

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE	)	RESOLUTION NO. 23-5364
CHIEF OPERATING OFFICER TO PURCHASE	)	
PROPERTY IN THE CLACKAMAS RIVER	)	Introduced by Chief Operating Officer
BLUFFS AND GREENWAY TARGET AREA	)	Marissa Madrigal in concurrence with
	)	Council President Lynn Peterson
	)	

WHEREAS, on June 6, 2019, the Metro Council adopted Resolution 19-4988, referring to the voters of the Metro area the question of authorizing Metro to issue general obligation bonds in an amount not to exceed \$475 million for the purposes of protecting natural areas, water quality and fish and wildlife habitat and connecting people to nature (the “2019 Parks and Nature Measure”); and

WHEREAS, at the election held on November 5, 2019, the voters in the Metro area approved the 2019 Parks and Nature Measure (Ballot Measure 26-203); and

WHEREAS, the Clackamas River Bluffs and Greenway Target Area was identified in the 2019 Parks and Nature Measure as one of 24 regional target areas for land acquisition; and

WHEREAS, on December 12, 2019, the Metro Council approved Resolution No. 19-5055, authorizing the Chief Operating Officer to continue to acquire property with 2019 Parks and Nature Measure funds in accordance with the Acquisition Parameters and Due Diligence Guidelines of the Amended and Restated Natural Areas Implementation Work Plan (adopted pursuant to Metro Council Resolution No. 14-4536) and Open Spaces Leasing Policy (adopted pursuant to Metro Council Resolution No. 97-2483); and

WHEREAS, on April 14, 2022, the Council approved Resolution No. 22-5250, “For the Purpose of Approving Acquisition Target Area Refinement Plans for the 2019 Parks and Nature Bond Measure,” which included the Clackamas River Bluffs and Greenway Target Area Refinement Plan and authorized the Chief Operating Officer to acquire specific properties identified on corresponding confidential tax-lot maps, provided such acquisitions comply with the applicable Amended and Restated Natural Areas Implementation Work Plan requirements; and

WHEREAS, Metro Council met in executive session on October 17, 2023, to conduct deliberations with persons designated by the governing body to negotiate real property transactions concerning certain real property, which property is a Tier I property in the Clackamas River Bluffs and Greenway Target Area and will be available for purchase (the “Property”); and

WHEREAS, because of the timeline of the Property being offered up for sale, Metro will not be able to comply fully with all of the Acquisition Parameters and Due Diligence Guidelines of the Amended and Restated Natural Areas Implementation Work Plan and the Chief Operating Officer must obtain Council approval to acquire the Property; now therefore,

BE IT RESOLVED that the Metro Council approves the purchase of the Property and authorizes the Chief Operating Officer or her designee to complete the acquisition of the Property based on the terms authorized in the executive session and execute any 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 26th day of October 2023.



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Lynn Peterson, Council President

Approved as to Form:



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Carrie MacLaren, Metro Attorney

IN CONSIDERATION OF RESOLUTION NO. 23-5364, FOR THE PURPOSE OF  
AUTHORIZING THE CHIEF OPERATING OFFICER TO PURCHASE PROPERTY IN THE  
CLACKAMAS RIVER BLUFFS AND GREENWAY TARGET AREA

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Date: October 18, 2023  
Department: Parks and Nature  
Meeting Date: October 26, 2023

Prepared by: Shannon Leary,  
Shannon.leary@oregonmetro.gov  
Presenter(s), (if applicable): not  
applicable  
Length: not applicable

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**ISSUE STATEMENT**

The Chief Operating Officer requests authorization from the Metro Council to acquire a particular property (the "Property") in the Clackamas River Bluffs and Greenway Target Area as discussed at the October 17, 2023, executive session.

**ACTION REQUESTED**

Staff requests Council authorize the Chief Operating Officer (or her designee) to acquire the Property in accordance with the general terms discussed at the October 17, 2023, executive session.

**IDENTIFIED POLICY OUTCOMES**

Acquisition of this Property will fulfill the overarching goals and objectives set by the Metro Council through Resolution 19-4988, the 2019 Parks and Nature bond measure, as well as meet target area specific goals and objectives for the Clackamas River Bluffs and Greenway Target Area identified in the Target Area Refinement Plans for the bond measure as adopted by the Metro Council via Resolution 22-5250.

**POLICY QUESTION(S)**

Should the Metro Council authorize the Chief Operating Officer to acquire the Property in accordance with the general terms discussed at the October 17, 2023, executive session?

**POLICY OPTIONS FOR COUNCIL TO CONSIDER**

Option 1: The Metro Council authorizes the Chief Operating Officer to acquire the Property in accordance with the general terms discussed at the October 17, 2023, executive session. This enables the Property to be protected in perpetuity and is in alignment with previous Council legislation directing staff to achieve the goals and objectives of the 2019 Parks and Nature bond measure as well as the specific target area goals and objectives adopted by the Metro Council through the Target Area Refinement Plans. Metro's acquisition of the

Property will be funded through the 2019 bond funds and funding is available in this fiscal year's budget to acquire the Property.

Option 2: The Metro Council does not authorize the Chief Operating Officer to acquire the Property. This will prohibit Metro from implementing this portion of previous Council direction through the 2019 Parks and Nature bond measure and Target Area Refinement Plans.

### **STAFF RECOMMENDATIONS**

Staff recommends the Metro Council authorize the Chief Operating Officer to acquire the Property in accordance with the general terms discussed at the October 17, 2023, executive session.

### **STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION**

The Property, 1.52 acres in size, is immediately adjacent to Metro's 96-acre Richardson Creek Natural Area. The Clackamas River Bluffs and Greenway Target Area has been a priority for acquisition since the 1995 Open Spaces, Parks and Streams bond measure and was again identified as a priority for the 2006 Natural Areas bond measure and the 2019 Parks and Nature bond measure. Metro's ownership of the Property will enable effective, consistent natural areas management while also removing the risk of private ownership within Richardson Creek Natural Area.

Metro protection of the Property is in alignment with the 2019 Parks and Nature bond measure because this Property helps connect existing public lands in the Clackamas River Bluffs and Greenway Target Area. Acquisition of this property also fulfills the goals of the Target Area Refinement Plan by protecting and restoring riparian, floodplain and aquatic habitats along the Clackamas River that are used by Salmon, Steelhead, Cutthroat Trout and Pacific Lamprey. Acquisition of the Property would also fulfill the Tier 1 Refinement Plan objectives to protect and restore land along the lower Clackamas River from Eagle Creek downstream to Rock Creek and to prioritize lands adjacent to existing publicly owned lands that allow for reconnection of floodplains and side channels and restoration of aquatic habitat that benefits Salmon, Steelhead, Cutthroat Trout and Pacific Lamprey.

The principles, program criteria, and geographically specific 24 target areas identified in the 2019 parks and nature bond measure and subsequent refinement plans reflect Council direction and community priorities. The bond program protects land and water and align with regional conservation goals, strengthens our region's climate resilience, and benefits communities who have been historically excluded from decision making or have not benefitted equitably from past investments. The refinement plans for each target area, adopted by the Metro Council in 2022 via Resolution 22-5250, articulate goals and objectives for each of the bond-identified target areas and were developed through a robust public engagement process including ecological assessments of each target area and stakeholder interview sessions and roundtable discussions with people who identify as Black, Indigenous, or a person of color, or a person living with a disability.

**Known Opposition/Support/Community Feedback**

Acquisition of the Property advances goals of the Clackamas Partnership, a coalition of 15 organizations and agencies working to recover Salmon, Steelhead, Cutthroat Trout and Lamprey in the Clackamas River watershed.

There is no known opposition to the Metro’s acquisition of the Property.

**Legal Antecedents**

1995 Open Spaces bond measure; 2006 Natural Areas bond measure

Resolution No. 19-4988, “For the Purpose of Submitting the Voters of the Metro Area General Obligation Bonds in the Amount of \$475 Million to Fund Natural Area and Water Quality Protection and to Connect People to Nature Close to Home; and Setting Forth the Official Intent of the Metro Council to Reimburse Certain Expenditures Out of the Proceeds of Said Bonds Upon Issuance”, adopted by Metro Council on June 6, 2019.

Resolution No. 22-5250, “For the Purpose of Approving Acquisition Target Area Refinement Plans for the 2019 Parks and Nature Bond Measure”, adopted by Metro Council on April 14, 2022.

**Anticipated Effects**

Should Metro Council authorize the COO to acquire this property, Metro staff will attempt to acquire the Property at auction on November 8, 2023.

**Financial Implications**

Purchase of the Property will occur with 2019 Parks and Nature bond funds and is within the budget allocation for fiscal year 2024.

**BACKGROUND**

This work builds on the 1995 and 2006 bond measures, which included funds for land acquisition for conservation and future trail development. The 2019 bond measure, referred to the voters by the Metro Council in June of 2019, established principles and criteria to guide protecting and restoring greater Portland’s special places and securing gaps in the regional trail system in geographically specific target areas and regional trail corridors. The bond measure also directed staff to further refine these priority areas if the voters supported the measure, which was completed, and refinement plans adopted by the Metro Council in April 2022.

**ATTACHMENTS**

None

- Is legislation required for Council action?  Yes  No
- If yes, is draft legislation attached?  Yes  No

- What other materials are you presenting today? Not applicable