

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE	)	RESOLUTION NO. 22-5233
CHIEF OPERATING OFFICER TO PURCHASE	)	
CERTAIN PROPERTY IN THE CLACKAMAS	)	Introduced by Chief Operating Officer
RIVER GREENWAY 2006 TARGET AREA		Marissa Madrigal in concurrence with
UNDER THE 2019 NATURAL AREAS BOND		Council President Lynn Peterson
MEASURE		

WHEREAS, at the general election held on November 7, 2006, voters of the Metro region approved Measure 26-80, the 2006 Natural Areas Bond Measure to preserve natural areas and clean water and protect fish and wildlife (the “2006 Measure”);

WHEREAS, the Clackamas River Greenway Target Area was identified in the 2006 Measure as one of 27 regional target areas for land acquisition; and

WHEREAS, on March 1, 2007, the Council approved Resolution No. 07-3766A, “Authorizing the Chief Operating Officer to Purchase Property with Accepted Acquisition Guidelines as Outlined in the Natural Areas Implementation Work Plan,” (the “Acquisition Parameters and Due Diligence Guidelines”);

WHEREAS, on August 14, 2014, the Council approved Resolution No. 14-4536, “for the Purpose of Amending and Updating the Natural Areas Implementation Work Plan, “ which consolidated and revised modifications to the Acquisition Parameters and Due Diligence Guidelines;

WHEREAS, in 2019, by Resolution No. 19-4988, voters in the Metro area approved a Parks and Nature Bond Measure (“2019 Measure”) with a stated goal to fund natural area and water quality protection and to connect people to nature close to home, expanding the Parks and Nature program’s mission under the 2006 Measure to protect clean water and restore fish and wildlife habitat; and

WHEREAS, on December 12, 2019, the Council approved Resolution No. 19-5055, authorizing the Chief Operating Officer to purchase property with 2019 Measure funds in accordance with the Acquisition Parameters and Due Diligence Guidelines of the Natural Areas Implementation Work Plan;

WHEREAS, Metro has entered into a purchase and sale agreement with a landowner (the “Seller”) to purchase 32 acres of land, as more particularly identified and described on Exhibit A to this resolution (the “Property”);

WHEREAS, the property was identified as a Tier I property under the 2006 Natural Areas Bond Measure Refinement Plan and remains a high priority in the 2019 bond measure;

WHEREAS, acquisition of the Property is in the public benefit as it also builds on adjacent Metro properties to provide a larger habitat area in an urbanizing part of the region;

WHEREAS, the appraisal of the Property does not support the purchase price agreed to by Metro and the Seller, and therefore the transaction fails to meet all of the Acquisition Parameters and Due Diligence Guidelines and the Chief Operating Officer must obtain Council approval to close the transaction and acquire the Property; now therefore,

BE IT RESOLVED that the Metro Council hereby authorizes the Chief Operating Officer to acquire the Property identified in Exhibit A at the negotiated purchase price reflected in the purchase and sale agreement executed by Seller and Metro, provided that the acquisition is otherwise in accord with all of the other Acquisition Parameters and Due Diligence Guidelines of the Natural Areas Implementation Work Plan.

ADOPTED by the Metro Council this \_\_\_\_ day of January 2022.

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Lynn Peterson, Council President

Approved as to Form:

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Carrie MacLaren, Metro Attorney