

Metro

*600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov*



Metro

Minutes

Thursday, April 6, 2017

2:00 PM

Metro Regional Center, Council chamber

Council meeting

1. Call to Order and Roll Call

Deputy Council President Kathryn Harrington called the Metro Council meeting to order at 2:01 p.m.

Present: 5 - Councilor Sam Chase, Councilor Carlotta Collette, Councilor Shirley Craddick, Councilor Kathryn Harrington, and Councilor Bob Stacey

Excused: 2 - Craig Dirksen, and Tom Hughes

2. Citizen Communication

Marta Mikkalo, City of Arlington: Ms. Mikkalo, on behalf of the Arlington Community Chamber of Commerce, spoke to the importance of waste management, garbage, and recycling to Gilliam County's local economy. She expressed the community's support for the Waste Management facilities located in Arlington and shared how they positively impacted local residents.

Art Lewellan, City of Portland: Mr. Lewellan submitted transportation improvement proposals for the City of Portland, including a new westside Marquam Bridge design and a Columbia River Crossing alternative. He asked Metro and other local jurisdictions to review his designs for future development.

3. Consent Agenda**Approval of the Consent Agenda**

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

Aye: 5 - Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Harrington, and Councilor Stacey

- 3.1 Consideration of the Council Meeting Minutes for March 23, 2017
- 3.2 Resolution No. 17-4774, For the Purpose of Amending the 2015-18 Metropolitan Transportation Improvement Program (MTIP) to Modify and/or Add New Projects as Part of the February 2017 Formal MTIP Amendment for Beaverton, Clackamas County, DEQ, Metro, Portland, ODOT, Tigard, and TriMet

- 3.3 Resolution No. 17-4773, For the Purpose of Authorizing the Chief Operating Officer to Issue a New Non-System License to Veris Industries for Transport and Disposal of Non-Recoverable Solid Waste, Including Putrescible Waste, at the Covanta Waste-to-Energy Facility Located in Brooks, Oregon
- 3.4 Resolution No. 17-4784, For the Purpose of Confirming Deidra Kryss-Rusoff and Andrew Lonergan Appointments to the Investment Advisory Board

4. Resolutions

- 4.1 Resolution No. 17-4781, For the Purpose of Authorizing an Exemption from Competitive Bidding and Direct Award of the Construction Contract for the New Primate Habitat Project at the Oregon Zoo by Amendment to the CM/GC Contract for the Construction of the New Polar Bear Habitat and Associated Infrastructure

Deputy Council President Harrington called on Ms. Heidi Rahn and Mr. Jim Mitchell, Oregon Zoo, and Ms. Gabriele Schuster, Metro, to provide a brief presentation on Resolution No. 17-4781. Ms. Rahn explained that if approved, the three remaining zoo bond projects would be constructed under the oversight of one general contractor. She provided an overview of the constructability benefits of this approach, noting that the opportunity to compress the schedule and manage construction of the projects with one Construction Manager/General Contractor (CM/GC) would provide significant cost savings. Ms. Rahn explained that by using one contractor, the total construction schedule would be decreased from 30 to 22 months, reducing the duration of the impacts on zoo revenues. She stated that staff believed the approach aligned with the project's goals to meet the zoo's business needs, provide flexibility, and commit to equity in contracting.

Ms. Gabriele Schuster then shared the procurement recommendation. She explained that procurement staff also recommended that one contractor oversee the construction

of the three remaining Oregon Zoo bond projects and noted that this required a modification to the CM/GC contract for the Polar Bear habitat project. Ms. Schuster informed the Council that any subcontracted work would require competitive bidding through the prime contractor with a focus on Certification Office for Business Inclusion & Diversity (COBID) firms. Ms. Schuster explained that the prime contractor was selected based on robust criteria including a workforce diversity plan and contracting goals, and added that combining the three projects was unlikely to encourage favoritism or substantially diminish competition.

Council Discussion

Councilor Chase asked staff to discuss the benefits and potential pitfalls of using the proposed strategy. Councilor Collette asked how the additional \$1.3 million saved by merging the two projects would be used. Ms. Rahn explained that the funds would be used to address the significant cost escalation in the region for the construction of the new Polar Passage. Councilors discussed the consequences of the exemption from competitive bidding. Councilor Craddick expressed her support for the project and thanked staff for using the funds efficiently and effectively. Councilor Harrington thanked the Oregon Zoo Bond Citizens' Oversight Committee for their contributions and for ensuring that the zoo's commitments to the voters were met.

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

Aye: 5 - Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Harrington, and Councilor Stacey

4.1.1 Public Hearing for Resolution No. 17-4781

Deputy Council President Harrington opened a public hearing on Resolution No. 17-4781 and requested that those wishing to testify come forward to speak. Seeing none, Deputy Council President Harrington gavelled out of the public hearing.

4.2 Resolution No. 17-4779, For the Purpose of Adopting Local Contract Review Board Administrative Rules and Interim Equity in Contracting Administrative Rules

Deputy Council President Harrington called on Ms. Cary Stacey, Ms. Gabriele Schuster, and Ms. Ashley McCarron for a presentation on Resolution No. 17-4779 and Ordinance No. 17-1398. Ms. Stacey informed the Metro Council that adoption of the ordinance and resolution would amend the Metro Code to adopt agency-wide contracting and procurement administrative rules. She noted that the legislation would help Metro meet state requirements by creating administrative rules using current contracting procurement policies and general contracting procurement practices that had not been fully adopted. She explained the process of adopting the administrative rules, stating that an ordinance would be needed to amend the Metro Code as a vehicle to implement the rules through resolution.

Ms. Stacey explained that the new rules were developed collaboratively using a comprehensive approach that balanced legal and obligatory requirements with business needs and upholding Metro's values. She informed the Council that the administrative rules largely kept policies that currently met Metro's business rules but also made policy changes designed to meet the different contract procurement needs of Metro's departments and venues. She noted that the rules also upheld Metro's commitment to equity in contracting.

Ms. Schuster provided an overview of the procurement policies that would be adopted and noted that the new rules would add more flexibility to Metro's current procurement program and create new opportunities for contractors as well as Metro staff. She explained that staff worked closely with other jurisdictions and local partners to develop strong equity rules and policies. Ms. Schuster thanked her staff and other project partners that provided input during the creation of the new rules.

Ms. Stacey also thanked the many staff members that contributed to the work, including Procurement Services staff, legal counsel, and the project's Steering Committee members. She explained that once the interim rules were adopted, Procurement Services was prepared to train more than 350 Metro staff on the new policies. She noted that a comment period would begin after the Council's vote and would extend through May 31 before the legislation returned to Council on June 15 for final adoption.

Council Discussion

Councilors thanked staff for their work and expressed support for both the ordinance and the resolution. Councilor Craddick noted that she looked forward to seeing the positive impacts of the new rules. Deputy Council President Harrington emphasized that the rules would provide a valuable strategy for advancing racial equity throughout the region.

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

Aye: 5 - Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Harrington, and Councilor Stacey

5. Ordinances (First Reading and Public Hearing)

5.1 Ordinance No. 17-1398, For the Purpose of Amending Metro Code Section 2.04 and Declaring an Emergency

Resolution No. 17-4779 and Ordinance No. 17-1398 were presented together; please see above.

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

Aye: 5 - Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Harrington, and Councilor Stacey

5.1.1 Public Hearing for Ordinance No. 17-1398

Deputy Council President Harrington opened a public hearing on Ordinance No. 17-1398 and requested that those wishing to testify come forward to speak. Seeing none, Deputy Council President Harrington gaveled out of the public hearing.

6. Chief Operating Officer Communication

Ms. Martha Bennett provided an update on the following events or items: new asbestos requirements for transfer stations and the Washington Park Master Plan. She also announced that two new otters born at the Oregon Zoo had been named Nehalem (Nellie) and Nestucca (Tucker), following an online selection process.

7. Councilor Communication

Councilors provided updates on the following meetings or events: Levee Ready Columbia, the Southwest Washington Regional Transportation Council, the Oregon Zoo Foundation, the Metropolitan Exposition and Recreation Commission (MERC), a new park to be built in the Cully

neighborhood of Portland, the North Portland Tool Library Dedication, Black Violin's performance at P'5, and an upcoming Japan Best Practices trip focused on earthquake resiliency and urban planning. Councilor Craddick thanked Councilor Harrington for organizing a tour of the Roosevelt Landfill. Councilors also honored the passing of Ms. Lynn Sharp, a prominent ecologist who made significant contributions to Metro's parks system.

8. Adjourn

There being no further business, Deputy Council President Harrington adjourned the Metro Council meeting at 3:21 p.m. The Metro Council will convene the next regular council meeting on April 13 at 2:00 p.m. at the Metro Regional Center in the council chamber.

Respectfully submitted,

Nellie Papsdorf, Legislative and Engagement Coordinator