

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE)	RESOLUTION NO. 20-5098
EMPLOYMENT AGREEMENTS OF THE)	
METRO ATTORNEY, CHIEF OPERATING)	Introduced by Metro Council President Lynn
OFFICER, AND CHIEF OF STAFF)	Peterson
)	

WHEREAS, pursuant to Chapter V, Section 25 of the Metro Charter and Chapters 2.08 and 2.20 of the Metro Code, the Metro Council President has the authority to appoint the Metro Attorney and the Chief Operating Officer subject to confirmation of the Metro Council;

WHEREAS, the Metro Code provides that the employment of the Metro Attorney and the Chief Operating Officer shall be subject to the terms of an employment agreement and the Metro Council President has negotiated employment agreements with the Metro Attorney and the Chief Operating Officer subject to approval by the Council;

WHEREAS, the Metro Council has also approved an employment agreement with the Chief of Staff by Resolution No. 19-4966;

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

WHEREAS, the Metro Attorney, Chief Operating Officer, and Chief of Staff have agreed to a 10% furlough as a needed cost saving measure;

WHEREAS, the Metro Council President has negotiated this change to the at-will employment agreements for the Metro Attorney, Chief Operating Officer, and Chief of Staff in the form attached hereto as Exhibit A; now therefore

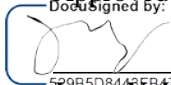
BE IT RESOLVED by the Metro Council:

1. Amendments to the employment contracts for the Metro Attorney, Chief Operating Officer, and Chief of Staff as reflected in Exhibit A are hereby approved.

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



 Juan Carlos González, Deputy Council President

Approved as to Form:
 DocuSigned by:


 509B5D8442FB477
 Joyce Y. Wan, Senior Assistant 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

Lynn Peterson
Metro Council President

APPROVED AS TO FORM:

Joyce Y. Wan
Senior Assistant Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 20-5098, FOR THE PURPOSE OF AMENDING THE EMPLOYMENT AGREEMENTS OF THE METRO ATTORNEY, CHIEF OPERATING OFFICER AND CHIEF OF STAFF

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.

As part of Metro's effort to cut costs and provide emergency assistance to Metro staff who were recently laid off, the Chief Operating Officer, Chief of Staff and Metro Attorney have agreed to a ten percent furlough over the next six months.

The Metro Code provides that the employment of the Metro Attorney and the Chief Operating Officer shall be subject to the terms of an employment agreement, and the Metro Council President has negotiated employment agreements with the Metro Attorney and the Chief Operating Officer subject to approval by the Council. Metro Council has also approved an employment agreement with the Chief of Staff.

The Metro Council President has negotiated an amendment to the at-will employment agreements for the Chief Operating Officer, Chief of Staff and Metro Attorney, and now seeks Council approval.

ACTION REQUESTED

The Metro Council President requests approval of the resolution to amend at-will employment agreements for the Chief Operating Officer, Chief of Staff and Metro Attorney.

IDENTIFIED POLICY OUTCOMES

By amending the at-will employment agreements of the Chief Operating Officer, Chief of Staff and Metro Attorney, 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. 20-5098

- The approval of this resolution will allow Metro Council President to amend employment agreements for the Chief Operating Officer, Chief of Staff and Metro Attorney. They 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. 20-5098

- If Metro Council does not approve this resolution, Metro Council President will not amend employment agreements for the Chief Operating Officer, Chief of Staff and Metro Attorney. 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 the COO, Chief of Staff and Metro Attorney

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 the COO, Chief of Staff and Metro Attorney 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. The Chief Operating Officer, Chief of Staff and Metro Attorney have also agreed to a 10 percent furlough.

ATTACHMENTS

Exhibit A- Amended employment agreement for 10 percent furlough