

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON**

**RESOLUTION NO. 2019-041**

Resolution approving Amendment No. 1 (the "Amendment") to the First Amended and Restated Visitor Facilities Intergovernmental Agreement (VFIGA) between the City of Portland, Multnomah County, and Metro Regional Government.

**The Multnomah County Board of Commissioners Finds:**

- a. Multnomah County, the City of Portland, and Metro entered into the VFIGA on October 25, 2013, to collect and distribute public revenues for the purposes of promoting regional tourism.
- b. The purpose of the Amendment is to authorize a one-time \$2,000,000 allocation from the Visitor Facilities Trust Account, which holds revenue whose use is subject to the VFIGA, to the Portland's 5 Centers for the Arts (P'5). P'5, with input from Visitor Development Fund, Inc. (VDF), will use the allocation to replace the acoustical shell at the Arlene Schnitzer Concert Hall.
- c. A public/private partnership, VDF was created on or about April 26, 2001, under an intergovernmental agreement by and between the County, City of Portland, and Metro. Through its 15-member board – which includes two representatives from each of the County, City, and Metro, two members appointed by Travel Portland and seven members representing the hotel and car rental business sectors – VDF is charged with ensuring that certain VFIGA allocations, such as the P'5 \$2,000,000 allocation, are used to maximize leisure activity, hotel occupancy, and vehicle rentals, in Portland, Oregon, and Multnomah County.
- d. Approval of the Amendment furthers the purpose of the VFIGA and VDF; namely, to support specific regional tourism and spectator facilities, the visitor and hospitality industry and to maximize the economic development benefits associated with those facilities, programs and services for the Portland-Multnomah County area.

**The Multnomah County Board of Commissioners Resolves:**

1. The Amendment, attached as Exhibit A, is approved.

**ADOPTED this 16<sup>th</sup> day of May 2019.**



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

*Deborah Kafoury*

Deborah Kafoury, Chair

REVIEWED:

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

*Jenny M. Madkour*

By \_\_\_\_\_  
Jenny M. Madkour, County Attorney

FIRST AMENDMENT TO THE AMENDED AND RESTATED VISITOR FACILITIES  
INTERGOVERNMENTAL AGREEMENT

This first amendment to the Amended and Restated Visitor Facilities Intergovernmental Agreement, dated October 25, 2013 (the "2013 VFIGA"), is made and entered by and among METRO, the CITY OF PORTLAND, and MULTNOMAH COUNTY, by and through their duly authorized representatives.

The Parties agree as follows:

1. Section 3.3.10, PCPA Operations Support, is amended to add a new sub section 3.3.10.1 as follows:

"3.3.10.1 If by June 1, 2019, Metro presents the VFTA Administrator with a written request stating the time for and recipient of payment, accompanied by documentation, such as an executed construction contract, showing that work has commenced on the acoustical shell replacement project at the Arlene Schnitzer Concert Hall, then Two Million Dollars (\$2,000,000) will be added to the disbursement amount for PCPA Operations Support in FY 2018-19 and the VFTA Administrator is authorized to disburse such support to Metro as per their written request. The Parties agree this is a one-time disbursement for FY 2018-19 only.

2. All other terms and conditions remain unchanged and in full force and effect.

Dated this \_\_\_ day of May 2019.

**METRO:**

Approved as to Form:

\_\_\_\_\_  
Lynn Peterson, Metro Council President

\_\_\_\_\_  
Nathan Sykes, Acting Metro Attorney

**CITY OF PORTLAND:**

Approved as to Form:

\_\_\_\_\_  
Ted Wheeler, City of Portland Mayor

\_\_\_\_\_  
Tracy Reeve, City Attorney

**MULTNOMAH COUNTY**

\_\_\_\_\_  
Deborah Kafoury, Multnomah County Chair

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Jenny Madkour, County Counsel



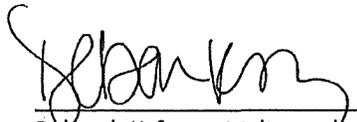
Visitor Facilities Intergovernmental Agreement  
Second Letter of Agreement  
May 10, 2019

The City of Portland, Multnomah County, Metro and Travel Portland, representing the travel and tourism industry, have been working in collaboration to secure adequate funds to replace the obsolete acoustical shell at the Arlene Schnitzer Concert Hall. The current funding planning includes \$3 million in private funding commitments and \$2 million from the Visitor Facilities Trust Account (VFTA), with the latter allocation to be made under Amendment No. 1 (the "Amendment") to the First Amended and Restated Visitor Facilities Intergovernmental Agreement (VFIGA), signed between the parties on or about October 25, 2013.

Currently Metro is unable to deploy the funds committed under the Amendment as there is a need to republish the request for proposal for the project. Nonetheless, the parties are willing to move forward with the commitment described in the Amendment provided that all parties acknowledge and agree under this Second Letter of Agreement (LOA) that the VFTA allocation per the Amendment may only be used to replace the obsolete acoustical shell at the Arlene Schnitzer Concert Hall, with the VFTA funds to be spent before August 30, 2021.

Multnomah County

Metro

  
\_\_\_\_\_  
Deborah Kafoury, *Multnomah County Chair*

  
\_\_\_\_\_  
Lynn Peterson, *Metro Council President*

Approved as to form

Approved as to form

  
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