

Notice of City Measure Election

26-134

SEL 802
rev 1/12 ORS 250.035, 250.041,
250.275, 250.285, 254.095, 254.465

City and Notice Information

Notice is hereby given on February 13th, 2012, that a measure election will be held in

City of Portland

Name of City or Cities

Oregon on May 15th,

Date of Election

, 2012.

The following shall be the ballot title of the measure to be submitted to the city's voters:

Caption 10 words

Amends Charter: Deletes outdated Exposition-Recreation Commission chapter

Question 20 words

Shall obsolete Exposition-Recreation Commission Chapter of Portland City Charter be deleted?

Summary 175 words

Charter Chapter 14 provides for the creation and operation of the City Exposition-Recreation Commission. Charter Chapter 14 is no longer needed. The functions that were previously carried out by the City Exposition-Recreation Commission are now carried out by the Metropolitan Service District (Metro) through its Metropolitan Exposition and Recreation Commission under a 1989 agreement (as amended) among Portland and other government bodies. Any remaining rights or obligations of the former City Exposition-Recreation Commission vest in the City Council pursuant to the Charter and these agreements. This measure would delete Charter Chapter 14.

2012 FEB 14 09:12:58

The following authorized city official hereby certifies the above ballot title is true and complete, which includes publication of notice and the completion of the ballot title challenge process.

[Redacted Signature]

Signature of Authorized City Official not required to be notarized

2/14/2012

Date Signed mm/dd/yy

Ryan Kinsella

Printed Name of Authorized City Official

City Elections Officer

Title

MEASURE EXPLANATORY STATEMENT

Required for all Measures Submitted with Multnomah County Elections

ELECTION DATE May 15, 2012	MEASURE NUMBER 26-134	
BALLOT TITLE CAPTION Amends Charter: Deletes outdated Exposition-Recreation Commission chapter		
NAME OF PERSON RESPONSIBLE FOR CONTENT OF STATEMENT City Attorney James H. Van Dyke		
NAME OF JURISDICTION PERSON REPRESENTS City of Portland		
E-MAIL ryan.kinsella@portlandoregon.gov	TELEPHONE NUMBER 503-823-3546	FAX NUMBER 503-823-4571


Please use space below or attach text on a separate sheet of paper.

This measure amends the Portland City Charter. The City's Charter Commission reviewed the Charter to identify parts of the Charter that the Commission determined are outdated, unenforceable or offensive, including Chapter 14. The Charter Commission recommends deletion of Chapter 14 of the Charter, Exposition-Recreation Commission because the chapter is obsolete. The functions previously carried out by the City Exposition-Recreation Commission are now carried out by the Metropolitan Service District (Metro) through its Metropolitan Exposition and Recreation Commission under a 1989 agreement (as amended) among Portland and other government bodies. Any remaining rights or obligations of the former City Exposition-Recreation Commission are otherwise vested in the City Council pursuant to the Charter and these agreements. This measure would delete Charter Chapter 14 without affecting City government structure or operations.

The Charter Commission referred this measure to the voters.

2012 FEB 14 11:29:55

WORD/NUMBER COUNT TOTAL (500 word/number limit) 137



 SIGNATURE FOR CONTENT OF STATEMENT

2/13/12
 DATE

TEXT OF NINTH PROPOSED AMENDMENT

Delete Charter Chapter 14:

~~Article I Administration, Powers and Bonds~~

~~Section 14-101 Creation of Department.~~

~~There hereby is created a department in the City of Portland to be known as the Department of Exposition and Recreation.~~

~~Section 14-102 Exposition - Recreation Commission.~~

~~The Department of Exposition and Recreation shall be administered by an Exposition - Recreation Commission composed of five (5) members who shall be appointed by the Mayor, subject to the approval of the Council. Within thirty (30) days after the adoption of this Chapter, the Mayor shall appoint five (5) persons who are qualified voters of the City as members of the Exposition - Recreation Commission. One of such members shall be appointed for a one-year term; one for a two-year term; one for a three-year term; one for a four-year term; and one for a five-year term. Thereafter appointments shall be made for a five-year term. A vacancy shall occur from the death, resignation or inability to serve of any members or removal of a member by a majority vote of the Council. Resignation when made shall be addressed to and accepted by the Mayor. Successors shall be appointed by the Mayor subject to Council approval, for the unexpired term. The members shall serve without salary or compensation of any nature. Within ten (10) days after appointment the Commission shall meet and organize by the election of a chairperson and a secretary and by making provision for stated meetings and may adopt its own rules of procedure. [Rev. Nov. 2, 1976.]~~

~~Section 14-103 Powers and Duties.~~

~~The Exposition - Recreation Commission shall have power and authority and it shall be its duty for and on behalf of the City of Portland:~~

~~To construct, erect, equip, maintain and repair buildings and facilities for a multi-purpose coliseum stadium, playfield, exposition and exhibition center and war memorial, for conventions, expositions, sports events, concerts, shows of all kinds including livestock shows, automobile shows, housing shows and ice shows, patriotic, educational and fraternal meetings, and church conventions, and any other types of entertainment and recreational events, whether of exhibition or of participation character, that the Commission may find appropriate, including educational exhibits and park and recreational facilities, together with facilities for veterans' organizations as the Commission may find desirable or appropriate, and facilities connected therewith, including but not limited to parking area for use of the public for exhibitors and for the storage of supplies incidental to exhibitions, shows, etc., or for storage of maintenance equipment;~~

2012 FEB 14 PM 1:15

~~To acquire therefor the fee simple title to real property or interests therein by gift, grant, purchase, condemnation or otherwise as the Commission shall deem suitable for the site thereof; and to that end the Commission may acquire the fee simple title to real property for the purpose of exchange for other property which the Commission deems to be a suitable site or sites for such purposes; and to acquire by purchase, condemnation or otherwise such excess property adjacent to such site or sites selected as the Commission may find necessary or appropriate or convenient for the protection, improvement or access to the site or sites selected; to drain, fill and otherwise improve the site or sites and access property adjacent thereto as the Commission may find necessary or convenient; and to sell, lease for a term not exceeding ninety nine (99) years, rent or otherwise dispose of such excess property for private industrial or commercial development;~~

~~To purchase and install equipment and facilities in or adjacent to the buildings or structures herein set forth and to purchase materials and supplies, and to maintain and repair any and all such equipment and facilities;~~

~~To provide such additional facilities for sports, recreation and entertainment purposes and for the convenience of persons using the same as the Commission may find suitable or necessary;~~

~~To operate said exposition and recreation center and facilities;~~

~~To lease such facilities for periodic exhibitions or shows for a term not exceeding twenty (20) years plus renewal option; to rent such facilities, or to provide such facilities without charge for civic or charitable events as the Commission may find appropriate and to fix the terms and conditions of such lease, rental or provision; to fix fees and charges relating to the use of said buildings, structures or facilities, and to make and enforce regulations concerning the same;~~

~~To employ professional and technical assistance including managerial and promotional services, special legal services, engineering, auditing, architect's preparation of plans and all other special assistance as the Commission may find necessary or convenient, and to employ clerical assistance and labor and fix the rates of compensation therefor;~~

~~To enter into contracts, incur obligations and do all other acts and things necessary or convenient to carry out the purposes of providing an exposition and recreation center as aforesaid;~~

~~To accept gifts and donations and to contract for and receive federal aid and assistance if available;~~

~~To make orders, rules and regulations in the form of resolutions to carry out the authority granted the Commission in this Chapter, certified copies of which shall, upon their adoption, be transmitted to the Auditor of the City of Portland, who shall cause the same to be filed in a special record of such resolutions. All such resolutions of the Commission shall be accessible to the public under like terms as ordinances of the City of Portland.~~

~~Any resolution of the Commission shall be subject to amendment, repeal or alteration or enactment by the City Council. The Council shall provide by ordinance for a procedure for Council review of commission action.~~

~~All records, accounts and minutes of the Commission shall be public records and available for inspection at the same time as the public records of the City. [Rev. Nov. 2, 1976.]~~

~~Section 14-104 Exposition Recreation Bonds:~~

~~[This Section deleted in the 1984 edition of the Charter. All bonds authorized under this Section have been issued and redeemed.]~~

~~Section 14-105 Fiscal Matters of Commission:~~

~~The revenues of the Commission from rental or other agreements shall be paid into the Exposition Recreation Fund provided in this Chapter which shall be in the custody of the City Treasurer, provided, however, that the Commission may maintain a bank account not to exceed an average monthly balance of fifteen thousand dollars (\$15,000) at any one time to care for current operating expenses. The Commission may draw requisitions upon said Fund and the Mayor and Auditor hereby are authorized and directed to draw and deliver warrants upon the order of such requisitions. The Commission may transfer funds from the Exposition Recreation Fund by requisition as before set forth and deposit the same in the separate bank account above mentioned. The Commission may also transfer funds from the Exposition Recreation Fund to the General Fund of the City. The accounts of the Commission shall be kept in conformity with the accounting practices of the City of Portland and shall be audited yearly and the Commission shall comply with the budgetary requirements of the City. The Commission shall annually prepare a budget in accordance with the local budget law and submit it to the City Council prior to the beginning of the ensuing fiscal year for approval by the Council and inclusion as part of the total City budget. After adoption of the Commission's budget, transfers of appropriations may be made as permitted by law by the Council. [Rev. Nov. 2, 1976.]~~

~~Section 14-106 Use of City Facilities:~~

~~The Commission may obtain the advice, recommendation and assistance of any officer, board or commission of the City of Portland and when called upon the City Attorney and the City Attorney's staff shall render legal assistance and advice. Payments for such legal services or special services by the other departments, offices or officers of the City shall be made by the Commission. Purchases on a bid basis shall be made through the purchasing agent of the City but at the option of the Commission open market purchases need not be made through the purchasing agent. The limitation and restrictions on purchases elsewhere contained in this Charter shall not apply but the Commission may purchase materials and supplies in amounts not exceeding one thousand five hundred dollars (\$1500) without advertising for bids, on the open market.~~

~~Section 14-107 Exemption of Certain Employees from Civil Service:~~

~~Employees of the Commission permanently appointed to clerical or maintenance positions shall be subject to the civil service requirements of this Charter, and all other employees and positions shall be exempt from such requirements. [Chapter 14 added May 21, 1954.]~~

The Oregonian


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1/26/2012


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1-27-12
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NOTICE OF RECEIPT OF BALLOT TITLE

Notice is hereby given that a ballot title for a measure proposed by the Charter Commission has been filed with the Elections Office of the City of Portland on January 23, 2012.

The ballot title is as follows:

CAPTION: Amends Charter. Deletes outdated Exposition-Recreation Commission charter

QUESTION: Shall obsolete Exposition-Recreation Commission Charter of Portland City Charter be deleted?

SUMMARY: Charter Chapter 14 provides for the creation and operation of the City Exposition-Recreation Commission. Charter Chapter 14 is no longer needed. The functions that were previously carried out by the City Exposition-Recreation Commission are now carried out by the Metropolitan Service District (Metro) through its Metropolitan Exposition and Recreation Commission under a 1989 agreement (as amended) among Portland and other government bodies. Any remaining rights or obligations of the former City Exposition-Recreation Commission vest in the City Council pursuant to the Charter and these agreements. This measure would delete Charter Chapter 14.

An elector may file a petition for review of this ballot title in the Multnomah County Circuit Court no later than 5:00 P.M. on Monday, February 6, 2012.

LAYONNE GRIFFIN-VALADE
 Portland City Auditor

Total Amount	\$271.43	Promo Type	C-Legal Ad 2x	Ad Size	1.0 X 56 LI
Payment Amt	\$0.00	Special Pricing	None	Color	<NONE>
Amount Due	\$271.43	Attributes		Materials	
Payment Method		Tear Sheets	0	Proofs	0
Invoice Text		Blind Box		Affidavits	1

Product: Edition: Zone	Placement	Position	# Inserts
Oregonian: All: Full Run	C-NoticeAds - Classified	C008-PublicNotices	1
Run Dates	1/26/2012		
Sort Text	NOTICE OF RECEIPT OF BALLOT TITLE NOTICE IS HEREBY GIVEN THAT A BALLOT TITLE FOR A MEASURE PROPOSED BY THE CHARTER COMMISSION HAS BEEN FILED WITH		
Run Schedule Invoice Text	NOTICE OF RECEIPT OF BALLOT TITLE		
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