

MINUTES OF THE METRO COUNCIL MEETING

Thursday, April 10, 2008
Metro Council Chamber

Councilors Present: David Bragdon (Council President), Kathryn Harrington, Robert Liberty, Rex Burkholder, Rod Park, Carlotta Collette

Councilors Absent: Carl Hosticka (excused)

Council President Bragdon convened the Regular Council Meeting at 2:00 p.m.

1. INTRODUCTIONS

There were none.

2. CITIZEN COMMUNICATIONS

R. A. Fontes, 310 2nd Lake Oswego, OR 97034 provided his comments in writing (a copy of which is included in the meeting record). Councilor Liberty appreciated Mr. Fontes analysis. He asked if Mr. Fontes was to make a recommendation, what would that be? Mr. Fontes responded to his question.

3. CONSENT AGENDA

3.1 Consideration of minutes of the April 3, 2008 Regular Council Meeting.

Motion:

Councilor Harrington moved to adopt the meeting minutes of the April 3, 2008 Regular Metro Council.

Councilor Harrington noted Item 7.4 and asked to correct the vote as a 5 aye/2 nay.

Vote:

Councilors Burkholder, Harrington, Liberty, Park, Collette and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

4. RESOLUTIONS

4.1 **Resolution No. 08-3923**, Authorizing the Chief Operating Officer to Acquire A Conservation Easement on Certain Property in the Lower Tualatin Headwaters Target Area Under the 2006 Natural Areas Bond Measure.

Motion:	Councilor Park moved to adopt Resolution No. 08-3923.
Seconded:	Councilor Burkholder seconded the motion

Councilor Park said Metro staff had entered into an agreement, subject to Council approval, to purchase a conservation easement over approximately 24 acres on the Streeter Property (the "Easement Area"). The Streeter's residence would remain on the 1-acre portion of the Streeter Property that lay outside the Easement Area. This area was part of the Natural Areas Bond Measure's Lower Tualatin River Headwaters Target Area.

The acquisition of a conservation easement would protect lands along Baker Creek. This property provided valuable riparian and upland wildlife habitat and water quality protection along approximately 2000 feet, including both banks, of Baker Creek.

The conservation easement would, among other things,

- (1) prohibit development so that the natural condition of the Easement Area would be retained,
- (2) provide Metro with unlimited access rights to the Easement Area for monitoring, restoration, and enhancement purposes, and
- (3) restrict the Streeters from engaging in any activity that is inconsistent with the conservation values established under the conservation easement.

In general, the site had the potential to provide aquatic, riparian and upland habitat to a wide variety of wildlife species. Some highlights of the property were:

- a Douglas-fir forest (age estimate is approximately 100 years),
- Metro's science staff observed evidence of deer, red-tailed hawks, coyotes, rufous-sided towhees and red-breasted sapsuckers during a site visit. In addition, the owner reported the past presence of beaver and pileated woodpeckers.

In addition to granting Metro the conservation easement, the Streeters had also agreed to provide Metro with a 20-year option to purchase fee title to the Easement Area. There would be no additional purchase price paid to the Streeters should Metro exercise the option. Metro was presently unable to purchase fee title to the Easement Area due to land division restrictions currently in the Washington County Code. Metro staff intended to work with Washington County and other local partners to encourage approval of a land division.

The purchase of the conservation easement over the Streeter property was contingent on the purchase of certain property owned by Kevin and J'leane Cole (the "Cole Property") located adjacent to and directly to the north of the Easement Area. The Cole Property was approximately five acres in size and would provide Metro with suitable access to the Easement Area. The Cole Property was undeveloped, contained significant habitat and resource values, and was also an identified Tier 1 property within the Lower Tualatin Headwaters Target Area. He urged support and felt the conservation easement was good tool for our tool box.

Council President Bragdon opened a public hearing on Resolution No. 08-3923. No one came forward. Council President Bragdon closed the public hearing.

Councilor Burkholder felt this was positive sign of innovation. He was very supportive of this action. Council President Bragdon felt that the staff had been very creative and supported the resolution as well.

Vote:

Councilors Park, Burkholder, Collette, Harrington, Liberty and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

4.2 **Resolution No. 08-3924**, Authorizing the Chief Operating Officer to Enter Into an Intergovernmental Agreement with Clackamas County Regarding The Purchase and Management of Certain Property in the Clackamas River Target Area under the 2006 Natural Areas Bond Measure.

Motion:	Councilor Burkholder moved to adopt Resolution No. 08-3924.
Seconded:	Councilor Harrington seconded the motion

Councilor Burkholder said this was an authorization to enter into an Intergovernmental Agreement (IGA) with Clackamas County to transfer ownership and management of a piece of property in the Clackamas River Target Area. He talked about the change in language to the Statutory and Sale Deed. This land would be maintained as a natural area. He urged support of the resolution. Councilor Collette said she was supportive of the project and was happy to see the added protection for this natural area.

Vote:

Councilors Park, Burkholder, Collette, Harrington, Liberty and Council President Bragdon voted in support of the motion. The vote was 6 aye, the motion passed.

5. CHIEF OPERATING OFFICER (COO) COMMUNICATION

Michael Jordan, COO, said he asked Jim Desmond to make a brief announcement. Jim Desmond, Regional Parks and Greenspaces Director introduced Mary Ann Cassin, Regional Parks and Greenspaces Department. Mr. Desmond had been negotiating with a local family foundation about funding half of a position for a real estate negotiator that would be dedicated to trails. This negotiator would work exclusively on trails and put extra effort for the 40-mile loop trail. They were continuing to find new partnerships. Councilor Collette asked how long they would endow this position. Mr. Desmond said three years. They would reassess at that time. Councilor Park asked if this had ever happened in other areas of Metro. Mr. Jordan said he was not aware of any other positions. Ms. Cassin said one of the reason the foundation had approached Metro was that Metro was responsive and easy to work with. Council President Bragdon added his comments. Mr. Jordan added that we were in a collaborative agreement with Home Builders Association.

6. COUNCILOR COMMUNICATION

Councilor Harrington said they had their third Urban and Rural Reserves Committee meeting this week. They had a great turnout with the whole committee in attendance. There was tremendous discussion. The work program was reviewed and each of the four bodies gave an overview of the important convening processes. The broad study and analysis was reviewed. She said the Neighboring Cities meeting was planned for April 17th. Third, urban factors were reviewed. This item and the rural factors would be reviewed at the next meeting as well.

Councilor Collette reported on the Metro Policy Advisory Committee (MPAC) meeting. There were two interesting presentations, one on Damascus and County Chair Brian talked about the unincorporated and incorporated areas. Councilor Park said they reviewed the Regional Transportation Plan (RTP) scenarios.

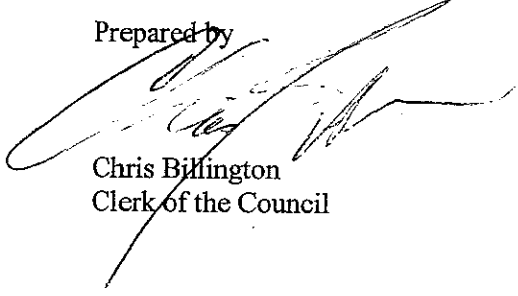
Councilor Burkholder reported on the Joint Policy Advisory Committee on Transportation (JPACT) meeting. They also discussed the RTP scenarios. They looked at the Metropolitan Transportation Improvement Program (MTIP) process and talked about the two-step process.

Councilor Liberty added that there was a lot of competition for a small amount of money.

Metro Council Meeting
04/10/08
Page 4

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 2:33 p.m.

Prepared by

A handwritten signature in black ink, appearing to read "Chris Billington", written over the printed name and title.

Chris Billington
Clerk of the Council

**ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF
APRIL 10, 2008**

Item	Topic	Doc. Date	Document Description	Doc. Number
2.0	Testimony and attachment	4/10/08	To: Metro Council From: R.A. Fontes Re: Lake Oswego Streetcar	041008c-01
3.1	Minutes	4/3/08	Metro Council Meeting Minutes of April 3, 2008	041008c-02
4.1	Non substantive change to Resolution	4/10/08	Resolution No. 08-3923 , Authorizing the Chief Operating Officer to Acquire A Conservation Easement on Certain Property in the Lower Tualatin Headwaters Target Area Under the 2006 Natural Areas Bond Measure.	041008c-03