

**MINUTES OF THE METRO COUNCIL
NATURAL RESOURCES COMMITTEE**

Wednesday, May 1, 2002
Council Chamber

Members Present: Susan McLain (Chair), Carl Hosticka (Vice Chair), Bill Atherton,
David Bragdon, Rod Park

Also Present: Rex Burkholder

Chair McLain called the meeting to order at 1:10 p.m.

1. CONSIDERATION OF THE MINUTES OF THE APRIL 17, 2002 NATURAL RESOURCES COMMITTEE MEETING

Motion:

Councilor Park moved to adopt the minutes of the April 17, 2002 Natural Resources Committee regular meeting.
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Vote:

Councilors Hosticka, Park and McLain voted to adopt the minutes as presented. The vote was 3 aye/ 0 no/ 0 abstain and the motion passed. Councilors Atherton and Bragdon were absent from the vote.

2. REVIEW OF REMAINING OPEN SPACES FUNDS

Charles Ciecko, Regional Parks and Greenspaces Manager, updated the committee on the status of the remaining funds of the 1995 open space parks and streams bond measure. He reviewed the most recent information regarding the open space fund balance, and identified the formal commitments, including staff materials and services, capital improvement projects, completed capital purchases, remaining local share commitments, and pending contracted purchases.

2.1 EXECUTIVE SESSION HELD PURSUANT TO ORS 192.660(1)(e). DELIBERATIONS WITH PERSONS DESIGNATED TO NEGOTIATE REAL PROPERTY TRANSACTIONS

Chair McLain opened an Executive Session pursuant to OS 192.660(1)(e). at 1:16 p.m. to discuss remaining Open Spaces funds.

Present: Mike Burton, Charles Ciecko, Jim Desmond, Nancy Goss Duran, Nancy Chase, William Eadie, Jeff Tucker, Fritz Paulus, John Donovan, Michael Morrissey, Ken Helm, Marv Fjordbeck. Members of the media: Laura Oppenheimer

Chair McLain closed the Executive Session at 1:40 p.m. and reconvened the Metro Council Natural Resources Committee regular meeting.

3. RESOLUTION NO. 02-3187, FOR THE PURPOSE OF AUTHORIZING THE EXECUTIVE OFFICER TO CONTRIBUTE TOWARD THE PURCHASE OF PROPERTIES ON HOGAN BUTTE IN THE EAST BUTTES/BORING LAVA DOMES TARGET AREA

Mike Burton, Executive Officer, reviewed the resolution. He said this was a unique opportunity to significantly leverage some of the remaining open space acquisition funds and preserve a significant

forested natural area in a rapidly growing area southeast of Gresham. He noted strong support from the City of Gresham and its citizens. He urged support of the resolution.

Motion: Councilor Park moved to recommend Council approval of Resolution No. 02-3187.

Councilor Hosticka asked for clarification of who would be negotiating the purchase and how the federal money would be distributed. Mr. Desmond explained that the Trust for Public Land (TPL) currently had an option on the property with the landowner. He said the TPL was securing federal Forest Legacy funds which would flow to the City of Gresham. The TPL would purchase the property and simultaneously flip it to the City of Gresham and Metro. Metro would contribute 20% and Gresham would contribute 80% which would come through the federal government. He said Metro and the City of Gresham would share title to the property. He added that the land would be negotiated with the Trust for Public Land, not the landowner. In response to Councilor Hosticka's question about the timing, Mr. Desmond said the intent, was that if federal funding did not come by November 1, 2002, Metro would have to contemplate further action to re-reserve the money for this purpose.

Chair McLain opened a public hearing on Resolution No. 02-3187.

Ed Labinowicz, Land Use Chair of the Gresham Butte Neighborhood Assn., 1326 SE Linden Ct., Gresham, OR 97080, submitted a packet of information and a petition supporting the acquisition of the 49 acres on SE Regner Road. (See a copy of the packet included with the permanent record of this meeting.) He noted that while citizens appreciated the recreational and esthetic values connected to the greenspace program, perhaps they did not fully appreciate the contribution to the economic stability of the region that was being created. He noted page 4 of his packet and reviewed some of the predicted data for the Portland metro area. He said Metro, through investing in greenspaces, was investing in the environmental health of the region as well as the economic stability. He urged approval of the resolution as extremely valuable to the region. Councilor Park asked if there were other concerns in the area. Mr. Labinowicz responded that the Deer Glen project had been approved last August for 69 homes despite the fact that all of the hillside stability studies had not been done. He said immediately below the Freeman property they had evidence of old landslides and potential new ones. Councilor Park asked if the addition near Persimmon was a concern. Mr. Labinowicz said it did add more impervious surfaces and that was a concern for the storm water problem.

Vote: Councilors Atherton, Hosticka, Park and McLain voted to recommend council approval of Resolution No. 02-3187. The vote was 4 aye/ 0 no/ 0 abstain and the motion passed. Councilor Bragdon was absent from the vote.

Chair McLain assigned Councilor Park to carry the resolution to the council.

4. RESOLUTION NO. 92-3188, FOR THE PURPOSE OF STATING AN INTENT TO SUBMIT TO THE VOTERS THE QUESTION OF THE ESTABLISHMENT OF A FUNDING MEASURE TO SUPPORT PARKS, TRAILS AND OPEN SPACE ACQUISITION, DEVELOPMENT AND OPERATIONS AND AUTHORIZING AN OPEN SPACES OPTIONS PROCESS

Mr. Burton presented the resolution which addresses the question of future rounds of the open spaces program. He said the open spaces bond measure clearly was not intended to acquire all of the natural areas identified in the Greenspaces Master Plan, and had selected only 14 of the 57 identified natural areas and 6 of the 34 identified regional trails for acquisition. He said public demand for quality parks

and open spaces continues. He felt they risked losing several key acquisition opportunities if they did not act now. He said the need to protect additional open space sites did not relieve the maintenance and operation needs that Metro and all park providers in the region already had. In response to a question from Councilor Park, Mr. Burton said the design of what actually went on the ballot would be a result of discussions with the general public and groups that had an interest in it.

Councilor Hosticka wondered the significance of this council declaring an intent. Mr. Burton said while the resolution was not legally binding, it formally placed a statement by this council to the public that they were serious about pursuing this course of action, and it authorized allocation of specific dollars toward that. Mr. Helm did not believe there were legal limitations to this council directing staff to pursue the purchase of options. He said he read this resolution of intent as a kick off of an effort, and a direction for staff to do these listed things to prepare to put the proposal out to public. Mr. Ciecko added that the value of stating an intent was the positive influence on our ability to acquire some options.

Chair Atherton asked about the possibility of frustrating their ability to get reasonable purchase prices on the bond measure property. Mr. Desmond said the areas specifically identified in the resolution were ones that would not get done with the bond measure; they were ones that seemed to have strong public support for acquisition.

Councilor Burkholder requested that the committee consider continuing this matter to provide more deliberation about the details. He also thought they should look at this proposal in context with other proposals for future financing and revenue sources that the agency may be looking at, i.e., setting up the new Transportation Finance Taskforce, which was intended to make recommendations for regional funding requests to pay for transportation. His concern was obligating sellers to several different funding scenarios.

Councilor Bragdon commented that this resolution reinforced the fact that this work is never done. He noted there was precedence for having options for the future and signaling the direction they wanted to go. He cautioned they should not jeopardize or shortchange the important work that was still going on with the 1995 bond measure essentials list. Mr. Burton commented that this resolution attempted to move on and finish the program, and not be distracted often by folks who were coming and saying they needed theirs added in there, too. He said this resolution addressed those things within the Greenspaces Master Plan that had already been adopted.

Chair Atherton wondered whether \$100,000 to purchase options was a meaningful sum. Mr. Desmond believed it was, based on their 1994 experience.

Chair McLain commented that she had never received as many personal contacts as she had on this issue; people wanting to know how to finish up this work and transition to other needs on the greenspace master plan. She felt this legislation would start to address those questions. She said an option on a piece of property was just that, and offered an opportunity to go forward or not.

Chair Atherton asked for more time, and perhaps discussion of additional language relative to SDCs and impact fees that local jurisdictions charge. Councilor Bragdon agreed that they needed more time and information. He said he would be more comfortable if they shopped this around with the partners before they went forward. As an introducer of the resolution, Councilor Hosticka requested that it be held to the next agenda for further discussion. Councilor Bragdon felt the committee should make good use of the time before the next committee meeting to do some outreach with the public and citizen groups that had a big stake in this issue. Councilor Park commented that there were questions that had not been addressed,

i.e., was this to be focused on areas currently inside the boundary, or what they knew might be coming inside the boundary. He felt they needed to be clear on that issue as well as whether there was special emphasis on completion of Greenspaces 1. He felt the intent to move ahead was important to getting the momentum going.

Chair McLain set Resolution No. 02-3188 forward to the next agenda.

5. FISH & WILDLIFE HABITAT

Paul Ketcham, Long Range Planning, reviewed the latest updates on the revised scoring and the species and habitats of concern. He described the final wildlife inventory model results as depicted by the new wall maps, which incorporated the map corrections that had been received from local governments and others since February 2001. He said those corrections would also be represented in the revised riparian corridor inventory.

Councilor Bragdon commented that quite a few of the habitats were already in public ownership. Mr. Ketcham responded that probably half of them were, and added that they would be generating that information in the next couple of weeks. In response to a question from Councilor Atherton, Mr. Ketcham said there were a variety of species represented in the species of concern database, but they were avian, amphibian, and reptile species. He said invertebrates were not included. He added there were some rare and unique plant communities included, and that most of the approximately 50 vertebrate sensitive species in the region were still present to some degree.

6. ESEE TIMELINE

Mr. Turpel reviewed the timeline needed to finish the ESEE analysis (see copy of the Regional Fish and Wildlife Habitat Protection Plan Timeline, Inventory and ESEE Analysis, included with the permanent record of this meeting).

Chair McLain commented that there would be more dialogue and discussion with staff and the committee about the criteria for the ESEE work in April and May. Councilor Hosticka commented that closure was needed on the question of whether they would seek an extension on the periodic review. He said he had asked for a definitive recommendation from MPAC so any adjustments could be made to the timeline connected to a possible extension. He pointed out that the interaction between this work and the periodic review was not only a question of bringing the information together, but also how council and staff resources were invested, particularly on outreach and public involvement.

ADJOURN

There being no further business to come before the Natural Resources Committee, Chair McLain adjourned the meeting at 3:13 p.m.

Prepared by

Cheryl Grant
Council Assistant

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MAY 1, 2002

Agenda Item No.	Topic	Doc Date	Document Description	Doc Number
3	Hogan Butte	None	Resolution No. 02-3187, For the Purpose of Authorizing the Executive Officer to Contribute Toward the Purchase of Properties on Hogan Butte in the East Buttes/Boring Lava Domes Target Area	050102nr-01
3	Hogan Butte	None	Hogan Butte Open Space Acquisition Proposal packet	050102nr-02
3	Hogan Butte	None	Petition in favor of protecting the Hogan Butte property in Gresham as public open space, green space and parkland, submitted with previous document.	050102nr-03
4	Parks funding	None	Resolution No. 02-3188, For the Purpose of Stating an Intent to Submit to the Voters the Question of the Establishment of a Funding Measure to Support Parks, Trails, and Open Space Acquisition, Development, and Operations, and Authorizing an Open Spaces Options Process	050102nr-04
6	ESEE timeline	5/1/2002	Regional Fish and Wildlife Habitat Protection Plan Timeline (inventory and ESEE Analysis)	050102nr-05

TESTIMONY CARDS

Ed Labinowicz, Gresham Butte Neighborhood Assn., 1326 SE Linden Ct., Gresham, OR 97080