

MINUTES OF THE COUNCIL CONVENTION, ZOO AND VISITOR FACILITIES
COMMITTEE OF THE METROPOLITAN SERVICE DISTRICT

Regular Meeting
May 16, 1989

Committee members present: Councilors Tom DeJardin (Vice Chair),
Roger Buchanan, Sharron Kelley and
George Van Bergen

Committee members absent: Councilor David Knowles (Chair)

Vice Chair DeJardin called the meeting to order at 4:05 p.m.

1. Consideration of Minutes of May 2, 1989

Motion: Councilor Buchanan moved approval of the minutes of
May 2, 1989.

Vote: The three councilors present voted in favor of the
motion. Councilors Knowles and Van Bergen were
absent.

The motion carried.

Vice Chair DeJardin announced Agenda Item No. 5 would be considered
prior to Agenda Item No. 2.

5. Convention Center Construction Update

Mr. Glen Taylor, Metro Construction Coordinator, introduced Steve
Kelley, a new employee working on the Convention Center Project.
Mr. Taylor then referred the Committee to Construction Status
Report No. 16 which he had distributed. He noted the project was
approximately 26.5 percent complete and four weeks behind schedule.
Mr. Taylor said he was having ongoing meetings with the contractor
to update the schedule.

Councilor Van Bergen questioned Mr. Taylor about claims filed and
at what level the Council would be involved. Mr. Taylor explained
the filing process consisted of the contractor submitting a claim
to Turner Construction which Turner would either accept or reject.
If Turner accepted the claim, negotiations would commence. If
Turner rejected the claim, the contractor could file a formal
complaint with Metro. Metro General Counsel would then negotiate
or reject the claim. If Metro General Counsel rejected the claim,
the contractor could pursue litigation six months after the project
had been completed. Councilor DeJardin asked Mr. Taylor to notify
Metro General Counsel at the earliest possible date of any problems
with claims. In response to questions from Councilors Kelley and
Buchanan regarding the project's anticipated completion date, Mr.
Saling told the Committee the contractor reported project progress
on the basis of construction days which excluded weekends and
holidays while Mr. Taylor reported project progress in terms of

calendar days, and the project was approximately four weeks behind schedule for a July 10 completion date.

2. Review of Zoo Master Plan and Discussion of Zoo Tax Levy Proposal Development for Spring, 1990 Ballot (Work Session)

Council Analyst Jessica Marlitt said review of the Master Plan and Five Year Financial Plan would serve as a foundation for discussion of the Zoo Tax Levy Proposal. Sherry Sheng, Zoo Director, said the current Master Plan (The Master Plan 1987-2002, Washington Park Zoo, Metropolitan Service District, Portland, Oregon) had been adopted by the Metro Council in 1987 and was a continuation and update of the original Plan published in 1983. Ms. Sheng said the Task Force who developed the current Plan consisted of the former Zoo Director, Assistant Zoo Director, members of the Friends of Zoo Board of Directors, three Metro Council members and the Metro Deputy Executive Officer. Ms. Sheng then reviewed the Master Plan Process, Concept Statement and Goals, Policies and Objectives contained in the agenda packet which had been distributed to the Committee.

In conjunction with Ms. Sheng's review, the following issues were raised:

1. Councilor Buchanan asked what types of "humane research" were being conducted. Ms. Sheng said the research conducted was unobtrusive and consisted to a large degree of observing and recording behavior. She also said the Zoo's research program was not profit oriented.
2. Councilor Kelley said she felt financial goals and policies should be expanded upon and more fully addressed in the Master Plan.
3. Councilor DeJardin asked if the projects undertaken by the Zoo had been consistent with the Master Plan to which Ms. Sheng replied affirmatively and stated the Master Plan had provided adequate guidelines upon which to operate on a day-to-day basis and continue to look at improvement.
4. Councilor DeJardin stated one of the Zoo's goals was to maintain a 50/50 percentage of public subsidy and revenue generated by the Zoo. He asked if it were common for zoos to be publicly subsidized at a 50 percent level. Ms. Sheng stated most public zoos were either totally publicly subsidized or subsidized at a much higher level. Councilor DeJardin requested staff provide figures on the percentage of public subsidy other zoos in the country received. Ms. Sheng noted if self-sufficiency were to be a goal, the Council would need to reconsider policies regarding admission fees.

5. Councilor Kelley said the Committee and Council should also reevaluate its policy of placing excess admissions and concessions funds in the capital budget.
 6. Councilor Van Bergen said future capital improvements should be cost effective and have the capability of generating the 50 percent revenue.
 7. Council staff noted natural exhibits have higher maintenance costs and asked if that course were to continue in future capital projects, could the 50/50 subsidy to revenue balance be maintained. Ms. Sheng said enterprising efforts would continue; however, due to physical limitations such as parking and facility space, there was a limit to how much additional enterprising funds could be generated. Ms. Sheng also said some non-traditional methods such as early and late hours and group use were being explored.
 8. In response to questions regarding parking problems at the Zoo, Ms. Sheng said she had had discussions with the OMSI Executive Director and had been told by her that OMSI preferred to lease, rather than sell, their site near the Zoo once they moved to their new site. She also noted the parking lot was owned by the City of Portland.
3. Resolution No. 89-1092, Consideration of Exemption of Requirements of Metro Code Section 2.04.053 for Amendment No. Four to Contract with Guthrie Slusarenko Assoc. (GSA) for Specified Design Services for Africa Exhibit, Phase III

Kay Rich, Assistant Zoo Director, presented the staff report. Mr. Rich said GSA had been selected by competitive bid process to design Phase III of the Africa Exhibit, and since the contract award, the scope of work had expanded. Therefore, the Zoo had requested a \$12,900 contract amendment and exemption from competitive. Mr. Rich said additional design work would include indoor climate control and a more comprehensive sound system. Councilor Van Bergen asked if contract expenditures would occur in more than one fiscal year. Mr. Rich explained the contract included design, observation and management prior to and during the construction, and therefore, the contract would extend over two fiscal years.

Motion: Councilor Kelley moved to recommend the Council adopt Resolution No. 89-1092.

Vote: The four committee members present voted aye. Councilor Knowles was absent.

The motion carried unanimously.

4. Resolution No. 89-1097, for the Purpose of Approving a Request for Bid Document for Construction of African Rainforest Exhibit at Metro Washington Park Zoo

Kay Rich, Assistant Zoo Director, said the total project cost, including construction and design, was estimated at \$4.5 million; and the construction contract, excluding any contingency, was estimated at \$3.34 million. Ms. Sheng showed the Committee design drawings and oriented the Committee to the exhibit's physical location in relation to existing exhibits and described the animals and environment planned for the exhibit.

Motion: Councilor Van Bergen moved to recommend the Council adopt Resolution No. 89-1097.

Neil Saling, Construction Projects Manager, noted the Administration had submitted the RFP for Council review, it had been submitted under the contracting procedures for filing with the Council; and scheduling Committee review within 14 days or if no review is scheduled, release on the 35th day after filing. He said he was not aware of any documentation from the Executive Officer or Deputy Executive Officer recognizing the contract as a multi-year contract. Mr. Saling said in the contract General Conditions, there was a paragraph which addressed "Continuing Contracts." He said that provision set aside a certain amount of money which was less than the full value of the contract to be appropriated in FY 89-90. He said there was nothing in the contract that bound or committed the District to expend in subsequent fiscal years, and that the Administration's interpretation of the contract ordinance was neither the Council nor the Executive could commit to a contract for more than one year at a time. Mr. Saling said he wished to alert the Committee the discussion of single- versus multi-year contracts may arise at the Council level.

Councilor Van Bergen said the Committee should have clear and specific direction from staff in consultation with General Counsel. He noted it may be difficult to obtain bidders for a project whose funding commitment could not be assured. Councilor DeJardin requested staff to follow up on the Committee's request.

Councilor Van Bergen asked if the interpretative nature of the Africa Rainforest Exhibit would be advocating one view rather than another on environmental, preservation and conservation issues. He said he would caution the Zoo, as a public agency not to get into the Zoo in the position of advocating one view over another. Ms. Sheng said the Zoo would not be advocating any position, but rather providing information.

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Vote: The three Committee members present voted aye.
Councilor Knowles and Kelley were absent.

The motion carried unanimously.

6. Staff Report on Property Bequest to the Zoo

Ellen Lanier-Phelps, Zoo Development Director reported that in 1987, Edward G. Emerson, Sr. had died leaving his entire estate to the Zoo. Mr. Emerson's children contested the will and the Zoo prevailed in the ensuing litigation. Ms. Phelps said Council approval was necessary to dispose of the residential property Mr. Emerson bequeathed to the Zoo, and she was advising the Committee in advance so that at such time as there was a buyer, the property could be disposed of expeditiously.

Other Business

Councilor Van Bergen announced he had written a letter to Committee members regarding designating North Portland as the first resource Metro tapped for Convention Center jobs. He said he felt the item should come before the Committee again and that the facility was regional and the rest of the region should be afforded the same opportunity.

There was no other business, and the meeting was adjourned at 6:20 p.m.

Respectfully submitted,



Gwen Ware-Barrett
Clerk of the Council