

EXHIBIT AAN EXHIBIT TO AN MOU BETWEEN PORTLAND WATER BUREAU AND THE BUREAU
OF PARKS AND RECREATION**PORTLAND PARKS & RECREATION**

Healthy Parks, Healthy Portland

Portland Water Bureau Pump Station Replacement Project Inside Willamette Park**Public Involvement Plan -**

Exterior facility design, park-related amenities, landscaping and possible trail and road alignments

September 2009

Project Manager: Keith Walker
 PI Coordinator: Tim Hall, Water Bureau - Elizabeth Kennedy-Wong, Parks
 Meeting Facilitator: (if applicable)
 PI Start: September 2010
 PI Complete: January 2011

Project Scope: The Portland Water Bureau will convene a Project Advisory Committee (PAC) that will provide recommendations on the exterior appearance of the pump station and the park-related amenities located in and outside the building in Willamette Park. Portland Parks & Recreation (PP&R) staff will assist in this public involvement effort to help ensure the interests of park users and PP&R are observed.

Project Background

1. The Portland Water Bureau (PWB) operates and maintains a facility commonly called Fulton Pump Station at 0540 SW Nevada Street for the purpose of providing water to retail and wholesale customers west of the Willamette River. Originally constructed in 1912, the station has been redesigned for greater capacity four times and cannot be expanded further within the existing property limits. Surrounding properties are not suitable for expansion because dense residential development makes acquisition complicated and it is anticipated that use of the City's condemnation authority would be necessary. The Fulton Pump Station is now functionally obsolete because it can not reasonably be expanded to accommodate the additional pumps to meet present and future supply needs.
2. Alternatives for a replacement pump station location are constrained to parcels large enough to accommodate a 6000 ft² pump station and associated piping and working room, as well as proximity to the Washington County Supply Line (WCSL), which will reduce operating costs substantially. Suitable parcels are limited or nonexistent due to dense development proximate to the WCSL.
3. PWB has negotiated with Portland Parks and Recreation (PP&R) for the property, easements, and working room to locate a replacement pump station in Willamette Park. Negotiations have resulted in a location and associated compensation agreeable to PWB and PP&R. A legal description and diagram of the proposed pump station location are attached hereto as Exhibit A-1. A legal description and sketch of the proposed WCSL easement is attached hereto as Exhibit B-1 and B-2 respectively. A spreadsheet of the proposed consideration to be exchanged for the property rights described herein is attached hereto as Exhibit C.
4. PWB has funding available for this acquisition in the FY 2009-10 Budget in project W01358, and will make a lump sum payment to PP&R on or before March 2010 of \$655,000. This

payment will be for the easement, Non-park Use Permit fee, use of the park for construction staging during the project, and any services provided by PP&R staff in support of the Water Bureau's public involvement effort.

5. Due to this project's prominent public location in Willamette Park, PWB and PP&R will work together to ensure active involvement of the public in the recommendations and review of the exterior appearance of the pump station, possible interpretative signage and public restrooms to make this new building an amenity to the park.

Public Involvement Overview

The public will be engaged to help determine the external facade of the pump station, park-related functions of the building, facility landscaping, and any park trail and road alignments necessary to accommodate the pump station.

This Public Involvement plan does not include the necessary public notifications to be conducted by the Water Bureau as part of the construction process.

This plan is intended to be implemented as a partnership between the Water Bureau and Portland Parks & Recreation. All meetings, materials, talking points, FAQ's and communications to stakeholders will be coordinated and agreed upon. A work plan with detailed tasks, timelines and roles will be created jointly. All cost associated with implementation (excluding PP&R staff time) of this plan will be born by the Water Bureau.

Portland Parks & Recreation will convene -- in a separate public process -- an Advisory Committee to determine priorities for improvements to Willamette Park to be funded with the \$655K compensation.

Stakeholder Outreach

- Portland Parks & Recreation
- Water Bureau
- Sports Users
- Oregon Public Broadcasting (OPB)
- Southwest Portland Neighborhood Associations
- Southwest Portland Business Association
- Environmental Organizations
- Off leash area users
- Boat Dock users
- Schools
- PBOT / Metro / TriMet (re: Lake Oswego Streetcar)

Advisory Committee

An Advisory Committee will be appointed to help in the development of the pump station's exterior and landscaping of the building. They will also advise City staff regarding any necessary trail and road alignments.

Participation in the Advisory Committee will be voluntary and open to anyone who either lives in Southwest Portland, is an active user of Willamette Park, or has an interest in Portland parks in general. Final composition of the committee will be agreed upon jointly by the Water Bureau and Portland Parks & Recreation.

Notification (all materials will be reviewed and approved by representatives from both bureaus)

Project Brochure

A brochure describing the project and the opportunity to serve on the Advisory Committee will be distributed 8 weeks prior to the first PAC meeting.

Electronic Mail

- A notice with a link to the Advisory Committee Interest Form and PWB project description will be distributed to the contact list – one month prior to the application deadline.
- Meeting notices will be sent to the entire contact list at least one week prior to the meeting date.
- Open House invitations will be sent to the contact list at least 4 times prior to the open houses (1 month, 2 weeks, and 3 days prior).

Website

Portland Parks & Recreation and the Portland Water Bureau will provide full information on the Water Bureau website – information to include:

- Meeting notes
- Background materials – master plans, Macadam Plan District
- Draft Designs
- Ordinance
- Advisory Committee Composition
- Staff contact information

Signage

Interpretive displays at the following key stations in the park:

- Northern and Southern Pedestrian Entrances
- Nevada Street Entrance

Media

SW Community Connection

Sellwood Bee

SW Neighborhood News

Public Meetings

3-5 Advisory Committee meetings:

- Meeting 1 – Project Orientation and Background
Committee Roles and Responsibilities
Project Parameters – budget, timeline, opportunities and constraints
- Meeting 2 – Design Workshop
- Meeting 3 – Design Options – choose preferred design
- Meeting 4 – Design Refinement

1-2 Open Houses:

- Open House 1 – Review and comment on design options

- Open House 2 – Review final design (need to be determined in consultation with the Advisory Committee)

Outreach to Public

Following the first Open House, PWB Public Outreach staff, joined by a PP&R representative, will conduct presentations to Southwest Portland neighborhood associations, groups and organizations to solicit their input on the draft design options.

Displays

On site information – staff will provide information prior to the first open house for three hours on a Saturday, three hours on a weekday evening and 1-2 hours on a week day morning

PI Schedule

To Be Determined

Contacts (to be expanded)

Organization	Name	Phone	Email
SWNI Land Use Committee	Leonard Gard, land use specialist	503-823-4592	leonard@swni.org
SWNI Parks Committee	Kirky Doble, Chair	503-246-7970	kdob@teleport.com
SW Neighborhood News	Sylvia Bogert	503-823-4592	sylvia@swni.org
SW Community Connection	Jessie Kirk	503-546-0741	jkirk@commnewspapers.com
South Portland Business Association	Brian Alfano, President, Umpqua Bank 3606 SW Bond Ave, 97239	(503) 288-5661	http://southportlandba.wordpress.com/ brianalfano@umpquabank.com
South Portland NA	Ken Love, Chair Parks committee 7430 SW Miles Pl., Portland, 97219	(503) 245-7795	TLC11@mindspring.com
Homestead NA	President: Susan Egnor	503-221-6981	stegnor@comcast.net
South Burlingame NA	Betsy Shand, Chair	(503) 545-8831	betsy_shand@hotmail.com
Hillsdale NA	Joseph Higgins, co-chair, parks committee	503-244-4150	jhiggins@pcez.com
Healy Heights NA	Mason Van Buren	503-223-1864	masonvanburen@comcast.net
West Portland Park NA	Jim McLaughlin	503-246-0601	Jim.mclaughlin@gmail.com
Maplewood NA	Alexander Ben Israel	503-467-9016	chair@maplewood.com
Southwest Hill NA	Jim Thayer	503-220-3840	jim@thayers.org
Markam NA	John Gibbon	503-708-6708	jtgorygun@aol.com
Hayhurst NA	Janet Hawkins	503-224-7703	janethawkins@msn.com

Friends of Stephens Creek			
South Portland Riverbank Partners			
Portland Youth Soccer			
Audubon	Bob Sallinger		bsallinger@audubon.org
Urban Greenspaces Institute	Mike Houck		
Oregon Public Broadcasting	Alicia Wolfrum	503-293-1999	
ONI Crime Prevention Program (CPTED)		503-823-4064	onicpa@ci.portland.or.us
School	Name	Phone	Email
The Portland French School	Elimane Mbengue, Head of School 6318 SW Corbett Portland, OR, 97239	503-452-4160	headofschool@portlandfrenchschool.org
Wilson HS 1151 SW Vermont Portland, OR 97219	Sue Brent, principal	503-916-5280	sbrent@pps.k12.or.us
LLewellyn	Steve Powell, principal 6301 SE 14th Avenue, 97202	503-916-6216	www.llewellynelementary.com
Reike	Charlene Russell 1405 SW Vermont Street, 97219	503-916-5768	www.rieke.pps.k12.or.us

EXHIBIT A-1LEGAL DESCRIPTION
FOR**PUMP STATION SITE**PORTLAND WATER BUREAU
August 14, 2009

A portion of that tract of land conveyed to the City of Portland, as described in recorder's deed book 763, page 118, July 15, 1943 and book 644, page 370, Oct. 1941, Multnomah County deed records, situated in the NE 1/4 of Section 22, Township 1 South, Range 1 East, Willamette Meridian, Multnomah County, State of Oregon, being more particularly described as follows:

Commencing at a 5/8" iron rod with yellow plastic cap per survey number 49417, Multnomah County Survey Records (MCSR), at the Northeast corner of Lot 4, Block 4 **SOUTHERN PORTLAND** a duly recorded subdivision, Book 2, Page 53, Multnomah County Plat records; thence N 74°16'03" E a distance of 47.10 feet to the **True Point of Beginning** for the following described property; thence N 86°40'06" E a distance of 60.00 feet; thence S 03°19'54" E a distance of 100.00 feet; thence S 86°40'06" W a distance of 60.00 feet to a point from which a 5/8" iron rod with yellow plastic cap per the aforementioned survey number 49417 at the Southeast corner of Lot 2, Block 4 of the aforementioned **SOUTHERN PORTLAND** plat which bears S 73°41'29" W a distance of 47.21 feet; thence continuing N 03°19'54" W a distance of 100.00 feet to the **True Point of Beginning** of this herein described tract.

The above described parcel contains ± 0.14 acres (6000 sq. ft.)

The basis of bearing for this description is based on Multnomah County Record of Survey No. 49417, recorded January 14, 1987.

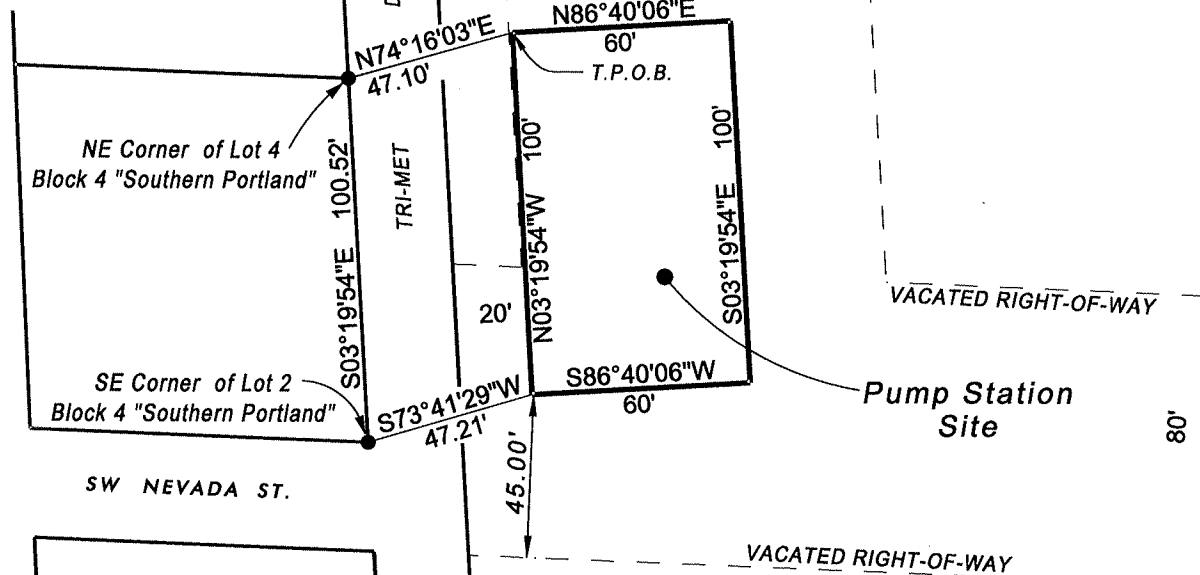


SCALE 1" = 50 FEET

LEGEND:

- DENOTES FOUND MONUMENT PER SURVEY NUMBER 49417

T.P.O.B. DENOTES TRUE POINT OF BEGINNING



C.O.P.
BOOK 763, PAGE 118 JULY 15, 1943
&
BOOK 644, PAGE 370 OCT. 1941

**WILLAMETTE
PARK**

EXHIBIT "A2"

The Basis of Bearing for this description is based on Multnomah County Record of Survey No. 49417, recorded January 14, 1987.

C.O.P.
BOOK 680, PAGE 188, MAY 5, 1942
&
BOOK 692, PAGE 382, JULY 6, 1942

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JANUARY 14, 2003
TIMOTHY H. ALCOVER
53835

EXPIRES: 12/31/09

**PORTLAND WATER BUREAU****PUMP STATION
SITE**

DATE: 11/23/2009

PROJ. NO. W00755

DRAWN BY: THA

SCALE: 1" = 50 FT.

EXHIBIT B-1**LEGAL DESCRIPTION
FOR****WATER FACILITY EASEMENT
WASHINGTON COUNTY SUPPLY LINE
PORTLAND WATER BUREAU
August 17, 2009**

A portion of that tract of land conveyed to the City of Portland, as described in recorder's deed book 680, page 188, May 5, 1942 and book 692, page 382, July 6, 1942, Multnomah County deed records, situated in the NE 1/4 of Section 22, Township 1 South, Range 1 East, Willamette Meridian, Multnomah County, State of Oregon, being more particularly described as follows:

Commencing at a 5/8" iron rod with yellow plastic cap per survey number 61545, Multnomah County Survey Records (MCSR), at the northwest corner of that tract of land described in document number 2005-157774, Multnomah county deed records; thence S 89°50'00" E a distance of 152.53 feet to a 5/8" iron rod with yellow plastic cap per survey number 61545, MCSR, at the Northeast corner of Lot 25, **WILLAMETTE OAKS PARK** a duly recorded subdivision, Book 1133, Page 27, Multnomah County Plat records being the **True Point of Beginning**; thence N 20°08'40" E a distance of 79.01 feet; thence N 11°38'39" W a distance of 410.33 feet to the south line of the vacated right-of-way of SW Nevada Street per City of Portland Ordinance No. 92708 from which a 5/8" iron rod with yellow plastic cap per survey number 49417, MCSR at the northeast corner of Lot 4, Block 4, **SOUTHERN PORTLAND**, a duly recorded subdivision, Book 2, Page 53, Multnomah County Plat records bears N 52°52'07" W a distance of 218.87 feet; thence along the south line of said vacated right-of-way S 89°19'27" E a distance of 20.47 feet; thence leaving said vacated south right-of-way line S 11°38'39" E a distance of 399.32 feet; thence S 78°15'45" E a distance of 185.68 feet more or less to the westerly mean low waterline of the Willamette River; thence S 03°30'06" E a distance of 46.37 feet along the said westerly mean low waterline to the north line of aforementioned **WILLAMETTE OAKS PARK** plat; thence along the north line of said plat S 89°50'00" W a distance of 230.09 feet to the **True Point of beginning** of this herein described tract.

The above described parcel contains \pm 0.52 acres (22515 sq. ft.)

The Basis of bearing for this description is based on Multnomah County Record of Survey No. 61545, recorded November 28, 2007.

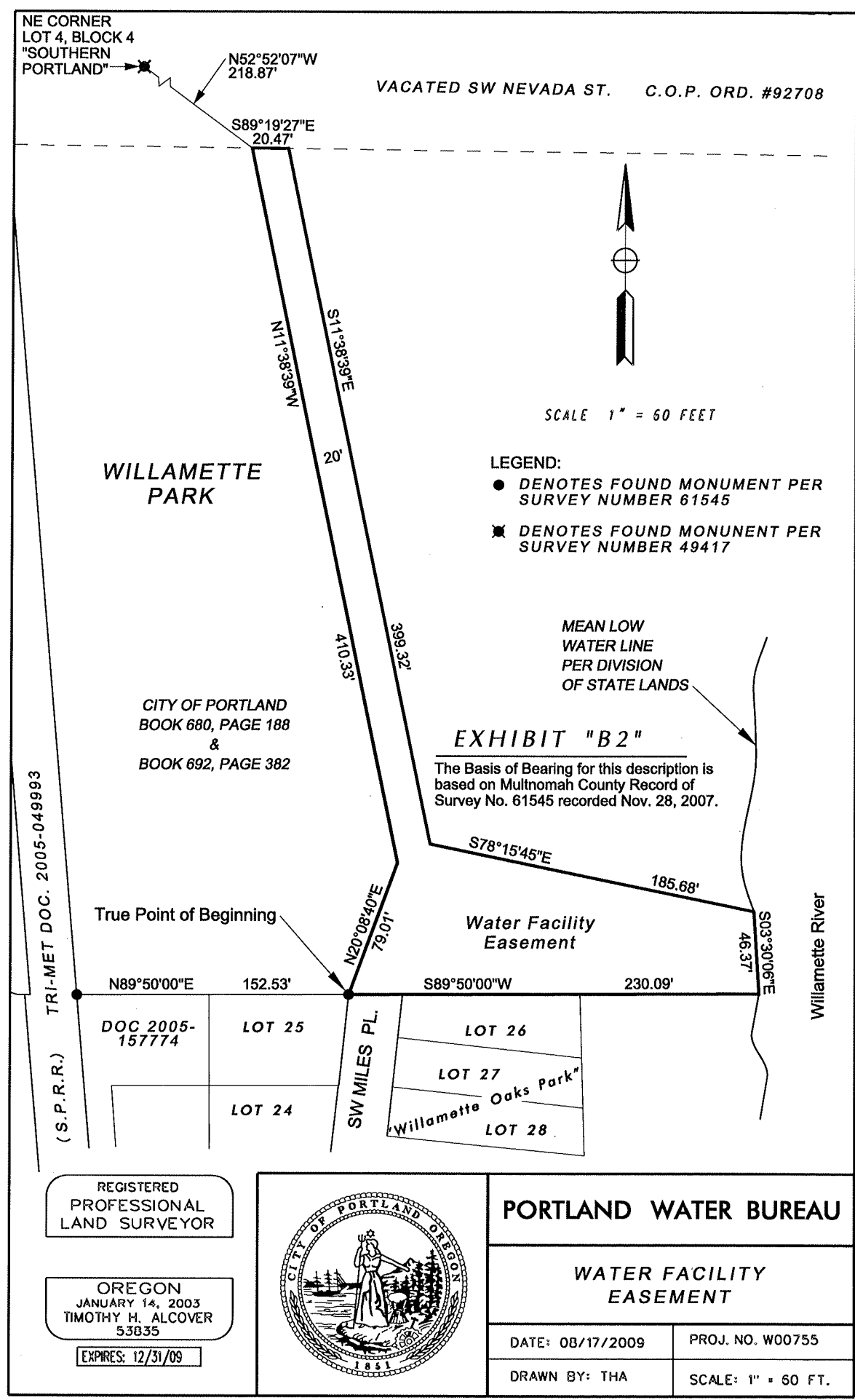
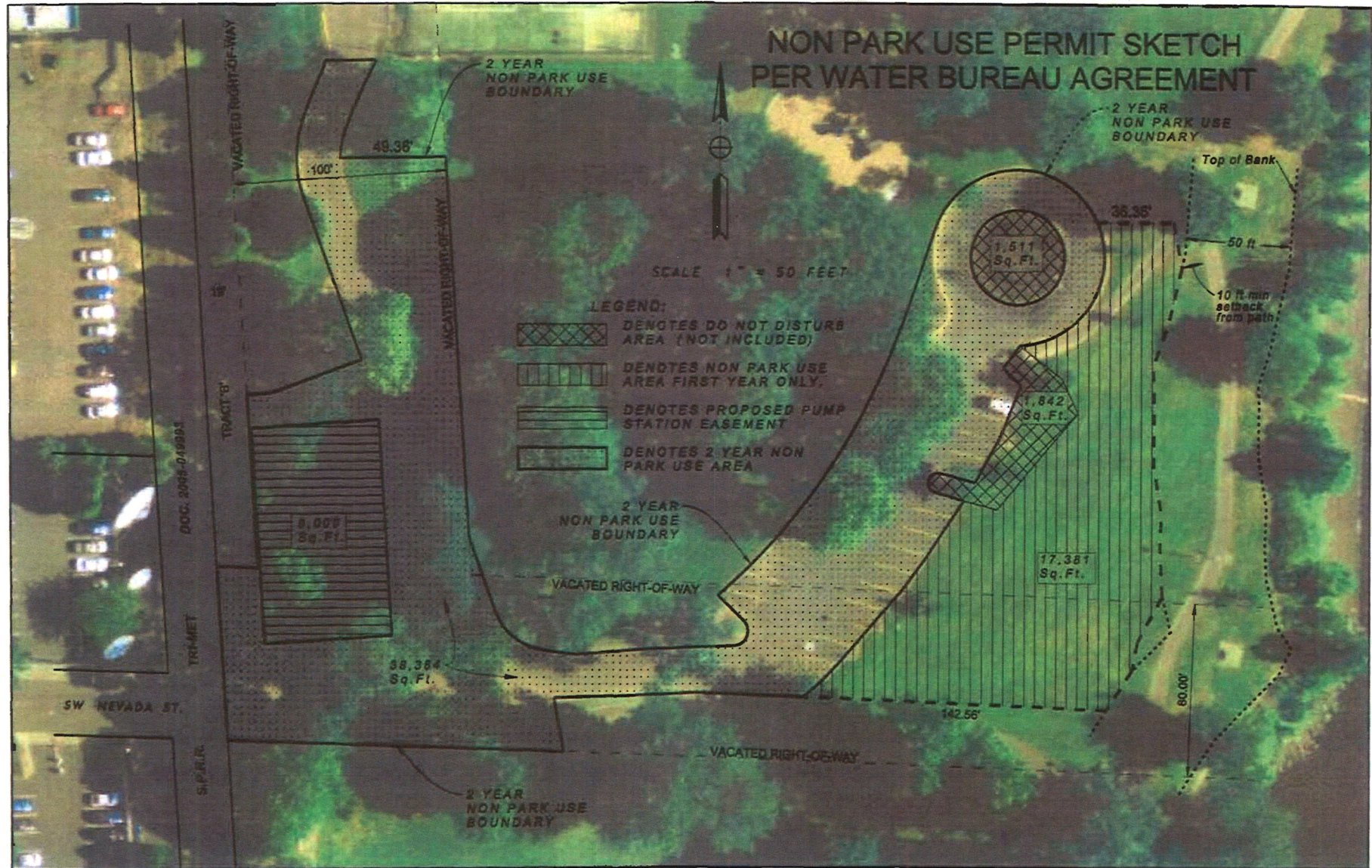


EXHIBIT C



183522

EXHIBIT D

City of Portland
Bureaus Portland Water Bureau and Portland Parks and Recreation
Project: Fulton Pump Station Replacement

Inter-Agency Memorandum of Understanding

Project Geographic Location: Willamette Park

Project Phases: Design, Construction

Service Receiver

Project Number W01358

Bureau PWB

Project Manager Keith Walker

Authorized Signature _____

David G. Shaff, Administrator

Date _____

Service Provider

Project _____

Bureau PP&R

Project Manager Todd Lofgren

Authorized Signature _____

Zari Santner, Administrator

Date _____

The following sections are covered in this Memorandum of Understanding (MOU):

- (1) Project Overview
- (2) Schedule
- (3) Costs
- (4) Amending the MOU
- (5) Billing and Reimbursement

1) Project Overview

- a) The Portland Water Bureau's (PWB) Fulton Pump Station is functionally obsolete because it cannot reasonably be expanded to accommodate the additional pumps to meet present and future supply needs. Alternatives for a replacement pump station location are constrained to parcels large enough to accommodate a 6000 ft² pump station and associated piping and working room, as well as proximity to the Washington County Supply Line (WCSL). Suitable replacement parcels are limited or nonexistent due to dense development proximate to the WCSL.
- b) PWB has negotiated with Portland Parks and Recreation (PP&R) for the property, easements, and working room to locate a replacement pump station in Willamette Park. Negotiations have resulted in a location and associated compensation agreeable to PWB and PP&R.

- c) Additional agreements have been made between the Bureaus with respect to design review, public engagement, and park improvements to be constructed as a part of the PWB project.
- d) An Ordinance has been drafted to:
 - i) Transfer property rights from PP&R to PWB.
 - ii) Provide for payment to PP&R for the transferred property rights to PWB.
 - iii) Authorize the Administrator of PWB and the Administrator of PP&R to enter into this MOU outlining other agreements between the Bureaus appertaining to the pump station installation in Willamette Park.

2) PWB and PP&R agree to the following:

- a) Due to this project's prominent public location in Willamette Park, PWB and PP&R will work together to ensure active involvement of the public in the review of the aesthetic design of the pump station exterior, including making the new building an amenity to the park with interpretative signage and public restrooms. Public involvement will adhere to the plan attached as "Exhibit A" attached to this MOU.
- b) PWB will:
 - i) Provide PP&R with at least 400 square feet of weatherized, storage space adjacent to the pump station facility, or another location agreeable to PP&R, for PP&R's continued storage of maintenance equipment.
 - ii) Build new public restrooms, weatherized for year round use, adjacent to the pump station facility, or another location agreeable to PP&R. At a minimum the restrooms will have a capacity of no less than 4 unisex bathrooms with at least one being ADA accessible. The final decision of the configuration of the bathrooms will be informed by the project's public involvement process.
- c) Prior to beginning any work in the park within the new easement area, or area managed by PWB, PWB will be required to obtain a Non-park use permit from PP&R.
- d) PWB shall be responsible for all major maintenance repairs, as well as the external maintenance, of the public bathrooms and storage space adjacent to the pump station, while PP&R will be responsible for the day-to-day janitorial and repairs to fixtures in the internal portion of the bathroom and storage facility.
- e) As part of the non-park use permit, PWB will agree to: abide by all City Codes regarding tree protection and mitigation; replace or repair any damage to the park or its infrastructure (roads, sidewalks, etc.); provide PP&R approval rights of the aesthetic design of the pump station exterior, or any capital improvement made in the park, provide equal or better restroom access to the public during the period of construction; provide equal or better storage space for PP&R parks maintenance staff during the period of construction; be responsible for all public involvement and outreach for the project; and other necessary involvement to ensure a successful project for the public.

3) Schedule

PWB anticipates construction to begin in approximately April 2012, and to be operational with the new facility in approximately July 2014. Schedule is subject to change.

4) Costs

a) The total cost for the property, easements, and use fees is \$655,000.

b) Cost Allocations*

Pump Station Site in Fee	\$240,000
WCSL Easement	\$110,000
TCE Area #1	\$60,000
TCE Area #2	\$245,000
TOTAL	\$655,000

* This sum is inclusive of all consideration for the transfer of property rights; all fees and costs for use of PP&R property including those stipulated under Articles 11 and 12 of Non-Park Use of Park Property, Binding City Policy BCP-PRK-1.02; and the PP&R costs to participate in aesthetic design review, and public engagement, if any. This consideration does not include costs associated with restoration of the site to the satisfaction of PP&R.

5) Amending the MOU

Minor amendments may be made to this MOU upon mutual written consent by the Director of PWB and Director of PP&R.

6) Billing & Reimbursement:

a) PWB will pay PP&R in a one time lump sum of \$655,000 on or before March 31, 2010.

b) Project is currently budgeted as an individual project for FY 10/11 – FY 14/15.