

Council Convention Center Committee Minutes
Tuesday, October 25, 1988
4:00 p.m.
Metro, Room 330

Attending: Councilors Kelley, Knowles, Van Bergen, Waker
Staff: Neil McFarlane, Eloise MacMurray, Neil Saling,
Sandy Stallcup, Glenn Taylor, Berit Younie
Guests: Don Carlson, Jessica Marlitt, Don Rocks, Kim
Duncan, Julie DeWeese

Chairman Knowles called the meeting to order at 4:10 p.m.

Agenda Item No. 1. Approval of Minutes for October 11, 1988.

MOTION: Councilor Waker moved that the Minutes of October 11, 1988 be approved. There were no objections.

VOTE: The motion was approved by unanimous vote.

Agenda Item No. 2. Amendment to Oregon Tourism Alliance Compact.

Jessica Marlitt reported on this item, specifically, Resolution No. 88-998 which would approve proposed amendments to the Oregon Tourism Alliance Regional Compact.

The OTA was formally established in February of 1987 to develop an economic strategy based on tourism and aimed at having a significant impact through the northwest region of the state. Metro Council voted to adopt the compact unanimously at that time and thereby became a member government.

OTA now requests the each member jurisdiction endorse recommended "housekeeping" amendments to the Regional Compact, none of which represent substantive changes. Marlitt detailed each changes requested as follows:

1. Delete reference to non-member Hood River County; add additional reference to METRO and the Port of Portland as member jurisdictions.
2. Amend language to clarify that membership is not exclusive of counties, but to governmental jurisdictions generally in Oregon's northwest region.
3. Moves the OTA Board appointment process from the Governor's Office to the member jurisdictions.

4. Amends the Board terms of service from four to two years and to provide guidelines for maintaining staggered terms of service.

5. Removes a listing of the OTA organizational objectives which were refined by the Alliance during the past year and appear now as part of the formal OTA program.

Kim Duncan was on hand to answer questions. There was brief discussion. Council Van Bergen questioned Metro's representation. Duncan stated that Mike Ragsdale, Metro's presiding officer, is the current Metro representative on the OTA Board and is also the Chairman of the OTA Marketing Committee and that support is now donated by member jurisdictions and currently support is provided by the Portland Oregon Visitors' Association.

Councilor Waker was reassured by Duncan that the OTA budget has been established via State lottery funds and that the Metro budget will not be impacted.

MOTION: Councilor Van Bergen motioned to approve Resolution No. 88-998 approving amendments to the Oregon Tourism Alliance Regional Compact.

VOTE: The motion was approved by unanimous vote.

Agenda Item No. 3. Contracts for Art Work Funded Under the Convention Center's 1% for Art Program.

Eloise MacMurray, coordinator for the One Percent for Art Program presented a summary of the eleven proposed contracts for the eleven artists who will be creating art work to be sited in the Oregon Convention Center. MacMurray briefly described the projects and the budget. She described the plaque sponsorship program wherein individuals would "purchase" a plaque for \$1500.00 and, as acknowledgement of their sponsorship, receive a print of a plaque. Gross revenues from this program are anticipated to be at least \$45,000, (an initial edition of 30 plaques would be "sold").

MacMurray noted that the Art budget totaled \$621,000 from the following sources:

- \$475,000 - 1% of construction budget
- \$95,000 - 2 National Endowment of Arts grants
- \$51,000 - allocated from owners contingency to pay for sconces

Additionally, the budget is expected to be supplemented by \$45,000 from the "sale" of plaques, resulting in a projected total budget of \$666,000.

Council Waker questioned the revenues anticipated from the plaque program. MacMurray stated that the cost per plaque is \$1,250. Waker noted that the profit per plaque sponsor will therefore be \$250.

There was discussion of copyright laws in general and the specific provisions of the contracts. The contracts as proposed give ownership of the physical piece of work to Metro while the artist retains the copyright. In addition, the artist grants to Metro license to reproduce the work for enumerated purposes, specifically, educational, public relations and non-commercial uses. The contract goes on to define non-commercial as typical gift-shop-type use. Councilor Kelley questioned the use of the term non-commercial for uses which were obviously intended to be commercial. Berit Younie indicated that the legal mechanism of defining these incidental commercial uses as non-commercial was typical for this type of contract and that the intentions of both the artist and Metro are that Metro should be allowed this use.

Councilor Van Bergen was concerned about the issues surrounding copyright and requested some clarification. He also inquired as to the minority and women participation. Chairman Knowles responded, indicating that he had discussed this with members of the minority community, that because of the nature of these contracts, D/WBE goals did not apply and that, notwithstanding, the issue was not likely to go away.

Councilor Waker inquired as to the rights of Metro as property owner to display or dispose of the artwork at Metro's discretion. Berit Younie indicated that as owners, Metro could rely on all the typical rights a personal property owner had in his possession, and therefore, would be free to display or dispose of as Metro deemed appropriate.

Jessica Marlitt reported that General Counsel had indicated that it would be appropriate that all contracts come before the Committee and the Council under a single resolution.

Motion: Councilor Waker made the motioned to recommend approval of the resolution subject to the modification of the contracts in regards to (1) the terminology of "non-commercial"; and (2) clarification of the copyright and display issues.

Vote: The motion was approved by unanimous vote.

Agenda Item No. 4. Discussion of Financial Analysis of
Facilities Proposed for Consolidation

Chairman Knowles began the discussion by inquiring as to the status of Financial Analysis performed regarding the consolidation of various facilities under the operating governance of the Metro E-R Commission. Neil McFarlane responded that Metro is currently contemplating the need of such a study to address the financial impacts of the proposed consolidation and that the Committee should expect this proposal to come before it in the future.

Councilor Waker noted that a consolidated food service concessionaire could present cost savings as a result of economies of scale of the larger operation.

Councilor Van Bergen indicated his concern that the scope of the consolidation not be limited to the existing facilities which have been commonly discussed as included.

Agenda Item No. 5. Project Status Report.

Glenn Taylor, Metro Construction Coordinator, submitted Construction Status Report No. 2, which covered activities of the past two weeks. He indicated that the General Contractor was progressing on schedule and without apparent problems. He indicated that the concrete pouring of piling caps was about 77 percent completed and that foundation walls were about 15 percent poured. There was concern whether the structural steel erection starting date of November 21 could be met. This issue was being closely monitored by Metro and Turner staff.

Councilor Knowles requested that the next Committee meeting be conducted on-site. All Councilors indicated their satisfaction. Directions will be included in the next meeting notice and hard hats will be available at the site.

Agenda Item No. 6. Project Office Organization.

This item was deferred by Councilor Knowles who indicated that he expected a memo from the Executive Officer stating her preference to continue the current project office organization. Councilor Knowles will present the issue at a future meeting after each committee member reviews the memo.

The meeting was adjourned at 5:08 p.m.

Respectfully submitted,

Dandy Staller