

Portland Development Commission Charge to Citizen Advisory Committee Burnside Bridgehead Project

Project Background:

On August 16, 2004, the Portland Development Commission (“PDC”) issued a Request for Proposals (“RFP”) for the Burnside Bridgehead project in the Central Eastside Urban Renewal Area. Three development teams responded to the RFP, which closed on November 22, 2004. Following several months of extensive public review, feedback, presentations and meetings beginning in early December 2004, the PDC Board of Commissioners on April 27, 2005, selected Opus Northwest LLC (“Developer”) to develop the project. The project will be situated on five city blocks, totaling approximately 195,550 square feet, at the base of the Burnside bridgehead on the east side of the Willamette River.

As part of the decision in selecting a developer, the Board also dictated that PDC would establish a Burnside Bridgehead Citizen Advisory Committee (“Committee”) to serve as an advisory body to the Board, PDC staff and the Developer during the post selection development process.

Mission of the Committee:

To serve as an ad hoc advisory group to the Developer and PDC Board of Commissioners and staff by providing advice throughout the predevelopment and implementation stages of the Burnside Bridgehead project to ensure that the final project accomplishes the following objectives:

- Achieve the policy goals of PDC and the City of Portland
- Create an asset to the surrounding neighborhood
- Be economically successful for the Developer

Officials to Whom this Committee Reports:

PDC Board of Commissioners (“Board”) with regular written reports to the City Council, the Planning Commission and Central Eastside Urban Renewal Advisory Committee on the status of the committee work and its recommendations.

Scope of the Committee:

1. To review project and its related development documents and to advise the Board, Developer and PDC Staff regarding:
 - a. Conceptual design of the Project
 - b. Mix of uses
 - c. Public/community amenities within the Project
 - d. Proposed amendments to the Zoning Map and/or Comprehensive Plan
 - e. Proposed transportation improvements including impacts, any potential amendments to the Burnside-Couch Transportation Plan, and the possible vacation of a portion of the NE 3rd Avenue Right-of-Way.
 - f. Pedestrian, bicycle and skateboard circulation
 - g. Connectivity, including transit connections and amenities, and impact of project to adjacent areas and uses
 - h. Amount and type of affordable housing (subject to PDC policy)
 - i. Balance public investment with desired public amenities and design elements
2. To encourage a productive dialogue between members of the Committee, the general public and the Developer regarding the items listed in item (1).

3. To provide another forum for public comments regarding the project.

Not Within the Scope of the Committee:

1. Any issue prescribed by City or PDC regulation or policy
2. Legal issues to be defined and resolved between PDC and Developer, including but not limited to Eastside CSO easement, real property Purchase and Sale Agreements, and terms of PDC financial assistance.
3. Confidential negotiations between the Developer and PDC to complete legal agreements including a Memorandum of Understanding and the Disposition and Development Agreement.
4. Developer's and PDC's selection of staff, contractors, consultants and development team members.
5. The Developer's financing structures, private funding sources and projected return.
6. Specific users or tenants with the understanding that the Developer and PDC acknowledge that while anchor tenants are required, "big-box" retailers will not be considered in the mix of uses of this project.

Membership and Appointment of Committee Members:

The Committee will have seventeen members representing both local and citywide perspectives, as well as specific skills and expertise that relate to the project. A proposed menu of skills, expertise and stakeholder representatives is attached (Attachment A). PDC staff will solicit recommendations from various stakeholder groups for a representative from within those stakeholder groups. The Board will appoint members by name to the Committee. All participants appointed by the Board will serve as voting members. Stakeholder groups should be careful to recommend a representative who understands that this is likely to be a long commitment and is willing and able to attend a long series of meetings with potentially complex issues.

Meeting Schedule:

The Committee will hold its first meeting in October 2005 and continue to meet through construction of the Project. As this Committee will serve as an advisory body to the Board and as a consultant to the Developer, the frequency of the Committee meetings will vary according to the phases of the Project. Committee meetings may be scheduled as often as every two weeks for extended periods of time to coincide with critical decision points during the predevelopment process and less frequently during Project construction.

Committee meetings are anticipated to be two hours long and scheduled to meet the needs and schedules of the Committee members and the Developer. Committee members are also strongly encouraged to attend other scheduled public events related to the Project.

Organization and Meeting Facilitation:

The Board will appoint a Chairperson and Vice-Chairperson. The Chairperson and an independent facilitator will lead the meetings and develop meeting agendas in consultation with Committee members, the Developer and PDC staff. The Chairperson will be responsible for helping to ensure that the work of the Committee will accomplish the goals of the Committee in a manner that is responsive and timely for the Developer and ensure that the PDC Board, City Council, Central Eastside Urban Renewal Advisory Committee and the Planning Commission receive reports on a quarterly basis which may include a summary of Committee recommendations, meeting minutes and any minority reports. The Chair or the Vice-Chair will also be the spokesperson for the Committee if asked to appear before any of the elected or appointed bodies who receive the Committee reports.

Meetings will be a working forum structured so that the Committee, members of the public and the Developer can collaboratively discuss meeting agenda issues and provide timely input that is beneficial and critical to the Project.

The facilitator, in consultation with the Committee, will determine additional operating procedures such as the need for a quorum, the use of member alternates and proxy votes, and the format of recording votes in the meeting minutes.

All meetings will be open to the public and provide opportunities at the beginning of each meeting for public comment. Comment will be considered by Committee members, PDC staff and the Developer apart from Committee deliberations and recommendations. Public comment received will be summarized in the Committee meeting minutes.

PDC staff will provide administrative support and project expertise to the Committee. PDC will also contract for independent meeting facilitation services to staff and help administer the Committee and its meetings.

All minutes and documents associated with or provided to the Committee are part of the public record and shall be available for public review.

Reporting and Decision Making Process:

Committee will work by consensus in developing formal recommendations to be forwarded to the Board and the Developer at key project milestones, including but not limited to the consideration of a Zone Change, changes to the Comprehensive Plan, potential amendment of the Burnside-Couch Transportation Plan, action on the Option for Convention Plaza, and project briefings to the Commission. If consensus is not possible, Committee will allow for a simple majority vote by verbal assent to provide the basis for a decision. In the case of a majority vote, the Committee will provide the opportunity for minority reports to be submitted as part of the report to the Board and Developer. The Committee report, including any minority reports, will also be distributed to other decision making bodies, such as City Council or the Hearings Officer, as determined according to legal jurisdiction over the decision or action in consideration.

Committee will also provide advice, written or verbal, to the Developer and PDC Staff on the items outlined in item (1) of the Scope of the Committee throughout the predevelopment phase of the Project. If the Developer does not or cannot incorporate the Committee's advice, he will provide an explanation to the Committee. Committee input and Developer response will be recorded in the Committee meeting minutes.

The Committee will provide a written report to the PDC Board, City Council, Central Eastside Urban Renewal Advisory Committee and the Planning Commission on a quarterly basis, which may include a summary of Committee recommendations, meeting minutes and any minority reports. If requested by the PDC Board, City Council, Central Eastside Urban Renewal Advisory Committee or the Planning Commission, the Committee membership will present its report in cooperation with PDC at a public hearing or meeting.

This Committee represents a diversity of expertise, skills and viewpoints. As such, Committee members are expected to listen and weigh community goals, citywide goals and the specific needs for the project to be economically successful. Committee recommendations should represent a broad base of collective wisdom about what will best serve our City, while also recognizing the market dynamics and development constraints of a project of this magnitude.

Ground Rules:

- Listen carefully and speak honestly both inside and outside Committee meetings regarding the project.
- Respect the views of others.
- Keep an open mind.
- Critique issues, not people or organizations.
- Allow everyone to speak without dominating the conversation.
- Encourage diverse, and, at times, dissenting opinions.
- Take responsibility for the success of the meeting.
- Listen and weigh both community and citywide concerns.
- Acknowledge Opus Northwest as the PDC Board of Commissioners' selected project developer.
- Other ground rules as developed and adopted by the Committee.

Roles and Responsibilities of Committee Members:

- Attend all Committee meetings and other related public activities.
- Advise Committee Chairman and/or PDC staff in advance of meeting absences.
- Review agenda and meeting information in advance of the meeting.
- If a designated community or business representative, you are responsible to keep the entity represented informed of project issues and activities and to reflect the position of the entity in discussion and votes of the Committee.
- Assist PDC project staff in identifying and informing other community stakeholders regarding the project.
- Provide timely and constructive input to the Board and the Developer.

Subcommittees:

The Committee may elect to establish ad hoc subcommittees, as needed, to evaluate and make recommendations to the full Committee regarding specific areas of focus or concern.

Subcommittees will use the same rules for decision-making and reporting as the full Committee and all provisions above apply to any subcommittees established by the Committee.

The Board hereby charges the Burnside Bridgehead Citizen Advisory Committee as assigned above.

Eric E. Parsons, Chairperson
Portland Development Commission

Date

Attachment A
Burnside Bridgehead Project - Citizen Advisory Committee
Menu of Desired Skills, Experience and Representation

Local / Citywide	Skills, Experience or Representation
Local	1. Central Eastside Urban Renewal Advisory Committee
Local	2. Central Eastside Industrial Council
Local	3. Hosford Abernethy Neighborhood Assoc.
Local	4. Kerns Neighborhood Association
Local	5. Buckman Neighborhood Association
Local	6. AFRIEND
Local	7. Business / Adjacent Business Owner
Local	8. Adjacent Property Owner
Local	9. Skateboard Community
Citywide	10. Transportation advocate / Burnside-Couch Advisory Committee
Citywide	11. Civic citywide organization
Citywide	12. Design / American Institute of Architects
Citywide	13. Business / Portland Business Alliance
Citywide	14. Development / regional or local developer
Citywide	15. Affordable Housing - Advocate/ Developer
Citywide	16. Real Estate Commercial Broker
Citywide	17. Real Estate Financial Lender