

Minutes of the Metro Council Regional Facilities Committee
February 16, 1994
Metro Regional Center
Council Chambers

Committee Members Present: Sandi Hansen (Chair), Ed Washington (Vice Chair), Mike Gates,
Ruth McFarland, Terry Moore

Committee Members Absent: none

Other Councilors Present: Susan McLain

Chair Hansen called the regular meeting to order at 4:00 p.m.

1. Consideration of the February 2, 1994 Regional Facilities Committee Minutes

Motion: McFarland moved to approve the minutes as written.

Vote: The vote was unanimous and the motion passed.

2. Councilor Updates

Councilor Washington noted he attended a meeting of the Smith and Bybee Lakes Management Committee. Councilor McFarland stated there were no updated items for the Friends of the Zoo. Councilor Moore referred to Casey Short, Senior Council Analyst, who reported the City of Portland accepted a transfer of former Multnomah County neighborhood parks. Councilor Gates noted no new information was available for the End of the Oregon Trail Project.

3. Consideration of MERC Resolutions

The Committee reviewed MERC Resolution No. 94-7, a copy of which is included in the record of this meeting.

4. Consideration of Appeal by Rollins and Greene Builders, Inc. of the Award of the Contract to Remodel the Research Building at the Metro Washington Park Zoo to Lonigan Construction Company

Mark Williams, General Counsel, presented the background information on the appeal made by Rollins and Greene Builders, Inc.

Chair Hansen opened the public hearing.

John Thomas, Williams, Fredrickson & Stark, representing Rollins and Greene Builders, Inc. distributed and summarized a handout, a copy of which is included in the record of this meeting. He discussed the MBE/WBE contracting procedures established by Metro in the Code. He said the Code stated any bidder failing to submit an MBE/WBE compliance form shall have their bid rejected. He discussed the reasons stated by the Executive Officer to award the contract to Lonigan Construction Company. He contended that Lonigan Construction Company failed to complete the form as required by the Code and therefore their bid should be rejected. He stated the material must be submitted at bid opening, not 48 hours following.

In response to Councilor Gates, Mr. Thomas explained that Rollins and Greene submitted the proof of good faith efforts to maximize MBE/WBE opportunities within 48 hours and that they supplied the MBE/WBE subcontractor/supplier information at the time of bid opening as required.

Mr. Williams discussed the code requirements and defined minor irregularities. In response to Councilor Gates, Mr. Williams discussed six factors that should be submitted at the time of bid. He stated Rollins and Greene did not include Code Section 2.04.160(b) 4, 5, and 6. He explained that both firms were potential low bidders and were both asked to submit the remaining information required. He said award of the contract followed receipt of that additional material.

Councilor Washington noted that MBE/WBE contracting was not required and asked why the code was established. Mr. Williams explained that due to court rulings, quotas were no longer allowed. He stated the code was written to encourage MBE/WBE contracting while disparity studies were being conducted.

Rich Wiley, Procurement Officer, noted the MBE/WBE contractors included in both bids, were the same. He noted there was little impact on use of MBE/WBE subcontractors/suppliers between the two generals. He spoke to the MBE/WBE program as being a good faith effort. Mr. Wiley noted Lonigan's bid included all MBE/WBE contacts made for the bid process. He stated that a total of five bids were received for the project and not one was without error.

Councilor Moore summarized her understanding of the status of MBE/WBE contracting programs at Metro and stated a higher standard might have been required for the program had stricter standards for contractors existed.

Councilor Washington stated the process was weak. He spoke to his personal preference to have people of color and women participating on the projects.

Bill Lonigan, Lonigan Construction Company, noted it was difficult to complete the form until all potential sub contractors had been contacted and been given an opportunity to participate. He stated his organization made a good faith effort.

Motion: Councilor McFarland moved to file Resolution No. 94-1920, rejecting the appeal with the Clerk of the Council and forwarding the resolution to the full Council for adoption.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

UNSCHEDULED ITEM

Pat LaCrosse, MERC General Manager, spoke to the MERC Business Plan Development. He discussed the process used to develop the work plan. He noted February 22, 1994 will be a special meeting of the MERC to "kick-off" the Business Plan. He stated public input would be allowed and a final document including comments would then be forwarded to the Metro Council.

Mr. LaCrosse discussed the outlook of the Civic Stadium. He said negotiations with the Calgary Cannons was still underway for a AAA farm baseball team. He said an alternative lease proposal would soon be submitted by the manager. He stated a deadline of March 31, 1994 was forwarded to the Calgary Cannons. He noted if the Calgary Cannons did not locate in Portland, alternatives would need to be examined for the future of the Civic Stadium. He stated proposals to increase events at the Civic Stadium were underway with DoubleTee Productions with a guarantee of \$40,000-70,000 for concerts. He stated the agreement was proposed for three years with MERC able to terminate after one year.

Mr. LaCrosse explained that a proposal was being considered to allocate a portion of the Hotel/Motel tax to fund activities at the PCPA. He said the proposal would allow up to \$600,000 a year for three years for operation of the PCPA.

At the request of Councilor Moore, Mr. LaCrosse explained the process used for locating a baseball team. Mr. LaCrosse discussed other alternatives available at the Civic Stadium, including changing the operation to a non-profit facility or closing the facility.

5. Consideration of Resolution No. 94-1909, Waiving Competitive Bidding and Authorizing a Design-Build Contract with Ray Mendez for a Naked Mole Rat Exhibit

Jennifer Agnew, Graphic Coordinator, presented the staff report, a copy of which is included in the record of this meeting. She then addressed questions raised by Mr. Short, a copy of his memorandum is included in the record of this meeting. She explained an elephant interpretive project had been deferred and other projects had been scaled back including rest rooms at the elephant exhibit and a first aid center. In response to Councilor Washington, she noted liability was limited with regards to escape because the moles can not survive in our climate.

Motion: Councilor Washington moved to recommend Council adoption of the Resolution.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

6. Regional Parks and Greenspaces - Informational Presentation

Charles Cieko, Regional Parks and Greenspaces Director, introduced himself and staff members. He distributed and summarized the proposed budget information for fiscal year 1994-95, a copy of which is included in the record of this meeting. He discussed objectives established in preparing the budget information. He explained three divisions existed in the department: administration; planning and capital development division; and the operations and maintenance division. He summarized the revenue and expenses. He discussed the instability of federal funding sources. He expressed interest in establishing a stable source of funding. He discussed budgeted fund projects.

Nancy Chase, Senior Planner, spoke to the RV registration fees. She stated allocation of the RV registration fees will be changed based on certain demographics. She stated the department was lobbying for a method that would increase allocations to approximately \$271,000 per year. She discussed a proposal to increase campground spaces. She stated \$89,000 was budgeted for feasibility studies to meet bond requirements. She explained a process would be proposed to streamline property transactions.

Pat Lee, Environmental Planning Manager, discussed the proposed Greenspaces bond measure. He discussed the process established for proceeding with a bond measure.

Jim Morgan, Senior Regional Planner, presented information regarding to the Smith and Bybee Lakes. He discussed the history of the transfer of the Smith and Bybee Lakes acquisition and management plan to date. He discussed significant projects under development at Smith and Bybee Lakes.

Dan Kromer, Operations and Maintenance Supervisor, presented a slide show summarizing the operations and maintenance projects.

Ron Klein, Senior Regional Planner, presented a summary of the activities/events occurring at Metro Regional Parks facilities. He discussed a commitment to expand the geographic audience.

Mel Huie, Senior Regional Planner, discussed the Greenspaces demonstration program funded through US Fish and Wildlife. He spoke to the potential significance of trails programs.

Julie Weatherby, Planner, discussed the importance of volunteer activity. She stated volunteers provided security, construction, maintenance, clean-up, plantings, events promotion, and related activities. She spoke to the

challenges of alternative labor. She explained that a significant reduction in labor performed by County inmates affected the Regional Parks facilities.

Mr. Lee closed by distributing and summarizing the citizen advisory committee activity and a proposal to establish a new structure to address the advisory committee needs.

In response to Chair Hansen, Mr. Ciekko discussed the proposed reduction under the 6% excise tax scenario.

Councilor McLain noted she had questions that she would discuss with Mr. Ciekko in another forum. She expressed concerns about the budget document distributed. She stated the importance of providing a balanced program. She emphasized the importance of coordination and providing partnerships in a larger geographic area.

Mr. Ciekko responded to Councilor McLain's comments regarding the balance. He explained that planning efforts would focus on Regional Greenspaces efforts. He stated budget reductions were required to come from very limited program areas. He advocated emphasizing the Regional Parks image and not focusing on Multnomah County parks.

Councilor Gates asked how active Boys Scout Eagles were in the parks programs. Mr. Ciekko stated recruitment was not done, but participation was encouraged. He stated to date, no Boy Scout projects had ever been turned down.

Councilor Moore concurred with comments made by Councilor McLain. She advocated holding meetings at the facilities. She expressed an interest in putting the Metro logo on brochures.

7. Citizen Comments

No citizens appeared to testify.

With no further business before the committee, Chair Hansen adjourned the meeting at 6:45 p.m.

Respectfully Submitted,


Susan Lee
Committee Clerk

APPROVED
Date 3.2.94