

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF APPROVING)	RESOLUTION NO. 20-5097
AMENDMENTS TO THE EMPLOYMENT)	
CONTRACTS FOR DIRECTORS, DEPUTY COO)	Introduced by Metro Chief Operating Officer
AND GENERAL MANAGER OF VISITOR)	Marissa Madrigal
VENUES)	

WHEREAS, pursuant to Section 2.02.010 of the Metro Code, the Metro Chief Operating Officer may enter and amend employment contracts subject to the approval of the Metro Council;

WHEREAS, Metro has executed at-will employment contracts for a number of its senior leaders including some directors, Deputy Chief Operating Officer, and the General Manager of Visitor Venues;

WHEREAS, the novel coronavirus disease 2019 (COVID-19) pandemic has resulted in a fiscal crisis for the agency necessitating layoffs and other cost cutting measures;

WHEREAS, the Metro Chief Operating Officer has decided that a 10% furlough for certain directors and deputy directors, the Deputy Chief Operating Officer, and the General Manager of Visitor Venues is a needed cost saving measure;

WHEREAS, the Metro Chief Operating Officer is also authorizing voluntary furloughs of 5-10% for directors and deputy directors at the visitor venues;

WHEREAS, Metro has employment agreements with the following senior leaders: the Deputy Chief Operating Officer, the General Manager of Visitor Venues, the Chief Financial Officer, the Parks and Nature Director, the Zoo Director, the and Human Resources Director; and

WHEREAS, the Chief Operating Officer has negotiated this change to the at-will employment agreements for these senior leaders in the form attached hereto as Exhibit A; now therefore,

BE IT RESOLVED by the Metro Council:

1. Approves amendments to the employment agreements with the Deputy Chief Operating Officer, the General Manager of Visitor Venues, the Chief Financial Officer, the Parks and Nature Director, and the Human Resources Director, as reflected in the form attached as Exhibit A, and for the Zoo Director, as reflected in the form attached as Exhibit B.
2. Delegates the authority to the Chief Operating Officer to execute such amendments.

ADOPTED by the Metro Council this 23rd day of April 2020

Juan Carlos Gonzalez

Juan Carlos González, Deputy Council President

Approved as to Form:

DocuSigned by:

Carrie McLaren

Carrie McLaren, Metro Attorney

**AMENDED
AT WILL EMPLOYMENT AGREEMENT**

THIS AMENDED AGREEMENT (the "Amendment") is entered into by and between Metro, a metropolitan service district organized under the laws of the State of Oregon and the Metro Charter (herein referred to as "Metro") and _____ (herein referred to as "Employee").

An At Will Employment Agreement (the "Agreement") was entered between Metro and Employee on _____. Said Agreement is hereby amended as follows:

1. Employee agrees to a 10% furlough with a commensurate reduction in pay to be effective during the six (6) months following the execution of this Amendment. Employee will take thirteen (13) furlough days, totaling 104 hours, between the period from May 4, 2020, through October 31, 2020, in a manner mutually agreeable to Metro.
2. Except as amended herein, all other terms and conditions of the Agreement will remain unchanged and will remain in full force and effect.

EXECUTED IN DUPLICATE on _____ to be effective _____.

EMPLOYEE

METRO

NAME

Marissa Madrigal
Metro Chief Operating Officer

APPROVED AS TO FORM:

Carrie MacLaren
Metro Attorney

**AMENDED
AT WILL EMPLOYMENT AGREEMENT**

THIS AMENDED AGREEMENT (the "Amendment") is entered into by and between Metro, a metropolitan service district organized under the laws of the State of Oregon and the Metro Charter (herein referred to as "Metro") and Donald Moore III (herein referred to as "Employee").

An At Will Employment Agreement (the "Agreement") was entered between Metro and Employee on January 20, 2016. Said Agreement is hereby amended as follows:

1. Employee agrees to a 5% furlough with a commensurate reduction in pay to be effective during the six (6) months following the execution of this Amendment. Employee will take six (6) furlough days, totaling 48 hours, between the period from May 4, 2020, through October 31, 2020, in a manner mutually agreeable to Metro.
2. Except as amended herein, all other terms and conditions of the Agreement will remain unchanged and will remain in full force and effect.

EXECUTED IN DUPLICATE on _____ to be effective _____.

EMPLOYEE

METRO

NAME

Marissa Madrigal
Metro Chief Operating Officer

APPROVED AS TO FORM:

Carrie MacLaren
Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 20-5097, FOR THE PURPOSE OF
APPROVING AMENDMENTS TO THE EMPLOYMENT CONTRACTS FOR DIRECTORS,
DEPUTY COO AND GENERAL MANAGER OF VISITOR VENUES

Date: April 20, 2020
Department: Office of the COO
Meeting Date: April 23, 2020

Prepared by: Val Galstad,
val.galstad@oregonmetro.gov, x1810
Presenter(s) (if applicable): n/a
Length: n/a

ISSUE STATEMENT

The COVID-19 pandemic has had a significant impact on Metro's financial outlook. On March 12, Governor Brown issued a ban on events with more than 250 attendees. As a result, Metro saw a swift and severe revenue decline requiring layoffs of about 40% of our total workforce. While most of the impacts were felt at Oregon Convention Center, EXPO, P'5 and the Zoo, all levels and areas of the organization will see budget reductions.

The Chief Operating Officer has determined that a 10 percent furlough for non-venue directors, deputy directors, and other senior leaders is necessary as a cost cutting measure and to provide emergency assistance to employees who have been laid off. The Chief Operating Officer is also authorizing directors and deputy directors in the venues to volunteer for a furlough of up to ten percent, also to support cost savings and contribute to emergency employee assistance.

Under Metro Code Section 2.02.010, the Chief Operating Officer may enter into and amend employment agreements on a case by case basis, or as a group for Director-level employment agreements. Metro has executed at-will employment agreements for a number of its director level positions, as follow: Deputy Chief Operating Officer, General Manager of Visitor Venues, the Chief Financial Officer, the Zoo Director, the Parks and Nature Director, and the Human Resources Director.

The COO has negotiated a change to the at-will employment agreement for these senior leaders, and now seeks Council approval to amend these employment agreements to execute the requested amendments.

ACTION REQUESTED

The COO requests approval of the resolution to amend at-will employment agreements for the aforementioned senior leaders.

IDENTIFIED POLICY OUTCOMES

By amending the at-will employment agreements of senior leadership, Metro will generate cost savings to apply to an emergency employee assistance fund.

POLICY QUESTION(S)

N/A

POLICY OPTIONS FOR COUNCIL TO CONSIDER

Approve Resolution No. 20-5097

- The approval of this resolution will allow Metro's COO to amend employment agreements for directors at Metro. Non-venue directors will take a 10 percent salary reduction. These cost savings will be applied to an emergency employee assistance fund for Metro employees who have been laid off due to COVID-19.

Do not approve Resolution No. 20-5097

- If Metro Council does not approve this resolution, COO Madrigal will not amend employment agreements for directors at Metro. Cost savings will not be applied to an emergency assistance fund for Metro employees who have been laid off due to COVID-19.

STAFF RECOMMENDATIONS

Staff recommends that Council approve the resolution to amend at-will employment agreements for senior leaders at Metro.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

This resolution responds to the financial challenges Metro faces as a result of COVID-19. Metro is thinking creatively about budget savings for this and next fiscal year. This is one of the cost saving measures Metro intends to implement.

By utilizing salary savings from senior leadership to support our most impacted employees, Metro will advance its employer of choice initiative.

BACKGROUND

Working with the Chief Financial Officer, finance managers and senior leaders across the agency, the Chief Operating Officer has determined that a 10 percent furlough for non-venue directors, deputy directors, and other senior leaders is necessary as a cost cutting measure and to provide emergency assistance to employees who have been laid off. The Chief Operating Officer is also authorizing directors and deputy directors in the venues to volunteer for a furlough of up to ten percent, also to support cost savings and contribute to emergency employee assistance.

ATTACHMENTS

Exhibit A- Amended employment agreement for 10 percent furlough

Exhibit B- Amended employment agreement for 5 percent furlough