

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.

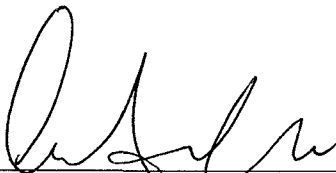
(d) The Committee shall be dissolved on July 1, 2025 or upon the issuance of a final report by the Committee after all funds authorized by the Oregon Zoo Bond Measure 26-96 have been spent, whichever is earlier."

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).

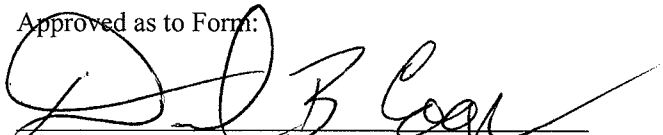
ADOPTED by the Metro Council this 21 day of JANUARY 2010.



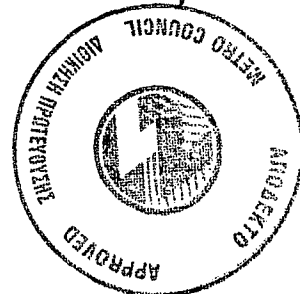
David Bragdon, Council President

Attest: 

Tony Andersen, Recording Secretary

Approved as to Form: 

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.