

## ORDINANCE No. 186263

Amend the Visitor Facilities Intergovernmental Agreement with Multnomah County and Metro and the Intergovernmental Amended Agreement Regarding Consolidation of Regional Convention, Trade, Spectator and Performing Arts Facilities with Metro (Ordinance; amend Contract Nos. 51495 and 25921)

The City of Portland ordains:

Section 1. The Council finds:

1. The City and Metro entered into an intergovernmental *Agreement Regarding Consolidation of Regional Convention, Trade, Spectator and Performing Arts Facilities Owned and Operated by the City of Portland and Metro* (commonly called the “Consolidation Agreement”) in December 1989 to establish consolidated management and operation agreements for these facilities. The City and Metro have amended the Consolidation Agreement several times to reflect changing conditions, most recently on or about May 15, 2000.
2. The City, Multnomah County, and Metro entered into the *Visitor Facilities Intergovernmental Agreement* (VFIGA), dated January 31, 2001 to support regional tourism and spectator facilities, the visitor and hospitality industry and to maximize the economic development benefits associated with visitor facilities, programs and services.
3. The VFIGA currently facilitates the funding of visitor facilities and ongoing programs and services in the region through the collection and distribution of transient lodging tax and vehicle surcharges via the Visitor Facilities Trust Account (VFTA).
4. The VFTA and the VFIGA have successfully supported visitor development and economic development opportunities in the region through both direct and indirect support for facilities, programs and services.
5. The City of Portland supports tourism promotion and visitor development in numerous ways, including but not limited to: ownership of a number of spectator facilities; ongoing and one-time investments in Portland’s quality urban environment, infrastructure, public spaces, amenities, and attractions; and support for continued collection of transient lodging taxes for the VFTA and fees for the Tourism Improvement District.
6. Since the VFIGA was originally approved in 2001, a number of changes have occurred, or are proposed to occur, to business operations and debt obligations, resulting in changes to financing opportunities and efficiencies, revised programmatic services, and modified roles and responsibilities.
7. In March 2013, Metro, City and County staff initiated formal negotiations to prepare a thorough set of revisions to the existing VFIGA to reflect updated needs of the region’s visitor facilities and tourism promotion programs, including new allocations to support

Metro, City, County, and tourism industry priorities, including a convention center hotel in close proximity to the Oregon Convention Center (OCC).

8. The amendments to the VFIGA include certain provisions to i) accommodate revenue bond funding, issued by Metro, to support an OCC Hotel Project, and ii) redirect non-VFTA site-specific transient lodging taxes generated at the OCC Hotel Project to the VFTA, including the City 5% TLT that would otherwise go to the City's General Fund.
9. The amendments to the VFIGA also include revisions to ensure clearer organization and ease of reading, to ensure continued long-term stability of the VFTA system; and to provide for ongoing review and oversight.
10. Amendments to the Consolidation Agreement are needed to conform with the changes to the VFIGA and to update other provisions of the Consolidation Agreement to reflect current conditions.

NOW, THEREFORE, the Council directs:

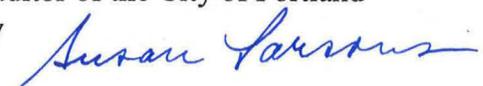
- a. The Mayor is authorized to execute the amended Visitor Facilities Intergovernmental Agreement in a form substantially similar to that attached hereto as Exhibit A, which incorporates all the amendments to the original 2001 VFIGA as shown in Exhibit C.
- b. The Mayor is authorized to execute the amendment to the *Amended Agreement Regarding Consolidation of Regional Convention, Trade, Spectator and Performing Arts Facilities Owned and Operated by the City of Portland and Metro* in a form substantially similar to that attached hereto as Exhibit B.

Passed by the Council: SEP 25 2013

Mayor Charlie Hales  
Prepared by: Betsy Ames  
Date Prepared: September 5, 2013

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By



Deputy

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Agenda No. **186263**  
**ORDINANCE NO.**  
Title

Amend

Authorize amendments to the *Visitor Facilities Intergovernmental Agreement* with Multnomah County and Metro and to the intergovernmental *Amended Agreement Regarding Consolidation of Regional Convention, Trade, Spectator and Performing Arts Facilities* with Metro (Ordinance; Amend Contract Nos. 51557 and 25921) 51495

<p style="text-align: center;"><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Mayor Charlie Hales</b></p>	<p>CLERK USE: DATE FILED <u>SEP 13 2013</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Hales <i>[Signature]</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>[Signature]</i></u> Deputy</p>
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p> <p>Bureau: OMF-CAO <i>[Signature]</i> Bureau Head: Jack Graham, CAO</p>	<p><b>ACTION TAKEN:</b> <b>SEP 18 2013 PASSED TO SECOND READING SEP 25 2013 9:30 A.M.</b></p>
<p>Prepared by: Betsy Ames Date Prepared: September 5, 2013</p>	
<p>Financial Impact &amp; Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p><b>City Auditor Office Approval:</b> required for Code Ordinances</p>	
<p><b>City Attorney Approval:</b> <i>[Signature]</i> required for contract, code, easement, franchise, comp plan, charter</p>	
<p>Council Meeting Date <b>September 18, 2013</b></p>	

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input checked="" type="checkbox"/> Start time: <u>2:45 pm</u></p> <p><b>Total amount of time needed: 60 minutes</b> (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input type="checkbox"/></p>
<p><b>REGULAR</b> <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	—	
4. Novick	.	✓
Hales	✓	