

Minutes of the Metro Council Regional Facilities Committee
October 5, 1994
Council Chamber

Committee Members Present: Sandi Hansen (Chair), Ed Washington (Vice Chair), Mike Gates, Ruth McFarland, Terry Moore

Committee Members Absent: none

Other Councilors Present: Judy Wyers

Chair Hansen called the regular meeting to order at 4:00 p.m.

1. **Consideration of Ordinance No. 94-571**, Amending the FY 1994-95 Budget and Appropriations Schedule by Transferring \$110,000 From the Spectator Facilities Fund Contingency to Fund Restroom Remodel at the Civic Auditorium; and Declaring an Emergency

Heather Teed, Director of Fiscal Operations, presented the staff report. She reported the Ordinance would provide for remodeling of the restrooms at Civic Auditorium.

Motion: Councilor McFarland moved to recommend Council adoption of the Ordinance.

Chair Hansen opened the public hearing. With no citizens appearing to testify, Chair Hansen closed the public hearing.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

Casey Short, Senior Council Analyst, noted responses to the questions raised at the last meeting of the Committee had been addressed and would be included in the record of this meeting. He noted all stalls would have doors and would be ADA accessible. Mark Hunter, Construction Manager, concurred with Mr. Short's comments. He noted existing ADA stalls would remain in place.

2. **Consideration of Ordinance No. 94-576**, Relating to the Naming of Facilities Owned or Operated by Metro

Chair Hansen announced Ordinance No. 94-576. She noted the Ordinance was in response to the need for a policy regarding naming of facilities. Mr. Short explained the Ordinance addressed both facilities Metro owned and facilities operated by Metro. He noted Dan Cooper, General Counsel, suggested revising sub (d) by deleting reference to a Metro commission which operates the facility and allow the Metro Council to direct policy regarding the naming of facilities. He asked for continuance of the matter to allow for additional discussion with MERC representatives.

Councilor Gates stated on behalf of Councilor McLain he agreed with not naming a facility after a living person from this date forward.

Councilor Moore noted the issue was related to the naming of the Oregon Convention Center after Bud Clark, former Mayor of Portland. She questioned the criteria used to name a facility after a person. Mr. Short noted the draft criteria was drafted to reflect historic practices related to the naming of facilities. He noted he attempted to strike a balance between the practice at the PCPA in naming facilities after major contributors to the other facilities that were named in relation to the function. Councilor Moore noted with the development of regional trails, the criteria might need to be adjusted to reflect the desires of the Metro Council. She called for additional discussion related to criteria.

Councilor Washington called for grandpersoning in any existing facility. He stated it might not be desirable to consider a trail a facility. He supported not naming a building after a living person. Mr. Short noted MERC facilities had a history of allowing facilities with major benefactors to be named after a person designated by the benefactor. He stated if it was the desire to continue that practice, an exception clause needed to be included. He suggested establishing guidelines for the designation of trails. Councilor Washington noted the term significant was relative to an individual's circumstances.

Councilor Gates noted the Ordinance addressed the policy issue, but did not address the concern about naming a facility after a public official.

Chair Hansen asked Mr. Short to put forward his recommendation at the next regular committee and asked Councilors to prepare written amendments.

Councilor McFarland stated policy was desirable and it should be generic to apply to all facilities and flexible to account for individual circumstances.

Councilor Gates called for the inclusion of any living or "dead" person in the language.

3. Consideration of Resolution No. 94-2034, Authorizing a Design and Construction Agreement with Tri-Met for the Washington Park Parking Lot

Don Rocks, Executive Assistant, presented the staff report, a copy of which is included in the record of this meeting. He explained the resolution assumed the future commitment of funds on behalf of Metro. He stated discussions had been held with concurrence of the parties affected by the construction.

Mr. Short noted Resolution No. 94-2035 should be discussed because it was the driving force behind Resolution No. 94-2034.

4. Consideration of Resolution No. 94-2035, Authorizing an Amendment to the Parking Lot Agreement for the Washington Park Parking Lot Between Metro, World Forestry Center and OMSI

Mr. Rocks presented a staff report, a copy of which is included in the record of this meeting. He explained the resolution included the operating agreement for the Metro Washington Park Zoo parking facility. He noted the resolution made commitment for agreement to issue a bond measure, stating adoption of the resolution would call for future action by the Metro Council. He noted the operating agreement was necessary to move forward with designing of the operation of the parking lot. He stated within the first five years of operation, the partners would need to agree with a formula for division of revenues following the repayment of the bonds. He noted a reserve would also be created to allow the institution reimbursement related to reduced ticket sales. He stated the three institutions would need to come to agreement related to these issues. He noted the City of Portland would need to be included in the discussions as they own the property. He explained performance review would occur through the budget process. He stated the resolution called for Metro to make debt payment should revenues not cover the debt service payment. He noted this would be necessary to obtain financial backing of the bond issuance.

Mr. Short discussed areas of concern. He called attention to the fact the agreement committed the Council to future action related to a bond measure. He stated the agreement would provide for reimbursement related to operating costs of the lot. He called attention to the responsibilities, duties and authority of the parking lot committee. He explained a formula would need to be developed to address surplus revenues. He noted adoption of the resolution would allow the parking lot committee to establish fees, reimbursement formulas, etc. He noted if Ballot Measure 5 passed, the fees might be subject to a

vote. He noted designation of the source of funds should the operating costs not cover debt payment needed to be identified. He noted an exhibit A was referred to, but not attached to the resolution.

Mr. Rocks noted while the document referred to all parties as equal partners, the Zoo was the major attraction at the site. He noted OMSI had relocated and the Zoo had higher sales than the Forestry Center.

Related to the agreement with Tri-Met, Mr. Short discussed concerns. He called attention to the presumed method of payment to Tri-Met related to the Zoo Station costs. He noted no formal policy had been adopted related to those agreements. He stated adoption of the resolution would quasi-formalize the desired method. He noted the agreement only included Metro and Tri-Met and questioned why the other institutions were not included.

Mr. Rocks noted the major discussion would relate to the proportioned allocation of revenues from the operation. Councilor McFarland noted with the relocation of OMSI, she could not determine their share of revenues. She called for accurate measurements, not projections. Councilor Gates questioned how staff parking would be handled. Doug Butler, Regional Facilities Director, noted the organizations had separate parking facilities for staff.

Dan Cooper, General Counsel, noted the signatures on the operating agreement provided for their approval of the Tri-Met/Metro construction agreement.

Councilor Moore called for language to reflect the adoption of the resolution called for agreement of the subsequent decisions that needed to be made. Mr. Short stated by adopting the resolutions, the commitment was made as to intention to pursue the other steps necessary to accomplish the measures called for in the resolution. Councilor Moore called for the resolution to indicate the intent of the agreement. Mr. Butler noted the parking lot committee included the Zoo Director as a member.

Mr. Short noted adoption of the resolution would allow the parking lot committee to set rates at the parking lot. He noted the decision to accept the resolution would remove the Council ability to set those rates. Mr. Cooper explained the Metro Council had final decision over the parking lot operation in the budget approval process. He explained the parking lot relationship was established. He noted the risk factors associated with a potential shortfall were relatively low. He stated if there was a shortfall, Metro would be able to set the rates in order to more adequately recover the costs of operation. He stated the negotiations were sensitive. Councilor Washington called for additional discussion of the concerns so that the issue would not be revisited. Councilor Moore noted the partners would not be served if the rates were not set at an adequate level. She noted the first five years would essentially service the debt.

Mr. Butler noted future projections of parking indicated a potential for the need of a parking structure. He also noted without paid parking, the lot may become a park and ride type facility. Councilor Moore called for fees that would be low enough to encourage attendance and high enough to discourage a park and ride situation.

Mr. Cooper noted the issue did not need additional answers, rather decisions about the level of risk the

Motion: Councilor Gates moved to recommend Council adoption of Resolution No. 94-2034.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

Motion: Councilor Gates moved to recommend Council adoption of Resolution No. 94-2035.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

5. Consideration of Resolution No. 94-2026, Establishing an Advisory Committee to Assist the Metro Council in Coordinating the Regional Parks and Greenspaces Program

Charlie Ciecko, Regional Parks and Greenspaces Director, presented the resolution noting the item had been before the Committee previously. He noted the Resolution had been presented to the Metro Committee for Citizen Involvement (MCCI). He summarized the comments of that committee that were contained in the staff report, a copy of which is included in the record of this meeting. He recognized several typographical errors and stated they would be corrected. He called for changing the length of service in Exhibit A, item 10(g) to two years.

Mr. Short noted due to the structuring of the committee, the committee would experience significant turn-over in six years. He suggested revising the terms. Councilor Gates stated the county positions should be appointed one year and then serve three year terms.

Motion: Councilor Gates moved to recommend Council adoption of Resolution No. 94-2026 with the spelling corrections, and to make the initial terms of the four members from outside the Metro area each be for one year, and that the four positions with one-year terms be eligible to serve up to two additional three-year terms.

Councilor Moore concurred with the change to term limits.

In response to Councilor Gates, Mr. Ciecko stated Multnomah County had seven members on their committee.

Vote: All those present voted aye. The vote was unanimous and the motion passed.

6. Consideration of Resolution No. 94-2046, Authorizing Issuance of a Request for Proposals and Authorizing the Executive Officer to Enter into a Multi-Year Contract with the Most Qualified Proposer to Manage the Lake House at Blue Lake Regional Park

Mr. Ciecko presented the staff report, a copy of which is included in the record of this meeting. He noted several typographical errors needed correction.

Councilor McFarland expressed concerns related to the allocation of the split being based on the gross income. Councilor Gates stated he was not concerned with the arrangement.

Motion: Councilor Gates moved to recommend Council adoption of the Resolution including correction of spelling errors.

Vote: Councilors Gates, Moore, Washington, and Hansen voted aye. Councilor McFarland voted nay. The vote was 4/1 and the motion passed.

Chair Hansen recessed the meeting at 6:50 p.m. Chair Hansen reconvened at 6:55 p.m.

7. Work Session to Consideration of Resolution No. 94-2044, Submitting to the Voters a General Obligation Bond Indebtedness in the Amount of \$27.2 Million for the Oregon Territory! Exhibit and New Entrance at the Metro Washington Park Zoo

Sherry Sheng, Metro Washington Park Zoo Director, presented the staff report, a copy of which is included in the record of this meeting. She noted she would be providing detailed information related to the operating costs and a discussion of the reduction of the scope of the project. Theresa Metke, Visitor

Services Manager, presented statistical information to the Committee, a copy of which is included in the record of this meeting. Tom Moisan, Ankrom Moisan Architects Consultant

The Committee held a worksession to discuss the resolution. Councilor Moore called for additional options to be prepared for consideration.

8. Briefing on Issues Raised by the Hotel Workers Organizing Committee

Mark Williams, Senior Assistant Council, presented his legal opinion, reflected in his September 20, 1994 memorandum, a copy of which is included in the record of this meeting. In response to Councilor Gates, Mr. Williams discussed the method by which public funds are distributed to the area hotels. He explained public funds are provided to market the Oregon Convention Center and those activities may ultimately, but not directly, benefit area hotels. Mr. Short noted Multnomah County instituted a hotel/motel tax to subsidize operations at the Oregon Convention Center. He explained no funds went directly to any hotel or motel in the region. Councilor Gates asked if there were any mechanism to stop the benefits from going to any hotels/motels that were on the "bad" list. Mr. Short stated he did not know of any method to achieve this method.

Theresa Enrico, Hotel Workers Organizing Committee, appeared to testify. She stated the objective of the organization was to improve the communities of hotel/motel workers. She called for change in the contract with P/OVA to not direct funds to hotel/motels that violated OSHA and civil rights of employees. She explained the use of chemicals in the industry caused significant health problems. She noted the employers typically did not provide health benefits and the employees were served by public agencies at the cost of the public. She illustrated a climate of fear among hotel/motel workers. She explained funds were also provided to P/OVA from the City of Portland. She argued the issue was a public issue, not a labor relations issue. She called for an investigation related to the amount of funds P/OVA directs to hotel/motels in the area. She suggested using the deferred funds to create a health hazard safety fund and she requested the idea be referred to the full Council.

Councilor Gates noted the involvement of Metro in public health issues might be considered a new service and would require a vote of the people, an intergovernmental agreement, or a recommendation by MPAC that Metro perform the new service.

Gary Grimmer, P/OVA Executive Director, stated he considered the relationship with the Hotel Workers to not be adversarial. He noted the hotel properties selected by a P/OVA client were not made on a recommendation from P/OVA. He stated the activities of P/OVA benefited all hotel/motel properties. He called the petition a misunderstanding of how P/OVA operates. In response to Councilor Gates, Mr. Grimmer noted information related to hotels/motels was provided based on dues paid for by the hotels/motels. Councilor Gates noted membership criteria might be examined as a method to address the concerns of the hotel/motel workers. Mr. Grimmer noted the board determined through the bylaws who can become members. In response to Councilor Moore, Mr. Grimmer said the total budget was approximately \$3.8 million year. He said reservation services were provided if the buyer requested the services and that all hotels get the same treatment related to marketing.

Doug Swanson, Hotel Workers, asked Mr. Grimmer if P/OVA employees provide room booking services. Mr. Grimmer stated the housing needs division did employ persons that provided booking services.

Larry Harvey, Tri-County Lodging Association, distributed and summarized his testimony, a copy of which is included in the record of this committee.

Councilor Washington noted the issues were intricately related. He called for examination of the issues.

Councilor McFarland asked what response OSHA had provided to the hotel/motel workers. Mr. Swanson responded, stating that fines have been assessed and the conditions have not improved. Councilor McFarland noted Metro had participated in a pilot project in which four area hotels had participated in recycling and the use of non-toxic cleaning agents.

Councilor Gates asked the membership criteria for membership in the Tri-County Lodging Association. Mr. Harvey explained membership requirements for the Tri-County Lodging Association were membership in the State Lodging Association, Health Division Licensure, and responsibly collecting related government taxes. Councilor Gates suggested the Hotel Workers request P/OVA establish guidelines for hotels becoming members of P/OVA.

Councilor Moore noted she concurred with Councilor McFarland. She stated Metro was limited in the ability to regulate the issues brought before the committee. She stated Metro could attempt to use solid waste funds to educate the industry in the use of alternative products that would reduce risk to employees.

Ms. Enrico stated the Hotel Workers supported hotels that did not violate health and safety and civil rights issues. She supported Metro participation, in any form, that would improve the hotel worker's conditions.

Chair Hansen thanked the participants. She noted Presiding Officer Wyers welcomed a presentation before the full Council.

Motion: Councilor Washington moved to refer the issue to the full Council as an informational item.

Vote: Councilors McFarland, Washington, Moore, and Hansen voted aye. Councilor Gates voted nay. The vote was 4/1 and the motion passed.

9. Citizen Communications

With no further business before the committee, Chair Hansen adjourned the meeting at 7:30 p.m.

Respectfully Submitted,



Susan Lee
Committee Recorder

s\h\rf\94105min

APPROVED
Date 11-16-94