



**METRO COUNCIL MEETING**  
Meeting Minutes  
January 21, 2016  
Metro Regional Center, Council Chamber

Councilors Present: Council President Tom Hughes, and Councilors Sam Chase, Carlotta Collette, Shirley Craddick, Kathryn Harrington, and Bob Stacey

Councilors Excused: Councilor Craig Dirksen

Council President Tom Hughes called the regular council meeting to order at 2:00pm.

**1. CITIZEN COMMUNICATIONS**

Mr. R.A. Fontes, Lake Oswego: Mr. Fontes provided an update on autonomous vehicles, noting the potential benefits and issues associated with them.

**2. COO RECOMMENDATION ON REMOTE ELEPHANT CENTER**

Council President Hughes called on COO Martha Bennett, interim Zoo Director Teri Dresler, and Ms. Karen Weylandt, and Mr. Bill Kabeiseman for a presentation. Ms. Bennett explained that she would be presenting her recommendation to the Metro Council on the next steps related to the Remote Elephant Center project, draft Resolution No. 16-4683 for future consideration, as well as background materials for the action associated with the resolution. She noted that the Council was scheduled to deliberate and consider the resolution on February 18<sup>th</sup>, adding that today was an opportunity to answer any Council questions or hear about any additional research that the Council might request of staff between now and February 18<sup>th</sup>.

Ms. Bennett provided a brief background of the project, reminding the Council that after voters approved the 2008 Zoo Bond Measure, Council directed staff to investigate the feasibility of a remote elephant center which staff have been now been working on since 2009. She explained that staff looked at potential sites, financial feasibility, mission, potential partners, as well as a variety of legal, technical, and operational factors that would determine whether or not a remote elephant center was realistic for the Oregon Zoo. Ms. Bennett discussed the Council direction to staff in 2012 to undertake due diligence on a specific site (Roslyn Lake), until Council requested that staff end that work in the summer of 2015, when it looked like conditions were not sufficient to support elephants on that property. She added that in March 2015, the Oregon Zoo Bond Citizens Oversight Committee requested in their Annual Report that Council should give clear direction on whether or not to proceed on the remote elephant center, since the Zoo Bond projects were about halfway through construction and there needed to be a decision about whether or not the remote elephant center project could happen during the life cycle of that bond measure. Ms. Bennett also noted that following this request, Council gave the COO direction in June 2015 that she should seek an independent, third-party review of all materials and feasibility studies that had been conducted, at which time Ms. Bennett appointed a task force to review all material and provided a list of task

force members. Ms. Bennett then introduced Ms. Karen Weylandt, a member of the Task Force Committee for the Remote Elephant Center to discuss the task force's recommendation.

Ms. Weylandt provided a brief background on herself, noting that she was also served on the Oregon Zoo Bond Citizens Oversight Committee and was a past member of the Board of Trustees for the Oregon Humane Society. She explained that the task force was charged with reviewing the staff analysis collected to-date and making a recommendation to Metro's COO, noting the work that was done to complete this, which included: touring Elephant Lands, evaluating due diligence conducted by staff, interviewing zoo staff and experts, exploring the plight of elephants and the role zoos play to protect the species, and weighing whether a remote elephant center was required for the Oregon Zoo to achieve its vision for elephants. Ms. Weylandt provided the final recommendations from the taskforce, specifically the unanimous conclusion that a remote elephant center is not necessary to achieve the Oregon Zoo's vision for elephants. She noted that the task force believes that the Zoo's mission of providing exceptional animal care and welfare and contributing to research that improves the lives of elephants is being accomplished on site with the newly opened Elephant Lands. She added that the task force also concluded that the Oregon Zoo may achieve a more direct contribution towards the conservation of the species through other initiatives and efforts and that the lack of suitable location and the financial burden of constructing/operating such a facility make a remote center a greater risk than benefit for the Zoo.

Council President Hughes called on Ms. Teri Dresler, interim Zoo Director, to provide any comments. Ms. Dresler explained that she wanted to share a few comments from the perspective of the Oregon Zoo staff, volunteers, and herself about the recommendation. She briefly discussed the potential options that staff and volunteers had thought the 2008 bond measure might include, such as the possibility of creating an offsite elephant facility, and noted what has happened since this time, primarily a whole new zoo campus master planning and design process (completed in 2011). She added that in that planning and design process, the Zoo looked at everything that they've learned in the 50 years that they've cared for Asian elephants, the best of what's been happening across the world in zoos and their care for elephants, and took all of the best practices and great learnings to include in the design for Elephant Lands. Ms. Dresler noted that when she and Ms. Bennett shared the recommendations on the remote elephant center with Zoo staff and volunteers, they made sure to include the Elephant Care Team, Elephant Manager, Manager of Research and Conservation, the Animal Talker Team from the volunteer core, and partners from the Oregon Zoo Foundation, and heard support for not proceeding with the project mostly because everyone understands that doing so would put the rest of the Zoo programming and care at Elephants Lands in jeopardy. She added that the process of sharing the recommendation with the Zoo team was a very open and honest conversation, which staff and volunteers really appreciated. She concluded that as interim Zoo Director, she joined her Zoo colleagues in supporting the recommendation not to proceed with a remote elephant center.

Ms. Bennett concluded the presentation by stating her recommendation that the Metro Council not proceed with a remote elephant center for the reasons presented today and emphasizing that the financial risks of proceeding are far too great for the Oregon Zoo, Metro, and the region to undertake. She added that an endowment of roughly \$50 million would be required to fund construction costs estimated at \$20 million to \$30 million and ongoing annual operating costs of \$1.5 to \$2 million, which she stated that Metro and the Zoo do not have resources to fulfill. Ms. Bennett highlighted that this is an opportunity to increase contributions towards science and research, which support welfare and conservation, and explore new and enhanced opportunities to fund and partner with other efforts to conserve elephants.

### ***Council Questions***

In response to councilor inquiry, Ms. Dresler discussed at a high level some of the challenges of the Roslyn Lake site (and that would be replicated at other sites), including the presence of streams and laws around having large animals on properties around streams (and the Clean Water Act), having the right climate conditions and the right environment around the property within a reasonable proximate distance to the Zoo, location that was close enough to the Zoo to staff the facility, and the issue of neighbors around the property.

Council President Hughes called on Mr. Bill Kabeiseman, Chair of the Oregon Zoo Bond Citizens' Oversight Committee and an attorney specializing in land use and municipal law at Garvey Schubert Barer, provide comments on the recommendation. Mr. Kabeiseman explained the role and responsibility of the Citizens' Oversight Committee as being charged with providing independent oversight of the 2008 Oregon Zoo bond, which includes reviewing decision-making processes, budget, expenditures, personnel, and management of the bond program. He noted the wide range of professionals who make up of the committee and zoo bond projects currently completed, including a new veterinary medical center, new water filtration system for the penguin habitat, new Condors of the Columbia exhibit, and Elephant Lands. He stated that throughout the staff due diligence phase, the Oversight Committee made it clear that their recommendation that no bond funds be set aside for a remote elephant center be expended until a long-term, sustainable funding source was identified. Mr. Kabeiseman added that the Metro Council accepted this recommendation and put that into place. He also added that the committee appreciated the time that staff and volunteers (including the task force) put into exploring this project, but that the Oregon Zoo Bond Citizens' Oversight Committee is charged with reviewing expenditures and ensuring that they are a wise use of resources and taxpayer funds. He concluded that the committee supported the COO's recommendation not to proceed with a remote elephant center.

Council President Hughes opened the floor for any public testimony on the resolution.

Dr. Laurie Christensen, Portland: Dr. Christensen provided testimony in support of the resolution to not move forward at this time with a remote elephant center. She provided a brief background on her professional experience as a biologist, her lifelong connection to the Zoo as a Portlander, and noted that she currently serves on the Oregon Zoo Foundation Board of Trustees.

Ms. Nancy Hinnen, Portland: Ms. Hinnen noted that she is a member of the Oregon Zoo Foundation Board of Trustees (for the past seven years) and supported the recommendation of the task force and of COO Martha Bennett to step away from the remote elephant center project. She noted that the bond measure provided funds to explore the possibility of a remote elephant center, but that the seven years of exploration have shown that there are some pretty insurmountable obstacles to achieving this dream, including some of her concerns about logistics of the project.

Ms. Courtney Scott, Portland: Ms. Scott provided testimony in opposition to the recommendation, challenging the Metro Council to overcome logistical issues and noting her disappointment with Elephant Lands. She stated that the Council should send the elephants to a sanctuary, start closing the elephant exhibit, and create the preserve promised to the voters.

### ***Council Discussion***

Council President Hughes thanked those who provided comments and testimony. He added that what was promised in the bond and what has been fulfilled is a state-of-the-art facility, combined with the additional medical facilities, allowing for the best possible care of the elephants. Councilors thanked staff for their great work on the project, and especially volunteers on the Task Force

Committee for the Remote Elephant Center, the Oregon Zoo Foundation, and the Oregon Zoo Bond Citizens' Oversight Committee for their work to review the remote center project.

**3. CONSENT AGENDA**

Motion:	Councilor Bob Stacey moved to adopt items on the consent agenda.
Second:	Councilor Sam Chase seconded the motion.

Vote: 

Council President Hughes, and Councilors Chase, Collette, Craddick, Harrington, and Stacey voted in support of the motion. The vote was 6 ayes, the motion <u>passed</u> .
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**4. ORDINANCES (FIRST READ)**

4.1 **Ordinance No. 15-1364**, For the Purpose of Amending Metro Code Chapter 2.03 to Approve a Schedule of Civil Penalties for Metro's Parks, Cemeteries, and Natural Areas

4.2 **Ordinance No. 15-1366**, For the Purpose of Amending Metro Code Chapters 10.01 and 10.02 to Clarify Rule Enforcement Procedures Within Metro's Parks, Cemeteries, and Natural Areas

Council President Hughes called on Metro staff, Mr. Dan Moeller, and Ms. Hope Whitney, to provide a brief presentation on both ordinances. Mr. Moeller explained that Metro manages 17,000 acres of parks and natural areas spread throughout the region and welcomes over 1.3 million visitors each year to these public parks and natural areas. He added that managing these areas is a big portfolio, opportunity, and responsibility, adding that voters have trusted Metro to protect and care for these special places. Mr. Moeller noted that to achieve this goal, it is important that Metro Code related to enforcing Metro rules for these places is up to date and clearly reflects our current organizational structure as well as how any violations in these places are processed. Mr. Moeller discussed the changes to Metro Code being brought to Council include clarifying recent changes or updates such as the change in name of the Parks and Nature Department in the Metro Code (from Parks and Greenspaces), add a Parks and Nature civil penalties provision, delete obsolete provisions, and correcting any old references. He noted that essentially this would bring the code in line with what is already being done at the staff level.

**Council discussion**

There were no questions for staff or Council discussion.

Council President Hughes opened up a public hearing on Ordinance Nos. 15-1364 and 15-1366 and requested that those wishing to testify would come forward to speak. Seeing no one come forward, Council President Hughes gavelled out of the public hearing. He noted that second read, Council consideration, and vote on Ordinance Nos. 15-1364 and 15-1366 would take place on Thursday, January 28<sup>th</sup>.

**5. CHIEF OPERATING OFFICER COMMUNICATION**

Ms. Martha Bennett provided an update on the following events or items: announcement on hiring of new Oregon Zoo Director, Dr. Donald Moore, a thank you to Deputy COO Scott Robinson and

Interim Oregon Zoo Director Teri Dresler for filling in as well as other Metro staff who took on additional work during the interim period, and a new edition of Big Backyard is out with a photo contest listed on the back page.

**6. COUNCILOR COMMUNICATION**

Councilors provided updates on the following meetings or events: JPACT meeting update as well as information on potential changes to the JPACT trip this year. Council President Hughes also requested a Council thumbs up for a FAM tour authorization occurring March 30 and 31, which councilors unanimously voted yes on.

**7. ADJOURN**

There being no further business, Council President Hughes adjourned the regular meeting at 3:11 p.m. The Metro Council will convene the next regular council meeting on Thursday, January 28, 2015 at 2 p.m. at the Metro Regional Center in the council chamber.

Respectfully submitted,



Alexandra Eldridge, Regional Engagement & Legislative Coordinator

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF JAN. 21, 2016**

<b>Item</b>	<b>Topic</b>	<b>Doc. Date</b>	<b>Document Description</b>	<b>Doc. Number</b>
1.0	Written Testimony	10/28/2015	Letter to JPACT and Metro Council from the For Every Kid Coalition Re: Safe Routes to School program	012116c-01
1.0	Handout, testimony	01/21/2016	Testimony from R.A. Fontes Re: Autonomous Vehicle Update	012116c-02
3.0	Minutes	01/14/2016	Council Meeting Minutes from January 14, 2016	012116c-03
4.1, 4.2	Written testimony	01/21/2016	Letter to Metro Council from Natural Areas Land Management Team	012116c-04