

IN CONSIDERATION OF RESOLUTION NO. 24-5389, FOR THE PURPOSE OF  
UPDATING THE NATURAL AREAS WORK PLAN TO FUND REAL PROPERTY  
PURCHASES BY A PUBLIC PARTNER THROUGH THE BOND ACQUISITION  
PROGRAMS OF THE 2019 PARKS AND NATURE BOND MEASURE

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Date: February 29, 2024  
Department: Parks and Nature  
Meeting Date: March 7, 2024

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(he/him), Director  
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Manager  
Length: 10 minutes

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**ISSUE STATEMENT**

Metro has an opportunity to provide more flexibility in how it implements the Protect and Restore Land and Create Trails for Walking and Biking programs (collectively, the “Bond Acquisition Programs”) that will increase the capacity of Metro staff to close real estate transactions across the region, leverage bond investments through partnerships, permit staff to work with partners and willing sellers in a more effective and efficient manner and ensure partner jurisdictions will assume responsibility for management operating expenditures and ongoing liability related to property ownership.

**ACTION REQUESTED**

Adopt Resolution 24-5389.

**IDENTIFIED POLICY OUTCOMES**

Adoption of this Resolution continues to implement the Bond Acquisition Programs of the 2019 Parks and Nature bond measure by leveraging Metro resources with other public partners to achieve the goals of the 2019 Parks and Nature bond measure and associated Target Area Refinement Plans.

The creation of pre-approved *Partnership Acquisition Parameters* will outline the general terms for scenarios in which the Metro Council supports the COO contributing to this type of partnership transaction, as well as clearly identify when a partnership contribution would require further Council review and approval. If Council adopts the proposed Partnership Acquisition Parameters through a Natural Areas Work Plan update, it will increase the capacity of Metro staff to close real estate transactions across the region, leverage bond investments through partnerships, permit staff to work with partners and willing sellers in a more effective and efficient manner and ensure partner jurisdictions will assume responsibility for management operating expenditures and ongoing liability related to property ownership.

## **POLICY QUESTION(S)**

Through this Natural Areas Work Plan update, staff request that the Metro Council adopt the *Partnership Acquisition Parameters*, attached to the Resolution, which will delegate authority to the Chief Operating Officer to expend bond funds for acquisition of a limited number of properties Metro identifies as regional priorities meeting its Target Area Refinement Plans if Metro has shared goals with a local jurisdictional partner if that partner has the capacity to or is best positioned to negotiate or close on the property. This is likely to occur in limited circumstances, almost exclusively related to regional trail right-of-way acquisition or within the urban target area of Protect and Restore Land where Metro's targeted areas for purchase overlap with the jurisdictions of parks providing partners.

The *Partnership Acquisition Parameters* attached to the Resolution reflect feedback from the Metro Council at the February 13, 2024 work session on the same topic.

## **POLICY OPTIONS FOR COUNCIL TO CONSIDER**

1. Adopt the Natural Areas Work Plan update. This scenario allows Metro to leverage resources (both financial and capacity) more effectively alongside partners in the region who have shared priorities. This will clearly state the Council's support for the Bond Acquisition Programs to contribute to property purchases that meet the 2019 Parks and Nature bond measure intent and criteria, as well as the Target Area Refinement Plan goals and objectives, regardless of whether Metro is leading a real estate transaction or will have an ownership interest.
2. Do not adopt the Natural Areas Work Plan update. This will prohibit Metro staff from contributing funds to partner-led transactions. It will require either Metro staff to either take a lead role in all partnership transactions or discuss with Council each time. It will not leverage resources effectively and may also result in Metro owning small pieces of property or easement interests in urban areas across the region which is inconsistent with Parks and Nature's role as established in the Parks and Nature System Plan or Metro's role in planning and supporting development of the regional trail network.

## **STAFF RECOMMENDATIONS**

Staff recommend the Metro Council adopt Resolution 24-5389.

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

The Metro Council and voters in the region have strongly supported the 2019 Parks and Nature bond measure, which sets aside funds for acquiring land and trail easements from willing sellers to protect fish and wildlife habitat and connect people to nature. The Metro Council has adopted Resolutions setting forth policy directing staff to acquire properties that meet specific goals and objectives in each target area, identified in the Target Area Refinement Plans and on associated confidential tax lot maps, and set the process through which the Council delegates authority to the COO to acquire these properties through a Natural Areas Work Plan. The Metro Council approved a Work Plan (or an update) for the

COO to acquire properties that meet Target Area Refinement Plan goals in 1995, 1996, 2007, 2010, 2014 and 2019. In 2019, the Council directed staff to continue to use the 2014 work plan for an interim period while acknowledging differences in the 2019 bond measure would likely require additional updates in the future.

This proposed update is a result of key differences between the 2019 and 2006/1995 bond measures.

- In 2016 the Metro Council adopted a system plan, which established Metro's role in the region alongside its partners in delivering a world class regional system of parks, natural areas and trails.
- The 2019 bond measure set aside dedicated funding for acquisition for easements or properties specifically for trail purposes, thereby increasing the number of trail acquisitions likely to be completed.
- The 2019 bond measure established a broad target area within the urban growth boundary, referred to as the urban target area, and the 2022 refinement plans identified 13 subzones within the urban target area in which to focus land acquisition efforts.

#### *System Plan establishing Metro's role in the region*

As established in the 2016 System Plan, Metro's role in the region is big nature close to home. Metro does not typically manage small parcels within other park-providing jurisdictions. Local park providers are the experts in providing nature or outdoor experiences within their communities and Metro's goals are as a regional convener and through the bond measures, funding support for these efforts. Related, Metro's role in the regional trail system is to convene jurisdictions to plan and adopt a Regional Trails System Plan every five years and provide funding and support for trail right-of-way acquisition. The local park providers' role is holding the property interest, and designing, building, and managing the trails. Clarity around these roles is important context for developing acquisition plans for trail rights of way and urban lands that Metro considers priorities but exist within the boundaries of other park providing jurisdictions.

#### *Dedicated funding for trails*

The 2019 bond measure prioritized dedicated funding for acquiring, designing, and building trails in the regional trail network. There are 39 corridors identified for acquisition and priorities were established in the Target Area Refinement Plans (with associated tax lots on the confidential tax lot maps). As stated previously, Metro and its public partners must work together to advance the goals of the regional trail network. Metro's role is to provide funding and support for right of way acquisition, and its partners role is to hold the property interest, design, build and manage the trails. In some cases the value Metro can bring to a partnership includes expertise in right of way acquisition as well as funding to complete these transactions. In other cases partners have the capacity, expertise and relationships to complete the transactions themselves, but would benefit from Metro funding that has been identified for regional trail acquisition.

#### *Urban target area overlaps with partner jurisdictions*

Much like the trail program area, urban target area properties identified on Metro's confidential tax lot maps as meeting the goals established in the Target Area Refinement Plans are entirely within other park providing jurisdictions, and partnership is essential to successful completion of transactions. As established in the system plan, Metro's role is to provide big nature close to home, but also to advance goals related to improving water quality, habitat conservation, and connecting people nature close to home across the region through various mechanisms. Partnership with local park providers is required to be successful in this target area and depending on the circumstances of the transaction, Metro will benefit from local park provider participation either through management of the property, sharing in funding costs, working to acquire the property, or, more likely, a combination of the above.

The current Natural Areas Work Plan (approved through Reso. 14-4536) already delegates authority to the Chief Operating Officer and their designee to negotiate and close transactions meeting these parameters for Metro. The work plan does not explicitly permit the Chief Operating Officer to contribute to transactions that Metro identifies as regional priorities meeting its Target Area Refinement Plans, and have shared goals with the local jurisdictional partner if that partner has the capacity to or is best positioned to negotiate or close on the property. This is likely to occur in limited circumstances, almost exclusively related to regional trail right-of-way acquisition or within the urban target area of Protect and Restore Land, where Metro's targeted areas for purchase overlap with the jurisdictions of parks providing partners.

#### *Legal Antecedents*

- Metro Council Resolution No. 22-5250, For the Purpose of Approving Acquisition Target Area Refinement Plans for the 2019 Parks and Nature Bond Measure (April 14, 2022)
- Metro Council Resolution No. 19-4988, For the Purpose of Submitting to the Voters of the Metro Area General Obligations Bonds in the Amount of \$475 Million to Fund Natural Area and Water Quality Protection and to Connect People to Nature Close to Home; and Setting Forth the Official Intent of the Metro Council to Reimburse Certain Expenditures Out of the Proceeds of Said Bonds Upon Issuance (June 6, 2019)
- Metro Council Resolution No 19-5055, For the Purpose of Accepting the November 5, 2019 General Election Abstract of Votes for Metro and Authorizing the Continuation of the Parks and Nature Program During Refinement Planning (December 12, 2019)
- Metro Code Chapter 9.02.040(d)
- Metro Council Resolution No. 14-4536, For the Purpose of Amending and Updating the Natural Areas Implementation Work Plan (August 14, 2014)
- Metro Council Resolution No. 15-4670, For the Purpose of Adopting the Parks and Nature System Plan (February 4, 2016)
- Metro Council Resolution No. 10-4122, For the Purpose of Amending the Natural Areas Implementation Work Plan to Authorize the Chief Operating Officer to More Efficiently Acquire and Assign Trail Easements (February 4, 2010)

- Metro Council Resolution No. 07-3766A, For the Purpose of Authorizing the Chief Operating Officer to Purchase Property With Accepted Acquisition Guidelines as Outlined in the Natural Areas Implementation Work Plan (March 1, 2007)
- Metro Council Resolution No. 06-3672B, For the Purpose of Submitting to the Voters of the Metro Area a General Obligation Bond Indebtedness in the Amount of \$227.4 Million to Fund Natural Area Acquisition and Water Quality Protection (March 9, 2006)
- Metro Council Resolution No. 96-2424, For the Purpose of Authorizing the Executive Officer to Purchase Property with Accepted Acquisition Guidelines as Outlined in the Amended Open Spaces Implementation Work Plan (January 9, 1997)
- Metro Council Resolution No. 95-2228A, For the Purpose of Authorizing the Executive Officer to Purchase Property with Accepted Acquisition Guidelines as Outlined in the Open Spaces Implementation Work Plan (November 2, 1995)
- Metro Council Resolution No. 95-2074A, For the Purpose of Changing the Election Date of the Submission to the Voters of a General Obligation Bond Indebtedness to Proceed With the Acquisition of Land for a Regional System of Greenspaces (January 15, 1995)
- Metro Council Resolution No. 92-1637, For the Purpose of Considering Adoption of the Metropolitan Greenspaces Master Plan (July 23, 1992)

#### *Anticipated Effects*

Adoption of Resolution No. 24-5389 will support further acceleration of 2019 parks and nature bond spending as the agency will be able to contribute funds to acquisition projects that meet shared goals of Metro and local park providers, while retaining Metro staff capacity for acquisition projects that meet Metro goals.

#### **ATTACHMENTS**

n/a