

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE)	RESOLUTION NO. 19-5005
CHIEF OPERATING OFFICER TO GRANT A)	
TRAIL EASEMENT TO THE OREGON)	Introduced by Acting Chief Operating Officer
DEPARTMENT OF TRANSPORTATION		Andrew Scott in concurrence with Council
		President Lynn Peterson

WHEREAS, in 2018 the Metro Council approved Resolution 18-4884 “For the Purpose of Updating the Regional Trails System Plan”, which built on 26 years of regional trail planning dating back to the 1992 Metropolitan Greenspaces Master Plan (adopted by the Metro Council via Resolution 92-1637), and identified the 40-Mile Loop Trail as part of the Regional Trails System Plan; and

WHEREAS, in 2009 the Metro Council approved Resolution 09-4017 “For the Purpose of Allocating \$67.8 Million of Regional Flexible Funding For The Years 2012 and 2013, Pending Air Quality Conformity Determination” which included over \$2.3 million in funding for design and construction of a section of the 40-Mile Loop Trail: Blue Lake Park to Sundial Road; and

WHEREAS, pursuant to Metro Council Resolution 96-2285 “For the Purpose of Authorizing a Phase II Intergovernmental Agreement With Multnomah County Regarding Parks and Other Facilities”, Metro owns approximately 47 acres of real property known as “Chinook Landing” Marine Park; and

WHEREAS, pursuant to the Metro Open Spaces, Parks and Streams 1995 Ballot Measure 26-26, Metro owns approximately 41 acres of real property in the Columbia River Shoreline Target Area known as “Columbia Shoreline” Natural Area; and

WHEREAS, the Oregon Department of Transportation requests two permanent trail easements across the Chinook Landing and Columbia Shoreline properties for construction and operation of the Blue Lake Park to Sundial Road section of the 40-Mile Loop Trail; and

WHEREAS, the proposed easement dedications are consistent with Metro’s easement policy (Resolution 97-2539B) because of the benefits to the regional trail system; now therefore,

BE IT RESOLVED that the Metro Council hereby authorizes the Chief Operating Officer to grant two permanent easements to the Oregon Department of Transportation in the locations depicted on Exhibits A-1 and A-2 to this Resolution, on terms approved by the Office of Metro Attorney.

ADOPTED by the Metro Council this 1st day of August, 2019.



 Lynn Peterson, Council President

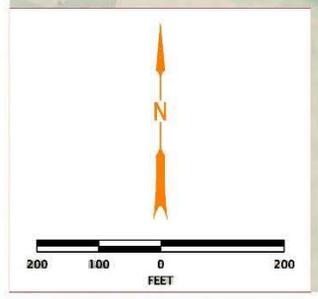
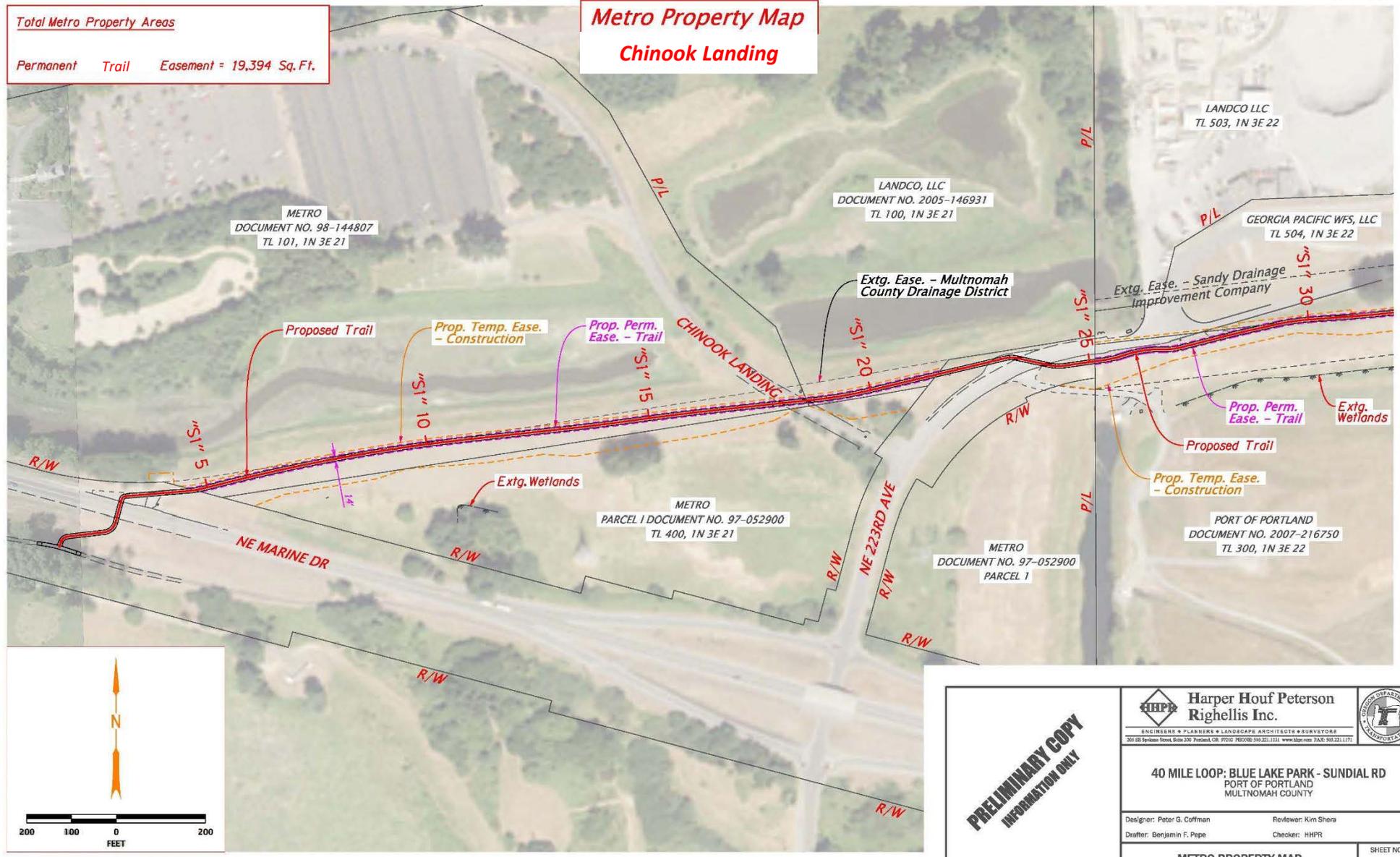
Approved as to Form:



 Carrie MacLaren, Metro Attorney

Total Metro Property Areas
 Permanent Trail Easement = 19,394 Sq. Ft.

Metro Property Map
Chinook Landing



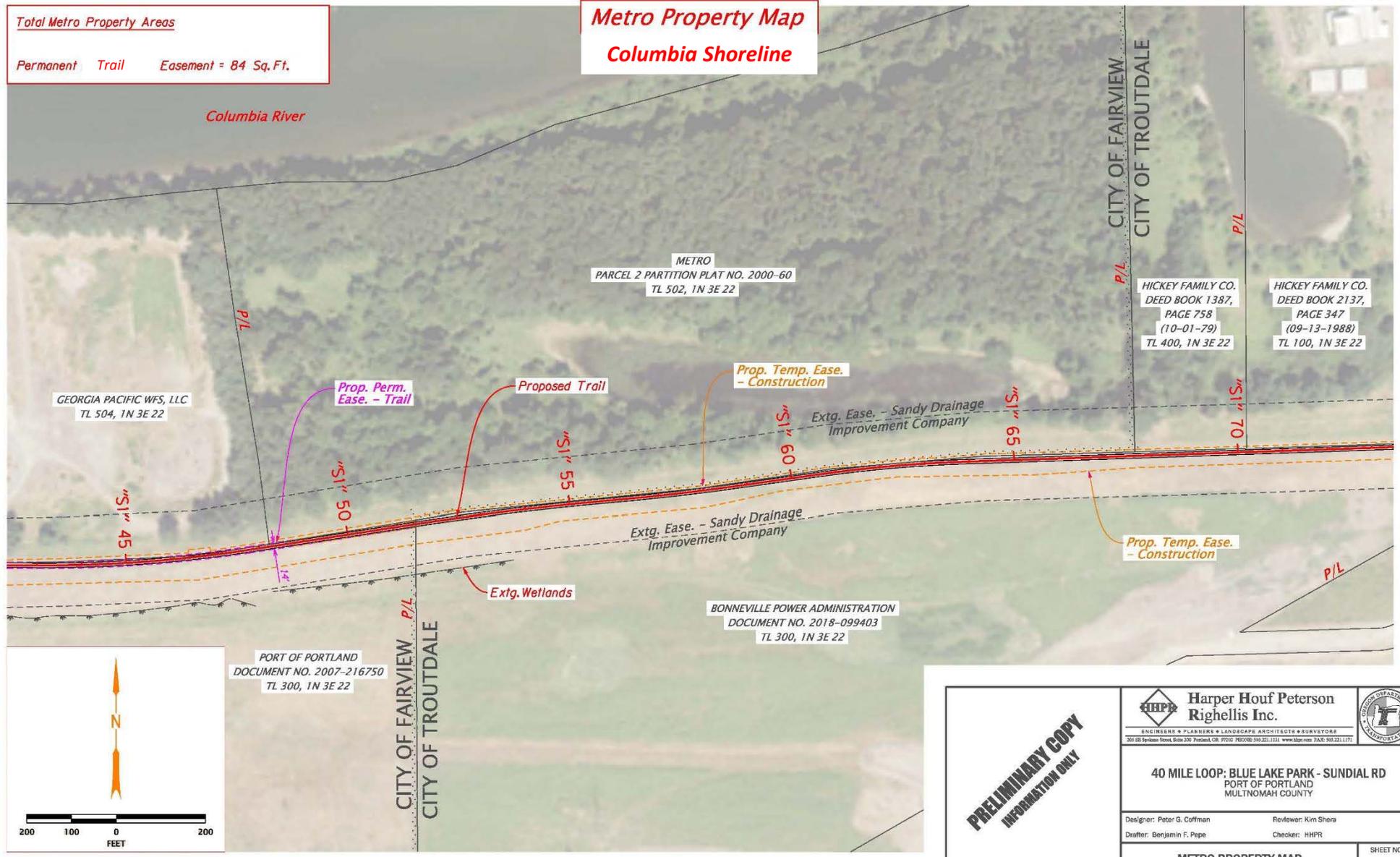
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 Harper Houf Peterson Righellis Inc. <small>ENGINEERS • PLANNERS • LANDSCAPE ARCHITECTS • SURVEYORS 302 8th Southeast Street, Suite 302 Portland, OR 97102 PHONE: 503.251.1111 WWW.HARPERHOUPETERSON.COM FAX: 503.251.1172</small>		
40 MILE LOOP: BLUE LAKE PARK - SUNDIAL RD PORT OF PORTLAND MULTNOMAH COUNTY		
Designer: Peter G. Coffman Drafter: Benjamin F. Pepe	Reviewer: Kim Shera Checker: HHPR	SHEET NO. 1
METRO PROPERTY MAP		SHEET NO. 1

Total Metro Property Areas

Permanent Trail Easement = 84 Sq. Ft.

**Metro Property Map
Columbia Shoreline**



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<p>40 MILE LOOP: BLUE LAKE PARK - SUNDIAL RD PORT OF PORTLAND MULTNOMAH COUNTY</p>		
<p>Designer: Peter G. Coffman Drafter: Benjamin F. Pepe</p>	<p>Reviewer: Kim Shera Checker: HHPRI</p>	<p>SHEET NO. 2</p>
<p>METRO PROPERTY MAP</p>		

IN CONSIDERATION OF RESOLUTION NO. 19-5005, FOR THE PURPOSE OF
AUTHORIZING THE CHIEF OPERATING OFFICER TO GRANT A TRAIL EASMENT TO
THE OREGON DEPARTMENT OF TRANSPORTATION

Date: August 1, 2019
Department: Parks and Nature
Meeting Date: August 1, 2019

Prepared by: Shannon Leary (503-813-
7547; shannon.leary@oregonmetro.gov)

ISSUE STATEMENT

ODOT requests the Metro Council authorize the Chief Operating Officer to grant a trail easement of approximately 1,390 feet in length.

ACTION REQUESTED

Metro Council authorization for the Chief Operating Officer to grant a trail easement to ODOT.

IDENTIFIED POLICY OUTCOMES

Continued application of the guidance in the Parks and Nature easement policy (Res. 97-2539B).

POLICY QUESTION(S)

Does the Metro Council wish to support construction of a segment of the 40-Mile Loop Trail on Metro property?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

1. Grant ODOT the easement. This will allow ODOT to construct the entire segment of the 40-Mile Loop Trail without gaps and allows for construction efficiencies.
2. Do not grant ODOT the easement. This will result in a section of the 40-Mile Loop Trail not being built at this time and create uncertainty among partners.

STAFF RECOMMENDATIONS

Staff recommends the Metro Council approve ODOT's easement request and authorize the Chief Operating Officer to grant the easement to ODOT.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

ODOT, in partnership with the Port of Portland, is in the design stage for a project to build a significant section of the 40 mile loop trail from Blue Lake Park eastward – approximately 2.1 miles in total. This section of the trail crosses Metro park property in two locations and ODOT has requested to acquire approximately 1,390 linear feet of trail easement from Metro (which at 14' in width translates to 19,478 square feet in total). ODOT will acquire the easement and build the trail, and when complete, convey the easement ownership to the City of Fairview, which will own and maintain the trail in perpetuity. The trail design and construction project is funded in part by Metro designated Regional Flexible Funds.

Legal Antecedents

- Metro Resolution No. 92-1637 “For the Purpose of Considering Adoption of the Metropolitan Greenspaces Master Plan”
- Metro Open Spaces, Parks and Streams 1995 Ballot Measure 26-26
- Metro Resolution No. 96-2285 “For the Purpose of Authorizing a Phase II Intergovernmental Agreement with Multnomah County Regarding Parks and Other Facilities”
- Metro Resolution No. 97-2539B “For the Purpose of Approving General Policies Related to the Review of Easements, Rights of Ways, and Leases for Non-Park Uses Through Properties Managed by the Regional Parks and Greenspaces Department”
- Metro Resolution No. 09-4017 “For the Purpose of Allocating \$67.8 Million of Regional Flexible Funding For The Years 2012 and 2013, Pending Air Quality Conformity Determination”
- Metro Resolution No. 18-4884 “For the Purpose of Updating the Regional Trails System Plan”

Anticipated Effects

- ODOT will construct approximately 1,390 feet of trail on Metro property and convey the perpetual ownership and management rights to the City of Fairview

Financial Implications (current year and ongoing)

- None

BACKGROUND

The Metro Code requires Metro Council approval of new easements over Metro property. As an owner of almost 18,000 acres of land across the greater Portland region, Metro’s Parks and Nature Department receives frequent requests for easements over Metro property for both park and non-park uses. In 1997, to ensure that the habitat and natural area purposes for which voters funded Metro’s property acquisition are not eroded over time by non-park uses, the Metro Council approved Resolution 97-2539B (the “easement policy”). The easement policy directs staff to make recommendations to the Metro Council on whether an easement request should be granted, and the policy provides the framework for staff to make its recommendations. Projects designed for the benefit of a Metro park or natural area (a “park use”) are recommended for approval.

ATTACHMENTS

None