

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE	)	RESOLUTION NO. 17-4850
CHIEF OPERATING OFFICER TO PURCHASE	)	
CERTAIN PROPERTY IN THE JOHNSON	)	Introduced by Metro Councilor Shirley,
CREEK AND WATERSHED TARGET AREA		Craddick, District 1
UNDER THE 2006 NATURAL AREAS BOND		
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 "Measure");

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 September 27, 2007, the Council approved Resolution No. 07-3851, "Approving the Natural Areas Acquisition Refinement Plan for the Johnson Creek and Watershed Target Area" (the "Refinement Plan"); that established a Tier I Objective to "Protect lands along the mainstream and important tributaries of Johnson Creek from Gresham to Boring..";

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 Natural Areas Implementation Work Plan;

WHEREAS, Metro has entered into a purchase and sale agreement with a landowner (the "Seller") to purchase 1.2 acres of land, as more particularly identified and described on Exhibit A to this resolution (the "Property");

WHEREAS, the Property is identified as a Tier I property according to the Refinement Plan and 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 contracted by Metro 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

WHEREAS, the 2014 Natural Areas Implementation Work Plan states that "the COO may complete an acquisition transaction that does not meet all of the acquisition parameters only with prior Council review and approval"; now therefore

BE IT RESOLVED that the Metro Council hereby authorizes the Chief Operating Officer to acquire the Property identified in Exhibit A, and as discussed in the executive session on September 28th, 2017, at the negotiated purchase price, 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 2nd day of November 2017.

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Tom Hughes, Council President

Approved as to Form:

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Alison R. Kean, Metro Attorney