

Metro | *Agenda*

MEETING: METRO COUNCIL
DATE: January 21, 2010
DAY: Thursday
TIME: 6:00 PM
PLACE: Wilsonville City Hall, 29799 SW Town Center Loop E., Wilsonville

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATIONS

3. CONSENT AGENDA

3.1 Consideration of Minutes for the January 14, 2010 Metro Council Regular Meeting.

4. ORDINANCES - SECOND READING

4.1 **Ordinance No. 10-1232**, For the Purpose of Amending Metro Code Chapter 2.19 to Establish the Oregon Zoo Bond Citizens' Oversight Committee, and Declaring an Emergency.

5. RESOLUTIONS

5.1 **Resolution No. 10-4112**, For the Purpose of Confirming the Appointment of Members to the Oregon Zoo Bond Citizens' Oversight Committee (OZBAC).

***6. URBAN AND RURAL RESERVES PUBLIC HEARING**

7. CHIEF OPERATING OFFICER COMMUNICATION

8. COUNCILOR COMMUNICATION

ADJOURN

Television schedule for January 21, 2010 Metro Council meeting

<p>Clackamas, Multnomah and Washington counties, and Vancouver, Wash. Channel 11 – Community Access Network www.tvctv.org – (503) 629-8534 2 p.m. Thursday, Jan. 21 (Live)</p>	<p>Portland Channel 30 (CityNet 30) – Portland Community Media www.pcmtv.org – (503) 288-1515 8:30 p.m. Sunday, Jan. 24 2 p.m. Monday, Jan. 25</p>
<p>Gresham Channel 30 – MCTV www.mctv.org – (503) 491-7636 2 p.m. Monday, Jan. 25</p>	<p>Washington County Channel 30 – TVC-TV www.tvctv.org – (503) 629-8534 11 p.m. Saturday, Jan. 23 11 p.m. Sunday, Jan. 24 6 a.m. Tuesday, Jan. 26 4 p.m. Wednesday, Jan. 27</p>
<p>Oregon City, Gladstone Channel 28 – Willamette Falls Television www.wftvaccess.com – (503) 650-0275 Call or visit website for program times.</p>	<p>West Linn Channel 30 – Willamette Falls Television www.wftvaccess.com – (503) 650-0275 Call or visit website for program times.</p>

PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times.

Agenda items may not be considered in the exact order. For questions about the agenda, call the Metro Council Office @ (503) 797-1540. Public hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be included in the decision record. Documents can be submitted by e-mail, fax or mail or in person to the Clerk of the Council. For additional information about testifying before the Metro Council please go to the Metro website www.oregonmetro.gov and click on public comment opportunities. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

Agenda Item Number 3.1

**Consideration of Minutes for the January 14, 2010 Metro Council
Regular Meeting.**

Consent Agenda

Metro Council Meeting
Thursday, January 21, 2010
Wilsonville City Hall

Agenda Item Number 4.1

Ordinance No. 10-1232, For the Purpose of Amending Metro Code Chapter 2.19 to Establish the Oregon Zoo Bond Citizens' Oversight Committee, and Declaring an Emergency.

Ordinances – Second Reading

Metro Council Meeting
Thursday, January 21, 2010
Wilsonville City Hall

BEFORE THE METRO COUNCIL

AMENDING METRO CODE CHAPTER 2.19 TO) ORDINANCE NO. 10-1232
ESTABLISH THE OREGON ZOO BOND)
CITIZENS' OVERSIGHT COMMITTEE, AND) Introduced by Chief Operating Officer
DECLARING AN EMERGENCY) Michael J. Jordan, with the concurrence of
) Council President David Bragdon

WHEREAS, on May 8, 2008, the Metro Council adopted Resolution No. 08-3945, "For the Purpose of Submitting to the Metro Area Voters a General Obligation Bond Indebtedness in the Amount of \$125 Million to Fund Oregon Zoo Capital Projects to Protect Animal Health And Safety, Conserve and Recycle Water, and Improve Access to Conservation Education; and Setting Forth the Official Intent of the Metro Council to Reimburse Certain Expenditures Out of the Proceeds of Said Bonds Upon Issuance," approving, certifying and referred by the Metro Council to the Metro Area voters on the November 4, 2008 General Election as Ballot Measure 26-96 ("Oregon Zoo Bond Measure 26-96"); and

WHEREAS, at the General Election held on November 4, 2008, the Metro Area voters approved the Oregon Zoo Bond Measure 26-96; and

WHEREAS, the Oregon Zoo Bond Measure 26-96 called for the creation by the Metro Council of an independent citizen oversight committee to be convened periodically to review progress on the project improvements, monitor spending and consider and recommend project modifications if inflationary increases in construction costs exceed current budget estimates; and

WHEREAS, this new oversight committee is to be known as the Oregon Zoo Bond Citizens' Oversight Committee; and

WHEREAS, the efficacy of Oregon Zoo Bond Citizens' Oversight Committee will be greatly enhanced, and with it the level and quality of service it provides to the citizens of the Metro Area, by its immediate creation and appointments thereto so that it can begin its work overseeing the implementation of the Oregon Zoo Bond Measure projects; now therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

Section 1. Metro Code Chapter 2.19 shall be amended to add the following new Metro Code Section 2.19.240:

"2.19.240 Oregon Zoo Bond Citizens' Oversight Committee

(a) Purpose and Authority. The purpose and authority of the Oregon Zoo Bond Citizens' Oversight Committee is to convene periodically to review progress on the project improvements, monitor spending ("Program Progress"), and consider and recommend project modifications if inflationary increases in construction costs exceed current budget estimates. The Committee shall report annually to the Metro Council regarding such Program Progress, which report shall set forth the Committee's recommendations for project modifications, if any. The Committee's Program Progress review and report to the Metro Council:

- (1) Shall assess Oregon Zoo's Program Progress in implementing the Oregon Zoo Bond Measure 26-96 project improvements.

- (2) Shall report on project spending trends and current cost projections, and review and report upon the annual independent financial audit of spending.
- (3) May recommend project modifications intended to account for increases in construction costs in excess of budget estimates, to ensure that the purpose and promise of the Oregon Zoo Bond Measure 26-96 is fully realized.

(b) Membership. The Committee shall be composed of no fewer than 13 and no more than 19 members, to be appointed by the Metro Council President subject to Metro Council confirmation. The Committee’s members shall primarily be professionals with experience in construction, sustainability, finance, auditing, public budgeting, banking and general business. The Metro Council President shall designate one (1) member to serve as Chairperson of the Committee. Nine (9) of the initial Committee members shall be appointed to serve a one (1) year term, and may be reappointed for up to serve two (2) additional 2-year terms as provided in Metro Code Section 2.19.030.

(c) Meetings. The Committee shall meet no fewer than two times per year.

(d) The Committee shall be dissolved on July 1, 2025 or upon the issuance of a final report by the Committee after all funds authorized by the Oregon Zoo Bond Measure 26-96 have been spent, whichever is earlier.”

Section 2. This Ordinance being necessary to better serve the public and to work more effectively and efficiently with communities of interest of the Metro Area to implement and provide performance oversight of the implementation of the Oregon Zoo Bond Measure 26-96, an emergency is declared to exist, and this Ordinance shall take effect immediately, pursuant to Metro Charter Section 39(1).

ADOPTED by the Metro Council this _____ day of _____ 2010.

David Bragdon, Council President

Attest:

Approved as to Form:

Tony Andersen, Recording Secretary

Daniel B. Cooper, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 10-1232, AMENDING METRO CODE CHAPTER 2.19 TO ESTABLISH THE OREGON ZOO BOND CITIZENS' OVERSIGHT COMMITTEE, AND DECLARING AN EMERGENCY

Date: January 13, 2010

Prepared by: Scott Robinson
Ext. 1605

BACKGROUND

On November 4, 2008, Metro area voters passed Ballot Measure 26-96 authorizing Metro to issue up to \$125 million of general obligation bonds to fund Oregon Zoo capital projects to protect animal health and safety, conserve and recycle water, and improve access to conservation education.

The bond measure language included a public accountability plan to ensure all projects are properly monitored and reviewed. The plan specifically called for the formation of a citizens' oversight committee to periodically review progress on project improvements, monitor spending, and consider and recommend project modifications if inflationary increases in construction costs exceed current budget estimates.

Ordinance No. 10-1232 amends Metro Code Chapter 2.19 to establish the citizens' oversight committee.

ANALYSIS/INFORMATION

1. **Known Opposition:** No opposition known
2. **Legal Antecedents:** Metro area voters approved the Oregon Zoo Bond Measure 26-96 during the general election held on November 4, 2008.
3. **Anticipated Effects:** This ordinance amends Metro Code Chapter 2.19 to establish the Oregon Zoo Bond Citizens' Oversight Committee.
4. **Budget Impacts:** There are no material budget impacts associated with this resolution.

RECOMMENDED ACTION

The Chief Operating Officer recommends adoption of this ordinance.

Agenda Item Number 5.1

Resolution No. 10-4112, For the Purpose of Confirming the Appointment
of Members to the Oregon Zoo Bond Citizens' Oversight Committee
(OZBAC).

Metro Council Meeting
Thursday, January 21, 2010
Wilsonville City Hall

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF CONFIRMING THE) RESOLUTION NO. 10-4112
APPOINTMENT OF MEMBERS TO THE OREGON)
ZOO BOND CITIZENS' OVERSIGHT COMMITTEE) Introduced by Council President Bragdon
(OZBAC))

WHEREAS, the Metro Council has adopted Ordinance No. 10-1232, "Amending Metro Code Chapter 2.19 to Establish the Oregon Zoo Bond Citizens' Oversight Committee and Declaring an Emergency," creating a new Oregon Zoo Bond Citizen's Oversight Committee, consisting of 13 to 19 members, to be appointed by the Metro Council President subject to confirmation by the Metro Council; and

WHEREAS, the Metro Council President has appointed 19 members and designated a chairperson as set forth in Exhibit "A" attached hereto; and

WHEREAS, the Metro Council desires to confirm the appointments; now, therefore,

BE IT RESOLVED, that the Metro Council confirms the appointments to the Oregon Zoo Bond Citizens' Oversight Committee ("OZBAC") as set forth in Exhibit "A" attached hereto.

ADOPTED by the Metro Council this _____ day of _____ 2010.

David Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

Exhibit A to Resolution No. 10-4112

**Oregon Zoo Bond Citizens'
Oversight Committee (OZBAC)**

Committee Member Appointments

The chairperson of the committee, serving a two-year term, shall be:

Sheryl A. Manning Professional Board Member

The following persons shall serve two (2) year terms, and shall be eligible thereafter to serve one additional 2-year term:

Marcela Alcantar	President, Alcantar & Associates
Jacqueline Bishop	Attorney, Roberts Kaplan LLP
Steve Bloom	Executive Director, Portland Japanese Garden
David Evans	Vice President, Controller, The ODS Companies
Greg Gahan	NW Construction Management Inc.
Gary Gamer	President, CEO, Oregon Coast Aquarium
Ann Gravatt	Policy Director, Renewable Northwest Project
Jim Irvine	Homebuilder, The Conifer Group Inc.

The following persons shall serve one (1) year term, and be eligible thereafter to serve two additional 2-year terms:

Tony Jones	Executive Director, Metropolitan Contractor Improvement Partnership
Deidra Kryz-Rusoff	Portfolio Manager, Ferguson Wellman Capital Management Inc.
Carter MacNichol	Principal, Shiels Oblatz Johnsen, Inc.
John Mohlis	Commission Secretary, Portland Development Commission
Kelly Peterson	Vice President, Humane Society of the United States
Penny Serrurier	Attorney, Stoel Rives LLP
Michael Sestric	Architect
Bob Tackett	Executive Secretary, Treasurer, NW Oregon Labor Council
Carol Welch	Vice President, Audit, Nike
Benjamin Jackson	REAP Student Representative, Clackamas High School

***See next pages for Biographies of Oregon Zoo Bond Citizens' Oversight Committee (OZBAC)
Members (in alphabetical last name order)***

Biographies of Oregon Zoo Bond Citizens' Oversight Committee (OZBAC) Members

Marcela Alcantar

1. Alcantar & Associates LLC was created to fulfill a personal and professional mission to provide exceptional engineering support services that result in effective, livable communities that are truly dynamic. They strive to educate and enlighten young students, especially under-represented groups interested in the engineering field, on many of their projects. Alcantar & Associates LLC is certified in Oregon as a WBE/MBE/DBE/ESB (2395) design consulting and surveying support services firm. Its mission is to provide technical excellence in finding efficient and cost-effective solutions to meet our client's needs. The company utilizes the latest equipment and computer software to produce quality construction documents and mapping.

Jacqueline Bishop

2. Jacqueline Bishop is an associate attorney at Roberts Kaplan, LLP, where she participates in the real estate, business, and sustainability practice groups. Jacqueline is a board member of We Love Clean Rivers, Inc., a representative on the Oregon State Bar's Sustainability Task Force, and a LEED Accredited Professional. Before graduating from Lewis and Clark Law School, Jacqueline worked as a wetlands and fisheries biologist.

Stephen D. Bloom

3. Executive Director since 2005, Steve Bloom came to the Portland Japanese Garden with a dynamic background in creating new and exciting opportunities for non-profit organizations. Steve was a 2008-09 Council on Foreign Relations International Affairs Fellow in Japan, sponsored by Hitachi, Ltd. and concurrently served as Visiting Scholar at Tokyo University of Agriculture. Most recently he served as President of the Honolulu Symphony (2000-2005) and prior to Honolulu, showed early success at the age of 27 when he served as Executive Director of the Tacoma Symphony (1996-2000).

David Evans

4. David Evans has been the Controller of The ODS Companies for eight years and was promoted to Vice President in 2009. He brings a broad knowledge of financial planning and budget management to his role. Dedicated and detail-oriented, Dave is responsible for the company's day-to-day accounting and finance activities, including financial reporting, compliance and budgeting. Prior to joining ODS, Dave spent seven years in the audit practice of PricewaterhouseCoopers. While at PricewaterhouseCoopers, Dave worked with clients in several industries, including forest products, retail, real estate and insurance. Dave earned his Bachelor of Science degree from Oregon State University and is an active certified public accountant. In 2005, he participated in the Portland Business Alliance's annual Leadership Portland program and for the past several years has been involved in the Oregon Society of Certified Public Accountants (OSCPA) mentoring program, through which he helps educate accounting students and guide them on a career path. Dave is a member of the Natural Areas Bond Oversight Committee.

Biographies of Oregon Zoo Bond Citizens' Oversight Committee (OZBAC) Members

Greg Gahan

5. Greg is a near life-long resident of the Portland Metropolitan area with Engineering and Business degrees from Oregon State University and Portland State University respectively. Greg has 25 years of commercial construction management experience in the Metro area.

Gary Gamer

6. Gary Gamer began work in September 2009 as the President and CEO of the Oregon Coast Aquarium in Newport. He worked 15 years at Holt International Children Services, including serving as President and CEO in Eugene. Prior to this, Gary held executive positions at the Ecumenical Ministries of Oregon (Portland), the U.S. National Council of Churches (New York City and Manila), and as an operations agent for General Steamship Corp in Portland. Gary holds a business degree from the University of Oregon and has a Masters Degree from Columbia University's School of International and Public Affairs.

Anne English Gravatt

7. Ann English Gravatt is the policy director with the Renewable Northwest Project (RNP), a nonprofit organization promoting renewable energy resources in the Pacific Northwest. Prior to joining RNP in 2002, Ann practiced natural resources and energy law in Portland and Washington, D.C. She holds a J.D. from George Washington University and a B.A. from the University of Richmond. Ann and her husband are the parents of two young children (ages 4 and 1) and are very frequent visitors to the Zoo.

Jim Irvine

8. Jim Irvine is Chairman & CEO, the Conifer Group, a 65 year old family-owned home building, land development and property management firm. The company is also a licensed Real Estate Brokerage in Oregon and Washington. The company has had a full practice in design development and construction for housing for those with the most severe housing needs to housing for the more affluent. The company has received national recognition for innovation and sustainable design and is a founding member of the US Green Building Council.

Benjamin Jackson

9. Benjamin Jackson, a freshman at Clackamas High School has been active in the following committees; Student Leader - REAP Inc., Peer Mediator -ROWE Middle School, Student Leader - CAFE (Children & Family Enrichment) Program - Metropolitan Family Services, Club Member - DACC (Diversity at Clackamas Club) - Clackamas High School, Crew Leader - Senator Margaret Carter Annual Block Party, Clackamas Orchestra Solo & Ensemble Festival, Club Leader - Wattles Boys & Girls Club, Club Member - KEY Club, Children's Ed. Instructor - Cathedral of Praise Ministries

Biographies of Oregon Zoo Bond Citizens' Oversight Committee (OZBAC) Members

Tony Jones

10. Tony Jones is the executive director of MCIP and is responsible for overall operation of the organization. He has 20 years experience in economic development, construction and affordable housing; 8 years experience in affordable housing development working for non profits and the Housing Authority of Vancouver; and 11 years of experience in providing small business development services through his work as the coordinator of the Contractor Support Program through the Housing Development Center. He is a business lender with ShoreBank Enterprise Cascadia. In his roles, Tony has worked with many of the public agencies, non profits and prime contractors in the region and has garnered an excellent reputation by being accountable and providing quality and reliable services.

Deidra Krys-Rusoff

11. Deidra Krys-Rusoff is a portfolio manager and a member of the fixed income team at Ferguson Wellman Capital Management. Krys-Rusoff is a native of Idaho, and earned her B.A. in zoology from the College of Idaho. She is on the board of directors of the Northwest Taxable Bond Club, past board member of the Junior League of Portland, and serves on several committees at Glencoe Elementary School.

Carter MacNichol

12. Carter MacNichol is a managing partner for local urban developer Shiels Oblatz Johnsen, Inc. and managing member for Sockeye Development LLC. His prior experience includes real estate management and development for Port of Portland, Project Manager for Portland Development Commission, and teaching for the Oregon City School District. Carter is currently active on several boards: The Oregon Zoo Foundation, The Nature Conservancy of Oregon, and Oregon I Have a Dream Foundation. His past board experience includes Portland Children's Museum and Portland Community Land Trust.

Sheryl Manning

13. Sheryl is a certified public accountant, no longer practicing; formerly at PricewaterhouseCoopers and Arthur Andersen. As a Professional Board Member, she is currently active on both corporate and nonprofit/community boards in leadership roles. Sheryl is former Commissioner, Chair, and Interim General Manager of MERC.

John Mohlis

14. John Mohlis, first appointed to PDC's Board of Commissioners January 2007, has been reappointed to a consecutive three-year term commencing July 1, 2009. John is the Executive Secretary-Treasurer of the Columbia Pacific Building Trades Council, an umbrella organization for approximately 20,000 union construction workers in NW Oregon and SW Washington. John is also a member of the Portland-Vancouver Regional Economic Development District. Recent board appointments include Labor Representative on the Workforce Investment Board Region 2, and a position on Energy Action Northwest, a business and labor coalition for clean, affordable, reliable energy.

Biographies of Oregon Zoo Bond Citizens' Oversight Committee (OZBAC) Members

John serves as a member of the Portland South Waterfront Apprenticeship Agreement Oversight Committee, and the Airport Futures Public Advisory Group which is responsible for charting the future of the Portland International Airport. Mr. Mohlis was former Mayor Tom Potter's fifth appointment to the five-member PDC Commission, which is made up of volunteers nominated to serve three-year terms. John's three-year term as a PDC Commissioner will be up in January 2010.

Kelly Peterson

15. Kelly Peterson is the Vice President of Field Services for The Humane Society of the United States (HSUS), which includes managing their state-based regional system from her home base in Portland. As a native Oregonian, Kelly also handles Oregon state legislation for The HSUS, where she recently collaborated with the Oregon Zoo to successfully advocate for the passage of legislation to ban dangerous exotic animals as household pets.

Penny Serrurier

16. Pendleton ("Penny") Serrurier is a member of Stoel Rives LLP, practicing in the areas of tax-exempt organizations, charitable giving, estate planning and administration, business succession planning, and personal tax planning. Penny represents tax-exempt organizations and advises on all aspects of governance, compliance, and tax-related matters. She has served on several local boards and is past chair for The Oregon Zoo Foundation board of trustees.

Michael Sestric

17. Michael Sestric is a self-employed architect, providing independent space programming, budgeting and project management services for educational, health care and non-profit organizations.

Bob Tackett

18. Bob Tackett has been in the Labor movement for over 35 years, primarily with the Steelworkers. He was employed at Reynolds Metals Company in Troutdale until the plant closed. Bob worked for the Oregon AFL-CIO as the Labor Liaison until elected as the Executive Secretary Treasurer for the NW Oregon Labor Council, AFL-CIO.

Carol Welch

19. Carol is currently the Vice President of Corporate Audit for Nike Inc. She joined Nike in June 2000. Prior to Nike, she held a number of Accounting and Auditing positions in the banking and energy industries. She is a Certified Internal Auditor with a Bachelors in Psychology ('84) and a Masters in Business Administration ('87), both from the University of Utah. She served over 5 years as a private sector member of the Oregon State Audit Advisory Committee.

Agenda Item Number 6.0

URBAN AND RURAL RESERVES PUBLIC HEARING

Metro Council Meeting
Thursday, January 21, 2010
Wilsonville City Hall