

Council work session agenda

Tuesday, May 28, 2019

2:00 PM

Metro Regional Center, Council Chamber

REVISED 5/24

2:00 Call to Order and Roll Call

2:05 Safety Briefing

Work Session Topics:

2:10 Willamette Falls Legacy Project Update [18-5218](#)

Presenter(s): Brian Moore, Metro
Alex Gilbertson, Metro

Attachments: [Work Session Worksheet](#)
[PowerPoint: Willamette Falls Legacy Project Update](#)

2:30 Chief Operating Officer Communication

2:45 Councilor Communication

2:50 Legislative Update

3:20 Adjourn

**EXECUTIVE SESSION ORS 192.660(2)(A): TO CONSIDER THE EMPLOYMENT OF A
PUBLIC OFFICER, EMPLOYEE, STAFF MEMBER OR INDIVIDUAL AGENT**

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Metro tôn trọng dân quyền. Muốn biết thêm thông tin về chương trình dân quyền của Metro, hoặc muốn lấy đơn khiếu nại về sự kỳ thị, xin xem trong www.oregonmetro.gov/civilrights. Nếu quý vị cần thông dịch viên ra dấu bằng tay, trợ giúp về tiếp xúc hay ngôn ngữ, xin gọi số 503-797-1700 (từ 8 giờ sáng đến 5 giờ chiều vào những ngày thường) trước buổi họp 5 ngày làm việc.

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Metro з повагою ставиться до громадянських прав. Для отримання інформації про програму Metro із захисту громадянських прав або форми скарги про дискримінацію відвідайте сайт www.oregonmetro.gov/civilrights. або Якщо вам потрібен перекладач на зборах, для задоволення вашого запиту зателефонуйте за номером 503-797-1700 з 8.00 до 17.00 у робочі дні за п'ять робочих днів до зборів.

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Ogeysiiska takooris la'aanta ee Metro

Metro waxay ixtiraamtaa xuquuqda madaniga. Si aad u heshid macluumaad ku saabsan barnaamijka xuquuqda madaniga ee Metro, ama aad u heshid warqadda ka cabashada takoorista, booqo www.oregonmetro.gov/civilrights. Haddii aad u baahan tahay turjubaan si aad uga qaybqaadatid kullamada dadweynaha, wac 503-797-1700 (8 gallinka hore illaa 5 gallinka dambe maalmaha shaqada) shan maalmaha shaqo ka hor kullanka si loo tixgaliyo codsashadaada.

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Metro의 시민권 프로그램에 대한 정보 또는 차별 항의서 양식을 얻으려면, 또는 차별에 대한 불만을 신고 할 수 www.oregonmetro.gov/civilrights. 당신의 언어 지원이 필요한 경우, 회의에 앞서 5 영업일 (오후 5시 주중에 오전 8시) 503-797-1700를 호출합니다.

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សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

ការការពារសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬស្នើសុំទទួលបានកាតបណ្តឹងរើសអើងសូមចូលទស្សនាគេហទំព័រ www.oregonmetro.gov/civilrights។ បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ មុនថ្ងៃប្រជុំដើម្បីអាចឱ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក។

إشعار بعدم التمييز من Metro

تحتزم Metro الحقوق المدنية. للمزيد من المعلومات حول برنامج Metro للحقوق المدنية أو لإيداع شكوى ضد التمييز، يُرجى زيارة الموقع الإلكتروني www.oregonmetro.gov/civilrights. إن كنت بحاجة إلى مساعدة في اللغة، يجب عليك الاتصال مقدماً برقم الهاتف 503-797-1700 (من الساعة 8 صباحاً حتى الساعة 5 مساءً، أيام الاثنين إلى الجمعة) قبل خمسة (5) أيام عمل من موعد الاجتماع.

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Iginagalang ng Metro ang mga karapatang sibil. Para sa impormasyon tungkol sa programa ng Metro sa mga karapatang sibil, o upang makakuha ng porma ng reklamo sa diskriminasyon, bisitahin ang www.oregonmetro.gov/civilrights. Kung kailangan ninyo ng interpreter ng wika sa isang pampublikong pulong, tumawag sa 503-797-1700 (8 a.m. hanggang 5 p.m. Lunes hanggang Biyernes) lima araw ng trabaho bago ang pulong upang mapagbigyan ang inyong kahilingan.

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Metro txoj kev ntxub ntxaug daim ntawv ceeb toom

Metro tributes cai. Rau cov lus qhia txog Metro txoj cai kev pab, los yog kom sau ib daim ntawv tsis txaus siab, mus saib www.oregonmetro.gov/civilrights. Yog hais tias koj xav tau lus kev pab, hu rau 503-797-1700 (8 teev sawv ntxov txog 5 teev tsaus ntuj weekdays) 5 hnub ua hauj lwm ua ntej ntawm lub rooj sib tham.

Willamette Falls Legacy Project Update

Work Session Topics

Metro Council Work Session
Tuesday, May 28, 2019
Metro Regional Center, Council Chamber

WILLAMETTE FALLS LEGACY PROJECT UPDATES

Date: May 13, 2019
Department: Parks and Nature
Meeting Date: May 28, 2019

Prepared by: Alex Gilbertson
alex.gilbertson@oregonmetro.gov
503-797-1583
Presenter: Brian Moore
Length: 10 minutes

ISSUE STATEMENT/ACTION REQUESTED

The Willamette Falls Legacy Project is governed by an Intergovernmental Agreement between Metro, Oregon City, Clackamas County, and the State of Oregon. The Intergovernmental Agreement requires periodic updates to the Council on the status of this project. The action requested is to receive this report.

IDENTIFIED POLICY OUTCOMES

Continued implementation of the Willamette Falls Legacy Project Intergovernmental Agreement.

POLICY QUESTION(S)

Not applicable

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Not applicable

STAFF RECOMMENDATIONS

Staff recommends Council receive the report and ask any questions that they may have regarding the project.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The Willamette Falls Legacy Project is governed by an Intergovernmental Agreement between Metro, Oregon City, Clackamas County, and the State of Oregon. This Partnership was formed to guide the use of public funds to help recover and restore the public benefits of the abandoned Blue Heron Paper Mill. The Partnership established four core values that are equally important and guide decision making for the project. These four core values are

Cultural and Historic Interpretation, Healthy Habitat, Economic Redevelopment, and Public Access. They essentially represent the public benefits that this project will focus on.

Beginning with the closure of the Blue Heron Paper mill in 2011, Metro and the Partners worked together to identify an appropriate public investment in the property that would catalyze the redevelopment of the site. In addition to traditional economic development tools such as investment in public right of way and infrastructure, the Partners identified the opportunity for a “riverwalk” that would provide a route for public access, space for habitat restoration, and gathering places for cultural and historic interpretation. This effort is planned to help catalyze economic redevelopment by creating real estate demand on what would otherwise be a site too expensive for typical market driven development.

This project would not be possible but-for a real estate interest in the property. In 2014, the property owner, donated to Metro a blanket, public easement over the entire property for the purposes of designing and constructing a riverwalk. Portland General Electric, which owns and operates the dam, gave Metro an easement option to allow public access onto its dam. With this easement and easement option in place, Metro was willing to fund \$5 million dollars from the 2006 Natural Areas Bond to leverage funding from the other partners and to begin design for the riverwalk. This funding successfully leveraged \$12.5 million from the State of Oregon, \$1.2 million from Oregon City, and approximately \$800,000 from other sources. At \$19.5 million, the project was short of the phase 1 estimate of about \$25 million. So the partners spurred the formation of a non-profit friends group that could lead private fundraising for the project. Their expected contribution was just under \$6 million.

In 2015, the project launched a community engagement and design process, possibly the most extensive community engagement for a park project at the time. After the extensive community engagement process, which involved thousands of members of the public, direct engagement with any community organization that would have us, as well as any organization that invited us, the team assembled the preferred design for the riverwalk. This was completed and rolled out to the public in 2017. The design unveiling event hosted more than 600 members of the public and featured speeches, blessings, and/or acknowledgements from the design team, elected officials, the Confederated Tribes of the Grand Ronde, and the Confederated Tribes of the Umatilla Indian Reservation.

Following the roll out of the preferred design and Metro’s adoption of the master plan, the project team conducted lengthy negotiations with the property owner to ensure continued support for the project. Additionally, the non-profit friends group established by the Partnership was able to find its footing and began raising funds to meet their obligation. Since the roll-out of the preferred design, public interest in the project has continued to rise as was demonstrated by our recent public tour offering: 500 spots filled up within 4 minutes of being opened for signup.

The non-profit group, called Willamette Falls Trust, has announced two lead fundraising gifts, one of \$5 million, one of \$2 million. They have raised their fundraising goal to \$15 million for phase 1, which raises the overall fundraising target from the original \$25 million

to \$35 million. They have also set the lofty fundraising goal for the complete riverwalk at \$150 million. We believe this could be achieved if we can continue to inspire the public and our partners to contribute to this project at the 5-6:1 ratio established in the first phase of the project.

With greater and greater attention on this project, we are now hearing from groups who were not previously interested in discussing this project. We are continuing to engage with groups and individuals to better understand what the Falls and this site means to them.

A major effort of our engagement has focused on a very significant equity issue for this project, for this region and for this State. The Blue Heron Paper mill is the site of the founding of the Oregon Territory and the State of Oregon, the incorporation of which was spurred on for the purposes of trying and convicting 5 Cayuse tribal members who, under threat of war, took responsibility for the killing of the Whitman family in 1847. Additionally, this site is one of significance to the Confederated Tribes of the Grand Ronde, the Clackamas people who have lived along the river since time immemorial, and countless people who lost their lives as a result of the colonial settlement of this land.

The treaties that were signed with these two Native Sovereign Nations (NSNs), as well as the Confederated Tribes of Warm Springs, the Confederated Tribes of Siletz, and Confederated Tribes and Bands of the Yakima Nation have given us use of the land so long as we do not preclude their usual and accustomed and treaty reserved rights. To navigate this complex landscape, the project formed a Tribal Advisory Board consisting of representation from each of those five NSNs to obtain input during the pre-design and design process. Through a series of group meetings and visits directly with people at various tribal administrative headquarters, we were able to obtain preliminary input on the project.

We are continuing our efforts to work with the 5 Native Sovereign Nations. At the request of the Tribal Advisory Board, our efforts are now facilitated by the US Army Corps of Engineers and the Federal Section 106 process, a largely confidential process prescribed by the Federal Government to ensure that the Treaty Rights are not harmed by the project. We expect more substantial input on design, use, and interpretation to result from this process.

It is clear that the industrialization of the Blue Heron Site has made huge changes to an extremely important site for the practice of these rights and this project provides a significant opportunity to bring back into balance our use of the land with their traditional uses. This project will also serve as a reminder of the successes and failures along the path to statehood and present day, ensuring that those who were marginalized in the process are not forgotten and that balance should guide how this space is shared and restored.

It is our hope that through future funding commitments from the four WFLP Partners, a close partnership with Willamette Falls Trust, continued engagement with the five Native Sovereign Nations, and by continually learning what this site means to individuals, we are able to bring this place, this region, and this state closer to an equitable balance between those who have lived here since time immemorial and those that are new to the region.

- Known Opposition/Support/Community Feedback
 - Some community members have expressed concern that this project does not directly benefit black or Latinx communities.
 - Some community members have expressed concern that this project does not do enough to preserve the industrial history of the site.

BACKGROUND

The project is moving rapidly toward construction of phase 1 of 8. Phase 1 is funded, and all future phases remain unfunded at this time. Design for construction drawings is under contract now with a construction start expected in April of 2020.

ATTACHMENTS

None

- Is legislation required for Council action? ☐ Yes ☒ No
- If yes, is draft legislation attached? ☐ Yes ☒ No

Materials following this page were distributed at the meeting.