

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF REALLOCATING A) RESOLUTION NO. 02-3147
PORTION OF THE MULTNOMAH COUNTY)
LOCAL SHARE FUNDS FROM THE METRO)
OPEN SPACES BOND) Introduced by Mike Burton, Executive Officer

WHEREAS, funding for Multnomah County Local Share Projects comes from Metro's Open Spaces, Parks and Streams bond measure, approved by the voters of the region in May 1995; and

WHEREAS, Multnomah County was allocated \$3,401,545 to complete its local share projects; and

WHEREAS, Metro Regional Parks and Greenspaces Department administers the local share funds and projects for Multnomah County pursuant to Resolution No. 96-2285; and

WHEREAS, the Multnomah County local share intergovernmental agreement (IGA) requires that any changes to Multnomah County's local share project list or the reallocation of funds must be approved by Metro Council at a public hearing; and

WHEREAS, Metro Regional Parks and Greenspaces Department has consulted with Multnomah County on the proposed reallocation of funds among the local share projects as required by the provisions of the IGA transferring parks from the County to Metro; and

WHEREAS, the Regional Parks and Greenspaces Advisory Committee has considered this proposal at its January 8, 2002, meeting and recommended approval; now therefore

BE IT RESOLVED

That the Metro Council approves the reallocation of Multnomah County Local Share Project Funds as indicated in Exhibit A.

ADOPTED by the Metro Council this 28th day of February, 2002.



Carl Hosticka, Presiding Officer

Approved as to form:


Daniel B. Cooper, General Counsel

**Proposed Reallocation of Multnomah County Local Share Program
Administered by Metro Regional Parks and Greenspaces Department**

Proposed changes to be approved by Metro Council via Resolution 02-3147

- **Ancient Forest Capital Improvements**
Project to be declared infeasible. Remaining \$149,451 to be reallocated to M. James Gleason Boat Ramp improvements.
- **Howell Territorial Park Capital Improvements**
Revise the local share project list to provide funding up to \$310,000 for land acquisition rather than capital improvements at Howell Territorial Park.
- **M. James Gleason Boat Ramp Improvements**
\$90,000 was originally budgeted for improvements to enhance public access to the Columbia River from the boat launch located at 43rd and Columbia Drive. Funds from the Ancient Forest Preserve (\$149,451) would be reallocated to this project.
- **Smith and Bybee Lakes Capital Improvements**
New proposed project. \$220,000 would be reallocated from the “either Oxbow or Howell” budget for the first phase of implementation of the adopted Smith and Bybee Lakes Facilities Plan.

Previously approved projects

- **Whitaker Ponds Acquisitions**
No changes proposed. Land acquisition goals have been met.
- **Hogan Cedars Acquisitions**
No changes proposed. Land acquisition goals have been met.
- **Tryon Creek Acquisitions**
No changes proposed. Land acquisition goals have been met.
- **Oxbow Regional Park Capital Improvements**
No changes proposed.
To date three capital projects have been completed at Oxbow Regional Park:
 1. Park infrastructure improvements: upgrading the park’s water treatment, water delivery, electrical and communication systems.
 2. Campground improvements: construction of the first ever flush restroom facilities at Oxbow including two restroom/shower buildings, a septic sewer system that will serve current and future park improvements, improved vehicle and trail access and replacement of pit toilets with vault toilets at additional locations within the campground.
 3. Vault toilets: replacement of up to 8 pit toilets within the park with four new vault toilets.

The remaining funds from the “ either Oxbow or Howell” allocation will be used to complete capital improvement projects at Oxbow. These funds are earmarked for new group picnic shelters and restrooms at the park.

- **Burlington Bottom Capital Improvements**
No changes proposed. Trail and bridge improvements completed.
- **Sauvie Island Boat Ramp Improvements**
No changes proposed. Project complete.
- **Blue Lake Park Capital Improvements**
No changes proposed. Improvements pending Council approval of the Blue Lake Park Economic Feasibility Study.
- **Springwater Corridor Improvements**
No changes proposed. Project complete.

NATURAL RESOURCES COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 02-3147, FOR THE PURPOSE OF REALLOCATING A PORTION OF THE MULTNOMAH COUNTY LOCAL SHARE FUNDS FROM THE METRO OPEN SPACES BOND

Date: February 26, 2002

Presented by: Councilor Atherton

Committee Action: At its February 20, 2002 meeting, the Natural Resources Committee voted 4-0 to recommend Council adoption of Resolution 02-3147. Voting in favor: Councilors Atherton, Hosticka, Park and McLain.

Background: Charlie Ciecko, director, Regional Parks and Greenspaces Dept., made the staff presentation. Proposed allocation of Multnomah County local share money affects four projects, as detailed in the staff report: Ancient Forest Capital Improvements, Howell Territorial Park Capital Improvements M. James Gleason Boat Ramp Improvements, and Smith and Bybee Lakes Capital Improvements.

In the case of Howell Territorial Park on Sauvie Island, the resolution proposes to fund up to \$310,000 for land acquisition, rather than for capital improvements.

Existing Law: Metro Resolution 99-2763 established the current allocation of funds for Multnomah County local greenspace projects. The Intergovernmental Agreement with Multnomah County involving local share funds, requires that any reallocation of funds must be approved by the Metro Council through a public process.

Budget Impact: The reallocation of these funds does not affect the Department's budget.

Committee Issues/Discussion:

A committee discussion ensued concerning aspects of Multnomah County's position relative to these expenditures in aggregate, and related to Howell Park specifically. The county chair's office has verbally OK'd the components of resolution 02-3147, but has sent no formal letter. At the same time the county has delayed permits for further improvements at the park. The committee also focused on the proposed acquisition of a parcel adjacent to the park. This acquisition was subject of a separate resolution later in the committee's agenda. Several councilors questioned acquiring additional acreage for the park, if the County prohibits further development of it.

The committee put aside action on the resolution and took action on resolution 02-3159, approving purchase of the adjacent property.

After resuming action on this resolution, the committee agreed to recommend council adoption on a 4-0 vote.

STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 02-3147 FOR THE PURPOSE OF REALLOCATING REMAINING MULTNOMAH COUNTY LOCAL SHARE PORTION OF METRO OPEN SPACES BOND FUNDS

Date: December 27, 2002

Presented by: Charles Ciecko
Heather Nelson Kent

Proposed Action

Resolution No. 02-3147 requests Metro Council approval to reallocate the remaining Multnomah County local share portion of Metro's Open Spaces, Parks and Streams bond funds to new projects.

Existing Law

Oregon Regulatory Statute (ORS 190.010) authorizes Metro to enter into intergovernmental agreements. Metro Code Chapter 2.02 establishes procedures for Metro to enter into intergovernmental agreements.

Metro Council Resolution No. 96-2285 authorized the Phase II intergovernmental agreement (IGA) between Multnomah County and Metro transferring ownership and full responsibility for all Multnomah County parks, natural areas, golf courses, and the Expo Center to Metro. The IGA also authorized Metro to administer Multnomah County's portion of the local share funds from the Open Spaces, Parks and Streams bond measure.

Resolution No. 99-2763 established the current allocation of funds for Multnomah County local greenspace projects.

Background

In January 1995, Metro Council referred a \$135.6 million bond measure (Resolution No. 95-2074-A) to the qualified voters of the Metro district to appear on the May 16, 1995, ballot. A component of the bond measure included \$25 million to be spent by cities, counties and park districts that provided park services on land acquisitions and capital improvements. Metro, along with 25 other park providers, were eligible for these funds. To be eligible for the funding, projects had to be for natural resource related activities and follow local share (Attachment 1).

Multnomah County was allocated \$3,401,545 to carry out its local share program. The county's original local share project list was developed in 1994 and amended in 1999 to better position Metro's regional park facilities in support of its mission to establish a regional greenspaces system. New information about certain projects makes additional changes to the local share program necessary.

As part of the administration of the local share program, Metro requires that any change to a project list must be approved by the recipient's governing body through a public process. In order to be consistent with this policy the Metro Council is required to provide an opportunity for public testimony and formally approve any changes to the Multnomah County local share program priorities.

Local share dollars are being utilized to fund capital improvement projects and acquisition for Metro's regional parks and greenspaces facilities. The following changes to the current local share allocation for Multnomah County are recommended:

1. Declare the Ancient Forest Preserve project infeasible and move the remaining local share funds to the M. James Gleason Boat Ramp capital construction budget to provide necessary grant matching funds from the State Marine Board. Remaining funds total \$149,451.

A master plan for public use and access to the Ancient Forest Preserve was adopted by the Metro Council in 1996. The Friends of Forest Park (FOFP) own the Ancient Forest Preserve. In 2002 Metro acquired a 332-acre site (Agency Creek) which surrounds the Ancient Forest. The site is in reforestation. To best preserve the unique natural resource that the Ancient Forest represents, Metro and the FOFP agree that public access is undesirable. Until funds are identified that will allow for public access to the Metro-owned Agency Creek site, this project should be put on hold. For the purposes of the local share program the Ancient Forest project should be declared infeasible.

Improvements to the M. James Gleason Boat Ramp will provide recreational boaters with improved access to the Columbia River. It is one of only two public access points to the Columbia located in the Portland metropolitan area. Planning for these improvements has been underway for several years. The Metro Council adopted a master plan in 1998 and Metro acquired adjacent property from the Port of Portland necessary for implementation of the plan's recommended improvements in 1999. Design and engineering was completed in 2001. Currently Metro, in partnership with the Oregon State Marine Board and Multnomah County, is in the process of submitting the necessary land use applications needed prior to applying for construction permits. To date, Metro has leveraged grant funding and contributions totaling \$328,625 and additional grant funding is likely, provided that Metro provides the necessary matching funds. The reallocation of the Ancient Forest local share dollars will provide the necessary matching funding and allow the investment in planning and permitting to be brought to fruition.

2. Reallocate \$220,000 to Smith and Bybee Lakes for implementation of the Smith and Bybee Lakes Facilities Plan and provide necessary matching funds for potential grant applications.

The Smith and Bybee Lakes Recreational Facility Plan was adopted by the Metro Council in 1999. The plan calls for relocation of the visitor parking lot, improved access to the Lakes, enhanced interpretation of the unique natural history, and the first official boat launch. Relocation of the boat launch has become a high priority for the department and the Smith and Bybee Lakes Management Committee since it has been well documented that the current access point for canoes and kayaks places paddlers in sensitive habitat where they repeatedly disturb Western Painted Turtles.

Funding for Smith and Bybee Lakes would come from local share dollars currently allocated to "either Oxbow Regional Park or Howell Territorial Park" per Resolution 99-2763.

3. Provide funding up to \$310,000 for land acquisition rather than for capital improvements at Howell Territorial Park.

In 1997 Metro purchased 20 acres adjacent to Howell Territorial Park from Marge Taber and, in addition, secured a right-of-first-refusal for the acquisition of approximately 20 acres and a residence. These 20 acres have important historical value, as they were part of the Howell farm. Due to the death of Marge Taber, and the decision of her daughter to sell the property, Metro is in the position to acquire this remnant of the original land claim. A small, forested parcel adjacent to the park property is also available for purchase that includes additional river frontage. Acquisition of these two properties will allow Metro to enhance the natural resource values of the entire area (by removal of the cattle grazing and farming around Howell Lake) and reduce the number of private owners sharing

park road access. This acquisition is considered a one-time opportunity and therefore the department's highest priority at Howell Territorial Park.

Mike Burton sent Multnomah County Chair Diane Linn a letter dated Dec. 21, 2001, advising the Board of Metro's proposal to reallocate Multnomah County local share funds. According to the agreement transferring parks from Multnomah County to Metro, Metro is responsible for administering the local share projects. Metro may, after consultation with the County Board, determine that projects are cost prohibitive, degraded, or otherwise infeasible and substitute other eligible projects as necessary. The county has made no comment regarding this proposal.

Budget Impact

The proposed reallocation will not affect the department's budget.

Outstanding Questions

None.

Executive Officer's Recommendation

The Executive Officer recommends approval of Resolution No. 02-3147.

**GREENSPACES GENERAL OBLIGATION BOND MEASURE
LOCAL SHARE GUIDELINES**

Local governments will be entitled to receive a portion of the regional greenspaces bond measure funds based on the allocation formula in the Metropolitan Greenspaces Master Plan adopted in July 1992.

Projects eligible for local share funding must meet the following criteria:

1. Eligible agency is a park provider as of July 1, 1991.
2. Funds must be expended on greenspaces related activities only including:

Acquisition

- Fee simple (or easement) to purchase regionally significant greenspaces and/or trail corridors identified in the Metropolitan Greenspaces Master Plan, and/or locally determined significant greenspaces and/or trail corridors.
- Costs associated with the acquisition of property.

Capital Improvements

- Restoration or enhancement of natural areas.
 - Trail construction.
 - Access facilities such as roads that are an integral part of the greenspace, parking, boat ramps, trail heads, Americans with Disabilities Act (ADA) requirements.
 - Public use facilities such as rest rooms, picnic tables, shelters, viewing blinds, water systems, camp sites, fishing piers, and associated appurtenances including signs, fences, security lighting and barbecues.
 - Environmental education facilities such as nature centers and interpretive displays.
3. The park provider will enter into an Intergovernmental Agreement (IGA) to be approved by the Metro Council and the governing board of the park provider. The IGA shall require signage and the project site in an appropriate location(s) to acknowledge Metro, the park provider and other project partners; funds from the bond measure shall not be used to replace local funds on the project; and funds from the bond measure should leverage other sources of revenue when possible.
 4. A list of local share projects with estimated costs, approved by the governing board of each jurisdiction shall be delivered to Metro no later than November 1, 1994 to be eligible for local share funding.
 5. Greenspace sites subject to local share funding will be maintained for its intended recreational, natural area or trail activities.