

## Council meeting agenda

---

Thursday, April 23, 2020

2:00 PM

<https://zoom.us/j/615079992>

---

### PACKET REVISED 4/22

Please note: To limit the spread of COVID-19, Metro Regional Center is now closed to the public.

This meeting will be held electronically. You can join the meeting on your computer or other device by using this link: <https://zoom.us/j/615079992> or by calling 888-475-4499 (toll free).

If you wish to attend the meeting, but do not have the ability to attend by phone or computer, please contact the Legislative Coordinator at least 24 hours before the noticed meeting time by phone at 503-797-1916 or email at [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov).

#### 1. Call to Order and Roll Call

#### 2. Public Communication

Public comment may be submitted in writing and will also be heard by electronic communication (videoconference or telephone). Written comments should be submitted electronically by emailing [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Written comments received by noon on Thursday, April 23 will be provided to the council prior to the meeting.

Those wishing to testify orally are encouraged to sign up in advance by either: (a) contacting the legislative coordinator by phone at 503-797-1916 and providing your name and the agenda item on which you wish to testify; or (b) registering by email by sending your name and the agenda item on which you wish to testify to [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Those requesting to comment during the meeting can do so by using the "Raise Hand" feature in Zoom or emailing the legislative coordinator at [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Individuals will have three minutes to testify unless otherwise stated at the meeting.

#### 3. Consent Agenda

- 3.1 Resolution No. 20-5097, For the Purpose of Approving Amendments to the Employment Contracts for Directors, Deputy COO and General Manager of Visitor Venues

[RES 20-5097](#)

Attachments: [Resolution No. 20-5097](#)  
[Exhibit A to Resolution No. 20-5097](#)  
[Exhibit B to Resolution No. 20-5097](#)  
[Staff Report](#)

- 3.2 Resolution No. 20-5098, For the Purpose of Amending the Employment Agreements of the Metro Attorney, Chief Operating Officer, and Chief of Staff [RES 20-5098](#)

Attachments: [Resolution No. 20-5098](#)  
[Exhibit A to Resolution No. 20-5098](#)  
[Staff Report](#)

- 3.3 Consideration of the Council Meeting Minutes for April 16, 2020 [20-5404](#)

**4. Resolutions**

- 4.1 Resolution No. 20-5091, For the Purpose of Proclaiming April 1 Through April 30 Southeast Asian Community Recognition Month [RES 20-5091](#)

Presenter(s): Victor Sin, Metro  
Chevy Pham, Metro  
Sokho Eath, Cambodian American Community of Oregon  
Kathy Wai, TriMet

Attachments: [Resolution No. 20-5091](#)  
[Staff Report](#)  
[Attachment 1 to Staff Report](#)  
[Attachment 2 to Staff Report](#)

- 4.2 Resolution No. 20-5096, For the Purpose of Declaring a State of Emergency in the Metro Region as a Result of COVID-19 Pandemic and Delegating Authority to Metro's Chief Operating Officer [RES 20-5096](#)

Presenter(s): Shane Abma, Metro

Attachments: [Resolution No. 20-5096](#)  
[Exhibit A to Resolution No. 20-5096](#)  
[Staff Report](#)

**5. Public Hearings**

- 5.1 Public Hearing for the 2021-2024 Metropolitan  
Transportation Improvement Program (MTIP) Public  
Review Draft

[20-5395](#)

Presenter(s): Grace Cho, Metro

Attachments: [Staff Report](#)  
[MTIP Summary](#)

**6. Chief Operating Officer Communication**

**7. Councilor Communication**

**8. Adjourn**

# Metro respects civil rights

Metro fully complies with Title VI of the Civil Rights Act of 1964 and related statutes that ban discrimination. If any person believes they have been discriminated against regarding the receipt of benefits or services because of race, color, national origin, sex, age or disability, they have the right to file a complaint with Metro. For information on Metro's civil rights program, or to obtain a discrimination complaint form, visit [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights) or call 503-797-1536. Metro provides services or accommodations upon request to persons with disabilities and people who need an interpreter at public meetings. If you need a sign language interpreter, communication aid or language assistance, call 503-797-1700 or TDD/TTY 503-797-1804 (8 a.m. to 5 p.m. weekdays) 5 business days before the meeting. All Metro meetings are wheelchair accessible. For up-to-date public transportation information, visit TriMet's website at [www.trimet.org](http://www.trimet.org).

### Thông báo về sự Metro không kỳ thị của

Metro tôn trọng dân quyền. Muốn biết thêm thông tin về chương trình dân quyền của Metro, hoặc muốn lấy đơn khiếu nại về sự kỳ thị, xin xem trong [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Nếu quý vị cần thông dịch viên ra dấu bằng tay, trợ giúp về tiếp xúc hay ngôn ngữ, xin gọi số 503-797-1700 (từ 8 giờ sáng đến 5 giờ chiều vào những ngày thường) trước buổi họp 5 ngày làm việc.

### Повідомлення Metro про заборону дискримінації

Metro з повагою ставиться до громадянських прав. Для отримання інформації про програму Metro із захисту громадянських прав або форми скарги про дискримінацію відвідайте сайт [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights), або Якщо вам потрібен перекладач на зборах, для задоволення вашого запиту зателефонуйте за номером 503-797-1700 з 8.00 до 17.00 у робочі дні за п'ять робочих днів до зборів.

### Metro 的不歧視公告

尊重民權。欲瞭解Metro民權計畫的詳情，或獲取歧視投訴表，請瀏覽網站 [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights)。如果您需要口譯方可參加公共會議，請在會議召開前5個營業日撥打503-797-1700（工作日上午8點至下午5點），以便我們滿足您的要求。

### Ogeysiiska takooris la'aanta ee Metro

Metro waxay ixtiraamtaa xuquuqda madaniga. Si aad u heshid macluumaad ku saabsan barnaamijka xuquuqda madaniga ee Metro, ama aad u heshid warqadda ka cabashada takoorista, booqo [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Haddii aad u baahan tahay turjubaan si aad uga qaybqaadatid kullanka dadweynaha, wac 503-797-1700 (8 gallinka hore illaa 5 gallinka dambe maalmaha shaqada) shan maalmo shaqo ka hor kullanka si loo tixgaliyo codsashadaada.

### Metro의 차별 금지 관련 통지서

Metro의 시민권 프로그램에 대한 정보 또는 차별 항의서 양식을 얻으려면, 또는 차별에 대한 불만을 신고 할 수 [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). 당신의 언어 지원이 필요한 경우, 회의에 앞서 5 영업일 (오후 5시 주중에 오전 8시) 503-797-1700를 호출합니다.

### Metro의差別禁止通知

Metroでは公民権を尊重しています。Metroの公民権プログラムに関する情報について、または差別苦情フォームを入手するには、[www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights)。までお電話ください。公開会議で言語通訳を必要とされる方は、Metroがご要請に対応できるよう、公開会議の5営業日前までに503-797-1700（平日午前8時～午後5時）までお電話ください。

**សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro**  
ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានកម្មប័ណ្ណរើសអើងសូមចូលទស្សនាគេហទំព័រ [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights)។  
បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក ។

### إشعار بعدم التمييز من Metro

تحتزم Metro الحقوق المدنية. للمزيد من المعلومات حول برنامج Metro للحقوق المدنية أو لإيداع شكوى ضد التمييز، يرجى زيارة الموقع الإلكتروني [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). إن كنت بحاجة إلى مساعدة في اللغة، يجب عليك الاتصال مقدماً برقم الهاتف 503-797-1700 (من الساعة 8 صباحاً حتى الساعة 5 مساءً، أيام الاثنين إلى الجمعة) قبل خمسة (5) أيام عمل من موعد الاجتماع.

### Paunawa ng Metro sa kawalan ng diskriminasyon

Iginagalang ng Metro ang mga karapatang sibil. Para sa impormasyon tungkol sa programa ng Metro sa mga karapatang sibil, o upang makakuha ng porma ng reklamo sa diskriminasyon, bisitahin ang [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Kung kailangan ninyo ng interpreter ng wika sa isang pampublikong pulong, tumawag sa 503-797-1700 (8 a.m. hanggang 5 p.m. Lunes hanggang Biyernes) lima araw ng trabaho bago ang pulong upang mapagbigyan ang inyong kahilingan.

### Notificación de no discriminación de Metro

Metro respeta los derechos civiles. Para obtener información sobre el programa de derechos civiles de Metro o para obtener un formulario de reclamo por discriminación, ingrese a [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Si necesita asistencia con el idioma, llame al 503-797-1700 (de 8:00 a. m. a 5:00 p. m. los días de semana) 5 días laborales antes de la asamblea.

### Уведомление о недопущении дискриминации от Metro

Metro уважает гражданские права. Узнать о программе Metro по соблюдению гражданских прав и получить форму жалобы о дискриминации можно на веб-сайте [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Если вам нужен переводчик на общественном собрании, оставьте свой запрос, позвонив по номеру 503-797-1700 в рабочие дни с 8:00 до 17:00 и за пять рабочих дней до даты собрания.

### Avizul Metro privind nediscriminarea

Metro respectă drepturile civile. Pentru informații cu privire la programul Metro pentru drepturi civile sau pentru a obține un formular de reclamație împotriva discriminării, vizitați [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Dacă aveți nevoie de un interpret de limbă la o ședință publică, sunați la 503-797-1700 (între orele 8 și 5, în timpul zilelor lucrătoare) cu cinci zile lucrătoare înainte de ședință, pentru a putea să vă răspunde în mod favorabil la cerere.

### Metro txog kev ntxub ntxaug daim ntawv ceeb toom

Metro tributes cai. Rau cov lus qhia txog Metro txog cai kev pab, los yog kom sau ib daim ntawv tsis txaus siab, mus saib [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights). Yog hais tias koj xav tau lus kev pab, hu rau 503-797-1700 (8 teev sawv ntxov txog 5 teev tsaus ntuj weekdays) 5 hnub ua hauj lwm ua ntej ntawm lub rooj sib tham.

Agenda Item No. 3.1

**Resolution No. 20-5097**, For the Purpose of Approving Amendments to the Employment Contracts for Directors, Deputy COO and General Manager of Visitor Venues

*Consent Agenda*

Metro Council Meeting  
Thursday, April 23, 2020

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 \_\_\_ day of \_\_\_\_\_ 2020

\_\_\_\_\_  
Juan Carlos González, Deputy Council President

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 \_\_\_\_\_ (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](mailto: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

Agenda Item No. 3.2

**Resolution No. 20-5098**, For the Purpose of Amending the Employment Agreements of the Metro Attorney, Chief Operating Officer, and Chief of Staff

*Consent Agenda*

Metro Council Meeting  
Thursday, April 23, 2020

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 \_\_\_ day of \_\_\_\_\_ 2020

\_\_\_\_\_  
Juan Carlos González, Deputy Council President

Approved as to Form:

\_\_\_\_\_  
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](mailto: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

Agenda Item No. 3.3

**Consideration of the Council Meeting Minutes for April 16, 2020**

*Consent Agenda*

Metro Council Meeting  
Thursday, April 23, 2020

Agenda Item No. 4.1

**Resolution No. 20-5091**, For the Purpose of Proclaiming April 1 Through April 30 Southeast Asian  
Community Recognition Month

*Resolutions*

Metro Council Meeting  
Thursday, April 23, 2020

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF PROCLAIMING APRIL ) RESOLUTION NO. 20-5091  
1 THROUGH APRIL 30 SOUTHEAST ASIAN ) Introduced by Council President Lynn  
COMMUNITY RECOGNITION MONTH ) Peterson

WHEREAS, SE Asian communities, including Cambodian, Thai, Lao, Vietnamese, Hmong, Burmese (Myanmar) and many others live and work in Greater Portland; and

WHEREAS, the Month of April is traditionally celebrated in many Southeast Asian communities as New Years, "Songkran" in Thailand, "Pi Mai" in Laos, "Thingyan" in Burma and "Choul Chnam Thmey" in Cambodia, a time of renewal, reflection and sharing of cultural heritage; and

WHEREAS, the Month of April is historically significant in that April of 1975 marked the United States withdraw from Southeast Asian conflicts. Subsequently, on April 17, 1975 the Khmer Rouge took control of Cambodia and began the "Killing Fields", a mass genocide of an estimated two million Cambodians. In the same period on April 30, 1975, Saigon, Vietnam fell to communist forces while a handover in government to communist forces in Laos also coincided at the end of the month; and

WHEREAS, the initial resettlement of Southeast Asian refugees to the United States between 1975 and 1979, resulted in the passage of the Refugee Act of 1980 paving the way for hundreds of thousands of immigrants and refugees to resettle across the country; and

WHEREAS, Greater Portland is now home to more than 55,000 Southeast Asian community members, many of which are Metro employees; and

WHEREAS; standing with all immigrant and refugee communities reflect Metro's commitment to diversity, equity and inclusion including advancing racial equity, working to remove barriers and ensuring all communities meaningfully participate in public decision-making.

BE IT RESOLVED that the Metro Council proclaims April 2020 to be Southeast Asian Community Recognition Month in Greater Portland.

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

Approved as to Form:

\_\_\_\_\_  
Carrie MacLaren, Metro Attorney

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

## **STAFF REPORT**

IN CONSIDERATION OF RESOLUTION NO. 20-5091, FOR THE PURPOSE OF  
PROCLAIMING APRIL 1 THROUGH APRIL 30 SE ASIAN COMMUNITY RECOGNITION  
MONTH

---

Date: April 1, 2020  
Department: Council Office  
Meeting Date: April 23, 2020

Prepared by: Victor Sin, Council Office  
victor.sin@oregonmetro.gov,  
503-797-6619  
Presenter: Victor Sin

---

### **ISSUE STATEMENT**

The Metro Council has an opportunity to stand with residents, community partners and local jurisdictions in our region by adopting Resolution No. 20-5091, in recognizing the month of April has significant to the Southeast Asian Community.

### **ACTION REQUESTED**

Consideration and vote on Resolution No. 20-5091.

### **IDENTIFIED POLICY OUTCOMES**

Advancing the Metro Council's proclamation for Southeast Asian Community Recognition month from April 1 to April 30.

### **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

Council adoption of this resolution will further Metro's commitment to the goals stated in the Strategic Plan to advance Racial Equity, Diversity and Inclusion, in particular:

- a) Metro meaningfully engages communities of color
- b) Metro hires, trains and promotes a racially diverse workforce
- c) Metro creates safe and welcoming programs, spaces and destinations

### **STAFF RECOMMENDATIONS**

Staff recommends the Metro Council adopt Resolution No. 20-5091.

### **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

#### **1. Known Opposition/support/community feedback**

No opposition known at this time. Testimony in support has been submitted by Immigrant and Refugee Community Organization (IRCO) and the Cambodian American Community of Oregon (CACO).

#### **2. Legal Antecedents**

None. This is the first year that the Metro Council is considering adoption of this resolution.

#### **3. Anticipated effects**

None.

#### **4. Financial implications**

None.

## **BACKGROUND**

The month of April is traditionally celebrated in many Southeast Asian countries as New Years ("Songkran" in Thailand, "Pi Mai" in Laos, "Thingyan" in Burma and "Choul Chnam Thmey" in Cambodia). It is a significant time of the year for many in the Southeast Asian American community to recognize a shared history, showcase cultural heritage, celebrate renewal and honor the sacrifices so many had to make to resettle. It is a month of deep mourning and commemoration of as many as 3.5 million deaths of Vietnamese, Cambodians and Laotians as a result of the U.S. military intervention in the Vietnam War.

In the United States, Asian communities are among the fastest growing racial group at a growth rate of 3.3% according to the latest Census data. Greater Portland is home to more than 55,000 community members who identify as Southeast Asian.

Southeast Asian countries consist of Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar (Burma), Philippines, Singapore, Vietnam and Thailand but is largely identified in the states by the mass resettlement of refugees in the 1970's due to United States intervention in the Vietnam War. Resettlement primarily impacted people from Vietnam, Cambodia, Myanmar (Burma), Laos and Hmong people which experienced traumatic civil wars.

April of 1975 holds historical significance to these countries due to the subsequent ending of American involvement and toppling of existing governments. This includes the Khmer Rouge capturing the capital of Phnom Penh, Cambodia marking the beginning of the mass genocide of over two million people known as the "Killing Fields", the fall of Saigon to the North Vietnamese forces and the handover of power to communist forces in Laos. As a result, changes in American refugee policy resettled more than 300,000 to the states initially. The passage of the Refugee Act of 1980, then raised the annual intake of refugees from 17,400 to 50,000 while establishing a more formal system for immigration and resettlement. This landmark act provided a lasting effect for millions of refugees and asylum seekers seen to this day.

The experience of the Southeast Asian community is one of success for some during resettlement but struggle for most. Economic, education, housing and health indicators show disparities when compared to other Asian communities. Southeast Asian refugees experience high levels of physical and mental health issues including PTSD that have gone untreated. The vast majority of those who initially resettled accepted any labor jobs available, unable to seek education opportunities further expanding economic and social disparities.

In Oregon, non-profit organizations like IRCO (Immigrant and Refugee Community Organization) founded by Southeast Asian refugees play an essential role in removing economic and social barriers to help immigrant and refugee communities grow in their new home.

## **ATTACHMENTS**

Testimony in support submitted by Immigrant and Refugee Community Organization (IRCO) and the Cambodian American Community of Oregon (CACO).

**ATTACHMENTS**

Testimony in support from Immigrant and Refugee Community Organization (IRCO) and the Cambodian American Community of Oregon (CACO).

IMMIGRANT  
AND REFUGEE  
COMMUNITY  
ORGANIZATION

building new beginnings  
www.irco.org



MAIN OFFICE  
AFRICA HOUSE  
ASIAN FAMILY CENTER  
INTERNATIONAL  
LANGUAGE BANK

April 2020

On behalf of the Immigrant and Refugee Community Organization (IRCO), I would like to express my support and pride in Metro's proclamation recognizing our region's Southeast Asian refugee community. Following the 1970s political upheavals in Southeast Asia, Oregon and Washington were two of the first states to offer new opportunities and homes to refugees. And in 1976, IRCO was formed by a group of Vietnamese, Laotian and Cambodian refugees to help newly arrived families find jobs and navigate their new lives in America. More than 40 years later, IRCO continues to provide essential support and remove barriers for newcomers as they build new beginnings in Oregon.

In 1994, IRCO founded the Asian Family Center (AFC) as the very first culturally and linguistically specific one stop community center focused on the diverse needs of Asians and Pacific Islanders. For more than 25 years, AFC has created a space for families to receive support, celebrate our cultures and identities, lift up our voices, and thrive in Oregon. At IRCO and AFC, we believe that the unique experiences of our immigrant and refugee communities enhance the diversity of our region's shared community.

The greater Portland area is now home to over 55,000 Southeast Asians who have made significant contributions to our region. As a former refugee from Southeast Asia at the end of the Vietnam War, I know the challenges that this community has overcome. My deepest hope is that they—and all the newcomers who will follow—find a welcoming and equitable home here.

A handwritten signature in black ink, appearing to read 'Lee Po Cha'.

Lee Po Cha  
Executive Director





**សហគមន៍ខ្មែរ-អាមេរិកាំងនៃរដ្ឋអ៊ូរ៉ាគូន**  
**Cambodian-American Community of Oregon**  
501 (C) (3) Non-Profit Organization  
P.O. Box 233  
Beaverton, OR 97075-0233

Metro Council  
600 NE Grand Ave  
Portland, Oregon 97232

April 16th, 2020

Dear Metro Council Members,

On behalf of the Cambodian American Community of Oregon (CACO), I am writing in support of Resolution No. 20-5091, recognizing the Southeast Asian community and our celebrations of New Year. Specifically, for the Cambodian American community, April is a time of renewal, contemplation, and family gathering as we celebrate the Year of the Rat, 2564 Buddhist Era (B.E.).

Cambodian Americans in Oregon and S.W. Washington celebrate the New Year by paying homage to our ancestors, traveling to our local Buddhist temples, and joining in community gathering. CACO is a longtime partner and supporter of grassroots volunteer events, like New Year in the Park at Glenhaven Park in Portland. This year is no different. While our events are cancelled or postponed amidst the global health crisis - we continue to recognize the importance of community bonding, health, and family.

We also recognize the sacrifices and hardships of the past. April holds another significance to Cambodians Americans. On April 17<sup>th</sup>, 1975, Cambodia ended a devastating Civil War as the Khmer Rouge took control. The country plunged into darkness as the United States left Southeast Asia. From 1975 to 1979, the “Killing Fields” genocide would take the lives of two million people. During that time, Cambodian refugees resettled in the United States – including here in our Portland metro area.

This month we remember the 45<sup>th</sup> anniversary since the Killing Fields and honor the sacrifices. We also cherish and recognize the growth of our Cambodian communities – and many other Southeast Asian communities of similar experience – in becoming an integral of the American melting pot. We have a lot of work left in uplifting our communities through education, mental health, and socio-economic equitable policies that address our generational trauma, the stability of our families, and our wellbeing as Americans.

Yet one thing remains just as clear now as it did decades before – the journey of a people and a community are exemplified by the individuals that stand up and extend a warm welcome to those who need help – whether family, friends or strangers. That enduring spirit of creating a home for all is what stands out in our local communities, even as global forces continue to strain and stress us apart.



**សហគមន៍ខ្មែរ-អាមេរិកាំងនៃរដ្ឋអ៊ូរ៉ូន**  
**Cambodian-American Community of Oregon**  
501 (C) (3) Non-Profit Organization  
P.O. Box 233  
Beaverton, OR 97075-0233

We thank Councilmember Juan Carlos Gonzalez and the entire Metro Council for your work in advocating for immigrant and refugee communities.

Wishing you joyous, prosperous, and healthy Year of the Rat, 2564 B.E.

Sincerely,

*/s/ Sokho Eath*  
Sokho Eath,  
CACO President

Agenda Item No. 4.2

**Resolution No. 20-5096**, For the Purpose of Declaring a State of Emergency in the Metro Region as a Result of COVID-19 Pandemic and Delegating Authority to Metro's Chief Operating Officer

*Resolutions*

Metro Council Meeting  
Thursday, April 23, 2020

BEFORE THE METRO COUNCIL

RESOLUTION DECLARING A STATE OF	)	RESOLUTION NO. 20-5096
EMERGENCY IN THE METRO REGION AS A	)	
RESULT OF COVID-19 PANDEMIC AND	)	Introduced by Marissa Madrigal, Chief
DELEGATING AUTHORITY TO METRO’S	)	Operating Officer in concurrence with
CHIEF OPERATING OFFICER	)	Council President Lynn Peterson
	)	

WHEREAS, Coronaviruses are a group of viruses that can cause respiratory disease, with the potential to cause serious illness or loss of life for individuals with underlying health conditions; and

WHEREAS, on March 8, 2020, Governor Kate Brown issued Executive Order No. 20-03, Declaration of Emergency due to the Coronavirus (COVID-19) outbreak in Oregon, under ORS 401.025(1); and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic; and

WHEREAS, on March 12, 2020, Governor Brown issued Executive Order No. 20-05, prohibiting large gatherings due to the COVID-19 outbreak in Oregon; and

WHEREAS, on March 23, 2020, Governor Brown issued Executive Order No. 20-12, Stay Home, Save Lives, ordering, among other things, Oregonians to stay at home; and

WHEREAS, on March 29, 2020, the President of the United States declared that a major disaster exists in the State of Oregon and ordered Federal assistance to supplement State, tribal, and local recovery efforts in the areas affected by the COVID-19 pandemic beginning on January 20, 2020, and continuing; and

WHEREAS, the COVID-19 pandemic requires a significant amount of resources at the local level to keep the public and community informed and as safe as possible; and

WHEREAS, these conditions create a need for a Declaration of Emergency for the Metro region; and

WHEREAS, Metro has broad home rule authority to carry out its functions in any manner that it deems appropriate; and

WHEREAS, the current state prohibitions on group gatherings are necessary to protect public health, but also create challenges for holding public meetings and hearings, which may require the extension of deadlines in the Metro Code in order for Metro to meet its obligations for processing applications, renewing licenses, and providing opportunities for public participation; and

WHEREAS, Metro Code Section 2.20.030 provides that the Metro Chief Operating Officer (COO) is the chief administrative officer of Metro and is responsible for the proper administration of all Metro affairs; and

WHEREAS, Metro Code Section 2.20.050 describes actions the COO may take in the event of circumstances creating a public emergency; and

WHEREAS, on April 2, 2020, the COO issued a Declaration of Emergency in the Metro region as a result of the COVID-19 pandemic, which is attached as Exhibit A; now therefore

BE IT RESOLVED that the Metro Council:

1. The Metro Council hereby ratifies the Declaration of Emergency in the Metro Region issued by the Metro COO on April 2, 2020, which is attached as Exhibit A, and delegates to the COO all authority necessary to respond to the COVID-19 pandemic; and
2. Delegates to the COO authority to suspend, waive, or amend Metro's administrative Rules, standards, and forms, without notice, if such action is necessary to respond to the COVID-19 pandemic and effective only during the emergency period; and
3. Delegates to the COO authority to amend Solid Waste Franchises and Non-Systems Licenses for putrescible waste as needed to respond to the COVID-19 pandemic, and
4. Delegates to the COO authority to suspend the provisions of Metro Code Section 5.01.260 regarding material recovery of non-putrescible waste when necessary to respond to the COVID-19 pandemic; and
5. Delegates to the COO authority to extend any deadline set forth in Metro Code Chapters 5.01, 5.02, 5.03 and 5.05 if strict adherence to the deadline would create an extreme hardship on a regulated entity or Metro due to federal, state or local orders related to the COVID-19 pandemic; and
6. Delegates to the COO authority to extend any deadline set forth in Metro Code Section 3.07.1430 regarding the procedures for processing applications for a major amendment of the Urban Growth Boundary, if strict adherence to the deadlines would unreasonably limit public participation in the hearing process due to ongoing prohibitions on public gatherings.
7. This Declaration remains in effect until the Metro Council determines that the emergency no longer exists, and takes action to terminate the Declaration.

ADOPTED by the Metro Council this 23<sup>rd</sup> day of April 2020.

---

Lynn Peterson, Council President

Approved as to Form:

---

Carrie MacLaren, Metro Attorney

**METRO CHIEF OPERATING OFFICER  
DECLARATION OF EMERGENCY IN THE METRO REGION  
AS A RESULT OF THE COVID-19 PANDEMIC**

The Metro Chief Operating Officer finds that:

Coronaviruses are a group of viruses that can cause respiratory disease, with the potential to cause serious illness or loss of life for individuals with underlying health conditions.

On March 8, 2020, Governor Kate Brown issued Executive Order No. 20-03, declaration of emergency due to Coronavirus (COVID-19) outbreak in Oregon, under ORS 401.025(1).

On March 11, 2020, the World Health Organization declared COVID-19 a pandemic.

On March 12, 2020, Governor Brown issued Executive Order No. 20-05, prohibiting large gatherings due to COVID-19 outbreak in Oregon.

On March 23, 2020, Governor Brown issued Executive Order No. 20-12, Stay Home, Save Lives, ordering, among other things, Oregonians to stay at home.

On March 29, 2020, the President declared that a major disaster exists in the State of Oregon and ordered Federal assistance to supplement State, tribal, and local recovery efforts in the areas affected by the COVID-19 pandemic beginning on January 20, 2020, and continuing.

The COVID-19 pandemic requires a significant amount of resources at the local level to keep the public and community informed and as safe as possible.

COVID-19 is a disease causing or threatening loss of life and injury to people and is an emergency for the Metro region.

Based on the above findings, the Metro Chief Operating Officer declares a state of emergency in the Metro region, effective immediately, which remains in effect so long as COVID-19 poses an ongoing, immediate, and substantial threat to life, safety, health, or property in the Metro region and until the Chief Operating Officer terminates the declaration.

1. To protect the health and safety of Metro employees, with input from Metro's human resource department, IT, legal and other Metro department heads, I have and will continue to develop emergency policies and guidance on the use of sick leave, vacation leave, telecommuting, meeting protocol, identification of essential and non-essential staff for ongoing presence at Metro facilities, and other policies that will be in effect for the duration of the emergency.
2. To eliminate exposure to and spread of COVID-19, and in support of state and federal guidelines for social distancing, Metro is cancelling in-person programs and public meetings through April 30, 2020, at which time Metro will review the information from the CDC and Multnomah County Health for updated decisions. Where feasible, for continuity and continuation of services to the

public, Metro will conduct such programs and meetings in electronically, by telephone and/or videoconference.

3. To respond to the COVID-19 Pandemic, Metro may procure needed goods and services in accordance with ORS 279B.080 and without compliance with normal procurement procedures, redirect any necessary Metro funds for emergency purposes, and take any other action set forth in Metro Code Section 2.20.050, including any actions necessary for the protection of health and safety.
4. All permitted special events are cancelled during this emergency.
5. All burials at Metro cemeteries will be conducted by delivery only, without a graveside service, with participants allowed only if they remain in their vehicles and with no more than 5 vehicles allowed.
6. Metro will take all necessary steps authorized by law to coordinate the response to and recovery from this emergency, including but not limited to, requesting assistance from the federal government, the State of Oregon, and Clackamas, Multnomah, and Washington Counties.

Dated this 2nd day of April, 2020.

DocuSigned by:



60448B6B7AF9448  
Marissa Maungal, Chief Operating Officer

## **STAFF REPORT**

IN CONSIDERATION OF RESOLUTION NO. 20-5096, FOR THE PURPOSE OF DECLARING A STATE OF EMERGENCY IN THE METRO REGION AS A RESULT OF COVID-19 PANDEMIC AND DELEGATING AUTHORITY TO METRO'S CHIEF OPERATING OFFICER

---

Date: April 20, 2020  
Department: Office of Metro Attorney  
Meeting Date: April 23, 2020

Prepared by: OMA  
Presenter: Shane Abma, OMA  
Length: 15 minutes

---

### **ISSUE STATEMENT**

Shall the Metro Council adopt Resolution No. 20-5096 ("Resolution"), declaring a state of emergency in the Metro region related to the COVID-19 pandemic?

### **ACTION REQUESTED**

Adopt Resolution No. 20-5096.

### **SUMMARY**

The Resolution ratifies the Declaration of Emergency in the Metro Region issued by the Metro Chief Operating Officer (COO) on April 2, 2020, acknowledges that emergency conditions exist relating to the COVID-19 pandemic, and delegates authority to the COO to take actions necessary to implement the Declaration, including temporary extension of certain deadlines in the Metro Code, and suspension, waiver, or amendment of Metro administrative rules, standards, and forms.

### **DESCRIPTION OF DECLARATION**

First, the Resolution ratifies the Declaration of Emergency issued by the COO on April 2, 2020, and delegates all necessary authority to the COO to respond to the pandemic emergency. The Resolution also generally authorizes the COO to suspend, waive, or amend Metro's administrative rules, standards, and forms if such action is necessary to respond to the emergency.

Next, the Resolution includes more specific language that authorizes the COO to suspend certain code provisions and deadlines in Title V (Solid Waste) of the Metro Code, which regulates the region's solid waste entities. Title V includes regulations regarding flow control, recycling, illegal disposal, etc., and sets specific deadlines with respect to application approvals, franchise and license renewals and contested case hearing



schedules. The licenses and franchises themselves also often contain reporting requirement deadlines, tonnage allocation amounts and other regulatory requirements.

Although all licenses and franchises are essentially administrative permits, franchises and putrescible waste licenses often require action by the Metro Council to adopt or amend. Given the restraints and difficulties related to scheduling and appearing at Metro Council meetings during this pandemic crisis, the Resolution delegates to the COO authority to suspend, waive or amend administrative rules, as well as to amend solid waste franchises and putrescible waste licenses as needed to respond to changing solid waste situations based on the COVID-19 pandemic and to allow necessary extensions and renewals for these administrative permits (licenses and franchises) without requiring Metro Council action.

In addition, the Resolution authorizes the COO to temporarily suspend provisions of Metro Code Section 5.01.260 regarding material recovery of non-putrescible waste if necessary to respond to the COVID-19 pandemic. This section addresses Metro's Enhanced Dry Waste Recovery Program (aka "EDWRP") which requires that all mixed non-putrescible waste be processed for material recovery before being disposed.

Finally, the Resolution authorizes the COO to extend deadlines in Metro Code Chapters 5.01, 5.02, 5.03 and 5.05 if strict adherence to the deadline would create an extreme hardship on a regulated entity or Metro due to federal, state or local orders related to the COVID-19 pandemic. Certain deadlines may be difficult to meet if regulated entities or Metro staff are unable to work on-site or obtain necessary documents and data in a timely manner.

The Resolution also authorizes the COO to extend deadlines in the Metro Code regarding processing of a currently pending application from the City of Lake Oswego for amendment of the Urban Growth Boundary. Existing code provisions create a series of short timelines, which require a public hearing to be held no later than June 8, 2020. If the COO determines that attempting to hold a public hearing by that date would unreasonably limit public participation, the COO may extend the deadline.

### **ACTION REQUESTED**

Approval of the Resolution declaring a state of emergency and delegating authority to the COO that may necessary to respond to that emergency.

### **IDENTIFIED POLICY OUTCOMES**

By adopting this Resolution, the Metro Council will allow the COO to act rapidly to extend Metro Code deadlines and/or suspend or amend administrative rules and other standards if necessary to respond to the emergency.

**STAFF RECOMMENDATION**

Staff recommends adoption of Resolution No. 20-5096.

Agenda Item No. 5.1

**Public Hearing for the 2021-2024 Metropolitan Transportation Improvement Program  
(MTIP) Public Review Draft**

*Public Hearings*

Metro Council Meeting  
Thursday, April 23, 2020

## PUBLIC HEARING FOR THE 2021-2024 METROPOLITAN TRANSPORTATION IMPROVEMENT PROGRAM (MTIP) PUBLIC REVIEW DRAFT

---

Date: April 9, 2020  
Department: Planning and Development  
Meeting Date: April 23, 2020

Presenter(s) (if applicable): Grace Cho,  
Ted Leybold  
Length: TBD

Prepared by: Grace Cho, 267-909-3490  
(mobile), grace.cho@oregonmetro.gov

---

### **ISSUE STATEMENT**

The Metropolitan Transportation Improvement Program (MTIP) is a federally required document and is one of Metro's major responsibilities as the metropolitan planning organization for the Portland region. The MTIP serves two primary purposes: 1) to ensure the costs of delivering federally-aided transportation projects do not exceed expected revenues; and 2) to ensure the projects identified in the MTIP expenditure plan are consistent with the Regional Transportation Plan (RTP) and demonstrate expected progress in advancing the RTPs goals. The MTIP is updated on a three-year cycle with the 2021-2024 MTIP scheduled for Metro Council adoption in July 2020.

Presented before the Metro Council is the public review draft of the 2021-2024 MTIP. The public comment period for the 2021-2024 MTIP opened on April 17, 2020 and will close on May 18, 2020. The public comment is necessary to step in the process to prepare the 2021-2024 MTIP for adoption and submission to federal partners.

### **ACTION REQUESTED**

For the Metro Council to hold a public hearing on the public review draft of the 2021-2024 MTIP during the public comment period. The public comment period will run from April 17 to May 18, 2020.

### **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

Holding a public hearing during the public comment period is a public involvement strategy consistent with Metro's public participation plan. The public hearing provides a live venue for public comment on the 2021-2024 MTIP. The other public comment opportunities presented as part of the 2021-2024 MTIP are static, such as web comment submissions, public comment survey, or receiving comment letters.

### **STAFF RECOMMENDATIONS**

None.

### **BACKGROUND**

The MTIP is a federally required document which outlines the schedule of federal and regionally significant transportation expenditures. Metro staff is developing a new MTIP for the upcoming four federal fiscal years of 2021-2024, that is scheduled for JPACT and Metro

## What is the MTIP?

The Metropolitan Transportation Improvement Program (MTIP) is a federally required document. The MTIP includes a list of regionally significant projects and programs that are scheduled to receive federal transportation money in the next four years (from 2021 to 2024) and that will be constructed in the next six years (from 2021-2026). The primary purposes of the MTIP include:

- Serving as a financial planning and project delivery tool for the metropolitan region.
- Demonstrating how planned projects advance regional priorities of equity, safety, climate and managing traffic congestion.
- Evaluating how the projects comply with federal regulations, including fiscal constraint, air quality impacts and public involvement.
- Ensuring scheduled federal transportation spending in the region does not exceed available federal revenues.

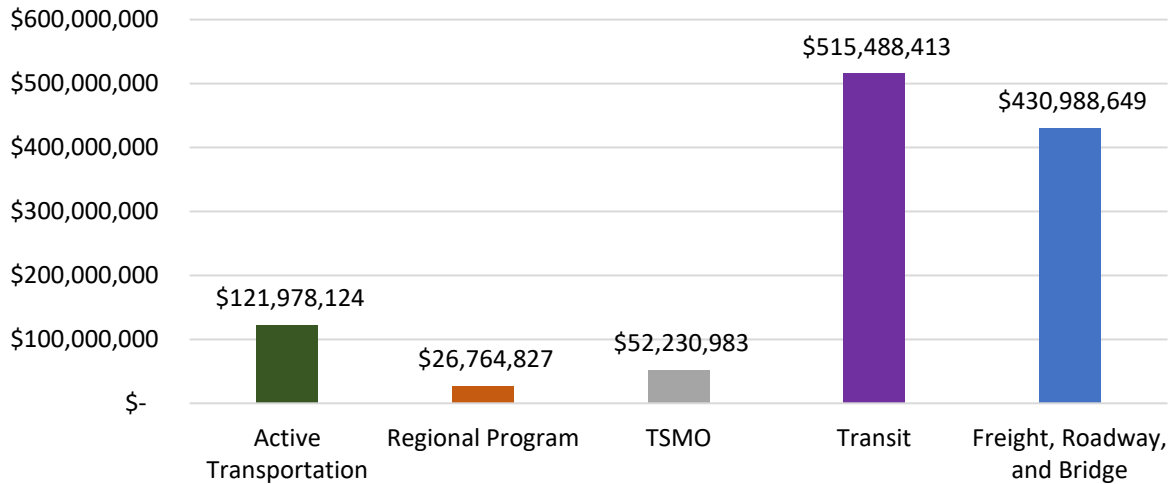
Metro is the Portland region's federally recognized metropolitan planning organization (MPO). As such, it develops and implements two planning and policy documents: the MTIP and the Regional Transportation Plan (RTP). Metro updates the MTIP every three years, collecting information from the Oregon Department of Transportation and the region's cities, counties and transit agencies. The MTIP is incorporated without change into the State Transportation Improvement Program (STIP), Oregon's statewide four year transportation capital improvement program.

## 2021- 2024 MTIP overview

The 2021-2024 MTIP includes 216 transportation projects and programs that represent about \$1.1 billion of investments in the greater Portland area's transportation system. Capital expenditures account for 42% of MTIP investments, operations and maintenance account of 55% and planning accounts for 3% of MTIP investments. The 2021-2024 MTIP includes investments across multiple modes of travel.

Figure: 2021-2024 MTIP investment by mode





Nearly \$950 million of the investments in the MTIP are for roadway and transit and over \$120 million are dedicated to building out the active transportation network. In addition, \$52 million are dedicated to transportation system management and operations (TSMO) investments to help manage demand. Roadway and transit investments represent a mix of maintenance and capital projects; active transportation investments are primarily to upgrade or build new facilities.

### Summary of performance evaluation results and key findings

Overall, the 2021-2024 MTIP package of investments make progress towards the regional priorities identified in the RTP, including equity, safety, climate and traffic congestion. The 2021-2024 MTIP investment package makes greater regional progress toward some outcomes, such as addressing climate change, than others. For other outcomes, more progress is made at a local scale.

#### Equity

- *2021-2024 MTIP key outcomes:* The MTIP package invests in the active transportation network at higher rate and increases the number of jobs and community places accessible by transit in historically marginalized communities. However, other complementary strategies are necessary to gain the full benefit of the accessibility improvements.

#### Safety<sup>1</sup>

- *2021-2024 MTIP key outcomes:* Nearly one-third of the MTIP package invests in proven countermeasures to reduce crashes. The majority of the safety investments are focused on high injury corridors and intersections in historically marginalized communities.

#### Climate Change

- *2021-2024 MTIP key outcomes:* The MTIP investment package reduces greenhouse gas emissions by 21% per capita, which makes progress towards the region’s Climate Smart Strategy target.

#### Traffic congestion

- *2021-2024 MTIP key outcomes:* The MTIP investment package entices travelers to shift nearly 70,000 vehicle trips to active transportation and transit.

<sup>1</sup> Crashes cannot be projected; this performance measure looks at the level and location of safety investment. Metro’s recent annual safety performance report indicates crash data from 2014 to 2018 shows an increase in crashes resulting fatalities and serious injuries.

## 2021- 2024 MTIP process

- April 2020: Release public draft 2021-2024 MTIP
- April 17 – May 18, 2020: Opportunities for public comment
- April 23, 2020: Metro Council public hearing
- May – June, 2020: Based on public feedback, update and finalize the 2021-2024 MTIP
- July 23, 2020: Metro Council public hearing and action
- August – September 2020: Submission to Gov. Kate Brown and U.S. Department of Transportation

Council adoption in July 2020 and subsequent submission to the Governor of Oregon for approval and incorporation into the statewide Transportation Improvement Program (STIP). U.S. Department of Transportation (USDOT) approval is then expected by fall of 2020. Once approved by USDOT, the new 2021-2024 MTIP replaces the existing 2018-2021 MTIP as the active governing program of federal transportation expenditures on projects within the Portland metropolitan area.

A current and effective MTIP is necessary for the region to access federal transportation funds as the MTIP demonstrates the region's project costs and spending does not exceed projected revenues, also known as fiscal constraint. Beyond the MTIP's financial planning and project delivery functions, the MTIP ensures projects are consistent with the RTP and demonstrates how the investments into the transportation system make progress towards the Regional Transportation Plan (RTP) goals for the transportation system.

The 2021-2024 MTIP was developed over three-years and includes the near-term federally funded and regionally significant transportation projects and programs by ODOT, SMART, TriMet, and Metro. Some examples of projects and programs included in the 2021-2024 MTIP include: Metro's Regional Travel Options Program, TriMet's bus purchases and replacements, SMART's elderly and disabled transit operations, Washington County's Basalt Creek Parkway, and ODOT's Powell Boulevard widening and complete street project.

#### STAKEHOLDERS

The 2021-2024 MTIP public review draft was cooperatively developed with key partners – ODOT, SMART, and TriMet. As these agencies carry responsibilities to administer federal surface transportation funds, the development of the federal aid and regionally significant package of investment is primarily developed and coordinated among these four agencies.

In addition, TPAC and JPACT have been active in the development of the 2021-2024 MTIP over the three-year process.

#### LEGAL ANTECEDENTS

The 2021-2024 MTIP programs transportation funds in accordance with the federal transportation authorizing legislation (currently known as the FAST ACT). The 2021-2024 MTIP is intended to implement the Regional Flexible Fund Allocation (RFFA) process for years 2022 through 2024 as defined by Resolution Nos. 20-5063 and 19-4959, . The 2021-2024 MTIP must be consistent with the 2018 Regional Transportation Plan, adopted by Metro Ordinance No. 18-1421.

#### ANTICIPATED EFFECTS

Conducting the public hearing during the public comment period for the 2021-2024 MTIP will facilitate the adoption of the 2021-2024 MTIP. Upon adoption, the transportation projects and programs which receive federal funding may access those funds. This is particularly significant for projects which anticipate spending federal funding in federal fiscal year 2021, which begins on October 1, 2020.

#### FINANCIAL IMPLICATIONS



A delay in getting to the adoption of the 2021-2024 MTIP can create a delay in transportation projects and programs accessing funds or receiving federal approvals in order to move forward. This includes several Metro programs which received an allocation of federal funding through the Regional Flexible Fund process.

### **ATTACHMENTS**

2021-2024 MTIP overview.

[For work session:]

- Is legislation required for Council action?  Yes  No
- If yes, is draft legislation attached?  Yes  No
- What other materials are you presenting today? 2021-2024 MTIP overview

Materials following this page were distributed at the meeting.

# **Metro**

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



**Metro**

## **Minutes**

**Thursday, April 16, 2020**

**2:00 PM**

**<https://zoom.us/j/615079992> or 888-475-4499 (toll free)**

**Council meeting**

**1. Call to Order and Roll Call**

Council President Lynn Peterson called the Metro Council meeting to order at 2:00 p.m.

**Present:** 7 - Council President Lynn Peterson, Councilor Sam Chase, Councilor Shirley Craddick, Councilor Craig Dirksen, Councilor Bob Stacey, Councilor Christine Lewis, and Councilor Juan Carlos Gonzalez

**2. Public Communication**

There was none.

**3. Consent Agenda**

**Approval of the Consent Agenda**

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

**Aye:** 7 - Council President Peterson, Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Stacey, Councilor Lewis, and Councilor Gonzalez

3.1 Consideration of the Council Meeting Minutes for April 2, 2020

**4. Resolutions**

4.1 Resolution No. 20-5090, For the Purpose of Proclaiming April 22, 2020 Earth Day

Council President Peterson called on Jenna Garmon and Victor Sin, Metro staff, to present Resolution No. 20-5090, recognizing the 50th anniversary of Earth Day on April 22. Ms. Garmon explained that Earth Day was an opportunity to celebrate progress and to recommit to protect the viability of a healthy planet for current and future generations. She provided a history of Earth Day and highlighted how it paralleled growing concerns about the environment.

Ms. Garmon stated that Metro had committed to advancing sustainability in all of its regional services, from land use and

transportation planning to its natural areas and waste prevention programs. She reviewed some of Metro's key milestones related to sustainability and emphasized the urgent need for continued action to address the climate crisis. She noted that Earth Day presented an opportunity to adopt climate solutions that not only reduce greenhouse gas emissions but that also transform systems to be just and equitable and deliver shared prosperity. Mr. Sin then read the proclamation into the record.

*Council Discussion*

Councilors thanked Metro staff for their work supporting sustainability in the region. They spoke to the importance of addressing climate change and highlighted the work that had been done since Earth Day was first recognized in 1970. Councilor Stacey recognized that there was not enough work being done to fully address the consequences of burning fossil fuels. He expressed support for Metro's sustainability efforts but added that he would be abstaining from the resolution. Councilor Dirksen celebrated the work that had been accomplished since Earth Day was first recognized. Councilor Lewis spoke to the importance of working locally.

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

**Aye:** 6 - Council President Peterson, Councilor Chase, Councilor Craddick, Councilor Dirksen, Councilor Lewis, and Councilor Gonzalez

**Abstain:** 1 - Councilor Stacey

- 4.2 Metro Chief Operating Officer Acting as Budget Officer Presents the Proposed Fiscal Year 2020-21 Budget and Budget Message to the Metro Council, Acting as the Budget Committee

Council President Peterson called on Marissa Madrigal, Chief

Operating Officer, Brian Kennedy, Director of Financial Services, and Brian Evans, Metro Auditor, to present the proposed fiscal year 2020-21 budget. She acknowledged that the timing of COVID-19 and the forecasted revenue changes would require making significant changes to the budget. She provided an overview of the budget process, noting that staff would bring forward proposals to amend the proposed budget over the next several weeks in advance of approval of the budget on May 7, which would transmit the document to the Tax Supervising and Conservation Commission (TSCC). She explained that the final adoption of the budget was scheduled for June 18, to go into effect on July 1.

She noted that the three main focuses of the budget process were creating a budget that would allow Metro to continue delivering high-quality public services; prevent the crisis from further exacerbating the devastating disparate impacts from COVID-19 and support Metro's diversity, equity, and inclusion goals; and respond to the COVID-19 crisis and eventually reopen and recover over the next 12 to 18 months.

Ms. Madrigal then reviewed the proposed budget and how it would be impacted by the forecasted revenue changes. She explained that staff would return to council on April 28 with proposed cuts to the budget from each department. She stated that Metro would need to prioritize items based on its values and essential services, given the severe financial impacts of the COVID crisis. Mr. Kennedy shared the specific impacts of COVID-19 on the budget across Metro's departments, noting a forecasted decrease of around 7% in the total budget.

Metro Auditor Brian Evans then presented the auditor's

budget. He explained that the auditor's budget was presented separately to ensure budget independence from management. He acknowledged that the auditor's budget would also be impacted by COVID-19. He explained that his budget was originally requested to be \$875,000, but given the circumstances, the Auditor's Office had committed to coming under the budget anywhere from \$35,000 to \$50,000 below the adopted budget from last year. He then provided an overview of the auditor's budget.

*Council Discussion*

Councilor Lewis asked how the Tax Supervising and Conservation Committee process would be affected by COVID-19 and its impacts on the budget. She also asked about cuts in the budget and where funds were being preserved. Councilor Chase asked about the solid waste component of the budget and how the reserves in the solid waste fund might be impacted. Councilor Craddick inquired about how the PERS rate increases were factored into the proposed budget.

- 4.2.1 Resolution No. 20-5092, For the Purpose of Approving the FY 2020-21 Budget, Setting Property Tax Levies and Transmitting the Approved Budget to the Multnomah County Tax Supervising and Conservation Commission
- 4.2.2 Public Hearing on Resolution No. 20-5092

Council President Peterson opened up a public hearing on Resolution No. 20-5092 and requested that those wishing to testify come forward to speak. Seeing none, Council President Peterson gaveled out of the public hearing. She noted that the Metro Council would hold a work session on the budget on April 28 and that an additional public hearing would be held on May 7, at which time the Metro Council would consider approving the fiscal year 2020-21 budget and transmitting it to the Tax Supervising and Conservation

Commission for review.

**5. Chief Operating Officer Communication**

There was none.

**6. Councilor Communication**

There was none.

**7. Adjourn**

There being no further business, Council President Peterson adjourned the Metro Council meeting at 3:32 p.m. The Metro Council will convene the next regular council meeting on April 23 at 2:00 p.m.

Respectfully submitted,



Nellie Papsdorf, Legislative and Engagement Coordinator



**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF APRIL 16, 2020**

<b>ITEM</b>	<b>DOCUMENT TYPE</b>	<b>DOC DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>DOCUMENT No.</b>
<b>2.0</b>	Testimony	04/10/20	Testimony from Leah Gordon	041620c-01
<b>4.1</b>	PowerPoint	04/16/20	50 <sup>th</sup> Anniversary of Earth Day Proclamation	041620c-02
<b>4.2</b>	PowerPoint	04/16/20	FY 2020-21 Proposed Budget	041620c-03
<b>4.2</b>	PowerPoint	04/16/20	Office of the Metro Auditor FY 2020-21 Proposed Budget	041620c-04



April 23, 2020

Metro Council

**Re:** Resolution 20-5091, Southeast Asian Community Recognition Month

President Peterson and members of the Metro Council,  
On behalf of the Asian Pacific American Network of Oregon (APANO), thank you for introducing this proclamation to recognize April as Southeast Asian Community Recognition Month.

APANO is a statewide, grassroots organization, uniting Asians and Pacific Islanders to achieve social justice. We use our collective strengths to advance equity through empowering, organizing and advocating with our communities. We believe that every family and community should have the rights and resources they need to thrive. Metro and APANO have mutually benefited from a long-running partnership to advance racial equity in our region, and we are excited to support this proclamation as the first-ever Southeast Asian Community Recognition Month at Metro.

The Southeast Asian community in the Portland region is comprised of many ethnic groups and nationalities, including Burmese (Myanmar), Cambodian, Filipino, Hmong, Indonesian, Kachin, Karen, Khmu, Lao, Lu Mien, Malaysian, Singaporean, Thai, Vietnamese, and others. Our entire region benefits from their many contributions and the generosity with which they share their cultures with the broader community. There are a wide range of experiences among generations of immigrants, refugees, and those who were born in the US, including here in the Portland area, and we acknowledge their resilience and work building community.

During the month of April, many Southeast Asian communities celebrate the new year. We recognize that our diverse communities are here year round, celebrating their culture, community, and traditions. It is also the month in which some of our communities experienced great trauma from conflict in their home countries that has lasting and intergenerational impacts.

April is a fitting time to recognize our Southeast Asian communities as we go into Asian Pacific American Month in May. This is a period to celebrate a pan-API identity and highlight the rich diversity of cultures, traditions, histories, and the future of APIs in America. At APANO, we recognize the importance of coming together in a shared API space for recognition, celebration, and community building. We are also pleased to see the specific recognition of Southeast Asian communities here at Metro. In our work for social justice, we must both celebrate the unique experiences of communities, and also acknowledge that our systems have fallen short for many Southeast Asians and created significant disparities within the broader Asian community. We appreciate Councilor Gonzales' and Metro Council's approach to highlighting this diversity among API communities.



Thank you for your consideration of this proclamation to honor the many Southeast Asian communities in our region. We look forward to working with you to build on this proclamation and our partnership to increase equity and prosperity for Southeast Asian communities.

Sincerely,

Jenny Lee  
Advocacy Director  
APANO



April 22, 2020

Metro Council  
600 NE Grand Ave  
Portland, Oregon 97232

Re: Resolution 20-5091, Southeast Asian Community Recognition Month

Dear Metro Council members,

On behalf of the Hmong American Community of Oregon (HACO), I am writing to express our support for Resolution 20-5091 to recognize April as Southeast Asian Community Recognition Month.

HACO is committed to uplifting the Hmong community in Oregon by empowering youth and families, educating and raising awareness of Hmong heritage and culture, and building solidarity and community care among members.

While exact numbers are difficult to gather due to the lack of disaggregated data, we believe there are at least 5,000 Hmong residents in Oregon, with the majority residing in the Portland Metro area. Hmong refugees began arriving in Oregon in the 1970's after prosecution in Laos for supporting the U.S. during the Vietnam War. Upon arrival, the Hmong participated in supporting other immigrants and refugees to resettle in the U.S, and greatly contributed to the state's economy, culture and prosperity over all. Most Hmong refugees used their skills as laborers and farmers to become factory workers and flower farmers.

Similar to other Southeast Asian groups, the Hmong experienced trauma that impacts our community deeply and intergenerationally. With each generation we are able to support each other and gradually overcome disparities and hardship. The Hmong community is resilient and committed to full participation in a democratic society as self-sustaining citizens.

We recognize the social friction that may exist between different Southeast Asian ethnic groups from being forced to break out of a homogenous category that we were placed in during resettlement and in modern society still. Because of this, we understand and believe that Southeast Asian communities should stand in solidarity with each other while celebrating our

diversity through efforts such as New Year in the Park, in which we are the fiscal sponsor since commencement six years ago.

HACO will continue to uplift Hmong and other Southeast Asian communities to address marginalization and other disparities.

We would like to thank Council member Juan Carlos Gonzalez and the entire Metro Council for advocating for immigrant and refugee communities.

Sincerely,

Yeng Dhabolt  
President  
Hmong American Community of Oregon

# chevy pham

Portland, OR | [chevypham@gmail.com](mailto:chevypham@gmail.com)

---

## **Metro Council Meeting**

**April 23, 2020**

Resolution No. 20-5091, For the Purpose of Proclaiming April 1 Through April 30 Southeast Asian Community Recognition Month

Good afternoon President Peterson and members of the Metro Council; thank you for the opportunity to appear before you today. My name is Chevy Pham. I am a Vietnamese American living in Portland, and I am here today to provide a personal statement in support of proclaiming April as Southeast Asian Community Recognition Month. As far as I know, this proclamation will be the first in this nation that appreciates the rich contribution Southeast Asians have made to this country. Moreover, it symbolically acknowledges Vietnam, Cambodia, Hmong and Laos' shared history of human suffering as we deeply grieve for the 3.5 millions lives lost, as a bitter end to the United States' thirty-year intervention in the Indochina conflict.

In the West, the Vietnam War has almost always been told from the American point of view: military prowess, stopping the spread of communism in Asia, shock and awe campaign, war protesters, agent orange, Vietnam War Vets, PTSD. The longest and most controversial "war" for the United States ended with humiliating defeat and a dramatic close on April 30, 1975. At the outset, it was inconceivable that a Third World country of sandal-wearing, skinny peasants could possibly defeat the world's most formidable military power. The final outcome has left deep scars in this country's collective psyche, and have since reshaped its military, politics and society.

The narrative that isn't told is the Vietnamese diaspora and the horrific suffering of a people who hopelessly aspired for democracy and independence from French imperialism, and then naively believed that the American promise to help with nation-building was predicated on altruism. The US withdrawal from the region triggered a mass exodus of refugees and a humanitarian crisis. It is with this context that I share with you the perspective of one Vietnamese-American family.

My father was a captain in the South Vietnamese Army, and fearing the Communist government's campaign of retribution and persecution, after the Fall of Saigon, he promptly started planning our escape. In the early hours before sunrise on a full moon night, my father snuck our family of six out of Vietnam. We were hidden human cargo, holed-up in the hull of a small 10 by 2 meter makeshift fishing boat, as my father and uncles disguised themselves as local fishermen on a routine morning trip to sea. With no prior training to navigate a boat and a tattered map of the South China Sea, my dad risked everything to brave the open waters, with no real destination in search for a life of freedom for his family. We were among the first of the "boat people"; we made the audacious escape with women and children aboard; we were the first to successfully cross the sea during a monsoon season on a rinky dinky fishing boat meant for the river. It was do or die. My mom insisted that we either all make it together or die together on the sea.

# chevy pham

Portland, OR | [chevypham@gmail.com](mailto:chevypham@gmail.com)

---

As we approached the military patrol boat, my baby brother started to cry, waking up from the sleeping pill my mom gave him earlier. Panic. Silent! Find the pacifier! Quick! Silent! Unbeknownst to the young men above deck posing as fishermen, underneath in the suffocating darkness, a mother and three little girls were frantically feeling around looking for the one object that could soothe a crying baby. As the patrol boat touched ours, a pacifier was inserted into a babe's mouth, and a mother fearfully soothed her four young children who were bewildered as to why they too experienced the fear and panic heard in their mother's voice. When it was finally safe to come out of hiding, my first deep breaths taking in the sea salt air felt like heaven. The "little fishing boat that could" with its twelve passengers crossed into international waters on September 8, 1976.

After camping in a Malaysian jungle for eleven months and sharing a tent with another family, we arrived at Los Angeles International Airport on August 10, 1977. We left the refugee camp on my birthday, and I had a memorable celebration above international airspace full of vomit after tasting American fried chicken. As he took in the scenery, my father was speechless during the car ride along the I-405 freeway to our new home, a small two bedroom apartment in the slums of Long Beach, CA. Here we were in the land of plenty, free from persecution and full of hope for a second chance - there was a just enough time for my father to pause, and realize, and mourn that he was a man without a country, and the personal history and identity that one attaches to an ancestral homeland, in that moment, suffered a silent death.

You can say that our family's successful refugee assimilation story is emblematic of the Asian model minority: hard working, acquiescent, law-abiding and studious. But we were the lucky ones, whose story of escape and resettlement pales in comparison to the mass exodus of Vietnamese refugees who experienced horrific encounters as they tried their luck through different routes out of Vietnam or worse, suffered the humiliation, torture and death inside the communist "re-education" camps.

We are a people with PTSD written into our psyche, having endured thirty years of continuous war as Western superpowers attempted to establish its dominance in the Indochina region. We are a people who bear the scars of starvation, murder, rape, enslavement, torture and death in silence, and yet remain mostly peaceful and invisible amongst the population of our host country. We draw this strength from our roots in Confucianism, Buddhist values, and honoring our ancestors and their history.

But do not mistake the Vietnamese quietude as a sign of apathy or weakness; such was the unforgettable lesson learnt by the French and the Americans. "*Farmers by day, agitators by night*": Vietnamese-Americans fully embrace the American spirit of life, liberty and the pursuit of happiness, and if history is any indication, they will rise to the occasion to defend this freedom, even at great costs.

For Vietnamese-Americans, T.S. Eliot's first four lines of "The Wasteland" are apropos to how we anticipate the month of April:

April is the cruellest month, breeding  
Lilacs out of the dead land, mixing  
Memory and desire, stirring  
Dull roots with spring rain.

The end of April is a time of mourning and remembrance for the senseless sacrifices made by millions of Vietnamese who lost their lives fighting for freedom. And to proclaim April as Southeast Asian Community Recognition Month recognizes this collective pain for the Vietnamese American community, as well as reminding Vietnamese people that together with our Cambodian, Hmong and Laos brothers and sisters, our community's success stories are a testament of resilience, perseverance and adaptability. This public proclamation is ultimately an invitation to forgive our oppressors and let go of the associated emotional pain; it encourages the Southeast Asian peoples here locally and abroad to continue in earnest, the healing process of a forty-five (45) year old traumatic shared suffering.

Thank you Councilor González and Victor Sin for sponsoring this Proclamation. Thank you for allowing me to be here today and I would be happy to answer any questions you have.

Testimony submitted by:

Chevy Pham  
[chevypham@gmail.com](mailto:chevypham@gmail.com)  
[chevy.pham@oregonmetro.gov](mailto:chevy.pham@oregonmetro.gov)



April 22, 2020

Metro Council  
600 NE Grand Ave  
Portland, Oregon 97232

Re: Resolution 20-5091, Southeast Asian Community Recognition Month

President Peterson and Metro Council members,

On behalf of the New Year in the Park Planning Committee, I am writing to express our support for Resolution 20-5091 to recognize April as Southeast Asian Community Recognition Month.

New Year in the Park is a large community festival that celebrates the New Year holiday during the last week in April for several different Southeast Asian groups in the Portland Metro Area, including Lao, Thai, Cambodian and Burmese. New Year in the Park's mission is to raise community awareness of the rich and diverse Southeast Asian cultures in the Portland area, as well as foster greater understanding and appreciation among various Southeast Asian groups. This New Year festival is the only event in Oregon that is created and planned purposefully to celebrate and foster solidarity for all Southeast Asian communities.

For the groups that celebrate New Years in April, it is a time for reflection and renewal, paying respects to ancestors, and family gatherings in homes and temples where blessings are received. Although this year New Year in the Park and temple festivals are cancelled due to the global health crisis, our values of community care, health and family remain.

While war and conflict have created rifts and tension between different Southeast Asian groups, there is an unspoken connection that many Southeast Asian communities have with one another through shared history and trauma of prosecution, and struggles of refugee resettlement in areas of the U.S., including our Portland Metro area. So while New Years in April may not be a holiday recognized by all cultures and religions in Southeast Asia, New Year in the Park is a space for all Southeast groups to celebrate the contributions we have made to society and reflect on our shared history.

New Year in the Park has a lot of work left to do in our efforts to amend decades of conflict between Southeast Asian communities and raise awareness of the rich and diverse groups that contribute to Oregon's vibrancy. However, we have made great strides in fostering a strong network of diverse community leaders who are committed to cultivating space for marginalized communities.

We would like to thank Council member Juan Carlos Gonzalez and the entire Metro Council for your work in advocating for immigrant and refugee communities.

Sincerely,

Coua Xiong

Co-chair

New Year in the Park Planning Committee



**CỘNG ĐỒNG VIỆT NAM OREGON**  
**VIETNAMESE COMMUNITY OF OREGON**  
P.O. BOX 55416 Portland, OR 97238-5416  
[www.vnco.org](http://www.vnco.org)

---

April 22, 2020

Metro Council

**Re:** Resolution 20-5091 Southeast Asian Community Recognition Month

President Peterson and members of Metro Council,

On behalf of the Vietnamese Community of Oregon, I am writing to express our support for Resolution 20-5091 to recognize April as Southeast Asian Community Recognition Month.

The Vietnamese Community of Oregon is a volunteer-run organization committed to cultural awareness, education, sharing our heritage, and community service. We work to unite and support all Vietnamese in Oregon so we can thrive and contribute to our community.

There are over 14,000 Vietnamese community members in the Greater Portland area. We are part of the 55,000 Southeast Asian individuals living in our region and are honored to join with these communities to recognize our experiences and heritages during Southeast Asian Community Recognition Month.

As Southeast Asians, we share a commitment to participating in democratic institutions and being civically engaged through voting and hosting events, education, and outreach. Through this work, we strive toward self-determination, prosperity, and wellbeing for all of our families and communities.

The Vietnamese community in Oregon has displayed great resilience. As a result of the Vietnam War, there have been successive generations of immigration and refugees who bring a wide range of experiences. The deep trauma caused by the war and the totalitarian communist regime in Viet Nam have had lasting impacts on our community, and we recognize that many other Southeast Asian communities have experienced similar pain as a result of war and conflict.

As new immigrants and refugees, we had to rely on families, our community, and ourselves to settle in a new country while addressing the trauma of war and forced immigration. There were no systems or networks to help secure the resources that we needed to thrive in our new home, and the disparities we see today are a result of this gap. With each generation, we have been able to rely on the resources of those who came before and work together to build opportunities. Early arrivers took on the hardest work of building the services and networks that we needed to survive in our new home. Today, we continue to work together to build systems of community care to increase our wellbeing as we address the disparities that impact us.

Thank you to Metro Council for your consideration of this proclamation. We look forward to continuing to partner with you to create a region where all of our Southeast Asian communities can thrive.

Sincerely yours,

Thao Tu  
President  
Vietnamese Community of Oregon



Metro

# **2021-24 Metropolitan Transportation Improvement Program (MTIP)**

Public Testimony to Metro Council

April 23, 2020

# Purpose of this Hearing

**To provide the opportunity for testimony to the Metro Council on the 2021-24 Metropolitan Transportation Improvement Program (MTIP).**



# Hearing Agenda

## Introduction to the MTIP

- Metropolitan Planning Organization (MPO) Functions
- What is the MTIP?
- 2021-24 MTIP Content
- Process and Next Steps

## Public Testimony



# Metropolitan Planning Organization (MPO) functions

As an MPO, Metro's core functions are to:

- Work collaboratively with partners on investment of federal transportation funds through the **Metropolitan Transportation Investment Program (MTIP)**
- Create long-range transportation plans for the region, including the **Regional Transportation Plan (RTP)**
- Coordinate transportation planning activities through the **Unified Planning Work Program (UPWP)**
- Conduct performance based planning and programming



# What is an MTIP?



With the MTIP, Metro has oversight of all federal transportation spending for:

- Eligibility for funds
- Financial constraint
- Evaluation of immediate-term “program of projects” for compliance with certain federal regulations

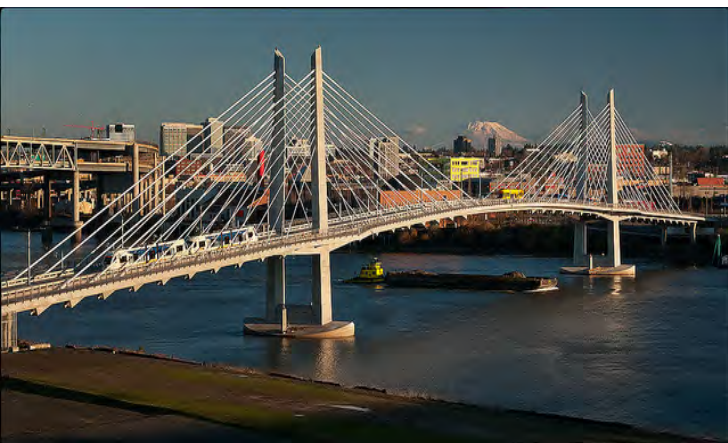
# What is an MTIP?

Programs and analyzes funding allocation actions by:

- Oregon DOT
- TriMet
- SMART
- Metro (Regional Flexible Fund Allocation)



# What is an MTIP?



Compliance with federal regulations for the program of projects includes:

- Consistency with the RTP
- Title VI, ADA, and Environmental Justice analysis
- Implementing air quality plans
- Public process requirements

# The 2021-24 MTIP

- \$1.1 Billion of investments
- 216 projects or programs
- Mix of investment types
  - Highways/roads
  - Transit
  - Active Transportation
  - Programs and Planning

# The 2021-24 MTIP



Analyzed progress in implementing priority RTP investment goals on:

- Safety
- Equity
- Climate
- Congestion

# Next steps

- May 18<sup>th</sup> – Public comment period ends
- June 5<sup>th</sup> – TPAC recommendation
- July 1<sup>th</sup> – JPACT action
- July 23<sup>rd</sup> – Metro Council adoption
- Submit to Governor for approval and incorporation into Statewide TIP.
- October 1 – Receive federal approval and begin implementation

# Public Comments

- Public testimony today
- May also comment through website survey, e-mail, or phone by May 18<sup>th</sup>
- Comments incorporated into Public Comment document with staff response
- Informs MTIP adoption process this summer