

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE CHIEF) RESOLUTION NO. 06-3747
OPERATING OFFICER TO ENTER INTO AN)
AGREEMENT TO PURCHASE PROPERTY IN THE) Introduced by Chief Operating Officer
FOREST PARK TARGET AREA UNDER THE) Michael J. Jordan, with the
2006 NATURAL AREAS BOND MEASURE) concurrence of Council President
AND THE OPEN SPACES IMPLEMENTATION WORK) David Bragdon
PLAN)

WHEREAS, the Metro Council has taken a leadership role in identifying remaining natural areas in the Metro area and planning for their protection; and

WHEREAS, Resolution No. 06-3672B “For the Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$227.4 Million to Fund Natural Area Acquisition and Water Quality Protection,” adopted by the Metro Council on March 9, 2006 (the “2006 Natural Areas Bond Measure”), recommended submission to the voters of a general obligation bond to preserve natural areas and clean water and protect fish and wildlife; and

WHEREAS, Resolution No. 05-3612 “For the Purpose of Stating an Intent to Submit to the Voters the Question of the Establishment of a Funding Measure to Support Natural Area and Water Quality Protection and Establishing a Blue Ribbon Committee; and Setting Forth the Official Intent of the Metro Council to Reimburse Certain Expenditures out of the Proceeds of Obligations to Be Issued in Connection with the Regional Parks and Greenspaces Program,” adopted by the Metro Council on September 29, 2005, directed staff to work on obtaining options to purchase specific properties approved by the Metro Council, as part of the preliminary work associated with the proposed funding measure; and

WHEREAS, in accord with Resolution No. 05-3612, Metro staff has identified opportunities to purchase specific property in the proposed 2006 Natural Areas Bond Measure Target Areas, which properties are identified and further described in Exhibit A; and

WHEREAS, expenditure authority exists in the Fiscal Year 2006-07 Adopted Budget totaling \$100,000 to pay for due diligence and provide earnest money for the entry into agreements to purchase property in the proposed 2006 Natural Areas Bond Measure Target Areas, conditioned upon Metro Council approval, as directed by Resolution No. 05-3612; and

WHEREAS, all terms of the transactions contemplated herein shall be governed by the 1995 Open Spaces Implementation Work Plan, set forth in Metro Council Resolution No. 95-2228A “For the Purpose of Authorizing the Executive Officer to Purchase Property with Accepted Acquisition Guidelines as Outlined in the Open Spaces Implementation Work Plan,” adopted on November 2, 1995; now therefore

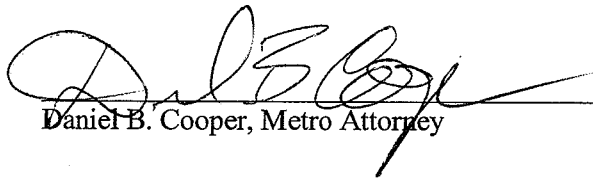
BE IT RESOLVED THAT Metro Council hereby authorizes the Chief Operating Officer to enter into agreements of purchase and sale and/or agreements and to acquire said properties identified in Exhibit A, in accord with the parameters of the Open Spaces Implementation Work Plan.

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ADOPTED by the Metro Council this 30th day of November 2006.


David Bragdon, Council President

Approved as to Form:


Daniel B. Cooper, Metro Attorney

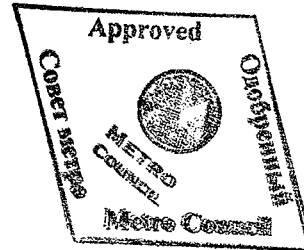
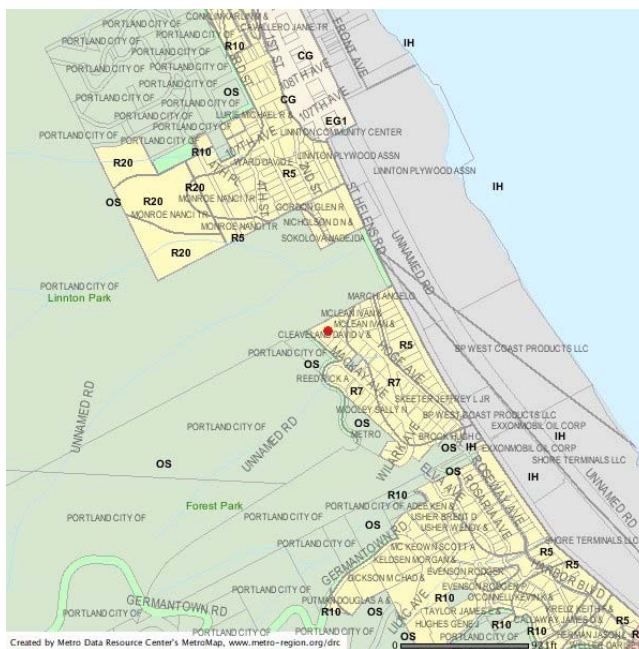


EXHIBIT A
RESOLUTION NO. 06-3747

PROPERTY IDENTIFIED AS
PURCHASE OPPORTUNITY



Target Area:

FOREST PARK

Description: Staff has identified a 0.64-acre parcel is located in a small plated subdivision on the southeast side of the park near Mt St Helens Road. This parcel is directly adjacent to City of Portland owned property and includes a 100-year-old Doug fir forest. It is currently unimproved, though could be developed with up to 5 single family homes and development of this parcel would further impact the area, with street improvements.

If the property is protected the street frontage will remain unimproved and as the adjacent owner is also the Park, the existing gate to the Park could be pushed back by about 200 feet. The landowners are actively marketing the property.

- Option Criteria Addressed:**
- Protects Water Quality in the Willamette River Watershed
 - Protects 100 year old Douglas Fir forest
 - City of Portland and Friends of Forest Park strongly supports this acquisition

Managers: City of Portland will manage this property

Sellers: Private Party

Size: 0.64 acres

Conditions: Metro Council Approval of 2006 Natural Areas Bond Measure



STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 06-3747 FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO ENTER INTO AN AGREEMENT TO PURCHASE PROPERTY IN THE FOREST PARK TARGET AREA UNDER THE 2006 NATURAL AREAS BOND MEASURE AND THE OPEN SPACES IMPLEMENTATION WORK PLAN

Date: November 30, 2006

Prepared by: Hillary Wilton

BACKGROUND

Metro staff was directed by Metro Council on September 29, 2005 (Resolution No. 05-3612 “For the Purpose of Stating an Intent to Submit to the Voters the Question of the Establishment of a Funding Measure to Support Natural Area and Water Quality Protection and Establishing a Blue Ribbon Committee and Setting Forth the Official Intent of the Metro Council to Reimburse Certain Expenditures Out of the Proceeds of Obligations to be Issued in Connection with the Regional Parks and Greenspaces Program”) to obtain options to purchase specific properties approved by Council, as part of the preliminary work for the 2006 Natural Areas Bond Measure. As part of the FY 2006-07 Adopted Budget, the Metro Council approved spending up to \$100,000 for the purchase of options or as earnest money in preparation for the 2006 Natural Areas Bond Measure. As part of Resolution No. 06-3687 (“For the Purpose of Authorizing the Chief Operating Officer to Enter Into Options to Purchase Property Under the 1995 Open Spaces Bond Measure and Proposed 2006 Natural Areas Bond Measure in Accord With the Open Spaces Implementation Work Plan and Providing Funding”) Metro Council approved spending for the purchase of options or as earnest money in preparation for the 2006 Natural Areas Bond Measure.

Metro staff has identified an opportunity to enter into purchase and sale agreements to acquire property in the Forest Park Target Area, identified in the 2006 Natural Areas Bond Measure Target Areas, conditioned upon Metro Council approval.

Forest Park Property

Forest Park is the largest and most ecologically intact natural area in the metropolitan region and is considered by many to be the “crown jewel” of the region’s natural area network. Forest Park is a Target Area identified in the 2006 Natural Areas Bond Measure.

Staff has identified a 0.64-acre parcel, which is located in a small platted subdivision on the southeast side of the park near Mt. St. Helens Road. This parcel is directly adjacent to City of Portland-owned property and includes a 100-year-old Doug fir forest. It is currently unimproved, though it could be developed with up to 5 single-family homes. Development of this parcel would further impact the area with street improvements. If the property is protected, the street frontage will remain unimproved and, as the adjacent owner is also the Park, the existing gate to the Park could be pushed back by about 200 feet. The landowners are actively marketing the property.

While Forest Park is an identified area in the 2006 Natural Areas Bond Measure, the Forest Park target area exceeded its acreage goals set in the 1995 Open Spaces Bond Measure, (acreage goal: 320, acreage acquired: 865.18) and the existing opportunity is not currently listed on the essential properties list. However, staff recommends acquisition of this parcel, strongly supported by Friends of Forest Park and the City of Portland to protect this inlet to the Park, and prevent the impact to the natural area of the potential development.

ANALYSIS/INFORMATION

1. Known Opposition

None known.

2. Legal Antecedents

Resolution No. 06-3672B, "For the Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$227.4 Million to Fund Natural Area Acquisitions and Water Quality Protection", adopted on March 9, 2006.

Resolution No. 05-3612, "For the Purpose of Stating an Intent to Submit to the Voters the Question of the Establishment of a Funding Measure to Support Natural Area and Water Quality Protection and Establishing a Blue Ribbon Committee; and Setting Forth the Official Intent of the Metro Council to Reimburse Certain Expenditures Out of the Proceeds of Obligations to be Issued in Connection with the Regional Parks and Greenspaces Program", adopted on September 29, 2005.

3. Anticipated Effects

Metro will enter into Purchase and Sale Agreements for properties as identified on Exhibit A.

4. Budget Impacts

As part of Resolution No. 05-3612, Metro Council approved spending for the purchase of options or as earnest money in preparation for the 2006 Natural Areas Bond Measure.

As this property is within an established Target Area for the 1995 Open Spaces Bond Measure, the expenditure for this property can come from the existing Open Spaces Fund. Adequate capital outlay appropriation exists to complete this transaction.

RECOMMENDED ACTION

Staff recommends the adoption of Resolution No. 06-3747.