



600 NE Grand Ave.  
Portland, OR 97232-2736

## Council meeting agenda

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**Thursday, January 23, 2025**

**10:30 AM**

**Metro Regional Center, Council chamber,  
<https://zoom.us/j/615079992> (Webinar ID:  
**615079992**) or **888-475-4499** (toll free)**

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**1. Call to Order and Roll Call**

**2. Public Communication**

Public comment may be submitted in writing. It will also be heard in person and by electronic communication (video conference or telephone). Written comments should be submitted electronically by emailing [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Written comments received by 4:00 p.m. the day before the meeting will be provided to the council prior to the meeting. Testimony on non-agenda items will be taken at the beginning of the meeting. Testimony on agenda items generally will take place during that item, after staff presents, but also may be taken at the beginning of the meeting.

Those wishing to testify orally are encouraged to sign up in advance by either: (a) contacting the legislative coordinator by phone at 503-813-7591 and providing your name and the agenda item on which you wish to testify; or (b) registering by email by sending your name and the agenda item on which you wish to testify to [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Those wishing to testify in person should fill out a blue card found in the back of the Council Chamber.

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**3. Consent Agenda**

- 3.1 Resolution No. 25-5447 For the Purpose of Authorizing the Chief Operating Officer to Grant a Non-Park Use Easement to Clackamas County at Pecan Creek Natural Area

**RES 25-5447**

Attachments: Resolution No. 25-5447.pdf  
Exhibit A to Resolution No. 25-5447.pdf  
Exhibit B to Resolution No. 25-5447.pdf  
Staff report.pdf  
Attachment 1

- 3.2 Consideration of the January 9, 2025 Council Meeting Minutes

[25-6196](#)

Attachments: [010925c minutes-signed](#)

**4. Ordinances (First Reading and Public Hearing)**

- 4.1 Ordinance No. 25-1525 For the Purpose of Integrated and Expanded Regional SHS/Housing Funding

**ORD 25-1525**

Presenter(s): Marissa Madrigal, Chief Operating Officer  
Patricia Rojas, Regional Housing Director  
Carrie MacLaren and Shane Abma, Office of the Metro Attorney

- 4.2 Ordinance No. 25-1526 For the Purpose of Council Direction for Implementation

**ORD 25-1526**

Presenter(s): Marissa Madrigal, Chief Operating Officer  
Patricia Rojas, Regional Housing Director  
Carrie MacLaren and Shane Abma, Office of the Metro Attorney

- 4.2.1 Public Hearing for Ordinance 25-1525 and Ordinance 25-1526

**5. Chief Operating Officer Communication**

**6. Councilor Communication**

**7. Adjourn**

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ការគោរពសិទ្ធិពលរដ្ឋរបស់ ។ សំរាប់ព័ត៌មានអំពីកម្មវិធីសិទ្ធិពលរដ្ឋរបស់ Metro ឬដើម្បីទទួលបានការប្រឹក្សាស្តីពីការរើសអើងសូមទូរស័ព្ទទៅលេខ 503-797-1700 ។ [www.oregonmetro.gov/civilrights](http://www.oregonmetro.gov/civilrights) ។ បើលោកអ្នកត្រូវការអ្នកបកប្រែភាសានៅពេលអង្គប្រជុំសាធារណៈ សូមទូរស័ព្ទមកលេខ 503-797-1700 (ម៉ោង 8 ព្រឹកដល់ម៉ោង 5 ល្ងាច ថ្ងៃច័ន្ទ) ។ ប្រសិនបើលោកអ្នក មុនថ្ងៃប្រជុំដើម្បីអាចឲ្យគេបកប្រែសម្រាប់លោកអ្នក ។

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**3.1 Resolution No. 25-5447 For the Purpose of Authorizing the  
Chief Operating Officer to Grant a Non-Park Use Easement to  
Clackamas County at Pecan Creek Natural Area**  
*Consent Agenda*

Metro Council Meeting  
Thursday, January 23, 2025

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE ) RESOLUTION NO. 25-5447  
CHIEF OPERATING OFFICER TO GRANT A )  
NON-PARK USE EASEMENT TO CLACKAMAS ) Introduced by Chief Operating Officer  
COUNTY AT PECAN CREEK NATURAL AREA ) Marissa Madrigal in concurrence with  
) Council President Lynn Peterson

WHEREAS, Metro owns and manages approximately 25 acres of real property in Clackamas County known as Pecan Creek Natural Area (the “Property”), located along Pecan Creek at the intersection of SW Stafford Road and SW Childs Road; and

WHEREAS, Clackamas County is constructing intersection safety and circulation improvements at SW Stafford and SW Childs Roads (the “Project”), including a roundabout, pedestrian sidewalks, bicycle lanes and crosswalks immediately adjacent to the Property; and

WHEREAS, Metro and Clackamas County cooperated in the Project’s design process resulting in intersection improvements that minimized the Project’s impact on the Property and include habitat and water quality benefits through removal of a fish-passage barrier, installation of improved stormwater and conveyance facilities directly adjacent to Pecan Creek, additional protections of natural habitat around Pecan Creek, and native plantings beyond requirements; and

WHEREAS, the Project’s intersection improvement design and location requires a right-of-way dedication and permanent slope easement of approximately 30,270 square feet and a temporary construction easement of approximately 6,705 square feet at the Property; and

WHEREAS, Metro Parks and Nature Department staff have evaluated this easement request according to the criteria set forth in Metro Council Resolution No. 97-2539B, “For the Purpose of Approving General Policies Related to the Review of Easements, Right of Ways, and Leases for Non-Park Uses Through Properties Managed by the Regional Parks and Greenspaces Department”, adopted on November 6, 1997 (the “Easement Policy”), as further set forth in Attachment 1 to the staff report for this resolution; and

WHEREAS, staff has determined that the easement request can be accommodated with minimal impact to natural resources, cultural resources, recreational resources, recreational facilities, recreational opportunities and their operation and management at the Property, mitigation for impacts are appropriate and beneficial, and staff therefore recommends approval of the easement request; and

WHEREAS, the Easement Policy and the Metro Code requires review of all easement requests by the Metro Council; now therefore,

BE IT RESOLVED that the Metro Council hereby authorizes the Chief Operating Officer to grant a permanent right-of-way easement, permanent slope easement, and a temporary construction easement to Clackamas County in the locations depicted on Exhibits A and B to this resolution, on terms approved by the Office of Metro Attorney.

ADOPTED by the Metro Council this 23rd day of January 2025.

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Lynn Peterson, Council President

Approved as to Form:

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Carrie MacLaren, Metro Attorney

NW 1/4 SEC. 21, T. 2 S., R. 1 E., W.M.



SW CHILDS ROAD  
EXISTING CENTERLINE

SW CHILDS ROAD  
DESIGN CENTERLINE

C 100+00

C 101+00-

20'

C 102+00

20'

SW CHILDS ROAD (C.R. 848)

C 101+41.71  
13.00'RT

C 101+62.00  
26.00'RT

RIGHT-OF-WAY  
374 SQ. FT. +/-

FILE 12  
TAX LOT 601  
MAP 2S 1E 21B  
METRO  
DEED DOC.  
2008-044980  
PARCEL 1

C 102+04.00  
28.60'RT



RIGHT-OF-WAY

SEE ATTACHED LEGAL DESCRIPTION

STAFFORD ROAD IMPROVEMENTS PROJECT  
COUNTY PROJECT NO. 22297  
PATULLO WAY TO ROSEMONT ROAD



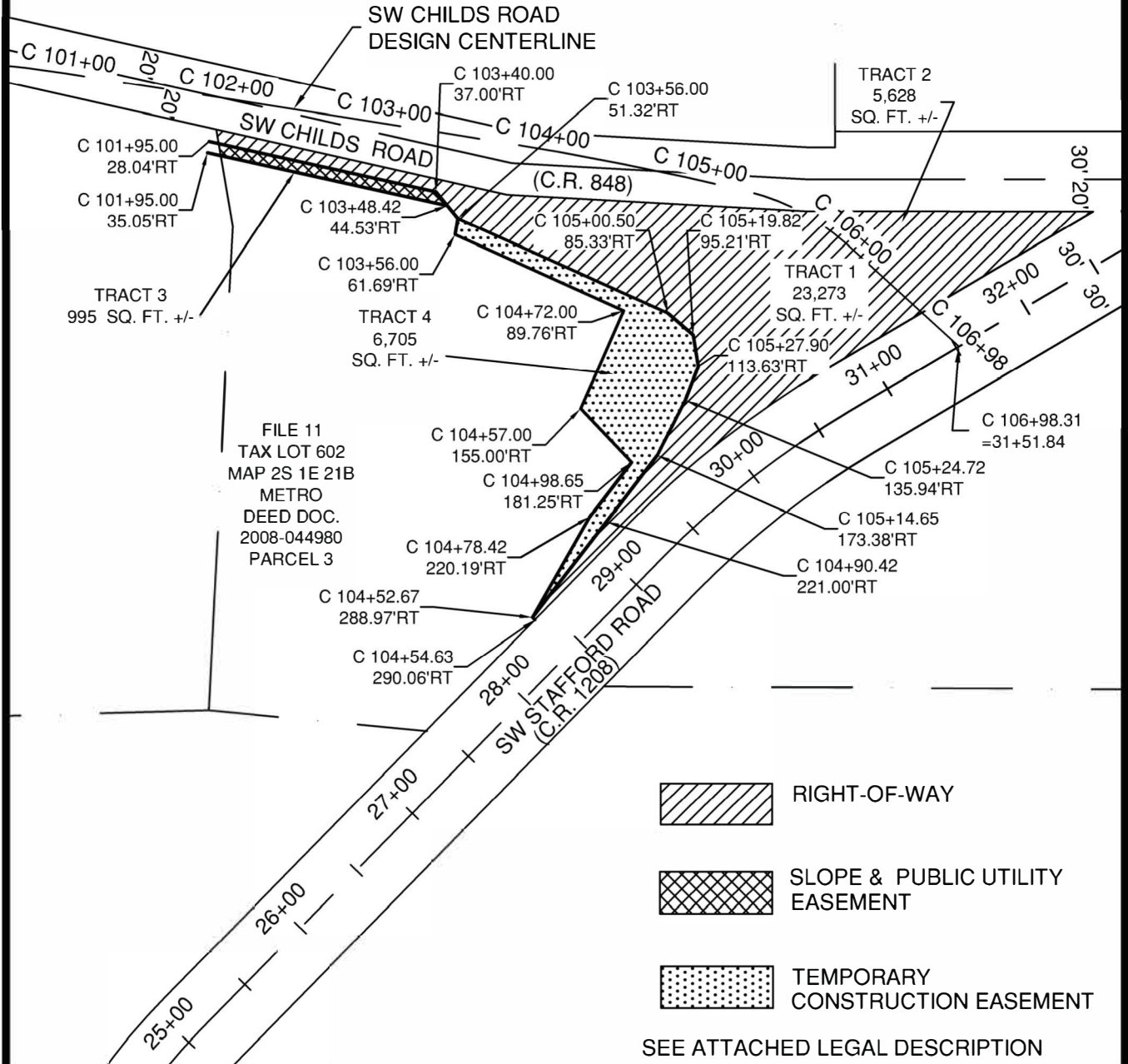
**1 ALLIANCE**  
GEOMATICS  
SURVEYING & MAPPING

9755 SW Commerce Circle, Ste B-4  
Wilsonville, Oregon 97070

CHECKED BY: MTR

DATE: 11-17-2022

NW 1/4 SEC. 21, T. 2 S., R. 1 E., W.M.



STAFFORD ROAD IMPROVEMENTS PROJECT  
COUNTY PROJECT NO. 22297  
PATULLO WAY TO ROSEMONT ROAD



**1 ALLIANCE**  
GEOMATICS  
SURVEYING & MAPPING

9755 SW Commerce Circle, Ste B-4  
Wilsonville, Oregon 97070

CHECKED BY: MTR

DATE: 11-17-2022



IN CONSIDERATION OF RESOLUTION NO. 25- 5447, FOR THE PURPOSE OF  
AUTHORIZING THE CHIEF OPERATING OFFICER TO GRANT A NON-PARK USE  
EASEMENT TO CLACKAMAS COUNTY AT PECAN CREEK NATURAL AREA

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Date: January 7, 2025  
Department: Parks and Nature  
Meeting Date: January 23, 2025

Prepared by: Shannon Leary,  
Shannon.leary@oregonmetro.gov  
Presenter(s), (if applicable): n/a

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**ISSUE STATEMENT**

Does the Metro Council wish to authorize the Chief Operating Officer to grant Clackamas County a right of way dedication and permanent slope easement of approximately 30,270 square feet, and a temporary construction easement of approximately 6,705 square feet at Pecan Creek Natural Area, subject to terms and conditions as approved by the Office of Metro Attorney?

**ACTION REQUESTED**

Staff have reviewed the County's request in accordance with the Metro Council approved Reso. 97-2539B (the "Easement Policy") and recommend the Metro Council direct the Chief Operating Officer to grant Clackamas County a right of way dedication, slope easement and temporary construction easement (collectively, the "Easements") as depicted in the Exhibits to this Resolution.

**IDENTIFIED POLICY OUTCOMES**

Authorizing the Chief Operating Officer to grant the Easements is consistent with Metro Council past policy direction. Staff reviewed and applied Metro Council policy direction in the Easement Policy to this request and have concluded that a recommendation that the Council authorize this request is appropriate.

The County also believes that this project meets Metro's Shared Vision and Goals for Transportation as outlined in the 2018 Regional Transportation Plan. The goals include Vibrant Communities, Shared Prosperity, Transportation Choices, Reliability and Efficiency, Safety and Security, Healthy Environment, Healthy People, Climate Leadership, Equitable Transportation, Fiscal Stewardship, and Transparency and Accountability.

**POLICY OPTIONS FOR COUNCIL TO CONSIDER**

1. Metro Council authorize the COO to grant the Easements to the County. This would result in the Metro Council continuing to follow its guidance in the Easement Policy, and the County moving forward with the roadway improvement project, which includes wide-ranging benefits such as replacing a fish passage barrier with a

passable culvert, improving stormwater facilities, and accommodating bike lanes and pedestrian facilities on SW Stafford Road and a portion of SW Childs Road.

2. The Metro Council not authorize the COO to grant the easements to the County. This would result in the Metro Council deviating from their guidance in the Easement Policy and the project being put on hold. It is likely that the County would attempt to acquire these easements via eminent domain, the ramifications of which are unknown as this would be precedent setting. It may have political effects.

## **STAFF RECOMMENDATIONS**

Authorizing the Chief Operating Officer to grant the Easements is consistent with Metro Council past policy direction. Staff reviewed and applied Metro Council policy direction in the Easement Policy to this request and have concluded that a recommendation that the Council authorize this request is appropriate.

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

Clackamas County aims to improve the safety and capacity at the intersection of Stafford Road with Johnson Road (to the east) and Childs Road (to the west) and to provide a safe route for bikes along Stafford Road. SW Stafford Road is a major arterial with high volumes of vehicle travel (over 10,000 vehicles per day). The section between Pattulo Way and Rosemont Road has a steep grade, narrow travel lanes, lacks bicycle lanes, and has a side-street stop-controlled intersection at SW Childs Road. This intersection experiences significant congestion during peak traffic periods resulting in long traffic queues at Childs Road and numerous accidents at the intersection.

Alternatives were evaluated and a roundabout selected as the safest option. This design has minor impacts to Metro-owned property to the south of Childs Road (Pecan Creek Natural Area) and Lake Oswego-owned property to the north of Childs Road, where Metro holds a conservation easement (Stevens Meadows CE). The overall project will upgrade the existing Pecan Creek culvert under Childs Road, currently a fish-passage barrier, to a larger, fish-passable culvert, plant native plants in a buffer 15,890 square feet beyond requirements, and secure a 36,000 square foot Restricted Development Easement to preserve natural habitat directly adjacent to Pecan Creek. The permanent right of way easement request includes 29,275 sf at Pecan Creek Natural Area. The project also requests a total of 995 sf in permanent slope easement and 6,705 sf in temporary construction easement.

The County considered existing topography and roadway approaches and determined that a roundabout is the safest option to achieve the goals of the project. Three alternatives were analyzed, and the roundabout as designed ranked highest in operations, safety, and environmental and stormwater benefits, while limiting the right-of-way and earthwork required.

The Pecan Creek culvert under Childs Road is currently a fish passage barrier, and the project will reconstruct the culvert to provide passage for fish and amphibian species, enhancing habitat connectivity between Metro and Lake Oswego natural areas. Trees will be removed for construction, but the project has secured a variance from Clackamas County Water and Environmental Services to restore 56,647 sf of new and existing buffer for Pecan Creek, expanding the mitigation area by 15,890 sf beyond its impact. This mitigation area will include applicable native trees, plants and shrubs in an approved planting plan, and the County will monitor and maintain the plantings for three years. While these mitigation efforts are not contained to Pecan Creek Natural Area or Stevens Meadows CE, the overall project provides these enhanced wildlife habitat and connectivity benefits.

While there is no Council action required, it is relevant to note that Metro staff have also reviewed the County's requests for a permanent right of way (4,514 sf) and slope (4,451 sf) easement at the Stevens Meadows property that is held in fee by the City of Lake Oswego and where Metro holds a conservation easement. Metro staff have reviewed the easement requests by the County to determine if the proposed uses are in accordance with the terms of the conservation easement and have found them to be consistent with the conservation easement's Park Development Area permitted uses for park infrastructure. Specifically, the project includes the following park infrastructure: sidewalk and bike lanes that will connect directly to the Stevens Meadows CE property and which will allow for enhanced connectivity for public recreation, the concrete driveway apron that will support the current use of park maintenance vehicle access and could support future park development, and storm water improvements and lighting.

#### Legal Antecedents

- Metro Council Resolution No. 97-2539B, For the Purpose of Approving General Policies Related to the Review of Easements, Rights of Ways, and Leases for Non-Park Uses Through Properties Managed by the Regional Parks and Greenspaces Department (November 6, 1997)
- 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. 07-3839, Approving the Natural Areas Acquisition Refinement Plan for the Stafford Basin Target Area (September 27, 2007)
- Metro Code Section 2.04.050 which requires Metro Council authorization for the Chief Operating Officer to transfer interests in real property
- Lake Oswego Measure 3-618: Allows road safety project, driveway realignment on specific park property. Passed by over 80% of voters on November 5, 2024.

#### Anticipated Effects

The County will move forward with constructing the roadway improvement project, spanning 2025-2026.

### Financial Implications (current year and ongoing)

There is no expense to Metro to grant the easements. The County will pay Metro fair market value for the easements and Metro will be reimbursed by the County for the expenses incurred by Metro, consistent with the Easement Policy.

### Known Opposition

Stevens Family Farms, LLC (Stevens Farms), the successor in interest to Stevens Family Enterprises, LLC, the entity that conveyed Stevens Meadows to the City of Lake Oswego and the Pecan Creek Natural Area to Metro, has expressed concerns about this project, specifically its impacts to the Stevens Meadows property. Stevens Farms has engaged the Lake Oswego City Council over the past year and recently sent a letter to President Peterson documenting Stevens Farms' concerns. Due to the park development limitations in the Charter of the City of Lake Oswego, the city placed a measure (3-618) on the ballot in November 2024 asking its citizens if they supported the project and the city granting right of way to the county for the project. The measure passed with over 80% support, indicating that the greater Lake Oswego community believes in the benefits of the overall project.

### **BACKGROUND**

The Metro Code requires Metro Council approval of new easements over Metro property. As an owner of approximately 18,000 acres of land across the greater Portland region, Metro's Parks and Nature Department receives frequent requests for easements over Metro property for both park and non-park uses. In 1997, to ensure that the habitat and natural area purposes for which voters funded Metro's property acquisition are not eroded over time by non-park uses, the Metro Council approved Resolution 97-2539B.

The Easement Policy directs staff to make recommendations to the Metro Council on whether an easement request should be granted, and the policy provides the framework for staff to make its recommendations. Projects designed for the benefit of a Metro park or natural area (a "park use") are recommended for approval. If an easement request is for a non-park use, however, Metro staff must examine it further. Staff must first determine if there is any feasible alternative to the use of Metro's property, without taking into account the cost of any alternative. If a feasible alternative exists, the Easement Policy directs staff to recommend the request be denied. If there is no feasible alternative, then Metro staff analyzes whether any negative impacts from the non-park use on the Metro property can be mitigated. If mitigation is possible, the Easement Policy directs staff to recommend Metro Council approval of the easement.

### **ATTACHMENTS**

Attachment 1: Easement Policy Criteria and Staff Findings

## **ATTACHMENT 1: EASEMENT POLICY CRITERIA AND STAFF FINDINGS**

The Metro Code requires Metro Council approval of new easements over Metro property. As an owner of approximately 18,000 acres of land across the greater Portland region, Metro's Parks and Nature Department receives frequent requests for easements over Metro property for both park and non-park uses. In 1997, to ensure that the habitat and natural area purposes for which voters funded Metro's property acquisition are not eroded over time by non-park uses, the Metro Council approved Resolution 97-2539B, the "Easement Policy". The Easement Policy directs staff to make recommendations to the Metro Council on whether an easement request should be granted, and the policy provides the framework for staff to make its recommendations. This analysis follows the established framework and supports the recommendation found in the staff report.

- 1) Provide for formal review of all proposed easements, rights of ways, and leases for non-park uses by the Regional Parks and Greenspaces Advisory Committee, the Regional Facilities Committee and the full Council. Notwithstanding satisfaction of the criteria set forth herein, the final determination of whether to approve a proposed easement, right of way, or lease is still subject to the review and approval by the full Metro Council.**

**Staff finding:** Criterion has been satisfied through a thorough review by Metro Parks and Nature Department staff and the Office of Metro Attorney. Department staff prepared a Resolution, Staff Report and this Staff Findings Report to present to the Metro Council for a final decision.

- 2) Prohibit the development of utilities, transportation projects and other non-park uses within corridors or on sites which are located inside of Metro owned or managed regional parks, natural areas, and recreational facilities except as provided herein.**

**Staff finding:** Criterion satisfied. The applicant is requesting a right of way dedication of approximately 29,275 square feet and a permanent slope easement of approximately 995 square feet at Pecan Creek Natural Area in order to accommodate a proposed roundabout at the Stafford Rd and Childs Rd intersection. The proposed easement is necessary to significantly improve safety and traffic operations at a high-accident intersection. The proposed improvements are estimated to decrease crashes by 81-88%, and the proposed bicycle lanes will provide connectivity to existing bicycle lanes to the south on SW Stafford Rd, significantly enhancing safety for bicyclists along this stretch. Department staff reviewed this request as provided herein for a non-park use easement and right-of-way dedication on a natural area site in accordance with this policy.

- 3) Reject proposals for utility easements, transportation right of ways and leases for non-park uses which would result in significant, unavoidable impacts to**

**natural resources, cultural resources, recreational facilities, recreational opportunities or their operation and management.**

**Staff finding:** Criterion satisfied. Parks and Nature Department staff reviewed this request and has determined that there will be no significant impacts to cultural resources, recreational facilities, and recreational opportunities or their operation and management to the site by the requested easement and right-of-way dedication. There will be minimal impacts to natural resources which will be mitigated by the county, as detailed in Section 5.

**4) Accommodate utility easements, transportation right of ways or other non-park uses when the Regional Parks and Greenspaces Department (the Department) determines that a proposed easement, right of way, or non-park use can be accommodated without significant impact to natural resources, cultural resources, recreational facilities, recreational opportunities or their operation and management; and that the impacts can be minimized and mitigated.**

**Staff finding:** Criterion satisfied. Department staff determined the proposal can be accommodated without significant impacts to natural resources or the operations and management of Metro property, and the minor impacts to existing natural resources are offset by improvements to the culvert to allow for fish passage, enhanced native plantings, and additional protections for the natural habitat around Pecan Creek.

**5) Require full mitigation and related maintenance, as determined by the Department, of all unavoidable impacts to natural resources, recreational facilities, recreational opportunities or their operation and management associated with the granting of easements, right of ways, or leases to use Metro owned or managed regional parks, natural areas or recreational facilities for non-park uses.**

**Staff finding:** Criterion satisfied. The project will replace and upgrade the existing culvert on Pecan Creek, under Childs Road, which will remove a fish passage barrier and allow for fish and amphibians to pass under the roadway. The project will also secure a new 36,000 square foot Restricted Development Easement to preserve natural habitat directly adjacent to Pecan Creek. In addition, stormwater management and conveyance facilities will be improved directly adjacent to Pecan Creek in conformance with federal requirements, resulting in improved water quality. In order to support the larger intersection footprint, additional fill is required. To contain the fill and minimize impacts on the Metro property, a Mechanically Stabilized Earth (MSE) retaining wall is proposed, which results in a significantly less area of Metro property being impacted (vs. an embankment slope method). Metro staff believe that the benefit from the fish passage improvement and significant increase in safety for both vehicles and bicyclists fully mitigate the minimal impacts to the existing natural resources of the site.

**6) Limit rights conveyed by easements, right of ways, and leases for non-park uses to the minimum necessary to accomplish the objectives of any proposal.**

**Staff finding:** Criterion satisfied. The applicant requests total permanent easements of approximately 30,270 square feet at Pecan Creek Natural Area, which is limited to the edges of the properties. The applicant has demonstrated that this square footage is necessary to construct and maintain the roundabout improvements.

**7) Limit the term of easements, right of ways and leases to the minimum necessary to accomplish the objectives of any proposal.**

**Staff finding:** Criterion satisfied. Access to and maintenance of this area in perpetuity is necessary to ensure the proper upkeep of the roundabout improvements.

**8) Require reversion, non-transferable, and removal and restoration clauses in all easements, rights of ways, and leases.**

**Staff finding:** Criterion satisfied. If the Metro Council approves an easement, the easement will include these terms. The Office of Metro Attorney will approve the easement before signature.

**9) Fully recover all direct costs (including staff time) associated with processing, reviewing, analyzing, negotiating, approving, conveying, or assuring compliance with the terms of any easement, right of way, or lease for non-park use.**

**Staff finding:** Criterion satisfied. Metro staff documented time and costs spent on this application and informed the applicant of the policy requiring reimbursement. Execution of the easement is subject to satisfaction of all expenses, and the applicant is aware and agreeable to this.

**10) Receive no less than fair market value compensation for all easements, right of ways, or leases for non-park uses. Compensation may include, at the discretion of the Department, periodic fees or considerations other than money.**

**Staff finding:** Criterion satisfied. The County contracted with an independent appraiser who determined fair market value of the Pecan Creek easements to be \$137,700, which will be paid to Metro by the applicant. Execution of the easement is subject to satisfaction of all expenses, and the applicant is aware and agreeable to this.

**11) Require full indemnification from the easement, right of way or leaseholder for all costs, damages, expenses, fines, or losses related to the use of the easement, right of way, or lease. Metro may also require insurance coverage and/or environmental assurances if deemed necessary by the Office of General Counsel.**

**Staff finding:** Criterion satisfied. If the Metro Council elects to approve the easements, the easement document will include indemnification and insurance provisions as deemed necessary by the Office of Metro Attorney.

**12) Limit the exceptions to this policy to: grave sales, utilities or transportation projects which are included in approved master/management plans for Metro regional parks, natural areas and recreational facilities; projects designed specifically for the benefit of a Metro regional park, natural area, or recreational facility; or interim use leases as noted in the Open Spaces Implementation Work Plan.**

**Staff finding:** Criterion satisfied. No exception to the policy was requested and this applicant has satisfied the easement policy.

**13) Provide for the timely review and analysis of proposals for non-park uses by adhering to the following process:**

**A. The applicant shall submit a detailed proposal to the Department which includes all relevant information including but not limited to: purpose, size, components, location, existing conditions, proposed project schedule and phasing, and an analysis of other alternatives which avoid the Metro owned or managed regional park, natural area or recreational facility which are considered infeasible by the applicant. Cost alone shall not constitute unfeasibility.**

**Staff finding:** Criterion satisfied. The applicant submitted a detailed application and proposal that included all necessary information.

**B. Upon receipt of the detailed proposal, the Department shall determine if additional information or a Master Plan is required prior to further review and analysis of the proposal. For those facilities, which have master plans, require that all proposed uses are consistent with the master plan. Where no master plan exists all proposed uses shall be consistent with the Greenspaces Master Plan. Deficiencies shall be conveyed to the applicant for correction.**

**Staff finding:** Criterion satisfied. The application was thorough and complete, and no additional information is needed. The site does not currently have a Council-adopted Master Plan but impacts are limited to the edges of the property and should not impact any future Master Plan or other use.

**C. Upon determination that the necessary information is complete, the Department shall review and analyze all available and relevant material and determine if alternative alignments or sites located outside of the Metro**



**owned or managed regional park, natural area, or recreational facility are feasible.**

**Staff finding:** Criterion satisfied. Based on the applicant's analysis, Parks and Nature Department staff determined that no reasonable alternative exists. The county considered existing topography and roadway approaches and determined that a roundabout is the safest option to achieve the goals of the project. Three alternatives were analyzed, and the roundabout as designed ranked highest in operations, safety, and environmental and stormwater benefits, while limiting the right-of-way and earthwork required.

**D. If outside alternatives are not feasible, the Department shall determine if the proposal can be accommodated without significant impact to park resources, facilities or their operation and management. Proposals which cannot be accommodated without significant impacts shall be rejected. If the Department determines that a proposal could be accommodated without significant impacts, staff shall initiate negotiations with the applicant to resolve all issues related to exact location, legal requirements, terms of the agreement, mitigation requirements, fair market value, site restoration, cultural resources, and any other issue relevant to a specific proposal or park, natural area or recreational facility. The Department shall endeavor to complete negotiations in a timely and business-like fashion.**

**Staff finding:** Criterion satisfied. Department staff determined the proposal can be accommodated without significant impacts to natural resources or the operations and management of Metro property. Minor impacts to natural resources are offset by improvements to the culvert to allow for fish passage, enhanced native plantings, and additional protections for the natural habitat around Pecan Creek. Staff does not believe there are any outstanding issues related to exact location, legal requirements, terms of the agreement, mitigation requirements, fair market value, site restoration, cultural resources, and any other issue relevant to a specific proposal or park, natural area or recreational facility. Should the Metro Council approve the easement request, program staff will work with the Office of Metro Attorney to resolve any and all issues that arise.

**E. Upon completion of negotiations, the proposed agreement, in the appropriate format, shall be forwarded for review and approval. In no event shall construction of a project commence prior to formal approval of a proposal.**

**Staff finding:** Criterion satisfied. If the easement is approved by the Metro Council, the Office of Metro Attorney will draft and approve the easement document.

**F. Upon completion of all Metro tasks and responsibilities or at intervals determined by the Department, and regardless of Metro Council action related to a proposed easement, right of way, or lease for a non-park use, the**

**applicant shall be invoiced for all expenses or the outstanding balance on expenses incurred by Metro.**

**Staff finding:** Criterion satisfied. Metro costs have been documented and the applicant will be billed for reimbursement.

**G. Permission from Metro for an easement or right-of-way shall not preclude review under applicable federal, state, or local jurisdiction requirements.**

**Staff finding:** Criterion satisfied. The applicant has been informed of this requirement.

**3.2 Consideration of the January 9, 2025 Council Meeting Minutes**  
*Consent Agenda*

Metro Council Meeting  
Thursday, January 23, 2025

# **Metro**

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



**Metro**

## **Minutes**

**Thursday, January 9, 2025**

**10:30 AM**

**Metro Regional Center, Council Chamber,  
<https://zoom.us/j/615079992> Webinar ID: 615 079 992 or  
888-475-4499 (toll free)**

**Council meeting**

This meeting will be held electronically. You can join the meeting on your computer or other device by using this link: <https://zoom.us/j/615079992> Webinar ID: 615 079 992 or 888-475-4499 (toll free)

**1. Call to Order and Roll Call**

Council President Peterson called the Metro Council Meeting to order at 10:30 a.m.

**Present:** 7 - Duncan Hwang, Ashton Simpson, Juan Carlos Gonzalez, Mary Nolan, Christine Lewis, Lynn Peterson, and Gerritt Rosenthal

**2. Public Communication**

Council President Peterson opened the meeting to members of the public wanting to testify on non-agenda items.

Rebeccas Quinn, Board President of Family Promise of Tualatin Valley, spoke about the accomplishments of FPTV as supported by SHS funding.

Johnathan Maus shared his experience coaching youth basketball and vocalized his support for the Expo Center's use as a local sports facility.

Denise Skeen, Case Manager of Family Promise of Tualatin Valley, explained that SHS funds have allowed FPTV to support the unhoused community and asked Council to continue to provide SHS funds.

Seeing no further Public Comment, Council President Peterson moved on to the Consent Agenda.

Public comment may be submitted in writing. It will also be heard in person and by electronic communication (video conference or telephone). Written comments should be submitted electronically by emailing [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Written comments received by 4:00 p.m. the day before the meeting will be provided to the council prior to the meeting. Testimony on non-agenda items will be taken at the beginning of the meeting. Testimony on agenda items generally will take place during that item, after staff presents, but also may be taken at the beginning of the meeting.

Those wishing to testify orally are encouraged to sign up in advance by either: (a) contacting the legislative coordinator by phone at 503-813-7591 and providing your name and the agenda item on which you wish to testify; or (b) registering by email by sending your name and the agenda item on which you wish to testify to [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Those wishing to testify in person should fill out a blue card found in the back of the Council Chamber.

Those requesting to comment virtually during the meeting can do so by joining the meeting using this link: <https://zoom.us/j/615079992> (Webinar ID: 615079992) or 888-475-4499 (toll free) and using the “Raise Hand” feature in Zoom or emailing the legislative coordinator at [legislativecoordinator@oregonmetro.gov](mailto:legislativecoordinator@oregonmetro.gov). Individuals will have three minutes to testify unless otherwise stated at the meeting.

### 3. Consent Agenda

3.1 **Resolution No. 25-5452** For The Purpose of Organizing The Metro Council and Confirming Committee Members

Attachments: [Resolution No. 25-5452](#)  
[Exhibit A](#)

Council President Peterson called for a motion to approve the Consent Agenda. It passed unanimously. Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

3.2 **Resolution No. 25-5448** For The Purpose Of Adding Or Amending A Total Of Eleven Projects To The 2024-27 MTIP To Meet Federal Project Delivery Requirements

Attachments: [Resolution no. 25-5448](#)  
[Exhibit A](#)  
[Staff Report](#)  
[Attachment 1](#)  
[Attachment 2](#)

Council President Peterson called for a motion to approve the Consent Agenda. It passed unanimously. Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

**This item was adopted.**

- 3.3 **Resolution No. 25-5454** For the Purpose of Adopting Revised Employment Agreements for Metro's Chief Operating Officer and Metro Attorney

Attachments: [Resolution No. 25-5454](#)  
[Exhibit A](#)  
[Exhibit B](#)  
[Staff Report](#)

Council President Peterson called for a motion to approve the Consent Agenda. It passed unanimously. Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

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

**Aye:** 7 - Hwang, Simpson, Gonzalez, Nolan, Lewis, Peterson, and Rosenthal

- 3.4 **Resolution No. 25-5455** For the Purpose of Approving Amendments to the Employment Contracts for Directors, Deputy COOs and the General Manager of Visitor Venues

Attachments: [Resolution No. 25-5455](#)  
[Exhibit A](#)  
[Staff Report](#)

Council President Peterson called for a motion to approve the Consent Agenda. It passed unanimously. Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

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

**Aye:** 7 - Hwang, Simpson, Gonzalez, Nolan, Lewis, Peterson, and Rosenthal

**3.5 Consideration of the December 12, 2024 Council Meeting Minutes**

Attachments: [121224c minutes-signed](#)

Council President Peterson called for a motion to approve the Consent Agenda. It passed unanimously. Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

**3.6 Consideration of the December 19, 2024 Council Meeting Minutes**

Attachments: [121924c minutes- signed](#)

Council President Peterson called for a motion to approve the Consent Agenda. It passed unanimously. Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

**4. Resolutions**

**4.1 Resolution 25-5450** For the Purpose of Representing and Memorializing the Histories and Cultures Associated with the Portland Expo Center

Presenter(s): Stephanie Redman (she/they), Expo Future Project Manager  
Craig Stroud (he/him), General Manager Visitor Venues

Attachments: [Resolution no. 25-5450](#)  
[Staff Report](#)  
[Attachment 1](#)

Council President Peterson called on Stephanie Redman (she/they), Expo Future Project Manager and Craig Stroud (he/him), General Manager Visitor Venues to present to Council.

Staff pulled up joint presentation on both Resolution No. 25-5450 and Resolution No. 25-5451 to present to Council.



*Presentation Summary:*

The presenters provided Council with an overview of the Expo Center resolutions, which prioritize the memorialization of injured minority communities and endorse the use of the Expo Center as a hub for regional and national sports.

*Council Discussion:*

Councilor Hwang requested clarification about the commencement dates included in the resolutions.

The presenters replied that some portions of the project which involve community and partner engagement are given flexible timelines, whereas studies and development milestones have firm deadlines.

Council President Peterson stated the need for quarterly reports on the project to Council.

Councilor Nolan expressed her appreciation for the work of staff and asked the presenters to share specifics about how minority communities will be able to utilize and enjoy the site.

The presenters responded that the memorialization committee is considering several pathways to include minority communities, such as reduced admission costs and creating community meeting facilities.

Councilor Lewis described the extensive work of not just staff but also residents who stepped forward to engage in the development and feedback process.

Council President Peterson thanked staff, partners, and the

community for their work.

Council President Peterson called for a vote on Resolution No. 25-5450. It passed unanimously. Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

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

**Aye:** 7 - Hwang, Simpson, Gonzalez, Nolan, Lewis, Peterson, and Rosenthal

4.2 **Resolution No. 25-5451** For The Purpose Of Redeveloping The Portland Expo Center As A Sports-Oriented Destination Venue

Presenter(s): Stephanie Redman (she/they), Expo Future Project Manager  
Craig Stroud (he/him), General Manager Visitor Venues

Attachments: [Resolution 25-5451](#)  
[Staff Report](#)  
[Attachment 1](#)

Council President Peterson called for a vote on Resolution No. 25-5451. It passed unanimously. Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

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

**Aye:** 7 - Hwang, Simpson, Gonzalez, Nolan, Lewis, Peterson, and Rosenthal

**5. Ordinances (First Reading and Public Hearing)**

5.1 **Ordinance No. 25-1522** For the Purpose of Amending the Industrial and Other Employment Areas Map of Title 4 of the Urban Growth Management Functional Plan for the Montgomery Park area of the City of Portland

Presenter(s): Glen Hamburg (he/him), Senior Regional Planner

Attachments: [Ordinance No. 25-1522](#)  
[Staff Report](#)  
[Exhibit A](#)  
[Exhibit B](#)  
[Attachment 1](#)  
[Attachment 2](#)  
[Attachment 3](#)  
[Attachment 4](#)  
[Attachment 5](#)

Council President Peterson called on Glen Hamburg (he/him), Associate Regional Planner and Brian Singer, Principal Planner of the City of Portland to present to Council.

Staff pulled up the Ordinance No. 24-1522 presentation to present to Council.

*Presentation Summary:*

The presenters described scope of the ordinance, including the removal of certain use restrictions in the Title IV area of Montgomery Park to allow housing, employment, and transit development.

*Council Discussion:*

Councilor Lewis questioned how the project and ordinance fit with Portland's housing needs assessment.

The presenters answered that the Montgomery Park development plan is in line with the housing goals of the city.

Councilor Hwang asked how the transit development is linked to the development plan.

The presenters replied that the extension of the yellow line can occur independently or in tandem with development of the urban center and housing.

Councilor Gonzalez wondered how Metro can improve the industrial jobs forecast for the region with this development plan.

The presenters stated that last year's urban growth report showed that there are no industrial tax lots of significant size that would be disturbed within the plan.

Councilor Nolan highlighted the innovation and opportunity created with this plan.

Council President Peterson remarked upon the hard work of the planning and development teams.

Seeing no further discussion on the topic, Council President Peterson moved on to the next agenda item.

#### 5.1.1 Public Hearing for Ordinance No. 25-1522

Council President Peterson opened the meeting to members of the public wanting to testify on Ordinance No. 25-1522 For the Purpose of Amending the Industrial and Other Employment Areas Map of Title 4 of the Urban Growth Management Functional Plan for the Montgomery Park area of the City of Portland.

Seeing no testimony, Council President Peterson moved on to the next agenda item.

## 6. Chief Operating Officer Communication

COO Marissa Madrigal provided an update on the following events or items:

- Reminder that Parks' small community grant applications are due soon.

- The COO met with Portland's city council to discuss SHS funding and reflected the extensive work performed by staff and the Council in 2024 to extend and improve SHS.
- The COO described some of the upcoming projects that the Council look forward to working on in 2025.

## 7. Councilor Communication

Councilors provided updates on the following meetings and events:

- Council President Peterson relayed her attendance at the Transportation Research Board conference in D.C.
- Councilor Lewis described her participation in the Racial Equity and Bond Markets cohort. She also reported back on her meeting with the Lake Oswego City Council to discuss housing on Tuesday.
- Councilor Gonzalez expressed his appreciation for staff's assistance with the Legislative Breakfast the week prior. He also promoted the upcoming Legislative Breakfast on Wednesday, January 15th, hosted by himself and Councilor Rosenthal, to discuss the future of TV Highway.
- Councilor Rosenthal spoke about his and Councilor Gonzalez's housing discussion with the City of Beaverton the week prior. He also related information from the most recent MERC meeting.
- Councilor Hwang shared an update on the 82nd Street Transit Project, stating that this month the project team will vote on the plan for transit vehicles and routes to advance development.

**8. Adjourn**

There being no further business, Council President Peterson adjourned the Metro Council Meeting at 12:00 p.m.

Respectfully submitted,

*Nicholas Cooley*

Nicholas Cooley, Legislative Assistant

**4.1 Ordinance No. 25-1525 For the Purpose of Integrated  
and Expanded Regional SHS/Housing Funding  
*Ordinances (First Reading and Public Hearing)***

Metro Council Meeting  
Thursday, January 23, 2025

**4.2 Ordinance No. 25-1526 For the Purpose of Council  
Direction for Implementation**  
*Ordinances (First Reading and Public Hearing)*

Metro Council Meeting  
Thursday, January 23, 2025