

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE	)	RESOLUTION NO. 12-4356
CHIEF OPERATING OFFICER TO PURCHASE	)	
PROPERTY IN THE JOHNSON CREEK AND	)	Introduced by Chief Operating Officer Martha
WATERSHED TARGET AREA	)	J. Bennett, with the concurrence of Council
	)	President Tom Hughes

WHEREAS, at the general election held on November 7, 2006, the voters of the Metro region approved the 2006 Natural Areas Bond Measure, authorizing Metro to sell \$227.4 million in general obligation bonds to fund natural area acquisition and water quality protection; and

WHEREAS, the Johnson Creek Target Area was identified in the Bond Measure as one of 27 regional target areas for land acquisition; and

WHEREAS, on September 20, 2007, the Metro Council adopted Resolution No. 07-3851 "Approving the Natural Areas Acquisition Refinement Plan for the Johnson Creek and Watershed Target Area" which resolution approved the acquisition of the properties within the target area; and

WHEREAS, a primary goal of the Johnson Creek and Watershed Area refinement plan is to "protect lands along the mainstream and important tributaries of Johnson Creek"; and

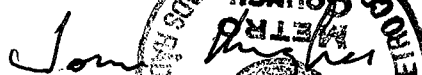
WHEREAS, certain real property legally described and identified in the executive session (the "Property") that meets this goal and which is identified in the Johnson Creek and Watershed Area refinement plan may be available for purchase; and

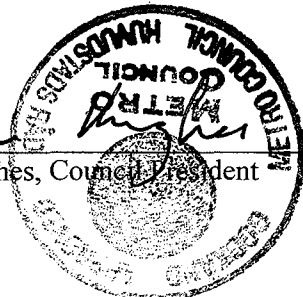
WHEREAS, Metro Code Chapter 2.04.026 requires Metro Council authorization for any contract for the purchase of real property to be owned by Metro; now therefore

BE IT RESOLVED that the Metro Council finds that, for the reasons stated and as provided herein and discussed in the executive session, it is in the public interest to purchase the Property, and therefore authorizes the Chief Operating Officer to:

1. Acquire the Property on terms and under conditions acceptable to the Chief Operating Officer and the Office of Metro Attorney, consistent with the discussion at the executive session; and
2. Execute such ancillary documents as may be required in connection with this acquisition, in the form approved by the Office of Metro Attorney.

ADOPTED by the Metro Council this 28th day of June, 2012.

  
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 Tom Hughes, Council President



Approved as to Form:

  
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 Alison Kean Campbell, Metro Attorney

## **STAFF REPORT**

### **IN CONSIDERATION OF RESOLUTION NO. 12-4356, FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO PURCHASE PROPERTY IN THE JOHNSON CREEK AND WATERSHED TARGET AREA**

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Date: June 27, 2012

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## **BACKGROUND**

Resolution No. 12-4356 requests authorization to purchase real property located within the Johnson Creek and Watershed target area.

This acquisition protects important wildlife habitat and floodplain lands along a section of the main stem of Johnson Creek. This property meets the overarching goal of the Johnson Creek Watershed target area for the 2006 Natural Areas Bond Measure by protecting floodplain and riparian habitat along the main stem of Johnson Creek to safeguard water quality and connect with other publicly owned land. The Tier I acquisition objective in the target area is to “protect lands along the mainstream and important tributaries of Johnson Creek...”

## **ANALYSIS/INFORMATION**

### **1. Known Opposition**

None.

### **2. Legal Antecedents**

The voters’ approved Metro’s 2006 Natural Areas Bond Measure at the general election held on November 7, 2006.

The Metro Council adopted Resolution No. 07-3851, “Approving the Natural Areas Acquisition Refinement Plan for the Johnson Creek and Watershed Target Area,” on September 13, 2007.

Metro Code Chapter 2.04.026 requires Metro Council authorization for any contract for the purchase of real property to be owned by Metro.

### **3. Anticipated Effects**

The acquisition will protect an important reach of the main stem of Johnson Creek. The total number of acres acquired for the target area will be 195, nearly obtaining our goal of 200 acres.

### **4. Budget Impacts**

Metro’s acquisition of the property shall be funded with 2006 Regional Bond proceeds.

## **RECOMMENDED ACTION**

Staff recommends the adoption of Resolution No. 12-4356.