

BEFORE THE COUNCIL OF THE
METROPOLITAN SERVICE DISTRICT

FOR THE PURPOSE OF EXEMPTING THE)
OREGON CONVENTION CENTER GRAND)
OPENING FROM THE PROVISIONS OF)
METRO CODE CHAPTER 7.01 EXCISE TAX)
ORDINANCE NO. 91-389
Introduced by Rena Cusma,
Executive Officer, At the
request of Metro ERC

THE COUNCIL OF THE METROPOLITAN SERVICE DISTRICT HEREBY ORDAINS:

Section 1. Council finds:

a. The Metropolitan Exposition-Recreation Commission, at public expense, sponsored and promoted a grand opening celebration for the benefit of the public to showcase the new Oregon Convention Center to citizens of the region, state, nation, and world.

b. Pursuant to Metro Code Chapter 7.01, providing for the imposition and collection of an excise tax on all uses of District facilities, revenues derived by Metro ERC to defray the public cost of sponsoring the grand opening celebration are subject to the provision of Chapter 7.01.

c. Metro ERC has requested, pursuant to Metro ERC Resolution No. 112, that the Council adopt a one-time exemption for the provision of Chapter 7.01 for the Grand Opening celebration.

d. The Council finds it appropriate to create such a one-time exemption, and determines that because the exemption is limited in time and scope, and shall be applied to one occasion, it is not appropriate to amend the Metro Code to reflect the creation of the exemption.

Section 2. The Council hereby provides that notwithstanding any provision of Metro Code Chapter 7.01 to the contrary revenues in the amount of \$785,344 received by Metro ERC from users of the Oregon Convention Center facility in conjunction with the Oregon Convention Center grand opening celebration are exempted from the provisions of Metro Code Chapter 7.01.

ADOPTED by the Council of the Metropolitan Service District
this 28th day of March 1991.



Tanya Collier, Presiding Officer

ATTEST:



Clerk of the Council

DBC/gl
1040

FINANCE COMMITTEE REPORT

ORDINANCE NO. 91-389 FOR THE PURPOSE OF EXEMPTING THE OREGON
CONVENTION CENTER GRAND OPENING EXPENSES FROM PROVISIONS OF
METRO CODE CHAPTER 7.01 EXCISE TAX

Date: March 25, 1991

Presented by: Councilor Hansen

COMMITTEE RECOMMENDATION: The Committee at its March 21, 1991 meeting voted unanimously to recommend Council adoption of Ordinance No. 91-389. Present and voting were Councilors Buchanan, Devlin, Hansen, Van Bergen and Wyers.

COMMITTEE DISCUSSION/ISSUES: Council staff explained the purpose of this ordinance is to grant a one-time exemption on applying the excise tax on users of the Convention Center for the Grand Opening activities at the Convention Center. Council staff indicated the request for this exemption has been made by the Metropolitan Exposition-Recreation Commission (MERC) and the ordinance was introduced by the Executive Officer. These revenues to the Convention Center were not anticipated during the FY 90-91 Budget process and the estimated potential \$37,397 in excise tax revenue was not anticipated in the FY 90-91 General Fund Budget. Adoption of this ordinance should not adversely effect the budgeted General Fund revenue.

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 91- 389 FOR THE PURPOSE OF EXEMPTING THE OREGON CONVENTION CENTER GRAND OPENING FROM THE PROVISIONS OF METRO CODE CHAPTER 7.01 EXCISE TAX.

Date: February 28, 1991

Presented by: Jennifer Sims
Dominic Buffetta

The Metropolitan Exposition-Recreation Commission at its meeting of February 13, 1991 adopted Metro ERC Resolution No. 112. The Resolution is a request that the Metropolitan Service District Council grant a one-time exemption from Metro Code Chapter 7.01 which would have the effect of waiving the Metro excise tax as it relates to revenues from Grand Opening festivities.

Subject revenues of \$785,344, produce an excise tax obligation of \$37,397.

The \$37,397 in excise tax at issue was not projected as revenue by Metro; and if it was to be collected, it would constitute unanticipated revenue.

Grand opening planning by the steering committee did not anticipate an excise tax requirement, and the convention center FY 1990-91 budget does not include excise taxes in conjunction with the Grand Opening.

The Metropolitan Exposition-Recreation Commission, lacking ability to introduce an ordinance amendment waiving the Metro excise tax, has asked the Executive Officer to introduce an amendment on its behalf granting a one-time exemption.

Metropolitan Exposition-Recreation Commission

P.O. Box 2746 • Portland, Oregon 97208 • 503/731-7800 • Fax #731-7870 • 777 NE Martin Luther King Jr. Blvd.

RECEIVED

FEB 27 1991

TIME *9:01 am*
METRO SERVICE DISTRICT
OFFICE GENERAL COUNSEL

February 26, 1991

RECEIVED
FEB 26 1991
METRO SERVICE DISTRICT
EXECUTIVE MANAGEMENT

TO: Rena Cusma, Executive Officer

FROM: Lee Fehrenkamp, General Manager *Lee*

SUBJECT: Excise Tax Exemption

At the last meeting of the Metro ER Commission, Resolution #112 was adopted requesting a one time exemption from Metro Code Chapter 7.01, excise tax, specifically for the Oregon Convention Center Grand Opening festivities. I have attached copies of the resolution and staff report for your information and review.

The OCC Grand opening was produced by the Commission to showcase Oregon's newest facility to the Regional and State community, to its potential users, and to say thank you to all who made the Convention Center a reality. This grand celebration nearly reached the Commissions goal of being totally self funded leaving approximately 15% of expenses as a MERC investment.

Throughout the FY 90-91 budget process the Metro excise tax was expected to apply to all applicable revenues from business following the Grand Opening. The projected excise tax revenue to Metro of \$78,633 will not be affected by granting an exemption and because of current business levels is expected to be higher than the budgeted \$78,633. Likewise the Grand Opening budget development and weekly reviews never considered the excise tax as a \$37,397 cost involved with producing the Grand Opening.

I am asking for your support of the Metro ERC Resolution #112 requesting a one time exemption from the excise tax for the OCC Grand opening by sponsorship of an ordinance requesting this exemption from Metro Council.

cc:
MERC
Dick Engstrom

METROPOLITAN EXPOSITION-RECREATION COMMISSION

RESOLUTION NO. 112

Requesting a one-time exemption from Metro Code Chapter 7.01, from the Council of the Metropolitan Service District, for the Oregon Convention Center Grand Opening festivities, from the Metro excise tax.

The Metropolitan Exposition-Recreation Commission finds:

1. That the revenues generated from activities associated with the Oregon Convention Center, other than Concessions and Catering revenues, are subject to a Metro excise tax under Metro Code 7.01.

2. That these revenues come to \$785,344 and the excise tax would amount to \$37,397.

3. That included in the Oregon Convention Center FY 1990-91 budget is \$78,633 as projected excise tax revenues from operations following opening of the facility, which did not include any excise tax revenues from grand opening activities.

4. That included in the Oregon Convention Center FY 1990-91 budget was \$209,000 for a net Grand Opening Investment, which did not include payment for any excise tax.

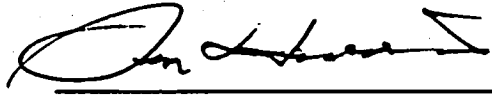
5. That since the basic concept behind the convention center grand opening was to showcase the center to the potential users and recognize the people involved in design and construction of the center, and since the convention center FY 1990-91 budget does not include any excise taxes in conjunction with the grand opening, and since Staff and the Steering Committee assumed that the excise tax would take effect once the facility was open and conducting business, Staff recommends the Commission request a one-time exemption from the excise tax for activities associated with the Oregon Convention Center Grand Opening.

BE IT THEREFORE RESOLVED that the Commission request that the Council of the Metropolitan Service District grant a one-time exemption from Metro Code Chapter 7.01 for the Oregon Convention Center Grand Opening festivities, from the Metro excise tax.

Passed by the Commission February 13, 1991



Chairman



Secretary-Treasurer

APPROVED AS TO FORM:



Metro General Counsel

Metropolitan Exposition-Recreation Commission

P.O. Box 2746 • Portland, Oregon 97208 • 503/731-7800 • Fax #731-7870 • 777 NE Martin Luther King Jr. Blvd.

February 8, 1991

TO: Metropolitan Exposition-Recreation Commission
 FROM: *ERB* Dominic Buffetta
 SUBJECT: Oregon Convention Center Grand Opening - Exemption From
 Excise Tax

Background:

Beginning September 17 thru September 23, 1990, the Metro ER Commission produced festivities the Oregon Convention Center. At the time the convention center budget was approved, for this fiscal year, it was much too early to project which activities and events would be included in the grand opening, or how much sponsorship, concessions, catering, etc. revenues we would generate, or how much would be spent.

The Commission did agree, during the budget process, that Grand Opening festivities must reach all the people who may, or may not, realize they will benefit from the convention center, that the whole region needs to be targeted, and the opening needs to be an event which involves all segments of our community and generates excitement. The Commission agreed, also, that some of the funds for the Grand Opening would come from the Metro E-R Commission, but that a vigorous and continuous effort be made to generate Public and Corporate support toward a self sustaining event. To this end, the Metro Commission allocated \$209,000 for a net Grand Opening investment in the Oregon Convention Center FY 1990-91 Budget. Following is a summary of revenues and expenses associated with grand opening (see attached for a more detailed summary):

Concessions/Catering	\$ 209,325
Sponsorships, grants, gifts, donations, exhibit sales, etc.	785,344

Total Revenues	994,669
Less: Expenses	1,182,987

Net Grand Opening Investment	<u><u>\$ (188,319)</u></u>

UpDate:

We have recently been notified that under Metro Code Chapter 7.01 all gross revenues associated with Grand Opening, other than Concessions/Catering revenues, are subject to the Metro 5% excise tax; however, all other revenues associated with the grand opening, \$785,344, would be subject to the excise tax. The excise tax on the \$785,344 would amount to \$37,397.

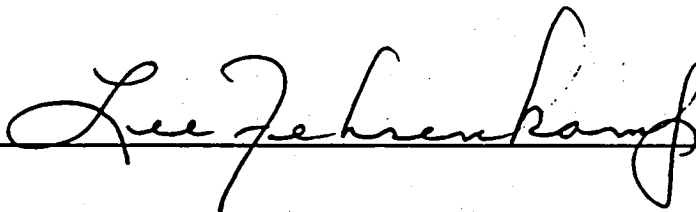
Recommendation:

Since the basic concept behind the "Grand Opening" was to showcase the "Center" to the Community and potential users and to recognize the people involved in design and construction of the "Oregon Convention Center" (in other words "a grand thank you" and a once in a life time marketing opportunity) and this is the only Grand Opening the Convention Center will ever have, the staff believes we should request from Metro Council a one-time exemption from Metro Code Chapter 7.01 for the Convention Center Grand Opening celebration.

Included in the convention center FY 1990-91 budget is \$78,633 for projected excise tax revenues to Metro from operations following opening of the facility. This budgeted amount did not include any excise taxes in conjunction with the grand opening; therefore, the expected excise tax money transferred to Metro this Fiscal year will not be impacted. The staff and Steering Committee for the Grand Opening Celebration never considered the excise tax in its planning and budgeting process and assumed the excise tax would take effect once the facility was open and conducting business.

Staff recommends approval of Resolution No. 112 which would request the Metro Council, by Ordinance, grant a one-time exemption, for the Oregon Convention Center Grand Opening festivities, from the Metro excise tax.

General Managers' Concurrence

A handwritten signature in black ink, appearing to read "Lee Zehrenkamp", written over a horizontal line.

	Summary (2/5/91)		
	Budget	Actual	Variance
Revenues			
Sponsorships:			
Fundraising Dinner/Founders' Luncheon (U.S. West Communications)	30,000	30,000	0
Artists' Event (Key Bank)	5,000	5,000	0
Construction Workers Barbacue (ZGF & Hoffman/Marmalejo)	12,000	12,000	0
Street Dance (Safeway/Coca-Cola/Bluebell)	25,000	25,000	0
Service Industry Reception (Blitz-Weinhard)	5,500	5,500	0
Visitor Industry Reception/Dinner (Sundown Sound & Hollywood Lights)	5,000	5,000	0
Fine Host Catering	50,000	50,000	0
Beer Gardens (Coast Distrib./Miller Beer)	0	6,008	6,008
Patron Tables/Points of Interest	60,000	47,450	(12,550)
Hospitality Room (City Center Parking Port of Ptld./Greyhound Expo/POVA/ M&M Prod./Update Mgmt/OCC)	0	18,250	18,250
Sub Total Sponsorships	192,500	204,208	11,708
Concessions/Catering (Gross)	210,900	209,325	(1,575)
Total Sponsorships & Concessions/Catering	403,400	413,533	10,133
Other:			
Trade Show (Gross)	440,000	474,421	34,421
Novelties Net	15,000	11,604	(3,396)
Ticket Sales - Industry/Gala Electrical/Phone	160,000	79,775	(80,225)
	15,000	15,336	336
Sub Total	630,000	581,136	(48,864)
Total Revenues	1,033,400	994,669	(38,731)
Less:			
- Grand Opening Events Expenses (NW Strategies) (Schedule A-2)	639,059	576,176	62,883
- NW Strategies Fee/Out Of Pocket	86,800	85,937	863
- Trade Show Expenses (Schedule A-3)	312,138	334,652	(22,514)
- Concessions/Catering Expenses	185,900	183,323	2,577
- Hospitality Room	0	2,899	(2,899)
Total Expenses	1,223,897	1,182,987	40,910
Net Grand Opening Investment	(190,497)	(188,319)	2,178



METRO

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

91-389

August 16, 1991

Clerk of the Board
Multnomah County Courthouse
1021 S.W. Fourth Avenue
Portland, OR 97204

Dear Clerk of the Board:

Enclosed are true copies of the following ordinances adopted by the Metro Council. Please file these ordinances in the Metro file maintained by your County.

Executive Officer
Rena Cusma
Metro Council
Tanya Collier
Presiding Officer
District 9
Jim Gardner
Deputy Presiding
Officer
District 3
Susan McLain
District 1
Lawrence Bauer
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9. Ordinance No. 91-398, An Ordinance Amending Ordinance No. 90-340A Revising the FY 1990-91 Budget and Appropriations Schedule for the Purpose of Funding Due Diligence Costs Related to the Metro Headquarters Relocation Project

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August 20, 1991
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Sincerely,



Paulette Allen
Clerk of the Council



METRO

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

August 16, 1991

Charles D. Cameron
County Administrator
150 N. First Avenue
Hillsboro, OR 97124

Dear Mr. Kauffman:

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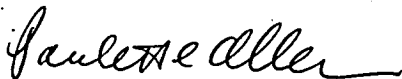
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Sincerely,



Paulette Allen
Clerk of the Council



METRO

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

August 16, 1991

John Kauffman
County Clerk
Clackamas County Courthouse
807 Main Street
Oregon City, OR 97045

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25. Ordinance No. 91-409, For the Purpose of Amending Chapter 2 of the Metro Code to Establish the Appointment Process, Qualifications, and Terms of Office for Members of the Portland Metropolitan Area Local Government Boundary Commission
26. Ordinance No. 91-417, An Ordinance for the Purpose of Amending and Renewing the Franchise Agreement with East County Recycling, Inc.; and Declaring an Emergency

Sincerely,



Paulette Allen
Clerk of the Council



METRO

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

Memorandum

DATE: March 29, 1991
TO: Rena Cusma, Executive Officer
FROM: Paulette Allen, Clerk of the Council *PA*
RE: TRANSMITTAL OF ORDINANCE NOS. 91-386C, 91-389 AND 91-392

Attached for your consideration are true copies of Ordinance Nos. 91-386c, 91-389 and 91-392 adopted by the Council on March 28, 1991.

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, April 4, 1991. 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, these ordinances will be considered finally adopted.

I, *Umeth J. Morley*, received this memo and true copies of Ordinance Nos. 91-386C, 91-389 and 91-392 from the Clerk of the Council on March 29, 1991.

Date: *3/29/91*

ORD.MEM