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# 191194

Ordinance

## Authorize Intergovernmental Agreement with the State of Oregon Department of Transportation for the Washington Park South Entry Redesign Project for \$560,000

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Portland Parks & Recreation (PP&R) promotes health, livability, and economic vitality through the effective management of the City's award-winning parks and recreation system.
2. Washington Park, located off Highway 26 and connected by a network of trails, is a 410-acre park which is home to the Oregon Zoo, World Forestry Center, the former Portland Children's Museum building, Hoyt Arboretum, the International Rose Test Garden, the Portland Japanese Garden, and several memorials including the Oregon Holocaust Memorial and the Vietnam Veterans of Oregon Memorial. Washington Park is in the Arlington Heights/Sylvan Highlands neighborhood and serves as a regional attraction that brings in 3.5 million visitors annually.
3. PP&R and its design consultants engaged the public through focus groups, open houses, and online surveys to reach the final preferred design for the project. Community engagement for the Project began in 2015 and was completed in 2019. In April 2017, PP&R conducted multiple rounds of public outreach to gather feedback on proposed design alternatives for the master plan.
4. Public comments were received in 2017 through the "Party in the Park" open house and on-line survey; social media; tabling outreach at three local farmers markets; focus groups conducted in Spanish, Russian, and Vietnamese; and meetings with PP&R staff, the Explore Washington Park board, and the Champion Committee.

Introduced by

[Commissioner Dan Ryan](#)

Bureau

[Parks & Recreation](#)

Contact

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

March 8, 2023

5. Over 2,000 people participated and gave their opinions in 2017. Throughout the planning process, PP&R presented information to Arlington Heights, Sylvan-Highlands, and Goose Hollow-Foothill's neighborhood associations.
6. In March 2018, the City Council unanimously approved the Washington Park Master Plan to strategically guide the future development of the park over the next decades. The master plan's first step, the South Entry Project ("Project"), moves forward on achieving the overall park vision to address the circulation challenges and enhance the park experience.
7. In 2019, PP&R engaged the public to set community-supported priorities for the design and construction of park improvements, which comprise the current Project bid package.
8. The Community weighed in on three alternative designs in 2019. Community feedback resulted in the final preferred design. In addition to the stakeholders identified above, this long robust community engagement period involved Metro (zoo), Japanese Garden, Hoyt Arboretum, Tri-Met, Explore Washington Park, and the World Forestry Center. Additionally, the project included review with the City ADA advisory committee, and two additional public workshops were held for visitors to the Portland Children's Museum and World Forestry Center. This project maintains an active website that allows the community to provide feedback through construction. The above stakeholders and organizations all have significant employee diversity and equity goals, and their responses are reflective of these diverse opinions.
9. The Project will include an enhanced grand entry, better access and circulation for pedestrians and cyclists, increased sidewalks, wayfinding and signage, and a functional stormwater garden that satisfies requirements of LU 12-156689 CU.
10. The City Land Use decision (LU 12-156689 CU) requires stormwater mitigation resulting from the construction of the parking lot located directly west of the former Children's Museum building. The implementation of this project satisfies the stormwater mitigation requirement in this LU decision.
11. On October 5, 2022, through Ordinance 191019, Council by its unanimous approval authorized competitive solicitation for construction contracting for the Project.
12. On January 25, 2023, Council received the Chief Procurement Officer's report and recommendation to accept the lowest responsive bid from Faison Construction, Inc. authorizing a construction contract. \$7,665,763. Procurement Report – ITB No. 00001976 was accepted

unanimously by Council.

13. Funding for this Project is included in the 5-year Capital Budget beginning in FY 2023-24 through PP&R System Development Charges, the Washington Park – Parking Meter Fund, the ADA Transition Plan, a BES Percent for Green Grant, and ODOT, with a total project budget of \$10,051,000 (including ODOT Funding contemplated by the present Intergovernmental Agreement). As explained in Procurement Report – ITB No. 00001976, bid costs were shown to be higher than anticipated as a result of project funding increases.
14. PP&R seeks authorization to enter into an intergovernmental agreement with ODOT which would allow PP&R to take the lead on the Washington Park South Entry Project, performing work on both City owned property as well as ODOT property at Washington Park, ensuring collaboration between the two governments in the project construction. The intergovernmental agreement would meet permitting requirements of the Bureau of Developmental Services which requires PP&R to coordinate directly with ODOT as the regulatory authority over the State Highway 26 off-ramp. The intergovernmental agreement further provides ODOT assurances around contractor performance through bonding and insurance. ODOT will contribute up to \$560,000.00 to the total project budget for work that will be undertaken on State land.

NOW, THEREFORE, the Council directs:

- A. The Director of Portland Parks and Recreation, or designee, is authorized to execute an intergovernmental agreement with the State of Oregon, Department of Transportation (ODOT) in a form substantially similar to the agreement attached hereto as Exhibit A, for the purpose described in Section 1, as ODOT's contribution to the Washington Park South Entry Project, upon approval as to form by the City Attorney. The Director, or designee, is further authorized to execute amendments, as approved as to form by the City Attorney, to the intergovernmental agreement, to the scope of services or the terms and conditions, provided the changes do not increase the City's financial or legal risks.

## Documents and Exhibits

 [Exhibit A](#) 362.4 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council  
March 8, 2023

Auditor of the City of Portland  
Simone Rede

## Impact Statement

### Purpose of Proposed Legislation and Background Information

Council approval to agree to the terms of the intergovernmental agreement and accept ODOT contributions on behalf of the City of Portland for the Washington Park South Entry Project at a cost of \$560,000.00.

The Washington Park South Entry Project, located at Highway 26 in Washington Park, creates a grand entry with improved wayfinding and circulation for vehicles, pedestrians, and bicycles; features a stormwater garden that meets required regulations while serving critical environmental functions; and expands Portland's network of paved walking trails.

This Project supports the South Entry Vision, a set of recommendations by Metro, Portland Parks & Recreation (PP&R), and the Washington Park Alliance. In keeping with the recently updated masterplan and through communication with the partnering cultural institutions and other project stakeholders, the project identified three primary goals:

- Stormwater Management
- Creation of a "Grand Entry" to the Park
- Improved Pedestrian, Bicycle, and Vehicular Access/Circulation

A previous City of Portland Land Use decision (LU 12-156689) requires stormwater mitigation resulting from the construction of the parking lot located directly west of the former Children's Museum building. This project meets and fulfills that stormwater requirement as well.

### Financial and Budgetary Impacts

Contract Price: The January 25, 2023 (Procurement Report – ITB No. 00001976), went before Council for bid acceptance of \$7,665,763 for Faison Construction, Inc. which was unanimously approved.

The Total Project budget: The funding source is from PP&R System Development Charges (SDC) funding, the Washington Park – Parking Meter Fund, the ADA Transition Plan funding, BES % for Green Grant and ODOT. No positions will be created, eliminated or re-classified because of this legislation.

<b>Funding</b>	<b>Amount</b>
PP&R SDC	\$5,500,000
Washington Park – Parking Meter Fund	\$2,675,000.
BES % for Green Grant	\$763,328

ADA Transition Plan	\$252,672
WA. Park – Maintenance Fund	\$300,000
ODOT – Funding Contribution	\$560,000
<b>Project Total</b>	<b>\$10,051,000</b>

This Project will not result in any new or modified financial obligations through Intergovernmental Agreements or Memoranda of Understanding, and all capital costs are included in the 5-year Capital Budget beginning in the FY23-24 budget. The construction resulting from this Ordinance will not impact current or future revenues for the Bureau.

Future operations and maintenance costs for built objects will be addressed through the PP&R annual budget process. The anticipated Operations and Maintenance cost will be approximately \$204,000 per year which will be paid for by levy funding with the expectation that PP&R, through its Sustainable Future efforts, will work with City Council to identify a successor resource to address this ongoing cost post Levy.

## Community Impacts and Community Involvement

PP&R and its design consultants engaged the public through focus groups, open houses, and online surveys to reach the final preferred design for the project. Community engagement for the Project began in 2015 and was completed in 2019. In April 2017, PP&R and the Project Team conducted multiple rounds of public outreach to gather feedback on proposed design alternatives for the master plan.

Public comments were received through the “Party in the Park” open house and on-line survey; social media; tabling outreach at three local farmers markets; focus groups conducted in Spanish, Russian, and Vietnamese; and meetings with P&PR staff, the Explore Washington Park board, and the Champion Committee.

Over 2,000 people participated and gave their opinions! Throughout the planning process, PP&R presented information to Arlington Heights, Sylvan-Highlands, and Goose Hollow-Foothill’s neighborhood associations.

The Community weighed in on three alternative designs. Community feedback resulted in the final preferred design. In addition to the stakeholders identified above, this long robust community engagement period involved Metro (Zoo), Japanese Garden, Hoyt Arboretum, Tri-Met, Explore Washington Park, and the World Forestry Center. Additionally, the project included review with the City ADA advisory committee, and two additional public workshops were held for visitors to the Portland Children’s Museum and World Forestry Center. The project maintains an

active website that allows the community to provide feedback through construction. The above stakeholders and organizations all have significant employee diversity and equity goals, and their responses are reflective of these diverse opinions.

<https://www.portland.gov/parks/construction/washington-park-south-entry>

## 100% Renewable Goal

N/A

## Budget Office Financial Impact Analysis

This ordinance authorizes the IGA portion of the project that allows ODOT to contribute their \$560,000. The PP&R contributions are all non-discretionary (Washington Park Fee Revenue and SDC resource) and are built into the bureau's FY 2023-24 Requested Budget. Future annual O&M costs for the completed project are expected to be \$205,000 and will be funded with Parks Levy Resources will be paid for by levy funding with the expectation that PP&R, through its Sustainable Future efforts, will work with City Council to identify a successor resource to address this ongoing cost post Levy.

## Agenda Items

### 176 Consent Agenda in [March 1, 2023 Council Agenda](#)

Passed to second reading

Passed to second reading March 8, 2023 at 9:30 a.m.

### 193 Consent Agenda in [March 8, 2023 Council Agenda](#)

Passed

Commissioner Carmen Rubio Yea

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Mayor Ted Wheeler Yea