

**WRB Design Enhancements Panel
Meeting #12– SYNOPSIS**

Wednesday, January 13, 2010
Lane Council of Governments
7:30 a.m. to 9:00 a.m.

Panel Attendees: Charlotte Behm, Eric Gunderson, Annie Loe, Vicky Mello, John Rose, Scott Wylie

Absent: Bob Kline, Randy Nishimura

Staff: Don Kahle, Facilitator; Megan Banks; Douglas Beauchamp, Larry Fox, Justin Lanphear

Meeting Goals

Don introduced the meeting and said that the goal of today's meeting is to reach decisions about reaching decisions.

He shared the four cards clipped at each place: a green card means can fully support; yellow indicates somewhat supportive; orange indicates reservations; and red means definitely do not agree. Don shared this is a way to give feedback without interrupting whoever is talking. It is not to be used as a voting technique but a way to get more refined feedback on a topic that is being discussed. The group agreed to try to the cards.

What Must be Decided

Larry handed out sections from the design enhancements Request for Services. He reminded the DEP that they had helped create the RFS, along with the Addendum and Statement of Work that was issued with the contract between OBEC and the ADTs. He added that he had highlighted specific sections within the RFS to help guide DEP with their next steps. Before going into that, he shared what he envisioned as the DEP's two major roles: 1) the "who's" and 2) the "what's." We have the who's—the RFS solicited great responses and the DEP selected the ADTs.

The next big task is the "what's." In the RFS, a two phase approach is discussed. Phase One includes *"conceptual design work. Upon review and approval of the conceptual design proposal that concludes Phase One, the Lead and its ADT may be awarded a Phase Two Final Design/Production contract, if required, for any commissioned artwork and/or constructed design enhancements resulting from Phase One work."* Larry noted that the RFS says *may* be awarded. It has always been clear that Phase Two is not guaranteed. He reminded the DEP that on January 22, they will get deliverables as described in the SOW—conceptual drawings, specifications and estimated costs. He added that another key step of entering into Phase Two is finalizing the budget.

He noted that the DEP is at the winnowing down of ideas stage (page 2, RFS). Larry also mentioned the last bullet under the Phase One SOW. It is helpful to know whether the contractor will construct an element or if it will be a commissioned piece built by the artist with the artist doing the final drawings.

Larry referred to the RFS addendum that was issued September 4, 2009. It includes the very important piece about collaborating with key stakeholders, which includes owners since they will take ownership of elements. He envisions that collaboration with stakeholders will take place in

a more robust way in Phase Two. For example, details about what is maintainable, etc. will be negotiated in Phase Two.

Larry's said he envisioned the DEP's role as diminished in Phase Two with the DEP reconvened as needed. Put another way, the DEP would reconvene and respond if a budgeted element falls off the map. For example, what if the median sculpture is taken off the table? the DEP would need to reallocate the budget. The DEP would also reconvene if an element drastically changes. Otherwise, in Larry's opinion, the artists and teams would work directly with stakeholders.

Scott asked for a clarification of the "WRB design and construction team." He asked if the DEP was advisory and technically not part of the WRB design team. Larry confirmed this was correct. Larry added that the designers include the ADTs, CMGS and other OBEC staff.

Larry shared the matrix from the RFS. He added that he didn't intend for people to read the matrix at 8.5"x11" size but as background, he had developed the design enhancement matrix much earlier in the project and had been thinking about the process and evolution of it. He said the current version of the matrix was created by the DEP. He said the DEP could consider using the matrix for grading the Phase One concepts. A column could be added to it and then the DEP could see how the ideas fit within the original concepts and the budget total. Larry said that we know the ADTs' ideas will add up to more than the budgeted amount and the DEP is at the point where it needs to narrow the concepts. Larry shared an e-mail exchange with Charlotte about the fish weir proposed in bundle 2. As an example, Larry reminded the DEP that just because something is shown on paper like fish weir doesn't mean that exact element will move forward. The DEP may move the general concept forward for the designer to refine or redesign.

Don asked if this gave clarity to DEP's charge. John responded that the Lee example is different than what was written down. He added that he liked that relationships with artists and ADTs can be maintained. He further explained that in Tulsi's e-mail, in addition to concepts, the DEP wants specifications and cost estimates. Conceptual drawings may be different than that. Larry responded that the DEP needs to discuss how much leeway it is going to have when it makes decisions about Phase One concepts. Larry referred back to the matrix and reminded the DEP that they have already gone through the decision-making process once. He added that the ADTs are looking for input with what to do with those 400 comments. The DEP's charge is to help guide the ADTs, regardless of how the DEP decides to do so.

Vicky said she doesn't see connection between the DEP and the stakeholders: the DEP can say that they like something but how does that get integrated with key stakeholders, particularly if they are coming from a different direction—how do the two groups connect the dots? Don asked for clarification on whether the DEP thought the "Dead on Arrival" survey was sufficient. The DEP members asked how they know if the key stakeholders have commented? Vicky asked what if there is no feedback at all? If the final decision rests with others, DEP input isn't important. Don responded that Kristi Krueger of Springfield and Greg Hyde of Willamalane have weighed in on bundles 2 and 3. Justin added that stakeholders in Phase One have been made aware of opportunities and constraints, as well as the ADTs' preliminary concepts. Larry added that the decisions by the DEP should include the DOA feedback. Vicky asked and Don responded that key stakeholder comments within the 400+ comments have been highlighted to the ADTs.

The DEP acknowledged that the CAG and PDT chartered the DEP to do this work and to make recommendations to the CAG and PDT. Larry added that the DEP has to get through those

levels before any Phase Two contracts are awarded. ODOT needs these recommendations before it will tell OBEC to move forward. He reminded the DEP that they should pay attention to 400 comments because, for example, if the DEP wants something to move forward, it should not be something that ODOT maintenance has vetoed.

Scott said he sees the matrix as a compass device. He noted that the “Comments” column in the matrix tries to be inclusive—it is a broadening component to the matrix. To date, the DEP has been open to diverse interpretations and acknowledged that there isn’t always just one definition to these elements. This broadness is a burden before the DEP right now and budget is another.

Don said in order to bring this part of the conversation to a close; he wanted to remind the DEP that they should focus on the elements with the intention of guarding the whole so that all the pieces fit together.

Charlotte said that at the parks meeting last Friday, there was discussion with the parks staff about the south bank area (north of Franklin, south of the Willamette River). Dick also shared that part of the south bank path may not move forward. She pointed out that this means ADT #2 may not have as much area to work with. Justin clarified the path location and added that Dick is pursuing eliminating of that path to complete elements of the mill race extension/viaduct bike path that extends beyond project limits. Justin added that Dick indicated that ADT #2 should continue as delineated in their SOW and the bundle map. Dick understands that it is too late to decide whether that path will really be eliminated. Justin reiterated that the direction to Robin was to continue with the original boundaries.

John stated that he does not see the DEP as designers.

Larry said he believes Charlotte is getting at the leeway factor. Larry acknowledged that there was information provided at the parks meeting that may help the DEP give guidance through budget allocations. He concurred that at the stakeholder and owner level is where success will happen.

Eric stated that he believes the DEP was charged to select elements, set budgets, and pick ADTs for Phase Two. For those elements that the DEP is solid on, the DEP should confirm and do as mentioned above. For those elements that the DEP is not sure about, could the DEP add comments and look at those elements more closely? This enables the DEP to offer feedback to the ADTs. Eric noted that at some point, the DEP needs to make decisions.

Don checked in with the group. Scott said he is somewhat perplexed since he is hearing a mixed message. He described the new information as an “earthquake.” If the south bank path is eliminated, how does a designer address that? The uncertainty bothers him. Annie asked if the DEP members could continue moving forward and cross those bridges as they get there. She added that designs are constantly evolving. Charlotte said that ADT #2 could focus more along river. Larry responded that this situation has happened often throughout the project, and that he and Justin have dealt with issues like these often. Larry acknowledged that it is likely other earthquakes will happen that will bring the DEP back together during Phase Two. Scott said he would like assurances that the DEP will have time to make adjustments. He doesn’t like that there isn’t time to adjust.

Charlotte confirmed that on Friday afternoon, Dick had told ADT #2 to proceed as stated in their original SOW. Justin added that in his discussion with Robin, she understands that this

significantly impacts Adam Kuby and his art, as well as how much effort they might choose to put into that area. Larry added that as challenging as it was to get Dick's information now, it is good to know as soon as possible if there will be changes for the bundles.

Eric said the DEP is realizing things will change and he recommended that if earthquakes happen, the DEP reconvenes and reevaluates. Vicky added that this is an opportunity to see how an ADT reacts to change. She thought it will be interesting to see how the designs change.

Don checked in with the group regarding the agenda. Larry suggested that DEP members review the deliverables (handout from Justin) on their own and skip to discussing how they want to make decisions. The group concurred.

Decision Options

Douglas shared the general timeline of the phases, including the DEP's recommendation and CAG-PDT's decision. He noted that we are more likely to achieve success if the contract is more specific. Early May 2010, two and half months from when the Phase Two contracts will be issued, is the timing for not only execution of contract but Phase Two final design plans and specifications. Douglas said he wants to create a sense of urgency because the more specific the DEP can be with Phase One, the more successful the DEP is likely to be as the process continues.

He reminded the DEP that they represent the public and play an advisory role.

Douglas recommended that the DEP receive materials and come up with simple ways of evaluating the elements, such as high (fully support), medium (not sure but could be swayed either way) or low (can't support). Then the DEP would come back and see where the elements rank. He said it is likely that the DEP will have preliminary and final votes as to what moves forward. He added that the DEP will be weighing in all the different factors—theme, etc. to make their decisions. At that point, the DEP may want to hear more from ADTs or a specific ADT team member before a final determination is made. The DEP could call an ADT back in to get more information. Douglas said this is one option that could get us ready for the upcoming CAG-PDT meeting.

Douglas said another option is to have each of the ADTs walk through their final Phase One concepts before the DEP evaluates the elements and concepts. This probably entails having a DEP-ADT meeting ASAP after the January 22nd submittal deadline. After that, the DEP would meet and vote, probably high, medium and low. Douglas said he is happy to help facilitate the next decision-making meeting.

John asked for clarification and Douglas responded that one scenario is that the ADTs don't present at the first go-round. The ADTs or specifically, just the artist, doesn't present unless the DEP wants specific information. He added that this allows the DEP to screen the materials first.

Douglas said the fundamental question is "how does the DEP want to spend the money?" Passion for an idea may not correlate to the actual constructability and feasibility of it. It is incumbent on the DEP to use their professional judgment or community representation to make these decisions. He acknowledged that this is very complex.

Vicky confirmed that the ADTs will provide budget information for each element.

Eric responded that he thought having Douglas facilitate the basic structure would be excellent. The DEP needs to decide whether to have presentations from artists or review the concepts by themselves. Eric said he would prefer to have the artists present in order to see their passion. Charlotte said she would like to review the proposals first because she thinks that is more efficient. She has already seen information from the ADTs. Annie responded that the DEP hasn't seen the final concepts yet since the ADTs have been working since the December 15 presentations. Douglas concurred that final designs will be submitted on January 22nd. Vicky asked about a combination that would include the weekend to review the ADTs' work with the ADTs making presentations the following week. Douglas said this is a possibility. It depends on the DEP—is this the best use of the DEP's and ADT's time? Douglas said this scenario would still enable the DEP to reach the point in early February when the DEP is ready to make a recommendation to the CAG and PDT.

Charlotte requested that if the high, medium, low scores are posted in a room, she does not want the ADTs to be there. Annie echoed this concern.

The group discussed an alternative where the high, medium and low scores are internal and not shared with the ADTs. This alternative would include the ADTs making a presentation at some point then the rankings would be posted. The DEP would decide at that point if the group could make a decision or if another meeting is needed.

The group confirmed that budget allocations would be the next step.

Charlotte asked about stakeholders. Vicky said perhaps the DEP doesn't have to worry about that right now because the stakeholders will have an opportunity to be involved. Charlotte asked about getting stakeholder input. Larry responded that was the purpose of the DOA exercise. He added that the DEP should also consider those comments.

John said he doesn't hear any objections to the proposed ranking. The question is whether to have the ADTs present or to have the DEP members review the concepts on their own. Don reviewed the three options:

	A	B	C
Friday	PDFs distributed	--	PDFs distributed
Monday	* ADT presentation and DEP scoring	* Unveiling with ADTs	
Wednesday		Meet with scoring	DEP meets with scores meet with ADTs
February	More scoring		

* meet with ADTs

The DEP voted on options A, B or C, but there was no clear majority:

- No votes for option C.
- Three votes for option B.
- Three votes for option A.

The group confirmed that the meeting scheduled for Monday, January 25, would be moved to Wednesday, January 27, 2010.

Larry asked the DEP if there was the potential that an ADT may be called back in for further clarification. Don added that it could that an artist is called back and not the project manager. Larry added that it would be good to have the artist, or whomever designed a particular element or concept, present. Vicky added that she thought they should be given a set amount of time rather than an open ended presentation.

Douglas asked if the DEP if a Q&A with the ADTs might be called for after the meeting. If so, it could be a long meeting. The DEP agreed there would not be scoring at that meeting but will get to see passions of the designers as they present. The DEP agreed a second meeting is needed to discuss scores.

Douglas suggested that a timeline for the conclusion of Phase One and implementation of Phase Two until June would be helpful.

John asked about quick scoring after first meeting, like dot voting after charrettes. Wouldn't need to include a discussion.

The DEP decided on the following process:

1. **DEP staff will get materials to the DEP Friday, January 22, or that weekend. Concepts will include budget allocations.**
2. **ADTs will present to the DEP on Wednesday, January 27, 5 p.m. Will be a 40-minute presentation with 15 minutes for clarifying questions.**
3. **At the end of meeting, DEP will put dots on concepts/elements.**
4. **DEP staff will take photos of the dot exercise and send them to the DEP Thursday.**
5. **DEP will meet Monday, February 1, 5 p.m. to winnow down concepts and discuss budget allocations.**

Larry talked about the CAG-PDT meeting tentatively scheduled for February 19th. He would like to give the CAG and PDT members the opportunity to review the ADTs' materials, including the raw January 22nd materials. The DEP also needs to decide who will present to the CAG and PDT on behalf on the DEP. He added that hopefully we will be pleasantly surprised with the January final concepts. Similar the discussion that the DEP just had for itself, the DEP should decide whether their recommendation about the concepts is unveiled to the CAG and PDT ahead of time. Justin noted that Greg Hyde had asked for materials further in advance. The question of what if the CAG and PDT don't approve the DEP's recommendation was discussed. This may send the DEP back to the drawing board.

Don said he will work with Douglas on a timeline.

The DEP confirmed the possibility that an ADT may get called back for an additional presentation.

Next meetings time (place to be determined):

- **January 27, 2010, likely 5:00 p.m.**
- **February 1, 2010, likely 5:00 p.m.**

January 13, 2010 Handouts:

- *RFS Excerpts and matrix (Larry)*
- *Phase 1 Final Concept: ADT Deliverables (Justin)*