlson explained that a "B" draft of Ordinance No. 94-522 was before the Committee. The "B" draft includes budget and appropriations schedule changes to fund State legislative mandated elected officials salary increases in the Council Department and Executive Management Department budgets (total of \$46,810); and \$6,278 in the Council Department budget to pay for an unanticipated increase in PERS contributions. With the exception of \$4,306 transferred from the Executive Management Materials and Services category to the Personal Services category, all necessary funds come from a transfer from the General Fund contingency category. The "B" draft also eliminated the request for the additional Associate Council Analyst position.

There were no questions or comments from Committee members.



METRO

Date: May 25, 1994

To: Don Carlson, Council Administrator

From: Kathy Rutkowski, ^{KR} Principal Administrative Services Analyst

Re: ORDINANCE 94-522B -- ELECTED OFFICIAL SALARIES

Using the accounting reports as of 4/30/94, I have forecasted personal services for the Council and Executive Management Departments for the remainder of the year. Based on this forecast, both departments will require amendments to their personal services appropriations for the FY 1993-94. The following actions are reflected in Ordinance No. 94-522B, attached to this memo.

Elected Officials Salaries

The salaries for the Executive Officer, the Presiding Officer and Councilors are tied to the amount set by the Oregon Legislature for a District Court Judge. The 1993 legislature increased the salary for a District Court Judge from \$69,600 to \$76,200. Metro's FY 1993-94 adopted budget did not anticipate this increase. The following increases are necessary to the Executive Management and Council department budgets to implement the salary change.

	<u>Adopted Budget</u>	<u>New Salary</u>	<u>Required Increase</u>
Executive Officer	\$73,080	\$76,200	\$3,120
Presiding Officer	\$46,400	\$50,800	\$4,400
Councilors	\$278,400	\$304,800	\$26,400
Fringe @ 38%	\$151,194	\$164,084	\$12,890
Total	\$549,074	\$595,884	<u>\$46,810</u>

This action transfers \$42,504 from the General Fund Contingency to Personal Services in the Council Department budget, and \$4,306 from Materials & Services to Personal Services in the Executive Management Department budget..

May 25, 1994

Page 2

PERS Rate Calculations for FY 1993-94 Fringe Benefit Rates

The PERS contribution is divided into two rates -- the employee contribution (known as the employer pick-up) and the employer contribution. The fringe rate estimates for the FY 1993-94 budget assumed that the total contribution rate was the simple sum of the two rates. The rates are, however, applied cumulatively. The dollar amount of the employee contribution is added to the employee's wages before applying the employer contribution rate. The result of the cumulative application of the rates increases the percentage contribution assumed in the fringe benefit rates by 0.7 percent.

In addition, Metro's employer contribution rate increased on July 1, 1993. Since Metro's payroll and benefit payments for the last payroll period in FY 1992-93 were not paid until July 6, 1993, PERS required Metro to pay the increased employer contribution rate on that payroll. The incremental increase in the PERS amount for the June 30, 1993, payroll as a result of the PERS rate increase on July 1, 1993, was not settled in sufficient time to charge it to FY 1992-93. This amount was ultimately charged to FY 1993-94.

The cumulative application of contribution rates is not a new process. However, Financial Planning was not aware of the process until this fiscal year. In each of the two preceding years, Metro had anticipated and budgeted an increase in its PERS contribution rate. This rate increase did not materialize until July 1 of this year, which left unused appropriation in the fringe benefit line item in prior years. As a result, in prior years on a budgetary basis, departments were able to absorb the error in the calculation of the fringe rates within their existing budgets. In late October, 1993, Financial Planning identified the error in the calculation of the fringe rates for FY 1993-94 and became aware of the additional charge for the June 30, 1993, payroll. The Council Finance Committee was informed at its first meeting in November, 1993, that budget actions could be necessary.

This request transfers \$6,278 from the General Fund Contingency to personal services, fringe benefits in the Council Department to fund the unanticipated PERS costs.

c:\kr:ord93-94:electoff:SRREV.DOC
5/25/94 6:15 PM

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1993-)
94 BUDGET AND APPROPRIATIONS)
SCHEDULE FOR THE PURPOSE OF)
FUNDING LEGISLATIVE INCREASES IN)
ELECTED OFFICIALS SALARIES, [ADDING)
~~A FULL-TIME TEMPORARY ASSOCIATE)
ANALYST IN THE COUNCIL DEPARTMENT)
FOR THE REMAINDER OF THE YEAR,] AND)
OTHER PERSONAL SERVICES NEEDS,)
AND DECLARING AN EMERGENCY)~~

ORDINANCE NO. 94-522[A]B

Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1993-94 Budget; and

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

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

THE METRO COUNCIL HEREBY ORDAINS:

1. That [~~Ordinance No. 93-487A, Exhibit B,~~] the FY 1993-94 Budget, and [~~Exhibit G,~~] Schedule of Appropriations, are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring [~~\$60,588~~] \$48,782 from the General Fund Contingency and \$4,306 from Executive Management, Materials & Services, to Personal Services in the Executive Management and Council department budgets to fund legislative increases in elected officials salaries, and [~~a temporary Associate Analyst position for the remainder of the year (-.34 FTE)] other personal services requirements in the Council department.~~

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

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

Judy Wyers, Presiding Officer

ATTEST:

Clerk of the Council

kr:ord93-94:electoff:ORDB.DOC
May 25, 1994

**Exhibit A
Ordinance No. 94-522B**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND:Executive Management							
Personal Services							
511110	ELECTED OFFICIALS						
	Executive Officer	1.00	73,080		3,120	1.00	76,200
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Administrator	1.00	69,880		0	1.00	69,880
	Senior Administrative Services Analyst	1.00	51,052		0	1.00	51,052
	Administrative Support Assistant D	1.00	27,458		0	1.00	27,458
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Support Assistant C	1.00	29,076		0	1.00	29,076
512000	FRINGE		92,702		1,186		93,888
Total Personal Services		5.00	343,248	0.00	4,306	5.00	347,554
Materials & Services							
521100	Office Supplies		2,752		0		2,752
521310	Subscriptions		905		0		905
521320	Dues		17,400		0		17,400
524190	Misc. Professional Services		10,000		0		10,000
525640	Maintenance & Repairs Services-Equipment		460		0		460
526310	Printing Services		450		0		450
526320	Typesetting & Reprographics Services		120		0		120
526410	Telephone		2,100		0		2,100
526420	Postage		125		0		125
526440	Delivery Services		200		0		200
526500	Travel		21,300		(4,306)		16,994
526700	Temporary Help Services		2,080		0		2,080
526800	Training, Tuition, Conferences		4,640		0		4,640
528100	License, Permits, Payments to Other Agencies		10,000		0		10,000
529500	Meetings		5,800		0		5,800
529800	Miscellaneous		1,200		0		1,200
Total Materials & Services			79,532		(4,306)		75,226
TOTAL EXPENDITURES		5.00	422,780	0.00	0	5.00	422,780

**Exhibit A
Ordinance No. 94-522B**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND: Council							
<u>Personal Services</u>							
511110	ELECTED OFFICIALS						
	Councilors		324,800		30,800		355,600
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Administrator	1.00	70,261		0	1.00	70,261
	Senior Administrative Services Analyst	3.00	142,547		0	3.00	142,547
	Associate Administrative Services Analyst	1.00	36,916		0	1.00	36,916
	Associate Service Supervisor	1.00	32,343		0	1.00	32,343
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary	3.00	85,033		0	3.00	85,033
	Secretary	1.00	20,937		0	1.00	20,937
511400	OVERTIME		2,500		0		2,500
512000	FRINGE		271,828		17,982		289,810
Total Personal Services		10.00	987,165	0.00	48,782	10.00	1,035,947
Total Materials & Services			141,046		0		141,046
Total Capital Outlay			4,000		0		4,000
TOTAL EXPENDITURES		10.00	1,132,211	0.00	48,782	10.00	1,180,993

**Exhibit A
Ordinance No. 94-522B**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
General Fund:General Expenses							
<u>Interfund Transfers</u>							
581513	Trans. Indirect Costs to Bldg. Fund-Regional Center		163,504		0		163,504
581610	Trans. Indirect Costs to Support Svcs. Fund		488,647		0		488,647
581615	Trans. Indirect Costs to Risk Mgmt. Fund-Gen'l		2,173		0		2,173
581615	Trans. Indirect Costs to Risk Mgmt. Fund-Workers' Comp		8,238		0		8,238
582550	Trans. Resources to Oregon Conv. Ctr. Oper. Fund		0		0		0
583610	Trans.Direct Costs to Support Svcs. Fund		40,000		0		40,000
583615	Trans.Direct Costs to Risk Management Fund		14,429		0		14,429
<u>Excise Tax Transfers</u>							
582140	Trans. Resources to Planning Fund		1,780,738		0		1,780,738
582513	Trans. Resources to Building Mgmt. Fund - Parking		6,230		0		6,230
582513	Trans. Resources to Building Mgmt. Fund - Metro Center		394,000		0		394,000
582610	Trans. Resources to Support Svcs. Fund		70,000		0		70,000
582160	Trans. Resources to Reg. Parks/Expo Fund-Greenspaces		566,672		0		566,672
582160	Trans. Resources to Reg. Parks/Expo Fund-Parks		80,000		0		80,000
Total Interfund Transfers			3,614,631		0		3,614,631
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		83,698		(48,782)		34,916
599990	Unappropriated Fund Balance		267,665		0		267,665
Total Contingency and Unapp. Balance			351,363		(48,782)		302,581
TOTAL EXPENDITURES		16.00	5,915,414	0.00	0	16.00	5,915,414

Note: This Revised Ordinance has updated the Current Budget column to reflect all actions adopted by Council since the initial introduction of the Ordinance. It also assumes adoption of Ordinance No. 94-551A, reflecting the early lease termination agreement with AMCO Portland, and Ordinance No. 94-548, amending the Office of Government Relations. Both actions are currently under Council review at this time.

**Exhibit B
Schedule of Appropriations
Ordinance No. 94-522B**

GENERAL FUND	Current Appropriation	Revision	Proposed Appropriation
Council			
Personal Services	987,165	48,782	1,035,947
Materials & Services	141,046	0	141,046
Capital Outlay	4,000	0	4,000
Subtotal	1,132,211	48,782	1,180,993
Executive Management			
Personal Services	343,248	4,306	347,554
Materials & Services	79,532	(4,306)	75,226
Capital Outlay	0	0	0
Subtotal	422,780	0	422,780
Office of Government Relations			
Personal Services	69,979	0	69,979
Materials & Services	74,450	0	74,450
Capital Outlay	0	0	0
Subtotal	144,429	0	144,429
Special Appropriations			
Materials & Services	250,000	0	250,000
Subtotal	250,000	0	250,000
General Expenses			
Interfund Transfers	3,614,631	0	3,614,631
Contingency	83,698	(48,782)	34,916
Subtotal	3,698,329	(48,782)	3,649,547
Unappropriated Balance	267,665	0	267,665
Total Fund Requirements	5,915,414	0	5,915,414

Note: This Revised Ordinance has updated the Current Appropriation column to reflect all actions adopted by Council since the initial introduction of the Ordinance. It also assumes adoption of Ordinance No. 94-551A, reflecting the early lease termination agreement with AMCO Portland, and Ordinance No. 94-548, amending the Office of Government Relations. Both actions are currently under Council review at this time.

All Other Appropriations Remain As Previously Adopted

FINANCE COMMITTEE REPORT

ORDINANCE NO. 94-522A REVISING THE FY 93-94 BUDGET AND SCHEDULE OF
APPROPRIATIONS TO FUND LEGISLATIVE INCREASES IN ELECTED OFFICIALS
SALARIES

Date: March 1, 1994

Presented By: Councilor Van Bergen

COMMITTEE RECOMMENDATION: At its February 23, 1994 meeting the Committee voted unanimously to recommend Council adoption of Ordinance No. 94-522 as amended. Committee members present and voting were Councilors Devlin, Kvistad, McLain, Monroe and Van Bergen. Councilors Buchanan and Gardner were absent.

COMMITTEE DISCUSSION/ISSUES: Don Carlson, Council Administrator, presented the Staff Report. He stated that the ordinance amends the budget and appropriations schedule to transfer \$42,504 from the General Fund Contingency to the Personal Services category in the Council Department Budget and \$4,304 from the Materials and Services category to the Personal Services category in the Executive Management Department Budget. Both transfers are for the purpose of appropriating funds to pay for salary increases which occurred as a result of action by the 1993 Oregon Legislature. He pointed out that the Charter approved by the voters in November 1992 sets Metro elected official salaries as a percentage of the salary for a District Court Judge in the State of Oregon. The 1993 Legislature approved Senate Bill 5535 which increased the salary for a District Court Judge effective July 1, 1993. As a result of this action salaries for Metro elected officials increased. Mr. Carlson stated that he informed the Council of the salary increase in the Fall of 1993 and recommended an ordinance be brought forward in mid-year to make the necessary budget and appropriation changes (see Attachment 1 to this Report).

In response to a question from the Committee about what happens if the Council does not approve this ordinance, Mr. Carlson stated that the Council Department would over spend its Personal Services appropriation by the approximate amount of the requested change. He pointed out that the Council annually reviews the final budget and appropriation schedule to actual expenditures and reprimands departments which overspend Council approved appropriations. He stated that in this regard the Council should lead by example and make sure it does not over spend appropriations. Dan Cooper, General Counsel, pointed out that the Local Government Budget Law is very clear that over expending appropriations is a violation of the law. If the Council consciously over spends its Personal Services appropriation, an aggrieved tax payer could file a suit to hold Councilors personally liable for the over expenditure. He said the only way to avoid an over expenditure is to either appropriate more funds to cover anticipated costs or reduce expenditures in the Personal Services category to cover these increased costs. Dan Cooper reiterated his earlier opinion that each Councilor has a legal right to the salary and that the Council by its own action cannot limit that right. The Charter states that

a Councilor may waive a salary, which he has stated means all or any portion of the salary. Council Staff indicated that up to this time at least one Councilor has waived a portion of the salary.

Councilor McLain stated that several members of MPAC have expressed concern about asking local governments to pay voluntary dues for planning programs if Metro Councilors are going to receive a pay increase. She stated that she was raising the issue so Committee members will be aware of the perceptions some persons have about this issue.

Councilor Kvistad presented the Committee with an amendment which would implement his proposed addition to the Council Staff outlined in his communication to the Council dated January 31, 1994. That memo requested additional assistance to the Planning Committee to handle the workload for the remainder of the fiscal year particularly during the budget period. The proposed amendment would transfer an additional \$18,084 from the General Fund Contingency to the Personal Services category in the Council Department Budget. In response to a suggestion from Councilor Devlin, Councilor Kvistad accepted a friendly amendment to clarify that the new position is temporary. Council Staff pointed out that this new position is not included in the Council Department FY 94-95 Budget request, so the Budget Committee and Council would have to take specific action to include it. In response to a question about filling the position, Don Carlson, Council Administrator, stated that a job announcement would be immediately posted for in-house recruitment subject to Council approval of the position.



METRO

ATTACHMENT 1

(Fin.Comm.RPT/Ord.94-522A)

Date: September 9, 1993
To: Metro Council *DE*
From: Donald E. Carlson, Council Administrator
Re: Salary Increase for Metro Elected Officials

This is to inform you that the 1993 Oregon Legislature enacted C-Engrossed Senate Bill 5535 which included a provision to increase the salary of a District Court Judge from \$69,600 to \$76,200 effective July 1, 1993 (See Attachment 1). As you know Section 21 of the Metro Charter sets the compensation of Metro elected officials as follows:

- * Executive Officer -- One hundred per cent of the salary of a District Court Judge (\$76,200);
- * Presiding Officer -- Two-thirds of the salary of a District Court Judge (\$50,800);
- * Councilor -- One third of the salary of a District Court Judge (\$25,400); and
- * Auditor -- Eighty per cent of the salary of a District Court Judge beginning January 1, 1995 (\$60,960).

The Council Department Budget for FY 1993-94 assumed no increase for Councilors. Council Staff will recommend an ordinance be introduced at mid-year to amend the budget and appropriations schedule to add \$30,800 in the Council salary line item and \$11,704 in the Fringe line item (38% composite fringe rate) to cover this expenditure increase. We will coordinate with the Executive Management Department regarding any needed budget adjustment regarding the Executive Officers salary. Also, we will inform the Accounting Division and work with them on the retroactive salary payments. If you have any questions, please let me know.

cc: Dick Engstrom
Jennifer Sims
Dan Cooper
Don Cox
Lindsey Ray



METRO

ATTACHMENT 2

(Fin. Comm. Rpt/Ord. 94-522A)

Date: February 22, 1994
To: Finance Committee
From: Councilor Jon Kvistad, Chair
Metro Planning Committee
Re: Proposed Amendment to Ordinance No. 94-522

JK/ee

This memo is a follow up to my communication to the Council dated January 31, 1994 regarding the addition of an Associate Council Analyst position to the Council Department budget. Please find attached a marked up copy of the ordinance which includes my proposed amendments.

The proposed amendment adds an Associate Council Analyst position at .34 FTE or 720 hours for the remainder of the current fiscal year. The total cost is \$18,084 (salary and fringe). The salary is set at slightly below the mid-point of Salary Range 16 in the current Non-Representative Pay Plan. This salary is compatible with current staffing level in the Department and is set to be attractive to those persons in Metro who might want to apply for the position.

If the Committee and Council approve this amendment it is my intent to request that the Council Administrator commence in-house recruitment for the position immediately. Don Carlson has indicated to me that a four person selection panel consisting of the Presiding Officer, Council Administrator, Senior Council Analyst and myself will be convened to review applications. If you have any questions or comments regarding this request, please let me know.

cc: Metro Council
Dick Engstrom
Jennifer Sims

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING ORDINANCE)
NO. 93-487A REVISING THE FY 1993-94)
BUDGET AND APPROPRIATIONS)
SCHEDULE FOR THE PURPOSE OF)
FUNDING LEGISLATIVE INCREASES IN)
ELECTED OFFICIALS SALARIES; AND)
DECLARING AN EMERGENCY)
)

ORDINANCE NO. 94-522
Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1993-94 Budget; and

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

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

THE METRO COUNCIL HEREBY ORDAINS:

1. That Ordinance No. 93-487A, Exhibit B, FY 1993-94 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring ~~[\$42,504]~~ ^{\$60,588} from the General Fund Contingency and \$4,306 from Executive Management, Materials & Services, to Personal Services in the Executive Management and Council department budgets to fund legislative increases in elected officials salaries; TEMPORARY AND ASSOCIATE COUNCIL ANALYST POSITIONS IN THE COUNCIL DEPARTMENT.

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

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

Judy Wyers, Presiding Officer

ATTEST:

Clerk of the Council

Exhibit A
Ordinance No. 94-522

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND:Executive Management							
<u>Personal Services</u>							
511110	ELECTED OFFICIALS Executive Officer	1.00	73,080		3,120	1.00	76,200
511121	SALARIES-REGULAR EMPLOYEES (full time) Administrator	1.00	69,880		0	1.00	69,880
	Senior Administrative Services Analyst	1.00	51,052		0	1.00	51,052
	Administrative Support Assistant D	1.00	27,458		0	1.00	27,458
511221	WAGES-REGULAR EMPLOYEES (full time) Administrative Support Assistant C	1.00	29,076		0	1.00	29,076
			92,702		1,186		93,888
512000	FRINGE						
Total Personal Services		5.00	343,248	0.00	4,306	5.00	347,554
<u>Materials & Services</u>							
521100	Office Supplies		2,752		0		2,752
521310	Subscriptions		905		0		905
521320	Dues		17,400		0		17,400
524190	Misc. Professional Services		10,000		0		10,000
525640	Maintenance & Repairs Services-Equipment		450		0		450
526310	Printing Services		450		0		450
526320	Typesetting & Reprographics Services		120		0		120
526410	Telephone		2,100		0		2,100
526420	Postage		125		0		125
526440	Delivery Services		200		0		200
526500	Travel		21,300		(4,306)		16,994
526700	Temporary Help Services		2,080		0		2,080
526800	Training, Tuition, Conferences		4,640		0		4,640
528100	License, Permits, Payments to Other Agencies		10,000		0		10,000
529500	Meetings		5,800		0		5,800
529800	Miscellaneous		1,200		0		1,200
Total Materials & Services			79,532		(4,306)		75,226
TOTAL EXPENDITURES		5.00	422,780	0.00	0	5.00	422,780

Exhibit A
Ordinance No. 94-522

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND: Council							
<u>Personal Services</u>							
511110	ELECTED OFFICIALS						
	Councilors		324,800		30,800		355,600
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Administrator	1.00	70,261	0	0	1.00	70,261
	Senior Administrative Services Analyst	3.00	142,547	0	0	3.00	142,547
	Associate Administrative Services Analyst	1.00	36,916	13,104	[1.00]	1.34	[36,916] 50,020
	Associate Service Supervisor	1.00	32,343	0	0	1.00	32,343
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary	3.00	85,033	0	0	3.00	85,033
	Secretary	1.00	20,937	0	0	1.00	20,937
511400	OVERTIME		2,500		0		2,500
512000	FRINGE		271,828		[11,704]	16,684	[283,532] 288,512
Total Personal Services		10.00	887,165	0.00	[42,504]	[10.00]	[1,029,669]
Total Materials & Services			149,546		60,588	10.34	1,047,753
Total Capital Outlay			4,000		0		4,000
TOTAL EXPENDITURES		10.00	1,140,711	0.00	[42,504]	[10.00]	[1,183,215]
					60,588	10.34	7,201,299

General Fund: General Expenses

Total Interfund Transfers			3,324,770		0		3,324,770
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		367,500		[(42,504)]	60,588	[324,996] 306,912
599990	Unappropriated Fund Balance		267,665		0		267,665
Total Contingency and Unapp. Balance			635,165		[(42,504)]	60,588	[592,661] 574,577
TOTAL EXPENDITURES		16.00	5,915,414	0.00	0	(16.00)	5,915,414

Note: This action assumes adoption of Ordinance No. 93-514, funding the Construction Manager position; Ordinance No. 93-518, funding personal computer replacements in the Office of General Counsel; Ordinance No. 93-516 funding a Greenspaces RFP; and Ordinance No. 93-521 funding an IGA for a predicate study

**Exhibit B
Schedule of Appropriations
Ordinance No. 94-522**

	Current Appropriation	Revision	Proposed Appropriation	
GENERAL FUND				
Council				
Personal Services	987,165	[42,504]	60,588	[1,029,669] 1,047,753
Materials & Services	149,546	0	149,546	
Capital Outlay	4,000	0	4,000	
Subtotal	1,140,711	[42,504]	60,588	[1,183,215] 1,201,299
Executive Management				
Personal Services	343,248	4,306	347,554	
Materials & Services	79,532	(4,306)	75,226	
Capital Outlay	0	0	0	
Subtotal	422,780	0	422,780	
Office of Government Relations				
Personal Services	67,538	0	67,538	
Materials & Services	74,450	0	74,450	
Capital Outlay	0	0	0	
Subtotal	141,988	0	141,988	
Special Appropriations				
Materials & Services	250,000	0	250,000	
Subtotal	250,000	0	250,000	
General Expenses				
Interfund Transfers	3,324,770	0	3,324,770	
Contingency	367,500	[(42,504)]	60,588	[324,996] 306,912
Subtotal	3,692,270	[(42,504)]	60,588	[3,649,766] 3,631,682
Unappropriated Balance	267,665	0	267,665	
Total Fund Requirements	5,915,414	0	5,915,414	

Note: This action assumes adoption of Ordinance No. 93-514, funding the Construction Manager position; Ordinance No. 93-518, funding personal computer replacements in the Office of General Counsel; Ordinance No. 93-516 funding a Greenspaces RFP; and Ordinance No. 93-521 funding an IGA for a predicate study

All Other Appropriations Remain As Previously Adopted

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING ORDINANCE)
NO. 93-487A REVISING THE FY 1993-94)
BUDGET AND APPROPRIATIONS)
SCHEDULE FOR THE PURPOSE OF)
FUNDING LEGISLATIVE INCREASES IN)
ELECTED OFFICIALS SALARIES, ADDING A)
FULL TIME TEMPORARY ASSOCIATE)
ANALYSY IN THE COUNCIL DEPARTMENT)
FOR THE REMAINDER OF THE YEAR, AND)
DECLARING AN EMERGENCY)

ORDINANCE NO. 94-522A

Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1993-94 Budget; and

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

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

THE METRO COUNCIL HEREBY ORDAINS:

1. That Ordinance No. 93-487A, Exhibit B, FY 1993-94 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring [~~\$42,504~~] \$60,588 from the General Fund Contingency and \$4,306 from Executive Management, Materials & Services, to Personal Services in the Executive Management and Council department budgets to fund legislative increases in elected officials salaries, and a temporary Associate Analyst position for the remainder of the year (.34 FTE) in the Council Department.

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

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

Judy Wyers, Presiding Officer

ATTEST:

Clerk of the Council

**Exhibit A
Ordinance No. 94-522A**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND:Executive Management							
<u>Personal Services</u>							
511110	ELECTED OFFICIALS						
	Executive Officer	1.00	73,080		3,120	1.00	76,200
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Administrator	1.00	69,880		0	1.00	69,880
	Senior Administrative Services Analyst	1.00	51,052		0	1.00	51,052
	Administrative Support Assistant D	1.00	27,458		0	1.00	27,458
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Support Assistant C	1.00	29,076		0	1.00	29,076
512000	FRINGE		92,702		1,186		93,888
Total Personal Services		5.00	343,248	0.00	4,306	5.00	347,554
<u>Materials & Services</u>							
521100	Office Supplies		2,752		0		2,752
521310	Subscriptions		905		0		905
521320	Dues		17,400		0		17,400
524190	Misc. Professional Services		10,000		0		10,000
525640	Maintenance & Repairs Services-Equipment		460		0		460
526310	Printing Services		450		0		450
526320	Typesetting & Reprographics Services		120		0		120
526410	Telephone		2,100		0		2,100
526420	Postage		125		0		125
526440	Delivery Services		200		0		200
526500	Travel		21,300		(4,306)		16,994
526700	Temporary Help Services		2,080		0		2,080
526800	Training, Tuition, Conferences		4,640		0		4,640
528100	License, Permits, Payments to Other Agencies		10,000		0		10,000
529500	Meetings		5,800		0		5,800
529800	Miscellaneous		1,200		0		1,200
Total Materials & Services			79,532		(4,306)		75,226
TOTAL EXPENDITURES		5.00	422,780	0.00	0	5.00	422,780

**Exhibit A -
Ordinance No. 94-522A**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND: Council							
<u>Personal Services</u>							
511110	ELECTED OFFICIALS						
	Councilors		324,800		30,800		355,600
51121	SALARIES-REGULAR EMPLOYEES (full time)						
	Administrator	1.00	70,261		0	1.00	70,261
	Senior Administrative Services Analyst	3.00	142,547		0	3.00	142,547
	Associate Administrative Services Analyst	1.00	36,916		0	1.00	36,916
	Associate Service Supervisor	1.00	32,343		0	1.00	32,343
51122	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary	3.00	85,033		0	3.00	85,033
	Secretary	1.00	20,937		0	1.00	20,937
51123	WAGES-TEMPORARY EMPLOYEES (part time)						
	Temporary Associate Analyst		0	0.34	13,104	0.34	13,104
51140	OVERTIME		2,500		0		2,500
51200	FRINGE		271,828		16,684		288,512
Total Personal Services		10.00	987,165	0.34	60,588	10.34	1,047,753
Total Materials & Services			149,546		0		149,546
Total Capital Outlay			4,000		0		4,000
TOTAL EXPENDITURES		10.00	1,140,711	0.34	60,588	10.34	1,201,299

General Fund: General Expenses

Total Interfund Transfers			3,324,770		0		3,324,770
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		367,500		(60,588)		306,912
599990	Unappropriated Fund Balance		267,665		0		267,665
Total Contingency and Unapp. Balance			635,165		(60,588)		574,577
TOTAL EXPENDITURES		16.00	5,915,414	0.34	0	16.34	5,915,414

Note: This action assumes adoption of Ordinance No. 93-514, funding the Construction Manager position; Ordinance No. 93-518, funding personal computer replacements in the Office of General Counsel; Ordinance No. 93-516 funding a Greenspaces RFP; and Ordinance No. 93-521 funding an IGA for a predicate study

**Exhibit B
Schedule of Appropriations
Ordinance No. 94-522A**

	Current Appropriation	Revision	Proposed Appropriation
GENERAL FUND			
Council			
Personal Services	987,165	60,588	1,047,753
Materials & Services	149,546	0	149,546
Capital Outlay	4,000	0	4,000
Subtotal	1,140,711	60,588	1,201,299
Executive Management			
Personal Services	343,248	4,306	347,554
Materials & Services	79,532	(4,306)	75,226
Capital Outlay	0	0	0
Subtotal	422,780	0	422,780
Office of Government Relations			
Personal Services	67,538	0	67,538
Materials & Services	74,450	0	74,450
Capital Outlay	0	0	0
Subtotal	141,988	0	141,988
Special Appropriations			
Materials & Services	250,000	0	250,000
Subtotal	250,000	0	250,000
General Expenses			
Interfund Transfers	3,324,770	0	3,324,770
Contingency	367,500	(60,588)	306,912
Subtotal	3,692,270	(60,588)	3,631,682
Unappropriated Balance	267,665	0	267,665
Total Fund Requirements	5,915,414	0	5,915,414

Note: This action assumes adoption of Ordinance No. 93-514, funding the Construction Manager position; Ordinance No. 93-518, funding personal computer replacements in the Office of General Counsel; Ordinance No. 93-516 funding a Greenspaces RFP; and Ordinance No. 93-521 funding an IGA for a predicate study

All Other Appropriations Remain As Previously Adopted

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 94-522 AMENDING ORDINANCE NO. 93-487A REVISING THE FY 1993-94 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF FUNDING LEGISLATIVE INCREASES IN ELECTED OFFICIALS SALARIES; AND DECLARING AN EMERGENCY

Date: February 3, 1994

Presented by: Dick Engstrom
Don Carlson

BACKGROUND AND ANALYSIS

The salaries for the Executive Officer, the Presiding Officer and Councilors are tied to the amount set by the Oregon Legislature for a District Court Judge. The 1993 legislature increased the salary for a District Court Judge from \$69,600 to \$76,200. Metro's FY 1993-94 adopted budget did not anticipate this increase. The following increases are necessary to the Executive Management and Council department budgets to implement the salary change.

	<u>Adopted Budget</u>	<u>New Salary</u>	<u>Required Increase</u>
Executive Officer	\$73,080	\$76,200	\$3,120
Presiding Officer	\$46,400	\$50,800	\$4,400
Councilors	\$278,400	\$304,800	\$26,400
Fringe @ 38%	\$151,194	\$164,084	\$12,890
Total	\$549,074	\$595,884	<u>\$46,810</u>

This action transfers \$42,504 from the General Fund Contingency to Personal Services in the Council Department budget, and \$4,306 from Materials & Services to Personal Services in the Executive Management Department budget..

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Ordinance No. 94-522.

Meeting Date: June 23, 1994
Agenda Item No. 5.2

ORDINANCE NO. 94-547



METRO

DATE: June 17, 1994

TO: Metro Council
Executive Officer
Agenda Recipients

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

RE: AGENDA ITEM NO. 5.2; ORDINANCE NO. 94-547

The Solid Waste Committee will consider Ordinance No. 94-547 on June 21 and the Finance Committee will consider it on June 22. Committee reports will be distributed in advance to Councilors and available at the Council meeting on June 23, 1994.



METRO

To: Solid Waste Committee Members

From: John Houser, Council Analyst

Date: June 1, 1994

Re: Ordinance No. 94-547, An Ordinance amending Ordinance No. 93-487A Revising the FY 1993-94 Budget and Appropriations Schedule For the Purpose of Reflecting Expenditure Increases Due to Delivered Tonnage in Excess of Budget Expectations, Costs Associated with Household Hazardous Waste Events and Shift Coverage; and Declaring an Emergency

Background

The purpose of this ordinance is to make two specific amendments to the FY 1993-94 budget ordinance related to the Solid Waste Revenue Fund. These include:

1) Transfer \$60,600 from the Operations Division, Materials and Services line item to the Personal Services line item to be used as follows:

- a) \$30,600 to fund costs associated with HHW collection events in Aloha and Gresham, and
- b) \$30,000 to fund shift coverage costs for transfer station scalehouse staff.

2) Transfer \$938,500 to fund additional disposal costs related to increased tonnages anticipated during the final four months of the fiscal year.

HHW Collection Events. Metro recently conducted single day HHW collection events in the Aloha and Gresham areas. Permanent Metro HHW staff was supplemented with students from local community college hazardous waste training programs. These 30 temporary employees each worked about 60 hours at a rate of \$17/hr. The total cost for this additional help was \$30,600. The ordinance requests that funds be transferred from the Operations Division Materials and Services Hazardous Waste Disposal line item to the Personal Services line item.

Shift Coverage. Transfer station scalehouses must be kept fully staffed during normal working hours. When a scalehouse technician is absent due to a paid leave such as a vacation, illness, holiday or disability another technician must be called in as a substitute. As a result, Metro pays both employees for the

same work period. Funding for this "shift coverage" was not included in the current fiscal year's budget. The budget ordinance would provide a total of \$30,000 to fund shift coverage during the final quarter of the fiscal year. This is based on an estimated 300 hours of shift coverage per pay period, or 1,800 hours for the three month period.

Solid Waste Tonnage. An earlier budget amendment approved by the Council provided about \$1.8 million to pay additional disposal costs associated with solid waste tonnages that exceeded budget estimates. During March, tonnages exceeded both the original and revised budget estimates. This ordinance would transfer an additional \$938,500 to cover potential additional disposal costs for the March-June period. The funds would come from the operating account contingency. If any portion of these funds are not used, the remaining balance would revert to the general account in the unappropriated balance.

Issues and Questions

The committee may wish to address the following issues and questions related to this ordinance:

- 1) What was the basis for paying the temporary employees for the HHW collection events \$17/hr. in wages and fringe benefits when the base rate for a permanent Metro HHW technician is \$12.85/hr.?
- 2) Each of the HHW events was for a single day. The ordinance estimates that each temporary employee was paid for 60 hours of work. Could staff please provide a breakdown of this 60 hour figure?
- 3) The ordinance estimates that shift coverage will average about 300 hours per pay period for the scalehouse technicians. Based on approved budget funding for 14 scalehouse technician positions, these data would appear to indicate that each technician misses about 21.4 hours of time during each 80 hour pay period. Could staff please explain this seemingly high level of absence?
- 4) The amount to be transferred to cover excess tonnage disposal costs is based on data from March. Do tonnage levels in April and May continue to support the need for this transfer of funds?

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING ORDINANCE)
NO. 93-487A REVISING THE FY 1993-94)
BUDGET AND APPROPRIATIONS)
SCHEDULE FOR THE PURPOSE OF)
REFLECTING EXPENDITURE INCREASES)
DUE TO DELIVERED TONNAGE IN EXCESS)
OF BUDGET EXPECTATIONS, COSTS)
ASSOCIATED WITH HOUSEHOLD)
HAZARDOUS WASTE EVENTS AND SHIFT)
COVERAGE; AND DECLARING AN)
EMERGENCY)

ORDINANCE NO. 94-547

Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1993-94 Budget; and

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

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

THE METRO COUNCIL HEREBY ORDAINS:

1. That Ordinance No. 93-487A, Exhibit B, FY 1993-94 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in the columns titled "Household Hazardous Waste Collection", "Shift Coverage", and "Additional Solid Waste Tonnage" of Exhibits A and B to this Ordinance for the purpose transferring \$30,600 from the Solid Waste Fund Operations Division Materials and Services to the Solid Waste Fund Operations Division Personal Services to fund household hazardous waste collection events, \$30,000 from the Solid Waste Fund Operations Division Materials and Services to the Solid Waste Fund Operations Division Personal Services to fund costs associated with shift coverage, and \$910,000 from the Solid Waste Fund Contingency to the Solid Waste Fund Operations Division Materials and Services and \$28,500 from the Solid Waste Fund Contingency to the Solid Waste Fund Budget and Finance Division to fund costs associated with transportation and disposal of additional solid waste tonnage above the estimate used in developing the budget.

2. This Ordinance being necessary for the immediate preservation of the public health, safety and welfare, in order to meet obligations and comply with Oregon Budget Law,

an emergency is declared to exist, and this Ordinance takes effect upon passage.

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

Judy Wyers, Presiding Officer

ATTEST:

Clerk of the Council

RSR:WINWORD\SOLIDW\94-528OR.DOC
May 3, 1994

FISCAL YEAR 1993-94		CURRENT BUDGET		Household Hazardous Waste Collection		Shift Coverage		Additional Solid Waste Tonnage		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE REVENUE FUND:Operating Account (Administration)											
Total Personal Services		10.50	620,162	0.00	0	0.00	0	0.00	0	10.50	520,162
Total Materials & Services			117,796		0		0		0		117,796
TOTAL EXPENDITURES		10.50	637,958	0.00	0	0.00	0	0.00	0	10.50	637,958

SOLID WASTE REVENUE FUND:Operating Account (Budget and Finance)

Total Personal Services		8.00	458,117	0	0	0	0	8.00	458,117		
Materials & Services											
521110	Computer Software		12,500		0		0		0		12,500
521111	Computer Supplies		1,500		0		0		0		1,500
521320	Dues		100		0		0		0		100
524190	Misc. Professional Services		66,500		0		0		0		66,500
525640	Maintenance & Repairs Services-Equipment		15,000		0		0		0		15,000
525740	Capital Lease Payments-Furniture & Equipment		30,310		0		0		0		30,310
526200	Ads & Legal Notices		500		0		0		0		500
526310	Printing Services		15,500		0		0		0		15,500
526320	Typesetting & Reprographics Services		1,000		0		0		0		1,000
526420	Postage		30,500		0		0		0		30,500
526500	Travel		3,350		0		0		0		3,350
526510	Mileage Reimbursement		1,000		0		0		0		1,000
526612	Disposal Operations-Landfill Disposal		215,083		0		0		28,500		243,583
526800	Training, Tuition, Conferences		7,625		0		0		0		7,625
528100	License, Permits, Payments to Other Agencies		637,980		0		0		0		637,980
529500	Meetings		100		0		0		0		100
Total Materials & Services			1,038,548		0		0		28,500		1,067,048
TOTAL EXPENDITURES		8.00	1,496,665	0.00	0	0.00	0	0.00	28,500	8.00	1,525,165

**Exhibit A
Ordinance No: 94-547**

FISCAL YEAR 1993-94	ACCT #	DESCRIPTION	CURRENT BUDGET		Household Hazardous Waste Collection		Shift Coverage		Additional Solid Waste Tonnage		PROPOSED BUDGET	
			FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE REVENUE FUND:Operating Account (Operations)												
		<u>Personal Services</u>										
	511121	SALARIES-REGULAR EMPLOYEES (full time)										
		Senior Manager	1.00	59,324	0	0	0	0	0	1.00	59,324	
		Sr. Solid Waste Planner	1.00	48,591	0	0	0	0	0	1.00	48,591	
		Assoc. Management Analyst	1.00	44,074	0	0	0	0	0	1.00	44,074	
		Associate Program Supervisor	3.00	119,538	0	0	0	0	0	3.00	119,538	
		Hazardous Waste Specialist	5.00	155,218	0	0	0	0	0	5.00	155,218	
		Senior Service Supervisor	1.00	41,196	0	0	0	0	0	1.00	41,196	
		Service Supervisor	2.00	68,904	0	0	0	0	0	2.00	68,904	
	511221	WAGES-REGULAR EMPLOYEES (full time)										
		Hazardous Waste Technician	17.00	490,642	0	0	0	0	0	17.00	490,642	
		Scalehouse Technician	14.00	330,733	0	0	0	0	0	14.00	330,733	
	511225	WAGES-REGULAR EMPLOYEES (part time)			0	0	0	0	0	0	0	
		Scalehouse Technician	2.15	48,022	0	0	0	0	0	2.15	48,022	
	511235	WAGES-TEMPORARY EMPLOYEES (part time)										
		Temporary		0	27,568	27,027	0	54,595				
	511400	OVERTIME		53,500	0	0	0	53,500				
	512000	FRINGE		640,479	3,032	2,973	0	646,484				
		Total Personal Services	47.15	2,100,221	30,600	30,000	0	47.15	2,160,821			

<u>Materials & Services</u>												
	521100	Office Supplies		14,360	0	0	0	14,360				
	521110	Computer Software		500	0	0	0	500				
	521111	Computer Supplies		4,500	0	0	0	4,500				
	521220	Custodial Supplies		1,660	0	0	0	1,660				
	521260	Printing Supplies		6,040	0	0	0	6,040				
	521290	Other Supplies		67,910	0	0	0	67,910				
	521292	Small Tools		4,000	0	0	0	4,000				
	521310	Subscriptions		4,070	0	0	0	4,070				
	521320	Dues		625	0	0	0	625				
	521400	Fuels & Lubricants		4,160	0	0	0	4,160				
	521530	Maintenance & Repairs Supplies-Vehicles		1,500	0	0	0	1,500				
	521540	Maintenance & Repairs Supplies-Equipment		103,930	0	0	0	103,930				
	523200	Merchandise for Resale-Retail		200	0	0	0	200				
	524130	Promotion/Public Relations		11,100	0	0	0	11,100				
	524190	Misc. Professional Services		1,602,386	0	0	0	1,602,386				
	524210	Data Processing Services		51,200	0	0	0	51,200				
	525110	Utilities-Electricity		48,000	0	0	0	48,000				
	525120	Utilities-Water & Sewer		48,000	0	0	0	48,000				
	525610	Maintenance & Repairs Services-Building		13,300	0	0	0	13,300				

Ordinance No. 94-547

FISCAL YEAR 1993-94		CURRENT BUDGET		Household Hazardous Waste Collection		Shift Coverage		Additional Solid Waste Tonnage		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE REVENUE FUND:Operating Account (Operations continued)											
525630	Maintenance & Repairs Services-Vehicles		4,000		0		0		0		4,000
525640	Maintenance & Repairs Services-Equipment		137,120		0		0		0		137,120
525710	Equipment Rental		3,000		0		0		0		3,000
525720	Rentals - Land & Building		14,000		0		0		0		14,000
525740	Capital Lease Payments-Furniture & Equipment		27,800		0		0		0		27,800
526200	Ads & Legal Notices		4,480		0		0		0		4,480
526310	Printing Services		34,300		0		0		0		34,300
526320	Typesetting & Reprographics Services		300		0		0		0		300
526410	Telephone		28,032		0		0		0		28,032
526420	Postage		800		0		0		0		800
526430	Catalogues & Brochures		2,000		0		0		0		2,000
526500	Travel		7,300		0		0		0		7,300
526510	Mileage Reimbursement		6,160		0		0		0		6,160
526610	Disposal Operations		5,059,114		0		0		0		5,059,114
526611	Disposal Operations-Transportation		10,394,828		0		0		341,250		10,736,078
526612	Disposal Operations-Landfill Disposal		20,884,372		0		0		568,750		21,453,122
526613	Disposal Operations-Hazardous Material		1,588,000		(30,600)		0		0		1,557,400
526700	Temporary Help Services		30,000		0		(30,000)		0		0
526800	Training, Tuition, Conferences		55,650		0		0		0		55,650
526910	Uniform Supply & Cleaning Services		49,800		0		0		0		49,800
526911	Disposal Protective Gear		80,000		0		0		0		80,000
528100	License, Permits, Payments to Other Agencies		17,875		0		0		0		17,875
528310	Real Property Taxes		350		0		0		0		350
529500	Meetings		500		0		0		0		500
Total Materials & Services			40,417,222		(30,600)		(30,000)		910,000		41,266,622
TOTAL EXPENDITURES		47.15	42,517,443	0.00	0	0.00	0	0.00	910,000	47.15	43,427,443

SOLID WASTE REVENUE FUND:Operating Account (Engineering & Analysis)

Total Personal Services	10.50	700,519	0.00	0	0.00	0	0.00	0	10.50	700,519
Total Materials & Services		183,458		0		0		0		183,458
TOTAL EXPENDITURES	10.50	883,977	0.00	0	0.00	0	0.00	0	10.50	883,977

**Exhibit A
Ordinance No. 94-547**

FISCAL YEAR 1993-94		CURRENT BUDGET		Household Hazardous Waste Collection		Shift Coverage		Additional Solid Waste Tonnage		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE REVENUE FUND:Operating Account (Waste Reduction)											
	Total Personal Services	9.00	532,169	0.00	0	0.00	0	0.00	0	9.00	532,169
	Total Materials & Services		1,018,162		0		0		0		1,018,162
	TOTAL EXPENDITURES	9.00	1,550,331	0.00	0	0.00	0	0.00	0	9.00	1,550,331
SOLID WASTE REVENUE FUND:Operating Account (Planning and Technical Services)											
	Total Personal Services	11.50	520,259	0.00	0	0.00	0	0.00	0	11.50	520,259
	Total Materials & Services		344,816		0		0		0	0.00	344,816
	TOTAL EXPENDITURES	11.50	865,075	0.00	0	0.00	0	0.00	0	11.50	865,075
SOLID WASTE REVENUE FUND:Operating Account (Recycling Information and Education)											
	Total Personal Services	7.65	343,507	0.00	0	0.00	0	0.00	0	7.65	343,507
	Total Materials & Services		245,240		0		0		0	0.00	245,240
	TOTAL EXPENDITURES	7.65	588,747	0.00	0	0.00	0	0.00	0	7.65	588,747
SOLID WASTE REVENUE FUND:Debt Service Account											
	Total Requirements		2,890,523		0		0		0		2,890,523
SOLID WASTE REVENUE FUND:Landfill Closure Account											
	Total Requirements		10,347,500		0		0		0		10,347,500
SOLID WASTE REVENUE FUND:Construction Account											
	Total Requirements		1,780,000		0		0		0		1,780,000

FISCAL YEAR 1993-94		CURRENT BUDGET		Household Hazardous Waste Collection		Shift Coverage		Additional Solid Waste Tonnage		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
SOLID WASTE REVENUE FUND:Renewal & Replacement Account											
Total Requirements			570,000	0	0	0	0	0	0		670,000
SOLID WASTE REVENUE FUND:General Account											
Total Requirements			440,610	0	0	0	0	0	0		440,610
SOLID WASTE REVENUE FUND:Master Project Account											
Total Requirements			933,013	0	0	0	0	0	0		933,013
SOLID WASTE REVENUE FUND:General Expenses											
Total Interfund Transfers			4,167,887	0	0	0	0	0	0		4,167,887
599999	Contingency		4,036,331	0	0	0	0	(938,500)	0		3,097,831
599990	Unappropriated Fund Balance		11,978,552	0	0	0	0	0	0		11,978,552
Total Contingency and Unapp. Balance			16,014,883	0	0	0	0	(938,500)	0		15,076,383
TOTAL REVENUE FUND EXPENDITURES		104.30	85,684,612	0.00	0	0.00	0	0.00	0	0.00	85,684,612

NOTE: This action assumes adoption of Ordinance No. 94-541

EXHIBIT D
FY 1993-94 SCHEDULE OF APPROPRIATIONS
Ordinance No. 94-547

	<u>Current Appropriation</u>	<u>Household Hazardous Waste Collection</u>	<u>Shift Coverage</u>	<u>Additional Solid Waste Tonnage</u>	<u>Proposed Appropriation</u>
SOLID WASTE REVENUE FUND					
Administration					
Personal Services	520,162	0	0	0	520,162
Materials & Services	117,796	0	0	0	117,796
Subtotal	637,958				637,958
Budget and Finance					
Personal Services	458,117	0	0	0	458,117
Materials & Services	1,038,548	0	0	28,500	1,067,048
Subtotal	1,496,665			28,500	1,525,165
Operations					
Personal Services	2,100,221	30,600	30,000	0	2,160,821
Materials & Services	40,417,222	(30,600)	(30,000)	910,000	41,266,622
Subtotal	42,517,443	0	0	910,000	43,427,443
Engineering & Analysis					
Personal Services	700,519	0	0	0	700,519
Materials & Services	183,458	0	0	0	183,458
Subtotal	883,977				883,977
Waste Reduction					
Personal Services	532,169	0	0	0	532,169
Materials & Services	1,018,162	0	0	0	1,018,162
Subtotal	1,550,331				1,550,331
Planning and Technical Services					
Personal Services	520,259	0	0	0	520,259
Materials & Services	344,816	0	0	0	344,816
Subtotal	865,075				865,075
Recycling Information and Education					
Personal Services	343,507	0	0	0	343,507
Materials & Services	245,240	0	0	0	245,240
Subtotal	588,747				588,747

SOLID WASTE REVENUE FUND (continued)	<u>Current Appropriation</u>	<u>Household Hazardous Waste Collection</u>	<u>Shift Coverage</u>	<u>Additional Solid Waste Tonnage</u>	<u>Proposed Appropriation</u>
Debt Service Account Debt Service	2,890,523	0	0	0	2,890,523
Subtotal	2,890,523				2,890,523
Landfill Closure Account Materials & Services	10,347,500	0	0	0	10,347,500
Subtotal	10,347,500				10,347,500
Construction Account Capital Outlay	1,780,000	0	0	0	1,780,000
Subtotal	1,780,000				1,780,000
Renewal and Replacement Account Capital Outlay	570,000	0	0	0	570,000
Subtotal	570,000				570,000
General Account Capital Outlay	440,610	0	0	0	440,610
Subtotal	440,610				440,610
Master Project Account Debt Service	933,013	0	0	0	933,013
Subtotal	933,013				933,013
General Expenses Interfund Transfers	4,167,887	0	0	0	4,167,887
Contingency	4,036,331	0	0	(938,500)	3,097,831
Subtotal	8,204,218			(938,500)	7,265,718
Unappropriated Balance	11,978,552	0	0	0	11,978,552
Total Fund Requirements	85,684,612				85,684,612

NOTE: This action assumes adoption of Ordinance No. 94-541

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 94-547 AMENDING THE FY 93-94 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF REFLECTING EXPENDITURE INCREASES DUE TO DELIVERED TONNAGE IN EXCESS OF BUDGET EXPECTATIONS, COSTS ASSOCIATED WITH HOUSEHOLD HAZARDOUS WASTE EVENTS AND SHIFT COVERAGE; AND DECLARING AN EMERGENCY.

Date: April 18, 1994

Presented by: Roosevelt Carter

FACTUAL BACKGROUND AND ANALYSIS

This action requests adjustments to the Solid Waste Revenue Fund for the following purposes

1. Transfer \$60,600 from the Operations Division, Materials and Services Category as follows:
 - a) \$30,600 to the Operations Division, Personal Services Category to fund costs associated with hazardous waste collection events.
 - b) \$30,000 to the Operations Division, Personal Services Category to fund costs associated with shift coverage.
2. Transfer \$938,500 from the Operating Account, Contingency as follows:
 - a) \$910,000 to the Operating Account, Materials and Services Category, Operations Division
 - b) \$28,500 to the Operating Account, materials and Services Category, Budget & Finance Division

Each action will be explained separately.

Household Hazardous Waste Collection Events

The Solid Waste Department has recently scheduled two satellite hazardous waste collection events: one in Aloha, and one in Gresham. These events represent additional personal services costs which were not included in the FY 93-94 Budget. The total increase in salary and fringe is \$30,600. Students from the hazardous waste training programs at local community colleges are hired to provide labor for these events. This provides temporary help that already has some necessary training and the students gain practical experience. This action requests the transfer of \$30,600 from the Materials and Services Categories to the Personal Services Category to cover additional costs for thirty temporary employees (30 x 60 hours x \$17/hour) as follows:

Wages - Temporary Employees	\$27,568
Fringe Benefits	<u>\$ 3,032</u>
Total	\$30,600

This amount will be funded through savings in Materials and Services, Hazardous Waste Disposal due to the new hazardous waste disposal contracts.

Shift Coverage

Personal Services in the Operations Division is expected to exceed current appropriations due to scalehouse technician shift coverage costs caused by paid leaves; *i.e.*, vacation, illness, holiday, and disability. Replacement hours are generated by the operational need to schedule a full complement of staff at each position in the scalehouses during open hours. It is not possible to leave a station short-handed due to the traffic flow. We do not "go bare" when an employee calls in sick, or uses vacation or any other leave time.

The FY 1993-94 budget did not include funds for scalehouse technician leave - time replacement. The FY 1993-94 budget included \$30,000 for Temporary Help Services. However, various Occupational Safety Health Administration regulations make it easier to hire temporary workers on the Metro payroll, rather than using a temporary services contract. It is anticipated that our replacement usage of temporary workers on the Metro payroll will be approximately 300 hours per pay period for the last quarter of FY 1993-94, for a total of 1,800 hours. The total increase in salary and fringe for this action is \$30,000 and will be funded through the transfer of \$30,000 from the Operations Materials and Services, Temporary Help Services, to the Operations Division Personal Services as follows:

Wages - Temporary Employees	\$27,027
Fringe Benefits	<u>\$ 2,973</u>
Total	\$30,000

Delivered Solid Waste Tonnage in Excess of Budget Expectations

The Solid Waste Department requested an amendment to the FY 93-94 Budget on March 28, 1994, through Ordinance No 94-541 to increase appropriations to cover expenditures related to solid waste tonnage in excess of budget estimates for FY 93-94. Projections were based on actuals received through February 1994. Tonnage was expected to be about 46,000 tons (or 6.8%) above the original estimate by the end of the fiscal year. In that action, the Solid Waste Department requested additional appropriations of \$1,805,000 to cover costs associated with 43,750 additional tons to be delivered to the landfill.

Actual March tonnage was 16% above the original estimate and 8% above the revised estimate used for the March budget amendment. If this trend continues for the remainder of the fiscal year the additional appropriation requested in March will not be sufficient to cover additional variable costs. Therefore, for budgetary purposes and in order to assure enough appropriation for FY 93-94, the Solid Waste Department

projects that Metro facilities will receive 16% more tonnage than originally estimated for the April-June period.

For the purpose of this budget amendment, Metro facilities' tonnage is expected to be about 70,000 tons above the original estimate and 24,000 tons above the revised estimate used for the March budget amendment. Metro will receive about \$1,682,000 more revenue from the additional 24,000 tons.

Metro is expected to deliver 66,500 more tons than originally estimated to the Columbia Ridge Landfill after accounting for recycling. Additional appropriations were requested in March in Ordinance No 94-541 to cover 43,750 tons. This budget amendment requests an additional \$938,500 appropriation to cover variable costs for the remaining 22,750 tons.

The following additional variable costs are estimated based on each ton delivered to the Columbia Ridge landfill:

- a) \$15.00 for transportation (Jack Gray Transportation), and
- b) \$25.00 for landfill disposal (Columbia Ridge landfill), and
- c) \$1.25 for DEQ fees.

Therefore, the additional costs associated with the 22,750 additional tons expected to be delivered to the Columbia Ridge landfill are estimated as follows:

Transportation	\$341,250
Disposal	568,750
DEQ Fees	<u>28,500</u>
Total	\$938,500

To cover the additional FY 1993-94 tonnage related costs, the Solid Waste Department is requesting a transfer of \$ 910,000 from the Operating Account, Contingency Category to the Operating Account, Materials and Services Category, Operations Division; and a transfer of \$28,500 from the Operating Account, Contingency Category to the Operating Account, Materials and Services Category, Budget & Finance Division.

In summary, Metro expects net revenue of about \$743,500 from the additional 24,000 tons. Although additional revenue will not be recognized in this budget amendment, revenue identified from the additional tonnage will be part of the FY 1993-94 ending fund balance.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Ordinance No. 94-547.

RC:RSR

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ADDITIONAL INFORMATION TO STAFF REPORT ORDINANCE NO. 94-547

The following information replaces the Staff Report section of Ordinance 94-547 for the transfer of \$60,600 from the Solid Waste Operations Division, Materials and Services Category, to the Solid Waste Operations Division, Personal Services Category:

Commercially Exempt Generator (CEG) Pilot Program and Household Hazardous Waste Collection Events

In November 1993, Solid Waste Operations Division negotiated new Hazardous Waste Disposal contracts, which will amount to approximately \$1.2 million in savings from the previous contracts in FY 1993-94. With this additional money in the Materials and Services fund, staff was able to respond to requests from other Metro/MERC departments and from local jurisdictions within the region to provide additional collection, consultation, and disposal services for hazardous materials by using our own staff, augmented with temporary employees.

Operations staff analyzed service priorities and proceeded with projects that would provide service to the greatest number of area residents and which could be at least partially funded by those agencies requesting the assistance. These projects included the Commercially Exempt Generator (CEG) pilot program undertaken with DEQ, and continued work on the Alternatives to Pesticides Education program undertaken with the City of Portland. Intergovernmental agreements were made that outlined the services and amounts to be paid to Metro for the services.

DEQ has been billed \$46,000 for personal services associated with the CEG pilot program which is due in this fiscal year, FY 1993-94. The City of Portland has been billed \$9,000 for personal services associated with the Alternatives to Pesticides Education Program. These funds, totaling \$55,000, will be paid by DEQ and the City of Portland directly to Metro, and, following standard revenue procedures, will be deposited into the Solid Waste Revenue Fund. Although not recognized in this action, revenues identified from the DEQ and the City of Portland will be part of the FY 1993-94 unappropriated ending fund balance.

The Operations Division has also addressed requests for more accessible, convenient and flexible local hazardous waste collection services for area residents. In order to minimize staff time, Metro has joined with various neighborhood associations to promote and organize collections in conjunction with neighborhood clean-ups, using volunteers to promote the event, hand out educational materials, and to help direct event traffic. These events serve two major purposes: They allow Operations to maximize processing capacities at each facility while offering convenient and accessible collection services to those neighborhoods that specifically request assistance. The neighborhood events to date have elicited good public response and have been extremely successful in terms of providing a valuable and highly visible service to Metro residents within a local community on a cooperative basis. This direct service approach allows Operations to best utilize existing staff and facility resources. The flexible level of service options may serve as a model for a system to provide equal levels of service to the entire Metro region.

In addition to neighborhood events, Operations recently completed two full collection events in Gresham and Aloha to serve residents of the region for whom the two fixed facilities are neither convenient nor accessible. The event in Gresham served nearly 800 customers while the event in Aloha served over 1,200 customers. These events were extremely successful, and, due to our ability to use the two permanent facilities as logistical support, a very cost effective method of providing service to a large number of residents at the lowest cost possible. The neighborhood events and the one-day satellite collection events are put on without any interruption in service at either fixed HHW facility. The Aloha event cost \$15,345 in personal services. The

Gresham event cost \$14,291 in personal services. The temporary employees for these events are paid an hourly rate of either \$10.32 or \$13.84, which includes fringes.

In response to requests for assistance from within the agency, Operations staff has assisted the Zoo and the new Parks Department in identifying and properly disposing of hazardous wastes. These departments are billed for Operations services and disposal at the same rates set for CEG's. Interagency payment transfers will be deposited into the Solid Waste Revenue Fund. Revenues from these services will be part of the FY 1993-94 unappropriated ending fund balance.

Operations' hazardous waste staff has also provided consultative services and training to employees involved in the Waste Characterization Study (bilingual training), to local fire departments and HazMat teams responding to hazardous waste incidents, to Metro's Risk Management Department in developing Safety and Health programs for the agency and for other divisions, to Clackamas County and Oregon City Fire Department for training and in identifying abandoned and seized materials, and to large clean-up efforts including Solv-It '94.

It has been Operations' understanding that the substantial disposal savings should be used to provide more and better services within the agency and to the Metro region. While the sum total of providing these services has not exceeded the savings realized from the Hazardous Waste Disposal contract negotiations (the funding for actual staff time to provide these services) was not foreseeable as a budget item, and therefore is not available in Operations' Personal Services budget. A total of \$84,636 was required to cover the service programs described above. However, the Operations Division is only requesting an additional appropriation of \$30,600. The difference can be covered within the current appropriation. This action requests the transfer of \$30,600 from the Materials and Services Category to the Personal Services Category as follows:

Wages -- Temporary Employees	\$27,568
Fringe Benefits	<u>3,032</u>
Total	\$30,600

These funds are available from the hazardous waste material disposal line item.

Shift Coverage

Since December 1, 1993, the Operations Division Scalehouse Services activity has expended \$29,687 in replacement leave time funds. Prior to December 1, 1993, funds for this purpose were absorbed by using vacancies, unfilled schedule time and other minor fund variations. This replacement money was inadvertently omitted from the Personal Services calculations for the FY 1993-94 budget. Table 1 (attached) illustrates the actual costs for each leave Category since December 1, 1993. The total increase in salary and fringe for this action will be funded through the transfer of \$30,000 from the Operations Division, Materials and Services, Temporary Help Services, to the Operations Division, Personal Services as follows:

Wages -- Temporary Employees	\$27,027
Fringe Benefits	<u>2,973</u>
Total	\$30,000

Table 2 (attached) shows that May year-to-date total Personal Services expenditures for the Operations Division was \$1,934,407. An additional appropriation of \$60,600 is necessary to cover June expenditures and to assure enough appropriation for FY 1993-94.

TABLE 1
LEAVE TIME HOUR SUMMARY

	SL HRS.	SL \$\$	VAC HRS	VAC \$\$	PH HRS	PH \$\$	JD HRS	JD \$\$	BV HRS	BV \$\$	TOTAL HRS
12/1/93 -- 12/15/93	209.00	2,460.86	49.25	664.39	5.00	51.30	0.00	0.00	0.00	0.00	1,735.00
12/16/93 -- 12/31/93	229.50	2,781.55	69.25	851.16	7.50	77.71	0.00	0.00	0.00	0.00	1,912.75
1/1/94 -- 1/15/94	238.75	3,286.73	32.50	371.41	0.00	0.00	50.00	655.00	0.00	0.00	1,874.50
1/16/94 -- 1/31/94	142.75	1,732.72	155.25	1,882.96	12.50	132.84	0.00	0.00	0.00	0.00	1,824.00
2/1/94-2/15/94	78.00	871.88	141.50	1,772.44	2.00	20.52	0.00	0.00	20.00	237.60	1,563.00
2/16/94 -- 2/28/94	50.25	632.63	37.00	448.57	0.00	0.00	0.00	0.00	0.00	0.00	1,608.75
3/1/94 -- 3/15/94	30.75	347.72	41.75	515.14	0.00	0.00	0.00	0.00	0.00	0.00	1,607.50
3/16/94 -- 3/31/94	78.50	892.08	110.50	1243.71	3.50	35.91	0.00	0.00	10.00	131.00	1,539.75
4/1/94 -- 4/15/94	49.50	606.60	55.00	608.32	9.75	108.88	0.00	0.00	0.00	0.00	1,750.25
4/16/94 -- 4/30/94	25.25	290.94	122.00	1,457.53	0.00	0.00	0.00	0.00	0.00	0.00	2135.50
5/1/94 -- 5/15/94	64.50	761.47	88.25	1,042.23	0.00	0.00	0.00	0.00	0.00	0.00	1,942.00
5/16/94 -- 5/31/94	96.75	1,199.81	26.00	336.87	0.00	0.00	0.00	0.00	0.00	0.00	2,531.75
TOTAL HRS											22024.75
TOTAL LEAVE HRS	1293.50		928.25		40.25		50.00		30.00		2342.00
TOTAL \$\$		\$15,864.99		\$11,194.73		\$427.16		\$655.00		\$368.60	\$28,510.48

TABLE 2

Personal Services
FY 1993-94 Actuals

	July	August	September	October	November	December	January	February	March	April	May	June	TOTAL
Operations	171,930	163,971	173,237	167,051	172,685	173,508	173,857	166,820	171,797	197,511	201,607		1,934,825
Management Svcs.	15,479	19,143	26,437	21,831	21,820	21,819	21,820	23,575	21,820	21,241	21,820	0	236,804
Scalehouse Svcs.	69,627	64,862	64,229	65,903	69,674	66,619	71,282	63,978	64,524	71,308	76,678	0	748,773
Environmental Svcs.	86,842	79,966	82,571	79,317	81,191	84,979	80,663	79,268	86,488	104,962	102,501	0	949,248
Disposal Svcs.	0	0	0	0	0	0	0	0	0	0	0	0	0

Appropriations

2,100,221

Minus Year-to-Date Expenditures

1,934,825

-- Monthly average of \$175,893

Appropriation available for June

165,396

-- Lower than monthly average

Add'l appropriation requested

60,600

Appropriation available for June
after additional request

225,996

-- To cover June expenditures, and to assure enough appropriation for FY 1993-94

Meeting Date: June 23, 1994
Agenda Item No. 5.3

ORDINANCE NO. 94-548

FINANCE COMMITTEE REPORT

ORDINANCE NO. 94-548 AMENDING THE FY 1993-94 BUDGET AND APPROPRIATIONS SCHEDULE TO FUND SALARY AND FRINGE COSTS FOR THE OFFICE OF GOVERNMENT RELATIONS

Date: June 14, 1994

Presented By: Councilor Gardner

COMMITTEE RECOMMENDATION: At its June 8, 1994 meeting the Committee voted unanimously to recommend Council adoption of Ordinance No. 94-548. Committee members present and voting were Councilors Gardner, Kvistad, Monroe and Van Bergen. Councilors Buchanan, Devlin and McLain were absent.

COMMITTEE DISCUSSION/ISSUES: Ms. Merrie Waylett, Government Relations Officer, presented the Staff Report. She pointed out the request has two parts: 1) an additional appropriation of \$1960 in the Personal Services category is needed to pay for increased personal service costs resulting from the hiring of the current incumbent at a higher rate of pay. Since there is only one employee in the Office, it is not possible to absorb the additional cost with the current appropriation level; and 2) an additional \$481 is needed to pay for unanticipated PERS costs. Ms. Waylett stated the entire \$2,441 in additional personal services costs is to be paid through a transfer from the General Fund Contingency.

Councilor Gardner expressed concern that this matter is brought to the Council well after the actual event occurs. Council Staff indicated it would send a memo to the Deputy Executive Officer and Finance Director indicating either an ordinance requesting the additional funds should be introduced in a more timely manner or the Council should be immediately notified of the potential need for additional funds and describe a plan to cover the additional expense.

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1993-94 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF FUNDING SALARY AND FRINGE FOR THE OFFICE OF GOVERNMENT RELATIONS; AND DECLARING AN EMERGENCY)
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ORDINANCE NO. 94-548

Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1993-94 Budget; and

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

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

THE METRO COUNCIL HEREBY ORDAINS:

1. That the FY 1993-94 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$2,441 from the General Fund Contingency to Personal Services in the Office of Government Relations budget to fund increases in salary and fringe.

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

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

Judy Wyers, Presiding Officer

ATTEST:

Clerk of the Council

**Exhibit A
Ordinance No. 94-548**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Office of Government Relations							
<u>Personal Services</u>							
511121	SALARIES-REGULAR EMPLOYEES (full time) Senior Administrative Services Analyst	1.00	49,298	0.00	1,420	1.00	50,718
512000	FRINGE		18,240		1,021		19,261
Total Personal Services		1.00	67,538	0.00	2,441	1.00	69,979
Total Materials & Services			74,450				74,450
TOTAL EXPENDITURES		1.00	141,988	0.00	2,441	1.00	144,429

General Expenses

Total Interfund Transfers			3,273,270		0		3,273,270
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		427,500		(2,441)		425,059
599990	Unappropriated Fund Balance		267,665				267,665
Total Contingency and Unappropriated Balance			695,165		(2,441)		692,724
TOTAL EXPENDITURES		1.00	5,915,414	0.00	0	1.00	5,915,414

Exhibit B
FY 1993-94 Schedule of Appropriations
Ordinance No. 94-548

GENERAL FUND	CURRENT APPROPRIATIONS	REVISION	PROPOSED APPROPRIATIONS
Council			
Personal Services	987,165	0	987,165
Materials & Services	141,046	0	141,046
Capital Outlay	4,000	0	4,000
Subtotal	1,132,211	0	1,132,211
Executive Management			
Personal Services	343,248	0	343,248
Materials & Services	79,532	0	79,532
Capital Outlay	0	0	0
Subtotal	422,780	0	422,780
Office of Government Relations			
Personal Services	67,538	2,441	69,979
Materials & Services	74,450	0	74,450
Capital Outlay	0	0	0
Subtotal	141,988	2,441	144,429
Special Appropriations			
Materials & Services	250,000	0	250,000
Subtotal	250,000	0	250,000
General Expenses			
Interfund Transfers	3,273,270	0	3,273,270
Contingency	427,500	(2,441)	425,059
Subtotal	3,700,770	(2,441)	3,698,329
Unappropriated Balance	267,665	0	267,665
Total Fund Requirements	5,915,414	0	5,915,414

All Other Appropriation Levels Remain As Previously Adopted.

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 94-548 AMENDING THE FY 1993-94 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF FUNDING SALARY AND FRINGE FOR THE OFFICE OF GOVERNMENT RELATIONS; AND DECLARING AN EMERGENCY

Date: May 3, 1994

Presented by: Richard D. Engstrom
Kathy Rutkowski

BACKGROUND AND ANALYSIS

This action requests adjustments to the Office of Government Relations for the following purposes.

1. Transfer \$1,960 from Contingency to Personal Services to properly reflect the salary and benefits of the current employee, and;
2. Transfer \$481 from Contingency to Personal Services to fund unanticipated PERS costs.

Each action will be addressed separately.

Personal Service Adjustment

At the time the FY 93-94 budget was approved by Council, the Council also approved an employee classification and pay plan study for non-represented employees. The study provided for a 4% increase in non-represented salaries in lieu of a COLA. Adjustments were made to the FY 93-94 budget to reflect the new classification titles and salary amounts for all non-represented employees.

In the Office of Government Relations, the calculations for the new salary were based on the salary of the former incumbent, who was on leave, but expected to return before the end of that fiscal year. When that employee chose not to return from leave in late June, the current incumbent was appointed at a slightly higher rate of pay. The implementation of the non-represented pay and class study on July 1, 1993, increased this amount by 4%. The total increase in salary over the amount budgeted is \$1,420 plus \$540 in benefits. Since there is only one employee in this department, it is impossible for the department to absorb the additional cost within the current appropriation level.

PERS rate calculations for FY 1993-94 fringe benefit rates

During this fiscal year, Metro also became aware of the cumulative application of PERS contribution rates. The PERS contribution is composed of the employee contribution (known as the employer pick-up) and the employer contribution. Fringe rate estimates for FY 1993-94 assumed that the total contribution rate was the simple sum of the two rates. These rates, however, are applied cumulatively, with the dollar amount of the employee contribution added to the employee's wages before applying the employer contribution rate. The result of the cumulative application of the rates increases the percentage contribution by 0.7 per cent.

Also, Metro's employer contribution rate increased on July 1, 1993. Since Metro's payroll and benefit payments for the last payroll period in FY 1992-93 were not paid until July 6, 1993, PERS required Metro to pay the increased employer contribution rate on that payroll. The incremental increase in the PERS amount for the June 30, 1993 payroll as a result of the PERS rate increase on July 1, 1993, was not settled in sufficient time to charge it to FY 1992-93. This amount was ultimately charged to FY 1993-94.

In each of the two preceding years, Metro had anticipated and budgeted an increase in its PERS contribution rate. This rate increase did not materialize until July 1994, which left unused appropriation in the fringe benefit line item in prior years. As a result, departments were able to absorb the error in the calculation of the fringe rates within their existing budgets. In late October, 1993, the error in the calculation of the fringe rates for FY 1993-94 was identified, and the additional charge for the June 30, 1993 payroll required additional adjustment. The Council Finance Committee was informed at its first meeting in November 1993 that budget actions could be necessary. The impact on the Office of Government Relations for the PERS calculation is \$481.

This budget amendment is to accommodate the salary and fringe adjustments for the Office of Government Relations. It requests the transfer of \$2,441 from contingency to Personal Services.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Ordinance No. 94-548.

Meeting Date: June 23, 1994
Agenda Item No. 5.4

ORDINANCE NO. 94-550

FINANCE COMMITTEE REPORT

ORDINANCE NO. 94-550 AMENDING THE FY 1993-94 BUDGET AND APPROPRIATION SCHEDULE TO REVISE THE REGIONAL PARKS AND EXPO FUND BUDGET TO REFLECT THE JANUARY 1, 1994 TRANSFER OF OPERATIONS TO METRO

Date: June 14, 1994

Presented By: Councilor Devlin

COMMITTEE RECOMMENDATION: At its June 8, 1994 meeting the Committee voted 4-1 to recommend Council adoption of Ordinance No. 94-550. Committee members voting in favor were Councilors Devlin, Gardner, Kvistad and Monroe. Councilor Van Bergen voted in opposition and Councilors Buchanan and McLain were absent.

COMMITTEE DISCUSSION/ISSUES: Mr. Casey Short, Council Analyst, gave the Staff Report. He indicated he was substituting for Ms. Sims or Mr. Prosser both of whom are unavailable. He stated that the major reason for the ordinance is to amend the budget and schedule of appropriations to reflect the fact that the transfer of Multnomah County Parks and Expo programs did not take place until January 1, 1994. The original FY 1993-94 Budget and Appropriation Schedule assumed a July 1, 1993 transfer date. He pointed out the most significant part of the ordinance includes recognizing a total amount of fund equity transferred from the County of \$1,012,420. Of this amount \$285,000 is reserved for Expo Capital Improvements under the IGA with Multnomah County; \$80,912 is reserved for Parks Development which is consistent with the past practice of setting aside a portion of Parks user fees for development of park facilities; establishing \$77,825 of accounting reserves for possible future payment to the County should the programs be transferred back to the County; and recognizing that \$568,683 is undesignated or not reserved for any purpose. Mr. Short noted that only \$300,000 of the "unprogrammed" \$568,683 is recognized as revenue in the FY 1994-95 Approved Budget.

Heather Teed, MERC Director of Financial Operations, pointed out to the Committee that the written material included much detail of the various Materials and Services line items for the Expo Center. She stated that Multnomah County had budgeted \$310,000 for Expo capital improvements but that approximately \$67,000 of work will be completed by the end of this fiscal year, thus, MERC will carry over approximately \$243,000 for capital improvements in the FY 1994-95 Budget. She also stated that through prudent management of the facility, Expo revenue projections are ahead of schedule for the six month period.

In response to questions from Councilor Van Bergen regarding the use of Metro excise tax generated revenue, Charlie Ciecko, Regional Parks Manager, stated no Metro excise tax revenue is being used to pay for the improvement and operation of the former Multnomah County Park facilities and programs. The current FY 1993-94 Budget and the Approved FY 1994-95 Budget include the use of excise tax resources to support the Metro Greenspaces program.

REGIONAL FACILITIES COMMITTEE REPORT

ORDINANCE NO. 94-550, AMENDING THE FY 1993-94 BUDGET AND APPROPRIATIONS SCHEDULE TO REVISE THE REGIONAL PARKS AND EXPO FUND BUDGET TO REFLECT THE JANUARY 1, 1994 TRANSFER OF OPERATIONS, AND DECLARING AN EMERGENCY.

Date: May 23, 1994

Presented by: Councilor Gates

COMMITTEE RECOMMENDATION: At its May 18, 1994 meeting the Regional Facilities Committee voted 3-0 to recommend Council adoption of Ordinance No. 94-550. Councilors Hansen, Moore, and Washington voted in favor. Councilors Gates and McFarland were absent.

COMMITTEE DISCUSSION/ISSUES: Principal Management Analyst Kathy Rutkowski presented the overall staff report. Ms. Rutkowski discussed the increase in projected fund balance, as noted in the written staff report. She added that staff will be requesting Council to acknowledge the additional funds in the 1994-95 budget when it returns for final adoption in June.

Regional Parks & Greenspaces Director Charlie Ciecko addressed the parks portion of the budget amendment. He discussed changes from the original budget in personnel, which are consistent with the 1994-95 budget. He said Miscellaneous Professional Services funds have been reallocated to reflect savings, with money for advertising and for design of a regional parks brochure made available with savings elsewhere. He said a \$33,000 item for roof repair was completed before the transfer, but not billed until after. Finally, Mr. Ciecko discussed the capital expenditures.

MERC Director of Fiscal Operations Heather Teed addressed the changes to the Expo Center budget. She said an additional \$243,000 has come from Multnomah County for capital improvements at Expo called for in the intergovernmental agreement, and those funds will need to be carried over into the 1994-95 budget.

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1993-)
94 BUDGET AND APPROPRIATIONS)
SCHEDULE TO REVISE THE REGIONAL)
PARKS AND EXPO FUND BUDGET TO)
REFLECT THE JANUARY 1, 1994,)
TRANSFER OF OPERATIONS, AND)
DECLARING AN EMERGENCY)

ORDINANCE NO. 94-550

Introduced by Rena Cusma,
Executive Officer

WHEREAS, The FY 1993-94 Adopted Budget assumed the transfer of the Regional Parks and Expo Center functions from Multnomah County on July 1, 1993; and

WHEREAS, The transfer of operations for the Regional Parks and Expo Center was approved by the Council effective January 1, 1994; and

WHEREAS, Significant changes to the FY 1993-94 Adopted Budget have resulted from the six month delay in the transfer of the functions from Multnomah County; and

WHEREAS, The Metro Council has reviewed and considered the need to revise the Regional Parks and Expo Fund to more accurately reflect Metro's financial obligations for FY 1993-94; and

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

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

THE METRO COUNCIL HEREBY ORDAINS:

1. That Ordinance No. 93-487A, Exhibit B, FY 1993-94 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in the columns titled "Revision" of Exhibits A and B to this Ordinance for the purpose of revising the Regional Parks and Expo Fund budget to reflect the transfer of operations from Multnomah County effective January 1, 1994..

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

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

Judy Wyers, Presiding Officer

ATTEST:

Clerk of the Council

kr:ord93-94:parkexp:ORD.DOC
May 5, 1994

Exhibit A
Ordinance No. 94-550

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
REGIONAL PARKS AND EXPO FUND:Resources							
<u>Resources</u>							
339200	Intergovernmental Revenue (fund balance)		187,372		825,048		1,012,420
391010	Trans. of Resources from General Fund		80,000		(57,500)		22,500
REGIONAL PARKS							
322000	Boat Ramp Use Permit		2,000		(2,000)		0
337210	Local Grants - City of Portland		0		10,000		10,000
338000	Local Gov't Shared Revenues-R.V. Registration Fees		28,330		23,700		52,030
338200	Local Gov't Shared Revenues-Marine Fuel Tax		140,929		(86,113)		54,816
339200	Intergov't Revenue (Natural Areas Fund)		0		30,659		30,659
341700	Grave Openings		105,698		(82,455)		23,243
341710	Cemetery Sales		40,214		(31,214)		9,000
347100	Admissions		349,215		(284,142)		65,073
347110	User Fees		23,594		19,844		43,438
347120	Reservation Fees		137,866		(79,958)		57,908
347220	Rental-Buildings		67,000		(33,743)		33,257
347300	Food Service		16,686		(9,553)		7,133
347830	Contract Revenue		708,000		(422,000)		286,000
347900	Other Miscellaneous Revenue		37,552		393		37,945
347960	Boat Launch Fees		111,025		(106,525)		4,500
361100	Interest Earned		5,151		(3,465)		1,686
373500	Sale of Proprietary Assets		15,264		(15,264)		0
EXPO CENTER							
347220	Rental-Buildings		405,000		(132,800)		272,200
347300	Food Service		416,000		(159,000)		257,000
347600	Utility Services		0		25,200		25,200
347900	Other Miscellaneous Revenue		172,532		(153,532)		19,000
361100	Interest Earned		36,000		(26,000)		10,000
372100	Reimbursements		0		1,500		1,500
374000	Parking Fees		520,000		(197,000)		323,000
GREENSPACES PLANNING							
331110	Federal Grants						
	National Parks Service		25,000		0		25,000
	U.S. Fish & Wildlife Service		870,100		0		870,100
	U.S. Fish & Wildlife Service (Year 4)		125,000		0		125,000
337210	Local Grants						
	City of Portland, IPA/EPA		27,500		0		27,500
	Local governments		10,000		0		10,000
365100	Donations & Bequests		5,500		0		5,500
391010	Trans. of Resources from General Fund-Excise Tax		566,672		0		566,672
391140	Trans. Resources from Planning Fund		114,500		0		114,500
393761	Trans. Direct Costs from Smith & Bybee Lakes Fund		18,700		0		18,700
Total Resources			5,368,400		(945,920)		4,422,480

**Exhibit A
Ordinance No. 94-550**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Regional Parks Division							
<u>Personal Services</u>							
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Director	0.83	47,121	(0.41)	(24,202)	0.42	22,919
	Senior Service Supervisor	2.00	73,434	(1.00)	(37,047)	1.00	36,387
	Program Supervisor	1.00	42,514	(0.50)	(23,200)	0.50	19,314
	Senior Regional Planner	0.50	22,325	(0.25)	(11,191)	0.25	11,134
	Associate Regional Planner	1.00	34,968	(0.50)	(18,358)	0.50	16,610
	Assistant Management Analyst	0.83	23,799	(0.55)	(16,849)	0.28	6,950
	Park Ranger	10.00	298,197	(5.00)	(152,887)	5.00	145,310
	Program Coordinator	1.00	31,726	(0.50)	(15,116)	0.50	16,610
	Program Coordinator	1.00	28,776	(0.50)	(13,523)	0.50	15,253
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary - Parks	0.83	20,560	(0.41)	(9,441)	0.42	11,119
	Secretary - Parks		0	0.33	6,559	0.33	6,559
	Senior Gardener	1.00	30,127	(0.50)	(14,812)	0.50	15,315
	Gardener 1	1.00	27,222	(0.50)	(14,986)	0.50	12,236
	Arborist	1.00	33,110	(0.50)	(17,795)	0.50	15,315
511231	WAGES-TEMPORARY EMPLOYEES (full time)						
	Temporary Support	14.85	223,266	(8.35)	(124,963)	6.50	98,303
511400	OVERTIME		12,412		(4,096)		8,316
512000	FRINGE		297,199		(138,038)		159,161
Total Personal Services		36.84	1,246,756	(19.14)	(629,945)	17.70	616,811
<u>Materials & Services</u>							
521100	Office Supplies		99,736		(98,236)		1,500
521110	Computer Software		0		2,300		2,300
521210	Landscape Supplies		0		14,200		14,200
521220	Custodial Supplies		0		5,250		5,250
521260	Printing Supplies		0		16,423		16,423
521290	Other Operating Supplies		0		8,433		8,433
521320	Dues		265		278		543
521510	Maintenance & Repair Supplies-Building		0		4,200		4,200
521540	Maintenance & Repair Supplies-Equipment		0		850		850
523100	Merchandise for Resale-Food		4,700		(4,700)		0
524190	Miscellaneous Professional Services		175,025		18,098		193,123
525190	Utilities-Other		58,340		(29,746)		28,594
525620	Maintenance & Repairs Services-Grounds		33,000		0		33,000
525640	Maintenance & Repairs Services-Equipment		6,800		(6,800)		0
525710	Equipment Rental		23,450		(10,841)		12,609
526500	Travel		200		710		910
526800	Training, Tuition, Conferences		6,597		(1,230)		5,367
526900	Miscellaneous Other Purchased Services		228,600		(228,600)		0
528100	Payments to Other Agencies		0		84,164		84,164
528310	Real Property Taxes		68,000		(36,674)		31,326
Total Materials & Services			704,713		(261,921)		442,792
<u>Capital Outlay</u>							
571300	Buildings and Related		0		5,000		5,000
571400	Equipment and Vehicles		0		7,000		7,000
571500	Purchases-Office Furniture & Equipment		5,800		3,166		8,966
574510	Construction Work/Materials-Improvements		6,145		2,577		8,722
Total Capital Outlay			11,945		17,743		29,688

**Exhibit A
Ordinance No. 94-550**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Regional Parks Division							
<u>Interfund Transfers</u>							
581610	Trans. Indirect Costs to Supp. Svcs. Fun		197,346		(98,673)		98,673
581615	Trans. Indirect Costs to Risk Mgmt Fund-Liability		26,143		(13,072)		13,072
581616	Trans. Indirect Costs to Risk Mgmt Fund-Worker Comp		21,361		(10,681)		10,681
581513	Trans. Indirect Costs to Bldg Mngt Fund		6,000		1,500		7,500
Total Interfund Transfers			250,850		(120,925)		129,925
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		45,000		(22,500)		22,500
599990	Unappropriated Balance - Reserved (Parks Development)		0		80,912		80,912
Total Contingency and Unappropriated Balance			45,000		58,412		103,412
TOTAL EXPENDITURES		36.84	2,259,264	(19.14)	(936,636)	17.70	1,322,628

**Exhibit A
Ordinance No. 94-550**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Expo Center Division							
<u>Personal Services</u>							
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Manager	1.00	57,759	(0.50)	(32,759)	0.50	25,000
	Expo Operations Supervisor	1.00	42,081	(0.50)	(18,831)	0.50	23,250
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary - Expo	1.00	32,252	(0.70)	(23,902)	0.30	8,350
	Secretary - Expo	1.00	26,958	(0.50)	(16,458)	0.50	10,500
	Bookkeeper		0	0.20	2,450	0.20	2,450
	Expo Operations Worker	4.00	100,382	(2.00)	(52,935)	2.00	47,447
511231	WAGES-TEMPORARY EMPLOYEES (full time)						
	Temporary Support	0.50	12,000	0.00	(2,000)	0.50	10,000
511400	OVERTIME		5,500		(4,300)		1,200
512000	FRINGE		101,875		(50,596)		51,279
Total Personal Services		8.50	378,807	(4.00)	(199,331)	4.50	179,476
<u>Materials & Services</u>							
521100	Office Supplies		0		700		700
521210	Landscape Supplies		0		1,500		1,500
521220	Custodial Supplies		32,000		(29,400)		2,600
521240	Graphics/Reprographic Supplies		5,000		(4,800)		200
521260	Printing Supplies		0		400		400
521290	Other Operating Supplies		0		900		900
521292	Small Tools		0		1,000		1,000
521293	Promotional Supplies		10,000		(10,000)		0
521310	Subscriptions		0		100		100
521320	Dues		1,500		(1,500)		0
521510	Maintenance & Repair Supplies-Building		0		6,000		6,000
521540	Maintenance & Repair Supplies-Equipment		0		2,300		2,300
524190	Miscellaneous Professional Services		120,000		(49,700)		70,300
525110	Utilities-Electricity		0		42,100		42,100
525120	Utilities-Water & Sewer		0		8,000		8,000
525130	Utilities-Natural Gas		0		20,700		20,700
525150	Utilities-Sanitation		0		15,000		15,000
525190	Utilities-Other		180,000		(180,000)		0
525610	Maintenance & Repair Services-Building		35,000		(33,600)		1,400
525640	Maintenance & Repairs Services-Equipment		0		3,000		3,000
525710	Equipment Rental		0		2,400		2,400
526310	Printing Services		0		4,600		4,600
526320	Typesetting & Reprographics Services		0		1,250		1,250
526410	Telephone		0		4,800		4,800
526420	Postage		0		200		200
526440	Delivery Services		0		180		180
526500	Travel		550		(550)		0
526691	Parking Contract		0		20,000		20,000
526700	Temporary Help Services		0		15,000		15,000
526800	Training, Tuition, Conferences		2,000		(2,000)		0
526900	Miscellaneous Other Purchased Services		181,998		(181,448)		550
526910	Uniform		0		3,000		3,000
Total Materials & Services			568,048		(339,868)		228,180

**Exhibit A
Ordinance No. 94-550**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Expo Center Division							
<u>Capital Outlay</u>							
571200	Improvement Other Than Building		0		17,000		17,000
571300	Buildings and Related		0		11,000		11,000
571400	Equipment and Vehicles		0		4,000		4,000
571500	Purchases-Office Furniture & Equipment		0		7,500		7,500
574520	Construction Work/Materials-Buildings		168,970		(168,970)		0
Total Capital Outlay			168,970		(129,470)		39,500
<u>Interfund Transfers</u>							
581610	Trans. Indirect Costs to Supp. Svcs. Fun		82,193		(39,097)		43,096
581615	Trans. Indirect Costs to Risk Mgmt Fund-Liability		11,632		(5,816)		5,816
581616	Trans. Indirect Costs to Risk Mgmt Fund-Worker Comp		9,514		(4,757)		4,757
581513	Trans. Indirect Costs to Bldg Mgmt Fund		12,000		(12,000)		0
583751	Transfer Direct Costs to MERC Admin. Fund		70,000		(30,000)		40,000
Total Interfund Transfers			185,339		(91,670)		93,669
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		45,000		(16,000)		29,000
599990	Unappropriated Balance - Reserved (Capital per IGA)		0		243,000		243,000
Total Contingency and Unappropriated Balance			45,000		227,000		272,000
TOTAL EXPENDITURES		8.50	1,346,164	(4.00)	(533,339)	4.50	812,825

Exhibit A
Ordinance No. 94-550

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Greenspaces Planning Division							
<u>Personal Services</u>							
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Director	0.17	9,863	(0.09)	(5,169)	0.08	4,694
	Manager	1.00	56,286		0	1.00	56,286
	Senior Regional Planner	2.00	98,588		0	2.00	98,588
	Associate Regional Planner	1.00	42,085		0	1.00	42,085
	Assistant Management Analyst	0.47	16,861	(0.12)	(3,558)	0.35	13,303
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary - Parks	0.17	4,303	(0.09)	(2,026)	0.08	2,277
	Program Assistant 1	1.00	20,733		0	1.00	20,733
511231	WAGES-TEMPORARY EMPLOYEES (full time)						
	Temporary Support	0.50	9,009		0	0.50	9,009
512000	FRINGE		95,193		(4,072)		91,121
Total Personal Services		6.31	352,921	(0.30)	(14,825)	6.01	338,096
<u>Materials & Services</u>							
521100	Office Supplies		2,976		0		2,976
521110	Computer Software		2,295		0		2,295
521111	Computer Supplies		2,015		0		2,015
521240	Graphics/Reprographic Supplies		750		0		750
521260	Printing Supplies		1,000		0		1,000
521310	Subscriptions		1,750		0		1,750
521320	Dues		575		0		575
524130	Promotion/Public Relation Services		10,000		0		10,000
524190	Miscellaneous Professional Services		1,005,100		0		1,005,100
525710	Equipment Rental		500		0		500
526200	Ads & Legal Notices		30,000		0		30,000
526310	Printing Services		85,000		0		85,000
526320	Typesetting & Reprographics Services		17,000		0		17,000
526410	Telephone		4,000		0		4,000
526420	Postage		47,500		0		47,500
526440	Delivery Services		800		0		800
526500	Travel		4,300		0		4,300
526700	Temporary Help Services		800		0		800
526800	Training, Tuition, Conferences		2,725		0		2,725
529500	Meetings		4,100		0		4,100
Total Materials & Services			1,223,186		0		1,223,186
<u>Capital Outlay</u>							
571100	Land		50,000		0		50,000
571500	Purchases-Office Furniture & Equipment		2,500		0		2,500
Total Capital Outlay			52,500		0		52,500
<u>Interfund Transfers</u>							
581610	Trans. Indirect Costs to Supp. Svcs. Fun		91,015		0		91,015
581615	Trans. Indirect Costs to Risk Mgmt Fund-Liability		5,225		0		5,225
581616	Trans. Indirect Costs to Risk Mgmt Fund-Worker Comp		4,125		0		4,125
581513	Trans. Indirect Costs to Bldg Mgmt Fund		12,000		3,000		15,000
Total Interfund Transfers			112,365		3,000		115,365

**Exhibit A
Ordinance No. 94-550**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Greenspaces Planning Division							
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		22,000		11,825		33,825
Total Contingency and Unappropriated Balance			22,000		11,825		33,825
TOTAL EXPENDITURES		6.31	1,762,972	(0.30)	0	6.01	1,762,972

Exhibit A
Ordinance No. 94-550

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
REGIONAL PARKS AND EXPO FUND TOTAL							
<u>Personal Services</u>							
511121	SALARIES-REGULAR EMPLOYEES (full time)						
	Director	1.00	56,984	(0.50)	(29,371)	0.50	27,613
	Manager	2.00	114,045	(0.50)	(32,759)	1.50	81,286
	Expo Operations Supervisor	1.00	42,081	(0.50)	(18,831)	0.50	23,250
	Senior Service Supervisor	2.00	73,434	(1.00)	(37,047)	1.00	36,387
	Program Supervisor	1.00	42,514	(0.50)	(23,200)	0.50	19,314
	Senior Regional Planner	2.50	120,913	(0.25)	(11,191)	2.25	109,722
	Associate Regional Planner	2.00	77,053	(0.50)	(18,358)	1.50	58,695
	Assistant Management Analyst	1.30	40,660	(0.67)	(20,407)	0.63	20,253
	Park Ranger	10.00	298,197	(5.00)	(152,887)	5.00	145,310
	Program Coordinator	1.00	31,726	(0.50)	(15,116)	0.50	16,610
	Program Coordinator	1.00	28,776	(0.50)	(13,523)	0.50	15,253
511221	WAGES-REGULAR EMPLOYEES (full time)						
	Administrative Secretary - Expo	1.00	32,252	(0.70)	(23,902)	0.30	8,350
	Administrative Secretary - Parks	1.00	24,863	(0.50)	(11,467)	0.50	13,396
	Secretary - Expo	1.00	26,958	(0.50)	(16,458)	0.50	10,500
	Bookkeeper	0.00	0	0.20	2,450	0.20	2,450
	Secretary - Parks	0.00	0	0.33	6,559	0.33	6,559
	Program Assistant 1	1.00	20,733	0.00	0	1.00	20,733
	Senior Gardener	1.00	30,127	(0.50)	(14,812)	0.50	15,315
	Gardener 1	1.00	27,222	(0.50)	(14,986)	0.50	12,236
	Arborist	1.00	33,110	(0.50)	(17,795)	0.50	15,315
	Expo Operations Worker	4.00	100,382	(2.00)	(52,935)	2.00	47,447
511231	WAGES-TEMPORARY EMPLOYEES (full time)						
	Temporary Support	15.85	244,275	(8.35)	(126,963)	7.50	117,312
511400	OVERTIME		17,912		(8,396)		9,516
512000	FRINGE		494,267		(192,706)		301,561
Total Personal Services		51.65	1,978,484	(23.44)	(844,101)	28.21	1,134,383
<u>Materials & Services</u>							
521100	Office Supplies		102,712		(97,536)		5,176
521110	Computer Software		2,295		2,300		4,595
521111	Computer Supplies		2,015		0		2,015
521210	Landscape Supplies		0		15,700		15,700
521220	Custodial Supplies		32,000		(24,150)		7,850
521240	Graphics/Reprographic Supplies		5,750		(4,800)		950
521260	Printing Supplies		1,000		16,823		17,823
521290	Other Operating Supplies		0		9,333		9,333
521292	Small Tools		0		1,000		1,000
521293	Promotional Supplies		10,000		(10,000)		0
521310	Subscriptions		1,750		100		1,850
521320	Dues		2,340		(1,222)		1,118
521510	Maintenance & Repair Supplies-Building		0		10,200		10,200
521540	Maintenance & Repair Supplies-Equipment		0		3,150		3,150
523100	Merchandise for Resale-Food		4,700		(4,700)		0
524130	Promotion/Public Relation Services		10,000		0		10,000
524190	Miscellaneous Professional Services		1,300,125		(31,602)		1,268,523
525110	Utilities-Electricity		0		42,100		42,100
525120	Utilities-Water & Sewer		0		8,000		8,000
525130	Utilities-Natural Gas		0		20,700		20,700
525150	Utilities-Sanitation		0		15,000		15,000
525190	Utilities-Other		238,340		(209,746)		28,594
525610	Maintenance & Repair Services-Building		35,000		(33,600)		1,400
525620	Maintenance & Repairs Services-Grounds		33,000		0		33,000

**Exhibit A
Ordinance No. 94-550**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
REGIONAL PARKS AND EXPO FUND TOTAL							
525640	Maintenance & Repairs Services-Equipment		6,800		(3,800)		3,000
525710	Equipment Rental		23,950		(8,441)		15,509
526200	Ads & Legal Notices		30,000		0		30,000
526310	Printing Services		85,000		4,600		89,600
526320	Typesetting & Reprographics Services		17,000		1,250		18,250
526410	Telephone		4,000		4,800		8,800
526420	Postage		47,500		200		47,700
526440	Delivery Services		800		180		980
526500	Travel		5,050		160		5,210
526691	Parking Contract		0		20,000		20,000
526700	Temporary Help Services		800		15,000		15,800
526800	Training, Tuition, Conferences		11,322		(3,230)		8,092
526900	Miscellaneous Other Purchased Services		410,598		(410,048)		550
526910	Uniform		0		3,000		3,000
528100	Payments to Other Agencies		0		84,164		84,164
528310	Real Property Taxes		68,000		(36,674)		31,326
529500	Meetings		4,100		0		4,100
Total Materials & Services			2,495,947		(601,789)		1,894,158
<u>Capital Outlay</u>							
571100	Land		50,000		0		50,000
571200	Improvement Other Than Building		0		17,000		17,000
571300	Buildings and Related		0		16,000		16,000
571400	Equipment and Vehicles		0		11,000		11,000
571500	Purchases-Office Furniture & Equipment		8,300		10,666		18,966
574510	Construction Work/Materials-Improvements		6,145		2,577		8,722
574520	Construction Work/Materials-Buildings		168,970		(168,970)		0
Total Capital Outlay			233,415		(111,727)		121,688
<u>Interfund Transfers</u>							
581610	Trans. Indirect Costs to Supp. Svcs. Fun		370,554		(137,770)		232,784
581615	Trans. Indirect Costs to Risk Mgmt Fund-Liability		43,000		(18,888)		24,113
581616	Trans. Indirect Costs to Risk Mgmt Fund-Worker Comp		35,000		(15,438)		19,563
581513	Trans. Indirect Costs to Bldg Mngt Fund		30,000		(7,500)		22,500
583751	Transfer Direct Costs to MERC Admin. Fund		70,000		(30,000)		40,000
Total Interfund Transfers			548,554		(209,595)		338,959
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		112,000		(26,675)		85,325
599990	Unappropriated Balance - Reserved		0		323,912		323,912
599990	Unappropriated Balance - Unreserved		0		524,055		524,055
Total Contingency and Unappropriated Balance			112,000		821,292		933,292
TOTAL EXPENDITURES		51.65	5,368,400	(23.44)	(945,920)	28.21	4,422,480

**Exhibit B
Schedule of Appropriations
Ordinance No. 94-550**

	Current Appropriation	Revision	Proposed Appropriation
REGIONAL PARKS AND EXPO FUND			
Regional Parks			
Personal Services	1,246,756	(629,945)	616,811
Materials & Services	704,713	(261,921)	442,792
Capital Outlay	11,945	17,743	29,688
Subtotal	1,963,414	(874,123)	1,089,291
Expo Center			
Personal Services	378,807	(199,331)	179,476
Materials & Services	568,048	(339,868)	228,180
Capital Outlay	168,970	(129,470)	39,500
Subtotal	1,115,825	(668,669)	447,156
Greenspaces Planning			
Personal Services	352,921	(14,825)	338,096
Materials & Services	1,223,186	0	1,223,186
Capital Outlay	52,500	0	52,500
Subtotal	1,628,607	(14,825)	1,613,782
General Expenses			
Interfund Transfers	548,554	(209,595)	338,959
Contingency	112,000	(26,675)	85,325
Subtotal	660,554	(236,270)	424,284
Unappropriated Balance	0	847,967	847,967
Total Fund Requirements	5,368,400	(945,920)	4,422,480

All Other Appropriations Remain As Previously Adopted

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 94-550 AMENDING THE FY 1993-94 BUDGET AND APPROPRIATIONS SCHEDULE TO REVISE THE REGIONAL PARKS AND EXPO FUND BUDGET TO REFLECT THE JANUARY 1, 1994, TRANSFER OF OPERATIONS, AND DECLARING AN EMERGENCY

Date: 5/16/94

Presented by: Jennifer Sims
Pat LaCrosse
Charlie Ciecko

BACKGROUND AND ANALYSIS

The FY 1993-94 Adopted Budget assumed the transfer of the Regional Parks and Expo Center functions from Multnomah County effective July 1, 1993. The Intergovernmental Agreement between Multnomah County and Metro was signed in December, 1993, resulting in an effective transfer date of the functions of January 1, 1994. This action revises the FY 1993-94 Regional Parks and Expo Fund budget to reflect the effective date of transfer. The significant actions or changes to the adopted are discussed below.

Recognition of the actual fund equity transferred from Multnomah County as of Jan. 1, 1994.

Under section 3(E) of the IGA, the County transferred to Metro all funds, less current obligations contained within the former Multnomah County Recreation Fund. These funds included all revenues generated by or attributed to the County Facilities. The total fund equity as of January 1, 1994, was \$1,012,420, and includes the following components:

\$285,000	Reserved for Expo Capital Improvements under the IGA
\$80,912	Reserved for Parks Development
\$77,825	Accounting reserves for future payments
\$568,683	Undesignated/Unreserved

Further discussion of these components will be provided below.

Revision of all other revenues for Regional Parks and Expo Center to amounts generated during the period January 1, 1994, through June 30, 1994.

This action amends all other revenues generated by the Regional Parks and Expo Center facilities to the amounts anticipated to be received after January 1, 1994. All revenues generated by the facilities prior to January 1, 1994, are included in the fund equity transfer from Multnomah County. The revenue estimates were based upon information received from the County for the first six months of the fiscal year, and two to three months of information at Metro. They are also reflective of the seasonal variations of the facilities.

Revision of position classifications, salaries, wages and benefits to reflect actual placement within Metro and MERC pay and classification plans, and reduction of the budget to include only the amounts needed for the last six months of the fiscal year.

At the time of the transfer of functions, all County positions were reviewed by Personnel for proper placement within Metro/MERC bargaining agreements, classification plans and salary schedules. In addition, following the transfer, the Managers for Regional Parks and the Expo Center reorganized certain positions to accommodate new or different duties resulting from the differences in organizational structure and central services provided by the County versus Metro/MERC. This second review resulted in the reclassification of several positions. This action recognizes the proper classifications, salaries, wages and benefits for all positions resulting from the various reviews and negotiations before and after the transfer. This action also reduces personal services to reflect the FTE's, salaries, wages and benefits required for the last six months of the fiscal year.

Revision of all other expenditure categories for Regional Parks and Expo Center to amounts needed for the period January 1, 1994 through June 30, 1994.

This ordinance revises all expenditure categories to reflect only the six month period between January 1, 1994, and June 30, 1994. Both Regional Parks and Expo Center experience seasonal variations in their expenditure patterns. These variations are reflected in the revised numbers presented in this Ordinance. In addition, both Departments have provided line item revisions which better portray the needs of the functions. Further supporting detail for expenditures has been provided by the Departments in the line item justifications attached to the staff report.

Overall expenditure requirements for the Fund have been reduced substantially. Only one appropriation category within the fund, Regional Parks Capital Outlay, is requesting an increase from the current adopted budget. The requested increase in this category is to reflect capital purchases or improvements for the department which are either necessary for the department to operate within Metro's network and financial system or were approved by the County but not included in Metro's original budget.

In general, interfund transfers for Regional Parks and Expo Center have been reduced by half. Some modifications or corrections to the allocation of the transfers between the facilities has been made. The original adopted budget allocated \$12,000 of Building Management Costs to the Expo Center. Since the Expo staff is not housed in Metro Regional Center, the facility should not pay Building Management transfers. The original budgeted amount of \$30,000 for Building Management transfers should have been borne equally by Regional Parks and Greenspaces. This error has been corrected in this ordinance.

Total expenditures for the Regional Parks and Expo Fund have been reduced \$1,793,887 with an offsetting increase in ending fund balance of \$847,967. The ending fund balance

includes \$243,000 reserved for carry forward of Expo capital requirements under the IGA, \$80,912 for Parks Development, and \$524,055 of unreserved balance. Included in the unreserved balance is approximately \$40,000 accounting reserves for future payments such as compensated absences. This reserve stems from differences in accounting practices between Metro and Multnomah County, and is a liability that would be payable to the County in the event the functions were returned to the County. Further discussion of the Expo capital requirements of the IGA and the Parks Development funds is to follow.

Implementation of Section 3(E)(4) of the intergovernmental agreement relating to capital improvements and ADA compliance at the Expo Center.

Section 3(E)(4) of the Intergovernmental Agreement states that the County shall complete and carry out any currently budgeted capital improvements and/or ADA compliance projects planned for the County facilities. It further states that the County shall complete these improvements/projects by transferring the appropriate budgeted funds to Metro upon the effective date of the transfer. The County budgeted \$310,000 in capital improvements for Expo for FY 1993-94. At the time of the transfer, only \$25,000 of the full amount had been expended. Under the terms of the IGA, Metro/MERC is required to complete the remaining \$285,000 of planned projects. MERC anticipates that at June 30, 1994, only an additional \$42,000 of projects will have been completed, leaving a balance remaining of \$243,000. The list of projects anticipated include:

- (a) Installation of south lot roadway/parking lighting
- (b) Replacement of floors in Halls A & B
- (c) Removal and installation of carpeting
- (d) Installation of exhaust fans in the arena and south hall
- (e) Bathroom remodel and ADA upgrades in Halls A & B

This ordinance reserves \$243,000 of ending fund balance to complete the planned projects. An action by the Council, at the time the FY 1994-95 budget is adopted, will be required to recognize the additional fund balance and provide the Expo Center additional appropriation authority to complete the projects.

Identification of certain moneys for Parks Development consistent with past practices of Multnomah County.

Prior to the enactment of Measure 5, the County had in place an incentive program for Regional Parks which set aside a portion of parks generated "user fees" dedicated for future Parks Development projects. With the passage of Measure 5, the incentive program was eliminated but the funds previously set aside remained with the Parks department. During the analysis for this ordinance, it was estimated that the full amount of these funds transferred from the County was \$80,912. The Regional Parks department anticipates no expenditure from these funds during the remainder of the fiscal year, leaving the full amount to be carried forward to FY 1994-95. The department's FY 1994-95 budget, already recognizes \$29,965 of the \$80,912 as beginning fund balance for FY 1994-95.

This ordinance reserves \$80,912 of ending FY 1993-94 fund balance as Parks Development funds for carryover to FY 1994-95. The FY 1994-95 budget did not assume the full recognition of the entire reserved fund balance. An action by the Council, at the time the FY 1994-95 budget is adopted, will be required to recognize the additional fund balance and provide the Regional Parks additional appropriation authority to complete projects appropriate from these funds.

Recognition of additional unreserved ending fund balance.

At the end of the current fiscal year, it is anticipated the Regional Parks and Expo Fund will have approximately \$524,000 in unreserved/undesignated ending fund balance. The FY 1994-95 Approved Budget recognizes \$300,000 of this amount for use by Regional Parks and Expo Center during the next year. The Council must decide whether to recognize the additional balance and provide for additional expenditure authority at the time they adopt the FY 1994-95 budget in June. If the additional funds are not recognized, they will be unavailable for expenditure next year and will be held in reserve for future needs of the fund in FY 1995-96.

Recognition of minor alterations to the Greenspaces Planning program

The Greenspaces Planning division shares in the expense for three administrative positions transferred from Multnomah County. This action recognizes the reduction of those expenditures to this division as a result of the January 1, 1994, transfer date. In addition, as explained above, a re-allocation of Building Management transfers has increased the share of the transfer amount funded by Greenspaces Planning.

EXECUTIVE OFFICERS RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 94-550.

Line Item Justification **Fiscal Year 1993-94**

521100 Office Supplies \$1,500

Operating Supplies \$1,500

Operating supplies include pens, notepads, pencils, folders, staplers, etc. necessary for the operation of the division and 24 full-time staff members.

521110 Computer Software \$2,300

(3) Standard software packages \$2,300

Standard software packages are needed for three (3) P.C.'s.

521210 Landscape Supplies \$14,200

Annuals	\$2,000
Nursery Stock	\$2,300
Fertilizer	\$2,500
Pesticides	\$1,500
Barkdust	\$5,200
Horticultural Supplies	\$700

Annuals are used to plant in floral displays. Nursery Stock is used to replace dead or diseased trees and/or shrubs. Fertilizer is applied or spread to control weeds and unwanted grasses. Barkdust is used on trails and landscape bed areas. Horticultural supplies are additional items needed to grow and maintain healthy plant material.

521220 Custodial **\$5,250**

Toilet Paper	\$2,200
Cleansers	\$525
Disinfectant	\$600
Garbage Bags	\$700
Paper Towels	\$225
Janitorial Supplies	\$1,000

Custodial supplies are used for cleaning, disinfecting and stocking several restroom buildings with over 100 individual toilet stalls. Janitorial supplies include brooms, mops, gloves, brushes, light bulbs, etc.

521260 Printing Supplies **\$16,423**

Self-serve fee envelopes	\$3,573
Brochures	\$4,800
Park Maps	\$2,000
Calendar of Events	\$4,000
Copy Machines (2)	\$950
Materials for special print jobs	\$1,100

Printing costs include all the brochures, maps, fee envelopes and event calendars for Blue Lake Park, Oxbow Park, Chinook Landing Marine Park, M. James Gleason Boat Facility and Pioneer Cemeteries. These items cannot be printed by the Metro Print Shop. Two small copiers are needed at Blue Lake and Oxbow Park. Pioneer Cemeteries require special printing for contractual agreements.

521290 Other Operating Supplies \$8,433

Picnic table replacement	\$4,200
First-aid supplies	\$500
Irrigation supplies	\$1,300
Water system supplies	\$1,500
Safety equipment	\$433
Paint, gravel, concrete etc.	\$500

These expenditures are for replacement of hazardous picnic tables; basic first-aid supplies, irrigation repairs and updating; water system repairs and disinfecting supplies, safety equipment such as goggles, face shields, ear plugs. Paint, gravel, concrete, etc. are general supplies used in a variety of projects.

521320 Dues \$543

National Recreation and Parks Association	\$150
Oregon Parks Association	\$50
Oregon Recreation and Parks Association	\$50
Oregon Historical Society	\$50
Other dues as needed	\$243

Professional memberships for the department.

521520 Maintenance and Repair Supplies-Building \$4,200

Hardware supplies	\$2,200
Electrical supplies	\$1,100
Plumbing supplies	\$900

These supplies are necessary for proper upkeep and servicing of facilities.

521540 Maintenance and Repair Supplies-Equipment \$850

Backpack blower	\$450
String trimmer	\$400

The backpack blower and string trimmer are replacements for current models that are not repairable.

524190 Miscellaneous Professional Services \$193,123

Glendoveer Audit	\$4,500
Glendoveer Maintenance Agreement	\$10,885
Pioneer Cemeteries Burial Contract	\$60,000
Marine Facilities Beak Report	\$1,600
Marine Facilities Parking/Kiosk Constr.	\$5,000
Oxbow Toilet Pumping	\$3,000
Oxbow Education Programs	\$1,000
Blue Lake Concerts	\$40,500
Blue Lake Kids Programs	\$10,500
Blue Lake Lakehouse Contract	\$22,000
R.V. Park Study	\$1,700
Regional Parks brochure design, Blue Lake and Oxbow Brochure design	\$7,500
General advertising for all programs and facilities	\$24,938

These costs are based on historical spending patterns and projected needs for informing the public of the Parks move from Multnomah County to Metro.

525190 Utilities - Other \$28,594

Electricity, water, sewer, fuel, sanitation service	\$28,594
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These figures on based on historical spending patterns.

525610 Maintenance and Repairs Services-Building \$33,000

Roof replacement \$33,000

Replacement of four building roofs at Oxbow and Blue Lake Park.

525710 Equipment Rental \$12,609

High Ranger \$1,600
Portable Toilets \$4,050
Raft Rentals \$6,600
Power Equipment \$359

High Ranger is used by the arborist to trim trees for two weeks. Portable toilets are used at the Gleason and Burlington Boat Ramps and Glendoveer jogging trail. Raft Rentals are used for the River Raft Program at Oxbow.

526500 Travel \$910

Travel reimbursement \$910

Local travel mileage reimbursement for staff on Metro business.

526800 Training, Tuition, Conferences \$5,367

Training and tuition \$5,367

Training needs for 24 employees including first-aid/CPR, computer and technical.

**Regional Parks and Greenspaces
Regional Parks Division
Materials and Services**

05/13/94

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528100	Payments to Other Agencies	\$84,164
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Motor pool services	\$79,700
Sign fabrication	\$4,464

Motor pool services include gas, oil, repairs, depreciation on highway and large non-highway equipment. Sign fabrication and motor pool services are contracted through Multnomah County through an Intergovernmental Agreement.

528310	Real Property Taxes	\$31,326
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Glendoveer Golf Course Property Tax	\$31,326
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Total Material and Services	\$442,792
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Regional Parks and Greenspaces
Regional Parks Division
Capital Outlay

05/13/94

Page 1 of 1

571300	Capital - Building	\$5,000
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Roof Repair	\$5,000
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Repair roof at Blue Lake food concession building.

571400	Capital - Equipment and Vehicles	\$7,000
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Front end loading bucket	\$5,000
Lift Crane	\$2,000

A tractor front end loading bucket is needed to lift and load material. The lift crane will be attached to bed of maintenance vehicle to upright overturned headstones in the Pioneer Cemeteries.

571500	Capital - Office Furniture and Equipment	\$8,966
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486 Personal Computer (3)	\$5,530
Laser Printer	\$1,567
Fax Machine	\$1,869

The computers are necessary to accommodate two new positions in the department as well as provide a computer for the Operations and Maintenance Manager. The Fax Machine replaces an outdated machine and the Laser Printer is needed for the new department.

574510	Capital - Improvements	\$8,722
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Blue Lake ADA Improvements	\$6,145
Road Repairs	\$2,577

Pathways and the park office entry way at Blue Lake Park require ADA improvements. Road repairs will correct a deteriorated stretch of road at Oxbow Park.

Total Capital Outlay	\$29,688
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Total Material & Services and Capital Outlay	\$472,480
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Expo Center
Estimated FY 93-94 (six months)
Revised April 20, 1994

<u>Acct #</u>	<u>Description</u>	<u>Amount</u>
	Operating Revenues	
347220	Rentals	\$272,200.00
372100	Reimbursements	1,500.00
347311	Concessions	257,000.00
347600	Utility Services	25,200.00
374000	Parking Fee's	323,000.00
379000	Miscellaneous	19,000.00
	Total Operating Revenues	\$897,900.00
361100	Interest	10,000.00
339200	Mult. Co. Capital Reserve	285,000.00
	Total Revenue/Resources	\$1,192,900.00
	Personal Services	
511121	Salaries - Regular Full-time	\$ 48,250.00
511221	Wages - Regular Full-time	68,700.00
511225	Wages - Part-time	10,000.00
511400	Overtime	1,200.00
512000	Fringes	50,000.00
	Total Personal Services	\$178,150.00

Material & Services

521100	Office Supplies	\$ 700.00
521210	Landscape Supplies	1,500.00
521220	Custodial Supplies	2,600.00
521240	Graphic Supplies	200.00
521260	Printing Supplies	400.00
521290	Other Operating Supplies	900.00
521292	Small Tools	1,000.00
521310	Subscriptions	100.00
521510	Maintenance & Repair Supplies - Building	6,000.00
521540	Maintenance & Repair Supplies - Equipment	2,300.00
524190	Miscellaneous Professional Services	70,300.00
525110	Utilities - Electricity	42,100.00
525120	Utilities - Water & Sewer	8,000.00
525130	Utilities - Northwest Natural Gas	20,700.00
525150	Utilities - Sanitation Services	15,000.00
525610	Maintenance & Repair Services - Building	1,400.00
525640	Maintenance & Repair Services - Equipment	3,000.00
525710	Equipment Rental	2,400.00
526310	Printing Services	4,600.00
526320	Typesetting & Reprographic Services	1,250.00
526410	Telephone	4,800.00
526420	Postage	200.00
526440	Delivery Services	180.00
526691	Parking Contract	20,000.00
526700	Temporary/Purchased Labor	15,000.00
526900	Miscellaneous	550.00
526910	Uniforms	3,000.00

Total Materials & Services

\$ 228,180.00

Capital Outlay

571200	Improvements Other Than Building	\$17,000.00
571300	Buildings And Related	11,000.00
571400	Equipment & Vehicles	4,000.00
571500	Office Furniture & Equipment	7,500.00

Total Capital Outlay \$ 39,500.00

Interfund Transfers

581610	Metro - Support Services	41,096.00
581615	Metro - Insurance	10,573.00
582751	Transfers - MERC Admin.	40,000.00

Total Transfers \$ 91,669.00

599999	Contingency	\$29,000.00
	Restricted Fund Balance - Multco Capital	243,000.00
	Restricted Fund Balance - Renewal/Replacement	0.00

Total Requirements \$ 809,499.00

Estimated Net Cash Flow \$ 383,401.00

Expo Center
January - June 1994 Budget
Revised April 14, 1994

Operating Revenues

347220	Rentals	\$ 272,200.00
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Reviewed existing contracts

372100	Reimbursements	\$ 1,500.00
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347300	Concessions	\$ 257,000.00
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Reviewed current contracts with Concessions management

347600	Utility Services	\$ 25,200.00
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Commissions received from electrical provider and handset telephone rental.

374000	Parking Fee's	\$ 323,000.00
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Reviewed current contracts with Parking management

379000	Other Miscellaneous Revenue	\$ 19,000.00
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Trash removal \$ 17,900.00
ATM commission 150.00
Pay phone commission 950.00

Materials and Services

521100	Office Supplies	\$700.00
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January - March actual \$ 400.00
April - June estimate \$ 300.00

Pencils, forms, note pads, staples, small office equipment etc.

521210	Landscape Supplies	\$ 1,500.00
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January - March actual \$ 0.00
April - June estimated \$ 1,500.00

Agricultural and nursery supplies

521220	Custodial Supplies	\$ 2,600.00
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Perishable items such as soap (\$350.00), tissue (\$2,250.00)

521240	Graphic Supplies	\$ 200.00
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January - March actual \$ 0.00
April - June estimated \$ 200.00

Supplies required to produce sales folder and contents.

521260	Printing Supplies	\$ 400.00
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January - March actual \$ 50.00
April - June estimated \$ 350.00

Rate sheet and other paper, copy machine and printer toner, masters and other items relating to printing.

521290	Operating Supplies	\$ 900.00
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Ballast's and switches (\$700.00) and other supplies (\$200.00) necessary for operating the facility.

521292	Small Tools	\$1,000.00
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January - March actual \$ 50.00
April - June estimated \$ 950.00

Drills, saw blades and other like items to become part of an inventory.

521310	Subscriptions	\$ 100.00
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January - March actual \$ 50.00
April - June estimated \$ 50.00

The Oregonian Newspaper

521510	Maintenance & Repair Supplies - Bldg	\$ 6,000.00
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January - March actual \$ 3,700.00
April - June estimated \$ 2,300.00

Exit Lights (\$3,000.00), Fan's (\$300.00), Laundry & Dustmops (\$300.00) and miscellaneous supplies (\$ 1,600.00) Barkdust, Round-up, herbicide (\$1,000.00).

521540	Maintenance & Repair Supplies - Equipment	\$ 2,300.00
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January - March actual \$ 1,150.00
April - June estimated \$ 1,250.00

Sprayer (300.00), Batteries for equipment (150.00), forklift basket (600.00), litter pickers (150.00), vacuum (900.00) miscellaneous (300.00)

524190	Miscellaneous Professional Services	\$70,300.00
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January - March actual \$ 34,300.00
April - June estimated \$ 36,000.00

Lawton Publishing (4,000.00) for full page color ad for Portland Chamber directory. Oregonian newspaper (1,000.00) event schedule advertising remaining on agreement. ERA study (31,000.00) and Mr. C's contract (29,000.00).

525110	Utilities - Electricity	\$ 42,100.00
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January - March actual \$ 24,100.00
April - June estimated \$ 18,000.00

525120	Utilities - Water & Sewer	\$ 8,000.00
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January - March actual \$ 4,400.00
April - June estimated \$ 3,600.00

525130	Utilities - Natural Gas	\$ 20,700.00
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January - March actual \$ 16,400.00
April - June estimated \$ 4,300.00

525150	Utilities - Sanitation Services	\$ 15,000.00
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January - March actual \$ 8,400.00
April - June estimated \$ 6,600.00

525610	Maintenance & Repair Services - Building	\$ 900.00
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January - March actual \$ 750.00

April - June estimated \$ 650.00

OCC Support Services (900.00), Grounds M & R (500.00)

525640	Maintenance & Repair Services - Equipment	\$3,000.00
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January - March actual \$ 250.00

April - June estimated \$ 2,750.00

Multnomah County Services, Fire Alarm Technician (300.00), Alarm monitoring (200.00), RIC system software/hardware (1,000.00), Repair service to copy machine, printers, fax machine, poster machine and other office equipment (1,000.00).

525710	Equipment Rental	\$ 2,400.00
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January - March actual \$ 1,000.00

April - June estimated \$ 1,400.00

Portable toilets, fleet services and pager rental Multco, etc.

526310	Printing Services	\$ 4,600.00
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January - March actual \$ 2,350.00

April - June estimated \$ 1,900.00

Insites (400.00), Sales Folders (1,000.00) Misc. Administrative and Sales Information (500.00) Business Plan (350.00)

526320	Typesetting & Reprographic Services	\$ 1,250.00
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January - March actual \$ 750.00

April - June estimated \$ 500.00

Insites negatives, sales folders, etc.

526410	Telephone	\$ 4,800.00
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January - March actual \$ 3,000.00
April - June estimated \$ 1,800.00

526420	Postage	\$ 200.00
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\$ 33.33 monthly x 6 months = \$200.00

526440	Communications & Delivery Services	\$ 180.00
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UPS/Federal Express - \$ 30.00 monthly x 6 months = \$180.00

526691	Parking Contract	\$ 20,000.00
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Management fee to Parking Contractor. * January - March, 82% deposited by contractor with contractor retaining 18%. Procedural changes effective April 1, 1994 has contractor depositing 100% with Merc returning the 18% management fee to contractor.

526700	Temporary Help Services (Purchased Labor)	\$ 15,000.00
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Parks labor (3,000.00), Inmate labor (3,500.00), Barrett Temporary services (4,500.00), Sno-Cap Security (1,000.00) and Misc. (1,000.00).

526900	Miscellaneous Other Purchased Services	\$ 550.00
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January - March actual \$ 250.00
April - June estimated \$ 300.00

Aqua Cool bottled water service to Operations and Administrative Departments.

526910	Uniform Supplies	\$ 3,000.00
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Jackets, liners, pants, shirts and coveralls for Operations Full and Part-time staff.

571200	Improvements Other Than Buildings	\$ 17,000.00
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Purchase of fencing for R.V. Lot and West Hall fencing.

571300	Buildings And Related	\$ 11,000.00
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Entry carpet and walk-off matting for Facility entry (8,000.00).
Replacement of Administrative office carpet (3,000.00).

571400	Equipment & Vehicles	\$ 4,000.00
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Carpet extractor (2,000.00), Mulcher (2,000.00)

571500	Office Furniture & Equipment	\$ 7,500.00
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Addition of RIC system and equipment to Expo Center.

Meeting Date: June 23, 1994
Agenda Item No. 5.5

ORDINANCE NO. 94-552

FINANCE COMMITTEE REPORT

ORDINANCE NO. 94-552 AMENDING THE FY 1993-94 BUDGET AND APPROPRIATION SCHEDULE TO TRANSFER \$31,000 FROM THE ZOO OPERATING FUND FACILITIES MANAGEMENT DIVISION CAPITAL OUTLAY TO THE MATERIALS AND SERVICES FOR THE PURCHASE OF HIGHER THAN EXPECTED UTILITY COSTS

Date: June 14, 1994

Presented By: Councilor Kvistad

COMMITTEE RECOMMENDATION: At its June 8, 1994 meeting the Committee voted unanimously to recommend Council adoption of Ordinance No. 94-552. Committee members present and voting were Councilors Devlin, Gardner, Kvistad, Monroe and Van Bergen. Councilors Buchanan and McLain were absent.

COMMITTEE DISCUSSION/ISSUES: Ms. Judy Munro, Facilities Manager, presented the Staff Report. She explained the Zoo has experienced higher than anticipated costs for water and sewer service and for natural gas purchases. Some of the increased usage over budgeted projections was because of leakage at the Cascades Exhibit. Ms. Munro, in response to a question, indicated that the leakage problems have been corrected.

Ms. Munro stated the funds to pay for these increased Materials and Services costs are requested to come from under-expenditures in the Divisions various Capital Outlay line items. In response to a question, Ms. Munro stated that the money budgeted for Construction Work/Railroad Materials (\$21,000) is available because the work to be done was accomplished in-house rather than through a contract with an outside contractor.

REGIONAL FACILITIES COMMITTEE REPORT

ORDINANCE NO. 94-552, AMENDING THE FY 1993-94 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF TRANSFERRING \$31,000 FROM THE ZOO OPERATING FUND, FACILITIES MANAGEMENT DIVISION CAPITAL OUTLAY TO THE FACILITIES MANAGEMENT DIVISION MATERIALS AND SERVICES TO FUND THE PURCHASE OF HIGHER THAN EXPECTED UTILITY COSTS, AND DECLARING AN EMERGENCY.

Date: May 19, 1994

Presented by: Councilor Washington

COMMITTEE RECOMMENDATION: At its May 18, 1994 meeting the Regional Facilities Committee voted 3-0 to recommend Council adoption of Ordinance No. 94-552. Councilors Hansen, Moore, and Washington voted in favor. Councilors Gates and McFarland were absent.

COMMITTEE DISCUSSION/ISSUES: Zoo Facilities Management Director Judy Munro presented the staff report. Councilor Washington asked for clarification of a statement in the written staff report regarding leakage at the Cascades Exhibit. Ms. Munro said those problems have been corrected, and discussed the Zoo's ongoing process for monitoring water usage. She added that the Zoo is working with the Portland Water Bureau to improve water conservation efforts, including capital improvements that will have a short payback in water savings. Councilor Washington asked Ms. Munro to describe the impact of rate increases on the Zoo. Ms. Munro said her estimates are based on projected increases, conservation efforts, and projected attendance.

Councilor Moore asked for the effect of transferring the \$31,000 requested. Ms. Munro said the funds are coming from budgeted Capital Outlay, and certain projects are either not being done or were accomplished for less money than anticipated.

BEFORE THE METRO COUNCIL

CONSIDERATION OF ORDINANCE NO. 94-)
552 AMENDING THE FY 1993-94 BUDGET)
AND APPROPRIATIONS SCHEDULE FOR)
THE PURPOSE OF TRANSFERRING)
\$31,000 FROM THE ZOO OPERATING)
FUND, FACILITIES MANAGEMENT)
DIVISION CAPITAL OUTLAY TO THE)
FACILITIES MANAGEMENT DIVISION)
MATERIALS AND SERVICES TO FUND)
THE PURCHASE OF HIGHER THAN)
EXPECTED UTILITY COSTS, AND)
DECLARING AN EMERGENCY)

ORDINANCE NO. 94-552

Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1993-94 Budget; and

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

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

THE METRO COUNCIL HEREBY ORDAINS:

1. That Exhibit B, FY 1993-94 Budget, and Exhibit C, Schedule of Appropriations, are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$31,000 total from the Zoo Operation Fund, Facilities Management Division Capital Outlay line items, Purchases - Exhibit and Related, Construction/Mtrls-Bldg Related, Architectural Services and Construction/Mtrls-Railroad Equip to the Facilities Management Division Materials, Utilities, Water and Sewer and Natural Gas to cover an anticipated budget shortfall in these line items.

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

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

Judy Wyers, Presiding Officer

ATTEST:

Clerk of the Council

**Exhibit A
Ordinance No. 94-552**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Facilities Management							
Total Personal Services		40.06	1,735,729	0.00	0	40.06	1,735,729
<u>Materials & Services</u>							
521100	Office Supplies		1,800		0		1,800
521111	Computer Supplies		1,800		0		1,800
521210	Landscape Supplies		53,000		0		53,000
521220	Custodial Supplies		59,000		0		59,000
521260	Printing Supplies		500		0		500
521290	Other Supplies		17,094		0		17,094
521292	Small Tools		8,150		0		8,150
521310	Subscriptions & Publications		200		0		200
521320	Dues		946		0		946
521400	Fuels & Lubricants		29,000		0		29,000
521510	Maintenance & Repairs Supplies-Building		130,552		0		130,552
521520	Maintenance & Repairs Supplies-Grounds		14,512		0		14,512
521530	Maintenance & Repairs Supplies-Vehicles		14,000		0		14,000
521540	Maintenance & Repairs Supplies-Equipment		12,000		0		12,000
521550	Maintenance & Repairs Supplies-Railroad		30,000		0		30,000
524190	Misc. Professional Services		3,000		0		3,000
524210	Data Processing Services		5,000		0		5,000
525110	Utilities-Electricity		249,000		0		249,000
525120	Utilities-Water & Sewer		406,000		31,000		437,000
525130	Utilities-Natural Gas		79,000		0		79,000
525150	Utilities-Sanitation Services		49,500		0		49,500
525200	Cleaning Services		7,750		0		7,750
525610	M&R-Bldg(Contract/Agreement)		19,600		0		19,600
525620	M&R-Grnds(Contract/Agreement)		39,000		0		39,000
525630	M&R-Vehicles(Contract/Agreement)		8,700		0		8,700
525640	M&R-Equipment(Contract/Agreement)		2,225		0		2,225
525650	M&R-Railroad(Contract/Agreement)		6,500		0		6,500
525690	M&R-Other(Contracts/Agreements)		1,700		0		1,700
525710	Equipment Rental		4,956		0		4,956
525732	Operating Lease Payments-Vehicles		3,648		0		3,648
526310	Printing Services		1,700		0		1,700
526410	Telephone		64,245		0		64,245
526440	Delivery Services		200		0		200
526500	Travel		4,412		0		4,412
526700	Temporary Help Services		5,140		0		5,140
526800	Training, Tuition, Conferences		8,495		0		8,495
526910	Uniform Supply/Cleaning Services		11,440		0		11,440
528100	License, Permits, Payments to Other Agencies		2,200		0		2,200
529500	Meetings		260		0		260
529800	Miscellaneous		500		0		500
Total Materials & Services			1,356,725		31,000		1,387,725
<u>Capital Outlay</u>							
571200	Purchases-Improvements Other than Buildings		5,355		0		5,355
571350	Purchases-Exhibits & Related		5,000		-5,000		0
571400	Purchases-Equipment & Vehicles		16,000		0		16,000
571600	Purchases-Railroad Equipment & Facilities		26,000		0		26,000
574120	Architectural Services		2,500		-2,500		0
574520	Cnstrn Wrk/Mtrl-Building, Related		21,440		-2,500		18,940
574560	Cnstrn Wrk/Mtrl-Railroad Equipment/Facilities		21,000		-21,000		0
Total Capital Outlay			97,295		-31,000		66,295
TOTAL EXPENDITURES		40.06	3,189,749	0.00	0	40.06	3,189,749

Exhibit B
FY 1993-94 SCHEDULE OF APPROPRIATIONS
Ordinance No. 94-552

ZOO OPERATING FUND	Current		Proposed
	Appropriations	Revision	Appropriations
Administration			
Personal Services	\$757,850	0	\$757,850
Materials & Services	168,537	0	168,537
Capital Outlay	8,100	0	8,100
Subtotal	\$934,487	\$0	\$934,487
Animal Management			
Personal Services	\$2,163,013	0	\$2,163,013
Materials & Services	504,770	0	504,770
Capital Outlay	152,591	0	152,591
Subtotal	\$2,820,374	\$0	\$2,820,374
Facilities Management			
Personal Services	\$1,735,729	0	\$1,735,729
Materials & Services	1,356,725	31,000	1,387,725
Capital Outlay	97,295	(31,000)	66,295
Subtotal	\$3,189,749	\$0	\$3,189,749
Education Services			
Personal Services	\$615,925	0	\$615,925
Materials & Services	224,349	0	224,349
Capital Outlay	31,600	0	31,600
Subtotal	\$871,874	\$0	\$871,874
Marketing			
Personal Services	\$303,109	0	\$303,109
Materials & Services	617,883	0	617,883
Capital Outlay	7,170	0	7,170
Subtotal	\$928,162	\$0	\$928,162
Visitor Services			
Personal Services	\$1,486,737	0	\$1,486,737
Materials & Services	1,387,870	0	1,387,870
Capital Outlay	79,300	0	79,300
Subtotal	\$2,953,907	\$0	\$2,953,907
Design Services			
Personal Services	\$313,740	0	\$313,740
Materials & Services	112,595	0	112,595
Capital Outlay	401,225	0	401,225
Subtotal	\$827,560	\$0	\$827,560
General Expenses			
Interfund Transfers	\$1,863,921	0	\$1,863,921
Contingency	598,222	0	598,222
Subtotal	\$2,462,143	\$0	\$2,462,143
Unappropriated Balance			
	\$4,213,862	0	\$4,213,862
Total Fund Requirements	\$19,202,118	\$0	\$19,202,118

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 94-552 AMENDING THE FY 1993-94 BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF TRANSFERRING \$31,000 FROM THE ZOO OPERATING FUND, FACILITIES MANAGEMENT DIVISION CAPITAL OUTLAY TO THE FACILITIES MANAGEMENT DIVISION MATERIALS AND SERVICES TO FUND THE PURCHASE OF HIGHER THAN EXPECTED UTILITY COSTS, AND DECLARING AN EMERGENCY

Date: May 4, 1994

Presented by: Judy E Munro

BACKGROUND AND ANALYSIS

This action requests an increase to Materials and Services Utilities of \$31,000 by transferring the following from Capital Outlay in the Zoo Operating Fund, Facilities Management Division:

Purchases - Exhibit and Related	\$ 5,000
Construction/Mtrls-Bldg Related	\$ 2,500
Architectural Services	\$ 2,500
Construction/Mtrls-Railroad Equip	\$21,000

Projections for the major utility costs (Electricity, Water/Sewer, and Natural Gas) were based on factual consumption data, as well as available information from utilities indicating increases in rates. Projections for utilities for the 93/94 fiscal year budget were computed as follows:

1. Water/Sewer: Cost based on previous year's usage plus 10% projected increase in rates. However, with continued conservation efforts, there was an anticipated savings yield of approximately 3%, so the overall actual increase was 7%.
2. Natural Gas: Cost based on previous year's usage plus the addition of Pygmy Goat Exhibit heat and the anticipated projected use of the Visitor Transport Vehicle reflected the 6% increase.

However, actual costs and projections for the remainder of the fiscal year confirm a shortfall in both Water/Sewer and Natural Gas. Anticipated budget surplus in Electricity will not cover the shortfall.

Some of the increased consumption in Water/Sewer has been attributed to substantial pond and pipe leakage at Cascades Exhibit and excessive usage at the Vollum Aviary. A series of self-audits with new personnel have located these problems. We have also been working with PGE and the Portland Water Bureau to continue conservation efforts.

Staff Report
Ordinance No. 94-552
May 4, 1994

The shortfall will be partially met by over budgeted line items of:

Maintenance/Repair Supplies: Buildings

Utilities: Electricity

Maintenance/Repair Services: Grounds

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Ordinance No. 94-552.

Meeting Date: June 23, 1994
Agenda Item No. 5.6

ORDINANCE NO. 94-553



METRO

DATE: June 17, 1994

TO: Metro Council
Executive Officer
Agenda Recipients

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

RE: AGENDA ITEM NO. 5.6; ORDINANCE NO. 94-553

The Finance Committee will consider Ordinance No. 94-553 on June 22. Committee reports will be distributed in advance to Councilors and available at the Council meeting on June 23, 1994.

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1993-)
94 BUDGET AND APPROPRIATIONS)
SCHEDULE FOR THE PURPOSE OF)
FUNDING OUTSIDE COUNSEL OPINION)
REGARDING CONTRACT AUTHORITY; AND)
DECLARING AN EMERGENCY)

ORDINANCE NO. 94-553

Introduced by
Presiding Officer, Judy Wyers

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1993-94 Budget; and

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

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

THE METRO COUNCIL HEREBY ORDAINS:

1. That the FY 1993-94 Budget and Schedule of Appropriations are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$10,000 from the Support Service Fund Contingency to Materials and Services in the Office of General Counsel budget to fund outside counsel opinion regarding contract authority.

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

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

Judy Wyers, Presiding Officer

ATTEST:

Clerk of the Council

**Exhibit A
Ordinance No. 94-553**

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Office of General Counsel							
Total Personal Services		6.00	434,876		0		434,876
<u>Materials & Services</u>							
521100	Office Supplies		1,450		0		1,450
521290	Other Supplies		208		0		208
521310	Subscriptions		12,350		0		12,350
521320	Dues		1,751		0		1,751
524120	Legal Fees		2,500		10,000		12,500
525640	Maintenance & Repairs Services-Equipment		795		0		795
526310	Printing Services		228		0		228
526440	Delivery Services		341		0		341
526500	Travel		2,279		0		2,279
526700	Temporary Help Services		1,200		0		1,200
526800	Training, Tuition, Conferences		2,159		0		2,159
529500	Meetings		454		0		454
529800	Miscellaneous		500		0		500
Total Materials & Services			26,215		10,000		36,215
Total Capital Outlay			1,500		0		1,500
TOTAL EXPENDITURES		6.00	462,591		10,000		472,591

General Expenses

Total Interfund Transfers			579,671		0		579,671
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency						
	* General		134,655		(10,000)		124,655
	* Builders License		23,165		0		23,165
599990	Unappropriated Fund Balance-Contractors License		151,566		0		151,566
Total Contingency and Unappropriated Balance			309,386		(10,000)		299,386
TOTAL EXPENDITURES		84.72	6,802,525		0		6,802,525

Exhibit B
FY 1993-94 SCHEDULE OF APPROPRIATIONS
Ordinance No. 94-553

	CURRENT APPROPRIATIONS	REVISION	PROPOSED APPROPRIATION
SUPPORT SERVICES FUND			
Finance and Management Information			
Personal Services	2,238,932	0	2,238,932
Materials & Services	794,941	0	794,941
Capital Outlay	77,891	0	77,891
Subtotal	3,111,764	0	3,111,764
Regional Facilities			
Personal Services	606,467	0	606,467
Materials & Services	362,436	0	362,436
Capital Outlay	5,000	0	5,000
Subtotal	973,903	0	973,903
Personnel			
Personal Services	534,856	0	534,856
Materials & Services	59,646	0	59,646
Capital Outlay	6,675	0	6,675
Subtotal	601,177	0	601,177
Office of General Counsel			
Personal Services	434,876	0	434,876
Materials & Services	26,215	10,000	36,215
Capital Outlay	1,500	0	1,500
Subtotal	462,591	10,000	472,591
Public Affairs			
Personal Services	669,686	0	669,686
Materials & Services	91,247	0	91,247
Capital Outlay	3,100	0	3,100
Subtotal	764,033	0	764,033
General Expenses			
Interfund Transfers	579,671	0	579,671
Contingency	157,820	(10,000)	147,820
Subtotal	737,491	(10,000)	727,491
Unappropriated Balance	151,566	0	151,566
Total Fund Requirements	6,802,525	0	6,802,525

All Other Appropriation Levels remain As Previously Adopted

STAFF REPORT

**CONSIDERATION OF ORDINANCE NO. 94-553 AMENDING THE FY 1993-94
BUDGET AND APPROPRIATIONS SCHEDULE FOR THE PURPOSE OF FUNDING
OUTSIDE COUNSEL OPINION REGARDING CONTRACT AUTHORITY; AND
DECLARING AN EMERGENCY**

Date: May 17, 1994

Presented by: Daniel B. Cooper
Donald Carlson

BACKGROUND AND ANALYSIS

After the Executive Officer executed amendment #4 to the Oregon Waste Systems contract for waste disposal services, the council adopted Resolution No. 94-1939 requesting that the General Counsel hire outside counsel to give the Metro Council an independent legal opinion regarding the contracting authority of the Council and the Executive Officer.

At the direction of the Council, the General Counsel secured the services of the firm of Harrang Long Gary & Rudnick, P.C.

The purpose of the Ordinance is to amend the FY 1993-94 budget for the Office of General Counsel by increasing the Materials and Services appropriation by \$10,000 in order to provide authority for paying the cost of securing the outside legal opinion which was an unanticipated expense.

Meeting Date: June 23, 1994
Agenda Item No. 5.7

ORDINANCE NO. 94-535A



METRO

DATE: June 17, 1994

TO: Metro Council
Executive Officer
Agenda Recipients

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

RE: AGENDA ITEM NO. 5.7; ORDINANCE NO. 94-535A

The FY 94-95 Approved Budget has been available since May 6, 1994. All other exhibits and materials will be distributed to Councilors in advance and available at the Council meeting June 23, 1994. Documents may be obtained by contacting the Clerk at 797-1534.

To Be Published in the Daily Journal of Commerce on Wednesday, June 8, 1994.

**NOTICE OF BUDGET HEARING
FY 1994-95 Annual Budget**

A meeting of the Tax Supervising and Conservation Commission will be held on Tuesday, June 21, 1994, at 2:00 p.m., in the Council Chamber, Metro Regional Center, 600 N.E. Grand Avenue, Portland, Oregon.

The purpose of the meeting is to review discuss and conduct a public hearing on Metro's annual budget for the fiscal year 1994-95 as approved by the Metro Budget Committee. The total budget is \$205,012,223. A tax base for Zoo Operations will be levied for \$6,438,631. The levy for FY 1993-94 was \$6,074,181. A levy for general obligation bonds for the Convention Center will be levied for FY 1994-95 for \$5,494,196. The FY 1993-94 levy was \$5,057,637.

A copy of the budget may be obtained free of charge at 600 N.E. Grand Avenue, Portland, Oregon, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

To the Daily Journal of Commerce:

Please publish on Wednesday, June 8, 1994. Reference P.O. # 69636 on invoice. Send invoice and affidavit of publication to:

Metro
Attn: Kathy Rutkowski
600 N.E. Grand Avenue
Portland, OR 92232

If you have any questions, please call Rooney Strom at 797-1616. Thank You.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE) ORDINANCE NO. 94-535A
ANNUAL BUDGET FOR FISCAL YEAR)
1994-95, MAKING APPROPRIATIONS) Introduced by
AND LEVYING AD VALOREM TAXES;) Rena Cusma, Executive Officer
AND DECLARING AN EMERGENCY)

WHEREAS, The Multnomah County Tax Supervising and Conservation Commission held its public hearing on the annual Metro budget for the fiscal year beginning July 1, 1994, and ending June 30, 1995; and

WHEREAS, Recommendations from the Multnomah County Tax Supervising and Conservation Commission have been received by Metro (attached as Exhibit A and made a part of the Ordinance) and considered; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The "Fiscal Year 1994-95 Metro Budget," attached hereto as Exhibit B, and the Schedule of Appropriations, attached hereto as Exhibit C, are hereby adopted.
2. The Metro Council does hereby levy ad valorem taxes, as provided in the budget adopted by Section 1 of this Ordinance, for a total amount of ELEVEN MILLION NINE HUNDRED THIRTY-TWO THOUSAND EIGHT HUNDRED TWENTY-NINE (\$11,932,829) DOLLARS to be levied upon taxable properties within the Metro District as of 1:00 a.m., July 1, 1994. The following allocation and categorization subject to the limits of Section 11b, Article XI of the Oregon Constitution constitute the above aggregate levy.

SIX MILLION FOUR HUNDRED THIRTY-EIGHT THOUSAND SIX HUNDRED THIRTY-THREE (\$6,438,633) DOLLARS shall be for the Zoo Operating Fund, said amount authorized in a tax base, said tax base approved by the voters of Metro at a general election held May 15, 1990, and subject to the General Government Limitation.

FIVE MILLION FOUR HUNDRED NINETY-FOUR THOUSAND ONE HUNDRED NINETY-SIX (\$5,494,196) DOLLARS shall be for the Convention Center Project Debt Service

Fund, said levy needed to repay a portion of the proceeds of General Obligation bonds as approved by the voters of Metro at a general election held November 4, 1986. Said levy is excluded from the General Government Limitation.

3. Pursuant to Metro code Section 7.01.020(b) pertaining to the Metro Excise Tax, the Council hereby confirms that the rate of tax shall be the maximum amount allowed under the Metro Code.

4. The provisions of Chapter 7.01 of the Metro Code shall not apply to any former Multnomah County Park or Pioneer Cemetery operated by Metro until July 1, 1995.

5. A Rate Stabilization Account is established within the Solid Waste Revenue Fund. The purpose of the Account is to minimize extraordinary solid waste disposal rate increases. At the time disposal rates are set, funds collected in excess of required expenditures may be placed in the Stabilization Account, but system disposal rates shall at no time be increased for the purpose of making a contribution to the Account. Funds deposited in the Rate Stabilization Account shall be available at the time disposal rates are set to offset increases in system disposal rates.

4.6. The Regional Park and Expo Trust Fund is hereby created for the purpose of managing dedicated resources transferred from Multnomah County as part of the Intergovernmental Agreement. Sources of revenue shall be interest earnings, special event revenues, donations and contributions from other funds.

5.7. The Zoo Revenue Bond Fund is hereby eliminated.

6.8. In accordance with Section 2.02.125 of the Metro Code, the Metro Council hereby authorizes personnel positions and expenditures in accordance with the Annual Budget adopted by Section 1 of this Ordinance, and hereby appropriates funds for the fiscal year beginning July 1, 1994, from the funds and for the purposes listed in the Schedule of Appropriations, Exhibit C.

7.9. The Executive Officer shall make the following filings as provided by ORS 294.555 and ORS 310.060:

- a. Multnomah County Assessor
 - 1) An original and one copy of the Notice of Levy marked Exhibit D, attached hereto and made a part of this Ordinance.
 - 2) Two copies of the budget document adopted by Section 2 of this Ordinance.
 - 3) A copy of the Notice of Publication required by ORS 294.421.
 - 4) Two copies of this Ordinance.

- b. Clackamas and Washington County Assessor and Clerk
 - 1) A copy of the Notice of Levy marked Exhibit D.
 - 2) A copy of the budget document adopted by Section 2 of this Ordinance.
 - 3) A copy of this Ordinance.
 - 4) A copy of the Notice of Publication required by ORS 294.421.

8.10. This ordinance being necessary for the health, safety, or welfare of the Metro area, for the reason that the new fiscal year begins July 1, 1994, and Oregon Budget Law requires the adoption of a budget prior to the beginning of the fiscal year, an emergency is declared to exist and the Ordinance takes effect upon passage.

ADOPTED by the Metro Council this 23rd day of June, 1994.

Judy Wyers, Presiding Officer

Attest:

Clerk of the Council

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 94-535 ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 1994-95, MAKING APPROPRIATIONS AND LEVYING AD VALOREM TAXES; AND DECLARING AN EMERGENCY

Date: February 16, 1994

Presented by: Rena Cusma
Executive Officer

FACTUAL BACKGROUND AND ANALYSIS

I am forwarding to the Council for consideration and approval my proposed budget for Fiscal Year 1994-95.

Council action, through Ordinance No. 94-535, is the first step in the process for the adoption of Metro's operating financial plan for the forthcoming fiscal year. Final action by the Council to adopt this plan is scheduled for June 23, 1994.

Oregon Revised Statutes 294.635, Oregon Budget Law, requires that Metro prepare and submit Metro's approved budget to the Tax Supervising and Conservation Commission by May 15, 1994. The Commission will conduct a hearing during June 1994 for the purpose of receiving information from the public regarding the Council's approved budget. Following the hearing, the Commission will certify the budget to the Council for adoption and may provide recommendations to the Council regarding any aspect of the budget.

Once the budget plan for Fiscal Year 1994-95 is adopted by the Council, the number of funds and their total dollar amount and the maximum tax levy cannot be amended without review and certification by the Tax Supervising and Conservation Commission. Adjustments, if any, by the Council to increase the level of expenditures in a fund are limited to no more than 10 percent of the total value of that fund in the period between approval, scheduled for May 5, 1994, and adoption.

Exhibits B and C of the Ordinance will be available at the public hearing on February 24, 1994.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends that the Council conduct a public hearing on Ordinance No. 94-535. The Executive Officer recommends that the Council schedule consideration of the proposed budget and necessary actions to meet the key dates as set out in Oregon Budget Law described above.

Meeting Date: June 23, 1994
Agenda Item No. 6.1

RESOLUTION NO. 94-1964

**METRO**

DATE: June 17, 1994

TO: Metro Council
Executive Officer
Agenda Recipients

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

RE: AGENDA ITEM NO. 6.1; RESOLUTION NO. 94-1964.

The Planning Committee considered Resolution No. 94-1964 on June 16. The committee report will be distributed in advance to Councilors and available at the Council meeting on June 23, 1994. Please note included in this agenda are new documents, Exhibit B and tables listing state operations from 1995 through 1998, provided at the committee meeting on June 16.

The draft Portland Metropolitan Area Fiscal Year 1995 Through Post-1998 Transportation Improvement Program document has been published separately from this agenda due to the volume of that document.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE) RESOLUTION NO. 94-1964
FY 1995 TO POST-1998 TRANSPORTATION)
IMPROVEMENT PROGRAM AND THE FY 1995) Introduced by the
THROUGH 1997 THREE-YEAR APPROVED) Planning Committee
PROGRAM

WHEREAS, Projects using federal funds must be specified in the Transportation Improvement Program by the fiscal year in which obligation of those funds is to take place; and

WHEREAS, In accordance with the Metro Council/Southwest Washington Regional Transportation Council Memorandum of Agreement, the Transportation Improvement Program will be submitted to the Southwest Washington Regional Transportation Council for review and comment; and

WHEREAS, The Metro Council must certify compliance with the proposed policy on private enterprise participation in the Federal Transit Administration Program; and

WHEREAS, The Metro Council must evaluate the program of transit projects included in the Transportation Improvement Program to ensure financial capacity to fund the capital improvements; and

WHEREAS, The 1995 Air Quality Conformity Determination is not yet complete and is not expected to be approved by federal authorities until the end of September 1994; and

WHEREAS, Some 1994 Annual Element projects may not be obligated by the end of FY 1994 and the exact time for their obligation is indeterminate; and

WHEREAS, Metro staff have worked with TPAC members and the Metro Committee for Citizen Involvement and have defined a draft public involvement process for TIP development as directed at adoption of the Metro FY 1994 Transportation Improvement Program; and

WHEREAS, Tri-Met has proposed to substitute local funds for Transit-Oriented Development (TOD) activity previously funded under the FY 95 CMAQ program in exchange for using the CMAQ funds to purchase additional buses and to complete funding of the Tigard Park-and-Ride; now therefore

BE IT RESOLVED:

1. That the Metro Council adopts the FY 1995 through post-1998 Transportation Improvement Program for the urban area and the FY 1995-1997 Three-Year Approved Program as contained in the attachment to this Resolution marked Exhibit A.

2. That projects that are not obligated by September 30, 1994 be automatically reprogrammed for FY 1995 for all funding sources.

3. That the Metro Council allows funds to be transferred among projects consistent with the Transportation Improvement Program Project Management Guidelines adopted by Resolution No. 85-592.

4. That the Transportation Improvement Program is in conformance with the Regional Transportation Plan, and that the planning process meets all requirements of Title 23 -- Highways

and Title 49 -- Transportation of the Code of Federal Regulations, including those provisions that have been added by the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA).

5. That the Metro Council finds that Tri-Met has complied with the requirements of the region's Private Enterprise Participation Policy, adopted in August 1987. Documentation is shown in the Attachment to the Staff Report.

6. That the Metro Council finds sufficient financial capacity, as certified by Tri-Met and as demonstrated in the adopted Transit Development Plan, to complete the projects programmed for FY 1995 and incorporated in the Transportation Improvement Program.

7. That the Transportation Improvement Program is presumed to conform with the Clean Air Act Amendments of 1990 and 40 CFR Parts 51 and 93 (the federal Final Air Quality Conformity Rule) and the 1982 Air Quality State Implementation Plan (Ozone and Carbon Monoxide).

8. That Metro will provide final certification of the Transportation Improvement Program's conformance with all pertinent air quality requirements at such time as the 1995 Conformity Determination is complete.

9. That Metro staff have complied with the resolve attached to adoption of the Metro FY 1994 Transportation Improvement Program respecting development of public involvement procedures.

10. That the Metro Council hereby gives affirmative Intergovernmental Project Review approval.

11. That Tri-Met use of TOD-related CMAQ funds for other

than TOD-related activities is contingent upon receipt from Tri-Met of a letter committing an equal amount of Tri-Met local funds to support the TOD project.

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

Judy Wyers, Presiding Officer

JPACT Recommendation
TW:lmk
94-1964.RES/5-31-94

SIGNIFICANT REVISIONS TO THE DRAFT FY 95 METRO TIP								
Metro ID #	Project Title	Work Phase	Fund Type	FY 95	FY 96	FY 97	FY 98	Post-98
609	Transit Oriented Development	Prior Status	Non-Hwy Cap	CMAQ	0.57			
		Revised Status	Non-Hwy Cap	Tri-Met	0.57			
154	Bus Purchases	Prior Status	NA	NA	0.00			
		Revised Status	Non-Hwy Cap	CMAQ	0.20			
601	Tigard Park & Ride	Prior Status	NA	NA	0.00			
		Revised Status	ROW	CMAQ	0.36			
192	Banfield Station Retrofit for Low Floor Vehicles	Prior Status	Non-Hwy Cap	Sec 3-Disc	5.93			
		Revised Status	Non-Hwy Cap	Sec 3-Sys Com	17.18			
TBD	WS Light Rail Maintenance Equip	Prior Status	Deferral item	NA	0.00			
		Revised Status	Non-Hwy Cap	Sec 3-FFGA	1.20			
TBD	Sunset Transit Center Park & Ride	Prior Status	Deferral item	NA	0.00			
		Revised Status	Non-Hwy Cap	Sec 3-FFGA	3.38			
222	I-84 @ 82nd Ave Park & Ride	Prior Status	Con	St. STP	0.36			
		Revised Status	NA	NA	0.00			
TBD	I-5 So. (Tualatin) Park & Ride	Prior Status	NA	NA	0.00			
		Revised Status	Con	St. STP	0.36			
128	South/North Corridor EIS	Prior Status	NA	NA	0.00			
		Revised Status	Env. Study	e4 Cat. 1	1.66			
907	I-205 Buslane Withdrawal	Prior Status	Reserve	e4 Cat. 1		14.34		
		Revised Status	Reserve	e4 Cat. 1		12.68		
320	I-5: E. Marq. Interchngr\GrandMLK Ramps	Prior Status	ROW	M				49.26
		Revised Status	NA	NA				0.00
345	I-5: Water Ave Ramps	Prior Status	Con	M				15.25
		Revised Status	NA	NA				0.00

* The project was in ODOT's Development program for PE and ROW in FY 97 but was not included in the MTIP.

1995

STATE OPERATIONS

PROJECT TITLE	ODOT / PCS NUMBER	DESCRIPTION	PE	ROW	CON
I-205 SE 82ND TO 212	07289	SOUND WALL	\$20 K		\$390 K
EAST PORTLAND FRWY (I-205) @ SUNNYSIDE ROAD	07578	SCREENING	\$5 K		\$68 K
VISTA RIDGE & JEFFERSON ST. TUNNELS	07577	LIGHTING UPGRADES			\$1.7 M
U.S. 30 SAUVIE ISLAND BRIDGE	05294	BRIDGE APPROACH REALIGNMENT			\$220 K
HAZARD ELIMINATION SYSTEM (HES)					
BURLINGTON NORTHERN RAILROAD CROSSING @ LOWER ROCKY BUTTE ROAD/HOLBROOK	08075		\$120 K		
HALSEY @ 47TH	07057	SIGNAL, LOOPS / SIGNAGE	\$20 K		
SW ALLEN BLVD @ SW WESTERN AVENUE	06711		\$32 K		\$340 K

K = THOUSANDS
M = MILLIONS

PROJECT TITLE	ODOT / PCS NUMBER	DESCRIPTION	PE	ROW	CON
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BRIDGE PROJECTS					
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DURHAM ROAD BV/TUALATIN HWY: HALL-UPPER BOONES	08131	WIDEN TO 3, BIKE LANES, SIDEWALKS, REPLACE BRIDGE WITH WIDER STRUCTURE-- \$1.661 M LOCAL CONTRIBUTION	\$400 K	\$250 K	\$600 K
FANNO CREEK BRIDGE / GRANT STREET	07263	REPLACEMENT	\$90 K		\$460 K

MISCELLANEOUS					
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GOLF CREEK SECTION PH. 2, 3, & 4	08105	LANDSCAPING			\$150 K
HALL BLVD. BV/TUALATIN HWY: SPRR CROSSING-GREENBURG ROAD	06028	BIKE LANE	\$80 K	\$80 K	\$150 K

1996					
STATE OPERATIONS					

I-205 @ SUNSET AVENUE	08050	SCREENING	\$3 K		\$30 K
JOHNSON CREEK @ I-205	06970	STRIPPING OF EASTBOUND TURN LANE	\$5 K		\$10 K
I-205 @ HOLGATE	08051	PROTECTIVE SCREENING	\$3 K		\$30 K
LINNTON / SAUVIE ISLAND BRIDGE	04366	ROCK FALL PROTECTION	\$71 K		\$290 K

PROJECT TITLE	ODOT / PCS NUMBER	DESCRIPTION	PE	ROW	CON
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US 30 B (SANDY BLVD): MLK JR TO 60TH	07167	OVERLAY	\$15 K		\$540 K
TSM-INITIATIVE	06969	VARIOUS FREEWAY, ARTERIAL, AND TRANSIT FLOW IMPROVEMENT PROJECTS TOTALING \$1.04 MILLION			
TSM-INITIATIVE	07579	" "			
TSM-INITIATIVE	07961	" "			
TSM-INITIATIVE	07962	" "			
TSM-INITIATIVE	07963	" "			
TSM-INITIATIVE	07964	" "			
TSM-INITIATIVE	07965	" "			
TSM-INITIATIVE	07966	" "			
TSM-INITIATIVE	07967	" "			
99 W: TUALATIN RIVER BRIDGE TO KRUEGER ROAD	07156		\$52 K		\$1.04 M
BARBUR: PEDESTRIAN O'ING TO SW 60TH	07155		\$54 K		\$1.08 M
TRAFFIC LOOP REPAIRS UNIT 6	05862	TRAFFIC LOOP REPAIRS	\$35 K		\$550 K

K = THOUSANDS
M = MILLIONS

PROJECT TITLE	ODOT / PCS NUMBER	DESCRIPTION	PE	ROW	CON
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HAZARD ELIMINATION SYSTEM (HES)					
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NORTH PORTLAND ROAD @ BNRR CROSSING	07134		\$15 K		\$90 K
ALLEN: 141ST TO SW MERLO	07045	WIDEN TO 66' ADD LEFT TURN POCKET	\$15 K	\$80 K	\$610 K

BRIDGE PROJECTS					
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CHILDS ROAD BRIDGE REPLACE	07253	REPLACE BRIDGE WITH 48' DECK	\$35 K	\$10 K	\$270 K
FANNO CREEK BRIDGE / TIEDEMAN AVENUE	07264	REPLACE BRIDGE	\$112 K		\$640 K

MISCELLANEOUS					
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I-5 WILSONVILLE INTER. PH. 1	02500	WIDEN TO 6 LANES	\$514 K	\$212 K	\$5.35 M
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1997					
STATE OPERATION					

US 26:185TH SOUNDWALL	8239	SOUNDWALL	\$80 K		\$1.5 M
US 30: ST. JOHNS-CORNELIUS PASS ROAD	07168	OVERLAY			\$1.570 M

PROJECT TITLE	ODOT / PCS NUMBER	DESCRIPTION	PE	ROW	CON
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HAZARD ELIMINATION SYSTEM (HES)

OREGON CITY SIGNAL UPGRADE (OPTICOM)	07136	SIGNAL UPGRADES	\$25 K		\$210 K
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BRIDGE PROJECTS

HAWTHORN BRIDGE PAINTING	08052	PAINT BRIDGE	\$100 K	\$16.5 M	
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1998

STATE OPERATIONS

OR 43: HUGHES AVENUE TO OREGON CITY BRIDGE	07162	OVERLAY	\$33 K		\$720 K
OR 47: MP 90.4	7163	" "	\$7 K		\$160 K
99E: MILWAUKIE CITY LIMITS- CLACKAMAS RIVER BRIDGE	7169	" "	\$30 K		\$1.480 M
OR 224: ROCK CREEK TO SE 197TH	7186	" "			

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 94-1964 FOR THE PURPOSE OF ADOPTING THE FY 1995 TO POST-1998 TRANSPORTATION IMPROVEMENT PROGRAM AND THE FY 1995-1997 THREE YEAR APPROVED PROGRAM

Date: May 31, 1994

Presented by: Andrew Cotugno

FACTUAL BACKGROUND AND ANALYSIS

Proposed Action

The Transportation Improvement Program (TIP) serves as the basis for receipt of federal transportation funds by local jurisdictions, the Oregon Department of Transportation (ODOT) and Tri-Met. Under ISTEA, the TIP also identifies projects receiving local funds that have the potential to adversely affect regional attainment and/or maintenance of federal air quality standards.

As was the case in FY 94, this year's edition of the TIP features a three-year Approved Program (FY 95-97) which will allow the region to advance projects in FY 95 that are programmed in FY 96 or 97 without processing TIP amendments. As previously, a comparable dollar amount of projects must be moved out of FY 95 to make room for such moves.

At its May 27 meeting, TPAC approved a package of revisions to the draft Metro FY 1995 TIP that were proposed by Tri-Met. They include a number of changes to the transit program and to CMAQ and the state STP programs. Those requiring action by resolution include:

- Elimination of FY 1995 CMAQ funding for the Transit-Oriented Development project (Metro ID #609). The \$565,889 allocated to this project is split to support increased bus purchases (\$202,000) and additional support for the Tigard park-and-ride facility (\$363,889). Both of these projects received high administrative scores and are currently programmed to receive CMAQ funds. The deleted federal funds will be replaced by Tri-Met local funds and will allow greater flexibility in the selection of future TOD projects.
- Movement of two Section 3 Discretionary projects to the Section 3 Discretionary Westside Systems Completion program and renaming of this program to the "Section 3 Discretionary Light Rail System Completion program." The two projects are:
 - 1) City of Gresham Park-and-Ride (Metro ID #174); and
 - 2) Banfield Station Retrofit for Low-Floor Vehicles (Metro ID #192).

Tri-Met also proposes to change the name of the second project to "Low-Floor Vehicle Premium," to reflect the cost "premium"

of this style of light rail vehicle that Tri-Met is assuming in order to comply with the Americans with Disabilities (ADA) Act, and also proposes to increase authorization for this project to \$17,182,800 from \$5,925,000 (a net increase of \$11,257,800).

- . Tri-Met proposes to include two projects from the Westside Deferral list as part of the Section 3 Westside Light Rail full-funding grant program. The projects are:
 - 1) Westside Light Rail Maintenance Equipment (\$1.2M in FY 95);
and
 - 2) Sunset Transit Center Park-and-Ride (\$3.375M in FY 96).
- . Funding of \$357,000 (.89275 federal share) for an I-5 South (Tualatin) Park-and-Ride is proposed. The currently programmed I-84 at 82nd Park-and-Ride would be eliminated and the \$179,460 allocated to this project would be diverted to the new project consistent with ODOT's Draft FY 95 STIP.
- . As noted later in this Staff Report, the appropriation of Interstate Transfer funds to the region have fallen \$1.66 million short of the full \$517 million authorization. It was noted that Senator Hatfield's office has concurred with the suggestion that an appropriation in this amount should be pursued for allocation to the South/North Corridor project rather than to the more nebulous "I-205 Buslane Withdrawal Account." TPAC therefore recommended increasing the authorization for the South/North Study (Metro ID #128) by \$1.66 million and decreasing that of the Buslane Withdrawal Account by an equal amount.

ODOT Region 1 staff reviewed the Draft Metro FY 1995 TIP on May 27 and recommended that several projects contained in the Draft STIP be added to the Metro TIP. These projects include several Hazard Elimination System (HES) and bridge projects and will be added to the TIP as administrative amendments consistent with guidelines established in Resolution No. 85-592.

I. NEW ACTION

Adoption of the TIP would endorse the following major new programming actions:

A. ODOT SIX-YEAR PROGRAM REDUCTIONS

In summer of 1993, ODOT Region 1 staff advised the region that the state's FY 1993 through 1998 Six-Year Program was some \$400 million out of balance and that a reduction of approximately \$136 million from the Region 1 urban construction program would be required. The Oregon Transportation Commission (OTC) invited the region to recommend the needed cuts and to also identify cuts in excess of those

needed to balance the program. These additional savings would be considered by the OTC for reallocation to projects of benefit to alternative travel modes recommended by the region.

Metro Recommendation.

In January 1994, Metro adopted Resolution No. 94-1890A which recommended a package of construction program cuts and deferrals totaling approximately \$173 million and reallocation of approximately \$36 million to projects of benefit to alternative transportation modes.

Program Reduction Highlights.

Although 17 different projects were either eliminated, deferred or downscoped, the bulk of Metro's reductions to the state Construction program come from six recommendations which include:

- . Deferral of \$36 million of work related to reconstruction of the Sunset Highway between the Zoo Interchange and Highway 217 originally programmed to occur during construction of the Westside LRT, reducing the project allocation to a first phase of \$50 million.
- . Downscoping of the I-5\217\Kruse Way Interchange from \$43 million to a first phase project of \$13.5 million.
- . Deferral of \$7 million to widen I-84 to six lanes from the 238th Interchange to Troutdale.
- . Deferral of \$50 million associated with the I-5: East Marquam/Grand Avenue/MLK Jr. Ramps to post-1998.
- . Deferral of \$17.2 million associated with the I-5: Water Street Ramps project to post-1998.
- . Downscoping of the US 26: Highway 217 to Murray project (\$20 million) to the Development program (EIS authorization only).

The "STIP CUT/ADD APPENDIX" at the end of the TIP contains a table which summarizes the complete Metro recommendation.

Alternative Mode Recommendation.

Metro also recommended allocation of \$36 million to a set of alternative mode programs including \$29 million to Tri-Met's Core Capital Program and \$7 million to an Alternative Mode Construction Program.

Program Revisions Since January Adoption.

ODOT has continued to refine engineering of several of the larger projects addressed in the Metro recommendation in order to obtain better cost, scheduling and transportation system impact estimates. This work has produced two significant modifications to the January recommendation:

1. I-84: Widening to Six lanes between 223 and Troutdale.

Metro recommended saving \$7 million from this project by eliminating continuation of the proposed widening beyond the 238th Interchange. However, it now appears that \$5.5 million of this savings would have come from deferral of a railroad bridge crossing that cannot be deferred. The current estimate to complete this project is \$24.1 million, an approximate \$2 million increase. This would include reconstruction of the 238th Interchange to address significant safety problems, and reconstruction of the deficient railroad bridge. Widening from 223rd to Troutdale would be deferred.

As programmed in the TIP, the cost increase of \$2 million would reduce the Tri-Met Core Capital Program allocation discussed above from \$29 million to \$27 million.

2. US 26 Reconstruction.

The ability to defer \$36 million of this work was achieved in part by delaying, until after 1998, the \$14.3 million cost of constructing a westbound truck climbing lane between the Zoo and Sylvan interchanges. This deferral was contingent on continued availability after 1998 of \$14.3 million earmarked for this project in the ISTEA Demonstration Grants program. In spring, the Office of Management and Budget recommended rescinding all such funds not obligated by the end of FY 94. ODOT has therefore proceeded with plans to construct this project in FY 1994.

This change did not, however, affect Metro's recommended "budget." A second element of the \$36 million savings assumed that \$50 million would be needed to both reconstruct the Sylvan overcrossing of US 26 and to construct an off-system collector\distributor system needed to alleviate significant westbound weave and merge safety problems. ODOT has engineered a solution to these problems costing only \$35 million. Thus the climbing lane and the westbound safety problems can both be accommodated within Metro's January fiscal cap.

However, Metro had stipulated that should the "Sylvan Interchange" project cost less than \$50 million, the difference was to be allocated to increased support of

alternative mode projects. In effect, this savings has now been allocated to building the climbing lane. To do otherwise would result in the region both losing \$14.3 million of ISTEA grant funds and needing to eventually fund the cost of the climbing lane with local resources. Therefore, Metro staff concurs with ODOT's decision to advance construction of the climbing lane.

Tri-Met Core Capital Program Funds (Metro ID #154).

ODOT has allocated \$18 million of state STP funds and Metro has allocated \$9 million of regional STP funds to purchase 144 buses (a mixture of 40-foot standard and articulated buses for mostly replacement and some service increase) and 20 Special Needs Transit minibuses.

Metro's original recommendation was to allocate \$29 million of state STP dollars to fund these Tri-Met Core Capital Program needs. This figure was reduced to \$27 million in response to cost increases on the I-84: 223rd to Troutdale project. (Tri-Met's need for the additional funds relates largely to the updated Hillsboro Extension financial plan; Tri-Met was required to allocate an additional \$18 million to the Extension project. This money was taken from resources previously allocated by Tri-Met to purchase buses that were to meet service demands associated with start-up of Hillsboro rail service.)

ODOT countered Metro's January recommendation with a proposal to allocate \$18 million of state STP dollars to purchase buses for Tri-Met; \$9 million dollars would directly make up for the diverted Hillsboro funds and the other \$9 million would purchase other miscellaneous transit capital. The remaining \$9 million of "Hillsboro-related" bus purchases will be funded by allocation of regional STP Reserve dollars. Between these two fund pools, the full \$27 million bus purchase can be made.

Region 2040 Reserve Account (Metro ID #381).

ODOT has allocated the "freed" \$9 million to a Region 2040 Reserve account that will be allocated, in cooperation with Metro, to implement both roadway and alternative mode projects consistent with the development form that will be recommended for adoption by the Region 2040 process (Summer, 1994). This ODOT contribution is matched by allocation of the remaining \$11.2 million balance of Regional STP Reserve dollars, thus creating a \$20.2 million "Region 2040 Reserve Account".

Alternative Mode Construction Program Account (Metro ID #382).

A \$7.16 million Alternative Mode Construction Program account is approved in the FY 95 TIP to fund construction of projects related to TODs, bicycle and pedestrian projects of regional significance, and projects recommended for construction from the Congestion Management and Intermodal Management Systems, including up to \$1.05 million of Port of Portland recommended projects.

B. "ROUND 2" CONGESTION MITIGATION/AIR QUALITY PROJECTS

The Metro FY 95 TIP formally allocates anticipated FY 95, 96 and 97 CMAQ funds to 15 "Round 2" Congestion Mitigation/Air Quality (CMAQ) projects previously approved as the region's priorities in Metro Resolution No. 93-1829A.¹ By agreement with ODOT, the region did not program these projects until public comment was concluded on the Preliminary 1995 through 1998 State Transportation Improvement Program in March 1994. The 15 projects were included in the Preliminary STIP which provided for additional review beyond that provided as part of Metro's project selection and Resolution adoption process. The projects will not be formally approved by the Oregon Transportation Commission until July 1994. The projects are shown in Table 1 below:

TABLE 1
FY 95 - 97 CMAQ PROJECTS

Metro ID No.	Project Description and Lead Agency
609	<u>Transit-Oriented Development (TOD) - Phase II</u> - The TOD will subsidize infrastructure costs associated with private development land use designs which increase density, mixed uses, and transit, bike, and pedestrian-friendly amenities and access. (DEQ)
613	<u>Regional TDM</u> - An expanded Transportation Demand Management (TDM) program would include programs to attract new participants to ridesharing and other alternatives to the single-occupant vehicle mode. (Tri-Met)

¹ On March 14 1994, Metro notified ODOT and federal authorities that the Metro FY 1994 TIP had been amended to include three Round 2 CMAQ projects at Tri-Met's request: 1) Bus purchases for service increase; 2) Mini-bus purchase; and 3) Sunset Transit Center (bike/pedestrian bridge). The projects were amended into the TIP so that Tri-Met could initiate a timely request for these funds as part of the Section 9 grant cycle as required by FTA. The bus purchases were amended into the FY 94 element because approximately \$5 million of Round 1 project right of way and construction phases had been delayed. Therefore, this action did not impact the region's commitment to these previously approved projects.

- 635 Columbia Slough Intermodal Expansion Bridge - This intermodal expansion rail bridge would span the Columbia Slough waterway and connect North and South Rivergate, allowing rail movement to terminals without going through congested inner-city rail yards and neighborhoods. (Port of Portland)
- 154 Buses for service expansion - New, cleaner buses would be purchased to provide expanded transit service and mobility in the region. (Tri-Met)
- 648 Gresham Traffic Signal Coordination & Optimization Project - Development and installation of an integrated traffic signal interconnection and operation system. The system would coordinate traffic signal phasing to reduce travel times, improve traffic flow and reduce emissions. (Gresham)
- 452 Mini-buses - Community based demand-responsive transit vehicles would be purchased for operation in areas which currently have no service. (Tri-Met)

TABLE 1
FY 95 - 97 CMAQ PROJECTS (cont'd)

- 606 Pedestrian to Transit: Phase III - Funds for the study, design and construction of capital improvements to the public right-of-way that will enhance pedestrian access to transit facilities. Phases I and II (CMAQ Round 1) study and design activities were funded with prior year grants; actual construction is to occur during Phase III. (PDOT)
- 615 Pedestrian to MAX Capital Program - Construction of priority capital improvements for pedestrian/bicycle access and amenities around eight Gresham MAX stations. (Gresham)
- 641 Portland Area Telecommuting Project - Funds to assist public agencies and private employers in the Portland area to develop and implement telecommuting programs. (ODOE)
- 629 Eastside Bikeway/Trail Loop (OMSI-Springwater) - Construction of a major urban bike-way/pedestrian trail in four segments. This segment would connect the Springwater Corridor trail to the Eastbank Esplanade. (Metro/Portland Parks)
- 628 Eastside Bikeway/Trail Loop (Springwater-Milwaukie) - Construction of a major urban bike-way/pedestrian trail in four segments. This segment would complete the Willamette Greenway/Eastside Trail link to Milwaukie. (Metro/City of Milwaukie)
- 604 Willamette River Bridges Improvement Package - bike lanes, sidewalks and wheelchair ramps - Funds for improvements to the Willamette River bridges to enhance access by bicyclists, pedestrians and disabled persons. Specific projects could include reconstruction of bridgeheads to provide sidewalks and bike lanes, and construction of wheelchair/bicycle ramps from the bridges to the street system. (Multnomah Co.)
- 633 Strawberry Lane: Webster to I-205 - bike lanes - Construction of bike lanes on Strawberry Lane from Webster Road to I-205. The project would connect existing bike lanes on Webster to the bike path paralleling I-205. (Clack. Co.)
- 612 Sunset Transit Center pedestrian/bike bridge - This project would provide a bicycle/pedestrian

connection between the Sunset Transit Center and the Cedar Hills shopping center. The bridge would span the Sunset Highway, a distance of 320 feet. (Tri-Met)

- 637 Highway 217 Corridor Bike Lanes - Phase I would focus on evaluation and prioritization of links needed to complete a continuous bike route parallel to Highway 217 in Washington County. The bike route generally follows Cedar Hills Blvd. and Hall Blvd. from the Sunset Highway to the I-5/I-205 interchange. Phase II would involve construction of high priority bike lanes identified in Phase I. (Washington Co.).

C. "ROUND 2" TRANSPORTATION ENHANCEMENT PROJECTS

The Metro FY 95 TIP formally incorporates six "Round 2" Transportation Enhancement projects previously approved as the region's priorities in Metro Resolution No. 93-1858B and No. 94-1900. By agreement with ODOT, the region did not program these projects until public comment was concluded on the Preliminary 1995 through 1998 State Transportation Improvement Program in March 1994. The six projects were included in the Preliminary STIP which provided for additional review beyond that provided as part of Metro's project selection and Resolution adoption process. The projects will not be formally approved by the Oregon Transportation Commission until July 1994. The projects are shown in Table 2 below.

TABLE 2
FY 95 - 97 TRANSPORTATION ENHANCEMENT PROJECTS

<u>Metro ID No.</u>	<u>Project Description and Lead Agency</u>
621	<u>112th Linear Park.</u> Funding for 10-foot bicycle/pedestrian path, with small bridge, within a linear park paralleling NW 112th south of Cornell Road. (Washington Co.)
306	<u>Eastbank Trail: Steel Bridge/OMSI.</u> One of four trail segments providing Eastbank trail connection to the Springwater Corridor trail. (City of Portland)
311	<u>Cedar Creek Trail.</u> Completes a 3,550 foot bicycle/pedestrian trail in a heavily developed portion of the City of Sherwood. (City of Sherwood).
312	<u>Springwater - Boring Connection.</u> Acquisition of on-half mile segment of Springwater Corridor near Boring. (Clackamas Co.)
316	<u>Rock Creek Bike/Pedestrian Path).</u> Construction of a path parallel to Rock Creek between Rock Creek Park (just north of Sunset Highway) to Evergreen. (City of Hillsboro)

- 318 Intermodal Transfer Park. Reconstruct Troutdale Community Park to include bicycle/pedestrian access; construct a bus shelter; provide interpretive information and kiosk. (City of Troutdale)
-

D. TRANSIT PROGRAMMING

The Metro FY 95 TIP incorporates several recent changes to the region's transit programming. These include:

- *Section 3 Programming Activity.* FTA has authorized Tri-Met to allocate \$75 million of Section 3 funds as a Contingent Commitment of post-1997 revenues. This represents a \$9 million increase from previously authorized amounts. The funds will be awarded to the region as an amendment of the Westside Light Rail Project Full-Funding Grant Agreement to support extension of the system to Hillsboro. The funds are allocated within the new "Integrated Westside\Hillsboro LRT Project" (Metro ID #206) which combines previously separate Hillsboro Extension and Westside Full-Funding Grant Agreement funds into a single program of expenditures across all fund categories.
- *Section 9 Programming Activity.* Tri-Met has proposed comprehensive reprogramming of appropriated and projected Section 9 revenue to a number of previously approved projects. Technically, most of these changes fall within the parameters of administrative TIP amendments. However, in aggregate, the proposal is substantial and several high-points are discussed in Table 3 below:

**TABLE 3
TRI-MET SECTION 9 PROGRAM RECOMMENDATION**

- Draws down the entire \$15 million reserve balance previously identified in FY 97.
- Eliminates \$800,000 of Section 9 revenue previously allocated in FY 97 to "Banfield Park and Rides" (Metro ID #675).
- Reduces Section 9 Operating Program from \$4.396 million in FY 95 and 96 to \$3.51 million annually in FY 95 through 97.
- Increases a planned bus purchase from \$13.53 million to \$14.70 million (net increase of \$1.17 million). Defers \$8.85 million of the total bus purchase to FY 97 rather than expending \$13.5 million in FY 96 as previously programmed.
- Allocates an additional \$8 million of Section 9 revenue in FY 96 to the Hillsboro Extension of Westside LRT (\$30 million total Section 9 allocation).

Consolidates Section 9 funding for the Hillsboro Extension of Westside LRT into a new "Integrated Westside\Hillsboro LRT Project" (Metro ID #206).

Allocates first time Section 9 funding to purchase Special Needs Transit Vehicles (Metro Id #897)

E. PROJECTS ADDED BY FY 94 RESOLUTION ACTIONS

The bulk of "new" programming in the 1995 TIP consists of complete integration of programming actions approved by resolutions adopted throughout FY 94. Table 4 below shows all resolution actions taken in FY 1994 which approved new programming now reflected in the draft TIP. Many of these actions have been discussed in greater detail above.

F. ADMINISTRATIVE AMENDMENTS

Transfer of \$106,000 of regional STP funds allocated to Clackamas County to the state in exchange for an equivalent amount of state Gas Tax funds (\$0.96 on the dollar).

Allocation of \$30,000 of regional STP funds previously allocated to Clackamas County to conduct an EIS on widening of Sunnyside Avenue from I-205 to 172nd, in conformance of the East Sunnyside Village traffic plan to multi-modal criteria of the community master plan. This work is directly pertinent to the proposed EIS and the County has agreed to hold harmless the EIS up to the original project estimate of \$600,000.

G. PREVIOUS PROJECTS

Past policy endorsement of projects identified in the TIP. Previous programming of Surface Transportation Program, Transportation Enhancement, Congestion Mitigation/Air Quality, Interstate Maintenance, Interstate Transfer, Federal-Aid Urban, National Highway System and Federal Transit Administration (FTA) program funds are reaffirmed. Previous programming of ODOT highway funds scheduled for expenditure in the region is reaffirmed as modified by the STIP reduction process.

TABLE 4
 FY 94 METRO RESOLUTION ACTIONS
 AFFECTING TIP PROGRAMMING

<u>METRO RES. NO.</u>	<u>RESOLUTION TITLE AND EFFECT</u>
93-1829A:	ENDORSED THE REGION'S FY 95-97 CONGESTION MITIGATION/AIR QUALITY PROJECTS AND RECOMMENDED THEM TO THE OREGON TRANSPORTATION COMMISSION FOR INCLUSION IN THE STIP. (9-9-93). <i>See above for project descriptions.</i>
93-1845A:	ALLOCATED I-205 INTERSTATE TRANSFER FUNDS TO THE SOUTH/NORTH ALTERNATIVES ANALYSIS AND COMMITTED LRT BOND MEASURE FUNDS AS REPLACEMENT FUNDS (09-23-93). <i>Allocated approximately \$1.6 million for this purpose.</i>
93-1865:	ESTABLISHED A FUNDING POOL IN THE AMOUNT OF \$896,000 TO WASHINGTON COUNTY FOR COMPLETION OF THE CEDAR HILLS/HALL BOULEVARD "ALTERNATE TO HIGHWAY 217 BIKE LANE SYSTEM" AS A REGIONAL CMAQ PROJECT PRIORITY (10-14-93). <i>Final action approving the Round 2 CMAQ project priorities; see above for project descriptions.</i>
93-1858B:	ENDORSED ODOT REGION 1 PRIORITY FY 95, FY 96 AND FY 97 TRANSPORTATION ENHANCEMENT PROJECTS FOR INCLUSION IN THE 1995-1998 TRANSPORTATION IMPROVEMENT PROGRAM (10-28-93). <i>See above for project descriptions.</i>
93-1874:	PERMISSION FOR TRI-MET TO APPLY FOR SECTION 3 FUNDS IN THE REDIRECTED PROJECT BREAKEVEN ACCOUNT (12-23-93). <i>Transferred three Banfield System Completion projects into the newly created "Section 3: Westside Systems Completion Program" account together with \$13.901 million of appropriated Section 3 Discretionary funds previously allocated to Project Breakeven. Deleted Project Breakeven from the TIP and left the Gresham Park & Ride facility as an unfunded system completion need in the TIP. Allocated approximately \$3.9 million of "Section 3: Rail Modernization" program funds to one Banfield System Completion project.</i>
94-1890A:	RECOMMENDED A PACKAGE OF PROGRAM REDUCTIONS AND ADDITIONS TO THE OREGON TRANSPORTATION COMMISSION FOR INCORPORATION IN THE 1995 THROUGH 1998 STATE TRANSPORTATION IMPROVEMENT PROGRAM (01-27-94). <i>This approved Metro's recommendation for OTC approval of approximately \$173 million of STIP construction program deferrals and reprogramming of \$36.19 million for implementation of alternative mode project additions. The current status of</i>
94-1900:	ENDORSED THE NW 112TH LINEAR PARK FOR FUNDING AS PART OF ODOT REGION 1 PRIORITIES FOR TRANSPORTATION ENHANCEMENT FUNDING IN THE 1995-1998 TRANSPORTATION IMPROVEMENT PROGRAM (02-24-94). <i>This finalized approval of the Round 2 Transportation Enhancement program funds.</i>
94-1905:	ALLOCATED FUNDS TO SUPPORT THE OREGON TRANSPORTATION FINANCE COMMITTEE PUBLIC OUTREACH PROGRAM (02-24-94). <i>This allocated \$8,700 for continuation of work on the Oregon Transportation Finance Study (formerly the Oregon Roads Finance Study.)</i>

- 94-1916: APPROVED ADOPTION OF THE FY 95 UNIFIED WORK PROGRAM (3/10/94). *This action also allocated \$70,000 of Regional STP funds as partial support of a study to assess commodity goods movement relative to the anticipated 2040 transportation network.*
- 94- 1937: ALLOCATED FUNDS TO SUPPORT THE EXTENSION OF WESTSIDE LIGHT RAIL TO THE CITY OF HILLSBORO (final adoption pending). *This resolution allocated an additional \$8 million of Section 9 revenue to the Hillsboro Extension in FY 96 (\$30 million total allocation) and programmed \$75 million of Section 3 revenue anticipated as an amendment of the Westside Full Funding Grant Agreement.*

II. OTHER ITEMS OF NOTE

A. FUND BALANCES

Revised fiscal data was made available in March 1994 which affects several regionally significant fund balances. These are discussed below:

Regional STP.

Appropriation of regional STP funds fell below expectation in both FY 93 and 94. The current unallocated reserve now stands at \$18.517 million, down \$2.448 million from the projected reserve of approximately \$21 million.

Interstate Transfer.

As of November, 1994, the region has appropriated all but \$1.740 million of the total \$517,750,507 Interstate Transfer authorization that resulted from withdrawal of three approved Interstate freeway projects in the '70s and '80s. Unless additional appropriation is made by Congress, this shortfall will leave the I-205 Buslane Withdrawal project (Metro ID #907) at a balance of approximately \$12.601 million (plus as much as \$1.6 million of Tri-Met General Revenue bonds pledged as repayment to the account in the event it is determined by the region that the ultimate scope of this project will require the funding).

Section 9.

The 1994 appropriation of Section 9 revenue was approximately \$450,000 higher than previously anticipated. This increase has been assumed through the remainder of ISTEA, increasing the Section 9 program total by approximately \$1.5 million.

B. PUBLIC INVOLVEMENT PROCESS

Resolution 93-1890, which adopted the Metro FY 94 TIP, directed staff to work with members of the Metro Committee for Citizen Involvement to improve public involvement

procedures pertinent to TIP adoption. This coordination has generated a draft public involvement program which is nearing submission to TPAC prior to review and approval by JPACT and Metro Council. These procedures will address the required content of public involvement plans mandated in the federal Metropolitan Planning Rule issued October 28, 1994 and will govern future TIP amendments and updates.

In the interim, public involvement associated with formulation and adoption of Metro's Draft FY 1995 TIP has revolved around four key processes. The first of these was the state TIP reduction effort which commenced in August of 1993. To stimulate public input to this process, Metro held two public hearings in October and December of 1993 that were attended by over 200 persons and organizations. Metro also solicited, received and responded to several hundred written comments. Input from these hearings was instrumental in both developing and refining the project selection criteria, determining whether to cut more than needed to balance the program so that alternative modes could receive increased funding and in modifying two iterations of staff recommendations as to which projects should be cut and by what amounts and in the identification of the types of projects recommended to receive additional funding.

The second event focused on adoption of Resolutions No. 93-1829A (CMAQ Round 2) and 93-1858B (Transportation Enhancement Round 2) and Resolutions No. 93-1865 (Washington County Highway 217 Corridor Bike Program CMAQ project process); and 94-1900 (112th Linear Park Enhancement funding) in the fall and winter of 1993. These actions were preceded by broad interest group participation in the project nomination and ranking processes and additional citizen participation in workshops and public hearings preceding adoption of the resolutions.

The third event, was a series of four ODOT public hearings held in the region throughout March 1994 to receive comment on the Preliminary 1995 STIP. Metro intentionally delayed formal incorporation of the Round 2 CMAQ and Enhancement projects to afford additional opportunity at these hearings to receive citizen and interest group comment on the programs. The ODOT hearings were also an additional opportunity to generate input on the STIP reduction recommendation approved by Metro in January, but for which Oregon Transportation Commission approval remains pending.

Finally, the Draft Metro FY 1995 TIP is currently subject to a 30-day comment period preceding review and adoption by JPACT (June 9); an additional 14 days is also provided prior to final adoption by the Metro Council (June 23). As part of this review period, the TIP was presented at a public workshop on Monday, May 16, 1994, in order to take testimony

and to foster informed public comment during these hearings. Timely notice of the public meeting was sent to over 1,200 persons and organizations and materials were freely available for review. JPACT and Metro Council resolution adoption actions are noticed in a newspaper of general circulation one week preceding such actions.

Sixteen people attended the meeting (exclusive of agency representatives). One letter was submitted and nine people testified. Staff response to the comments was distributed as a handout at the May 27 TPAC session and is included in this Staff Report as Attachment 1. The final response to comments will be included as an Appendix to the TIP.

Virtually all of the comments centered on the STIP reduction package and split more or less evenly along two basic, somewhat competing themes. Roughly, one group of commentors favored changing the Metro recommendation to increase support of "urban core" transportation projects defined as completion of all originally programmed Sunset Highway improvements, including widening from 217 to Murray, as well as the Marquam Interchange projects (i.e., Water Avenue Ramps and the East Marquam/Grand Avenue/MLK Jr. Ramps). The arguments centered on the need to reinforce and preserve urban core vitality and economic competitiveness; the significance of the Sunset corridor for goods and commuter movement; and the importance of maintaining capacity within the corridor in order to deliver automobile commuters to the Sunset LRT park-and-ride facility.

A second group of comments favored the recommendation's preservation of "periphery" improvements such as the I-5/Stafford and I-5/Kruse Way Interchanges, recognizing that significant economic activity has and will continue to move to these locations.

One commentor suggested the road project reductions did not go far enough and that Metro should recommend a moratorium on all further highway and arterial expansion.

Again, a more comprehensive assessment of and response to these comments will be provided at the TPAC meeting.

III. CONTENTS

The TIP is organized so that funds controlled by Region appear first. State-controlled funds appear last. The funds include:

- . The Regional Surface Transportation Program (STP); and
- . The Regional Congestion Mitigation/Air Quality (CMAQ) program.

These funds are allocated according to regional priorities and are not subdivided by jurisdiction.

Following these two funds are the Interstate Transfer projects which are organized according to the following:

- . Regional Projects (Category I Projects)
- . City of Portland
- . Multnomah County
- . Clackamas County
- . Washington County

The next section of the TIP is organized by funding sources available through the Federal Transit Administration (FTA) which consist of:

- . FTA Section 3 (Discretionary) Capital Program
- . FTA Section 3 (Trade) Capital Program (all projects complete)
- . FTA Section 9 Program
- . FTA Section 3 Westside Light Rail Program
- . FTA Section 20 Human Resources Program
- . FTA Section 3 (Formula) Rail Capital Modernization Program
- . FTA Section 16 (b) Special Needs Transit Capital Program
- . FTA Section 3 Westside Systems Completion Program

Following the FTA projects are those projects forming the remnant of the Federal-Aid Urban System (FAU) Program organized by jurisdiction. The region's outstanding FAU balance of \$8.25 million of FAU funds was used by ODOT at the close of the 1992 fiscal year to complete a state-sponsored project. In exchange, ODOT will make available to the region an equal sum of state STP funds to complete those projects which were originally programmed to use the FAU funds. The resulting repayment program has been dubbed the "FSTP" program and is included as a distinct program in the TIP as a way of tracking the state's repayment of the borrowed funds. The FAU program "history" of authorized and obligated funds is also included for reference purposes.

The final section of the TIP consists of projects supported by ODOT-controlled fund sources grouped by:

- . Highway Bridge Replacement (HBR)
- . Hazard Elimination System (HES)
- . Interstate Maintenance
- . State Modernization
- . State Operations
- . Bikeways
- . Access Oregon Highways
- . State Surface Transportation Program
- . State Surface Transportation Program (Safety)
- . National Highway System Program (NHS)
- . State Congestion Mitigation/Air Quality Program
- . Transportation Enhancement Program (TE)

IV. FISCAL CONSTRAINT

The list of projects contained in the TIP is "fiscally constrained to reasonably expected revenue," i.e., the region has authorized projects to obligate only funds that are anticipated to be allocated to the region. With respect to federal funds, this expectation is based on consideration of funds received by the region in the first three years of ISTEA as a benchmark for projecting the funds that will be appropriated by Congress over the remaining three years of ISTEA. The first three years of appropriations have been less than authorized by the Act. Therefore, the formula used to estimate future revenue is conservative as it "discounts" the maximum amount ISTEA authorizes for appropriation to reflect the reduced historical trend.

The TIP programs 100 percent of the discounted revenue projection. However, in any given year, the Federal Government may authorize the region to obligate a percentage of the appropriated funds (an "obligation ceiling"). Typically, this ceiling is about 80-90 percent of the annual appropriation. Authority to obligate all appropriations has historically occurred prior to federal adoption of a new transportation assistance act (e.g., by FY 1998 when the current assistance act lapses). Additional information regarding anticipated revenues is provided in the discussion of individual programs.

V. PROJECT SELECTION

ODOT, in cooperation with Metro, selects projects that are funded under the ISTEA Interstate Maintenance and Bridge Replacement programs, or that are on the National Highway System. All other projects are selected by Metro in consultation with ODOT.

The year a project is scheduled for funding, and thus the manner in which its relative priority is established, is a function of need, readiness and regional equity. The need for a project is established by technical and administrative criteria established by JPACT and Metro Council. Technical considerations include congestion relief, correction of hazards, and ratios of benefit to cost. Administrative considerations include project relationships to regional goals identified in the RTP and the 15 planning factors identified in ISTEA.

If a high-priority project (e.g., a first year project) is not ready to proceed, projects scheduled for later years may advance "out of turn." For example, a high-priority project may have delays in development of plans and specifications, or its right-of-way acquisition may encounter legal obstacles. Under such conditions, projects from the second or third years of the Approved Program would be brought forward. This assures that the region contributes its share to orderly statewide obligation of available funds.

Although projects may be moved between years, fiscal constraint in any given year must continue to be maintained. However, the demonstration of fiscal constraint may rely upon availability of statewide funds. In other words, this region may be advanced federal or state funds by ODOT so that more projects can be completed than the region's TIP identifies revenues to afford in a given year. When this occurs, ODOT draws upon statewide funds available for obligation outside the region. When Metro and ODOT agree to such arrangements, Metro reduces later-year regional reserve funds identified in the TIP to reflect the dollar amounts involved. Therefore, on a multi-year, total program basis, the region constrains programming of federal funds to those reasonably anticipated to be available.

Should a project "slip" to a later year, either because it was not ready to proceed or because less funding is made available than expected, it would then share equal priority with all other projects scheduled in that later year of the Approved Program. Again, readiness to proceed is the main issue in deciding which projects "go first" that year.

Finally, regional equity plays an important role in prioritization of projects. In previous years, equity was ensured by the requirement that certain classes of federal funds be suballocated on the basis of population. ISTEA prohibits this practice in order to increase the likelihood that important regional needs will be addressed regardless of cost or geographic location. However, equity is an approved long-term consideration. In the Metro region, individual year allocations to jurisdictions are not treated as annual entitlements to fixed amounts based on population. Rather, the distribution of funds in an equitable manner is a long-term objective of TIP programming founded in public policy. Specifically, the desire to program funding to the most "important" projects is tempered by the legitimate need to maintain a balanced regional transportation system.

VI. GENERAL REQUIREMENTS

Private Enterprise Participation.

In accordance with UMTA (FTA) Circular 7005.1, recipients of FTA funding are required to develop a process for considering the capability of private providers to perform mass transportation and related support services. They are also required to provide periodic documentation on the results of implementation of the policy. This requirement falls both on Metro as the Metropolitan Planning Organization (MPO) and Tri-Met as the principal provider of transit services and FTA grant recipient. Specifically, Metro is required to adopt a policy which provides for consideration of private enterprises in local transit service planning, ensure a fair resolution of disputes and certify at the time of submission of the annual Transportation Improvement Program that the local process is being followed. The policy is intended to respond to

the above requirements while recognizing that the principal responsibility for involving the private sector should rest with Tri-Met since it is the only operator in the Portland region. In accordance with these requirements, Tri-Met's compliance with the policy to ensure private sector participation has been determined and is shown in Attachment 2.

Financial Capacity.

On March 30, 1987, UMTA (FTA) issued Circular 7008.1 which requires transit agencies and MPOs to evaluate the financial ability of transit agencies to construct and operate projects proposed in the TIP. Tri-Met's Finance Administration has conducted an analysis of the District's ability to fund the capital improvements appearing in the TIP. The results are shown in Attachment 3.

Air Quality.

Clean Air Act of 1990 - Transitional Conformity. The TIP has not yet been found to comply with the Clean Air Act Amendments of 1990 and the Transitional Conformity requirements contained in 40 CFR Parts 51 and 93. The TIP must be found to be consistent with the most recent estimates of mobile source emissions; provide for the expeditious implementation of transportation control measures; and contribute to annual emission reductions. The TIP conformity is YET TO BE DETERMINED.

Certification of the Urban Transportation Planning Process.

- . ODOT and Metro have certified that the planning process carried out by Metro is in conformance with requirements established as a prerequisite for receipt of federal highway and transit funding. This certification is documented in Resolution No. 94-1917 and its attachments.
- . ISTEA mandates that as part of compliance with federal metropolitan planning requirements, the TIP is to explicitly address 15 planning factors. This evaluation is included in Appendix D of the Draft Metro FY 1995 TIP.
- . Title 23 U.S.C. and the Federal Transit Act, as amended by ISTEA, prohibits programming of federal funds for highway or transit projects that provide a significant increase in SOV capacity in TMAs that are in nonattainment for carbon monoxide and/or ozone, unless the project results from an approved Congestion Management System or unless it complies with interim procedures established in 23 CFR Part 450. Preliminary analysis of this question indicates that one project allocated funding in the three-year approved program period will be required to comply with the interim procedures before receipt of federal approval to obligate federal funds.

**RESPONSE TO SIGNIFICANT COMMENTS
ON THE
DRAFT METRO FY 1995 TRANSPORTATION IMPROVEMENT PROGRAM**

RECEIVED AT THE PUBLIC HEARING
HELD MONDAY MAY 16, 1994
AT THE METRO COUNCIL CHAMBERS
7:00 - 9:00 P.M.

**Peter Sato,
CPO 1**

Mr. Sato stressed that the Westside combined light rail and US 26 improvement program has been the subject of an extensive regional debate for nearly a decade. The current STIP "cut/add" process is merely the latest round of negotiations. He pointed out that the original vision of a \$1 billion package of improvements has been incrementally modified by a series of decisions which have escalated the LRT cost and which have now begun to sacrifice the integrity of the agreed-upon highway improvements. His principle concern is that the suburban Westside stations are dependent upon road access and that this has always been an integral aspect of the Westside planning. If street/highway congestion is allowed to escalate, especially within the US 26 corridor, to the point that access to the Sunset station park and ride lot is significantly impeded, then the region risks throwing away significant benefits of this \$1 billion investment. He rejects any contention that an increase in congestion will in fact "force" increased ridership by commuters seeking to avoid the highway congestion.

Mr. Sato suggested that Metro transportation system planning should emphasize preservation of access to the urban core employment centers (extending to Westside communities) and that Washington County "edge" projects should be sacrificed in favor of completing the full Westside highway improvement program. Specifically, Metro should recommend deletion of the Farmington Road widening (167th to Murray); the I-5/Stafford Road interchange reconstruction; and the OR 47 Bypass (Council Creek to Quince). These savings would pay for construction of the US 26 widening from 217 to Murray (\$20 million).

Response:

The US 26 widening from Hwy 217 to Murray was not part of the Westside package of LRT and highway improvements. The elements of the widening recommended by Metro for construction within the 1998 timeframe were those that bear direct relationship to the LRT program. Not even all of these projects can begin construction by 1998. Elements of both the east and westbound widening between the Zoo and Hwy 217 interchanges have been deferred. The deferrals are recommended both because of funding constraints and in order that startup of LRT service can be used as one means of minimizing congestion impacts of mainline reconstruction activity. Moreover, the Metro recommendation very firmly states

that completion of the full Westside package of LRT and highway projects is the region's number one system expansion priority and is to be addressed during the next STIP update.

Mr. Sato stated that more Westside highway work could be completed immediately if other regional road projects were deferred. This would jeopardize Metro's commitment to maintain a balanced regional system. The Metro recommendation to include the other Washington County road projects considered both technical and administrative criteria. The three projects do not have higher technical rankings than Westside-related project elements that have been deferred. However, the projects all enjoy very significant private/local funding commitments that could be voided by delay of the projects. These political and economic administrative criteria were approved by JPACT and the Metro Council for use in determining the projects to defer.

Natalie Bates

Ms. Bates expressed her concern that the commute route she relies upon, US 26, is a significant facility and that everything possible should be done to maintain and improve its capacity. She felt that other "edge" projects should be deferred (e.g., the I-5/Stafford Road interchange reconstruction) rather than limiting US 26 projects to a \$50 million cap within the FY 98 timeframe. Specifically, the Hwy 217 to Sylvan eastbound widening should proceed as well as the LRT project.

Response:

Ms. Bates comments are noted. These issues are addressed in the previous response.

Terry Parker:

Mr. Parker suggested that the Draft TIP was not a regionally balanced document. He felt the TIP only addresses movement of people to downtown Portland and provides "scatter-shot" support of suburban projects. He felt the TIP needs to better address mobility across the region, generally and that it should fund the Eastside Connector LRT proposal especially. The flavor of Mr. Parker's comments are somewhat aligned with Mr. Sato's. Both individuals believe that Metro's transportation planning should better support an urban-centered land use orientation and deemphasize provision of greater access to suburban population and employment centers.

Response:

Mr. Parker's specific concern, the Eastside Connector project, was evaluated in the South/North LRT Tier 1 scoping analysis (see the *Central Eastside Connector Technical Memorandum*). It was concluded by the Steering Group that the concept not be advanced into Tier I for further study because of the very strong household and employment dominance of the Downtown relative to the Eastside, the minimal improvement or increase in travel times to the Eastside, and the operational difficulties and the high costs associated with an

additional line and service parallel to an alignment through Downtown Portland.

The TIP is not an appropriate document to reassess these issues. Staff does note that the next RTP update will mark the beginning of the process of integrating system development with the Region 2040 land form decision. This is a more appropriate forum to address the planning related issues addressed by Mr. Parker, who is invited to participate in this RTP update process.

**Mike Cook,
Mentor Graphics:**

Mr. Cook restated his previous support for the Stafford Road Interchange and the I-5/Kruse Way Interchange reconstruction projects. He also questioned Metro programming of Round 2 Transportation Enhancement funds to construct a southerly extension of the Lake Oswego Trolley in light of the possibility that a portion of this corridor may be selected in the South/North Alternatives Analysis for extension of light rail.

Response:

The Trolley serves transportation and recreational functions within the regional system and is a project that is both eligible and very consistent with Transportation Enhancement program funding objectives identified in ISTEA. The Trolley's immediate utility is that it is providing transportation service while preserving a significant rail corridor parallel to OR 43. Should the South/North Alternatives Analysis adopt an alignment which uses some portion of this corridor, the Trolley service may or may not remain viable within its current and planned termini (Riverfront to south of Lake Oswego). However, continued marginal investment in the Trolley's operation and in improvement and extension of the tracks is justified at this time given the balance of current utility, uncertainty regarding eventual South/North alignment issues, greater uncertainty regarding the timing of financing, construction and startup of an LRT extension in this corridor and the impact of any such operation on viability of continued Trolley operation.

**Gary Coe,
Central Eastside Industrial Council**

Mr. Coe expressed his concern that the Water Avenue southbound on-ramp to I-5 has been deferred. He indicated that the project would improve air quality as it would eliminate circuitous, stop-and-go truck movement into and through the congested downtown area currently required to access the freeway.

Response:

Metro's recommendation to defer this project to post-1998 was effectively dictated by the City of Portland's announced rejection of the proposed Water Ramps configuration, together with its stated long-term desire to study relocation of the entire I-5 facility eastward of its

present alignment. In light of these decisions, the prospect of implementing the project within the 1998 timeframe was considered remote, and thus the funding allocation enjoyed by the project was reallocated. However, Metro has left the Water Ramp project within the Regional Transportation Plan and has allocated funding within the 1998 timeframe to continue project development. The proposed Water Ramps will remain a regionally approved project until such time as it is constructed or an alternative southbound alignment is approved for construction by all parties, including the City of Portland.

**Jack Burns,
Central Eastside Industrial Council**

Mr. Burns reiterated support for the Water Ramps and the associated (northbound) Marquam auxiliary braids which would bypass the current weave/merge congestion which now occurs between Water Street and the Coliseum exit. Mr. Burns remarked that increased access to the Central Eastside would consolidate the area and lead to an increase of up to 40,000 family wage production jobs in a "close in" portion of the central city.

Response:

This issue is addressed in the previous Response.

**Fred Nussbaum,
Association of Oregon Rail Transportation Advocates**

(See written comments, attached). Mr. Nussbaum notes AORTA's support for highway cutbacks programmed in the TIP. He notes that these cuts are consistent with the Clean Air Act Amendments of 1990 and with ISTEA. However, he states AORTA's desire for deeper cuts and requested a moratorium on new highway construction where viable alternatives to vehicular travel modes exist, including bike, pedestrian, and transit modes. Savings should be used to improve such alternative travel options.

Response:

Mr. Nussbaum's request is noted. Although the moratorium suggested by Mr. Nussbaum is not under active consideration, it is worth noting that approximately 60 percent of funds previously allocated to system expansion have either been cut or transferred to support construction of projects of benefit to alternative modes as a result of the "STIP cut/add" package reflected in the Draft Metro 1995 TIP. Excluding nearly \$700 million of federal funds allocated to construction of the Westside LRT system, nearly 68 percent of all funds reported in the Draft Metro FY 1995 TIP are allocated to other than highway system expansion projects between FY 1995 and FY 1998.

Over 60 percent of "new" state STP controlled funds expended within the region are allocated to direct support of transit. Approximately 56 percent of regionally controlled STP funds are allocated to direct support of transit and an additional 20 percent is being held in reserve to fund yet to be determined projects that will be consistent with the upcoming Region 2040

land form decision.

Peter Fry
Eastside Industrial Council Consultant

Mr. Fry also expressed concern that urban core concerns are under-represented in the Draft TIP. He expressed concern that subarea circulation deficiencies are being slighted due to overemphasis of intra-regional connectivity. The lack of progress on the Water Ramps project is one example of this deficiency. In addition to access impacts, the failure of the TIP to advance this project is also leading to interrelated impacts on pedestrian/bike elements of Central Eastside Industrial Area Transportation Plan. Deficiencies of the multi-modal infrastructure in this part of the city, and elsewhere in the region are creating serious safety impacts that are not being addressed.

Response:

Mr. Fry's concerns point out the difficulty in managing the interface of regional transportation system planning and local system interaction with the regional system. Through the 2040 process, Metro has become increasingly aware of the importance of local system management to encourage regional goals of increased pedestrian and bicycle travel and reduced reliance on automobile travel. The LCDC mandated Transportation Planning Rule (Goal 12), the associated Transportation and Growth Management Grants program, the Westside Station Area design program now in process and the Transit Oriented Development program which will soon begin project screening, are all Metro sponsored initiatives that will generate increased regional programming to help resolve the types of local system needs addressed by Mr. Fry.]]

TRI-MET
PRIVATE ENTERPRISE PARTICIPATION POLICY

A. Purpose

The Tri-County Metropolitan Transportation District of Oregon (Tri-Met) shall comply with the Federal Transit Administration (FTA) policy regarding private sector participation (FTA Circular 9030.1A). That FTA policy dictates that recipients of FTA funds need to develop a process for involving the private sector in planning new transit services and projects.

Tri-Met has a history of private sector contributions to transit service. At present, several services are operated under contract with private providers. Additionally, Tri-Met has used private providers for a portion of maintenance work.

Tri-Met wants to integrate private sector participation as part of the District's overall work program addressing improvements in transit efficiency and effectiveness. Tri-Met's specific objectives and plan to implement the federal policy are as follows.

B. Objectives

1. Tri-Met will involve the private sector in transit planning and operation.
2. Tri-Met will facilitate communication and coordination of service opportunities between itself and private transit operators.
3. Tri-Met will provide technical assistance, as available and appropriate, to private transit operators as they seek to implement the provisions of the federal policy.
4. Tri-Met will work cooperatively with the bargaining unit to clarify options for using private sector resources in appropriate areas of service delivery, maintenance, and administration.

C. Process

1. Involve the Private Sector in Transit Planning and Programming

- Solicit advance input and comments from the private sector in the planning process for the Transit Development Plan (TDP). The TDP is the basis for developing transportation improvement program annual elements, FTA Section 9 program of projects, and the annual Service Plan. The TDP is developed in coordination with the long-range Regional Transportation Plan for the Portland Metropolitan Area.
- Consult with private sector providers early in Tri-Met's public participation process for service changes.
- Mail notices of opportunity for public hearing on proposed capital projects before grant application to FTA.
- Coordinate with the MPO (METRO) in the involvement of private providers.
- Review major capital project site plans to assess joint development potential.
- As appropriate, modify proposed program of projects based on comments received from private transportation providers.

2. Facilitate Communication Between Tri-Met and Private Providers

- Establish and maintain a directory of private sector transit operators and support services.
- Publish, and disseminate to parties listed in the directory, notices of meetings and public hearings, describing transit service modifications which may provide reasonable opportunities for private sector contracting.
- Coordinate regional efforts with any private sector provider organizations.

- Hold workshops for private providers to discuss service and fare changes prior to general public workshops.

3. Provide Technical Assistance to Private Transit Operators

- Maintain information regarding contracting, specifications, bidding cost analyses, and other related actions.
- Coordinate private sector participation activities with other regional programs to enhance transit efficiency and effectiveness, including coordination and productivity improvements.
- Provide other technical assistance as requested by transit operators; including identification of any existing impediments to policy implementation.

4. Service Contracting

- Tri-Met shall describe the issues related to contracting for service and the measures taken to address the impact of such issues.

5. Dispute Resolution Process

- A protest based upon Tri-Met's Private Enterprise Participation Policy must be received in writing by the Executive Director of Finance & Administration (or his designee) no later than 10 working days following any decision or recommendation.
- The decision of the Executive Director of Finance & Administration can be appealed by written communication to the Deputy General Manager (or his designee) within 10 working days of receiving the Executive Director's decision. Tri-Met must in each case render a decision within 10 working days of receipt of the protest or appeal.

- The protest or appeal must be in writing, include a detailed explanation of the basis of the protest or appeal, and state the course of action that the protesting party thinks Tri-Met should take. Any interpretation of the FTA regulations can be appealed to FTA following the Tri-Met steps.
- This dispute resolution process is not applicable to RFQ/RFP or bid protests which have their own procedures.

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TRI-COUNTY
METROPOLITAN
TRANSPORTATION
DISTRICT
OF OREGON



TRI-MET

4012 S.E. 17TH AVENUE
PORTLAND, OREGON 97202



ATTACHMENT 3

May 18, 1994

Mr. Andrew Cotugno
Director, Transportation Planning
Metro
600 NE Grand Avenue
Portland, OR 97232-2736

Subject: Certification of Financial Capacity on Behalf of Tri-Met
For Transit Projects in the FY 1995
Metropolitan Transportation Improvement Program (TIP)

Dear Andy:

The purpose of this letter is to certify that Tri-Met has conducted a financial analysis and the results show that the District is financially capable of funding the capital elements programmed for FY 1995 in the regional TIP.

Please call me at 238-4842 if you require additional information.

Sincerely,

Bruce Harder
Executive Director
Finance & Administration

Meeting Date: June 23, 1994
Agenda Item No. 6.2

RESOLUTION NO. 94-1940A

SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION 94-1940A, FOR THE PURPOSE OF SUPPORTING PROGRAMS TO IMPROVE THE COLLECTION AND RECYCLING OF RIGID PLASTIC CONTAINERS

Date: June 16, 1994

Presented by: Councilor Monroe

Committee Recommendation: At the June 7 meeting, the Committee voted 5-0 to recommend Council adoption of Resolution No. 94-1940A. Voting in favor: Councilors Hansen, McFarland, McLain, Monroe and Wyers.

Committee Issues/Discussion: Resolution 94-1940 was originally drafted at the request of Presiding Officer Wyers. The intent was to express Council support of the "Bottoms Up, Threes Down" consumer boycott of #3 PVC plastic packaging being organized and promoted by Recycling Advocates, OSPIRG and others.

The resolution was initially presented at the April 5 Committee meeting. Jeanne Roy and Betty Patton, Recycling Advocates, testified concerning the nature of boycott. Roy noted that the principal intent of the boycott was to get consumers to use alternative forms of packaging and to contact product manufacturers to encourage them to eliminate PVC packaging. She cited evidence that PVC is damaging to human health and the environment.

Patton reviewed the results of a supermarket survey conducted by Recycling Advocates. They found that, while PVC containers represent a very small percentage of all plastic packaging, in most cases the same product is available in alternative types plastic or other packaging. She indicated that Recycling Advocates had contacted several product manufacturers and that some had indicated that they are moving away from the use of PVC containers.

Roy raised another concern about the effect of PVC packaging on plastics recycling. She contended that minor PVC contamination of loads of recyclable plastic makes the entire load unusable. She noted that the Association of Oregon Recyclers supported the boycott. Roy also noted that there are active efforts to reduce or eliminate PVC containers in many foreign countries.

William Carroll, representing the American Plastics Council (APC) and Occidental Chemical Company, testified in opposition to the resolution. He disputed several of the whereas clauses in the resolution that cited the potentially damaging environmental and health effects of PVC. He contended that the plastics industry has the capacity and interest to recycle PVC containers and that technology had been developed to separate PVC containers from loads of mixed plastics to avoid the contamination problems cited by Ms. Roy.

He noted that the industry will be required to significantly increase its recycling efforts to meet the requirements of a new state law which mandates that 25% of all rigid plastic containers must be recycled by 1995. He offered to purchase and recycle any loads of PVC containers that could be collected in the region.

The Committee voted unanimously to recommend Council adoption of the resolution. But, at the April 14 Council meeting, Chair McFarland asked that the resolution be rereferred to the Committee to address additional questions that had been raised since the April 5 meeting.

At the May 3 Committee meeting, Chair McFarland, Councilor Wyers and Council Analyst Houser noted that additional information related to the resolution would be forthcoming and that no action should be taken at this meeting.

Ray Phelps, Laurie Hansen and Steve Engel, testified on behalf of the APC. They reviewed efforts being made by the industry to comply with the state law relating to rigid plastic container recycling. The principal effort will be focused on the development of a plastics recycling facility (PRF) to process and recycle rigid plastic containers. The APC would provide about \$1 million in sorting and handling equipment for the facility and an operating subsidy for the first three years of operation. The facility would be capable of handling at least two million pounds of material a year. An RFP has been issued for the facility, and eleven responses from Oregon and Washington have been received. It is intended that the PRF will be operational by the end of 1994.

To obtain sources of supply for the PRF, the APC has worked with Lane County to initiate a curbside program for all plastic resins and is working with Thriftway concerning an expansion of their plastics recycling program. They also expressed interest in working with Metro and others in the region to expand collection opportunities in the Portland area.

They contended that the Council should use the proposed resolution as an opportunity to affirm its support of these newly initiated efforts to recycle a broad spectrum of plastics rather than focusing on the banning of a narrow segment of the plastic container market.

At the June 7 meeting, a substitute resolution was presented by Chair McFarland. The new resolution provided that the Metro Council: 1) supports the establishment of the PRF to process all plastic resin types collected in the Metro region, 2) encourages the industry to exceed the recycling requirements of state law, 3) encourages the industry to develop collection and recycling market opportunities for all types of plastics resins and 4) requests a report from the industry in six months concerning the status of plastics recycling in the region.

Representatives of the APC testified in support of the substitute

resolution. They noted that they had met with Metro Solid Waste staff, local recyclers and local jurisdictions to develop and improve working relationships that will hopefully result in improving plastics collection and recycling in the region.

Councilor Wyers asked whether the proposed PRF would be located in the Metro region so that it could process material collected in this area. The APC representatives responded that the responses to the RFP had all been from southwest Washington, the Metro region or the Willamette Valley. They noted that to meet the recycling goals set in state law, the PRF would have to be able to serve the Metro region because most of the feedstock would be generated in the Portland area.

Wyers also asked if any of the material from the PRF would be processed at a pyrolysis facility. The APC representatives responded that a recent Attorney General's opinion held that pyrolysis was not recycling and therefore material sent to a pyrolysis facility could not be counted to meet the state recycling goals. Therefore, they indicated that no material from the PRF would be sent to a pyrolysis facility.

Wyers asked about the potential for curbside collection of plastics in the Portland area. The APC representatives noted that the city of Portland had recently decided not to implement a curbside program at this time. They indicated that curbside programs will be important in providing an adequate supply of material for the new PRF. They suggested that once the PRF is operational, Metro may wish to designate plastics as a principal recyclable, which would facilitate the establishment of curbside programs in the region.

Betty Patton, Recycling Advocates, testified that the organization would be willing to support the substitute resolution. She indicated that they were very pleased with the proactive stance being taken by the APC to comply with the new state law.

The committee discussed the nature of the reporting that would be required from the industry in six months. Councilor Wyers suggested that others, such as local jurisdictions, processors and haulers should be invited to participate to foster a fuller discussion of issues related to the future of plastics recycling in the region.

The Committee voted unanimously to adopt the substitute resolution and identify itself as the sponsor.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF SUPPORTING) RESOLUTION NO. 94-1940A
PROGRAMS TO IMPROVE THE)
COLLECTION AND RECYCLING OF) Introduced by the Solid Waste
RIGID PLASTIC CONTAINERS) Committee

WHEREAS, The State of Oregon has enacted legislation requiring that 25 percent of rigid plastic containers be recycled by 1995; and

WHEREAS, The American Plastics Council has issued an Request for Proposals and received eleven responses for the operation of a plastics recycling facility (PRF) to process two million pounds of plastics annually; and

WHEREAS, The American Plastics Council is actively seeking markets and supplies of rigid plastic containers of all resin types; now, therefore,

BE IT RESOLVED,

1. That the Metro Council supports the establishment of a plastics recycling facility capable of processing plastics of all resins types collected in the Metro region.
2. That the Metro Council encourages the plastics industry to exceed the recycling requirements establishing by state law.
3. That the Metro Council encourages the plastics industry to provide collection and marketing opportunities for the recycling of all plastic resin types.
4. That the Metro Council requests that the plastics industry to report to the Metro Council in six months concerning the status of plastics recycling in the Metro region.

ADOPTED BY THE METRO COUNCIL this ____ day of _____, 1994.

Judy Wyers, Presiding Officer

SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 94-1940, FOR THE PURPOSE OF EXPRESSING METRO COUNCIL SUPPORT FOR THE "BOTTOMS UP, THREES DOWN" CAMPAIGN TO BOYCOTT AND ELIMINATE PVC (#3) CONTAINERS

Date: April 7, 1994

Presented by: Councilor McLain

Committee Recommendation: At the April 5 meeting, the Committee voted unanimously to recommend Council adoption of Resolution No. 94-1940. Voting in favor: Councilors Buchanan, Hansen, McFarland, McLain, Monroe and Wyers.

Committee Issues/Discussion: This resolution was drafted at the request of Councilor Wyers, to express Metro Council support for an upcoming campaign initiated by Recycling Advocates to boycott #3 PVC plastic packaging. Councilor Wyers reviewed the rationale behind the proposed boycott. She noted that PVC is harmful to the environment and has been linked to various health problems. She noted that PVC packaging retards the recycling of other types of plastic packaging because when loads of such packaging are contaminated by PVC packaging, the PVC must be removed before the remaining material can be processed. She noted that a press conference to announce the boycott will be held in the Metro courtyard on April 12 at 10:00 A.M.

Jeanne Roy and Mary Blankevoort testified in favor of the resolution on behalf of Recycling Advocates. Roy noted that in many areas of the country #1 plastics are recycled, but in the Portland area she indicated that #1 container recycling has been difficult because loads are often contaminated with #3 PVC packaging. This requires additional sorting and cost to remove the PVC packaging. Roy indicated that Recycling Advocates targeted PVC packaging because it is only a small portion of the total packaging market, there are alternatives for PVC packaged products (ie. other brand names or even the same brand name in a different size), and PVC is environmentally damaging.

Blankevoort reviewed Recycling Advocates supermarket survey which identified about 80 products packaged in #3 containers. She noted that in each case, the same product was available in alternative packaging. She noted that the 50 companies that manufactured the products were contacted. About half responded, with five companies indicating that they were decreasing or eliminating PVC packaging.

Roy noted that they will be creating written material related to the boycott and that Metro's support would be very helpful.

William Carroll, representing Occidental Chemical Corporation of Dallas, Texas, submitted written testimony in opposition to the resolution. He noted that PVC is generally required when a plastic container requires a rigid handle, which is often necessary on

larger-size containers. He explained that he has been involved in with a PVC recycling program for five years. He contended that automated recycling systems have been developed that separate PVC packaging from other types of packaging. He also expressed concern that several of the "whereas" clauses in the resolution were not supported by hard evidence. He advocated that Metro support the development of a collection and recycling system for PVC plastic instead of supporting a boycott. He noted that automated plastic sorting systems would probably soon be available in the Portland area.

PVC BAN INFORMATION

Some of the reasons Metro supports the PVC container ban.

- * Metro supports designing for recyclability and minimizing the number of plastic resins utilized in packaging.
- * PVC is a contaminant in a plastics recycling program. It looks a lot like PET and would be indistinguishable in a ground or flaked form. This causes problems in plastics collection and processing systems.
- * Although PVC containers can be recycled, they do contaminate a program where other plastics are involved. This is the main reason they are not included in our local recycling programs.
- * PVC cannot be easily sorted from other plastics, particularly in a mechanical sorting process that uses a float system. Removing PVC in an automatic system can be expensive and involves special equipment, such as electronic detectors.
- * The vinyl chloride component of PVC can cause environmental and health concerns. In particular, burning will release chlorine in the air. That is why the APC has spent so much time studying how to keep this material out of the pyrolysis unit in the Chehalis plant.
- * PVC has been preferred for certain packages because of chemical properties that make it suitable for oil products (salad oils) and for large bottles with handles. It appears that new advances make it possible to utilize PET for these types of products. For the reasons mentioned above, this substitution of PET should be promoted through consumers' buying preferences. Programs for custom PET recycling are currently being established in Oregon.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF EXPRESSING)
METRO COUNCIL SUPPORT FOR THE)
"BOTTOMS UP, THREES DOWN")
CAMPAIGN TO BOYCOTT AND ELIMINATE)
PVC(#3) CONTAINERS)

RESOLUTION NO. 94-1940

Introduced by Presiding
Officer Judy Wyers

WHEREAS, PVC packaging contains chlorine, which is highly toxic and damaging to the environment; and

WHEREAS, PVC is made of chemicals linked to cancer, birth defects, liver and kidney damage; and

WHEREAS, Incineration disposal of PVC packaging produces hydrochloric acid, a corrosive air pollutant; and

WHEREAS, PVC packaging has a recycling rate of less than one percent and may reduce Oregon's ability to meet the 1995 goal of recycling 25% of all rigid plastic containers; and

WHEREAS, PVC container contamination of more valuable plastics eliminates or reduces recycling opportunities; and

WHEREAS, several European countries and Australia are phasing out PVC packaging; now, therefore,

BE IT RESOLVED,

That the Metro Council supports the "Bottoms Up, Threes Down" boycott of PVC #3 plastic packaging and the elimination of such packaging from the marketplace.

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

Judy Wyers, Presiding Officer

Meeting Date: June 23, 1994
Agenda Item No. 6.3

RESOLUTION NO. 94-1970

REGIONAL FACILITIES COMMITTEE REPORT

RESOLUTION NO. 94-1970, CONFIRMING APPOINTMENTS TO THE
GREENSPACES POLICY ADVISORY COMMITTEE

Date: June 16, 1994

Presented by: Councilor Moore

COMMITTEE RECOMMENDATION: At its June 15, 1994 meeting the Regional Facilities Committee voted 4-0 to recommend Council adoption of Resolution No. 94-1970. Voting in favor were Councilors Washington, Gates, McFarland, and Moore. Councilor Hansen was absent.

COMMITTEE DISCUSSION/ISSUES: Planning & Capital Development Manager Pat Lee presented the staff report, saying the appointments to the Greenspaces Policy Advisory Committee (PAC) are of Hillsboro Mayor Gordon Faber as member and North Plains Planning Commission Chair Richard Stolte as alternate. Councilor Moore said these appointments filled long-standing vacancies and are most welcome; she added that Mayor Faber has already attended one PAC meeting.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING)
APPOINTMENTS TO THE GREENSPACES)
POLICY ADVISORY COMMITTEE)

RESOLUTION NO. 94-1970
Introduced by Executive
Officer Rena Cusma

WHEREAS, On June 28, 1990, by Resolution No. 90-1261, the Council of the Metropolitan Service District established a policy advisory committee for the Parks and Natural Areas Program; and

WHEREAS, The Parks and Natural Areas Policy Advisory Committee was renamed to the Greenspaces Policy Advisory Committee; and

WHEREAS, Resolution No. 90-1261 requires Council confirmation of appointments to the policy advisory committee; now, therefore,

BE IT RESOLVED,

That the Metro Council hereby confirms the appointments of Mayor Gordon Faber of Hillsboro to the Greenspaces Policy Advisory Committee and North Plains Planning Commission Chair Richard Stolte as his alternate.

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

Judy Wyers, Presiding Officer



CITY of BEAVERTON

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 TEL: (503) 526-2481 V/TDD FAX: (503) 526-2571

ROB DRAKE
MAYOR

May 18, 1994

Councilor Richard Devlin
Metro, District 4
600 NE Grand Avenue
Portland, OR 97232-1797

Dear Councilor Devlin:

On behalf of the mayors of Washington County, I am forwarding the results of a recent election to appoint a representative to the Greenspaces Policy Advisory Committee. Hillsboro Mayor Gordon Faber and North Plains Planning Commission Chair Richard Stolte were nominated and placed on a ballot which was sent to all Washington County mayors for their vote. Ten cities cast ballots and Mayor Faber received the majority of votes.

Please accept this letter as official notification to the Metro Council that Washington County recommends Mayor Faber to serve as the Greenspace PAC representative and Richard Stolte as the alternate.

We appreciate the opportunity to be a partner in the Greenspaces program and are confident that Mayor Faber and Mr. Stolte will serve Washington County well.

Sincerely,

Rob Drake
Mayor

RD/mh

cc: Washington County Mayors

STAFF REPORT

**CONSIDERATION OF RESOLUTION NO. 94-1970 FOR THE PURPOSE OF
CONFIRMING APPOINTMENTS TO THE GREENSPACES POLICY ADVISORY
COMMITTEE**

Date: June 15, 1994

Presented by: Pat Lee

FACTUAL BACKGROUND AND ANALYSIS

Resolution No. 94-1970 confirms the appointments of Hillsboro Mayor Gordon Faber to the Greenspaces Policy Advisory Committee and North Plains Planning Commission Chair Richard Stolte as his alternate. The nominations were voted upon and forwarded to Metro from the mayors of cities within Washington County. Mayor Faber replaces former Hillsboro Mayor Shirley Huffman on the policy advisory committee.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends the adoption of Resolution No. 94-1970.

Meeting Date: June 23, 1994
Agenda Item No. 6.4

RESOLUTION NO. 94-1963

GOVERNMENTAL AFFAIRS COMMITTEE REPORT

RESOLUTION NO. 94-1963, WAIVING AND POSTPONING A COMPETITIVE RFP PROCESS AND EXTENDING METRO CONTRACT NO. 902675 WITH HOWARD JOHNSON & COMPANY AND RAINIER TRUST FOR ADMINISTRATIVE RECORD KEEPING AND TRUST SERVICES FOR THE METRO EMPLOYEE SALARY SAVINGS PLAN

Date: June 15, 1994

Presented by: Councilor Van Bergen

COMMITTEE RECOMMENDATION: At its June 14, 1994 meeting the Governmental Affairs Committee voted 3-0 to recommend Contract Review Board adoption of Resolution No. 94-1963. Voting in favor were Councilors Gates, Van Bergen, and Wyers. Councilor Buchanan abstained.

COMMITTEE DISCUSSION/ISSUES: Personnel Manager Paula Paris introduced Jaye Fraser, who presented the staff report. In addition to reviewing the written staff report, Ms. Fraser said potential additional costs above the \$38,000 budgeted for this contract should not exceed \$3,000, and added that implementation of potential cost savings could eliminate the need to increase the amount of the contract.

Councilor Van Bergen expressed concern that the advisory committee included neither a representative of Council staff nor of represented employees. He said he was also concerned about the on-again, off-again nature of the plan administration, to which Ms. Fraser replied that the current administrator is doing a good job. Councilor Van Bergen asked if \$38,000 was enough money for management of \$8 million in the funds, and Councilor Gates asked why the Howard Johnson company was providing this service at such a low price. Ms. Paris said the amount is low in comparison with other programs, but Howard Johnson was able to take over the contract from the prior administrator at the existing cost because they already had the same system in place.

The committee discussed some of the irregularities in processing transactions that had occurred under the previous plan administrators; Ms. Paris said she notified legal counsel as soon as irregularities were discovered, and the problems were resolved. Councilor Van Bergen said he wanted to hear from counsel on their involvement in this matter, and also wanted to see that the advisory committee membership include representation from employees outside of senior administration.

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF WAIVING AND)
POSTPONING A COMPETITIVE RFP PROCESS)
AND EXTENDING METRO CONTRACT)
NO. 902675 WITH HOWARD JOHNSON &)
COMPANY AND RAINIER TRUST FOR)
ADMINISTRATIVE RECORD KEEPING AND)
TRUST SERVICES FOR THE METRO)
EMPLOYEE SALARY SAVINGS PLAN)

RESOLUTION NO. 94-1963

Introduced by Rena Cusma
Executive Officer

WHEREAS, Section 2.04.054 of the Metro Code provides that "A Personal Services contract may be renewed without receiving competitive proposals if the contractor is performing a continuing activity for the agency..." and that "competitive proposals must be solicited for these services at least once every three (3) years..."; and

WHEREAS, Metro established a personal services agreement with WM Trust Company and Benefit Service Corporation to provide administrative record keeping services and Trust Services for the Metro Employee Salary Savings Plan effective August 1, 1992 through June 30, 1994 but due to the complexity of the arrangements, the agreement was not fully executed until December 4, 1992; and

WHEREAS, WM Trust Company notified Metro in the Summer of 1993 that it wished to go out of business, Howard Johnson began its transition as administrator in September, 1993 and in February, 1994 Metro allowed an assignment of the contract to Howard Johnson & Company; and

WHEREAS, with the complexities of establishing those services and the transition that was necessitated, the Personnel Department has had little time to establish an operating relationship with those companies or even firmly set the exact parameters for the program; and

WHEREAS, Section 2.04.054(a)(3) allows the Metro Council acting as Contract Review Board to exempt contract extensions exceeding \$10,000 from competitive procurement procedures; and

WHEREAS, the three (3) year limit would not actually occur until the end of calendar year 1995, and a one year extension of the contract until June 30, 1995 would allow Personnel to fully determine the exact needs and service realities of the program prior to soliciting a competitive request for proposals; now, therefore,

////

BE IT RESOLVED,

That the Metro Contract Review Board hereby postpones a competitive RFP process for administrative record keeping, and trust services for the Metro Employee Salary Savings Plan, approves instead an extension of Metro Contract No. 902675 with WM Trust Company and Benefit Service Corporation assumed by Howard Johnson & Company and Rainier Trust, and authorizes the Executive Officer to execute an extension of that contact for an additional one year period ending June 30, 1995 in accordance with Exhibit A attached

ADOPTED by the Contract Review Board this ____ day of _____ 1994.

Judy Wyers, Presiding Officer

CHANGE ORDER SUMMARY

CHANGE ORDER NO: 2 INITIATION DATE: 5/16/94

CONTRACT NO: 902675 PROJECT: Administrative Record Keeping

CONTRACTOR: Howard Johnson & Company and Rainier Trust VENDOR # _____

PROPOSED BY: Jaye Fraser/Benefits Officer
PROJECT MANAGER/DEPARTMENT

FINANCIAL IMPACT

BUDGET CODE/TITLE: 610-090000-512300

Original Contract Sum: \$ 37,000

Net Change Orders to Date: \$ - 0 -

Contract Sum Prior to this C/O: \$ 37,000

This Change Order Request: \$ 38,000

New Contract Sum, Post C/O: \$ 75,000

Fiscal Year -

Appropriation \$ 38,000

Contract, Paid to Date: \$ 38,000

Est. Appropriation Remaining: \$ 38,000

EFFECTIVE DATE(S): December 4, 1994 - June 30, 1995

REVIEW & APPROVAL:

DIVISION MANAGER DATE

FISCAL DATE

DEPARTMENT DIRECTOR DATE

BUDGET (MULTI-YEAR ONLY) DATE

DIRECTOR GENERAL SERVICES DATE

LEGAL DATE

Amendment No. 2
Metro Contract No. 902675

This is an amendment to contract no. 902675, originally established December 2, 1992, by and between Metro, a metropolitan service district, and WM Trust Company and Benefit Service Corporation (hereinafter referred to as "Contractor") which was amended February 10, 1994 to assign the original contractor's responsibilities to Howard Johnson & Company and Rainier Trust Company, (hereinafter referred to as "Contractor").

Effective July 1, 1994, the above contract shall be amended to extend the contract through June 30, 1995 at the original fees established, and in view of the extension specified above, the original contract amount payable to Rainier Trust and Howard Johnson & Company shall now not exceed \$75,000 in total, unless otherwise agreed by the parties.

All other terms and conditions in the original contract shall remain unchanged and in full force and effect.

In Witness to the above, the following duly authorized representatives of the parties execute this Amended Agreement.

METRO

By _____

Name/Title

Date

RAINIER TRUST COMPANY

By _____

Name/Title

Date

HOWARD JOHNSON & COMPANY

By _____

Name/Title

Date

STAFF REPORT

RESOLUTION NO. 94-1963, FOR THE PURPOSE OF WAIVING AND POSTPONING A COMPETITIVE RFP PROCESS AND EXTENDING METRO CONTRACT NO 902675 WITH HOWARD JOHNSON & COMPANY AND RAINIER TRUST FOR ADMINISTRATIVE RECORD KEEPING AND TRUST SERVICES FOR THE METRO EMPLOYEE SALARY SAVINGS PLAN

Date: May 16, 1994

Presented by: Jaye Fraser
Paula Paris

PROPOSED ACTION

Adoption of Resolution No. 94-1963, pursuant to Section 2.04.054, which allows personal services contracts to be renewed "without receiving competitive proposals if the contract is performing a continuing activity for the agency" we request that the Council approve a one year extension to contract no. 902675.

FACTUAL BACKGROUND AND ANALYSIS

Prior to its participation in PERS, Metro sponsored a variety of retirement programs for its employees. Today, Metro continues to provide record keeping, administrative and trust services for several of those programs as well as a newer 401(k) plan which is employee funded. The history of these various plans is complicated significantly by the number of entities which have come together to form what we now know as "Metro."

In September, 1991, the Metro Council passed a resolution which merged the administration and trust responsibilities for the 5% and 6% plans. The 5% plan was transferred from the Principal Group to Western Retirement Trust. Then, due to a name change, the Council passed an additional resolution in early 1992, appointing WM Trust as the non-discretionary Plan Trustee and authorizing the Executive Officer to appoint a five-person advisory committee to administer the plan. The committee met several times with a representative from WM Trust to discuss the merger's progress and to develop a program allowing participants to self-direct their funds.

After much negotiation, Metro and WM Trust Company finally executed a contract for administrative record keeping and trust responsibilities in December, 1992. Within less than a year, WM Trust Company announced that it would exit the business of Qualified Plan Administrator and would sell its Trust Company, leaving Metro in the untenable situation of being without a provider in this very sensitive area. Metro's advisory committee reviewed proposals and conducted interviews with several record keeping companies. Ultimately, the advisory committee settled on Howard Johnson and Company to fulfill the record keeping duties abandoned by WM Trust Company, and the contractual trust duties were assumed by Rainier Trust Company as WM Trust Company's successor in interest. Except for a skeleton crew, (left to complete the transition of their customers to other record keeping and administrative companies) WM Trust Company's record keeping division completely shut down in September, 1993.

The actual transition of information from WM Benefits to Howard Johnson continued into December 1993 and actual account reconciliation did not occur until January when information

finally came to Howard Johnson in boxes instead of computer tapes or disks. Despite the difficulties with the reconciliation, Howard Johnson was able to implement a phone transaction system which allowed participants to complete most transactions by telephone.

There were a few minor bugs, but by Spring, 1994 most were worked out. We now have electronic links between Metro and both Howard Johnson and Rainier Trust, and Howard Johnson is working to add an electronic link between their companies to speed information transfer.

In addition, we have new readable and understandable statements from Howard Johnson which have resulted in the discovery of a few stock transactions which should have been but weren't made last summer. In response, Rainier Trust has also stepped up to the bat and is working toward reconciling those individual participant situations. Finally, Howard Johnson and Rainier Trust have both attended several employee meetings to assist in the transition and further educate Metro employees on investment practices.

A review of the record keeping and trust files from the past several years documents a number of on-going program problems. Things have never been quite right, or as promised. Frustrations over incomplete phone transactions pepper the files. And finally, problems continue to emerge (although their frequency is significantly less than the past).

Continuation of the contractual arrangements between Metro and the current providers will enable Personnel sufficient time to adequately assess the plan's status, ensure all program bugs are resolved and to determine whether the original plan design continues to be appropriate for Metro.

BUDGET IMPACT

The services provided by WM Trust Company were anticipated to have been \$38,000 and were so budgeted for the 1993/94 fiscal year. It is now anticipated that the continuation of these services by Howard Johnson and Rainier Trust may require a future budget amendment to provide additional funding as necessary.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 94-1963.

Meeting Date: June 23, 1994
Agenda Item No. 6.5

RESOLUTION NO. 94-1996

GOVERNMENTAL AFFAIRS COMMITTEE REPORT

RESOLUTION NO. 94-1996, AMENDING THE CONTRACT WITH HARRANG LONG GARY RUDNICK, P.C. FOR LEGAL SERVICES ON COUNCIL CONTRACTING AUTHORITY

Date: June 15, 1994

Presented by: Councilor Van Bergen

COMMITTEE RECOMMENDATION: At its June 14, 1994 meeting the Governmental Affairs Committee voted 3-0 to recommend Council adoption of Resolution No. 94-1996. Voting in favor were Councilors Gates, Van Bergen, and Wyers. Councilor Buchanan was absent.

COMMITTEE DISCUSSION/ISSUES: Council Administrator Don Carlson presented the staff report. He described the scope of work to be performed by outside counsel, and said the amount of the contract would be increased to an amount not to exceed \$75,000 to provide legal services following Council's direction from its June 9 meeting. Mr. Carlson said two budget amendments would be required: one to amend the 1993-94 budget to pay costs incurred to date, increasing the amount from the \$10,000 currently authorized to \$30,000; and one to amend the 1994-95 budget to add \$45,000 to the budget of the Office of General Counsel for the remaining costs.



METRO

Date: June 14, 1994

To: Governmental Affairs Committee

From: Donald E. Carlson, Council Administrator *DE*

Re: Draft Resolution No. 94-1996 Amending the Contract with Harrang Long Gary Rudnick, P.C. for Legal Services on Council Contracting Authority

Please find attached for your consideration draft Resolution No. 94-1996. The resolution amends the contract with the Councils special legal counsel to seek a judicial declaration as to the validity of Amendment No. 4 to the contract between Metro and Oregon Waste Systems, Inc. The proposed amendment does three things: 1) it adds an additional Scope of Work; 2) it extends the length of the contract to December 31, 1994; and 3) it increases the maximum amount of the contract to \$75,000.

Also, attached is a memo from me to the Councils legal group which transmits Bill Gary's estimate of potential legal costs and his view on whether the services are related to Metro generally or specific to the Solid Waste function. Based on his view of the work performed to date and the action taken by the Council to approve Resolution No. 94-1973 on June 9, 1994, it is my recommendation that the costs under this contract be charged to the solid waste function. I will prepare the necessary amendments to both the FY 1993-94 and FY 1994-95 Budgets for Council consideration.

cc: Dan Cooper
Bill Gary

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING)
A CONTRACT WITH HARRANG, LONG,))
GARY, RUDNICK P.C. FOR LEGAL)
SERVICES ON COUNCIL CONTRACT-)
ING AUTHORITY)

RESOLUTION NO. 94-1996

Introduced by the Govern-
mental Affairs Committee

WHEREAS, the Metro Council approved Resolution No. 94-1939 on March 24, 1994 authorizing the General Counsel to employ outside legal counsel to advise the Council regarding its authority under the 1992 Metro Charter to control the approval of contracts and contract amendments; and

WHEREAS, Metro General Counsel entered into a contract with the firm of Harrang Long Gary Rudnick, P.C. on April 15, 1994 to obtain advise on the Metro Council's contracting authority; and

WHEREAS, the Metro Council approved Resolution No. 94-1973 on June 9, 1994 directing special legal counsel to initiate litigation to obtain a judicial declaration as to the validity of Amendment No. 4 to the contract between Metro and Oregon Waste Systems, Inc. executed by the Metro Executive Officer on March 16, 1994; now therefore,

BE IT RESOLVED,

1. That the Metro Council acting as the Contract Review Board exempts Contract Amendment No. 1 from the competitive procurement procedures of Section 2.04.053 of the Metro Code.

2. That the Metro Council approves Amendment No. 1 attached hereto to the contract with Harrang Long Gary Rudnick, P.C.

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

Judy Wyers, Presiding Officer

AMENDMENT NO. 1

ADDITIONAL SCOPE OF WORK, TERM, AND CONTRACT AMOUNT

That Contract between Metro and Harrang Long Gary Rudnick, P.C. hereinafter referred to as "CONTRACTOR" dated April 15, 1994 for legal services, Contract No. 903664, is hereby amended to:

- 1) add the Scope of Work as described in Exhibit A attached hereto;
- 2) extend the length of the contract to December 31, 1994; and
- 3) increase the maximum amount that Metro shall pay to the CONTRACTOR for services provided to SEVENTY FIVE THOUSAND AND NO/100TH (\$75,000) dollars.

All other terms of the Contract remain in full force and effect.

DATED the _____ day of June, 1994.

CONTRACTOR

METRO

By: _____

By: _____

EXHIBIT A
Amendment No. 1
Contract#903664

SCOPE OF WORK

The CONTRACTOR shall file proceedings for a judicial declaration as to the validity of Amendment No. 4 to the contract between Metro and Oregon Waste Systems, Inc. executed by the Executive Officer on March 16, 1994; and the CONTRACTOR shall represent the Metro Council in such proceeding at the trial level.



METRO

Date: June 9, 1994

To: Council Legal Group
(Wyers, Gates, Monroe and Van Bergen)

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

Re: Legal Expenses for Special Outside Counsel

Please find attached a letter from Bill Gary detailing expenses to date and projected expenses depending on Council action tonight on the Devlin and Van Bergen resolutions. Bill indicates costs through May 25, 1994 total \$14,536.63 and will likely be around \$20,000 by the end of this evening (when the Council makes a decision). If the Devlin resolution is adopted he anticipates another \$10,000 for a formal written opinion. If the Van Bergen resolution is adopted, he estimates the total cost (including those incurred to date) to obtain a declaratory judgement at the trial level to be "well under \$100,000".

I asked Bill to segregate the costs by those related to the general question of authority under the Charter (general Metro costs) and those related to the analysis of the validity of Amendment No. 4 (Solid Waste related costs). Bill indicates that it is difficult to do so he hasn't done it but also states that in his judgement "all of the work that we have done to date is directly related and necessarily linked to the analysis of the validity of contract Amendment No. 4". Based on this statement it appears that we could charge the costs to date to the Solid Waste function. He points out that the legal opinion requested under the Devlin option would not be, in his opinion, attributable to the analysis of contract Amendment No. 4 but rather to the broader questions in their own right.

Please review this material and advise me how you want to pay the bill. We have Ordinance No. 94-553 in the Finance Committee as a vehicle to budget for this purpose. Also, we will have to amend the contract with Harrang Long since the expenditure limit at this time is \$10,000. I'll prepare the necessary resolution for Council action.

June 9, 1994

SENT VIA FACSIMILE

Mr. Donald Carlson, Administrator
Metro Council
600 NE Grand Avenue
Portland, OR 97232-2736

Dear Don:

You have asked for an estimate of additional legal expenses that would be incurred if the Council approves either the Van Bergen resolution or the Devlin resolution. You also have asked that we attempt to segregate attorney fees incurred to date according to which portion of those fees related to an analysis of the powers and duties of the Metro Council and the Executive Officer, respectively, and which portion related to analysis of the validity of Amendment No. 4 to the waste disposal contract.

As you know, our initial assignment was to analyze the powers and duties vested in the Council and the Executive Officer under the 1992 Metro Charter and to determine, under the Charter, what powers and duties the Council validly has assigned to the Executive Officer. According to the terms of our engagement, we were to report to the Council regarding our preliminary conclusions on those issues before proceeding to address specific questions related to the validity of Amendment No. 4. Upon completion of our analysis of the Metro Charter, the answers to the questions related to Amendment No. 4 sorted out fairly easily. When we reported to a subcommittee of the Council and, later, to the Council, meeting in Executive Session, we presented our analysis with respect to all of the questions we were engaged to address, including our analysis of the validity of contract Amendment No. 4 and the options available to the Council.

It is my judgment that all of the work that we have undertaken to date is directly and necessarily linked to the analysis of the validity of contract Amendment No. 4. If we had been engaged only to assess the validity of the contract amendment, we would have approached the assignment in exactly the same way we did here. It would have been necessary for us to do all of the work that we have completed to date in order to address that issue. Accordingly, it is impossible for us to segregate our time as you request. It fairly may be said that all of our work to date has been directed at determining the validity of contract Amendment No. 4.

750 FRONT STREET N.E.

SUITE 100

SALEM, OREGON

97301

TELEPHONE

503 362 8726

FACSIMILE

503 371 2946

OFFICES ALSO IN

EUGENE & ROSEBURG

Mr. Donald Carlson
June 9, 1994
Page 2

Through May 25, 1994, the Council has incurred attorney fees in the amount of \$14,442.50 and costs and expenses in the amount of \$94.13. Since May 25, we have performed substantial additional work in connection with our presentations to the Council and Council members. I expect that, by the time the Council has decided how it wishes to proceed in this case, our total attorney fees will be approximately \$20,000.

Because we have completed our entire analysis regarding all of the questions identified in the scope of work, if the Council approves the Devlin resolution, we should be able to complete a full opinion for approximately \$10,000. If the Council chooses to ratify contract Amendment No. 4, the additional work that we perform in issuing an opinion regarding authority under the Charter, would not fairly be attributable to analysis of the validity of contract Amendment No. 4. Rather, it would be addressed to the broader questions in their own right.

If the Council approves the Van Bergen resolution, it is far more difficult to estimate the total cost of additional attorney work. Once litigation is initiated, Metro loses control of the scope of the litigation and the manner in which it is conducted. Undoubtedly, Oregon Waste Systems would be a party to the litigation and it may choose to assert counterclaims and initiate extensive discovery and motion practice. Our goal would be to present the question of the validity of contract Amendment No. 4 to the court in a narrowly drawn and focused declaratory judgment proceeding. If we are successful in doing so, we believe the issue could be resolved at the trial level for a total cost, including fees incurred to date, of well under \$100,000.

I have had a very preliminary discussion with Jake Tanzer, special legal counsel to the Metro Executive. Based upon that conversation, I believe it may be possible to structure a declaratory judgment proceeding that maintains a narrow focus. If the Council approves the Van Bergen resolution, I propose to prepare a litigation plan and budget that addresses the potential cost in greater detail.

If the Council approves the Van Bergen resolution, the resulting litigation will deal directly with the validity of contract Amendment No. 4. Accordingly, all of the litigation expense will fairly be attributable to that issue.

Enclosed is our statement for services rendered through May 25, 1994. I have provided a copy of the statement and a copy of this letter to Presiding Officer Wyers. Please let me know if you need any additional information or if there is something more that we should do to facilitate processing the statement for payment.

Mr. Donald Carlson
June 9, 1994
Page 3

Thank you for your attention to this matter.

Sincerely,

William F. Gary
William F. Gary

WFG:ja

Enclosure

cc: Judy Wyers, Presiding Officer

Meeting Date: June 23, 1994
Agenda Item No. 6.6

RESOLUTION NO. 94-1997

GOVERNMENTAL AFFAIRS COMMITTEE REPORT

RESOLUTION NO. 94-1997, RECOMMENDING A AND B CONTRACT DESIGNATIONS FOR THE PERSONNEL AND EXECUTIVE MANAGEMENT DEPARTMENTS

Date: June 16, 1994

Presented by: Councilor Van Bergen

COMMITTEE RECOMMENDATION: At its June 14, 1994 meeting the Governmental Affairs Committee voted 4-0 to direct Council staff to prepare a resolution recommending contract list designations for the departments under the committee's oversight, with the resolution to contain the condition that such designations be adopted only if special legal counsel advised that such action would not adversely affect Council's pending litigation. All Committee members were present and voted in favor.

COMMITTEE DISCUSSION/ISSUES: Council Analyst Casey Short presented his recommended contract list designations for the departments under the Governmental Affairs Committee's oversight. Only Executive Management and Personnel have contracts proposed for the contracts list; the Council Department, Office of General Counsel, and Office of Public and Government Relations have no contracts listed.

Councilor Van Bergen asked if an action designating contracts would harm the proposed litigation approved by the Council on June 9. Council Administrator Don Carlson said he recommended going ahead with the designations because the Code calls for this to be done; he added that he anticipated future Council action to change the contracting Code, but in the meantime we should abide by the provisions of the Code. Councilor Van Bergen said he supported approval of the designations with the condition that Mr. Carlson speak with Council's special counsel to determine if this action would harm the Council's case. Councilor Wyers said she shares some of Councilor Van Bergen's concerns, and wants the Council to be sure to establish a clear path on contracting procedures. She added that other contractors have begun expressing concern about their ability to amend their contracts.

Councilor Wyers asked if it is necessary to designate the contracts. Mr. Carlson said the charter expressly continues current ordinances, and Mr. Short cited the Code section which says the Council shall designate all contracts included in the annual contracts list. Councilor Van Bergen moved to direct Mr. Short to prepare a resolution for Council consideration which approves the committee's recommended contract designations, conditioned on approval from special counsel.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF RECOMMENDING) RESOLUTION NO. 94-1997
A AND B CONTRACT DESIGNATIONS FOR)
THE PERSONNEL AND EXECUTIVE) Introduced by Governmental
MANAGEMENT DEPARTMENTS) Affairs Committee

WHEREAS, Metro Code Section 2.04.032(d) requires the Council to designate contracts as either "A" or "B" for the purpose of determining whether Council or Council Committee authorization of release of bid documents is required; and

WHEREAS, Such designation may be included as part of the annual budget ordinance, which has been the Council's practice in the past; and

WHEREAS, The Governmental Affairs Committee has prepared recommendations for contract list designations for the Personnel and Executive Management Departments; and

WHEREAS, Council adoption of Resolution No. 94-1973 on June 9, 1994 directed special legal counsel to initiate litigation to determine whether the Executive or the Council has legal authority to approve a specific contract amendment; and

WHEREAS, A judicial declaration pursuant to the litigation authorized by Resolution No. 94-1973 may address broader questions of contracting authority between the Council and Executive; and

WHEREAS, It is not in the interests of the Council in preparing for litigation to act in a way that may harm its case; and

WHEREAS, Special legal counsel has been retained to advise the Council on matters pertaining to contract authority; now, therefore,

BE IT RESOLVED,

That the Metro Council :

1. Directs Council staff to request clarification from special legal counsel whether acting to adopt contract list designations pursuant to Metro Code Section 2.04.032(d), prior to a judgment being rendered in the litigation authorized by Resolution No. 94-1974, would jeopardize or weaken the Council's case in pursuing said litigation.

2. Recommends the contract designations for the Personnel and Executive Management Departments as described in Exhibit A, attached, be included in the 1994-95 Adopted Budget, only if special legal counsel advises that such inclusion will not jeopardize or weaken Council's pending litigation.

ADOPTED by the Metro Council this 23rd day of June, 1994.

Judy Wyers, Presiding Officer

Contracts List

The following list contains all known, existing or anticipated contracts for FY 1994-5. This list has been prepared in accordance with Metr and 2.04.033. The contracts are shown by department and /or division. All contract have been classified into one or more of the followin PS - Personal Services, PUB - Public Contract, PROC - Procurement, CONST - Construction, IGA - Intergovernmental Agreement, REV - Rev LM - Labor and Materials, LEASE/PURCH - Lease/Purchase

In addition, these acronyms and abbreviations have been utilized: MRC - Metro Regional Center, SPA - State Price Agreement, LIC - Licens Explanation of Council Designation as follows:

- A -Bid or request for proposal documents require Council Committee approval
- B -Bid or request for proposal documents do not require Council Committee approval
- N/A -Contract is exempt or not subject to Metro Code sections 2.04.032 and 2.04.033
- Existing -Contract already exists and/or bid documents have already received appropriate review according to Metro Code
- A/Multi-Year -Bid or request for proposal documents and contract documents require Council approval

**COUNCIL
STAFF
RECOMMENDATION**

DEPT	CONTRACT #	VENDOR/DESCRIPTION	TYPE	DURATION	TOTAL AMOUNT OF CONTRACT	FY 1994-95 AMOUNT	
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EXECUTIVE MANAGEMENT

Office of Government Relations

	New	Special Districts Association of Oregon Professional Governmental Services	PS	7/1/94-6/30/95	60,000	60,000	(A)
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FINANCE AND MANAGEMENT INFORMATION

Accounting Division

	901871	KPMG Peat Marwick Audit: Financial and Grant compliance with management letter	PS	4/1/91-3/31/95	200,000	65,000	
	New	To be determined Audit: Financial and Grant compliance with management letter	PS	4/1/95-3/31/98	200,000	65,000	
	902436	U. S. Bank of Oregon Banking: Checking and cash management accounts	PS	5/1/92-4/30/95	Per unit	25,200	

Contracts List

DEPT	CONTRACT #	VENDOR/DESCRIPTION	TYPE	DURATION	TOTAL AMOUNT OF CONTRACT	FY 1994-95 AMOUNT	COUNCIL STAFF RECOMMENDATION
METROPOLITAN EXPOSITION-RECREATION COMMISSION - continued							
<i>Administration - continued</i>							
	New	To be determined Sound System: Civic Auditorium	PUB	7/1/94-6/30/95	30,000	30,000	
PERSONNEL							
	New	To be determined Multiple Training Contracts: Management/Supervisor/Diversity/AA/EEO	PS	7/1/94-6/30/95	17,000	17,000	(B)
	New	To be determined Employee Counseling Service: Assistance Program	PS	7/1/94-6/30/95	16,200	8,100	(B)
902826		Mercer Inc Agent/Consultant: Employee Health & Welfare Program	PS	1/1/93-12/31/95	108,000	36,000	N/A
	New	To be determined Administration/Recordkeeping: 401(k) Savings Plan	PS	7/1/94-6/30/95	38,000	19,000	(B)
902241		Gibbens Unemployment Claims Processing	PS	1/1/93-12/31/94	9,000	2,250	N/A
	New	To be determined Unemployment Claims Processing	PS	1/1/95-12/31/96	9,950	2,450	(B)

Meeting Date: June 23, 1994
Agenda Item No. 6.7

RESOLUTION NO. 94-1959

FINANCE COMMITTEE REPORT

RESOLUTION NO. 94-1959 AMENDING THE PERSONAL SERVICES AGREEMENT BETWEEN METRO AND PUBLIC FINANCIAL MANAGEMENT, INC. TO INCREASE THE MAXIMUM COMPENSATION AND TO ADD PROJECTS TO THE SCOPE OF WORK

Date: June 15, 1994

Presented By: Councilor Van Bergen

COMMITTEE RECOMMENDATION: At its June 8, 1994 meeting the Committee vote 4 to 1 to recommend Council approval of Resolution No. 94-1959. Committee members voting in favor were Councilors Devlin, Gardner, Monroe and Van Bergen. Councilor Kvistad voted against and Councilors Buchanan and McLain were absent.

COMMITTEE DISCUSSION/ISSUES: Mr. Howard Hansen, Administrative Services Analyst, presented the Staff Report. He pointed out that the contract with Public Financial Management, Inc. is for financial advisory services for all Metro functions. The current contract has approximately 18 months to go on its three year term. It also has a limit on expenditures of \$180,000. During the first 18 months of the contract expenditures have totaled \$161,751 for a variety of projects that are detailed in the Staff Report. Mr. Hansen further explained that approximately \$100,000 of the past expenditures were not anticipated at the time the contract was signed. These expenditures included bond refundings which required the services of the financial advisor (\$61,000) and work on the Tax Study Committee project (\$40,000).

Mr. Hansen stated the Finance Department estimates that approximately another \$100,000 will be spent on financial advice during the remainder of the contract so the request is to extend the amount of the contract to \$280,000. Mr. Hansen explained that based upon the departmental work plans described in the FY 1994-95 Approved Budget additional projects should be added to the Scope of Work of the contract. The four projects are listed in Exhibit A to the resolution.


In response to a question regarding control of the contract, Council Staff pointed out that the Finance and Management Information Department manages the contract. If a department needs financial advice, it must contact the Finance Department which will contact Public Financial Management, Inc. if the Finance Department cannot provide the advice. The requesting department will then pay the cost for receiving the financial advisory services through its budget. In response to a question from Councilor Van Bergen, Mr. Hansen stated that it appeared that the Solid Waste Department had paid for financial advisory services related to the Oregon Waste Systems, Inc. contract in the amount of \$27,707 during the current fiscal year. Mr. Hansen stated he did not know exactly what services were provided by the contractor related to the OWS contract but that he would provide written information to Councilor Van Bergen prior to the June 23, 1994 Council meeting.

**METRO**

Finance Committee Report
Resolution No. 94-1959
Attachment 1

Date: June 9, 1994

To: Rod Monroe, Chair
Finance Committee

From:  Howard Hansen, Investment Manager

Re: Resolution No. 94-1959
Public Financial Management, Inc. Personal Service Agreement

The Resolution referenced above was considered and passed by the Finance Committee on June 8, 1994. During discussion, Councilor George Van Bergen inquired about expenditures in favor of Public Financial Management (PFM) totaling \$27,707.05 for the purpose of Solid Waste Contract Review.

Due to the significant dollars involved, the Solid Waste Department requested that PFM assist in the analysis of a proposed amendment to the Oregon Waste Systems contract. The scope of this analysis was defined by the Solid Waste Department as:

1. Are the savings estimated by Metro staff reasonable?
2. If the most favored rate provision of the current contract is left in place, how much savings should Metro expect?
3. Are the assumptions Metro staff used reasonable?
4. Is the process of analysis used by Metro staff sound and conservative?

The results of this analysis were reported by PFM to the Solid Waste Committee on January 18, 1994, with a memorandum of their findings delivered to the Solid Waste Committee and the Council Office.

This was followed by a study performed by Delloitte & Touche challenging some of the findings. PFM was then asked to analyze and respond to this study. In the limited time available, PFM conducted a sensitivity analysis to determine the volatility of several assumptions of the Delloitte & Touche analysis.

The results of this second effort were presented to the Solid Waste Committee on March 1, 1994, with a copy of their presentation delivered to the Council Office.

Resolution No. 94-1959

June 9, 1994

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I hope this brief explanation provides appropriate response to the question about what was requested of, and what was provided by, PFM. If further questions remain, please advise.

HH

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Encl.

cc: Finance Committee
Don Carlson, Council Administrator
Jennifer Sims, Director of Finance and Management Information
Bob Martin, Director of Solid Waste
Craig Prosser, Financial Planning Manager
James Watkins, Engineering and Analysis Manager

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING)
PERSONAL SERVICES AGREEMENT)
902953 BETWEEN METRO AND)
PUBLIC FINANCIAL MANAGEMENT,)
INC., TO INCREASE THE MAXIMUM)
COMPENSATION AND TO ADD)
PROJECTS TO THE SCOPE OF)
WORK)

RESOLUTION NO. 1959

Introduced by: Rena Cusma
Executive Officer

WHEREAS, Metro has entered into Contract No. 902953 with Public Financial Management Inc. (PFM) for financial advisory services, and

WHEREAS, Contract No. 902953 is for the term from January 25, 1993 to December 31, 1995, and Contract No. 902953 specifies hourly rates and total compensation not to exceed \$180,000, and

WHEREAS, the Scope of Work for Contract No. 902953 lists several specific projects and also allows other financial advisory work as required by Metro, and

WHEREAS, Metro entered into Contract No. 902953 with PFM as the result of a competitive RFP process, and

WHEREAS, Metro has required more work of its financial advisor than anticipated at the time the contract was written due to favorable interest rates which allowed refunding of two bond issues, required support for the Metro Tax Study Committee, and a variety of other projects, and

WHEREAS, Metro anticipates a continuing need for support from its financial advisor during the remaining term of the contract, and

WHEREAS, the hourly rates established in Contract No. 902953 remain current, but the total allowable compensation under the contract needs to be increased by \$100,000 to a total of \$280,000 to allow this use of additional services, and

WHEREAS, Metro Code section 2.04.054(a)(3) requires contract extensions in excess of \$10,000 to be approved by the Metro Council acting as the Contract Review Board.

BE IT RESOLVED,

1. That the Metro Contract Review Board finds that Contract No. 902953 between Metro and Public Financial Management Inc. should be amended to add new work projects to the Scope of Work and to increase the total allowable compensation to an amount not to exceed \$280,000.
2. That the Executive Officer is hereby authorized to execute an amendment to Contract No. 902953 to effect this change substantially in the form as shown in Exhibit A to this Resolution.

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

Judy Wyers, Presiding Officer

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Amendment #1 to Personal Services Agreement No. 902953
between
Metro
and
Public Financial Management, Inc.

Metro and Public Financial Management, Inc. agree to amend Personal Services Agreement No. 902953 as follows:

1. Add the following projects to Exhibit A, Scope of Work, Section D, Current Projects:
 12. PCPA and Civic Stadium Operations and Capital funding.
 13. OCC Expansion.
 14. Expo Capital funding
 15. RV Parking financing.

2. Amend Section 3. Payment to read as follows:

Metro shall pay Contractor for services performed and materials delivered in the amount(s), manner and at the time(s) specified in the Scope of Work for a maximum sum not to exceed Two Hundred Eighty Thousand AND 00/100ths dollars (\$280,000), as provided in "Exhibit B – Compensation," which is incorporated into this agreement by reference.

PUBLIC FINANCIAL MANAGEMENT, INC.

METRO

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 94-1959 AMENDING THE PERSONAL SERVICES AGREEMENT NO. 902953 BETWEEN METRO AND PUBLIC FINANCIAL MANAGEMENT, INC.

Date: May 4, 1994

Presented by: Craig Prosser

BACKGROUND AND ANALYSIS:

Metro entered into Contract No. 902953 with Public Financial Management, Inc. (PFM) on January 25, 1993, for financial advisory services for a three-year period on a variety of projects then under way or anticipated during the three-year period. PFM was selected through a competitive process. The contract specified that the total compensation will not exceed \$180,000.

Metro's use of PFM's services during the first year and a half of this contract has far exceeded plans due to the development of several large, unanticipated projects. As a result, \$161,751 of the \$180,000 has been spent to date. It is necessary to amend the contract to raise the maximum allowable compensation by \$100,000 (to a total of \$280,000) to allow continued use of PFM's services during the remaining year and a half of the contract term.

Three projects which account for the majority of the charges to date under the current contract were the two bond refundings performed in 1993 and the Tax Study Committee. The bond refundings were not anticipated at the time the contract was written. Charges by PFM for the refundings totaled \$61,000. The refundings saved Metro over \$4 million. The Tax Study Committee process required far more work and research than was anticipated at the time the contract was originally written. PFM charges for this project totaled almost \$40,000.

As services are used, contract billings are charged directly to operating departments as appropriate. All departments using these services have sufficient appropriations to cover this additional compensation during the current fiscal year, and sufficient appropriations have been included in the budget committee recommendations for department budgets in FY 94-95 (with the possible exception of FMI, which has been discussed with the Budget Committee).

Significant work remains which will require the expert advice and assistance of Metro's financial advisor. The following table (presented to the Budget Committee during the Phase II review of the FMI budget) lists projects anticipated over the remaining term of the contract and identifies potential financial advisor work elements.

Project	Est. \$ Need	Potential Fund Source	Potential Work Elements
Regional Planning	\$3 million	Construction Excise/Real Estate Transfer/Metro Excise Taxes?	Research bases, suggest tax structure & exemptions
PCPA Operations & Capital	\$2 - \$3 million	Unknown	Research financing options
MERC System	Unknown	Unknown	Unknown
Cultural, Scientific, & Arts Funding	\$12 - \$15 million	Income Tax?	Research capacity & alternatives, suggest structure
Expo Capital	Unknown	Bonds?	Research financing options,
OCC Expansion	\$70 million	Bonds?	Research financing options,
Greenspaces Capital	\$500 million (\$35 - \$100 initial bond request)	Property Tax	Structure bonds
Parks/Greenspaces Operations	\$1 million	Unknown	Research financial options,
Solid Waste (non-Tipping Fee)	\$60 million (whole system)	Unknown	Research financial options,
Zoo Oregon Exhibit	\$20-\$25 million	Donation/Bonds/Property Tax?	Research financial options,
Zoo Operations	Unknown	Unknown	Research financial options,
Washington Park Parking Lot	\$4 - \$5 million	Bonds	Research financial options, develop initial pro-forma, suggest alternatives
RV Parking Development	Unknown	Bonds	Research financial options, develop initial pro-forma, suggest alternatives
Transportation	Unknown	Unknown	Unknown
Total Est. Known \$ Need	\$752 - \$757 million		

Attachment A to this Staff Report contains a brief status report on all projects contained in the Scope of Work to the contract. Attachment B contains a summary of charges to date by project.

EXECUTIVE OFFICER'S RECOMMENDATION:

The Executive Officer recommends adoption of Resolution No. 1959.

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A. Bond Debt Administration and Support

1. Assist Metro in reviewing reports furnished by Metro's paying agent/registrar, on request.

Status: *No work required to date.*

2. Make presentations to the Metro Council, Council Committees, Bond Counsel, and/or staff as needed.

Status: *PFM has made presentations to the Metro Council on the OWS contract amendment. PFM has also made presentations to various study and advisory groups including the Metro Tax Study Committee, the Greenspaces Advisory Committee, and various Metro departments on a variety of projects*

3. Provide other services normally provided to clients which relate to bond sales, such as assistance in preparation of preliminary and final official statements, scheduling and structuring sales/instruments, contact with rating agencies.

Status: *PFM has assisted in the issuance of two refunding bonds which have saved Metro a combined total of over \$4 million. In addition, PFM helped Metro review lease financing options and helped select the FlexLease program offered by US Bank to provide needed lease financing.*

B. Metropolitan Exposition-Recreation Commission

Advise the Commission regarding alternative financing strategies for capital improvements required for existing facilities operated by the Commission (Oregon Convention Center, Civic Stadium, Civic Auditorium, and the Performing Arts Center). Also advise the Commission regarding financing alternatives for possible new facilities that may be added through intergovernmental agreement or constructed in the future. Advise the Commission on future financing plans for on-going operations of its facilities.

Status: *No work required to date.*

C. General Government Financial Advice

1. On request, assist Metro with its investment policies. This may include advice on compliance with federal arbitrage regulations.

Status: *PFM has provided general advice on Arbitrage Rebate regulations and has provided training to Metro's Investment Manager on Arbitrage Rebate requirements and calculations. PFM has also provided general advice on investment tools which are currently under consideration by the Financial Planning Division.*

2. Assist Metro in the coordination, preparation and update of long range financial and capital improvements plans. Assist in establishing and monitoring financial indicators and in reviewing and updating agency financial policies.

Status: *PFM has provided copies of model financial and debt policies which are being reviewed by Financial Planning staff for possible adoption by Metro.*

3. Assist Metro in researching and analyzing various ongoing funding and financing alternatives. Provide assistance with identifying, researching and implementing new funding sources under Metro's home rule charter.

Status: *PFM researched and provided information on 11 different funding options presented to the Metro Tax Study Committee and analyzed different scenarios requested by the Tax Study Committee.*

4. Assist Metro on certain other matters which may come to Metro's attention which would require the expertise of a financial consultant.

Status: *PFM has provided general advice on financial strategies related to several projects at different stages of development by Metro staff.*

D. Current Projects

It is expected that financial advice will be required on some of the following projects and potential projects.

1. Metro Funding

Status: *PFM researched and provided information on 11 different funding options presented to the Metro Tax Study Committee and analyzed different scenarios requested by the Tax Study Committee. This was presented in a report entitled "Strategic Funding Options." The Tax Study Committee recommended that Metro pursue two of the options included in the "Strategic Funding Report."*

2. Composter Financing

Status: *No work required to date.*

3. Refuse Derived Fuel (Pelletizer) Financing

Status: *No work required to date. This project has been included in the FY 94-95 Budget and is expected to proceed next fiscal year.*

4. Washington County Solid Waste Transfer Station

Status: *PFM provided extensive research into alternative funding arrangements, credit terms, proposed franchise agreements, and other financial aspects of this project.*

5. Regional Facilities (Arts/Cultural/Scientific Facilities) Funding and Financing

Status: *PFM has played an on-going role researching various revenue options for the Cultural Funding Task Force. This role included examining different revenue options and estimating the revenue potential and cost of administration.*

6. Zoo Light Rail Terminal and Parking Funding

Status: *PFM has provide multiple runs of the parking lot pro forma to support negotiations with the other institutions at the site on the revised operating agreement.*

7. Greenspaces and Recreation Capital and Operations Funding

Status: *PFM has provided financial structure analysis and tax rate impact of multiple financing scenarios requested by the Greenspaces staff. Once a preferred scenario has been selected, additional work will be required to prepare for the Greenspaces election and eventual bond issuance.*

8. End of the Oregon Trail Funding

Status: *No work required to date.*

9. Zoo Facilities Projects Funding

Status: *No work required to date.*

10. Regional Transportation Planning Funding

Status: *No work required to date.*

11. Pricing of Data Resource Center Services

Status: *No work required to date.*

Additional work elements:

- Solid Waste Alternative Funding Strategies.

Status: *PFM worked with Solid Waste staff to identify ways to finance aspects of the Solid Waste System using sources other than the tipping fee. Alternatives reviewed to date include advanced disposal fees, hauler-based fees, and municipal fees. Solid Waste staff reports that an additional 40 hours of PFM work will be required on this project.*

- Solid Waste Least Cost Contract Negotiations.

Status: *PFM worked with the Solid Waste Department to develop information for contract negotiations with Oregon Waste Systems related to the Gilliam County Landfill. PFM evaluated contract provisions and tested those provisions under several different scenarios.*

PFM Contract #902953
Actual Charges To Date by Project

<u>Project</u>	<u>Total</u>	<u>FY 93-94</u>	<u>FY 92-93</u>	<u>Charged to ...</u>
Solid Waste Refunding	\$27,958.61	\$27,958.61	\$0.00	Solid Waste
Gen'l Rev. Bond Refunding	33,876.65	33,876.65	0.00	Gen'l Rev. Bond
Cultural Funding	967.61	0.00	967.61	FMI
General Advice	5,157.62	5,157.62	0.00	FMI
Greenspaces	963.00	0.00	963.00	Planning
Solid Waste Contract Review	27,707.05	27,707.05	0.00	Solid Waste
Solid Waste Revenue Study	3,893.00	3,893.00	0.00	Solid Waste
Tax Study Process	39,857.14	20,742.76	19,114.38	FMI
Wash. Co. Transfer	11,027.58	9,955.08	1,072.50	Solid Waste
Zoo Parking	<u>10,342.66</u>	<u>8,847.66</u>	<u>1,495.00</u>	Planning
Total	\$161,750.92	\$138,138.43	\$23,612.49	