

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AMENDING THE)	RESOLUTION NO. 14-4590
NATURAL AREAS ACQUISITION)	
REFINEMENT PLAN FOR THE WILLAMETTE)	Introduced by Chief Operating Officer Martha
RIVER GREENWAY TARGET AREA		Bennett in concurrence with Council
		President Tom Hughes

WHEREAS, at the election held on November 7, 2006, the voters approved Ballot Measure 26-80, authorizing Metro to issue \$227.4 million of general obligation bonds to fund natural area acquisition and water quality protection (the “Bond Measure”);

WHEREAS, on August 14, 2014, the Council approved Resolution No. 14-4536 (“For the Purpose of Amending and Updating the Natural Areas Implementation Work Plan”) authorizing the Metro Chief Operating Officer to acquire property interests in parcels identified on Council-approved target area confidential refinement maps;

WHEREAS, the Willamette River Greenway target area (the “Target Area”) was one of the 27 regional target areas identified in the Bond Measure for land acquisition;

WHEREAS, at the time that Metro undertook the public refinement process to establish specific acquisition strategies, goals, and objectives for the Target Area, and when in September 2007, the Metro Council approved a refinement plan for the Target Area, including a confidential tax-lot specific map, Blue Heron Paper Company, Inc., operated a mill on the Willamette River waterfront in the City of Oregon City at the base of Willamette Falls;

WHEREAS, in February 2011, the mill closed its doors, and Metro and its public partners, including the City of Oregon City, Clackamas County, and the State of Oregon (the “public partners”), began to investigate the site guided by four values: economic development, healthy habitat, historic and cultural interpretation, and public access to Willamette Falls, a natural wonder in our region;

WHEREAS, Metro and its public partners entered into a Memorandum of Understanding in September of this year, promising to collaborate on a vision to bring public access to Willamette Falls through a “Riverwalk” project on the former Blue Heron Paper Mill site;

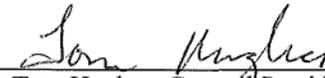
WHEREAS, the Riverwalk is intended to be a critical first investment in the site that will spur redevelopment and that will connect to a view of Willamette Falls from property owned by Portland General Electric (“PGE”);

WHEREAS, the Metro Council finds that adding these properties adjacent to Willamette Falls to the confidential tax-lot specific map for the Target Area at this time will help further the Riverwalk project by allowing acquisition of easements or other property interests at these sites;

WHEREAS, the Metro Council has determined that the acquisition of property interests in these parcels is consistent with the goals of the refinement plan for the Target Area; now therefore

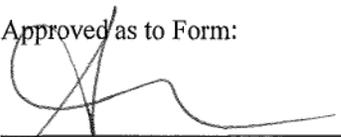
BE IT RESOLVED that the Metro Council hereby adopts the Willamette River Greenway Target Area confidential tax-lot specific map signed by Council President Tom Hughes on December 11, 2014, which map includes the former Blue Heron property and the adjacent PGE property. This map shall replace the confidential map adopted with the approval of Resolution No. 07-3859 on September 24, 2007.

ADOPTED by the Metro Council this 11th day of December, 2014.


Tom Hughes, Council President



Approved as to Form:


Alison R. Kean, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 14-4590 FOR THE PURPOSE OF AMENDING THE NATURAL AREAS ACQUISITION REFINEMENT PLAN FOR THE WILLAMETTE RIVER GREENWAY TARGET AREA

Date: December 11, 2014

Prepared by: Jim Desmond (x1914)
Hillary Wilton (x1864)

BACKGROUND

In September, 2007, the Metro Council adopted individual Refinement Plans for each of the 27 Target Areas of the 2006 Natural Areas Bond Measure. The Refinement Plans define target area goals and objectives and each plan includes a corresponding confidential tax lot map that identifies specific tax lot parcels in the respective target area (the “Confidential Refinement Maps”). The Metro Chief Operating Officer is authorized to acquire properties identified on the Confidential Refinement Maps in accordance with the acquisition guidelines set forth in the Natural Areas Implementation Work Plan (Resolution No. 07-3766A, adopted March 1, 2007, amended by Resolution 14-4536, adopted August 14, 2014). Allowing the Chief Operating Officer to acquire these properties without further Council approval enables staff to work with willing sellers in a timely, business-like manner.

When the Willamette River Greenway Target Area Refinement Plan was adopted by Metro Council, the Blue Heron Mill was still in operation in Oregon City and no one imagined the opportunity that would unfold for Metro to acquire rights in the Blue Heron and PGE property adjacent to the Falls (“Easement Properties”) for the purpose of bringing public access to the Willamette Falls (the “Riverwalk”).

Tier I goals for the Refinement Plan for the Willamette River Greenway Target Area include the objectives to “Secure remaining unique and rare habitats. These include Multnomah Channel, the large forested area west of the Sellwood Bridge and lands near Elk Rock Island” and “Close key trail gaps in Portland, including those in North and Southeast Portland.” The Easement Properties presented to Metro Council today represent important rare and unique habits on the Willamette River, and though outside the City of Portland also represent a key trail gap in the regional system. Further this site has the potential to connect downtown Oregon City to the historic Canemah neighborhood and an additional Metro regional natural area and bond target area, Canemah Bluff.

For the first time in 150 years, Oregonians have the opportunity to rediscover a cultural and scenic treasure: Willamette Falls. A public vision and framework master plan have taken shape, and were adopted by Oregon City Commission in November 2014, with the goal of transforming a 23-acre industrial site nestled along the falls in historic Oregon City. This former paper mill could someday serve as an economic engine, a waterfront destination, a unique habitat, a window into Oregon’s past – and a bold step into our future.

The current Riverwalk project phase of the Willamette Falls Legacy Project follows a successful public partnership which began in summer 2011 anchored by four core values, which remain the guiding principles for the site and the Riverwalk project: public access, historic and cultural interpretation, economic redevelopment, and healthy habitat.

Metro, Oregon City, Clackamas County and the State of Oregon (“the public partners”) have been working in collaboration on the vision to provide public access to Willamette Falls with the Riverwalk project. The public partners recognize that this critical first investment will spur the full vision of redevelopment of the Blue Heron site. In September of this year, the public partners entered a Memorandum of Understanding memorializing this commitment and detailing roles and commitment to this public investment (“MOU”).

Since this time Metro staff has been following up on its commitments in this MOU, including taking a lead role in obtaining an easement for the Riverwalk from the property owner; and pursuing an additional easement agreement from Portland General Electric to provide additional public access to the Falls.

In 2013, the State of Oregon enacted Senate Bill 5506 (SB 5506), committing \$5 million in lottery-backed bond funding to the Riverwalk project, conditioned upon securing public interest in riverfront property on the former Blue Heron property, a credible financial plan by local partners for completion of the Riverwalk and a design for robust public access to the Willamette River and the Falls.

Adopting Resolution No. 14-4590 would provide authority for Metro to acquire or receive a donation of a property interest in the Blue Heron and PGE property, a critical necessary step in the vision to create public access to the Willamette Falls, and helping to lay the groundwork for presenting a plan to the State that the public partners have fulfilled the requirements to obtain the State’s \$5 million.

Resolution 14-4590 requests that the Metro Council amend the Confidential Refinement Map for the above-listed Target Area to allow for the acquisition of these newly-identified properties. Metro’s acquisition of these properties would help achieve the goals of the Natural Areas Bond Measure, fulfill Metro’s commitments in the MOU, and take a significant step forward in bringing public access to Willamette Falls.

ANALYSIS/INFORMATION

1. **Known Opposition** None known.
2. **Legal Antecedents**

Resolution No. 06-3672B, “For The Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$227.4 Million to Fund Natural Area Acquisitions and Water Quality Protection,” was adopted on March 9, 2006.

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

Resolution No. 07-3766A, "Authorizing the Chief Operating Officer to Purchase Property with Accepted Acquisition Guidelines as Outlined in the Natural Areas Implementation Work Plan", was adopted by the Metro Council on March 1, 2007, and established the Acquisition Parameters and Due Diligence Guidelines for the purchase of properties as part of the 2006 Natural Areas Bond Program, and Resolution 14-4536, "For the Purpose of Amending and Updating the Natural Areas Implementation Work Plan," adopted August 14, 2014.

Resolution Number 07-3859 Approving the Natural Areas Acquisition Refinement Plan for the Willamette River Greenway Target Area

RESOLUTIONS NO.14-4556 Approving the Willamette Falls Riverwalk Memorandum of Understanding with the City of Oregon City, Clackamas County and Oregon State Parks

Resolution 14-4583 Endorsing additional Investments for Restoration and Public Access to Nature

Oregon Senate Bill 5506 (SB 5506), committing \$5 million in lottery-backed bonds to the Riverwalk project

3. **Anticipated Effects** Staff will seek to secure property interest in the Properties sufficient to secure \$5 Million from the State and to meet the goals identified in the MOU between public partners.
4. **Budget Impacts**

Any funds required for acquisition of the Properties identified herein would be funded with funds from the 2006 Natural Areas Bond Measure.

RECOMMENDED ACTION

The Chief Operating Officer recommends passage of Resolution No. 14-4590.