WORK SESSION

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1797

METRO

MEETING: METRO COUNCIL WORK SESSION
DATE: January 17, 1995
DAY: Tuesday
TIME: 2:00 p.m.
PLACE: Council Chamber

Approx. <u>Time</u> *		
2:00		**CALL TO ORDER AND ROLL CALL**
(5 min.)	**1.**	**INTRODUCTIONS**
(5 min.)	**2.**	**CITIZEN COMMUNICATIONS**
(5 min.)	**3.**	**EXECUTIVE OFFICER COMMUNICATIONS**
	4.	**OTHER BUSINESS**
2:15 (10 min.)	4.1	Review of MERC Resolutions adopted at its January 11, 1995 meeting
2:25 (35 min.)	4.2	Overview of the 1995 Legislature
3:00 (10 min.)	4.3	Goal 5 Update
3:10 (30 min.)	4.4	Council Office Budget Development
3:40 (5 min.)	**5.**	**COUNCILOR COMMUNICATIONS**
3:45		**ADJOURN**

Items scheduled at the work session may be continued for further discussion or action at the regular Thursday Council meeting.

For assistance/Services per the Americans with Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office)

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

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1797

METRO

DATE: January 13, 1995

TO: Metro Council
Executive Officer

FROM: Susan Lee, Council Assistant

RE: Metropolitan Exposition-Recreation Commission (MERC) Resolution Nos. 95-1, 95-2, 95-3, and 95-4

In compliance with Section 6.01.080 of the Metro Code, I am informing you that Council staff received signed copies of the resolutions listed below on January 11, 1995.

95-1 Authorizing the General Manager to execute an Intergovernmental Agreement with the State of Oregon Economic Development Department Tourism Division to determine the economic impact of the tri-county metropolitan region associated with the Oregon Convention Center operation

95-2 Approving the MERC Food and Beverage Committee's recommendation as follows: a) extend the OCC Fine Host Concessions/Catering Management contract for four years and seek Metro Council approval, under the provision of single source provider, to add PCPA to the Fine Host contract extension; and b) one Concessions/Catering Management RFP for Civic Stadium and Expo Center be issued for a minimum four year contract, with a two year extension, at the option of the MERC Commission, to allow for amortization of needed capital investment

95-3 Establishing an Affirmative Action Enhancement Project

95-4 Amending Section 5.02, Announcements and Posting, of the MERC Personnel Rules

Per Metro Code Section 6.01.080(b) the Executive Officer, or three Councilors acting jointly, have ten (10) days from the resolution filing date with the Council Department to file a request for Council review of Resolution Nos. 95-1, 95-2, 95-3, and 95-4.

Attachment: Resolutions 95-1, 95-2, 95-3, and 95-4.

c:
Don Carlson
Doug Butler
Dan Cooper
Jennifer Sims
Pat LaCrosse
PCPA Administrative Office
Pam Erickson
Nancy Meyer
Marilyn Geary-Symons
Paula Paris
Rich Wiley
Denise Peterson
Michelle Cline

METROPOLITAN EXPOSITION-RECREATION COMMISSION

RESOLUTION NO. 95-1

Authorizing the General Manager to execute an Intergovernmental Agreement with the State of Oregon Economic Development Department Tourism Division to determine the economic impact of the tri-county metropolitan region associated with the Oregon Convention Center operation.

The Metropolitan Exposition-Recreation Commission finds:

1. That this information is necessary to determine the effectiveness of the original intent of the convention economic impact on the region.

2. That this information will be very useful in analyzing whether the Oregon Convention Center is meeting the public goals established in the original concept of the convention tourism impact on the community.

3. That this information will be useful in assessing the impact of expanded convention facilities and will aid the feasibility efforts of expansion studies.

BE IT THEREFORE RESOLVED that the Metropolitan Exposition-Recreation Commission authorizes the General Manager to execute the attached Intergovernmental Agreement for economic impact study with the Oregon Economic Development Department, Tourism Department to be completed in April of 1995.

Passed by the Commission on January 11, 1995.

Chairman

Secretary-Treasurer

Approved as to Form:
Daniel B. Cooper, General Counsel

Mark B. Williams, Sr. Assistant Counsel

MERC STAFF REPORT

Agenda/Item Issue: Intergovernmental Agreement with Oregon Economic Development Department, Tourism Department

Resolution No. 95-1

Date: January 11, 1995 **Presented By:** Jeffrey A. Blosser

Background and Analysis: When the Convention Center was originally sold to the Tri-County area, there were some definite goals for economic impact to the region as related by jobs, taxes generated and the impact generated by Center business. The Convention Center has never had a means to measure its annual impact on the community and this contract will provide current information for the past four years as well as establish a model so future information can be generated. This information is also necessary to help support the effort of feasibility for Convention Center expansion and how the expansion will benefit the region.

Fiscal Impact: The study will cost an amount not to exceed $35,000, broken down as follows:

Contractor:	$30,000
Contingency:	$ 3,000
OEDD (mgmt):	$ 2,000
	$35,000

The Convention Center has funds budgeted in its construction fund for expansion feasibility studies. The approved 1994-95 amount is $100,000. The interagency agreement provided input and management by the State of Oregon - Economic Development Department. RFPs were solicited by OEDD for services required and this information is also helpful to the State Tourism Department.

Recommendation: Staff recommends that MERC authorize the General Manager to execute an Intergovernmental Agreement with the Oregon Economic Development Department for a study to determine economic impact on the region from operations of the Oregon Convention Center for an amount not to exceed $35,000.

INTERGOVERNMENTAL AGREEMENT

This agreement is between the State of Oregon acting by and through its Oregon Economic Development Department, Tourism Division, hereinafter called "Department" and Metro Exposition-Recreation Commission, hereinafter called "MERC", located at the Oregon Convention Center, PO Box 12210, Portland, Oregon 97212.

I. Purpose

To conduct a study of the economic impacts for the tri-county metropolitan region (Multnomah, Clackamas and Washington counties) associated with the Oregon Convention Center. The study will analyze expenditures associated with delegate spending, vendors, and all services that support convention center operations and activities. In addition it will analyze jobs created and/or retained; tax revenues generated; and secondary economic impacts. The Department will hire CIC Research to develop a model to analyze the convention center impacts annually, and train center staff on the using the model.

Cost: $35,000 total:

$33,000 for CIC Research, the firm that will conduct the study

$ 2,000 for the Department to cover administrative costs such as staff time to coordinate project, newspaper advertising of RFP, and mailing.

II. Term of Agreement

This agreement shall be effective on the date when this Agreement has been signed by both the "Department" and "MERC" and shall expire unless otherwise terminated or extended, on June 30, 1995.

III. Consideration

"MERC" shall reimburse the "Department" an amount not to exceed $35,000.00. The "Department" shall invoice "MERC" for $32,000 upon approval of this agreement. The balance of $3,000 will be billed to "MERC" if additional training is required of CIC Research by the "Department" and "MERC".

IV. Modifications or Extensions

Any modifications or extensions of this agreement must be mutually agreed to in writing by both parties.

V. Termination of Agreement

This agreement may be terminated by mutual consent of both parties, or unilaterally by either party upon giving 30 days written notice to the other party.

INTERGOVERNMENTAL AGREEMENT
(CONTINUED)

By signature below, all parties agree to the terms set forth in this agreement.

ACCEPTANCE SIGNATURES

"Department" AUTHORIZED SIGNATURE	TITLE	DATE
	MERC Gen. Mgr.	1-11-95
"MERC" AUTHORIZED SIGNATURE	TITLE	DATE

METROPOLITAN EXPOSITION-RECREATION COMMISSION

RESOLUTION 95-2

Approving the MERC Food and Beverage Committee's recommendation as follows: a) extend the OCC Fine Host Concessions/Catering Management contract for four years and seek Metro Council approval, under the provision of single source provider, to add PCPA to the Fine Host contract extension; and b) one Concessions/Catering Management RFP for Civic Stadium and Expo Center be issued for a minimum four year contract, with a two year extension, at the option of the MERC Commission, to allow for amortization of needed capital investment.

The Metropolitan Exposition-Recreation Commission finds:

1. That three public meetings were held to discuss all aspects of the Food & Beverage operation of all MERC facilities. Information was presented by staff, current vendors and interested parties as to the needs of the Food and Beverage operations of MERC facilities.

2. That all concessions/catering contracts have expiration dates corresponding with June 30, 1995 and that the Commission needs to act to extend current agreements and/or solicit request for proposals to acquire management services for the Food and Beverage operations at MERC facilities.

BE IT THEREFORE RESOLVED that the Metropolitan Exposition-Recreation Commission approves the recommendation of the Food and Beverage Committee as follows - a) extend the OCC Fine Host Concessions/Catering Management contract for four years and seek Metro Council approval, under the provision of single source provider, to add PCPA to the Fine Host contract extension; and b) one Concessions/Catering Management RFP for Civic Stadium and Expo Center be issued for a minimum four year Concessions/Catering contract, with a two year extension, at the option of the MERC Commission, to allow for amortization of needed capital investment.

BE IT FURTHER RESOLVED that staff negotiate the contract extension for the OCC, and the addition of the PCPA (subject to Metro Council approval) to a satisfactory conclusion and return the contract extension to the Commission for final approval.

Passed by the Commission on January 11, 1995.

Approved as to Form:
Daniel B. Cooper, General Counsel

Chairman

Mark B. Williams, Sr. Assistant Counsel

Secretary-Treasurer

METROPOLITAN EXPOSITION-RECREATION COMMISSION

Concessions & Catering Management RFP Discussion
Public Meeting
Related to
The Oregon Convention Center
and
The Portland Metropolitan Exposition Center

December 7, 1994 - 4:00 pm
Oregon Convention Center - Room B113

Those Present: Bernie Foster, MERC Commissioner; Mitzi Scott, MERC Commissioner; Ben Middleton, MERC Commissioner; Pat LaCrosse, MERC General Manager; Jeffrey Blosser, Oregon Convention Center Director; Harriet Sherburne, PCPA Director; Chris Bailey, Expo Manager; Candy Cavanagh, Civic Stadium Manager; Norm Kraft, MERC Accountant; Dennis Beaudoin, Fine Host Corp.; David Sloma, Fine Host Corp.; Glen Boss, G. Boss, Inc.; Michael O'Loughlin, Expo Advisory Committee; Barbara Setterlund, Expo Parking Contractor; Jackie Winters, Jackie's Ribs; D. Lensch, Music Theatre Co.; Bill Moore, Food Services of America; Marlin Ail and Aaron Ail; Chris Palmer, Palmer/Wirfs & Assoc./Expo Advisory Committee; Nancy Ochs and Suzy Bicknese, Fine Host Corporation; Luc Fortter, Food Services of America; and Les Bergstrom.

The meeting was opened at 4:00 pm by MERC Commissioner Mitzi Scott. Commissioner Scott asked those present to introduce themselves and then explained the purpose of the public meeting today was to gather information and foster discussion about a concessions and catering management contract. The meeting was then turned over to Jeff Blosser, OCC Director who invited questions and discussion anytime during his remarks. Blosser reviewed the meeting agenda items, giving background information related to each facilities' current concessions/catering contract. He noted that currently, Fine Host holds the contract at OCC and Stadium for concessions and catering; G. Boss, Inc. is the contractor at Expo and the PCPA cafe and concessions operation are exclusive to Jake's. PCPA also offers an open catering contract.

It was pointed out that MERC has extended all current concessions/catering contractors' contracts to correspond with an ending date of June 30, 1995. Blosser then presented the percentage/ratio figures for each facility: OCC being 2/3 catering and 1/3 concessions; Stadium and Expo are about 95% concessions and 5% catering; and PCPA is about 1/3 catering and 2/3 concessions.

Blosser reviewed the MERC RFP process with those present. MERC will need to give notice of intent to Fine Host and G. Boss, Inc.. It was noted that PCPA's contract has no extension. Blosser explained that MERC staff has evaluated many of the various options available and is leaning toward a one-for-all RFP process. Based on the needs, economics, mix of facilities and capital needs, the larger the contract the better the deal for MERC.

Blosser presented the three year concessions/catering financial history related to OCC and Expo. G. Boss, Inc.'s contract (Expo concessions/catering contractor) is on a gross sales percentage - 42% concessions and 20% catering off the top of gross. Fine Host Inc.'s contract (OCC) is a management fee contract in which the OCC percentage split with Fine Host after net profit is 85.5% to OCC and 14.5% to Fine Host.

Blosser summarized RFP options to-date:

1. one MERC-wide RFP (all facilities)
2. extend current contracts
3. grouping facilities in RFP process
4. individual facility RFPs

Again Blosser pointed out that staff was leaning toward option #1 due to increased revenue being generated and the ability to share staff, management equipment and accounting among the facilities. He noted that staff's initial choice at this point was in no way a reflection on any current concessions/catering contractor. He also added that revenue to MERC and capital investment would be major issues in any RFP.

MERC Commissioner Scott explained the MERC Commission's goal as representing the public interest. In meeting that charge, the two primary concerns are: 1) operating MERC facilities in a fiscally responsible manner and, 2) operating the facilities in a high quality manner and provide quality service. Balancing those two goals is what the Commission works toward.

Blosser presented issues, on behalf of other MERC Commissioners not present, related to pricing, menu name-branding and service levels. He noted that Stadium and Expo clientele share price sensitivity issues needing to be addressed in whatever kind of RFP is recommended.

Blosser reviewed the potential RFP time-line as follows: next public meeting on December 19, 3:00 pm, at the Oregon Convention Center, with focus on RFP issues relating to PCPA and Civic Stadium; a public meeting on January 3, 3:00 pm, Oregon Convention Center, with focus on consolidating all issues and concerns and formulating a recommendation to take to the MERC Commission at the January 11, 1995 MERC Meeting; from Jan. 11 - June 30, the RFP process would be completed and a recommendation of the successful contractor would be made to the MERC Commission in May of 1995. Blosser noted the RFP's basic content has to do with the scope of work and the rest is required legal language. He indicated he would like to see a draft RFP available at the January 3 public meeting.

Chris Palmer, Palmer/Wirfs & Assoc., and speaking on behalf of the Expo Advisory Committee, noted she operates consumer shows predominantly at the Expo but also events at OCC. Ms. Palmer expressed pleasure with and strong support of G. Boss Inc.'s responsiveness to her shows, especially in the areas of pricing and quality of service and staffing.

There was a general discussion regarding ownership of concessions/catering equipment at the various facilities during which it was pointed out that OCC holds ownership of equipment at OCC and G. Boss Inc. owns equipment at the Expo.

Dennis Beaudoin, Fine Host Corp. expressed support for the idea of letting two contracts - one being catering and the other concessions. He felt it made sense, given the mix of facilities and their needs, to utilize expertise.

Glenn Boss pointed out that if one contract was let for all MERC facilities, the process could push the smaller local vendors out of the competition.

Mr. Ail suggested reviewing the trend other big cities have been leaning toward; that of allowing the food contractor to come into the facility and management the concessions/catering business for them.

Harriet Sherburne, PCPA Director, stated PCPA would be seeking a contract structure that helps the facility gain capital investment and maximum return.

MERC Commissioner Foster asked if any of the contractors present saw any logistical problems with one contract. Mr. Beaudoin pointed out that while many think there is increased efficiencies realized, the reality is one contract often times decreases efficiency.

There was a general discussion regarding the terms of the potential contract during which Jeff Blosser speculated the term would be for five years with one option. He also noted the many variables to the contract could affect the terms, such as capital investment, service levels, pricing structure and menu variety.

Candy Cavanagh, Civic Stadium Manager, voiced her concerns related to Civic Stadium's need for capital improvements as well as maintaining service levels and pricing structures conducive to Stadium clientele. She noted that the Stadium relies on concessions revenue due to minimal ancillary income in other areas. Cavanagh stated she would like to see a contract that is attractive to both facility and contractor.

There was a general discussion regarding the RFP process being restricted to vendors in the State of Oregon. Jeff Blosser stated that as far as he knew the RFP, as a whole, cannot be restricted to an area, but within the RFP, MERC does have language to the effect of hiring and purchasing within the local area.

There being no further discussion, the meeting was adjourned at 5:05 p.m.

METROPOLITAN EXPOSITION-RECREATION COMMISSION

Concessions & Catering Management RFP Discussion
Public Meeting
Related to
Portland Center for the Performing Arts
and
Civic Stadium

December 19, 1994 - 3:00 p.m.
Oregon Convention Center - Room C123

Those Present: Mitzi Scott, MERC Commissioner; Clifford N. Carlsen, MERC Commissioner; Pat LaCrosse, MERC General Manager; Jeffrey Blosser, OCC Director; Harriet Sherburne, PCPA Director; Chris Bailey, Expo Manager; Candy Cavanagh, Civic Stadium Manager; Heather Teed, MERC Finance Manager; Norm Kraft, MERC Accountant; Pam Erickson, MERC Project Dev. Manager; Dennis Beaudoin, Fine Host Corp.; David Sloma, Fine Host Corp.; Randy Ziegler, Fine Host Corp.; Sean Perkins and Glen Boss, G. Boss Inc.; Dorothea Lensch, Musical Theatre; Aaron Ail, Ail Concessions; Gary Lawrence, McCormick & Schmick Concessions; Jack Cain, Portland Rockies; M. Richards and S. Caldwell, Portland Center Stage; Linda Cargill, The Skanner News; Larry Harvey, Tri-County Lodging Association; LeAnne Petrone, Tygress Heart; Ralph Nelson, Oregon Symphony; Richard Ransone, PCPA Advisory Committee and Les Bergstrom, Northwest Strategies.

The meeting was opened at 3:00 p.m. by MERC Commissioner Mitzi Scott. Commissioner Scott asked those present to introduce themselves and then explained the purpose of the public meeting today was to gather information and foster discussion about a concessions and catering management contract with the focus on RFP issues related to Portland Center for the Performing Arts and the Civic Stadium. The meeting was then turned over to Jeff Blosser, OCC Director, who reviewed the history of the current contracts and how MERC's facility mix has changed since those contracts have been in place. Blosser reviewed discussion items from the last public meeting on Dec. 9. He noted the RFP process is very lengthy which is the reason for starting now. Financial figures related to Stadium and PCPA were reviewed. Blosser explained there were minimal capital needs at OCC, but a consultant, working on a PCPA concessions/catering study, recommended 1/2 million capital dollars for PCPA, Stadium, and Expo. (PCPA needing in the neighborhood of \$300-500,000 capital dollars; Civic Stadium - \$200-250,000 capital needs; and at Expo, where all equipment is owned by current contractor, investment would depend on contract terms and successful vendor).

Blosser noted that staff is leaning toward one MERC-wide RFP (inclusive of all facilities). Blosser summarized RFP options to-date:

1. one MERC-wide RFP (all facilities)
2. extend current contracts
3. grouping facilities in RFP process
4. individual facility RFPs
5. catering RFP (OCC) and concessions RFP (Stadium, Expo, PCPA)

Blosser reported Metro's legal counsel had advised that MERC was unable to extend contract and add new facilities to current contracts. Blosser reviewed the management fee vs. flat percentage contract structures. He also noted the possibility of having a threshold percentage fee. Blosser pointed out that many venues in the industry use the management fee structure due to a team/partnership incentive.

There was a general discussion regarding structuring the RFP relating to service levels, facility needs, menu choices and pricing. Candy Cavanagh, Civic Stadium Manager shared her observations of the Stadium's physical structure and lack of room for additional points of sale and long lines at the points of sale in operation which in turn creates public dissatisfaction. She also noted that price sensitivity was an issue for Stadium clientele. Stadium staff and Fine Host staff have experimented with various creative ideas in order to develop more points of sale. Randy Ziegler, Fine Host, pointed out that with all the media news about the Stadium's shaky future, he felt that contractors would want a commitment on the part of government related to the term of the Stadium contract as well as allowing the successful contractor to recover their investment.

Harriet Sherburne reviewed the history of the catering/concessions contracts related to PCPA. There was a general discussion regarding PCPA's experimental open catering project which is meeting some but not all of PCPA client needs. She also pointed out that it was difficult to manage from the facility's standpoint. Also noted was the lack of food preparation areas within PCPA facilities. Blosser pointed out that on-site management levels is one of the RFP issues being explored by staff.

M. Richards, Portland Center Stage, spoke in favor of the management fee structure due to all parties benefiting. He also added that more points of sale are needed for PCPA events. Sherburne stated that Tygress Heart Company has been using volunteers to run a concession stand during their events - buying their products from Jakes; selling the product and keeping the profit. Sherburne pointed out that this is a case where PCPA forgoes the bottom line in favor of customer service.

There was a general discussion regarding union staffing at various facilities and how the volunteer manning of concession stands would fit into that. Also discussed was the shuttling of concessions/catering staff and equipment from building to building. Gary Lawrence, McCormick and Schmick, spoke to PCPA promoters asking for more points of sale to serve their customers. He suggested the City needs to address the issue by possibly spending dollars to improve points of sale or lowering facility rent.

Blosser pointed out that a MERC-wide RFP/contract would best address the capital needs (replacement of equipment and more points of sales, more portable equipment, refurbishment). He also noted that PCPA and the Stadium cannot always afford to meet customer service needs and lose money at the same time.

Blosser pointed out that all the current contractors have provided excellent service but now MERC has a new mix of facilities and needs; therefore necessitating a RFP that will address these changes. G. Boss asked if Fine Host would be interested in bidding on a MERC-wide RFP. Randy Ziegler, Fine Host, responded they would be interested, but felt there was a legal problem that needed to be addressed related to a Fine Host contract extension inclusive of the newly added facilities. Blosser again pointed out that Metro legal counsel had advised that due to the change in facility mix, a new RFP/contract would be needed.

R. Ziegler, Fine Host, presented a narrative on the history of the current Fine Host contract and a general performance evaluation. He noted that OCC has been Fine Host's showplace in the West, and OCC has helped Fine Host sell other accounts. He noted that Fine Host has never failed to be extended at any convention center in the country.

Ralph Nelson, Oregon Symphony, wanted to go on record with the concerns Symphony patrons have related to the quality of the food and service. He noted the Symphony is a little bit skeptical with using one specific vendor and concerns with the current food menu. Nelson added that the Symphony favors the open catering arrangement. He also stated that due to lack of kitchen facilities at the Schnitzer, it is impossible to stay current with what other cities are providing their Symphony clientele in the way of food and beverage.

There was a general discussion regarding unused space at the Schnitzer and Auditorium that could be utilized as food preparation areas. Major benefits in doing so would be providing customers with menu variety, quality and on-site preparation. MERC Commission Scott pointed out that an investment in creating more preparation space in order to provide higher quality food still does not increase sales if lack of points of sale is still a problem..

There was a general discussion regarding one MERC-wide RFP vs. the grouping of facilities. Randy Ziegler pointed out that no matter how the RFP is grouped, the contractor will look at each facility's bottom line as to investment vs. profit. He suggested that with the capital investment needed, a funding mechanism within the contract would be of benefit to all parties.

Blosser noted the challenge in packaging the RFP to fit both contractors' and facilities' needs and, at the same time, keeping the local and national companies involved. Blosser stated that one of the facility benefits to the management fee structure is that it gives the facility flexibility with the 6% renewal and replacement capital/marketing/utility fund and also allows the facility to waive percentage to lower cost. Blosser pointed out six major criteria were used to select the current contractor.

J. Cain, Portland Rockies, spoke to his concern of any change of contractor during the middle of his season. Blosser pointed out that it may become necessary to extend current contracts so no loss of continuity is experienced should a new contractor be selected. Blosser noted that issue can be addressed and negotiated within the RFP.

Blosser outlined the potential RFP time-line as follows: next public meeting to consolidate issues/concerns discussed in the December 7 & 19 public meetings as well as formulating a recommendation to present for approval at the MERC Commission meeting on January 11, 1995. From Jan. 11 - April, the RFP process would be completed and a recommendation of the successful contractor would be presented to the MERC Commission at its May 1995 meeting.

There being no further discussion, the meeting was adjourned at 4:45 p.m.

FACTS CONCERNING FOOD & BEVERAGE SERVICES

- $750,000 minimum capital investment is needed for Civic Stadium, PCPA and Expo Center Food and Beverage operations.

- Extension provisions are available for Fine Host only at OCC and Stadium for 2 two year options and for a year option at Expo Center with G. Boss, Inc. No extension provisions are available at PCPA.

- MERC Legal Counsel has advised the need to bid the PCPA and Expo contracts because they cannot be included in any extension of current agreements.

- The mix of facilities now, as opposed to the variety of facilities in 1989, requires a different set of service levels and needs.

- Combining all facilities makes the Food and Beverage contract more enticing to contractors than piece-meal RFPs if done individually.

- The volume of capital funding needed for three of the four facilities is necessary to improve revenue and service, but MERC does not have the capital dollars within current budget to provide such capital improvements.

A. Grouping of Facilities

1. Civic Stadium / Expo Center
   OCC / PCPA

2. OCC / Civic Stadium
   Expo Center / PCPA

3. OCC By Itself
   Expo Center / PCPA / Civic Stadium

Advantages

1. Potential for larger income to certain MERC facilities.
2. Current contractors have better opportunity to be involved in contract extensions.
3. Some facilities may benefit by grouping of operational needs in one area such as concessions.
4. We know what levels of service are currently being provided - no surprises.

Disadvantages

1. Two separate contracts - Two separate deals.
2. Cannot mix equipment or staff & product.
3. 2 RFP Processes - Less opportunity for larger capital investment.
4. Some facilities are not suited to be "partnered" together.
5. Catering at some facilities is needed and can only be provided from off-site locations. This arrangement may not be conducive.
6. No public process for 6 yrs. This would allow a fresh approach to solving MERC Food & Beverage needs, not just certain facility needs.

B. Contracting All Facilities with One Food and Beverage Provider

Advantages

A. Potential contract revenue is larger, would indicate more quality response to RFP.

B. Capital investment levels are higher due to bigger contract & return to vendor.

C. More managerial control MERC-wide from a marketing system and sharing of staff, equipment and food product.

D. More buying power with larger contract - lower product costs.

E. Greater flexibility in running the operation with a reserve account for capital and maintenance funding.

F. Should be easier and less cumbersome to audit from an accounting standpoint.

Disadvantages

A. Potentially less income back to MERC.

B. May prohibit local vendor participation unless partnered with national firm.

C. Switching from one company to selected vendor may cause some rough spots in the operations for the first six months.

Proposed Form of Compensation is

MANAGEMENT FEE

A. More managerial control of pricing, operation and marketing

B. Investment of capital is in the operation and gross sales system would not provide

C. Continued reserve account for each year of utilities, marketing, on-going operational and maintenance expenses funded. Also provides for on-going capitalization of operations with new equipment, smallwares, etc.

D. Return elements force a quality run type of business with concentration on net profit and possibility of gross sales improvements with this deal.

E. Gross sales provides potential for more income but the downside could be lower quality service and higher prices for concessions items.

F. Gross sales is not bottom line driven but top line driven - difficult for a catering/marketing operation to be competitive.

RECOMMENDATION

Staff recommends that the MERC Food and Beverage Committee forward to the MERC Commission a recommendation to solicit a RFP for the Management of all Food and Beverage Services for all MERC Facilities with one contract, at the January 11, 1995 Commission Meeting.

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Dec. 28, 1994

RECEIVED DEC 3 0 1994

Jeff Blosser
O.C.C.
777 N.E. M.L.K. Blvd.
Portland, OR 97212

Re: RFP for Concessions & Catering

Dear Jeff:

Because I may be unable to attend the meeting scheduled for Jan. 3, I would like the following to serve as my testimony on the above issue.

I know you are familiar with my thoughts on this - my views naturally have some basis in continuing with a format that has been comfortable and familiar. However, I do realize that your criteria is quite different and that your responsibility is to maximize profitability while serving your customers.

From that perspective, I respectfully offer the following observations. It appears from the balance sheet that was distributed at the Dec. 7th meeting that the current contract at the Expo Center returns a higher percentage of revenue proportionate to gross sales to the building when compared to O.C.C. I realize that the percentage is minute (33% vs. 36%), but seems to satisfy the bottom line requirement. Factoring in the need for a new contract holder (or MERC) to purchase new equipment, I wonder if changing the terms of the contract and including them as a unit, is cost effective.

Both Dennis Beaudoin and Glen Boss stated at the Dec. 7th meeting that one contract would probably mean decreased efficiency, since when one building is busy, generally both are due to the seasonal nature of the industry. That statement removes another possible plus in awarding one contract.

I also suspect that the citizens of Portland would react unfavorably to a large, national company assuming such a large contract especially at the expense of a local vendor. All aspects of the Convention Center, from it's intitial construction to it's day to day operation have had to be extremely sensitive to the impact on the local economy.

To summarize, it would seem that one contract may not provide the most efficient option, may not provide the best return to the building and and in the process would lock out smaller, local companies.

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One of the possible solutions discussed at the meeting supported linking the Stadium & Expo and PCPA & OCC and putting them out as two contracts. That might ensure that the needed improvements to the Stadium and PCPA are paid for out of the pockets of the contractors in return for the two 'plum' contracts. This solution seemed to be agreeable to the two existing contractors, Fine Host & G. Boss.

I am also submitting a couple of letters that I received from tenants at the Expo Center, expressing their desire to continue working with G. Boss, Inc.

I thank you for listening; I appreciate the sense of fairness and tact with which you have dealt with both myself as well as the Expo Center Advosry Committee.

Sincerely,

Christine Palmer
Christine Palmer
Palmer/Wirfs & Associates, Inc.

P.S. Just to let you know - our experience with Fine Host during the last Antique Show was VERY positive.

December 28, 1994

Mr. Chris Bailey
Expo Center
2060 N. Marine Dr.
Portland, Oregon 97217

Dear Sir:

My name is Mark Van Alstyne, and our club Dog Fanciers Association of Oregon has been giving Dog Shows for many years at the Expo Center. I have been involved with the food concession and Glen Boss quite often thru the years, with my association with the Dog Club.

I have also worked in the food service business for [32] years. Having owned [2] successful restaurants of my own, and am currently retired. I certainly can attest to Mr. Boss's abilities.

The food and service has always been excellent every time. Glen has worked with our club on a personal basis, both on menu selection and pricing. He is a major asset to our shows and the Expo Center.

Sincerely,

Mark Van Alstyne
15324 N.E. Sandy
Portland, Or. 97230
Phone - 252-0432

Dec. 07, 1994

To Whom It May Concern,

I have recently been advised of a proposed change in policy regarding the concession stand at the Expo Center.

Past experience has been satisfactory with the present arrangement. The prices of food + drinks has been reasonable. I have attended functions at other facilities to be covered under the same proposal where prices are outrageously high for the quality and quantity received. It appears the concessionaire feels they have a captive crowd and intend to get every nickle they can.

I have been able to discuss the menu served at our yearly function with the concessionaire at the Expo Center in order to satisfy our exhibitors. I see no reason to make changes just for the sake of change because someone else is in charge.

Sincerely Yours

[illegible]

Show Mgr.

Rip City Cats

Northwest Agricultural Show

4672 DRIFT CREEK ROAD S.E., SUBLIMITY, OREGON 97385
PHONE (503) 769-7120
FAX (503) 769-3549

December 27, 1994

Jeff Blosser
Oregon Convention Center
777 N.E. Martin Luther King Blvd.
Portland, OR 97232

Dear Jeff,

I certainly hope you and your family had a Merry Christmas and that the twelve trees we sent for the Convention Centers use were sufficient for your needs. I was kind of hoping that you might get away for a little bit for a ride down to the farm when the trees were picked up so we could show you our Christmas tree operation, maybe next year.

I understand that there maybe a movement a foot to consolidate all of the concessions in all metro facilities under one company. I would very much like to suggest that if there is any way possible that the operation of Glen Boss at the Expo Center can remain as it is, it should. We would sincerely appreciate your consideration along those lines. Glen has done a lot for the Expo and has been a very good and reliable contractor for that facility for many years. I am a believer in that old philosophy "if it isn't broke, don't fix it." I think most every tenant in that building will tell you that the operation that Glen is running isn't broke and doesn't really need to be fixed. Again, please give this matter serious thought before making a change of this magnitude. If you have an opportunity come out to the Expo on January 30th or February 1 or 2, we would love to show you around our Show. Thank you for your time and look forward to talking with you in the future.

Sincerely,

James M Heater

James M. Heater

METROPOLITAN EXPOSITION-RECREATION COMMISSION

RESOLUTION NO. 95-3

Whereas, the Metropolitan Exposition-Recreation Commission adopted an Affirmative Action Plan and program on July 8,1992; and

Whereas, substantial progress has been made in terms of overall employment of minorities and women, particularly at the entry levels; and

Whereas, accomplishment of affirmative action goals is needed at all levels of the organization; and

Whereas, the Affirmative Action Plan suggests the Commission set up additional programs and processes that will enhance the Plan; and

Whereas, the Commission desires a work environment that is fair to all employees, respects diversity, and encourages upward mobility; now, therefore,

BE IT RESOLVED,

That an Affirmative Action Enhancement Project be adopted. The project will enhance efforts in the Affirmative Action Plan and will have the following elements:

1. Personnel Rule changes will be proposed by separate resolution that will facilitate upward mobility for the significant pool of minority employees in part-time and entry level positions as well as all other employees. The Rule changes will also require qualified minority and females candidates to be granted an interview when they apply for vacant positions.

2. Prior to any promotion or hiring decision when underutilization of minorities or women exists, the facility director will discuss the proposed hiring decision with the General Manager. This is designed to give the General Manager more direct responsibility for achieving affirmative action goals. The General Manager will be responsible for implementation.

3. A minimal training budget of $15,000 has been established in the proposed FY 95-96 budget. Funds in this budget will be used to accomplish affirmative action priorities in the following estimated amounts:

Sexual Harassment Training	$3,500
Valuing Diversity	$4,000
Career Development Program	$7,500

It is recognized that this budget is inadequate to meet the need. Attempts will be made to locate additional funds in the near future and in subsequent years.

4. A Career Development Program will be created as described in Exhibit A. The program is designed to invest in employees and encourage their upward mobility. It will be developed with the input and involvement of employees and is designed to begin implementation on July 1, 1995.

Passed by the Commission on January 11, 1995.

Chairman

Secretary-Treasurer

APPROVED AS TO FORM:
Daniel B. Cooper, General Counsel

By:

Mark B. Williams
Senior Assistant Counsel

Exhibit A

MERC CAREER DEVELOPMENT PROGRAM SUMMARY

PURPOSE

Employees are the key to accomplishing MERC's mission. Therefore, investment in their skill development, promotion and growth is vital. To get the best from its employees MERC needs an environment that encourages development and upward mobility, is fair to all employees, and respects diversity.

RESOURCES

Financial resources are limited. However, a small training budget has been proposed for Fiscal Year 1995-96. There are also community resources that can be tapped for education, training, mentoring, and other types of assistance.

EMPLOYEE RESPONSIBILITIES

The program will be available for employees who desire advancement and/or development and are willing to do what is needed to gain the necessary education, skills and experience.

PROGRAM DEVELOPMENT PROCESS

MERC management will seek employee input to develop a program that meets the needs of employees in the various facilities. Various career development mechanisms will be considered such as a mentoring program, trainee program/positions, job rotation, education and training. Expertise from Metro Personnel will be available.

TIMETABLE

Jan.--MERC adopts Affirmative Action Enhancement Program

Feb/Mar.--Management seeks employee input and expertise from Personnel to develop program

Apr/May--review and revision

June--adoption

July--program begins

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 95-3 FOR THE PURPOSE OF ESTABLISHING AN AFFIRMATIVE ACTION ENHANCEMENT PROJECT.

Date: January 6, 1995

Presented by: Pamela Erickson
Paula Paris

BACKGROUND: On July 8, 1992, the Commission approved an Affirmative Action Plan. Since that time substantial progress has been made in hiring of women and minorities. As of July 1, 1994 MERC's percentage of female and minority employees were as follows:

	Female	Minority
Full-time Regular Employees	33%	34%
Part-time Regular Employees	33%	15%
Total	33%	18%

The "first opportunity hiring process" has resulted in a substantial pool of minority employees at the entry levels. The need now is to ensure that MERC has a diverse work force at all levels of the organization. One of the ways to accomplish this is through a program which fosters upward mobility. Such a program will not achieve instantaneous results because it will depend on the amount of turn-over and the readiness of candidates for promotion. However, it is a good policy for the organization because it invests in its people. Such investment usually pays off in increased productivity and morale in addition to facilitating upward mobility.

The project proposed by this resolution is designed to foster upward mobility within MERC as well as to strengthen affirmative action efforts. It has four elements.

The first is a change to Personnel Rules which allows current employees to be considered first when filling vacancies. If no internal candidate is selected the recruitment then goes to the first opportunity area and then general recruitment. In addition, all internal and first opportunity candidates that meet the minimum qualifications and pass the supplemental screening requirements will be granted an interview. This gives these candidates additional opportunities to display their skills. The Personnel Rule changes will be implemented by separate resolution.

The second element requires that the General Manager be more directly involved in hiring decisions for positions where there is female and minority underutilization. Prior to making a hiring decision, the facility director must discuss the decision with the General Manager.

Third, a training budget has been established with some estimated amounts to address training priorities of Sexual Harassment, Valuing Diversity and Career Development. It is recognized that this is a small budget that will only begin to address the needs. However, it is what MERC can afford at this time. Over the next four to five months and in subsequent years, attempts will be made to locate additional funds to amend this budget to more fully address these training needs.

The final element is a Career Development Program designed to encourage and assist upward mobility. The program is outlined in Exhibit A, but will actually be developed with involvement of the MERC employees. The timetable calls for program development to occur over the next four months and be implemented in July.

FISCAL IMPACT: The immediate fiscal impact is $15,000. But it is recognized that this amount does not meet all the training needs. Attempts will be made to locate additional funds.

RECOMMENDATION: We believe that this project will complement and enhance current affirmative action efforts. It is necessary to achieve diversity throughout the organization and represents a wise investment in employees. It is, therefore, recommended that Resolution 95-3 be approved.

METRO EXPOSITION-RECREATION COMMISSION

RESOLUTION NO. 95-4

WHEREAS, a 1993 amendment to the Personnel Rules as recommended by the Advisory Committee on the Development of Economic Opportunities was approved by the Commission; and

WHEREAS, the amendment allowed first opportunity applicants to apply within the same status and step as current MERC employees; and

WHEREAS, the approved amendment to the Personnel Rules resulted in an unforeseen adverse effect on current employee's ability to be promoted from within and for upward mobility; and

WHEREAS, it is the Commission's desire to promote diversity in employment and promotional opportunities, to provide satisfactory representation of underutilized classes of employees, and to ensure MERC employees receive increased opportunities for career and promotional development; and,

WHEREAS, providing internal employee applicants and first opportunity applicants, who meet the minimum qualifications and pass the supplemental screening for positions, the ability to be interviewed prior to going to the next recruitment step; now, therefore,

BE IT RESOLVED,

1. That the MERC Personnel Rules, Section 5.02, be amended as revised in Exhibit A to reflect a more inclusive opportunity for upward mobility for internal applicants and a broader appointment opportunity for first opportunity applicants.

Passed by the Commission on January 11, 1995.

Chairman

Secretary/Treasurer

APPROVED AS TO FORM:
Daniel B. Cooper, General Counsel

by: Mark B. Williams
Senior Assistant Counsel

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 95-4, FOR THE PURPOSE OF AMENDING SECTION 5.02, ANNOUNCEMENTS AND POSTING, OF THE MERC PERSONNEL RULES.

Date: January 4, 1995

Presented by: Paula Paris
Pam Erickson

BACKGROUND: In 1993 the Advisory Committee on the Development of Economic Opportunities (ACDEO) recommended that the MERC Personnel Policies be amended to include the first opportunity hiring process within the internal process. The reason for this recommendation was to give more initial accessibility into jobs for applicants from the area of first opportunity. These amendments were approved by the Commission in 1993 through resolution. The results of this change are reflected in larger numbers of first opportunity applicants hired.

However, this change had an unforeseen adverse effect on current MERC employees; it prevented employees from being promoted from within, including employees from the first opportunity area. Limited opportunities for upward mobility also conflict with the goals of the MERC Affirmative Action Plan.

We are now recommending to go back to the previous recruitment format and allow current MERC employees the opportunity to apply and be considered for promotion or transfer prior to going to any outside recruitment including the first opportunity area. Additionally, the revisions require that internal applicants and first opportunity applicants, who meet the minimum qualifications and who pass the supplemental screening for positions, be interviewed before going to the next recruitment step. This will also provide a more inclusive opportunity for upward mobility for internal applicants, and a broader appointment opportunity for first opportunity applicants.

FISCAL IMPACT: There is no fiscal impact.

RECOMMENDATION: We believe this amendment to the MERC Personnel Rules is necessary to promote diversity in employment opportunities, for satisfactory representation of underutilized classes of employees, and to ensure MERC employees receive greater opportunities for career and promotional development. It is, therefore, recommended by the General Manager that Resolution No. 95-4 be approved.

Exhibit A

MERC CAREER DEVELOPMENT PROGRAM SUMMARY

PURPOSE

Employees are the key to accomplishing MERC's mission. Therefore, investment in their skill development, promotion and growth is vital. To get the best from its employees MERC needs an environment that encourages development and upward mobility, is fair to all employees, and respects diversity.

RESOURCES

Financial resources are limited. However, a small training budget has been proposed for Fiscal Year 1995-96. There are also community resources that can be tapped for education, training, mentoring, and other types of assistance.

EMPLOYEE RESPONSIBILITIES

The program will be available for employees who desire advancement and/or development and are willing to do what is needed to gain the necessary education, skills and experience.

PROGRAM DEVELOPMENT PROCESS

MERC management will seek employee input to develop a program that meets the needs of employees in the various facilities. Various career development mechanisms will be considered such as a mentoring program, trainee program/positions, job rotation, education and training. Expertise from Metro Personnel will be available.

TIMETABLE

Jan.--MERC adopts Affirmative Action Enhancement Program

Feb/Mar.--Management seeks employee input and expertise from Personnel to develop program

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June--adoption

July--program begins

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 95-3 FOR THE PURPOSE OF ESTABLISHING AN AFFIRMATIVE ACTION ENHANCEMENT PROJECT.

Date: January 6, 1995

Presented by: Pamela Erickson
Paula Paris

BACKGROUND: On July 8, 1992, the Commission approved an Affirmative Action Plan. Since that time substantial progress has been made in hiring of women and minorities. As of July 1, 1994 MERC's percentage of female and minority employees were as follows:

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The project proposed by this resolution is designed to foster upward mobility within MERC as well as to strengthen affirmative action efforts. It has four elements.

The first is a change to Personnel Rules which allows current employees to be considered first when filling vacancies. If no internal candidate is selected the recruitment then goes to the first opportunity area and then general recruitment. In addition, all internal and first opportunity candidates that meet the minimum qualifications and pass the supplemental screening requirements will be granted an interview. This gives these candidates additional opportunities to display their skills. The Personnel Rule changes will be implemented by separate resolution.

The second element requires that the General Manager be more directly involved in hiring decisions for positions where there is female and minority underutilization. Prior to making a hiring decision, the facility director must discuss the decision with the General Manager.

Third, a training budget has been established with some estimated amounts to address training priorities of Sexual Harassment, Valuing Diversity and Career Development. It is recognized that this is a small budget that will only begin to address the needs. However, it is what MERC can afford at this time. Over the next four to five months and in subsequent years, attempts will be made to locate additional funds to amend this budget to more fully address these training needs.

The final element is a Career Development Program designed to encourage and assist upward mobility. The program is outlined in Exhibit A, but will actually be developed with involvement of the MERC employees. The timetable calls for program development to occur over the next four months and be implemented in July.

<u>FISCAL IMPACT</u>: The immediate fiscal impact is $15,000. But it is recognized that this amount does not meet all the training needs. Attempts will be made to locate additional funds.

<u>RECOMMENDATION</u>: We believe that this project will complement and enhance current affirmative action efforts. It is necessary to achieve diversity throughout the organization and represents a wise investment in employees. It is, therefore, recommended that Resolution 95-3 be approved.

PROPOSED COUNCIL BUDGET -- 1/17/95

FY 1993-94 ADOPTED BUDGET FTE	FY 1993-94 ADOPTED BUDGET AMOUNT	FY 1994-95 ADOPTED BUDGET FTE	FY 1994-95 ADOPTED BUDGET AMOUNT	FY 1994-95 ACTUALS THROUGH 11/30/94	FY 1994-95 PROJECTED FISCAL YEAR TOTAL	ACCT #	FISCAL YEAR 1995-96 DESCRIPTION	PROPOSED FTE	PROPOSED AMOUNT
							Personal Services		
						511110	ELECTED OFFICIALS		
	0		0	0	0		Executive Officer		0
	354,500		279,400	147,249	0		Councilors		203,200
	0		0	0	0		Auditor		0
				104,919		511121	SALARIES-REGULAR EMPLOYEES (full time)		
1.00	70,261	0.95	66,748	0	0		Administrator	0.00	0
	0		0	0	0		Directors		0
	0		0	0	0		Managers (Finan., Const.)		0
	0		0	0	0		Senior Program Supervisor		0
3.00	142,547	3.00	148,818	0	0		Senior Administrative Services Analyst	3.00	170,228
1.00	36,916		0	0	0		Associate Administrative Services Analyst		0
	0		0	0	0		Associate Program Supervisor	0.95	45,125
1.00	32,343	1.00	33,385	0	0		Associate Service Supervisor	0.00	0
	0		0	0	0		Administrative Support Assistant D		0
	0		0	0	0		Sr. Management Analyst		0
	0		0	0	0		Asst. Management Analyst		0
	0		0	0	0		Government Relations Mgr.		0
	0		0	0	0		Sr. Public Info. Specialist		0
				44,776		511221	WAGES-REGULAR EMPLOYEES (full time)		
3.00	85,033	2.75	82,965	0	0		Administrative Secretary	2.75	92,235
1.00	20,937	0.80	18,836	0	0		Secretary	0.80	21,380
	0		0	0	0		Administrative Support Assistant C		0
						511235	WAGES-TEMPORARY EMPLOYEES (part time)		
	0		0	0	0		Temporary Intern		0
	0		0	0	0		Temporary Administrative Support		0
	0		0	0	0		Temporary Professional Support		0
	2,500		13,972	3,083	0	511400	OVERTIME		10,000
	289,392		244,767	112,146	0	512000	FRINGE		147,997
	0		0	0	0		Service Reimbursement-Workers' Comp		0
10.00	1,034,429	8.50	888,891	412,173	0		Total Personal Services	7.50	690,165

PROPOSED COUNCIL BUDGET -- 1/17/95

							Materials & Services		
	7,100		4,420	2,262	7,207	521100	Office Supplies		4,420
	0		3,000	3,630	1,662	521110	Computer Software		4,500
	0		0	0	0	521260	Printing Supplies		0
	0		0	0	0	521290	Other Supplies		0
	0		450	218	560	521310	Subscriptions		450
	750		660	1,020	815	521320	Dues		1,100
	45,000		30,000	6,414	35,000	524110	Accounting & Auditing Services		0
	11,500		10,000	3,176	3,637	524190	Misc. Professional Services		10,000
	1,000		1,000	0	420	525640	Maintenance & Repairs Services-Equipment		1,300
	0		0	0	0	525710	Equipment Rental		0
	11,696		3,898	3,898	11,696	525740	Lease Payments		0
	1,300		1,500	1,632	1,433	526200	Ads & Legal Notices		1,500
	3,200		2,900	21	134	526310	Printing Services		0
	0		0	0	0	526320	Typesetting & Reprographics Services		0
	900		850	341	787	526410	Telephone		850
	0		200	0	117	526420	Postage		7,000
	700		465	37	126	526440	Delivery Services		500
	6,000		5,000	3,129	8,380	526500	Travel		5,000
	0		0	0	0	526510	Mileage Reimbursement		0
	0		0	0	0	526700	Temporary Help Services		0
	4,000		4,000	1,412	3,246	526800	Training, Tuition, Conferences		4,000
	16,300		8,700	3,942	11,900	528100	License, Permits, Payments to Other Agencies		9,000
	0		0	0	0	528200	Election Expense		0
					384	529100	Council Costs		
	0		0	0	41	529110	Council Per Diem		0
	24,600		19,200	3,277	14,629	529120	Councilor Expenses		28,000
	7,000		6,000	3,288	5,577	529500	Meetings		6,700
	0		0	0	0	529800	Miscellaneous		0
	--------		--------	--------	--------				--------
	141,046		102,243	37,697	107,751		Total Materials & Services		84,320
							Capital Outlay		
	4,000		13,800	0	3,356	571500	Purchases-Office Furniture & Equipment		12,000
	--------		--------	--------	--------				--------
	4,000		13,800	0	3,356		Total Capital Outlay		12,000
--------	--------	--------	--------	--------	--------			--------	--------
10.00	1,179,475	8.50	1,004,934	449,870	111,107		TOTAL EXPENDITURES	7.50	786,485

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1797

METRO

Development of Regional Open Space Policy

Regional Urban Growth Goals and Objectives (RUGGO) 1991

Metro is required by ORS 268.380 to adopt regional goals and objectives, structurally similar to and in compliance with statewide goals and objectives. After two years of development with local governments and citizens, Metro's first such goals and objectives were adopted in 1991. They include Objective 9 on protection of open space and planning for interconnected corridors:

> "Sufficient open space in the urban region shall be acquired, or otherwise protected, and managed to provide reasonable and convenient access to sites for passive and active recreation. An open space system capable sustaining or enchanting native wildlife and plant populations should be established. . .
>
> 9.2. Corridor Systems. The regional planning process shall be used to coordinate the development of interconnected recreational and wildlife corridors within the metropolitan region.
>
>> 9.2.1. A region-wide system of trails should be developed to link public and private open space resources within and between jurisdictions."

Metropolitan Greenspaces Master Plan 1992

Growth Management includes open spaces like natural areas, parks and wildlife habitat. The Master Plan describes and maps interconnected regionally significant greenspaces on an ecosystem basis. The resulting network of interconnecting corridors is viewed as "green infrastructure" for growth management planning.

Metro Charter 1992

The 1992 Metro Charter changed a conditional Metro authority for a regional parks and open spaces system to unconditional authority to operate one.

Metro 2040 Growth Concept 1994

The 50 year preferred form of growth and development was established December 8, 1994 for further refinement and July 1995 adoption into RUGGO. In addition to integrating land use and transportation, this 50 year desired end state shows parks, stream corridors, wetlands and floodplains, and undeveloped upland areas as open spaces:

> "Open spaces, including important natural features and parks, are important to the capacity of the urban growth boundary and the ability of the region to accommodate housing and employment."

The Metropolitan Greenspaces Master Plan map was used. These areas are intended for low density development, if any. They are not to be included in the buildable lands inventory for housing and transportation planning.

Regional Framework Plan 1996

The Metro Charter mandates adoption of a regional framework plan by December 1997. It is subject to LCDC acknowledgment and applicable to local comprehensive plans. The Charter requires the plan to address "parks, open spaces and recreational facilities." Since this plan may be adopted in components, it is anticipated that several components, including open spaces will be completed in 1996. Some components, like the Metro UGB and the Regional Transportation Plan will be effective immediately upon adoption. The open spaces component could include regulations that could be immediately effective if it were adopted as a functional plan under ORS 268.390.

rpj1878

TESTIMONY BEFORE LCDC SUBCOMMITTEE ON GOAL 5

Thank you for this opportunity to address the Subcommittee.

As you know, Metro has followed your discussions on Goal 5 revision, with interest. In fact, you received a letter from Metro, in October, which presented Metro's support of ecosystem based resource planning. The letter also outlined Metro's years of work in open space planning, its responsibilities under the 1992 Metro Charter and the new concept of "rural reserve" in the regional 2040 process. Since October, Metro referred to the voters a greenspaces bond measure of $135.6 million, and the Region 2040 resolution was adopted last Thursday.

Today, I'd like to emphasize the importance Metro places on open space planning. Between January 1989 and July 1992, Metro worked with the three counties and 24 cities within its boundaries to develop the Metropolitan Greenspaces Master Plan. This is an extraordinary achievement in consensus building and the 20 pages of appendix listing the public meetings and presentations illustrate the effort this took.

I have a copy of the executive summary of the plan for each of you and I'd like to direct your attention to a few specific items. Page 5 outlines the ecosystem approach. Page 12 points out the importance of trails as connecting significant greenspaces. The map in the back shows that only 8 percent of regionally significant greenspaces in 1989 were in public ownership. To protect the other 92 percent of the regionally significant greenspaces, a bond measure was referred in 1992. It failed, and a smaller version is referred to the March 1995 ballot.

In the summary of the Greenspaces Master Plan, regulation is not discussed. However, pages 9 through 11 of the full plan describe in great detail the relationship of the Master Plan to Metro's regional goals and objectives - known as RUGGO - adopted in 1991. Metro purposefully avoided inserting regulations into the Master Plan because those would require that Metro adopt a functional plan. Instead, specific deference is given to local comprehensive plans. This was based on the recognition that local governments have responsibility, under Goal 5, to inventory and protect natural resources in their comprehensive plans.

Metro compliments the Subcommittee on its efforts toward needed revisions of Goal 5 and Metro agrees with the 10 ideas summarized in the Concept Paper. Planning in advance of development, rather than at the time of development, is necessary. Streamlining the Goal 5 process is an important step. However, there may be easier means to do so than the complicated five tracks described in the Concept Paper.

There are important urban and rural differences that could - and should - be reflected in Goal 5. Advance decisions about resource protection are critical to growth management and successful accommodation of growth inside the UGB. Metro concurs that it is critical to the success of Goal 5 to develop an effective mechanism for "interim protection" of resource lands during the long evaluation process.

Metro's concern is that Subcommittee discussions have included making open spaces and scenic view resource protections optional for local comprehensive plans. While this may reduce costs of implementing Goal 5 and help streamline the process, it may also reduce needed protection of significant resources and fail to protect Goal 5 work already completed. Metro's five specific concerns are as follows:

1. Incremental acquisition programs, such as Metro's Bond Measure, cannot hope to be successful without some regulatory protection of resource lands from development prior to acquisition. Without such regulations there may not be resource land available for future acquisition.

2. Without a Goal 5 based requirement for protection of open space and scenic views, local governments may not expend the resources necessary to provide protection.

3. Inventory, and other Goal 5 work in the Portland metropolitan area, which seems to be more complete than elsewhere in the state, may not be carried forward to effective regulation.

4. Metro's Greenspaces Master Plan uses an ecosystem approach and has identified some regionally significant greenspaces that are just outside the Urban Growth Boundary and outside Metro's authority.

5. Regional trails are important in the Metro region as connections between significant greenspaces. Therefore, regional trails should be recognized in Goal 5.

Based on these concerns, open space planning in - and around - Urban Growth Boundaries should remain a priority for Goal 5 work, not an option. Metro's experience indicates that conflicts arise when Goal 5 differences are based on UGBs because entire ecosystems and watersheds do not always fit neatly within UGBs. And, as your Concept Paper points out, the difficult issues of interim protection have not yet been resolved.

Metro would like to offer assistance in seeking effective protections for natural resources in the Portland metropolitan region. Much like state agencies, Metro can provide in-depth work, particularly planning for open spaces and trails. Perhaps the Metro Greenspaces Master Plan could be used as a beginning point for local government inventory of open space, similar to the proposed use of the National Wetlands Inventory. Existing state, federal, and regional programs, should be relied on to avoid duplication of local effort.

In conclusion, Metro requests that open space protection under Goal 5 be continued for the Metro region, even if it becomes optional in the rest of the state. Metro also urges the Subcommittee and LCDC to continue its search for effective interim protections of identified resources. A significant amount of work, over many years, has already been done to identify regional open spaces that will be an important part of Metro's Regional Framework Plan. And, although Metro has the authority inside its boundaries to require protection in local comprehensive plans, it cannot effectively apply the ecosystem approach as recommended by the Subcommittee unless areas adjoining its jurisdiction have interim protection.

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1797

METRO

Mike Burton
Tele: (503) 797-1502
FAX (503) 797-1799

January 17, 1995

Richard P. Benner, Director
Department of Land Conservation and Development
1175 Court Street N.E.
Salem, OR 97310-0590

Re: Goal 5 Revisions-Open Space and Scenic
Our File: 7.§12.J

Dear Richard:

Councilor Sandi Hansen and Metro attorney Larry Shaw testified at the December 14, 1994 hearing on the issue paper put forward on behalf of LCDC's Goal 5 subcommittee. At the following January 11, 1995 subcommittee meeting an unsigned, undated "Defining the State Interest in Goal 5 Resources" document was distributed by DLCD staff. In two short paragraphs on open space and Scenic Waterways at p. 9 "the department's" position is stated that protection of these resources be optional for local governments. No mention was made of the unique circumstances of the 1992 Metro Greenspaces Master Plan in the Metro region as outlined in Metro's testimony. This position, also, is not consistent with the existing State Scenic Waterways Act. The intent of the DLCD staff document could be for Metro to be lumped into its discussion of "local governments" because Metro is so defined under ORS 197.015(13). More likely, the testimony and LCDC Commissioner interest in Metro's role on Goal 5 issues reflected at the hearing just isn't reflected in the staff document.

The basis for that conclusion is that the Metro testimony was not included in the written testimony summary transmitted to the Commission, dated January 9, 1995. Additional materials, including a short Executive Summary of the Metropolitan Greenspaces Master Plan presented at the hearing, were excluded as well. Please add Metro's testimony and submissions to the DLCD report to the Commission on January 20, 1995.

Beyond the loss of Metro's testimony as part of the record of the subcommittee hearing, one fundamental point of that testimony seems to be dismissed without discussion on p. 9 of the "State Interest" memo: "*The department proposes that additional 'needed open space' be determined only if local governments chooses (sic) to do so.*" The matrix reflects the same approach on Scenic Waterways. It is unclear whether the department has considered the attached Metro testimony that open space and Scenic Waterways protection should either not be an optional part of comprehensive plans in the Metro region or that a Metro role should be recognized in a revised rule to enable implementation of the 2040 Growth Concept. In your participation on the Metro Policy Advisory Committee you have seen the important connection between effective open space planning and growth management demonstrated.

In conclusion, please correct the oversight of not forwarding the attached Metro testimony to the rest of the Commission and please, consider or reconsider the department's position on local option open space and Scenic Waterways protection in the Metro region.

Thank you for your consideration and cooperation.

Sincerely,

Mike Burton,
Executive Officer

rpj
1904

cc: Metro Council
Andy Cotugno
Charlie Ciecko
Larry Shaw

M E M O R A N D U M

METRO

Date: January 12, 1995

To: Councilor Patricia McCaig

From: Donald E. Carlson, Council Analyst

Re: Resolution No. 95-2064 -- Authorizing Sole Source Services from Novell Inc.

I've reviewed the resolution and supporting materials for this item and discussed it with the Data Processing Staff. The immediate purpose of the contract is to acquire maintenance services for Metro's local area network operating system. As the Staff Report indicates we utilize Novell Inc.'s "Netware" software as the operating system for our computer network. It's a sole source contract because Novell is the only company which provides the maintenance services. The Finance Department has $11,000 in it's Budget and Appropriation Schedule for this service. They cannot expend the funds without meeting the requirements of the State of Oregon to designate the Novell Netware as the local area network standard.

In discussions with Rich Wiley, Metro Contract Officer, Metro will acquire the needed goods and service through the Districts intergovernmental agreement with the State of Oregon. If problems are encountered with the vendor, the State will assist Metro in obtaining a remedy. The State requires that Metro declare Novell Netware as a local area network standard which essentially designates Novell, Inc. as the sole source vendor for these goods and services. Attached is a memo from Rich Wiley providing further information on this matter.

I've reviewed the resolution and suggest several changes to clarify what the Council is actually doing. The changes are shown in Resolution 95-2064A attached.

cc: Metro Council
Ann Clem
Rich Wiley

95-2064A.memo

M E M O R A N D U M

METRO

Date: January 12, 1995

To: Don Carlson

From: Rich Wiley

Re: Master lease agreement available to Metro pursuant to State price agreement

I've talked to the State buyer in charge of the master lease agreement.
She told me that the State performed the following procedural steps:

- An assessment of the State's particular software needs;
- A survey of available software services;
- Documented that Novell software support was only available through Novell/Microdyne;
- Determined that their needs and market circumstances justified a sole source procurement pursuant to ORS 279.015(2)(a)(b);
- Issued a public notice of their finding and solicited any concerns or comments to the contrary.
- No public input to the contrary was received and they executed a master lease agreement with Novell, Inc./Microdyne, Inc.

Since we are a current member of the State Department of Administrative Services Purchasing Division's Cooperative Purchasing Program, the next step is to document that our circumstances are the same as the State's and the State will add us as a party to their agreement. The resolution before the Council is designed to accomplish that specific procedural step.

The State has had a very good experience with Novell and no problems are expected. But, if problems do occur, they will be pursued and resolved through the State.

Hope this adds the necessary background information. If not, let me know.

c: Dan Cooper

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF DECLARING NOVELL NETWARE TO BE A METRO LOCAL AREA NETWORK STANDARD AND THEREBY AUTHORIZING A SOLE SOURCE RELATIONSHIP WITH NOVELL [NETWARE] INC. PURSUANT TO STATE PRICE AGREEMENT NO. 3215.	)	RESOLUTION NO. 95-2064A Introduced by Executive Officer Mike Burton

WHEREAS, Novell Netware has been considered a local area network standard for all of Metro, including MERC, since 1991; and

WHEREAS, the State of Oregon, as its contract review board, has declared State purchases of Novell Netware to be sole source procurements exempt from competitive bid; and

WHEREAS, the State of Oregon has established a Master License Agreement (MLA) with Novell which is exclusively for state agencies, but which the State will extend to Metro upon written request including a specific statement that Novell's Netware is a network standard for Metro; and

WHEREAS, purchases under State price agreements are automatically exempt from competitive bid pursuant to Metro Code Section 2.04.041; and

WHEREAS, it is unlikely that use of that MLA by Metro would significantly encourage favoritism or diminish competition for such network software, and there are natural potential savings in standardizing on one software manufacturer, utilizing existing volume pricing and executing a single Master Lease Agreement; now, therefore,

BE IT RESOLVED,

That the Metro Contract Review Board hereby declares Novell Netware to be a Metro [LAN] local area network standard thereby allowing the sole source procurement outlined above pursuant to State Price Agreement No. 3215, and authorizes the Executive Officer to execute the appropriate contract [documentation] documents with the State of Oregon [and Novell Network] to establish and document [that] the relationship with Novell Inc.

ADOPTED by Metro's Contract Review Board this ______ day of ________________, 1995.

J. Ruth McFarland, Presiding Officer

PROPOSED COUNCIL BUDGET -- 1/17/95

FY 1993-94 ADOPTED BUDGET FTE	FY 1993-94 ADOPTED BUDGET AMOUNT	FY 1994-95 ADOPTED BUDGET FTE	FY 1994-95 ADOPTED BUDGET AMOUNT	FY 1994-95 ACTUALS THROUGH 11/30/94	FY 1994-95 PROJECTED FISCAL YEAR TOTAL	ACCT #	FISCAL YEAR 1995-96 DESCRIPTION	PROPOSED FTE	PROPOSED AMOUNT
							Personal Services		
						511110	ELECTED OFFICIALS		
	0		0	0	0		Executive Officer		0
	354,500		279,400	147,249	0		Councilors		203,200
	0		0	0	0		Auditor		0
				104,919		511121	SALARIES-REGULAR EMPLOYEES (full time)		
1.00	70,261	0.95	66,748	0	0		Administrator	0.00	0
	0		0	0	0		Directors		0
	0		0	0	0		Managers (Finan., Const.)		0
	0		0	0	0		Senior Program Supervisor		0
3.00	142,547	3.00	148,818	0	0		Senior Administrative Services Analyst	3.00	170,228
1.00	36,916		0	0	0		Associate Administrative Services Analyst		0
	0		0	0	0		Associate Program Supervisor	0.95	45,125
1.00	32,343	1.00	33,385	0	0		Associate Service Supervisor	0.00	0
	0		0	0	0		Administrative Support Assistant D		0
	0		0	0	0		Sr. Management Analyst		0
	0		0	0	0		Asst. Management Analyst		0
	0		0	0	0		Government Relations Mgr.		0
	0		0	0	0		Sr. Public Info. Specialist		0
				44,776		511221	WAGES-REGULAR EMPLOYEES (full time)		
3.00	85,033	2.75	82,965	0	0		Administrative Secretary	2.75	92,235
1.00	20,937	0.80	18,836	0	0		Secretary	0.80	21,380
	0		0	0	0		Administrative Support Assistant C		0
						511235	WAGES-TEMPORARY EMPLOYEES (part time)		
	0		0	0	0		Temporary Intern		0
	0		0	0	0		Temporary Administrative Support		0
	0		0	0	0		Temporary Professional Support		0
	2,500		13,972	3,083	0	511400	OVERTIME		10,000
	289,392		244,767	112,146	0	512000	FRINGE		147,997
	0		0	0	0		Service Reimbursement-Workers' Comp		0
10.00	1,034,429	8.50	888,891	412,173	0		Total Personal Services	7.50	690,165

PROPOSED COUNCIL BUDGET -- 1/17/95

							Materials & Services		
	7,100		4,420	2,262	7,207	521100	Office Supplies		4,420
	0		3,000	3,630	1,662	521110	Computer Software		4,500
	0		0	0	0	521260	Printing Supplies		0
	0		0	0	0	521290	Other Supplies		0
	0		450	218	560	521310	Subscriptions		450
	750		660	1,020	815	521320	Dues		1,100
	45,000		30,000	6,414	35,000	524110	Accounting & Auditing Services		0
	11,500		10,000	3,176	3,637	524190	Misc. Professional Services		10,000
	1,000		1,000	0	420	525640	Maintenance & Repairs Services-Equipment		1,300
	0		0	0	0	525710	Equipment Rental		0
	11,696		3,898	3,898	11,696	525740	Lease Payments		0
	1,300		1,500	1,632	1,433	526200	Ads & Legal Notices		1,500
	3,200		2,900	21	134	526310	Printing Services		0
	0		0	0	0	526320	Typesetting & Reprographics Services		0
	900		850	341	787	526410	Telephone		850
	0		200	0	117	526420	Postage		7,000
	700		465	37	126	526440	Delivery Services		500
	6,000		5,000	3,129	8,380	526500	Travel		5,000
	0		0	0	0	526510	Mileage Reimbursement		0
	0		0	0	0	526700	Temporary Help Services		0
	4,000		4,000	1,412	3,246	526800	Training, Tuition, Conferences		4,000
	16,300		8,700	3,942	11,900	528100	License, Permits, Payments to Other Agencies		9,000
	0		0	0	0	528200	Election Expense		0
					384	529100	Council Costs		
	0		0	0	41	529110	Council Per Diem		0
	24,600		19,200	3,277	14,629	529120	Councilor Expenses		28,000
	7,000		6,000	3,288	5,577	529500	Meetings		6,700
	0		0	0	0	529800	Miscellaneous		0
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	141,046		102,243	37,697	107,751		Total Materials & Services		84,320
							Capital Outlay		
	4,000		13,800	0	3,356	571500	Purchases-Office Furniture & Equipment		12,000
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	4,000		13,800	0	3,356		Total Capital Outlay		12,000
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10.00	1,179,475	8.50	1,004,934	449,870	111,107		TOTAL EXPENDITURES	7.50	786,485