

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

RESOLUTION NO. _____

Approving the Conveyance through a Disposition and Development Agreement of the Morrison Bridgehead Properties, Portland, Oregon, to Melvin Mark Development Company

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County acquired the Morrison Bridgehead Properties, i.e. Blocks 1, 2, 16, and 39, CITY OF PORTLAND; as more particularly described herein, (“the Property”), in the 1950’s for staging, construction and operation of the third Morrison Bridge, its approaches and ramps. The property encompasses approximately three acres of land. Since the construction and the opening of the current Morrison Bridge in 1958, the areas outside of the Bridge Right of Way within the Property have been operated as a surface parking lot and a Multnomah County Motor Pool facility.
- b. Resolution 07-174, adopted by the Board of County Commissioners on November 1, 2007, approved an Intergovernmental Agreement (“IGA”) with PDC which provided for Multnomah County and PDC cooperation for the timely and appropriate sale and private redevelopment of the Property. The IGA further provided for specific responsibilities for Multnomah County and PDC on the solicitation and selection processes for a Request for Proposals for the Property (“RFP”) and the negotiation of a Disposition and Development Agreement (“DDA”) for eventual sale of the Property.
- c. In November 2009, Multnomah County issued a Request for Interest (“RFI”) for acquisition and redevelopment of the Property. Multnomah County and PDC staff facilitated a Board Policy Discussion in April 2010 to present three RFI responses. There was direction to develop a formal RFP for the site with PDC in accordance with the IGA.
- d. Multnomah County and PDC Staff worked to develop a Draft RFP which was submitted for review by Board of County Commissioners staff and review by Multnomah County programs, including Bridge Services, County Attorney, Facilities, Fiscal and Budget, Fleet, and Purchasing. The RFP was agreed to in accordance with the IGA and issued in November 2010.
- e. Submissions in response to the RFP were due February 9, 2011. Two submissions were received for evaluation: 1. Gerding Edlen Development Company and Downtown Development Group; and, 2. Melvin Mark Development Company and the James Beard Public Market.

- f. An Evaluation Committee was formed in accordance with the IGA. Membership included solicited nominations from Board of County Commissioners and evaluation sessions were convened in March 2011. The Evaluation Committee scored the RFP submittals independently using the detailed criteria set out in the RFP. The Evaluation Committee scored the Melvin Mark Development Company and James Beard Public Market Proposal (“Proposal”) higher.
- g. Resolution 2011-059, adopted by the Board of County Commissioners on May 26, 2011, authorized exclusive negotiations with the development entity for the Proposal. Resolution 2011-060, also adopted on May 26, 2011, directs the proceeds from disposition of the Property to help fund a new or remodeled downtown courthouse.
- h. As early as the Downtown Plan of 1972, and in subsequent plans, the Morrison Bridgehead site was identified as an ideal location for a major attraction and recognized as a unique gateway site into downtown Portland, with access, visibility and connectivity with other key downtown components. The Property lies at the intersection of Waterfront Park and the downtown retail core, however, the current configuration does not provide adequate pedestrian. The enhanced connectivity central to the Proposal will improve public safety and will have a positive impact on surrounding parts of downtown Portland.
- i. Public ownership of the Property has been property tax-exempt for over fifty years. The disposition and redevelopment of the properties as envisioned in the Proposal will generate significant annual property tax and business income tax revenues for local jurisdictions, including Multnomah County.
- j. The competitive Request for Proposals process that resulted in the Board’s selection of this proposal considered economic development and job creation; Minority, Women, and Emerging Small Business (M/W/ESB) contractor participation; and sustainability initiatives.
- k. Maintenance of the Morrison Bridge and all associated ramps and access points will remain the responsibility of Multnomah County, and all bridge infrastructure including bridge elements, ramps, and setbacks around bridge and ramp infrastructure will be subject to a Right of Way reservation to preserve the County’s rights. Certain areas of the reserved Right of Way may be permitted for use by the development under the then applicable permit procedures.
- l. The County and Melvin Mark have extensively negotiated over the past year and have produced the Agreement for Disposition and Development of the Morrison Bridgehead Property between Multnomah County and Melvin Mark Development Company (“the Agreement”), a copy of which is attached as Exhibit 1.

- m. The Agreement provides for a sale price of the Property of \$10,430,000 which equals the appraised value of the Property according to an independent appraisal dated March 1, 2011. An escrow deposit of \$100,000 from Melvin Mark is due into escrow within ten (10) days of the effective date of the Agreement.
- n. The Agreement provides for up to thirty-seven (37) months from the effective date to closing to facilitate fundraising for the James Beard Public Market. The Agreement further provides for semi-annual Board Briefings on the market development's progress. The Agreement includes an escrow holdback of \$350,000 for environmental conditions at the Property, including insurance for unforeseen environmental conditions, remediation, and related costs.
- o. It is in the best interests of the County to convey the Property to Melvin Mark Development Company on the terms and conditions set forth in the attached Agreement.

The Multnomah County Board of Commissioners Resolves:

- 1. The Chair is authorized to execute the Agreement.
- 2. The Chair is authorized to execute the deed and all other documents necessary to complete the conveyance of the Property on terms substantially consistent with the Agreement.

ADOPTED this 14th day of June, 2012.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

REVIEWED:

JENNY M. MORF, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Kenneth M. Elliott, Assistant County Attorney

SUBMITTED BY: Jeff Cogen, Chair