

July 13, 1994

Mayor Katz, Portland City Council Members, my name is Gary Hicks. I am a Washington county resident living about 1/4 mile from my favorite golf course, Progress Downs.

I am here this morning to urge the council to give up it's notion that Portland can increase it's tax-base in the guise of a greens-fee surcharge. The Council's proposed \$2.00/9-hole surcharge is wholly unfair and discriminatory to non-city residents.

Portland's city golf courses are completely self-funded and represent no tax-burden whatsoever to Portland City residents. 50%-70% of the greens fees Portland collects today are paid by non-city residents. By raising greens-fees as you propose, you will alienate over half of the city's Golf-Patrons and put the Parks Bureau in what could be a serious funding predicament.

The fact that the revenues raised by this surcharge will be used for a tax-source entity (namely Portland Public Schools) clearly condemns it as unfair because it provides absolutely no benefit to the people who are forced to pay it.

I wonder if it is even legal for a City Bureau to raise it's fees to fund another municipal entity. I've asked the Portland City Attorney for his opinion, but he has not returned my call.

If it is legal, what will be next? Will the Portland Water Bureau begin charging non-city residents \$0.25 for a slurp at it's drinking fountains to put a new shine on Portlandia?

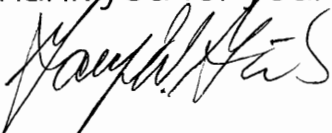
I agree that all schools in Oregon, not just schools in Portland, are facing serious funding issues. But this "Tax the other-guy" scheme is clearly misguided and profoundly unwise. Non-city residents should not have to pay for your school programs. You do not pay for ours.

A few weeks ago, Vera Katz proposed, and the Council passed, an across-the-board greens-fee increase of \$1.00/18-holes in lieu of Commissioner Blumenauer's proposal. The additional fee came into effect July 1st. What is that money being used for? I hope its not being used to fund basket-weaving or something else just as ridiculous.

Our great country came into being over two centuries ago with the proclamation of "**NO TAXATION WITHOUT REPRESENTATION**". I am confident that our fore-fathers would view this proposed surcharge just as they viewed Britain's Tea-tax. Such a tax cannot, and must not endure.

I strongly urge the Council to avoid a "Portland Tee Party" (golf-pun intended) by voting against this surcharge and to reject all other discriminatory taxes or fees such as this in the future.

Thank you for your time,



Gary W. Hicks

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ORDINANCE NO. **167902**

\*Provide for surcharge on fees charged to nonresidents of the City at municipal golf courses. (Ordinance: Amend Code Section 20.20.010)

The City of Portland ordains:

Section 1. The Council finds:

1. The Golf Fund is an Enterprise Fund managed by Portland Parks and Recreation which generates revenue by charging greens fees for the privilege of playing on the city's five 18-hole courses.
2. On February 3, 1994, the City Council enacted a \$.50-per-nine-hole increase in greens fees at most courses (\$1.00-per-nine-hole at the Heron Lakes Great Blue course) as part of a multi-year series of increases designed to provide funding for golf capital projects. This revenue is included in "gross revenues" for the purposes of Ordinance No. 164413.
3. On June 1, 1994, the Council, by Ordinance 167734, rolled back \$.25 of that February greens fee increase. This rollback did not reduce the City Council's ability or commitment to meet bond coverage requirements in the Golf Operating Fund and pay existing debt service.
4. By Ordinance No. 164313 passed June 19, 1991, Council added a \$.50 per nine-hole-round surcharge to be used for high priority youth recreation programs.
5. On June 1, 1994, by Ordinance 167734, the Council increased this youth surcharge by \$.75 per nine-hole-round in order to fund additional youth recreation programs.
6. In order to help preserve some of the many Portland area school and after-school programs which have been eliminated or which are scheduled to be eliminated due to inadequate school funding, it is in the public interest to impose an additional surcharge of \$2.00 per nine holes on non-resident golfers.
7. The surcharge imposed by this Ordinance should be declared not to be a part of the Golf Fund's "Gross Revenue," as that term is defined by Ordinance 164413.
8. In addition, an error in Ordinance 167734, dealing with the amount charged at the Heron Lakes Great Blue course, should be corrected at this time.

NOW, THEREFORE, the Council directs:

- a. Section 20.20.010 of the City Code is amended to read as follows:

20.20.010 Playing Rates

- (a) The following rates shall be charged and collected for playing golf at Eastmoreland, Rose City, Progress Downs, and Heron Lakes Golf Courses effective on the dates indicated:

	7/1/94	<u>7/15/94</u>	1/1/95	1/1/96	1/1/97
9-holes					
weekdays, <u>resident</u>	7.50	<u>7.50</u>	8.00	8.50	9.00
<u>weekdays, non-resident</u>	<u>7.50</u>	<u>9.50</u>	<u>10.00</u>	<u>10.50</u>	<u>11.00</u>
weekends and holidays, <u>resident</u>	8.50	<u>8.50</u>	9.00	9.50	10.00
<u>weekends and holidays, non-resident</u>	<u>8.50</u>	<u>10.50</u>	<u>11.00</u>	<u>11.50</u>	<u>12.00</u>
18 holes					
weekdays, <u>resident</u>	14.00	<u>14.00</u>	15.00	16.00	17.00
<u>weekdays, non-resident</u>	<u>14.00</u>	<u>18.00</u>	<u>19.00</u>	<u>20.00</u>	<u>21.00</u>
weekends and holidays, <u>resident</u>	16.00	<u>16.00</u>	17.00	18.00	19.00
<u>weekends and holidays, non-resident</u>	<u>16.00</u>	<u>20.00</u>	<u>21.00</u>	<u>22.00</u>	<u>23.00</u>

Rates for playing the Great Blue Course at Heron Lakes shall be:

9-hole ticket, <u>resident</u>	<u>14.50</u>	<u>14.50</u>	<u>15.50</u>	<u>16.50</u>	<u>17.50</u>
<u>9-hole ticket, non-resident</u>	<u>14.50</u>	<u>16.50</u>	<u>17.50</u>	<u>18.50</u>	<u>19.50</u>
18-hole ticket, <u>resident</u>	23.00	<u>23.00</u>	25.00	27.00	29.00
<u>18-hole ticket, non-resident</u>	<u>23.00</u>	<u>27.00</u>	<u>29.00</u>	<u>31.00</u>	<u>33.00</u>

(Holiday rates shall be charged on these days: New Year's Day, Presidents' Day, Martin Luther King's Birthday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. In the event the holiday falls on a weekend, these rates will apply only on the day the holiday actually falls and not on the Friday preceding nor the Monday following.)

- (b) For players who show a valid membership card in the City Junior Golf Club and who have passed their ninth birthday but who have not passed their eighteenth birthday, the rate for each 9 holes or

less shall be \$3.00, except for the Great Blue Course at Heron Lakes.

The "Junior" rate will not apply on Saturdays, Sundays, or holidays before 3:00 p.m. or after 4:00 p.m. on weekdays between April 1 and September 30. The "Junior" rate is excluded from the nonresident surcharge.

- (c) For college golf team members during practice rounds or intercollegiate tournament competition only for each 9 holes or less, the rate shall be \$3.00, except at Heron Lakes Great Blue Course.

For high school golf teams during practice rounds for each 9 holes or less, the rate shall be \$3.00, except at Heron Lakes Great Blue Course.

For Portland Interscholastic League high school golf teams during league matches, No Charge. Only the following schools have playing privileges for their golf teams on City golf courses: Portland Interscholastic League high schools, Central Catholic High School, St. Mary's High School, David Douglas High School, Parkrose High School, and Portland Community College.

- (d) For senior citizens, 65 years or older, who show a valid Senior Citizen Golf Membership Card, the following rates shall apply effective on the dates indicated:

	7/1/94	7/15/94	1/1/95	1/1/96	1/1/97
<u>resident</u>	5.25	5.25	5.75	6.25	6.75
<u>non-resident</u>	5.25	7.25	7.75	8.25	8.75

Except for the Great Blue Course at Heron Lakes.

Senior Citizen Golf Membership Cards will be available through the Golf Operations office of the City. In order to obtain a card, two pieces of I.D. showing proof of age and including a picture, will be required. A one-time fee of \$5 will cover the cost of the card. Lost or stolen cards will be replaced at a cost of \$2. Absolutely no senior rates will be applicable without presentation of a valid card.

A special 6-month ticket may be purchased for the period October 1 through March 31, and the cost of said ticket shall be \$100. The ticket will be valid for 75 rounds of 9 holes or less. The ticket will not be valid for play on the Heron Lakes Great

Blue Course. These tickets will not be subject to the nonresident surcharge.

The senior citizen rates will not be valid on Saturdays, Sundays, or holidays before 3 p.m. or after 4 p.m. on weekdays between April 1 and September 30.

- (e) In addition to the appropriate greens fee, the following rates shall be collected from the Concessionaire for each motorized cart rented from his fleet. Also, the charge will be made for golfer-owned motorized carts when such use is permitted.

\$2.00 for each 9 holes played  
\$4.00 for each 18 holes played

- (f) Players shall be restricted to not less than 18 holes of play on Saturdays, Sundays, and holidays between daylight and five hours before sunset. EXCEPTION: Nine hole tickets may be purchased for play on the back nine only on Saturdays, Sundays, and holidays for a period of one hour after daylight, or until the first group playing 18 holes reaches the eighth green.
- (g) Rates for the privilege of using the facilities of the Eastmoreland driving range shall be set by the clubhouse Concessionaire with the approval of the Director of Portland Parks and Recreation.
- (h) All greens fees must be paid in full in advance. No refund will be granted on any rates herein established. All tickets issued in accordance with the above schedule are a permit to play the game of golf, issued to a single individual on the date of issue, and shall not be transferrable.
- (i) Rain checks may be issued if four or less holes have been played at the discretion of the concessionaire and staff.

A rain check can only be used for the rate (weekday, weekend/holiday) at which the original greens fee was purchased. A 9-hole rain check issued from the purchase of an 18-hole ticket can only be used with the purchase of an additional 9-hole ticket and at the rate (weekday, weekend/holiday) at which the original greens fee was purchased. A 9-hole rain check given on an 18-hole greens fee ticket can only be used on the back nine of a future 18-hole ticket.

- (j) There shall be no refund for a 6-month Senior ticket once the ticket has been paid for and delivered. Sickness, weather, absence, etc., shall not provide any reason for a refund.
- (k) For the privilege of reserving golf course playing time for the purpose of staging private tournament or group play as allowed within the guidelines of the Golf Operations Manual, the following fees will be added effective February 1, 1994, to the rates charged in Sections (a) through (d) of this Code Section.

For each 9-hole ticket	\$2.50
For each 18-hole ticket	\$5.00
For each 9-hole ticket on the Great Blue Course at Heron Lakes	\$2.50
For each 18-hole ticket on the Great Blue Course at Heron Lakes	\$5.00

The rates will not apply to men's and women's clubs, organized league play, or any O.G.A., P.G.A., U.S.G.A., or charity event sponsored by the City golf program as approved by the Director of Portland Parks and Recreation.

Section 2. Council declares revenue from the additional \$2.00 per-nine-hole surcharge on nonresident golfers not to be part of "gross revenue" as defined in Ordinance No. 164413.

Section 3. The revenues generated from this added surcharge shall be deposited into the Youth Programs Trust subfund within Portland Parks Trust Fund. Portland Parks and Recreation will manage this added surcharge subject to the following conditions:

1. The added surcharge will be used for programs within the City of Portland that provide positive educational or recreational experiences for school-aged children. This is in response to fiscal difficulties and program reductions facing Portland's school districts. The programs may or may not be operated by the local school districts.
2. The City Council may direct Portland Parks and Recreation to distribute the money directly to the school districts within the City of Portland to be used in accordance with guidelines set by the City Council.
3. The expenditure of this surcharge will be subject to the City Council's review during or prior to each budget cycle.

Section 4. As part of the City budget process, the local school districts will be asked for information on the program reductions they have experienced recently or expect to occur in the coming year. In addition, the school districts (as well as other potential providers) may submit funding requests to the City. Portland Parks and Recreation will recommend an allocation of the funds generated by this added surcharge. For the fiscal year 1994-95, a funding recommendation will be complete by August 4, 1994, using the best information available within that time frame. In subsequent fiscal years, this information-gathering and decision-making will take place prior to the Mayor's proposed budget, if possible.

Section 5. Portland Parks and Recreation is directed to develop a procedure for identifying resident and nonresident golfers, with reasonable certainty and with as minimal an administrative impact as is reasonably necessary on the golfers, on the concessionaires and on the City.

Section 6. This Ordinance shall be known as the City of Portland's Supplemental School Relief Package.

Section 7. The non-resident surcharge imposed by this Ordinance shall not be applied to participants in golf tournaments played after the effective date of this Ordinance, if such tournaments have been scheduled prior to the effective date of this Ordinance. The Parks and Recreation Bureau Director will establish a fee schedule for tournaments that is consistent with the intent of this Ordinance.

Section 8. The Council declares that an emergency exists, in that immediate passage of this Ordinance is necessary in order to minimize the deleterious impact of school budget cuts on Portland area youth; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **JUL 13 1994**  
MAYOR KATZ  
HAuerbach:cdn  
July 8, 1994

BARBARA CLARK  
Auditor of the City of Portland  
By *Britta Olson*  
Deputy



1169

Agenda No.

ORDINANCE NO. 167902

Title

\*Provide for surcharge on fees charged at municipal golf courses and establish effective dates. (Ordinance: Amend Code Section 20.20.010)

INTRODUCED BY	Filed: JUL 8 1994
Commissioner Hales	Barbara Clark Auditor of the City of Portland
NOTED BY COMMISSIONER	
Affairs	
Finance and Administration <i>[Signature]</i>	By: <i>Coy Kershner</i> Deputy
Safety <i>[Signature]</i>	
Utilities	For Meeting of:
Works	
BUREAU APPROVAL	ACTION TAKEN:
Bureau: Parks & Recreation	
Prepared by Fontaine Hagedorn Date 07/08/94	
Budget Impact Review: <input checked="" type="checkbox"/> Completed <input type="checkbox"/> Not Required	
Bureau Head: Charles Jordan, Superintendent <i>[Signature]</i>	

AGENDA	FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
		YEAS	NAYS
Consent Regular <input checked="" type="checkbox"/>	Blumenauer	<input checked="" type="checkbox"/>	
NOTED BY	Hales	<input checked="" type="checkbox"/>	
Deputy City Attorney <i>[Signature]</i>	Kafoury	<input checked="" type="checkbox"/>	
City Auditor	Lindberg	<input checked="" type="checkbox"/>	
City Engineer	Katz	<input checked="" type="checkbox"/>	