

W O R K S E S S I O N

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



METRO

MEETING: METRO COUNCIL WORK SESSION
DATE: February 21, 1995
DAY: Tuesday
TIME: 2:00 PM
PLACE: Metro Council Chamber

<u>Approx. Time *</u>		<u>Presenter</u>	<u>Lead Councilor</u>
2:00 PM	CALL TO ORDER AND ROLL CALL		
(5 min.)	1. INTRODUCTIONS		
(5 min.)	2. CITIZEN COMMUNICATIONS		
(5 min.)	3. EXECUTIVE OFFICER COMMUNICATIONS		
	4. REVIEW OF MERC RESOLUTIONS		
2:15 PM (5 min.)	4.1 MERC Resolution No. 95-5 , Authorizing The General Manager To Execute An Agreement With Portland Center Stage.		
2:20 PM (5 min.)	4.2 MERC Resolution No.95-6 , Approving Rental Policy For the Portland Center For The Performing Arts.		
2:25 PM (5 min.)	4.3 MERC Resolution No. 95-7 , Approving Rental Rate Schedules At The Portland Center For The Performing Arts For FY 95-96; 96-97; and 97-98.		
	5. OTHER BUSINESS		
2:30PM (60 min.)	5.1 Discussion of Metro Washington Park Zoo Entrance and The Zoo Master Plan.		Washington
3:30PM (30 min.)	5.2 Discussion of Future Vision		McLain
4:00 PM (10 min)	6. COUNCILOR COMMUNICATIONS		

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.

Approx.
Time *

Presenter

- | | | | |
|----------------------|-----|------------------------------------------------------|--|
| 4:10 PM
(10 min.) | 7. | LEGISLATIVE ISSUES | |
| 4:20 PM
(20 min.) | 7.1 | Discussion of Legislative Priorities and Strategies. | |
| 4:40 PM | | ADJOURN | |

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

1994 COMMITTEE MEMBERS: Jon Kvistad (Chair), Jim Gardner (Vice Chair), Richard Devlin, Mike Gates, Susan McLain, Rod Monroe, Terry Moore, Ed Washington

AGENDA ITEM 4.1
Meeting Date: February 21, 1995

MERC Resolution No. 95-5

METROPOLITAN EXPOSITION-RECREATION COMMISSION

RESOLUTION NO. 95-5


Authorizing the General Manager to execute an Agreement with Portland Center Stage.

The Metropolitan Exposition-Recreation Commission finds:

1. That in 1988 the Oregon Shakespeare Festival Association was recruited by the City of Portland to be a resident theatre company in the Intermediate Theatre of PCPA, and entered into a three-year agreement for occupancy office and workshop space in the New Theatre Building, in addition to usage of the Intermediate Theatre for the production of an annual season of plays.
2. That in August, 1991, the Commission found it to be critically important to the success of the PCPA and in the best interest of the Portland community that OSF-Portland continue in residency, and a second three-year agreement was approved.
3. That in July, 1994, the OSF-Portland group was transformed into an independent corporation identified as Portland Center Stage, with the intended purpose of continuing as a resident company of the Intermediate Theatre, presenting an annual season of plays to the Portland community.
4. That the Commission confirms that it is important and in the best interest of the Portland community that Portland Center Stage continue in residency and that an agreement has been negotiated for the terms and conditions for three years ending June 30, 1997.
5. That the Commission has the authority to enter into such an agreement.

BE IT THEREFORE RESOLVED that the Commission approves the agreement attached hereto as Exhibit A, and authorizes the General Manager to execute that document.

Passed by the Commission on February 8, 1995.

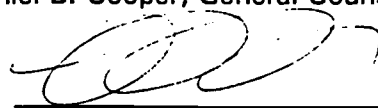


Chairman



Secretary/Treasurer

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

By: 

Mark B. Williams
Senior Assistant Counsel

AGENDA ITEM 4.2
Meeting Date: February 21, 1995

MERC Resolution No. 95-6

METROPOLITAN EXPOSITION-RECREATION COMMISSION

RESOLUTION NO. 95-6

Approving Rental Policy for the Portland Center for the Performing Arts.

The Metropolitan Exposition-Recreation Commission finds:

1. That the Commission adopted a three-tier rental policy for PCPA facilities on June 10, 1992, and adopted housekeeping language changes to the policy on May 12, 1993.
2. That the PCPA Business Plan (adopted March 30, 1994) identified a financial crisis for the facilities and mandated a complete analysis of rental rates and rent structure in comparison to like facilities, with consideration of appropriate criteria for and limits to resident company status.
3. That consideration should be given to the rate of charge and allowance for use of load-in and dark days for each production, and to other policies and practices which have an adverse impact on the revenue generated from the respective performance halls.
4. That research and analysis have been completed for development of policy alternatives which have been subject to public review through mailings and in workshops, PCPA Advisory Committee meetings, and individual discussions; this extensive development and review process has generated a number of refinements that have been incorporated into the Four-Tier rental policy for PCPA facilities.

BE IT THEREFORE RESOLVED that the Metropolitan Exposition-Recreation Commission approves the Policy for Rental Rates at the Portland Center for the Performing Arts as attached, to be effective July 1, 1995.

Passed by the Commission on February 8, 1995.



Chairman



Secretary/Treasurer

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

By: 

Mark B. Williams
Senior Assistant Counsel

MERC STAFF REPORT

Agenda Item/Issue: Rental Policy for PCPA

Resolution No. 95-6

Date: February 8, 1995 **Presented By:** Harriet Sherburne

Background and Analysis: The Business Plan for PCPA mandated a thorough examination of the three-tier rental policy and rates adopted by the Commission in June, 1992 (and retroactive to the 91-92 season). Research revealed that PCPA had recognized significantly more resident companies than comparable facilities; an administrative freeze was put in place, while evaluation proceeded. The Business Plan also identified rental practices which contributed to the decline in PCPA revenues under the 3-tier rental policy; alternatives for corrective action were evaluated.

After extensive consideration of alternatives, it was determined that a four-tier rental structure would be more appropriate to the array of users in the PCPA performance halls. Because of the financial crisis identified in the Business Plan, it was determined that the total number of users receiving the benefits of discounted rents should not be increased above the existing level (14 organizations). Further details of the rental policy are covered in the accompanying "Proposal Summary".

Fiscal Impact: This Policy for Rental Rates in combination with the recommended rate schedule for 1995-96 is projected to generate approximately \$100,000 in additional revenue for PCPA. The actual impact will depend upon the number and quality of events booked for each fiscal year in the four performance halls of PCPA facilities.

Discussion with Commission Liaison and/or Users: Over the course of more than 6 months' work, there has been extensive interchange with commercial and non-profit users, PCPA Advisory Committee, elected officials, and professionals in the field. The Liaison Committee has been directly involved in public workshops and Advisory Committee discussions on rental policies and rates.

Recommendation: Staff recommends that the MERC Commission approve and adopt the Policy for Rental Rates at PCPA.

FEBRUARY 1995

PCPA USER CATEGORIES

Proposal Summary

In the context of the adopted PCPA Business Plan, there has been a thorough examination of the "Policy for Rental Rates at the Portland Center for the Performing Arts", as approved in June 1992, along with analysis of the current cost of operation of the four performance spaces. Following several group discussions of the fundamental purpose of the Resident Company designation, there were some general conclusions which have been recorded in the memorandum "Revisions to Resident Company Policy" dated September 22, 1994. The memo has been reviewed with a broad array of non-profit users of PCPA facilities. Along with several changes proposed in that memorandum, the following actions are recommended.

Since enactment of the policy in 1992, Non-Profit users of the facilities have been listed in 2 categories: Standard-Not-For-Profit and Resident Companies. Beginning July 1, 1995, there would be 3 categories of non-profit users: Principal Tenant, Featured Tenant and Recognized Tenant.

PRINCIPAL TENANT: This category is proposed to include major users who have a substantial history and performance season in a specific hall, and draw major audience attendance to the facility. The category includes Commercial as well as Non-Profit Users. In order to qualify for non-profit benefits in this category, the organization would have to meet criteria previously set for non-profit Resident Companies: tax-exempt non-profit status, long-standing relationship with facilities, local production of performing arts, subscription season AT A DESIGNATED HALL OF PCPA CONSISTING OF A MINIMUM OF 3 EVENTS AND 20 PERFORMANCES. Such non-profit users would make application for a 3-year term, and provide annual reporting on their contributions to the public purposes of the PCPA facilities. The non-profit organizations which appear appropriate for this category.

Civic Auditorium

- Portland Opera
- Oregon Ballet Theatre
- Oregon Children's Theatre

ASCH

- Oregon Symphony
- Portland Youth Philharmonic

Intermediate

- Portland Center Stage
- Music Theatre Company

Winnie

- Tygres Heart
- Tears of Joy

The PRINCIPAL TENANTS would have first priority in scheduling for the respective performance space, and the non-profits would be eligible for the lowest rent tier on the approved schedule of rates. Commercial Tenants in this category (Dan Bean Series, Opera/Jujamcyn Series) would have scheduling priority but would be charged the Commercial rent tier. The Scheduling Policies and Procedures for Civic Auditorium adopted August, 1994 would apply to users in this category.

FEATURED TENANT: This category is proposed to include non-profit users who schedule fewer events than those in the PRINCIPAL TENANT category, and which may PRODUCE OR PRESENT performing arts and may have subscription series in PCPA facilities. Such users would have scheduling priority following the PRINCIPAL TENANTS, and be charged rates in the rate Tier 3, which is 50% off the Commercial Rates. Note that the MERC Commission has asked the Singing Christmas Tree, OBT "Nutcracker" and OCTC to work on joint scheduling of the November/December/January period through 1996-97; such scheduling priority and acknowledgement of requirements for Seasonal dates would be compatible with the requirements of this category. Users in this category could enter into multi-year (maximum 3 years) agreements, with MERC approval. The organizations which appear appropriate for this category are as follows:

<u>Civic Auditorium</u>	<u>ASCH</u>	<u>Intermediate</u>	<u>Winnie</u>
● Singing Christmas Tree	● Portland Arts & Lectures	● Kalakendra	None
● Live from Civic	● ISEPP		

RECOGNIZED TENANT: This category would be open to any organization with the proper documentation to establish that they are tax exempt and non-profit, as was required for the former category Standard Not-For-Profit users. Most of the more than 50 organizations now on that list have only one event and a limited number of performances per year. RECOGNIZED TENANTS would be charged rents in the rate Tier 2, which is 15% off the commercial tier. Efforts would be made to schedule traditional dates for these events (e.g. graduations) however the priorities of the other user categories would stand ahead of this group of users.

The preferences in scheduling and rates for non-profit users are summarized as follows:

<u>User Category</u>	<u>Scheduling Preference</u>	<u>Rent Rate</u>
Principal Tenants	Yes - 1st	Tier 4 (non-profit only)
Featured Tenants	Yes - 2nd	Tier 3
Recognized Tenants	Some - 3rd	Tier 2

AT THE
PORTLAND CENTER FOR THE PERFORMING ARTS

GENERAL PROVISIONS

This policy applies only to the events at Portland Center for the Performing Arts (PCPA). In consideration of the mission of the PCPA and its diverse array of users, there shall be a four tier rental rate structure for use of the facilities. The rental rates for each of the PCPA performance halls shall be approved and adjusted by the MERC Commission.

- Tier 1 Commercial Rate - For Profit
- Tier 2 Non-Profit Rate - Recognized Tenant
- Tier 3 Non-Profit Rate - Featured Tenant
- Tier 4 Non-Profit Rate - Principal Tenant

Tier 1 Commercial Rate shall apply to all events and users, unless the user has filed a written application and has been approved for the appropriate Non-Profit Rate category as Featured, Recognized, or Principal Tenant. The four-tier rent structure approved by the Commission shall prevail unless the Director determines that a different rate in a particular instance is necessary due to a compelling business reason or to gain a significant community benefit.

Written applications for rates other than Tier 1 must be filed at least seventy-five (75) days prior to the event or Season. Written applications for Tier 4 Principal Tenant status rates will be accepted only after notice by the PCPA Director that capacity for such tenants exists in one or more of the PCPA's performance halls; the notice of opportunity will specify the application deadline and format.

The Director of the PCPA shall have the authority to approve or disapprove applications for PCPA status as Featured Tenant, Recognized Tenant and Principal Tenant based on the standards set out in this Policy. The number of organizations in Tier 3 Featured Tenant and Tier 4 Principal Tenant categories shall not exceed the total of 14 without prior approval of the MERC Commission. The Director may request from any organization seeking these reduced rates any information, including but not limited to access to accounting records and promotion agreements, which is deemed necessary or desirable in order to determine whether these rates should apply. Failure by an organization to comply with a request for information in a timely manner, or the submission of false information, shall result in automatic rejection of the application for reduced rates.

The Director, with written notice to the applicant, may require re-application and re-evaluation of an application for reduced rates whenever it appears that the nature of the sponsoring organization has changed or that representations made in the application were untrue or are no longer true.

In the event that the Director disapproves an application the Director's decision shall become final, unless within fourteen (14) calendar days, the organization submitting the application appeals the Director's decision to the General Manager of the Metro Exposition-Recreation Commission (Commission) in writing. The General Manager's decision shall be final and binding, unless within fourteen (14) calendar days, the organization submitting the application appeals the General Manager's decision to the Commission in writing. The Commission's decision shall be final and binding.

The Director may propose that the Commission approve one or more multi-year agreements with long-term, non-profit tenants that qualify for Tier 3 Featured Tenant or Tier 4 Principal Tenant Rates; such agreements may be for a maximum of three (3) years and may address scheduling priority, rental rates, and other matters. Approval of such agreements will be based on the schedule availability of the respective hall, the financial capacity of PCPA and the resulting community benefit to be received.

Whenever a question arises as to the meaning or interpretation of this policy or any other policy or practice of the Commission, the interpretation given by the Commission and/or its designee(s) shall be final and binding.

TIER 2 NON-PROFIT RATE - RECOGNIZED TENANT

In order to qualify for the Tier 2 non-profit rent rates, the following conditions shall be met:

- A. The sponsoring organization must be currently recognized as tax-exempt under Section 501(c)(3) of the Internal Revenue Code and related sections, as now or hereafter amended, and recognized as non-profit by the State of Oregon. It must be a locally based non-profit organization with a local Board of Trustees or Board of Directors, or qualify for funding from the Metropolitan Arts Commission. "Local" includes any area within the boundaries of the Clackamas, Multnomah, Washington Counties, in Oregon, or Clark County, Washington. As part of the Application, the organization will be required to provide accurate copies of its Bylaws, Articles of Incorporation, State Certificate of Incorporation and recognition as non-profit, a current list of Trustees or Directors, with city/town or residence for each, and IRS determination letter. Sponsoring organizations which are subdivisions of local governments may also be eligible for Non-Profit rates.
- B. Events to be covered by this rate must be booked a minimum of forty-five (45) days in advance, unless otherwise approved by the Director.
- C. The organization must be current on any payments to any Metro ERC facilities, including the PCPA or its subcontractors.
- D. The organization must be in compliance with all pertinent laws or rules regarding charitable organizations and charitable solicitations, if applicable.
- E. At the time of application, the organization must provide proof that all income from the event will be for the sole economic benefit of the organization, including proof that any expenses incurred in presenting the event are reasonable and consistent with charitable fund-raising events.

Tenants approved for Standard Non-Profit status prior to July 1, 1995 shall be granted Recognized Tenant status if they meet the qualifications listed in this policy.

TIER 3 NON-PROFIT RATE - FEATURED TENANT

In order to qualify for the Tier 3 non-profit rent rates, the following conditions shall be met:

- A. The sponsoring organization must be currently recognized as tax-exempt under Section 501(c)(3) of the Internal Revenue Code and related sections, as now or hereafter amended, and recognized as non-profit by the State of Oregon. It must be a locally based non-profit organization with a local Board of Trustees or Board of Directors, or qualify for funding from the Metropolitan Arts Commission. "Local" includes any area within the boundaries of the Clackamas, Multnomah, Washington Counties, in Oregon, or Clark County, Washington. As part of the Application, the organization will be required to provide accurate copies of its Bylaws, Articles of Incorporation, State Certificate of Incorporation and recognition as non-profit, a current list of Trustees or Directors, with city/town or residence for each, and IRS determination letter.
- B. The organization must have been in continuous operation for three years prior to date of application.
- C. Local production or presentation of performing arts events open to the public must be the primary activity of the organization.
- D. The organization must have a subscription season at PCPA and/or book a minimum of six (6) events or performances with an average attendance per season of 60% of the respective hall.
- E. The organization must be current on any payments to any MERC facilities, including the PCPA and its subcontractors.

Once approved, Featured Tenant status shall be in effect for a period of three (3) years from the date of approval. After that time has expired, a renewal application must be filed. For three years beginning July 1, 1995, the following organizations are recognized for Featured Tenant Status:

- One Voice Productions
- Portland Arts & Lectures
- Live from the Civic
- ISEPP
- Kalakendra

TIER 4 PRINCIPAL TENANT RATE

It is intended that four halls of the PCPA facilities serve as the primary performance spaces for a group of local performing arts organizations comprised of artists, production personnel, and their management staff, who produce and develop their art form and contribute to the following objectives:

1. The PCPA will have a regular, predictable program of events available to the public, with an array of performance arts including music, dance and theatre.
2. Through qualification for benefits of the Tier 4 Principal Tenant rate, the financial stability of local non-profit performing arts organizations will be enhanced.
3. Through the efforts of Principal Tenants to meet the terms of qualification, low ticket prices will be available and low or no cost events will be continued.
4. Educational efforts and children's performances will be increased.
5. Performance offerings to reach the broadest possible audience will be expanded.

The number of companies approved for Principal Tenant status may vary from time to time and will depend on the capacity of PCPA to accommodate event dates, as well as PCPA financial capability to subsidize additional performances. The PCPA Director shall make such determinations regarding capacity and financial capability. Upon a determination that capacity and financial capability exists, notice will be given and applications for Principal Tenant status received. In the event that there is competition for such status, the Director will make a selection based on the criteria in this policy and the ability of the organization to meet the above purpose and objectives.

In order to qualify for the Tier 4 rates, the following conditions must be met:

- A. The sponsoring organization must be currently recognized as tax-exempt under Section 501(c)(3) of the Internal Revenue Code and related sections, as now or hereafter amended. It must be a locally based non-profit organization with a local Board of Trustees or Board of Directors, or qualify for funding from the Metropolitan Arts Commission. "Local" includes any area within the boundaries of Clackamas, Multnomah, Washington Counties, the in Oregon, or Clark County, Washington. At the time of application, the organization must provide accurate copies of its Bylaws, Articles of Incorporation, State Certificate of Incorporation and recognition as non-profit, a current list of Trustees or Directors, with city/town or residence for each, and IRS determination letter. Alternatively, sponsoring organizations which are subdivisions of local governments may also be eligible for Principal Tenant rates.
- B. Organization must have been in continuous operation for three years prior to date of application.
- C. Local production of performing arts events open to the public must be the primary activity of the organization.
- D. Organization must have a subscription season at PCPA and book a minimum of three (3) events and twenty (20) performances with an average attendance per season of 60% of the respective performance hall.
- E. Organization must be current on any payments to any Metro ERC facilities, including the PCPA and its subcontractors.

Once Principal Tenant status is approved, the following benefits will be conferred by PCPA:

- A. Tier 4 rental rates shall apply for local productions. However, presentation of events other than the company's regular art form or one that involves a non-local production shall not be eligible for Principal Tenant rates. The Director shall make the determination of rates applicable to non-standard events.
- B. Favorable consideration for booking events of the organization, in accordance with scheduling policies adopted for each hall. Scheduling policy shall address priority on date selection among Principal Tenants, Featured Tenants, commercial presenters and other long-term users of PCPA facilities.
- C. Opportunity for the organizations to enter into multi-year agreements addressing scheduling, applicable hall capacity, ticketing practices applicable to specific events, and related matters.

Principal Tenant status requires the following:

- A. The organization must provide some programs, performances or events at PCPA facilities which are offered at low-cost or no-cost to the public and/or provide some low-cost tickets to standard performance events. Low-cost tickets are those under \$10.00; no less than 2% of all tickets for the Season should be low-cost, achieved either on a cumulative basis or by presenting specific low-cost events.
- B. The organization must formally recognize the PCPA in marketing, promotional material and event program, and list the name of the PCPA, its staff, and the names of the Metro Exposition-Recreation Commission members in a prescribed manner in the event program, if such a program is distributed to audience members.
- C. The organization must provide educational activities which may include special student performances, arts education programs or special tickets for students.
- D. Submission of an annual report which describes how the company has contributed to the objectives of this policy as stated above. The annual report must specify the number of low-cost tickets that were provided, to what groups or target audiences, and the price of such low-cost tickets. The report must list the low-cost or no-cost events provided to the general public.

Once approved, Principal Tenant Status shall be in effect for a period of three years from the date of approval. After that time has expired, a renewal application must be filed. For the three years beginning July 1, 1995, the following organizations are recognized for Principal Tenant status:

- Oregon Symphony Orchestra
- Portland Opera Association
- Oregon Children's Theatre Company
- Tygres Heart Shakespeare Company
- Musical Theatre Company
- Portland Youth Philharmonic
- Oregon Ballet Theatre
- Portland Center Stage
- Tears of Joy

AGENDA ITEM 4.3
Meeting Date: February 21, 1995

MERC Resolution No. 95-7

METROPOLITAN EXPOSITION-RECREATION COMMISSION

RESOLUTION NO. 95-7

Approving Rental Rate Schedules at the Portland Center for the Performing Arts for FY 95-96, 96-97, and 97-98.

The Metropolitan Exposition-Recreation Commission finds:

1. That the Commission adopted a three-tier rental policy and rates for PCPA in June, 1992; an increase of 7% was approved to be effective July 1, 1994 for one year only.
2. That the PCPA Business Plan (adopted March 30, 1994) identified a financial crisis for the facilities and mandated a complete analysis of rental rates and rent structure in comparison to like facilities.
3. That the market analysis was completed and alternatives were given extensive public review by commercial presenters, Resident Companies, non-profit organizations, PCPA Advisory Committee, and others; this extensive development and review process has generated a number of refinements that have been incorporated into the rate schedules.
4. That it is appropriate to adopt a four-tier rental policy and rates, with increases set for three fiscal years; this multi-year approach provides predictability for plans and budgets developed by users and by PCPA.

BE IT THEREFORE RESOLVED that the Metropolitan Exposition-Recreation Commission approves the Rental Rates at the PCPA as attached, to be effective July 1 of the respective Fiscal Year.

Passed by the Commission on February 8, 1995.

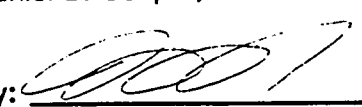


Chairman



Secretary/Treasurer

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

By: 

Mark B. Williams
Senior Assistant Counsel

MERC STAFF REPORT

Agenda Item/Issue: Rental Rates FY 95-96,96-97,97-98

Resolution No. 95-7

Date: February 8, 1995 **Presented By:** Harriet Sherburne

Background and Analysis: The Business Plan for PCPA mandated a complete analysis of rental rates and rent structure in relation to like arts complexes in the nation. With the assistance of the PSU Department of Fine & Performing Arts, information was collected on four comparable sets of facilities; preliminary conclusions were subject to evaluation by user groups, and PCPA Advisory Committee. In addition, staff gathered information from interviews with commercial presenters, professionals in the field, and other research sources. Proposals were developed to streamline rents into fewer categories; to bring commercial rates in line with actual cost of operation of the respective performance hall, and with market rates in comparable facilities; to revise the discount schedule for non-profit users wherever possible, bringing rates into relation with actual cost of operation. Further details are covered in the accompanying "Proposal Summary". It has also been determined that predictability of rates for at least 3 years is critical to PCPA and its users in developing plans and budgets for performance seasons. Rates with increases of approximately 4% per year have been developed for adoption through FY 97-98.

Fiscal Impact: The original objective of this work was identification of sources for \$400,000 in additional annual revenue. After extensive evaluation of alternatives, it was determined that market conditions would not support the magnitude of change in rates needed to attain the financial target. Under the proposed rates, if the number and quality of events in PCPA facilities experienced in FY 1993-94 were to continue in 1995-96, it is estimated that non-profit users would generate \$40,000 to \$50,000 in increased revenue; and that commercial events would generate \$30,000 to \$50,000 in additional revenue. Additional revenue of \$100,000 will be incorporated in the FY 95-96 Budget.

Discussion with Commission Liaison and/or Users: Over the course of more than 6 months' work, there has been extensive interchange with commercial and non-profit users, PCPA Advisory Committee, elected officials, and professionals in the field. The Liaison Committee has been directly involved in public workshops and Advisory Committee discussions on rental policies and rates.

Recommendation: Staff recommend that the MERC Commission approve and adopt the four-tier schedule of rents for FY 95-96, 96-97,97-98.

FEBRUARY 1995

PCPA STREAMLINED RENTS AND RATE CHANGES

PROPOSAL SUMMARY

Since rental income is a significant revenue source for PCPA, it is important to keep pace with market conditions and to set fair rates for all users. Consistent with the implementation work program of the PCPA Business Plan, extensive research and analysis has been carried out to determine the nature of the competitive market for comparable theatre spaces. A series of policy and rate actions have been considered to address the situation, and to spread the responsibility for financial support to all categories of users of the facilities. The following are proposed for consideration to be effective July 1, 1995.

1. Increase the commercial rent rates (Tier 1) approximately 4 percent as shown on the accompanying chart; for the 2 large halls also adopt a rental rate which is Base Rate versus 8 percent of (adjusted) gross ticket sales, whichever is greater. (The adjustment excludes user fee from the gross sales.) There would no longer be a deduction of \$45,000 before making the percentage calculation. This approach on commercial rents is used throughout the nation, and the rates (base and percentage) are comparable to other facilities in the northwest. In addition, the commercial rents have been streamlined to reduce the number of categories from 10 to 8 and many of the charges have been simplified as fractions of the Base Rate (e.g. 50%). In the large halls, the minimum rent covers actual operating cost as identified in earlier analyses. For the Intermediate and Winningstad Theatres, the rental rates are the same for evening, morning and matinee performances; this change relates to the goal of establishing rates as close as possible to the actual cost of operating the hall. Tier 1, for each of the halls, becomes the basis for calculating discounts to other classes of users of PCPA facilities.
2. Create an additional rental rate for non-ticketed events that is higher than the Base Rate for a category of rent which off-sets the absence of user fee income on non-ticketed events. This approach is used in comparable arts facilities with changes comparable to the user fee. The non-ticketed event rate will be adopted for all three tiers, but it will not apply to performances for school children.
3. Establish a limit on the number of days which would be available at the rehearsal/load-in/dark day rate on all tiers of the rent schedule. A maximum 5 days per production at the rehearsal/load-in rate would be allowed; all additional days for load-in, rehearsal, for dark days will be charged at the performance rate. Additional days at load-in rate to change configuration of Winningstad Theatre will be permitted on a case-by-case basis.
4. The Tier 4 schedule is the lowest available rate; there would be no further discounts off the approved tiers of the rate schedule, as has been the practice in the past.

5. Increase the non-profit rent rate (Tier 2) approximately 4 percent, as shown in the on the rate chart; generally a 15% discount off the Base Rate of the Commercial Rent Rate chart. The RECOGNIZED TENANTS, formerly Standard Not-For-Profit Users would be approved to pay this rate. The Graduation Rate is charged for each such event; if there are multiple graduations in one day, each is charged at the set rate. The Tier 2 rates have been streamlined from 12 categories to 8.

6. For the five major users which would be moved from the Resident Company to the Featured Tenant status, create a Tier 3 which is a 50% discount off the Base Rate of the Commercial Rent Rate chart. The tier is streamlined to 6 categories.

7. The rental rate for PRINCIPAL TENANT, formerly Resident Company, (Tier 4) is increased as shown; this rate is generally an 80% discount off the commercial rate with significant streamlining from 11 categories to 6. The additional rent (5% of gross sales with negotiated cap) has been eliminated for Principal Tenants. For the Intermediate and Winningstad Theatres, the rates for morning and matinee performances are lower than for evening events, recognizing that these rates encourage Principal Tenant companies to present performances for school children during daytime hours. In order to qualify for Tier 4 rental rates, the user would be required to meet specific standards for annual activity and contribute to achieving the mission of PCPA.

8. The User Fee will remain as adopted in current policy for all MERC facilities.

9. Rental Rates should be adopted at this time for 1995-96 as well as for the 1996-97 and 1997-98 seasons; proposed rates for each year are attached. For Tier 1 & 2, the rates are increased approximately 4 percent per year, rounded to the nearest \$5.00 increment. For Tier 3, the rates are set at 50% off the Base Rate of Tier 1. For Tier 4, the rates are increased in increments of \$5.00 and \$10.00, rather than an exact percentage of the 95-96 rate.

PCPA RENTAL RATES 1995-96

EXHIBIT A

COMMERCIAL RATE	CIVIC AUDITORIUM	ASCH	INTERMEDIATE	WINNINGSTAD
PERFORMANCE-EVENING	2,500 v. 8%*	2,500 v. 8%*	850	475
2nd PERFORMANCE-EVENING	1,800 v. 8%*	1,800 v. 8%*	650	350
NON-TICKETED EVENT-EVENING	3,500	3,500	1,000	575
1/2 HOUSE PERFORMANCE-EVENING	1,800 v. 8%*	1,800 v. 8%*	N/A	N/A
PERFORMANCE-MATINEE	1,800 v. 8%*	1,800 v. 8%*	850	475
PERFORMANCE-MORNING	1,000	1,000	850	475
LOBBY FUNCTION	950	1,250	950	N/A
REHEARSAL/LOAD-IN DAY	1,250	1,250	450	250

TIER 1

RECOGNIZED TENANT RATE	CIVIC AUDITORIUM	ASCH	INTERMEDIATE	WINNINGSTAD
PERFORMANCE-EVENING	2,125 v. 5%*	2,125 v. 5%*	725	400
2nd PERFORMANCE-EVENING	1,500 v. 5%*	1,500 v. 5%*	550	300
NON-TICKETED EVENT-EVENING	2,975	2,975	850	490
1/2 HOUSE PERFORMANCE-EVENING	1,500 v. 5%*	1,500 v. 5%*	N/A	N/A
PERFORMANCE-MATINEE	1,500 v. 5%*	1,500 v. 5%*	725	400
PERFORMANCE-MORNING	850 v. 5%*	850 v. 5%*	725	400
GRADUATION	2,050	2,050	N/A	N/A
REHEARSAL/LOAD-IN DAY	1,000	1,000	450	250

TIER 2

FEATURED TENANT RATE	CIVIC AUDITORIUM	ASCH	INTERMEDIATE	WINNINGSTAD
PERFORMANCE-EVENING	1,250	1,250	425	238
2nd PERFORMANCE-EVENING	900	900	325	175
NON-TICKETED EVENT-EVENING	1,750	1,750	500	288
PERFORMANCE-MATINEE	900	900	425	238
PERFORMANCE-MORNING	500	500	425	238
REHEARSAL/LOAD-IN DAY	625	625	225	125

TIER 3

PRINCIPAL TENANT RATE	CIVIC AUDITORIUM	ASCH	INTERMEDIATE	WINNINGSTAD
PERFORMANCE-EVENING	500	500	175	95
2nd PERFORMANCE-EVENING	360	360	130	70
NON-TICKETED EVENT-EVENING	700	700	200	115
PERFORMANCE-MATINEE	360	360	105	60
PERFORMANCE-MORNING	200	200	55	45
REHEARSAL/LOAD-IN DAY	250	250**	95	55

TIER 4

PCPA RENTAL RATES 1996-97

COMMERCIAL RATE	CIVIC AUDITORIUM	ASCH	INTERMEDIATE	WINNINGSTAD
PERFORMANCE-EVENING	2,600 v. 8%*	2,600 v. 8%*	885	495
2nd PERFORMANCE-EVENING	1,875 v. 8%*	1,875 v. 8%*	675	360
NON-TICKETED EVENT-EVENING	3,640	3,640	1,050	600
1/2 HOUSE PERFORMANCE-EVENING	1,875 v. 8%*	1,875 v. 8%*	N/A	N/A
PERFORMANCE-MATINEE	1,875 v. 8%*	1,875 v. 8%*	885	495
PERFORMANCE-MORNING	1,050	1,050	885	495
LOBBY FUNCTION	990	1,300	990	N/A
REHEARSAL/LOAD-IN DAY	1,300	1,300	470	260

TIER 1

RECOGNIZED TENANT RATE	CIVIC AUDITORIUM	ASCH	INTERMEDIATE	WINNINGSTAD
PERFORMANCE-EVENING	2,210 v. 5%*	2,210 v. 5%*	750	420
2nd PERFORMANCE-EVENING	1,575 v. 5%*	1,575 v. 5%*	575	310
NON-TICKETED EVENT-EVENING	3,095	3,095	890	510
1/2 HOUSE PERFORMANCE-EVENING	1,575 v. 5%*	1,575 v. 5%*	N/A	N/A
PERFORMANCE-MATINEE	1,575 v. 5%*	1,575 v. 5%*	750	420
PERFORMANCE-MORNING	895 v. 5%*	895 v. 5%*	750	420
GRADUATION	2,130	2,130	N/A	N/A
REHEARSAL/LOAD-IN DAY	1,050	1,050	470	260

TIER 2

FEATURED TENANT RATE	CIVIC AUDITORIUM	ASCH	INTERMEDIATE	WINNINGSTAD
PERFORMANCE-EVENING	1,300	1,300	443	248
2nd PERFORMANCE-EVENING	938	938	338	180
NON-TICKETED EVENT-EVENING	1,820	1,820	525	300
PERFORMANCE-MATINEE	938	938	443	248
PERFORMANCE-MORNING	525	525	443	248
REHEARSAL/LOAD-IN DAY	650	650	235	130

TIER 3

PRINCIPAL TENANT RATE	CIVIC AUDITORIUM	ASCH	INTERMEDIATE	WINNINGSTAD
PERFORMANCE-EVENING	525	525	185	100
2nd PERFORMANCE-EVENING	375	375	135	75
NON-TICKETED EVENT-EVENING	725	725	210	120
PERFORMANCE-MATINEE	375	375	110	65
PERFORMANCE-MORNING	210	210	60	50
REHEARSAL/LOAD-IN DAY	760	260**	100	60

TIER 4

PCPA RENTAL RATES 1997-98

COMMERCIAL RATE	CIVIC AUDITORIUM	ASCH	INTERMEDIATE	WINNINGSTAD
PERFORMANCE-EVENING	2,700 v. 8%*	2,700 v. 8%*	920	515
2nd PERFORMANCE-EVENING	1,950 v. 8%*	1,950 v. 8%*	700	370
NON-TICKETED EVENT-EVENING	3,775	3,775	1,100	625
1/2 HOUSE PERFORMANCE-EVENING	1,950 v. 8%*	1,950 v. 8%*	N/A	N/A
PERFORMANCE-MATINEE	1,950 v. 8%*	1,950 v. 8%*	920	515
PERFORMANCE-MORNING	1,100	1,100	920	515
LOBBY FUNCTION	1,025	1,350	1,025	N/A
REHEARSAL/LOAD-IN DAY	1,350	1,350	490	270

TIER 1

RECOGNIZED TENANT RATE	CIVIC AUDITORIUM	ASCH	INTERMEDIATE	WINNINGSTAD
PERFORMANCE-EVENING	2,295 v. 5%*	2,295 v. 5%*	775	440
2nd PERFORMANCE-EVENING	1,650 v. 5%*	1,650 v. 5%*	600	320
NON-TICKETED EVENT-EVENING	3,215	3,215	930	530
1/2 HOUSE PERFORMANCE-EVENING	1,650 v. 5%*	1,650 v. 5%*	N/A	N/A
PERFORMANCE-MATINEE	1,650 v. 5%*	1,650 v. 5%*	775	440
PERFORMANCE-MORNING	940 v. 5%*	940 v. 5%*	775	440
GRADUATION	2,210	2,210	N/A	N/A
REHEARSAL/LOAD-IN DAY	1,100	1,100	490	270

TIER 2

FEATURED TENANT RATE	CIVIC AUDITORIUM	ASCH	INTERMEDIATE	WINNINGSTAD
PERFORMANCE-EVENING	1,350	1,350	460	258
2nd PERFORMANCE-EVENING	975	975	350	185
NON-TICKETED EVENT-EVENING	1,888	1,888	550	313
PERFORMANCE-MATINEE	975	975	460	258
PERFORMANCE-MORNING	550	550	460	258
REHEARSAL/LOAD-IN DAY	675	675	245	135

TIER 3

PRINCIPAL TENANT RATE	CIVIC AUDITORIUM	ASCH	INTERMEDIATE	WINNINGSTAD
PERFORMANCE-EVENING	550	550	195	105
2nd PERFORMANCE-EVENING	390	390	140	80
NON-TICKETED EVENT-EVENING	750	750	220	125
PERFORMANCE-MATINEE	390	390	115	70
PERFORMANCE-MORNING	220	220	65	55

TIER 4

AGENDA ITEM 5.1
Meeting Date: February 21, 1995

Discussion of Metro Washington Park Zoo Entrance and The Zoo Master Plan



METRO

Date: February 6, 1995

To: Ed Washington, Regional Facilities Lead Councilor
 Patricia McCaig, Regional Facilities Support Councilor

From: Donald E. Carlson, ^{DE}Council Analyst

Re: Council Actions Regarding the Zoo Master Plan and Entrance/Oregon Territory Exhibit

This memo is in response to your request for a synopsis of action taken by the Council regarding the Zoo Master Plan and new entrance/new exhibit project at the Zoo. Below is a list of the ordinances or resolutions considered by the Council or a Council Committee in chronological order regarding your request. The various ordinances and resolutions are attached as exhibits.

1. Resolution No. 92-1717 For the Purpose of adopting the Metro Washington Park Zoo's "A Great Zoo - Framework for the Future".

This resolution was adopted on December 10, 19~~93~~⁹² (See Exhibit A). The Resolution provided for the adoption of the document titled A Great Zoo - Framework for the Future and a companion publication titled Caring Now for the Future of Life - Master Plan, Metro Washington Park Zoo to guide zoo operations and facility improvements. The resolution included a clarification on the meaning of the Council's action as follows: "Adoption of the plan does not obligate the Council to fund any portion of the plan; allocation of funds will require separate reviews and actions by this Council."

2. Ordinance No. 93-487A For the Purpose of Adopting the Annual Budget for Fiscal Year 1993-94, Making Appropriations and Levying Ad Valorem Taxes; and Declaring an Emergency.

This ordinance was adopted on June 24, 1993 (See Exhibit B). Included in the Budget and Appropriation for the Zoo Capital Fund was \$934,000 for the architectural services for this project. The Department's request was for \$1,500,000. The Council reduced it, mainly because the major source of revenue was a transfer from the Zoo Operating Fund and the Council was concerned about preserving the Fund Balance in the Operating Fund. There was not any design work done on the project by an

architect during Fiscal Year 93-94 as there was not any expenditure recorded in the appropriate line item in the Zoo Capital Fund.

3. Resolution No. 94-1946A For the Purpose of Authorizing the Release of Request for Proposal for the Metro Washington Park Zoo's Oregon Project and Authorizing a Multi-year Design Contract with the Selected Design Team.

This resolution was adopted on April 14, 1994 (See Exhibit C). The RFP was for architectural services for the project. The Scope of Work called for the complete package of services from initial conceptual and schematic design through construction drawings and ending with construction administrative and post-construction services. The Council amended the original resolution to add a provision to the effect that the selected design team shall not proceed beyond phase one of the project until the Council formally approves a contract amendment that authorizes additional work. Sherry Sheng, Zoo Director, stated in the Staff Report that phase one is the design phase which includes programming definition, concept development and schematic plans. She estimated the phase one cost to not exceed \$150,000. The Regional Facilities Committee Report states that phase one would include design work on the entrance, but that final decisions on the scope of the entrance would be made at a later date, and that part of the design team's work would be to help identify the options available for the entire project.

4. Ordinance No. 94-535B For the Purpose of Adopting the Annual Budget for Fiscal Year 1994-95, Making Appropriations and Levying Ad Valorem Taxes; and Declaring an Emergency.

This ordinance was adopted on June 30, 1994 (See Exhibit D). Included in the Budget and Appropriation Schedule for the Zoo Capital Fund is \$1,019,787 for architectural services for this project. To date, \$156,217 has been expended. There has been no request to amend the architectural services contract as required by Resolution No. 94-1946A. *

5. Resolution No. 94-2013 Setting Forth the Official Intent of Metro to Reimburse Certain Capital Expenditures Out of the Proceeds of Obligations to be Issued to Finance Various Capital Projects at the Washington Park Zoo.

This resolution was adopted on July 28, 1994 (See Exhibit E). The resolution declares Metro's intent to reimburse itself for pre-issuance costs out of the proceeds from any bonds issued for certain projects at the Zoo. The resolution is required by IRS regulations if such

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reimbursements are to be made out of bond proceeds. The resolution does not presuppose any final decision on how projects are to be financed nor does it preclude any option on how to proceed.

6. Resolution No. 94-2044 For the Purpose of Submitting to the Voters a General Obligation Bond Indebtedness in the Amount of \$27.2 Million for the Oregon Territory! Exhibit and New Entrance at the Metro Washington Park Zoo.

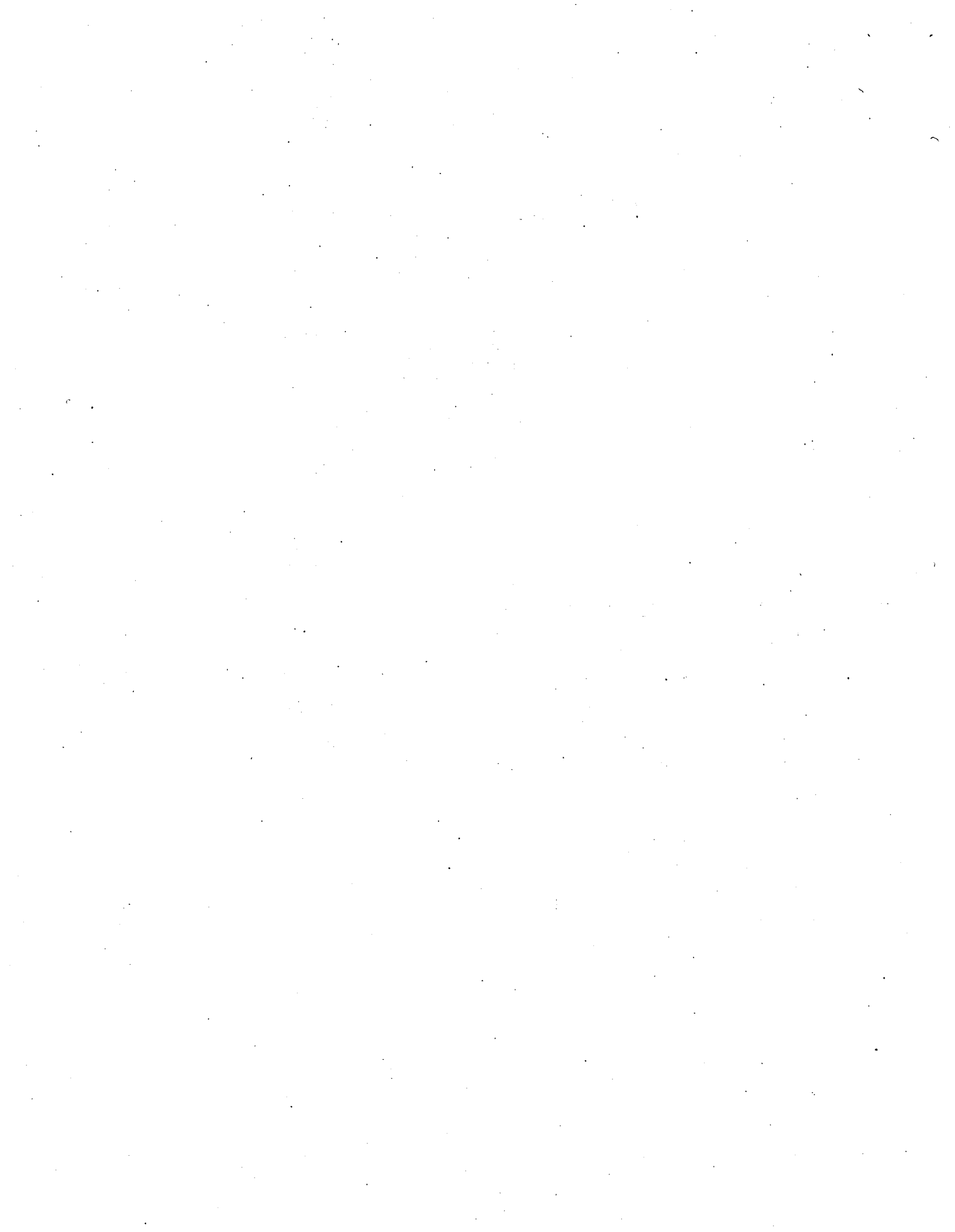
This resolution was introduced near the end of September, 1994 (See Exhibit F). It has not been adopted but was left in the Regional Facilities Committee when the prior Council went out of existence. The Regional Facilities Committee held Work Sessions on the resolution on October 5, October 19, and November 2, 1994. Prior to these meetings, the Regional Facilities Committee heard brief status reports from the Zoo Staff on the Entrance/Oregon exhibit on February 2, July 6, and September 7, 1994. The minutes of all the Committee meetings where the resolution and status reports were made are included in Exhibit F.

Finally, enclosed as a separate document is a memo dated December 30, 1994 titled "Zoo Materials - Oregon Territory & Entrance Project" from Casey Short to the 1995 Metro Councilors. Mr. Short's memo contains most of the written material submitted to the Regional Facilities Committee when it discussed Resolution No. 94-2044. The memo includes a final report from Councilor Sandi Hansen, then Regional Facilities Committee Chair, on the Committee's consideration of the Entrance/Oregon Exhibit. The report includes a recommendation to the 1995 Metro Council to 1) consider the Zoo project in the light of other Metro funding needs, and 2) request the Zoo to develop a design for the Entrance which will be compatible with a new exhibit but not include a new exhibit.

I trust this is the information you requested. If you have need additional information or have any questions, please let me know.

cc: Metro Council
Mike Burton
Sherry Sheng

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BEFORE THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING THE)	RESOLUTION NO. 92-1717
METRO WASHINGTON PARK ZOO'S "A)	
GREAT ZOO - FRAMEWORK FOR THE)	Introduced by the
FUTURE")	Executive Officer

WHEREAS, the Metro Washington Park Zoo is the state's top paid attraction, and continued success of the zoo depends on clear policy and programmatic directions for the future; and

WHEREAS, members of the Metro Council devoted time to participate in a planning process with Metro Executive staff, community representatives, Friends of the Zoo, and zoo staff which developed future directions for the zoo; and

WHEREAS, members of the Regional Facilities Committee have reviewed recommendations put forth by those involved in the planning process in 1991 and 1992; and

WHEREAS, the Regional Facilities Committee on 10 November 1992 approved the proposed document, "A Great Zoo - Framework for the Future", to provide a philosophical framework to guide the zoo staff in their current and future programs and projects;

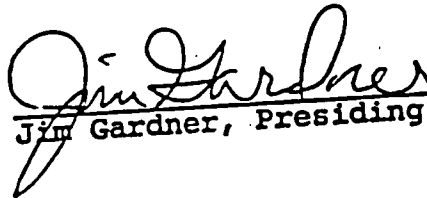
WHEREAS, total estimated cost of implementing the five phases of Zoo Capital expansion outlined in the plan is \$100 million; now, therefore

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BE IT RESOLVED,

That the Council of the Metropolitan Service District adopt the document "A Great Zoo - Framework for the Future" and its companion publication "Caring Now for the Future of Life - Master Plan, Metro Washington Park Zoo" to guide zoo operations and facility improvement. Adoption of the plan does not obligate the Council to fund any portion of the plan; allocation of funds will require separate reviews and actions by this Council.

ADOPTED by the Council of the Metropolitan Service District
this 10th day of December, 1992.



Jim Gardner, Presiding Officer

1717.res
November 12, 1992

REGIONAL FACILITIES COMMITTEE REPORT

RESOLUTION NO. 92-1717, ADOPTING THE METRO WASHINGTON PARK ZOO'S
"A GREAT ZOO - FRAMEWORK FOR THE FUTURE"

Date: November 30, 1992

Presented by: Councilor McFarland

COMMITTEE RECOMMENDATION: At its November 10, 1992 meeting the Regional Facilities Committee voted unanimously to recommend Council adoption of the Metro Washington Park Zoo's 25-year plan, "A Great Zoo - Framework for the Future," and directed staff to prepare a resolution adopting the plan, for Council consideration. All committee members were present and voting.

COMMITTEE DISCUSSION/ISSUES: Zoo Director Sherry Sheng discussed the elements of the plan at three Regional Facilities Committee meetings, on August 25, September 22, and November 10, 1992. The first briefing focused on the process used to develop the plan and the ideas to guide Zoo operations that the plan contains. The second briefing focused on the physical modifications and capital improvements to the Zoo that constitute the plan's vision of what the physical layout of the Zoo could become.

At the third meeting, on November 10, Ms. Sheng presented the plan document to the committee. She said the approach to this plan was different from past Zoo Master Plans in that it is smaller, and focused more on concepts rather than specific elements. It is to be used as a philosophical document intended to guide policy and program development over the long term; other, short-term plans will continue to guide operational and budget policies. Ms. Sheng added that many of the elements of the plan have already been put in place, in order to test whether they actually work.

The theme of the plan is geared around the concept of "A Great Zoo," rather than the biggest or most profitable. The goal is to achieve what is set out in the plan, in order to become a great zoo. For that reason, most of the plan's components should not be controversial: taken together, they establish a philosophy which is to serve as a benchmark for the zoo, and which can be used as a yardstick against which to measure performance. Ms. Sheng discussed the issue of cost - what will it cost to implement the plan? She said there are two ways to look at that question. First, the zoo will continue to operate, to open its doors to some one million people per year, and to pay its expenses. Given that premise, the plan addresses how the zoo will direct its resources in a slightly different way and train its staff to appreciate their role with zoo visitors in a different light. In this way, the plan will not lead to increased costs. Second, the physical improvements, organized into five phases, do have financial costs associated with them. Those improvements total some \$100 million. Ms. Sheng said she hoped to raise private dollars to build small portions of each new exhibit, rather than ask the voters to approve a large project all at once. In this way, the thought is that

interest will be sustained among the public because there will continue to be new attractions. In the meantime, fund raising for the large portions of the new exhibits will continue. She discussed specific plans for adding elk meadow, cougar, and black bear exhibits, with one coming each year for three years. These will form the first pieces of the Oregon exhibit. She said this would result in increases in both revenues and operating expenses.

Councilor Gronke asked what those operating costs would be. Ms. Sheng said annual operating costs for the entire \$16 million Oregon exhibit would be some \$228,000; operating costs for the smaller incremental pieces would be much smaller. She added that the zoo plans to apply for outside operational support from the federal government and private foundations. She added that the zoo increase capital funding from the corporate sector, to include funds for the Oregon exhibit. Work has also begun to obtaining private funding is difficult because the zoo receives tax revenue. Zoo staff is working with the Friends of the Zoo on a study to determine the feasibility of obtaining major capital contributions from the private sector.

Councilor McLain asked when the study would be done. Ms. Sheng said it is scheduled for next spring. She added that Zoo staff is working with the Friends on a five-year plan for fund-raising for capital and operating money. Councilor McLain asked whether Zoo planning was being coordinated with other potential projects, such as the End of the Oregon Trail. Ms. Sheng said the Zoo fund-raising efforts take into account other programs and projects, to see where Zoo projects fit in with donors' priorities.

Councilor Collier discussed projects and programs that had either recently failed to receive voter approval for funding or had not yet gone before the voters. She said there are many worthwhile programs that still need public funding, and encouraged Zoo staff to coordinate their efforts with the Facilities Funding Task Force that is preparing a proposal for funding regional cultural facilities and programs. Councilor McLain agreed with Councilor Collier. Ms. Sheng said the funding issue will take a long time to work out, and until that is decided, the Zoo needs to continue its entrepreneurial efforts in order to upgrade its facilities and keep attendance up.

Councilor McLain discussed the 25-year plan in general, saying she agreed that there is not much in it that would be controversial but that it does not give guidance in terms of fiscal priorities or projected costs. She asked Ms. Sheng where one could determine what those fiscal priorities are. Ms. Sheng replied that she resisted putting those numbers and priorities in the long-term plan because those priorities can change; they are reviewed and adjusted regularly through budgets and five-year financial plans. She reiterated that the 25-year plan is mostly a philosophical document that lays out goals, but which does not commit the Council to funding any specific programs or projects. Individual policy and program decisions in the future should be judged against the master

plan to see how and to what extent they conform with the plan. Councilor McLain encouraged Ms. Sheng to include in the plan document a listing of the projected costs for each of the five phases of capital improvements the plan discusses.

Councilor McFarland said she thinks the plan is consistent with the direction Zoo staff was given when it first embarked on preparing it. She said the cost considerations will come before the Council when they are actually proposed. Council adoption of the plan will not interfere with Council's ability to review and amend, if necessary, any of the budget-related items that will subsequently be proposed. She pointed out the difficulty in making accurate financial projections, citing as an example the effects of Ballot Measure 5 on Zoo revenues. Passage of the property tax limitation was not anticipated when the Council originally approved master plan funding. She said the plan was not intended to be a budget document, and it does contain much valuable information on how the Zoo is to be run. She moved that the committee approve the plan and direct staff to prepare a resolution for Council consideration which would adopt the plan.

The final version of the plan which is before the Council for consideration includes a breakdown of costs for each of the proposed five phases of capital improvements, as Councilor McLain requested. It also includes a copy of the Zoo's brochure which discusses the capital improvement plan. Finally, the resolution contains a statement in the Be It Resolved section which clarifies that "adoption of the plan does not obligate the Council to fund any portion of the plan."

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ADOPTING THE)	ORDINANCE NO. 93-487A
ANNUAL BUDGET FOR FISCAL YEAR)	
1993-94, MAKING APPROPRIATIONS)	Introduced by Rena Cusma, Executive
AND LEVYING AD VALOREM TAXES;)	Officer
AND DECLARING AN EMERGENCY)	

WHEREAS, The Multnomah County Tax Supervising and Conservation Commission held its public hearing on the annual Metro budget for the fiscal year beginning July 1, 1993, and ending June 30, 1994; and

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

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The "Fiscal Year 1993-94 Metro Budget," attached hereto as Exhibit B, and the Schedule of Appropriations, attached hereto as Exhibit C, are hereby adopted.

2. The Metro Council does hereby levy ad valorem taxes, as provided in the budget adopted by Section 1 of this Ordinance, for a total amount of ELEVEN MILLION ONE HUNDRED THIRTY ONE THOUSAND EIGHT HUNDRED EIGHTEEN (\$11,131,818) DOLLARS to be levied upon taxable properties within the Metro District as of 1:00 a.m., July 1, 1993.

SIX MILLION SEVENTY FOUR THOUSAND ONE HUNDRED EIGHTY ONE (\$6,074,181) DOLLARS shall be for the Zoo Operating Fund, said amount authorized in a tax base, said tax base approved by the voters of the Metro District at a general election held May 15, 1990.

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FIVE MILLION FIFTY SEVEN THOUSAND SIX HUNDRED THIRTY SEVEN (\$5,057,637) DOLLARS shall be for the Convention Center Project Debt Service Fund, said levy needed to repay a portion of the proceeds of General Obligation bonds as approved by the voters of the Metro District at a general election held November 4, 1986.

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

4. The Regional Park and Expo Fund is hereby created for the purpose of operating the Regional Parks, Exposition Center, and Greenspaces Planning functions. Sources of revenue shall be reimbursements, enterprise revenue, commissions, interest, user fees and other revenues attributable to the operations of the facilities or functions.

5. The Oregon Convention Center Renewal & Replacement Fund is hereby created for the purposes of extraordinary repairs or capital replacement to the Oregon Convention Center. Sources of revenue shall include deposits from the Oregon Convention Center operating fund. In the event of elimination of this fund, any funds remaining will be returned to the Operations of the Convention Center.

6. The Metro ERC Pool Fund is hereby renamed the Metro ERC Administration Fund. The purpose of the fund remains the same.

7. In accordance with Section 2.02.125 of the Metro Code, the Metro Council hereby authorizes personnel positions and expenditures in accordance with the Annual Budget adopted by Section 1 of this Ordinance, and hereby appropriates funds for the fiscal year

beginning July 1, 1993, from the funds and for the purposes listed in the Schedule of Appropriations, Exhibit C.

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

a. Multnomah County Assessor

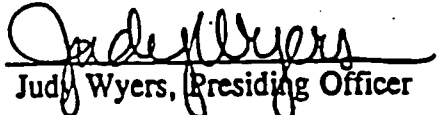
- 1) An original and one copy of the Notice of Levy marked Exhibit D, attached hereto and made a part of this Ordinance.
- 2) Two copies of the budget document adopted by Section 2 of this Ordinance.
- 3) A copy of the Notice of Publication required by ORS 294.421.
- 4) Two copies of this Ordinance.

b. Clackamas and Washington County Assessor and Clerk

- 1) A copy of the Notice of Levy marked Exhibit D.
- 2) A copy of the budget document adopted by Section 2 of this Ordinance.
- 3) A copy of this Ordinance.
- 4) A copy of the Notice of Publication required by ORS 294.421.

9. This ordinance being necessary for the health, safety, or welfare of the Metro area, for the reason that the new fiscal year begins July 1, 1993, and Oregon Budget Law requires the adoption of a budget prior to the beginning of the fiscal year, an emergency is declared to exist and the Ordinance takes effect upon passage.

ADOPTED by the Metro Council this 24th day of June, 1993


Judy Wyers, Presiding Officer

Attest:


Clerk of the Council

Zoo Capital Fund

The Zoo Capital Fund provides for major capital improvements at Metro Washington Park Zoo. Funding for FY 1993-94 includes projects listed below. These are in compliance with the zoo's master plan. Continued upgrading and maintenance of the zoo is important because high-quality exhibits and improvements in visitor services are expected to have a positive effect on attendance, stimulate return visits and increase the length of time spent at the zoo. This provides more opportunity to carry out the mission and increase income.

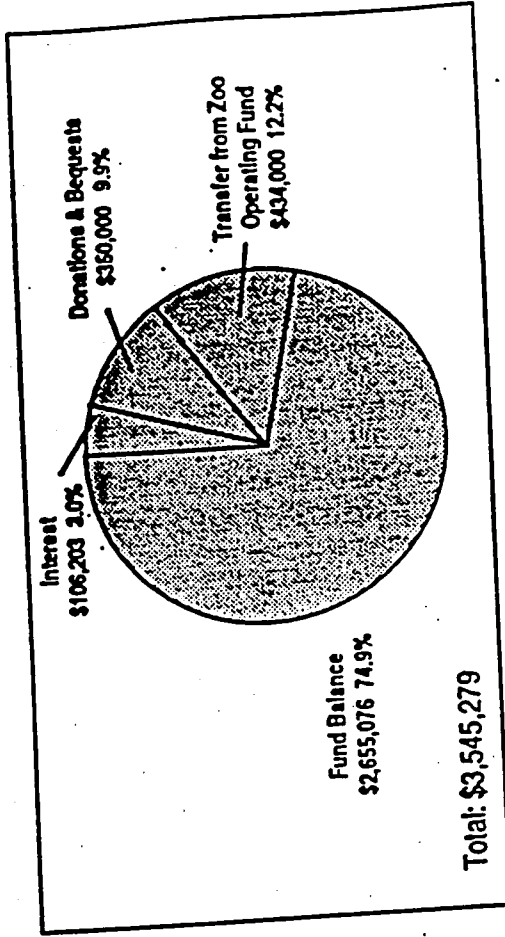
The major capital improvement projects for FY 1993-94 are:

Line Train/trolley (\$250,000) – The people mover will transport people from the zoo entrance to the Africa Rain Forest and concert lawn area and back. A small station will be constructed at the Rain Forest exhibit. Funds for this project are from a bequest.

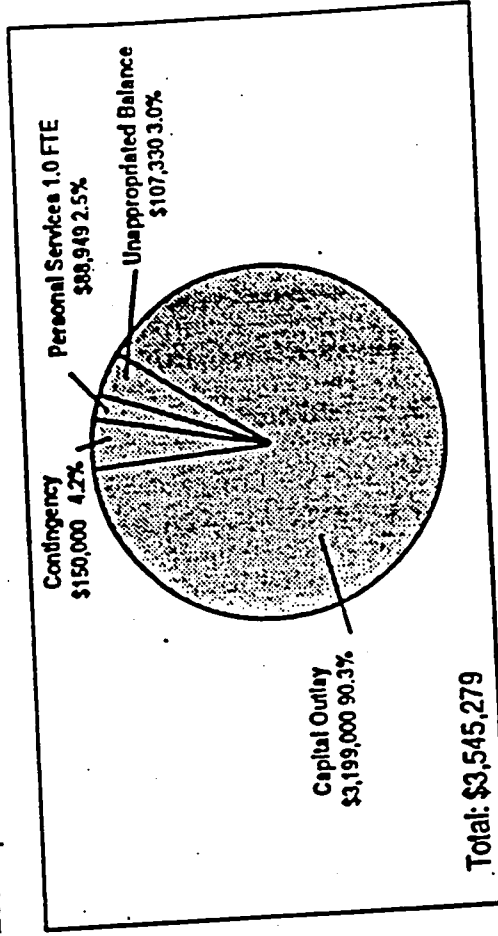
Elephant yard improvements (\$705,000) – Changing the current asphalt surfaced yard to a sand yard will protect the feet of the animals, improving their overall well being. Adding simulated rock and other environmental elements will add to the visual effectiveness for visitors and bring this exhibit up to par with the newer exhibits.

Center for Species Survival (\$650,000) – This project is a research facility to study animal behavior and propagation. All funds are provided from donations.

Entrance/Oregon Exhibit (\$934,000) – The start-up for implementing the zoo's new master plan, including design, through design development for a new entrance and exhibit of Oregon's varied landscapes and native animals, such as black bear, cougar, wolves, salmon, sea lions and sea otters.



Zoo Capital Fund resources



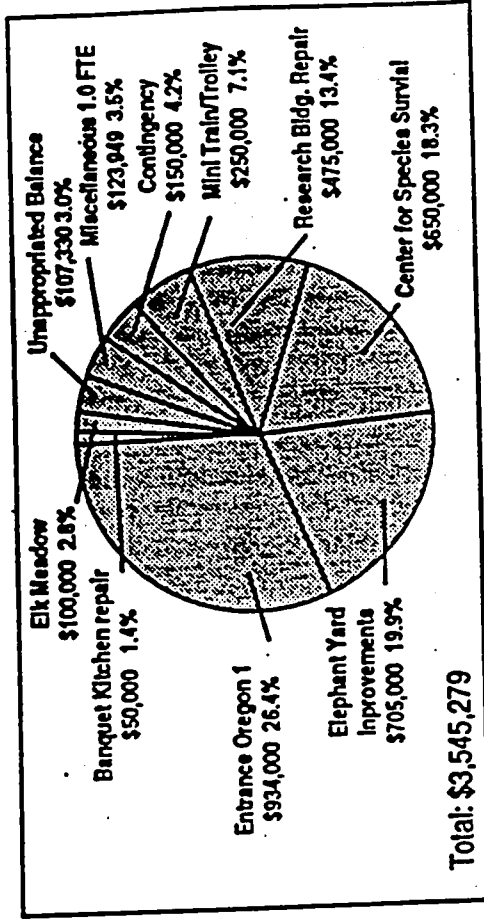
Zoo Capital Fund expenditures

Zoo Capital Fund

Research building repairs (\$475,000) – Remodeling and repair are needed for the damaged structure to the Research building.

Elk Meadow exhibit (\$100,000) – Completion of the Elk Meadow exhibit project started in FY 1992-93.

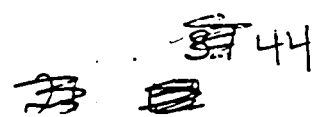
Banquet kitchen improvements (\$50,000) – Funds construction of improvements to the zoo's banquet kitchen to enable an increase in services.



Zoo Capital Fund expenditures by project

Zoo Capital Fund

HISTORICAL DATA		FY 1992-93		FISCAL YEAR 1993-94		PROPOSED		APPROVED		ADOPTED	
ACTUAL \$		ADOPTED BUDGET		DESCRIPTION		FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
FY	1991-92	FTE	AMOUNT	ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
1990-91	0	0	0	800	571500	0	0	0	0	0	0
	288	56	0	0	574190	0	0	0	0	0	0
	0	109,469	500	574520	Const. Work/Materials-Bldgs, Exhibits & Rel.	0	0	0	0	0	0
	0	0	10,000	574120	MISC. EXHIBIT IMPROVEMENTS	5,000	5,000	5,000	5,000	5,000	5,000
	3,693	5,360	0	574130	Architectural Services	0	0	0	0	0	0
	10,597	3,803	0	574190	Engineering Services	0	0	0	0	0	0
	62,785	6,508	0	574520	Other Const. Work/Materials-Bldgs, Exhibits & Rel.	65,000	65,000	15,000	15,000	15,000	15,000
	43,514	22,267	6,612	574120	UPDATE MASTER PLAN	0	0	0	0	0	0
	13,794	8,372	0	574130	Architectural Services	0	0	0	0	0	0
	0	26,446	0	574190	Engineering Services	0	0	0	0	0	0
	0	13,003	0	574520	AFRICA-PHASE 1 @ 2	0	0	0	0	0	0
	0	190	0	511121	Other Const. Work/Materials-Bldgs, Exhibits & Rel.	0	0	0	0	0	0
	123,524	12,013	0	574120	Const. Work/Materials-Bldgs, Exhibits & Rel.	0	0	0	0	0	0
	22,385	300	0	574130	AFRICA RAIN FOREST	0	0	0	0	0	0
	30,000	1,753	0	574190	Construction Management	0	0	0	0	0	0
	3,166,509	207,598	85,000	574520	Architectural Services	0	0	0	0	0	0
	0	0	143,000	574520	Engineering Services	0	0	0	0	0	0
	56,440	0	0	574120	Other Const. Work/Materials-Bldgs, Exhibits & Rel.	0	0	0	0	0	0
	750	0	0	574190	Const. Work/Materials-Bldgs, Exhibits & Rel.	650,000	650,000	650,000	650,000	650,000	650,000
	0	0	0	574520	RAILROAD SNOW SHED	0	0	0	0	0	0
	4,148	0	0	574520	Const. Work/Materials-Bldgs, Exhibits & Rel.	0	0	0	0	0	0
	0	0	0	574120	CENTER FOR SPECIES SURVIVAL	0	0	0	0	0	0
	56,440	0	0	574190	Architectural Services	0	0	0	0	0	0
	750	0	0	574190	Other Const. Work/Materials-Bldgs, Exhibits & Rel.	650,000	650,000	650,000	650,000	650,000	650,000
	0	0	0	574520	AFRICA BASEMENT	0	0	0	0	0	0
	0	0	0	574520	Const. Work/Materials-Bldgs, Exhibit & Rel.	0	0	0	0	0	0
	0	0	0	574520	MINI TRAIN/TROLLEY	250,000	250,000	250,000	250,000	250,000	250,000
	0	490	35,000	571400	Purchased Equipment & Vehicles	0	0	0	0	0	0
	0	0	0	574120	ELEPHANT BARN REMODEL	0	0	0	0	0	0
	0	21,000	0	574120	Architectural Services	0	0	0	0	0	0
	0	1,359	230,000	574520	Const. Work/Materials-Bldgs, Exhibit & Rel.	15,000	15,000	15,000	15,000	15,000	15,000
	0	0	40,000	574120	ELEPHANT YARD IMPROVEMENTS	690,000	690,000	690,000	690,000	690,000	690,000
	0	0	0	574120	Architectural Services	0	0	0	0	0	0
	0	0	0	574520	Const. Work/Materials-Bldgs, Exhibits & Rel.	5,000	5,000	5,000	5,000	5,000	5,000
	0	0	0	574520	ELK MEADOW	45,000	45,000	45,000	45,000	45,000	45,000
	0	0	25,000	574120	Architectural Services	0	0	0	0	0	0
	0	0	265,668	574520	Const. Work/Materials-Bldgs, Exhibit & Rel.	95,000	95,000	95,000	95,000	95,000	95,000



Zoo Capital Fund

HISTORICAL DATA		FY 1992-93		FISCAL YEAR 1993-94		PROPOSED		APPROVED		ADOPTED	
ACTUAL \$		ADOPTED BUDGET		DESCRIPTION		FTE AMOUNT		FTE AMOUNT		FTE AMOUNT	
FY	1991-92	FTE	AMOUNT	ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
0	0	0	0	574120	ENTRANCE/OREGON I 14		1,500,000		934,000		934,000
					Architectural Services						
0	0	0	0	574120	RESEARCH BUILDING REPAIRS		50,000		50,000		50,000
					Architectural Services						
0	0	0	0	574520	Const. Work/Materials-Bldgs, Exhibit & Rel.		425,000		425,000		425,000
					GRAPHICS/EVENTS WORKSHOP						
0	0	0	0	574120	Architectural Services		15,000		15,000		15,000
					BANQUET KITCHEN IMPROVEMENTS						
0	0	0	0	574120	Architectural Services		5,000		5,000		5,000
					Const. Work/Materials-Bldgs, Exhibit & Rel.						
0	0	0	0	574520	SAVANNAH SHADE STRUCTURE		45,000		45,000		45,000
					Other Construction Services						
0	0	0	84,500	574190		0	0	0	0	0	0
					Total Capital Projects		3,765,000		3,189,000		3,189,000
3,538,427	439,987		926,300								
0	0	0	0	599999	Contingency and Unappropriated Balance		150,000		150,000		150,000
					Contingency						
3,197,560	3,262,825		2,367,900	599990	Unappropriated Balance		141,427		107,330		107,330
					Total Contingency and Unappropriated Balance		291,427		257,330		257,330
3,197,560	3,262,825		2,367,900								
6,823,295	3,724,213	1.50	3,371,472		TOTAL REQUIREMENTS	1.00	4,111,279	1.00	3,545,278	1.00	3,545,279

8/11/93 45

BEFORE THE METRO CONTRACT REVIEW BOARD

FOR THE PURPOSE OF AUTHORIZING THE)
RELEASE OF REQUEST FOR PROPOSAL FOR)
THE METRO WASHINGTON PARK ZOO'S)
OREGON PROJECT AND AUTHORIZING A)
MULTI-YEAR DESIGN CONTRACT WITH)
THE SELECTED DESIGN TEAM)

RESOLUTION NO. 94-1946A

Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Metro Council adopted the Metro Washington Park Zoo's 25-year plan on December 10, 1992; and

WHEREAS, The first phase of the Metro Washington Park Zoo's master plan is proposed to include exhibits displaying native wildlife and habitats and a new entrance; and

WHEREAS, Effective planning requires further design beyond the concepts produced as part of the 25-year plan; and

WHEREAS, The Metro Washington Park Zoo's 93-94 fiscal year budget includes \$934,000 for the design of Phase 1 of the Zoo's master plan; now, therefore,

BE IT RESOLVED,

That the Contract Review Board authorizes the release of the Request for Proposal (Attachment A) for the design of the Oregon project and the Metro Council authorizes the Executive Officer to execute a multi-year contract in the form substantially similar to Attachment B with the selected design team, provided that the contract shall not authorize the selected design team to proceed beyond phase one of the project until the Council formally approves a contract amendment that authorizes additional work.

ADOPTED by the Metro Contract Review Board this 14th day of April, 1994.

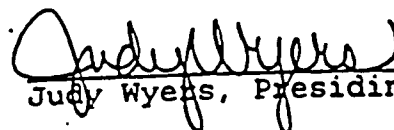

Judy Wyers, Presiding Officer

EXHIBIT A

SCOPE OF ARCHITECT'S SERVICES

A. GENERAL

1. Architect shall prepare all plans, specifications, two final colored renderings, sections, elevations, details and other documents and information which may be necessary or convenient to adequately and completely convey to Owner, Contractor(s) and others the information necessary for the design and construction of the project. For purposes of convenience, the Architect's services under this Agreement are referred to as Basic Services. All services referred to in this Agreement are Basic Services, unless and except as specifically referred to as Extra Work Items (Exhibit D). Architect shall perform Extra Work Items only if requested by Owner.

Except as specifically provided below, Architect's Basic Services shall consist of those architectural, engineering and other services which are customarily performed during the design and construction of comparable projects. They include architectural, structural, seismic, mechanical, electrical, life safety, interior design, audio/visual, surveys, acoustical, food service, energy conservation, security, civil engineering, landscape architectural services, graphics and signage, Zoo exhibit design, exhibit interpretive design, and such others as required by Contract to complete the work.

The parties recognize that funding for the construction of this Project is not yet certain. Therefore, the full Scope of Architect's Services is contingent upon and shall not be implemented until such time as the Project becomes fully funded. Initially, Architect shall only perform all portions of Phases (1) Programming, (2) Preliminary Concepts, and (3) Schematic Design Services of the Basic Services and thereafter await Owner's further directions. Architect shall proceed with the remaining phases of the Basic Services when a written Notice to Proceed has been issued by Owner. The remaining phases may be undertaken in successive components, rather than in a lump sum format.

2. The Architect shall meet and confer with the Owner on a regular weekly basis during the Design Phase with respect to site use and improvements, selection of materials, building systems and equipment, and to consider the Owner's recommendations on construction feasibility, availability of materials and labor, time requirements for installation and construction and factors relating to costs of alternative designs or materials, preliminary budgets and possible economies.
3. The Architect shall be responsible for all internal printing and reproduction costs for its own use and for the use of its consultants in preparing, checking, coordinating and estimating the Project through and including the Construction Document Phase. Architect shall provide ten (10) sets of all material including drawings, specifications, and other documents for Owner's use at completion of Preliminary Concepts, Schematic Design, Design Development and at 30 percent, 60 percent and 100 percent completion of the Construction Document Phase.
4. A narrative progress report shall be submitted each month. The report shall include discussion of progress to date, problems, potential causes for delay or cost overrun and other information pertinent to the Project.
5. Evaluations of the Owner's Project budget, Statement of Probable Construction Cost and Detailed Estimates of Construction Cost, if any, prepared by the Architect, represent the Architect's best judgment as a design professional familiar with the construction industry. It is recognized, however, that neither the Architect nor the Owner has control over the cost of labor, materials or equipment, over the Contractor's method of determining bid prices, or over competitive bidding, market or negotiating conditions. Accordingly, the Architect cannot and does not warrant or represent that bids or negotiated prices will not vary from the Project budget proposed, established or approved by the Owner, if any, or from any Statement of Probable Construction Cost or other cost estimate or evaluation prepared by the Architect.

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The Architect shall be permitted to include contingencies for design, bidding and price escalation, to determine what materials, equipment, component systems and types of construction are to be included in the Contract Documents, to make reasonable adjustments in the scope of the Project and to include in the Construction Documents alternate bids to adjust the Construction Cost to the fixed limit.

If the Bidding Phase has not commenced within three (3) months after the Architect submits the Construction Documents to the Owner, any Project budget or fixed limit of Construction Cost shall be adjusted to reflect any change in the general level of prices in the construction industry between the date of submission of the Construction Documents to the Owner and the date on which proposals are sought.

6. Architect shall maintain for the duration of the Contract, professional liability insurance covering personal injury and property damage arising from errors, omissions or malpractice. Coverage shall be in the minimum amount of \$1,000,000. Architect shall provide Owner a certificate of this insurance, and thirty (30) day's advance notice of material changes or cancellation.

B. BASIC SERVICES

Basic Services consist of work in eight (8) phases: (1) Programming; (2) Preliminary Concepts; (3) Schematic Design Services; (4) Design Development Services; (5) Construction Documents Services; (6) Bidding Phase Services; (7) Construction Contract Administration Services; and (8) Post-Construction Services.

C. PROGRAMMING

1. The Architect shall develop for Owner's review and approval a functional program, space program and budget for this facility. To perform this work, the Architect will be provided the following information: (1) previously prepared Master Plan, Metro Washington Park Zoo, "Caring Now for the Future of Life"; (2) previously prepared space plan for the entry and education complex; (3) priority list reflecting comments from selected community members; (4) key messages formulated through a series of previously conducted meetings with individuals representing diverse viewpoints; (5) recent aerial photographs; (6) site topographical drawing at 2-foot contour intervals (available on AutoCAD); and (7) utility plan. This information shall be subject to evaluation and testing as preliminary design concepts are developed, resulting in a final approved facility program.
2. Architect shall prepare initial site analysis considering Geotechnical, Topographical, Utility (including relocation if applicable), Pedestrian Flow and Service circulation, and existing building and exhibit demolition issues.
3. Architect shall develop jointly with Owner design objectives, overall project schedule (including application for and receipt of conditional use permit) and a Work Plan for future phases.
4. Architect shall investigate concepts for the overall development of the site, including land use, building sites, exhibit sites, interior and exterior pedestrian and vehicular circulation including railway, security provisions, storage and service provisions, landscaping concepts, site amenities and relationships to surrounding developments. Architect shall prepare and develop for Owner's review and approval a project program which synthesizes all previously provided information, incorporating the foregoing concepts and specifying optimum entry, building and exhibit placement, elevation and massing, phasing and site utilization.
5. Architect shall coordinate its work with the work of the Owner's separate contracts for the project. Architect shall consult with the City of Portland as required to obtain the building permit(s). Architect shall also prepare written and graphic explanatory materials and appear on Owner's behalf at meetings to brief interested parties.
7. Architect shall make presentations of Programming and Site Analysis studies and data for approval by Owner. Program shall be formally adopted to serve as the basis for further design.

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REGIONAL FACILITIES COMMITTEE REPORT

RESOLUTION NO. 94-1946A, AUTHORIZING THE RELEASE OF REQUEST FOR PROPOSAL FOR THE METRO WASHINGTON PARK ZOO'S OREGON PROJECT AND AUTHORIZING A MULTI-YEAR DESIGN CONTRACT WITH THE SELECTED DESIGN TEAM

Date: April 12, 1994

Presented by: Councilor McFarland

COMMITTEE RECOMMENDATION: At its April 6, 1994 meeting the Regional Facilities Committee voted 5-0 to recommend Contract Review Board adoption of Resolution No. 94-1946A. All committee members were present and voted in favor.

COMMITTEE DISCUSSION/ISSUES: Zoo Director Sherry Sheng presented the staff report. She said the resolution would authorize a contract with a selected design team for the full scope of design services related to the Oregon Project and new entrance, but the contract would be in phases with only an initial \$150,000 being authorized at this time. Further work would depend on the availability of funds. She said consultation with Council would precede authorization of any further work.

Councilor Moore asked if the scope of work in the RFP was for the whole project or just for the entrance. Ms. Sheng referred to Section II of the RFP, which outlines the full scope of the Oregon Exhibit and new entrance, and which will be covered in the Phase 1 design work. Councilor Moore asked if this included the new entrance that is to be related to the light rail station. Ms. Sheng said it would include design work on the entrance, but that final decisions on the scope of the entrance would be defined at a later date; part of the design team's work would be to help identify the options available for the entire project.

Council Analyst Casey Short distributed a proposed amendment which would provide for Council review and approval prior to additional work being authorized. He said this amendment would only strengthen the assurance that Ms. Sheng had given to involve the Council in approving further work. He also discussed the proposal to issue a contract for the full project rather than issue individual contracts for pieces of the project, and agreed that the method proposed was fair and provided greatest assurance that all proposals would be based on the same information.

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BEFORE THE METRO COUNCIL

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

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

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

THE METRO COUNCIL ORDAINS AS FOLLOWS:

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

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

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

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

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

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



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

6. Any contract amendment or change order to an existing contract for the purchase of any fiber-based fuel or pelletizer equipment at any Metro operated or franchised transfer station will be subject to Council approval prior to execution by the Executive Officer, notwithstanding any other provision of the Metro Code.

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

8. The Zoo Revenue Bond Fund is hereby eliminated.

9. In accordance with Section 2.02.125 of the Metro Code, the Metro Council hereby authorizes personnel positions and expenditures in accordance with the Annual Budget adopted by Section 1 of this Ordinance, and hereby appropriates funds

 
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for the fiscal year beginning July 1, 1994, from the funds and for the purposes listed in the Schedule of Appropriations, Exhibit C.

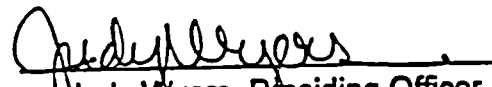
10. The Executive Officer shall make the following filings as provided by ORS 294.555 and ORS 310.060:

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

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

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

ADOPTED by the Metro Council this 30th day of June, 1994.


Judy Myers, Presiding Officer

Attest:


Clerk of the Council

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Zoo Capital Fund

The Zoo Capital Fund provides accountability for capital improvements identified in the Zoo Development Program and includes the adopted zoo master plan. The Zoo Capital Fund provides for major capital improvements at the Metro Washington Park Zoo. Funding for FY 1994-95 includes the projects listed below. These are in compliance with the zoo's master plan.

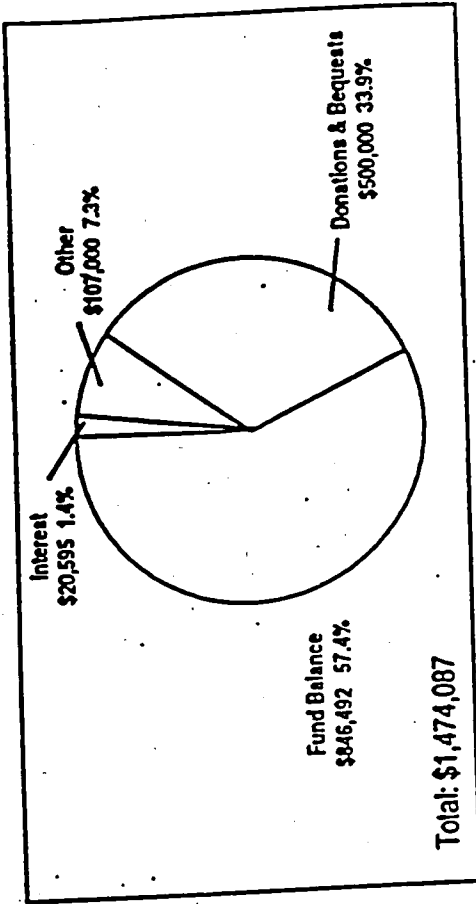
The major capital improvement projects scheduled for FY 1994-95 are:

Completion of the remodel of the front elephant yard (\$50,000) – Changing the current asphalt surfaced yard to a sand yard will protect the feet of the animals. Adding simulated rock and other environmental elements will add to the visual impact and bring this exhibit up to par with newer exhibits.

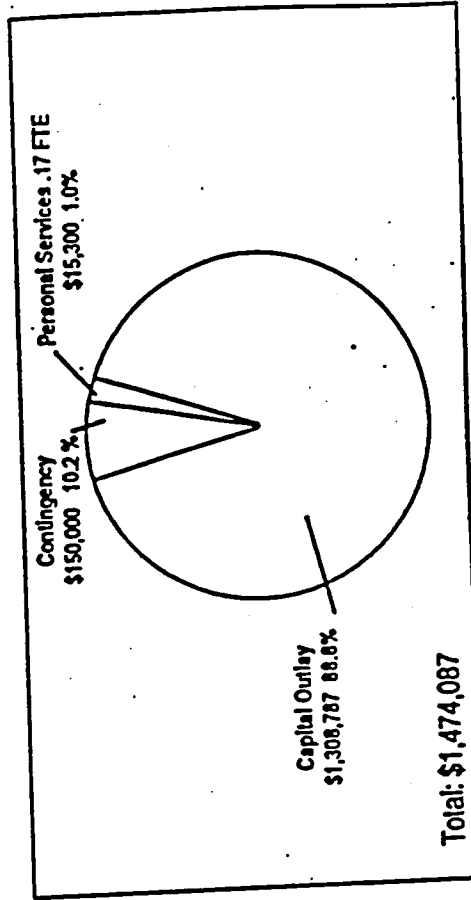
Continuation of the design of Phase I of the Oregon Exhibit (\$1,019,787) – This includes design and construction drawings for a new entrance adjacent to the light rail station. The exhibit will highlight Oregon's varied landscapes and native animals.

Completion of the research building remodel (\$140,000) – This remodel will repair damaged structural members of the building and will provide animal management office space. This will provide space upstairs to be used for animal hospital activities.

Completion of the Visitor Transport Vehicle Station (\$49,000) – A small station for the people mover mini-trolley is being built at the Africa Rain Forest exhibit. The people mover will transport visitors from the zoo entrance to the Rain Forest and concert lawn area and back. Funds for this project are from a bequest.



Zoo Capital Fund resources



Zoo Capital Fund expenditures

Completion of the Banquet Kitchen Improvements (\$50,000) – Funds construction of improvements to the zoo's banquet kitchen to enable an increase in services.

Zoo Capital Fund

HISTORICAL DATA		FY 1993-94		FISCAL YEAR 1994-95		PROPOSED		APPROVED		ADOPTED	
ACTUAL \$		ADOPTED BUDGET				FTE		FTE		FTE	
FY	FY	FTE	AMOUNT	ACCT #	DESCRIPTION	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE
1991-92	1992-93										
3,197,560	3,262,925		1,754,001	305000	Resources	686,492		846,492		846,492	
0	0		901,075	305000	Fund Balance - Unrestricted	0		0		0	
182,157	131,007		108,203	361100	Fund Balance - Restricted	20,595		20,595		20,595	
267,653	149,099		168,000	365100	Interest on Investments	100,000		100,000		100,000	
0	0		194,000	365300	Donations & Bequests	400,000		400,000		400,000	
76,844	0		0	379000	Support Organization Contributions	107,000		107,000		107,000	
0	0		434,000	391120	Other Miscellaneous Revenue	0		0		0	
					Trans. of Resources from Zoo Operating	1,314,087		1,474,087		1,474,087	
3,724,213	3,542,931		3,545,279		TOTAL RESOURCES						
					Personal Services						
0	0	1.00	62,640	511121	SALARIES-REGULAR EMPLOYEES (full time)	0	0.17	10,968	0.17	10,968	0.17
0	0	0	0		Construction Manager						
					Construction Coordinator						
13,276	32,942		0	811131	SALARIES-TEMPORARY EMPLOYEES (full time)	0	0	0	0	0	0
					Construction Coordinator						
4,469	14,156		28,309	511225	SALARIES-REGULAR EMPLOYEES (Part Time)	4,332	0	4,332	0	4,332	0
2,810	12,858		0		Construction Coordinator						
					Administrative Secretary						
20,555	59,956	1.00	88,949	512000	FRINGE	15,300	0.17	15,300	0.17	15,300	0.17
					Total Personal Services						
40	1,277		0		Materials & Services						
538	0		0	521100	Office Supplies	0	0	0	0	0	0
0	0		0	524120	Legal Fees	0	0	0	0	0	0
0	47		0	524190	Misc. Professional Services	0	0	0	0	0	0
268	0		0	525640	M & R - Service Equipment	0	0	0	0	0	0
846	1,324		0		Total Materials & Services	0	0	0	0	0	0
56	0		0		Capital Projects						
109,169	106		5,000	574190	ALASKA EXHIBIT						
0	20,717		0	574520	Other Construction Services						
5,360	0		0		Const. Work/Materials-Bldgs, Exhibits & Rel.						
3,803	0		0		MISC. EXHIBIT IMPROVEMENTS						
6,508	9,650		18,000	574120	Architectural Services						
				574130	Engineering Services						
				574190	Other Construction Services						
				574520	Const. Work/Materials-Bldgs, Exhibits & Rel.						

Zoo Capital Fund

HISTORICAL DATA				FY 1993-94				FISCAL YEAR 1994-95				PROPOSED				APPROVED				ADOPTED			
ACTUAL \$				ADOPTED BUDGET				FTE				AMOUNT				FTE				AMOUNT			
FY	1991-92	1992-93	1993-94	FY	1992-93	1993-94	FTE	AMOUNT	ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT			
	22,267	6,613	0	0	574120	0	0	0	0	UPDATE MASTER PLAN	0	0	0	0	0	0	0	0	0	0			
	8,372	0	0	0	574130	0	0	0	0	Architectural Services	0	0	0	0	0	0	0	0	0	0			
	26,446	0	0	0	574190	0	0	0	0	Engineering Services	0	0	0	0	0	0	0	0	0	0			
	13,003	0	0	0	574520	0	0	0	0	AFRICA-PHASE 1 @ 2	0	0	0	0	0	0	0	0	0	0			
	190	0	0	0	511121	0	0	0	0	Other Construction Services	0	0	0	0	0	0	0	0	0	0			
	12,013	0	0	0	574120	0	0	0	0	Const. Work/Materials-Bldgs, Exhibits & Rel.	0	0	0	0	0	0	0	0	0	0			
	300	0	0	0	574130	0	0	0	0	AFRICA RAIN FOREST	0	0	0	0	0	0	0	0	0	0			
	1,753	0	0	0	574190	0	0	0	0	Construction Management	0	0	0	0	0	0	0	0	0	0			
	207,598	65,000	0	0	574520	0	0	0	0	Architectural Services	0	0	0	0	0	0	0	0	0	0			
	0	1,928	0	0	574120	0	0	0	0	Engineering Services	0	0	0	0	0	0	0	0	0	0			
	0	148,985	0	0	574520	0	0	0	0	Other Construction Services	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574520	650,000	0	0	0	Const. Work/Materials-Bldgs, Exhibits & Rel.	49,000	49,000	0	0	0	0	0	0	0	0			
	490	0	0	0	571400	250,000	0	0	0	RAILROAD SNOW SHED	0	0	0	0	0	0	0	0	0	0			
	21,000	2,680	0	0	574120	0	0	0	0	Architectural Services	0	0	0	0	0	0	0	0	0	0			
	1,359	228,023	0	0	574520	0	0	0	0	Const. Work/Materials-Bldgs, Exhibits & Rel.	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574120	15,000	0	0	0	CENTER FOR SPECIES SURVIVAL	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574520	690,000	0	0	0	Const. Work/Materials-Bldgs, Exhibits & Rel.	50,000	50,000	0	0	0	0	0	0	0	0			
	0	3,726	0	0	574120	5,000	0	0	0	MINI TRAIN/TROLLEY	0	0	0	0	0	0	0	0	0	0			
	0	361,150	0	0	574520	95,000	0	0	0	Purchased Equipment & Vehicles	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574120	0	0	0	0	ELEPHANT BARN REMODEL	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574520	0	0	0	0	Architectural Services	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574120	0	0	0	0	Const. Work/Materials-Bldgs, Exhibit & Rel.	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574520	0	0	0	0	ELEPHANT YARD IMPROVEMENTS	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574120	0	0	0	0	Architectural Services	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574520	0	0	0	0	Const. Work/Materials-Bldgs, Exhibits & Rel.	50,000	50,000	0	0	0	0	0	0	0	0			
	0	0	0	0	574120	0	0	0	0	ELK MEADOW	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574520	0	0	0	0	Architectural Services	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574120	0	0	0	0	Const. Work/Materials-Bldgs, Exhibit & Rel.	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574520	0	0	0	0	ENTRANCE/OREGON I	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574120	0	0	0	0	Architectural Services	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574520	0	0	0	0	RESEARCH BUILDING REPAIRS	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574120	0	0	0	0	Architectural Services	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574520	0	0	0	0	Const. Work/Materials-Bldgs, Exhibit & Rel.	30,000	140,000	0	0	0	0	0	0	0	0			
	0	0	0	0	574120	0	0	0	0	GRAPHICS/EVENTS WORKSHOP	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574520	0	0	0	0	Architectural Services	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574120	0	0	0	0	BANQUET KITCHEN IMPROVEMENTS	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574520	0	0	0	0	Architectural Services	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574120	0	0	0	0	Const. Work/Materials-Bldgs, Exhibit & Rel.	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574520	0	0	0	0	SAVANNAH SHADE STRUCTURE	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574120	0	0	0	0	Architectural Services	0	0	0	0	0	0	0	0	0	0			
	0	0	0	0	574520	0	0	0	0	Const. Work/Materials-Bldgs, Exhibit & Rel.	0	0	0	0	0	0	0	0	0	0			
	439,987	932,640	0	0	0	0	0	0	0	Total Capital Projects	1,148,787	1,306,787	1,019,787	1,019,787	1,019,787	1,019,787	1,019,787	1,019,787	1,019,787	1,308,787			

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Zoo Capital Fund

HISTORICAL DATA		FY 1993-94		FISCAL YEAR 1994-95		PROPOSED		APPROVED		ADOPTED	
ACTUAL \$		ADOPTED BUDGET				FTE		AMOUNT		AMOUNT	
FY	1991-92	FY	1992-93	FTE	AMOUNT	ACCT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT
	0	0	0		150,000	5999999	Contingency and Unappropriated Balance		150,000		150,000
	3,262,825	2,649,011	107,330		0	5999990	Contingency Unappropriated Balance		0		0
	3,262,825	2,549,011	237,330		150,000		Total Contingency and Unappropriated Balance		150,000		150,000
	3,724,213	3,542,931	1.00	3,645,278			TOTAL REQUIREMENTS	0.17	1,314,087	0.17	1,474,087

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BEFORE THE METRO COUNCIL

SETTING FORTH THE OFFICIAL
INTENT OF METRO TO REIMBURSE
CERTAIN CAPITAL EXPENDITURES
OUT OF THE PROCEEDS OF
OBLIGATIONS TO BE ISSUED TO
FINANCE VARIOUS CAPITAL
PROJECTS AT THE WASHINGTON
PARK ZOO.

RESOLUTION NO. 94-2013

Introduced by Rena Cusma

WHEREAS, Metro is currently in the process of finalizing its plans to undertake the acquisition, construction and installation of various capital projects at the Metro Washington Park Zoo consisting of the following (collectively, the "Projects"): relocation of the entrance to the zoo in connection with the Washington Park Light Rail Station currently under construction; the construction of a new facility to house exhibits relating to Northwest native animals, habitat, natural resources and natural resource management; the relocation of the gift shop and restaurant; and additional education and support facilities and improvements related to the foregoing; and

WHEREAS, The planned Projects are currently estimated to have a total cost in excess of \$35,000,000; and

WHEREAS, Metro is authorized under the laws of the State of Oregon, and, in particular, the Metro Charter and Metro Ordinance No. 93-495 (collectively, the "Act"), to issue bonds and other obligations for the purpose of providing long-term financing for the Projects, and Metro has determined that it will be in the interests of Metro ask the voters to authorize Metro to issue such bonds or other obligations under the Act in order to provide permanent financing for the costs of acquiring, construction and installing the Projects (the "Obligations"), which Obligations will be issued in an amount currently estimated to be not in excess of \$35,000,000; and

WHEREAS, Metro has incurred, or will incur in the future, preliminary expenditures relating to the design, planning and feasibility of the Projects, all within the meaning of Treasury Regulations §1.103-18(i)(2), and will continue to incur from time to time additional costs of acquiring, constructing and installing the Projects (such preliminary expenditures together with such other costs of the Projects incurred and paid prior to the issuance of the Obligations being herein collectively called the "Pre-Issuance Expenditures"), which Pre-Issuance Expenditures, in accordance with the budget for the Projects and Metro's operating budget, will ultimately be financed out of the proceeds of the Obligations as and when such Obligations are issued; and

WHEREAS, Pending the issuance of, and the availability of the proceeds derived from the issuance and sale of, the Obligations, the Pre-Issuance Expenditures have been and will be paid on an interim basis out of moneys which, in accordance with Metro budget and budgetary practices, are not and will not be available on a long-term basis to pay such costs (the "Advances"), with the expectation and intent that Metro will be reimbursed for all such Advances out of the proceeds of the Obligations as and when the same are issued;

NOW, THEREFORE, BE IT RESOLVED BY THE METRO COUNCIL AS FOLLOWS:

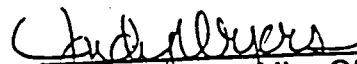
Section 1. The Metro Council hereby declares its intent to finance all Pre-Issuance Expenditures out of the proceeds of the Obligations as and when the same are issued, and to reimburse itself out of the proceeds of the Obligations for all Advances made for the purpose of paying on an interim basis all Pre-Issuance Expenditures. Metro acknowledges that such reimbursement from Obligation proceeds may be made only to the extent that all other applicable requirements of Treasury Regulations §1.103-18 are met with respect to the Obligations, the Pre-Issuance Costs, the sources of funds used to make the Advances and such reimbursement from Obligation proceeds, but intends, and hereby directs all Metro officials and personnel, to take such lawful actions as may be necessary or appropriate in order to ensure that the Advances may be reimbursed from Obligation proceeds to the fullest extent permitted by law.

Section 2. This resolution is intended to constitute an official declaration on the part of Metro to reimburse itself out of the proceeds of the Obligations for all Advances made to pay Pre-Issuance Expenditures, all within the meaning of and pursuant to Treasury Regulation §1.103-18.

Section 3. Within 30 days after the date of adoption of this resolution, the clerk of the Council shall make a certified copy hereof available for public inspection at the main administrative offices of Metro, and shall keep such certified copy available for public inspection at said administrative offices until all series of Obligations have been issued.

Section 4. Effectiveness of Resolution. This Resolution shall take effect immediately upon its adoption by the Council.

Adopted this 28th day of July, 1994.



Judy Wyets, Presiding Officer

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FINANCE COMMITTEE REPORT

RESOLUTION NO. 94-2013, SETTING FORTH THE OFFICIAL INTENT OF METRO TO REIMBURSE CERTAIN CAPITAL EXPENDITURES OUT OF THE PROCEEDS OF OBLIGATIONS TO BE ISSUED TO FINANCE VARIOUS CAPITAL PROJECTS AT THE WASHINGTON PARK ZOO

Date: July 28, 1994

Presented by: Councilor Kvistad

COMMITTEE RECOMMENDATION: At its July 27, 1994 meeting the Finance Committee voted 5-1 to recommend Council adoption of Resolution No. 94-2012. Voting in favor were Councilors Monroe, Gardner, Kvistad, McLain, and Washington. Councilor Van Bergen voted in opposition. Councilors Devlin and Buchanan were absent.

NOTE: The staff report and the majority of committee discussion of this resolution dealt with the common purpose of three resolutions (94-2008, 2012, and 2013). This committee report contains much of the same information as the report for the other resolutions; the only matters specific to this resolution are limited to the final paragraph.

COMMITTEE DISCUSSION/ISSUES: Councilor Van Bergen raised an issue regarding notice of the meeting. He said public notice of the meeting indicated that the period of 2:00 - 5:00 was to be a work session and he thought the committee should not act on any items during that time. General Counsel Dan Cooper said he believed proper public notice was given and the committee could proceed to act on the items in question. Councilor Van Bergen noted that he disagreed with Mr. Cooper, and would vote no on all the items in question. (Those items were the minutes of the July 12 Finance Committee meeting, and Resolutions 94-2008, 94-2012, and 94-2013.)

Financial Planning Manager Craig Prosser presented the staff report. He said his remarks covered Resolutions 94-2008, 94-2012, and 94-2013, because they are for the same purpose but dealing with different potential bond issues. He said Internal Revenue Service regulations require a notice of intent to reimburse for pre-issuance costs out of bond proceeds. He said decisions on whether to issue bonds would come later, and this resolution does not commit the Council to any of the proposed projects. In response to a question from Councilor Van Bergen, Mr. Prosser summarized the projects contemplated in the resolutions: Resolution No. 94-2008 deals with RV parks at the Expo Center and Blue Lake Park, which is in the RFP stage, with estimated costs not to exceed \$5 million; Resolution 94-2012 deals with Greenspaces at a cost not to exceed \$140 million; and Resolution 94-2013 deals with the Oregon Territory exhibit and new entrance at the Zoo, not to exceed \$35 million.

Councilor Van Bergen asked if any of the measures has received Council approval. Mr. Prosser said none of them has, although

Council has the Greenspaces bond measure resolution on its July 28 agenda. Councilor Van Bergen asked what is the pledged security for each issue. Mr. Prosser said that has not yet been determined, but will be determined when each bond resolution is developed. Councilor Van Bergen said his concern is the future impact on bonding capability for these items. Mr. Prosser said these items should not affect Metro's capability, and added that Metro's debt level is relatively low for comparable governments.

Councilor McLain asked whether there are timing issues involved with these resolutions. Mr. Prosser said there is a timing issue and that bond counsel has advised Metro to proceed with these resolutions, in order to preserve flexibility to recover costs. Councilor Van Bergen said he did not think these resolutions were appropriate at this time.

Councilor Van Bergen noted his objection to acting on this issue at this time. There was no further discussion on this resolution.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 94-2013 SETTING FORTH THE OFFICIAL INTENT OF METRO TO REIMBURSE CERTAIN CAPITAL EXPENDITURES OUT OF THE PROCEEDS OF OBLIGATIONS TO BE ISSUED IN CONNECTION WITH THE ACQUISITION, CONSTRUCTION AND INSTALLATION OF VARIOUS CAPITAL PROJECTS.

Date: July 19, 1994

Presented by: Craig Prosser

FACTUAL BACKGROUND AND ANALYSIS

IRS Regulations allow issuers of municipal debt to reimburse themselves for certain preliminary expenditures incurred to develop and design projects which will be financed through the issuance of debt financing. Before reimbursable costs are incurred, however, the issuer must adopt a resolution of intent to reimburse themselves (a Reimbursement Resolution).

Metro is beginning initial work to explore the feasibility of developing a new entrance to the Metro Washington Park Zoo, a new exhibit, and related educational and support facilities. The Resolution states that the estimated project costs will be \$35,000,000. For purposes of this resolution, these estimates should be large enough to cover the maximum possible estimated cost of the project, but not so large as to be totally unreasonable. Final cost estimates will depend on preliminary work now being conducted by the Metro Washington Park Zoo.

This Resolution does not presuppose a final decision how this project will be financed. This Resolution does not preclude any option. It merely positions Metro to recover preliminary costs should we decide to issue debt. Once preliminary work has been completed, staff will return to Council for authorization to proceed with the projects and with a recommendation for financing.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends approval of Resolution No. 94-2013.

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BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF SUBMITTING TO)
THE VOTERS A GENERAL OBLIGATION)
BOND INDEBTEDNESS IN THE AMOUNT)
OF \$27.2 MILLION FOR THE OREGON)
TERRITORY! EXHIBIT AND NEW)
ENTRANCE AT THE METRO WASHINGTON)
PARK ZOO)

RESOLUTION NO. 94-2044

Introduced by Rena Cusma,
Executive Officer

WHEREAS, Metro Washington Park Zoo's long range plan, adopted by the Metro Council in 1992, provides for gradual improvement of the Zoo over 25 years including a new entry, enhanced exhibits and programs which include a greater emphasis on the Northwest Region; and

WHEREAS, A new entry, once the westside light rail project is completed, will facilitate entrance into the Zoo for both transit and automobile users; and

WHEREAS, The Metro Council has appropriated \$1.02 million in the FY 1994-95 budget to further refine the preliminary design of a new entrance and Oregon Territory! exhibit; and

WHEREAS, Metro has engaged the involvement of the community in this project, including citizen groups and technical advisors; and

WHEREAS, The project is regarded as one of significance;

Now therefore, BE IT RESOLVED:

1. That the Metro Council hereby submits to the qualified voters of the District the question of issuing a General Obligation bonds in the maximum principal amount of \$27.2

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million for an Oregon Territory! exhibit and new entrance as generally described in Exhibit "B."

The bonds shall mature over a period of not more than 30 years.

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

3. That the District shall cause this Resolution and the Ballot Title attached as Exhibit "A" to be submitted to the Elections Officer, the Tax Supervising and Conservation Commission, 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, and explanatory statement and arguments for or against, if any, to the County Elections Officer for inclusion in any county voters' pamphlets published for the election on this measure.

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

Judy Wyers, Presiding Officer

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EXHIBIT "A"

- *Caption: Bonds for Zoo native wildlife exhibit and new Zoo entrance.*
- *Question: Shall Metro issue 27.2 million dollars of general obligation bonds to build new native wildlife exhibit and new Zoo entrance? If the bonds are approved they will be payable from taxes on property or property ownership that are not subject to the limits of Section 11(b), Article XI of the Oregon Constitution.*
- *Explanation: Builds Oregon Territory! exhibit. Features cougars, wolverines, mountain goats. Includes native deer, eagles, black bears. Also beavers, salmon, sea otters, sea lions, seals, diving sea birds. Tree house has bats and birds. Tide pool has sea stars. Other native animals, petting zoo.
- Build new entrance near new light rail station. Gives better access to parking lot.
- Bonds mature in not more than thirty years. Bond cost estimate is up to 4.4 cents per thousand dollars of assessed value. Grants and gifts help pay costs.*

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EXHIBIT "B"

METRO WASHINGTON PARK ZOO CONSTRUCTION BOND MEASURE

The purpose of this measure is to obtain voter approval for the issuance of general obligation bonds in the amount of \$27.2 million to finance a new native wildlife exhibit called the Oregon Territory! exhibit and new entrance at the Metro Washington Park Zoo.

The new exhibit and entry are part of the Zoo's long-range plan. The plan, written in 1992, calls for gradual improvement of the Zoo over a 25-year period. Besides calling for physical changes, including construction of new exhibits and a new entry, the plan identifies other ways to make the Zoo one of the best in the country. Many local experts in fields ranging from wildlife biology and education to tourism and finance assisted with the plan. The Oregon Territory! project fulfills one focus in the long-range plan which is to put an emphasis on what we have in our region, and to help citizens know and understand more about our natural environment so they can make decisions on complex issues.

New Exhibit

Initial plans for the Oregon Territory! exhibit include the following features:

- The trail begins in an alpine area with mountain goats, marmots, and other animals of the high mountain slopes.
- A tree house looks out into aviaries with bats and a variety of forest birds.
- The trail continues through the hollow trunk of a giant fallen log, spanning a ravine. Inside the log are mountain beavers, salamanders, and several kinds of insects.
- Just past the log are cougars, wolverines, and fishers living in their natural forest environment.

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- An underground fungal forest leads to a display of river otters (with underwater viewing) and a wetland with marsh plants, fish, and birds such as the Great Blue Heron.
- A clearing in the forest is home to American black bears.
- At the edge of the forest, a family farm provides opportunities to pet farm animals, opossum, and other friendly creatures. Near the farm, a herd of elk graze in a spacious meadow. This concludes the Forest Loop.
- The Water Zone begins with a wet and densely planted rock face like those seen in the Columbia Gorge. A bald eagle is perched against this backdrop.
- A stream meanders, leading to underwater views of a school of salmon.
- Beaver activity is evident in the stream. There is a dam and a walk-through to see the beavers in their underground lodge.
- A herd of Columbia white-tailed deer graze on the grassy hill across from the beaver lodge.
- The short river ends at the ocean. In a large tide pool, sea stars, sea anemone, and other creatures endure the pounding action of simulated waves.
- A colony of murrets, cormorants, puffin, and other diving birds can be viewed, both perched on the rocks and diving in the water.
- A herd of sea lions and harbor seals sunbathe on rocky cliffs.
- A colony of frolicking sea otters swim in a kelp forest. Visitors have both above and underwater views.

When funds become available, each element will be further refined and enhanced. Some of the elements described above may be replaced or altered.

New Entry

The entry includes a new education complex with classrooms, a library, an auditorium, and discovery center; a more spacious entry plaza with water features and plantings; and a new restaurant and gift shop (which will help generate revenue to support the Zoo).

The new entry will be centrally located in the parking lot, only 200 feet from a new light rail station. The entrance and station are scheduled to be completed by fall of 1997. Relocation of the entrance will yield three benefits: 1) Zoo property can be used more effectively on a long-term basis; 2) the convenience of the light rail station at the Zoo's entrance will encourage people to use an environmentally sound transportation alternative; and 3) visitors who arrive by car will have a much shorter walk to the Zoo entrance.

Community Involvement in the Project

The Zoo recognized the importance of involving outside experts as well as Zoo visitors in the focus and messages of the new exhibit and entry. Participation included the following federal, state, and private partners: 1,000 Friends, Bonneville Power Administration, Bureau of Land Management, Defenders of Wildlife, Nature Conservancy, Oregon Department of Agriculture, Oregon Department of Fish and Wildlife, Oregon Department of Forestry, Oregon Department of Water Resources, Oregon Forest Resource Institute, Oregon Trout, Pacific Northwest Research Station - United States Department of Agriculture, Portland Audubon Society, United States Fish and Wildlife Service, United States Forest Service, and a Citizen Advisory Committee composed of members of the community, Friends of the Zoo, and Zoo volunteers.

Costs and Funding for the Project

The project will cost approximately \$35.6 million. The Zoo is asking taxpayers to fund \$27.2 million of this through a general obligation bond. The remainder will be raised through corporate, foundation, and individual support and public funding sources from state and federal governments.

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Other allowable expenditures from the bond issue include project costs, bond issuing costs, and reimbursable bond preparation expenses relating to the design, planning, and construction of the Oregon Territory! exhibit and new entrance. The preference is to issue bonds which mature in 20 years; however, to maintain the flexibility to respond to the market existing at the time bonds are issued, the maturity period may be up to 30 years. The basis for the final determination of the bond maturity period will be a determination of what are the lowest costs to the taxpayers, taking into account the cost of interest and principle repayment.

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Minutes of the Metro Regional Facilities Committee
November 2, 1994
Council Chamber

Committee Members Present: Sandi Hansen (Chair), Ed Washington (Vice Chair), Mike Gates,
Ruth McFarland, Terry Moore

Committee Members Absent: None

Chair Hansen called the regular meeting to order 4:05 p.m.

1. Executive Session Held Pursuant to ORS 192.660(1)(e), To Conduct Deliberations with Persons Designated by the Metro Council to Negotiate Real Property Transactions

The Committee held an executive session pursuant to ORS 192.660(1)(e).

Present: Larry Shaw, Senior Assistant Counsel; Nancy Chase, Senior Regional Planner; Charlie Ceicko, Metro Regional Parks and Greenspaces Director; Pat Lee, Planning and Capital Development Manager; Mel Huie, Senior Regional Planner; Don Rocks, Executive Assistant; Casey Short, Senior Council Analyst; Gregory Tokes, Oregonian.

Motion: Councilor Washington moved to enter executive session pursuant to ORS 192.660(1)(e).

Vote: All those present voted aye. The vote was unanimous and the motion passed.

2. Consideration of Resolution No. 94-1981, Entering into an Agreement with Portland General Electric to Negotiate an Option for their Property along the Willamette River

Motion: Washington moved to recommend Council adoption of Resolution No. 94-1981 without an attachment A.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

3. Consideration of Resolution No. 94-1982, Entering into an Agreement with the Portland Area Campfire Council to negotiate an Option for Several Properties

Motion: Councilor Moore moved to recommend Council adoption of the resolution.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

Motion: Councilor Moore moved to approve negotiation for Tualatin River property and directed staff prepare a resolution to present to the full Council.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

4. Consideration of Resolution No. 94-1975, Amending the Local Share Allocation Formulas and Guidelines in the Greenspaces Master Plan

Councilor Gates noted he would not participate in, or discuss items four and five because the decision may affect his personal residence and a conflict of interest existed.

Mr. Ceicko presented an update related to items four and five.

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Mr. Huie distributed and summarized amendments to the Greenspaces Master Plan, copies of which are included in the record of this meeting (blue handout). Mr. Ciecko noted the amendments were supported by local jurisdictions.

Motion: Councilor McFarland moved to recommend Council adoption of the resolution.

Vote: Councilors McFarland, Moore, Washington and Hansen voted aye. Councilor Gates abstained. The vote was 4/0 and the motion passed.

5. Consideration of Resolution No. 94-2049, Modifying the Submission to the Voters of a General Obligation Bond Indebtedness to Proceed with the Acquisition of Land for a Regional System of Greenspaces

Mr. Ciecko presented the staff report, a copy of which is included in the record of this meeting.

Councilor McFarland discussed Greenspaces designation issues related to the City of Fairview. She noted she and staff had met with interested parties in the Fairview area. She noted the area of dispute was approximately eight acres. She said the City of Fairview recognized the property as a regional resource but that they did not want the property designated in the Metro proposal. She recommended removing the property from the proposal and the corresponding \$2.8 million. She noted the City of Fairview had placed the request in writing. She said that if the item was not removed, the four East Multnomah County Mayors would oppose the Greenspaces bond measure.

Councilor Moore asked if the City of Fairview had an advisory group to oversee the designation of the property. Councilor McFarland noted interest groups would be working with the City of Fairview. She stated Metro staff might continue to monitor the development of the area as it was still considered a regional resource. She said a specific plan of action was not established. Councilor Moore called for Metro staff's facilitation of coordinating efforts. Councilor McFarland noted Metro assistance may not be welcomed by the City of Fairview at the current time. She discussed the ongoing discussions related to the property.

Councilor Moore suggested maintaining approximately \$1 million for other properties. Mr. Ciecko discussed reallocation of the funds. He stated the reallocation should occur in the same geographical area. He noted no other property was available in the area for reallocation. He discussed the difficulty in moving a substitute property through advisory committees.

Mr. Huie discussed the proposed sites under the local option component, copies which are included in the record of this meeting. In response to Councilor Washington, Mr. Ciecko noted that the assumption was that Metro would operate any parks proposed for acquisition by Multnomah County, under the current agreement. Councilor Washington noted AmeriCorp was an important component in the projected projects. Mr. Huie noted the component was fostering interjurisdiction discussions.

Mr. Huie noted the City of Cornelius did not submit a request because they did not support the bond measure. Mr. Ciecko gave kudos to Mr. Huie for his work in developing the resolution.

Mr. Ciecko stated it would jeopardize the credibility of Metro if it allowed Cornelius to submit items should the bond pass. He suggested removing the amounts Cornelius might have been eligible for from the bond measure. He suggested legal counsel drafting a letter to the City of Cornelius explaining the Metro position. Councilor Washington noted any such letter should be carefully drafted to respond directly to the City of Cornelius's issues. Mr. Shaw favored allowing for some flexibility in drafting the language for the measure publication.

Mr. Lee discussed the "fine tuning" adjustments to the resolution on pages 33, 35, and 38, related to the \$135.5 million and \$24.9 million figures and \$0.22 per thousand. He proposed adding the text related to local projects and cost as opposed to acreage in blank lines (page 39) and providing for substitution sites on local projects.

Motion: Councilor Moore moved to recommend Council adoption of the resolution understanding the staff may submit changes as discussed by staff to be distributed at the Council meeting.

Vote: Councilors Moore, McFarland, Washington, and Hansen voted aye. Councilor Gates abstained. The vote was 4/0 and the motion passed.

6. Work Session to Consideration of Resolution No. 94-2044, Submitting to the Voters a General Obligation Bond Indebtedness in the Amount of \$27.2 Million for the Oregon Territory! Exhibit and New Entrance at the Metro Washington Park Zoo

Chair Hansen noted the discussions to date on the resolution would be summarized and presented to the new Council in January 1995. She noted the item would not be scheduled again at the Committee.

The Committee held a work session to discuss Resolution No. 94-2044. Friends of the Zoo, Board President, Dan Spalding, discussed the Friends' position and support of the proposed resolution. Doug Butler, General Services Manager and Berit Stevenson, Project Manager, discussed the cost estimates prepared by the architects, generally agreeing with those proposals. Theresa Metke, Visitor Services Supervisor, reviewed the increases in retail and restaurant increases.

Councilor Gates noted the attendance projections should extend back further than ten years, noting the last ten years were that of a drought and the climate affected attendance. He suggested climate would be changing.

Councilor Moore expressed concerns about the many requests for funding. She called for backup plans if a bond measure did not pass.

Councilor Washington discussed concerns related to timing and other funding requests Metro had placed on the ballot.

The Committee thanked staff for their work on the project.

7. Citizen Communications

None

With no further business before the committee, Chair Hansen adjourned the meeting at 6:15 p.m.

Prepared by,



Susan Lee

Committee Recorder

AFFIRMED
Date 12-14-94

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Minutes of the Metro Regional Facilities Committee
October 19, 1994
Council Chamber

Committee Members Present: Sandi Hansen (Chair), Ed Washington (Vice Chair), Mike Gates,
Ruth McFarland, Terry Moore

Committee Members Absent: None

Chair Hansen called the regular meeting to order 4:05 p.m.

Unscheduled Item

Larry Shaw, Senior Assistant Counsel, presented an update related to the Goal 5 Rule, a copy of his October 13, 1994 memorandum is included in the record of the meeting. He explained the implications of the Rule as it related to Metro's Greenspaces Master Plan. Chair Hansen agreed to schedule the item for additional discussion and development of a Metro position prior to the December 14, 1994, Salem Concept Public Hearing. She stated she would invite the Metro Planning Committee to sit in on the discussions. In response to Councilor Moore, Mr. Shaw referred to the Washington County Community Plans as an example of the problems brought about by the issue. She called for additional research into specific examples.

1. Consideration of 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

Charlie Ciecko, Metro Regional Parks and Greenspaces Director, presented the staff report, a copy of which is included in the record of this meeting. He summarized the Americorp project. He discussed Councilor Washington's advocacy role in the project. He discussed the historical development of the project. He spoke to the final shortfall of approximately \$35,000 for a \$280,000 budget. He stated additional private support would be sought.

Pat Lee, Planning and Capital Development Manager, emphasized the importance of the total program in terms of dollar value for amount expended. He spoke to the community involvement included in the project. He spoke to the need for a coordination position to facilitate the grant. He spoke to the position as a Soil/Conservation District staff to be housed at Metro.

Councilor McFarland confirmed the Finance Committee would review the Ordinance. Mr. Lee noted the Federal Government was under the impression that the program started October 1, 1994 and the position was included as a component of the grant.

In response to Councilor Moore, Mr. Lee noted an in-kind match of approximately \$16,000 of staff time was included in the application. Councilor Moore stated she hoped the project would provide for additional staff to assist Rosemary Furfey, Water Resources Planner. She stated she was uncomfortable obligating that staff persons time for another project when the water resources planning needed additional staff time. Mr. Ciecko stated he shared concerns about staffing. He noted in subsequent years, additional funds might be leveraged for increased staffing. Councilor Washington noted the City of Portland Environmental Services Bureau was not included in this project. He said additional partners would be sought later in the process, noting time constraints presented coordination problems. Councilor Moore expressed her concerns about sacrificing current work programs of Ms. Furfey. Chair Hansen noted Ms. Furfey's work program impact could be reviewed prior to Council adoption.

Motion: Councilor McFarland moved to recommend Council adoption of the Ordinance.

Councilor Washington complimented staff efforts involved in identifying funding sources.

Chair Hansen opened the public hearing. With no citizens appearing to testify, Chair Hansen closed the public hearing.

Vote: All aye, except Gates absent.

2. Consideration of Ordinance No. 94-576, Relating to the Naming of Facilities Owned or Operated by Metro

Casey Short, Senior Council Analyst, presented the revised Ordinance, a copy of which is included in the record of this meeting. Councilor Gates suggested item e allow naming of a portion of the building to be either a living or deceased person. He asked that item c be reworded to state, "A Metro facility may be named after any living person who has not held elective office in Oregon. The Committee concurred.

Motion: Councilor Gates moved to recommend Council adoption of the Ordinance including his amendments stated above.

Councilor Moore asked if a facility could be named after a living person not in office. Councilor Gates noted his concern was related to the potential for using the naming of the facility for political gain.

Chair Hansen opened the public hearing. No citizens appeared to testify and Chair Hansen closed the public hearing.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

3. Review of MERC Resolutions

Pat LaCrosse, MERC General Manager, discussed resolutions passed at the October 19, 1994 MERC meeting held at noon.

Councilor McFarland complimented Mr. LaCrosse on his work to date. She also complimented the Director of the Washington Park Zoo.

Chair Hansen recessed the meeting at 5:40 p.m. Chair Hansen reconvened the meeting at 6:05 p.m.

4. Work Session to Consideration of Resolution No. 94-2044, Submitting to the Voters a General Obligation Bond Indebtedness in the Amount of \$27.2 Million for the Oregon Territory! Exhibit and New Entrance at the Metro Washington Park Zoo

The Committee held a work session to discuss Resolution No. 94-2044. Staff present: Sherry Sheng, Metro Washington Park Zoo Director; Kathy Kiaunis, Assistant Director; Tom Moisan, Ankron Moisan Architects.

Chair Hansen asked that Ms. Sheng keep the discussion to response of Mr. Short's October 13, 1994 memorandum, a copy of which is included in the record of this meeting.

Ms. Sheng first addressed project phasing 1, 2, 12, 13. Mr. Moisan distributed and summarized a written response to those questions, a copy of which is included in the record of this meeting.

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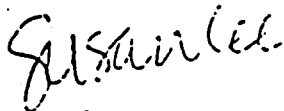
Ms. Sheng distributed and summarized a handout dated October 19, 1994, a copy of which is included in the record of this meeting.

5. Citizen Communications

No citizens were present to testify.

With no further business before the Committee, Chair Hansen adjourned the meeting at 6:50 p.m.

Respectfully Submitted,



Susan Lee
Committee Recorder

APPROVED
Date 11-16-1994

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Minutes of the Metro Council Regional Facilities Committee
October 5, 1994
Council Chamber

Committee Members Present: Sandi Hansen (Chair), Ed Washington (Vice Chair), Mike Gates,
Ruth McFarland, Terry Moore

Committee Members Absent: none

Other Councilors Present: Judy Wyers

Chair Hansen called the regular meeting to order at 4:00 p.m.

1. Consideration of Ordinance No. 94-571, Amending the FY 1994-95 Budget and Appropriations Schedule by Transferring \$110,000 From the Spectator Facilities Fund Contingency to Fund Restroom Remodel at the Civic Auditorium; and Declaring an Emergency

Heather Teed, Director of Fiscal Operations, presented the staff report. She reported the Ordinance would provide for remodeling of the restrooms at Civic Auditorium.

Motion: Councilor McFarland moved to recommend Council adoption of the Ordinance.

Chair Hansen opened the public hearing. With no citizens appearing to testify, Chair Hansen closed the public hearing.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

Casey Short, Senior Council Analyst, noted responses to the questions raised at the last meeting of the Committee had been addressed and would be included in the record of this meeting. He noted all stalls would have doors and would be ADA accessible. Mark Hunter, Construction Manager, concurred with Mr. Short's comments. He noted existing ADA stalls would remain in place.

2. Consideration of Ordinance No. 94-576, Relating to the Naming of Facilities Owned or Operated by Metro

Chair Hansen announced Ordinance No. 94-576. She noted the Ordinance was in response to the need for a policy regarding naming of facilities. Mr. Short explained the Ordinance addressed both facilities Metro owned and facilities operated by Metro. He noted Dan Cooper, General Counsel, suggested revising sub (d) by deleting reference to a Metro commission which operates the facility and allow the Metro Council to direct policy regarding the naming of facilities. He asked for continuance of the matter to allow for additional discussion with MERC representatives.

Councilor Gates stated on behalf of Councilor McLain he agreed with not naming a facility after a living person from this date forward.

Councilor Moore noted the issue was related to the naming of the Oregon Convention Center after Bud Clark, former Mayor of Portland. She questioned the criteria used to name a facility after a person. Mr. Short noted the draft criteria was drafted to reflect historic practices related to the naming of facilities. He noted he attempted to strike a balance between the practice at the PCPA in naming facilities after major contributors to the other facilities that were named in relation to the function. Councilor Moore noted with the development of regional trails, the criteria might need to be adjusted to reflect the desires of the Metro Council. She called for additional discussion related to criteria.

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5. Consideration of Resolution No. 94-2026, Establishing an Advisory Committee to Assist the Metro Council in Coordinating the Regional Parks and Greenspaces Program

Charlie Cieccko, Regional Parks and Greenspaces Director, presented the resolution noting the item had been before the Committee previously. He noted the Resolution had been presented to the Metro Committee for Citizen Involvement (MCCI). He summarized the comments of that committee that were contained in the staff report, a copy of which is included in the record of this meeting. He recognized several typographical errors and stated they would be corrected. He called for changing the length of service in Exhibit A, item 10(g) to two years.

Mr. Short noted due to the structuring of the committee, the committee would experience significant turn-over in six years. He suggested revising the terms. Councilor Gates stated the county positions should be appointed one year and then serve three year terms.

Motion: Councilor Gates moved to recommend Council adoption of Resolution No. 94-2026 with the spelling corrections, and to make the initial terms of the four members from outside the Metro area each be for one year, and that the four positions with one-year terms be eligible to serve up to two additional three-year terms.

Councilor Moore concurred with the change to term limits.

In response to Councilor Gates, Mr. Cieccko stated Multnomah County had seven members on their committee.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

6. Consideration of Resolution No. 94-2046, Authorizing Issuance of a Request for Proposals and Authorizing the Executive Officer to Enter into a Multi-Year Contract with the Most Qualified Proposer to Manage the Lake House at Blue Lake Regional Park

Mr. Cieccko presented the staff report, a copy of which is included in the record of this meeting. He noted several typographical errors needed correction.

Councilor McFarland expressed concerns related to the allocation of the split being based on the gross income. Councilor Gates stated he was not concerned with the arrangement.

Motion: Councilor Gates moved to recommend Council adoption of the Resolution including correction of spelling errors.

Vote: Councilors Gates, Moore, Washington, and Hansen voted aye. Councilor McFarland voted nay. The vote was 4/1 and the motion passed.

Chair Hansen recessed the meeting at 6:50 p.m. Chair Hansen reconvened at 6:55 p.m.

7. Work Session to Consideration of Resolution No. 94-2044, Submitting to the Voters a General Obligation Bond Indebtedness in the Amount of \$27.2 Million for the Oregon Territory! Exhibit and New Entrance at the Metro Washington Park Zoo

Sherry Sheng, Metro Washington Park Zoo Director, presented the staff report, a copy of which is included in the record of this meeting. She noted she would be providing detailed information related to the operating costs and a discussion of the reduction of the scope of the project. Theresa Metke, Visitor

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Services Manager, presented statistical information to the Committee, a copy of which is included in the record of this meeting. Tom Moisan, Ankrom Moisan Architects Consultant

The Committee held a worksession to discuss the resolution. Councilor Moore called for additional options to be prepared for consideration.

8. Briefing on Issues Raised by the Hotel Workers Organizing Committee

Mark Williams, Senior Assistant Council, presented his legal opinion, reflected in his September 20, 1994 memorandum, a copy of which is included in the record of this meeting. In response to Councilor Gates, Mr. Williams discussed the method by which public funds are distributed to the area hotels. He explained public funds are provided to market the Oregon Convention Center and those activities may ultimately, but not directly, benefit area hotels. Mr. Short noted Multnomah County instituted a hotel/motel tax to subsidize operations at the Oregon Convention Center. He explained no funds went directly to any hotel or motel in the region. Councilor Gates asked if there were any mechanism to stop the benefits from going to any hotels/motels that were on the "bad" list. Mr. Short stated he did not know of any method to achieve this method.

Theresa Enrico, Hotel Workers Organizing Committee, appeared to testify. She stated the objective of the organization was to improve the communities of hotel/motel workers. She called for change in the contract with P/OVA to not direct funds to hotel/motels that violated OSHA and civil rights of employees. She explained the use of chemicals in the industry caused significant health problems. She noted the employers typically did not provide health benefits and the employees were served by public agencies at the cost of the public. She illustrated a climate of fear among hotel/motel workers. She explained funds were also provided to P/OVA from the City of Portland. She argued the issue was a public issue, not a labor relations issue. She called for an investigation related to the amount of funds P/OVA directs to hotel/motels in the area. She suggested using the deferred funds to create a health hazard safety fund and she requested the idea be referred to the full Council.

Councilor Gates noted the involvement of Metro in public health issues might be considered a new service and would require a vote of the people, an intergovernmental agreement, or a recommendation by MPAC that Metro perform the new service.

Gary Grimmer, P/OVA Executive Director, stated he considered the relationship with the Hotel Workers to not be adversarial. He noted the hotel properties selected by a P/OVA client were not made on a recommendation from P/OVA. He stated the activities of P/OVA benefited all hotel/motel properties. He called the petition a misunderstanding of how P/OVA operates. In response to Councilor Gates, Mr. Grimmer noted information related to hotels/motels was provided based on dues paid for by the hotels/motels. Councilor Gates noted membership criteria might be examined as a method to address the concerns of the hotel/motel workers. Mr. Grimmer noted the board determined through the bylaws who can become members. In response to Councilor Moore, Mr. Grimmer said the total budget was approximately \$3.8 million year. He said reservation services were provided if the buyer requested the services and that all hotels get the same treatment related to marketing.

Doug Swanson, Hotel Workers, asked Mr. Grimmer if P/OVA employees provide room booking services. Mr. Grimmer stated the housing needs division did employ persons that provided booking services.

Larry Harvey, Tri-County Lodging Association, distributed and summarized his testimony, a copy of which is included in the record of this committee.

Councilor Washington noted the issues were intricately related. He called for examination of the issues.

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Minutes of the Council Regional Facilities Committee

September 7, 1994

Council Chamber

Committee Members Present: Chair Sandi Hansen, Ruth McFarland, Terry Moore and Ed Washington

Committee Members Absent: Mike Gates

Chair Hansen called the regular meeting to order at 4:05 p.m.

1. EXECUTIVE SESSION Held Pursuant to ORS 192.660(1)(c) to Conduct Deliberations with Persons Designated by the Metro Council to Negotiate Real Property Transactions

The Executive Session began at 4:05 p.m.

Councilors Present: Hansen, McFarland, Moore and Washington.

Staff Present: Nancy Chase, Charlie Ciecko, Larry Shaw and Casey Short.

The Executive Session ended at 4:21 p.m.

2. Resolution No. 94-2028, Authorizing a Temporary Lease of Property for a Cellular Telephone Antenna Site

Motion: Councilor Moore moved to Recommend Resolution No. 94-2028 to the full Council for adoption.

Charlie Ciecko, Director of Regional Parks and Greenspaces, explained the resolution would provide for a temporary lease of space on top of a water tower at Glendoveer Golf Course for GTE Mobilnet's use for an antenna and said the lease would provide approximately \$1,400 per month in revenue.

Councilor Moore asked where the revenue would go. Mr. Ciecko said it would go into the Regional Parks and Expo Fund. He said there was an issue with Glisan Street Recreation (GSR), operators of Glendoveer, about whether GSR was entitled to a portion of the revenue under the terms of their contract. He said the contract stipulated that GSR was responsible for maintenance of the water tower and said the final lease agreement would incorporate resolution of the issue with GSR.

Councilor McFarland asked if Metro would get any reduction in mobile phone costs as part of the agreement. Mr. Ciecko said Metro did not use mobile telephones at this time, but said anticipated increased costs for the use of radios at parks facilities could lead to the use of mobile phones and said the proposed agreement with GTE Mobilnet did not include price reductions for such use.

Larry Shaw, Legal Counsel, said the issues now focused on insurance for the water tower and recommended that Metro might want to be responsible for that insurance rather than GSR in order to avoid issues of cost and revenue sharing.

Chair Hansen asked when the final lease agreement would be completed. Mr. Shaw said probably by October and that the final lease agreement would allow lease payments as soon as possible.

Councilor Moore asked Mr. Ciecko to coordinate with Metro's earthquake preparedness staff to review the seismic safety of the water tower.

REGIONAL FACILITIES COMMITTEE

September 7, 1994

Page 3

Mark Reed, World Forestry Center Operations Manager, briefed the Committee on World Forestry Center Expansion plans.

The Committee briefly discussed the issues.

7. Status Report on Oregon Territory Exhibit at Metro Washington Park Zoo

Sherry Sheng, Director of the Metro Washington Park Zoo, introduced Tom Moisan, Ankrom Moisan Associated Architects, and Chuck Mays, Portico Group, design consultants hired to work on the Oregon Territory Exhibit at the Metro Washington Park Zoo. Mr. Moisan and Mr. Mays gave a slide presentation on same.

The Committee, Ms. Sheng and the consultants discussed the project. Ms. Sheng said the briefing was part of an ongoing process and that briefings for the Council and others would assist Zoo staff in creating the best exhibit possible. Ms. Sheng said the Council could expect an action item on the project in the future.

Councilor Moore said Ms. Sheng should provide the Council with a full budget break-down on how Zoo staff expected to fund the Exhibit. She noted the last Zoo bond measure for a project had failed. She said the Exhibit was obviously an important future component of the Zoo, however.

The Committee and Ms. Sheng discussed the issues further.

8. Citizen Communications

None.

All business having been attended to, Chair Hansen adjourned the regular meeting at 6:30 p.m.

Meeting record prepared by:

Paulette Allen
Clerk of the Council
RF9794M.DOC

Attest to approval

S. Schumie

Comte Recorder

R.F. 12-14-94

APPROVED
Date 12-14-94

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Minutes of the Metro Council Regional Facilities Committee
July 6, 1994
Metro Washington Park Zoo, Administration Building, Conference Room A

Committee Members Present: Sandi Hansen (Chair), Terry Moore, Mike Gates, Ruth McFarland

Committee Members Absent: Ed Washington (Vice Chair)

Chair Hansen called the regular meeting to order at 4:05 p.m.

1. Resolution No. 94-1998. Exempting Uniform Supply and Laundry Service for the Metro Washington Park Zoo from Competitive Bid, and Authorizing a Sole Source Extension to the Industrial Laundry Service Contract No. 901378

Mike Keele, Assistant Curator, presented the staff report. In response to Councilor Moore, he noted the proposal was to extend the contract through November to coordinate a new contract following negotiations of the collective bargaining agreement. Councilor Moore asked why November was chosen when the collective bargaining agreement expired in July. Mr. Keele explained the November date would allow adequate time for implementation of any changes. He noted that the union was not willing to open the item for negotiation at this time.

Motion: Councilor McFarland moved to recommend Council adoption of Resolution No. 94-1998.

Vote: All those present voted aye. The vote was 4/0 and the motion passed.

2. Resolution No. 94-2002. Authorizing the Release of Request for Proposals for Feasibility and Market Study for RV Parks at Blue Lake Park and the Portland Expo Center and Authorizing a Contract with the Selected Consultant

Berit Stevenson, Principal Management Analyst, presented the staff report. In response to Councilor Moore, Ms. Stevenson stated that if an RV park was constructed at Blue Lake, the Parks and Greenspaces Department would likely operate the facility.

Motion: Councilor Moore moved to recommend Council adoption of Resolution No. 94-2002.

Vote: All those present voted aye. The vote was 4/0 and the motion passed.

3. Briefing on the Status, Schedule, and Financing of the Entrance/Oregon Territory! Project

Sherry Sheng, Metro Washington Park Zoo Director, distributed and discussed materials related to the status, schedule, and financing of the Entrance/Oregon Territory! Project, copies of which are included in the record of this meeting. Ms. Sheng and the committee took a walking tour at the site of the proposed project.

4. Citizen Comments

Councilor McFarland noted Greg Flakus, Friends of Multnomah County Fair, was present to invite the Council to the fair.

With no further business before the Committee, Chair Hansen adjourned the meeting at 6:30 p.m.

Respectfully Submitted,

Susan Lee
Susan Lee
Committee Recorder

APPROVED
Date 7-7-94

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Minutes of the Metro Council Regional Facilities Committee
February 2, 1994
Metro Regional Center
Council Chamber

Committee Members Present: Sandi Hansen (Chair), Ed Washington (Vice Chair), Mike Gates, Ruth McFarland

Committee Members Absent: Terry Moore

Other Councilors Present: Jon Kvistad

Chair Hansen called the regular meeting to order at 4:00 p.m.

1. Consideration of the January 19, and 25, 1994 Regional Facilities Committee

Motion: Councilor McFarland moved to approve the minutes.

Vote: Councilors McFarland, Washington and Hansen voted aye. The vote was unanimous and the motion passed.

2. Consideration of Resolution No. 94-1903, Confirming the Appointment of Gary T. Baker to the Metropolitan Exposition-Recreation Commission

Don Rocks, Executive Assistant, explained Resolution No. 93-1903 was being withdrawn. He explained that Don Carlson, Council Administrator, found that Mr. Baker was did not reside within the Metro boundary and therefor was not eligible to serve on the MERC.

3. Consideration of Request for Bids (RFB) for Construction of Visitor Transport Vehicle Garage/Station

Jim Moeller, Project Coordinator, presented the staff report, a copy of which is included in the record of this meeting.

Motion: Councilor McFarland moved to authorize immediate release of the RFB.

Vote: Councilors McFarland, Washington, and Hansen voted aye. The vote was 3/0 and the motion passed.

UNSCHEDULED ITEM: Consideration of RFB for Penguinarium Wall Replacement

Mr. Moeller presented the staff report, a copy of which is included in the record of this meeting.

Motion: Councilor McFarland moved to authorize immediate release of the RFB.

Vote: Councilors McFarland, Washington, Gates, and Hansen voted aye. The vote was 4/0 and the motion passed.

4. Zoo Updates

Elephant Yard Remodel - Oregon Exhibit

Sherry Sheng, Zoo Director, updated the committee on the Elephant Yard Remodel RFB. She explained the bid process noting five bids were submitted. She stated some materials were donated for the project. She noted the accepted bid was higher than the architect's cost. She explained that the higher costs were associated with costly rock work (gunnite) on the exterior of the building and a barrier wall between the yard and the access road. She discussed shifting funding for the Oregon Project to the Elephant Yard Remodel this fiscal year. She discussed the advantages of proceeding with the project at this time.

Ms. Sheng discussed the Oregon Exhibit and construction related to the opening of the Westside light rail. She then discussed the Zoo partnerships and importance of the Oregon Exhibit in terms of heightening environmental awareness by the public. Councilor Gates advocated discussion of how the Zoo will be integrated into the activity of the Future Vision Commission.

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Councilor Kvistad brought before the committee an idea to allow the Zoo to open competitive food services outside of the Zoo. Ms. Sheng welcomed the opportunity to examine additional revenue resources. She expressed some concerns about competing at other Metro facilities. She also stated public perception might be an area of concern. She stated if directed, she would devote staff time to further examine the concept. Chair Hansen suggested sale of signature items outside of the Zoo. She asked Casey Short, Council Analyst, to examine the legal issues involved.

With no further business before the committee, Chair Hansen adjourned the meeting at 5:00 p.m.

Respectfully Submitted,


Susan Lee
Committee Recorder

APPROVED
Date 2-16-94

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