

IN CONSIDERATION OF RESOLUTION NO. 24-5403, FOR THE PURPOSE OF
AUTHORIZING THE CHIEF OPERATING OFFICER TO GRANT A PARK USE
EASEMENT TO PGE AT FARMINGTON PADDLE LAUNCH

Date: April 8, 2024
Department: Parks and Nature
Meeting Date: April 25, 2024

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ISSUE STATEMENT

Portland General Electric (PGE) requests the Metro Council authorize the Chief Operating Officer to grant a small permanent easement of 12 feet by 10 feet adjacent to the public right of way.

ACTION REQUESTED

Metro Council authorization for the Chief Operating Officer to grant a trail easement to PGE.

IDENTIFIED POLICY OUTCOMES

Continued application of the guidance in the Parks and Nature easement policy (Res. 97-2539B).

POLICY QUESTION(S)

Does the Metro Council wish to authorize the COO to grant a small easement adjacent to the public right of way to PGE?

POLICY OPTIONS FOR COUNCIL TO CONSIDER

1. Grant PGE the easement. This will permit PGE to move a power pole and guy anchor line out of the way of a roundabout that Washington County is constructing at the intersection of SW Farmington and River Roads. The improvement was designed to avoid impacts to Metro's Farmington Paddle Launch and benefit park access and safety for pedestrians, bicycles, and vehicles.
2. Do not grant PGE the easement. This will result in PGE not able to move this power pole, which may jeopardize the construction of the roundabout at the intersection of SW Farmington and River Roads, which could negatively impact park access, as well as pedestrian, bicycle, and vehicle safety.

STAFF RECOMMENDATIONS

Staff recommends the Metro Council approve PGE's easement request and authorize the Chief Operating Officer to grant the easement to PGE.

STRATEGIC CONTEXT & FRAMING COUNCIL DISCUSSION

The request from PGE for a small easement to permanently locate a guy anchor line is a result of Washington County working in partnership with Metro Parks and Nature while designing roadway improvements to facilitate intersection safety and circulation

improvements that will have a positive impact on pedestrians, bicyclists, and drivers in the area, while not impacting Farmington Paddle Launch and benefitting the park and its visitors by improving access and safety. Washington County consulted with Metro early in the design of the roundabout at the intersection of SW Farmington and River Roads, which is adjacent to and serves Metro's Farmington Paddle Launch. That coordination resulted in Washington County designing the roundabout to have limited impact on Metro's park land, while improving visitors access and safety in all modes of transportation. As a result of the roundabout location, PGE needs to move a power pole and associated guy anchor line. The pole will be relocated to the SW Farmington Road right of way; however, the guy anchor line must be located just over the right of way boundary line on Metro property. Staff considers this a park use easement request, exempt from the analysis included in the easement policy, because the genesis for the request is an access and safety improvement that both benefits the park and limits its impact on the park.

Legal Antecedents

- Metro Resolution No. 92-1637 "For the Purpose of Considering Adoption of the Metropolitan Greenspaces Master Plan"
- Resolution No. 95-2074A, "For the Purpose of Submitting to the Voters a General Obligation Bond Indebtedness in the Amount of \$138.8 Million to Proceed with the Acquisition of Land for a Regional System of Greenspaces"
- Resolution No. 96-2299, "For the Purpose of Approving a Refinement Plan for the Tualatin River Greenway and Access Points Target Area as Outlined in the Open Space Implementation Work Plan"
- Metro 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"
- 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"
- Resolution No. 07-3849, "Approving the Natural Areas Acquisition Refinement Plan for the Tualatin River Greenway Target Area"
- Resolution No. 14-4583, "For the Purpose of Endorsing Additional Investments for Restoration and Public Access to Nature"

Anticipated Effects

- Washington County will proceed with construction of a roundabout at the intersection of SW Farmington and River Roads to improve safety and traffic flow and PGE will relocate its power pole and guy anchor line.

Financial Implications (current year and ongoing)

- None

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"). 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.

ATTACHMENTS

None