

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE)	RESOLUTION NO. 18-4934
CHIEF OPERATING OFFICER TO SELL)	Introduced by Chief Operating Officer
CERTAIN REAL PROPERTY AS PART OF THE)	Martha Bennett in concurrence with
NATURAL AREAS PROGRAM'S DISPOSITION)	Council President Tom Hughes
OF AGRICULTURAL LANDS POLICY		

WHEREAS, in November 2006, the voters of the Metro region approved ballot measure 26-80, authorizing Metro to issue \$227.4 million for bonds for Natural Area Acquisition and Water Quality Protection (the "2006 Metro Natural Areas Bond Measure");

WHEREAS, also in 2006, the Metro Council adopted Resolution No. 06-3727, "For the Purpose of Establishing a Metro Council Policy Regarding the Acquisition of Rural Agricultural Land Pursuant to the 2006 Natural Areas Acquisition and Water Quality Protection Bond Measure" (the "Ag Lands Policy"), which set forth a policy regarding possible purchase by Metro of agricultural land with funds from the 2006 Natural Areas Bond Measure;

WHEREAS, in certain target areas, the Ag Lands Policy directs Metro staff to attempt to acquire conservation easements over the most sensitive portions of agricultural land, but if a seller is willing to sell only an entire property, the Ag Lands Policy directs staff to determine if the property could be re-sold by Metro after protecting those portions of the property essential to achieving water quality and habitat protection goals;

WHEREAS, pursuant to the Ag Lands Policy, Metro staff have reviewed acquisitions it has made of agricultural land in the target areas in which the Ag Lands Policy applies, which land was purchased, as required by the sellers, in fee simple, and Metro staff have determined that a certain property or portions of the property acquired with funds from the 2006 Metro Natural Areas Bond Measure, depicted on Exhibit A to this Resolution 18-4934 (the "Property"), could be sold per the terms of the Ag Lands Policy;

WHEREAS, in May 2015, the Metro Council adopted Resolution 15-4619 ("For the Purposes of Authorizing the Chief Operating Officer to Sell Certain Real Property as Part of the Natural Areas Program"), adopting disposition guidelines that establish a fair and open process for the sale of Parks and Natural Areas land (the "Disposition Guidelines);

WHEREAS, the Metro Council has considered the proposal to sell the Property in accordance with the Ag Lands Policy and the Disposition Guidelines, and has considered whether the proposed transaction would protect the goals of water quality and habitat protection on the Property;

WHEREAS, only that portion of the Property no longer needed for conservation use could be sold after a property line adjustment, or the entire Property could be sold encumbered by a conservation easement protecting the habitat portions of the Property;

WHEREAS, disposition of the Property, subject to a conservation easement, or a sale of only the agricultural portion of the Property, will allow Metro to follow through on its commitments to the agricultural community set forth in the Ag Lands Policy, while achieving clean water and fish and wildlife protection, and the Metro Council considers this the best resolution for the future of the Property; now therefore,

BE IT RESOLVED that the Metro Council concludes that: (a) fee title to the entire Property is not needed for public use, and (b) the public interest will be furthered by the disposition of the Property subject to a conservation easement protecting the habitat area generally depicted on Exhibit A, or by a sale after a property line adjustment of solely the agricultural production portion of the Property generally depicted on Exhibit A; and the Metro Council hereby authorizes the Chief Operating Officer to dispose of the Property or a portion thereof using an equitable, commercially reasonable, and appropriate process, as determined by the Chief Operating Officer in her sole discretion, in accordance with the Ag Lands Policy and the Disposition Guidelines. In case of a conflict between the Ag Lands Policy and the Disposition Guidelines, the Ag Lands Policy will govern the transaction.

Adopted by the Metro Council this _____ day of December, 2018.

Tom Hughes, Council President

Approved as to Form:

Nathan A. S. Sykes, Acting Metro Attorney