
MERC Commission Meeting

January 8, 2014
12:30 pm

Portland's
Centers for the Arts
Brunish Theater
111 SW Broadway



600 NE Grand Ave.
Portland, OR 97232
503-797-1780

www.oregonmetro.gov

Metro | *Exposition Recreation Commission*

Agenda

Meeting: Metro Exposition Recreation Commission Meeting
Date: Wednesday, January 8, 2014
Time: 12:30 -2:30 p.m.
Place: Portland's 5 Centers for the Arts, Brunish Theater

CALL TO ORDER

- | | | | |
|-------|------|---|---|
| 12:30 | 1. | QUORUM CONFIRMED | |
| 12:35 | 2. | OPPORTUNITY FOR PUBLIC COMMENT ON NON-AGENDA ITEMS | |
| 12:40 | 3. | COMMISSION/COUNCIL LIAISON COMMUNICATIONS | Judie Hammerstad |
| 12:45 | 4. | GENERAL MANAGER COMMUNICATIONS
• Venue Business Reports | Teri Dresler |
| 12:55 | 5. | FINANCIAL REPORT | Benjamin Rowe |
| 1:00 | 6. | PROCUREMENT MWESB/FOTA UPDATE | Gabi Schuster |
| 1:20 | 7. | DIVERSITY ACTION PLAN UPDATE | Bill Tolbert |
| 1:40 | 8. | FOTA CONSULTANT INTRODUCTION/WORK PLAN | Cogan Owens Cogan |
| 2:00 | 9. | CONSENT AGENDA | |
| | 9.1 | December 4, 2013 MERC Commission Record of Actions | |
| 2:05 | 10. | ACTION AGENDA | |
| | 10.1 | RESOLUTION 14-01 For the purpose of adopting a MERC Personnel Policy on Mandatory Reporting of Child Abuse | Ron Zito
Lisa Cohen-Greenfield |

ADJOURN

MERC Commission Meeting

January 8, 2014
12:30 pm

Venue Business Reports

**Portland Expo Center
Business Report
MERC Meeting
January 8, 2014**

Highlights:

- December held steady with the same number of events as 2012, however with a decline in attendance due to several factors:
 - America's Largest Christmas Bazaar started off its two-weekend show with a bang – seeing a 10% increase from 2012. Unfortunately, due to inclement weather attendance numbers declined for the second weekend. However, even with attendance relatively flat, show producers were very pleased with the show and are looking forward to next year.
 - Two consumer shows traditionally scheduled in December moved to January (Spa Sale, Great Train Expo).
 - We have seen a downward trend in gun show attendance in FY14, returning to FY12 levels.
- All Things Cheer saw a record year with attendance numbers over 2,100.
- Expo saw an increase of over \$13,000 in concessions for the month of December.
- Expo has seen an increase in sporting event inquiries:
 - Oregon Cheer Coaches Association will host their championship event in February. The event was formerly held at the Coliseum.
- Halls A and B recently completed a lighting upgrade thanks to a grant via the Energy Trust of Oregon. Not only will this upgrade pay for itself in a year due to energy savings, the project has also created a better atmosphere for our clients.
- Three year contracts have been completed through 2016 - this will allow for long-range calendar planning, combined marketing efforts between Expo and clients, and a focus on new business.
- The First Annual Expo Excerthon raised over \$550 for SnowCap Community Charities in honor of Ted Anderegg.

**Oregon Convention Center
Business Report
MERC Meeting
January 8, 2014**

Major events at OCC in November, 2013 were NW Permanente annual shareholders meeting, Portland's Home and Living Show, and OCHIN cHealth Innovation Symposium. Also in November, OCC donated space and partnered with the Oregon Dental Association for their "Mission of Mercy" program. 1775 patients received \$1,163,367 in donated dental care at the OCC.

Other highlights:

- OCC was recently chosen as host venue for the 2016 World Indoor Track and Field Championships;
- Snyder Roofing completed Phase I, OCC roof replacement, original building. Phase II to begin in June 2014;
- Began renovation of Dragon Café concession stand;
- Chef Allan Wambaa traveled to NY to begin Pro Chef Level III certification;
- OCC has begun its Closed Circuit TV Camera upgrade/replacement project;
- Multnomah County approved a tax code change allowing adoption of the amended Visitor Facility Intergovernmental Agreement between Metro, City of Portland and Multnomah County creating a new "bucket" for a convention center hotel bond;
- OCC staff participated in a bi-annual Travel Portland client FAM hosting approximately 40 national meeting planners;
- OCC operations staff presented a draft of its new Strategic Energy Management Plan to ETO and partners;
- Teri Dresler and Scott Cruickshank presented details of the Hotel Project to Oregon Society of Association Managers and the Mt. Hood Community College Hospitality and Tourism Class.

**Portland's Centers for the Arts
Business Report
MERC Meeting
January 8th, 2014**

While the first quarter was much slower than the prior year due to no Broadway shows, the first two months of the second quarter show us doing much better than prior year. As of November 30, attendance is up 23.5% and number of performances is up 23.5% over prior year. At this time, the December holiday shows all seem to be doing quite well.

Other highlights:

- The Venues Today year-end report listed Keller Auditorium #12 in top stops for venues 2001-5000 seats; Arlene Schnitzer Concert Hall was #15. The Newmark Theater was #16 for top stops for venues 2000 or fewer seats. In the top 100 stops for all of North American venues-Keller was #55, Schnitz was #65!
- The first Green Team was created and came out with a huge crescendo with the introduction of their energy saving mascot, Art. Art pops up all over the venues reminding folk to turn off the lights!
- In spite of being busy with all the holiday shows, P5 staff were very generous with their time and money in support of the Metro Charitable Giving Campaign. Over-all participation was at 51%-versus 6% last year. Admissions staffing manager Bill Looker – who is probably busier this time of year than anyone – chaired the P5 campaign. He put together a fun raffle and gathered some terrific prizes that got our entire event and admissions staff excited and involved in the campaign. These proceeds went to the Oregon Food Bank. Other activities included daily departmental luncheons and food carts which raised money for Outside In; collections of coats for Roosevelt High school; collections of toiletries, gloves, hats, scarves and more for Portland Rescue Mission and Transition Projects; non-perishable food donations for Oregon Food Bank and the annual collection of teddy bears for Clackamas County Victims Association. Many staff also made personal donations to charities of their choice. This team truly gives back to their community!
- An electronic opinion poll was offered to patrons attending the Nov. 15th performance of American Idiot. A total of 105 responses were received with scores and comments on a variety of items. On a scale of 1-5 (5 being the highest) customer service received 4.6, cleanliness of venue received 4.8 and food and beverage service received 4.1. While all the scores were good, we received some comments that have generated ideas on how we can serve our patrons even better. A poll is being set up soon for the Schnitzer.
- Dates have been scheduled in January for New Era ticketing to take pictures so we can soon offer (for the first time ever!!) view from seat opportunities. A person purchasing tickets on New Era can click on a seat and get an idea of what the stage looks like from that seating area. We think this will be a very popular item with our patrons.

- The Hatfield Hall marquee finally lost its PCPA name and now proudly says “Antoinette Hatfield Hall”.
- The Artbar gallery show for January features artists from Folktime, an organization which connects individuals with mental illness through community-based activities. This show will exhibit artwork from the individuals who participate in Folktime’s art classes.

MERC Commission Meeting

January 8, 2014
12:30 pm

5.0 Financial Report

NOVEMBER 2013

FINANCIAL INFORMATION

For Management Purposes only



**PORTLAND CENTER FOR
THE PERFORMING ARTS**

 A SERVICE OF METRO



 A SERVICE OF METRO



 A SERVICE OF METRO

Date: January 8, 2014

To: Commissioner Judie Hammerstad, Chair
 Commissioner Terry Goldman, Vice Chair
 Commissioner Cynthia Haruyama, Secretary / Treasurer
 Commissioner Elisa Dozono
 Commissioner Chris Erickson
 Commissioner Ray Leary
 Commissioner Karis Stoudamire-Phillips

From: Ben Rowe – MERC Budget/Finance Manager

Re: MERC Financial Information November 2013

MERC Venues Events & Attendance

Total MERC Venue events and performances Fiscal Year (FY) 2014 year to date (YTD) are down 14% (78) over the same period of FY 2013 which is 5% below a two-year (FY 12-13) historical average. Total MERC Venue YTD event attendance is down 10% (51,811) over the same period and 7% less than the two year historical average. The total number of MERC events in November is down 4% year over year; however attendance is up 5%.

	2013		2014		Change from Prior Year	
	Events	Attendance	Events	Attendance	Events	Attendance
Total MERC Venues						
Year to Date	636	593,894	558	542,083	(78) (14%)	(51,811) (10%)
November	193	178,324	185	187,923	(8) (4%)	9,599 5%

MERC Venues Revenues & Expense

Total MERC Venue revenues year to date (YTD) are 7% below budget projections commensurate with attendance numbers. MERC revenues are 3% above a three year historical average however 3% below the same period last year. Total MERC Venue expenses are 4% below budget projections and 3% over the three year historical average. Total YTD expenses are only 1% over the same period last year. YTD net operations align with the three year historical average. Food and beverage margins are well below budget projections.

Historical Actual Comparison FY 2011-2013 to FY 2014

Fiscal Year:	2011	2012	2013	2014	2011-13	% Diff.	% Diff.
	YTD	YTD	YTD	YTD	Average	Average	2013
Revenues							
Food & Beverage	5,457,148	6,414,785	6,198,283	5,779,832	6,023,405	-4%	-7%
Charges for Services	6,836,622	7,159,423	7,689,837	6,921,827	7,228,627	-4%	-10%
Other	2,783,821	3,607,955	3,617,883	4,348,786	3,336,553	30%	20%
Total Revenue	15,077,591	17,182,162	17,506,003	17,050,445	16,588,585	3%	-3%
Expenses							
Food & Beverage	4,417,213	5,007,062	4,974,088	5,003,564	4,799,454	4%	1%
Personnel Services	7,029,413	7,215,016	6,821,386	6,673,841	7,021,938	-5%	-2%
Materials & Services	3,678,128	3,952,995	4,094,480	4,307,398	3,908,534	10%	5%
Other	2,076,689	2,414,507	2,534,230	2,554,057	2,341,809	9%	1%
Total Expenses	17,201,443	18,589,578	18,424,184	18,538,860	18,071,735	3%	1%
Net Operations	(2,123,852)	(1,407,417)	(918,181)	(1,488,415)	(1,483,150)	0%	62%
Food & Beverage Margins	19%	22%	20%	13%	20%	-7%	-6%

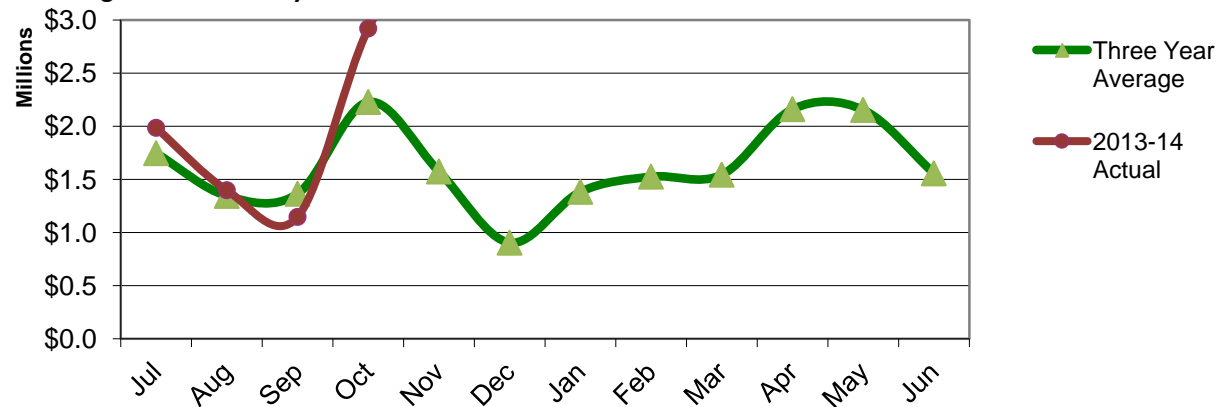
Oregon Convention Center

Both Convention Center events (7%) and attendance are up over November 2012. OCC received a healthier than average quarterly allocation of Transient Lodging Tax (TLT) Revenue in the month of November. This spike in TLT revenue brings the venue more in line with budget projections. Convention Center revenues are still 4% below YTD budget projections and 1% below the same period last year. Expenses are 6% below budget projections and 2% above the previous year at the same point.

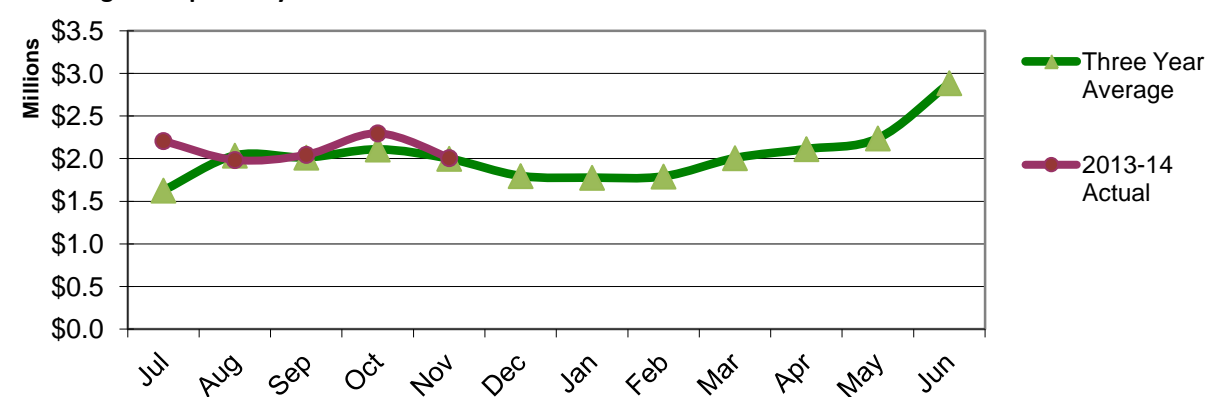
Highest Grossing Events

Event	Gross Revenue	% of October Revenue
CHealth Innovation Symposium	\$128,209	11%
NWP Shareholders Meeting	109,081	10%
Hoffman Construction Company Annual Meeting & Dinner	76,724	7%
The Abbey Foundation of Oregon	66,294	6%
All other Events	744,866	66%
Total	\$1,125,173	100%

OCC Program Revenues by Month



OCC Program Expense by Month



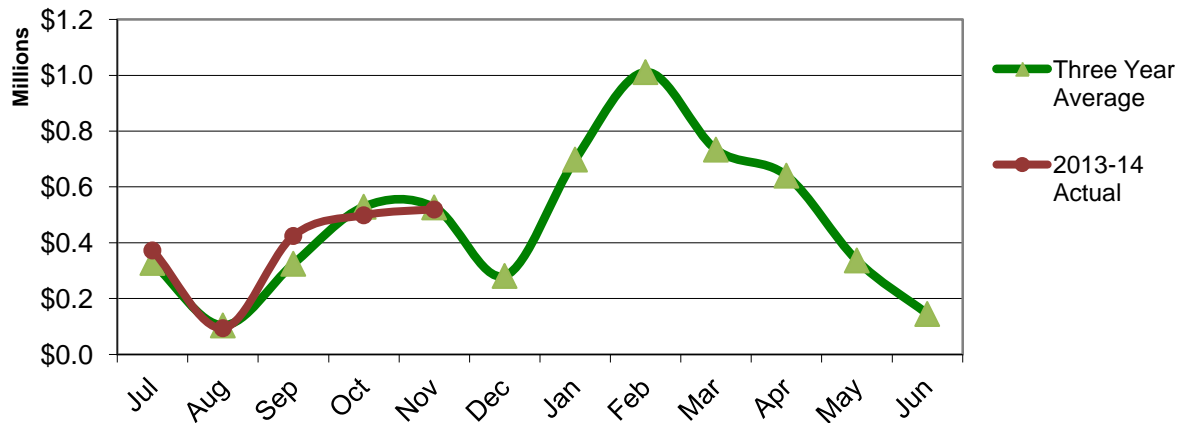
Portland Expo Center

Both Expo events and attendance are above November 2012. Expo revenues are 9% below YTD budget projections and flat compared to the same period last year. Expenses are 3% above budget projections and 3% above the previous year at the same point. The spike in expenditures shown in the chart below is caused by the annual \$954,300 bond debt payment transfer in November.

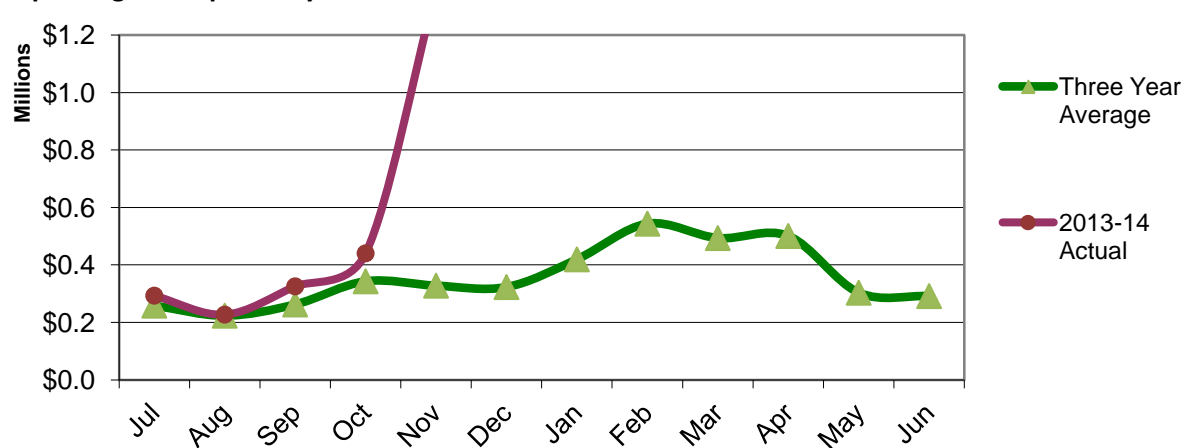
Highest Grossing Events

Event	Gross Revenue	% of October Revenue
Portland Metro RV Dealers	\$129,649	25%
Portland SkiFever & Snowboard Show	116,857	23%
America's Largest Christmas Bazaar	68,708	13%
Rose City Gun & Knife Show	44,260	9%
All other Events	154,174	30%
Total	\$513,648	100%

Expo Program Revenue by Month



Expo Program Expense by Month



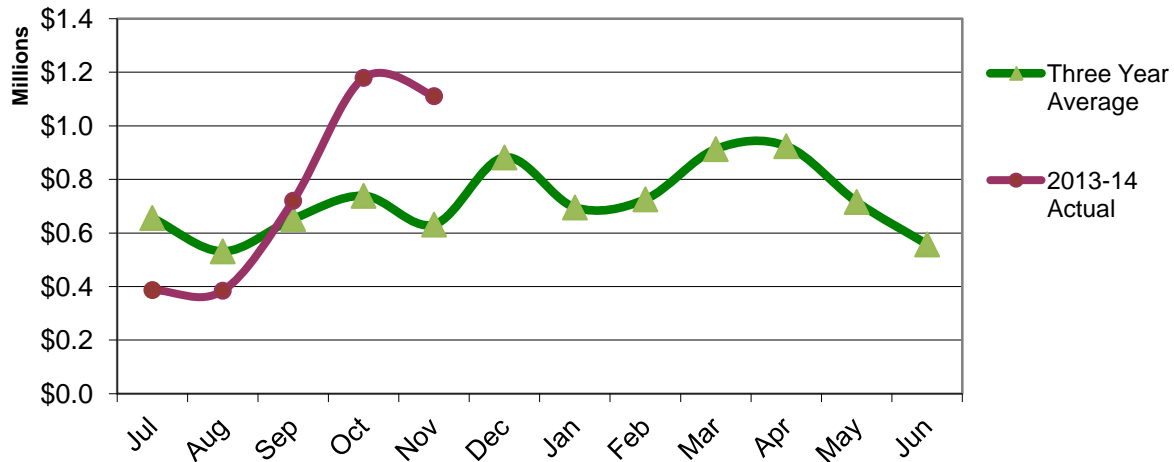
Portland'5 Centers for the Arts

Both Portland 5 events and attendance is up in November over 2012. Portland 5 November 2013 revenue came in well above the historical average as indicated in the graph below, however YTD revenues are 9% below budget projections and 8% below the same period last year. Expenses are 3% below budget projections and 1% below the previous year at the same point.

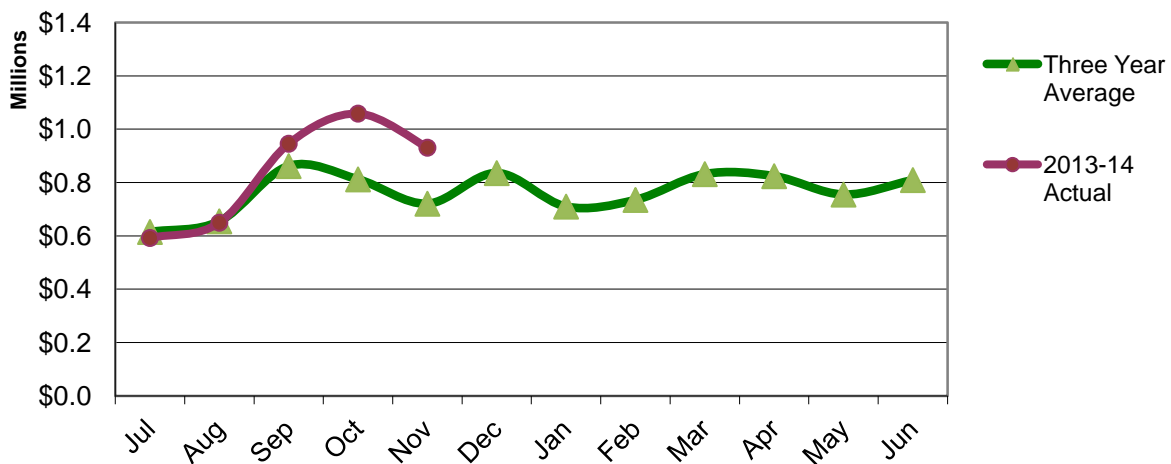
Highest Grossing Events

Event	Gross Revenue	% of October Revenue
American Idiot	\$190,250	21%
Radiolab	75,600	8%
Jerry Seinfeld	55,938	6%
Salome	55,523	6%
All other Events	545,075	59%
Total	\$923,385	100%

P5CA Program Revenue by Month



P5CA Program Expense by Month



MERC Statement of Activity with Annual Budget
 Metropolitan Exposition-Recreation Commission
 All Departments
 November 2013

	Current Month Actual	Current Year to Date Actual	Prior Year to Date Actual	% of Prior Year	Annual Budget	% of Annual Budget
Operations						
Charges for Services	1,527,735	6,921,827	7,689,837	90.01%	18,770,762	36.88%
Contributions from Governments	-	-	-	0.00%	816,020	0.00%
Enhanced Marketing VDF	-	-	-	0.00%	455,268	0.00%
Food and Beverage Revenue	925,515	5,779,832	6,198,283	93.25%	12,079,725	47.85%
Interest Earnings	13,432	51,225	33,976	150.77%	76,142	67.28%
Interfund Loans	-	-	-	0.00%	2,200,000	0.00%
Lodging Tax	3,002,803	4,265,769	3,521,526	121.13%	10,280,593	41.49%
Miscellaneous Revenue	9,607	31,791	41,546	76.52%	81,805	38.86%
Transfers-R	-	-	20,835	0.00%	418,633	0.00%
Visitor Development Fund Alloc	-	-	-	0.00%	2,965,634	0.00%
Total Revenues	5,479,092	17,050,445	17,506,003	97.40%	48,144,582	35.42%
Capital Outlay	-	-	60	0.00%	218,274	0.00%
Food & Beverage Services	809,293	5,003,564	4,974,088	100.59%	10,199,704	49.06%
Materials and Services	984,780	4,307,398	4,094,480	105.20%	14,021,980	30.72%
Personnel Services	1,388,688	6,673,841	6,821,386	97.84%	17,741,183	37.62%
Transfers-E	1,194,811	2,554,057	2,534,170	100.78%	5,131,804	49.77%
Visitor Development Marketing	-	-	-	0.00%	1,330,719	0.00%
Total Expenditures	4,377,572	18,538,860	18,424,184	100.62%	48,643,664	38.11%
Net Operations	1,101,520	(1,488,415)	(918,181)		(499,082)	
Capital						
Contributions from Private Sources	-	-	-	0.00%	75,000	0.00%
Grants	-	-	-	0.00%	494,003	0.00%
Transfers-R	-	-	-	0.00%	-	0.00%
Total Revenues	-	-	-	0.00%	569,003	0.00%
Capital Outlay	50,507	1,573,108	534,043	294.57%	5,109,343	30.79%
Total Expenditures	50,507	1,573,108	534,043	294.57%	5,109,343	30.79%
Net Capital	(50,507)	(1,573,108)	(534,043)		(4,540,340)	
	1,051,013	(3,061,523)	(1,452,224)		(5,039,422)	

MERC Statement of Activity with Annual Budget
 Metropolitan Exposition-Recreation Commission
 Convention Center Operating Fund
 November 2013

	Current Month Actual	Current Year to Date Actual	Prior Year to Date Actual	% of Prior Year	Annual Budget	% of Annual Budget
<u>Operations</u>						
Charges for Services	488,034	2,929,946	3,549,346	82.55%	7,749,264	37.81%
Enhanced Marketing VDF	-	-	-	0.00%	455,268	0.00%
Food and Beverage Revenue	630,148	4,504,044	4,804,804	93.74%	8,300,000	54.27%
Interest Earnings	4,825	18,637	9,964	187.04%	23,890	78.01%
Interfund Loans	-	-	-	0.00%	2,200,000	0.00%
Lodging Tax	2,722,944	3,868,203	3,070,057	126.00%	8,978,088	43.08%
Miscellaneous Revenue	2,570	7,419	8,030	92.39%	11,000	67.44%
Transfers-R	-	-	11,670	0.00%	(223,432)	0.00%
Visitor Development Fund Alloc	-	-	-	0.00%	2,315,251	0.00%
Total Revenues	3,848,521	11,328,248	11,453,871	98.90%	29,809,329	38.00%
Capital Outlay	-	-	60	0.00%	193,274	0.00%
Food & Beverage Services	524,967	3,806,609	3,780,410	100.69%	7,050,225	53.99%
Materials and Services	647,001	2,706,680	2,524,228	107.23%	9,351,393	28.94%
Personnel Services	694,685	3,545,314	3,535,195	100.29%	9,674,777	36.64%
Transfers-E	140,879	914,242	920,718	99.30%	2,470,795	37.00%
Visitor Development Marketing	-	-	-	0.00%	1,330,719	0.00%
Total Expenditures	2,007,532	10,972,845	10,760,611	101.97%	30,071,183	36.49%
Net Operations	1,840,989	355,403	693,260		(261,854)	
<u>Capital</u>						
Grants	-	-	-	0.00%	60,000	0.00%
Transfers-R	-	-	-	0.00%	615,000	0.00%
Total Revenues	-	-	-	0.00%	675,000	0.00%
Capital Outlay	24,158	965,712	78,612	1228.45%	2,861,540	33.75%
Total Expenditures	24,158	965,712	78,612	1228.45%	2,861,540	33.75%
Net Capital	(24,158)	(965,712)	(78,612)		(2,186,540)	
Fund Balance Inc (Dec)	1,816,831	(610,309)	614,648		(2,448,394)	

MERC Statement of Activity with Annual Budget
Metropolitan Exposition-Recreation Commission
Portland'5 Centers for the Arts Fund
November 2013

	Current Month Actual	Current Year to Date Actual	Prior Year to Date Actual	% of Prior Year	Annual Budget	% of Annual Budget
Operations						
Charges for Services	650,720	2,618,664	2,790,203	93.85%	6,969,394	37.57%
Contributions from Governments	-	-	-	0.00%	816,020	0.00%
Food and Beverage Revenue	170,619	743,692	837,919	88.75%	1,911,562	38.90%
Interest Earnings	6,298	22,762	16,232	140.23%	39,420	57.74%
Lodging Tax	279,859	397,566	451,469	88.06%	1,302,505	30.52%
Miscellaneous Revenue	3,455	18,813	27,673	67.98%	50,260	37.43%
Transfers-R	-	-	7,290	0.00%	(388,603)	0.00%
Visitor Development Fund Alloc	-	-	-	0.00%	650,383	0.00%
Total Revenues	1,110,951	3,801,498	4,130,786	92.03%	11,350,941	33.49%
Food & Beverage Services	138,455	662,263	678,862	97.55%	1,647,214	40.21%
Materials and Services	217,171	1,014,785	1,053,426	96.33%	2,821,985	35.96%
Personnel Services	497,713	2,216,422	2,209,842	100.30%	5,623,884	39.41%
Transfers-E	77,365	533,415	527,202	101.18%	1,145,036	46.58%
Total Expenditures	930,704	4,426,885	4,469,331	99.05%	11,238,119	39.39%
Net Operations	180,247	(625,387)	(338,545)		112,822	
Capital						
Contributions from Private Sources	-	-	-	0.00%	75,000	0.00%
Total Revenues	-	-	-	0.00%	75,000	0.00%
Capital Outlay	2,693	236,646	126,561	186.98%	916,000	25.83%
Total Expenditures	2,693	236,646	126,561	186.98%	916,000	25.83%
Net Capital	(2,693)	(236,646)	(126,561)		(841,000)	
Fund Balance Inc (Dec)	177,554	(862,033)	(465,106)		(728,178)	

MERC Statement of Activity with Annual Budget

Metropolitan Exposition-Recreation Commission

Expo Fund

November 2013

	Current Month Actual	Current Year to Date Actual	Prior Year to Date Actual	% of Prior Year	Annual Budget	% of Annual Budget
<u>Operations</u>						
Charges for Services	388,980	1,373,192	1,350,289	101.70%	4,052,104	33.89%
Food and Beverage Revenue	124,748	532,096	555,560	95.78%	1,868,163	28.48%
Interest Earnings	1,926	7,684	5,298	145.03%	9,082	84.60%
Miscellaneous Revenue	3,582	5,405	5,843	92.50%	20,545	26.31%
Transfers-R	-	-	1,875	0.00%	(111,875)	0.00%
Total Revenues	519,237	1,918,376	1,918,864	99.97%	5,838,019	32.86%
Capital Outlay	-	-	-	0.00%	25,000	0.00%
Food & Beverage Services	145,871	534,693	514,816	103.86%	1,502,265	35.59%
Materials and Services	102,797	459,396	431,315	106.51%	1,305,721	35.18%
Personnel Services	134,647	617,222	615,333	100.31%	1,655,148	37.29%
Transfers-E	976,567	1,106,400	1,086,250	101.86%	1,515,973	72.98%
Total Expenditures	1,359,881	2,717,710	2,647,714	102.64%	6,004,107	45.26%
Net Operations	(840,645)	(799,334)	(728,850)		(166,088)	
<u>Capital</u>						
Grants	-	-	-	0.00%	434,003	0.00%
Transfers-R	-	-	-	0.00%	165,000	0.00%
Total Revenues	-	-	-	0.00%	599,003	0.00%
Capital Outlay	23,655	370,750	328,870	112.73%	1,039,003	35.68%
Total Expenditures	23,655	370,750	328,870	112.73%	1,039,003	35.68%
Net Capital	(23,655)	(370,750)	(328,870)		(440,000)	
Fund Balance Inc (Dec)	(864,300)	(1,170,083)	(1,057,720)		(606,088)	

MERC Statement of Activity with Annual Budget

Metropolitan Exposition-Recreation Commission

MERC Admin Sub Fund

November 2013

	Current Month Actual	Current Year to Date Actual	Prior Year to Date Actual	% of Prior Year	Annual Budget	% of Annual Budget
<u>Operations</u>						
Charges for Services	-	25	-	0.00%	-	0.00%
Interest Earnings	383	2,143	2,482	86.32%	3,750	57.13%
Miscellaneous Revenue	-	155	-	0.00%	-	0.00%
Transfers-R	-	-	-	0.00%	1,142,543	0.00%
Total Revenues	383	2,323	2,482	93.58%	1,146,293	0.20%
Materials and Services	17,811	126,536	85,511	147.98%	542,881	23.31%
Personnel Services	61,643	294,883	461,016	63.96%	787,374	37.45%
Total Expenditures	79,455	421,420	546,528	77.11%	1,330,255	31.68%
Net Operations	(79,071)	(419,097)	(544,046)		(183,962)	
<u>Capital</u>						
Transfers-R	-	-	-	0.00%	(780,000)	0.00%
Total Revenues	-	-	-	0.00%	(780,000)	0.00%
Capital Outlay	-	-	-	0.00%	292,800	0.00%
Total Expenditures	-	-	-	0.00%	292,800	0.00%
Net Capital	-	-	-		(1,072,800)	
Fund Balance Inc (Dec)	(79,071)	(419,097)	(544,046)		(1,256,762)	

MERC Visitor Venues
Events-Performances-Attendance
FY 2013-14

OCC	November 2012		November 2013		Net Change from Prior Year	
	Events	Attendance	Events	Attendance	Events	Attendance
Tradeshows/Conventions	3	8,570	3	3,963	-	(4,607)
Consumer Public Shows	5	17,686	6	19,229	1	1,543
Miscellaneous					-	-
Miscellaneous -In-House	12	264	11	85	(1)	(179)
Meetings	17	2,849	16	2,861	(1)	12
Catering	5	3,021	9	6,632	4	3,611
Totals	42	32,390	45	32,770	3	380

Expo Center	November 2012		November 2013		Net Change from Prior Year	
	Events	Attendance	Events	Attendance	Events	Attendance
Consumer Public Shows	4	32,435	6	38,977	2	6,542
<i>Cirque Du Soleil</i>	-	-	-	-	-	-
Miscellaneous	2	25	2	425	-	400
Meetings	2	55	1	26	(1)	(29)
Catering	-	-	-	-	-	-
Tradeshows/Conventions	1	444	1	1,450	-	1,006
Totals	9	32,959	10	40,878	1	7,919
Totals w/Cirque du Soleil	9	32,959	10	40,878	1	7,919

PCPA	November 2012		November 2013		Net Change from Prior Year	
	Performances	Attendance	Performances	Attendance	Performances	Attendance
Commercial (Non-Broadway)	9	13,424	13	15,617	4	2,193
Broadway	-	-	8	13,576	8	13,576
Resident Company	39	30,266	19	25,860	(20)	(4,406)
Student	9	4,172	13	8,360	4	4,188
Non-Profit	22	17,381	34	14,959	12	(2,422)
Miscellaneous	2	153	2	209	-	56
Totals	81	65,396	89	78,581	8	13,185

MERC Food and Beverage Margins

November 2013

	Current Month Actual	Current Year to Date	Prior Year to Date Actual	Annual Budget
Convention Center Operating Fund				
Food and Beverage Revenue	630,148	4,504,044	4,804,804	8,300,000
Food & Beverage Services	524,967	3,806,609	3,780,410	7,050,225
Food and Beverage Gross Margin	105,181	697,435	1,024,394	1,249,775
Food and Beverage Gross Margin %	16.69%	15.48%	21.32%	15.06%
Portland'5 Centers for the Arts Fund				
Food and Beverage Revenue	170,619	743,692	837,919	1,911,562
Food & Beverage Services	138,455	662,263	678,862	1,647,214
Food and Beverage Gross Margin	32,164	81,430	159,057	264,348
Food and Beverage Gross Margin %	18.85%	10.95%	18.98%	13.83%
Expo Fund				
Food and Beverage Revenue	124,748	532,096	555,560	1,868,163
Food & Beverage Services	145,871	534,693	514,816	1,502,265
Food and Beverage Gross Margin	(21,123)	(2,596)	40,744	365,898
Food and Beverage Gross Margin %	-16.93%	-0.49%	7.33%	19.59%

MERC Commission Meeting

January 8, 2014
12:30 pm

6.0 Procurement:
MWESB/FOTA Update



2012-13

Minority, Women, Emerging Small Business
and First Opportunity Target Area

Programs Report

November 2013

About Metro

Clean air and clean water do not stop at city limits or county lines. Neither does the need for jobs, a thriving economy, and sustainable transportation and living choices for people and businesses in the region. Voters have asked Metro to help with the challenges and opportunities that affect the 25 cities and three counties in the Portland metropolitan area.

A regional approach simply makes sense when it comes to providing services, operating venues and making decisions about how the region grows. Metro works with communities to support a resilient economy, keep nature close by and respond to a changing climate. Together we're making a great place, now and for generations to come.

Stay in touch with news, stories and things to do.

www.oregonmetro.gov/connect

Metro Council President

Tom Hughes

Metro Councilors

Shirley Craddick, District 1

Carlotta Collette, District 2

Craig Dirksen, District 3

Kathryn Harrington, District 4

Sam Chase, District 5

Bob Stacey, District 6

Auditor

Suzanne Flynn

DATE: November 23, 2013

TO: Tom Hughes, Council President
Shirley Craddick, Councilor
Carlotta Collette, Councilor
Craig Dirksen, Councilor
Sam Chase, Councilor
Kathryn Harrington, Councilor
Bob Stacey, Councilor

SUBJECT: MWESB AND FOTA REPORT FOR FY 2012-13

As required by Metro Code 2.04, the enclosed report represents the program activities, utilization rates, findings and recommendations of the minority, woman and emerging small business (MWESB) program. The reporting period covers July 1, 2012, through June 30, 2013. The data is reported by dollars spent with MWESB firms out of total Metro dollars spent, percent of contracts awarded to MWESB firms out of all contracts, and the count and percent of contracts by certification type. Some utilization data by department and venue is included.

Additionally, this report identifies contracts awarded in the first opportunity target area (FOTA). The FOTA is a geographic area significant to the Metropolitan Exposition Recreation Commission (MERC), in which the venues focus hiring, soliciting and purchasing efforts. Goods and services purchased and contract activities within the FOTA are included herein; hiring statistics are excluded.

Metro's MWESB Program began as a condition for receiving federal funds, and the goals were to provide opportunities to minority-owned and women-owned businesses. The program has historically provided assistance to Metro departments and staff, and has participated in a variety of outreach activities to minority chambers of commerce and other small business partner organizations. Through these activities, the program has aimed to build relationships in the MWESB communities and ensure that historically underserved businesses had current knowledge of projects and opportunities available to compete in Metro's purchasing and contracting processes.

The focus of the MWESB program has shifted. The initial focus was largely external to the agency, concentrating on relationship building and outreach; we have since implemented internal outreach. Staff identified the opportunity to increase institutional capacity by "in-reach," which will focus on educating Metro staff, requiring staff to participate in outreach events and inviting partners to Metro Regional Center for scheduled events.

Procurement Services is evaluating internal systems that contribute to non-compliance with Metro's MWESB contracting program, and also recently revisited a set of recommendations adopted by Council in November 2010. The recommendations are listed at the end of this report, including status updates indicating where we are in the process of implementing these efforts.

Best practices dictate that Metro Council, agency staff, senior management, the contracting community, and the program manager are equally invested in positive program results. Metro's investment in these positive outcomes is clear when talking with our community partners and the underserved businesses with whom we contract.

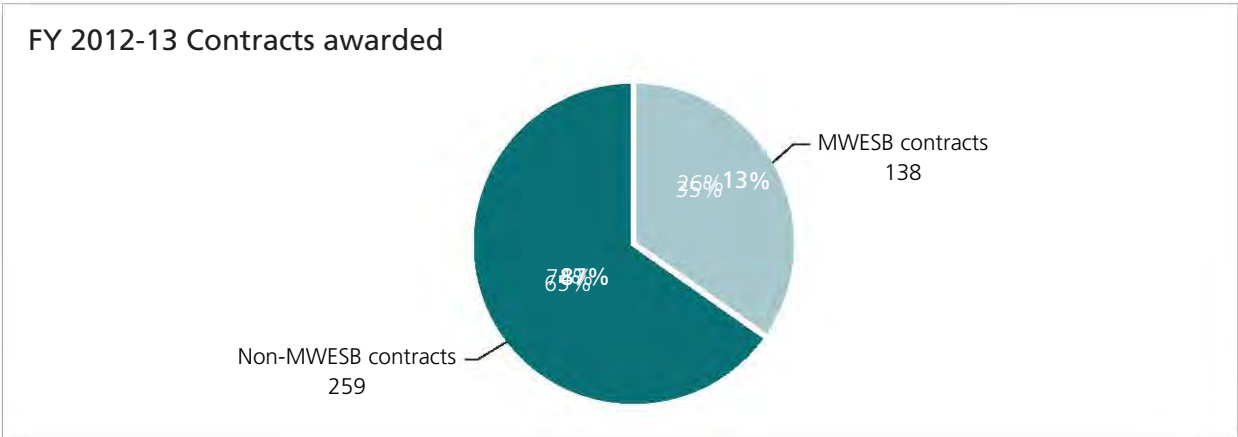
We welcome your suggestions and feedback on our MWESB and FOTA programs. Please contact Finance and Regulatory Services Director, Tim Collier, tim.collier@oregonmetro.gov, (503) 797-1913, or Procurement Manager, Gabriele Schuster, gabriele.schuster@oregonmetro.gov, (503) 797-1577 if you require additional information.



Utilization Results

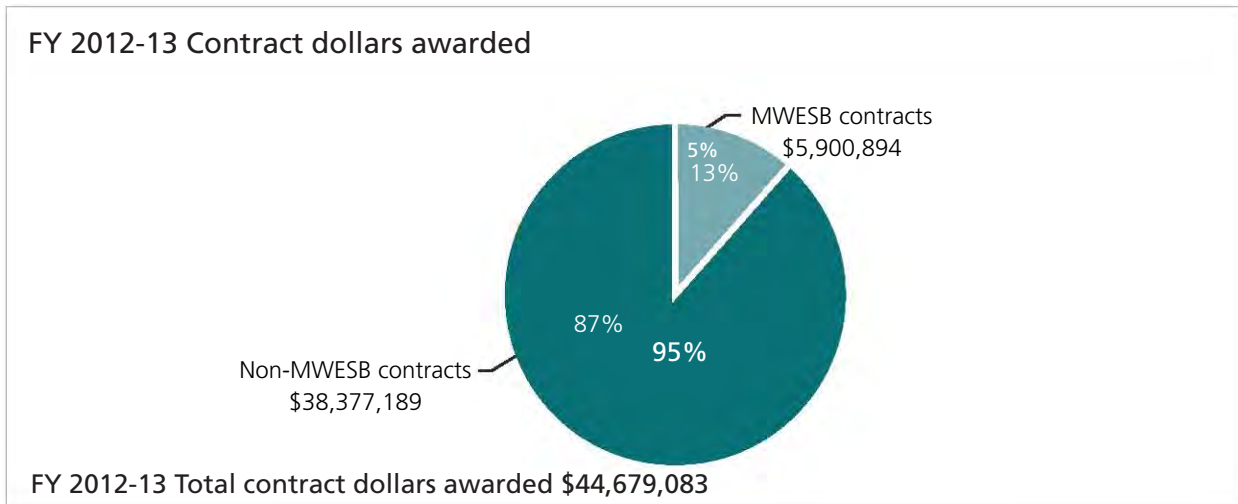
NUMBER OF CONTRACTS AWARDED DURING FY 2012-13

During FY 2012-13, Metro awarded 397 eligible contracts through the competitive procurement process and direct award of contracts less than \$5,000 to MWESB firms. This does not include intergovernmental agreements or grants. Of the total contracts awarded, 138 went to certified MWESB firms. These MWESB awards represent 35 percent of the total count of contracts awarded. The report for FY 2011-12 did not reflect the direct award of contracts less than \$5,000 to MWESB firms.



CONTRACT DOLLARS AWARDED DURING FISCAL YEAR 2012-13

During the past fiscal year, Metro awarded a total of \$44,679,083 through the competitive procurement process and direct award of contracts less than \$5,000 to MWESB firms. Firms that were MWESB certified earned a total of \$5,900,894 in contract awards. This represents a utilization rate of 13 percent by dollar amount.

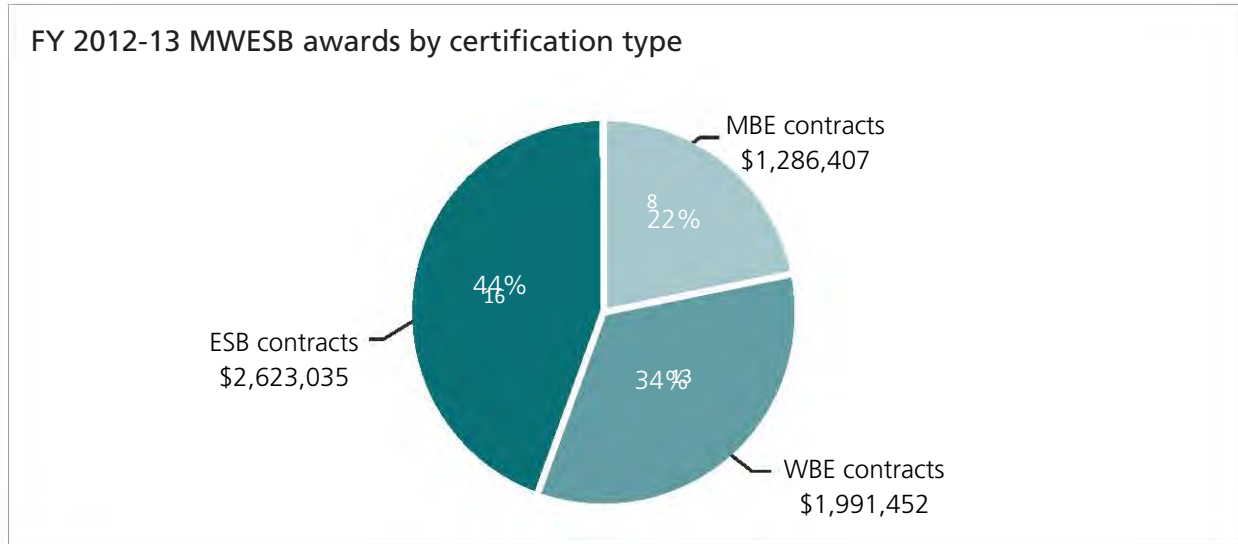


Breakdown by MBE, WBE and ESB

CONTRACT DOLLARS AWARDED BY MBE, WBE AND ESB

During FY 2012-13 a total of 138 contracts were awarded to underserved businesses: 61 to emerging small businesses, 49 to woman-owned businesses and 28 to minority-owned businesses. Emerging small businesses led in the amount of dollars awarded.

See the chart below for the breakdown of contract dollars to MBE, WBE and ESB firms.



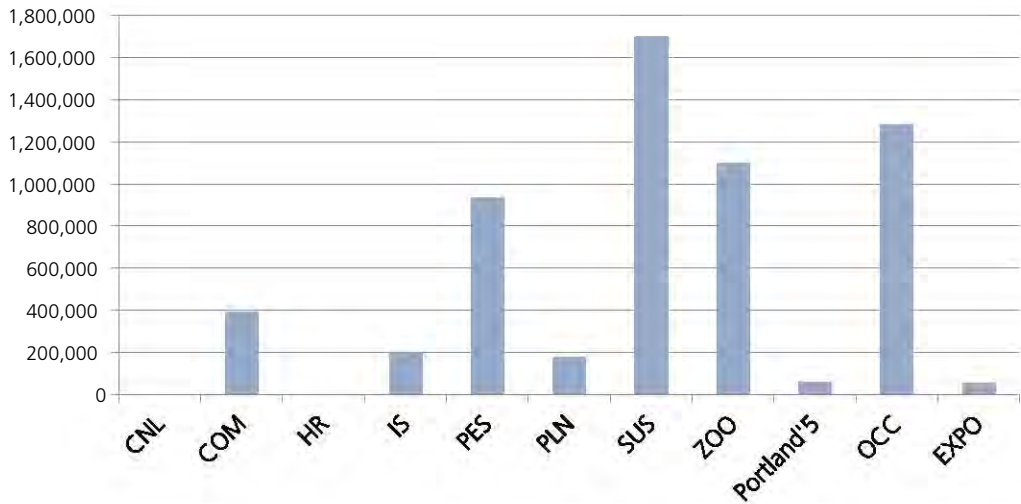
ABOUT AWARDS BY CERTIFICATION TYPE, MBE, WBE AND ESB

In many cases, businesses are certified in more than one category. For example, a certified minority-owned business might also have an emerging small business certification. For the purposes of this report, in those cases where the business has more than one certification, the minority-owned or woman-owned certifications would be counted, and not the emerging small business certification. Emerging small businesses were counted, like the others, as a separate category.

The number and value of contracts awarded in each category continue to be areas of focus for Metro. Contractors certified as ESB earned the highest number of contracts and were awarded the most contract dollars.

Metro is required to maintain a program that is race and gender neutral, however, we remain committed to investigating the balance of the award of contracts in the disadvantaged business communities, such that they reflect the size of the market in the region. A goal for the MWESB program is to strive for a utilization rate that mirrors the availability of firms in each category, by industry, according to the most current Census and US Bureau of Labor Statistics data. For instance, if the makeup of the tree pruning market were 4 percent MBE, then ideally Metro would expect to have a utilization rate close to that number.

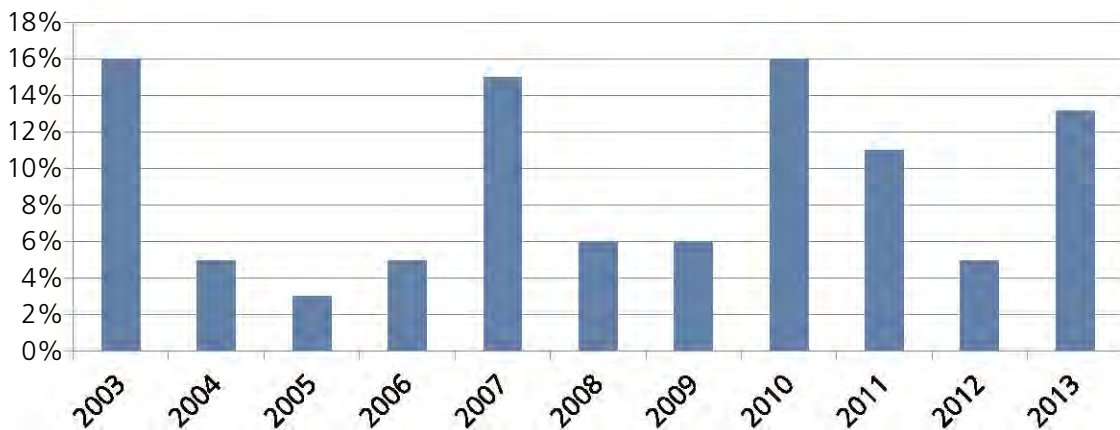
FY 2012-13 MWESB Utilization by department



UTILIZATION HISTORY AT METRO

The following data represents the agency's MWESB utilization during the past decade. In some years, Metro's utilization rate has spiked, while other years have not produced the desired results. This spike and fall pattern may reflect larger contracts awarded during any particular year, or more contracts being awarded. Bond funding may also be a contributing factor.

FY 2012-13 Historical MWESB utilization



FOTA participation at MERC venues

Background

The first opportunity target area, (FOTA) was originally established in 1989. The program was intended to provide employment opportunities to “economically disadvantaged residents living in economically distressed neighborhoods in the immediate vicinity of the Oregon Convention Center site.”

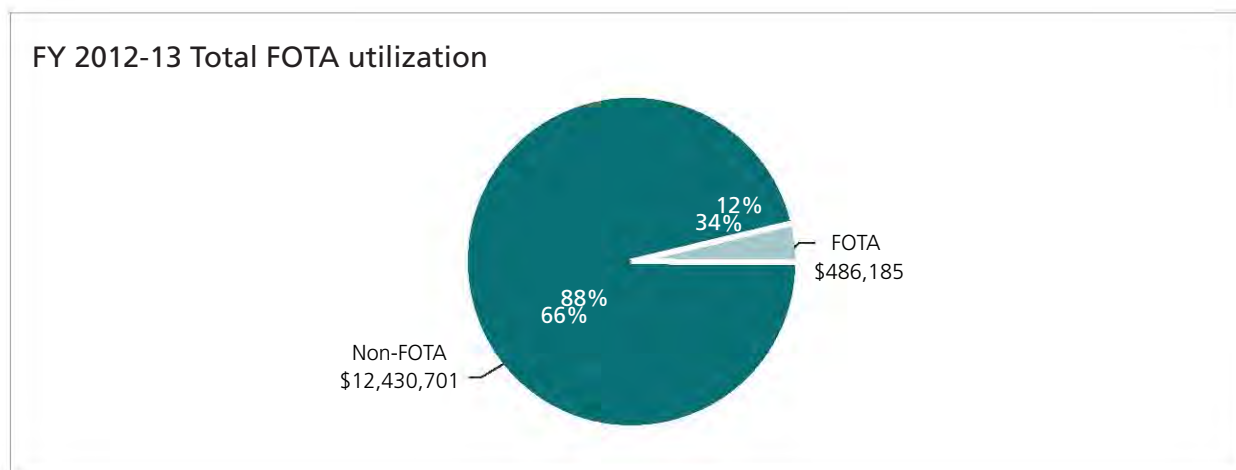
The Metropolitan Exposition Recreation Commission (MERC) later expanded the program to include the Portland’s Center for the Arts (P’5) and the Portland Expo Center (Expo). Later, the FOTA program was expanded to include purchase and contracting opportunities.

Program Requirements

Under MERC’s current contracting rules, FOTA requirements apply to public contracts between \$5,000 and \$100,000. At least one MWESB firm *within* FOTA must be solicited and one additional MWESB firm from anywhere must be contacted. In June 2013, the MERC Commission approved the requirement that one additional MWESB firm must be solicited, for a total of three MWESB firms, with one within FOTA.

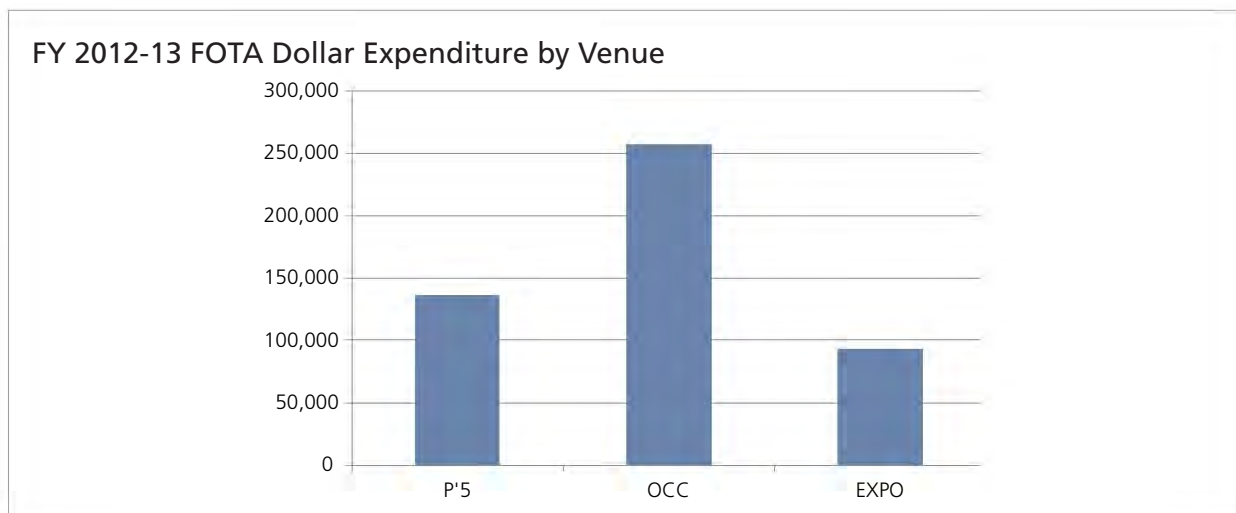
MERC Venues’ FOTA and MWESB Participation – Purchases

Total spending by MERC venues was \$12,916,886. Of this, a total of \$486,185 was spent in the FOTA, representing 4 percent of the total spend. Of the total spend in FOTA, one MBE, three WBEs and one ESB were awarded contracts to provided goods and/or services.



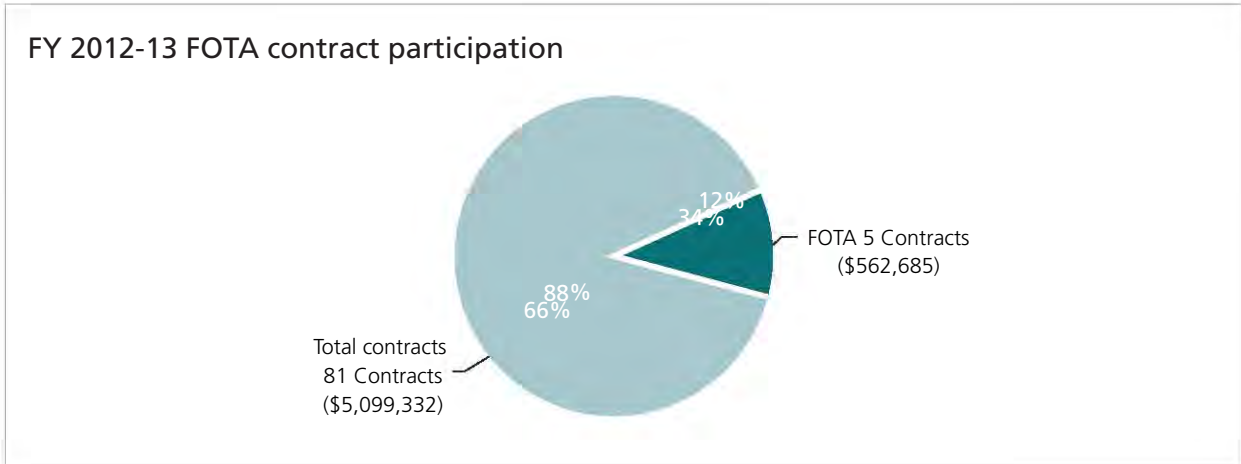
MERC Venues’ FOTA Participation - Dollars spent

Of the total FOTA dollars spent, 52 percent of those dollars were awarded by OCC, followed by P’5 at 28 percent and Expo at 20 percent.



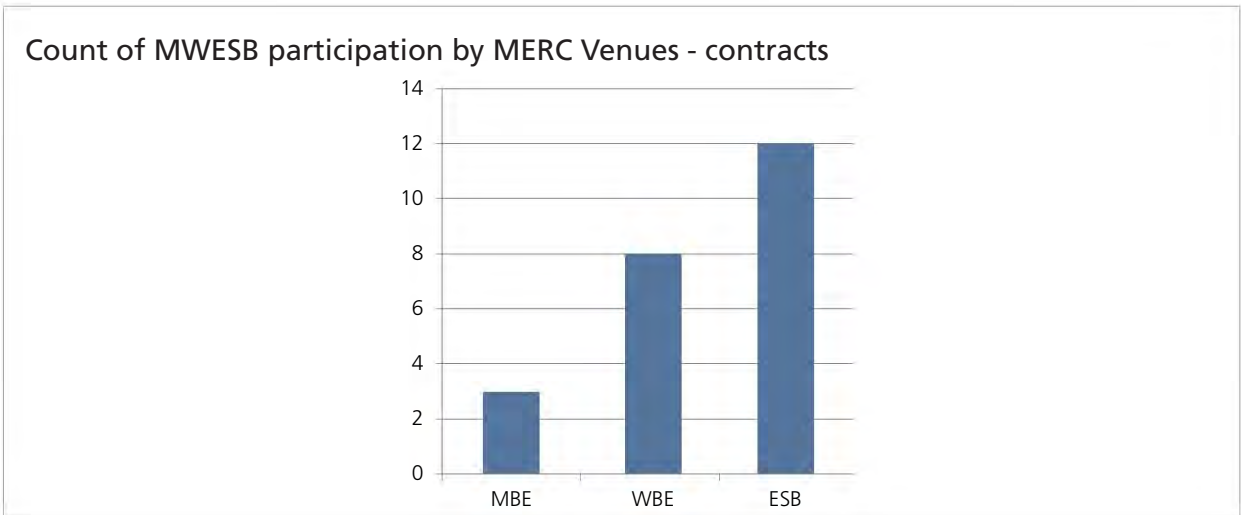
MERC Venues' FOTA Participation - Contracts

During FY 2012-13 MERC venues awarded 86 contracts total, five to businesses within FOTA, or 6 percent. The total value of these contracts was \$5,099,332 and FOTA spending of \$562,685 represented 9 percent of the MERC venues' contract expenditures.



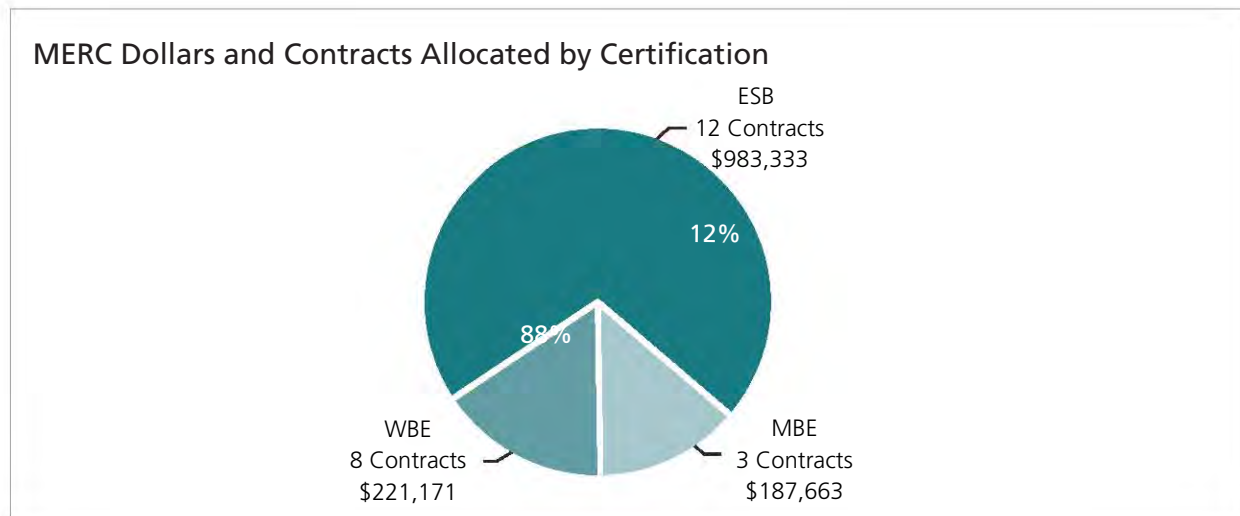
Many of the firms are certified in two or three categories; some firms that are minority-owned, are also certified as women owned and/or, emerging small business certified. To be sure that purchases and contracts were not double counted, firms certified in all three categories were counted first as minority owned or woman owned, and then as emerging small business. MERC venues contracted with three minority-owned firms, eight woman-owned firms and 12 emerging small businesses.

A total of \$1,392,167 was spent with MWESBs throughout the region, representing 11 percent of total spending.



MWESB Participation by MERC Venues

MERC venues awarded 23 contracts to MWESB certified businesses during FY 2012-13, which represents a utilization rate of 27 percent based on total contracts awarded. The total contracts value was \$1,392,167.



Success Stories

Memberships and Sponsorships

Metro was actively engaged in supporting the MWESB and small business communities through attendance at meetings and community events, partnering with minority chambers, and through targeted sponsorships during this fiscal year:

- The Turner Construction School.
- Business Diversity Institute (MED Week).
- Oregon Association of Minority Entrepreneurs Annual Trade Show.
- Metropolitan Hispanic Chamber Hispanic Heritage Dinner.

National Association of Minority Contractors – Oregon

Metro continues to build relationships with the MWESB community. Recently Metro invited NAMC-Oregon to host their monthly networking and business meeting at Metro Regional Center. Procurement Services is excited about this relationship with NAMC-Oregon and the ability to connect with prospective MWESB firms.

Oregon Procurement Information Network (ORPIN)

Metro's use of ORPIN to "advertise" contracting opportunities has reached a larger community of certified MWESB firms. Feedback from MWESB firms indicates that they are excited to hear Metro is using ORPIN and that they are being given the chance to work with Metro.

Elephant Lands Construction Project at the Oregon Zoo

A successful demolition project at the Oregon Zoo far exceeded Metro's typical contract awards to minority businesses. Through a competitive process, Lease Crutcher Lewis, the general contractor for the Elephant Lands work, selected minority business R&R General Contractors to demolish Tiger Plaza – resulting in a 77 percent award of total contract dollars to R&R for this sub-project of the larger Elephant Lands project.

Turner School of Construction Management

Metro continues its support of small business by hosting 2012 school

During April 2012 Metro collaborated with Turner Construction to host the Annual School of Construction Management. Since 1969, Turner Construction has been providing classes to small contractors on estimating, project management, and subcontracting. For the sixth year, a School of Construction Management has been offered in the Portland area. Metro provided use of training rooms at the Metro Regional Center over several weeks. Additionally, Metro staff participated in the kick-off celebration and graduation ceremony.

This past year, approximately 35 contractors graduated from the Turner School of Construction Management. Many of these contractors submit prime and sub bids on Metro projects, and have been successful in securing contracts with other public and private organizations in the region.

Findings

The overall performance of the MWESB awarded contract dollars in FY 2012-13 increased to 13 percent from the previous fiscal year's utilization rate of 5 percent. Procurement Services and other Metro staff have actively engaged with MWESB communities and certified firms by attending events, hosting outside events, and assisting internal staff with identifying potential MWESB bidders and proposers.

The program faces challenges in trying to increase the utilization rate. The biggest challenge is providing contracting opportunities to a larger number of certified MWESB firms rather than the firms that Metro has always done business with in the past. MWESB firms have identified that it is difficult to "get work"

with Metro. Changing the way we conduct outreach and communications targeted to the MWESB business community should increase the contracts awarded to MWESB firms. Department staff, including project managers, need to get involved in the outreach efforts by attending events and presenting contracting opportunities to the MWESB business community.

While outreach and communications in the MWESB communities is important, additional focus needs to occur within our organization. We need to assure that all Metro staff who conduct business and spend funds with outside firms understand why we have an MWESB program, and how best to use the program. Making the process user friendly, understandable and easy for Metro staff to participate will increase MWESB utilization.

OBSERVATIONS

- The methods of outreach have a direct impact on increasing our MWESB utilization rate.
- In order to be effective, we need to strengthen our internal capacity to understand, use and implement the MWESB program goals.
- Staff are knowledgeable about the MWESB program goals but sometimes circumvent the program requirements.
- The perception that the program is difficult to interface with, and/or that MWESB contractors may not be qualified to complete the work are hindering our progress at increasing our utilization rate.
- FOTA requirements need to be updated to better achieve the goals of the program. A consultant is being hired to assist in updating these rules.

PROGRAM ENHANCEMENTS

- Continue to use ORPIN to “advertise” and push opportunities to certified MWESB firms. Expand use of ORPIN to formal and informal solicitations.
- Continue to schedule in person MWESB training for Metro staff.
- Host quarterly events to bring the MWESB business community together with Metro staff.
- Require department staff, including project managers, to participate in MWESB outreach.
- Invite the underserved business communities to Metro to conduct focus groups and training on how to be successful when submitting bids and proposals to Metro.
- Conduct one-on-one meetings with MWESB firms to listen and learn what potential barriers might be and how Metro can address those concerns.

Program overview

HISTORY

Metro's contracting policies on the use of minority-owned, women-owned and emerging small businesses, (MWESB), are set out in Metro Code 2.04.100 to 2.04.190.

Metro's MWESB program has been in existence since Resolution 80-195 was passed by the Council of the Metropolitan Service District in October 1980. In 1997, in response to the Oregon Regional Disparity Study, the Metro Council agreed with the determination that historical patterns of exclusion had resulted in inequities for MWESBs and that full participation in our free enterprise system by these firms was fundamental. It was understood then, that greater economic opportunity for disadvantaged firms was essential to create the livable region we envisioned.

In recent times, Metro adopted sustainability goals related to equity, economics and the environment, with the idea that the weaving of social, environmental and economic goals can result in robust outcomes throughout the region. Keeping these principles in mind, Metro's MWESB program has the potential to stimulate economic growth, grow the capacity and diversity of small businesses, and encourage the practice of sustainable operations within MWESB communities.

Inclusion of MWESB firms in Metro's contracting program provides for a stronger local economy, has a multiplier effect on communities and stimulates competition. All are important factors in public procurement. Supporting our community's MWESBs is not only the right thing to do, it ensures the responsible stewardship of public funds, equally distributes the burdens and benefits of economic growth, and reinforces Metro's diversity and equity values.

The current prescriptive path for increasing opportunities for MWESB firms has not achieved the desired effectiveness of the program. Our approach has been largely reactionary rather than proactive. We have recently identified opportunities to implement best practices in order to provide the underserved business community with information and tools on how to do business with Metro and as a result increase their ability to be successful in Metro's contracting opportunities.

Fiscal year 2012-13's MWESB utilization rate is calculated at 13 percent overall, with 44 percent of those dollars awarded to emerging small businesses. Metro's overall utilization rate is generally lower than other public agencies' utilization rates¹, however Metro does have significantly fewer large construction projects, which can lead to part of the disparity. We do need to ensure that women-owned and minority-owned businesses in particular are being served relative to their availability in the region and continue outreach efforts for women-owned and minority-owned businesses

Recently Procurement Services has undertaken a comprehensive evaluation of the procurement process, the Procurement Enhancement Project, whereby procurement policies, internal processes, solicitation templates and program activities are being assessed by an agency-wide team. In addition, the Diversity Action Procurement Core Team that arose from the Diversity Action Implementation Plan, is working on the goals and strategies outlined in the Diversity Action Plan, focusing on increasing Metro's outreach to MWESBs and identifying barriers to contracting with Metro. The Procurement Core Team and the Procurement Enhancement Project Team are also revisiting recommendations that arose from Resolution 10-4214 passed in November 2010, which are listed within this report, followed by status updates.

Finally, the Office of Metro Auditor is in the process of conducting an internal audit of the MWESB program, scheduled to be released sometime in early 2014.

During late summer and fall 2012, Procurement Services transferred an existing Metro manager into the role of Procurement Officer in addition to hiring a new MWESB Coordinator. This 18-month limited-duration coordinator position is allowing for an assessment of the appropriateness of the position in Procurement Services as well as the effectiveness of the internal and external outreach required to increase MWESB participation. We continue to evaluate the program and will be bringing a long range plan for the MWESB program soon.

¹ 2012 Multnomah County Annual Purchasing Report, available at: <https://web.multco.us/sites/default/files/purchasing/documents/multcopurch2012annualreportfinalprint.pdf>, 2011-2012 City of Portland Procurement Services Annual Report, available at: <http://www.portlandoregon.gov/bibs/article/456810>.

Program Activities

Procurement Services, a division within Finance and Regulatory Services, administers Metro's MWESB program on behalf of the Chief Operating Officer. Policies are established through Metro Code Chapter 2.04.

Metro's contracting policies are race and gender neutral. All contractors are eligible to compete in our contracting processes. Minority business enterprises (MBEs), woman-owned business enterprises (WBEs) and emerging small businesses (ESBs) can compete for all Metro opportunities, and exclusively within our Sheltered Market Program for construction related opportunities less than \$50,000.

Businesses that qualify are certified by the State of Oregon Office of Minority, Women and Emerging Small Business as MBE, WBE and/or ESB.

Metro's MWESB Program partners with minority business chambers of commerce and minority trade associations, and has traditionally conducted outreach in the minority, women and emerging small business communities. Procurement Services staff along with other Metro staff participate in events planned by minority chambers of commerce as well as professional and trade associations. Staff interfaces with these communities via the internet, on the phone and in person.

Opportunities to contract with Metro are shared at events, posted to our partners' websites, shared with the members of minority chambers of commerce, posted in online newsletters and advertised in local newspapers, depending on the size of the contract. Historically, formal contracting opportunities more than \$100,000 have been listed on Metro's website. Beginning January 1, 2014, all Metro contracting opportunities will be posted on the Oregon Procurement Information Network (ORPIN), no matter the dollar amount. This will allow MWESB firms more opportunities to do business with Metro.

The program also provides technical assistance and training to Metro staff. By providing in-person and e-learning training, staff are reminded to maximize the MWESB program to its full potential, and of the program's relevance to Metro's mission.

Program activities that promote the use of MWESB firms include:

- Focused outreach to local MWESB firms through participation in minority chambers of commerce and professional, business and trade associations.
- Communication of Metro's commitment to diversity and to inclusive working relationships with members of our business community.
- Technical assistance to firms by directing them to resources on bidding, bonding, insurance and other business assistance programs.
- Working with Metro staff to structure or "right-size" contracts to encourage the use of MWESB firms.
- Ongoing, updated education via the intranet and in-person to Metro staff regarding the MWESB program.
- Presentations to MWESB firms on Metro's contracting rules and best practice when responding to contracting opportunities.
- Ensuring MWESB plan centers and MWESB business partners receive Metro contracting opportunities.
- Advertisement in minority business publications for formal solicitations more than \$100,000.

Metro policies also establish the following requirements in the purchasing and contracting process to ensure opportunities are provided to MWESB firms.

Informal purchasing opportunities

Metro encourages contacting MWESB firms for projects estimated to cost less than \$5,000. For MERC Visitor Venues, purchases and contracts between \$5,000 and \$100,000 are open to all bidders, but require that at least one MWESB firm within FOTA and two additional MWESB firm are contacted. Similarly, other Metro departments and visitor venues are required to contact one MBE, one WBE and one ESB located anywhere for purchases and contracts between \$5,000 and \$50,000.

Sheltered market

Construction related projects between \$5,000 and \$50,000 are bid competitively amongst State certified MWESB firms. Competitive bidding requirements still apply, but it is within the sheltered market of MWESB firms. The firms eligible to participate in Metro's sheltered market are qualified, experienced, and insured.

Formal purchasing opportunities

Formal requests for bids and proposals more than \$100,000 are currently advertised in the Daily Journal of Commerce and one minority paper and placed on Metro's website. With the implementation of the eSourcing system, formal solicitations will be posted on ORPIN starting in January 2014. Advertisement of Metro business opportunities will continue to be advertised in minority papers and on Metro's website, directing businesses to ORPIN.

Good faith effort

On all construction projects more than \$100,000, Metro requires prime bidders to demonstrate a good faith effort to invite MWESB firms to bid on sub-contracts. The intent is to encourage sub-contracting with local MWESB firms, to help them increase their capacity and compete for work within their area of expertise. As part of the bid submission, prime contractors are required to identify all MWESB firms contacted, all MWESB subcontractors to be used on a project, as well as the dollar amount and percent of total dollars awarded.

We currently do not have a good system for monitoring the good faith efforts of prime contractors bidding on projects. Procurement Services is evaluating the use of a diversity management system that would track and analyze the results of a particular prime contractor's use of MWESB subcontractors.

Advertising

On all formal procurements (more than \$100,000), Metro advertises in at least one minority business publication. These include The Portland Observer, The Skanner, El Hispanico and The Asian Reporter. We simultaneously place public notices in the Portland Daily Journal of Commerce.

Procurement Services also places several additional support announcements in the African American press for the Martin Luther King holiday and Minority Enterprise Development week.

Procurement Services is currently in the process of implementing Oregon Procurement Information Network (ORPIN), the State of Oregon's e-sourcing and e-bidding system, for all Metro solicitations. An outreach advertising campaign to MWESB firms is announcing that starting in November 2013 all Sheltered Market projects will be posted on ORPIN.

In an effort to continue to inform MWESB firms of contracting opportunities Metro will increase the electronic notices to announce Metro projects to partner organizations who distribute regular electronic newsletters. These partner organizations include:

- Oregon Association of Minority Entrepreneurs (OAME).
- The Metropolitan Hispanic Chamber of Commerce (MHCC).
- The African American Chamber of Commerce (AACC).
- The National Association of Minority Contractors (NAMC-Oregon).
- The ARC Plan Center.
- The Asian Pacific American Chamber of Commerce (APACC).
- The Oregon Native American Chamber of Commerce (ONAC).
- National Association of Women in Construction (NAWIC).
- Portland Area Business Association (PABA).
- Beaverton's Collaborative Business Incubator and Executive Development Center (BESThq).
- Minority Contractor Improvement Partnership (MCIP).

Outreach

In order to increase opportunities for MWESB businesses, the Metro Code identifies outreach as one of the key activities of the program. Metro participates in a number of business groups and events that support the use of MWESB businesses in the region. These include the organizations listed above.

In addition to active membership in the above organizations, the MWESB Program attended and/or sponsored events during FY 2012-13 that include

- Turner Construction's six-week School of Construction.
- Business Diversity Institute's MED Week (minority enterprise development).
- Minority outreach, networking and scholarship events in partnership with the minority business communities local agency purchasing departments, and the State's Office of Minority, Woman, and Emerging Small Business.
- Hoffman Construction and Lease Crutcher Lewis in three construction related outreach events.
- Governor's Road Show in three locations; Clackamas County, Washington County and Salem.

In the past year, outreach was increased to Native American, Asian Pacific American, two women's business associations, Portland's LGBTQ business organization and the Hispanic American Chamber.

To complement the overall marketing of the MWESB program, Procurement Services embarked on branding our procurement efforts. The "Let's Get Down to Business" tag line has been used on newly developed brochures, in advertisements and announcements to business chambers. Procurement Services also purchased sustainable drinking bottles for giveaways at sponsored events.

Internal Training

MWESB 101 internet-based training module is available through Metro's e-learning portal, but has not been widely viewed. Procurement Services plans to update and improve the training during this fiscal year and advertise widely to Metro staff.

Procurement Services' staff also offered and conducted in-person training to Metro staff, including project managers.

Status Update Resolution 10-4214 Recommendations

In 2010, a committee made up of Metro senior staff assisted by former Councilor Robert Liberty, was tasked with making recommendations to strengthen the MWESB program. The recommendations are listed followed by their status updates below:

1) Include an MWESB goal in all formal agency bids

Metro should follow the practice employed by other area agencies (Portland Development Commission, City of Portland, TriMet, etc.) and include a numeric goal for MWESB subcontractor participation in all formal bids. Currently the agency requires a documented "good faith effort" of all prime bidders, but does not establish a firm target. We believe that a goal of 15 percent of contract dollars being awarded to MWESB firms is realistic. This approach has recently been used on a lighting project for the Oregon Convention Center, and will also be used on the Veterinary Medical Center project at the Oregon Zoo. This recommendation includes formal bids as well as request for proposals (RFP).

Procurement Services supports the establishment of a goal in both informal and formal solicitations and is currently reviewing this option. Although Metro does not have an established goal for construction, consultant and supply contracts, the Oregon Zoo Infrastructure and Animal Welfare bond measure language includes an aspirational goal of 15 percent MWESB subcontractor usage, and the Parks and Natural Areas Local Option Levy language includes an aspirational goal of 15 percent. Metro Code 2.04 does not currently include stated numerical goals nor do goals appear in our formal Request for Bids or Request for Proposals.

2) Increase reporting requirements for prime contractors

Our current rules require prime contractors to identify which subcontractors (including MWESBs) they intend to use. Metro should require additional reporting during contract performance to assure that the MWESB subs actually receive the amount of work promised. Reporting could also serve to identify additional opportunities for replacement subcontractors, should the need arise during the course of the project.

The Oregon Zoo Infrastructure and Animal Welfare Bond Program requires submission of Monthly Utilization Reports (MURs) on bond projects. Procurement Services is currently evaluating the use of diversity management software in order to provide an easier way to submit the reporting requirements for contractors, ability to monitor the use of subcontractors by project managers and tracking the MWESB goals by contract.

3) Package construction projects to fit within our Sheltered Market program

We believe that small construction projects can be planned better so that they fall within our sheltered market program (up to \$50,000). Departments should consider this in their annual contracts planning and even consider pulling out pieces of larger contracts to make them more attractive for small business. Local minority business representatives cite this continually as a key approach to providing opportunity to MWESBs.

The re-packaging of construction projects is a current practice at Metro although not all large projects are considered by departments. The opportunity exists, especially with the Parks and Natural Areas Local Option Levy having passed, to train project managers to be aware of the potential to package projects so that there are opportunities for MWESB firms.

4) Include diversity as an evaluation criteria in all agency RFPs

Metro has used the criteria of Diversity in Employment and Contracting in its selection of major RFPs for services. Recent examples include the transfer station operation, zoo master planning and food distribution. However, we feel that this should become standard criteria for all agency RFPs, even when a specific service area does not have strong MWESB capacity. It still sends the right message for Metro and promotes diversity in the workplace.

Currently Diversity in Employment and Contracting is an evaluation criteria in all informal and formal Request for Proposals and accounts for 20 percent of the total points. As part of the Procurement Enhancement Project, the criteria is being rewritten to focus on specific steps to be taken for and applied to each individual Metro project as well as having the proposer's identified plan included in the resulting contract. This will allow Metro to hold contractors responsible for adhering to meeting the identified requirements.

5) Increase the MWESB training program throughout the agency

Training on our MWESB program is currently provided once a year, and this needs to be increased. The committee suggests that MWESB program training be offered at least twice a year and that all program, project and procurement staff throughout the agency be required to attend. As has been done in the past, the Office of Metro Attorney will participate with Procurement Services in hosting these classes.

This effort is currently underway. An online class available through Metro's Learning Center is required training for those who spend Metro dollars. Procurement Services believes there is good benefit to conducting in-person trainings, where participants can interact with the material. Collaborative cross department meetings have been in place since mid-2012 in which MWESB training and information has been shared and concerns addressed.

6) Better coordinate MWESB and FOTA programs

The MWESB and First Opportunity Target Area (FOTA) programs historically have operated independently. These programs should be coordinated more closely, and bids and RFPs issued by the MERC venues should include appropriate language for both programs. Additionally, the annual reporting to the Metro Council should include utilization data for MWESB and FOTA.

In FY 2012-13 Procurement Services aligned the FOTA and MWESB programs, bringing Metro and MERC contracting policy more in line with each other. MERC contracting policy changed to include solicitation of one more MWESB, for a total of three MWESBs, which is in line with Metro Code 2.04. The Procurement Enhancement Project is reviewing the Metro Code dollar thresholds that require contacting MWESB firms.

7) Expand agency outreach to other minority business groups

Metro is highly involved with some minority business associations and has had minimal involvement with others. For example, the agency has been active with the Oregon Association of Minority Entrepreneurs (OAME) and the National Association of Minority Contractors of Oregon (NAMCO), but has not given other organizations adequate time and resources. We feel Metro could benefit by becoming more involved in the Asian, Native American and Hispanic business communities. This includes attendance, participation and sponsorship (when practical) of their minority business events, and communication with each group on current contracting opportunities.

Metro Code 2.04.120 (a) requires outreach to minority, women and emerging small business enterprises. During FY 2012-13 Metro expanded its outreach to Native American, Women in Construction, Asian Pacific American, LBGTQ and African American business organizations to increase its reach in these communities. Procurement Services currently attends monthly meetings, offers event sponsorships, and supports the programming activities of these partnerships.

Procurement Services is currently evaluating the outreach efforts, and is implementing “in-reach” to project managers to get them involved in the outreach efforts. This means in the future, Metro staff including project managers will participate in MWESB Open Houses and attend regular business chambers meetings. In addition, Procurement Services and the Procurement Core Team actively support outreach efforts and several members attend scheduled events.

8) Provide a forum for agency project managers to network with MWESB’s

In order to do a better job of reaching out to local MWESBs, Metro should host a minimum of two “meet and greet” events each year. This will provide certified firms the opportunity to network with agency project and program managers, learn more about how Metro does business and become more aware of future contracting opportunities. Metro procurement staff has attended minority business forums consistently (OAME, NAMCO, etc.), but the committee believes that the added presence of project managers at these events would be beneficial.

Procurement Services agrees with this recommendation and wants to provide forums and events for these interactions to occur. We have recently invited the National Association of Minority Contractors and the Oregon Native American Chamber of Commerce into Metro Regional Center to hold regularly scheduled meetings as part of the in-reach efforts mentioned above. The availability of Metro project managers for MWESB construction contractors and consultants supports building direct relationships with underserved businesses. These relationships will benefit both Metro and MWESB firms in creating an informed partnership in which project managers know firms that have the ability to perform the work and firms have the knowledge about upcoming projects.

Current plans include a Metro sponsored and hosted event in partnership with the National Association of Minority Contractors, large prime contractors and Metro staff scheduled for January 2014. We also plan to host quarterly luncheons with the various minority chambers at Metro Regional Center in which Metro staff from throughout the agency including project managers will be present to interact with MWESB firms.

9) Actively engage Metro legal counsel in order to maximize MWESB activity

In order for Metro to promote the use of MWESB firms, and stay in full compliance with state and local laws, it is imperative that the Office of Metro Attorney (OMA) be involved. It is recommended that OMA collaborate with the legal counsels of other public agencies to determine what MWESB practices are legally permissible and enforceable. This will allow Metro management to determine the most appropriate level of risk for the agency in strengthening the MWESB program.

This effort is currently underway. The Procurement Manager and the Office of Metro Attorney currently meet weekly to strengthen the MWESB program. The Office of Metro Attorney is actively involved in both the Procurement Enhancement Project and the Procurement Core Team.

10) Create an electronic notification system for MWESB's

The committee believes that an electronic notification system should be developed that provides automated notice to MWESBs on upcoming bids and RFPs. Other area agencies (TriMet, City of Portland, Port of Portland) are currently utilizing such systems with success. Procurement Services should work with Information Services to develop and implement an online registration and notification system.

Procurement Services has recently implemented the use of the Oregon Procurement Information System (ORPIN). Beginning November 1, Sheltered Market contracting opportunities will be posted on ORPIN, as well as plans to expand this notification system to include informal and formal contracting opportunities. Use of the ORPIN system allows Metro to advertise and “push” opportunities to any firm registered with ORPIN, and specifically to certified MWESBs.

Procurement Services has already seen results from posting sheltered market projects on ORPIN. At a mandatory prebid conference for a zoo project, eight MWESB firms were in attendance that had never done business with Metro. The contract was awarded to one of those MWESB firms.

11) Include employee compensation in the selection of contractors

Metro has used employee wages and benefits as a factor in evaluating responses to select RFPs (i.e. waste transfer stations operation), and the committee feels that this criteria should be included in all RFP solicitations. This method allows for best value selection, in that both cost and non-cost factors are used in determining the top ranked contractor. This provides local employment opportunities that include competitive wages and benefits, and also rewards responsible contractors who have established high labor standards.

Metro's proposal evaluation criteria for formal solicitations includes employee compensation and benefits. Procurement Services is in the process of standardizing this criteria and include in informal solicitations.



MERC Commission Meeting

January 8, 2014
12:30 pm

7.0 Diversity
Action Plan Update

MAKING A
GREAT
PLACE
TOGETHER

Diversity Action Plan

November 2012



Metro | *Making a great place*



Diversity Action Plan History

- 2005 1st Diversity Action Team
- 2012 Diversity Program Manager hired
- 2012 Diversity Action Plan adopted
- 2013 Diversity Core Teams formed



Accomplishments



MAKING A GREAT PLACE TOGETHER

Black History Month | Oregon's History of Racism

10 TO 11 A.M. THURSDAY, FEB. 24
COUNCIL CHAMBERS

Former Metro Councilor Ed Washington will host this staff-organized event. Learn about the history of challenges in Oregon and better understand the challenges our region's diverse communities face.

As a segment of the CPD's commitment to diversity, Metro will host a Black History Month event. Join us for a discussion about the history of racism in Oregon and the challenges our region's diverse communities face. Coffee and lunch will be served.

To attend, see how to register and reservations for Metro Learning Center: Visit <http://CityOfPortland.org/metro>

All events are free and open to the public. Space is limited. Registration is required. All events are subject to change without notice. For more information, contact Metro Learning Center at 503.251.7521.



MAKING A GREAT PLACE TOGETHER

Public Engagement Guide

Public Review DRAFT
April 2013

Public engagement is a key component of Metro's strategic plan. This guide provides information on how to engage the public in the planning process.

MAKING A GREAT PLACE TOGETHER

Celebrate Native American Heritage Month

Register today on the Metro Learning Center
Indian Country 101
10-30 to noon Tuesday, Nov. 19
Council Chambers

All employees are invited to attend. Space is limited. Registration is required. All events are subject to change without notice. For more information, contact Metro Learning Center at 503.251.7521.

CREANDO UN LUGAR MARAVILLOSO JUNTOS

Celebrate Hispanic Heritage Month

Sept. 15 to Oct. 15, 2013

Learning events

- **9:30 to 11:30 a.m., Monday, Sept. 24**
Introduction to the Hispanic Community: Learn about the history and culture of the Hispanic community in Oregon.
- **10:30 to 12:30 p.m., Thursday, Oct. 3**
Fiesta en La Plaza Apotheke: Celebrate Hispanic Heritage Month with a special event at the Apotheke.

Fiesta en La Plaza Apotheke
Friday, October 11, 2013
11:30 a.m. to 1 p.m., Thursday, Oct. 3

All events are free and open to the public. Space is limited. Registration is required. All events are subject to change without notice. For more information, contact Metro Learning Center at 503.251.7521.

Welcome

OUCH! That Stereotype Hurts

Communicating Respectfully in a Diverse World

© 2012 International Training and Development, LLC

CREANDO UN LUGAR MARAVILLOSO JUNTOS

Enjoy live music and handmade tamales

11:30 to 1 p.m.
Thursday, Oct. 3

All events are free and open to the public. Space is limited. Registration is required. All events are subject to change without notice. For more information, contact Metro Learning Center at 503.251.7521.

LET'S GET DOWN TO BUSINESS

If you operate a certified minority-owned, woman-owned or emerging small business in the construction trades, Metro has a new way to help you grow.

Starting Nov. 1, 2013, you'll find Metro Sheltered Market Program construction contracting opportunities between \$5,000 and \$50,000 listed on the Oregon Procurement Information Network (OPIN) website opin.oregon.gov.

To find out more where your company can get in the game and connect for contacts to serve Metro, visit Portland.gov or contact Metro Sheltered Market Lead General Contract Coordinator at 503.251.7521 or lschmid@metro.com.

MAKING A GREAT PLACE TOGETHER

2012 employee survey

Our organization is taking sufficient action to address and manage diversity

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
FY 10-11	5.3%	30.7%	28.6%	21.4%	6.0%
FY 12-13	12.4%	37.5%	27.8%	12.6%	5.2%

From FY 12-13 Balanced Scorecard Report

2012 employee survey

All employees regardless of their differences are respected and valued for their contribution to our organization

	Strongly agree	Agree	Neutral	Disagree	Strongly disagree
FY 10-11	10.7%	39.6%	21.8%	18.0%	5.8%
FY 12-13	12.7%	36.3%	21.2%	18.1%	8.8%

From FY 12-13 Balanced Scorecard
Report

The road ahead...

- SLT diversity training
- 2013 Cultural Compass results
- OUCH! diversity training follow up
- Accessibility
- Inclusion and Engagement



MERC Commission Meeting

January 8, 2014
12:30 pm

8.0 FOTA Consultant
Introduction/Work Plan

Proposal to



Submitted by

COGAN OWENS COGAN with
Fluker & Associates
and
Lazenby & Associates

Consulting Services for First Opportunity Target Area (FOTA) Program • RFP 2476

A. Transmittal Letter

October 10, 2013

Metro Planning & Development Department
Metropolitan Exposition and Recreation Commission (MERC)
Attention: Angela Houck, Procurement Analyst
600 NE Grand Avenue
Portland, OR 97232

RE: RFP 2476 Consulting Services for First Opportunity Target Area (FOTA) Program

Dear Ms. Houck:

Cogan Owens Cogan, LLC (COC), in collaboration with Fluker & Associates and Lazenby & Associates, is pleased to submit this proposal to assist Metro and the Metropolitan Exposition Recreation Commission to review and update the current FOTA program. COC provides integrated services in planning, community engagement and sustainability. Our mission is engaging people to create and sustain great communities. For more than 38 years, we have successfully engaged communities, local governments and nonprofit organizations in strategic conversations about their futures. Warren Fluker is highly regarded as a professional facilitator and trainer with more than 30 years experience working with historically underserved communities. Chip Lazenby bring more than 20 years experience providing legal advice and assistance in public policy development, including minority hiring and contracting.

We are fortunate to have led MERC's 2002 and 2007 strategic planning processes and are excited about this opportunity to build on those efforts. We are nationally recognized for our leadership in planning, facilitation and public policy development.

COC is located in downtown Portland close to Metro and is certified as a Women Business Enterprise (WBE) and Emerging Small Business (ESB), #8015 by the State of Oregon. I will be Principal in Charge for this contract and am available to oversee the COC team's efforts. I am legally authorized to represent the firm in negotiations and sign any contract that may result. The terms of this proposal are guaranteed for 90 days.

We look forward to an opportunity to discuss our skills and experience with you.

Sincerely,
COGAN OWENS COGAN, LLC

A handwritten signature in blue ink that reads "Kirstin Greene".

Kirstin Greene, AICP, Managing Principal
813 SW Alder Street, Suite 320
Portland, OR 97205-3111
503-225-0192 ext. 210; FAX 503-225-0224
kirstin.greene@coganowens.com

Federal Tax Identification Number: 93-0892446
State Identification Number: 10096344
WBE/ESB #8015, State of Oregon

This proposal is printed on 100% recycled paper.

B. Approach/Project Work Plan

Approach

Twenty-three years ago, the First Opportunity Target Area (FOTA) program was created by the state legislature to provide stable, career oriented living wage employment and contracting opportunities to the low income and underserved residents of the North/Northeast areas affected by the construction of the Oregon Convention Center. These communities had previously been negatively impacted by the Interstate 5 Freeway, expansion of Emanuel Hospital and other urban renewal efforts.

Many things have changed in the project area as well as in the City of Portland since FOTA was established. The North/Northeast communities within the current FOTA boundaries are undergoing dramatic shifts in demographics as younger, more affluent residents replace the older, poorer and more ethnically diverse. The movement of underserved communities to the east from 82nd avenue and Gresham continues, followed by a well documented lack of jobs, services and amenities.

Not only employment, but equity participation and ownership are issues of concern to residents and decision makers as more women, and racial and ethnic minorities are entering the work force or starting small businesses. Opportunities such as the new Headquarters Convention Center Hotel and the anticipated increase in development around the area need to be assessed and planned for.



This is an appropriate time to study and evaluate the effect of FOTA as it currently exists on the three MERC venues of the Convention Center, Centers for the Performing Arts and the Expo Center. Each has its advantages and challenges. Some of the issues we propose to address include but are not limited to:

- What are the original and current goals of FOTA in regard to each venue and MERC as a whole?
- How have they been met or over or underperformed over time?
- Who are the current key stakeholders and what are their goals and aspirations in regard to workforce development, hiring underserved populations and providing equity opportunities?
- What has changed in the target community and the community at large that affects the FOTA program and Metro and MERC in relation to the above?
- How can FOTA be repositioned to succeed under these new circumstances?

Twenty-three years later we believe our COC team is especially qualified to collaborate with MERC to conduct the necessary research, identify and evaluate critical components and make workable policy and procedural recommendations to position FOTA to meet the needs of today and the future. We have a history of working

successfully with MERC, Metro and the many parties involved and have broad and diverse relationships in the affected communities. In reviewing MERC's 2007-2012 Strategic Business Plan for which COC acted as consultants, we find a strategy to "Promote opportunities for small, minority, women-owned and emerging businesses to provide services and products." Although FOTA is not mentioned specifically, it is obvious this was a concern of MERC at that time, making this study even more relevant today.

Proposed Work Plan and Schedule

Task 1. Project Management

Meet with MERC project manager and other key staff to agree on the logistics of the project, including work plan, schedule, deliverables, budget and roles and responsibilities of consultant and staff. Agree on a preliminary list of stakeholders and discuss public outreach and communications tools and strategies.

Hold biweekly project management phone calls to track progress on key tasks and deadlines, identify unanticipated issues and develop alternative approaches as needed. Prepare monthly progress reports and invoices that describe the activities undertaken, estimate the percent completion of each task, and track expenditures and hours to ensure accountability and conformance with the project budget.

Deliverables: Final work plan, budget and schedule; biweekly phone calls and monthly progress reports • *Timeline:* October 2013 – June 2014

Task 2. Research

Conduct and document research to provide baseline information and a shared understanding of the current situation regarding FOTA among stakeholders, MERC staff and Commissioners. The consultant team will:

- Research and provide a legal review of the legislative history of FOTA beginning with its original enabling legislation and including the current amendment process.
- Investigate the results and impact of the current policy, including an analysis of strengths, weaknesses, opportunities and threats (SWOT).
- In consultation with Metro's data resource center and other resources, compile current and historic demographic and economic data for the North and Northeast Portland neighborhoods and the City as a whole to identify low-income and diverse populations and document changes over time.
- Examine national best practices in public policy related to hiring and contracting with underserved communities.

Draft a preliminary report for review by the MERC project manager that documents and analyzes research results and provides a framework for policy enhancement

recommendations. Revise as directed by the MERC project manager.

Deliverables: Preliminary report • *Timeline:* November 2013 – January 2014

Task 3. Stakeholder Outreach

Create an executive summary and/or PowerPoint of the preliminary report to frame the discussion and issues for stakeholders. Work with MERC project manager to prepare a script for stakeholder interviews. Conduct and record interviews and/or focus group discussions with approximately 40 stakeholders who have an interest related to FOTA policies and programs. These include but are not limited to representatives of neighborhood organizations within the current boundaries of the project and the outlying areas; managers of the three MERC venues and other key staff; MERC Commissioners and liaisons; Metro's Equity Strategy Advisory Committee; state legislators; and representatives of key organizations such as the National Association of Minority Contractors, Urban League, Association for Hispanic Advancement, Oregon Tradeswomen, Immigrant and Refugee Community Organization and North/Northeast Business Alliance. Interviews will be made in person or by phone. Prepare a summary of outreach results, including key policy questions and issues.



Deliverables: Preliminary report, executive summary/PowerPoint presentation, interview/focus group script, summary of outreach results • *Timeline:* January 2014 – March 2014

Task 4. Key Recommendations

Update the preliminary report to incorporate stakeholder feedback and identify key policy questions and issues. Facilitate a work session that includes a SWOT analysis with the MERC General Manager, venue managers, MERC Commissioner liaisons and other parties chosen by the MERC project manager to review findings of the report and recommend policy enhancements.

Deliverables: Revised report, work session summary • *Timeline:* March 2014

Task 5. Final Report

Write draft final report of the results of all the work to date including:

- Executive summary
- Legislative findings and recommendations for possible amendment process
- Current policy analysis
- Demographic and economic data identifying low-income and diverse populations within FOTA boundaries
- Minority hiring and contracting best practices
- Summary of stakeholder outreach including policy questions and issues

- Policy enhancement recommendations for policy makers to consider

Submit to MERC staff/Commission liaisons for review and modify as needed. Present recommendations to MERC Commission and Metro Council using a PowerPoint or similar presentation.

Deliverables: Final report, PowerPoint presentation • *Timeline:* April 2014 – June 2014

C. Staffing/Project Manager Designation

Steve Faust, AICP, Senior Planner, will serve as the project manager for this effort. He will be the main contact for Metro's project manager and will coordinate all consultant activities. Steve will lead research efforts, facilitate work sessions, and prepare major deliverables. He will dedicate up to 35% of his time to this project. Steve is a planner with more than 15 of years experience as a facilitator, public involvement practitioner and community organizer. He specializes in designing and managing processes that engage the public in land use and other important policy decisions. Steve has helped communities throughout the Northwest create visions that honor their unique history and character and articulate their aspirations for the future while being grounded in reality. He is adept at working with community stakeholders to develop strategic plans to guide future growth and development. Steve has a master's degree in Urban and Regional Planning from Portland State University (PSU) and a bachelor's degree in Peace Studies from St. Johns University in Minnesota. He is a member of the American Institute of Certified Planners (AICP) and a certified Public Involvement General Practitioner in the Oregon Department of Justice Alternative Dispute Resolution Program. Steve currently serves as a member of the Citizen Involvement Advisory Committee to the Land Conservation and Development Commission.



Kirstin Greene, AICP, Managing Principal, will be the principal in charge. Kirstin will oversee the development of major deliverables and provide strategic advice regarding outreach to diverse communities and cultural competency. She will dedicate up to 10% of her time to this project. Kirstin is a professional planner and public process facilitator, specializing in community development and public engagement. She is well respected for her sensitivity to local needs and conditions and ability to deliver consensus-based results, working well with citizens, including neighborhood residents, business owners, service providers and elected leaders. For more than 18 years, she has served as a project manager, planner, facilitator and public outreach and involvement



specialist. Kirstin's process designs have led to hundreds of successful products and agreements. Kirstin's work in grass-roots outreach and governance innovation has been recognized nationally. For more than a decade, she supported Clackamas County with their award-winning community engagement process that involved thousands of citizens working with County government to craft a desired future, and building the structures and relationships to implement recommendations. From her years working at IRCO with immigrants and refugees, and working in Southeast Asia, Kirstin makes it a priority to practice humility and cultural competency in her work.

Elaine Cogan, Founder, Cogan Owens Cogan, LLC will act as a facilitator, interviewer and strategic advisor. She will dedicate up to 20% of her time to this project. Elaine has a national reputation as a consultant, lecturer and trainer in communications and public engagement strategies. She is highly respected as a designer and facilitator of strategic planning processes for private and public organizations throughout the Pacific Northwest and elsewhere. Elaine designs and manages award-winning strategic planning projects for governmental agencies and nonprofit organizations. Her strategic planning processes often involve multiple parties, including community stakeholders, advisory groups, and leaders in business and industry, who collaborate on strategic goals, strategies and implementation actions that guide future decisions and activities.



Warren L Fluker, CEO, Fluker & Associates, will act as a facilitator, interviewer and strategic advisor for this effort. He will dedicate up to 20% of his time to this project. Warren is a professional facilitator and trainer with 30 years experience in workforce development, program management, organizational development, educational research, counseling, contract negotiations, group facilitation, mediation and community engagement. He is a skilled public speaker, curriculum developer, researcher and program evaluator. Warren has worked on a number of successful projects related to brownfields redevelopment in minority and ethnically diverse neighborhoods. He is the 1999 Recipient of National Science Foundation's, Faculty Associates in Science & Technology (FAST) Summer Internship Program. He has a bachelors degree in Psychology and a masters degree in Counseling Psychology from the University of Oregon and is a graduate of the Kettering Foundation Public Policy Institute's Public Forum Workshop Series.



Chip Lazenby, Principal, Lazenby & Associates will assist the team with legal review of the legislative history of FOTA and recommend policy enhancements and strategic advice on minority hiring and contracting. He will dedicate up to 20%



of his time to this project. Chip brings over 20 years of statewide experience providing practical legal and business solutions for solving complex problems with creative solutions. He specializes in providing assistance in public policy development and process, public-private partnerships, minority hiring and contracting, and financial structures and funding opportunities for community and real estate development. Chip is an active member of the Oregon State Bar with a bachelors degree from Harvard University and law degree and masters degree in Business Administration from the University of Oregon. Among other opportunities.

D. Experience

Established in 1975, Cogan Owens Cogan, LLC (COC) is a multi-disciplinary firm of planners, public process experts and other professionals specializing in community engagement, strategic planning and sustainability. COC has designed, managed and implemented strategic planning and visioning processes for many local governments, state agencies, nonprofit organizations and educational institutions throughout Oregon. We facilitate processes that bring together diverse stakeholders and the public to build consensus and resolve complex issues. Our innovative processes inspire people to examine the past, build on the present and create specific goals, objectives and implementation actions to guide future decisions and activities they will support. We are increasingly called upon to design and manage public information and involvement projects whose success requires meaningful outreach to diverse communities.

Our success stems from our interdisciplinary approach and ability to consider the unique context of each problem. COC combines a respect for local history, growth and development, as well as cutting-edge ideas and a commitment to innovation. We employ sound demographic and economic research techniques, identifying the newest trends and practices to compare them with national and international best practices.

We are certified as a Women Business Enterprise (WBE) and Emerging Small Business (ESB) and registered as an Equal Employment Opportunity (EEO) employer. Our firm is located in downtown Portland, Oregon.

For this effort, we will work with Warren Fluker of Fluker & Associates. Warren is a professional facilitator and trainer with more than 30 years of experience in workforce development, mediation and group facilitation.

The following project descriptions represent our experience interpreting demographic and economic data, convening community stakeholders and facilitating discussion groups, working with underserved communities on issues of significance to the community, and working on politically sensitive policy issues:

Cogan Owens Cogan

Portland Comprehensive Plan Update Facilitation, Portland, Oregon. Currently facilitating two Policy Expert Groups (PEGs) in discussions of key issues and reviews of draft policies for the City of Portland Comprehensive Plan Update. Each PEG includes agency representatives and community members that represent a diverse cross-section of the City. Steve Faust is facilitating the Neighborhood Centers PEG to examine how neighborhood centers and corridors can accommodate new growth, provide necessary commercial and community services, and be designed to enhance the character of their local communities. Among the topics being explored are affordable housing, neighborhood economic development, urban design and historic preservation policies. Part of the charge for each PEG is to view these issues through an "equity lens." Tasks include preparing agendas and meeting summaries, facilitating meetings and coordinating PEG member communications.

Bill Cunningham, City Planner, project manager, 503-823-4203
Steve Faust, facilitator

Estuary Shorelands Assessment, Department of Land Conservation and Development, Salem, Oregon.

Assessed future trends affecting planning for Oregon's estuarine and shoreland areas and resources. We identified demographic, economic, social and environmental trends for the next 20-50 years through a literature review, interviews, and workshops with stakeholders. The Department's Coastal Management Program will utilize this assessment to guide modernization of local estuary and shoreland management plans.

Jeff Weber, Coastal Conservation Coordinator, project manager, 971-673-0964
Steve Faust, primary demographic and economic researcher



Equity Outreach to African American Business Community, Portland Development Commission, Portland, Oregon. Supported Gollah Consulting in outreach to the African Immigrant business community. Encouraged members of the African Immigrant community to participate in the East Portland Neighborhood Economic Development Summit and a subsequent focus group to develop recommendations to the public agency.

John Jackley, Director of Business and Social Equity, project manager, 503-823-3315
Kirstin Greene, facilitator and strategic advisor

Memorial Coliseum Veterans Stakeholders Group Facilitation, Mayor's Office, Portland Oregon. As part of a strategy to find new uses for Portland's iconic Memorial Coliseum, designed and facilitated a series of meetings with leaders of veterans groups and

other interested parties. This was among the many controversial political issues on the Mayor's agenda. Although no final decisions about the future of the Coliseum were made, the only two recommendations that became city policy were the result of this process. They were to add the word Veterans to the official title of the building and reposition the Veterans Wall of Honor to a more prominent place.

Sam Adams, former Mayor of Portland, convener, 503-228-7231, ext. 101
Elaine Cogan, lead facilitator

Complete Communities for Clackamas County, Oregon. Since 1999, COC has designed, managed and continue to implement an ambitious and comprehensive public involvement process to engage urban, suburban and rural County residents in a grassroots visioning and planning effort. Facilitated start-up steering committee of nearly 60 local government officials, special district representatives and citizens. Designed and coordinated more than 100 community meetings and public events throughout the County, trained citizen facilitators, managed outreach to County youth, wrote and produced two videos, and conducted six very well-attended Community Congresses on topics ranging from governance to sustainability and healthy communities. Managed extensive outreach to the Latino community, including translating all materials and conducting community meetings in Spanish. Project has been recognized nationally by the American Planning Association, the National Association of Counties (NaCO), the Kennedy School of Government, Harvard University as well as the Cascade Chapter of the International Association of Public Participation (IAP2).

Barbara Smolak, Community Affairs Specialist, project manager, 503-655-8552
Elaine Cogan, project manager and lead facilitator
Kirstin Greene, project manager and lead facilitator
Steve Faust, project manager and lead facilitator

Fluker & Associates

Warren also has extensive experience in the key areas mentioned above. As Workforce Development Officer with the Urban League of Portland, he compiled demographic and economic data while managing an environmental heating, ventilation and air conditioning project for inclusion in U. S. Department of Labor/Workforce Development Green Jobs grant applications. This data was use to structure program design, build budgets and negotiate contracts. He identified areas of sensitivity relevant to design, development, implementation, training and placement of low income, underserved, economically eligible, individuals who resided in targeted geographic areas of the city and was responsible for the same duties while coordinating workforce development training programs for Portland Community College. While with the Urban League, Warren served on the Portland Development Commission's Interstate Urban Renewal Advisory Committee (ICURAC)

and chaired the City of Portland’s Brownfield Showcase Citizen Advisory Committee.

Warren has collaborated with COC on a number of projects convening community stakeholders and facilitating discussion groups. He facilitated a Town Hall meeting of affected residents about the Housing Authority of Portland/Home Forward’s New Columbia housing development. He most recently assisted COC with facilitation of discussion groups for the NeighborWorks America National Conference. As an independent contractor, he has facilitated discussions for local community based nonprofit organizations Southeast Works and Black Women for Peace. Most recently, he worked with Constructing Hope, a local community-based nonprofit pre-apprentice job training program that helps low income, disadvantaged individuals seeking training and access to the skilled trades.

Contact information for Fluker & Associates projects/activities referenced above includes:

- Regina Warren, Multnomah County, Contract Liaison, 503-988-4777.

- James Bowles, Portland Community College, Director, Margaret Carter Skills Center, 971-722-5345.
- Clark Henry, Project/Contract Liaison (Previously with PDC), 910-386-1540
- Sue Staley and Norelle Harper, S.E. Works Finance Director & Adult Program Manager respectively, 503-772-2300
- Pat Daniels, Executive Director, Constructing Hope, 503-281-1234
- Michael Burch, Representative - Pacific NW Regional Council of Carpenter’s, 503-261-1862

Lazenby & Associates

Chip has served as General Counsel for Governor John Kitzhaber and the Portland Development Commission. He recently directed legal and workforce strategy for several high-profile PDC projects, including the South Waterfront Development. He also restructured Portland State’s process for handling discrimination complaints resulting in the creation of a new Chief Diversity Officer with broad authority within the university.



E. Cost/Budget

Tasks	SF \$115	KG \$170	PSU Intern \$60	Assoc \$85	Admin \$85	EC \$150	F&A \$150	L&A \$200	Total
1. Project Management	52	32			32	12	12	12	\$20,140
2. Research	40	8	100			12	12	20	\$19,560
3. Stakeholder Outreach	36	10	20	40		32	40	10	\$23,240
4. Key Recommendations	24	12	24			12	12	12	\$12,240
5. Final Report	20	8	16			16	8	8	\$9,820
Total Hours	172	70	160	40	32	84	84	62	
Totals Dollars	\$19,780	\$11,900	\$9,600	\$3,400	\$2,720	\$12,600	\$12,600	\$12,400	\$85,000

F. Diversity in Employment and Contracting

COC is committed to understanding and advancing the needs of diverse communities and to employing a diverse workforce. Our organizing premise is that the region’s diversity is its strength and the basis for future progress in a global economy. We are an emerging, minority owned business and collaborate with minority, emerging and women-owned businesses and prioritize purchases from local independent businesses. COC is a small business as defined by the Small Business Administration (SBA). We are certified as a Women Business Enterprise (WBE) and Emerging Small Business (ESB), #8015 by the State of Oregon. COC is owned by two principals and one associate principal. Kirstin Greene, managing principal, is a female. Of our seven employees, four are women, one of whom is an Asian-American, and three are male. Our policies include generous wellness days, flexible work environments and support for families. We are certified

as an Equal Employment Opportunity (EEO) employer with the City of Portland. We seek opportunities to work and contract with DBE and M/W/ESB businesses in fields that complement our capabilities and with whom we have established successful working relationships. In addition, we promote M/W/ESB teaming opportunities on our website, blog and Twitter.

Fluker & Associates is African American-owned consulting firm and sole proprietorship in the process of obtaining Minority Business Enterprise certification. Warren Fluker lives in the FOTA area. **Lazenby & Associates** also is an African American-owned consulting firm and sole proprietorship.

Other minority, emerging and women owned businesses with whom COC regularly collaborates: Angelo Planning Group, Inc. (DBE/WBE); Axis Performance Advisors,

Inc. (WBE/ESB); Brightworks, LLC (ESB); JLA Public Involvement, Inc. (DBE/WBE); Gollah Consulting (MBE, ESB); Landsman Transportation Planning, LLC (DBE/ESB/WBE); Marketek, Inc. (DBE/WBE/ESB); Steve Shapiro Landscape Architecture, Inc. (ESB); and Xavier Falconi Consulting Services (DBE/MBE/ESB).

G. Sustainable Business Practices

COC continues to be at the forefront of Oregon's emergence as a leader in global sustainability. We launched Oregon's Land Use Planning Program and the Metro 2040 Plan; helped the State of Oregon identify sustainable industry clusters; and assisted Metro, the City of Portland and Clackamas, Multnomah and Washington counties with their sustainability programs.

Economy

We are actively involved in and will continue to improve our work to advance sustainable industries and local economic benefit. We provide and promote consulting services that define sustainable industry clusters, regional import substitution strategies, regional foodshed agriculture and eco-industrial projects, and brownfield redevelopment.

Whenever possible, we purchase from local/regional small and medium-sized businesses and support sustainable economies in our work and would continue to do so if hired for this contract:

- Purchase office supplies and foods from New Season Markets including organic, fair-trade coffee, organic tea, eco-friendly dishwasher detergent and healthy snacks.
- Purchase business meals from local carts, restaurants, coffee shops, bakeries and caterers who support sustainability and local fresh ingredients.
- Employ Allstar Messenger Service, a locally-owned/operated company whose bicycle messengers provide downtown and close-in deliveries.
- Purchase used furniture from Portland Office Furniture and donate surplus furniture for reuse.
- Purchase sustainable/recycled office supplies from Office Products Northwest.
- Do business with www.sustainablegroup.net and www.greenlinepaper.com.
- Team nearly exclusively with local firms.



Environment

We continue reduce impact on the environment through more eco-effective, restorative practices. We are actively involved locally and regionally in promoting environmental and ecological conservation in our consulting practice and our pro bono efforts. We utilize the Natural Step, Triple Bottom Line, Living Community Challenge and Biomimicry concepts as criteria or as background in our strategic planning.

Our business practices save time and money and reduce motor fuel consumption. We use web-based project management software such as Basecamp, GoToMeeting and e-mail to improve cost effectiveness and responsiveness. When possible, we submit proposals and reports electronically rather than on paper.

Other environmentally sustainable practices include:

- Participate in a Portland's business recycling program.
- Use reusable plates, flatware, cups/glasses whenever possible. Wash in an energy-efficient dishwasher.
- Purchase used and reconditioned computer equipment.
- Subsidize transit passes for all employees.
- Support employees who bicycle to and from work by participating in the annual Portland Bike Commute Challenge.
- Participate in the Zipcar car sharing program. Rent high mileage, fuel-efficient and hybrid vehicles, when available.
- Duplicate and print on both sides of the paper.

Community

We engage stakeholders at many scales to envision sustainability and resilient communities and how they can be created using the tools of public policy and private development. We specifically engage and support diverse communities who do not traditionally participate in public processes. For example, recently providing targeted outreach strategies for ODOT to reach targeted Title VI/Environmental Justice groups, including disabled, low-income, limited English proficiency, minority or other under-served groups in the project area.

Employees are engaged at fair market rates for planners and engagement professionals. Details are available upon request. We provide an annual paid internship to a selected Portland State Graduate Student in Equity and Outreach. We make Cost of Living adjustments to salaries annually as possible, in addition to merit-based increases. We provide full health and dental care for our employees, as well as a vision stipend. We provide vacation, sick leave (wellness days), public transportation passes and Zipcar membership. COC principles and employees are encouraged to contribute to the community by volunteering for sustainability-oriented organizations including the Multnomah Food Advisory Board, the Japanese Garden Board, the Three Rivers Land Conservancy, Hands on Portland, the Oregon Women's Sailing Association, the Oregon Chapter of the American Planning Association, the state's Citizen Involvement Advisory Committee and the City of Portland Parks Board, Verde and Hacienda CDC.

STEVE FAUST SENIOR PLANNER

Steve is a land use planner with 15 years experience as a facilitator and community engagement specialist. He designs and manages successful processes that engage the public in land use decisions. Steve has helped communities throughout the Northwest create visions that articulate aspirations for the future and strategic plans to guide future growth and development. He brings a sustainability framework to land use planning, striving for outcomes that are environmentally sound, socially just and economically prosperous. Before joining COC, he spent four years as a community organizer and executive director of a nonprofit neighborhood association in St. Paul, Minnesota.

Areas of Expertise

- Public Engagement
- Land Use Planning
- Facilitation
- Community Visioning

Selected Project Experience

- Comprehensive Plan Updates: City of Lake Oswego and Kodiak Island Borough, AK
- Comprehensive Plan Vision and Goals: Cities of Yachats, OR and Stevenson, WA
- Portland Regional Foodshed Study, Western Sustainable Agriculture Research and Education Program (SARE)
- Agriculture and Foodshed and Strategic Plan, Clackamas County
- Public Involvement for Sunrise JTA Mainline Improvements, Oregon Department of Transportation (ODOT)
- Oregon Sustainable Transportation Initiative Communications and Coordination, ODOT
- Marine Reserves Facilitation, Oregon Department of Fish and Wildlife
- Rainier Railroad Corridor Study, City of Rainier and ODOT Region 1
- Riverfront Vision Plan, City of Astoria
- Regional Infrastructure Analysis, Metro
- Urban Growth Boundary Expansion, Estacada
- Neighborhood Plans: Hidden Springs, Marylhurst, Parker Crest, Sunset and Tanner Basin, City of West Linn
- Floodplain Zoning Ordinance Amendment, City of Stanfield
- Complete Communities, Clackamas County
- Strategic Business Plan, Metropolitan Entertainment and Recreation Commission
- Economic Opportunity Analyses: Cities of Astoria, Lake Oswego, Manzanita, Nehalem, Roseburg, Sherwood, Tigard, Warrenton, Wheeler and Wilsonville
- Housing Needs Analyses: Cities of Astoria, Lake Oswego, Manzanita, Nehalem, Warrenton and Wheeler
- Comprehensive Plan Housing Element and Affordable Housing Strategy, City of Bend
- Public Facilities Plan, City of Canby



Education/Certifications

Master's degree, Urban and Regional Planning, Portland State University (PSU)

Geographic Information Systems (GIS) Certification

Bachelor's degree, Peace Studies, St. Johns University, Minnesota

American Institute of Certified Planners (AICP)

Community Service

Membership Chair, APA, Oregon Chapter

American Planning Association (APA), Oregon Chapter (OAPA)

PSU Master of Urban and Regional Planning Alumni Board

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KIRSTIN GREENE, AICP

MANAGING PRINCIPAL

Kirstin is a professional planner and public process facilitator specializing in community and economic development, growth management, land use and public engagement. She works on a wide range of comprehensive planning and sustainable community development projects for public and private clients.

Kirstin is known for her sensitivity to local needs and conditions and ability to deliver consensus-based results, working well with citizens, including neighborhood residents, business owners, service providers and elected leaders. For more than 18 years, she has served as project manager, planner, facilitator and public outreach and involvement specialist on land use, community and economic development, transportation and growth management projects for a wide range of unincorporated communities, cities, regional governments and state agencies in Oregon. A life-long Oregonian, Kirstin is passionate about creating and sustaining livable communities. She currently coordinates the work of the Oregon Chapter of the American Planning Association in sustainability and climate change.

Areas of Expertise

- Facilitation
- Community Engagement
- Economic Development
- Policy Analysis
- Planning

Selected Project Experience

- Comprehensive Plan Update, City of Lake Oswego
- South End Concept Plan, City of Oregon City
- Tulalip Tribes Neighborhood Planning, Washington
- South Hillsboro Annexation Plan, Hillsboro
- Complete Communities, Clackamas County
- Smart Growth Outreach (multiple cities), Transportation and Growth Management Program (TGM)
- 172nd North Corridor Plan, Clackamas County
- Portland (Comprehensive) Plan Update, Portland Bureau of Planning and Sustainability
- I-5: South Jefferson Interchange to US 20 Interchange Environmental Assessment, Oregon Department of Transportation (ODOT)
- Transportation System Plan Update, Clackamas County
- Greening the Code Outreach Assistance, Washington County
- Orenco Station Area Plan, Holland Partners
- Oregon Sustainable Transportation Initiative Coordination, ODOT
- Harmony Community Campus Vision and Conceptual Master Plan, Clackamas County
- Sustainability Action Plan, Corvallis Sustainability Coalition
- Jobs and Innovation Accelerator Challenge, Greater Portland, Inc., Portland
- Online Training, Oregon Department of Land Conservation and Development (DLCD), State of Oregon
- Economic Development Guidebook, DLCD
- Great Communities, Metro
- Conditional Use Permit, University of Oregon Basketball Arena, Eugene
- Roadmap to 2020, Oregon Global Warming Commission



Education/Certifications

Master's degree, Community and Regional Planning, University of Oregon

Master's degree, Asian Studies, University of Oregon

Bachelor's degree, Political Science; minor in Economics, University of Oregon

American Institute of Certified Planners (AICP)

American Planning Association (APA), Oregon Chapter (OAPA)

Community Service

APA Oregon Chapter

City Club of Portland

Housing Land Advocates

University of Oregon School of Architecture and Allied Arts Catalyst Award

ULI Northwest

Honors

Top 50 Innovative Government Programs in America from the Ash Institute at the Kennedy School of Government at Harvard University

Civics Education and Public Information Achievement award from the National Association of Counties

Public Education Award for Excellence from the American Planning Association

Public Participation Award of Excellence from the International Association for Public Participation, Cascade Chapter

Chapter Merit award for legislative work from the American Planning Association, Oregon Chapter

Distinguished Young Alumna award from the University of Oregon School of Architecture and Allied Arts

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ELAINE COGAN

FOUNDING PRINCIPAL/CONSULTANT

Elaine has a national reputation as a consultant, lecturer and trainer in communications, strategic planning and public engagement strategies. She is the author of *Successful Public Meetings*, in its second edition, and *Now That You're on Board: How to Survive and Thrive as a Planning Commissioner*. She also is co-author of *You Can Talk to (Almost) Anyone about (Almost) Anything, a Speaking Guide for Business and Professional People*. Elaine's highly regarded insights on public participation were recently published in a handbook for planners. She also wrote chapters on public meetings and public hearings for the widely used textbook, *Planning and Urban Design Standards*. She wrote a weekly column for *The Oregonian* newspaper for 15 years, was a regular columnist for the *Planning Commissioners' Journal* for 19 years, and is a media commentator on public issues.

Areas of Expertise

- Communications Training and Coaching
- Strategic Planning
- Community Engagement
- Facilitation
- Visioning

Selected Project Experience

- Communications workshops for city councils, planning commissions and associations – Anchorage, Alaska; Gainesville, Florida; Harrisburg, Pennsylvania; Canby and Tigard, Oregon. American Planning Association national conferences – Alaska, North Carolina, Florida, California, Oregon and Washington.
- Ongoing community engagement process for nationally recognized Complete Communities of Clackamas County.
- Strategic planning for private and public clients – Lewis & Clark College, Marylhurst University, Oregon Symphony, Willamette Criminal Justice Council, Oregon State Marine Board, Water Environment Services of Clackamas County.
- Antelope Ridge Windmill Siting facilitation – Oregon Department of Energy.
- Community visions – Stevenson and Vancouver, Washington; Gresham, Hood River, Keizer, Medford and Portland, Oregon.
- Facilitation and community engagement for major public projects – Sellwood Bridge, Broadway-Weidler Corridor Plan, MLK Boulevard Corridor Study, North Portland Road/North Columbia Blvd, Portland; Meier & Frank/Macy's Redevelopment; New Columbia Hope II Housing Redevelopment, Portland; Carnegie Center Utilization, Oregon City.
- Training in oral and written communications – CEO's and managers of major corporations and organizations – Kaiser Permanente, Intel, American Hospital Association, Portland Development Commission, Metro, TriMet, local and state public officials.



Education

Bachelor's degree, Liberal Arts, Oregon State University

Community Service

League of Women Voters of Portland
Oregon State Fair Commission
Portland Development Commission
Portland Model Cities Board
Portland Waterfront Plan Review Committee
Providence Medical Center Board

Honors

Top 50 Innovative Government Programs in America from the Ash Institute at the Kennedy School of Government at Harvard University
Civics Education and Public Information Achievement award from the National Association of Counties
Public Education award for Excellence from the American Planning Association
Public Participation Award of Excellence from the International Association for Public Participation, Cascade Chapter
Award of Excellence in Public Involvement Achievement from the International Association of Public Participation, Cascade Chapter
Technical Art and Publications Distinguished award from the Society for Technical Communication, Puget Sound Chapter
Distinguished Service award from the League of Women Voters of Oregon
Who's Who of Professional and Business Women

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Personal Bio
Warren L. Fluker
DBA: Fluker & Associates



Summary of Qualifications:

- Thirty (30) Years Experience in Workforce Development, Program Management, Organizational Development, Educational Research, Counseling, Contract Negotiations, Group Facilitation, Mediation and Community Engagement.
- Skilled Public Speaker, Curriculum Developer, Researcher, Program Evaluator.
- Coordinated Research, Funding and Publishing of a Technical Assistance Guide for Brownfields Redevelopment. (A Guide for Neighborhoods and Small Property Owners). (2003)

Professional & Community Involvement:

- CEO/Project Manager: Fluker & Associates. Brownfields Redevelopment, Group Facilitation/Mediation/Educational Services.
- 1999 Recipient of National Science Foundation's, Faculty Associates in Science & Technology (FAST) Summer Internship Program.
- Past Chair City of Portland, Brownfields Showcase N/NE Citizens Advisory Committee.
- Past Member of The City of Portland's Brownfields Showcase E-Board.
- Past Member of The City of Portland Development Commission's; Interstate Corridor Urban Renewal Advisory Committee.

Education:

- University of Oregon – M. S. Counseling Psychology (Department of Education)
- University of Oregon – B. S. Psychology
- Kettering Foundation's Public Policy Institute (Public Forum Workshop Series).
- Certified Moral Reconciliation Therapist (MRT)



Henry H. Lazenby, Jr.
(Chip)

Contact: (503) 740-2902

e-mail: chiplazenby@comcast.net

Website: www.lazenbyassociates.org

EDUCATION:

Harvard University, Bachelor of Arts

University of Oregon, Juris Doctorate

University of Oregon, Masters of Business Administration

PROFESSIONAL EXPERIENCE:

March 2012-present: **Lazenby & Associates**, Regional consulting practice

Website and description below.

October 2010-March 2012: **County Attorney, Multnomah County, Oregon**

General Counsel for county government and its elected officials. I supervised an office of 16 lawyers who provide full legal services to the county including litigation. The scope of practice is quite broad: employment law, civil rights litigation, health care, social services, probate, land use, taxation and assessment as well as state and federal constitutional issues arise every day.

October 2006-October 2010: **General Counsel, Portland State University**

Portland State University (PSU) is the largest university in the Oregon University System. It is Oregon's only urban university. The Office of General Counsel provides broad ranging legal advice to the university's administration, faculty, staff and student organizations. Provided legal advice on public contracts, real estate, copyright, structuring public-private partnerships in research and business partnerships, employment matters including labor-management issues, compliance with federal and state regulations. The on-campus general counsel position was created in 2006 and I was the first appointee.

2006-2008, 2012-present: **Lazenby & Associates, Principal**

Lazenby & Associates, a law practice and consulting business, focuses on providing practical business and legal solutions on behalf of clients including real estate developers, investor coalitions, construction firms, public entities, small businesses, community development corporations and other community business interests.

I continued to operate the consulting business when I began as interim general counsel at Portland State. **I ceased serving private clients operations in December 2008 but revived this business as of March 2012.**

2005-July 2006: **Bullivant Houser Bailey, Of Counsel**

Bullivant Houser is a Portland-based law firm with offices throughout the West. The firm provides litigation and general business advice to a variety of clients. My practice included real estate, development and general business with some government relations.

Representative clients: GTECH Corporation, Big Town Hero restaurants, Sage Hospitality (developers of *The Nines* in downtown Portland)

2001-2005: **General Counsel, Portland Development Commission**

PDC is a Portland urban renewal agency. PDC is also the lead agency for implementation of housing, urban redevelopment and economic development initiatives. Notable PDC projects during my time include: Financing and development agreements for the *Macy's-The Nine's* project, establishing Portland Family of Funds for deploying New Market Tax Credits, key housing developments in the Pearl District, the Gerding Theatre and the \$1.8(B) billion South Waterfront development partnership with OHSU and North Macadam Investors, Inc. and others.

1995-2001: **Legal Counsel to Oregon Governor Kitzhaber**

Legal Counsel to the Governor advises Governor and staff on legal aspects of legislation and state policy. Primary focus areas include: General Legal Policy including all matters arising in the House and Senate Judiciary Committees, Constitutional Law, Judicial Selection, Indian Tribal Relations including gaming and tribal natural resource issues (such as water rights, environmental protections and species protection), Administrative law reform and Governmental Ethics.

1994-1995: **Preston, Gates & Ellis, Attorneys**

Senior Associate with the Portland office of this Seattle based law firm. Left to serve as Legal Counsel to Governor John A. Kitzhaber.

PROFESSIONAL ASSOCIATIONS: (Past (*) and Present)

Oregon State Bar:

Member, Corporate Counsel Section

Member, Business Law Section

Member, Real Estate & Land Use Section

Member, *Executive Committee, Government Law Section

*Member, Constitutional Law Section

Member, Indian Law Section

Member, Diversity Section

Multnomah County Bar Association:

*Member, Judicial Selection Committee

Member: Oregon Chapter of the National Bar Association (OC-NBA)
(Formerly Oregon Association of Black Lawyers)

*American Inns of Court, Gus Solomon Chapter

Oregon Minority Lawyers Association

Community Boards:

Commissioner, Public Defense Services Commission

Trustee, Spirit Mountain Community Fund, Governor's appointee

*Board Member, Children's Trust Fund of Oregon

*Board Member, The Nature Conservancy of Oregon

*Co-Chair, Portland-Multnomah County Sustainable Development Commission

*Member, Portland City Club, Board of Governors

*Member, Oregon Holocaust Resource Center, Board of Directors

*Member, De LaSalle North Catholic High School, Board of Directors

MERC Commission Meeting

January 8, 2014
12:30 pm

9.0 Consent Agenda

**Metropolitan Exposition Recreation Commission
Record of MERC Commission Actions**

December 4, 2013
Expo Center, Room D202-D203

Present:	Judie Hammerstad (Chair), Ray Leary, Elisa Dozono, Chris Erickson, Terry Goldman, Karis Stoudamire-Phillips, Council
Absent:	Cynthia Haruyama (excused)
	A regular meeting of the Metropolitan Exposition Recreation Commission was called to order by Chair Judie Hammerstad at the Portland Expo Center at 12:30 pm
1.0	QUORUM CONFIRMED A quorum of Commissioners was present.
2.0	OPPORTUNITY FOR PUBLIC COMMENT ON NON-AGENDA ITEMS <ul style="list-style-type: none"> • None
3.0	COMMISSIONER, COUNCIL LIAISON COMMUNICATIONS <ul style="list-style-type: none"> • Councilor Chase updated the Commission on recent Metro Council activities. • Commissioner Hammerstad reminded the Commission about upcoming Oregon Symphony concert at the Schnitzer Concert Hall. • Commissioner Dozono offered thanks to Commissioners and Metro employees who participated in selection of new FOTA consultant.
4.0	GENERAL MANAGER COMMUNICATIONS <ul style="list-style-type: none"> • Dresler informed the Commission of the schedule for the Jan. 8 MERC meeting including presentations by new FOTA consultant team, Procurement, Diversity Program Manager and Venues Policy Coordinator. • Dresler presented 2014 MERC meeting calendar. • Hammerstad offered thanks to Dresler for the change in the schedule noting that it offered Commissioners a better opportunity to discuss large issues. • Dresler noted that Multnomah County will consider the tax code change approved in the VFIGA at its meeting on Dec. 12. Vote scheduled for Dec. 19. • First draft of the Development Agreement for the Convention Center hotel has been sent to Mortenson Development. Negotiations are planned to begin the week of Dec. 16. • Scott Cruickshank and Jeff Miller of Travel Portland will meet with members of Hyatt's sales team on Dec. 12. Hyatt will learn about the Portland convention market. Room Block negotiations will be scheduled following the meeting. • Commissioner Leary asked if there was an objective for the Room Block agreement. • Scott Cruickshank replied that the RFP called for 500 rooms.
5.0	FINANCIAL REPORT FRS Director, Tim Collier, introduced new MERC Finance Director, Benjamin Rowe. Benjamin Rowe presented the Financial Report. <ul style="list-style-type: none"> • Commissioner Leary noted that the projections for 2013 were for lower numbers than previous year. He inquired whether the outcome was better or worse than projected. • Rowe noted that the amounts for both revenues and expenses were slightly lower than budget projections. • Commissioner Dozono inquired why the food and beverage margins were low.

	<ul style="list-style-type: none"> Rowe replied that several dynamics could figure into the numbers. Dresler noted that the Commissioners should be cautious when drawing conclusions from the first quarter report adding that it would be best to wait for the following quarter report to get a better feel for the year.
6.0	<p>VENUE BUSINESS REPORTS Scott Cruickshank, Matthew P. Rotchford and Robyn Williams provided updates to the Commission.</p>
7.0	<p>TRAVEL PORTLAND QUARTERLY REPORT Jeff Miller, President and CEO of Travel Portland presented the report.</p> <ul style="list-style-type: none"> Commissioner Erickson inquired if a marketing plan for the Convention Center hotel was in the works. Miller replied affirmatively. Tamara Kennedy-Hill presented the Multicultural Strategy Plan for 2013.
8.0	<p>PROPOSED CHANGE TO MERC PERSONNEL POLICIES Mandatory reporting of child abuse HR Analyst, Ron Zito presented the policy change to the Commission</p> <ul style="list-style-type: none"> Commissioner Dozono inquired whether MERC Commissioners need to comply with the policy. Deputy Metro Attorney, Nathan Sykes replied that he will look into the question. Commissioner Dozono offered a few edits to the policy as reviewed at the meeting. Zito noted that the changes will be made prior to the vote on the policy at the January 8, 2014 meeting.
9.0	<p>CONSENT AGENDA October 2, 2013 regular meeting record of actions November 6, 2013 regular meeting record of actions November 20, 2013 telephone meeting record of actions</p> <ul style="list-style-type: none"> A motion was made by Commissioner Leary and seconded by Commissioner Erickson to approve the Consent Agenda <p>VOTING: Aye: 6 (Leary, Stoudamire-Phillips, Erickson, Goldman, Hammerstad, Dozono) Nay (0) Abstain (0) Motion Passed</p>
10.0 10.1	<p>ACTION AGENDA Resolution 13-31 for the purpose of selecting Cedar Mill Construction Company, LLC as the lowest responsive and responsible bidder in response to a Request for bids, relating to the Oregon Convention Center (OCC) "Chrome Entry Doors Replacement" and authorizing the General Manager to execute a contract with Cedar Mill Construction Company, LLC.</p> <ul style="list-style-type: none"> Scott Cruickshank presented Resolution 13-31 to the Commission. Commissioner Dozono inquired why the contract as presented did not include MERC in the definitions and why, although the MWESB program is mentioned, FOTA program is not. Deputy Metro Attorney, Nathan Sykes replied that, since MERC is part of Metro, it uses the contract template from Miller Nash which is used for all Metro/MERC issues. However, he will address the contracting staff to include a MERC definition as well as other appropriate integration issues. He added that FOTA does not apply to construction contracts over \$100,000. However, if it is decided to take that route, he will address it with the contract consultant. Chair Hammerstad inquired if, after MERC approves the contract, it goes to Metro Council for approval. Sykes replied that the contract goes forward following MERC approval. Sykes added that he can

	<p>change non-substantial language such as adding a definition section, once the Resolution is passed.</p> <ul style="list-style-type: none"> • A motion was made by Commissioner Goldman and seconded by Commissioner Stoudamire-Phillips to approve Resolution 13-31 as presented. <p>VOTING: Aye: 6 (Leary, Stoudamire-Phillips, Erickson, Goldman, Hammerstad, Dozono) Nay: 0 Abstain: 0 Motion passed</p>
10.2	<p>Resolution 13-32 for the purpose of selecting Hydro-Temp Mechanical, Inc. as the lowest responsive and responsible bidder in response to a Request for Bids, relating to the Oregon Convention Center (OCC) “Process Loop Piping Replacement” and authorizing the General manager to execute a contract with Hydro-Temp Mechanical, Inc.</p> <p>Scott Cruickshank presented Resolution 13-32 to the Commission.</p> <ul style="list-style-type: none"> • A motion was made by Commissioner Leary and seconded by Commissioner Goldman to approve Resolution 13-32 as presented. <p>VOTING: Aye: 6 (Leary, Stoudamire-Phillips, Erickson, Goldman, Hammerstad, Dozono) Nay: 0 Abstain: 0 Motion passed</p>
10.3	<p>Resolution 13-33 for the purpose of approving and transmitting to Metro Council budget amendments to the MERC Fund for fiscal year 2013-14.</p> <p>Matthew P. Rotchford presented Resolution 13-33 to the Commission.</p> <ul style="list-style-type: none"> • Chair Hammerstad inquired about the projected net revenue from the 2014 Cirque du Soleil performances at Expo as compared to the last time Cirque was at Expo. • Rotchford replied that last time the revenue was \$242,000 including catering. This time catering will not be supplied by Expo which will cause expenses to be less during the shows in 2014. • Commissioner Dozono inquired why there was a “TriMet buyout for inconvenienced customers” expense included in the amendment. • Rotchford explained that during the Portland Auto Swap Meet, park and ride facilities are closed and Expo covers that expense during that particular show. <ul style="list-style-type: none"> • A motion was made by Commissioner Dozono and seconded by Commissioner Stoudamire-Phillips to approve Resolution 13-31 as presented. <p>VOTING: Aye: 6 (Leary, Stoudamire-Phillips, Erickson, Goldman, Hammerstad, Dozono) Nay: 0 Abstain: 0 Motion passed</p>
	<p>As there was no further business to come before the Commission, the meeting adjourned at 1:50 p.m.</p>

MERC Commission Meeting

January 8, 2014
12:30 pm

10.0 Action Agenda

Metropolitan Exhibition and Recreation Commission

Resolution No. 14-01

For the purpose of adopting a MERC Personnel Policy on Mandatory Reporting of Child Abuse.

WHEREAS, the Metropolitan Exposition Recreation Commission (MERC) is authorized to adopt personnel policies pursuant to Metro Code Sections 2.02.010 (b) and 6.01.040(a);

WHEREAS, MERC periodically updates the MERC Personnel Policies (the Personnel Policies) in accordance with both legal requirements and agency-wide policies; and

WHEREAS, the adoption of a MERC Personnel Policy on Mandatory Reporting of Child Abuse is consistent with changes in Oregon law and Metro policy.

BE IT THEREFORE RESOLVED:

That the Metropolitan Exposition Recreation Commission adopts the changes to the Personnel Policies in a form substantially similar to the attached Exhibit A.

Passed by the Commission on January 8, 2014.

Chair

Secretary-Treasurer

Approved As To Form:
Alison R. Kean, Metro Attorney

By: _____
Nathan A.S. Sykes, Deputy Metro Attorney



DRAFT
Exhibit A
For MERC Vote
1.8.14

Subject Mandatory Reporting of Child Abuse
Section Human Resources; Office of Metro Attorney
Approved by

POLICY

All Metro employees are required to report suspected child abuse to the proper authorities in accordance with Oregon law.

Applicable to

All employees.

Where provisions of an applicable collective bargaining agreement directly conflict with this policy, the provisions of that agreement will prevail.

Definitions

Child: An unmarried person under 18 years of age.

Child abuse: Physical or mental injury to a child that is not accidental and that endangers the welfare and safety of a child. Examples of child abuse include:

- a. Assault and any physical injury to a child that has been caused by other than accidental means. This includes an injury that appears in conflict with the explanation given for the injury;
- b. A mental injury that includes observable and substantial impairment to the child’s mental or psychological ability to function caused by cruelty to the child, with a due regard to the culture of the child;
- c. Sexual abuse that includes incest, rape, sodomy, sexual penetration, fondling, voyeurism and sexual harassment;
- d. Sexual exploitation of a child, including contributing to the sexual delinquency of a minor and allowing, encouraging or hiring a child to engage in prostitution;
- e. Negligent treatment or maltreatment of a child, including failure to provide adequate food, clothing, and shelter or medical care that is likely to endanger the child’s health or welfare;
- f. Threatened harm to a child, which means subjecting a child to a substantial risk of harm to the child’s health or welfare;

- g. Buying or selling a person under 18 years of age except legitimate adoptions or domestic relations planning.
- h. Permitting a person under 18 to remain on premises where methamphetamines are being manufactured; and
- i. Unlawful exposure to a controlled substance that subjects a child to a substantial risk of harm to health or safety.
- j. physical injuries that include bruises, cuts, burns, scalds, head injuries, internal injuries, poisoning, electrical shocks, fractures, sprains that are not accidental.
- k. "Abuse" does not include reasonable discipline unless the discipline results in one of the conditions described in a. through j. above.

Mandatory child abuse reporter: A person who is legally required to report suspected child abuse. Under Oregon law, mandatory reporters include employees of "public or private organizations providing child-related services or activities." Because Metro provides child-related activities, all Metro employees are mandatory reporters even if they do not work directly with children.

Law enforcement agency:

- a. A city or municipal police department;
- b. A county sheriff's office;
- c. The Oregon State Police;
- d. University police departments and officers;
- e. A county juvenile department.

Guidelines

1. All Metro employees must immediately report suspected child abuse to the local office of the Department of Human Services, to the designee of the department, or to a law enforcement agency within the county where the person making the report is located at the time of the contact as required by Oregon law and outlined in this policy. See Procedures below.
2. Child abuse reporting obligation is 24/7 personal obligation. The law applies regardless of whether the suspected abuse occurs at work or while off-duty. A report must be made even if the suspected child abuse did not occur on Metro premises and has no connection to Metro.
3. If an employee observes or suspects child abuse on Metro premises or related to Metro activities, the employee must also inform a supervisor as soon as possible. While telling a supervisor does not fulfill the employee's individual mandatory reporting obligation under the law, it is important to ensure that Metro is aware of the abuse and can take all necessary steps to protect the child.
4. For additional information about mandatory child abuse reporting, please see the attached Frequently Asked Questions (FAQ).

Procedures

1. Under Oregon law, a Metro employee must make an immediate oral report by telephone or other means following the procedures below whenever he or she has reasonable cause to believe:
 - a. Any child with whom a Metro employee comes in contact has suffered abuse; or
 - b. Any person with whom a Metro employee comes in contact has abused a child.

2. The report must be made to a local office of the Department of Human Services, to the department's designee, or to a law enforcement agency within the county where the reporter is located at the time of the contact with the child or suspected abuser.
 - a. The report may be made orally by telephone or by other means.
 - b. For emergency situations, call 911
 - c. For non-emergency situations, contact:
 - Local office of the Department of Human Services
 - Multnomah County: 503-731-3100, 800-509-5439
 - Clackamas County: 971-673-7112, 800-628-7876
 - Washington County: 503-681-6917, 800-275-8952
 - A law enforcement agency such as the local police department, county juvenile department, county sheriff or Oregon State Police:
 - Portland Police Bureau: 503-823-3333
 - Multnomah County Sheriff: 503-988-4300
 - Clackamas County Sheriff: 503-655-8211
 - Oregon State Police – Portland Area Command: 503-731-3020
 - d. The report should include the following information, if known:
 - i. The name and address of the child;
 - ii. The name and address of the child's parents;
 - iii. The child's age;
 - iv. The type and extent of the abuse, including any previous evidence of abuse;
 - v. The explanation given for the abuse;
 - vi. Any other information that will help establish the cause of the abuse or identify the abuser.
3. If the suspected abuse occurred on Metro premises or in connection with Metro activities, the employee must inform a supervisor as soon as possible in addition to making the report described above.

Responsibilities

Employee:

- Any time you have reasonable cause to suspect child abuse on or off the job immediately make a report to the local office of the Department of Human Services or for emergencies call 911. Ask your supervisor or the Human Resources Department if you need additional information.
- Inform your supervisor as soon as possible if you observe or learn of an incident of child abuse on Metro premises or related to Metro activities.

Supervisor/Manager/Director:

- If an employee reports suspected child abuse, take appropriate steps to protect the child and report the incident to the Office of Metro Attorney for follow-up.

Office of Metro Attorney:

- Coordinate any follow-up to reported incidents of child abuse.

Human Resources Department:

- Design and implement educational training on child abuse reporting.
- Take appropriate action in response to reports of violations of this policy.

References

ORS 419B.005 to 419B.045, amended by House Bill 2622

2013 Oregon Laws Ch. 129 (H.B. 2622)

Attachment

Frequently Asked Questions: Mandatory Reporting of Child Abuse in Oregon

MERC STAFF REPORT

Agenda Item/Issue: For the purpose of adopting a MERC Personnel Policy on Mandatory Reporting of Child Abuse.

Resolution No. 14-01

Presented by: Ron Zito, Metro HR Analyst
Lisa Cohen-Greenfield, OMA

Date: January 8, 2014

Background and Analysis:

The MERC Commission last approved a complete personnel policy manual for venues staff in August 2007. Beginning in 2011, Metro's Human Resources Department began a project to review and update both the MERC policy manual and Metro's policy manual, Executive Order #88, with the goal of developing one set of agency-wide personnel policies and procedures. The policies are being updated and implemented on a rolling basis in an order determined by legal changes and business needs.

Effective January 1, 2013, the state legislature revised Oregon's Mandatory Child Abuse Reporting law, expanding the definition of who is considered a "mandatory reporter" of child abuse to include any "employee of a public or private organization providing child-related services or activities." Because Metro provides child-related services and activities, OMA and the Metro Human Resources staff are advising that all Metro employees should now consider themselves mandatory child abuse reporters, even if they do not work in an area that directly involves interacting with children.

OMA and HR have recently completed a new policy and supplemental text of Frequently Asked Questions to educate all employees regarding their affirmative duty to report suspected cases of child abuse. This new policy provides employees with working definitions on the topic, guidelines for identification, as well as procedures and methods for reporting. Where appropriate, labor unions representing MERC and Metro staff have been notified of the policy being presented for consideration.

Resolution: The resolution seeks the MERC Commission's approval of the following personnel policy:

- Mandatory Reporting of Child Abuse

Long Range Fiscal Impact: There is no fiscal impact associated with implementation of this policy.

Recommendation: Staff recommends approval of Resolution 14-01 for the purpose of adopting a MERC Personnel Policy on Mandatory Reporting of Child Abuse.