



METRO

MEETING: Metro Council
DATE: October 27, 1994
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

4:05
(20 min.) **3. EXECUTIVE OFFICER COMMUNICATIONS**

3.1 LCDC Rule Making Re: Rural Communities

Cooper/
Sadlo

4:25
(5 min.) **4. ORDINANCES, FIRST READINGS**

4.1 Ordinance No. 94-574, An Ordinance Repealing Ordinance No. 94-556C Relating to Taxation (Action Requested: Refer to the Finance Committee)

5. ORDINANCES, SECOND READINGS

REFERRED FROM THE REGIONAL FACILITIES COMMITTEE

4:30
(10 min.) **5.1 Ordinance No. 94-576A, Relating to the Naming of Facilities Owned or Operated by Metro (Action Requested: Motion to Adopt the Ordinance)**

Gates

REFERRED FROM THE FINANCE COMMITTEE

4:40
(10 min.) **5.2 Ordinance No. 94-579, An Ordinance Amending the FY 1994-95 Budget and Appropriations Schedule by Transferring \$35,000 from the General Fund Contingency to Materials and Services in the Regional Parks and Greenspaces Department and Recognizing a \$2,000 Grant from the USDA Soil Conservation Service for the Purpose of Matching Federal Funding to Support the Columbia Slough Envirocorps Project; and Declaring an Emergency (Action Requested: Motion to Adopt the Ordinance)**

6. RESOLUTIONS

REFERRED FROM THE SOLID WASTE COMMITTEE

4:50
(10 min.) **6.1 Resolution No. 94-1974, For the Purpose of Extending the Fuel Purchase Agreements with Devin and Stein Oil Companies Until May 31, 1995 (Action Requested: Motion to Adopt the Resolution)**

Hansen

METRO COUNCIL
October 27, 1994
Page 2

5:00
(30 min.)

7. COUNCILOR COMMUNICATIONS AND COMMITTEE REPORTS

Gates/
Waylett

7.1 Metro Legislative Agenda

5:30

ADJOURN

Meeting Date: October 27, 1994
Agenda Item No. 4.1

ORDINANCE NO. 94-574



METRO

Date: October 17, 1994

To: Metro Council

From: Donald E. Carlson, Council Administrator

Re: Introduction of Ordinance No. 94-574

Please find attached Ordinance No. 94-574 which has been introduced by the Finance Committee and filed with the Council Clerk for First Reading at the October 27, 1994 Council Meeting. The ordinance, if adopted by the Council, would repeal Ordinance No. 94-556C which enacted the Construction Excise Tax, lowered the Metro Excise Tax rate, lowered the Solid Waste Tip Fee and rebated a portion of the voluntary Planning Service Charges paid by local governments.

During discussion of the ordinance at the October 12, 1994 Finance Committee meeting, General Counsel Dan Cooper has given his opinion that the Council should not take action on this ordinance until after November 23, 1994. November 23, 1994 is the date by which any interested party must file petitions for the referral of all or any portion of Ordinance No. 94-556C.

cc: Rena Cusma
Jennifer Sims

94-574 Intro.memo

BEFORE THE METRO COUNCIL

AN ORDINANCE REPEALING
ORDINANCE NO. 94-556C RELATING
TO TAXATION

)
)
)
)

ORDINANCE NO. 94-574

Introduced by Council
Finance Committee

THE METRO COUNCIL ORDAINS:

Section 1. The Council finds that:

1. Ordinance No. 94-556C, a copy of which is attached as Exhibit "A", was adopted by the Council on August 25, 1994.
2. By adoption of Resolution No. 94-2045 the Council has referred the question of approval or disapproval of Ordinance No. 94-556 to the electors of Metro at an election to be held on May 16, 1995.
3. Adoption of Ordinance No. 94-556C was not in the best interests of the District.
4. The Council will after adoption of this Ordinance by separate resolution rescind Resolution No. 94-2045.

Section 2. Ordinance No. 94-556C is repealed.

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

Judy Wyers, Presiding Officer

ATTEST:

Clerk of the Council

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF SUBMITTING TO	)	RESOLUTION NO. 94-2045
THE VOTERS FOR THEIR APPROVAL)	
ORDINANCE 94-556C "AN ORDINANCE	)	Introduced by
RELATING TO TAXATION, ESTABLISHING	)	Councilor Rod Monroe
A CONSTRUCTION EXCISE TAX)	
REDUCING SOLID WASTE RATES AND)	
REFUNDING PLANNING SERVICE FEES)	
TO LOCAL GOVERNMENTS")	

WHEREAS, The Metro Council has approved Ordinance No. 94-556C which contains a balanced package to finance Metro's Charter-mandated regional growth management planning function by establishing a new Construction Excise Tax, lowering the Metro excise tax and solid waste rates, and rebating voluntary payments from local governments; and

WHEREAS, Pursuant to Oregon law a prospective petition has been filed to seek the referral to the voters of only a portion of this package thereby potentially depriving the voters of an opportunity to approve or disapprove of the entire financial package as adopted by the Metro Council; and

WHEREAS, The Council finds that it is the best interests of the Metro region that the entire package of tax-related decisions made by the Council be placed before the voters of Metro for their approval or disapproval as soon as possible; now, therefore,

BE IT RESOLVED:

1. That the Metro Council hereby submits to the qualified voters of the District the question of approval of Ordinance No. 94-556C, a true copy of which is attached as described in Exhibit "A".

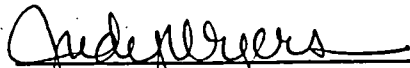
2. That the measure shall be placed on the ballot for a Special election held on the 16th day of May 1995 or the next earliest legally available election date thereafter.

3. That the District shall cause this Resolution and the Ballot Title attached as Exhibit "B" to be submitted to the Elections Officer and the Secretary of State in a timely manner as required by law.

4. That the Executive Officer pursuant to Oregon Law and Metro Code Chapter 9.02 shall transmit this measure, ballot title, an explanatory statement and arguments for or against, if any, to the County Elections Officers for inclusion in any county voters' pamphlets published for the election at which this measure is placed before the voters.

5. If it is approved by a majority of the voters Ordinance No. 94-556C shall become effective on the date specified in Section 39 of the 1992 Metro Charter. If Ordinance No. 94-556C is not approved by a majority of the voters Ordinance No. 94-556C shall not take effect.

ADOPTED by the Metro Council this 13th day of October, 1994.


Judy Wyers, Presiding Officer

gl
1191

BEFORE THE METRO COUNCIL

AN ORDINANCE RELATING TO TAXATION,	)	ORDINANCE NO. 94-556C
ESTABLISHING A CONSTRUCTION EXCISE)	
TAX REDUCING THE METRO EXCISE TAX,	)	Introduced by
REDUCING SOLID WASTE RATES AND	)	Councilor Rod Monroe
REFUNDING PLANNING SERVICE FEES)	
TO LOCAL GOVERNMENTS)	

THE METRO COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. Effective November 1, 1994 or the effective date of this Ordinance, whichever is the latest, the following Chapter 7.02 Construction Excise Tax is added to the Metro Code.

CHAPTER 7.02

CONSTRUCTION EXCISE TAX

SECTIONS:

7.02.010	Short title.
7.02.020	Construction.
7.02.030	Definitions.
7.02.040	Exemptions.
7.02.050	Rules and regulations promulgation.
7.02.060	Administration and enforcement authority.
7.02.070	Imposition of tax.
7.02.080	Rate of tax.
7.02.090	Failure to pay.
7.02.100	Statement of entire floor area required.
7.02.110	Intergovernmental agreements.
7.02.120	Rebates.
7.02.130	Hearings Officer.
7.02.140	Appeals.
7.02.150	Refunds.
7.02.160	Occupation of improvement without payment unlawful.
7.02.170	Enforcement by civil action.
7.02.180	Review.
7.02.190	Failure to pay -- Penalty.
7.02.200	Violation -- Penalty.
7.02.210	Rate stabilization.
7.02.220	Needs assessment.
7.02.230	Dedication of revenues.

7.02.010 Short title: This chapter shall be known as the "Construction Excise Tax Ordinance" and may be so pleaded.

7.02.020 Construction: The construction excise tax ordinance and all amendments hereinafter made thereto shall be referred to herein as "this chapter." This chapter and any terms not defined herein or elsewhere in this Code shall be construed to be consistent with definitions and terminology used in the Oregon State Building Code, 1993 Edition (the Uniform Building Code).

7.02.030 Definitions: As used in this chapter unless the context requires otherwise:

- (a) "Building Official" means any person charged by a municipality with responsibility for the administration and enforcement of a building code.
- (b) "Commercial Construction" means the construction of any building or structure, or portion thereof, that is classified as any occupancy other than a residential occupancy.
- (c) "Construction" means erecting, constructing, enlarging, altering, repairing, moving, improving, removing, converting, or demolishing any building or structure for which the issuance of a building permit is required pursuant to the provisions of Oregon law. Construction also includes the installation of a manufactured dwelling.
- (d) "Contractor" means any person who performs Construction for compensation.
- (e) "Executive Officer" means the Metro Executive Officer.
- (f) "Improvement" means any newly constructed structure or a modification of any existing structure.
- (g) "Major Renovation" means any renovation, alteration or remodeling of an existing building or structure, or portion thereof, that will result in a change in occupancy classification of the building or structure, or portion thereof, from a residential occupancy classification to a non-residential occupancy classification, or from one non-residential occupancy classification to another.
- (h) "Manufactured Dwelling" means any building or structure designed to be used as a residence that is subject to regulation pursuant to ORS ch 446, as further defined in ORS 446.003(26).
- (i) "Occupancy Classification" means any occupancy group or division of any occupancy group as defined by the Oregon State Building Code.

(j) "Person" means and includes individuals, domestic and foreign corporations, societies, joint ventures, associations, firms, partnerships, joint stock companies, clubs or any legal entity whatsoever.

(k) "Residential Construction" means the Construction or installation of any building or structure, or portion thereof, that is classified as a residential occupancy and includes all accessory buildings and structures. The installation of a Manufactured Dwelling is included within the meaning of the term Residential Construction.

(l) "Total Combined Floor Area" means the sum of the floor areas of each floor created by the Construction. Total Combined Floor Area shall be also construed to mean the newly created floor area added to an existing building or structure by any renovation, alternation or remodeling.

(m) "Total Renovated Floor Area" means the Total Combined Floor Area of an existing building or structure, or portion thereof, that is the subject of a Major Renovation.

7.02.040 Exemptions:

(a) No obligation to pay the tax imposed by Section 7.02.070 shall arise from the Construction of any Improvement that is owned by any government entity whether federal, state or local.

(b) The Executive Officer shall pursuant to Sections 7.02.050, 7.02.060 and 7.02.110 exempt from the duty to pay the tax imposed by Section 7.02.070 any Person who would be entitled to a rebate pursuant to Section 7.02.120(a)(2) or Section 7.02.120(a)(3).

7.02.050 Rules and regulations promulgation: The Executive Officer may promulgate rules and regulations necessary for the administration and enforcement of this chapter.

7.02.060 Administration and enforcement authority:

(a) The Executive Officer shall be responsible for the administration and enforcement of this chapter. In exercising the responsibilities of this section of the Executive Officer may act through a designated representative.

(b) In order to carry out the duties imposed by this chapter, the Executive Officer shall have the authority to do the following acts, which enumeration shall not be deemed to be exhaustive, namely: administer oaths; certify to all official acts; to subpoena and require attendance of witnesses at hearings to determine compliance with this chapter, rules and regulations; to require production of relevant documents at public hearings; to swear witnesses; and take testimony of any Person by deposition.

7.02.070 Imposition of tax: An excise tax is imposed on every Person who engages in the act of engaging in Construction within the District. The tax shall be measured by the Total Combined Floor Area constructed or the Total Renovated Floor Area constructed as set forth in Section 7.02.080. If no additional floor area is created or added by the Construction and if the Construction does not constitute a Major Renovation then there shall be no tax due. The tax shall be due and payable at the time of the issuance of any building permit, or installation permit in the case of a manufactured dwelling, by any building authority. Liability for this tax shall attach upon every owner or occupant of property on which the Construction is located and every Contractor who engages in Construction; provided, however, that only one tax must be paid.

7.02.080: Rate of tax: The rate of tax to be paid is set forth in this section for each specific category of Construction:

(a) The rate of tax to be paid for Residential Construction or Commercial Construction shall be 12 cents for each square foot of Total Combined Floor Area constructed.

(b) The rate of tax to be paid for any Major Renovation shall be one-half the rate for Commercial Construction per square foot of Total Renovated Floor Area.

(c) If any Major Renovation results in the addition of additional floor area to an existing building or structure, then the tax to be paid shall be the total tax due pursuant to subsections (a) and (b).

7.02.090 Failure to pay: It shall be unlawful for any Person to fail to pay all or any portion of the tax imposed by this chapter.

7.02.100 Statement of entire floor area required: It shall be unlawful for any Person to fail to state or to misstate the full floor area of any Improvement or Manufactured Dwelling. When any Person pays the tax, within the time provided for payment of the tax, there shall be a conclusive presumption, for purposes of computation of the tax, that the floor area of the Improvement or Manufactured Dwelling is the floor area as determined by the Building Official at the time of issuance of the building permit or installation permit. When any Person fails to pay the tax within the time provided for payment of the tax, the floor area constructed shall be as established by the Executive Officer who may consider the floor area established by the Building Official but may consider other evidence of actual floor area as well.

7.02.110 Intergovernmental agreements: The Executive Officer may enter into intergovernmental agreements with other governments to provide for the enforcement of this chapter and the collection of the Construction Excise Tax. The agreements may provide for the governments to retain no more than 5 percent of the taxes actually collected as

reimbursement of administrative expense and be reimbursed for the government's reasonable, one time, start up costs as set forth in the agreements.

7.02.120 Rebates:

(a) The Executive Officer shall rebate to any Person who has paid a tax the amount of tax actually paid, upon the Person establishing that:

- (1) The tax was paid for the Construction of a single family residence that was sold to its original occupant for a price less than \$100,000; provided that the maximum amount that may be refunded for any one residence is \$125; or
- (2) The Person who paid the tax is a corporation exempt from federal income taxation pursuant to 42 U.S.C. 501(c)(3), or a limited partnership the sole general partner of which is a corporation exempt from federal income taxation pursuant to 42 U.S.C. 501(c)(3), the Construction is used for residential purposes and the property is restricted to being occupied by Persons with incomes less than 50 percent of the median income for a period of 30 years or longer; or
- (3) The Person who paid the tax is exempt from federal income taxation pursuant to 42 U.S.C. 501(c)(3) and the Construction is dedicated for use for the purpose of providing charitable services to Persons with incomes less than 50 percent of the median income.

(b) In the event the tax was paid for Construction that is eligible for a rebate for only a portion of the Construction, the Executive Officer shall rebate only the tax paid for the eligible portion.

(c) The Executive Officer may require any Person seeking a refund to demonstrate that the Person is eligible for a refund and that all necessary facts to support the refund are established.

(d) The Executive Officer shall either rebate all amounts due under this section within 30 days of receipt of a complete application for the rebate or give written notice of the reasons why the application has been denied. Any denial of any application may be appealed as provided for in Section 7.02.140.

7.02.130 Hearings Officer: The Executive Officer shall appoint a hearings officer to conduct hearings related to enforcement or appeals of this Chapter. All hearings shall be conducted in accordance with rules and regulations adopted by the Executive Officer.

7.02.140 Appeals: Any Person who is aggrieved by any determination of the Executive Officer regarding liability for payment of the tax, the amount of tax owed, or the amount of tax that is subject to refund or rebate may appeal the determination in accordance with Section 7.02.140. All appeals must be in writing and must be filed within 10 days of the determination by the Executive Officer. No appeal may be made unless the Person has first paid the tax due as determined by the Executive Officer.

7.02.150 Refunds:

(a) Upon written request, the Executive Officer shall refund any tax paid upon the Person who paid the tax establishing that Construction was not commenced and that any building permit issued has been cancelled as provided by law.

(b) The Executive Officer shall either refund all amounts due under this section within 30 days of a complete application for the refund or give written notice of the reasons why the application has been denied. Any denial of any application may be appealed as provided for in Section 7.02.140.

7.02.160 Occupation of improvement without payment unlawful: It shall be unlawful for any Person to occupy any Improvement unless the tax imposed by this chapter has been paid.

7.02.170 Enforcement by civil action: The tax and any penalty imposed by this chapter constitutes a debt of the Person liable for the tax as set forth in Section 7.02.070 of this chapter and may be collected by the Executive Officer in an action at law. If litigation is necessary to collect the tax and any penalty, the prevailing party shall be entitled to reasonable attorney fees at trial or on appeal. The Office of General Counsel is authorized to prosecute any action needed to enforce this chapter as requested by the Executive Officer.

7.02.180 Review: Review of any action of the Executive Officer taken pursuant to this chapter, or the rules and regulations adopted pursuant thereto, shall be taken solely and exclusively by writ of review in the manner set forth in ORS 34.010 through 34.100, provided, however, that any aggrieved Person may demand such relief by writ of review..

7.02.190 Failure to pay -- Penalty: In addition to any other fine or penalty provided by this chapter, failure to pay the tax within fifteen days of the date of issuance of any building permit for any Improvement or installation permit for any Manufactured Dwelling shall result in a penalty equal to the amount of tax owed or \$50.00, whichever is greater.

7.02.200 Violation -- Penalty:

(a) In addition to any other civil enforcement provided herein, violation of this chapter shall be a misdemeanor and shall be punishable, upon conviction, by a fine of not more than five hundred dollars.

(b) Violation of this chapter by any officer, director, partner or other Person having direction or control over any Person violating this chapter shall subject each such Person to such fine.

7.02.210 Rate stabilization: In order to protect against the cyclical nature of the construction industry and development patterns, the Council shall annually as part of the budget process create reserves from the revenues generated by the construction excise tax that are designed to protect against future fluctuations so as to promote stability in the rate of tax needed to support required programs.

7.02.220 Needs assessment: Prior to July 1, 1998, the Council shall conduct a needs assessment review of the Construction Excise Tax to determine whether it is necessary to continue the tax beyond the period of adoption and implementation of the Regional Framework Plan. In conducting the assessment, the Council shall hold at least two public hearings.

7.02.230 Dedication of revenues: Revenue derived from the imposition of this tax after deduction of necessary costs of collection shall be dedicated solely to carrying out the Regional Planning Functions of Metro mandated by Section 5 of the 1992 Metro Charter.

Section 2. Section 7.01.020 of the Metro Code is amended to read as follows:

7.01.020 Tax Imposed:

(a) For the privilege of use of the facilities, equipment, systems, functions, services, or Improvements owned, operated, franchised, or provided by the District, each user shall pay a tax in the amount established in subsection 7.01.020(b) but not to exceed six (6) percent of the payment charged by the operator or the District for such use. The tax constitutes a debt owed by the user to the District which is extinguished only by payment of the tax directly to the District or by the operator to the District. The user shall pay the tax to the District or to an operator at the time payment for the use is made. The operator shall enter the tax on his/her records when payment is collected if the operator keeps his/her records on the cash basis of accounting and when earned if the operator keeps his/her records on the accrual basis of accounting. If installment payments are paid to an operator, a proportionate share of the tax shall be paid by the user to the operator with each installment.

(b) The Council may for any annual period commencing July 1 of any year and ending on June 30 of the following year establish a tax rate lower than the rate of tax provided for in subsection 7.01.020(a) by so providing in the annual budget ordinance adopted by the District. If the Council so establishes a lower rate of tax, the Executive Officer shall immediately notify all operators of the new tax rate. Upon the end of the fiscal year the rate of tax shall revert to the maximum rate established in subsection 7.01.020(a) unchanged for the next year unless further action to establish a lower rate is adopted by the Council as provided for herein.

Section 3. Metro Code Section 5.02.025 and 5.02.045 is amended to read as follows:

5.02.025 Disposal Charges at Metro South Station, Metro Central Station and the Metro Household Hazardous Waste Facilities:

(a) Total fees for disposal by credit account customers shall be \$73.00 per ton of solid waste delivered for disposal at Metro South Station or Metro Central Station.

(b) Total fees for disposal by cash account customers shall be \$100.00 per ton of solid waste delivered for disposal at Metro South Station or Metro Central Station. A cash account customer delivering a load of waste such that no portion of the waste is visible to Metro scalehouse personnel (unless the waste is only visible through a secure covering), shall receive a 25 percent rebate.

(c) The total disposal fees specified in subsection (a) and (b) of this section include:

- (1) A disposal fee of \$37.70 per ton;
- (2) A regional transfer charge of \$7.10 per ton;
- (3) The user fees specified in Section 5.02.045;
- (4) An enhancement fee of \$.50 per ton; and
- (5) DEQ fees totaling \$1.05 per ton.

(d) Notwithstanding subsection (b) of this section, cash account customers using Metro South Station or Metro Central Station, who have separated and included in their loads at least one half cubic yard of recyclable material (as defined in ORS 459.005) shall receive a \$3.00 credit toward their disposal charge if their load is transported inside a passenger car or in a pickup truck not greater than a 3/4 ton capacity.

(e) The minimum charge shall be \$19.00 for all credit account vehicles and shall be \$25.00 for all cash account vehicles. The minimum charge shall be adjusted by the covered load rebate as specified in subsection (b) of this section, and may also be reduced by application of the recycling credit provided in subsection (d) of this section. If both the rebate and the recycling credit are applicable, the rebate shall be calculated first.

(f) Total fees assessed at Metro facilities shall be rounded to the nearest whole dollar amount (a \$.50 charge shall be rounded up) for all cash account customers.

(g) A fee of \$5.00 is established to be charged at the Metro Household Hazardous Waste facilities for each load of Household Hazardous Waste.

(h) A fee of \$10.00 is established at the Metro Household Hazardous Waste facilities for special loads.

(i) The following table summarizes the disposal charges to be collected by Metro from all persons disposing of solid waste at Metro South Station and Metro Central Station:

**METRO SOUTH STATION
METRO CENTRAL STATION**

Fee Component	\$ / Ton	Tonnage Rate
Disposal Fee		\$37.70
Regional User Fee		17.25
Metro User Fee		9.40
Regional Transfer Charge		7.10
Total Rate		\$71.45
Additional Fees		
Enhancement Fee		\$.50
DEQ Fees		1.05
Total Disposal Fee		\$73.00
Minimum Charge		
Per Charge Account Vehicle		\$19.00
Per Cash Account Vehicle (subject to possible covered load rebate and recycling credit)		25.00

Tires	Type of Tire	Per Unit
	Car tires off rim	\$ 1.00
	Car tires on rim	3.00
	Truck tires off rim	5.00
	Truck tires on rim	8.00
	Any tire 21 inches or larger diameter off or on rim	\$12.00

5.02.045 User Fees:

The following user fees shall be collected and paid to Metro by the operators of solid waste disposal facilities, whether within or outside of the boundaries of Metro, for the disposal of solid waste generated, originating, collected or disposed of within Metro boundaries, in accordance with Metro Code Section 5.01.150:

(a) Regional User Fee:

For compacted or noncompacted solid waste, \$17.25 per ton delivered.

(b) Metro User Fee:

\$9.40 per ton for all solid waste delivered to Metro-owned or operated facilities.

(c) Inert material, including but not limited to earth, sand, stone, crushed stone, crushed concrete, broken asphaltic concrete and wood chips used at the St. Johns Landfill for cover, diking, road base or other internal use shall be exempt from the above user fees.

(d) User fees shall not apply to wastes received at franchised processing centers that accomplish materials recovery and recycling as a primary operation.

(e) Notwithstanding the provisions of (a) and (b) above, Metro User Fees may be assessed as may be appropriate for solid waste which is the subject of a Non-System License under Chapter 5.05 of the Metro Code.

Section 4. The Executive Officer shall rebate to each local government that has made a voluntary payment to Metro in lieu of the per capita payments required by the provisions of former ORS 268.513 for fiscal year 1994-95 an amount equal to amount of the payment made to Metro multiplied by a fraction equal to the number of days remaining in fiscal year 1994-95 on the effective date of this Ordinance divided by 365.

Section 5. The Metro Construction Excise Tax established pursuant to Metro Code Chapter 7.02 shall not be imposed on and no person shall be liable to pay any tax for any construction activity that is commenced pursuant to a building permit issued on or after July 1, 2000.

ADOPTED by the Metro Council this 25th day of August, 1994.


Ed Washington, Deputy Presiding Officer

ATTEST:


Clerk of the Council

gl1166i

EXHIBIT "B"

- "Caption:** New Metro Construction tax, will lower excise tax, garbage fees."
- "Question:** Shall Metro charge new tax on construction dedicated to voter required growth planning; reduce excise tax and solid waste rates?"
- "Explanation:** Sets tax on new construction. Tax is twelve cents per square foot. Tax rate for remodeling is six cents per square foot. Exempts low cost homes and low income housing. Exempts most home remodels. Tax proceeds are dedicated to voter required growth management planning. Tax ends July 1, 2000. Lowers Metro excise tax on solid waste, zoo and convention center from 7.5 percent to 6 percent. Lowers solid waste tip fees from 75 dollars per ton to 73. Gives rebates of fees to local governments."

gl
1191

Meeting Date: October 27, 1994
Agenda Item No. 5.1

ORDINANCE NO. 94-576A

REGIONAL FACILITIES COMMITTEE REPORT

ORDINANCE NO. 94-576A, RELATING TO THE NAMING OF FACILITIES OWNED OR OPERATED BY METRO

Date: October 20, 1994

Presented by: Councilor Gates

COMMITTEE RECOMMENDATION: At its October 19, 1994 meeting the Regional Facilities Committee voted 5-0 to recommend Council adoption of Ordinance No. 94-576A. All committee members were present and voted in favor.

COMMITTEE DISCUSSION/ISSUES: Council Analyst Casey Short presented the staff report. He noted that the committee considered this ordinance at its meeting of October 5, and he had subsequently drafted amendments that committee members had requested. He summarized those changes, in sections b, c, and d of Section 2.14.020, "Policy for Naming of Facilities." Mr. Short pointed out that the ordinance would take the Council out of the process for naming a facility Metro does not own; only a facility's owner has the authority to name it. He distributed MERC's policy for naming facilities at the Portland Center for the Performing Arts (Attachment 1 to this committee report).

MERC General Manager Pat LaCrosse said the MERC Commissioners have reviewed the ordinance and support it.

Councilor Gates moved to add a clarification in section e, to state that a part of a facility "may be named after a person or persons, living or deceased,"

Councilor Moore asked if it was the committee's intent, in section c, to allow facilities to be named after living persons, except those who had held elective office. Councilor Hansen said she supported the language as proposed. Councilor Gates said his concern was to preclude anyone using the naming process for political gain. Councilor Moore suggesting changing the wording so the section would be positive ("A Metro facility may be named . . . ") rather than negative ("No Metro facility shall be named . . . "), and Councilor Gates so amended his motion.

Chair Hansen opened a public hearing and no one testified.

METROPOLITAN EXPOSITION-RECREATION COMMISSION

RESOLUTION NO. 176

ORDINANCE NO. 94-576A
Committee Report
Attachment 1

RECEIVED MAY 18 1992

Whereas the Metropolitan Exposition-Recreation Commission has been requested to approve a Policy for Naming Buildings, Theatres, and Spaces at the Portland Center for the Performing Arts.

THE METROPOLITAN EXPOSITION-RECREATION COMMISSION FINDS:

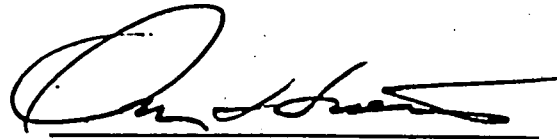
1. That the Portland Center for the Performing Arts Advisory Committee worked diligently to write such a policy;
2. That the Advisory Committee adopted the policy and has forwarded it to the Commission;
3. That the policy clearly defines methods of naming and memorializing spaces at the Portland Center for the Performing Arts;
4. That the policy is appropriate for the Portland Center for the Performing Arts;

BE IT THEREFORE RESOLVED that the Metropolitan Exposition-Recreation Commission adopts that policy attached as Exhibit "A".

Passed by the Commission on May 13, 1992.



Chairman



Secretary/Treasurer

APPROVED AS TO FORM:



Metro General Counsel



Portland Center for the Performing Arts

Robert A. Freedman, Director / Portland Civic Auditorium • Arlene Schnitzer Concert Hall • Intermediate Theatre • Dolores Winningstad Theatre

May 5, 1992

TO: Metropolitan Exposition-Recreation Commission

FROM: Robert A. Freedman *(RAF)*
Director, Portland Center for the Performing Arts

SUBJECT: Naming Policy

Background

Approximately one year ago, Commissioner Lindberg's office received several inquiries about the possibility of naming the Intermediate Theatre. These inquiries brought to light that the Portland Center for the Performing Arts did not have a policy or guidelines for handling these requests. Commissioner Lindberg's office requested that the Portland Center for the Performing Arts Advisory Committee look at this issue and determine if a policy and/or guidelines could be established.

Advisory Committee Chairperson, Harriet Sherburne asked Pam Baker to chair a sub-committee and report back to the full committee. The sub-committee members were: Pam Baker, Chair, Richard Ares, George Bell, Robert Freedman, Cindy Fuhrman, Kathleen Johnson-Kuhn, Mary Ann Normandin and Vickie Rocker.

The sub-committee reviewed naming policies that have been adopted by other area organizations such as the Zoo, Metro and the City of Portland's Parks Department.

Many issues were deliberated in the several meetings of the sub-committee and the result is the attached document which addresses the naming of spaces as a result of a contribution and the memorializing of space for an individual.

The Portland Center for the Performing Arts Advisory Committee passed the policy in their February meeting and is now submitting the document on to the Metropolitan Exposition-Recreation Commission for review and adoption.

Recommendation

It is recommended that the attached **POLICY FOR NAMING BUILDINGS, THEATRES AND SPACES AT THE PORTLAND CENTER FOR THE PERFORMING ARTS** be adopted by the Commission.

Lee Fuhrman
General Manager's Concurrence

**POLICY FOR NAMING
BUILDINGS, THEATRES AND SPACES
AT THE
PORTLAND CENTER FOR THE PERFORMING ARTS**

The quality of life in the Portland metropolitan region is greatly enhanced by the existence of the Portland Center for the Performing Arts. The facility and its programs could not exist without significant contributions of time and resources from citizens (individuals, families, organizations, corporations, etc).

From time to time, it may be appropriate to name certain parts of the facilities of the Portland Center for the Performing Arts for significant citizens. Numerous naming opportunities exist: buildings, theatres, dressing, meeting and rehearsal rooms. Public and private spaces lend themselves well to the recognition of a significant dedication to the region's premiere performing arts space and cultural life.

Such naming opportunities shall be in keeping with the public image of the Portland Center for the Performing Arts, signifying dedication to the arts and/or appropriate financial gifts.

These guidelines are to provide assistance to those reviewing such requests.

NAMING PROPOSAL AND APPROVAL

In general, requests for naming shall be addressed to the Director of the Portland Center for the Performing Arts. After initial staff review, the request shall be forwarded to the Portland Center for the Performing Arts Advisory Committee. Upon recommendation of the Advisory Committee, the request shall be forwarded to the Metropolitan Exposition-Recreation Commission for approval, and then on to the City and the Metro Councils. Should a proposal not be accepted, an appeal may be made to a joint committee consisting of the City Commissioner who oversees the Metropolitan Arts Commission and the chair of Metro's Regional Facilities Committee.

GENERAL CRITERIA

The Portland Center for the Performing Arts is a highly visible entity. Any naming shall be done with patience and deliberation; and shall be consistent with the public image of the facility, as well as:

1. Convey a cohesive marketing identity among the individual parts and of the facilities as a whole;
2. Carry both a regional identity as well as recognition of the role the City of Portland has played in the development of the Center;
3. Carry names that are consistent with the use of particular buildings, theatres, public spaces and various function rooms (i.e. "The John Doe Star Dressing Room" or "The John Doe Rotunda", etc.);
4. Minimize and/or avoid confusion about the exact nature of the facilities; and
5. Be in keeping with the overall value to the community of the facilities and their operation.

The magnitude of recognition shall be in keeping with the significance of the contribution to the cultural life of the Portland metropolitan region.

MEMORIALS

Consideration in providing such recognition shall be in acknowledgment of an individual's substantial efforts to improve the quality of the cultural life of the Portland metropolitan area. The following criteria shall be used as a guideline for consideration of naming any space as a memorial to an individual:

1. Significant contribution of time and talent or financial support to the fostering of the arts;
2. Significant leadership in increasing the visibility, viability and health of cultural activities and/or organizations; and
3. Community-wide recognition of the individual's name.

The individual shall be deceased for at least 2 years, and approval for the naming granted by the next of kin.

RECOGNITION OF GIFTS

Consideration in providing such recognition shall be in acknowledgment of a citizen's substantial and/or sustaining financial contribution to improve the quality of the cultural life of the Portland metropolitan area. The following criteria shall be used as a guideline for consideration of naming any space for a citizen:

1. The gift shall be appropriate to the place to be named. A suggested list of spaces and donations is attached. This list shall be reviewed and updated from time to time.
2. The potential naming shall be reviewed in keeping with the goals of the Portland Center for the Performing Arts.
3. The gift shall be significant in improving the viability and financial strength of the Portland Center for the Performing Arts.
4. The gift shall be unrestricted in nature and shall not contain provisions for matching requirements from any other source. However, consideration may be given to a restricted gift under special circumstances and would depend upon the nature of the restriction and review by the Advisory Committee of the Portland Center for the Performing Arts.
5. The naming shall not construe endorsement of any particular product or service.
6. Each gift shall be recognized with appropriate, architecturally compatible signage as recommended by the Portland Center for the Performing Arts Advisory Committee and approved by the Metropolitan Exposition-Recreation Commission.

RECOMMENDED GIFTS OPPORTUNITIES

PORTLAND CENTER FOR THE PERFORMING ARTS

PORTLAND CENTER FOR THE PERFORMING ARTS	\$19,000,000	City of Portland
ARLENE SCHNITZER CONCERT HALL	1,000,000	Arlene Schnitzer
Conductor's Suite	50,000	McCoy Foundation
Star Dressing Room	50,000	McCoy Foundation
Performer's Lounge	50,000	Lloyd Foundation
Pianos: 9-foot	50,000	Lloyd Foundation
7-foot	25,000	Pacific NW Bell
Crystal for Grand Lobby Chandeliers	20,000	Zell Brothers
Grand Lobby	500,000	Available
Dress Circle seating	200,000	Available
Acoustical Shell	150,000	Available
House Sound System	100,000	Available
Acoustical Enhancement System	100,000	Available
Choir Loft	75,000	Available
Chorus Warm-up Room	50,000	Available
Stage Floor & Orchestra Pit Elevator	50,000	Available
Seats (each)	500	Available
NEW THEATRE BUILDING	1,500,000	Available
Grand Lobby	150,000	Anonymous
Glass Ceiling Dome in Lobby	50,000	M/M Fred MacDonald
Concession Bar	50,000	Anonymous
Actors' Entrance (Broadway at Madison)	75,000	Available
Central Box Office	50,000	Available
INTERMEDIATE THEATRE	650,000	Available
Piano: 7-foot	25,000	Portland Rotary Fdtn.
Lighting/Sound/Broadcast/ Directors' Control Booth	75,000	Available
Act Curtain	75,000	Available
Green Room/Lounge	75,000	Available
Stage Floor & Orchestra Pit Elevator	50,000	Available
Acoustical Shell	50,000	Available
Seats (each)	500	Available
WINNINGSTAD THEATRE	250,000	Winningstad
Auditorium Floor & Lifts	100,000	Available
Seating Stalls: Orchestra Level	50,000	Available
First Balcony Level	50,000	Available
Second Balcony	50,000	Available
Stage Floor & Orchestra Pit Elevator	50,000	Available
Seats (each)	500	Available
STUDIO/RECITAL HALL	350,000	Available

CIVIC AUDITORIUM	1,500,000	Available
<u>FRONT OF HOUSE:</u>		
Main Lobby	200,000	Available
(2) Main Lobby Concession Stands	50,000	Available
(2) Entrance Vestibules	25,000	Available
Ticket Office	25,000	Available
Coat Room	15,000	Available
(2) Elevators	10,000	Available
Men & Ladies Room Foyers	15,000	Available
Display Cases	5,000	Available
Main Floor Corridors	10,000	Available
<u>BOX LEVEL:</u>		
(2) Box Level Foyers	50,000	Available
(6) Center Boxes	100,000	Available
(2) Off-Center Boxes	15,000	Available
(8) Side Boxes	10,000	Available
<u>FRONT BALCONY LEVEL:</u>		
Front Balcony Lobby	35,000	Available
(2) Concession Stands	25,000	Available
Men & Ladies Foyers/Restrooms	10,000	Available
<u>SECOND BALCONY LEVEL:</u>		
Second Balcony Foyer	30,000	Available
(2) Concessions Stands	20,000	Available
Men & Ladies Foyers/Restrooms	5,000	Available
<u>BACKSTAGE:</u>		
Light Boards	25,000	Available
Sound Console	25,000	Available
Stage Rigging	100,000	Available
Stage Left and Prop Area	25,000	Available
Stage Shell	50,000	Available
Main Curtain	15,000	Available
Green Room	25,000	Available
Production Office	10,000	Available
(2) Star Dressing Rooms	15,000	Available
Lower Level Lounge Area	10,000	Available
(3) Lower Level Dressing Rooms	5,000	Available
Orchestra Pit	10,000	Available
<u>SECOND FLOOR:</u>		
Chorus Room	10,000	Available
(3) Dressing Rooms	5,000	Available
<u>THIRD FLOOR:</u>		
Chorus Room	7,500	Available
(4) Dressing Rooms	3,500	Available
<u>FOURTH FLOOR:</u>		
Chorus Room	5,000	Available
(3) Dressing Rooms	2,500	Available
<u>FIFTH FLOOR:</u>		
Chorus Room	2,500	Available
(3) Dressing Rooms	1,500	Available

BEFORE THE METRO COUNCIL

AN ORDINANCE RELATING TO	)	ORDINANCE NO. 94-576A
THE NAMING OF FACILITIES)	
OWNED OR OPERATED BY METRO	)	Introduced by Councilors
	)	Sandi Hansen and Jon Kvistad

THE METRO COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. The following Chapter 2.14 Naming of Facilities is added to the Metro Code.

CHAPTER 2.14
NAMING OF FACILITIES

SECTIONS:

2.14.010	Statement of Purpose
2.14.020	Policy for Naming of Facilities
2.14.030	Facility Names

2.14.010 Statement of Purpose: This chapter is established to provide a policy for the naming of facilities owned or operated by Metro. This policy includes facilities that are operated by a Metro department, commission, or other entity which has responsibility for facility operations.

2.14.020 Policy for Naming of Facilities:

(a) Facilities owned by Metro shall be named through adoption of an ordinance by the Metro Council. Such an ordinance shall state the name and address of the facility, which shall be included in this chapter. For purposes of this section, a "facility" shall be a building, which may contain one or more rooms, theaters, halls, offices, exhibits, etc., a group of buildings under common management with a shared mission, or a zoo, park, open space, trail, cemetery, golf course, boat ramp, or other outdoor area owned by Metro.

(b) The principal purpose of the name of a facility shall be to identify the facility's function and purpose. When the Council deems it to be practicable and advisable, the name may also reflect the facility's ownership, location, [and] source or sources of funding for its construction, or the contribution of effort made by a person or persons toward its construction, acquisition, or operation.

(c) A ~~No~~ Metro facility ~~may~~~~[shall]~~ be named after any living person ~~who has not held elective office in Oregon~~~~[, except as stipulated in Section 2.14.020(d) of this Chapter]~~. In the event Metro acquires ownership of a facility that was named after a living person by the facility's former owner, the facility shall continue to bear that name.

(d) A Metro facility may be named for a deceased person in recognition of the person's significant contribution of effort or money in support of the facility or its construction or mission, in conformance with an adopted policy of the Metro Council ~~[or a Metro commission which operates the facility]~~.

(e) Individual parts of a facility, including but not limited to theaters, exhibits, ballrooms, meeting rooms, halls, lobbies, and equipment, may be named after a person or persons, living or deceased by adoption of a resolution by the Metro Council or relevant operating commission; provided, however, that such a resolution adopted by a commission shall be subject to review by the Metro Council as stipulated in the Metro Code.

(f) Facilities which Metro operates but does not own may not be named or re-named by Metro or a Metro commission. The owner(s) of such facilities shall retain authority for their naming or re-naming.

2.14.030 Facility Names:

(a) The following are the names and addresses of the facilities owned by Metro:

- Oregon Convention Center, 777 NE Martin Luther King Blvd., Portland, Oregon
- Metro Central Transfer Station, 6161 NW 61st Avenue, Portland, Oregon
- Metro Regional Center, 600 NE Grand Avenue, Portland, Oregon
- Metro South Transfer Station, 2001 Washington St., Oregon City, Oregon
- Metro Washington Park Zoo, 4001 SW Canyon Rd., Portland, Oregon

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

ATTEST:

Judy Wyers, Presiding Officer

Clerk of the Council

Meeting Date: October 27, 1994
Agenda Item No. 5.2

ORDINANCE NO. 94-579

REGIONAL FACILITIES COMMITTEE REPORT

ORDINANCE NO. 94-579, AMENDING THE FY 1994-95 BUDGET AND APPROPRIATIONS SCHEDULE BY TRANSFERRING \$35,000 FROM THE GENERAL FUND CONTINGENCY TO MATERIALS AND SERVICES IN THE REGIONAL PARKS AND GREENSPACES DEPARTMENT AND RECOGNIZING A \$2,000 GRANT FROM THE USDA SOIL CONSERVATION SERVICE FOR THE PURPOSE OF MATCHING FEDERAL FUNDING TO SUPPORT THE COLUMBIA SLOUGH ENVIROCORPS PROJECT; AND DECLARING AN EMERGENCY

Date: October 20, 1994

Presented by: Councilor Washington

COMMITTEE RECOMMENDATION: At its October 19, 1994 meeting the Regional Facilities Committee voted 5-0 to recommend Council adoption of Ordinance No. 94-579. All committee members were present and voted in favor.

COMMITTEE DISCUSSION/ISSUES: Regional Parks & Greenspaces Director Charlie Ciecko and Planning and Capital Development Manager Pat Lee presented the staff report. Mr. Ciecko discussed the background of the Americorps program and this Envirocorps project, noting that Councilor Washington has been instrumental in developing the grant application and seeing the project through the development and funding stages. He acknowledged the partners in the project with Metro, and acknowledged the work of Metro employees Jim Morgan and Rosemary Furfey in developing a successful grant application. Mr. Lee said the proposed program addressed several holes in earlier Greenspaces efforts, including the direct involvement of citizens in North and Northeast Portland and featuring the Smith & Bybee Lakes area, filling gaps in the eastside Willamette Greenway and the 40-Mile Loop, and pulling together different agencies with interest in reclaiming the Columbia Slough. He discussed the specific budget request of \$35,000 from the General Fund contingency, which would provide funding for a program coordinator and leverage \$280,000 in total costs for the program. He said this position will be an East Multnomah County Soil and Water Conservation District employee, which will provide savings in overhead costs to help meet shortfalls in the federal grant. Mr. Lee said time is of the essence because the federal government's expectation is that the program has begun as of October 1, so he requested this item be on the Council's October 27 agenda.

Councilor Moore asked what the total Metro match had to be. Mr. Lee said Metro's commitment is for \$35,000 in hard match and an additional \$30,500 in soft match. The soft match is described in the staff report, and includes \$16,000 in staff time (Mr. Morgan and Ms. Furfey are each to dedicate 1/8 of their time to this project), \$2,000 for office supplies and equipment from the Soil Conservation Service grant, and \$12,500 in design services which is budgeted in the Natural Areas Fund from Multnomah County. Councilor Moore said she is concerned that Ms. Furfey already needs help to perform her responsibilities in basin planning, and

this would take away some of her time. Mr. Ciecko said he understood Councilor Moore's concern, and he has a similar concern with Mr. Morgan, but he felt that dedicating staff resources was necessary to get the program going in the first year in light of the federal grant's being smaller than anticipated. He added that additional support would be sought if the program is continued for a second year. Councilor Moore said she wanted to know from the Planning Department what Ms. Furfey would not be able to do because of her commitment to this project. Councilor Washington said that has been discussed with the Planning Department Director, and said that question would be addressed at the Finance Committee on October 26.

Councilor Moore asked why the City of Portland's Bureau of Environmental Services is not shown as a partner in this project. She said her concern is that their efforts in the Columbia Slough not be duplicated or supplanted by this project. Councilors Washington and Hansen said the City is aware of this project, and its participation will come in the future. Mr. Lee added that this project will serve to implement some of the planning that the Bureau of Environmental Services has been doing on Columbia Slough cleanup.

Councilor Hansen asked if this project is tied in with Roosevelt High School's work in the area of the Slough and the Lakes. Mr. Morgan said it is.

Chair Hansen opened a public hearing and no one testified.

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING THE FY 1994-95	)	ORDINANCE NO. 94-579
BUDGET AND APPROPRIATIONS)	
SCHEDULE BY TRANSFERRING \$35,000	)	Introduced by Ed Washington,
FROM THE GENERAL FUND CONTINGENCY	)	Deputy Presiding Officer
TO MATERIALS AND SERVICES IN THE)	
REGIONAL PARKS AND GREENSPACES)	
DEPARTMENT AND RECOGNIZING A \$2,000)	
GRANT FROM THE USDA SOIL)	
CONSERVATION SERVICE FOR THE)	
PURPOSE OF MATCHING FEDERAL)	
FUNDING TO SUPPORT THE COLUMBIA)	
SLOUGH ENVIROCORPS PROJECT; AND)	
DECLARING AN EMERGENCY)	

WHEREAS, The Metro Council has reviewed and considered the need to transfer appropriations within the FY 1994-95 Budget; and

WHEREAS, ORS 294.326(2) allows the expenditure in the year of receipt of grants received in trust for specific purpose without a supplemental budget; and

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

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

THE METRO COUNCIL HEREBY ORDAINS;

1. That the FY 1994-95 Budget and Schedule of Appropriations are hereby amended as shown in the column titled "Revision" of Exhibits A and B to this Ordinance for the purpose of transferring \$35,000 from the General Fund Contingency to the Regional Parks and Expo Fund and recognizing a \$2,000 grant from the USDA Soil Conservation Service to provide match for federal funding and support the Columbia Slough Envirocorps Project.

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.

ATTEST:

Judy Wyers, Presiding Officer

Clerk of Council

l:\budget\fy94-95\budord\94-579\579ORD.DOC
KTR

Exhibit A
Ordinance No. 94-579

FISCAL YEAR 1994-95		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		303,807		0		303,807
581610	Trans. Indirect Costs to Support Svcs. Fund		519,495		0		519,495
581615	Trans. Indirect Costs to Risk Mgmt. Fund-Gen'l		3,244		0		3,244
581615	Trans. Indirect Costs to Risk Mgmt. Fund-Workers' Comp		6,008		0		6,008
583610	Trans. Direct Costs to Support Svcs. Fund		28,130		0		28,130
583615	Trans. Direct Costs to Risk Management Fund		15,758		0		15,758
	Excise Tax Transfers				0		
582140	Trans. Resources to Planning Fund		2,676,264		0		2,676,264
582513	Trans. Resources to Building Mgmt. Fund		55,984		0		55,984
582610	Trans. Resources to Support Svcs. Fund		0		0		0
582160	Trans. Resources to Reg. Parks/Expo Fund		509,335		35,000		544,335
582160	Trans. Resources to Reg. Parks/Expo Fund (contingency)		84,474		0		84,474
Total Interfund Transfers			4,202,499		35,000		4,237,499
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		550,575		(35,000)		515,575
599990	Unappropriated Fund Balance		200,000		0		200,000
Total Contingency and Unappropriated Balance			750,575		(35,000)		715,575
TOTAL EXPENDITURES		13.50	6,664,018	0.00	0	13.50	6,664,018

Exhibit A
Ordinance No. 94-579

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>							
305000	Fund Balance - general (Intergov't Rev)		495,040		0		495,040
391010	Trans. of Resources from General Fund		84,474		0		84,474
REGIONAL PARKS & GREENSPACES							
305000	Fund Balance - restricted		256,494		0		256,494
322000	Boat Ramp Use Permit		400		0		400
331110	Federal Grants-Operating-Direct						
	U.S. Fish & Wildlife Service (Years 1 & 2)		362,581		0		362,581
	U.S. Fish & Wildlife Service (Year 3)		218,000		0		218,000
	U.S. Fish & Wildlife Service (Year 4)		228,000		0		228,000
	USDA Soil Conservation Service		0		2,000		2,000
331120	Federal Grants-Operating-Indirect						
	NSF/Saturday Academy		14,346		0		14,346
	FHWA/CMAQ		20,340		0		20,340
331300	Federal Grants-Capital		10,000		0		10,000
334110	State Grants-Operating-Direct						
	Oregon State Parks		15,000		0		15,000
337210	Local Grants-Operating-Direct				0		
	City of Portland, IPA/EPA		27,500		0		27,500
	Local governments		26,500		0		26,500
	Bybee-Howell		15,000		0		15,000
338000	Local Gov't Shared Revenues-R.V. Registration Fees		271,000		0		271,000
338200	Local Gov't Shared Revenues-Marine Fuel Tax		135,000		0		135,000
339200	Intergovernmental Revenue (County transfer)		10,300		0		10,300
339200	Contract Services		465,979		0		465,979
341700	Cemetery Services		93,523		0		93,523
341710	Cemetery Sales		42,736		0		42,736
347100	Admissions		325,000		0		325,000
347120	Reservation Fees		100,244		0		100,244
347220	Rental-Buildings		50,000		0		50,000
347300	Food Service		5,850		0		5,850
347830	Contract Revenue		699,188		0		699,188
347900	Other Miscellaneous Revenue		20,900		0		20,900
347960	Boat Launch Fees		110,000		0		110,000
361100	Interest Earned		26,726		0		26,726
373500	Sale of Proprietary Assets		15,277		0		15,277
391010	Trans. of Resources from General Fund		509,335		35,000		544,335
393761	Trans. Direct Costs from Smith & Bybee Lakes Fund		25,429		0		25,429
39376X	Trans. Direct Costs from Regional Parks Trust Fund		3,960		0		3,960
EXPO CENTER							
305000	Fund Balance - restricted		243,000		0		243,000
347220	Rental-Buildings		518,620		0		518,620
347300	Food Service		443,560		0		443,560
347900	Other Miscellaneous Revenue		78,460		0		78,460
374000	Parking Fees		541,890		0		541,890
TOTAL RESOURCES			6,509,652		37,000		6,546,652

Exhibit A
Ordinance No. 94-579

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Regional Parks and Greenspaces Department							
Total Personal Services		44.85	1,701,637	0.00	0	44.85	1,701,637
Materials & Services							
521100	Office Supplies		5,060		2,000		7,060
521110	Computer Software		7,835		0		7,835
521111	Computer Supplies		720		0		720
521210	Landscape Supplies		9,443		0		9,443
521220	Custodial Supplies		7,245		0		7,245
521240	Graphics/Reprographic Supplies		1,100		0		1,100
521250	Tableware Supplies		1,100		0		1,100
521260	Printing Supplies		735		0		735
521270	Animal Food		100		0		100
521290	Other Operating Supplies		16,931		0		16,931
521292	Small Tools		2,889		0		2,889
521293	Promotional Supplies		1,625		0		1,625
521310	Subscriptions		900		0		900
521320	Dues		475		0		475
521510	Maintenance & Repairs Supplies-Building		12,930		0		12,930
521520	Maintenance & Repairs Supplies-Grounds		28,733		0		28,733
521540	Maintenance & Repairs Supplies-Equipment		10,360		0		10,360
523100	Merchandise for Resale-Food		9,775		0		9,775
523200	Merchandise for Resale-Retail		2,750		0		2,750
524110	Accounting & Auditing Services		4,200		0		4,200
524190	Miscellaneous Professional Services		1,146,884		0		1,146,884
525110	Utilities-Electricity		26,795		0		26,795
525120	Utilities-Water & Sewer Charges		10,030		0		10,030
525140	Utilities-Heating Fuel		3,750		0		3,750
525150	Utilities-Sanitation Service		17,305		0		17,305
525190	Utilities-Other		2,000		0		2,000
525610	Maintenance & Repair Services-Building		825		0		825
525640	Maintenance & Repairs Services-Equipment		4,659		0		4,659
525710	Equipment Rental		30,933		0		30,933
525740	Capital Lease		2,750		0		2,750
526200	Ads & Legal Notices		11,125		0		11,125
526310	Printing Services		88,765		0		88,765
526320	Typesetting & Reprographics Services		6,100		0		6,100
526410	Telephone		8,152		0		8,152
526420	Postage		27,495		0		27,495
526440	Delivery Services		575		0		575
526500	Travel		3,850		0		3,850
526510	Mileage Reimbursement		1,675		0		1,675
526690	Concessions/Catering Contract		26,950		0		26,950
526700	Temporary Help Services		1,000		0		1,000
526800	Training, Tuition, Conferences		7,065		0		7,065
529910	Uniform Supply		6,950		0		6,950
528100	License, Permits, Payment to Agencies		216,915		35,000		251,915
526900	Miscellaneous Other Purchased Services		220		0		220
528310	Real Property Taxes		82,500		0		82,500
529500	Meetings		1,450		0		1,450
529835	External Promotion		29,188		0		29,188
Total Materials & Services			1,890,812		37,000		1,927,812
Total Capital Outlay			417,236		0		417,236
TOTAL EXPENDITURES		44.85	4,009,685	0.00	37,000	44.85	4,046,685

Exhibit A
Ordinance No. 94-579

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
** For Information Only **							

Regional Parks and Greenspaces Department (Administration)

TOTAL EXPENDITURES	4.00	216,720	0	4.00	216,720
---------------------------	-------------	----------------	----------	-------------	----------------

Regional Parks and Greenspaces Department (Operations and Maintenance)

TOTAL EXPENDITURES	32.35	1,696,067	0	32.35	1,696,067
---------------------------	--------------	------------------	----------	--------------	------------------

Regional Parks and Greenspaces Department (Planning and Capital Development)

Total Personal Services	8.50	456,379	0.00	0	8.50	456,379
Materials & Services						
521100 Office Supplies		3,450		2,000		5,450
521110 Computer Software		2,585		0		2,585
521111 Computer Supplies		500		0		500
521210 Landscape Supplies		4,943		0		4,943
521240 Graphics/Reprographic Supplies		950		0		950
521250 Tableware Supplies		1,100		0		1,100
521260 Printing Supplies		550		0		550
521290 Other Operating Supplies		2,050		0		2,050
521292 Small Tools		500		0		500
521293 Promotional Supplies		1,625		0		1,625
521310 Subscriptions		900		0		900
521320 Dues		175		0		175
523100 Merchandise for Resale-Food		4,975		0		4,975
523200 Merchandise for Resale-Retail		2,750		0		2,750
524190 Miscellaneous Professional Services		1,039,714		0		1,039,714
525640 Maintenance & Repairs Services-Equipment		2,000		0		2,000
525710 Equipment Rental		19,883		0		19,883
525740 Capital Lease		2,750		0		2,750
526200 Ads & Legal Notices		10,100		0		10,100
526310 Printing Services		85,140		0		85,140
526320 Typesetting & Reprographics Services		6,100		0		6,100
526410 Telephone		2,500		0		2,500
526420 Postage		27,495		0		27,495
526440 Delivery Services		575		0		575
526500 Travel		3,850		0		3,850
526510 Mileage Reimbursement		1,675		0		1,675
526700 Temporary Help Services		1,000		0		1,000
526800 Training, Tuition, Conferences		2,500		0		2,500
529910 Uniform Supply		500		0		500
528100 License, Permits, Payment to Agencies		300		35,000		35,300
529500 Meetings		1,450		0		1,450
529835 External Promotion		29,188		0		29,188
Total Materials & Services		1,263,773		37,000		1,300,773
Total Capital Outlay		376,746		0		376,746
TOTAL EXPENDITURES	8.50	2,096,898	0.00	37,000	8.50	2,133,898

Exhibit A
Ordinance No. 94-579

FISCAL YEAR 1993-94		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Expo Center							
TOTAL EXPENDITURES		11.70	1,410,794	0	11.70	1,410,794	

Regional Parks and Expo Fund General Expenses

<u>Interfund Transfers</u>							
581610	Trans. Indirect Costs to Supp. Svcs. Fun		405,977		0		405,977
581615	Trans. Indirect Costs to Risk Mgmt Fund-Liability		76,392		0		76,392
581615	Trans. Indirect Costs to Risk Mgmt Fund-Worker Comp		14,467		0		14,467
581513	Trans. Indirect Costs to Bldg Mgmt Fund-Metro Center		0		0		0
581513	Trans. Indirect Costs to Bldg Mgmt Fund-Reg. Center		81,584		0		81,584
583751	Transfer Direct Costs to Metro ERC Admin. Fund		73,500		0		73,500
Total Interfund Transfers			651,920		0		651,920
<u>Contingency and Unappropriated Balance</u>							
599999	Contingency		383,999		0		383,999
599990	Unappropriated Balance		53,254		0		53,254
Total Contingency and Unappropriated Balance			437,253		0		437,253
TOTAL EXPENDITURES		56.55	6,509,652	0.00	37,000	56.55	6,546,652

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 94-579, FOR THE PURPOSE OF AMENDING THE FY 1994-95 BUDGET AND APPROPRIATIONS SCHEDULE BY TRANSFERRING \$35,000 FROM THE GENERAL FUND CONTINGENCY TO MATERIALS AND SERVICES IN THE REGIONAL PARKS AND GREENSPACES DEPARTMENT AND RECOGNIZING A \$2,000 GRANT FROM THE USDA SOIL CONSERVATION SERVICE FOR THE PURPOSE OF MATCHING FEDERAL FUNDING TO SUPPORT THE COLUMBIA SLOUGH ENVIROCORPS PROJECT

Date: 4 October 1994

Presented by: Pat Lee

BACKGROUND AND ANALYSIS

The Columbia Slough EnviroCorps Project is an AmeriCorps™ program developed by Metro in partnership with Portland State University, the East Multnomah County Soil and Water Conservation District and the U.S. Department of Agriculture, Soil Conservation Service. EnviroCorps received a \$199,600 grant from the Corporation for National and Community Service to provide a service learning experience for 20 adults, 18 years of age and older, in conservation natural resource management within the urban environment of the Portland metropolitan area.

The EnviroCorps program involves two components: 1) projects involving 8 full-time AmeriCorps™ members and a team leader; and 2) projects involving 10 part-time AmeriCorps™ members and a team leader. Both components hold specific work objectives: natural resource restoration, enhancement of lands for public usage, and establishment of trail access and interpretive exhibits within the Columbia Slough watershed. In addition to specific work projects, members will be involved in education, training, and community activities including programs designed to involve high school aged youth in work experiences and educational activities relating to important natural resource protection and restoration projects throughout the urban area.

TOTAL ENVIROCORPS PROJECT BUDGET AND FUNDING

Total project budget is nearly \$280,000. The AmeriCorps™ Foundation has appropriated \$199,600 (hard cash). The District Conservationist for the State of Oregon has allocated an additional \$25,000 (hard cash) in discretionary federal funding toward the EnviroCorps project. Portland State University has committed \$14,720 (\$12,800 hard cash, \$1,920 soft match). Metro Parks and Greenspaces is able to commit approximately \$22,500 in existing resources as soft match. This is composed of .125 FTE Jim Morgan (Smith and Bybee Lakes Trust Fund), \$2,000 office supplies and services (US F&WS grant), and \$12,500 consultant and design services for the Whittaker School management plan (Multnomah County Natural Areas Fund). Metro Planning is able to commit approximately \$8,000 in existing resources as soft match (.125 FTE Rosemary Furfey - excise tax). An additional \$35,000 in hard cash match from non-federal Metro funds is necessary to initiate the EnviroCorps project. Local match is approximately 29% of total project cost with hard match approaching 17% of total project cost.

COOPERATOR ROLES AND RESPONSIBILITIES

A Memorandum of Understanding among the U.S. Department of Agriculture Soil Conservation Service, the East Multnomah County Soil and Water Conservation District, Metro and Portland State University will be executed as an intergovernmental agreement to undertake the project. Attachment 1 to this staff report is a draft of the MOU/intergovernmental agreement. The USDA Soil Conservation Service is the federal agency through which all federal funding is channeled. The local fiscal agent is the East Multnomah County Soil and Water Conservation District. Metro and Portland State University will act as subcontractors to the Soil and Water Conservation District. Metro will be responsible for the selection, design and oversight of environmental restoration projects. Portland State University will be responsible for selection design and oversight of the educational and community-building aspects of the project.

A management team of representatives from the above agencies will oversee completion of the EnviroCorps Project.

EnviroCorps Project Staffing

1.00 FTE EnviroCorps Project Coordinator - This individual will be hired by the Soil and Water Conservation District to oversee the project, but will be based at Metro's Regional Parks and Greenspaces Department at Metro Regional Center.

0.25 FTE EnviroCorps Administrative Assistant - This individual will be hired by the Soil and Water Conservation District and will be based at the SWCD offices.

0.25 FTE Environmental Programs Director - Existing staff from Metro's Regional Parks and Greenspaces and Planning Departments will assume this responsibility.

0.25 FTE Environmental Program Assistant - This individual will be hired by the Soil and Water Conservation District to assist the Environmental Programs Director, but will be based at Metro's Regional Parks and Greenspaces Department at Metro Regional Center.

0.40 FTE Educational Programs Director - Existing Portland State University staff will assume this responsibility.

0.50 FTE Educational Programs Assistant - Existing Portland State University staff will assume this responsibility.

2.00 FTE Work Crew Team Leaders - These will be hired by the Soil and Water Conservation District. These are primarily field based positions but they will report to a Regional Parks and Greenspaces facility to be determined.

8.00 FTE Full-Time Student Team Members - These will be hired by the Soil and Water Conservation District. They will report to a team leader at a Regional Parks and Greenspaces facility, or another facility to be determined.

5.00 FTE Ten (Part-Time) Student Team Members - These will be hired by the Soil and Water Conservation District. They will report to a team leader at a Regional Parks and Greenspaces facility, or another facility to be determined.

EnviroCorps Funding Responsibilities

Attachment A to the M O U/intergovernmental agreement outlines a budget for the EnviroCorps project, excluding the \$159,380 dedicated to student stipends per the terms of the grant award.

In summary:

- \$159,380 of the AmeriCorps™ grant award is dedicated to compensation for student team members, team leaders, personal services benefits.
- \$40,220 of the AmeriCorps™ funding is to be allocated for direct support to team members, including training.
- SCS funding partially supports the Educational Programs Director, the EnviroCorps Administrative Assistant, the Environmental Programs Assistant, and some materials and services.
- Metro funding supports the EnviroCorps Project Coordinator, the Environmental Programs Director, and some materials and services.
- PSU funding partially supports the Education Programs Director and the Education Programs Assistant.

BENEFITS TO METRO

Metro has been involved in efforts to restore the Columbia Slough over the last several years. Specific areas of interest have included the Fairview Creek Watershed (headwaters of the Slough), the old Whittaker School vicinity, and the St. Johns Landfill/Smith and Bybee Lakes vicinity. Several Greenspaces restoration grants, environmental education grants, and GreenCity Data teams have focused efforts along the Slough. The EnviroCorps project will reinforce and expand Metro's commitment to restoration of the Slough and education of the community about its value and Metro's leadership in restoring the Slough. The EnviroCorps members will provide the following:

- labor necessary to complete Slough restoration projects at Whittaker School, Smith and Bybee Lakes and other areas;
- assistance in projects designed to improve water quality in the Slough;
- personal educational and job training to local school students;
- role models to disadvantaged youth in their commitment to community service;
- information to local communities regarding the importance of urban greenspaces and Metro's leadership in their protection and enhancement.

BUDGET IMPACT

Ordinance No. 94-579 requests a \$35,000 transfer from General Fund Contingency to the Regional Parks and Expo Fund to provide revenue to support an EnviroCorps Project Coordinator position hired by the East Multnomah County Soil and Water Conservation District. A corresponding expenditure in the materials and services major object code for the Planning and Capital Development Division would need to be authorized.

The position would be filled on a temporary basis from October 1, 1994 to September 30, 1995 to coincide with the term of the AmeriCorps™ grant which is based on the federal fiscal cycle.

The Regional Parks and Greenspaces Department alerted the Council Finance Committee of the prospect for the EnviroCorps grant award, including hard match requirement, at the June 22, 1994 Committee meeting. Attachment 2 to this staff report is the June 22, 1994 correspondence from Charlie Ciecko, Director of Regional Parks and Greenspaces, presented to the Committee at the meeting. District 11 Councilor Ed Washington was personally involved in the final negotiations with the Soil Conservation Service that led to the proposal before you today. An update on the EnviroCorps grant and pending budget amendment was also presented to the Council Finance Committee on September 28, 1994.

Ordinance No. 94-579 would also recognize \$2,000 in new federal revenue in the Regional Parks and Expo Fund from the USDA Soil Conservation Service. The corresponding expenditure authorization would be \$2,000 in materials and services in the Planning and Capital Development Division for Metro FY 1994-95.

It is expected that a second grant request to continue the EnviroCorps project for another year would be submitted to the AmeriCorps™ foundation prior to June 30, 1995.

EXECUTIVE OFFICER RECOMMENDATION

The Executive Officer recommends adoption of Ordinance No. 94-579.

MEMORANDUM OF UNDERSTANDING
between
EAST MULTNOMAH SOIL & WATER CONSERVATION DISTRICT
and
USDA, SOIL CONSERVATION SERVICE
and
PORTLAND STATE UNIVERSITY
and
METRO

Relative to: Joint funding and program support for the EnviroCorps program.

This agreement is by and between the United States Department of Agriculture, Soil Conservation Service (hereafter referred to as the Service), the East Multnomah Soil and Water Conservation District (hereafter referred to as the District), Portland State University (hereafter referred to as the University) and Metro.

Purpose:

The Service, the District, the University and Metro have the common objective in the development and implementation of programs which foster community service and the practices of good conservation of our natural resources. Toward that end, each of the parties to this agreement have commonly agreed to participate in the EnviroCorps program which is to provide service learning opportunities for 20 adults in the Portland Metropolitan Area as part of the national AmeriCorps program. Each of the parties to this agreement has interest in and contribution to this local effort. This agreement solidifies the terms by which each of the parties will cooperatively use those resources toward the objectives of this program.

It is Mutually Agreed:

The Service will:

1. Provide grant funds received from the Corporation for National and Community Service for this agreement upon receipt of form SF-270, not to exceed \$65,220 as identified in the budget in Attachment A.
2. Provide necessary direction and guidance to District employees in all areas where the Service has primary responsibility.
3. Provide payroll and employment support to all EnviroCorps members selected for the program upon receipt of required documentation from the District. The personnel costs of the EnviroCorps team leaders and members will be paid by the Service on behalf of the Corporation for National and Community Service.

MEMORANDUM OF UNDERSTANDING
PAGE (2 of 5)

4. Submit to the District all pertinent information and documentation received from the USDA National Service Office regarding AmeriCorps programs.
5. Submit to the USDA National Service Office all required reports regarding the EnviroCorps program.
6. Authorize Service employees to participate in the EnviroCorps Management Team comprised of representatives from Metro and the University to determine work projects and support needed for implementation service and education activities of EnviroCorps member teams.
7. Authorize Service employees to provide technical assistance to the work projects which are approved and authorized by EnviroCorps Management Team; total time for such assistance shall not exceed .10 FTE of Service employees.
8. Assist in developing funding support from sponsor and partner agencies; assist in preparing application for program continuation.

The District will:

1. Pay the University and Metro in the fixed amount of \$26,220 and \$10,000 respectively for services performed under this agreement as detailed in Attachment A. Payment to the University will be made in accordance with the schedule below within thirty days following the receipt of invoices. Payments are to be sent to PSU, Attn: Research Accounting, PO Box 751, Portland, Oregon 97207.

1st Installment	12/31/94	25%	\$6,555.00
2nd Installment	3/31/95	25%	\$6,555.00
3rd Installment	6/30/95	25%	\$6,555.00
Final Installment	Upon completion	25%	<u>\$6,555.00</u>
Total			<u>\$26,220.00</u>

2. Provide equipment and supplies, within fund limitations and as identified in the budget in Attachment A, needed to carry out the EnviroCorps program.
3. Establish the qualifications and classification of District employees assigned to support the EnviroCorps program in cooperation with Metro and the University; including the EnviroCorps Program Coordinator and Administrative Assistant position.
4. Advertise, recruit and select District employees assigned to support the EnviroCorps program in cooperation with Metro and the University.
5. Provide to the Service necessary documentation and payroll information regarding EnviroCorps member hours in conformance with Service requirements.
6. Submit to Metro and the University all pertinent information regarding AmeriCorps received from the Service.

MEMORANDUM OF UNDERSTANDING
PAGE (3 of 5)

7. Provide all pertinent information and required documentation for program reporting as determined by the USDA National Service Office to the Service in a timely fashion to enable the Service to meet reporting requirements by the USDA National Service Office.
8. Provide staff support to Management Team in recording minutes of meetings and providing scheduling the Team's activities and meetings.
9. Receive \$35,000 of non-federal funds from Metro for the full-time position of EnviroCorps Program Coordinator. This position will be responsible for community liaison, developing external funding for work projects, and developing plans for scheduling and monitoring work projects.

Metro will:

1. Provide non-federal funds to the District for the EnviroCorps Program Coordinator position, upon the approval of the Metro Council, as identified in the budget in Attachment A.
2. Provide to the District all required documentation for transference of District funds to Metro pursuant to this agreement.
3. Authorize Metro employees to participate in the EnviroCorps Management Team comprised of representatives from the Service, the District, and the University to determine work projects and support needed for implementation service and education activities of EnviroCorps member teams.
4. Authorize Metro employees to provide staff support to work projects and educational program which are approved and authorized by EnviroCorps Management Team; total time for such assistance shall not exceed .25 FTE of Metro employee(s) designated as Environmental Director for the program.
5. Establish the qualifications and classification of District employee assigned to support the EnviroCorps program in cooperation with the Service, the District, and the University; including the Environmental Program Assistant position.
6. Advertise, recruit and select Metro employees assigned to support the EnviroCorps program in cooperation with the Service and the University.
7. To develop work project plans and requisite training, equipment and supplies needed for the "full time" EnviroCorps service team in accordance with the program objectives as outlined in Attachment B, EnviroCorps Work Program Summary; submit such plans to the EnviroCorps management team for approval; provide primary direction and supervision for implementation of such plans as approved by the management team.
8. Provide assistance to work project implementation being conducted by "part time" service team to the extent determine necessary by the management team within the limits of funding.
9. Assist in developing funding support from sponsor and partner agencies; assist in preparing application for program continuation.

MEMORANDUM OF UNDERSTANDING
PAGE (4 of 5)

The University will:

1. Provide in-kind contribution up to the maximum amount of \$14,720 for the EnviroCorps Program as detailed in the budget in Attachment A.
2. Assign University employee as Educational Program Director to participate in the EnviroCorps Management Team comprised of representatives from Service and Metro to determine work projects and support needed for program implementation of the environmental service projects and education activities of EnviroCorps member teams. Total effort of this participation shall not exceed 0.40 FTE (50% of the personnel cost for this position will be paid by funds received from the District under this agreement).
3. Assign University employee to provide staff support to work projects and educational program which are approved and authorized by EnviroCorps Management Team; total time for such assistance shall not exceed .0.50 FTE of University employee designated as Educational Program Assistant (total personnel costs of this position will be paid from funds received from the District under this agreement).
4. Invoice the District on a quarterly basis in accordance with the aforementioned schedule.
5. Within the limits of funding, develop work project plans and requisite training, equipment and supplies needed for the "part time" EnviroCorps service team in accordance with the program objectives as outlined in Attachment B, EnviroCorps Work Program Summary; submit such plans to the EnviroCorps management team for approval; provide primary direction and supervision for implementation of such plans as approved by the management team.
6. Within the limits of funding, develop education support program for all EnviroCorps members in accordance with the program objectives as outlined in Attachment B, EnviroCorps Work Program Summary; submit such plans to the EnviroCorps management team for approval; provide primary direction and supervision for implementation of such plans as approved by the management team.
7. Within the limits of funding develop training and orientation program for all EnviroCorps members; submit such plans to the EnviroCorps management team for approval; provide primary direction and supervision for implementation of such plans as approved by the management team.
8. Provide assistance to program staff and management team on work project implementation being conducted by "full time" service team to the extent determine necessary by the management team within the limits of funding.
9. Assist in developing funding support from sponsor and partner agencies; assist in preparing application for program continuation.

Be It Further Mutually Understood and Agreed:

1. All arrangements made in addition to this agreement shall be in writing and mutually agreed to.
2. If administrative problems arise, the parties to the agreement will need to negotiate solutions to the problems and will record the mutually agreeable resolutions in writing.

MEMORANDUM OF UNDERSTANDING
PAGE (5 of 5)

3. This Memorandum of Understanding shall be effective on the date signed and remain in effect until September 30, 1995. It may be terminated at any time by any party giving the other parties 30 days notice in writing. Cost may be incurred from 10/1/94.

The program or activities conducted under this agreement or Memorandum of Understanding will be in compliance with the nondiscrimination provisions contained in the Titles VI and VII of the Civil Rights Act of 1964, as amended; the Civil Rights Restoration Act of 1987 (Public Law 100-259) and other nondiscrimination statutes: namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975. The program or activities will also be in accordance with regulations of the Secretary of Agriculture (7 CFR-15, Subparts A & B), which provide that "no person in the United States shall on the grounds of race, color, national origin, age, sex, religion, marital status, or handicap be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance from the Department of Agriculture or any agency thereof."

USDA Soil Conservation Service

By _____

Date _____

East Multnomah Soil and Water
Conservation District

By _____

Date _____

Metropolitan Service District

By _____

Date _____

Portland State University

By _____

Date _____

MEMORANDUM OF UNDERSTANDING
ATTACHMENT A
PAGE (1 of 1)

Attachment A
EnviroCorps Program Budget

Program Expenses

Funding Sources

	SCS*	SCS**	SCS***	Metro*	Metro	PSU	Total
Program Coordinator				35,000			35,000
Enviro Director (.25 FTE)					16,000		16,000
Enviro Program Ass't (.25 FTE)	8,000						8,000
Education Director (.40 FTE)		12,800				12,800	25,600
Education Ass't (.50 FTE)		5,000					5,000
Administrative Asst. (.25 FTE)	5,000						5,000
Van Leases (2)	12,000						12,000
Office Equip and Supplies	2,000		2,000		2,000		6,000
Member Equip and Supplies	4,000						4,000
Education and Training Mat. & Exp	4,000						4,000
Evaluation and Documentation		5,000					5,000
Misc (professional services)	2,000						2,000
Design Services					12,500		12,500
Equip Rental/Leases							
Project Materials							
Admin		3,420				1,920	5,340
	37,000	26,220	2,000	35,000	30,500	14,720	145,440

* IGA with East Mult SWCD

** IGA with East Mult SWCD sub contract with PSU

*** IGA with East Mult SWCD sub contract with Metro

**MEMORANDUM OF UNDERSTANDING
ATTACHMENT B
PAGE (1 of 2)**

**Attachment B
EnviroCorps Work Program Summary**

I General Program Overview

EnviroCorps is an AmeriCorps® program developed in partnership with Metro, Portland State University, East Multnomah Soil and Water Conservation District and Soil Conservation Service. EnviroCorps received a grant from the Corporation for National and Community Service to provide a service learning experience for 20 adults, 18 years of age and older, in conservation natural resource management within the urban environment of the Portland metropolitan area. The EnviroCorps program will involve two components: (1) projects involving 8 full-time AmeriCorps members and a team leader; and (2) projects involving 10 part-time AmeriCorps members and a team leader. Both components hold specific work objectives: natural resource restoration, enhancement of lands for public usage, and establishment of trail access and interpretive exhibits within the Columbia Slough watershed. In addition to the specific work projects, members will be involved in education, training, and community activities including programs designed to involve high school aged youth in work experience and educational activities relating to important natural resource protection and restoration projects throughout the urban area. The work week for EnviroCorps is Tuesday through Saturday.

II EnviroCorps Program Components and Member Time Allocation:

Service Activities (50% of total Member time) :

Services provided by EnviroCorps members will be directed toward the general areas of environmental restoration etc. The service activities will be of two general types:

1. Priority projects: Each service team will be directed toward the accomplishment of a major service activity to which each service team will direct its efforts over the course of the entire year. These priority projects will consist of the elements identified in the original grant and be principally directed toward accomplishing significant and demonstrable improvements in target areas involving natural resource protection and restoration in Columbia Slough watershed. Target areas include Whitaker Ponds, Smith Bybee Lakes as well as public lands adjacent to neighborhoods in North and North East Portland in proximity to the Columbia Slough. Service activities will include natural resource restoration, enhancement of lands for public usage, and establishment of trail access and interpretive exhibits within the Columbia Slough watershed.

2. Special Limited term projects: each service team will be involved in several special limited term projects designed to promote the awareness and involvement of the community at large as well as enhance the skills and awareness of the team members. Such projects may include all members working together or be performed separately by one of the teams. Though efforts will be made to focus these projects on environmental issues faced by neighboring communities in the Columbia Slough area, there may be a few such projects which are outside of these areas. Such projects may include tree plantings, litter removal, community garden construction, construction of interpretive exhibits, unwanted vegetation removal and habitat enhancement construction, etc.

**MEMORANDUM OF UNDERSTANDING
ATTACHMENT B
PAGE (2 of 2)**

Community Building Activities (30% of Member time Allocation):

Each member will be involved in activities designed to promote the awareness and involvement of community members in the service projects being performed by members. Each member will work with peer members in teams to identify and perform community outreach and education projects designed to enhance community and educational institutions involvement in the service projects. In this regard volunteers and students will be recruited and supported by EnviroCorps members in performing service projects. This can include community canvassing and needs assessments, public presentations at school and community meetings; volunteer recruitment and supervision at service work sites; student mentoring, etc.

Member Development (20% of Member time Allocation):

Each member will be involved in identifying and furthering individual educational and skill needs and interests. This will include the completion of a personal assessment of educational and skill development plan; participating in field trips to sites of interest and relevance to the service activities; attending presentations by environmental and community development specialists; maintaining daily journals; completing program and personal development assessments and evaluations; preparing for educational advancement.

III Program Structure

Management Team

Service, community building and education activities will be managed by the EnviroCorps management team. Representatives for SCS, East Multnomah Soil and Water Conservation District, Metro and Portland State University will comprise the management team. The Program Coordinator will be principally responsible for developing the agenda and maintaining records and documentation of management team decisions.

Full Time Service Team

Full time service team members will be working on an 9 person environmental work crew comprised of EnviroCorps Team Members and a Team Leader. Team members will perform physical labor on environmental projects as well as work with community organizations and high school students. Work will be supervised by a team leader. The typical work week will involve 40 hours and will be for Tuesday through Saturday. The duration of service under this agreement is for 1700 hours within the year for each full time member.

Part Time Service Team

Part time service team members will be working on an 11 person environmental work crew made up of EnviroCorps Team Members and a Team Leader. Team members will perform physical labor on environmental projects as well as work with community organizations and school students. Work will be supervised by a team leader. The typical work week for the months October through May will involve 16 hours and will be for Tuesday through Saturday. For the months of June through August will involve 40 hours per week. The duration of service is 900 hours within the year for each part time member.



METRO

ATTACHMENT 2

DATE: June 22, 1994

TO: Rod Monroe, Chairman of the Council Finance Committee

FROM: *C. K.* Charlie Ciecko, Director of Regional Parks and Greenspaces

SUBJECT: Anticipated grant from U.S. Department of Agriculture

Councilor Ed Washington has informed me that Metro will receive a grant from the U.S. Department of Agriculture, Soil Conservation Service to provide a service learning experience for 32 young adults in conservation and natural resource management within the urban environment of the Portland metropolitan area. The grant award addresses two needs: 1) protection and restoration of natural resource areas within urban watersheds; and 2) employment and educational support for inner city youth.

Although we have not yet received written confirmation of the amount of the grant, our application for grant award totalled more than \$910,000 over a two year period. At that level there is a required "hard" match of nearly \$47,000 over the two year period among a total match, including hard cash and in lieu services, of approximately \$194,000.

Once written notification of the grant award is received, which could be any day, we will need to prepare an amendment to the adopted FY 1994-95 budget to recognize the revenue and authorize expenditure of funds. At that time it will be necessary to appropriate general fund revenues to the Parks and Expo Fund to meet the hard match requirement.

Regarding the hard match for the first year (estimated at \$23,500) Regional Parks and Greenspaces anticipates returning \$22,000 in FY 1993-94 contingency to the general fund that will not be spent prior to June 30. This would provide an excellent opportunity to fund the bulk of the first year match without significantly drawing down budgeted FY 1994-95 general fund contingency early in the fiscal year.

cc: Dick Engstrom
Jennifer Sims
Ed Washington

AmeriCorps to help restore some of Columbia Slough

■ Workers in the new program will receive a small monthly wage and college tuition credits for their part in the project

By JOE FITZGIBBON

Correspondent, The Oregonian

At least two dozen of President Clinton's newly created AmeriCorps workers will be helping restore portions of the Columbia Slough before the end of summer.

On Monday, President Clinton announced the creation of AmeriCorps, a cadre of 20,000 young men and women to work on soil conservation projects in return for college tuition waivers and monthly living expenses.

In a program patterned after Peace Corps and Vista, college-aged young people will work for a year restoring wildlife habitats, farmlands and urban greenspaces. In addition to a stipend of about \$700 a month, AmeriCorps volunteers will earn a \$4,725 tuition credit to be applied to a college of their choice.

The Corporation for National and Community Service (CNCS), under the guidance of the U.S. Department of Agriculture, selected a Portland

project to restore portions of the Columbia Slough and Whitaker Pond as a model for the national service program.

"This sends out an important message to the entire region, but especially the African-American community that we are going to do something about environmental damage," said Metro Councilor Ed Washington, who co-sponsored the project proposal with Portland State Professor Barry Messer. Washington grew up in North Portland near the Columbia Slough and said that he has made its restoration a personal goal.

"People of color have been fishing and using the slough for recreation and it's long past time we make it the jewel it's always had the potential to be."

According to Messer, the program will hire 20 youths full-time to work on restoration projects along the slough over the next two years. Another dozen part-time college students will act as mentors for high school students from Roosevelt, Grant, Jefferson and Marshall high schools studying natural resource management along the 18-mile waterway.

Messer said that he and Washing-

ENVIRONMENTAL PEACE CORPS

■ **WHAT:** The newly created AmeriCorps to help solve environmental problems.

■ **WHO'S IN IT:** High school and college students.

■ **WHAT DO THEY DO:** In Portland, the job will be work along the Columbia Slough and Whitaker Pond

■ **WHAT DO THEY GET:** A \$700 monthly stipend and up to \$4,725 in tuition credits.

■ **WHERE TO CALL:** Contact Ed Washington at Metro, 797-1546 or call 1-800-94ACORPS.

ton spent more than a year drafting the slough proposal and expected work to get under way around Labor Day.

"The actual amount of money we will have to spend has not been determined yet, but it might be close to \$1 million," said Messer.

For its initial year, CNCS will fund 42 different AmeriCorps projects operating in 32 states. Portland and five other urban sites were selected for funding, including Atlanta, Chicago, East St. Louis, Boston and Washington, D.C.

Meeting Date: October 27, 1994
Agenda Item No. 6.1

RESOLUTION NO. 94-1974

SOLID WASTE COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 94-1974, FOR THE PURPOSE OF EXTENDING THE FUEL PURCHASE AGREEMENTS WITH DEVIN AND STEIN OIL COMPANIES UNTIL MAY 31, 1995

Date: October 20, 1994

Presented by: Councilor Hansen

Committee Recommendation: At the October 18 meeting, the Committee voted 5-0 to recommend Council adoption of Resolution No. 94-1974. Voting in favor: Councilors Hansen, McFarland, McLain, Monroe and Wyers. Councilor Buchanan was absent.

Committee Issues/Discussion: Jim Watkins, Solid Waste Engineering and Analysis Manager, presented the staff report. He briefly reviewed the history of the existing contract under which Metro purchases fuel that is used in the Jack Gray Transport trucks that transfer waste from the transfer stations to the Columbia Ridge Landfill. He noted Metro began to directly purchase the fuel in April because Metro would not be required to pay federal fuel excise taxes under a local government tax exemption provided in federal law. Watkins explained that Metro is now saving between \$1,200-1,300/day through directly purchasing this fuel.

Initially Metro accepted the terms of the existing fuel purchase contract that Jack Gray had signed with Stein and Devin Oil Companies. Watkins noted that this contract is scheduled to expire on November 30, 1994. Staff had initially indicated that it would rebid the contract prior to its expiration date. But, Watkins cited several factors that have combined to make it impossible to complete a rebid process by November. Therefore, staff introduced this resolution requesting a six-month extension to May 31, 1995. Watkins indicated that it was necessary for the staff person assigned to rebid the contract to give a higher priority to other projects including the renegotiation of the Metro Central and Metro South operating contracts. In addition, staff will need additional time to examine other issues including how other jurisdictions address the purchase of large quantities of fuel and whether Metro should use an RFB or an RFP process. Watkins noted that staff must proceed carefully with the procurement process because the terms of any new contract must be acceptable to Jack Gray, otherwise Gray has the right under the existing agreement to begin purchasing its own fuel again.

Bob Martin noted that Jack Gray had been cooperative throughout this entire process and that Metro is attempting to address the desire of Jack Gray and Gilliam County that a significant portion of the fuel be provided in the Arlington area.

Watkins indicated that staff intends to bring bid documents to the Council in December, release the documents in January, and hopefully complete the evaluation and awarding of a new contract by

March.

Councilor Wyers asked that a comparison of the the pros and cons of using an RFB or an RFP process be presented to the committee prior to finalizing the procurement documents. Martin indicated that he would comply with this request.

Councilor Kvistad asked about the need for fuel to be provided in Arlington. Watkins noted that all of the Jack Gray transport rigs are stationed at Arlington overnight and that they would prefer to be able to top off their tanks prior to beginning their first trip to the Portland area each day.

Councilor Kvistad expressed concern that the resolution was not brought forward until only 45 days before the expiration of the existing contract. Martin noted that procurement documents will have to be carefully crafted and that this work simply could not be completed prior to November 30. He commented that Metro will still be achieving significant savings under the existing contract.

John Pulliam, representing Burns Brothers, testified in opposition to the extension. He argued that issues related to any procurement process could be easily overcome and that an extension could result in the loss of additional savings under a new contract. He indicated that Burns Brothers would likely bid on any new contract.

Councilors Monroe and McLain confirmed that, if a new contract was awarded prior to the new May 31 deadline, the new contract could go into effect prior to May 31. Martin and Watkins agreed that it could go into effect.

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF EXTENDING)	RESOLUTION NO. 94-1974
THE FUEL PURCHASE AGREEMENTS)	
WITH DEVIN AND STEIN OIL)	Introduced by
COMPANIES UNTIL MAY 31, 1995)	Rena Cusma, Executive Officer

WHEREAS, Metro has executed Change Order No. 15 to the Waste Transport Services Contract (EXHIBIT "A") which provides for a reduction in unit prices; and

WHEREAS, Under Change Order No. 15, Metro must purchase fuel for the Waste Transport Services Contractor in exchange for the reduction in unit prices; and

WHEREAS, As a result of this arrangement Metro has realized monthly savings of approximately \$50,000 per month (see EXHIBIT "B"); and

WHEREAS, Metro has purchased the fuel through Devin and Stein Oil Companies utilizing agreements which expire in November, 1994; and

WHEREAS, It is in Metro's best interest to continue to purchase fuel as provided in EXHIBIT "C" and EXHIBIT "D" until replacement agreements are reached; now therefore,

BE IT RESOLVED,

That the Metro Council hereby authorizes the Executive Officer to execute the change orders attached hereto as EXHIBITS "C" and "D".

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

Judy Wyers, Presiding Officer

CHANGE ORDER NO. 15
METRO CONTRACT NO. 900848

MODIFICATION TO THE CONTRACT BETWEEN
METRO AND JACK GRAY TRANSPORT, INC.
ENTITLED
"WASTE TRANSPORT SERVICES"

PROJECT: Waste Transport Services
METRO POC: Jim Watkins, Engineering & Analysis Manager
CONTRACTOR POC: Gary Goldberg, Executive V.P.

This Amendment is to Metro Contract No. 900848, entitled "Waste Transport Services," dated March 1, 1989 (herein, "Original Contract"). In exchange for the promises and other consideration set forth in the Waste Transport Services Contract and this Amendment, the Parties agree as follows:

1. Purpose. The purpose of this Amendment is for Metro to supply fuel for Contractor's "over the road" tractors while exclusively used in transporting solid waste for Metro.
2. Fuel Delivery Periods. The initial period covered by this Amendment shall be from the date on which Metro begins supplying fuel to Contractor until June 30, 1994. Subsequent periods shall begin on July 1 of each year and end on June 30 of each subsequent year, until termination of the Original Contract between the Parties.
3. Termination. (a) Either Party may terminate this Amendment by giving notice to the other no later than April 30 of any period (other than the initial period), of pending termination on June 30. Upon termination, Metro's per load payments to Contractor shall revert to the adjusted amount that would have been paid under the Original Contract, had this Amendment not been executed.

(b) If the Internal Revenue Service (IRS) contacts Contractor, either through audit or otherwise, and indicates that it may have to pay federal excise taxes on fuel provided by Metro under this amendment, Contractor shall immediately notify Metro and provide Metro with a copy of all correspondence received from the IRS. Once Metro confirms that the IRS has made such a contact, the parties shall cooperate to contest the IRS and/or to establish a reasonable date for terminating this amendment. In either case, at the point at which Metro determines not to contest the IRS further, Metro shall pay directly to the IRS all amounts required to be paid to the IRS related to fuel provided to Contractor under this amendment and used by Contractor in conformance with this amendment.

4. Amount of Fuel Provided.

(a) The amount of fuel provided by Metro to Contractor for Metro's sole and exclusive use shall be equal to the number of loads projected for the period times 58 gallons. The projected number of loads shall be established by written notice from Metro provided on or before April 30 of each year for the subsequent period. Metro may update such notice, in writing, as necessary throughout the period. Metro shall also provide notice to its fuel supplier of the amount of fuel that may be provided to Contractor.

(b) If Contractor requires more fuel per actual load than provided by this section 4, Contractor shall be responsible for purchasing the additional fuel required during that period and for payment of all applicable taxes.

5. Exclusive Use of Metro. Fuel supplied by Metro to the Contractor is to be used exclusively for the performance of the Contract, and Contractor shall ensure, and comply with all Metro-established safeguards to ensure, that fuel provided by Metro is used only for the performance of the Waste Transport Contract.

6. Per Load Payment Reduction.

(a) From the date on which Metro begins supplying fuel to Contractor through September 30, 1994, the per load unit price paid to the Contractor shall be \$333.50.

(b) Beginning October 1, 1994, the per load unit price paid to the Contractor shall be \$332.92. This per load unit price shall be adjusted in the same manner as Contractor's unit price is adjusted as specified in Article 12 of the general conditions.

7. Fuel Deliveries. Metro shall make fuel available in a manner reasonably acceptable to Contractor and reasonably consistent with historical service levels obtained by Contractor.

8. Effect of Amendment. Except as modified herein, all other terms and conditions of the Contract and previous Change Orders shall remain in full force and effect.

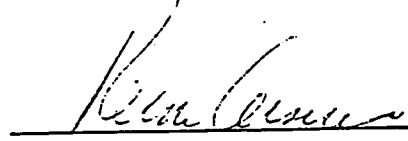
JACK GRAY TRANSPORT, INC.


Signature

Gary I. Goldberg Ex. Vice Pres.
Print Name and Title

4-18-94
Date

METRO


Signature

Rina Cusma
Executive Officer
Print Name and Title

4-12-94
Date

1197

COMPARISON OF FUEL COSTS AND JGT UNIT PRICE

LOADS			JACK GRAY TRANSPORT		FUEL					EXEMPT	
DATE	MSS	MCS	UNIT PRICE DIFFERENCE	UNIT PRICE SAVINGS	GALLONS	COSTS Excludes Excise Tax	AVERAGE GALLONS PER LOAD	METRO SAVINGS		EXCISE TAX TOTAL	
*APRIL 94	431	377	\$54.52	\$44,052.16	46,900.160	\$29,313.29	58.04	\$14,738.87		\$11,443.64	\$3,295.23
MAY 94	1155	988	\$54.52	\$116,836.36	121,898.990	\$72,906.37	56.88	\$43,929.99		\$29,743.35	\$14,186.64
JUNE 94	1192	1046	\$54.52	\$122,015.76	127,402.980	\$74,547.72	56.93	\$47,468.04		\$31,086.33	\$16,381.71
JULY 94	1153	1129	\$54.52	\$124,414.64	123,243.200	\$74,758.25	54.01	\$49,656.39		\$30,071.34	\$19,585.05
AUG 94	1263	1247	\$54.52	\$136,845.20	140,684.970	\$85,131.91	56.05	\$51,713.29		\$34,327.13	\$17,386.16
SEPT 94											
OCT 94											
NOV 94											
TOTAL	5,194	4,787		\$544,164.12	560,130.300	\$336,657.54	56.12	\$207,506.580		\$136,671.79	\$70,834.79

*April 94 is for the time period April 20 through April 30, 1994

\$0.244 = Excise Tax

EXHIBIT "C"

**CHANGE ORDER NO. 1
METRO INVOICE NO. 8742**

**MODIFICATION TO THE CONTRACT BETWEEN
METRO AND DEVIN OIL COMPANY**

A. Purpose and Duration of Change Order

The purpose of this Change Order is to extend the term of the Contract until May 31, 1995.

B. Terms of the Change Order

SCOPE OF WORK, Item No. 7:

REPLACE "November 30, 1994" with "May 31, 1995"

DEVIN OIL COMPANY

METRO

Signature

Signature

Print Name and Title

Print Name and Title

Date

Date

EXHIBIT "D"

**CHANGE ORDER NO. 1
METRO INVOICE NO. 8743**

**MODIFICATION TO THE CONTRACT BETWEEN
METRO AND STEIN OIL COMPANY, INC.**

A. Purpose and Duration of Change Order

The purpose of this Change Order is to extend the term of the Contract until May 31, 1995.

B. Terms of the Change Order

SCOPE OF WORK, Item No. 7:

REPLACE "November 30, 1994" with "May 31, 1995"

STEIN OIL COMPANY, INC.

METRO

Signature

Signature

Print Name and Title

Print Name and Title

Date

Date

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 94-1974 FOR THE PURPOSE OF EXTENDING THE FUEL PURCHASE AGREEMENTS WITH DEVIN AND STEIN OIL COMPANIES UNTIL MAY 31, 1995

Date: October 7, 1994

Presented by: Jim Watkins

Proposed Action

Adopt Resolution No. 94-1974 to permit the Executive Officer to execute extensions to the current fuel purchase agreements.

Factual Background and Analysis

In April, 1994, Metro began purchasing diesel fuel required to transport waste from Metro facilities to the Columbia Ridge Landfill per Change Order No. 15 to the Waste Transport Services Contract (see Exhibit "A" to the attached resolution). As a result of this action, Metro has realized savings of approximately \$50,000 per month (see Exhibit "B" to the attached resolution).

In order to maximize savings to Metro, the fuel was purchased through the vendors who had been supplying the Waste Transport Contractor prior to execution of the change order. Subsequent to execution of the change order, staff began investigation of fuel markets in order to prepare bid documents prior to expiration of the agreements with current fuel suppliers. Due to the complexity of fuel markets, limited staff availability and recent legislative developments, the Executive Officer has concluded that it is in Metro's best interest to extend the current fuel purchasing agreements pending further investigation by staff.

The majority of fuel consumed by the Waste Transport Contractor is supplied at an Arlington, Oregon cardlock. The current purchase agreement with the Arlington supplier stipulates that fuel will be purchased at one of three fuel terminals depending on the cost of fuel (the "rack" price) plus freight costs. The supplier then checks the prices at these terminals plus freight costs and makes the lowest cost purchase for Metro. It is clear from our research that Metro is obtaining excellent prices for fuel under the current arrangements. Our research has consisted of a survey of other jurisdictions as well as review of industry pricing through trade publications and rack price listings. The jurisdictions contacted included TRI-MET, the City of Portland (which also purchases some of the fuel for Multnomah Co., Portland Housing Authority, City of Gresham and the City of Lake Oswego), Portland Public Schools and the State of Oregon. Most of the jurisdictions have fuel delivered to their own storage tanks rather than through a cardlock system which Metro uses.

TRI-MET, the largest buyer at 5 million gallons per year, was able to contract directly with a refinery at a markup of less than 1 cent over rack, including freight costs. However, TRI-MET has indicated that an additional 2 cent per gallon cost is incurred for environmental monitoring of storage tanks. The State of Oregon, which did contract for fuel through a cardlock statewide, received a markup of 7 cents per gallon over rack for quantities comparable to Metro's purchases (over 1 million gallons per year). Attachments Nos. 1 and 2 are the agreements with our current suppliers. Approximately 95 % of the fuel is purchased from Devin Oil located in Arlington, Oregon. As you can see from Attachment No. 1, the markup is only 1.5 cents over rack plus freight costs (freight costs are set by the PUC). While Metro is not obtaining the same savings that TRI-MET is, Metro is doing substantially better than the only other jurisdiction (the State of Oregon) using a cardlock system and having pricing for similar quantities. The other jurisdiction purchasing diesel, the City of Portland, did not solicit prices as a function of rack plus other costs (Portland Public Schools uses natural gas). However, a review of the price obtained by the City in comparison to the rack and final price to Metro through Devin Oil indicates that Metro may be obtaining a lower markup than the City of Portland even though Metro's fuel is being provided through a cardlock, although more analysis is required. Our research does indicate that potential savings are possible on the 5 % of fuel purchased in the Metro area.

Staff is still investigating procurement strategies to keep prices competitive, either by a similar arrangement or an improved one, while allowing for the submission of bids rather than proposals. However, given the wide range of procurement strategies in use and the limited number used for cardlocks, staff believes additional research is necessary before a procurement approach is recommended. Since last year's budget did not anticipate staff preparation of procurement documents for this project, inadequate resources have been available to devote to this project prior to expiration of the current agreements.

An additional uncertainty in bid parameters has been created by legislation adopted by Congress in August of 1994 (effective January 1, 1995) that ends economic regulation of trucking. The impact of this legislation is still being assessed.

Budget Impacts

Metro would continue to save approximately \$50,000 per month during the extension period.

Executive Officer's Recommendation

The Executive Officer recommends adoption of Resolution No. 94-1974.

SCOPE OF WORK FOR DEVIN OIL CO., INC. (Contractor)

1. Contractor shall within 10 days of notice from Metro, establish a Metro account at its cardlock station located in Arlington, OR., for the provision of diesel fuel to Jack Gray Transport, Inc.'s (JGT) over-the-road tractors used to haul waste from Metro transfer stations to the Columbia Ridge Regional Landfill, located in Gilliam Co., Oregon. Contractor shall comply with all Metro-established safeguards to ensure that the fuel supplied through the Metro account is used only for the work described above.
2. Contractor shall provide a card for each JGT tractor designated by JGT's terminal manager (or representative) to access the cardlock, 24 hours per day, 365 days per year. The card shall be programmed to provide the same invoice information as provided to JGT as of March, 1994.
3. Metro shall purchase the fuel on a cost plus margin basis. Contractor shall charge Metro the cost of the fuel (including applicable terminal fees, freight, terminal taxes - excluding the federal excise tax), plus 1.5 cents per gallon. Contractor shall purchase the fuel at the fuel terminal which results in the least cost to Metro. Metro shall pay Contractor within 10 business days of receiving invoice.
4. Metro shall provide the appropriate documentation to the Contractor in order to obtain a rebate of the federal excise tax.
5. Contractor shall cancel access to the CFN cardlock system from the cards provided to JGT under this scope of work, within 24 hours of written notification from Metro to do so.
6. Contractor, in consultation with JGT, shall provide for the proper blending of cold weather fuels to ensure one hundred percent "non-gel" operation of JGT tractors at all times.
7. The services provided under this scope of work shall terminate on November 30, 1994, unless extended by mutual agreement.
8. Metro reserves the right to terminate this agreement at any time upon written notice to Contractor.
9. Within 10 business days from the provision of fuel to Metro by Contractor, Metro shall provide the Contractor with a deposit in the amount of \$25,000. The deposit shall be applied as partial payment to the final payment due under this Scope of Work.

Metro P.O. #

8742

PORTLAND, OREGON 97232 2736
FAX 503 797-1798

METRO

To: DETH OIL COMPANY
PO BOX 6
ARLINGTON OR 97001

Ship to:

- ☐ **Metro Washington Park Zoo**
4001 SW Canyon Rd. Portland, OR 97221
- ☐ **Metro Regional Center**
600 NE Grand Ave. Portland, OR 97232 -2736
- ☐ **Metro ERC**
777 Martin Luther King Jr. Blvd. Portland, OR 97232
- ☐ **Other Facility** _____

☐ Attention/ Dept. CLPPE SOLID WASTE

Date of order	Purchase order number
JUNE 7, 1944	8742
Purchase order number <i>must</i> appear on all bills of lading, packing slips, invoices and correspondence.	

- | | |
|--|---|
| <input checked="" type="checkbox"/> Confirming | <input checked="" type="checkbox"/> DBE/WBE unavailable |
| <input type="checkbox"/> Non-confirming | <input type="checkbox"/> DBE certified |
| <input type="checkbox"/> Delivery required | <input type="checkbox"/> WBE certified |

By acceptance of this purchase order, vendor acknowledges that he/she has read and agrees to the conditions printed on the reverse side of this document.

Please submit invoices in duplicate to Metro 600 NE Grand, Portland, OR 97232

Do not back order without our approval.

Enclose an itemized packing list showing purchase order number with each shipment.

If shipped prepaid and freight added to invoice you must mail us the receipted freight bill to support freight charges. We must have this before we can pay your invoices.

[illegible]

Prepared by	KATHY HENTON	Ext.	1717	Total	403125.00
-------------	--------------	------	------	-------	-----------

Authorized by

9116

ATTACHMENT 2

SCOPE OF WORK FOR STEIN OIL CO. INC. (Contractor)

1. Contractor shall within 10 days of notice from Metro, establish a Metro account with the Pacific Pride cardlock system, for the provision of diesel fuel to Jack Gray Transport, Inc.'s (JGT) over-the-road tractors used to haul waste from Metro transfer stations to the Columbia Ridge Regional Landfill, located in Gilliam Co., Oregon. Contractor shall comply with all Metro-established safeguards to ensure that the fuel supplied through the Metro account is used only for the work described above.
2. Contractor shall provide a card for each JGT tractor designated by JGT's terminal manager (or representative) to access the Pacific Pride cardlocks, 24 hours per day, 365 days per year, to be used by JGT at the following Oregon locations: Rufus, Oregon City, Troutdale, Arlington and at NW 29th Avenue in Portland. Each card shall be programmed to purchase up to 50 gallons per use, except for those tractors based in the Portland area and designated by Metro and JGT, which shall be provided with cards with 120 gallon limit. The cards shall be programmed to provide the same invoice information as provided to JGT as of March, 1994.
3. Metro shall purchase the fuel on a cost plus margin basis. If fuel is purchased at a facility owned by the Contractor, Contractor shall charge Metro the cost of the fuel (including applicable terminal fees, freight, and terminal taxes -excluding the federal excise tax), plus 5 cents per gallon. For fuel purchased at Pacific Pride cardlocks not owned by the Contractor, Metro shall be charged cost plus 7 cents per gallon. Metro shall pay Contractor within 15 business days of receiving invoice.
4. Metro shall provide the appropriate documentation to the Contractor in order to obtain a rebate of the federal excise tax.
5. Contractor shall cancel access to the Pacific Pride cardlock system from the cards provided to JGT under this scope of work, within 24 hours of written notification from Metro to do so.
6. Contractor, in consultation with JGT, shall provide for the proper blending of cold weather fuels at the cardlock owned by the Contractor, to ensure one hundred percent "non-gel" operation of JGT tractors at all times. Contractor shall obtain written confirmation from those Pacific Pride cardlocks listed in Item #2 above, of their intention to provide "non-gel" protection.
7. The services provided under this scope of work shall terminate on November 30, 1994, unless extended by mutual agreement.
8. Metro reserves the right to terminate this agreement at any time upon written notice to Contractor.

Metro P.O. #

8743

Meeting Date: October 27, 1994
Agenda Item No: 7.1

METRO LEGISLATIVE AGENDA



METRO

DATE: October 20, 1994
TO: Metro Councilors
FROM: Councilor Mike Gates *mg/cs*
RE: Metro's 1995 Legislative Package

The 1995 session of the Oregon Legislature will begin in approximately 10 weeks. Metro will have issues to bring to the Legislature, and the Council has already approved supporting a bill relating to changes in the makeup of the Boundary Commission.

As Chair of the Governmental Affairs Committee, I have asked Merrie Waylett, Director of the Office of Public and Government Relations, to come to the Council meeting on October 27 to update the Council on the status of the development of Metro's legislative package. I will be introducing this topic under Councilor Communications.

Fax to Casey

Msg From: Pat LaCrosse
Title: NOTE TO CASEY

Date: 10/26/94

Time: 08:41:47

Page: 1

MEMO TO: CASEY SHORT
FROM: PAT LACROSSE

SUBJECT: METRO COUNCIL MEETING 10/27/94 4PM ORD. 94-576A

IN READING THE "COMMITTEE DISCUSSION/ISSUES" SECTION OF THIS REPORT, I NOTE THAT PARAGRAPH 2 STATES THAT I SAID THAT THE MERC COMMISSIONERS HAVE REVIEWED THE ORDINANCE AND "...SUPPORT IT." WHILE IT IS TRUE THAT I SAID THAT, I MIS-SPOKE AT LEAST IN PART. THE MERC COMMISSIONERS WERE GIVEN AN EARLIER VERSION OF THE ORDINANCE AND NOT HEARING ANY OBJECTION, I ASSUMED THAT THEY EITHER SUPPORT IT, OR AT LEAST DO NOT OPPOSE IT. THE FINAL VERSION ELIMINATES CERTAIN CATEGORIES OF INDIVIDUALS (ELECTED OR FORMERLY ELECTED LIVING PERSONS).

EXCEPT FOR THIS FINAL EXCLUSION, THE DISCUSSION THAT THE MERC HAS HAD IN THE PAST RE NAMING THE OCC FOR A LIVING, FORMERLY ELECTED OREGON OFFICIAL, AND FORWARDING A RECOMMENDATION ON TO METRO WAS TOTALLY CONSISTENT WITH THE ORDINANCE. GIVEN THE RECENT STATUS OF MERC DISCUSSIONS AND THE FORMATION OF THE CONKLING COMMITTEE, IT IS MY BELIEF THAT EVEN WITH THE NEW EXCLUSIONARY LANGUAGE, THE MERC WOULD HAVE NO PROBLEM WITH THE POLICY; BUT THEY HAVE NOT ACTUALLY REVIEWED IT WITH THE FINAL CHANGES NOR TAKEN ANY OFFICIAL ~~ACTION~~ *Action*. FURTHER, I PERSONALLY BELIEVE THAT THE POLICY ACTUALLY SIMPLIFIES THINGS FOR US A BIT AND MAKES IT EASIER TO DEAL WITH REQUESTS IN THE FUTURE.--PAT

METRO COUNCIL
October 27, 1994
Agenda Item No. 5.1

FINANCE COMMITTEE

ORDINANCE NO. 94-579 AMENDING THE FY 1994-95 BUDGET AND APPROPRIATIONS SCHEDULE TO PROVIDE FUNDING FOR THE COLUMBIA SLOUGH ENVIROCORPS PROJECT; AND DECLARING AN EMERGENCY

Date: October 27, 1994

Presented By: Councilor Washington

COMMITTEE RECOMMENDATION: At its October 26, 1994 meeting the Committee recommended unanimously that the Council adopt Ordinance No. 94-579. Committee members present and voting were Councilors Kvistad, McLain, Monroe, Van Bergen and Washington. Councilors Buchanan, Devlin and Gardner were absent.

COMMITTEE DISCUSSION/ISSUES: Charlie Ciecko, Regional Parks Director and Jim Morgan, Senior Regional Planner gave the Staff Report. Mr. Ciecko stated the purpose of the ordinance is to provide local match funding for a joint agency project to work on restoration and enhancement of lands for public use along the Columbia Slough. The agencies involved include the US Soil and Conservation Service, East Multnomah County Soil and Water Conservation District, Portland State University and Metro. The total project budget is approximately \$280,000 with all agencies contributing actual cash and in-kind services. Ordinance No. 94-579 provides for the transfer of \$35,000 from the General Fund Contingency to the Materials and Services Category in the Regional Parks and Expo Fund to be used to pay the East County Soil and Water Conservation District for the services of a Project Coordinator. The ordinance also recognizes an additional \$2,000 of grant funds from the USDA Soil Conservation Service to be used for various materials and services in support of the program.

Council Staff pointed out that the ordinance had been reviewed and received a favorable recommendation by the Regional Facilities Committee. During that Committee's review Councilor Moore raised a question concerning the affect of this project on the work plan of Ms. Rosemary Furfey, a Senior Regional Planner working on water quality programs. Council Staff referred the Committee to a memo from Andrew Cotugno, Planning Director which states that Ms. Furfey's participation in this project will fit well within her existing work program (See Attachment 1 to this Committee Report).

In response to a question from Councilor Van Bergen Council Staff pointed out the source of Metro Funding for this program is the General Fund Contingency. Specifically, the request would reduce the Contingency from approximately \$550,000 to \$515,000. Council Staff also stated that while it is still important to preserve as much as possible the Contingency because of the current financial

uncertainties facing Metro and the continuing needs to fund the Planning programs, the Department had notified the Finance Committee last June of the possibilities of this grant. Councilor Van Bergen asked Council Staff to prepare a list of other possible requests for the use of the General Fund Contingency prior to the Council making a decision on this specific request. The information requested by Councilor Van Bergen is attached as Attachment 2 to this Committee Report.

METRO

Planning Department
600 N.E. First Avenue
Portland, OR 97232
(503) 797-1726

Memorandum

DATE: October 25, 1994

TO: Councilor Ed Washington

FROM: *AC* Andrew Cotugno, Planning Director

SUB: Planning Department Staff Involvement in Columbia Slough AmeriCorps Program

Thank you for your recent memo informing me about the new AmeriCorps program that Metro is co-sponsoring with Portland State University and the Soil Conservation Service. It is an exciting new national program which offers many opportunities to conduct restoration work on the Columbia Slough in partnership with local communities. I understand that part of the Metro contribution to this program is to provide technical staff support and supervision of project implementation. Specifically, Rosemary Furfey in the Planning Department has been asked to provide this technical work.

After discussing this issue with Rosemary, I believe this program will directly support and complement the water quality and stream restoration work that Rosemary is already carrying out on the Columbia Slough. She is also a participant in the Columbia Slough Watershed Council and the AmeriCorps work will support that Council's mission in the slough. I appreciate Councilor Moore's concern that this will overburden Rosemary, but after my discussion with her I am confident this new effort will fit well with her existing work program. This new task will not affect the implementation of the Water Resources Work Plan.

Please contact me if you have further questions and please keep me informed about this program.

cc: Metro Council



METRO

ATTACHMENT 2
(Fin.Comm.Rpt./94-579)

Date: October 27, 1994

To: Councilor Van Bergen

From: Donald E. Carlson, *DEC* Council Administrator

Re: Potential Requests for Use of the General Fund Contingency

This memo is in response to your request made at the October 26, 1994 Finance Committee during consideration of Ordinance No. 94-579 for information on potential requests for the use of the General Fund Contingency. The information provided below is as a result of Council actions to date or items which have been mentioned to Council Staff as possibilities. They have been mentioned during earlier discussions at the Finance Committee on General Fund Contingency requests (Ordinances 94-569; 94-572; and 94-573).

The fiscal condition of the General Fund Contingency is or could be as follows:

Amount as of 10/26/94	\$550,575
Less \$35,000 from Ord. 94-579	\$515,575
Less \$115,000 for Const. Tax Election	\$400,575
Less \$55,000 for potential Exec. Mgmt request	\$345,575
Less \$40,000 for potential Auditor request	\$305,575

If you have any questions or need additional information, please let me know.


cc: Metro Council
Dick Engstrom
Jennifer Sims



METRO

Metro Council
Agenda Item No. 6.1
October 27, 1994

To: Metro Councilors

From:  John Houser, Senior Council Analyst

Date: October 26, 1994

Re: Proposed Amendment to Resolution No. 94-1974

At the request of Presiding Officer Wyers, I have prepared an amendment to Resolution No. 94-1974. The purpose of the resolution is to extend existing contracts with Devin and Stein Oil Companies for the purchase of fuel for the Jack Gray trucks that transport waste to the Columbia Ridge Landfill. The original resolution would extend the existing contracts from November 30, 1994 to May 31, 1995. Staff contended that an extension was needed to provide additional time for the development of bid documents and completion of the bidding and awarding of a new contract.

The proposed amendment (see attached) would reduce the length of the extension to January 31, 1995.

cc: Executive Officer Rena Cusma
Bob Martin
Jim Watkins

(Wyers Amendment)
10-26-94

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF EXTENDING)
THE FUEL PURCHASE AGREEMENTS)
WITH DEVIN AND STEIN OIL)
COMPANIES UNTIL [MAY] 31, 1995)

January

RESOLUTION NO. 94-1974

Introduced by
Rena Cusma, Executive Officer

WHEREAS, Metro has executed Change Order No. 15 to the Waste Transport Services Contract (EXHIBIT "A") which provides for a reduction in unit prices; and

WHEREAS, Under Change Order No. 15, Metro must purchase fuel for the Waste Transport Services Contractor in exchange for the reduction in unit prices; and

WHEREAS, As a result of this arrangement Metro has realized monthly savings of approximately \$50,000 per month (see EXHIBIT "B"); and

WHEREAS, Metro has purchased the fuel through Devin and Stein Oil Companies utilizing agreements which expire in November, 1994; and

WHEREAS, It is in Metro's best interest to continue to purchase fuel as provided in EXHIBIT "C" and EXHIBIT "D" until replacement agreements are reached; now therefore,

BE IT RESOLVED,

That the Metro Council hereby authorizes the Executive Officer to execute the change orders attached hereto as EXHIBITS "C" and "D".

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

Judy Wyers, Presiding Officer

EXHIBIT "C"

CHANGE ORDER NO. 1
METRO INVOICE NO. 8742

MODIFICATION TO THE CONTRACT BETWEEN
METRO AND DEVIN OIL COMPANY

A. Purpose and Duration of Change Order

The purpose of this Change Order is to extend the term of the Contract until May 31, 1995.

B. Terms of the Change Order

SCOPE OF WORK, Item No. 7:

REPLACE "November 30, 1994" with May 31, 1995"
January

DEVIN OIL COMPANY

METRO

Signature

Signature

Print Name and Title

Print Name and Title

Date

Date

EXHIBIT "D"

CHANGE ORDER NO. 1
METRO INVOICE NO. 8743

MODIFICATION TO THE CONTRACT BETWEEN
METRO AND STEIN OIL COMPANY, INC.

A. Purpose and Duration of Change Order

The purpose of this Change Order is to extend the term of the Contract until May 31, 1995.

B. Terms of the Change Order

SCOPE OF WORK, Item No. 7:

REPLACE "November 30, 1994" with "May 31" 1995"

January

STEIN OIL COMPANY, INC.

METRO

Signature

Signature

Print Name and Title

Print Name and Title

Date

Date



METRO

Council
10/27/94
7.1

Date: October 27, 1994

To: Metro Council

From: Merrie Waylett, director, Office of Public and *(mew)*
Government Relations

Subject: Implementation of consideration of Metro's 1995 State
Legislative Process and Agenda

In preparation for the 1995 Session of the Oregon Legislature, Metro department directors were asked, beginning in August, to submit ideas for legislation which Metro may want to introduce. In response, some of the departments and representatives of the Council, have submitted issues to be addressed legislatively, one of which, the membership of the Boundary Commission, has already been considered and approved by the full Council.

Legislation which clarifies existing laws to ensure the consistency with the provisions of the 1992 Metro Charter was introduced last session but did not receive a hearing in the Senate and died. At a FOCUS meeting earlier this year, the issue was again discussed and that organization would like to join with Metro in having the legislation introduced again this year.

There are other discussions going on around the state regarding changes to local budget law, transportation financing, changes in the law regulating recycling of plastics and others which Metro may be concerned with but are not yet at the stage where a position can be adopted.

The Metro Washington Park Zoo is exploring the request of lottery funds to assist in construction of the Oregon Territory exhibit. Representatives of Western Advocates have been working with Sherry Sheng to brief legislators about this possible request.

However, several issues on the ballot November 8 may determine whether or not specific state legislation is appropriate and what form it should take, eg. Passage of Measure 5 may change the situation drastically. And with the the transition of the Metro Council from a legislative body of 13 to seven members in January, and a new Executive Officer and Auditor, and these other unknowns, the Council may want to consider the following:

A. Consider and adopt legislative proposals to be introduced by Metro as soon as possible using the present committee system. Such consideration could allow for informal consultation with the newly elected executive officer and auditor and new members of the Council following the November 8 election.

B. Approve in concept, prior to the end of this year the recommended guidelines and process for considering legislation when the session begins as proposed in the attached draft. Again, this could be done in consultation with the newly elected Metro officials.

Or:

C. Do only A at this time and leave the question of the process for 1995 to be resolved by the new executive officer and seven member council after January 1, 1995.



METRO

DRAFT

1995 Legislative Process, Principles & Priorities**A. Legislative Process**

1. Metro is the regional government for the metropolitan area in and around Portland, Oregon. Its authority and responsibilities are described in the Metro charter, adopted by area voters at the November 1992 general election. In carrying out its charter responsibilities, Metro interacts with the Oregon Legislature, both pro-actively, e.g. Metro may seek introduction of its own legislative proposals asking the Legislature to take specific action; and re-actively, e.g. Metro may respond, either in support or opposition, to legislative proposals introduced by others. Metro receives basic legislative information through its membership in the Special Districts Association of Oregon (SDAO). It also contracts for an enhanced level of lobbying representation from SDAO's contract lobbyists, Western Advocates.
2. Metro's legislative agenda for the 1995 Legislative Assembly will identify: (a) those proposals and bills the agency actively supports; (b) proposals and bills the agency actively opposes; (c) proposals and bills that have the potential to affect the agency and which will be monitored during the session. The single most important factor in determining priorities among the proposals and bills that affect Metro, will be the impact each will have on the agency's ability to do its job, as outlined in the Metro charter.
3. The Metro Council will determine the agency's legislative priorities. Council members, the Executive Officer and Western Advocates representatives will meet with legislators from the region to brief them on Metro's legislative principles and priorities. Metro's legislative activities during the session will be managed by a legislative oversight committee, whose membership will be determined by the Executive Officer and the Council. During the session, Western Advocates will route bills to Metro's Office of General Counsel for their review, and for review by affected departments. The Office of Public and Government Relations will coordinate departmental responses and send them to Western Advocates, the Presiding Officer and Council, the Executive Officer, the Auditor and the Office of General Counsel. Responses will be used to help determine Metro's position on specific legislation, either S = Support; O = Oppose; M = Monitor. As bills are amended through the legislative process, their status may alter. Western Advocates staff will report to the Metro Council on a regular basis and furnish the Presiding Officer and the Executive Officer with a weekly status report on legislation of importance to the agency. Visits to Salem by Council members, the Executive Officer, and agency staff in support of Metro's legislative agenda will be most effective if coordinated through the Office of Public and Government Relations and with Western Advocates staff.

B. Legislative Principles

As a guiding principle, Metro will support actions of the Oregon Legislature that recognize, and are consistent with, the authority and responsibility granted to the regional government by the Metro charter.

- Metro support of any bill will be based on an assessment that action by the State Legislature is either required, or will enhance Metro's ability, to carry out its responsibilities under the charter.
- Metro's opposition to a bill will be based on an assessment that legislative action, as proposed, will have the effect of diminishing Metro's authority under the charter, or otherwise impair its ability to carry out its charter responsibilities.

Metro will generally support legislative actions that:

- Maintain Metro's ability to generate revenues locally and retain maximum control over their use.
- Contribute to a healthy economy and a better quality of life for the people of the region, and of Oregon, through implementation of the Oregon Benchmarks program.

C. Issued Proposed For Council Consideration As Legislative Priorities For 1995. *General Government*

- Support legislation which makes existing laws consistent with the provisions of the Metro Charter adopted by area voters in the November, 1992 election.

Finance & Taxation

- Support legislation which proposes changes to the local budget law provisions of Oregon Revised Statutes (ORS).

Land Use/Transportation

- Seek amendments to the laws governing the number of Boundary Commission members
- Oregon Transportation Financing package

Environment & Natural Resources (Solid Waste, recycling, greenspaces)

- Plastics recycling - possible changes to provisions of 1993 legislation (SB 66)
- Clarify Metro's status under law relating to conservation easements (Greenspaces).

Facilities (Zoo, MERC)

- Seek Lottery funds appropriation for new Oregon Exhibit at Zoo.

Other