

Metro

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Metro

Minutes

Thursday, October 26, 2017

2:00 PM

Metro Regional Center, Council chamber

Council meeting

1. Call to Order and Roll Call

Council President Tom Hughes called the Metro Council meeting to order at 2:01 p.m.

Present: 6 - Council President Tom Hughes, Councilor Sam Chase, Councilor Carlotta Collette, Councilor Craig Dirksen, Councilor Kathryn Harrington, and Councilor Bob Stacey

Excused: 1 - Councilor Shirley Craddick

2. Citizen Communication

Dave Moore, City of Vancouver: Mr. Moore spoke about parking needs for food and beverage employees at the Oregon Convention Center (OCC). He explained that with the construction of the new hotel, it would be helpful for employees to know what parking options and other changes could be expected in the future. He noted that employees had concerns about sufficient parking and stated that additional information could help quell some of those concerns.

Micealle Hawkins, City of Portland: Ms. Hawkins testified in support of providing transit passes to food and beverage employees at the OCC. She explained that following Council's direction, staff had performed an employee survey about transit use. She shared the data and explained that many workers that currently did not commute by transit would do so if discounted transit passes were available.

Be Marston, City of Portland: Ms. Marston highlighted the compelling results of the survey. She explained that it would be significant for food and beverage employees to access the subsidized parking that Metro provided other employees at the OCC. She noted the importance of treating all employees equitably, stating that while food and beverage workers were under Aramark, they worked for Metro in Metro venues and were committed to supporting the agency. Ms. Marston requested that Metro staff meet

with Unite Here Local 8 representatives to discuss future transit and parking options.

Dana Carstensen, City of Hillsboro: Mr. Carstensen testified about recent job reclassifications at the Oregon Zoo. He expressed concerns that jobs from admissions, catering, food, security, and events were now under one classification. He added that the starting salary for the classification was the second lowest starting position at the Oregon Zoo. He encouraged Metro to pay its employees a living wage. He recognized the zoo's financial needs but explained that cutting wages was not the right solution.

Eric Wentland, City of Portland: Mr. Wentland testified about Metro's racial equity work as it related to solid waste. He recognized that there was a severe lack of racial equity in the solid waste industry, but noted that Greenway Recycling was an exception, due to the high wages the business provided its workers. He explained that racial equity and employment could not exist without the ability to attain employment at a living wage. He shared concerns about Metro's proposed investment program and recommended that the agency make sure the program recognized businesses that were already supporting Metro's equity goals.

3. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilor Collette, seconded by Councilor Stacey, to adopt items on the consent agenda. The motion passed by the following vote:

Aye: 6 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

Excused: 1 - Councilor Craddick

3.1 Consideration of the Council Meeting Minutes for October 19, 2017

- 3.2 Resolution No. 17-4834, For the Purpose of Authorizing the Chief Operating Officer to Issue a New Non-System License to Albertsons Companies LLC for Transport of Commercial Food Waste for Processing at the Divert, Inc. Facility Located in Albany, Oregon
- 3.3 Resolution No. 17-4835, For the Purpose of Authorizing the Chief Operating Officer to Issue a New Non-System License to Fred Meyer for Transport of Commercial Food Waste for Processing at the Divert, Inc. Facility Located in Albany, Oregon

4. Resolutions

- 4.1 Resolution No. 17-4846, For the Purpose of Approving Fiscal Year 2017-18 Funding for Planning and Development Grants Funded with Construction Excise Tax

Council President Hughes called on Ms. Elissa Gertler, Metro Planning and Development Director, and Mr. Ed McNamara, 2040 Planning and Development Grants Steering Committee Chair, for a brief presentation on the resolution. Ms. Gertler introduced the 2040 Planning and Development grants, noting that it was the sixth round of awards. She noted that the program had been renamed and shifted to an annual cycle. She explained that staff had also streamlined the grant criteria and eligible project types in the name of customer service, local jurisdictional friendliness, and program administration and performance. She stated that changes were also made to establish targets for dividing the funds that set aside half of the funds for projects emphasizing equitable development. Ms. Gertler informed the Council that Chief Operating Officer (COO) Martha Bennett had appointed a nine-member committee to review the applications. She introduced Mr. Ed McNamara, committee chair, to give an overview of the committee's final recommendation.

Mr. McNamara announced that Metro had \$2 million available in funding for the grants this round and received requests totaling \$3.7 million in 18 grant proposals submitted by nine jurisdictions distributed throughout the

three counties. He explained that the committee recommended that Metro fund eight of the proposals, totaling about \$1.86 million. Mr. McNamara provided an overview of the committee's selection process, including grant evaluation criteria, rankings, and discussions. He stated that following the process, the committee submitted its unanimous recommendation to the COO, recommending eight projects be fully funded for \$1,861,746 and that part of the unspent funds be available to staff for technical assistance to a few of the projects as they saw fit. He explained that the committee recommended not spending the entire \$2 million in funds because they decided it was the best use of funding available and because they believed that by holding the grantees to a higher standard, Metro would receive better grant proposals in the future. Mr. McNamara then gave an overview of the projects selected. He thanked the Metro Council for their support and allowing the committee to participate in the selection process.

COO Bennett explained that after reviewing the steering committee's recommended list of projects, she had recommended adding an additional project that she felt met the criteria set forth in the code and committee discussions. She gave an overview of the City of Portland's project focused on expanding opportunities for affordable housing in faith communities. She explained that she felt it met the criteria for adjusting projects that face difficult development circumstances and that would lead to redevelopment of underdeveloped properties in the region. She provided background on the application and thanked the committee for their thoughtful discussions.

Council Discussion

Councilors thanked the chair and the rest of the committee for their work and expertise. Councilor Harrington asked about the committee's focus on requiring grants to have clear and achievable goals. Mr. McNamara explained that

while it was an existing Metro criterion for the grants, the committee added its own evaluation of the likelihood of achievement using their discretion. Councilor Collette highlighted the impressive slate of projects and noted she was excited to see the results. Councilor Dirksen asked how the committee responded to the Chief Operating Officer's recommendation. Mr. McNamara explained that the committee did not have a chance to discuss the COO recommendation as a group, but shared some of the committee's thoughts. Councilor Chase asked how Metro could provide more clarity about the grants in the future, particularly around its equity goals. Mr. McNamara recommended having flexibility about how projects support Metro's equity goals and ensuring that the goals continued to evolve as needed.

A motion was made by Councilor Chase, seconded by Councilor Collette, that this item be adopted. The motion passed by the following vote:

Aye: 6 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

Excused: 1 - Councilor Craddick

5. Presentations

5.1 Elephant Lands Construction Management by General Contractor Outcomes

Council President Hughes recessed the meeting of the Metro Council and convened the Metro Contract Review Board. He called on Ms. Gabi Schuster, Metro staff, and Mr. Jim Mitchell, Oregon Zoo staff, for a brief presentation on the results of the evaluation of the Elephant Lands Construction Manager/General Contractor (CMGC) contracting method. Ms. Schuster noted that statute and the Metro Contracting Administrative Rules required an evaluation of construction projects exceeding \$100,000 when they were procured through an alternative procurement process such as a request-for-proposal (RFP).

Mr. Mitchell shared the results of the evaluation. He noted that the success of Elephant Lands was partly due to the use of the CMGC. He provided an overview of the benefits the method provided, including allowing contractors to have time to learn critical details in the pre-construction phase of the project and reducing costs as well as impacts to visitors' experience. He added that the CMGC phasing allowed the elephants to test the habitat's design throughout development and highlighted that the method also allowed for mentoring opportunities that would not have been possible otherwise. Mr. Mitchell summarized by explaining that utilizing the CMGC approach on the design and construction helped the zoo manage risks related to scope, schedule, and budget. He noted that the general contractor partnered with the zoo team and design team to create solutions that met the needs of visitors, animal keepers, and the elephants. He thanked the Council for supporting the alternate procurement method.

Council Discussion

Councilor Harrington expressed her appreciation for the report, noting that she found it very interesting and helpful. She added that she looked forward to receiving Contract Manager/General Contractor outcomes reports in the future. Council President Hughes agreed that the results reports were valuable. Councilor Dirksen congratulated staff on the outcomes of the project.

Council President Hughes recessed the meeting of the Metro Contract Review Board and reconvened the meeting of the Metro Council.

6. Ordinances (First Reading and Public Hearing)

- 6.1 Ordinance No. 17-1408, For the Purpose of Adopting Amendments to Title 14 of the Urban Growth Management Functional Plan to Improve the Regional Growth Management Process

Council President Hughes introduced Mr. Ted Reid and Mr. Roger Alfred, Metro staff, to provide a brief staff report. Mr. Reid explained that the ordinance sought to improve Metro's growth management process and was built upon taking an outcomes-based approach. He gave a background of the urban growth management process and provided an overview of related policies the Council had put in place. He noted that the proposed amendments built on earlier improvements and the recommendations of the Urban Growth Readiness Task Force convened in 2016. Mr. Reid recalled that the task force had recommended that the Council find ways to exercise greater flexibility in its growth management decision-making while maintaining high expectations for cities proposing residential expansions.

Mr. Alfred reviewed the contents of the ordinance and the proposed changes. He informed the Council that the changes were designed to implement the legislation that was passed in House Bill 2095 regarding mid-cycle urban growth boundary amendments. He also shared a new version of Exhibit A to the ordinance, noting that it was changed slightly to accommodate changes recommended by the Metro Policy Advisory Committee (MPAC). Mr. Alfred explained that the changes were non-substantive and focused on providing additional clarification about population distribution. He noted that the updates would be included in the ordinance that would be considered on November 2.

Council Discussion

Councilor Harrington noted for the record that the Council had received a letter from 1000 Friends of Oregon outlining their thoughts on the ordinance. (A copy of the letter is included in the October 26 meeting packet.)

6.1.1 Public Hearing for Ordinance No. 17-1408

Council President Hughes opened up a public hearing on

Ordinance No. 17-1408 and requested that those wishing to testify come forward to speak. Seeing none, Council President Hughes gaveled out of the public hearing. He noted that second read, Council consideration, and vote on Ordinance No. 17-1408 would take place on Thursday, November 2.

7. Ordinances (Second Reading)

- 7.1 Ordinance No. 17-1410, For the Purpose of Amending Metro Code Chapter 5.00 to Add Certain Definitions

Council President Hughes stated that the first reading and public hearing for Ordinance No. 17-1410 took place on Thursday, October 5. He informed the Metro Council that Mr. Dan Blue, Metro staff, was available for questions.

Council Discussion

There was none.

A motion was made by Councilor Collette, seconded by Councilor Stacey, that this item be adopted. The motion passed by the following vote:

Aye: 6 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

Excused: 1 - Councilor Craddick

- 7.2 Ordinance No. 17-1411, For the Purpose of Amending Metro Code Chapter 5.01 to Establish Licensing Requirements for Certain Facilities that Receive and Process Source-Separated Recyclable Materials and Make Housekeeping Changes

Council President Hughes stated that the first reading and public hearing for Ordinance No. 17-1411 took place on Thursday, October 5. He informed the Metro Council that Mr. Dan Blue, Metro staff, was available for questions.

Council Discussion

There was none.

A motion was made by Councilor Dirksen, seconded by Councilor Stacey, that this item be adopted. The motion passed by the following vote:

Aye: 6 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Dirksen, Councilor Harrington, and Councilor Stacey

Excused: 1 - Councilor Craddick

8. Chief Operating Officer Communication

Ms. Martha Bennett reviewed lessons learned at the International City/County Management Association (ICMA) annual conference. She announced that the job posting had been released for the Deputy Chief Operating Officer position. She also noted that she had heard great feedback about the two off-site meetings the week before and thanked the Metro Council for their work.

10. Adjourn

There being no further business, Council President Hughes adjourned the Metro Council meeting at 3:28 p.m. The Metro Council will convene the next regular council meeting on November 2 at 2:00 p.m. at the Metro Regional Center in the council chamber.

Respectfully submitted,

Nellie Papsdorf, Legislative and Engagement Coordinator