

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING) ORDINANCE NO. 90-330A
ORDINANCE NO. 90-330 WHICH)
WOULD INCLUDE BALLOT TITLE,) Introduced by Rena Cusma,
EXPLANATORY STATEMENTS AND) Executive Officer
ARGUMENTS RELATING TO DISTRICT)
MEASURES BE INCLUDED IN)
THE STATE VOTERS' PAMPHLET,)
AS AUTHORIZED BY ORS 251.285)

WHEREAS, The Metropolitan Service District believes it to be in the interest of the electors of the District that ballot titles, explanatory statements and arguments relating to District measures be included in the state Voters' Pamphlet, as authorized by ORS 251.285 and provided for in sections 1 through 7 of this Ordinance; and

WHEREAS, The Executive Officer shall file all measures, ballot titles, explanatory statements and arguments that meet the requirements of this Ordinance with the Secretary of State not later than the 70th day prior to the date of the elections for which a Voters' Pamphlet will be printed; now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

SECTION 1. State Voters' Pamphlet. The Metropolitan Service District believes it to be in the interest of the electors of the District that ballot titles, explanatory statements and arguments relating to District measures be included in the state Voters' Pamphlet, as authorized by ORS 254.285 and provided for in sections 1 through 7 of this Ordinance.

SECTION 2. Definitions. As used in this Ordinance:

~~[(1)]--"Committee-Director"--has-the-meaning-given-that-term in-ORS-260-095-~~

[(2)] (1) "Court" means the Circuit Court of the State of Oregon for the County of Multnomah.

[(3)] (2) "Filing Officer" means the director of the Multnomah County Division of Elections.

[+4+] (3) "Measure" has the meaning given that term in ORS 251.005.

[+5]--~~"Political-Committee"-has-the-meaning-given-that-term-in-ORS-260-005-~~

[+6+] (4) "Voters' Pamphlet" means the state Voters' Pamphlet published pursuant to ORS Chapter 251.

SECTION 3. District Measures Included in the Pamphlet. A District measure shall qualify for inclusion in the Voters' Pamphlet under the provisions of ORS 251.285 and sections 1 through 7 of this Ordinance if:

(1) The measure is submitted to the electors at an election for which a Voters' Pamphlet is printed;

(2) All procedures set forth in sections 1 through 7 of this Ordinance relating to the preparation of the ballot title and explanatory statement for the measure, including review by the Court, have been completed on or before the 75th day prior to the date of the election at which the measure is to be submitted to the electors; and

(3) In the case of a measure proposed by initiative or referendum petition:

(a) The Filing Officer certifies that the petition has sufficient qualified signatures to require submission of the measure to the electors; and

(b) Such certification is filed with the Executive Officer on or before the 90th day preceding the election at which the measure is to be submitted to the electors.

SECTION 4. Preparation and Judicial Review of Ballot Titles.

(1) A ballot title for a measure proposed by initiative or referendum petition shall be prepared as provided in ORS 255.145. A ballot title for a measure referred to the electors by the District shall be prepared by the District.

(2) Judicial review of any ballot title for a District measure shall be as provided in ORS 255.155.

SECTION 5. Preparation and Judicial Review of Explanatory Statements.

(1) Explanatory statements for all District measures shall be prepared by General Counsel and shall be filed with the Executive Officer. An explanatory statement shall be an impartial, simple and understandable statement of 500 words or less, explaining the measure

and its effect. The explanatory statement for a measure referred by the District shall be filed with the Executive Officer and the Council at the same time as the [~~ballot-title~~] ordinances or resolutions referring the measure is acted upon by the Council. The explanatory statement for a measure proposed by initiative or referendum petition shall be filed with the Executive Officer not later than the seventh business day after the petition is submitted to the Filing Officer for signature verification.

(2) Upon receipt of an explanatory statement, the Executive Officer shall publish in the next available edition of a newspaper of general circulation in the District a notice of receipt of the statement including notice that an elector may file a petition for review of the statement not later than the date referred to in subsection (3) of this section. The Executive Officer and the Filing Officer may jointly publish notice of the explanatory statement and ballot title for a measure in the same publication.

(3) Any elector dissatisfied with an explanatory statement for a District measure may petition the Court stating the reasons why the statement does not meet the requirements of subsection (1) of this section. The petition shall be filed not later than the seventh business day after the statement is filed with the Executive Officer. An elector filing a petition with the Court shall also file a copy of the petition with the Executive Officer not later than the end of the next business day following the date the petition is filed with the Court. The Court shall review the statement and measure, hear arguments, if any, and certify to the Executive Officer a statement for the measure which meets the requirement of subsection (1) of this section. Review by the Court shall be first and final.

SECTION 6. Arguments Supporting and Opposing Measures.

(1) Arguments in support of or opposition to a measure which is subject to this Ordinance may be filed with the Executive Officer not later than the 75th day prior to the date of the election at which the measure is to be submitted to the electors by:

(a) Any person who tenders a filing fee in the amount of \$300 and submits a statement on such form as the Executive Officer may prescribe or provide, which:

(A) identifies the name of the person who submitted the argument;

(B) identifies the name of the organization the person represents, if any;

(C) indicates whether the argument supports or opposes the measure; and

(D) indicates who authorized publication of the argument.


(b) A person who files a petition for the inclusion of the argument in the Voters" Pamphlet which contains the signatures of not less than 1,000 electors of the District. Before the argument is filed with the Executive Officer, the signatures on the petition shall be verified by the Filing Officer. Prior to the circulation of a petition under this paragraph, a prospective petition shall be filed with the Executive Officer, on such form as the Executive Officer may prescribe or provide, which:

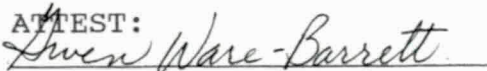
- (A) sets forth the text of the proposed argument;
 - (b) identifies the name of the person who submitted the argument;
 - (C) indicates the name of the organization the person represents, if any;
 - (D) indicates whether the argument supports or opposes the measure; and
 - (E) indicates who authorized publication of the argument.
- (2) Arguments shall be typewritten and shall be prepared for printing on 29.7 square inches of the Voters' Pamphlet.

SECTION 7. Filing of Material with the Secretary of State. The Executive Officer shall file all measures, ballot titles, explanatory statements and arguments that meet the requirements of this Ordinance with the Secretary of State and the Clerk of the Council not later than the 70th day prior to the date of the election for which a Voters' Pamphlet will be printed.

SECTION 8. The Clerk of the Council pursuant to Chapter 1.01 of the Metro Code shall include the provisions of this Ordinance as part of the Metro Code.

ADOPTED by the Council of the Metropolitan Service District this 25th day of January, 1990.


Tanya Collier, Presiding Officer

ATTEST:

Clerk of the Council

#1C:\ORD90.330

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING) ORDINANCE NO. 90-330
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WHEREAS, The Executive Officer shall file all measures, ballot titles, explanatory statements and arguments that meet the requirements of this Ordinance with the Secretary of State not later than the 70th day prior to the date of the elections for which a Voters' Pamphlet will be printed; now, therefore,

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(2) "Court" means the Circuit Court of the State of Oregon for the County of Multnomah.

(3) "Filing Officer" means the director of the Multnomah County Division of Elections.

(4) "Measure" has the meaning given that term in ORS 251.005.

(5) "Political Committee" has the meaning given that term in ORS 260.005.

(6) "Voters' Pamphlet" means the state Voters' Pamphlet published pursuant to ORS Chapter 251.

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(1) The measure is submitted to the electors at an election for which a Voters' Pamphlet is printed;

(2) All procedures set forth in sections 1 through 7 of this Ordinance relating to the preparation of the ballot title and explanatory statement for the measure, including review by the Court, have been completed on or before the 75th day prior to the date of the election at which the measure is to be submitted to the electors; and

(3) In the case of a measure proposed by initiative or referendum petition:

(a) The Filing Officer certifies that the petition has sufficient qualified signatures to require submission of the measure to the electors; and

(b) Such certification is filed with the Executive Officer on or before the 90th day preceding the election at which the measure is to be submitted to the electors.

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(1) Explanatory statements for all District measures shall be prepared by General Counsel and shall be filed with the Executive Officer. An explanatory statement shall be an impartial, simple and understandable statement of 500 words or less, explaining the measure and its effect. The explanatory statement for a measure referred by the District shall be filed with the Executive Officer at the same time as the ballot title. The explanatory statement for a measure proposed by initiative or referendum petition shall be filed with the Executive Officer not later than the seventh business day after the petition is submitted to the Filing Officer for signature verification.

(2) Upon receipt of an explanatory statement, the Executive Officer shall publish in the next available edition of a newspaper of general circulation in the District a notice of receipt of the statement including notice that an elector may file a petition for review of the statement not later than the date referred to in subsection (3) of this section. The Executive Officer and the Filing Officer may jointly publish notice of the explanatory statement and ballot title for a measure in the same publication.

(3) Any elector dissatisfied with an explanatory statement for a District measure may petition the Court stating the reasons why the statement does not meet the requirements of subsection (1) of this section. The petition shall be filed not later than the seventh business day after the statement is filed with the Executive Officer. An elector filing a petition with the Court shall also file a copy of the petition with the Executive Officer not later than the end of the next business day following the date the petition is filed with the Court. The Court shall review the statement and measure, hear arguments, if any, and certify to the Executive Officer a statement for the measure which meets the requirement of subsection (1) of this section. Review by the Court shall be first and final.

SECTION 6. Arguments Supporting and Opposing Measures.

(1) Arguments in support of or opposition to a measure which is subject to this Ordinance may be filed with the Executive Officer not later than the 75th day prior to the date of the election at which the measure is to be submitted to the electors by:

(a) Any person who tenders a filing fee in the amount of \$300 and submits a statement on such form as the Executive Officer may prescribe or provide, which:

(A) identifies the name of the person who submitted the argument;

(B) identifies the name of the organization the person represents, if any;

(C) indicates whether the argument supports or opposes the measure; and

(D) indicates who authorized publication of the argument.

(b) A person who files a petition for the inclusion of the argument in the Voters" Pamphlet which contains the signatures of not less than 1,000 electors of the District. Before the argument is filed with the Executive Officer, the signatures on the petition shall be verified by the Filing Officer. Prior to the circulation of a petition under this paragraph, a prospective petition shall be filed with the Executive Officer, on such form as the Executive Officer may prescribe or provide, which:

(A) sets forth the text of the proposed argument;

(b) identifies the name of the person who submitted the argument;

(C) indicates the name of the organization the person represents, if any;

(D) indicates whether the argument supports or opposes the measure; and

(E) indicates who authorized publication of the argument.

(2) Arguments shall be typewritten and shall be prepared for printing on 29.7 square inches of the Voters' Pamphlet.

SECTION 7. Filing of Material with the Secretary of State. The Executive Officer shall file all measures, ballot titles, explanatory statements and arguments that meet the requirements of this Ordinance with the Secretary of State not

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later than the 70th day prior to the date of the election for which a Voters' Pamphlet will be printed.

ADOPTED by the Council of the Metropolitan Service
District this _____ day of _____, 1990.

Not Adopted
Presiding Officer

ATTEST:

Clerk of the Council

CGM/kd

FINANCE COMMITTEE REPORT

ORDINANCE NO. 90-330A, ADOPTING A PROCEDURE TO INCLUDE THE BALLOT TITLE, EXPLANATION STATEMENT AND ARGUMENTS FOR DISTRICT MEASURES IN THE VOTERS' PAMPHLET

Date: January 19, 1990

Presented by: Councilor
Gardner

Committee Recommendation: At its January 18, 1990, meeting, the Committee voted unanimously to recommend adoption of Ordinance No. 90-330 as amended. Voting yes were Councilors Gardner, Wyers and Van Bergen. Councilors Collier and Devlin were excused.

Committee Discussion/Issues: Greg McMurdo, Governmental Relations Manager, presented the staff report. He indicated the Ordinance was a result of legislation enacted at the 1989 Legislative Session authorizing the District to fully utilize the Voters' Pamphlet for District measures. Under provisions of that statute (Chapter 250 Oregon Laws 1989), the District must adopt procedures to follow regarding the preparation, filing and review of ballot titles, explanatory statements and arguments. He indicated the ordinance was drafted after consultation with the Multnomah County Director of Elections and the Secretary of State and is patterned after the provisions used by counties. He suggested an amendment to the ordinance to remove the definition of "Committee Director" and "Political Committee" because they are not used in the ordinance and thus are unnecessary.

Council staff presented three amendments to the Ordinance to make it conform to current District practice (see Attachment 1 to this report). The amendments 1) require the General Counsel to file an explanatory statement with the Council at the time Council acts on an ordinance or resolution referring a measure; 2) require the Executive Officer to file ballot measure material with the Council Clerk at the time it is filed with the Secretary of State; and 3) require the Council Clerk to include the provisions of this Ordinance in the Metro Code.

At the earlier request of Councilor Devlin, Council staff raised the question with Mr. McMurdo regarding the period for filing an objection to the explanatory statement with the Executive Officer (subsection (2) and (3) of Section 5). Subsection (2) requires the Executive Officer to publish notice of an explanatory statement in a newspaper of general circulation in the District. Subsection (3) enables any elector to challenge the explanatory statement within 7 business days of its filing with the Executive Officer. Councilor Devlin's question was why isn't the filing period 7 days from the date of publication rather than 7 days from the date of filing with the Executive Officer?

FINANCE COMMITTEE REPORT
Ordinance No. 90-330A
January 19, 1990
Page 2

Mr. McMurdo responded that this provision is similar to the provision for challenging ballot titles as provided in state law (ORS 255.155) and that he had attempted to provide consistent procedures for the public to follow regarding ballot titles and explanatory statements.

DEC:pa

#1C:\ORD330A.MEM

Attachment



METRO

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

Memorandum

DATE: January 18, 1990

TO: Finance Committee

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

RE: REVIEW OF ORDINANCE NO. 90-330 WHICH ESTABLISHES PROCEDURES RELATING TO DISTRICT MEASURES TO BE INCLUDED IN THE VOTERS' PAMPHLET

The purpose of Ordinance No. 90-330 is to provide a set of procedures for the preparation and review of ballot titles, explanatory statements and arguments relating to District measures which will be printed in the Voters' pamphlet. The Ordinance is a requirement of Chapter 250 Oregon Laws 1989.

Following are suggested changes to bring the Ordinance procedure in line with current practice:

1. On page 3 in Section 5(1) delete and insert the following language in the third sentence:

"The explanatory statement for a measure referred by the District shall be filed with the Executive Officer and the Council at the same time as the [ballot title] ordinance or resolution referring the measure is acted on by the Council."

Under current procedures the ballot title for a measure is included in the ordinance or resolution referring the measure. It has been the practice after Council adoption for the Council Clerk to file the ordinance or resolution with the appropriate agencies including the District elections officer, Tax Supervising and Conservation Commission and Secretary of State. This new language will enable the Council review the explanatory statement along with the ballot title and include it with the material given to the Executive Officer for further filing.

2. On page 4 in Section 7 insert the following language:

"The Executive Officer shall file all measures, ballot titles, explanatory statements and arguments that meet the requirements of this Ordinance with the Secretary of State and the Clerk of the Council not later than the 70th day prior to the date of the election for which a Voters' Pamphlet will be printed."

FINANCE COMMITTEE
January 18, 1990
Page 2

This language will ensure that all material relating to an ordinance or resolution adopted by the Council is filed with the Clerk of the Council for record keeping purposes.

3. On page 5 add a new Section 8 which instructs the Council Clerk to include the provisions of this Ordinance in the Metro Code as follows:

"Section 8. The Clerk of the Council pursuant to Chapter 1.01 of the Metro Code shall include the provisions of this Ordinance as part of the Metro Code."

These amendments are shown on the attached ordinance designated as Ordinance No. 90-330A.

DEC:pa

#1C:\FCMEM1.DC

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 90-330 FOR THE
PURPOSE OF ADOPTING A PROCEDURE TO INCLUDE THE
BALLOT TITLE, EXPLANATORY STATEMENT AND ARGUMENTS
RELATING TO CERTAIN DISTRICT MEASURES IN THE
STATE VOTERS' PAMPHLET

DATE: January 4, 1990

PRESENTED BY: McMurdo

Background

The last session of the Legislative Assembly enacted Enrolled Senate Bill 209 (chapter 250, Oregon Laws 1989) which requires the Secretary of State to print the ballot title, explanatory statement and any arguments relating to certain District measures in the state Voters' Pamphlet.

Senate Bill 209 is not self-executing. Metro must adopt a specific enabling ordinance before the District can utilize the Voters' Pamphlet. The ordinance must provide a review procedure for proposed ballot titles and explanatory statements. The ordinance must also provide a procedure to accept arguments for and against District measures

A photocopy of Senate Bill 209 is attached.

Proposed Action

Adopt Ordinance No. 90-330 establishing a procedure to utilize the state Voters' Pamphlet for the ballot title, explanatory statement and any arguments relating to certain Metro measures.

Executive Officer Recommendation

The Executive Officer recommends approval of Ordinance No. 90-330.

Senate Bill 209

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Task Force on Metropolitan Regional Government)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Secretary of State to print metropolitan service district measure and ballot title, explanatory statement and arguments relating to measure in voters' pamphlet prepared for general or special election.

Requires Secretary of State to print district measure information in same manner as county measure information is printed.

A BILL FOR AN ACT

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Relating to the voters' pamphlet; amending ORS 251.285.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 251.285 is amended to read:

251.285. (1) The Secretary of State shall have printed in the voters' pamphlet prepared for a general or special election any county measure **or any measure of a metropolitan service district organized under ORS chapter 268**, and the ballot title, explanatory statement and arguments relating to the measure, if the requirements of this section are satisfied.

(2) The county **or district** measure, ballot title, explanatory statement and arguments shall not be printed in the voters' pamphlet unless:

(a) The ballot title is a concise and impartial statement of the purpose of the measure;

(b) The explanatory statement is an impartial, simple and understandable statement explaining the measure and its effect;

(c) The county **or metropolitan service district** adopts and complies with an ordinance that provides a review procedure for a ballot title or explanatory statement which is contested because it does not comply with the requirements of paragraph (a) or (b) of this subsection;

(d) The county **or metropolitan service district** adopts and complies with an ordinance that provides for acceptance of typewritten arguments relating to the measure to be printed on 29.8 square inches of the voters' pamphlet; and

(e) The county **or metropolitan service district** does not require of a person filing an argument a payment of more than \$300, or a petition containing more than a number of signatures equal to 1,000 electors eligible to vote on the measure or 10 percent of the total of such electors, whichever is less.

(3) Any judicial review of a determination made under the review procedures adopted under paragraph (c) of subsection (2) of this section shall be first and finally in the circuit court of the judicial district in which the county is located **or, for a district measure, in the circuit court for the most populous county situated within the metropolitan service district.**

(4) If the county **or metropolitan service district** has adopted and complied with ordinances prescribed in subsection (2) of this section, the decision to include the county **or district** measure,

NOTE: Matter in **bold face** in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.

1 ballot title, explanatory statement and arguments in the voters' pamphlet shall be made by:

2 (a) The county governing body with regard to any county measure **or the council of the met-**
3 **ropolitan service district with regard to any district measure;**

4 (b) The chief petitioners of the initiative or referendum with regard to a county **or district**
5 measure initiated or referred by the people. The chief petitioners shall indicate their decision in a
6 statement signed by all of the chief petitioners and filed with the county clerk **or, for a district**
7 **measure, with the executive officer of the metropolitan service district;** or

8 (c) A political committee, as defined in ORS 260.005, that opposes the county **or district** meas-
9 ure. The committee shall indicate its decision in a statement signed by every committee director,
10 as defined in ORS 260.005, and filed with the county clerk **or, for a district measure, with the**
11 **executive officer of the metropolitan service district.**

12 (5) The county **or metropolitan service district** shall file the measure, ballot title, explanatory
13 statement and arguments with the Secretary of State not later than the 70th day before the election.
14 The county **or district** shall pay to the Secretary of State the cost of including the county **or dis-**
15 **trict** material in the pamphlet as determined by the secretary. The Secretary of State shall not have
16 this material printed in the pamphlet unless:

17 (a) The time for filing a petition for judicial review of a determination made under paragraph
18 (c) of subsection (2) of this section has passed; and

19 (b) The measure, title, statement and arguments properly filed with the county **or metropolitan**
20 **service district,** are delivered to the secretary.

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METRO

2000 SW First Avenue
Portland, OR 97201-5398
(503) 221-1646
Fax 241-7417

90-330

March 2, 1990

HAND DELIVERY

The Honorable Barbara Roberts
136 State Capitol
Salem, Oregon 97310

Dear Secretary Roberts:

Enclosed for publication in the May 15, 1990 primary election Voters' Pamphlet are two copies of the text, ballot title, explanation and arguments relating to Measure 26-1 (Metro Zoo Tax Base) and Measure 26-2 (Metro Zoo Serial Levy).

Also enclosed for your reference are copies of Metro Ordinance No. 90-330 implementing the provisions of ORS 251.285 and photocopies of the newspaper publications regarding the ballot titles and explanatory statements.

We advise you that no petitions seeking review of the ballots titles or explanatory statements were filed within the time provided by law.

Should you have any questions regarding the materials submitted for publication in the Voters' Pamphlet, please contact me.

Sincerely,

C. Gregory McMurdo
Government Relations Manager

Enclosures

cc: Executive Officer
Metro Council

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[~~(4)~~] (3) "Measure" has the meaning given that term in ORS 251.005.

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(2) All procedures set forth in sections 1 through 7 of this Ordinance relating to the preparation of the ballot title and explanatory statement for the measure, including review by the Court, have been completed on or before the 75th day prior to the date of the election at which the measure is to be submitted to the electors; and

(3) In the case of a measure proposed by initiative or referendum petition:

(a) The Filing Officer certifies that the petition has sufficient qualified signatures to require submission of the measure to the electors; and

(b) Such certification is filed with the Executive Officer on or before the 90th day preceding the election at which the measure is to be submitted to the electors.

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(2) Upon receipt of an explanatory statement, the Executive Officer shall publish in the next available edition of a newspaper of general circulation in the District a notice of receipt of the statement including notice that an elector may file a petition for review of the statement not later than the date referred to in subsection (3) of this section. The Executive Officer and the Filing Officer may jointly publish notice of the explanatory statement and ballot title for a measure in the same publication.

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SECTION 6. Arguments Supporting and Opposing Measures.

(1) Arguments in support of or opposition to a measure which is subject to this Ordinance may be filed with the Executive Officer not later than the 75th day prior to the date of the election at which the measure is to be submitted to the electors by:

(a) Any person who tenders a filing fee in the amount of \$300 and submits a statement on such form as the Executive Officer may prescribe or provide, which:

(A) identifies the name of the person who submitted the argument;

(B) identifies the name of the organization the person represents, if any;

(C) indicates whether the argument supports or opposes the measure; and

(D) indicates who authorized publication of the argument.


(b) A person who files a petition for the inclusion of the argument in the Voters" Pamphlet which contains the signatures of not less than 1,000 electors of the District. Before the argument is filed with the Executive Officer, the signatures on the petition shall be verified by the Filing Officer. Prior to the circulation of a petition under this paragraph, a prospective petition shall be filed with the Executive Officer, on such form as the Executive Officer may prescribe or provide, which:


- (A) sets forth the text of the proposed argument;
 - (b) identifies the name of the person who submitted the argument;
 - (C) indicates the name of the organization the person represents, if any;
 - (D) indicates whether the argument supports or opposes the measure; and
 - (E) indicates who authorized publication of the argument.
- (2) Arguments shall be typewritten and shall be prepared for printing on 29.7 square inches of the Voters' Pamphlet.

SECTION 7. Filing of Material with the Secretary of State.
The Executive Officer shall file all measures, ballot titles, explanatory statements and arguments that meet the requirements of this Ordinance with the Secretary of State and the Clerk of the Council not later than the 70th day prior to the date of the election for which a Voters' Pamphlet will be printed.

SECTION 8. The Clerk of the Council pursuant to Chapter 1.01 of the Metro Code shall include the provisions of this Ordinance as part of the Metro Code.

ADOPTED by the Council of the Metropolitan Service District this 25th day of January, 1990.


Tanya Collier, Presiding Officer

ATTEST:

Clerk of the Council

#1C:\ORD90.330

PUBLIC NOTICES



Public Notices 8

90-C-0008 AD # 1
HOUSING AUTHORITY & COMMUNITY SERVICES AGENCY OF LANE COUNTY (AGENCY) OF LANE COUNTY

The Agency (LHA) will be accepting sealed bids from licensed and bonded contractors for the construction of Driveway at the Agency owned complex located at 300 W. Fairview, Springfield, Oregon.

General Contractors and all Minority Business Enterprises are encouraged to participate in this solicitation. Bid packages can be obtained for a non-refundable fee of \$10.00 from the Receptionist at 300 West Fairview Drive, Springfield, Oregon after 11:00 AM, JANUARY 31, 1990. A pre-bid meeting will be held in the Conference Room at the Housing Authority Office, 300 W. Fairview, Springfield, Oregon at 9:00 AM, FEBRUARY 14, 1990. All interested contractors are required to attend. Bids will be received at the Agency offices, 300 West Fairview Drive, Springfield, Oregon 97477, up to 2:00 PM, FEBRUARY 21, 1990 by Homer D. Barnett, Contract Administrator, and will be opened and publicly read at that time. Work on this project is subject to residential Davis-Bacon Wage rates, Bid, Performance and Payment Security will be required. The Agency may reject any bid not in compliance with all prescribed public procurement procedures and requirements, and may reject for good cause any or all submittals upon a finding of the Agency it is in the public interest to do so. The Agency is an equal opportunity employer. The magnitude of this project is \$15,000 - \$25,000.

PURSUANT to Metropolitan Service District Ordinance 90-330, notice is hereby given that explanatory statements for the Voters' Pamphlet have been filed for the following measures: ORD. 90-329, Submitting a Metropolitan Service District Tax Base Measure for the Metro Washington Park Zoo; and RES. 90-1194, Approving the Zoo Five-Year Financial Plan and Submitting a Metropolitan Service District Zoo Capital Serial Levy to District Voters.

Copies of the explanatory statements may be obtained from the office of the Executive Officer, Metro Center, 2000 SW First Ave., Portland, OR 97201 or by calling Metro's Public Affairs Department, 220-1164. Any elector dissatisfied with the explanatory statement may petition the Circuit Court of the county of Multnomah stating the reasons why the statement fails to meet the requirements of Metro Ordinance 90-330. Petitions to review the explanatory statements must be filed with the court not later than 5 p.m. Wednesday, Feb. 7, 1990.

Rena Cusma
Executive Officer

Public Notices 8

SOLICITATION FOR PROPOSALS

The Port of Newport, Newport, Oregon, requests proposals from persons and entities interested in providing professional management of the Deep Water Shipping Terminal owned and operated by the Port of Newport on Yaquina Bay. The contemplated responsibilities of such manager would include oversight of marine terminal operation and assistance with marketing and long range planning. The successful proponent would be responsible to the Port Manager, and subject to the policies and direction of the Board of Port Commissioners in setting policies for the operation of the Port, but would act independently in carrying out day-to-day operations. Proposal shall be submitted to John M. Mohr, General Manager, Port of Newport, 600 S. E. Bay Boulevard, Newport, Oregon 97365 not later than 5:00 p.m. on Thursday, March 15, 1990. For details, call (503) 265-7758.

THE City of White Salmon is currently accepting bids for a 1990 Four-Wheel Drive Police Vehicle. If interested, call for specifications. Sealed bids must be received by 5:00 PM on February 6, 1990. Bids will be opened on Wednesday night the 7th, during a regular City Council meeting. The City reserves the right to reject all bids. Submit bids to: White Salmon City Hill Police Vehicle Bid PO Box 505 White Salmon WA 98672 509/493-1133

BULLETIN BOARD 10-39

Lost and Found 10

\$25 REWARD: Amer Eskimo/Retriever 5 1/2 mo F, lost 1/23; whit, tan ears & back-last seen nr NE 75th/Sandy 655-3152; 321-5235

ANIMAL AID LOST & FOUND 245-0045 Tri-County data FREE

FOUND at Gateway FM, small brown mixed breed, black muzzle, droopy ears. 257-3715

FOUND DOG: "Benji"-type, male, in St Johns on 1-26, brown leather collar, no tags. 286-0925

FOUND: Fem sml Shepherd/Husky mix? Tan, black & white, approx 1yr old, N Pthd, 289-6829

FOUND gray & white male cat w/blue collar, Mt Tabor area, 1/26. Call 775-6908

FOUND Jan 21 in Sandy, male dog. Identify 668-8563

FOUND large mixed female Shepherd dog w/red collar "molly", Vanc 206-693-4536

Lost and Found 10

FOUND: Clackamas Distribution Center on Hwy 212, Malemute/Husky mix, male, 1/29/90. Call 650-2004 7am-4pm.

FOUND: Deafened-black fem cat with white chest & feet, 1/20, Carver/Barton area. 631-3752

FOUND: Gresham, Husky/mix? 645-6388

FOUND: neutered male Collie mix dog Sat, Jan 27, 39th & Powell. 771-6315, please keep trying.

FOUND: Ripolebrook area (bef Xmas), sml long haired neutered M dog; brown/tan, with reddish back, square blk face, fluffy tail, looks like Chow/Pom? 650-9637

FOUND: Tire chain for Honda, Jan 28 on Hwy 35. 248-5021

FOUND: Young, orange Tabby male, appears healthy, SW Pthd btwn Burlingame/Lake Oswego. Nds owner/good home. 245-6493

GLACIER is lost! 1-19-90, Pom, white male, East County, \$50 reward. 667-6595 leave message.

IF YOUR PET IS LOST OR MISSING Place a Lost ad in our Classifieds.

Watch the Found ads daily.

Check your county Animal Control facilities in person every other day.

Multnomah County: 667-7387

Clackamas Co: 655-8628

Washington County: 681-7041

IF YOU FIND A LOST PET: Run a Found ad in our Classifieds.

LOST 1/17: Ski boots, Lange women's sz 8, Timberline 233-2781

LOST: 1/22 Sandy-Gresham; Black Wolf-Shep M. Reward, 668-9771

LOST: all Black Lab, 1 yr male, REWARD. Vic 82 & Div. Little boy misses his pal. 257-7003

LOST black female Cocker, needs medical attn, Wildcat Mtn Rd, Brian Ranch, REWARD. 637-3160, 667-1301

LOST DOG: "Benji"-type male, in St Johns on 1-26, brown leather collar, no tags. 286-0925

LOST female white "Wesley" Terrier, 1/20/90, Vic NE 82nd & Galsan 255-1029

LOST Golden Retriever, 8 yr old fem, red/pink color, gray around the muzzle, Jan 24 nr Mast 205, answers to Sunshine 255-8511-1

LOST male Siamese cat, Jan 2, vic NE Ridge Rd, Yamhill/Gaston area. Needs medication. Reward. 662-3832

LOST med action Lamaglass steelhead rod, Quantum level-wind reel, Sandy River/Marmot Dam Rd. 775-1954

LOST mostly blk male Beagle, nr Pearl St, Oregon City-Copeland Lbr, "Bandit" 656-2160

LOST-Black cat, long hair, brn flea collar, Mult Cnty lic. Dec 27, 83th & Flavel. 775-3666. Reward.

LOST: 1 yr Golden Retriever fem, reddish gold, "Sasha," Lost 1/28 vic NE 10th & Tillamook, 249-0372. Please call!

LOST: 2 Brittany Spaniels, white & orange, male has moles on right eye, fem has crippled left leg, Vicin Hillsboro. Reward of \$25 each. Patti 625-7150

**NOTICE OF ELECTION
MAY 15, 1990**

The ballot measures printed below will be presented to the qualified voters of the Metropolitan Service District at the Primary Election to be held May 15, 1990 at the polls. Any elector dissatisfied with the ballot title may petition the Multnomah County Circuit Court for review of the ballot title on or before February 20, 1990.

**METROPOLITAN SERVICE DISTRICT
ESTABLISHES A TAX BASE DEDICATED TO OPERATING THE ZOO**

QUESTION: Shall Metropolitan Service District establish a \$5,100,000 tax base starting fiscal year 1990-91 to operate the Metro Washington Park Zoo?

EXPLANATION: This measure provides a \$5,100,000 tax base to operate the zoo. It starts July 1, 1990, when the current \$5,500,000 voter-approved levy for zoo operation and construction ends. Currently, there is no tax base (\$0) to operate the zoo. The tax base will be used with zoo gate and concession sales income to operate and maintain the zoo. The estimated tax rate resulting from the base would be 15 cents per 1,000 of assessed value at current values, or \$9.01 for a home assessed at \$60,000. Any constitutionally authorized increase in the tax base subsequently levied by the council shall be apportioned to the zoo functions or activities specified by the council in the ballot title in the same proportion as the original allocation. If the district reduces or ceases to provide a function or activity for which the tax base has been allocated, then the council may use that portion of the tax base for any lawful purpose of the district.

**METROPOLITAN SERVICE DISTRICT
SERIAL LEVY FOR CAPITAL CONSTRUCTION AT THE ZOO**

QUESTION: Shall Metropolitan Service District levy \$1,512,000 each year for next three years for capital construction at Metro Washington Park Zoo?

EXPLANATION: This measure allows the district to levy \$1,512,000 each year for three years starting July 1, 1990. The total levy is \$4,536,000. In 1986 district voters approved a three-year serial levy of \$5,500,000 for zoo operations and construction. The 1986 levy expires June 30, 1990. This new levy will provide funds to renovate the Children's Zoo (Animals Around Us Exhibit) and make other improvements to zoo facilities and equipment. The levy is outside the 6 percent limitation specified in the Oregon Constitution.

VICKI K. ERVIN
Director of Elections
Multnomah County



METRO

Measure 26-1

2000 SW First Avenue
Portland, OR 97201-5398
(503) 221-1646
Fax 241-7417

March 2, 1990

HAND DELIVERY

The Honorable Barbara Roberts
136 State Capitol
Salem, Oregon 97310

Dear Secretary Roberts:

Enclosed for publication in the May 15, 1990 primary election Voters' Pamphlet are two copies of the text, ballot title, explanation and arguments relating to Measure 26-1 (Metro Zoo Tax Base) and Measure 26-2 (Metro Zoo Serial Levy).

Also enclosed for your reference are copies of Metro Ordinance No. 90-330 implementing the provisions of ORS 251.285 and photocopies of the newspaper publications regarding the ballot titles and explanatory statements.

We advise you that no petitions seeking review of the ballots titles or explanatory statements were filed within the time provided by law.

Should you have any questions regarding the materials submitted for publication in the Voters' Pamphlet, please contact me.

Sincerely,

C. Gregory McMurdo
Government Relations Manager

Enclosures

cc: Executive Officer
Metro Council

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF SUBMITTING A)	ORDINANCE NO. 90-329
METROPOLITAN SERVICE DISTRICT TAX)	
BASE MEASURE FOR THE METRO)	Introduced by the
WASHINGTON PARK ZOO)	Convention, Zoo & Visitors
)	Facilities Committee

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Short Title

This ordinance shall be known as the "Metropolitan Service District Tax Base Ordinance" and may be so cited and pleaded and shall be referred to herein as "this ordinance."

Section 2. Definitions

- A. "Council" means the Council of the Metropolitan Service District.
- B. "District" means the Metropolitan Service District and all of the land and territory included within the boundaries of the District.
- C. "Zoo" means the Metro Washington Park Zoo operated by the District under ORS 268.310(5).

Section 3. Findings

- A. ORS 268.310(5) permits the District to "acquire, construct, alter, maintain, administer and operate metropolitan zoo facilities."
- B. ORS 268.315 provides that "For the purpose of performing the functions set forth in subsection (5) of ORS 268.310, the District, when authorized at any properly called election held for such purpose, shall have the power to levy an ad valorem tax on all taxable property within its boundaries not to exceed in any one year one-half of one percent (.005) of the true cash value of all taxable property within

the boundaries of such district, computed in accordance with ORS 308.207."

C. The Zoo currently receives approximately 50 percent of its operating costs from a serial levy that will expire on June 20, 1990.

D. The Zoo, with unique educational and recreational offerings, is utilized by and benefits District residents.

E. A regional funding base is necessary to provide for part of the continued adequate care, maintenance and development of the Zoo's animal collection, programs and physical facilities.

Section 4. Purposes

The purposes of this ordinance are:

A. To provide for part of the maintenance and operation of the Zoo by approving submission of a tax base to be effective on July 1, 1990, to the voters on May 15, 1990.

B. To perpetually allocate this proposed tax base to the operation and maintenance of the Metro Washington Park Zoo.

Section 5. Submission of Tax Base

If approved by the voters, this tax base shall be effective July 1, 1990.

Section 6. Allocation of Zoo Tax Base

Upon approval of the tax base measure by the voters, the following section is added to Chapter 4.01 of the Code of the Metropolitan Service District:

4.01.070 Allocation of Zoo Tax Base

(a) Upon approval of a tax base submitted on May 15, 1990 to the voters of the Metropolitan Service District the Council shall allocate the entire amount of the tax base to the operation

and maintenance of the Metro Washington Park Zoo. The allocation shall continue until the voters of the District approve a new tax base or the District ceases to operate and maintain the Zoo.

- (b) Any constitutionally authorized increase in the tax base approved by the voters on May 15, 1990 subsequently levied by the Council shall be used exclusively to operate and maintain the Metro Washington Park Zoo.

Section 7. Ballot Title

A. The Ballot Title for the tax base described in Section 5 of this ordinance shall be as follows:

CAPTION: ESTABLISHES A TAX BASE DEDICATED TO OPERATING THE
(10 words) ZOO

QUESTION: SHALL THE METROPOLITAN SERVICE DISTRICT ESTABLISH A
(20 words) \$5,100,000 TAX BASE STARTING FISCAL YEAR 1990-91 TO
OPERATE THE METRO WASHINGTON PARK ZOO?

EXPLANATION: THIS MEASURE PROVIDES A \$5,100,000 TAX BASE TO
(93 words) OPERATE THE ZOO. IT STARTS JULY 1, 1990, WHEN THE CURRENT
\$5,500,000 VOTER-APPROVED LEVY FOR ZOO OPERATION AND
CONSTRUCTION ENDS. CURRENTLY, THERE IS NO TAX BASE (\$0)
TO OPERATE THE ZOO. THE TAX BASE WILL BE USED WITH ZOO
GATE AND CONCESSION SALES INCOME TO OPERATE AND MAINTAIN
THE ZOO. THE ESTIMATED TAX RATE RESULTING FROM THE BASE
WOULD BE 15 CENTS PER \$1,000 OF ASSESSED VALUE AT CURRENT
VALUES, OR \$9.01 FOR A HOME ASSESSED AT \$60,000. ANY
CONSTITUTIONALLY AUTHORIZED INCREASE IN THE TAX BASE
SUBSEQUENTLY LEVIED BY THE COUNCIL SHALL BE APPORTIONED
TO THE ZOO FUNCTIONS OR ACTIVITIES SPECIFIED BY THE
COUNCIL IN THE BALLOT TITLE IN THE SAME PROPORTION AS THE
ORIGINAL ALLOCATION. IF THE DISTRICT REDUCES OR CEASES
TO PROVIDE A FUNCTION OR ACTIVITY FOR WHICH THE TAX BASE
HAS BEEN ALLOCATED, THEN THE COUNCIL MAY USE THAT PORTION
OF THE TAX BASE FOR ANY LAWFUL PURPOSE OF THE DISTRICT.

B. The above Ballot Title shall be filed with the Director of Records and Elections of Multnomah County not later than March 15, 1990.

1990.

Section 8. Submission of Proposal to Secretary of State

This ordinance shall be filed with the Secretary of State no later than March 6, 1990, to meet publication requirements for the Voters' Pamphlet.

ADOPTED by the Council of the Metropolitan Service District
this 25th day of January, 1990.



Tanya Collier, Presiding Officer

ATTEST:



Clerk of the Council

I certify this ordinance was not vetoed by the Executive Officer.



Clerk of the Council

jpmtwo
b:\zoolevy.ord
01-18-90

(Text of ballot title

Establishes a Tax Base Dedicated to Operating the Zoo

Caption (10 words maximum)

QUESTION: (20 words maximum) Shall Metropolitan Service District

Establish a \$5,100,000 Tax Base Starting Fiscal Year 1990-91 to

Operate the Metro Washington Park Zoo?

*PURPOSE: (150 words maximum) This measure provides a \$5,100,000 tax

base to operate the Zoo. It starts July 1, 1990, when the current

\$5,500,000 voter-approved levy for Zoo operation and construction ends.

Currently, there is no tax base (\$0) to operate the Zoo. The tax base

will be used with Zoo gate and concession sales income to operate and

maintain the Zoo. The estimated tax rate resulting from the base would

be 15 cents per \$1,000 of assessed value at current values, or \$9.01

for a home assessed at \$60,000. Any constitutionally authorized increase

in the tax base subsequently levied by the Council shall be apportioned

to the Zoo functions or activities specified by the Council in the ballot

title in the same proportion as the original allocation. If the District

reduces or ceases to provide a function or activity for which the tax base has been allocated, then the Council may use that portion of the tax base for any lawful purpose of the District.

- * For measures authorizing tax levies or establishing new tax bases: a concise and impartial statement of not more than 150 words, explaining chief purpose of the measure and giving reasons for the measure. If an estimated tax is included in a ballot title, it must be based on a current estimate of assessed value by the County Assessor and must include the statement: "The estimated tax cost for this measure is an ESTIMATE only based on the best information available from the County Assessor at the time of estimate." Such statement required by ORS 310.395 shall not be included in the 150 word limitation.

EXPLANATORY STATEMENT

Voters in the Metropolitan Service District have funded the Metro Washington Park Zoo since 1976 with a series of serial levies. The current levy will expire at the end of June 1990.

A source of funding needs to be re-established for the continued operation of the zoo. A tax base for the zoo will guarantee permanent operation of the zoo, including such important programs as:

- protection of highly endangered species, such as the Asian elephant, Humboldt penguin, chimpanzee, black rhino, red panda, snow leopard, Siberian tiger,
- professional care and nurturing of all animals in the zoo,
- maintenance and operation of all exhibits and grounds,
- award-winning educational and conservation programs.

More people visit the zoo than any other paid attraction in the state. In addition to economic benefit to the region, the zoo provides animal-related education, recreation and cultural offerings to residents of the metropolitan area. The zoo enjoyed record-breaking attendance last year, with 1,141,675 visitors.

The zoo has no permanent tax base or other stable source of funding to maintain its operation. The proposed tax base, dedicated to the zoo, will provide 50 percent of the operating costs. The other 50 percent will continue to be earned from zoo admissions and concession sales.

The proposed tax base for operations would levy a property tax of approximately 15 cents per \$1,000 of assessed property valuation. On a \$60,000 house, this tax will be approximately \$9 per year.

If approved by the voters, pursuant to Oregon law, the tax base must be dedicated to the operation of the Metro Washington Park Zoo.

Measure No. 26-1

Metropolitan
Service District

ARGUMENT IN SUPPORT OF MEASURE 26-1

A FEW WORDS ON BEHALF OF THE ANIMALS AT YOUR ZOO

Your Zoo recently celebrated its 100th birthday, so the idea that we might one day have to close and send away the elephants and lions seems impossible. Yet the Zoo lives year-to-year, supported by a series of serial levies. The current levy will expire at the end of June, 1990.

Let's make YOUR ZOO permanent

Measure 26-1 proposes a tax base which would provide 50% funding for the Zoo (the other 50% will continue to be earned from admissions and food sales). It would cost the average homeowner of a \$60,000 house about

75 cents a MONTH

which is less than we're paying on the levy which expires in June. Not much when you consider what you get to keep. Your Zoo.

SAVE ENDANGERED SPECIES

The 24 elephants who have been born at your zoo, the Humbolt penguins, baby snow leopards, chimpanzees and orangutans are more than wonderful. They're part of a worldwide effort to save these species. We're succeeding with your help. And we may be the last ditch hope for nearly extinct black rhinos like our own Pete. Consider, too, the 2 cents a month Measure 26-2 will let us upgrade the 30-year-old Children's Zoo, and

BE A ZOO KEEPER

For all the animals, your Zoo and you

VOTE YES on Measures 26-1 and 26-2

Submitted by
John D. Eskildsen, Chair
Be a ZooKeeper Committee
4310 S.W. Macadam



METRO

2000 SW First Avenue
Portland, OR 97201-5398
(503) 221-1646
Fax 241-7417

Measure 26-2

March 2, 1990

HAND DELIVERY

Executive Officer
Rena Cusma
Metro Council

Mike Ragsdale
Presiding Officer
District 1

Gary Hansen
Deputy Presiding
Officer
District 12

Lawrence Bauer
District 2

Jim Gardner
District 3

Richard Devlin
District 4

Tom DeJardin
District 5

George Van Bergen
District 6

Ruth McFarland
District 7

Judy Wyers
District 8

Tanya Collier
District 9

Roger Buchanan
District 10

David Knowles
District 11

The Honorable Barbara Roberts
136 State Capitol
Salem, Oregon 97310

Dear Secretary Roberts:

Enclosed for publication in the May 15, 1990 primary election Voters' Pamphlet are two copies of the text, ballot title, explanation and arguments relating to Measure 26-1 (Metro Zoo Tax Base) and Measure 26-2 (Metro Zoo Serial Levy).

Also enclosed for your reference are copies of Metro Ordinance No. 90-330 implementing the provisions of ORS 251.285 and photocopies of the newspaper publications regarding the ballot titles and explanatory statements.

We advise you that no petitions seeking review of the ballots titles or explanatory statements were filed within the time provided by law.

Should you have any questions regarding the materials submitted for publication in the Voters' Pamphlet, please contact me.

Sincerely,

C. Gregory McMurdo
Government Relations Manager

Enclosures

cc: Executive Officer
Metro Council

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF APPROVING THE)	RESOLUTION NO. 90-1194
ZOO FIVE-YEAR FINANCIAL PLAN AND)	
SUBMITTING A METROPOLITAN SERVICE)	Introduced by the
DISTRICT ZOO CAPITAL SERIAL LEVY)	Convention, Zoo and Visitor
TO DISTRICT VOTERS)	Facilities Committee

WHEREAS, ORS 268.310(5) authorizes the Metropolitan Service District to "Acquire, construct, alter, maintain, administer and operate metropolitan zoo facilities."; and

WHEREAS, ORS 268.315 provides that "For the purpose of performing the functions set forth in subsection (5) of ORS 268.310, the District, when authorized at any properly called election held for such purpose, shall have the power to levy an ad valorem tax on all taxable property within its boundaries not to exceed in any one year one-half of 1 percent (.005) of the true cash value of all taxable property within the boundaries of such District, computed in accordance with ORS 308.207."; and

WHEREAS, The current three-year zoo serial levy which provides funds for zoo operations and capital improvements expires on June 30, 1990; and

WHEREAS, The Metro Washington Park Zoo, with unique educational and recreational offerings, is utilized by and benefits District residents; and

WHEREAS, The Zoo is the largest paid attraction for visitors throughout the State of Oregon and provides economic benefits to the Northwest and metropolitan region; and

WHEREAS, A regional funding base is necessary to provide for continued development of the Zoo's physical facilities; and

WHEREAS, During fiscal years 1990 through 1992 revenues of \$1,512,000 each year totalling \$4,536,000 for the three-year period will be needed to fund Zoo capital expenses; now, therefore,

BE IT RESOLVED,

1. That the Council of the Metropolitan Service District approves the five-year financial plan for the Metro Washington Park Zoo (attached hereto as Exhibit A) as the basis for meeting the immediate capital financial needs of the Zoo.

2. That the Council approves submission of a three-year capital serial levy to be effective on July 1, 1990, to the voters of the district on May 15, 1990, the revenues of which will be used for capital construction permitted under ORS 268.310(5) and to pay the costs of holding the election.

3. That the ballot title for this measure is approved as shown on Exhibit B attached hereto.

4. That the Executive Officer is instructed to file this Resolution with the District Elections Officer and the Tax Supervising and Conservation Commission no later than March 15, 1990.

ADOPTED by the Council of the Metropolitan Service District this 25th day of January, 1990.


Tanya Collier, Presiding Officer

(Text of ballot title)

Serial Levy for Capital Construction at the Zoo

Caption (10 words maximum)

QUESTION: (20 words maximum) Shall Metropolitan Service District Levy \$1,512,000 Each Year for Next Three Years for Capital Construction at Metro Washington Park Zoo?

*PURPOSE: (150 words maximum) This measure allows the District to levy \$1,512,000 each year for three years starting July 1, 1990. The total levy is \$4,536,000. In 1986 District voters approved a three-year serial levy of \$5,500,000 for Zoo operations and construction. The 1986 levy expires June 30, 1990. This new levy will provide funds to renovate the Children's Zoo (Animals Around Us Exhibit) and make other improvements to Zoo facilities and equipment. The levy is outside the 6 percent limitation specified in the Oregon Constitution.

* For measures authorizing tax levies or establishing new tax bases: a concise and impartial statement of not more than 150 words, explaining chief purpose of the measure and giving reasons for the measure. If an estimated tax is included in a ballot title, it must be based on a current estimate of assessed value by the County Assessor and must include the statement: "The estimated tax cost for this measure is an ESTIMATE only based on the best information available from the County Assessor at the time of estimate." Such statement required by ORS 310.395 shall not be included in the 150 word limitation.

EXPLANATORY STATEMENT

Voters in the Metropolitan Service District have funded capital improvement projects at the Metro Washington Park Zoo since 1976. The current levy for operations and improvement will expire at the end of June 1990.

To provide necessary renovation to the 30-year-old Children's Zoo, a source of funding needs to be established. The proposed three-year serial levy will allow the zoo to:

- improve facilities to house and care for the animals,
- provide educational programs which engage youngsters and adults in learning about the animal world,
- double the number of animals for exhibits and educational programs in the Children's Zoo,
- instill in all zoo visitors an understanding and appreciation of the relationship between animals and us.

More people visit the zoo than any other paid attraction in the state. In addition to economic benefit to the region, the zoo provides animal-related education, recreation and cultural offerings to residents of the metropolitan area. The zoo enjoyed record-breaking attendance last year, with 1,141,675 visitors, 359,910 of whom were children under 11.

The proposed serial levy will provide \$1,512,000 per year for three years for a total of \$4,536,000 to fund renovation of the Children's Zoo. It would levy a property tax of approximately 4 cents per \$1,000 assessed valuation. On a \$60,000 house, the tax would cost approximately \$2.40 per year.

The levy is outside a 6 percent limitation specified in the Oregon Constitution. If approved by the voters, pursuant to Oregon law, the serial levy would be dedicated to capital improvements at the Metro Washington Park Zoo.

Measure No. 26-2

Metropolitan
Service District

ARGUMENT IN SUPPORT OF MEASURE 26-2 TWO FOR YOUR ZOO

Measure 26-2 is a companion to your Zoo's tax base measure. A small, temporary levy, it would provide funds to upgrade and improve the exhibits and animal care facilities in the Children's Zoo.

IT ISN'T JUST FOR KIDS

though children love and learn from it perhaps more than the rest of us. This is the area of your zoo where the animals can be seen, and even touched, up close. It offers the greatest opportunities for education. For helping us understand our relationship to the animals. For pure joy.

IT'S THIRTY SOMETHING

The modern, natural habitats in which most of your Zoo animals live stand in contrast to the thirty-year-old Children's Zoo area, so

your TWO CENTS is worth a lot

to the Children's Zoo. Measure 26-2, which would cost the average homeowner about 2 cents a month for 3 years, means the homes can be upgraded for the first time in 30 years. Zookeepers will be able to offer the kind of care, in the kind of facilities, which the animals deserve. And it means more animals can be added to the exhibit area.

BE A ZOOKEEPER

Vote YES on 26-1	Vote YES on 26-2
Give your animals a permanent home.	To improve and upgrade the Children's Zoo.

For the animals, the kids and you,
Vote YES on TWO for the ZOO

Submitted by
John, D. Eskildsen, Chair
Be a ZooKeeper Committee
4310 S.W Macadam



METRO

Memorandum

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

DATE: January 18, 1990

TO: Finance Committee

FROM: Donald E. Carlson, Council Administrator *De*

RE: REVIEW OF ORDINANCE NO. 90-330 WHICH ESTABLISHES PROCEDURES RELATING TO DISTRICT MEASURES TO BE INCLUDED IN THE VOTERS' PAMPHLET

The purpose of Ordinance No. 90-330 is to provide a set of procedures for the preparation and review of ballot titles, explanatory statements and arguments relating to District measures which will be printed in the Voters' pamphlet. The Ordinance is a requirement of Chapter 250 Oregon Laws 1989.

Following are suggested changes to bring the Ordinance procedure in line with current practice:

1. On page 3 in Section 5(1) delete and insert the following language in the third sentence:

"The explanatory statement for a measure referred by the District shall be filed with the Executive Officer and the Council at the same time as the [ballot title] ordinance or resolution referring the measure is acted on by the Council."

Under current procedures the ballot title for a measure is included in the ordinance or resolution referring the measure. It has been the practice after Council adoption for the Council Clerk to file the ordinance or resolution with the appropriate agencies including the District elections officer, Tax Supervising and Conservation Commission and Secretary of State. This new language will enable the Council review the explanatory statement along with the ballot title and include it with the material given to the Executive Officer for further filing.

2. On page 4 in Section 7 insert the following language:

"The Executive Officer shall file all measures, ballot titles, explanatory statements and arguments that meet the requirements of this Ordinance with the Secretary of State and the Clerk of the Council not later than the 70th day prior to the date of the election for which a Voters' Pamphlet will be printed."

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF ADOPTING)
ORDINANCE NO. 90-330 WHICH)
WOULD INCLUDE BALLOT TITLE,)
EXPLANATORY STATEMENTS AND)
ARGUMENTS RELATING TO DISTRICT)
MEASURES BE INCLUDED IN)
THE STATE VOTERS' PAMPHLET,)
AS AUTHORIZED BY ORS 251.285)

ORDINANCE NO. 90-330A
Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Metropolitan Service District believes it to be in the interest of the electors of the District that ballot titles, explanatory statements and arguments relating to District measures be included in the state Voters' Pamphlet, as authorized by ORS 251.285 and provided for in sections 1 through 7 of this Ordinance; and

WHEREAS, The Executive Officer shall file all measures, ballot titles, explanatory statements and arguments that meet the requirements of this Ordinance with the Secretary of State not later than the 70th day prior to the date of the elections for which a Voters' Pamphlet will be printed; now, therefore,

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

SECTION 1. State Voters' Pamphlet. The Metropolitan Service District believes it to be in the interest of the electors of the District that ballot titles, explanatory statements and arguments relating to District measures be included in the state Voters' Pamphlet, as authorized by ORS 254.285 and provided for in sections 1 through 7 of this Ordinance.

SECTION 2. Definitions. As used in this Ordinance:

(1) "Committee Director" has the meaning given that term in ORS 260.005.

(2) "Court" means the Circuit Court of the State of Oregon for the County of Multnomah.

(3) "Filing Officer" means the director of the Multnomah County Division of Elections.

(4) "Measure" has the meaning given that term in ORS 251.005.

(5) "Political Committee" has the meaning given that term in ORS 260.005.

(6) "Voters' Pamphlet" means the state Voters' Pamphlet published pursuant to ORS Chapter 251.

SECTION 3. District Measures Included in the Pamphlet. A District measure shall qualify for inclusion in the Voters' Pamphlet under the provisions of ORS 251.285 and sections 1 through 7 of this Ordinance if:

(1) The measure is submitted to the electors at an election for which a Voters' Pamphlet is printed;

(2) All procedures set forth in sections 1 through 7 of this Ordinance relating to the preparation of the ballot title and explanatory statement for the measure, including review by the Court, have been completed on or before the 75th day prior to the date of the election at which the measure is to be submitted to the electors; and

(3) In the case of a measure proposed by initiative or referendum petition:

(a) The Filing Officer certifies that the petition has sufficient qualified signatures to require submission of the measure to the electors; and

(b) Such certification is filed with the Executive Officer on or before the 90th day preceding the election at which the measure is to be submitted to the electors.

SECTION 4. Preparation and Judicial Review of Ballot Titles.

(1) A ballot title for a measure proposed by initiative or referendum petition shall be prepared as provided in ORS 255.145. A ballot title for a measure referred to the electors by the District shall be prepared by the District.

(2) Judicial review of any ballot title for a District measure shall be as provided in ORS 255.155.

SECTION 5. Preparation and Judicial Review of Explanatory Statements.

(1) Explanatory statements for all District measures shall be prepared by General Counsel and shall be filed with the Executive Officer. An explanatory statement shall be an impartial, simple and understandable statement of 500 words or less, explaining the measure and its effect. The explanatory statement for a measure referred by the

District shall be filed with the Executive Officer and the Council at the same time as the [ballot title] ordinances or resolutions referring the measure is acted upon by the Council. The explanatory statement for a measure proposed by initiative or referendum petition shall be filed with the Executive Officer not later than the seventh business day after the petition is submitted to the Filing Officer for signature verification.

(2) Upon receipt of an explanatory statement, the Executive Officer shall publish in the next available edition of a newspaper of general circulation in the District a notice of receipt of the statement including notice that an elector may file a petition for review of the statement not later than the date referred to in subsection (3) of this section. The Executive Officer and the Filing Officer may jointly publish notice of the explanatory statement and ballot title for a measure in the same publication.

(3) Any elector dissatisfied with an explanatory statement for a District measure may petition the Court stating the reasons why the statement does not meet the requirements of subsection (1) of this section. The petition shall be filed not later than the seventh business day after the statement is filed with the Executive Officer. An elector filing a petition with the Court shall also file a copy of the petition with the Executive Officer not later than the end of the next business day following the date the petition is filed with the Court. The Court shall review the statement and measure, hear arguments, if any, and certify to the Executive Officer a statement for the measure which meets the requirement of subsection (1) of this section. Review by the Court shall be first and final.

SECTION 6. Arguments Supporting and Opposing Measures.

(1) Arguments in support of or opposition to a measure which is subject to this Ordinance may be filed with the Executive Officer not later than the 75th day prior to the date of the election at which the measure is to be submitted to the electors by:

(a) Any person who tenders a filing fee in the amount of \$300 and submits a statement on such form as the Executive Officer may prescribe or provide, which:

(A) identifies the name of the person who submitted the argument;

(B) identifies the name of the organization the person represents, if any;

(C) indicates whether the argument supports or opposes the measure; and

(D) indicates who authorized publication of the argument.

(b) A person who files a petition for the inclusion of the argument in the Voters" Pamphlet which contains the signatures of not

less than 1,000 electors of the District. Before the argument is filed with the Executive Officer, the signatures on the petition shall be verified by the Filing Officer. Prior to the circulation of a petition under this paragraph, a prospective petition shall be filed with the Executive Officer, on such form as the Executive Officer may prescribe or provide, which:

- (A) sets forth the text of the proposed argument;
- (b) identifies the name of the person who submitted the argument;
- (C) indicates the name of the organization the person represents, if any;
- (D) indicates whether the argument supports or opposes the measure; and.
- (E) indicates who authorized publication of the argument.

(2) Arguments shall be typewritten and shall be prepared for printing on 29.7 square inches of the Voters' Pamphlet.

SECTION 7. Filing of Material with the Secretary of State.
The Executive Officer shall file all measures, ballot titles, explanatory statements and arguments that meet the requirements of this Ordinance with the Secretary of State and the Clerk of the Council not later than the 70th day prior to the date of the election for which a Voters' Pamphlet will be printed.

SECTION 8. The Clerk of the Council pursuant to Chapter 1.01 of the Metro Code shall include the provisions of this Ordinance as part of the Metro Code.

ADOPTED by the Council of the Metropolitan Service District this _____ day of _____, 1990.

Tanya Collier, Presiding Officer

ATTEST:

Clerk of the Council



METRO

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

Memorandum

Date: January 30, 1990
To: Rena Cusma, Executive Officer
From: Gwen Ware-Barrett^{gwb} Clerk of the Council
Regarding: TRANSMITTAL OF ORDINANCE NOS. 90-330A

Attached for your consideration are true copies of Ordinance Nos. 90-3330A adopted by the Council on January 25, 1990.

If you wish to veto these ordinances, I must receive a signed and dated written veto message from you no later than 5:00 p.m., Thursday, February 1, 1990. The veto message, if submitted, will become part of the permanent record. If no veto message is received by the time and date stated above, this ordinance will be considered finally adopted.

I, Unette Charley, received this memo and a true copy of Ordinance Nos. 90-330A from the Council Clerk on January 30, 1990.

Dated: 1/30/90

GWPB:lc
\MEM.ORD