

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

AN ORDINANCE AMENDING ORDINANCE NO.)
90-340A REVISING THE FY 1990-91)
BUDGET AND APPROPRIATIONS SCHEDULE)
FOR THE PURPOSE OF ALLOCATING)
\$10,000 FROM GENERAL FUND)
CONTINGENCY TO SUPPORT ARTS PLAN)
2000 PLUS)

ORDINANCE NO. 90-373

Introduced by Rena Cusma,
Executive Officer

WHEREAS, The Council of the Metropolitan Service District has
reviewed and considered the need to modify the FY 1990-91 Budget; and

WHEREAS, The need for a modified budget plan has been justified;
and

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

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

That Ordinance No. 90-340A, Exhibit B, FY 1990-91 Budget, and
Exhibit C, Schedule of Appropriations, are hereby amended as shown in
Exhibits A and B to this Ordinance for the purpose of allocating
\$10,000 from the General Fund Contingency to support Arts Plan 2000
Plus.

ADOPTED by the Council of the Metropolitan Service District this

13th day of December, 1990.


Tanya Collier, Presiding Officer

ATTEST:


Clerk of the Council

kr:ord90-91:90-373:ord
November 7, 1990

FINANCE COMMITTEE REPORT

ORDINANCE NO. 90-373 AMENDING THE FY 1990-91 BUDGET AND
APPROPRIATIONS SCHEDULE TO ALLOCATE \$10,000 FROM GENERAL
FUND CONTINGENCY TO SUPPORT ARTS PLAN 2000

Date: December 7, 1990 Presented by: Councilor Judy Wyers

Committee Action: At its December 6, 1990 meeting the Committee voted unanimously to recommend Council adoption of Ordinance No. 90-373. Voting in favor were Councilors Devlin, Gardner, Van Bergen and Wyers. Councilor Collier was excused.

Committee Discussion/Issues: Neil McFarlane presented the staff report. He indicated that the purpose of this budget amendment is to provide funds for part of Metro's contribution to the Arts Plan 2000 study. The other part (\$10,000) is to be funded through the Metro ERC budget. This planning effort will produce a plan for funding arts programs and facilities in the region. It will take approximately eight months to complete and the Metropolitan Arts Commission will present the plan to the Council when it is completed.

In response to Committee questions, Mr. McFarlane said that this planning effort is complementary to the Regional Facility study presently being conducted by a separate task force. He pointed out that efforts have been made to coordinate the studies to avoid any duplication.

Council staff distributed the Convention Center and Visitor Facilities Committee report on this ordinance which is attached as Exhibit A to the report.

JW:DEC:lar
A:LEGIS\90-373.RPT

CONVENTION & VISITOR FACILITIES
COMMITTEE REPORT

RECOMMENDATION TO THE FINANCE COMMITTEE TO SUPPORT THE ALLOCATION
OF FUNDS FROM GENERAL FUND CONTINGENCY TO SUPPORT ARTS PLAN 2000+

Date: December 3, 1990

Presented by: Councilor Knowles

COMMITTEE RECOMMENDATION: At its November 13, 1990, meeting the Convention & Visitor Facilities Committee voted 4-0 to recommend to the Finance Committee that it support allocating \$10,000 from General Fund Contingency to support Arts Plan 2000 Plus. Voting were Councilors Knowles, Buchanan, McFarland, and Van Bergen. Councilor Hansen was absent.

COMMITTEE DISCUSSION/ISSUES: The CVF Committee was told that their requested action was to make a recommendation to the Finance Committee on the policy aspects of the Arts Plan 2000+ study; Finance will consider a subsequent ordinance dealing with the fiscal implications of transferring funds for the project. In addition, MERC will also be asked for a \$10,000 contribution.

CVF heard from Bing Sheldon, chair of the Arts Plan 2000+ Task Force, and Ann Mason, Task Force staff. Their presentation described the goals of the study, which is to study the role of the arts in the community through the year 2020; to determine the depth and breadth of public support for the arts; and to determine what arts events are important to the public. The study will take about a year. It has a budget of \$200,000, coming from the 3 counties, Metro, City of Portland, National Endowment for the Arts, and grants and gifts from private foundations and corporations. Mr. Sheldon believes that this study will tie in with Metro's Regional Facilities Study.

Councilor McFarland stated that the study should look at support for the arts from outside the tri-county area. Mr. Sheldon responded that the study will focus on the tri-county area, but may include a look at arts support and interest statewide.

Councilor Van Bergen asked whether the task force was created for this study, and whether the request for funds was limited to this study. The answer to both questions was yes: it's a one-time request to fund the Arts Plan 2000+ study. He also asked whether Metro funds were to be obligated before the remainder of the money come in. Mr. Sheldon answered that Metro is late on the list, and that most of the rest of the money is already committed. Councilor Van Bergen pointed out that there's going to be a money crunch soon for supporting MERC facilities, and that we're committing funds for the Regional Facilities study. He wants to be sure that the Arts Plan 2000+ study complements other efforts, and he was assured it would.

EXHIBIT A
ORDINANCE NO. 90-373

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND:Executive Management							
	Total Personal Services	8.80	477,987	0.00	0	8.80	477,987
	Materials & Services						
521100	Office Supplies		4,141		0		4,141
521110	Computer Software		500		0		500
521260	Printing Supplies		1,000		0		1,000
521290	Other Supplies		100		0		100
521310	Subscriptions		3,158		0		3,158
521320	Dues		14,705		0		14,705
524190	Misc. Professional Services		50,000		10,000		60,000
525640	Maintenance & Repairs Services-Equipment		956		0		956
525710	Equipment Rental		1,170		0		1,170
525731	Operating Lease Payments-Building		2,700		0		2,700
526200	Ads & Legal Notices		1,820		0		1,820
526310	Printing Services		4,456		0		4,456
526320	Typesetting & Reprographics Services		1,550		0		1,550
526410	Telephone		3,870		0		3,870
526420	Postage		3,390		0		3,390
526440	Delivery Services		150		0		150
526500	Travel		19,455		0		19,455
526800	Training, Tuition, Conferences		6,165		0		6,165
529500	Meetings		7,160		0		7,160
529800	Miscellaneous		370		0		370
	Total Materials & Services		126,816		10,000		136,816
	Total Capital Outlay		4,400		0		4,400
	TOTAL EXPENDITURES	8.80	609,203	0.00	10,000	8.80	619,203

EXHIBIT A
ORDINANCE NO. 90-373

FISCAL YEAR 1990-91		CURRENT BUDGET		REVISION		PROPOSED BUDGET	
ACCOUNT #	DESCRIPTION	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
GENERAL FUND:General Expenses							
Interfund Transfers							
581513	Trans. Indirect Costs to Bldg. Fund		117,577		0		117,577
581610	Trans. Indirect Costs to Support Svs. Fund		396,669		0		396,669
581615	Trans. Indirect Costs to Insurance Fund		6,804		0		6,804
582140	Trans. Resources to Transportation Fund		391,446		0		391,446
582142	Trans. Resources to Plan. & Dev. Fund		695,423		0		695,423
582610	Trans. Resources to Support Svs. Fund		230,818		0		230,818
Total Interfund Transfers			1,838,737		0		1,838,737
Contingency and Unappropriated Balance							
599999	Contingency		135,000		(10,000)		125,000
	Unappropriated Fund Balance		65,000		0		65,000
Total Contingency and Unappropriated Balance			200,000		(10,000)		190,000
TOTAL EXPENDITURES		17.30	3,333,633	0.00	0	17.30	3,333,633

EXHIBIT B
 ORDINANCE NO. 90-373
 SCHEDULE OF APPROPRIATIONS FY 1990-91

	CURRENT APPROPRIATION	REVISION	PROPOSED APPROPRIATION
<hr style="border-top: 1px dashed black;"/>			
GENERAL FUND			
<hr style="border-top: 1px dashed black;"/>			
Council			
Personal Services	373,323	0	373,323
Materials & Services	308,570	0	308,570
Capital Outlay	3,800	0	3,800
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Subtotal	685,693	0	685,693
Executive Management			
Personal Services	477,987	0	477,987
Materials & Services	126,816	10,000	136,816
Capital Outlay	4,400	0	4,400
	<hr style="border-top: 1px dashed black;"/>		<hr style="border-top: 1px dashed black;"/>
Subtotal	609,203	10,000	619,203
General Expense			
Interfund Transfers	1,838,737	0	1,838,737
Contingency	135,000	(10,000)	125,000
	<hr style="border-top: 1px dashed black;"/>		<hr style="border-top: 1px dashed black;"/>
Subtotal	1,973,737	(10,000)	1,963,737
Unappropriated Balance	65,000	0	65,000
Total General Fund Requirements	3,333,633	0	3,333,633

ALL OTHER APPROPRIATIONS REMAIN AS PREVIOUSLY ADOPTED

NOTE: THIS ACTION ASSUMES THE ADOPTION OF THE FY 1990-91 SUPPLEMENTAL BUDGET

STAFF REPORT

CONSIDERATION OF ORDINANCE NO. 90-373 AMENDING ORDINANCE 90-340A REVISING THE FISCAL YEAR 1990-91 BUDGET AND APPROPRIATION SCHEDULE FOR THE PURPOSE OF ALLOCATING \$10,000.00 FROM GENERAL FUND CONTINGENCY TO SUPPORT ARTS PLAN 2000 PLUS

DATE: November 6, 1990

PRESENTED BY: Neil McFarlane

BACKGROUND

The Metropolitan Arts Commission has undertaken a regional cultural planning effort known as Arts Plan 2000 Plus, and is requesting that Metro support this effort financially. The process for developing the plan involves the City of Portland, Metro, Multnomah, Clackamas and Washington Counties.

The goals, organization, and issue list for Arts Plan 2000 Plus are shown as Attachment A, B and C to this staff report. The development of the plan is to occur over the next eight months.

Metro and the Metro ERC are linked with appointments to the Arts Plan 2000 Plus advisory committees. The Executive Officer and Councilor Knowles serve on the elected officials Committee, and Metro ERC Commissioners Richard Ares and Mitzi Scott serve on the steering committee.

The efforts of the Arts Plan 2000 Plus are complementary to those of the Metro regional facilities study -- particularly as regards examination of the role of the Portland Center for the Performing Arts and its funding. Overlapping committee memberships have been made to ensure coordination of information and recommendations.

Recently, the Metropolitan Arts Commission has retained a national consultant, the Wolf Organization, to undertake the technical work required. The consultants work plan includes a cultural needs assessment, assessment of organizational structures that exist in Portland to sustain cultural life, a general public survey, funding assessment, review of public art programs, comparable community analysis, policy and planning review, all to result in development of a cultural master plan. The Wolf Organization workplan contains

elements that are directly complimentary to Metro's Facilities Study. The attached intergovernmental agreement anticipates and describes subject areas of mutual interest and utility. The full scope of work of the consultant is available upon request.

Proposed Action

The Arts Commission has requested that Metro provide \$20,000.00 to support the efforts of the plan. Similar requests will be made of other jurisdictions, foundations, and others.

It is proposed that Metro provide this financial support through two funds:

- (1) \$10,000.00 from Metro General Fund Contingency (excise tax); and
- (2) \$10,000.00 from the Metropolitan Exposition Recreation Commission Management Pool funds.

Adequate funds are appropriated in the Metro ERC Management Pool to cover the \$10,000.00 expenditure - which will be subject to approval of a separate contract action by the Commission. The Metro ERC is expected to consider this action at its November meeting.

Metro General Fund (excise tax) funds are not currently allocated for this purpose. In order to make funds available, the Council will need to allocate \$10,000.00 from general fund contingency to the category of "Miscellaneous Professional Services" for the purposes of funding the Intergovernmental Agreement attached as Attachment D. Adequate funds exist in the contingency account. Execution of the Intergovernmental Agreement is contingent on Council approval of the required budget action.

Executive Officer's Recommendation

The Executive Officer recommends that Metro provide \$20,000.00 to support Arts Plan 2000 Plus through:

- (1) The Metro Council allocating \$10,000.00 from Metro general fund contingency through approval of Ordinance No. 90-373; and
- (2) The Metro ERC approving expenditure of \$10,000.00 of budgeted Metro ERC Management Pool funds.

ARTS PLAN 2000 PLUS

WHAT: A ten month planning process to develop a Cultural Action Plan for the Portland, Tri-County Metropolitan region. The comprehensive planning effort is aimed at assessing the role and function of arts programs and facilities relative to other important community needs and priorities. When completed, AP2+ will propose objectives in meeting the region's cultural needs in the 90's, identify the resources required to meet them, and designate responsibility for implementation.

HOW: Solid research, tapping of creative and effective leadership and public input are all important elements of this comprehensive planning effort. A 43 member Steering Committee representing the civic, business, arts, education and philanthropic leadership of the region will guide the process. The Wolf Organization, the nation's premier cultural planning team, has been engaged to act as advisors and facilitators for the process. Specific products of AP2+ will include:

- 1) A formal written plan assessing existing programs, activities, facilities, and resources.
- 2) Specific recommendations in such areas as arts in education, audience development and outreach, cultural diversity, stabilizing arts institutions, public/private funding partnerships and regional approaches to delivery of and support for arts services.
- 3) A timeline for implementation of recommendations
- 4) Market survey data for the Tri-County area which can be used by arts personnel to develop more effective target marketing strategies and techniques.
- 5) Economic impact research designed to produce reliable data about the arts role in the regional economy.

WHY: The arts sector's continued viability and future contribution to our community's quality of life and economic vitality is threatened by an image of elitism, controversy over management of facilities, limited resources and confusion over

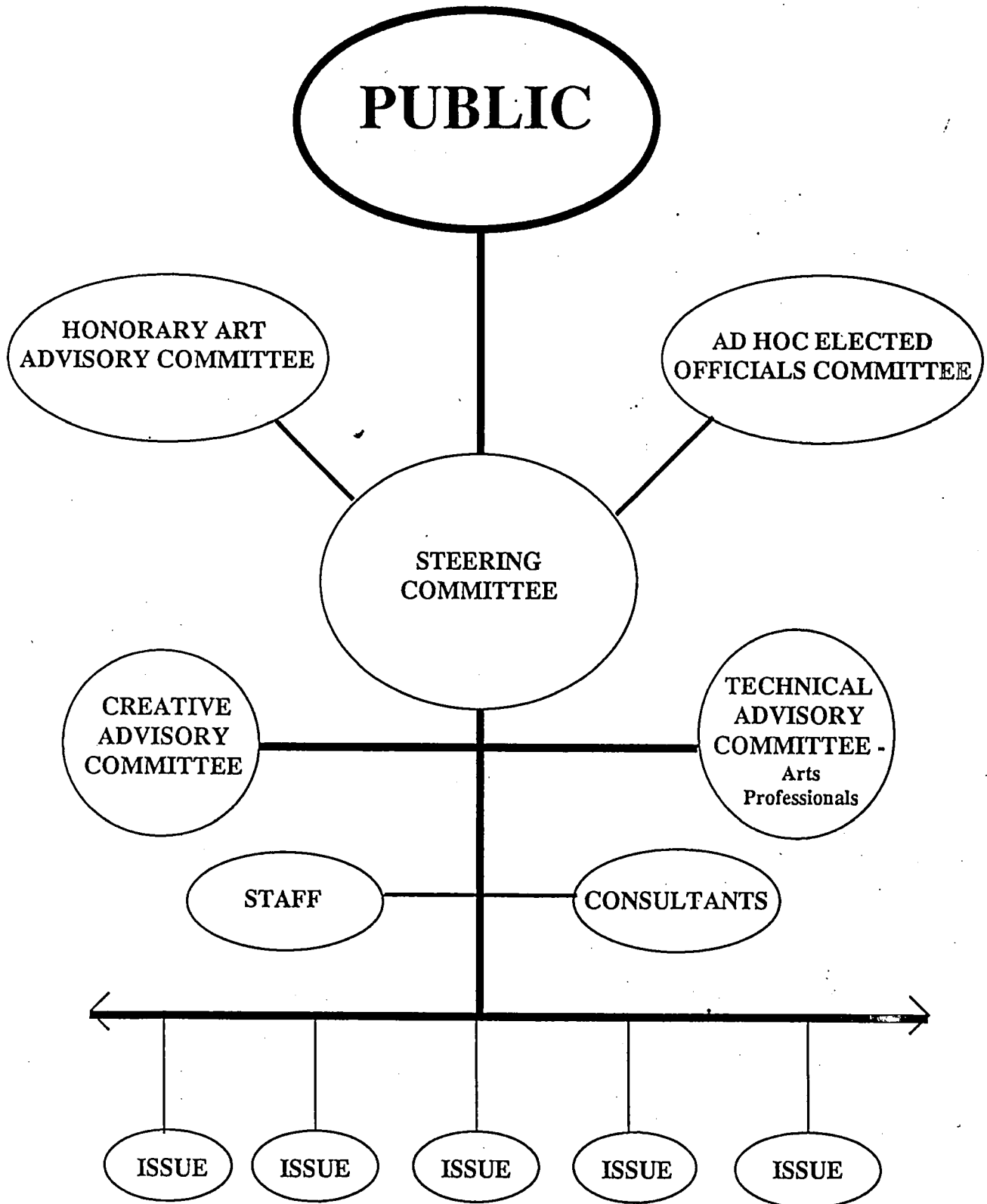
goals and priorities. It is time to plan carefully for sensible stewardship and wise investment in our cultural resources.

A Cultural Action Plan is needed to:

- 1) Broaden the constituency for arts programs and develop new ways to reach underserved audiences such as minorities, children, seniors and the economically disadvantaged;
- 2) Promote a climate which supports and encourages artistic excellence;
- 3) Plan for regional coordination and delivery of cultural services;
- 4) Coordinate and enhance arts sector involvement in tourism, economic development, neighborhood revitalization and education;
- 5) Coordinate greater cooperation among arts organizations and other agencies;
- 6) Improve the financial and management stability of cultural institutions.
- 7) Establish clear priorities for public and private support for our cultural programs and facilities.
- 8) Strengthen and broaden the base of resources and leadership available to provide stewardship for our cultural resources
- 9) Integrate planning for the arts sector with other planning efforts such as the Portland Future Focus, the METRO Facilities Study, and the Governor's Commission on Higher Education;

WHERE: The cultural planning effort was initiated by the Metropolitan Arts Commission and Portland City Commissioner Mike Lindberg. The plan now has an office for staff in space donated by Walker & Macy Landscape Architects, 111 S.W. Oak, Suite 200. Ann Mason has been hired as the plan coordinator. More information may be obtained by calling the AP2+ office, 223-0831 or MAC, 796-5111.

ARTS PLAN 2000 +



ISSUE STUDY GROUPS will include the public at large, issue specialists, artists, business, philanthropy and government. Possible issue topics include: Resource Development, Education and the Arts, Public Art, Audience Outreach, Cultural Diversity, Economic Impact, Arts in the Community, Artist Issues, Facilities, etc.

ATTACHMENT C

ARTS PLAN 2000 PLUS - ISSUES WHICH MAY BE ADDRESSED

Final decisions about arts and cultural issues to be addressed in the planning process will be made by the Steering Committee with input based upon public meetings, opinion research, interviews, etc. Certainly the process of prioritizing issues and strategies will involve tough decisions. Nevertheless, the following have emerged as a result of preliminary planning.

- * **Public involvement/outreach:** The need to counter an image of the arts as elitist; reach out to new audiences and inform all citizens of the wealth of available arts opportunities.
- * **A Regional Approach:** The need to assess arts programs, facilities and audiences from the standpoint of impact, support and participation on a regional basis.
- * **Cultural Diversity:** How can our arts programs and audiences better reflect the involvement of the range of ethnic minorities residing in Portland? How can access to programs, resources and diverse artistic expressions be improved?
- * **Facilities:** The need to develop a public service oriented plan and adequate resource base for effective, regionally based management of existing and/or new arts facilities.
- * **Education:** How can arts programs be more thoroughly integrated into the educational system and more active and effective partnerships with cultural institutions and artists be encouraged?
- * **Artists:** How can we create a climate supportive of innovation and creativity which encourages the finest artists to live, produce and present their work here.
- * **Resources:** How can effective public/private partnerships be established to provide responsible stewardship and appropriate investment in our cultural programs, institutions and facilities?
- * **Stability of arts institutions:** 11 of the 17 largest arts institutions in our community are carrying accumulated deficits and the failure or near failure of arts organizations has been a regular news item over the last few years. How can management effectiveness and financial stability be improved.
- * **New roles for the arts:** New roles and working relationships and strategies linking the arts to tourism, economic development, neighborhood revitalization and the human services should be assessed in comparison to traditional programs and current resource allocations.
- * **Public art:** The success of the program has yielded a large and diverse collection. It is time for a thorough analysis of our practices, policies and priorities in public art as the program expands and the collection grows.

ATTACHMENT D

Contract No. _____

INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT dated this ____ day of _____ 1990, is between METROPOLITAN SERVICE DISTRICT, a municipal corporation, hereinafter referred to as "METRO," whose address is 2000 S.W. First Avenue, Portland, OR 97210-5398, THE METROPOLITAN EXPOSITION RECREATION COMMISSION, whose address is 777 N.E. Martin Luther King, Jr. Blvd. Portland, OR 97234, and METROPOLITAN ARTS COMMISSION, hereinafter referred to as "CONTRACTOR," whose address is The Portland Building, 1120 S. W. Fifth Avenue, Portland, Oregon, 97204, for the period of December 1, 1990, through June 30, 1991, and for any extensions thereafter pursuant to written agreement of both parties.

WITNESSETH:

WHEREAS, This Agreement is exclusively for Personal Services;

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

CONTRACTOR AGREES:

1. To perform the services and deliver to METRO the materials described in the Scope of Work attached hereto;
2. To provide all services and materials in a competent and professional manner in accordance with the Scope of Work;
3. To comply with all applicable provisions of ORS Chapters 187 and 279, and all other terms and conditions necessary to be inserted into public contracts in the state of Oregon, as if such provisions were a part of this Agreement;

4. To maintain records relating to the Scope of Work on a generally recognized accounting basis and to make said records available to METRO at mutually convenient times;

5. To indemnify and hold METRO, its agents and employees harmless from any and all claims, demands, damages, actions, losses and expenses, including attorney's fees, arising out of or in any way connected with its performance of this Agreement, with any patent infringement arising out of the use of CONTRACTOR'S designs or other materials by METRO and for any claims or disputes involving subcontractors;

6. To comply with any other "Contract Provisions" attached hereto as so labelled; and

7. CONTRACTOR shall be an independent contractor for all purposes, shall be entitled to no compensation other than the compensation provided for in the Agreement. CONTRACTOR hereby certifies that it is the direct responsibility employer as provided in ORS 656.407 or a contributing employer as provided in ORS 656.411. In the event CONTRACTOR is to perform the services described in this Agreement without the assistance of others, CONTRACTOR hereby agrees to file a joint declaration with METRO to the effect that CONTRACTOR services are those of an independent contractor as provided under Chapter 864 of Oregon Laws, 1979.

METRO AGREES:

1. To pay CONTRACTOR for services performed and materials delivered in the maximum sum of Twenty Thousand AND 00 /100THS (\$ 20,000.00) DOLLARS and in the manner and at the time designated in the Scope of Work; and

2. To provide full information regarding its requirements for the work.

BOTH PARTIES AGREE:

1. That METRO may terminate this Agreement upon giving CONTRACTOR five (5) days written notice without waiving any claims or remedies it may have against

CONTRACTOR;
Page 2 - AGREEMENT

2. That, in the event of termination, METRO shall pay CONTRACTOR for services performed and materials delivered prior to the date of termination; but shall not be liable for indirect or consequential damages;

3. That, in the event of any litigation concerning this Agreement, the prevailing party shall be entitled to reasonable attorney's fees and court costs, including fees and costs on appeal to an appellate court;

4. That this Agreement is binding on each party, its successors, assigns, and legal representatives and may not, under any condition, be assigned or transferred by either party; and

5. That this Agreement may be amended only by the written agreement of both parties.

METROPOLITAN ARTS COMMISSION:

By: _____

Date: _____

METROPOLITAN SERVICE DISTRICT

By: _____

Date: _____

METROPOLITAN EXPOSITION-
RECREATION COMMISSION

BY: _____

DATE: _____

APPROVED AS TO FORM

CITY ATTORNEY

APPROVED AS TO FORM

METRO GENERAL COUNSEL

Exhibit A
SCOPE OF WORK

In consideration of financial support of Arts Plan 2000 Plus, the Metropolitan Arts Commission shall provide to Metro:

1. Opportunity to have input on the design of opinion surveys, interviews and organizational assessments, so that relevant questions regarding Metro and Metro ERC facilities are asked. Input will be coordinated through Metro's Facilities Committee - PCPA Subcommittee. Arts Plan 2000 Plus will conduct this research.
2. Access to task force meetings and notes from deliberations.
3. Recommendations on the following topics:
 - a. regional approaches to the development of cultural programs, facilities, and audiences.
 - b. estimates of the resources needed to support existing new programs on a region-wide basis.
 - c. funding mechanisms and strategies for the support of cultural services and facilities from both the public and private sectors.
 - d. strategies to better integrate cultural programs into regional economic development, and tourism and convention promotion efforts.
4. The Arts Commission shall, at the conclusion of planning process provide presentations on the plan to:
 - a. Metro Executive
 - b. Metro ERC
 - c. Metro Council

Exhibit B
COMPENSATION

For the products and process provided for in this agreement, Metro shall pay to the Metropolitan Arts Commission \$20,000.00 in the following manner:

1. \$10,000.00 from the Metro ERC Management Pool Fund within 30 days of the General Manager's receipt of an invoice requesting the funds.
2. \$10,000.00 from the Metro General Fund within 30 days of Metro's receipt of an invoice requesting funds.