West Hayden Island Advisory Committee Meeting #1 December 3, 2010, 9:30am-12:00pm Bureau of Planning and Sustainability, Room 7a 1900 SW 4th Ave., Portland Oregon

Meeting Notes

Advisory Committee Member	Affiliation	Present
Susan Barnes	ODFW (?-confirm)	Х
Andrew Colas		Х
Andy Cotugno	Metro	Х
Pam Ferguson		Х
Rich Gunderson	Parks & Rec	Х
Don Hanson	PSC	
Chris Hathaway	LCREP	Х
Brian Owendoff		Х
Sam Ruda	Port of Portland	Х
Bob Sallinger	Audubon Portland	Х
Bob Tackett		Х
Victor Viets	HiNOON	Х

Staff Affiliation		Present
Jacob Brostoff	ICM (Facilitation Team)	Х
Eric Engstrom	BPS	
Rachel Hoy	BPS	Х
Sam Imperati	ICM (Facilitation Team)	Х
Phil Nameny	BPS	Х
Mike Rosen	BES	Х
Amy Ruiz	Mayor's Office	Х
Abbey Tennis	ICM (Facilitation Team)	
Joe Zehnder	BPS	Х

Public Attending (name)	Affiliation
Erin Feuerbach	Lewis & Clark Law School
Sylvie	Lewis & Clark Law School
Tim Helzer	Friends of WHI
Susie Lesehne	Port of Portland
Greg Theisen	Port of Portland
Duke Sheppard	AFL-CIO
Chris White	Port of Portland

Introductions

Joe Zehnder thanked the group for being here and said that there was good, but difficult work to do.

Mike Rosen welcomed the group and said that BES will provide technical support to BPS. He set the context for the work today. The Council resolution directs the City to develop a legislative proposal: 500 acres for open space and 300 acres for industrial development. The West Hayden Island (WHI) Advisory Committee (AC) will work on three elements:

- 1) Additional technical reports based on the work done in phase one, refer group to handout.
- Development of a concept plan with 500-acre open space/300 acre marine industrial development split.
- 3) The legislative package: zoning and a plan district, for the entire island.

Community involvement is central to this phase of this project. The Public Involvement (PI) summit earlier in week was positive and there was lots of good feedback. The City will be developing a complete environmental program for all of Hayden Island, including East Hayden Island (EHI), WHI, and the south bank of Columbia River.

Mike Rosen set the historical context for the project. WHI is part of Multnomah County and within the Urban Growth Boundary (UGB). It was brought into the UGB by Metro in 1983 for future industrial development. In 2004, it was designated as a Regionally Significant Industrial Area, and in 2005, a moderate Habitat Conservation Area. For the first phase of this project, there were two key studies, both prepared by ENTRIX: the economic and environmental (natural resource) foundation studies. The previous phase's Community Working Group (CWG) was charged with advising Council on how industrial and environmental uses might be reconciled on WHI. In June 2010, the CWG did not put forth a recommendation to Council, but the final report from the CWG was clear where there was agreement and disagreement. This report was the basis for the Council resolution that we are working with today.

Review Draft Advisory Committee Charter Topics

Sam Imperati briefly walked the committee through today's agenda and the binder. He also pointed out the draft committee charter, edited by the facilitator.

Sam Imperati then referred the group to the charter. The current charter in front of the committee, based on the previous charter, was sent out before he was retained. Sam Imperati proposed some revisions to the charter based upon past charters from successful processes.

These are in front of the committee today. The revisions have Track Changes, intended to improve the functioning of group. He explained that we will not be finalizing this today, but we will talk about some of the highlights and we will finalize it as soon as possible so we can move on with the substantive work.

In the first three pages, there are few proposed changes. No surprises here – this section is based directly on the Council resolution. The goal is to have an efficient, fair, and transparent process.

Sam Imperati modified the section on membership, including how replacements and alternates are dealt with, specific commitments from staff and peer review, including technical advisory functions. The goal for technical advisors is to have a broad perspective, not just one person's perspective.

Next, there is a section on the facilitator, and his neutrality/impartiality. The Institute *for* Conflict Management, Inc (ICM's) client is not the City of Portland. ICM's client is the process. Their responsibility is not to the project sponsor or any individual participant. The goal is to explore issues as opposed to debating them.

Rachael Hoy then handed out the draft proposed schedule.

The substantive bulk of the changes to the Charter is from the bottom of p. 6 and goes through p. 9. Highlights include:

- Required quorum
- Open meetings/public records laws
- Opportunity for public comment (in future, public comment will happen before there is a vote)
- Advisory committee member commitments to each other (self-regulation)
- Decision-making process: 1-2-3 representative voting, striving for consensus

Sam Imperati discussed the definition of consensus, and explained the 1-2-3 voting process. If there is no consensus, then mediation may occur. These are public meetings and public records law applies. The process would not be confidential.

Sam Imperati explained that staff is not going to ask what the committee thinks of the collaboration principles yet. Instead, staff wants to go around and ask what the committee members' hopes and fears are, from a process perspective.

Pam Ferguson began by stating that she was an alternate in the first process, and she wants the public involvement piece to be very big. This is challenging because a lot of the community is

opposed to development. She is also afraid that we may get bogged down, and she wants the committee to keep to the proposed schedule.

Victor Viets agreed with Pam Ferguson. It is important that we have a schedule and stick to it. It looks to him like the proposed schedule has the right things on it. Last time, we were not on schedule and never caught up. His hope is that we have enough time at the end to see what real proposals would look like; last time we did not.

Sam Imperati mentioned that the schedule is hot off the press, so it is subject to change. He noted that generally, these processes take longer than anyone expects.

Chris Hathaway continued by saying that the schedule looks condensed. His fear is that we may be rushed on decision-making and consensus. The committee needs time with critical decision-points to go back to people and get more information.

Brian Owendoff added that the committee needs flexibility. There are three key constituencies that could all win with a good decision: the regional economy, the environment, and social equity. We do not know what the future may hold, so we need flexibility.

Andy Cotugno stated that his fear is that the question that is in front of us is confusing. There are many different aspects to the committee's charge and the Council resolution. His hope is that we can have agreement regarding what kinds of questions we are trying to answer.

Sam Imperati agreed and said he wants to make sure that we are all clear on what we are looking at/what question is being asked.

Andy Cotugno stated that the comment is aimed at the committee, but also at the PI process. It is one thing to have a technique, meeting, or survey, but it is more important to be clear on what we are seeking.

Bob Tackett stated that he hoped that we could have a win-win, per Brian. His key concern is for jobs and the importance of jobs.

Andrew Colas stated that he appreciated Pam's point regarding community involvement. He added that "community" should represent the full community, which is a diverse community. His fear is that we will not represent the full community. He agreed with Andy Cotugno regarding people sometimes being afraid of processes for lack of understanding. He finished by suggesting that we have some meetings in other venues, on the community's "turf."

Sam Ruda expressed his concern that the committee should be mindful of not deviating from the Council resolution. He hoped that the committee would focus on what Council has asked of

us, and that we would avoid biases re outcomes. His other hope is that we find lots of common ground: a facility of the future, 300/500.

Rich Gunderson said that he hoped that that we can negotiate, and appreciate others' viewpoints and come to some resolution.

Bob Sallinger expressed his fear that we will not have a good factual basis for making a decision. He expressed frustration with questions that have been raised over and over that have not been answered.

Susan Barnes expressed her hope that decisions will be grounded in science and not political whims.

Mike Rosen added that the team had not yet mentioned that the role of the City-BPS and BES-would be ex officio. He expressed two concerns: 1) Science: regardless of what people feel is the value of what we produced last time, he wants to ensure that we add to that, and raise the science to the point where it is respected and people value that. He believes in credible people, and a credible process. Some people were dissatisfied with the quality of work presented to the CWG. 2) Schedule: He is also concerned about schedule. He added that staff got good feedback from PI summit earlier this week. The draft schedule is ambitious, and he expressed concern that lengthy individual components could slow us down. Last time, we never really recovered from that. His hope is that the City has learned something on those two issues; we are going to work hard to do a significantly better job. He said he is personally going to work hard on that.

Sam Imperati asked the committee what people think 1-2-3 decision-making? Majority/minority? Supermajority? He asked broadly how we should make decisions.

Andy Cotugno said that the Council resolution says we do not have to have consensus, and pointed out that the facilitator's draft has struck that. He asked if we have the latitude to do that.

Joe Zehnder replied by saying that there is an "out" from the mention of majority/minority language in the Council resolution. He said that we do have the leeway to do 1-2-3 voting.

Sam Imperati referred group to p. 8 and identified what he called a "double-whammy":

- 1) The idea that the committee does not need to reach consensus
- 2) The idea that the committee does not have to vote.

Sam Imperati felt the committee should try to reach consensus. That may not happen, but leaving it open to decide whether to vote raises a concern about filibuster. It is a deterrent to

exploration. It is too game-like. If we vote, then Council gets to see what the various ideas might be. Lastly, he pointed out the section that says that the committee may choose to draft letters. He stated that of course, the committee is going to have opinions, and we should share them with the decision makers.

Victor Viets stated that the last time we went through this; we didn't know what questions we would be asked at the end. If we could early on brainstorm what questions will be on the table at the end, and put ourselves at the back end of the process, and then have at hand what questions we need to ask ourselves, which might clarify any input into the technical studies. He advocated that we slow down now to speed up later, and triage the issues.

Andrew Colas stated that he liked the majority/minority report concept. He added that we (committee) be allowed to drive the schedule, even if we get delayed. His hope is that the committee is able to come to a consensus as a group, but sometimes lack of consensus can open minds. Even if at the end of process one or two people do not agree, that too can be reported to City Council.

Mike Rosen responded to Victor Viets by saying that what he would like to hear from other likeminded people is a clear articulation of what needs to be better clarified about the decisions we are making. Council has said 500/300 and a proposal for how that will work, and either a consensus proposal or not. Sometimes, I hear in the political process confusion about what the starting point is. Staff will do a better job of advising if we can understand what you understand the purpose to be.

Sam Imperati agreed and said that we should talk about this.

Brian Owendoff added that the majority/minority model helps frame the perspective of the group.

Andy Cotugno stated that sometimes, the burden of developing the minority report falls on the minority. Is there staff support for developing minority reports?

Joe Zehnder and Sam Imperati said that there was. While the initial draft should come from the minority party, staff will help write it from there.

Joe Zehnder added that staff's responsibility is in part to set up clarity for Council to understand the debate and tradeoffs. They will need to see that majority and minority are talking about the same issues.

Sam Imperati asked the group to turn to p. 3 of the charter.

Bob Sallinger asked if we are going to look at Vancouver, other sites on the Willamette, and elsewhere?

Joe Zehnder stated that if we find out from a technical report that the 300/500 split is not feasible, we need to go back to Council.

Bob Sallinger said that if this is not relevant information, then he does not want to waste any more time. He also heard Council say that no final decision has been made.

Mike Rosen explained that the 300/500 split is the starting point. Additional technical info is needed to support that. For example, will the loop track fit into 300 acres? Through technical studies, we will either confirm that or find that we can do it in less than 300 acres. If we get to a point where the 300/500 split can or should be changed, we would need to clarify that with Council.

Joe Zehnder added that if it exceeds the parameters that have been set (i.e. if the marine industrial development does not fit into 300 acres), then we need to go back to Council. There is also the public benefits/costs analysis: is the balance positive enough to move forward with annexation? At some point, the benefits/costs analysis could show that it does not make sense.

Sam Ruda said that he was glad we have begun the framework discussion, because it will determine how effective we are as a group. There is confusion, but it is a simple fix to what Council members are saying with respect to all options being on the table. This is not a fait accompli; we all need to keep reading and re-reading and summarizing the key deliverables/tasks from resolution and they should probably be inserted into the document. Council has given us parameters and we need to keep an open mind and see what consultants say. The technical body of work is background information for Council members to make an informed decision about whether or not they can vote for the 300/500 split. What is causing the cloud is that good, bad, or indifferent, this process is anticipating talking about whether or not industrial development is feasible. The Port will also get good information from tech studies.

Victor Viets stated that he thought there was still a significant amount of confusion. He understands the physical aspects of fitting the development into/onto the property. But there are other questions, such as infrastructure costs-can a marine terminal pay wholly for them? What do we do if it can't? At the PI summit the other night, we asked Amanda Fritz how they were going to incorporate regional benefits into decision-making. Many of the regional benefits are the jobs-this is a project of importance to the state, and not just to Portland. She said that Portland has to pay the bills; we have to provide the infrastructure, so we are not going to ask other partners what they think.

Victor Viets was concerned that if that is their position, then we may not find that it is affordable. Is that a clear enough message to take back to Council?

Andy Cotugno stated his agreement with Sam Ruda. He thinks the committee's first charge is to find out the best we can do within the 300/500 framework. If we can do it in a smaller footprint, then great. If we need more than 300, then we need to go back to Council. The objective is to do the best we can do with a concept plan within the parameters. I hope we can come up with a consensus that says we can do the best we can do. The other issues, cost/benefits, etc. could lead to yes or no. Yes to specific yes, no to specific no. Is the information that lets us get to the best we can come up with, or is it that we should move forward?

Susan Barnes added that Victor Viet's question about affordability goes to natural resources/environmental impacts as well. Was there still a policy of no net loss? There was in the first phase. There will be in any development scenario the question of no net loss, which will need to be added into the cost benefit analysis.

Andrew Colas stated his agreement with what Andy Cotugno said. If there is agreement with where he is going, then we need to communicate that to consultants. We want to make sure that they bring us information about "higher-performing" alternatives-275/525 if possible, for example.

Mike Rosen added that one thing the committee is asking is what Amanda Fritz meant about Council direction, as we get more info. The committee has the opportunity to ask for a work session with Council to clarify some of this. To respond to Susan Barnes, at the end of the charter, there are the CWG working principles, including a net increase in ecological function. Does this address some of what you just said? Good multiple use option will result in a net increase in ecosystem function. We certainly want to incorporate this into the discussion, and evaluation of technical reports, and what happens within 300/500.

Susan Barnes thanked Mike Rosen for pointing that out. That is a really important piece. With 500/300 scenario, there is a cost for mitigating for losses.

Pam Ferguson added that everything she has read is skewed toward marine development. The committee should be mindful that one alternative is no development. To quote *Timme Helzer*, we were concerned about development creep when we heard about the 300/500 proposal.

Chris Hathaway stated that we heard last time that it was not possible to develop a marine terminal in less than 400 acres. If we tell consultants that they can go above 300 acres, they will come back and say that more is needed. We need to keep them constrained to 300 or less.

Andy Cotugno interjected that 300/500 is direction to us. It is our prerogative, not the consultants' prerogative.

Chris Hathaway agreed and said that he was not sure we want to give the consultant the leeway to creep up. He also asked about the work plan and IGA.

Rachael Hoy identified where that it is available on the website, and that staff will get that out to the committee.

Bob Tackett asked for some background on where the 300/500 number come from?

Mike Rosen said that we could discuss to how that number was created (i.e. 300/500), but you should go back and look at the final presentation of our work from Anne Squier. Coming out of the last workshop was an explanation of how we got to 500/300, plus or minus 50 or 100 acres. That is what Council tried to refine in the resolution.

Amy Ruiz clarified that after the CWG did not come to a numerical recommendation, Mayor Adams asked Bill Wyatt (Port Executive Director) if we could study 300/500. They said yes, and Council got behind that.

Joe Zehnder said that this was a good discussion. He added that we are charged with getting a plan within the 300/500 constraint. There are studies we need to do as inputs into that. If on the basis of those we see evidence that this needs to creep, then we go back and check, because that's what keeps it from being creep, is an explicit decision by Council. We serve up the public benefits evaluation so that Council can decide about city/regional/statewide benefits/costs. The final decision is annexation. There is another conversation that happens before any development approval-NEPA and an Environmental Impact Statement. Having the right information to evaluate proposal and then sending it is the committee's process and charge.

Sam Imperati called for the break.

Break

Public Comment

Timme Helzer, Friends of West Hayden Island spoke and said that last night he reviewed the video transcript of the July 29, 2010 Council meeting. Commissioners *Fritz* and *Fish* offered amendments to *the Mayor's* initial resolution. Important points: 500 acres is set in stone, but the industrial park portion may be less than 300 acres. Council said they are going to explore whether it is feasible or not. *Timme Helzer* asked Council the question in testimony about

project creep. *The Mayor* said there will not be any decrease in the 500-acre threshold, and Council wants to know if it is possible to do this in less than 300 acres.

Reconvene Group

At 11:17, Sam Imperati reconvened the group.

Sam Imperati outlined what he heard as the potential tasks at hand:

1st Task: Create Pareto-Optimum concept for 300/500.

2nd Task: Explore advantages or disadvantages of developing or not developing

3rd Task: Refine Task 1 concept

4th Task: Make Recommendation (Added Post Cotugno clarification.)

Sam Imperati asked for reactions to this.

Sam Ruda stated that the develop/no-develop discussion is not what we've been asked to do. If Task 2 fits into making judgments/observations based on consultant work, then that is right. What works about 300/500? What doesn't work? What about the economic viability?

Joe Zehnder stated his agreement with Sam Imperati's characterization of the tasks at hand. There are City Council check-ins. That could be where we evaluate whether or not we should go on refining 300/500.

Sam Imperati added that the develop/no develop question is in the room no matter what. People will still be posturing and going to City Hall in the end regarding this question. We are better off surfacing the issue because it's not going to leave the room.

Andy Cotugno stated his agreement and said that he was confused by what Sam Ruda said. If it's not a done deal, then, how do you construct the decision-making structure to recommend? We recommend, they decide.

Sam Ruda said that he heard Andy Cotugno on that; it's subtle, but important. The way Sam Ruda thinks about this is that while no decision has been made, Council could have come out of the July 2010 meeting saying "no develop," but they did not. They said, do Task 1; and then, do other studies to see what the answer looks like. I think that all of that belongs in Task 2. It's a subjective discussion – is it the right or wrong public benefit? What is the information telling us about the pareto-optimum solution?

Sam Imperati reminded the group that we do not need to decide today.

Victor Viets said that the Council Resolution is focused on 500/300 and its implications. The staff work, as proposed, goes well beyond that. Staff work looks at Port of Vancouver, is there property along the Willamette, etc. Those aren't part of the resolution. The only reason they are in there is to see if we should or should not develop WHI. I'm confused and the public is certainly also going to be confused.

Joe Zehnder said that the Consultant and Staff proposed work and RFP summary walks through the scope of work and shows how we mirror the resolution. He answered *Victor Viet's* question by saying that in developing this, the staff team was talking with Council offices to get clarity to make sure that the work proposal mirrors the resolution. He asked the committee to please review it and make sure it mirrors the resolution.

Sam Imperati thanked the group for a good discussion.

RFP Process Topics

Phil Nameny said that Joe already started the summary on this, but that in the binder there is a copy of the resolution. There are some pieces about looking at analyzing Portland Harbor and Port of Vancouver. We have a number of RFPs that are not posted on the summary document yet. The key points are in this handout. The dates are not set in stone. Please take a look at the scope summaries.

Sam Imperati had a list of three questions to consider: 1) Does the work align with info requested through resolution? 2) Are the scopes written in neutral way? 3) Are there gaps? The language in boxes is taken directly from the resolution. A second phase of consultant RFPs are not complete with information yet. However, the cargo forecast and land management options report are listed.

The last couple of pages include City work, like traffic studies (PBOT), environmental program (BPS), etc. The RFPs are not ready for release yet. This looks like many different RFPs, and it is. The last time, there was concern with one consultant doing all of the work; this time, they are targeted to multiple consultants, while allowing for some combined work for a particular consultant. For example, transportation and infrastructure cost coordination. We are grappling with how we want AC to be involved in this process. Next week's meeting is partly to discuss this.

Sam Imperati stated that the RFP process can be time-consuming. Staff wants to get started. Next week's meeting is to get closure on RFPs, and hopefully, get closure on the charter. Two big tasks. His suggestion for the charter is that there seemed to be general acceptance of the proposed changes in the charter. He will send this out for "last call," track changes with last version of charter, and then we will merge all changes, go through it, and make decisions. We

don't have time today to go through RFP document, so let's make a subcommittee of at least 3 people, one no-develop, one develop, and one in the middle. (*Andrew Colas, Sam Ruda, and Bob Sallinger*.) The subcommittee will meet with staff next week sometime and prepare a subcommittee recommendation to full committee. In the meantime, if each of you would like to change this document, send in Track Changes to me. That will be part of our workgroup's work. We will need the Track Changes by Monday night, to meet on Tues. or Wed. to get out by Thurs. for Friday's meeting.

Call for volunteers: Colas, Ruda, and Sallinger. Date: Tuesday 11:00am-1:30pm

Public Involvement Overview and Summit Information/Update (Rachael Hoy-BPS)

Rachael Hoy stated that public involvement (PI) is a key element of process. Council recommended that we have a PI plan and AC. As part of defining the AC and developing the PI plan, we held a meeting with 25 stakeholders and we invited them to review the PI plan with the City, specifically looking at communication and outreach strategies. What are new and creative ways that we can encourage involvement with public? We had about 20 people attend, five of which were AC members. It was a good introduction to see the challenges that we have faced on this project. The meeting was set up to give BPS staff input on how we move forward.

What is the framework we want to use for this project? One key point is framing the questions. How should we frame the questions for the public so that they can offer meaningful input into the process? There was good small group work on Tuesday night. A summary will be available to the AC by next week. We have to dig into technical studies that will be produced. How can we encourage input from the public on main studies? This is very valuable input. At each AC meeting, there will be time on the agenda for us to hear what we are hearing from the public. Sharing information is not as challenging as getting meaningful involvement.

As *Rachael Hoy* shares what staff are hearing, she hopes that we can discuss how to incorporate it into your recommendation(s) to Council. There is a public involvement log, in which staff is tracking public contact, such as neighborhood meetings, phone calls, and stakeholder meetings. For example, staff is directed to meet with industrial property owners east of the railroad tracks. We will put their comments into this log, along with questions and input from the public about what is missing from Phase 1. Our hope is that this will be helpful to the AC in moving forward with decision-making and recommendation process. Rachael handed out an example of the log. She directed the group to look at the "follow-up needed" line. She will highlight these areas when she talks to the AC about the log. *Rachael Hoy* will tag the ones that have relevance to concept planning process and where public is looking for information regarding the technical studies.

Andy Cotugno asked how staff is planning to share this information.

Rachael Hoy said that there would be a brief discussion of key elements at each AC meeting. Staff will also be summarizing info and entering it into the project website blog on front page. If there is a specific question, we will be answering those questions back to groups/individuals. If there is a question that staff cannot answer from AC, then we will take the answer back to the public.

Andy Cotugno asked if the general public can review the log.

Rachael Hoy replied that it was in an Access database, but we can probably make it publicly available.

Joe Zehnder clarified that you will need a PortlandOnline.com login to access it.

Victor Viets asked about the "separate" activity of updating the EHI environmental program. He wondered about how that public involvement is going to differ from the WHI public involvement.

Rachael Hoy explained that it is not separate. The Natural Resources Inventory (NRI) will be updated. It is technical information we will need for environmental program update. *Mindy Brooks* will staff that and attend public meetings with us. As reports are drafted/completed, *Mindy Brooks'* work will feed into our WHI public events. These are important deliverables that are part of the process overall.

Joe Zehnder added that it's going to be confusing because people are not going to be expecting us to be talking about EHI. If you have recommendations for how to talk about this, we would like to hear them.

Victor Viets encouraged staff to get back to the group of people who gave input in previous EHI process.

Rachael Hoy stated that staff has been talking to major homeowners' and neighborhood groups. We will continue to do so.

Evaluation, 12/10 Meeting Overview, Future Meeting Dates/Times, Next Steps

Sam Imperati closed by saying that our next meeting is next Friday, Dec. 10, 1-3pm in 7a.

Thanks.

December 3, 2010 WHI Advisory Committee Meeting Evaluation

1. OVERALL MEETING QUALITY: Poor Fair Good (1) Very Good (3) Excellent (4)

Too Slow Just Right (8) Too Fast

2. PACING:

3. CLARITY PRESENTATIONS: Poor Fair Good (4) Very Good (4) Excellent (1)

4. DOCUMENTS: Poor Fair Good (2) Very Good (5) Excellent (2)

5. DISCUSSION: Poor Fair Good (1) Very Good (6) Excellent (2)

6. MOST USEFUL?

- Being invited to express thoughts about the process. Talking about the voting process.
- Clarifying tasks
- Rewrite of charter

7. LEAST USEFUL?

• Public involvement plan

8. COMMENTS, SUGGESTIONS, OR QUESTIONS?

- Good start. Nice prep. Well organized. Positive.
- There seems to be much/some confusion about our charge. Maybe it would be useful
 to walk through the resolution. Painful perhaps but maybe helpful to get on same
 page/clarify. Consider getting direction from City Council (Mayor) on "no
 develop"/"develop" possibility.

West Hayden Island Advisory Committee Meeting Schedule Survey

• Which of the following regular meeting times <u>are you available</u> for Advisory Committee meetings?

	Monday	Tuesday	Wednesday	Thursday	Friday
9:00am-12:00pm	5	4	3	6	9
1:00pm-4:00pm	5	4	2	4	7
5:00pm-8:30pm	4	4	3	4	3

• Which of the following regular meeting times do you <u>prefer</u> for Advisory Committee meetings?

	Monday	Tuesday	Wednesday	Thursday	Friday
9:00am-12:00pm	3	4	4	6	7
1:00pm-4:00pm	4	6	4	6	5
5:00pm-8:30pm		2		1	

West Hayden Island Advisory Committee Meeting #1 Friday, December 3, 2010, 9:30am-12:00pm Bureau of Planning and Sustainability, Room 7a 1900 SW 4th Ave., Portland Oregon

Working Agenda

<u>Directions:</u> The 1900 Building is located at the corner of SW 4th & SW Hall in downtown Portland, on the Portland State University Campus. Parking is available on street or under the building (entrance to underground building parking on SW 4th at SW College). We encourage you to consider using another mode of transportation. The 1900 Building is easily accessible by walking, bicycling or transit. There is bicycle parking on the south side of the building. Several bus lines stop within short walking distance of the building. Tri-Met Yellow and Green Line MAX trains stop approximately 3 blocks away, at SW 5th & SW Mill. The Portland Streetcar stops just north of the 1900 Building, on SW 3rd & SW Harrison. **Note:** <u>The City of Portland does not validate parking.</u>

9:30 – 9:45	Welcome/Introductions Amy Ruiz, Office of Mayor Adams
9:45 – 11:00	Review Draft Advisory Committee Charter Topics Eric Engstrom, Bureau of Planning and Sustainability Sam Imperati, Institute for Conflict Management, Inc
11:00 – 11:10	Break
11:10 – 11:20*	Public Comment *Approximate time
11:20 – 11:35	RFP Process Topics: Parameters for review Selection committee/interview panels Phil Nameny, Bureau of Planning and Sustainability
11:35 – 11:45	Public Involvement Overview and Summit Information/Update Rachael Hoy, Bureau of Planning and Sustainability
11:45 – Noon	Meeting Evaluation, 12/10 Meeting Overview, Future Meeting Dates/Times, and Next Steps Sam Imperati, Institute for Conflict Management, Inc
Noon	Adjourn

West Hayden Island Project - Phase 2

11-30-10 Draft (Facilitator's Proposal Redlined Version)

Advisory Committee Charter

I. Project Purpose:

Through Resolution #36805, City Council has directed the Bureau of Planning & Sustainability to develop a legislative proposal for annexation of West Hayden Island (WHI) to the City with the intent to protect at least 500 acres as open space, and identify no more than 300 acres for future deep-water marine terminal development. The bureau will bring a proposal to City Council for their consideration by December of 2011.

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The City will staff the AC process. A list of project staff and their roles can be found at www.portlandonline.com/bps/. Their goal is to provide a process that will be open, honest, and transparent with a special emphasis on early involvement in providing policy-setting input.

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- 8) Wherever possible, design interactive formats for all meetings to ensure a balanced and fair discussion of issues, ensuring all perspectives are heard.

- 9) Provide the AC with the relevant, objective information, in a timely fashion, necessary to make informed decisions. Presentations will provide the facts pro and con surrounding the issues in a readily understandable format.
- 10) Provide the big picture context and interconnections surrounding all issues, before asking the AC to make a recommendation.
- 11) Be responsive to AC requests for information and process support, be clear and transparent about staff positions, and be open to carefully considering AC recommendations.

VIII. <u>Technical Advisory Committee (TAC) and Technical Advisory Pool</u> (TAP)

Technical experts will be selected by the Advisory Committee to review staff and consultant studies, to offer feedback and suggestions for changes before the reports are released for public use. Some example panels may include: specialty planning/design panels, environmental specialist panel to review/discuss NRI or site layout impacts on the island habitats, regional policy makers and expert's panel to look at land management options and rail analysis panels. City staff and other technical experts will be chosen to participate in technical panels based on their expertise in the subject matter of the studies. Members of the TAP (see below) from Phase I may be included in the pool of candidates for the panels.

The Technical Panels may meet for a ½ day workshop after reviewing reports, consultant studies or other work to offer feedback. They may also be asked to meet with the Advisory Committee to provide a summary of suggested changes/modifications for the specific report they are assigned to review.

The TAP, set up under Phase One of the project, would be transitioned into a pool from which to pull people into the Technical Panels, as well as to provide e-mail updates on project activities.

IX. Retained Technical Consultants

The City will retain consultants based upon feedback of the AC.

X. The Facilitator

An independent facilitator has been hired as a process manager by the City, separately from the other consultants. He will assist the AC and staff. He will also facilitate AC meetings and provide advice on the public involvement program. The facilitator's "client" is the AC process, but neither AC membership, nor process participation is a substitute for independent legal or other professional advice. That is the responsibility of the process participants. The facilitator will be responsible to ensure the AC process is fair, well run, and productive. The facilitator will be available as a resource to the City for minor conflict resolution and process improvement suggestions. As a neutral collaborative process provider, the facilitator will not act as an advocate for anyone on

11-30-10 Draft Advisory Committee Charter 5

¹ The NRI will be completed for Hayden Island as a whole and will include the southern back of the Columbia River.

any substantive issue. However, the facilitator may propose substantive suggestions for AC consideration, but will not make decisions on substantive issues.

The Institute for Conflict Management, Inc. (ICM, or the facilitator) has been hired for this process. ICM's Executive Director, Sam Imperati, will act as the facilitator. ICM, Sam Imperati, and any subcontractors are not employees of any participant. ICM's written contract is available for review. The facilitator will not be influenced by payment source. The City has agreed that his status of facilitator will not be changed without first consulting with the AC.

The facilitator may have non-confidential, informal communications and perform facilitation activities with staff and AC members, between and during meetings. The facilitator will address situations where it appears a participant is not acting according to this Charter or if it appears probable that the AC will be unable to fulfill its Charge.

XI. Meeting Schedule and Process

The Advisory Committee will meet monthly from November 2010 to December 2011, or as required to keep track of issues and the progress of the project. The Facilitator and City staff, will prepare the Agenda for Advisory Committee Meetings, and organize, and schedule them.

XII. Public Involvement

A detailed Public Involvement Program for this planning process can be found at the project website Error! Hyperlink reference not valid. () As the City staff involves the broader community in the issues that the AC will be exploring, they will be providing summaries to the AC for their consideration and comment.

XIII. Collaboration Protocols

A. Quorum

A quorum is a simple majority of voting AC members or their alternates. If there is no quorum, the facilitator can cancel/reschedule or conduct the AC meeting and send all meeting notes and materials to the members for voting at the next meeting.

B. Open Meetings

Meetings of the AC, TAC, and AC subcommittees are open to the public and will include an opportunity for public comment. Notice of AC meetings will be posted in advance of meetings on the joint project website. Notice of subcommittee meetings will be posted in advance of meetings. AC and AC subcommittee meeting summaries will be posted on the website as soon as possible following each meeting.

C. Public Comment

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The facilitator will provide periodic public comment opportunities for non-AC members during meetings before AC makes a decision. Comments from the public will be limited in time to allow sufficient opportunity to conduct the other portions of the AC agenda. Typically, comments will be limited to a maximum of three minutes per person. The public is encouraged to submit written comments to project staff for circulation to the full AC.

D. AC Member Commitments to Each Other

The AC members, project staff, and participants will participate in good faith, which means:

- 1) Prepare for and set aside time for the meetings and the whole process.
- 2) Participate fully, honestly and fairly, commenting constructively and specifically,
- 3) Speak respectfully, briefly and non-repetitively; not speaking again on a subject until all other members desiring to speak have had the opportunity to speak,
- 4) Allow people to say what is true for them without fear of reprisal from AC members or the City,
- 5) Avoid side conversations during meetings,
- 6) Provide information as much in advance as possible of the meeting in which such information is to be used and share all relevant information to the maximum extent possible,
- Generate and explore all options on the merits with an open mind, listening to different points of view with a goal of understanding the underlying interests of other AC members,
- 8) Consult appropriately with their interest groups/organizations and provide their input in a clear and concise manner,
- 9) Agreeing to work toward fair, practical and durable recommendations that reflect the diverse interests of the entire AC and the public,
- 10) When communicating with others, accurately summarize the AC process, discussion and meetings, presenting a full, fair and balanced view of the issues and arguments out of respect for the process and other members,
- 11) Success depends on a full airing of the ideas and opinions of each committee member. Members should be forthcoming and honest during discussions and in the consensus process. When a consensus recommendation is reached, each member owes it to the others and to the process to not attempt to effect a different outcome outside of the AC process once the AC has reached a consensus recommendation,
- 12) Strive vigorously for consensus and closure on issues, and
- 13) Self-regulate and help other members abide by these commitments.

XIV. <u>Decision-Making Process</u>

The Committee serves in an advisory capacity to Bureau of Planning and Sustainability staff, the Planning and Sustainability Commission, and the City Council, and its input will inform project activities. The Committee is not a decision making body.

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The Planning & Sustainability Commission will make recommendations to City Council, who will make all final decisions. As an advisory body, this committee should strive to craft and recommend approaches and solutions that are workable for a wide range of needs and interests, and should work towards completion of several concept plans by December 2011,

The group should engage in open and constructive dialogue to ensure that potential solutions are well tested and that diverging opinions are aired, discussed, and documented.

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Deleted: group may choose to vote on advice or recommendations offered to the City, but it is not required.

Deleted: The group may choose to draft letters or recommendations in writing as a group, or as individuals to share with the Planning & Sustainability Commission and City Council. but this is not required.

A. Developing Recommendations

The facilitator will assist the AC in identifying objectives, addressing the diversity of perspectives, and developing substantive, practical recommendations to implement its Charge. The AC will use a *Discussion Draft* process and a *Consensus Decision-Making* model to assist the process. The AC will make draft recommendations on an "issue-by-issue" basis, and then final recommendations as a "package" at each milestone, and again at the conclusion of the process.

B. Representative Voting

Each AC member will have one vote except those non-voting members (Ex Officio members.) A vote represents that the member will recommend to his or her organization or group that they should support or oppose the voted-upon proposal consistent with the member's vote. The names of those voting in favor and those voting against a proposal will be noted and included in the AC's recommendations and the City staff recommendations to the decision-makers.

C. Consensus

Consensus decision-making is a process that allows AC members to distinguish underlying values, interests, and concerns with a goal of developing widely accepted solutions. Consensus does not mean 100% agreement on each part of every issue, but rather support for a decision, "taken as a whole." This means that a member may vote to support a consensus proposal even though they would prefer to have it modified in some manner in order to give it their full support. Consensus is a process of "give and take," of finding common ground and developing creative solutions in a way that all interests can support. Consensus is reached if all members at the table support an idea or can say, "I can live with that."

C.1. "1-2-3" Consensus Voting Method

The facilitator will assist the AC in articulating points of agreement, as well as articulating concerns that require further exploration. AC will use a "Consensus Voting" procedure for testing the group's opinion and adjusting proposals. In

"Consensus Voting," the facilitator will articulate the proposal. Each AC member will then vote "one," "two," or "three," reflecting the following:

- "One" indicates full support for the proposal as stated.
- "Two" indicates that the participant agrees with the proposal as stated, but would prefer to have it modified in some manner in order to give it unconditional support. Nevertheless, the member will fully support the consensus even if his/her suggested modifications are not supported by the rest of the group because the proposal, taken as a whole, is worthy of support, as written.
- "Three" indicates refusal to support the proposal as stated.

The facilitator will repeat the consensus voting process, as reasonably necessary, to assist the group in achieving **consensus** regarding a particular recommendation, so that all members are voting "one" or "two."

C.2. Cooling-Off Period

If a consensus is not reasonably forthcoming, the facilitator may table the issue for additional discussion with constituencies, the gathering of new information, or perhaps just sufficient time to consider options more carefully. The "cooling off" period recognizes we value getting as close to consensus as possible by way of dialogue, clarification, and consideration of alternatives. Absent an emerging consensus, the facilitator may make a recommendation for the AC to consider taking into consideration all of the available information and views. The AC may then revisit the issue.

C.3. No Consensus – Majority and Minority View

If a consensus on an issue is still not reasonably likely, as determined by the facilitator, the votes of those present at the meeting will be taken and recorded as a majority - minority vote. Majority is defined as at least 50% plus one of the AC voting membership in attendance. The proposed language and reasoning supported by the majority will be noted along with their names in the AC's recommendations. Members voting in the minority will have their names, proposed language, and reasoning noted in the Minority Report(s). The facilitator will document these issues, the differences of opinion involved, and submit the report to the City staff for inclusion in the AC recommendations along with other stakeholder comments.

XV. Additional Understandings

A. Communications Outside of AC

AC members and staff can refer press, public, and other inquiries to the AC facilitator, City project staff, or the project website, if they desire.

B. Meeting Summaries

The facilitator will prepare AC meeting summaries. They will be provided electronically in draft form to the AC for proposed correction and comment. The final meeting summaries will be posted on the project website.

C. Public Records and Confidentiality

AC records, such as formal documents, discussion drafts, transcripts, meeting summaries, and exhibits are public records. This is not a mediation. It is a facilitation. As a result, AC communications (oral, written, electronic, etc.) are not confidential and may be disclosed. However, the private documents of individual AC members and the private documents of the facilitator that are not shared with the City are not considered public records and are not subject to disclosure under public records laws.

D. Process Conclusion

The AC process will conclude with submission of its recommendations to the City, when necessary funding and resources are no longer available, or when the City determine it is unlikely the AC will fulfill its Charge.

E. Amendment and Interpretation

Amendments to this document can be made by vote of the AC. The facilitator shall lead an AC discussion designed to reach a consensus on any process dispute or proposed amendment to these Collaboration Principles.

XVI. Signatures We agree:

Attachment A:

CWG Working Principles

These principles were developed at the June 2009 CWG meeting as a way to guide decision making regarding development and evaluation of multiple use options for West Hayden Island. The following list of principles was established.

11-30-10 Draft Advisory Committee Charter 10

A good, multiple-use option will provide for:

- A net increase in ecosystem function.
- A positive contribution to regional economic health (e.g. jobs, wealth).
- An economically viable port facility.
- A positive contribution to the local community (e.g. health, transportation, property value, recreation facilities, and opportunities).
- An addition to, not competition with, the regional port system.
- Public access opportunities to West Hayden Island.
- Sustainable scale for any use included as part of the option.
- Flexibility to accommodate the unknown future.
- Taking advantage of the unique aspects and opportunities of the site.
- Consideration of impacts on multiple time periods i.e. current, mid-range and future
- Consideration of impacts on multiple geographies, i.e. local, sub-regional and regional levels.

West Hayden Island Project – Phase 2 11-30-10 Draft (Facilitator's Proposal Redlined Version) Advisory Committee Charter

I. Project Purpose:

Through Resolution #36805, City Council has directed the Bureau of Planning & Sustainability to develop a legislative proposal for annexation of West Hayden Island (WHI) to the City with the intent to protect at least 500 acres as open space, and identify no more than 300 acres for future deep-water marine terminal development. The bureau will bring a proposal to City Council for their consideration by December of 2011.

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- 8) Wherever possible, design interactive formats for all meetings to ensure a balanced and fair discussion of issues, ensuring all perspectives are heard.
- 9) Provide the AC with the relevant, objective information, in a timely fashion, necessary to make informed decisions. Presentations will provide the facts pro and con surrounding the issues in a readily understandable format.
- 10) Provide the big picture context and interconnections surrounding all issues, before asking the AC to make a recommendation.
- 11) Be responsive to AC requests for information and process support, be clear and transparent about staff positions, and be open to carefully considering AC recommendations.

VIII. Technical Advisory Committee (TAC) and Technical Advisory Pool (TAP)

Technical experts will be selected by the Advisory Committee to review staff and consultant studies, to offer feedback and suggestions for changes before the reports are released for public use. Some example panels may include: specialty planning/design panels, environmental specialist panel to review/discuss NRI or site layout impacts on the island habitats, regional policy makers and expert's panel to look at land management options and rail analysis panels.¹ City staff and other technical experts will be chosen to participate in technical panels based on their expertise in the subject matter of the studies. Members of the TAP (see below) from Phase I may be included in the pool of candidates for the panels.

The Technical Panels may meet for a ½ day workshop after reviewing reports, consultant studies or other work to offer feedback. They may also be asked to meet with the Advisory Committee to provide a summary of suggested changes/modifications for the specific report they are assigned to review.

The TAP, set up under Phase One of the project, would be transitioned into a pool from which to pull people into the Technical Panels, as well as to provide e-mail updates on project activities.

IX. Retained Technical Consultants

The City will retain consultants based upon feedback of the AC.

X. The Facilitator

An independent facilitator has been hired as a process manager by the City, separately from the other consultants. He will assist the AC and staff. He will also facilitate AC meetings and provide advice on the public involvement program. The facilitator's "client" is the AC process, but neither AC membership, nor process participation is a substitute for independent legal or other professional advice. That is the responsibility of the process participants. The facilitator will be responsible to ensure the AC process is fair, well run, and productive. The facilitator will be available as a resource to the City for minor conflict resolution and process improvement suggestions. As a neutral

¹ The NRI will be completed for Hayden Island as a whole and will include the southern back of the Columbia River.

collaborative process provider, the facilitator will not act as an advocate for anyone on any substantive issue. However, the facilitator may propose substantive suggestions for AC consideration, but will not make decisions on substantive issues.

The Institute *for* Conflict Management, Inc. (ICM, or the facilitator) has been hired for this process. ICM's Executive Director, Sam Imperati, will act as the facilitator. ICM, Sam Imperati, and any subcontractors are not employees of any participant. ICM's written contract is available for review. The facilitator will not be influenced by payment source. The City has agreed that his status of facilitator will not be changed without first consulting with the AC.

The facilitator may have non-confidential, informal communications and perform facilitation activities with staff and AC members, between and during meetings. The facilitator will address situations where it appears a participant is not acting according to this Charter or if it appears probable that the AC will be unable to fulfill its Charge.

XI. Meeting Schedule and Process

The Advisory Committee will meet monthly from November 2010 to December 2011, or as required to keep track of issues and the progress of the project. The Facilitator and City staff will prepare the Agenda for Advisory Committee Meetings, and organize, and schedule them.

XII. Public Involvement

A detailed Public Involvement Program for this planning process can be found at the project website Error! Hyperlink reference not valid.. (_______) As the City staff involves the broader community in the issues that the AC will be exploring, they will be providing summaries to the AC for their consideration and comment.

XIII. Collaboration Protocols

A. Quorum

A quorum is a simple majority of voting AC members or their alternates. If there is no quorum, the facilitator can cancel/reschedule or conduct the AC meeting and send all meeting notes and materials to the members for voting at the next meeting.

B. Open Meetings

Meetings of the AC, TAC, and AC subcommittees are open to the public and will include an opportunity for public comment. Notice of AC meetings will be posted in advance of meetings on the joint project website. Notice of subcommittee meetings will be posted in advance of meetings. AC and AC subcommittee meeting summaries will be posted on the website as soon as possible following each meeting.

C. Public Comment

The facilitator will provide periodic public comment opportunities for non-AC members during meetings before AC makes a decision. Comments from the public will be limited in time to allow sufficient opportunity to conduct the other portions of the AC agenda. Typically, comments will be limited to a maximum of three minutes per person. The public is encouraged to submit written comments to project staff for circulation to the full AC.

D. AC Member Commitments to Each Other

The AC members, project staff, and participants will participate in good faith, which means:

- 1) Prepare for and set aside time for the meetings and the whole process,
- 2) Participate fully, honestly and fairly, commenting constructively and specifically,
- 3) Speak respectfully, briefly and non-repetitively; not speaking again on a subject until all other members desiring to speak have had the opportunity to speak,
- 4) Allow people to say what is true for them without fear of reprisal from AC members or the City,
- 5) Avoid side conversations during meetings,
- 6) Provide information as much in advance as possible of the meeting in which such information is to be used and share all relevant information to the maximum extent possible,
- Generate and explore all options on the merits with an open mind, listening to different points of view with a goal of understanding the underlying interests of other AC members,
- 8) Consult appropriately with their interest groups/organizations and provide their input in a clear and concise manner,
- Agreeing to work toward fair, practical and durable recommendations that reflect the diverse interests of the entire AC and the public,
- 10) When communicating with others, accurately summarize the AC process, discussion and meetings, presenting a full, fair and balanced view of the issues and arguments out of respect for the process and other members,
- 11) Success depends on a full airing of the ideas and opinions of each committee member. Members should be forthcoming and honest during discussions and in the consensus process. When a consensus recommendation is reached, each member owes it to the others and to the process to not attempt to effect a different outcome outside of the AC process once the AC has reached a consensus recommendation.
- 12) Strive vigorously for consensus and closure on issues, and
- 13) Self-regulate and help other members abide by these commitments.

XIV. Decision-Making Process

The Committee serves in an advisory capacity to Bureau of Planning and Sustainability staff, the Planning and Sustainability Commission, and the City Council, and its input will inform project activities. The Committee is not a decision making body.

The Planning & Sustainability Commission will make recommendations to City Council, who will make all final decisions. As an advisory body, this committee should strive to craft and recommend approaches and solutions that are workable for a wide range of needs and interests, and should work towards completion of several concept plans by December 2011.

The group should engage in open and constructive dialogue to ensure that potential solutions are well tested and that diverging opinions are aired, discussed, and documented.

A. Developing Recommendations

The facilitator will assist the AC in identifying objectives, addressing the diversity of perspectives, and developing substantive, practical recommendations to implement its Charge. The AC will use a *Discussion Draft* process and a *Consensus Decision-Making* model to assist the process. The AC will make draft recommendations on an "issue-by-issue" basis, and then final recommendations as a "package" at each milestone, and again at the conclusion of the process.

B. Representative Voting

Each AC member will have one vote except those non-voting members (Ex Officio members.) A vote represents that the member will recommend to his or her organization or group that they should support or oppose the voted-upon proposal consistent with the member's vote. The names of those voting in favor and those voting against a proposal will be noted and included in the AC's recommendations and the City staff recommendations to the decision-makers.

C. Consensus

Consensus decision-making is a process that allows AC members to distinguish underlying values, interests, and concerns with a goal of developing widely accepted solutions. Consensus does not mean 100% agreement on each part of every issue, but rather support for a decision, "taken as a whole." This means that a member may vote to support a consensus proposal even though they would prefer to have it modified in some manner in order to give it their full support. Consensus is a process of "give and take," of finding common ground and developing creative solutions in a way that all interests can support. Consensus is reached if all members at the table support an idea or can say, "I can live with that."

C.1. "1-2-3" Consensus Voting Method

The facilitator will assist the AC in articulating points of agreement, as well as articulating concerns that require further exploration. AC will use a "Consensus **Voting**" procedure for testing the group's opinion and adjusting proposals. In "Consensus Voting," the facilitator will articulate the proposal. Each AC member will then vote "one," "two," or "three," reflecting the following:

- "One" indicates full support for the proposal as stated.
- "Two" indicates that the participant agrees with the proposal as stated, but would prefer to have it modified in some manner in order to give it unconditional support. Nevertheless, the member will fully support the consensus even if his/her suggested modifications are not supported by the rest of the group because the proposal, taken as a whole, is worthy of support, as written.
- "Three" indicates refusal to support the proposal as stated.

The facilitator will repeat the consensus voting process, as reasonably necessary, to assist the group in achieving consensus regarding a particular recommendation, so that all members are voting "one" or "two."

C.2. **Cooling-Off Period**

If a consensus is not reasonably forthcoming, the facilitator may table the issue for additional discussion with constituencies, the gathering of new information, or perhaps just sufficient time to consider options more carefully. The "cooling off" period recognizes we value getting as close to consensus as possible by way of dialogue, clarification, and consideration of alternatives. Absent an emerging consensus, the facilitator may make a recommendation for the AC to consider taking into consideration all of the available information and views. The AC may then revisit the issue.

C.3. No Consensus – Majority and Minority View

If a consensus on an issue is still not reasonably likely, as determined by the facilitator, the votes of those present at the meeting will be taken and recorded as a majority minority vote. Majority is defined as at least 50% plus one of the AC voting membership in attendance. The proposed language and reasoning supported by the majority will be noted along with their names in the AC's recommendations. Members voting in the minority will have their names, proposed language, and reasoning noted in the Minority Report(s). The facilitator will document these issues, the differences of opinion involved, and submit the report to the City staff for inclusion in the AC recommendations along with other stakeholder comments.

XV. Additional Understandings

A. Communications Outside of AC

AC members and staff can refer press, public, and other inquiries to the AC facilitator, City project staff, or the project website, if they desire.

B. Meeting Summaries

The facilitator will prepare AC meeting summaries. They will be provided electronically in draft form to the AC for proposed correction and comment. The final meeting summaries will be posted on the project website.

C. Public Records and Confidentiality

AC records, such as formal documents, discussion drafts, transcripts, meeting summaries, and exhibits are public records. This is not a mediation. It is a facilitation. As a result, AC communications (oral, written, electronic, etc.) are <u>not</u> confidential and may be disclosed. However, the private documents of individual AC members and the private documents of the facilitator that are not shared with the City are not considered public records and are not subject to disclosure under public records laws.

D. Process Conclusion

The AC process will conclude with submission of its recommendations to the City, when necessary funding and resources are no longer available, or when the City determine it is unlikely the AC will fulfill its Charge.

E. Amendment and Interpretation

Amendments to this document can be made by vote of the AC. The facilitator shall lead an AC discussion designed to reach a consensus on any process dispute or proposed amendment to these Collaboration Principles.

XVI. Signatures

We agree:

Attachment A:

CWG Working Principles

These principles were developed at the June 2009 CWG meeting as a way to guide decision making regarding development and evaluation of multiple use options for West Hayden Island. The following list of principles was established.

A good, multiple-use option will provide for:

- A net increase in ecosystem function.
- A positive contribution to regional economic health (e.g. jobs, wealth).
- An economically viable port facility.
- A positive contribution to the local community (e.g. health, transportation, property value, recreation facilities, and opportunities).
- An addition to, not competition with, the regional port system.
- Public access opportunities to West Hayden Island.
- Sustainable scale for any use included as part of the option.
- Flexibility to accommodate the unknown future.
- Taking advantage of the unique aspects and opportunities of the site.
- Consideration of impacts on multiple time periods i.e. current, mid-range and future.
- Consideration of impacts on multiple geographies, i.e. local, sub-regional and regional levels.

WHI Phase II Consultant Scopes and Staff Work Tasks (11/18/10 draft)

All RFP's contain background information on the project, depending on the detail needed. A sample (taken from Operational Efficiencies) is included here:

BPS is leading a process to consider the most beneficial long term vision for West Hayden Island (WHI), a parcel of land within Multnomah County that is approximately 820 acres. The process potentially will include development of a concept plan and annexation of the property into the city. Several consultant reports have been done as part of the initial research phase. As a result of this initial research, the City Council has requested that the Bureau move forward and consider a legislative proposal that sets aside 500 acres as open space, while allowing for up to 300 acres for a future deep water marine terminal development. As part of the policy decision, several requests were made to update studies and provide additional information to inform the City Council's decision.

Consultant RFP Requests

Resolution Action Item

Parameters to guide proposal:

The proposal should also include zoning no more than 300 acres of land in an industrial designation for future deep water marine terminal development. The deep water marine terminal footprint should be located, to the extent feasible, over the existing dredge disposal site area. All development associated with Port Marine Terminal Facilities including but not limited to the terminal area, docks, <u>railroad tracks</u>, access roads, bridges and multi-use utility corridors must be included within the 300 acre footprint. The terminal should be east of the north/south PPL/PGE powerline easement, north of the east/west PGE powerline easement, and west of the City of Portland's sewer outfall corridor;

<u>The proposal should include allowances for operationally viable rail access, sufficient to serve a</u> 7,500 to 10,000-foot-long unit train;

West Hayden Island Rail Configuration Feasibility (Approx Cost \$20k)

Scope Summary

Using the new development parameters provided by the City Council resolution, as well as past consultant studies for West Hayden Island, provide an updated rail layout within the maximum 300 acres for marine terminal development, including development of layouts that would have a smaller footprint if feasible. The rail study should meet the additional parameters listed below:

Technical or Required Services

The successful Proposer shall perform the tasks listed below for this project, and shall be expected to work closely with designated City personnel to accomplish these goals:

- Excluding road access, the development should be east of the North/South PPL/PGE powerline, west of the City of Portland's sewer easement, and north of the East/West PGE powerline easement. Additional documentation should be provided how this may limit the rail layout.
- The development footprint including all rail and road infrastructure must be limited to 300 acres to the west of the bridge.



- The site should include a loop track of at least 7,500 10,000 sq ft to allow unit trains to exit the main line completely. Documentation should be included how the layout maximizes the loop size while minimizing the overall development footprint.
- The layout should consider the fill requirements to connect to the existing BNSF tracks and provide a level loop track.
- Consider rail service needs for a variety of marine terminal types, including but not limited to grain, bulk materials, and auto terminals.
- If it is not feasible to provide a rail configuration meeting the parameters listed above, then the report should document what the minimum requirements would be to provide the rail layout.
- If there are multiple layouts that could meet the required parameters, the report should provide information on each of these layouts.

Work Performed by the City of Portland

The City has assigned a project manager to oversee the successful Proposer's work and provide support as needed. Specific duties the City will perform include

- Provide sufficient hours of staff personnel as required to meet with successful Proposer and provide such information as required
- Coordinate any meetings and/or review of consultant's report with any technical or steering committees.
- Coordinate any correspondence between the consultant and policy makers.
- Provide copies of previous studies and site plan drawings as needed.
- Incorporate the findings of the final document into any potential concept plan.

Deliverables and Schedule

Deliverables and schedule for this project shall include a conceptual rail layout plan, with written explanation as necessary to document key design issues and choices, and corresponding technical information and/or appendices detailing any relevant research. Plans should be delivered in AutoCAD and/or Arcview GIS compatible format, with reference to local geographic coordinates. Schedule for the deliverable includes the following;

a. Draft rail layout concept plan for Technical Review March 1, 2011

b. Final rail layout concept plan April 1, 2011



Resolution Action Item

Supplement the recently completed Foundation Studies with an update of the cargo forecasts, additional analysis of the expected cost/benefits to the City, <u>analysis of operational efficiencies</u> that allow more compact deep water marine terminal facilities, and an evaluation of opportunities for increased coordination with the Port of Vancouver;

Operational Efficiencies at Ports world-wide and Local application (Approx Cost \$12k)

Scope Summary

Produce a report comparing world-wide Port operations with Pacific Northwest Port operations. The report should focus on ports that process greater tonnage per acre, or are otherwise identified as land-efficient. The paper should identify any innovations in operations and site organization at these other ports that reduce their required land footprint which may be applied to a new terminal(s) at West Hayden Island. Additional parameters include:

Technical or Required Services

The successful Proposer shall perform the tasks listed below for this project, and shall be expected to work closely with designated City personnel to accomplish these goals:

- An explanation of contextual factors, some comparative case studies and issues or ideas that could apply to PDX facilities.
- Information on comparative terminals should include the type of terminals, the goods serviced, the modes used, and whether the majority of their operations are export, import and/or involve transloads.
- Container terminals should not be considered unless they include docks that minimize impacts to shallow water habitat.
- Information should include labor and safety practices, regulatory requirements, and real estate values, and how they may differ between ports.
- The report should include information about site operations that could be implemented at US ports. Information on economies of scale should also be provided (i.e. whether larger facilities can handle greater volumes per acre).
- Work could include enlisting a panel of terminal operations experts, supplemented by staff work.

Work Performed by the City

The City has assigned a project manager to oversee the successful Proposer's work and provide support as needed. Specific duties the City will perform:

- Provide sufficient hours of staff personnel as required to meet with successful Proposer and provide such information as required
- Coordinate any meetings and/or review of consultant's report with any technical or steering committees.
- Coordinate any correspondence between the consultant and policy makers
- Incorporate the findings of the white paper into any potential concept plan

The City will provide the successful Proposer with descriptions of issues, applicable research, GIS data and other information on local Port facilities.

Deliverables and Schedule

Deliverables and schedule for this project shall include: a White Paper and corresponding technical information and/or appendices detailing the research. Schedule for the deliverable includes the following;

a. Draft White Paper for Technical Review

March 1, 2011

b. Final White Paper

April 1, 2011





Resolution Action Item

The proposal should include an analysis of the infrastructure needs and a cost/benefit analysis to the public associated with those needs after annexation, and an analysis of the financial tools available to facilitate infrastructure development;

Develop an access plan to serve the existing development, a 300-acre deep water marine terminal site, and anticipated nature-based recreation and habitat management areas;

Traffic impacts should be examined in light of the most up-to-date Columbia Crossing design options. Access plans should be designed to avoid and minimize any adverse impacts on East Hayden Island residents. The need for a dedicated West Hayden Island access bridge should be investigated as to public cost/benefits and, if needed and determined to be feasible, integrated into planning for the Columbia Crossing project;

Supplement the recently completed Foundation Studies with an update of the cargo forecasts, <u>additional analysis of the expected cost/benefits to the City</u>, analysis of operational efficiencies that allow more compact deep water marine terminal facilities, and an evaluation of opportunities for increased coordination with the Port of Vancouver;

West Hayden Island Transportation and Infrastructure Needs Assessment (Approx cost \$40k)

Scope Summary

Provide an analysis that summarizing the full range of public infrastructure needs (bridge, water, sewer, etc.) and associated public costs to support development of a marine terminal facility(ies) on West Hayden Island. This report will provide information to evaluate annexation, and will inform a cost-benefit discussion with City Council. The scope includes the tasks below.

Technical or Required Services

The successful Proposer shall perform the tasks listed below for this project, and shall be expected to work closely with designated City personnel to consider the following items:

- a. Estimates should include bridge, roadway, water, sewer and stormwater facilities as well as new streets, sidewalks, etc., that would be needed to support a 300 acre terminal as well as passive recreation.
- b. Assessment should provide a summary of financing options that could be used to provide the needed infrastructure.
- c. The cost of the rail infrastructure for any development will be assumed to be provided by the Port and/or its tenants and does not need to factor into the infrastructure needs report.
- d. Estimates of ongoing public service needs, such as police and fire services, should also be included.
- e. Proposer should coordinate with the Portland Bureau of Transportation (PBOT to consider transportation infrastructure needs for West Hayden Island, including consideration of the following:
 - Develop up to 3 concept street plan alternatives, including potential new street access connections to the east of WHI. These street plan alternatives are intended to be integrated with various industrial site plan configurations for WHI, which will be prepared by others.
 - Based on the outcome of above task, define a recommended street plan and network of public right-of-ways in WHI. This task will include a plan view and cross-sections of the recommended street plan network. The recommended street plan will include water, sewer and storm water facilities, and all other public assets that will be located within the new public streets.



- Based on the outcome of the Transportation Impact Report prepared by PBOT, identify transportation improvements needed to provide maintain adequate service levels in the study area resulting from development in WHI.
- Based on the outcome of the Transportation Impact Report prepared by PBOT, identify transportation improvements needed to mitigate structural and neighborhood intrusion impacts on existing public streets in the study area resulting from development in WHI.
- Identify a functional design for a new WHI bridge connecting from the island to Marine Drive for cost estimating purposes.
- f. The proposer may consider hosting an infrastructure design workshop involving all of the City's infrastructure bureaus, to discuss annexation cost assumptions and maintenance expenses.
- g. The above listed products will be used to inform concept plan development for West Hayden Island (tasks to be completed later, by others). The successful Proposer will be expected to participate in a limited number of coordination meetings with other consultants involved in those tasks. Through separate contracts, several other studies are also being prepared, including: rail configuration plans, a study of marine terminal site operation innovations, and open space plans and management options.

Work Performed by the City

The City has assigned a project manager to oversee the successful Proposer's work and provide support as needed. Specific duties the City will perform:

- Provide sufficient hours of staff personnel as required to meet with successful Proposer and provide such information as required.
- Coordinate any meetings and/or review of consultant's report with any technical or steering committees. There will be a project Advisory Committee managed by a professional facilitator, provided by the City through a separate contract.
- The Portland Bureau of Transportation (PBOT) will be undertaking a transportation impact study which will help inform both the infrastructure reports and the concept planning. The study will define the traffic impacts with industrial development of West Hayden Island (WHI). Using their methodologies, analytical tools, and a generated model output, PBOT will perform a transportation analysis of the WHI impact area. It will include the following:
 - Conducting a comparative traffic generation assessment of up to three different marine terminal uses as defined by BPS. This work would be linked to the concept plan work, and would evaluate several different terminal alternatives – such as grain, auto, mineral bulk, etc. The purpose of this task is to summarize the traffic scenarios used for the operations analysis
 - Scenarios will be conducted for the four different options described in the PBOT/BPS interagency agreement. The analysis will assess key indicators of system performance including level of service and volume to capacity ratios as appropriate for critical intersections. This analysis will distinguish operations characteristics of automobiles and trucks.
 - Based on the above analysis, PBOT will define the amount and geographic extent of traffic attracted to using a new WHI bridge.
- The Bureaus of Transportation and Planning & Sustainability will help coordinate any structured meetings with City service and infrastructure agency staff, to facilitate collection of information from City agency staff (BES, PBOT, Water, Fire, Parks, Police). These meetings would be structured similar to a permit Pre-Application Conference.
- Coordinate any correspondence between the consultant and policy makers.
- Incorporate the findings of the report into the anticipated concept plan.

 The City will also provide the successful Proposer with adequate meeting facilities on city property to hold any meetings between the Proposer and the Infrastructure Bureaus.



Deliverables and Schedule

Deliverables and schedule for this project shall occur in two phases: The first phase will consist of general information based upon initial discussions with the city's infrastructure bureaus and will include a draft White Paper with initial findings and general costs for infrastructure on the island. Following the determination of a preferred concept plan the Proposer will draft a more specific cost analysis for the needed infrastructure. This white paper should help inform any cost/benefit analysis and resulting annexation agreements. Schedule for the deliverable includes the following:

a. Draft White Paper of General Findings
b. Draft White Paper of preferred concept (for Technical Review)
April 1, 2011
June 1, 2011

c. Final White Paper July 1, 2011

It should be noted that the schedule is approximate, and will depend on the delivery of other information to the consultant. The schedule may be extended if certain information cannot be provided to the proposer in a timely fashion. All deliverables and resulting work products from this contract will become the property of the City of Portland.

Public Benefits Assessment for West Hayden Island Project (Approx cost \$30k)

Scope Summary

Provide a report that considers the public benefit associated with the development alternatives laid out in the draft West Hayden Island Concept Plan alternatives, including the benefits of leaving a large portion of the island as open space. Consider the benefits against the expected costs, and provide independent policy recommendations. The scope includes:

Technical or Required Services

The successful Proposer shall perform the tasks listed below for this project, and shall be expected to work closely with designated City personnel to accomplish these goals:

- a. Review the Environmental and Economic Foundation Studies prepared by ENTRIX, and the subsequent City Council Resolution No 36805. Prepare a memo outlining any major factual gaps in the foundation studies that have not been addressed by the additional work spelled out in the City Council's resolution. The focus should be on gaps that would have a meaningful impact on cost/benefit analysis.
- b. Evaluate a previous public benefit study prepared by Martin and Associates, and subsequent job estimates prepared by the City and Port. This should include construction jobs, direct on-site jobs, indirect jobs, and induced jobs. In addition, review should consider benefit of maintaining jobs close to labor pools.
- c. Develop revised tax revenue estimates based on the specific concept plan alternatives.
- d. Consider the benefits from the specific recreational options being considered in the concept plan (concept planning work to be performed by others).
- e. Review the ecosystem services report prepared by ENTRIX, and refine those estimates based on the intent to permanently maintain 500 acres in open space.
- f. Evaluate the conclusions of an updated "Economic Impact of Marine Terminals" study being carried out by the Port of Portland.
- g. Consider the benefits attained through increasing the use of rail and barge modes of shipping instead of trucking.
- h. Consider the public infrastructure costs (from a separate report to be completed by others), and provide independent policy recommendations addressing the question of public cost vs. benefits.

Work Performed by the City

The City has assigned a project manager to oversee the successful Proposer's work and provide support as needed. Specific duties the City will perform include:

• Provide sufficient hours of staff personnel as required to meet with successful Proposer



- and provide such information as required.
- Coordinate any meetings and/or review of consultant's report with any technical or steering committees. There will be a project Advisory Committee managed by a professional facilitator, provided by the City through a separate contract.
- Coordinate any correspondence between the consultant and policy makers.
- Incorporate the successful Proposer's findings into the legislative process. The City will manage the legislative process, but the successful Proposer should anticipate participation in two to four public hearings with the Planning and Sustainability Commission and City Council.
- Through separate contracts, there are several other supporting scopes of work, to be completed by others, that will become inputs into the public benefits report. These supporting technical studies include: West Hayden Island Concept Plans, Public Infrastructure and service cost estimates, economic forecasts, the previously-completed studies noted above, and natural resource inventory and assessments supplied by the City. The successful Proposer will be expected to build from these components. The successful Proposer should expect to budget time for coordination with other consultant teams to compile this information.

Deliverables and Schedule

Deliverables and schedule for this project shall include: an initial memo for task "a", and a report and corresponding technical information detailing the research for all other tasks. Schedule for the deliverable includes the following;

a. Task "a" memo
b. Draft Report for Technical Review
b. Final Report
March 1, 2011
August ,2011
September, 2011



Resolution Action Items

The proposal should include a thorough <u>analysis/explanation of existing marine industrial land supply</u>, marine industrial needs in the future and the feasibility of consolidation and/or expansion of existing sites to meet those needs.

Supplement the recently completed Foundation Studies with an update of the cargo forecasts, additional analysis of the expected cost/benefits to the City, analysis of operational efficiencies that allow more compact deep water marine terminal facilities, and an evaluation of opportunities for increased coordination with the Port of Vancouver;

<u>Update of Harbor Lands Inventory for Economic Opportunities Analysis (Approx cost</u> \$30k)

(Note that the work listed below is a collaborative effort between city staff and a consultant. Also note that the EOA Update is being done under a separate RFP through the Portland Plan.)

Scope Summary

Work with City staff to update the city's industrial and harbor lands inventory, and consider efficiencies that could affect the future use of these lands. Work will involve looking at the Portland Harbor land uses, as well as interaction of that area with the Vancouver Harbor, and will include review of and augmentation of interviews with key stakeholders involved in harbor land development. Work should result in identification of any large opportunity sites for location of future marine terminals. This information will feed into the city's updated Economic Opportunities Analysis (EOA). Specific tasks are stated below:

Technical or Required Services

The successful Proposer shall perform the tasks listed below for this project, and shall be expected to work closely with designated City personnel to accomplish these goals:

- 1) Inventory and mapping (this task to be done by BPS)
 - a) Expand Working Harbor land use and vacant land mapping to include Port of Vancouver.
 - b) Update harbor land use inventories. Also identify existing business names and unoccupied sites.
 - c) Map and categorize developed outdoor space, such as marine/rail/truck terminal space (loading area), outdoor storage and maneuvering area, outdoor production (Schnitzer shredding, ship and barge building), employee/ visitor parking, regulated floodplain, environmental mitigation and restoration sites, environmental zones, and unused spaces.
- 2) Interviews (consultant)
 - a) Summarize recent industrial interview and focus group results on business outlook and trends, expansion plans, building/space needs, and innovative land efficiency – River Plan North Reach (2006), Economic Opportunities Analysis (2009), Metro Urban Growth Report (2009).
 - b) Conduct additional interviews if needed to inform the required analysis below, such as 100+ acre site assembly opportunity sites.
- 3) Analyze industrial land efficiency opportunities by district types (consultant). Evaluate Working Harbor land efficiency, considering relative performance in comparable industrial districts (such as other West Coast port districts) to the extent that published information is available. Consider and expand on the following land efficiency measures as a starting point for analysis.
 - a) Generic efficiency in all industrial districts
 - i) Retain industrial urban form and tightly restricted land uses for compatibility, freight mobility, and cost-competitive land and rents.



- ii) Retain and expand traded sector activity (e.g., export value).
- iii) Increase land productivity by increasing inventory velocity and value added per acre.
- iv) Improve real estate health by low vacancy rate, new construction, and capital investment.
- v) Recycle vacant brownfield acres back into productive use.
- vi) Improve district energy and resource use productivity.
- vii) Targeted site-re-assembly where opportunities exist (for example, where existing infrastructure divides an otherwise useable site, or where parcel/lot patterns could be rationalized without disruption to existing businesses).
- b) Efficiency in large-scale industrial districts (e.g., Harbor/Airport districts)
 - i) Retain and expand anchor firms in cluster industries.
 - ii) Maintain flexibility for shifting commodities over time by a range of site sizes (e.g., 1-200 acres), very large block size, large outdoor spaces, and low construction costs.
 - iii) Increase agglomeration by supply chain diversification and proximity of customers and suppliers.
 - iv) Improve multimodal infrastructure capacity and expand multimodal use.
 - v) Improve watershed health by contaminated site cleanup, retention and enhancement of riparian buffers, and focused public investment in natural area restoration ("pearl" sites noted in the River Plan).
- c) Urban/flex industrial district (e.g., Lower Albina, Airport Way)
 - i) Moderately increase density and office use (.4 FAR, 15-50 jobs per acre, flex space with low-rise office), but not enough to destabilize predominant acreage in manufacturing and distribution use.
 - ii) Increase business startup activity by low rents and cluster agglomeration as "incubator" districts.
- 4) Identify and evaluate conceptual feasibility of 2-3 site assembly opportunities for new 100+ acre public marine terminal sites, with an emphasis on opportunities that would minimize disruption of existing businesses. Evaluate negative impacts and estimate financial gaps for market feasibility. (consultant)
- 5) Review existing and planned marine terminal sites at the Port of Vancouver, and in Vancouver's harbor. Evaluate the role those sites play in meeting the forecast needs identified by the 2010 ENTRIX report. The purposes of this evaluation is to help the City better understand if those facilities in competition with possible development with West Hayden Island, or are they meeting needs above and beyond those identified for the Portland Harbor? (consultant)
- 6) The above work will be an input to a refined Economic Opportunities Analysis report. The current version of the report is on the following website.

 http://www.portlandonline.com/portlandplan/index.cfm?c=51427
 Refinements to Portland EOA will be done under separate contract, which also address land efficiency citywide for all employment land types. (consultant)

Work Performed by the City

The City has assigned a project manager to oversee the successful Proposer's work and provide support as needed. Specific duties the City will perform include:

- Provide sufficient hours of staff personnel as required to meet with successful Proposer and provide such information as required
- Coordinate any meetings and/or review of consultant's report with any technical or steering committees.
- Coordinate any correspondence between the consultant and policy makers
- Harbor lands inventory tasks: BPS will complete initial GIS analysis, and provide maps and related land use data for parcels within the Portland and Vancouver harbors (Task



- 1). BPS will assist in indentifying infrastructure issues for the parcels selected for deeper analysis (Task 4).
- Work with others to incorporate the findings of the consultant work into an updated EOA report
- Provide copies of the most recent draft of the City's Buildable Lands Inventory (BLI)
 maps for industrial and employment lands, and the Employment Opportunities
 Analysis (EOA) Report and maps.
- BPS will make staff available who have expertise in environmental overlay zoning designations. A meeting would be arranged to explain how the program works, and BPS will provide, upon request, specific case studies of how the regulations were applied in the past.
- BPS will make staff available who are familiar with the BLI and the employment land supply analysis in the EOA Report. A briefing meeting would be arranged.

Deliverables and Schedule

Deliverables and schedule for this project shall include the following technical memos:

- Harbor lands inventory opportunity site identification (maps and 8-10 page technical memo).
- Opportunity site feasibility analysis (10-20 page technical memo).
- Property owner interview summaries (8-10 page technical memo)
- Vancouver harbor forecast analysis (10-20 page technical memo)
- List of recommended changes to the EOA Report based on the above products (10-20 page technical memo)

City GIS and mapping tasks would be delivered to the consultant by mid January 2011 (Task 1). Draft memos should be delivered to the City by April 1, 2011. The City will arrange for review of the draft materials by 3-4 person technical panels, which may include City staff and outside experts. Memos should include citations. Final products are due to the City by April 30, 2011.

Any resulting GIS data will be provided to BPS in a single shapefile with the final attribute in a single field and consistently applied. Data should be tied geographically to the regions standard parcel data in State Plane Coordinates - Oregon North. Metadata about the process and resulting classifications will be provided as well.



Resolution Action Item

Develop a legislative proposal for annexation of WHI to the City, and bring that draft proposal to the Council for consideration by December, 2011;

The legislative proposal should include Comprehensive Plan and zoning designations, and Plan District regulations;

Include the industrial lands immediately east of WHI in the study area, to determine how the future use of those lands will relate to the use of WHI;

Develop an access plan to serve the existing development, a 300-acre deep water marine terminal site, and anticipated nature-based recreation and habitat management areas.

The evaluation principles developed by the CWG should serve as core values to inform the proposal;

Nature based recreational uses should be evaluated in more detail. Any significant recreational structures or development footprints should be located primarily at the eastern edge of the site, and should minimize impacts on the highest value habitat areas. Within the 500 acres of open space, low impact recreational facilities may be considered as a means to direct and manage human access in ways that support habitat objectives. Options for placing more active recreational facilities east of the railroad bridge should be considered;

Concept Plan Development and Design Workshop Coordination (Approx cost \$40k)

Scope Summary

The successful Proposer would review a series of technical studies prepared by others, and develop a series of concept plan options for placing marine terminal development and infrastructure within a 300 acre area of West Hayden Island, with the remaining area to be left as open space or passive recreation. The successful proposer would present these scenarios to technical experts and the public, and use a public design workshop process to refine them. The scope includes the tasks indicated below:

Technical or Required Services

The successful Proposer shall perform the tasks listed below for this project, and shall be expected to work closely with designated City personnel to accomplish these goals:

- a. Draft 2 or 3 different site plan scenarios within the City Council's parameters.
- b. Parameters include no more than 300 acres of marine terminal development west of the railroad tracks, and a minimum 500 acres of open space.
- c. Development scenarios could include consideration of changes to the industrial areas on Hayden Island east of the tracks.
- d. Options should incorporate various types and sizes of passive recreation areas.
- e. Options must be based on a variety of inputs provided by others, including separate rail design studies, recreational studies, traffic impacts analysis and access options, and operational efficiencies research that could impact marine terminal layouts, etc.
- f. The Port of Portland will prepare a summary of desired specifications for several different marine terminal types (grain, mineral bulk, auto terminal, etc.). The proposer should consider those specifications in balance with other inputs.
- g. Discussions should be informed by evaluation principles of the Community Working Group (CWG).
- h. Manage a public workshop process, with assistance from City staff.
- i. Present design options in a public workshop setting, and work with attendees to develop a preferred concept (much of the successful Proposer's time would be process time, working in public meetings).



j. Provide a summary of the process and workshop discussions and the rationale for the preferred option.

Work Performed by the City

The City has assigned a project manager to oversee the successful Proposer's work and provide support as needed. Specific duties the City will perform:

- Provide sufficient hours of staff personnel as required to meet with successful Proposer and provide such information as required.
- Coordinate any meetings and/or review of consultant's report with any technical or steering committees. There will be a project Advisory Committee managed by a professional facilitator, provided by the City through a separate contract.
- Assist in organizing the workshops and public informational sessions. City communications staff will advertise the events and produce all promotional materials.
- Coordinate any correspondence between the consultant and policy makers.
- Through separate contracts, there are several other supporting scopes of work, to be completed by others, that will become inputs into the concept plan. These supporting technical studies include: rail configuration options, transportation analysis and access plan options, marine terminal program statements prepared by the Port of Portland, an analysis of expected infrastructure and municipal service needs and costs, and a study of marine terminal operational efficiencies and related site plan innovations. Natural resource inventory and maps will also be supplied by the City. The successful Proposer will be expected to build from these components as concept plans are developed. The successful Proposer should expect to budget time for coordination with other consultant teams to compile this information.

The City will also provide the successful Proposer with adequate meeting facilities on city property to hold the Design Workshop and any other necessary meetings.

Deliverables and Schedule

Deliverables and schedule for this project shall include: a draft of concept plan alternatives and a preferred option as well as corresponding technical information and/or appendices detailing the research. Schedule for the deliverable includes the following;

a. Concept Plan Alternatives

April 15, 2011

b. Workshop and Public Information Session May, 2011

c. Presentation of Workshop notes,

conclusions, and preferred concept option June 30, 2011

Site Plan maps will be provided to BPS in a standard AutoCAD or GIS-compatible format. Any GIS data should be provided in a single shapefile with the final attribute in a single field and consistently applied. All spatial data should be tied geographically to the regions standard parcel data in State Plane Coordinates - Oregon North. Metadata about any GIS analysis process and resulting classifications must be provided as well.



Group B Consultant RFP's (to be discussed at a later date)

Resolution Action Item

Supplement the recently completed Foundation Studies <u>with an update of the cargo forecasts</u>, additional analysis of the expected cost/benefits to the City, analysis of operational efficiencies that allow more compact deep water marine terminal facilities, and an evaluation of opportunities for increased coordination with the Port of Vancouver;

Consultant RFP to be Created

Updated Cargo Forecast Analysis for Port of Portland and Port of Vancouver

Resolution Action Items

Develop alternatives for how natural resource lands could be managed over the long term, including proposals for long term land ownership, and strategies to pay for land management activities;

The primary feature of the proposal should be permanent protection and enhancement of at least 500 acres as open space, to be managed primarily for the benefit of the regional ecosystem; Nature based recreational uses should be evaluated in more detail. Any significant recreational structures or development footprints should be located primarily at the eastern edge of the site, and should minimize impacts on the highest value habitat areas. Within the 500 acres of open space, low impact recreational facilities may be considered as a means to direct and manage human access in ways that support habitat objectives. Options for placing more active recreational facilities east of the railroad bridge should be considered (also researched in-house with Parks);

The proposal should include analysis of options for restoration and long-term care of the proposed natural areas, including models for financing both. This analysis includes but is not limited to, ownership of the natural area, remediation and mitigation opportunities, and the creation of an endowment for operations and maintenance of the land.

Consultant RFP to be Created

Land Management Options Report (Consultant in conjunction with Planning, Environmental Services, Parks)



City Staff Technical Work and Reports (to be discussed at a later date)

Several items requested by the City Council through the resolution are intended to be worked on by City Staff in Planning and Sustainability, with help from staff in Environmental Services, Parks and Transportation. The relevant resolution items are shown below attached to the corresponding staff work. This work will not be illustrated through the more formal RFP process, but will contain a workplan list at a later date.

Resolution Action Items

The proposal should include documentation of compliance with state Goal 5 and Metro Title 13, including an ESEE Analysis, and a process to determine appropriate mitigation requirements for future development impacts to significant natural resources;

Any docks should be designed to avoid shallow water impacts. The proposal should not include a vertical sea wall or similar structure. The proposal will include a report on ESA, CWA, EPA (Strategic Plan-Columbia River Watershed) and the State's Estuary Partnership Management Plan along with FEMA requirements and how they may or may not be met.

The Plan District proposal should include a framework for consideration of mitigation actions associated with future development of less than 300 acres, developed in coordination with federal and state agencies.

Staff Report

Natural Resource Inventory (NRI)

Economic Social Environmental and Energy Analysis (ESEE)

Regulatory Requirements Report (ESA, CWA, FEMA)

(Planning, Environmental Services, Parks, River, City Attorney)

Note, consideration of Goal compliance will ultimately reside with the findings generated as part of the Legislative Process including an update of the Environmental Program for the island and resultant zoning and land use regulations. The above documents will help inform this process but the resulting ordinance and plan will be the documents considered for compliance. The Ordinance findings are ultimately accepted by City Council, Metro and the State.

Resolution Action Items

Traffic impacts should be examined in light of the most up-to-date Columbia Crossing design options. Access plans should be designed to avoid and minimize any adverse impacts on East Hayden Island residents. The need for a dedicated West Hayden Island access bridge should be investigated as to public cost/benefits and, if needed and determined to be feasible, integrated into planning for the Columbia Crossing project;

The Plan District should incorporate and build on information from the Local Impacts report prepared by the Bureau of Planning and Sustainability. The plan should consider air quality impacts (dust and emissions), noise, light and traffic impacts;

Staff Report

Traffic Impact Assessment (Transportation, Planning)

Resolution Action Items

Supplement the recently completed Foundation Studies with an update of the cargo forecasts, additional analysis of the expected cost/benefits to the City, analysis of operational efficiencies that allow more compact deep water marine terminal facilities, and <u>an evaluation of opportunities</u> for increased coordination with the Port of Vancouver;

Staff Report

Feasibility of interstate Port Authority (Planning)

Resolution Action Items



The Plan District should incorporate and build on information from the Local Impacts report prepared by the Bureau of Planning and Sustainability. The plan should consider air quality impacts (dust and emissions), noise, light and traffic impacts;

Staff Report

Update Local Impacts Report (Planning)

Resolution Action Item

The primary feature of the proposal should be permanent protection and enhancement of at least 500 acres as open space, to be managed primarily for the benefit of the regional ecosystem; Nature based recreational uses should be evaluated in more detail. Any significant recreational structures or development footprints should be located primarily at the eastern edge of the site, and should minimize impacts on the highest value habitat areas. Within the 500 acres of open space, low impact recreational facilities may be considered as a means to direct and manage human access in ways that support habitat objectives. Options for placing more active recreational facilities east of the railroad bridge should be considered.

Staff Report

Augment Recreation Studies (Planning, Parks)

