Council meeting agenda

Metro
600 NE Grand Ave.
Portland, OR 97232-2736

Thursday, May 11, 2017 **2:00 PM** **Metro Regional Center, Council chamber**

1. Call to Order and Roll Call

2. Citizen Communication

3. Consent Agenda

3.1 Consideration of the Council Meeting Minutes for May 4, 2017 — 17-1407

4. Resolutions

4.1 Resolution No. 17-4789, For the Purpose of Authorizing the Chief Operating Officer to Accept the Donation of Property in the Sandy River Gorge Target Area — RES 17-4789

Presenter(s): Dan Moeller, Metro

Attachments: Resolution No. 17-4789
Staff Report
Attachemnt 1 to Staff Report

5. Ordinances (First Reading and Public Hearing)

5.1 Ordinance No. 17-1400, For the Purpose of Annexing to the Metro District Boundary Approximately 82.18 Acres Located in the North Bethany Area of Washington County — ORD 17-1400

Presenter(s): Tim O'Brien, Metro

Attachments: Ordinance No. 17-1400
Exhibit A to Ordinance No. 17-1400
Staff Report
Attachment 1 to Staff Report

5.1.1 Public Hearing for Ordinance No. 17-1400

6. Chief Operating Officer Communication

7. Councilor Communication

8. Adjourn

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សេចក្តីជូនដំណឹងអំពីការមិនរើសអើងរបស់ Metro

ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលពាក្យបណ្តឹងរើសអើងសូមចូលទស្សនាគេហទំព័រ www.oregonmetro.gov/civilrights។
បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ: សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាចថ្ងៃធ្វើការ) ប្រាំពីរថ្ងៃ
ថ្ងៃធ្វើការ មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេសម្រួលតាមសំណើរបស់លោកអ្នក ។

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Metro txoj kev ntxub ntxaug daim ntawv ceeb toom

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February 2017

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Clackamas, Multnomah and Washington counties, and Vancouver, WA Channel 30 – Community Access Network *Web site*: www.tvctv.org *Ph*: 503-629-8534 Call or visit web site for program times.	**Portland** Channel 30 – Portland Community Media *Web site*: www.pcmtv.org *Ph*: 503-288-1515 Call or visit web site for program times.
Gresham Channel 30 - MCTV *Web site*: www.metroeast.org *Ph*: 503-491-7636 Call or visit web site for program times.	**Washington County and West Linn** Channel 30– TVC TV *Web site*: www.tvctv.org *Ph*: 503-629-8534 Call or visit web site for program times.
Oregon City and Gladstone Channel 28 – Willamette Falls Television *Web site*: http://www.wftvmedia.org/ *Ph*: 503-650-0275 Call or visit web site for program times.	

PLEASE NOTE: Show times are tentative and in some cases the entire meeting may not be shown due to length. Call or check your community access station web site to confirm program times. Agenda items may not be considered in the exact order. For questions about the agenda, call the Metro Council Office at 503-797-1540. Public hearings are held on all ordinances second read. Documents for the record must be submitted to the Regional Engagement and Legislative Coordinator to be included in the meeting record. Documents can be submitted by e-mail, fax or mail or in person to the Regional Engagement and Legislative Coordinator. For additional information about testifying before the Metro Council please go to the Metro web site www.oregonmetro.gov and click on public comment opportunities.

Agenda Item No. 3.1

Consideration of the Council Meeting Minutes for May 4, 2017

Consent Agenda

Metro Council Meeting
Thursday, May 11, 2017
Metro Regional Center, Council Chamber

Agenda Item No. 4.1

Resolution No. 17-4789, For the Purpose of Authorizing the Chief Operating Officer to Accept the Donation of Property in the Sandy River Gorge Target Area Under the 2006 Natural Areas Bond Measure

Resolutions

Metro Council Meeting
Thursday, May 11, 2017
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO ACCEPT THE DONATION OF PROPERTY IN THE SANDY RIVER GORGE TARGET AREA	)))))	RESOLUTION NO. 17-4789 Introduced by Chief Operating Officer Martha 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 Sandy River Gorge Target Area was identified in the Bond Measure as one of 27 regional target areas for land acquisition; and

WHEREAS, on September 6, 2007, the Metro Council adopted Resolution No. 07-3842 "Approving the Natural Areas Acquisition Refinement Plan for the Sandy River Gorge Target Area," which Resolution approved the acquisition of properties within the target area; and

WHEREAS, a primary goal of the Sandy River Gorge refinement plan is to "Protect biological linkages by acquiring essential properties along the Sandy River and its tributaries for the protection of fish and wildlife habitat and water quality benefits;" and

WHEREAS, the Nature Conservancy of Oregon ("TNC") is a valued partner whose mission is to conserve the lands and waters on which all life depends; and

WHEREAS, approximately 249 acres of real property owned by TNC and a 1.7-acre private parcel (together, the "Property") that meets Metro's goals in this area along the Sandy River is available for acquisition through fee title donation; and

WHEREAS, a complete Phase I environmental site assessment of the Property was not conducted, therefore the transaction does not meet all of the Acquisition Parameters and Due Diligence Guidelines in the 2014 Natural Areas Implementation Work Plan; and

WHEREAS, the lack of access from some of the parcels to a public road or right of way and the existence of a possibility of "reverter" in the proposed deed from The Nature Conservancy also constitute factors which are not within the Acquisition Parameters; and

WHEREAS, the 2014 Natural Areas Implementation Work Plan states that the "COO may complete an acquisition transaction that does not meet all of the acquisition parameters only with prior Council review and approval;" and

WHEREAS, bringing the Property into the existing 1,153 acre assemblage of properties acquired in the Sandy River target area since the passage of the Open Spaces, Parks and Streams bond measure in 1995 would generate benefits through comprehensive natural area management on a landscape scale and allow better coordination with other public agencies with interests in the area; now therefore

BE IT RESOLVED that the Metro Council finds that it is in the public interest to accept the donation of the Property, and therefore authorizes the Chief Operating Officer to:

1. Accept the donation of the Property on terms and under conditions acceptable to the Chief Operating Officer and the Office of Metro Attorney; and

2. Execute such ancillary documents as may be required in connection with this acquisition, in the forms approved by the Office of Metro Attorney.

ADOPTED by the Metro Council this _____ day of _____, 2017.

_____
Tom Hughes, Council President

Approved as to Form:

_____
Alison R. Kean, Metro Attorney

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 17-4789, FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO ACCEPT DONATION OF CERTAIN PROPERTY IN THE SANDY RIVER GORGE TARGET AREA

Date: May 11, 2017 Prepared by: Dan Moeller, (503) 797-1819

BACKGROUND

Metro has the opportunity to accept the donation of approximately 251 acres of land contained in 11 tax lots in scattered locations in the Sandy River Gorge target area of Metro's 2006 Natural Areas bond measure. The Nature Conservancy of Oregon ("TNC") has offered to donate 249 acres of the land to add to Metro's 1,153 acres in this area, and an adjacent private owner is also willing to donate a small 1.7 acre parcel. The TNC property and the adjacent property to be potentially donated to Metro are referred to in this Staff Report as the "Property." All acquisitions, including donations, must meet the due diligence standards set forth in the Natural Areas Work Plan (the "Work Plan"), adopted by the Metro Council via Resolution 14-4536 in August 2014, or be submitted to the Metro Council for approval. The potential donation of the Property falls slightly outside the parameters of the Work Plan, requiring authorization for the acquisition.

The Property, depicted on Attachment A to this Staff Report, has general characteristics of mature riparian forests, including Douglas Fir, Western redcedar, Western hemlock, Pacific yew and other species. Remnant old growth trees, springs and seeps are present with a low invasive plant load. This acquisition includes over two miles of Sandy River frontage. It meets the goals of the Refinement Plan for the Sandy River Gorge Target Area, adopted by the Metro Council in September, 2007 via Resolution 07-3842 by acquiring essential properties along the Sandy River and its tributaries for the protection of fish and wildlife habitat and water quality benefits and by working with TNC and the adjacent property owner as partners to achieve objectives and maximize the leveraging of regional bond funds.

The Work Plan states "Metro shall contract with an environmental professional to conduct a Phase 1 Environmental Assessment in accord with the requirement of the federal All Appropriate Inquiries and in accord with applicable state of Oregon law and regulation…." as part of the due diligence carried out by the Office of the Metro Attorney. Metro hired an environmental consultant to perform all the components of a Phase 1 except for an on-the-ground site reconnaissance. This is because the Property is known to have been under the control of the TNC and the adjacent owner for many years, and the locations are remote and not easily accessible. Some of the land, as noted below, lacks legal access entirely. TNC has agreed to indemnify Metro against any liability associated with the environmental condition of the Property donated by TNC. The consultant's scope of Phase I due diligence related to the Property included a review of the historic land use of the site, a search through records for known environmental issues, and a review of published information regarding the geology, hydrology and topographical information of the Property. Site reconnaissance was conducted by Metro science and land management staff, accompanied by TNC land management staff in March and April of 2017.

Two additional elements of the donations warrant mention as they would normally be unacceptable terms to the Natural Areas program. Some of the parcels are landlocked with no legal access to a public street or right of way. However, they are accessible by the river and have historically been accessible by cooperation from the adjoining landowners. In some cases, the adjoining landowner is the US government. The deed that will convey the TNC properties to Metro contains a possibility of "reverter," such that if the property is no longer held in public trust for the protection, enhancement, and restoration of habitat for fish, wildlife, and water quality, TNC has the right to take back the property.

It is the opinion the Office of the Metro Attorney that any risk associated with these circumstances is low and manageable. This acquisition represents an opportunity to connect public lands in multiple locations, facilitating land management and enabling a consistent approach to habitat conservation throughout the Sandy River Gorge.

ANALYSIS/INFORMATION

1. **Known Opposition**
   None.

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 6, 2006.

   Resolution No. 07-3842, "Approving the Natural Areas Acquisition Refinement Plan for the Sandy River Gorge Target Area," was adopted on September 6, 2007.

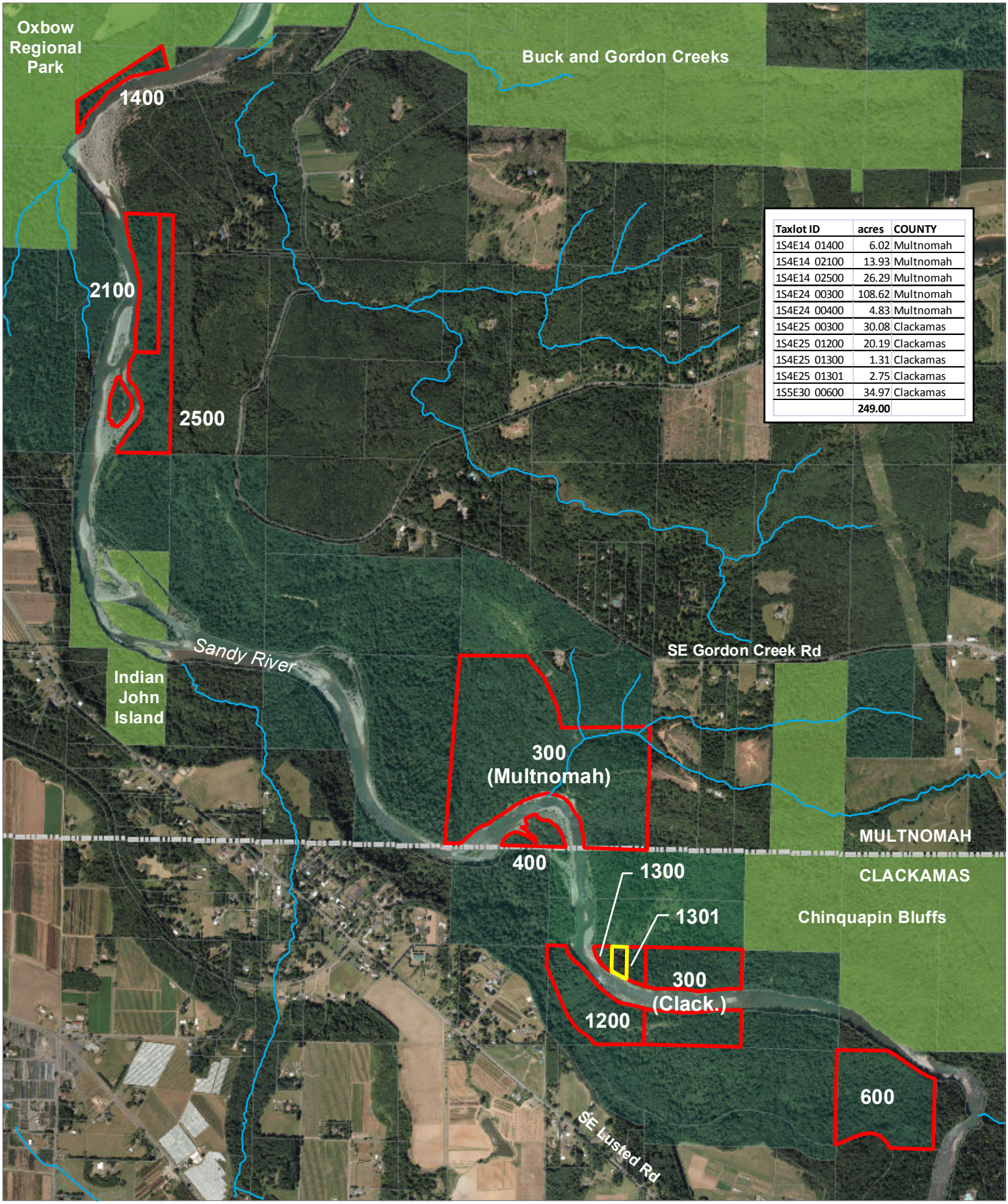
   Resolution No. 14-4536, "For the Purpose of Amending and Updating the Natural Areas Work Plan," adopted by the Metro Council on August 14, 2014.

3. **Anticipated Effects**
   Metro will acquire the Property, pursuant to the terms of the donation agreements from The Nature Conservancy of Oregon and a private landowner. The Property will be managed by Metro staff.

4. **Budget Impacts**
   Funds to conduct due diligence related to this donated Property will come from the 2006 Natural Areas Bond Measure.

RECOMMENDED ACTION

Staff recommends the adoption of Resolution 17-4789.



Taxlot ID	acres	COUNTY
1S4E14 01400	6.02	Multnomah
1S4E14 02100	13.93	Multnomah
1S4E14 02500	26.29	Multnomah
1S4E24 00300	108.62	Multnomah
1S4E24 00400	4.83	Multnomah
1S4E25 00300	30.08	Clackamas
1S4E25 01200	20.19	Clackamas
1S4E25 01300	1.31	Clackamas
1S4E25 01301	2.75	Clackamas
1S5E30 00600	34.97	Clackamas
	249.00	

SANDY RIVER TARGET AREA

TNC Properties - 249 acres

Legend

- TNC property to be conveyed to Metro
- 1.76-acre property to be donated to Metro
- Existing Metro property
- Other public and/or conservation land

NORTH

1,000 500 0 1,000 Feet

Metro

Agenda Item No. 5.1

Ordinance No. 17-1400, For the Purpose of Annexing to the Metro District Boundary Approximately 82.18 Acres Located in the North Bethany Area of Washington County

Ordinances (First Read)

Metro Council Meeting
Thursday, May 11, 2017
Metro Regional Center, Council Chamber

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE METRO DISTRICT BOUNDARY APPROXIMATELY 82.18 ACRES LOCATED IN THE NORTH BETHANY AREA OF WASHINGTON COUNTY	)))))	ORDINANCE NO. 17-1400 Introduced by Chief Operating Officer Martha J. Bennett with the Concurrence of Council President Tom Hughes

WHEREAS, Polygon WLH LLC has submitted a complete application for annexation of 82.18 acres in the North Bethany area of Washington County ("the territory") to the Metro District; and

WHEREAS, the Metro Council added the North Bethany area to the UGB, including the territory, by Ordinance No. 02-969B on December 5, 2002; and

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan requires annexation to the district prior to application of land use regulations intended to allow urbanization of the territory; and

WHEREAS, Metro has received consent to the annexation from the owners of the land in the territory; and

WHEREAS, the proposed annexation complies with Metro Code 3.09.070; and

WHEREAS, the Council held a public hearing on the proposed amendment on May 11, 2017; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance.

2. The proposed annexation meets the criteria in section 3.09.070 of the Metro Code, as demonstrated in the Staff Report dated April 21, 2017, attached and incorporated into this ordinance.

ADOPTED by the Metro Council this _____ day of May 2017.

_____
Tom Hughes, Council President

Attest:

_____
Nellie Papsdorf, Recording Secretary

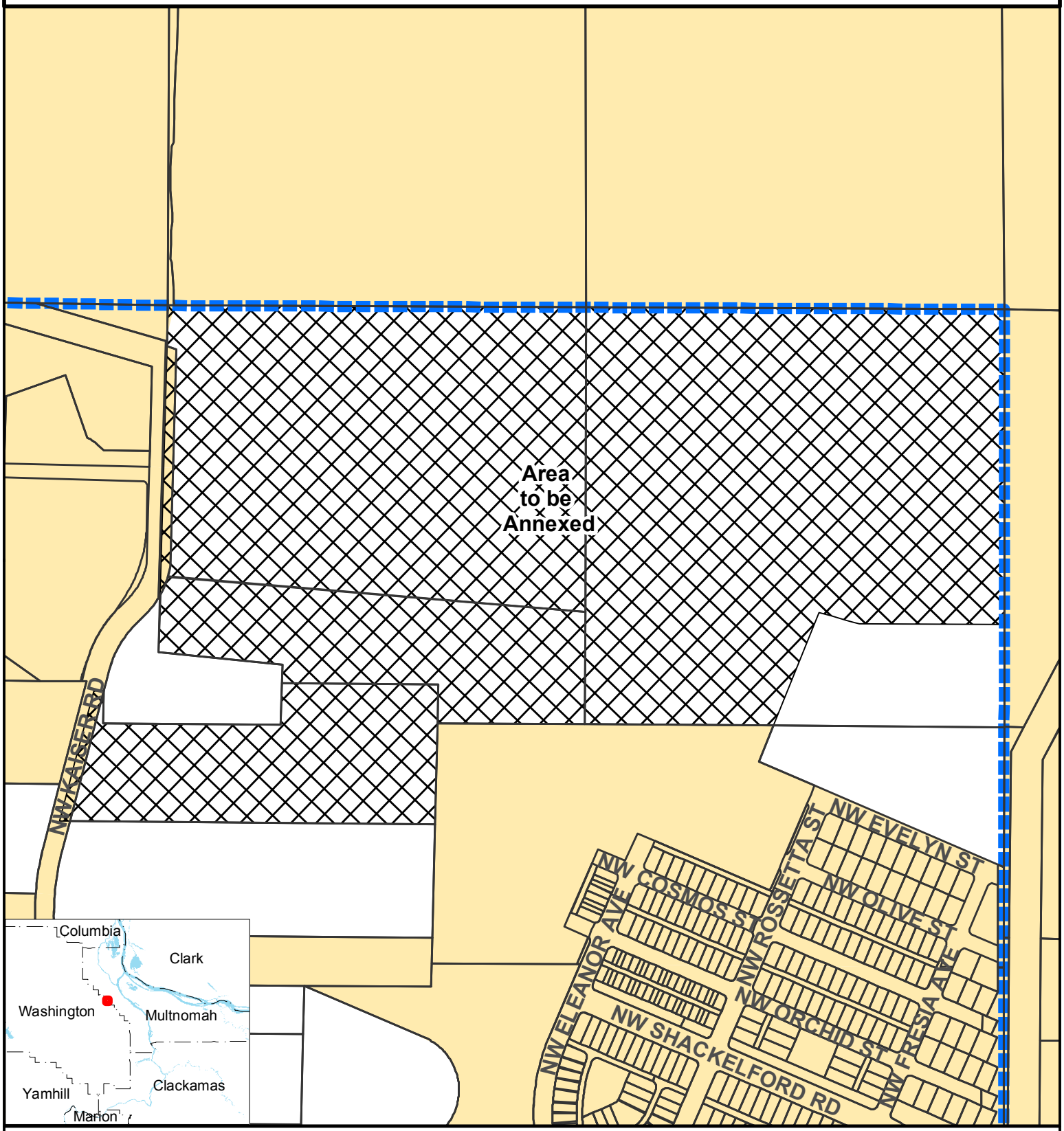
Approved as to form:

_____
Alison R. Kean, Metro Attorney

EXHIBIT A

Proposal No. AN-0217

1N1W17 | **Annexation to the Metro District Boundary** | Washington County



Metro

Research Center
600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742
http://www.oregonmetro.gov/drc

Area to be annexed
Taxlots
Urban growth boundary
Metro District Boundary

Proposal No. AN-0217 Metro District Boundary

1:5,000

0 500 1,000 Feet

The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 17-1400, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 82.18 ACRES LOCATED IN THE NORTH BETHANY AREA OF WASHINGTON COUNTY

Date: April 21, 2017

Prepared by: Tim O'Brien
Principal Regional Planner

BACKGROUND

CASE: AN-0217, Annexation to Metro District Boundary

PETITIONER: Polygon WLH LLC
109 E. 13th Street
Vancouver, WA 98660

PROPOSAL: The petitioner requests annexation of land in the North Bethany area of Washington County to the Metro District Boundary.

LOCATION: The land in North Bethany is approximately 82.18 acres in size, is located east of NW Kaiser Road and can be seen in Attachment 1.

ZONING: The land in North Bethany is zoned for residential (R-6NB, R-9NB, R-15NB, & R-24NB)

The land was added to the UGB in 2002 and is part of the North Bethany Subarea Plan that was adopted by Washington County. The land must be annexed into the Metro District for urbanization to occur.

APPLICABLE REVIEW CRITERIA

The criteria for an expedited annexation to the Metro District Boundary are contained in Metro Code Section 3.09.070.

3.09.070 Changes to Metro's Boundary

(E) The following criteria shall apply in lieu of the criteria set forth in subsection (d) of section 3.09.050. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:

1. *The affected territory lies within the UGB;*

Staff Response:
The land in the North Bethany area of Washington County was brought into the UGB in 2002 through the Metro Council's adoption of Ordinance No. 02-969B.

2. *The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and*

Staff Response:
The conditions of approval for Ordinance No. 02-969B include a requirement that Washington County apply interim protection measures for areas added to the UGB as outlined in Urban Growth Management

Functional Plan Title 11: Planning for New Urban Areas. Title 11 requires that new urban areas be annexed into the Metro District Boundary prior to urbanization of the area. Washington County applied the Future Development 20 (FD-20) zone to the expansion area. Washington County requires the land to be annexed into the appropriate sanitary sewer, water, park and road service districts prior to urbanization occurring, which the applicant is in the process of completing. These measures ensured that urbanization would occur only after annexation to the necessary service districts is completed.

3. *The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS Chapter 195 and any concept plan.*

Staff Response:
The land is part of Washington County's North Bethany Subarea Plan and was included in the North Bethany County Service District, established by the County Board of Commissioners on June 7, 2011. The proposed annexation is consistent with the Subarea Plan and the Service District agreement and is required by Washington County as part of a land use application. The inclusion of the property within the Metro District is consistent with all applicable plans.

ANALYSIS/INFORMATION

Known Opposition: There is no known opposition to this application.

Legal Antecedents: Metro Code 3.09.070 allows for annexation to the Metro District boundary.

Anticipated Effects: This amendment will add approximately 82.18 acres in the North Bethany area of Washington County to the Metro District. All of the land is currently within the UGB and approval of this request will allow for the urbanization of the land to occur consistent with the North Bethany Subarea Plan.

Budget Impacts: The applicant was required to file an application fee to cover all costs of processing this annexation request, thus there is no budget impact.

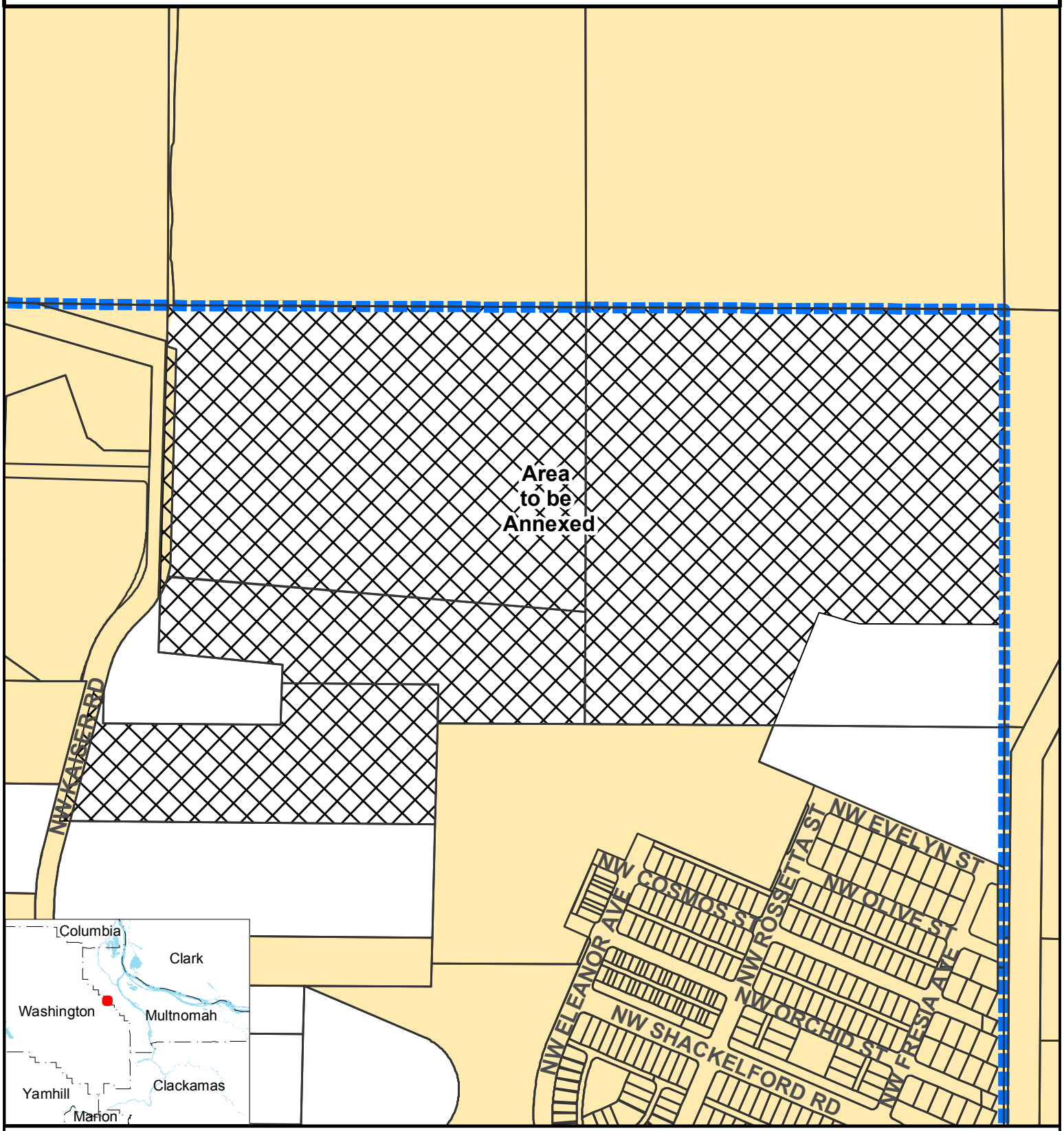
RECOMMENDED ACTION

Staff recommends adoption of Ordinance No. 17-1400.

ATTACHMENT 1

Proposal No. AN-0217

1N1W17 | **Annexation to the Metro District Boundary** | Washington County



Metro

Research Center
600 NE Grand Ave
Portland, OR 97232-2736
(503) 797-1742
http://www.oregonmetro.gov/drc

Area to be annexed
Taxlots
Urban growth boundary
Metro District Boundary

Proposal No. AN-0217 Metro District Boundary

1:5,000

0 500 1,000 Feet

The information on this map was derived from digital databases on Metro's GIS. Care was taken in the creation of this map. Metro cannot accept any responsibility for errors, omissions, or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product. However, notification of any errors will be appreciated.

Materials following this page were distributed at the meeting.

Metro

600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

Metro

Minutes

Thursday, May 4, 2017

2:00 PM

AGENDA REVISED 05/03/17

Metro Regional Center, Council chamber

Council meeting

1. Call to Order and Roll Call

Council President Tom Hughes called the Metro Council meeting to order at 2:02 p.m.

Present: 5 - Council President Tom Hughes, Councilor Sam Chase, Councilor Shirley Craddick, Councilor Kathryn Harrington, and Councilor Bob Stacey

Excused: 2 - Councilor Carlotta Collette, and Councilor Craig Dirksen

2. Citizen Communication

There was none.

3. Consent Agenda

Approval of the Consent Agenda

A motion was made by Councilor Stacey, seconded by Councilor Craddick, to adopt items on the consent agenda. The motion passed by the following vote:

Aye: 5 - Council President Hughes, Councilor Chase, Councilor Craddick, Councilor Harrington, and Councilor Stacey

Excused: 2 - Councilor Collette, and Councilor Dirksen

3.1 Consideration of the Council Meeting Minutes from April 13, 2017

3.2 Resolution No. 17-4786, For the Purpose of Adopting the Fiscal Year 2017-18 Unified Planning Work Program and Certifying that the Portland Metropolitan Area is in Compliance with the Federal Transportation Planning Requirements

3.3 Resolution No. 17-4792, For the Purpose of Confirming the Reappointment of Two Members and Appointment of a New Member to the Metro Audit Committee

3.4 Resolution No. 17-4785, For the Purpose of Amending the 2015-18 Metropolitan Transportation Improvement Program (MTIP) to Modify and/or Add New Projects as Part of the March 2017 Formal MTIP Amendment Involving a Total of Twelve Affected Projects for ODOT, TriMet, and Multnomah County

4. Resolutions

4.1 Resolution No. 17-4794, For the Purpose of Confirming Appointments to the Metro Public Engagement Review Committee

Council President Hughes called on Ms. Becca Uherbelau for a brief presentation on the resolution. Ms. Uherbelau explained that approval of the resolution would appoint four new members to Metro's Public Engagement Review Committee (PERC). She noted that the committee served as a key component of the agency's efforts to develop successful public engagement processes, practices, and outcomes. Ms. Uherbelau provided an overview of the committee's membership as well as its work plan for the next year. She acknowledged that committee appointments were typically considered as part of the consent agenda, but noted that through public engagement, Metro's community partners and stakeholders had consistently expressed interest in having more opportunities to interact directly with decision-makers. She explained that by having the members introduce themselves, she hoped to advance such opportunities.

Ms. Uherbelau then invited the following new PERC members in attendance to introduce themselves: Ms. Sprinavasa Brown, Catlin Gabel Alumni Program Director and Executive Director for Camp ELSO; Ms. Libra Forde, Chief Operating Officer at Self-Enhancement, Inc.; and Ms. Fiona Yau-Luu, Policy and Advocacy Coordinator for the Oregon Community Health Workers Association. The new members provided overviews of their backgrounds and highlighted their excitement to serve on the committee. Ms. Uherbelau thanked the new members for their commitment and recognized the departing PERC members who had served on the committee for its first six years.

Council Discussion

Councilors thanked the new committee members for their time and service. Councilor Craddick noted that she was happy to see geographical diversity among the applicants. Councilor Harrington asked about the range of applications received. Ms. Uherbelau explained that 12 applications were received and noted that 75% were women, 66% identified as

people of color, 16% were from Clackamas County, 33% were from Multnomah County, and 50% were from Washington County. Councilors highlighted the importance of PERC's feedback in Metro's work and thanked the members again for their willingness to participate.

A motion was made by Councilor Harrington, seconded by Councilor Craddick, that this item be adopted. The motion passed by the following vote:

Aye: 5 - Council President Hughes, Councilor Chase, Councilor Craddick, Councilor Harrington, and Councilor Stacey

4.2 Resolution No. 17-4769, For the Purpose of Adopting the Annual Budget for Fiscal Year 2017-18, Making Appropriations and Levying Ad Valorem Taxes

Council President Hughes stated that the Metro Council held a work session on the FY 2017-18 budget on Tuesday, April 18. He explained that the Council would hold a public hearing on Resolution No. 17-4769, which would formally adopt the budget, and would not take action on the resolution at the current meeting. President Hughes further clarified that following the hearing, the Council would consider a second resolution approving the budget for transmittal to the Tax Supervising and Conservation Commission for review.

Council Discussion
There was none.

4.2.1 Public Hearing on Resolution No. 17-4769

Council President Hughes opened up a public hearing on Resolution No. 17-4769 and requested that those wishing to testify come forward to speak. Seeing none, Council President Hughes gaveled out of the public hearing. He noted that an additional public hearing on Resolution No. 17-4769 was scheduled for Thursday, June 15, with Council consideration and vote scheduled for Thursday, June 22.

4.3 Resolution No. 17-4770, For the Purpose of Approving the FY 2017-18 Budget, Setting Property Tax Levies and Transmitting the Approved Budget to the Multnomah County Tax Supervising and Conservation Commission

Council President Hughes called on Mr. Tim Collier, Metro's Finance and Regulatory Services Director, for a brief presentation on the resolution. Mr. Collier informed the Council that the resolution provided for three actions: it approved the 2017-18 budget, set a maximum property tax rate to be levied by Metro in the coming year, and directed Metro's Chief Operating Officer and staff to transmit the budget to the Tax Supervising and Conservation Commission for review. Mr. Collier provided an overview of the three proposed tax levies for the next year and noted that the proposed budget also increased the full-time equivalent (FTE) employees of Metro by a total of 5.05.

Mr. Collier also highlighted a recommended amendment to the resolution that would provide sufficient appropriations in the General Revenue Bond Fund should the Oregon Convention Center Hotel bond sale occur in FY 2017-18 rather than FY 2016-17 as originally anticipated.

Council Discussion
Councilors discussed the budget process. Councilor Harrington highlighted that the proposed budget could be found online at www.oregonmetro.gov. She expressed support for the proposed budget and noted that it documented what the agency hoped to achieve through its investments as guided by its strategic objectives.

A motion was made by Councilor Harrington, seconded by Councilor Stacey, that this item be amended. A motion was made by Councilor Harrington, seconded by Councilor Craddick, that this item be adopted as amended. The motions passed by the following vote:

Aye: 5 - Council President Hughes, Councilor Chase, Councilor Craddick, Councilor Harrington, and Councilor Stacey

Excused: 2 - Councilor Collette, and Councilor Dirksen

5. Chief Operating Officer Communication

Ms. Martha Bennett noted that the renovation of the Arlene Schnitzer Concert Hall's Portland sign had begun. She invited the councilors to attend the Return & Remembrance event at the Expo Center on May 6. She also provided an update on the urban and rural reserves process, noting that Multnomah County would hold a public hearing on May 11.

6. Councilor Communication

Councilors provided updates on the following meetings or events: the 10th anniversary of the establishment of the Pacific University Hillsboro Campus, the groundbreaking celebration for the Rise Central, and the Home for Everyone Coordinating Board meeting on May 3. Councilors also discussed the Oregon Business Leaders' Greenhouse Gas Emission Reduction Task Force's recommendation to advance congestion pricing in the Portland Metro area to help reduce greenhouse gas emissions.

7. Adjourn

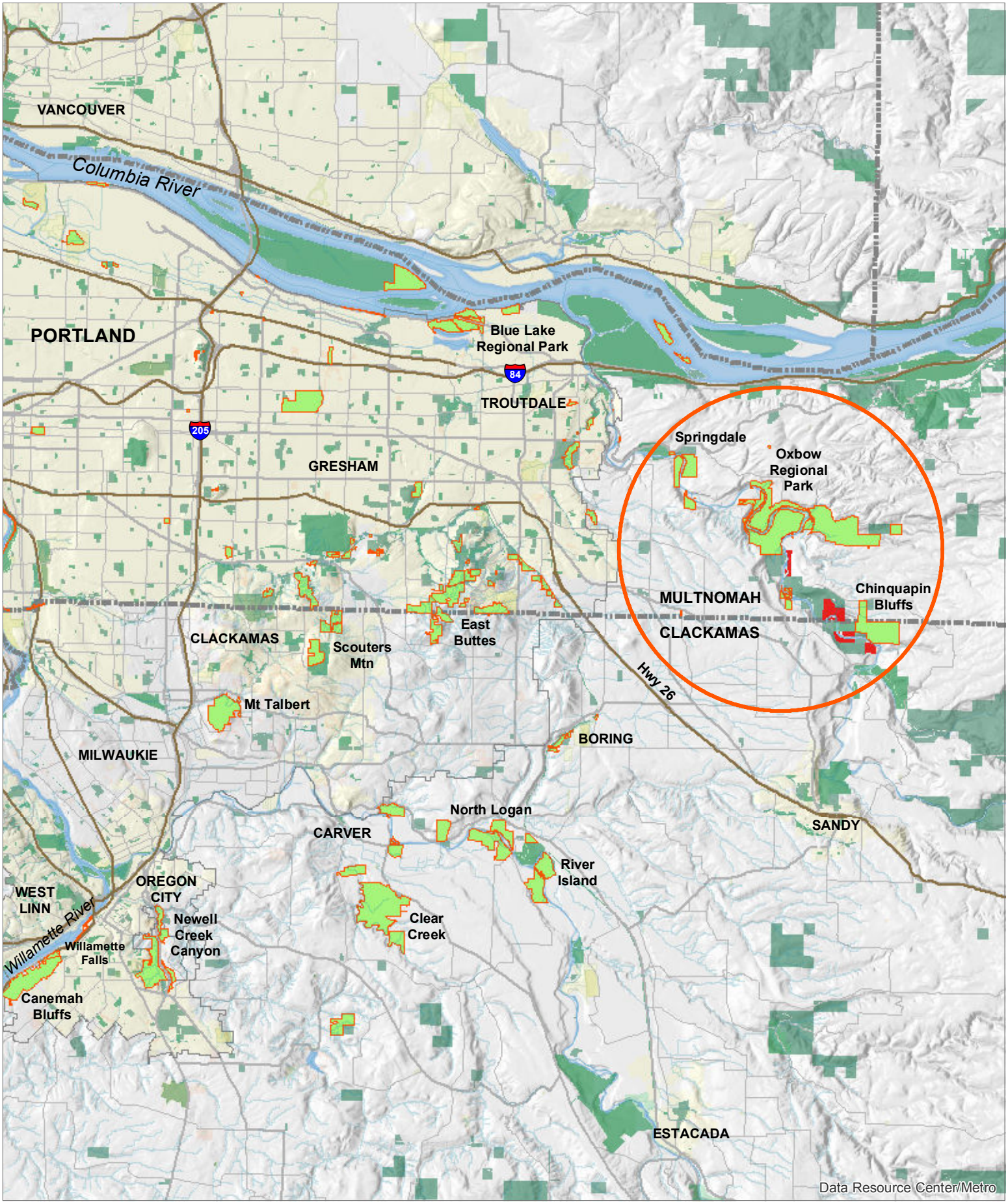
There being no further business, Council President Hughes adjourned the Metro Council meeting at 2:44 p.m. The Metro Council will convene the next regular council meeting on May 11 at 2:00 p.m. at the Metro Regional Center in the council chamber.

Respectfully submitted,

Nellie Papsdorf, Legislative and Engagement Coordinator

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MAY 4, 2017

ITEM	DOCUMENT TYPE	DOC DATE	DOCUMENT DESCRIPTION	DOCUMENT NO.
3.1	Minutes	05/04/17	Minutes from the April 13, 2017 Council Meeting	050417c-01
4.3	Handout	05/04/17	Department Amendment FY 2017-18 Budget	050417c-02
5.0	Handout	05/04/17	Portland Center for the Arts Sign Renovations	050417c-03



Resolution 17-4789

Map 1. Regional Context

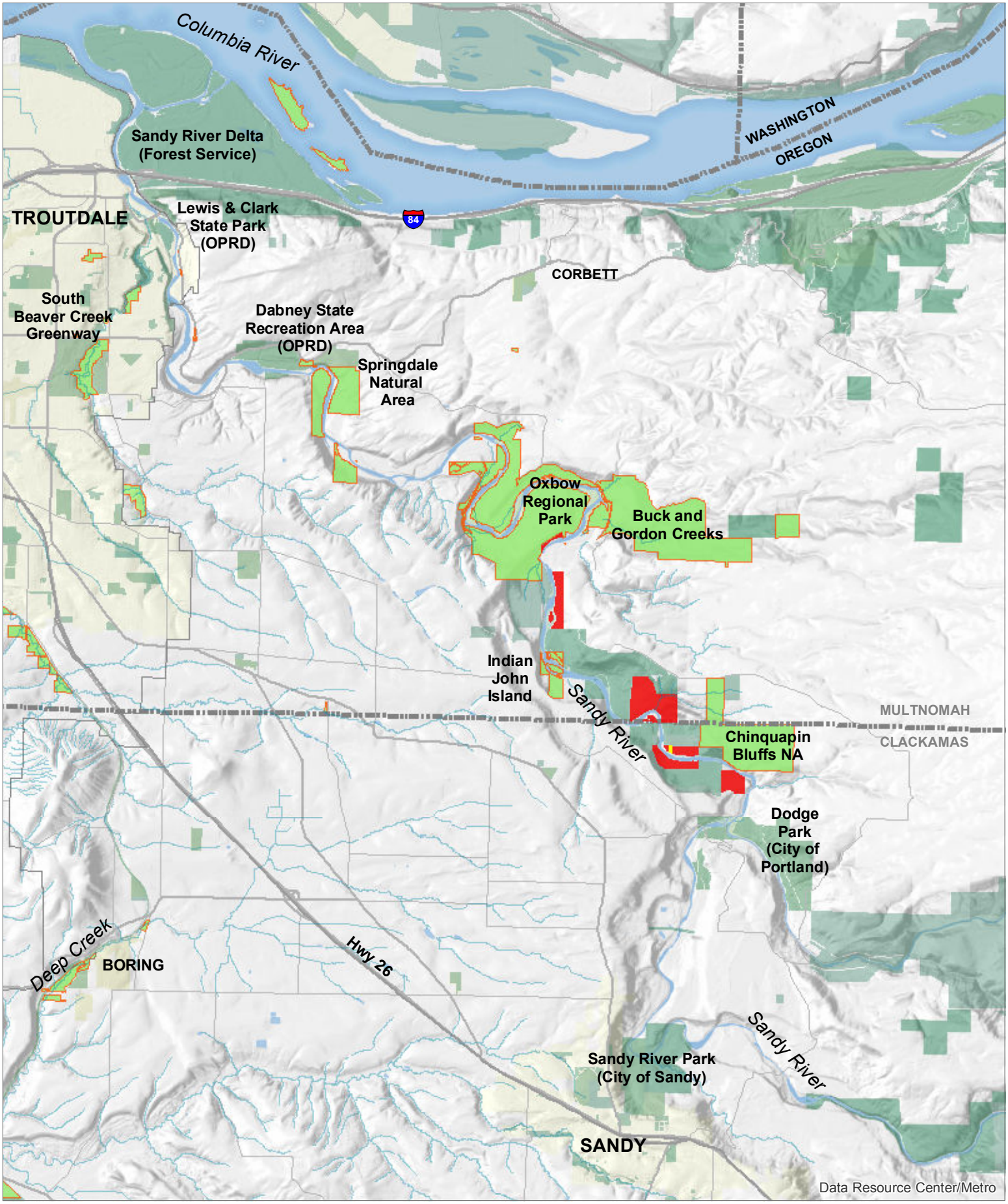
Legend

- TNC property to be conveyed to Metro
- Existing Metro property
- Other public and/or conservation land

NORTH

2 1 0 2 Miles

Metro



Resolution 17-4789

Map 2. Watershed Context

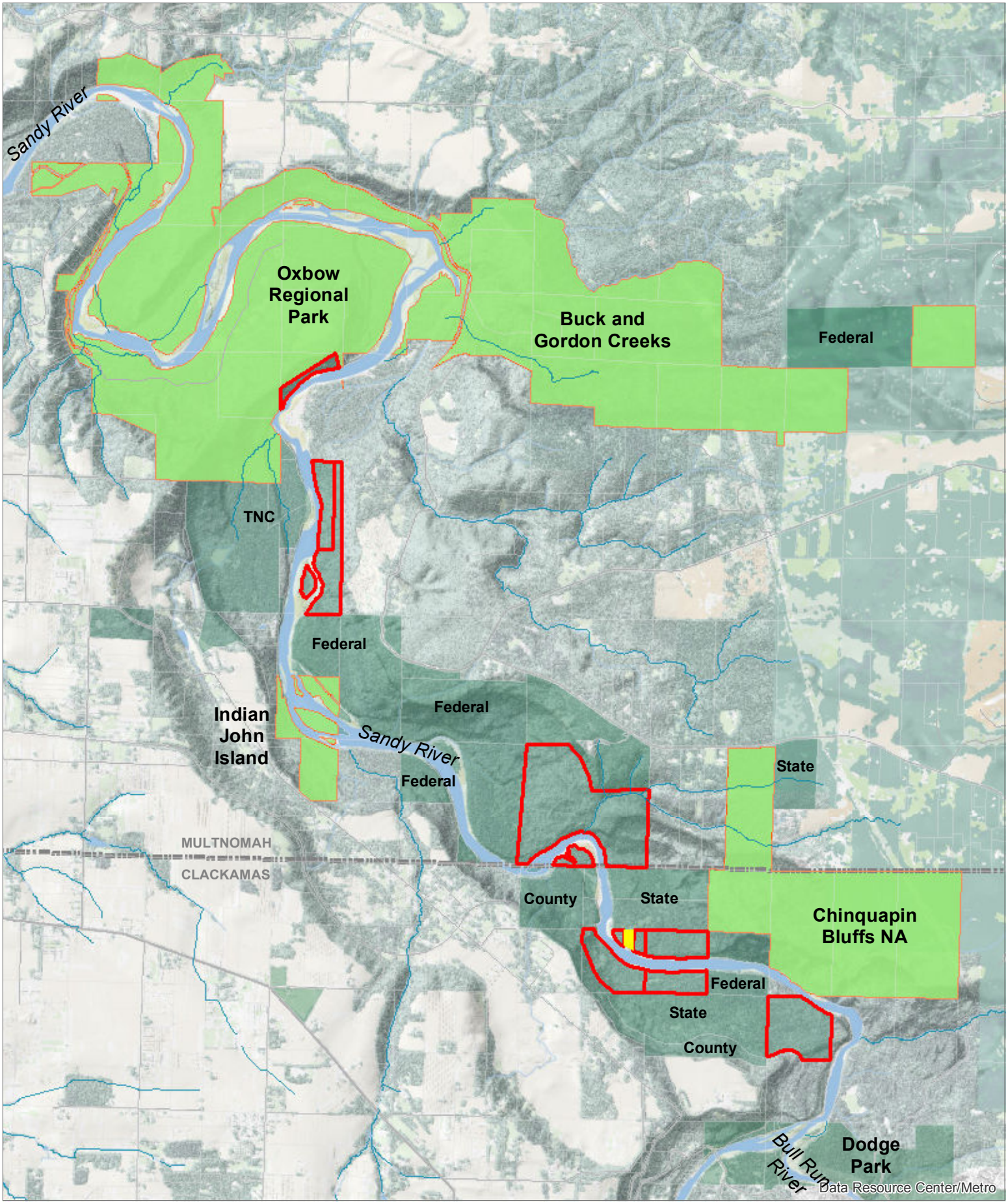
Legend

- TNC property to be conveyed to Metro - 249 acres
- Wade property to be conveyed to Metro - 1.76 acres
- Existing Metro property
- Other public and/or conservation land

NORTH

1 0.5 0 1 Miles

Metro



Resolution 17-4789

Map 3. TNC conveyance properties

Legend

- TNC property to be conveyed to Metro - 249 acres
- Wade property to be conveyed to Metro - 1.76 acres
- Existing Metro property
- Other public and/or conservation land

NORTH

1,000 500 0 1,000 Feet

Metro

I fully agree with the content of Mr. Cieck's letter regarding the land transfer with The Nature Conservancy. He's right, just say no.

Bruce Whiting

Estacada, Ore.

To whom it may concern,

I am writing you to express my great concern over the proposed transaction of the Sandy River Gorge property from The Nature Conservancy (TNC) to Metro. I read about the proposed transaction in the Portland Tribune today and have several concerns regarding the it.

First, it is unclear to my why Metro wants to acquire the land, or why TNC wants to transfer ownership; as held by TNC, there is no threat of development. If the land is transferred to Metro, the same does not hold true. I understand that there is no plan at this time which could impact the property, but that could change under future Metro Council. The land is pristine and essential habitat for many plant and animal species, and the fact that this could change under the ownership of Metro is a scary thought to me. Bottom line is that if the land stays with the TNC, I can rest assured that it will remain in conservation.

Second, Metro acquisition of the Sandy River Gorge would not meet a primary goal of the Sandy River Gorge Plan to "Protect biological linkages by acquiring essential properties along the Sandy River and its Tributaries for the protection of fish and wildlife habitat and water quality benefits;", this property is already protected by TNC. I think Metro's efforts would be better spent searching out 'essential properties' in which a current or future threat is posed to the welfare of 'fish and wildlife habitat and water quality.'

Third, Metro acquisition of the property would pass costs associated with stewardship and management along to taxpayers, and there is just no need for that. Those costs are currently being footed by a well-off conservation organization, TNC. Again, I think that those costs would be better spent searching out 'essential properties' in which a current or future threat is posed to the welfare of 'fish and wildlife habitat and water quality.'

This does not seem like a wise use of taxpayer money. Furthermore, Metro cannot guarantee the future of the Sandy River Gorge property; Arch Diack and his brother Sam Sr. specifically donated the property to the TNC and not a government agency because their wishes were to: "… take steps which will preserve this area in naturally wild condition…" and they knew that a government agency could not do that.

I sincerely hope that Metro decides not to acquire the property and that it stays safely in the hands of the TNC and that taxpayers are not held accountable for a needless transaction.

Thank you,

Bryan Ciecko

Dear Councilors,
I'm writing to ask you to reject Resolution 17-4789 at your May 11, 2017 meeting. If approved, this resolution will accept the donation of land owned and managed by The Nature Conservancy (TNC) for many decades. There appears to be little or no sound rationale for this transaction. I ask that you consider the following:

- The proposed transaction fails to achieve any of the objectives of Metro's acquisition program. The parcels in question are not threatened with development or exploitation under the stewardship of the TNC. The primary mission of the TNC is nearly identical to Metro's: to protect, restore and conserve sensitive lands for fish, wildlife and conservation purposes. The TNC has carried out this mission on these parcels for decades in a more than adequate fashion. It's unlikely that Metro would consider accepting lands owned by Oregon State Parks or the federal government that are managed for conservation purposes because the the objectives of Metro's program have already been achieved. This situation is no different. Wouldn't citizens be better served by Metro focusing it's attention and limited financial resources on land in its target areas that truly face the possibility of development or exploitation?

- Regional taxpayers should not be expected to assume the expense of providing stewardship in perpetuity for land that is owned by a well respected and well funded international conservation organization. Should Metro and TNC wish to coordinate and provide consistent management of proximate land parcels, it should be accomplished through a contractual agreement with TNC and Metro each providing their proportional share of the associated expense.

- Although it is not discussed in the staff report regarding this issue, a significant amount of TNC's land in the Sandy River Gorge was donated by brothers Arch and Sam Diack in the 1970's. They specifically intended to avoid governmental ownership because a government agency could not guarantee that their land would be managed in a manner that would protect its ecological integrity over the long term. The reality is that even though you as Metro Councilors, may have the best intentions to leave these parcels in a pristine condition primarily accessible only by river, a future Council may feel differently. The Diack family has voiced this concern and their displeasure to the TNC. Instead of offering to return the land to the family, the TNC offered to sell the land back to the family. This is simply wrong and Metro's acceptance of TNC land leaves the Diack family with only two options, both undesirable. Either abandon the original objectives of the family when the land was donated or buy back the land that they donated decades ago.

You have the ability to just say no thank you.

Thank you for considering my thoughts.

Respectfully submitted,
Charles Ciecko
cciecko51@gmail.com

From: Katinka
To: Metro Council
Subject: Nature Conservancy Sandy River Gorge
Date: Thursday, May 11, 2017 1:07:02 PM

Hello,

I am concerned regarding the direction you have initiated to purchase the Diack Reserve and the adjoining land in the Sandy River Gorge.
It appears to me, as a boater and hiker, that the area has been well managed.

I answer Metro surveys quarterly regarding spending priorities for your limited funds. Those questions are about enhancing parks, providing education and providing access to open spaces near populated areas.
I live in Estacada and we have a number of projects that could be completed in our growing area.
Why are you considering spending scant resources on an already designated and successfully managed preserve when there are more pressing issues near more populated areas?
Please consider what is the best use of our tax dollars.

It also appears to go against the wishes of the original land donors. That seems disrespectful to those Oregonians who believed enough in the beauty of this area, and the state, to gift these beautiful lands for preservation in perpetuity. Yes, gift, for conservation, public enjoyment and habitat. That gift, and its conditions, should be honored.

Thank you for your time,

Katinka Bryk

Councilors,
I'm writing to encourage you to not approve resolution 17-4789 regarding Sandy River Gorge land swap.
Regards,
Robert Head