

A G E N D A

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METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
DATE: August 14, 1997
DAY: Thursday
TIME: 2:00 PM
PLACE: Council Chamber

<u>Approx. Time*</u>		<u>Presenter</u>
2:00 PM	CALL TO ORDER AND ROLL CALL	
(5 min.)	1. INTRODUCTIONS	
(5 min.)	2. CITIZEN COMMUNICATIONS	
(5 min.)	3. EXECUTIVE OFFICER COMMUNICATIONS	
(10 min.)	4. MPAC COMMUNICATIONS	
	5. CONSENT AGENDA	
2:25 PM (5 min.)	5.1 Consideration of Minutes of the June 26, 1997 Metro Council Finance Committee Meeting.	
	6. EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(e). DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE REAL PROPERTY TRANSACTIONS.	
2:30 PM (5 min.)	6.1 Resolution No. 97-2547 , For the Purpose of Authorizing the Executive Officer to Purchase Property in the Cooper Mountain Target Area.	McFarland
2:35 PM (10 min.)	7. COUNCILOR COMMUNICATION	

ADJOURN

CABLE VIEWERS: Council Meetings, the second and fourth Thursdays of the month are shown on City Net 30 (Paragon and TCI Cablevision) the first Sunday after the meeting at 8:30 p.m. The entire meeting is also shown again on the second Monday after the meeting at 2:00 p.m. on City Net 30. The meeting is also shown on Channel 11 (Community Access Network) the first Monday after the meeting at 4:00 p.m. The first and third Thursdays of the month are shown on Channel 11 the Friday after the meeting at 2:00 p.m. and the first Sunday and Wednesday after the meeting on Channels 21 & 30 at 7:00 p.m.

PUBLIC HEARINGS: Public Hearings are held on all Ordinances second read and on Resolutions upon request of the public. All times listed on the agenda are approximate; items may not be considered in the exact order. For questions about the agenda, call Clerk of the Council, Chris Billington, 797-1542. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office)

Consideration of the June 26, 1997 Metro Council Finance Committee Meeting minutes.

Metro Council Meeting
Thursday, August 14, 1997
Council Chamber

MINUTES OF THE METRO COUNCIL FINANCE COMMITTEE MEETING

Thursday, June 26, 1997
Metro Council Chamber

Members Present: Patricia McCaig (Chair), Ruth McFarland (Vice Chair), Jon Kvistad, Susan McLain, Don Morissette, Lisa Naito, Ed Washington

Members Absent: None

Chair McCaig called the meeting to order at 2:20 PM. Chair McCaig asked Presiding Officer Kvistad to chair the meeting because it was held during the regularly scheduled Council meeting.

1. ORDINANCE NO. 97-694, AMENDING THE FY 1996-97 BUDGET AND APPROPRIATIONS SCHEDULE BY TRANSFERRING \$80,000 FROM PERSONAL SERVICES TO MATERIALS AND SERVICES IN THE SPECTATOR FACILITIES FUND TO PROVIDE FOR UNANTICIPATED CONCESSIONS EXPENDITURES AT THE PORTLAND CENTER FOR THE PERFORMING ARTS (PCPA), AND DECLARING AN EMERGENCY

Motion: Councilor McFarland moved, seconded by Councilor Washington, to recommend Council adoption of Ordinance No. 97-694.

Councilor McFarland reported on Ordinance No. 97-694, which would amend the FY 1996-97 budget by transferring \$80,000 from personal services to materials and services in the Spectator Facilities fund. This transfer was necessary because the new food vendor was more successful than anticipated, and more money was needed for materials, food, and staff to handle additional business.

Presiding Officer Kvistad opened a public hearing. No one appeared to speak with regard to the legislation. Presiding Officer Kvistad closed the public hearing.

Vote: Councilors McCaig, Naito, Washington, McFarland, Morissette, McLain, and Kvistad voted aye. The vote was 7/0 in favor and the motion passed unanimously.

2. ORDINANCE NO. 97-695, AMENDING THE FY 1996-97 BUDGET AND APPROPRIATIONS SCHEDULE BY TRANSFERRING \$23,500 FROM MATERIALS AND SERVICES TO CAPITAL OUTLAY IN THE MERC ADMINISTRATION FUND TO PROVIDE FOR UNANTICIPATED CAPITAL EXPENDITURES, AND DECLARING AN EMERGENCY ORD NO 97-695

Motion: Councilor McFarland moved, seconded by Councilor McCaig, to recommend Council adoption of Ordinance No. 97-695.

Councilor McFarland reported on Ordinance No. 97-695, which would amend the FY 1996-97 budget by shifting funds from materials and services to capital outlay in the MERC Administration fund for computer software costs. Presiding Officer Kvistad explained action was required on the two items before the committee today because of the rapidly approaching fiscal year end.

Presiding Officer Kvistad opened a public hearing. No one appeared to speak with regard to the legislation. Presiding Officer Kvistad closed the public hearing.

Vote: Councilors Naito, Washington, McFarland, Morissette, McLain, McCaig, and Kvistad voted aye. The vote was 7/0 in favor and the motion passed unanimously.

MINUTES OF THE METRO COUNCIL FINANCE COMMITTEE MEETING

June 26, 1997

page 2

3. UPDATE OF BALLOT MEASURE 50

Chair McCaig asked Craig Prosser, Financial Planning Manager, to give an update on Measure 50 as it would affect the Zoo. Mr. Prosser reminded the committee that when the budget was put together, the implications of Measure 50 were uncertain. He said the legislature was still working on implementation legislation and had not passed anything, so it was still difficult to determine the exact impact. He said the impact would be in part determined by the recent City of Gresham proposal. Before the City of Gresham made their proposal, Metro staff had estimated the Zoo might receive roughly \$230,000 more under Measure 50 than under Measure 47. Mr. Prosser said the unknown factor was how the legislature would treat the public safety preference. He said one proposal was to take 5% off the top of all non-public safety levies, which would more than use up the \$230,000.

Mr. Prosser reported that county assessors had reported to all of the taxing districts that due to the delay in getting implementation language on Measure 50, tax bills for this year could be delayed until as late as January 1998. Therefore, tax turnovers would not be received in the normal time, and the Zoo's fund balance would need to be used to bridge the delay. This would have a significant reduction in interest earnings in the Zoo operating fund.


Mr. Prosser said the budget to be adopted today was basically a "bridge the gap" budget. He said financial staff would be meeting monthly with Sherry Sheng, Metro Washington Park Zoo Director, to develop long-term strategy, to adjust the Zoo to the new financing environment, and to look at ways to reinvest in the Zoo to keep the visitor experience up. He said it was hoped these matters would be presented to the Council before next fall in order to get Council direction for the budget process next year.

Councilor Naito expressed concern about people not getting their tax statement until next year. She said citizens would be upset if they were not able to get a deduction for the current tax year on their federal income taxes. Mr. Prosser agreed, and said that all three counties had said that because the bill's implementation was not finalized, the Oregon Department of Revenue could not finalize procedures for calculating taxes this year. In addition, Mr. Prosser reported that the State would need to get information from every county regarding the 17% reduction before it could proceed. He said this meant the entire state would be on the schedule of the slowest county. He said a lot of jurisdictions were doing short term borrowing to deal with the situation, however, the Zoo had a sufficient fund balance to avoid taking on external short term debt.

In closing, Chair McCaig reminded the committee that although Measure 50 would possibly give \$230,000 to the Zoo, it in no way closed the gap, because Measure 47 brought about a \$1.7 million cut. She added that more cuts at the Zoo would result next year.

There being no further business before the committee, Chair McCaig adjourned the meeting at 2:31 PM.

Prepared by,



Lindsey Ray
Senior Council Assistant

Agenda Item Number 6.1

Resolution No. 97-2547, For the Purpose of Authorizing the Executive Officer to Purchase Property in the Cooper Mountain Target Area.

Executive Session Held Pursuant to ORS 192.660(1)(e). Deliberations with Persons Designated to Negotiate Real Property Transactions.

Metro Council Meeting
Thursday, August 14, 1997
Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING) RESOLUTION NO. 97-2547
THE EXECUTIVE OFFICER TO)
PURCHASE PROPERTY IN THE) Introduced by Mike Burton
COOPER MOUNTAIN TARGET AREA) Executive Officer

WHEREAS, in July 1992, Metro completed the Metropolitan Greenspaces Master Plan which identified a desired system of natural areas interconnected with greenways and trails; and

WHEREAS, at the election held on May 16, 1995, the Metro area voters approved Ballot Measure 26-26 which authorizes Metro to issue \$135.6 million in general obligation bonds to finance land acquisition and capital improvements pursuant to Metro's Open Spaces Program; and

WHEREAS, the Cooper Mountain regional target area was designated as a greenspace of regional significance in the Greenspaces Master Plan and identified as a regional target area in the Open Space, Parks and Streams Bond Measure; and

WHEREAS, on February 15, 1996, the Metro Council adopted a refinement plan for the Cooper Mountain regional target area, including a confidential tax-lot-specific map identifying priority properties for acquisition; and

WHEREAS, the property owned by Cooper Mountain Joint Venture as identified in Exhibit A, is a priority property in Tier I of the Cooper Mountain target area and qualifies as a property to be acquired; and

WHEREAS, the amended Open Spaces Implementation Work Plan adopted in January, 1997, provides that Metro Council approval is required for purchases involving "unusual circumstances" or if the purchase price is more than the fair market value determined by Metro's staff appraiser; and

WHEREAS, the Cooper Mountain Joint Venture property purchase has unusual circumstances, now therefore

BE IT RESOLVED,

That the Metro Council authorizes the Executive Officer to purchase the Cooper Mountain Joint Venture property in the Cooper Mountain regional target area, subject to the terms and conditions set forth in the Agreement of Purchase and Sale.

ADOPTED by Metro Council this _____ day of _____, 1997.

Jon Kvistad, Presiding Officer

Approved as to Form:

Daniel B. Cooper, General Counsel

EXHIBIT 'A'

A tract of land in the Southwest Quarter of the Southeast Quarter of Section 25, Township 1 South, Range 2 West of the Willamette Meridian, in the County of Washington and State of Oregon. EXCEPTING THEREFROM the East 20 feet thereof conveyed for road purposes.

FURTHER EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT:

A tract of land in the Southwest Quarter of the Southeast Quarter of Section 25, Township 1 South, Range 2 West of the Willamette Meridian, in the County of Washington and State of Oregon, described as follows:

Beginning at a point 1317.53 feet North 00°12'58" East from the South 1/4 corner of Section 25 (said point also being the Southwest corner of Lot 8 of "Garry Oaks" a plat of record); thence North 89°59'41" East a distance of 1297.24 feet, more or less, to a point on the West right of way line of SW 190th Avenue; thence South 00°05'15" West a distance of 237.22 feet to a point; thence North 89°28'12" West a distance of 1298 feet, more or less, to a point on the West line of said Southwest Quarter of the Southeast Quarter; thence North 00°12'58" East a distance of 327.20 feet to the Point of Beginning.

Staff Report

CONSIDERATION OF RESOLUTION NO. 97-2547 FOR THE PURPOSE OF AUTHORIZING THE EXECUTIVE OFFICER TO PURCHASE PROPERTY IN THE COOPER MOUNTAIN TARGET AREA.

Date: July 31, 1997

Presented by: Charles Ciecko
Jim Desmond

PROPOSED ACTION

Resolution No. 97-2547 requests authorization for the Executive Officer to purchase property in the Cooper Mountain Target Area.

BACKGROUND AND ANALYSIS

The property in is located in Tier I in the adopted Cooper Mountain refinement plan (legal description attached as Exhibit A). The 29.32-acre land parcel is contiguous to property currently owned and managed by Metro. The subject parcel is essentially an extension of Metro's current holding, both in land use and in landscape perspective. The subject parcel was part of the Cooper Mountain Joint Venture holding logged at the same time (1994/95) as the parcel purchased earlier by Metro. Reforestation is underway on the Metro portion, while reforestation has not occurred on the adjoining subject parcel. Like the Metro holdings on Copper Mountain, the subject parcel has remnants of oak/madrone plant communities that are being lost in the lower Willamette Valley, especially in the Portland metropolitan region. Importantly, an endangered plant specie (*Delphinium sp.*) has been identified on Metro's property, with a likelihood that it exists on the subject parcel with the same plant communities. In addition, the subject parcel contains significant areas of isolated wetland plant assemblages not found on Metro's current holdings.

For management purposes, acquiring the subject parcel will be cost effective. Acquiring the parcel will allow Metro to manage the similar landscape as one unit, uninterrupted by the seemingly transparent property boundary, since it would extend our holdings closer to the top of the watershed along the same slopes we now occupy. In terms of reforestation, habitat protection and enhancement, scenic views, and future access possibilities on our existing holdings, acquisition of this parcel is important.

An unusual circumstance exists regarding the acquisition of this property because we propose to purchase the property above fair market value. A formal appraisal put the fair market value at 15% below the purchase price. Despite the lower appraised value, the property was recently purchased for the same amount we now are offering to pay.

FINDINGS

Acquisition of this property is recommended based on the following:

- The target area description in the Bond Measure Fact Sheet is as follows: "Cooper Mountain: Acquire 428 acres of forested natural area."
- The property is listed as a Tier I property in the adopted refinement plan for the Cooper Mountain target area.
- The site has important scenic and wildlife qualities.

BUDGET IMPACT

Bond funds would supply acquisition money. Land banking costs are expected to be minimal.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends passage of Resolution No. 97-2547.