

A G E N D A

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1542 | FAX 503 797 1793



METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING – revised July 7, 2000
DATE: July 13, 2000
DAY: Thursday
TIME: 2:00 PM
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATIONS

3. EXECUTIVE OFFICER COMMUNICATIONS

4. AUDITOR COMMUNICATIONS

5. MPAC COMMUNICATIONS

6. CONSENT AGENDA

6.1 Consideration of Minutes for the July 6, 2000 Metro Council Regular Meeting.

7. RESOLUTIONS

7.1 **Resolution No. 00-2966**, For the Purpose of Accepting the May 16, 2000 Primary Election Abstract of Votes. Park

7.2 **Resolution No. 00-2970**, For the Purpose of Council Approval of the Mt. Talbert Master Plan and Management Recommendations, Pursuant to an Existing IGA Between Metro and North Clackamas Parks and Recreation District. Atherton

7.3 **Resolution No. 00-2974**, For the Purpose of Declaring Support for Metro's Open Spaces Program. Monroe

8. COUNCILOR COMMUNICATION

ADJOURN

Cable Schedule for July 13, 2000 Metro Council Meeting

	Sunday (7/14)	Monday (7/15)	Tuesday (7/16)	Wednesday (7/18)	Thursday (7/11)	Friday (7/12)	Saturday (7/13)
CHANNEL 11 (Community Access Network) (most of Portland area)		4:00 P.M.					
CHANNEL 21 (TVCA) (Washington Co., Lake Oswego, Wilsonville)							
CHANNEL 30 (TVCA) (NE Washington Co. - people in Wash. Co. who get Portland TCI)							
CHANNEL 30 (CityNet 30) (most of City of Portland)	8:30 P.M.						
CHANNEL 30 (West Linn Cable Access) (West Linn, Rivergrove, Lake Oswego)	8:00 A.M. (previous meeting)	3:00 P.M. (previous meeting)	10:00 A.M. (previous meeting)	4:00 P.M. (previous meeting)	11:00 P.M. (previous meeting)	8:00 A.M. (previous meeting)	
CHANNEL 33 (ATT Consumer Svcs.) (Milwaukie)	4:00 P.M. (previous meeting)					10:00 P.M. (previous meeting)	9:00 A.M. (previous meeting)

PLEASE NOTE THAT ALL SHOWING TIMES ARE TENTATIVE BASED ON THE INDIVIDUAL CABLE COMPANIES' SCHEDULES.

Agenda items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, 797-1542. 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 considered included in the decision record. Documents can be submitted by email, fax or mail or in person to the Clerk of the Council. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

Consideration of the July 6, 2000 Regular Metro Council Meeting minutes.

**Metro Council Meeting
Thursday, July 13, 2000
Metro Council Chamber**

MINUTES OF THE METRO COUNCIL MEETING

July 6, 2000

Metro Council Chamber

Councilors Present: David Bragdon (Presiding Officer), Susan McLain, Ed Washington, Rod Park, Bill Atherton, Rod Monroe, Jon Kvistad

Councilors Absent: None.

Presiding Officer Bragdon convened the Regular Council Meeting at 2:01 PM and asked for a moment of silence for Tigard Mayor James Nicoli who passed away last weekend.

1. INTRODUCTIONS

Councilor Washington introduced Mr. Mas Yatabi from Portland State University. Mr. Yatabi introduced Mr. Kazuto Higuchi, City Planner from the City of Yokkaichi, Japan, and Ms. Noriko Ichikawa and Ms Kayoko Sakakura who were learning about children's museums in the area.

2. CITIZEN COMMUNICATIONS

None.

3. EXECUTIVE OFFICER COMMUNICATIONS

None.

4. AUDITOR COMMUNICATIONS

None.

5. MPAC COMMUNICATIONS

None.

6. CONSENT AGENDA

6.1- Consideration of the minutes of the June 29, 2000 Regular Council Meeting.

Motion: Councilor Washington moved to adopt the meeting minutes of June 29, 2000 Regular Council meeting.

Seconded: Councilor McLain seconded the motion.

Vote: The vote was 6 aye/ 0 nay/ 0 abstain. The motion passed with Councilor Park was absent from the vote.

7. RESOLUTIONS

7.1 Moved to later in the agenda.

7.2 Resolution No. 00-2960A, For the Purpose of Approving Interstate-5 High-Occupancy Vehicle Facility Recommendations.

Motion: Councilor Kvistad moved to adopt Resolution No. 00-2960A.

Seconded: Councilor Monroe seconded the motion.

Councilor Kvistad reviewed the resolution. He noted work had been ongoing for a long time to find a way to deal with traffic congestion on I-5 northbound. He said this resolution listed out the intent to look at HOV lanes in particular corridors. He spoke about Clark County's progress in their I-5 southbound HOV lane. He noted it was not feasible to add HOV lanes to the Interstate Bridge and the Bi-State Committee was working on ways to deal with that issue. He recommended approval.

Councilor Monroe said this was the first action taken by the Bi-State Committee that had been meeting since September, 1999. He said the recommendation had been studied for quite some time, but the urgency was created when WDOT actively began to construct a new lane southbound toward the bridge. He said the officials in Washington as well as Oregon felt strongly that since a new lane was being added, it was appropriate that the new lane be HOV. He added that there were laws in Washington prohibiting conversion of regular lanes to HOV, that HOV had to be constructed specifically. He said they had asked ODOT to look at ways to implement an HOV lane southbound, through Delta Park as well. He said these lanes would operate in peak hours only, like the current northbound lane.

Councilor Kvistad noted that as they moved into the discussions, they were aware of major repairs and added lane capacity needed just south of the Interstate Bridge, in conjunction with potential replacement of the bridge. He urged approval.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

7.3 **Resolution No. 00-2963, For the Purpose of Declaring that the Week of July 24-28, 2000, be "Car Free and Carefree Week" to Encourage Citizens to Commute to Work by Bus, Max, Bike or Walking.**

Motion: Councilor McLain moved to adopt Resolution No. 00-2963.

Seconded: Councilor Monroe seconded the motion.

Councilor McLain indicated that the title of this resolution spoke specifically to the intent of the resolution. She said this resolution signified the need to work towards options for non-vehicular transportation. She hoped for good participation from Metro staff and noted she would present some awards to those who took part, for various methods of transportation. She offered to pick Councilor Kvistad up on her bicycle.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

Presiding Officer Bragdon noted the proclamation.

Councilors Washington, McLain, Atherton and Bragdon spoke to the week.

7.1 **Resolution No. 00-2945, For the Purpose of Granting Time Extensions to the Functional Plan Compliance Deadline for the Cities of Happy Valley, Portland and Sherwood and Multnomah County.**

Motion: Councilor Park moved to adopt Resolution No. 00-2945.

Seconded: Councilor McLain seconded the motion.

Councilor Park reviewed this time extension resolution. He noted the reasons for each time extension. Each entity had made substantial compliance toward their goals. He urged an aye vote. He added that the Title 3 Water Quality compliance from the City of Portland would be coming forward separately.

Councilor McLain supported the resolution. She said the importance of these extensions was that the jurisdictions were still working on their goals. She felt as long as they were working in good faith and were willing to keep working toward Functional Plan compliance, she would support this resolution.

Presiding Officer Bragdon opened a public hearing on the resolution. Nobody came forward to testify so he closed the public hearing.

Councilor Park urged an aye vote and said he was looking forward to the end of the extensions.

Vote: The vote was 7 aye/ 0 nay/ 0 abstain. The motion passed.

7.4 Resolution No. 00-2965, For the Purpose of Expressing Metro Council Intent to Take Additional Time to Complete Metro's Fish and Wildlife Habitat Conservation Program.

Motion: Councilor Park moved to adopt Resolution No. 00-2965.

Seconded: Councilor Washington seconded the motion.

Councilor Park said this resolution would allow additional time to work on this program based on part of the Goal 5 habitat work not being finished. He noted that this request must be submitted to LCDC for approval. He felt part of the problem was the NMFS delay in their 4(d) rule. He said the issue had been discussed with MPAC.

Councilor McLain thought it was a good idea to signal that they were starting a thorough public review process. She felt the 4 month process to work on something as large as Goal 5 was important to allow them to have the chance to reflect on the product and then take it out for comment. She said they had a commitment from WRPAC as well as MPAC to start their review in September. She said she would support this even though when she voted for the extension before, both MPAC and the Council had committed to not asking for this type of extension. She wanted to be sure they recognized the fact they were doing something they said they would not do, but they were doing it for the right reasons and with the understanding that the state had agreed this was a reasonable process.

Presiding Officer Bragdon opened a public hearing.

William C. Cox, 0244 SW California St., Portland, OR 97219, had questions about this resolution. He said he understood that in terms of the UGB, a major impact was anticipated as to how much land was going to be necessary to come in to the UGB, if any. He wondered if the October goal was going to be extended again. Secondly, he wanted to know how this would impact cities such as Wilsonville, who were inside the boundaries and were going through Goal 5 now, pushing pretty hard to get done.

Councilor Park responded that it would obviously have an effect on the Urban Growth Report and they recognized that going in. He said the numbers would still be there, it was a question of

timing now. In reference to the City of Wilsonville, he asked for clarification from Dan Cooper about their Periodic Review work.

Dan Cooper, General Counsel, responded that whatever Wilsonville did in Periodic Review under Goal 5 was subject to commission approval. He said the Functional Plan also had a provision that said Goal 5 regulations adopted by Metro would not apply to cities that had gone through Periodic Review under Goal 5 since 1994-95 when the state goal was amended, until their next Periodic Review after Metro adopted it. He offered to speak with Mr. Cox directly after the meeting to answer any questions he had regarding his clients.

Presiding Officer Bragdon said that Wilsonville had given in a presentation to MTAC. He said Metro and the Wilsonville staff had been working closely together.

Mr. Cox expressed concern about the delay.

Councilor McLain said they recognized that if they were going to utilize this protection element in deciding what they needed in the way of land, that meant everything may not be done in this process this year. She felt it was important to get that message out up front. If this extension was granted, that may mean the need number would not be completely dealt with until the next process. She added that while this is an on-going process, they would like to be able to do something besides update the UGR and look at lands for UGB amendments. She felt planning needed to go much deeper than that. She said the work was very important and needed the time to get it done right.

Presiding Officer Bragdon closed the public hearing.

Councilor Kvistad agreed that this process was never over. He expressed his concern about another delay after they had agreed to not have one. He felt the public needed some certainty. He indicated he would not vote for this delay because it was time to get something done.

Councilor McLain clarified that the issue was very complicated and sometimes issues that they thought would take a month actually took up to 5 months to unravel. She felt strongly that the Growth chair as well as the Council would make sure there was certainty of understanding in the public process as well as the direction they were going as far as completing the survey of the Growth Report and starting the next round.

Councilor Kvistad said he had not intended his comments to be directed at Councilor McLain. He said his views had been clear for a long time. He still believed that the numbers in the Growth Report were political and not actual numbers.

Councilor Atherton responded to Councilor Kvistad's concerns about moving the UGB. He indicated that he would support the resolution because there were no communities clambering to move the UGB. He said there was only the state mandate and a small group of individuals who wanted to move it for land development purposes.

Councilor Kvistad answered that Hillsboro in fact, was clambering.

Councilor Atherton countered that they had to get through the state filter of the farmland issue and Metro's transportation consideration as well.

Councilor Park said this was a tough issue and he understood Councilor Kvistad's frustration. He said Metro was in a process and trying to get to completion. He said it would continue to be an on-going issue because state law required Metro to do this every 5 years. He thought the

important part was that Metro was responding to local jurisdictions who had asked them to slow up so they were also trying to respond to their citizens. he said the jurisdictions didn't know how this would effect them, and neither did Metro.

Vote: The vote was 6 aye/ 1 nay/ 0 abstain. The motion passed with Councilor Kvistad voting no.

8. COUNCILOR COMMUNICATIONS

Councilor Atherton reported that he had asked Mr. Cooper to prepare an alternative amendment to the Charter Review consideration. He said it would provide for elimination of the office of the "elected executive officer" and that the position be a professional manager appointed by the Council.

Councilor Kvistad apologized for his absence at last week's meeting. His plane had been delayed in Boise.

Presiding Officer Bragdon noted the Charter Review and the brown bag discussion for Metro employees on July 13th at noon. He added that all councilors were welcome.

Councilor Monroe added that if any councilor had an amendment on Charter Reform, they should be submitted by July 14th so they would be available for review prior to the Metro Ops meeting on July 19th.

Councilor Kvistad asked about a motion to substitute. He wondered if they should come before the Metro Ops Committee or the full Council.

Councilor Monroe said he preferred it to come to committee.

9. ADJOURN

There being no further business to come before the Metro Council, Presiding Officer Bragdon adjourned the meeting at 2:48pm.

Prepared by



Chris Billington
Clerk of the Council

NOTE: There were no attachments submitted to the record for this Metro Council meeting

**Resolution No. 00-2966, For the Purpose of Accepting the May 16, 2000 Primary Election Abstract of
Votes.**

**Metro Council Meeting
Thursday, July 13, 2000
Metro Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ACCEPTING) RESOLUTION NO. 00-2966
THE MAY 16, 2000 PRIMARY ELECTION)
ABSTRACT OF VOTES) Introduced by Presiding
) Officer David Bragdon
)

WHEREAS, a Primary Election was held in the State of Oregon on May 16, 2000; and

WHEREAS, the positions of Metro Councilors representing Districts 3, 5, and 6 appeared on the Primary Election Ballot; and

WHEREAS, ORS.255.295 requires that Metro shall determine the result of the Election and notify the Multnomah County Elections Division of same; and

WHEREAS, the Multnomah, Clackamas and Washington County abstracts were Received by the Council; now, therefore,

BE IT RESOLVED:

1. That the Metro Council hereby accepts the results of the May 16, 2000, Primary Election, relating to the Metro Council races; and

2. That the voters of Metro District 3 have elected Carl Hosticka for the position of Office of Metro Councilor for a term commencing on January 1, 2001 and ending on December 31, 2004; and

3. That the voters of Metro District 5 have elected Rex Burkholder for the position of Office of Metro Councilor for a term commencing on January 1, 2001 and ending on December 31, 2004; and

4. That the voters of Metro District 6 have elected Rod Monroe for the position of Office of Metro Councilor for a term commencing on January 1, 2001 and ending on December 31, 2004.

ADOPTED by the Metro Council this _____ day of _____, 2000.

David Bragdon, Presiding Officer

Approved as to form:

Daniel B. Cooper, General Counsel

VICKI K. ERVIN
Director of Elections



1040 S.E. Morrison St,
Portland, Oregon 97214-2495
(503)248-3720
(503)248-3719 FAX

DATE: June 5, 2000
TO: Metro
FROM: Vicki K. Ervin, Director of Elections
RE: Official Abstract of Votes

Vicki K. Ervin

Enclosed are the official abstracts of votes from the primary election. I only have a faxed copy from Washington County. It is included here, but I will send you a better copy once I receive the original from them.

METRO COUNCILOR DIST. 5

R V	V C	T	R B	E W	U	O	W
E O	O A	U	E U	D A	N	V	R
G T	T S	R	X R	S	D	E	I
I E	E T	N	K	H	E	R	T
S R	S	O	H	I	R	V	E
T S		U	O	N	V	O	-
E		T	L	G	O	T	I
R			D	T	T	E	N
E			E	O	E	S	S
D			R	N	S		

All Districts

001 PCT. 0103	12	5	41.6 %	3	1	1	0	0
002 PCT. 0104	15	10	66.6 %	5	3	2	0	0
006 PCT. 0158	169	107	63.3 %	33	31	43	0	0
007 PCT. 0159	150	102	68.0 %	41	21	40	0	0
019 PCT. 1002	754	421	55.8 %	161	115	141	0	4
020 PCT. 1013	4168	2475	59.3 %	1243	554	667	4	7
021 PCT. 1025	3513	1511	43.0 %	672	413	413	2	11
022 PCT. 1045	213	146	68.5 %	75	36	33	2	0
023 PCT. 1053	2318	849	36.6 %	363	272	202	2	10
024 PCT. 1103	3004	1441	47.9 %	615	430	382	5	9
025 PCT. 1156	1371	805	58.7 %	320	208	268	2	7
036 PCT. 1240	694	466	67.1 %	196	130	134	0	6
038 PCT. 1315	2232	1203	53.8 %	516	363	317	1	6
039 PCT. 1321	1590	898	56.4 %	229	280	384	2	3
042 PCT. 1500	411	220	53.5 %	74	68	74	1	3
043 PCT. 1504	100	49	49.0 %	17	14	16	0	2
045 PCT. 1507	333	222	66.6 %	91	55	74	0	2
048 PCT. 2002	3575	1522	42.5 %	543	535	420	2	22
049 PCT. 2026	3646	1452	39.8 %	556	547	339	0	10
050 PCT. 2029	3200	1444	45.1 %	511	527	382	7	17
051 PCT. 2077	4352	2173	49.9 %	902	685	561	1	24
052 PCT. 2086	3883	1625	41.8 %	579	617	411	3	15
053 PCT. 2099	2991	1121	37.4 %	363	515	227	5	11
054 PCT. 2100	3709	1969	53.0 %	783	643	521	5	17
055 PCT. 2114	3347	1737	51.8 %	775	517	430	2	13
056 PCT. 2143	2252	1018	45.2 %	361	339	306	2	10
058 PCT. 3002	172	72	41.8 %	18	36	17	1	0
059 PCT. 3004	2636	959	36.3 %	216	523	206	4	10
060 PCT. 3008	3106	1520	48.9 %	460	805	241	5	9
061 PCT. 3058	4470	1848	41.3 %	717	753	366	3	9
062 PCT. 3086	2482	1076	43.3 %	342	449	273	3	9
063 PCT. 3097	3419	1412	41.2 %	520	582	294	2	14
064 PCT. 3113	3016	1946	64.5 %	832	637	465	5	7
065 PCT. 3128	2845	1730	60.8 %	791	491	435	8	5
066 PCT. 3144	3567	2405	67.4 %	1215	688	487	6	9
067 PCT. 3151	4321	1775	41.0 %	734	693	332	2	14
073 PCT. 3253	1068	549	51.4 %	271	149	127	1	1
074 PCT. 3259	4068	2313	56.8 %	1097	634	567	4	11
075 PCT. 3274	0	0	0.0 %	0	0	0	0	0
076 PCT. 3290	0	0	0.0 %	0	0	0	0	0
077 PCT. 3297	1463	658	44.9 %	220	265	169	0	4
086 PCT. 4022	0	0	0.0 %	0	0	0	0	0

METRO COUNCILOR DIST. 5

R E G I S T E R E D	V C O A T S E T S	T U R N O U T	R B E U X R K H O L D E R	E W D A S H I N G T O N	U N D E R V O T E S	O V E R V O T E S	W R I T E - I N S
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All Districts

All Districts

RACE TOTALS

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88635	43254	48.8 %	17460	14624	10767	92	311
=====	=====	=====	=====	=====	=====	=====	=====
88635	43254	48.8 %	17460	14624	10767	92	311

Certificate

I certify that the votes recorded on this abstract correctly summarize the tally of votes cast at the election indicated.

Vicki K. Ervin

Vicki K. Ervin, Director of Elections
 Multnomah County, Oregon

METRO COUNCILOR DIST. 6

R V	V C	T	R M	U	O	W
E O	O A	U	O O	N	V	R
G T	T S	R	D N	D	E	I
I E	E T	N	R	E	R	T
S R	S	O	O	R	V	E
T S		U	E	V	O	-
E		T		O	T	I
R				T	E	N
E				E	S	S
D				S		

All Districts

008 PCT. 0332	166	50	30.1 %	22	24	0	4
016 PCT. 0548	35	12	34.2 %	7	5	0	0
018 PCT. 0601	0	0	0.0 %	0	0	0	0
057 PCT. 3000	3274	1434	43.8 %	754	653	1	26
058 PCT. 3002	2260	1053	46.5 %	541	492	1	19
065 PCT. 3128	729	435	59.6 %	225	202	0	8
068 PCT. 3177	3795	2084	54.9 %	987	1074	1	22
069 PCT. 3185	2489	1212	48.6 %	574	618	3	17
070 PCT. 3193	3943	2131	54.0 %	1025	1078	1	27
071 PCT. 3240	4194	2080	49.5 %	1064	977	1	38
072 PCT. 3248	2369	1255	52.9 %	693	545	0	17
076 PCT. 3290	3394	2185	64.3 %	1094	1065	0	26
077 PCT. 3297	0	0	0.0 %	0	0	0	0
078 PCT. 3307	3018	1625	53.8 %	845	756	4	20
079 PCT. 3311	3051	1469	48.1 %	810	632	1	26
080 PCT. 3315	2109	859	40.7 %	454	382	0	23
081 PCT. 3322	0	0	0.0 %	0	0	0	0
083 PCT. 3329	2011	1072	53.3 %	567	494	2	9
092 PCT. 4111	3207	1925	60.0 %	928	969	1	27
093 PCT. 4125	3456	1530	44.2 %	817	690	1	22
094 PCT. 4131	2637	1465	55.5 %	782	657	3	23
095 PCT. 4155	3460	1854	53.5 %	1027	791	0	36
097 PCT. 4178	2976	1220	40.9 %	697	499	3	21
098 PCT. 4185	2666	1116	41.8 %	659	435	2	20
099 PCT. 4202	3074	1405	45.7 %	791	586	4	24
100 PCT. 4216	3882	1475	37.9 %	858	578	0	39
102 PCT. 4250	4003	2058	51.4 %	1117	909	1	31
104 PCT. 4282	0	0	0.0 %	0	0	0	0
106 PCT. 4299	3256	1283	39.4 %	705	551	0	27
108 PCT. 4320	3266	1502	45.9 %	799	680	1	22
111 PCT. 4339	2677	1065	39.7 %	619	418	0	28
112 PCT. 4340	2006	850	42.3 %	517	312	1	20
117 PCT. 4359	0	0	0.0 %	0	0	0	0
120 PCT. 5029	526	263	50.0 %	135	125	0	3
121 PCT. 5100	0	0	0.0 %	0	0	0	0

All Districts	77929	37967	48.7 %	20113	17197	32	625
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RACE TOTALS	77929	37967	48.7 %	20113	17197	32	625
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Certificate

**I certify that the votes recorded on this abstract
correctly summarize the tally of votes cast at the
election indicated.** *Vicki K. Ervin*

**Vicki K. Ervin, Director of Elections
Multnomah County, Oregon**

Statement of Vote - Clackamas County Primary Election - May 16, 2000
 ** Metro Councillor - District 3 and 6 **

Page Number 95.025.001

	REGISTERED VOTERS	TURNOUT	TURNOUT PERCENTAGE	Metro Councilor John Mandaville 3rd	Metro Councilor Carol Hostick 3rd	BLANKS	OVERVOTES	Metro Councilor Rod Monroe 6th	BLANKS	OVERVOTES
CONSOL PREC NO 093	157	84	53.5%	0	0	0	0	29	55	0
CONSOL PREC NO 201	863	402	46.5%	98	68	235	1	0	0	0
CONSOL PREC NO 202	1549	682	44.0%	164	144	369	5	0	0	0
CONSOL PREC NO 203	1215	796	65.5%	181	186	428	1	0	0	0
CONSOL PREC NO 204	894	618	69.1%	140	175	301	2	0	0	0
CONSOL PREC NO 205	967	425	43.9%	111	100	214	0	0	0	0
CONSOL PREC NO 206	1478	699	47.2%	159	134	405	1	0	0	0
CONSOL PREC NO 251	3	1	33.3%	0	1	0	0	0	0	0
CONSOL PREC NO 252	1295	671	51.8%	129	115	426	1	0	0	0
CONSOL PREC NO 411	1257	604	48.0%	0	0	0	0	15	27	0
CONSOL PREC NO 451	894	324	36.2%	0	0	0	0	157	165	0
CONSOL PREC NO 452	634	250	39.4%	0	0	0	0	114	136	0
CONSOL PREC NO 453	1470	603	41.0%	0	0	0	0	264	339	0
CONSOL PREC NO 454	1368	594	43.4%	0	0	0	0	239	355	0
CONSOL PREC NO 478	1479	495	33.4%	0	0	0	0	118	115	0
CONSOL PREC NO 481	1450	466	32.1%	0	0	0	0	249	217	0
**** TOTALS ****	16973	7714	45.4%	982	923	2378	11	1185	1409	0

METRO COUNCILOR, ZONE 3

MISCELLANEOUS WRITE-INS

I, John Kauffman, County Clerk, certify that the votes recorded on this abstract correctly summarize the result of votes cast at the election indicated.

John Kauffman

JUN 1 2000

BY:

**** OFFICIAL STATEMENT OF THE BIENNIAL PRIMARY ELECTION ON MAY 16, 2000****
 METRO COUNCILOR DST 3

Page Number 88.001.001

	REG I S T E R E D V O T E R S	T U R N O U T	T U R N O U T P E R C E N T A G E	M E T R O H A N D A V I L L E C O U N C I L L O R D I S T 3	C A R L H O S T I C K A C O U N C I L L O R D I S T 3
322 JACKTOWN	252	109	43.2%	7	3
349 DIVISION STREET	2159	869	40.2%	260	253
350 FIR GROVE	3511	1802	51.3%	445	557
352 BEAVERTON-CENTER	1022	300	29.3%	84	105
353 WALKER ROAD-SOUTH	1026	500	48.7%	131	116
354 CHEHALEM SCHOOL	3324	1640	49.3%	400	494
378 CANYON LN	645	368	57.0%	0	0
379 HALL BLVD	3084	1540	49.9%	397	492
380 HIGHLAND PARK	2547	1295	50.8%	288	391
381 BEAVERTON/CENTER ST	2346	990	42.1%	245	282
382 GREENWAY	2754	1194	43.3%	321	352
383 BEAVERTON-HILLSDALE	1219	684	56.1%	148	220
384 GARDEN HOME	2489	1348	54.1%	284	397
385 PORTLAND GOLF CLUB	2630	1392	52.9%	294	387
386 RALEIGH PARK	3592	2007	55.8%	222	286
388 WHITFORD	845	404	47.8%	99	103
389 SEXTON MOUNTAIN	2568	1215	47.3%	276	328
390 SOUTHRIDGE	3215	1556	48.3%	392	407
391 PORTLAND CITY COM 3	140	44	31.4%	6	19
392 PORTLAND CITY COM 2	63	19	30.1%	0	0
393 MONTCLAIR	534	283	52.9%	25	48
394 CANBY ST	48	28	58.3%	2	12
395 MURRAYHILL	2040	863	42.3%	185	223
396 DURHAM	631	380	60.2%	79	99
397 BULL MOUNTAIN	2007	1057	52.6%	231	246
398 COOPER MOUNTAIN	1106	507	45.8%	92	114
399 MEYZGER	1799	893	49.6%	236	213
400 WASHINGTON SQUARE	2372	1052	44.3%	254	275
401 MAYO STREET	1491	760	50.9%	131	198
402 WALNUT ISLAND	461	240	52.0%	48	79
403 TIGARD/GARDE ST	3061	1603	52.3%	348	381
404 FOWLER SCHOOL	2309	1113	48.2%	275	255
405 TUALITY SCHOOL	3259	1622	49.8%	333	411
406 TIGARD CITY HALL	2916	1325	45.4%	330	382
407 DEERCREEK	613	270	44.0%	61	55
408 SUMMERFIELD	4038	2512	62.2%	601	658
409 SUMMERLAKE-WEST	1923	789	41.0%	198	198
410 BEEF BEND RD	884	478	53.9%	80	95
411 SCHOLLS HEIGHTS	1205	399	33.1%	119	98
412 COOPER MT SCHOOL	1699	732	43.0%	163	186
413 PORTLAND CITY	304	104	34.2%	21	29
414 BARROWS RD	1196	455	38.0%	105	86
415 TUALATIN CITY/RIVER	367	190	51.7%	50	46
416 SUMMERLAKE-EAST	1520	710	46.7%	178	165
417 ELDERADO	1490	875	58.7%	233	236
418 HART ROAD	138	61	43.8%	23	9
419 KING CITY	1728	1270	73.4%	393	354
420 TUALATIN CITY	3137	1599	50.9%	327	356
421 TRI-CITIES	170	47	27.6%	16	6
422 TUALATIN-UNINCORP	35	24	68.5%	3	7
423 TUALATIN-NORTH	2430	1028	42.3%	214	262
424 NW SHERWOOD CITY	3191	1393	43.6%	355	289
425 SHERWOOD-UNINCORP	515	259	50.2%	17	10
426 GRONER	559	233	41.6%	18	9
428 TUALATIN-WEST	740	300	40.5%	74	58
429 MILLER HILL	1855	741	39.9%	180	185
432 WILSONVILLE	1	0	0.0%	0	0
433 ED BYROM SCHOOL	2006	1001	49.9%	236	219
434 ERROL HASSELL	2765	1179	42.6%	310	293
435 SE SHERWOOD CITY	3031	1406	46.3%	332	271

*** OFFICIAL STATEMENT OF THE BIENNIAL PRIMARY ELECTION ON MAY 16, 2000 ***
METRO COUNCILOR DST 3

Page Number	REGISTE RED VOTERS	TURN OUT	TURN OUT PERCENT AGE	JON HAN DAVIL LE METRO COUNCIL OR D IST 3	CARL HOS TICKA METRO COUNCIL OR D IST 3
89.001.001					
436 TUALATIN CITY	509	291	57.6%	61	74
437 HAZELBROOK	44	27	61.3%	7	10
438 SE COUNTY	678	314	46.3%	79	63
*** T O T A L S ***	102231	49689	48.6%	11316	12459

Statement of Vote - Clackamas County Primary Election - May 16, 2000
 ** Metro Councilor - District 3 and 6 **

Page Number 95.025.001

	REGISTERED VOTERS	TURNOUT	TURNOUT PERCENTAGE	John Mandaville Metro Councilor District 3	Caryl Hostetler Metro Councilor District 3	BLANKS	OVERVOTES	Red Monroe Metro Councilor District 6	BLANKS	OVERVOTES
CONSOL PREC NO 093	157	84	53.5%	0	0	0	0	29	59	0
CONSOL PREC NO 201	863	402	46.5%	98	68	239	1	0	0	0
CONSOL PREC NO 202	1549	682	44.0%	164	144	369	5	0	0	0
CONSOL PREC NO 203	1215	796	65.5%	181	186	428	1	0	0	0
CONSOL PREC NO 204	894	618	69.1%	140	175	301	2	0	0	0
CONSOL PREC NO 205	967	425	43.9%	111	100	214	0	0	0	0
CONSOL PREC NO 206	1478	699	47.2%	159	134	405	1	0	0	0
CONSOL PREC NO 251	3	1	33.3%	0	1	0	0	0	0	0
CONSOL PREC NO 252	1295	671	51.8%	129	115	426	1	0	0	0
CONSOL PREC NO 411	1257	604	48.0%	0	0	0	0	15	27	0
CONSOL PREC NO 451	894	324	36.2%	0	0	0	0	157	165	0
CONSOL PREC NO 452	634	250	39.4%	0	0	0	0	114	136	0
CONSOL PREC NO 453	1470	603	41.0%	0	0	0	0	264	339	0
CONSOL PREC NO 454	1368	594	43.4%	0	0	0	0	239	355	0
CONSOL PREC NO 478	1479	495	33.4%	0	0	0	0	118	115	0
CONSOL PREC NO 481	1450	466	32.1%	0	0	0	0	249	217	0
**** TOTALS ****	16973	7714	45.4%	982	923	2378	11	1185	1409	0

METRO COUNCILOR, ZONE 3

MISCELLANEOUS WRITE-INS

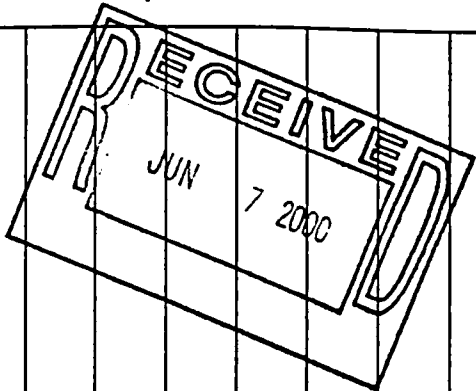
I, John Kauffman, County Clerk, certify that the votes recorded on this abstract correctly summarize the result of votes cast at the election indicated.

John Kauffman

JUN 1 2000

By: _____

**** OFFICIAL STATEMENT OF THE BIENNIAL PRIMARY ELECTION ON MAY 16, 2000****
 METRO COUNCILOR DST 3



Page Number 88.001.001

	REG I S T E R E D V O T E R S	T U R N O U T	T U R N O U T P E R C E N T A G E	J O H N M A N D A V I L L E C O U N C I L L O R D I S T 3	C A R L H O S T I C K A C O U N C I L O R D I S T 3
322 JACKTOWN	252	109	43.2%	7	3
349 DIVISION STREET	2159	869	40.2%	260	253
350 FIR GROVE	3511	1802	51.3%	445	557
352 BEAVERTON-CENTER	1022	300	29.3%	84	105
353 WALKER ROAD-SOUTH	1026	500	48.7%	131	116
354 CHEHALEM SCHOOL	3324	1640	49.3%	400	494
378 CANYON LN	645	368	57.0%	0	0
379 HALL BLVD	3084	1540	49.9%	397	492
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417 ELDORADO	1490	875	58.7%	233	236
418 HART ROAD	139	61	43.8%	23	9
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433 ED BYROM SCHOOL	2006	1001	49.9%	236	219
434 ERROL HASSELL	2765	1179	42.6%	310	293
435 SE SHERWOOD CITY	3031	1408	46.3%	332	277

Agenda Item Number 7.2

Resolution No. 00-2970, For the Purpose of Council Approval of the Mt. Talbert Master Plan and Management Recommendations, Pursuant to an Existing IGA between Metro and North Clackamas Parks and Recreation District.

**Metro Council Meeting
Thursday, July 13, 2000
Metro Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF COUNCIL APPROVAL) RESOLUTION NO. 00-2970
OF THE MT. TALBERT MASTER PLAN AND)
MANAGEMENT RECOMMENDATIONS,)
PURSUANT TO AN EXISTING IGA BETWEEN)
METRO AND NORTH CLACKAMAS) Introduced by Mike Burton
PARKS AND RECREATION DISTRICT) Executive Officer

WHEREAS, in July, 1992, Metro Council adopted by Resolution No. 92-1637 the Metropolitan Greenspaces Master Plan which identified a desired system of natural areas interconnected with greenways and trails; and

WHEREAS, Mt. Talbert was identified as a regionally significant open space by the Metro Greenspaces Master Plan; and

WHEREAS, the Refinement Plan for the East Buttes-Boring Lava Domes Target Area, adopted by the Metro Council on July 17, 1996, Resolution No. 96-2361, identified certain areas as Tier 1B, requiring a 75%-25% partnership between Metro and local governments for acquisition of identified properties; and also requiring deed restrictions that the properties remain in their natural condition in perpetuity; and

WHEREAS, in November, 1997, Metro entered into an Intergovernmental Agreement (IGA) No. 920211 with North Clackamas Parks and Recreation District (NCPRD) [see attached Exhibit A] for joint purchase and NCPRD management of Mt. Talbert properties; and

WHEREAS, Metro and NCPRD share title as tenants in common proportionate to their contributions to the purchase price (Metro-75%; NCPRD 25%); and

WHEREAS, Metro has made subsequent acquisitions on Mt. Talbert and NCPRD currently manages 143 acres of Metro-NCPRD property under the IGA; and

WHEREAS, the IGA requires that NCPRD prepare a resource management plan that sets forth management, maintenance, and operation guidelines for Mt. Talbert properties, with the primary goals being protection of the property's natural resources, enhancement and protection of wildlife habitat, and public recreation consistent with these goals; and

WHEREAS, the IGA required that Metro staff participate in development of the Management Plan; and

WHEREAS, the Mt. Talbert Master Plan and Management Recommendations has been completed and approved by NCPRD Board and Clackamas County Board of Commissioners; and

WHEREAS, staff has reviewed the adopted Plan and concluded that it meets or exceeds all requirements of the IGA and Greenspaces Master Plan; and

WHEREAS, Metro's Regional Parks and Greenspaces Advisory Committee (RPAGAC) has reviewed and recommends that Metro Council approve the Mt. Talbert Master Plan and Management Recommendations, pursuant to the IGA between Metro and NCPRD; now, therefore

BE IT RESOLVED,

That the Metro Council hereby authorizes and approves the Mt. Talbert Master Plan and Management Recommendations as approved by NCPRD Board, Clackamas County Commission and Metro's RPAGAC and appended hereto as Exhibit B.

ADOPTED by the Metro Council this _____ day of _____, 2000.

David Bragdon, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

INTERGOVERNMENTAL AGREEMENT

Mount Talbert - Chia Development Corporation Property

This Intergovernmental Agreement ("Agreement") dated this 21 day of November 1997 is by and between Metro, a metropolitan service district organized under the laws of the state of Oregon and the 1992 Metro Charter, located at 600 Northeast Grand Avenue, Portland, Oregon, 97232-2736 ("Metro"), and the North Clackamas Parks and Recreation District, located at 11022 SE 37th Avenue, Milwaukie, Oregon 97222 ("NCPRD").

RECITALS:

WHEREAS, approximately 66.77 acres of real property within the Mount Talbert Natural Area in Clackamas County, Oregon, known as the Chia Development Corporation Property, formerly known as Bon Development Corporation, is available for purchase, as more particularly described in Exhibit A attached hereto ("Chia Property" or "Property");

WHEREAS, the East Buttes-Boring Lava Domes was identified as a regionally significant open space by the Metro Greenspaces Master Plan, and by the Metro Open Spaces, Parks and Streams 1995 Ballot Measure 26-26 ("Metro Open Spaces Measure");

WHEREAS, the Refinement Plan for the East Buttes-Boring Lava Domes Target Area, adopted by the Metro Council on July 17, 1996, Resolution No. 96-3631, identified certain areas as Tier 1b, requiring a 75%-25% partnership between Metro and local governments for acquisition of identified properties; and also requiring deed restrictions that the properties remain in their natural condition in perpetuity;

WHEREAS, the Chia Property is within the East Buttes-Boring Lava Domes Target Area and is identified as a Tier 1B property in the Refinement Plan;

WHEREAS, Metro and NCPRD wish to purchase the property and to preserve it as open space in accordance with the Metro Open Spaces Measure and with the Metro Greenspaces Master Plan;

WHEREAS, Metro is negotiating an Agreement of Purchase and Sale for the Property (the "Agreement of Purchase and Sale"); and

WHEREAS, Metro and NCPRD wish to enter into this Agreement to authorize the purchase and to provide for the responsibilities and obligations of the parties with respect to the acquisition, allowable uses, maintenance and operation of this Chia Development Corporation Property;

Now, therefore, the parties agree as follows:

A. Acquisition

1. Metro and NCPRD are hereby authorized to purchase the Chia Property in accordance with the final Agreement of Purchase and Sale, to be attached hereto as Exhibit C. At closing Metro will contribute 75% of the purchase price and NCPRD will contribute 25% of the purchase price. NCPRD will also accept an assignment of a 25% interest in the Agreement of Purchase and Sale.
2. Metro and NCPRD shall take title to the Property as tenants in common, with Metro having a 3/4 undivided interest and NCPRD having a 1/4 undivided interest and with deed restrictions requiring that the property shall remain in its natural condition in perpetuity..
3. Metro shall be responsible for completing the negotiations for the final Agreement of Purchase and Sale and any other terms of the transaction with the Property owner and for undertaking the normal due diligence investigations conducted by Metro pursuant to the Open Spaces Measure practices. If NCPRD requires any due diligence investigations not required by Metro, NCPRD shall be solely responsible for those items. Metro shall also be responsible for drafting and coordinating escrow instructions and closing details, and shall pay the Buyer's closing costs.

B. Management, Maintenance, and Operation

1. The long-term management guidelines for the Property will be set forth in a Resource Management Plan ("Management Plan") for the Property, as set forth in Section D below. This Agreement shall set forth the interim protection guidelines for the Property prior to adoption of the Management Plan, and shall also set forth the use limitations for the Property which must be carried forth and reflected in the Management Plan.
2. If Metro executes an agreement to purchase Property within Mount Talbert which Metro would like NCPRD to manage under the terms of this Agreement, Metro shall notify NCPRD in writing in the form attached hereto as Exhibit B ("Notice of Acquisition"). NCPRD shall notify Metro if NCPRD does not wish to accept management responsibilities for that property in accordance with this Agreement, using NCPRD's best efforts to make this notification prior to the closing date for the acquisition. If NCPRD has not so notified Metro within thirty (30) days of receiving Metro's Notice of Acquisition, then NCPRD shall be deemed to have accepted the new Property for management, maintenance and operation in accordance with the terms and conditions of this Agreement.
3. Metro and NCPRD agree that NCPRD shall be responsible for the ongoing management, maintenance, and operation of the Property, both during the interim period and after adoption of the Management Plan.

4. The term of NCPRD's management, maintenance, and operation responsibilities for the Property shall be determined by the Management Plan, but in no event shall the term be less than ten (10) years from the effective date of this Agreement, renewable by mutual written agreement for additional ten (10) year periods.
5. Metro grants to NCPRD, its agents and contractors, the right to enter the Property for the purpose of performing all activities reasonably necessary for the management, maintenance and operation of the Property and for the fulfillment of their duties under this Agreement and pursuant to the Management Plan.

C. Interim Protection Guidelines

1. Prior to the adoption of a Management Plan for the Property, the Property shall be managed, maintained and operated by NCPRD in accordance and in a manner consistent with this Agreement, the Metro Greenspaces Master Plan, and NCPRD's Comprehensive Master Plan ("the Plans"). In case of conflict among Plans, the Plan affording the highest level of resource protection shall govern.
2. The Property shall at all times be managed, maintained, operated, and protected in accordance with its intended use as a natural area open space, with the primary goals being protection of the Property's natural resources, enhancement and protection of wildlife habitat, and public recreation consistent with the foregoing.
3. In accordance with the Metro Greenspaces Master Plan, formal public use of the Property and site development on the Property shall not begin until a Management Plan for the Property has been adopted.
4. Prior to the adoption of a Management Plan for the Property, in the interim period, at NCPRD's discretion, the Property may be used informally by the public for passive recreation, habitat enhancement, pedestrian activity, and/or nonmotorized bicycle use. All uses of the Property in the interim period shall be consistent with this Agreement and with the Plans, and shall not preclude any uses that could later be allowed in the Management Plan.
5. Prior to the adoption of the Management Plan for the Property, in the interim period NCPRD shall not allow or permit any alteration of any water, timber, mineral, or other resource on the Property, except for the control of exotic or pest plant species or as necessary to prevent Property degradation or for security or public safety concerns.
6. NCPRD shall maintain security of the Property as NCPRD may deem necessary in its discretion as manager of the Property.

D. Resource Management Plan for the Property

1. NCPRD shall develop a Resource Management Plan ("Management Plan") for the Property. The Management Plan shall set forth the acceptable management, operation, maintenance, types and levels of programmed and public use, and trail and improvement standards for the Property. NCPRD shall manage the Property in accordance with the standards and guidelines developed in the Management Plan.
2. The Management Plan shall ensure that the Property is managed, maintained and operated in accordance with the Metro Greenspaces Master Plan and with this Agreement, and that all trails and improvements on the Property comply with the Greenspaces Master Plan and with this Agreement. The Management Plan shall also ensure that the Property is maintained as a natural area open space, with the primary goals being protection of the Property's natural resources, enhancement and protection of wildlife habitat, and public recreation consistent with the foregoing. As part of the process of developing the Management Plan, NCPRD shall take an inventory of the resources on the Property.
3. Metro shall designate at least one staff member to participate in the Management Plan process for the Property. In addition to any other approvals required by NCPRD, the Management Plan shall be subject to approval by the Metro Council prior to its implementation, which approval shall not be unreasonably withheld and shall be based on consistency with this Agreement and with the Greenspaces Master Plan.

E. Permits, Assessments, Coordination with Other Public Agencies

1. As stated in the Greenspaces Master Plan, by accepting management responsibility for the Property NCPRD agrees to be responsible for funding the operation and maintenance of the Property with NCPRD's own resources. NCPRD's management responsibility shall include responsibility for all taxes, liens or assessments for the Property.
2. Prior to adoption of the Management Plan and thereafter, NCPRD shall be responsible for obtaining any permits necessary for management, maintenance or operation of the Property.
3. Any permits granted by NCPRD to users of the Property shall comply with the terms and limitations set forth in this Agreement and in the Management Plan for the Property.
4. NCPRD shall be responsible for contacting and coordinating with other local or state agencies regarding any and all management, maintenance or operation issues that may arise with respect to the Property.

F. General Provisions

1. Indemnification. NCPRD, to the maximum extent permitted by law and subject to the Oregon Tort Claims Act, ORS Chapter 30, shall defend, indemnify and save harmless Metro, its officers, employees, and agents from and against any and all liabilities, damages, claims, demands, judgments, losses, costs, expenses, fines, suits, and actions, whether arising in tort, contract, or by operation of any statute, including but not limited to attorneys' fees and expenses at trial and on appeal, relating to or resulting from any management, maintenance or operation of the Property, including but not limited to construction of trails or in relation to any other improvement on the Property, except as caused by Metro's negligence.
2. Oregon Constitution and Tax Exempt Bond Covenants. The source of funds for the acquisition of this Property is from the sale of voter-approved general obligation bonds that are to be paid from ad valorem property taxes exempt from the limitations of Article XI, section 11(b), 11(c), 11(d) and 11(e) of the Oregon Constitution, and the interest paid by Metro to bond holders is currently exempt from federal and Oregon income taxes. NCPRD covenants that it will take no actions that would cause Metro to be unable to maintain the current status of the real property taxes as exempt from Oregon's constitutional limitations or the income tax exempt status of the bond interest. In the event NCPRD breaches this covenant, Metro shall be entitled to whatever remedies are available to either cure the default or to compensate Metro for any loss it may suffer as a result thereof.
3. Signage. NCPRD shall provide on-site signage informing the public that NCPRD is managing the site. Metro will provide on-site signage stating that funding for the acquisition came from Metro Open Spaces Measure bond proceeds. NCPRD shall also document in any publication, media presentation or other presentations, in which the Property is mentioned, that funding for the acquisition came from Metro Open Spaces Measure bond proceeds. On-site signage that provides recognition of Metro funding shall be subject to prior review and comment by Metro. All signage will be consistent with Metro guidelines for Open Spaces Projects.
4. Joint Termination for Convenience. Metro and NCPRD may by mutual agreement terminate all or part of this Agreement based upon a determination that such action is in the public interest.
5. Law of Oregon. This Agreement shall be governed by the laws of the state of Oregon, and the parties agree to submit to the jurisdiction of the courts of the state of Oregon. All applicable provisions of ORS chapters 187 and 279, and all other terms and conditions necessary to be inserted into public contracts in the state of Oregon, are hereby incorporated as if such provisions were a part of this Agreement including but not limited to ORS 279.015 to 279.320.

6. Assignment. NCPRD may not assign any of its rights or responsibilities under this Agreement without prior written consent from Metro, except NCPRD may delegate or subcontract for performance of any of its responsibilities under this Agreement.
7. Notices. All notices or other communications required or permitted under this Agreement shall be in writing, and shall be personally delivered (including by means of professional messenger service) or sent by fax and regular mail.

To Metro: Metro
Charles Ciecko
Director, Metro Regional Parks and Greenspaces
600 NE Grand Avenue
Portland, OR 97232-2736

To NCPRD Mike Henley
Director
North Clackamas Parks and Recreation District
11022 SE 37th Avenue
Milwaukie, OR 97222

9. Severability. If any covenant or provision in this Agreement shall be adjudged void, such adjudication shall not affect the validity, obligation, or performance of any other covenant or provision which in itself is valid, if such remainder would then continue to conform with the terms and requirements of applicable law and the intent of this Agreement.
10. Entire Agreement. This Agreement constitutes the entire agreement between the parties and supersedes any prior oral or written agreements or representations relating to this Property. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing and signed by both parties.

IN WITNESS WHEREOF, the parties hereto have set their hands on the day and year set forth above.

NORTH CLACKAMAS PARKS
AND RECREATION DISTRICT

By: [Signature]
Title: Chair

METRO
By: [Signature]
Title: 11/18/99

DOCUMENT TOO LARGE TO COPY, PLEASE
CONTACT PARKS AND OPEN SPACES DEPARTMENT
FOR COPY.

DRAFT

Mt. Talbert

Master Plan & Management Recommendations

Byer/Reed



OPERATIONS COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 00-2970, FOR THE PURPOSE OF COUNCIL APPROVAL OF THE MT. TALBERT MASTER PLAN AND MANAGEMENT RECOMMENDATIONS, PURSUANT TO AN EXISTING IGA BETWEEN METRO AND NORTH CLACKAMAS PARKS AND RECREATION DISTRICT

Date: July 13, 2000

Presented by: Councilor Atherton

Committee Recommendation: At its July 5, 2000, meeting, the Operations Committee voted 3-0 to recommend Council adoption of Resolution No. 00-2970. Voting in favor: Councilors Washington, Atherton, and Monroe. Voting against: none. Absent: none.

Background: Charles Ciecko, Parks and Greenspaces Director, presented the staff report. He explained that, in 1997, Metro entered into an intergovernmental agreement (IGA) with North Clackamas Parks & Recreation District (NCRPD) to purchase and manage Mt. Talbert as a regionally significant component of the Metropolitan Greenspaces Master Plan. Mt. Talbert is located within the East Buttes-Boring Lava Domes Target Area; an area identified as "Tier 1b", requiring a 75%-25% partnership between Metro and local governments for property acquisition, and also requiring deed restrictions maintaining properties in their natural condition for perpetuity.

The IGA with NCRPD stipulates that a resource management plan be developed, with an emphasis on preserving and enhancing the natural features of Mt. Talbert. The management plan encompasses the currently owned Metro and NCRPD property, plus an additional 200 acres of privately owned land. The planning process involved community members, regional representatives, and technical experts, in conjunction with a steering committee, a technical advisory committee, and a professional planning consultant. The resulting plan has been received and approved by the NCRPD Board, Clackamas County Board of Commissioners, and Metro staff.

Jane Hart, representing NCRPD, discussed the highlights of the management plan, which include a network of soft-surface trails for pedestrian access only, limited vehicular parking, educational and interpretive signage, ADA accessibility; trail improvements, and exclusion of dogs, bicycles, horses, camping, and fires.

Committee Issues/Discussion: Councilor Atherton asked about a proposed pedestrian bridge over Mt. Scott Creek, expressing a concern that park funds not be used for a roadway project. Hart and Ciecko responded that the bridge is outside the project area, and that no Metro funds will be used for plan implementation.

Councilor McLain asked how many parking spaces would be provided in the parking lot, and how the lot would be accessed from the road. Ciecko replied that the number of spaces has not been determined yet, and that access would be through a direct turn-off.

Councilor Monroe expressed appreciation for the "no dogs" policy, stating that dogs and wildlife don't mix.

Councilor McLain asked about Metro's legal liability with an IGA of this sort. Joel Morton, Metro Assistant Counsel, replied that hold harmless agreements are in place, and Metro is adequately indemnified in the event of a lawsuit.

There was no further discussion.

Staff Report

CONSIDERATION OF RESOLUTION NO. 00-2970 FOR THE PURPOSE OF COUNCIL APPROVAL OF THE MT. TALBERT MASTER PLAN AND MANAGEMENT RECOMMENDATIONS, PURSUANT TO AN EXISTING IGA BETWEEN METRO AND NORTH CLACKAMAS PARKS AND RECREATION DISTRICT

Date: June 20, 2000

Presented by:

Charlie Ciecko
Jane Hart

PROPOSED ACTION

Resolution No. 00-2970, requests Metro Council approval of the Mt. Talbert Master Plan and Management Recommendations, pursuant to the terms set forth in the Intergovernmental Agreement (adopted Nov. 1997 via Resolution No. 97-2536) between Metro and North Clackamas Parks and Recreation Dept. regarding the Mt. Talbert property.

EXISTING LAW

Metro Code 2.04.026 (a) (2) requires that the Executive Officer obtain the authorization of the Metro Council prior to executing any agreement entered into pursuant to ORS chapter 190 by which Metro acquires or transfers any interest in real property, or transfers any function or duty to another governmental unit. The Intergovernmental Agreement (IGA) adopted by the Metro Council via Resolution 97-2563, was established between Metro and the North Clackamas Parks and Recreation District (NCPRD) regarding joint acquisition and NCPRD management of property in the Mt. Talbert section of the East Buttes and Boring Lava Domes Target Area. The IGA requires that long-term management guidelines for the Property be set forth in a Resource Management Plan. The IGA requires that the Management Plan ensure that the property is managed, maintained and operated in accordance with the Metro Greenspaces Master Plan. Section D of the IGA requires that the Management Plan "be subject to approval by the Metro Council prior to its implementation, which approval shall not be unreasonably withheld and shall be based on consistency with the IGA and the Greenspaces Master Plan".

BACKGROUND AND ANALYSIS

In November of 1997 Metro entered into an Intergovernmental Agreement with North Clackamas Parks and Recreation District for joint purchase, and NCPRD management, of 143 acres on Mt. Talbert in North Clackamas County. Section D. *Resource Management Plan for the Property* of the IGA requires that NCPRD develop a Resource Management Plan (Plan) for any property subject to the IGA. The IGA requires that NCPRD's Management Plan:

1. Set forth acceptable standards for trails and other improvements and for overall management, operation, and maintenance of the property
2. Identify appropriate types and levels of programmed and public uses

3. Ensure that the property is maintained as a natural open space area with the primary goals being:
 - protection of natural resources
 - enhancement and protection of wildlife habitat
 - provide public recreation consistent with natural resource and habitat protection

The IGA requires that the Management Plan "be subject to Metro Council approval, which approval shall not be unreasonably withheld and shall be based on consistency with [the IGA] and the Greenspaces Master Plan."

NCPRD began work on the Mt. Talbert Master Plan and Management Recommendations in August 1999. The Mt. Talbert Master Planning area includes approximately 340 acres, 143 of which are owned jointly by Metro and NCPRD, while the remainder is in private ownership.

A professional planning consultant was retained to perform the master planning work. NCPRD involved Metro staff from the very beginning of the management planning process to ensure that the Plan was consistent with the IGA. NCPRD conducted a thorough public involvement process that included but was not limited to:

- Regular meetings of a 10 person Steering Committee
- As needed meetings of a 10 person Technical Advisory Committee
- Four public open houses to solicit public input throughout the planning process
- Public review draft of Mt. Talbert Master Plan and Management Recommendations

MASTER PLAN HIGHLIGHTS

The Mt. Talbert Master Plan and Management Recommendations are intended to guide preservation and enhancement of the natural resources and character of Mt. Talbert and ensure appropriate recreational use of the site. Master Plan highlights include but are not limited to:

- Realignment of the intersection of 117th and Sunnyside Road to create safe vehicular access into the main park entrance.
- ADA accessible parking and trailhead amenities at main entrance including toilets, picnic tables, drinking fountain, entry kiosk, bike rack, signage, footbridge over Mt. Scott Creek.
- Several pedestrian access points into the site
- Network of existing soft surface hiking trails on Mt. Talbert.
- Educational and interpretive signage.
- Trail, and natural resource management recommendations aimed at enhancing and protecting wildlife habitat on Mt. Talbert.

FINDINGS

Approval of NCPRD's Mt. Talbert Master Plan and Management Recommendations is recommended based upon these findings:

- The Mt. Talbert Master Plan and Management Recommendations document sets forth acceptable standards for trails, park amenities and overall management, operation, and maintenance of the property governed by the IGA.
- Appropriate types and levels of programmed and public uses are identified in the Plan.

- The Plan's mission statement, goals, program elements and proposed amenities ensure that the natural resources and wildlife habitat of the property subject to the IGA will be enhanced and protected if fully implemented.
- The Plan complies with the policies of the Greenspaces Master Plan and is consistent with the IGA.
- The Plan recommends that Metro continue to acquire land within the master planning area from willing sellers and that NCPRD manage those new acquisitions.
- The NCPRD Board approved the draft Mt. Talbert Master Plan and Management Recommendations in April 2000.
- The Clackamas County Board of Commissioners approved the draft Mt. Talbert Master Plan and Management Recommendations on June 8, 2000.
- Metro's Regional Parks and Greenspaces Advisory Committee has reviewed and unanimously recommends that the Metro Council approve the Mt. Talbert Master Plan and Management Recommendations, pursuant to the IGA between Metro and NCPRD.
- NCPRD has funding to begin implementation of some of the Phase One improvements.

BUDGET IMPACT

NCPRD is responsible for funding the ongoing management, maintenance and operation (of the property included in the IGA) prior to and after adoption of the Management Plan, and therefore Metro will not have to fund management of the properties governed by the IGA or the Management Plan. According to the IGA, NCPRD can notify Metro if it does not wish to accept management responsibility for future acquisitions in the Mt. Talbert target area. The Plan recommends that NCPRD manage any new acquisitions that Metro may purchase in the planning area.

OUTSTANDING QUESTIONS

None.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends passage of Resolution No. 00-2970.

Resolution No. 00-2974, For the Purpose of Declaring Support for Metro's Open Spaces Program

**Metro Council Meeting
Thursday, July 13, 2000
Metro Council Chamber**

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DECLARING) RESOLUTION NO. 00-2974
SUPPORT FOR METRO'S OPEN SPACES)
PROGRAM) Introduced by Councilor
) Monroe
)

WHEREAS, regional voters approved a \$135.6 million Open Spaces bond measure in 1995, which at the time was the largest investment in parks and open spaces in Oregon history; and

WHEREAS, the Metro Council has approved a work plan for the implementation of the program, including willing-seller property acquisition; and

WHEREAS, the Open Spaces Acquisition Division has been created within the Regional Parks and Greenspaces Department to implement the work plan, with the assistance of staff from the Office of General Counsel; and

WHEREAS, to-date Metro has purchased over 6,250 acres of open space in 14 target areas, three greenways and two trails; and

WHEREAS, Metro has surpassed the 6,000 acre minimum acquisition goal identified in the bond measure; and

WHEREAS, the open spaces staff has been wise stewards of the public funds by reaching the minimum acquisition acreage goal, and still retaining over \$41 million of bond money enabling Metro to continue to purchase open spaces properties in designated target areas; now, therefore,

BE IT RESOLVED;

1. That the Metro Council finds that the Open Spaces Program has been uniquely successful in carrying out the goals and objectives of the Open Spaces Bond Measure and subsequent Implementation Work Plan.
2. That the staff of the Open Spaces Acquisition Division, the Parks and Greenspaces Department, and the Office of Legal Counsel have operated in a highly professional and successful manner, generating the admiration of the public, local governments and the Metro Council.

3. That the program is encouraged to continue its work for the benefit of the citizens and enhancement the region's livability.

ADOPTED by the Metro Council this ____ day of _____, 2000.

David Bragdon, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 00-2974, FOR THE PURPOSE OF DECLARING SUPPORT FOR METRO'S OPEN SPACES PROGRAM

Date: July 12, 2000

Prepared by: Michael Morrissey

Proposed Action: Resolution 00-2974 declares council support for the policy and implementation of the Open Spaces Program, and for the effort and professionalism of staff involved in carrying out the program objectives.

Factual Background and Analysis: In 1995 Metro put a \$135.6 million Open Spaces measure on the ballot, that was decisively approved by regional voters. Since that time, the operations of the program to purchase land and otherwise implement the objectives of that program have taken place within the Regional Parks Department—Open Spaces Acquisition Division, and the Office of General Counsel. A milestone was reached earlier this year when Metro surpassed the 6,000 acre minimum acquisition goal, identified in the bond measure. In addition, due to the diligence of staff, and with Council direction, the program has reached this goal with additional funds left to continue Open Spaces purchases.

The program has availed itself of Council direction through the “unusual circumstances” provisions in the council-approved Implementation Work Plan, and through periodic briefings with Council, seeking further policy direction. On several occasions Council has expressed satisfaction with the progress of this program, and is hereby publicly expressing that judgement.