

A G E N D A

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METRO

Agenda

MEETING: METRO COUNCIL REGULAR MEETING
DATE: March 09, 2006
DAY: Thursday
TIME: 4:00 PM
PLACE: Metro Council Chamber

CALL TO ORDER AND ROLL CALL

1. INTRODUCTIONS

2. CITIZEN COMMUNICATIONS

3. GREENSPACES POLICY ADVISORY COMMITTEE REPORT Ragsdale

4. CONSENT AGENDA

4.1 Consideration of Minutes for the March 2, 2006 Metro Council Regular Meeting.

5. RESOLUTIONS

5.1 **Resolution No. 06-3672A**, 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 Acquisition and Water Quality Protection. McLain

6. CHIEF OPERATING OFFICER COMMUNICATION

7. COUNCILOR COMMUNICATION

ADJOURN

Television schedule for March 9, 2006 Metro Council meeting, 4 p.m.

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| Clackamas, Multnomah and Washington counties, and Vancouver, Wash. Channel 11 -- Community Access Network www.yourtv.org -- (503) 629-8534 No live broadcast | Washington County Channel 30 -- TVC-TV www.tvctv.org -- (503) 629-8534 11 p.m. Saturday, March 11 11 p.m. Sunday, March 12 6 a.m. Tuesday, March 14 4 p.m. Wednesday, March 15 |
| Oregon City, Gladstone Channel 28 -- Willamette Falls Television www.wftvaccess.com -- (503) 650-0275 Call or visit website for program times. | West Linn Channel 30 -- Willamette Falls Television www.wftvaccess.com -- (503) 650-0275 Call or visit website for program times. |
| Portland Channel 30 (CityNet 30) -- Portland Community Media www.pcmtv.org -- (503) 288-1515 8:30 p.m. Sunday, March 12 2 p.m. Monday, March 13 | Gresham Channel 30 -- MCTV www.mctv.org -- (503) 491-7636 2 p.m. Monday, March 13 |

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 Clerk of the Council, Chris Billington, (503) 797-1542. Public hearings are held on all ordinances second read and on resolutions upon request of the public. Documents for the record must be submitted to the Clerk of the Council to be considered included in the decision record. Documents can be submitted by e-mail, fax or mail or in person to the Clerk of the Council. For additional information about testifying before the Metro Council please go to the Metro website www.metro-region.org and click on public comment opportunities. For assistance per the American Disabilities Act (ADA), dial TDD 797-1804 or 797-1540 (Council Office).

MINUTES OF THE METRO COUNCIL MEETING

Thursday, March 2, 2006
Damascus Council Chamber

Councilors Present: David Bragdon (Council President), Susan McLain, Robert Liberty, Rex Burkholder, Carl Hosticka, Rod Park, Brian Newman

Councilors Absent:

Council President Bragdon convened the Regular Council Meeting at 2:01 p.m.

1. INTRODUCTIONS

Council President Bragdon acknowledged the Mayor of Damascus, Dee Westcott and Councilor John Hartsock, as well as Dick Schouten, Washington County Commissioner.

2. CITIZEN COMMUNICATIONS

There were none.

3. CONSENT AGENDA

3.1 Consideration of minutes of the February 23, 2006 Regular Council Meetings.

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| Motion: | Councilor Hosticka moved to adopt the meeting minutes of the February 23, 2006 Regular Metro Council. |
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| Vote: | Councilors McLain, Liberty, Newman, Hosticka and Council President Bragdon voted in support of the motion. The vote was 5 aye, the motion passed with Councilors Burkholder and Park absent from the vote. |
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5. CONTRACT REVIEW BOARD

5.1 **Resolution No. 06-3673**, For the Purpose of Authorizing the Auditor to Release a Request for Proposals (RFP) and Execute a Contract for Independent Audit Services for Financial Activity during fiscal years through June 30, 2008.

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| Motion: | Councilor Hosticka moved to adopt Resolution No. 06-3673. |
| Seconded: | Councilor Liberty seconded the motion |

Councilor Hosticka introduced the resolution concerning the RFP and contract for the independent audit. Alexis Dow, Metro Auditor, said this was a RFP to perform a financial statement audit for a three-year period. They were seeking new proposals. It followed the same criteria as in the past. She noted that there was a single audit, which covered the grants. Councilor Liberty asked if three years was standard. Ms. Dow said yes. Councilor Hosticka explained why they were considering this RFP.

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| Vote: | Councilors Hosticka, Newman, McLain, Liberty, and Council President Bragdon voted in support of the motion. The vote was 5 aye, the motion |
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passed with Councilors Burkholder and Park absent from the vote.

4. RESOLUTIONS

4.1 **Resolution No. 06-3672**, For the Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$220 Million to Fund Natural Area Acquisition and Water Quality Protection.

Council President Bragdon said based on discussion at work session, Dan Cooper, Metro Attorney, described the amended version of the resolution (a copy of which is included in the meeting packet). Councilor Liberty asked clarifying questions concerning the changed amounts. Mr. Cooper responded to his question. Mr. Cooper continued his summary of the changes requested by the Council at the February 28th Work Session. Councilor Newman asked about the creeks that had been struck from the resolution, he thought they had kept three creeks. Council President Bragdon asked Jim Desmond, Regional Parks and Greenspaces Director, about the changes to the creeks. Mr. Desmond said he thought they were deleting the western three creeks and were keeping Chicken and Cedar Creeks. Councilor Newman asked Councilors what they had heard. Mr. Desmond said Baker Creek should be included. He clarified the three creeks, which should be included. Mr. Cooper then talked about existing target areas and the need for flexibility. Councilor Liberty asked about the local share grants. Mr. Desmond said page 11 clarified Exhibit C. Exhibit C had a more exhaustive list. Mr. Cooper continued reviewing the changes that Council had given direction on. He noted Exhibit C had the guidelines for neighborhood capital grants. Councilor Burkholder asked about the neighborhood capital grants. Mr. Cooper said the match was twice the grant. Councilors Burkholder and Liberty asked about the match requirement. Mr. Desmond suggested that Councilor Burkholder had caught an error and they needed to have further clarification on the match. Mr. Cooper said this information was on page 15 under Applicant Eligibility. Mr. Desmond said he was still concerned about the language. He felt there might be ambiguity. Mr. Cooper said the Council didn't need to make an amendment now. Mr. Desmond suggested putting it in the body of the resolution. Council President Bragdon suggested doing a housekeeping amendment next week. Councilor Liberty suggested providing examples in the guidelines. Councilor McLain explained why they had Exhibit C, which was where you find the long list. Councilor Liberty said he wanted to be sure that the examples were clear. Council President Bragdon and Councilor McLain clarified the list. Councilor Burkholder suggested a technical amendment. Mr. Cooper said they would prepare that amendment for next week. Mr. Cooper said Baker Creek was in the amended version.

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| Motion to substitute: | Councilor McLain moved to substitute a revised version of Resolution No. 06-3672. |
| Seconded: | Councilor Burkholder seconded the motion |

Councilor McLain explained the resolution. She explained what was included in the bond measure. They were here to listen to the public. They had also had four to five months of outreach efforts.

Vote to substitute:

Councilors Park, Hosticka, Burkholder, Newman, McLain, Liberty, and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed.

Council President Bragdon opened a public hearing on Resolution No. 06-3672.

Dick Schouten, Washington County Commissioner, 155 N. First Ave, Hillsboro OR 97124 talked about Wapato Lake. It wasn't a question of the area not being compelling but he thought there were other issues. The Commission would prefer areas that were not controversial. They also wanted areas considered that were closer to urban areas. He felt that Wapato was not endangered. It was a flood prone bottom and unlikely for development. He felt it was a hot potato and that the Farm Bureau opposed this area. The Commission had concurred with the Farm Bureau. They opposed this target area. Finally, in his view, they would like to see more money used but that they couldn't do all of the areas with \$220 million. He talked about critical areas such as the Tillamook State Forest. He wanted to see more energy in the Rock Creek area. He also felt that the three creeks in the Chehalem Hills were all areas that were away from urban centers. They recommended that three creeks be eliminated including Baker Creek. They also felt that Powerline Trail's name should be changed. He suggested west side corridor trail as a substitute name. He noted correspondence they had sent today (a copy of which is included in the meeting record). Councilor Burkholder asked about the Wapato Lake and that Washington County thought the area was worthwhile to preserve but their main concern was timing and ballot measure success. Commissioner Schouten said he felt the area was worth saving but wouldn't consider this as part of the Bond Measure. Councilor Burkholder said Forest Grove had urged including Wapato Lake. Commissioner Schouten provided his comments about Forest Grove. Councilor Hosticka asked if the Commission had voted on the resolution itself. Commissioner Schouten said they had not taken a position yet.

Councilor McLain said Wapato Lake was nine minutes from Forest Grove. She wanted to know what Washington County's criteria were for areas they supported and opposed. What center was he referring to? Commissioner Schouten talked about the west side edges and where was the great bulk of the population. Councilor McLain said she was trying to understand where Washington County was coming from. Commissioner Schouten explained their position. Councilor Park asked about the Conservation Reserve Program and if the Commissioner had comments on this. Would he have a problem with Metro looking at this as a potential compromise? Commissioner Schouten said he was hesitant to answer the question because he hadn't checked with the Board. There were a number of possibilities. It could be used as a wildlife reserve. At this time it was not eminent. There was time to consider this target area in the future. Councilor Park suggested that Metro shouldn't rule out using Conservation Reserve Program for Wapato Lake. Commissioner Schouten said the Board had not talked about this area so he couldn't comment on this. Councilor Liberty talked about Wapato Lake and its history. He asked if Washington County had taken a position as a wildlife refuge. Commissioner Schouten said they had not taken a position. Councilor Liberty asked about the Farm Bureau's position and if this had influenced the Board. Commissioner Schouten said that it was a consideration in their recommendations. Councilor McLain talked about where the population might go in the future. Commissioner Schouten reminded that this was a willing seller bond measure. The lake itself was flood prone and so was not likely to be a development.

Council President Bragdon noted the letter from the city of Forest Grove.

John Fergeson 19110 SE White Chest Damascus 97009 said he was a member of the advisory committee that helped develop the Damascus concept plan. They were fully in support of the greenspaces program. He talked about the Damascus greenspaces assets. The citizens recognized this as well as Metro and the Advisory Committee. He talked about restricted development on the Buttes. He suggested focusing more land purchases in this area. He also said they had an almost unbroken connection from Mt. Hood to Damascus. He requested more area into the corridor. They would be bringing nature into the city.

Jason Tuck, City of Happy Valley, 12915 SW King Rd Happy Valley OR 97236 urged that Schouter's Mountain and Rock Creek were on the list. Council President Bragdon said they were on the list. He had attended a Happy Valley Council meeting. Their target areas were much larger than a parcel. He said this was a willing seller program. There was no way they could guarantee the purchase. This area was something they would be looking to purchase. Mr. Tuck said their Council was looking for more local identity. Councilor Newman said he thought this resolution would be edited to include Schouter's Mountain. Was there a concern about listing this site? Mr. Desmond said they had talked about it on Tuesday. The only concern was that there were a large series of east Buttes. It had always been part of the target area in the East Buttes. Councilor Newman said he didn't feel that strongly but wanted to make sure Happy Valley understood that Schouter's Mountain was included. Councilor Park talked about the East Buttes area. Council President Bragdon said they would be refining the map. Councilor Burkholder wondered if the confusing piece was the reference to Damascus. Mr. Desmond said he would provide clarity for the purposes of public communications. Councilor Newman said what was important was that it was on the map. Mr. Tuck asked about Rock Creek in Happy Valley. Was this included in the target area? Jim Morgan, Regional Parks and Greenspaces Department, said there were three Rock Creeks. He explained where each was and clarified that Rock Creek was part of the target area.

Council President Bragdon closed the public hearing.

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| Motion to amend: | Councilor Hosticka moved to amend Resolution No. 06-3672 with Bragdon Amendment #1. |
| Seconded: | Councilor Newman seconded the motion |

Councilor Hosticka explained that this was most of the local share list. Council President Bragdon explained that this provided funds to help their partners. He urged support. Hats off to the jurisdictions. Councilor Newman commented on the Damascus recommendations. Council President Bragdon said that Damascus was just developing a parks list and did not yet have a master plan. Councilor Liberty asked about the list. Mr. Desmond responded that they were going to describe them with more clarity for the purpose of the public. He was impressed with the list. There would be a communication piece to help citizens understand the list. Mr. Cooper added his comments about the guidelines for local share.

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| Vote to amend: | Councilors Park, Hosticka, Burkholder, Newman, McLain, Liberty, and Council President Bragdon voted in support of the motion. The vote was 7 aye, the motion passed. |
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| Motion to amend: | Councilor Liberty moved to amend Resolution No. 06-3672 with Liberty Amendment #1. |
| Seconded: | Councilor Newman seconded the motion |

Councilor Liberty said this amendment changed the amount of the bond measure for local share. He explained the origin of his amendment. He urged support. Councilor Newman said he would be supporting this amendment. He noted that Councilors Liberty and Burkholder felt strongly about this amendment. The citizens had embraced this suggestion enthusiastically. This piece appealed to some of those constituencies. His support for this idea had grown during the public outreach process. This was great way to democratize this process. Councilor Burkholder noted that there were four amendments having to do with this proposal. He wanted a broader discussion of all four of the amendments. Council President Bragdon explained the procedure for

considering this amendment. Councilor Burkholder suggested discussing all four of the amendments together. Councilor Hosticka echoed Councilor Newman's comments. They saw a connection to the Nature In Neighborhood (NIN) program. He was supporting a higher level of funding. He asked that the language in the Burkholder/McLain last sentence be added to Liberty's amendment. Councilors Liberty and Newman agreed to the friendly amendment. Council President Bragdon explained why he would not be supporting this amendment. He felt the number was too high. Councilor Liberty said he had the experience of participating in community meetings. New growth was not just on the edge. He felt some of these non-edge areas had less access to nature. He spoke to developing an urban environment. He urged support.

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| Vote to amend: | Councilors Hosticka, Newman, and Liberty voted in support of the motion. The vote was 3 aye/4 nay, the motion failed with Councilors Burkholder, McLain, Park and Council President Bragdon voting no. |
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| Motion to amend: | Councilor Hosticka moved to amend Resolution No. 06-3672 with Hosticka Amendment #1 and added language from the McLain/Burkholder amendment.. |
| Seconded: | Councilor Liberty seconded the motion |

Councilor Hosticka explained his amendment. Council President Bragdon explained his no vote. Councilor Newman would be supporting the amendment. Councilor McLain said she thought this was too much for a program that had not been tested. She would be voting no on this amendment. Councilor Liberty added his comments about this amendment. Councilor Newman talked about a competitive grant program.

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| Vote to amend: | Councilors Newman, Liberty, and Hosticka voted in support of the motion. The vote was 3 aye/4 nay, the motion failed with Councilors McLain, Park, Burkholder and Council President Bragdon voting no. |
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| Motion to amend: | Councilor Burkholder moved to amend Resolution No. 06-3672 with Burkholder/McLain Amendment #1 and a change to \$161 million in regional acquisition. |
| Seconded: | Councilor McLain seconded the motion |

Councilors Burkholder and McLain talked about their amendment. Council President Bragdon supported the amendment. He thanked both councilors for their work on this amendment. He felt this bridged the gap. Councilor Park said he could support this mix. It allowed the opportunity for future councilors to redirect the funds. He understood the need for the local piece. It allowed them to reach compromise. It also held the Metro Council accountable.

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| Vote to amend: | Councilors Park, Hosticka, Burkholder, Newman, McLain, and Council President Bragdon voted in support of the motion. The vote was 6 aye/1 nay, the motion passed with Councilor Liberty voting no.. |
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| Motion to amend: | Councilor Park moved to amend Resolution No. 06-3672 with Bragdon Amendment #2. |
| Seconded: | Councilor Burkholder seconded the motion |

Council President Bragdon explained his amendment concerning increasing the bond measure and adding more to regional acquisition. He explained that this was a slightly more urban focused

program. He noted Commissioner Schouten’s comments as well as the Portland City Council’s conversation yesterday. He suggested \$7.4 million addition. He thought the Blue Ribbon Committee would support this increase. Councilor Newman echoed Council President Bragdon’s comments. Councilor Hosticka said the need was unlimited. He would not be supporting this amendment. They had held an extensive process using the \$220 million. He felt changing the overall number at the eleventh hour was not keeping faith with the public. Councilor Park said he would support this amendment. He spoke to ever increasing land value. He felt this was comfortable number. He felt the slight focus on urban areas would be supported. Councilor Liberty asked if we were committing to urban projects? Council President Bragdon responded to his question. He suggested that the real estate values and willing sellers provided guidelines to what would be purchased. Councilor McLain said she had gone out to her constituents and talked about \$220 million so she could not support the increase. Councilor Burkholder said the public was still paying off the last bond measure. He also heard that the more we could do, the better. There was a growing need. This would probably have a small effect. The more they could do and be successful, was their charge. The Blue Ribbon had given them a range. He felt this was reasonable small change. Councilor Hosticka commented that the number was relatively insignificant. The number was a symbolic. He felt increasing the amount sent the wrong message. He felt they should stick with the number. Councilor Park said the suggested change was very slight. Mr. Desmond said this would add one cent per thousand. Councilor Park said this would raise the opportunity grants and regional urban funds slightly. He wished they could do more. Councilor Liberty talked to citizens about the money, he would be supporting the increase. Council President Bragdon said it was a judgment call but that this was responsive to the public involvement. He talked about the testimony he had heard. He talked about the Blue Ribbon Committee’s role and recommendation. The Council had changed the package slightly and this justified the slight increase.

Vote to amend:

Councilors Park, Burkholder, Newman, Liberty, and Council President Bragdon voted in support of the motion. The vote was 5 aye/2 nay, the motion passed with Councilors McLain and Hosticka voting no.

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| Motion to amend: | Councilor Park moved to amend Resolution No. 06-3672 with Amendment Park #2 and to strike “adjacent” language. |
| Seconded: | Councilor McLain seconded the motion |

Councilor Park talked about mixed goals of farmland and potential target areas. He said the Washington County Farm Bureau had asked that the Wapato Lake area be removed. He further explained his resolution. He said this allowed them more flexibility. Councilor McLain said she would be supporting this amendment today. She talked about the clash of values. She also talked about Measure 37 and its impact. They needed to be far reaching in our goals. There were growing areas and populations could increase or grow in different areas. She talked about their partnership with the farming community. Councilor Liberty said he felt this was a good step to take. It didn’t address some of the fundamental problems. He said farmers felt that governments weren’t always supportive of them. This did not take the area off the list but was a good neighbor policy. Councilor Burkholder talked about the description of the target area. He asked if the amendment applied to the area called Gales Creek. Councilor Park said this focused on Wapato Creek. Jim Morgan, Regional Parks and Greenspaces Department, clarified the target area. Councilor Burkholder suggested clarifying language for clarity purposes. Councilor Hosticka said he would support this amendment. He said agriculture activities do threaten water quality and natural areas. They were trying to keep all of the interests happy. Council President Bragdon said Councilors Liberty, Park and McLain had been working hard to accommodate a compromise. He noted that some farmers were interested in selling their land, others did not wish to sell their land.

He spoke to the public outreach testimony at Forest Grove. This amendment said they would continue to work with all interested parties. Councilor Newman said he couldn't support this amendment and explained why. He felt they could find compromise for this area. He felt that language was too ambiguous. He still supported the target area. Councilor Liberty added his comments. Councilor Park closed by saying that Mr. Cooper had crafted the language. He understood Councilor Hosticka's comment about agriculture. Farmer was subject to water quality laws as well. This compromise was not removing as a potential target area but there were conflicting values. This allowed flexibility to make the right choices when they get to the end.

Vote to amend:

Councilors Park, Burkholder, Newman, McLain, Liberty, and Council President Bragdon voted in support of the motion. The vote was 6 aye/1 nay, the motion passed with Councilor Hosticka voting no.

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| Motion to amend: | Councilor Liberty moved to amend Resolution No. 06-3672 with Liberty Amendment #2 and amended language striking the whole local share paragraph and indicating \$12 million. |
| Seconded: | Councilor Burkholder seconded the motion |

Councilor Liberty explained his amendment. Councilor McLain asked for clarification on the amendment, these were not jurisdictions. Councilor Liberty responded to her question.

Councilor Liberty withdrew the amendment.

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| Motion to amend: | Councilor Liberty moved to amend Resolution No. 06-3672 with Liberty Amendment #2 changing his original language to include bonus points for Regional Affordable Housing. |
| Seconded: | Councilor Burkholder seconded the motion.. |

Councilor Liberty clarified his revised amendment. Councilor Burkholder said they gave extra credit to Metropolitan Transportation Improvement Program (MTIP) projects that had impact on affordable housing. The Housing Choice Task Force (HCTF) encouraged this. He suggested that they might be able to refine this suggestion. Councilor Liberty further clarified his amendment. Councilor Park said he understood the concept but was concerned that they were penalizing a neighborhood where a city did not comply with affordable housing. He wanted Councilors Liberty and Burkholder to look at this issue without considering an amendment at this time. Councilor Newman said he was uncomfortable with this amendment and explained why. He was concerned the amendment would disqualify certain groups. Councilor Liberty talked about the obstacles. He felt the local share would have been a way to accommodate. They should always be looking to achieve multiple objectives.

Vote to amend:

Councilors Hosticka, Burkholder, Liberty, voted in support of the motion. The vote was 3 aye/4 nay, the motion failed with Councilors Newman, Park, McLain and Council President Bragdon voting no.

Council President Bragdon explained the process for next week's meeting. Councilor Liberty raised the issue about having another public hearing and the possibility of potential amendments. Councilor McLain said she thought a public body always had the opportunity to amend the resolution. Mr. Cooper made a suggestion that if there were substantive amendments that they hold the decision over for another week. Councilor Newman said he was comfortable with this package. He didn't anticipate any amendments but he thought there goal was to refer this next

week. Councilor McLain echoed Councilor Newman comments. Council President Bragdon said they had worked collaboratively and had had a lot of discussions. He wanted next Thursday to be as positive as possible. He did not wish to stifle debate. The resolution would be held over until next week.

6. CHIEF OPERATING OFFICER COMMUNICATION

Michael Jordon, COO, was not present

7. COUNCILOR COMMUNICATION

Councilor Liberty talked about the Farmland Fairness meeting. Councilor Park added his comments.

8. ADJOURN

There being no further business to come before the Metro Council, Council President Bragdon adjourned the meeting at 4:29 p.m.

Prepared by

Chris Billington
Clerk of the Council

ATTACHMENTS TO THE PUBLIC RECORD FOR THE MEETING OF MARCH 2,
2006

| Item | Topic | Doc Date | Document Description | Doc. Number |
|------|---|----------|---|-------------|
| 4.1 | March 2 nd version of resolution | 3/2/06 | To: Metro Council From: Dan Cooper, Metro Attorney Re: Amended version of Resolution No. 06-3672 | 030206c-01 |
| 4.1 | Letter | 3/1/06 | To: Council President Bragdon From: Tom Brian, Chair, Washington County Commission Re: 2006 Greenspaces Bond Measure Regional Target Areas | 030206c-02 |

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF SUBMITTING TO THE) RESOLUTION NO. 06-3672A
VOTERS OF THE METRO AREA A GENERAL)
OBLIGATION BOND INDEBTEDNESS IN THE)
AMOUNT OF \$227.4 MILLION TO FUND)
NATURAL AREA ACQUISITION AND WATER) Introduced by Metro Council
QUALITY PROTECTION) President David Lincoln Bragdon

WHEREAS, the Metro Council has taken a leadership role in identifying remaining natural areas in the Metro Area and planning for their protection; and

WHEREAS, in May 1995 voters in the Metro Area approved a \$135.6 million Open Spaces, Parks and Streams Bond Measure (1995 Open Spaces Bond Measure) with a stated goal of acquiring land in 14 of the 57 regional natural areas identified in the Greenspaces Master Plan and six of the 34 regional trails and greenways identified in the Greenspaces Master Plan; and

WHEREAS, the implementation of the 1995 Open Spaces Bond Measure has been successfully completed and the Metro Council has acquired, to date, over 8,100 acres (3,278 hectares) of open spaces in 14 target areas and 6 trails and greenways, and has protected 74 miles (119 kilometers) of stream and river frontage, greatly surpassing the 6,000-acre (2,428 hectares) minimum acquisition goal identified in the 1995 Open Spaces Bond Measure; and

WHEREAS, the 1995 Open Spaces Bond Measure was never intended to acquire all of the natural areas in the Metro Area identified as needing protection, and with human population growth continuing to occur, there is an urgent need to acquire additional natural areas to provide opportunities for outdoor recreation, to protect air and water quality, and to preserve fish and wildlife habitat; and

WHEREAS, the Metro Policy Advisory Committee (MPAC), composed of officials representing the Metro Area’s local governments, adopted a “Vision Statement” in 2000 to enunciate the Metro Area’s commitment to improve the ecological health of the Metro Area’s fish and wildlife habitat; and

WHEREAS, on April 25, 2001, MPAC unanimously adopted the Final Report of its Parks Subcommittee, which, among other things, noted the need for additional land acquisition for parks and open spaces beyond the scope of the 1995 Open Spaces Bond Measure; and

WHEREAS, on December 9, 2004, the Metro Council adopted Resolution No. 04-3506A, “For the Purpose of Revising Metro’s Preliminary Goal 5 Allow, Limit, or Prohibit Decision; and Directing the Chief Operating Officer to Develop a Fish and Wildlife Habitat Protection and Restoration Program That Relies on a Balanced Regulatory and Incentive-Based Approach,” in which the Metro Council resolved to develop and take before the voters by November 2006 an open spaces acquisition bond measure that included authorization to acquire regionally significant fish and wildlife habitat from willing sellers; and

WHEREAS, on May 12, 2005, the Metro Council adopted Resolution No. 05-3574A “Establishing a Regional Habitat Protection, Restoration and Greenspaces Initiative Called Nature In Neighborhoods” (“Nature In Neighborhoods Initiative”); enacting a regional conservation policy that promotes a consistent and effective level of region-wide habitat protection using a variety of means, including acquisition of critical fish and wildlife habitat from willing sellers and restoration of key wetland, streamside and upland sites; and

WHEREAS, the Nature In Neighborhoods Initiative specifically called for the Metro Council to place a bond measure before the voters in November 2006 that would create a funding source to acquire critical fish and wildlife habitat from willing sellers in the urban area; and

WHEREAS, on September 29, 2005, the Metro Council adopted Resolution No. 05-3612, “For the Purpose of Stating An Intent to Submit to the Voters the Question of the Establishment of a Funding Measure to Support Natural Area and Water Quality Protection and Establishing a Blue Ribbon Committee; and Setting Forth the Official Intent of the Metro Council to Reimburse Certain Expenditures Out of the Proceeds of Obligations to be Issued in Connection with the Regional Parks and Greenspaces Program,” stating the Metro Council’s intent to submit to the voters of the Metro Area a general obligation funding measure to protect habitat, river and stream frontages and natural areas, through land acquisition, restoration, and enhancement, and establishing a Blue Ribbon Committee to make specific recommendations to the Metro Council regarding aspects of the bond measure program, said bond measure to be included on either the primary or general election ballot no later than November 2006; and

WHEREAS, the Blue Ribbon Committee returned its report to the Metro Council on December 8, 2005, recommending that the Metro Council undertake \$220 million in bond indebtedness to protect habitat, river and stream frontages and natural areas through acquisition, restoration, and enhancement; provide \$44 million to cities, counties and local park providers for acquisition, restoration, and enhancement of habitat, river and stream frontages and natural areas; and create a \$11 million Nature in Neighborhoods Capital Grants Program Fund; and

WHEREAS, the Metro Council is authorized under the laws of the State of Oregon and the Metro Charter to issue bonds and other obligations for the purpose of providing long-term financing for natural area protection; now therefore

BE IT RESOLVED by the Metro Council that:

1. The Metro Council hereby submits to the qualified voters of the Metro Area the question of contracting a General Obligation Bond indebtedness of \$227.4 million for the purposes of preserving natural areas and stream frontages, maintaining and improving water quality, and protection of fish and wildlife habitat, through acquisition, protection, restoration, and enhancement of natural areas and stream frontage, including \$44 million to be distributed to cities, counties and local park providers for said purpose, and a \$15 million Nature in Neighborhoods Capital Grants Program Fund to be provided to local organizations and public entities for land acquisition and projects that protect and enhance natural resources in the urban environment, as further set forth in the attached Exhibit A – 2006 Natural Areas Bond Measure (the “Bond Measure”); Exhibit B – Local Share Guidelines-2006 Bond Measure (the “Local Share Guidelines”); and Exhibit C – Nature in Neighborhoods Capital Grants Program Detail (the “Nature in Neighborhoods Capital Grants Fund Detail”);
2. No Bond Measure funds shall be used to condemn or threaten to condemn land or interests in land, and all acquisitions of land or interests in land with Bond Measure funds shall be on a “willing seller” basis;
4. The Metro Council hereby certifies the Ballot Title attached as Exhibit D for placement of the Bond Measure on the ballot for the November 7, 2006 General Election;

5. The Metro Council authorizes and directs the Metro Chief Operating Officer to submit this Resolution and the Ballot Title to the County Elections Officers, the Secretary of State, and the Tax Supervising and Conservation Commission in a timely manner as required by law; and
6. The Metro Council authorizes and directs the Metro Chief Operating Officer to submit this Bond Measure, the Ballot Title, and the Explanatory Statement attached as Exhibit E to the County Elections Officers for inclusion into the affected counties' voters' pamphlets for the November 7, 2006 General Election.

ADOPTED by the Metro Council this _____ day of _____, 2006.

David Lincoln Bragdon, Council President

Approved as to Form:

Daniel B. Cooper, Metro Attorney

Resolution No. 06-3672A
Exhibit A

2006 NATURAL AREAS BOND MEASURE

Purpose and Intent

The Metro Council's proposed 2006 Natural Areas Bond Measure is designed to build on the successful conservation efforts of the past by renewing the region's ability to protect critical headwaters, rivers, streams, and forests through continued land acquisition. Protection of these natural areas throughout the greater Portland metropolitan region will help safeguard critical groundwater and drinking water resources, water quality, and important fish and wildlife habitat for the future. The proposed 2006 Natural Areas Bond Measure conserves the region's most valuable natural resources such as clean air and water while helping to manage growth and maintain the region's heralded quality of life for future generations.

In 1995, the voters of the Portland metropolitan region created a model program for protecting the area's most significant natural areas, fish and wildlife habitat and lands near rivers and streams. By approving a \$135.6 million Open Spaces, Parks and Streams Bond Measure, voters directed Metro to protect these places for future generations and embarked on a significant new partnership among landowners, neighbors, businesses and governments to achieve the program's goals. Today these protected areas total more than 8,100 acres and include approximately 74 miles of stream and river frontage that benefit fish and wildlife and offer important natural buffers from development to protect water quality.

Metro's 1995 Open Spaces, Parks and Streams Bond Measure was the result of nearly a decade of intensive regional planning, public involvement and debate. The basis for the land acquisition program is founded in the 1992 Metropolitan Greenspaces Master Plan, which was adopted by the Metro Council along with all 24 local cities and three counties within Metro's jurisdiction. At that time it was noted that many significant natural areas, wildlife habitat and water quality protection needs would not be met with the limited amount of bond funds available in the 1995 measure. Additional efforts would be required in the future to fulfill the vision of an interconnected system of parks, natural areas, trails and greenways described in the 1992 Metropolitan Greenspaces Master Plan. Current growth projections make this effort all the more critical today than it was a decade ago. The proposed 2006 bond measure will allow the region to continue that effort toward protecting water quality and fish and wildlife habitat for generations to come.

Metro's 2006 Natural Areas Bond Measure

The proposed bond measure consists of three basic elements:

- Regional natural area and greenway acquisitions in the amount of \$168.4 million dollars
- Local Share Program in the amount of \$44 million dollars
- Nature in Neighborhoods Capital Grants Program in the amount of \$15 million dollars

Regional Natural Area and Greenway Acquisitions

More than 40 scientists and natural resource experts from around the region helped Metro staff identify the proposed target areas for regional natural area and greenway acquisition. The criteria for selecting these areas are based on ecological principles established by decades of collaborative natural resource protection work in the region and rooted in the 1992 Metropolitan Greenspaces Master Plan, Regional Greenspaces System Concept Map (adopted 2002), the Regional Trails Plan Map (adopted 2002) and the

Nature in Neighborhood Map (Fish & Wildlife Habitat Protection Program, Resource Classification Map).

Regional Target Area Selection Criteria

- Water Quality: Contributes to the protection of watersheds and water quality
- Habitat Value: Supports a diversity of plant and animal life
- Rarity: Reflects the relative rarity of an ecosystem or possesses unique natural features
- Parcel Size: Sustains fundamental biological features
- Restoration Potential: Provides opportunities for restoration action
- Connectivity: Links stream and wildlife corridors, existing parks, natural areas and trail systems
- Scenic Resources: Protects views to and from the visual resources representative of the region's natural and cultural landscapes
- Public Access: Provides opportunities for nature-based recreation activities near where people live.

Refinement Process

Target area boundaries are conceptual only and are much larger in scale than the Metro Council would be able to purchase completely. Using a process similar to that conducted after the passage of the 1995 bond measure, called refinement, Metro will work with citizens, scientists and similar experts, neighbors, and others from around the region to gather additional information about each individual target area and begin zeroing in on particular parcels that would be valuable to acquire. The Metro Council will set forth guidelines allowing staff to begin acquiring properties from “willing sellers” based on these publicly refined target area plans. Metro shall not exercise its powers of eminent domain in the implementation of this bond measure.

Due to its unique soils and interconnectedness with adjacent lands, the Wapato Lake Target Area will have a more focused refinement process. The refinement process for this target area will include criteria that identify land for acquisition and other government programs that minimizes potential impact on agricultural uses. Prior to completion of refinement, property owners will be surveyed and Metro, after consultation with the Oregon Department of Agriculture, will determine which properties may be acquired that will best achieve the goals for this target area with the least impact on agricultural uses. The Metro Council may determine that it is infeasible to meet this requirement and eliminate the target area and choose another area as provided in this measure or concentrate efforts on other target areas in the same watershed.

Regional Target Areas

Despite the successful implementation of Metro's 1995 Open Spaces, Parks and Streams Bond Measure, many critical lands still remain in need of protection to preserve our region's water quality, fish and wildlife habitat, facilitate healthy biological functions and promote effective land management. The 2006 Natural Area Bond Measure is designed to conserve a regional system that maximizes connectivity. It establishes new priority target areas for protection by incorporating some of the target areas established in the 1995 bond measure and adding new areas that have been identified as priorities during the past decade.

Damascus and East Buttes. The remaining undeveloped wooded slopes of extinct lava domes in our eastern metropolitan region provide opportunities to protect water quality and large areas for wildlife habitat and wildlife corridors from the outer reaches of the Cascades to the inner Portland urban area. Panoramic vistas east and south from the butte tops provide stunning views of valleys, farmland and the Cascades. The forested buttes frame the valleys, create a unique geography for local residents and provide

welcome visual relief from surrounding land uses. Expansion of the urban growth boundary in and around Damascus presents a sense of urgency to preserve these features.

Deep Creek and Tributaries. The intact, steeply wooded slopes of Deep Creek canyon in eastern Damascus hold some of the largest contiguous wildlife habitat remaining in the region. The creek's sweeping alignment serves as the principal corridor connecting the Clackamas River to habitat areas within the more urbanized portions of the county. The corridor includes the Cazadero Trail that will link Gresham, Barton and public lands in the area. It will also complete the Springwater Corridor from downtown Portland to Barton.

Clackamas River Bluffs and Greenway. Clackamas River Bluffs represent the last remaining opportunity to protect a large regional park site within this rapidly developing portion of Clackamas County. Uncommon habitat types in this area, resulting from wet and dry conditions in close proximity, create a rich diversity of plant and animal habitats (e.g., oak, madrone, and fir mixed into side canyons of cedar). The site also abuts the Clackamas River North Bank Greenway from Barton Park to Clackamette Park and provides an important link to the lower river and the developing communities of Damascus and Happy Valley.

Clear Creek. Supporting the most abundant salmon populations in the lower Clackamas River, Clear Creek remains a premier large creek in the metropolitan region. Completing key acquisitions in and surrounding Clear Creek public lands will protect the public investment made to date in establishing a significant regional natural area.

Abernethy and Newell Creeks. With successful protection of portions of Newell Creek, continued acquisition of undeveloped lands along its lower portion and along Abernethy Creek will expand fish and wildlife habitat critical to the area in and around Oregon City, especially threatened habitat for native steelhead and cutthroat populations.

Stafford Basin. Connecting existing public lands in the Lake Oswego/West Linn/ Tualatin area along tributary creeks to the Tualatin River will enhance water quality protection and secure diverse natural areas for local residents.

Tryon Creek Linkages. Acquisition of key land parcels will build on the successful efforts to protect Tryon Creek State Natural Area and riparian areas of Tryon Creek's major tributaries.

Willamette Narrows and Canemah Bluff. Descending the Willamette River, this greenway forms the corridor gateway to Willamette Falls, Oregon City, and urbanizing areas of the lower Willamette River. Flowing through islands and past steep bluffs, this portion of the river retains a sense of wildness like no other reach of the lower river. The narrows provide high quality wildlife and important fish habitat.

Tonquin Geologic Area. Bearing visible marks left by the ancient floods that shaped our region, the area from Wilsonville to Sherwood and Tualatin is unique. Protection of the rocky outcrops that frame these former lake bottoms will provide wildlife habitat of considerable complexity and richness and preserve the area's rare geologic features. Within this area, a 12-mile trail corridor will connect nearby cities and the new town center of Villebois to regionally significant natural areas (e.g., Graham Oaks Natural Area, Tualatin River National Wildlife Refuge, Kolk Ponds, the Cedar Creek Greenway in Sherwood and the Willamette River Greenway). The corridor will also provide an important recreation and commuter connector from Wilsonville north to Tualatin.

Lower Tualatin Headwaters. Watersheds in the southwest Chehalem Mountains retain significant wildlife habitat value and include Chicken, Cedar and Baker creeks. Protection of riparian lands within these headwaters will safeguard water quality in the lower Tualatin River basin.

Tualatin River Greenway. Providing additional access points along the river and increasing floodplain protection through acquisition and restoration will allow people to use the river and see improvements in wildlife habitat and water quality.

Cooper Mountain. Acquiring remaining oak communities and streamside forests will build on the investment already made in protecting Oregon white oak and rare prairie habitat at Cooper Mountain near Beaverton.

Chehalem Ridgeway to Refuge. The northern end of the Chehalem Mountains provides opportunities for the protection of large, undeveloped tracts of forestland to protect water quality and wildlife connections from this mountain range to area river bottomlands.

Wapato Lake and Gales Creek. This ancient lakebed historically supported large numbers of waterfowl, including tundra swans. This flood-prone bottomland of the Tualatin River is being considered as a future wildlife refuge that will connect to existing public lands to the north located near Forest Grove and Hillsboro and attract tourists to Washington County. The area has the highest potential for protecting wildlife habitat and water quality in this part of the region, and also offers significant restoration opportunities.

Dairy and McKay Creeks Confluence. The creeks converge at the interface of farmland and the urban growth boundary, forming broad wetlands accessible to a rapidly urbanizing area. Protecting the riparian areas and associated wetlands in the confluence area will contribute significantly to improved water quality in these major tributaries of the Tualatin River.

Killin Wetland. One of the largest peat soil wetlands remaining in the Willamette Valley, this wetland supports a rare assemblage of plants and animals. Although much of the wetland is currently in public ownership, acquisition of the remaining portions of the wetland and main tributaries is essential to the long-term protection of this highly valuable fish and wildlife habitat.

Rock Creek Headwaters and Greenway. A major tributary of the Tualatin River, upper Rock Creek and its tributaries are under intense development pressure as urban growth expands throughout the watershed. Watershed managers have identified protection of the upper watershed as a high priority for meeting water quality protection goals in the lower. Opportunities to improve and protect habitat also exist through the protection of key tributaries and their associated wetlands. In addition, the protection of key undeveloped sites in the lower reaches of Rock Creek, particularly in Hillsboro, will buffer growth, protect water quality and provide nature in neighborhoods for local residents.

Forest Park Connections. Connecting Forest Park to Rock Creek and the Westside Powerline Trail will keep important wildlife corridors in tact and provide trail connections between the region's largest urban park and Washington County. Acquiring key properties will capitalize on recent successful acquisitions of land adjacent to and beyond Forest Park, connecting the park with the larger Pacific Greenway.

Columbia Slough. The Columbia Slough is one of very few areas in North and Northeast Portland with the potential for restoring fish and wildlife habitat. Acquisition along the slough will improve water quality in its critical reaches, provide trail connections to existing recreation and wildlife corridors and help complete an important section of the 40-Mile Loop Trail.

Johnson Creek and Watershed. Johnson Creek remains the most densely urbanized creek in our region. Opportunities remain to acquire tracts within the remaining floodplain, upland habitat areas adjacent to the main stem, and along both Butler and Kelly creeks to protect water quality and connect public holdings with the Damascus Buttes.

Sandy River Gorge

Acquisitions along this wild and scenic waterway and its tributaries will provide important fish and wildlife habitat and water-quality benefits.

Willamette River Greenway. Acquisition and connections between existing public holdings along the greenway from Wilsonville to the Multnomah Channel would protect fish and wildlife habitat, water quality, scenic resources and improve public access to the river.

Fanno Creek Linkages. Additions to this existing west side greenway would extend the corridor from the Tualatin River into a highly urbanized, 'walker challenged' area of the city, and further protect water quality in one of our critical regional rivers.

Westside Powerline Trail. This 24-mile north/south alignment stretches from the Tualatin River in Tigard north through Beaverton, unincorporated Washington County and Multnomah Counties through Forest Park to the Willamette River. The corridor, located within one mile of over 120,000 residents, and near numerous parks, schools, regional centers and the MAX line, could become a primary westside recreation and commuter spine.

Springwater Corridor. Funding will complete the 1-mile corridor between the existing Springwater on the Willamette Trail and the Three Bridges project at Southeast 19th Avenue in Portland. This will provide the final connection of the Springwater Corridor between downtown Portland east through Milwaukie and Gresham to Boring.

Cazadero Trail. This forested 4-mile corridor located between Boring and Barton Park runs along the north fork of Deep Creek and follows an historic rail line used to ship timber from Cascade forests to the Portland riverfront. Enhancement of the corridor for trail use would connect campgrounds, future inter-urban trails, and Portland (via the Springwater Corridor) to Mt. Hood and the Pacific Crest Trail.

Gresham-Fairview Trail. This multi-use trail is a major north-south connection through the Gresham area. It connects from the Springwater Corridor at Linneman Junction and crosses the eastside MAX light-rail line at Ruby Junction. Continuing north to Blue Lake Regional Park, the trail ends at the Columbia River and connects to the existing Lewis and Clark Discovery Greenway Trail (part of the 40-Mile Loop) along Marine Drive. Acquisition of the remaining corridor is needed to complete the trail and secure an important eastern spine of the regional trail system.

These target areas will be the first priority for acquisitions from the bond proceeds. Other critical natural areas and greenways identified in the 1992 Metropolitan Greenspaces Master Plan, Regional Greenspaces System Concept Map (adopted 2002), the Regional Trails Plan Map (adopted 2002), and the Nature in Neighborhood Map (Fish & Wildlife Habitat Protection Program, Resource Classification Map) may be acquired if proposed regional target areas become degraded, cost prohibitive or otherwise infeasible as determined by the Metro Council after a public hearing. Additionally, the Metro Council may add new target areas if existing target area goals have been achieved, as determined by the Metro Council after a public hearing. New target areas will be selected to retain a regional balance of sites acquired, with substitute target areas selected from the same watershed as the area being replaced, whenever feasible.

The Metro Council intends to use a variety of methods to acquire and protect the natural areas identified in this bond measure. These methods include outright purchase of title to the land, purchase through a nonprofit land preservation organization, purchase of easements or development rights, etc. Donations, bequests and grants will be sought to enable the program to protect and preserve additional natural area lands. Agreements for Metro to acquire any interest in land shall be negotiated with willing sellers. Metro shall not exercise its powers of eminent domain in the implementation of this bond measure.

Natural area and greenway lands acquired by the Metro Council will be land banked with the property interest owned by Metro. The Metro may operate and maintain these lands or enter into cooperative arrangements with other public agencies or appropriate community organizations to manage them. All lands acquired with bond funds will be managed in a manner consistent with the purposes of the bond measures and the principles set forth in the 1992 Metropolitan Greenspaces Master Plan. Initially, most of these lands will be held with limited maintenance and enhancement beyond initial site stabilization and possible habitat restoration. Once the 2006 Natural Areas Bond Measure is approved by voters, Metro will commit existing excise taxes to this basic level of maintenance, with Metro having sufficient resources currently to manage the newly acquired properties in this manner for a period of approximately ten (10) years. No bond funds can legally be used for any operating expenses. Limited improvements can be made with bond funds to lands in target areas to provide public access, use and enjoyment of these sites in the future.

Other allowable expenditures for this program include administrative expenses, bond issuance costs and reimbursable bond preparation expenses related to the design, planning and feasibility of the acquisition program. Administrative expenses include, but are not limited to, assistance from professional realtors, real estate appraisals, surveys, title reports, environmental evaluations and general program administration expenses. Bonds mature in not more than 20 years. The Metro Council may annually allocate interest earnings on unspent bond proceeds between the regional natural area and greenway acquisitions and the Nature in Neighborhoods Capital Grants Program

Local Share Program

Up to \$44 million of the total bond measure funds would be provided directly to local cities, counties and park districts on a per capita basis for:

- Acquiring natural areas or park lands
- Restoring fish and wildlife habitat
- Enhancing public access to natural areas
- Designing and constructing local or regional trails
- Providing enhanced environmental education opportunities.

The Local Share Program allows flexibility for each community to meet its own needs, and offers citizens improved access to nature in neighborhoods all across the region.

Local Share Program Project List:

Beaverton

Beaverton Creek Trail acquisition
Erickson Creek acquisition and native plantings
Sexton Mountain Drive acquisition
Willow Creek acquisition
Snowy Owl and Siskin Terrace acquisition
Trail right of way acquisition near Highway 217
Sexton Mountain reservoir restoration and native plantings
Beaverton Creek Channel restoration and native plantings
Griffith Park trail construction

Local Share Program Project List:

Cornelius

Tualatin River land acquisition and improvements near South Linden Street
Park land acquisition off Holladay Drive
Tualatin River greenway acquisition and improvements near South 12th Avenue
Free Orchard Park acquisition and improvements
Job's Ditch Council Creek natural area acquisition and improvements
Council Creek acquisition and improvements for future park and trail

Damascus

Land acquisition and development for future parks and greenways

Durham

Trail extension from Durham City Park to Fanno Creek Trail
Neighborhood trail connections to Durham City Park
Heron Grove Park trail improvements and restoration

Fairview

Natural area acquisition
Gresham to Fairview Trail acquisition and construction
Security lighting at Salish Ponds
Salish Ponds Nature Park trail expansion, plantings and interpretive signage
Salish Ponds Nature Trail boardwalk construction

Forest Grove

Thatcher Park acquisition
Stites Nature Park acquisition of access point
Lincoln Park acquisition
Gales Creek trailhead acquisition
Thatcher Park public facilities
Stites Nature Park public facilities

Gladstone

Dahl Beach trail construction
Restroom at Cross Memorial Park
Natural area improvements
Landscaping along Abernethy Lane path
Restrooms at Dahl Beach, Meldrum Bar boat ramp and High Rocks parks
Meldrum Bar bicycle and pedestrian path extension

Gresham

Gresham to Fairview Trail acquisition and construction
Natural area acquisition in the East Buttes
Public facilities and trails at Hogan Butte Nature Park
Johnson Creek habitat improvements
Resource area acquisition in Pleasant Valley and Springwater
Restoration and public use facilities at natural area parks

Local Share Program Project List:

Happy Valley

Nature park acquisition and development near Aldridge Road
Mitchell Creek natural area acquisition
Rock Creek Trail easement procurement and construction
Mt. Scott Creek Trail easement procurement and construction

Hillsboro

Rock Creek Greenway and Trail acquisition and development
Greenway acquisition and trail development along Orenco, Dawson, Beaverton and Bronson creeks

Johnson City

Johnson City Park habitat enhancement

King City

King City Park wetlands improvements

Lake Oswego

Stafford Basin acquisition
Stafford trail extension
Pedestrian bridge over Tryon Creek
Iron Mountain Park restoration
Canal Area master plan implementation
Willamette shore bike and pedestrian pathway

Milwaukie

Acquisition west of 32nd Avenue
Acquisition south of Lake Road
Creekside acquisition along Johnson and Kellogg creeks
Milwaukie Riverfront Park natural areas and/or paths
Spring Park wetland enhancement and trail
Minthorn Wetland trail
Homewood Park play equipment

Oregon City

High school area land acquisition
Canemah area land acquisition
Meyers Road/Caufield Creek area watershed acquisition
Holcomb Creek watershed acquisition

Portland

Westside wildlife corridor acquisition
Westside stream corridor acquisition
Willamette Bluffs acquisition
Johnson Creek natural area acquisition
Columbia Slough natural area acquisition
East Buttes natural area acquisition
Forest Park acquisition
Tryon Creek acquisition
Centennial neighborhood park acquisition

Local Share Program Project List:

Portland (Continued)

Cully neighborhood park acquisition
Argay neighborhood park acquisition
Marine Drive trail acquisition
Columbia Slough trail acquisition
Tryon Creek trail acquisition
Willamette greenway trail acquisition
Springwater Trail acquisition
Red Electric (Fanno Creek) trail acquisition
Forest Park trail restoration
Forest Park restoration
Stephens Creek Natural Area trail restoration
Powell Butte trail restoration
Whitaker Ponds trailhead and canoe launch
Forest Park habitat restoration
Oaks Bottom habitat restoration
Powell Butte habitat restoration
Big Four Corners habitat restoration
Southwest Portland natural area/park restoration
City riparian habitat restoration

Rivergrove

Lloyd Minor Park improvements
River bank and river access improvements

Sherwood

Natural area acquisition
Cedar Creek trail acquisition
Senior Center to Stella Olsen Park trail acquisition and development
Edy Road path acquisition and development
Stella Olsen Park restoration

Tigard

Natural area acquisition
Park land acquisition

Troutdale

Natural area acquisition
Sandy River trail construction
Mt. Hood Community College natural area restoration and improvements
Beaver Creek Greenway Trail improvements

Tualatin

Tualatin River greenway land acquisition

West Linn

Joseph Fields Homestead site acquisition
Rosemont Road Trail development
Wilderness Park restoration
Maddox Woods Park improvements
Wilderness, Burnside, Maddox Woods and Mary S. Young parks restoration

Local Share Program Project List:

Wilsonville

Graham Oaks Natural Area trail head and pathway development
Graham Oaks Natural Area restoration
Graham Oaks Natural Area visitor and interpretive facilities
CREST Environmental Center gateway development
Memorial Park trails construction
Memorial Park Willamette River overlook development
Boeckman Creek Trail development

Wood Village

Donald L. Robertson City Park Wetlands Pond and Island Preserve

Clackamas County

Barton Park acquisition
Barton Park development
Onahlee Park acquisition
Eagle Fern Park development

North Clackamas Parks and Recreation District

Park acquisition near Southeast 142nd
Scouter Mountain acquisition
Johnson Creek acquisition
Clackamas River North Bank acquisition
North Clackamas Park improvements
District Park improvements
Mt. Scott Creek Trail development
Stringfield Property improvements

Washington County

Beaverton Creek, Westside Powerline Trail and other greenway acquisitions

Tualatin Hills Park and Recreation District

Beaverton Creek Trail acquisition and development
Central Beaverton park and natural area acquisition, restoration and improvements
Southwest district park and natural area acquisition
Park and trail acquisition north of Sunset Highway in Washington County
Jordan-Husen Park development

Local share projects may be substituted if targeted land acquisition or proposed improvements become degraded, cost prohibitive or otherwise infeasible. Additionally, local cities, counties and park districts may add projects to their list if approved projects are less expensive than anticipated or become funded through other sources. Local cities, counties or park providers must notify the Metro Council in writing in advance of proposed substitutions and demonstrate how the substitute project meets local share project guidelines. Changes to local share projects must be approved by that city, county or park district's governing body at a public meeting, in accord with that body's adopted public meeting procedures.

Projects funded by the 2006 Natural Areas Bond Measure must be maintained for their intended natural area, wildlife habitat, water quality, trail, or recreation purpose. Agreements for park providers, cities and counties to acquire any interest in land shall be negotiated with willing sellers. Local governments shall not exercise their powers of eminent domain in the implementation of this bond measure. Exhibit B attached (Local Share Guidelines) establishes guidelines for the Metro Council to further refine requirements for the Local Share Program.

Nature in Neighborhoods Capital Grants Program

The purpose of the Nature in Neighborhoods Capital Grants is to complement the regional and local share portions of the 2006 bond measure by providing opportunities for the community to actively protect fish and wildlife habitat and water quality near where people live and work. The program will provide funds to purchase lands or easements that increase the presence of natural features and their ecological functions in neighborhoods throughout the region. The program will also provide funding for projects that recover or create additional plant and animal habitats to help ensure that every community enjoys clean water and embraces nature as a fundamental element of its character and livability.

This new grant program comprises up to \$15 million of the total bond measure funds and will engage schools, community groups, non profit organizations, park providers and others in neighborhood projects that benefit nature as part of the Metro Councils larger Nature in Neighborhood initiative. The grant funds are also designed to allow the region to respond to unforeseen opportunities that may arise over the next 8-10 years.

Because of the restrictions of the bond measure, grant funding is allowed only for capital projects and is not allowed for operating expenses. Grant funds must be spent to either acquire property (or easements) for public ownership or fund capital improvements to publicly owned property.

The program will:

- Safeguard water quality in our local rivers and streams
- Protect and enhance fish and wildlife habitat
- Promote partnerships that protect and enhance nature in neighborhoods
- Increase the presence of ecological systems and plant and animal communities in nature-deficient and other disadvantaged neighborhoods within the region.

Examples of projects that could be funded include:

- Land acquisition
- Daylighting of creeks or streams to improve fish and wildlife habitat
- Neighborhood parks that provide new wildlife habitats (e.g., rain, bird or butterfly gardens)
- Non-motorized trails, including water trails, that also enhance fish and wildlife habitat and provide connectivity for native species
- Interpretive trailhead displays or other environmental education signs.

Grant funds must be expended within the Metro area Urban Growth Boundary (UGB) and/or the Metro jurisdictional boundary.

Acquisition of natural areas, wildlife and trail corridors and undeveloped parcels which have been identified as regional priorities in the 1992 Metropolitan Greenspaces Master Plan, Regional Greenspaces System Concept Map (adopted 2002), the Regional Trails Plan Map (adopted 2002) and the Nature in Neighborhood Map (Fish & Wildlife Habitat Protection Program, Resource Classification Map) or have been determined to be locally significant, is allowed with these funds. Local acquisition projects can

include natural areas, wildlife habitat and trail corridors, nature-related pocket parks or other opportunities for increasing, connecting, restoring or recreating healthy functioning ecological systems. Agreements to acquire any interest in land shall be negotiated with willing sellers. Due to bond restrictions, the federal government may not own property purchased with these bond funds. Grant projects funded by the bond measure must be maintained for their intended natural area, wildlife habitat, water quality, trail, or recreation purpose. For more information about the grant fund criteria and requirements as defined by the Metro Council see Exhibit C (Nature in Neighborhoods Capital Grants Program Detail).

Independent Review Committee

An independent citizen advisory committee shall review progress in the acquisition of regional target areas, local share project implementation and grant administration. An annual financial audit of the expenditure of the bond proceeds shall be conducted by a public accounting firm and the results published in the local newspaper of record.

**Resolution No. 06-3672A
Exhibit B**

**Local Share Guidelines
2006 Bond Measure**

In order to be eligible for Local Share Funds, projects or associated costs must meet criteria established by the Metro Council that are consistent with these guidelines:

1. Eligible agency is a city or park provider as of November 6, 2006.
2. Funds must be expended only on natural area related activities or acquisition of land for parks, including:

Acquisition

- Fee Simple (or easement) purchase of Greenspaces natural areas, wildlife and/or trail corridors identified in the Metropolitan Greenspaces Master Plan, Regional Greenspaces System Concept Map (adopted 2002), the Regional Trails Plan Map (adopted 2002), the Nature in Neighborhood Map (Fish & Wildlife Habitat Protection Program, Resource Classification Map), and/or locally determined significant natural areas, neighborhood and pocket parks, wildlife habitat and/or trail corridors.
- Out-of-pocket costs associated with property acquisition.

Capital Improvement Projects

- Restoration or enhancement of fish and wildlife habitat.
 - Improvements to existing parks to enhance the integrity of habitat and increase natural plantings.
 - Improvements to existing natural area amenities to provide universal access to the public (meets Americans with Disabilities Act requirements).
 - Public use facilities such as trailheads, rest rooms, picnic tables and shelters, children's play areas, viewing blinds, water systems, camp sites and barbeque pits, fishing piers, associated accessories such as information signs, fences, security lighting, and circulation facilities (i.e., entry, egress and circulation roads, parking areas).
 - Environmental education structures or accessories (e.g., nature centers and/or interpretive displays).
 - Trail design, engineering, construction and landscaping.
3. The city or park provider will enter into an Intergovernmental Agreement (IGA) to be approved by the Metro Council and the governing board of the city or park provider. The IGA shall require signage at the project site in an appropriate location(s) to acknowledge Metro, the park provider, and other project partners for project funding; funds from the bond measure shall not be used to replace

local funds on the project; and funds from the bond measure should leverage other sources of revenue when possible.

4. A list of local share projects approved by the governing board of each jurisdiction is set forth in the Bond Measure. The Metro Council may establish a formal process providing for the substitution of new projects where appropriate as long as the proposed new project is consistent with the Bond Measure.
5. Greenspace sites subject to local share funding will be maintained for their intended natural area, trail or recreation activities. Any decision by a park provider to convey title or grant real property rights to property that said park provider purchased with bond proceeds shall be made by vote of its duly elected or appointed governing body at a public meeting, in accord with said governing body's adopted public meeting procedures. Any proceeds from the sale of the property or from the rights to the property shall be used for the purpose set out in the appropriate local share Intergovernmental Agreement (IGA).
6. Local share funds should be used to the greatest extent possible to fund new projects and not pay agency overhead or indirect costs. In no event shall the staff, overhead and indirect costs on local share projects exceed 10% of the cost of the projects.

Resolution No. 06-3672A
Exhibit C

Nature in Neighborhoods Capital Grants Program Detail

The following criteria are intended to provide guidance to the grant selection committee as appointed by the Metro Council (see below). These criteria may be further refined by Metro Council action.

Selection Criteria

Projects that best address all the following criteria will be recommended for funding:

- “Re-nature” neighborhoods by increasing and/or recovering the presence and function of ecological features and processes in them to protect water quality and animal and plant habitat.
- “Re-green” urban neighborhoods by increasing the presence of water, trees and other vegetation to improve their appearance, enrich peoples’ experience of nature and help strengthen a physical connection to the region’s ecology.
- Demonstrate multiple benefits for people and natural systems. For example, projects that use ecological features to improve ecological functions in the urban environment and provide access to nature and reinforce neighborhood/local community identity and improve neighborhood appearance.
- Demonstrate cost-efficient ecological design solutions that improve natural infiltration, biofiltration and natural drainage patterns, land form and soil structure, shade and wind protection through increases in tree canopy cover, etc.
- Increase the region’s fish and wildlife inventory through techniques that restore diverse riparian vegetation structure and stream character, and increase fish passages and/or wildlife crossings.
- Restore and/or improve habitats of concern such as eligible lands identified under the above-mentioned land acquisition criteria and/or headwaters and confluences of the region’s important urban stream and river corridors.
- Improve natural amenities to provide universal access to the public (meets Americans with Disabilities requirements).

Bonus Selection Criteria

Bonus points in the grant evaluation criteria will be given to projects that, in order of priority:

- Are located in low-income neighborhoods.
- Are identified in existing watershed, park comprehensive or master plans, or advance Metro’s 2040 Growth Concept.
- Add to the existing system of natural areas by increasing networks, corridors and other linkages between them.
- Demonstrate an innovative project for which there is no other source of funding.
- Are adjacent to public land or rights-of-way providing public access to the project site. Contribute to storm water management for an area larger than the individual site
- Use sustainable construction techniques and materials.
- Leverage public dollars beyond the 2:1 match requirement.

Applicant Eligibility

In order to be eligible for grant funds, applicants must meet the following criteria:

- The eligible applicant is a non-profit, 501(c)(3), education district or higher education organization, city, county, special district or park provider at the time of application to Metro. The property owner must be a partner on the grant application and the application must include a letter of support from the owner.
- The applicant must demonstrate leveraging of the public's investment through at least a 2:1 match. Match may be cash, in-kind donations of goods or services, staff time, or volunteer hours from sources other than Metro. Eligible match expenses cannot be made prior to award of the Metro grant and execution of grant contract unless specifically provided for in the grant contract. The Metro Council has the right to waive the match requirement.
- The project must demonstrate the existence of public and private partners who can and will leverage human and financial resources.
- The applicant must verify their ability to carry out the project and maintain the site over the long term.

Project Selection Process

Grants will be solicited and awarded once yearly for a total of up to ten years. The Metro Council will seek to develop a program that limits the expenditure of funds to no more than 15% of the total program amount in any given year. Grant recipients will have three (3) years to expend the funds awarded by Metro.

A grant review committee composed of no fewer than seven members, staffed by Metro, will review all applications based on Metro-approved eligibility criteria. Committee members may rotate on an annual basis, or serve terms of several years. Metro staff will screen applications, pre-evaluate them based on ranking criteria and present them to the grant review committee for final evaluation and selection. The Metro Council will make all final grant awards.

The grant review committee may include:

- Metro Councilors (one or three positions)
- Water quality specialists (two positions)
- Metro natural resource staff (one position)
- Non-Metro fish and wildlife experts (one position)
- Other representatives such as community or neighborhood, non-profit, parks, design, development, business representatives (up to three positions).

No more than 10% of grant funds shall be used for staff time directly related to a project. Overhead and/or indirect costs are not reimbursable.

**Exhibit D
Ballot Title**

[Placeholder]

Exhibit E
Bond Measure, Ballot Title and Explanatory Statement

[Placeholder]

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 06-3672A, 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 ACQUISITION AND WATER QUALITY PROTECTION

Date: March 3, 2006

Prepared by: Heather Nelson Kent

BACKGROUND

Current Status and Challenge

The Portland metropolitan region will add one million people to the area over the next 25 years, according to recent projections. Much of this new population will live in the city of Portland itself, settle in suburban communities along the city's borders or move into new urban centers developing throughout the region. The shape of these communities will have great staying power and is being created by the decisions being made today and will continue to be made over the next several years. In anticipation of this population growth and the emergence of new communities, it is essential to ensure that our burgeoning region continues to conserve the important landscapes and experience of nature that Oregonians treasure.

The proposed 2006 Natural Areas Bond Measure is designed to build on the successes of the past by renewing the region's ability to protect natural areas throughout the greater Portland metropolitan region that will help safeguard critical groundwater and drinking water resources, water quality and important fish and wildlife habitat for the future. The proposed 2006 Natural Areas Bond Measure conserves the region's most valuable natural resources such as clean air and water while helping to manage growth and maintain the region's heralded quality of life for future generations.

Acquisition through a willing-seller program has been demonstrated to be the strongest tool for protection of the region's critical natural areas without the use of a regulatory program. However, the cost of land continues to rise. In the past decade, residential land values inside the region's urban growth boundary have risen about 100 percent. Prices are likely to continue to increase as we anticipate the addition of another one million new residents to the Portland metropolitan area during the next 25 years. Given the growth that is expected in our region and the rapid and continuing rise in land costs, an investment in these remaining natural areas will pay significant dividends over the long term for the citizens of the region.

The passage of this bond measure is a critical component of the Metro Council's Nature in Neighborhoods initiative. Nature in Neighborhoods is committed to protecting the region's water quality and critical habitat areas through a variety of tools, including the acquisition and restoration of natural areas with funding provided by this measure, but also through education, encouraging better development practices and other coordinated approaches between the public and private sector.

1995 Open Spaces, Parks and Streams Bond Measure

In 1995, the voters of the metropolitan region created a model program for protecting the area's most significant natural areas, fish and wildlife habitat and lands near rivers and streams. By approving Metro's \$135.6 million Open Spaces, Parks and Streams Bond Measure, voters directed Metro to protect these places for future generations and embarked on a significant new partnership with landowners, neighbors, businesses and governments to achieve the program's goals. The land that was protected today totals

more than 8,100 acres and includes nearly 74 miles of stream and river frontage which offer important natural buffers from development while allowing greater public access to local waterways.

The bond measure also gave \$25 million directly to local park providers for investment in county and city park improvements and natural area land acquisition. More than 100 local park projects in neighborhoods across the region were funded by the bond measure. Today these projects provide residents more biking, hiking, wildlife watching and other opportunities to experience nature close to home.

Promises Made, Promises Kept

The Metro Council and program staff stretched the 1995 bond measure dollars. As of June 2005, more than \$10 million has been leveraged from state and local partners to buy land. Seven private landowners donated their property to the open spaces program and four more provided partial donations -- for a total of nearly 200 acres. In some cases, landowners donated conservation easements or agreed to a "bargain" sale of their property. Additionally, more than \$2 million has been obtained in grants and donations for habitat restoration and enhancements of these natural areas, which has allowed the planting of more than 1 million trees and shrubs. Volunteers have donated more than 50,000 hours in activities on these new sites assisting with everything from wildlife tracking and monitoring to collecting native seeds and eradicating noxious weeds.

Total acreage protected far surpassed what was anticipated when the bond measure was put to voters in 1995. It was estimated that 6,000 acres would be protected and 13.35 percent of the bond proceeds would be spend on overhead and administrative costs. In fact, 8,120 acres have been acquired (as of March 2006) and administrative costs have averaged only 9.6 percent.

The approach taken by the Metro region, where voters directed Metro to acquire land on a willing seller basis in designated target areas, has been successful. The result is the efficient implementation of one of the most ambitious habitat protection efforts ever undertaken by a major metropolitan area in the United States. It has greatly complemented Metro's larger growth management strategies (such as the 2040 Growth Concept Plan) aimed at accommodating future growth in a manner that will best protect the region's natural character and quality of life.

Public Process

Metro's 1995 Open Spaces, Parks and Streams Bond Measure was the result of nearly a decade of intensive regional planning, public involvement and debate. The basis for the land acquisition program is founded in the 1992 Metropolitan Greenspaces Master Plan, which was adopted by the Metro Council along with all 24 local cities and three counties within Metro's jurisdiction. At that time it was noted that many significant natural areas, wildlife habitat and water quality protection needs would not be met with the limited amount of bond funds available in the 1995 measure. Additional efforts would be required in the future to fulfill the vision of an interconnected system of parks, natural areas, trails and greenways described in the 1992 Metropolitan Greenspaces Master Plan.

Due to the success of the 1995 Open Spaces, Parks and Streams Bond Measure implementation, Metro and local partners now have a solid foundation of experience and a track record on which to build another natural area land acquisition program. When asked, citizens repeatedly stress that protecting wildlife habitat and water quality are among their highest priorities. By submitting this measure to the voters, the Metro Council is being responsive to these public priorities.

In 2000-2001, the Metro Policy Advisory Committee (MPAC), a task force composed of elected officials from throughout the region, emphasized the need to protect and improve the ecological health of fish and

wildlife habitat in the region and urged the Metro Council to extend its land acquisition efforts beyond the scope of the successful 1995 Open Spaces, Parks and Streams Bond Measure.

In January 2004 the Metro Council created the Greenspaces Policy Advisory Committee (GPAC) to advise Metro in establishing and protecting a regional network of natural areas linked by rivers, streams and trails throughout the Portland metropolitan region. The 15-member committee consists of representatives from local park agencies, natural resource groups, the home building community and citizen park advocates.

In December 2004, the Council adopted a resolution that resolved to take before the voters a fish and wildlife habitat protection and restoration program bond measure by November 2006. In response, the Council established the Blue Ribbon Committee in September 2005. The committee was composed of 18 business, civic and citizen representatives recruited by Council President Bragdon. As charged by the Metro Council, the Blue Ribbon Committee made recommendations to the Council on the scope, size and elements of a natural areas bond measure program.

In January 2006 the Metro Council embarked on a targeted and strategic outreach program to solicit public and local government comments about the Blue Ribbon Committee recommendations for a 2006 Natural Areas Bond Measure. The Council's outreach is made up of three primary elements that have directly engaged citizens in discussions about the proposal:

- Seven public forums have been held around the Metro region at which broad information on the bond measure proposal was shared and discussion facilitated around the core elements of the bond measure proposal. At least one member of the Metro Council or the Metro Council President participated in each forum.
- Presentations by Metro Councilors and the Metro Council President to 19 city councils and the Tualatin Hills Park and Recreation District's elected board with an overview of the bond measure and its main elements, a discussion of possible local share projects in each community and discussion with local elected officials on the contents of the bond measure.
- Three Metro Council public hearings are to be held between February 23 and March 9, at which formal public testimony will be received and the details of the bond measure proposal will be determined, culminating in a vote to refer the measure to the voters at the November 7, 2006 General Election.

Detailed information about the Council's public involvement efforts is available.

Metro's 2006 Natural Areas Bond Measure

The proposed 2006 Natural Areas Bond Measure is intended to help this region's goals for protecting clean water, fish and wildlife habitat and lands near local rivers and streams. The protection of these lands will build on the success of previous land protection efforts including the 1995 Open Spaces Parks and Streams measure and the implementation of the region's growth management strategies.

The proposed 2006 Natural Areas Bond Measure consists of three basic elements:

- Regional natural area and greenway acquisitions
- Local Share Program
- Grants for Nature in Neighborhoods Capital Grants Program

See Exhibit "A" to Resolution No. 06-3672A for the full description of the proposed bond measure.

ANALYSIS/INFORMATION

1. Known Opposition

The Metro Council has received several comments from citizens opposing any type of tax increase at this time.

2. Legal Antecedents

Metro is authorized under ORS 268.520 and the Metro Charter, Chapter III, Sections 10 and 12, to issue and sell voter-approved general obligation bonds in accord with ORS Chapters 287 and 288, to finance the implementation of Metro's authorized functions.

Metro Council Resolution No. 92-1637, "For the Purpose of Considering the Adoption of the Metropolitan Greenspaces Master Plan," adopted July 23, 1992.

Metro Council Resolution No. 94-2049B, "For the Purpose of Modifying the Submission to the Voters of a General Obligation Bond Indebtedness to Proceed with the Acquisition of Land for a Regional System of Greenspaces."

Metro Council Resolution No. 04-3506A, "For the Purpose of Revising Metro's Preliminary Goal 5 Allow, Limit, or Prohibit Decision; and Directing the Chief Operating Officer to Develop a Fish and Wildlife Habitat Protection and Restoration Program That Relies on a Balanced Regulatory and Incentive Based Approach," adopted December 9, 2004.

Metro Council Resolution No. 05-3574A, "For the Purpose of Establishing a Regional Habitat Protection, Restoration and Greenspaces Initiative Called Nature In Neighborhoods," adopted May 12, 2005.

Metro Council Resolution No. 05-3612, "For the Purpose of Stating An Intent to Submit to the Voters the Question of the Establishment of a Funding Measure to Support Natural Area Protection and Establishing a Blue Ribbon Committee; and Setting Forth the Official Intent of Metro to Reimburse Certain Expenditures Out of the Proceeds of Obligations to be Issued in Connection with the Regional Parks and Greenspaces Program," adopted September 29, 2005.

3. Anticipated Effects

The effect of this resolution will be the referral to voters of a general obligation bond measure in the November 7, 2006 General Election.

4. Budget Impacts

Budget authority was established by the Metro Council in FY 2005-06 to pay for expenses related to the development of the bond measure referral, including expenses related to public involvement meetings and the acquisition of property options. The Council President's 2006-07 Proposed Budget will include a continuation of expenditures as part of the information development and distribution for the referral and ongoing options work. If the 2006 Natural Areas Bond Measure is approved by voters, these related expenses can be reimbursed from bond proceeds.

The referral of this measure to the voters will require Metro to pay for election expenses, estimated at approximately \$150,000. This amount can change based on the number of issues on the ballot, and the number of region-wide items on the ballot. The Council President's 2006-07 Proposed Budget will include appropriation for this expense.

At the recommendation of the TSCC, budget authority for program expenses after the voters approve the measure are not anticipated to be included in the FY 06-07 adopted budget. The Council will have the legal authority to establish appropriation authority related to the successful passage of the measure, once the election has been certified. It is anticipated that, upon passage of the measure, staff will work with Council on the development of the bond measure program and the necessary budgetary appropriation to be approved by Ordinance at a later date.

RECOMMENDED ACTION

Staff recommends adoption of Resolution No. 06-3672A.