

# **Metro**

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**Metro**

## **Minutes**

**Thursday, May 11, 2017**

**2:00 PM**

**Metro Regional Center, Council chamber**

**Council meeting**

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

Council President Tom Hughes called the Metro Council meeting to order at 2:03 p.m.

**Present:** 6 - Council President Tom Hughes, Councilor Sam Chase, Councilor Carlotta Collette, Councilor Shirley Craddick, Councilor Craig Dirksen, and Councilor Bob Stacey

**Excused:** 1 - Councilor Kathryn Harrington

**2. Citizen Communication**

Bruce Hansen, City of Portland: Mr. Hansen provided testimony expressing concern about the Wildwood property located on Highway 30. He explained that he was concerned about a water control device that was installed at the lower end of the property as it negatively affected the fish that moved through the creek. He asked the Metro Council to address the issue in order to protect the native fish that visited the area to eat. Councilor Chase thanked Mr. Hansen for his feedback and noted that protecting the region's natural areas was one of Metro's highest priorities.

**3. Consent Agenda**

3.1 Consideration of the Council Meeting Minutes for May 4, 2017

**Approval of the Consent Agenda**

**A motion was made by Councilor Stacey, seconded by Councilor Craddick, to adopt items on the consent agenda. The motion passed by the following vote:**

**Aye:** 6 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, and Councilor Stacey

**Excused:** 1 - Councilor Harrington

**4. Resolutions**

4.1 Resolution No. 17-4789, For the Purpose of Authorizing the Chief Operating Officer to Accept the Donation of Property in the Sandy River Gorge Target Area

Council President Hughes introduced Resolution No. 17-4789 and noted that there were two people who would

like to provide testimony on the resolution. He requested that those wishing to testify come forward to speak.

Sam Diack, City of Boring: Mr. Diack expressed concern about the process of the resolution, noting that he felt the family did not have enough time to consider the details of the transaction. He explained that the land donated by his family years ago was already protected by the Nature Conservancy and as a result did not need to be acquired by Metro. He asked the Metro Council to delay consideration of the resolution in order to provide the public with additional opportunities to share feedback.

Conni Diack, City of Boring: Ms. Diack provided a brief history of the Diack family's original donation of the land to the Nature Conservancy. She noted that the family wished to have the donation remain as intended, under the ownership of the Nature Conservancy, and asked the Metro Council to consider delaying adoption of the resolution.

Council President Hughes then called on Mr. Dan Moeller, Metro staff, and Ms. Catherine Macdonald, Director of Policy & External Affairs at the Nature Conservancy, for a brief presentation on the resolution.

Mr. Moeller stated that the Metro Council's approval was needed to accept 251 acres of conservation land in Metro's Sandy River target area. He noted that the proposed donation was a demonstration of Metro's strong partnership with the Nature Conservancy, as the organizations had worked together to ensure that natural resources were conserved as efficiently as possible. Mr. Moeller explained that serving as stewards of additional land in the Sandy River Gorge was in alignment with Metro's mission of protecting clean water, restoring fish and wildlife habitat, and connecting people with nature. Mr. Moeller provided a brief overview of Metro's partnership with the Nature Conservancy as well as its history of acquiring land for

conservation.

Mr. Moeller informed the Council that Metro owned over 2,000 acres in the Sandy River Gorge, including Oxbow Regional Park. He explained that adding the land that the Nature Conservancy proposed for transfer would allow Metro to efficiently manage the area in addition to the rest of the ownership in the watershed. He noted that because the Nature Conservancy had made substantial investments in the restoration and care of the land, the additional burden of management would be minor in comparison to the other investments made in the Sandy River Gorge by Metro each year. Mr. Moeller presented maps and images of the area being discussed, highlighting the area's important natural features such as tributaries, riparian woodlands, and old growth forest.

Mr. Moeller stated that Metro's Natural Areas Acquisition Work Plan required that all acquisitions, including donations, meet due diligence standards as outlined in the plan. He noted that some aspects of the donation fell outside of the work plan requirements. He provided an overview of these exceptions and how they would be addressed in the transfer. He added that the deed that would convey the properties to Metro would also include a reverter clause that would return the property to the Nature Conservancy if at any point it could no longer be held in public trust for protection, enhancement, and restoration of fish, wildlife, and water quality. Mr. Moeller concluded by thanking the Nature Conservancy for all of their work protecting the land over the years.

Ms. Catherine Macdonald of the Nature Conservancy then provided a brief history of the Nature Conservancy and its mission to protect habitat in Oregon. She shared the Nature Conservancy's contributions to preservation of the Sandy River Gorge area including acquiring protective designations for land in the corridor, protecting the river's flows, and

controlling invasive species. Ms. Macdonald explained that transferring the proposed land to Metro would allow the Nature Conservancy to continue to conserve natural resources efficiently as possible by taking advantage of the considerable expertise Metro had developed in managing such habitats and freeing resources to preserve and protect other natural areas in the state.

*Council Discussion*

Council President Hughes clarified the location of the property that would be returned to the Diack family and the property that would be ceded to Metro if the resolution was adopted. Councilors confirmed that the property ceded to Metro would continue to be preserved in the manner it was maintained by the Nature Conservancy and that public access to the area would not be increased. Councilor Stacey thanked the Diacks for their ongoing contributions to natural area conservation in the region. He noted that he felt that the Nature Conservancy and Metro were both committed to managing the land in a way that protected, enhanced, and restored their natural quality. Councilors discussed how the land would be maintained by Metro according to the Parks and Nature System Plan and the benefits of the land transfer for the Nature Conservancy. In response to the Diacks concerns, Councilor Craddick asked Mr. Moeller to describe how the transaction process occurred. Councilors expressed support for the resolution, noting how important parks and natural areas conservation was to the Metro Council and the region's residents. Councilor Dirksen asked about the property use restrictions that would be placed on Metro if it were to acquire the land.

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

**Aye:** 6 - Council President Hughes, Councilor Chase, Councilor Collette, Councilor Craddick, Councilor Dirksen, and Councilor Stacey

Excused: 1 - Councilor Harrington

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

- 5.1 Ordinance No. 17-1400, For the Purpose of Annexing to the Metro District Boundary Approximately 82.18 Acres Located in the North Bethany Area of Washington County

Metro Attorney Alison Kean and Council President Hughes read the requirements on holding a quasi-judicial hearing and Council President Hughes introduced Mr. Tim O'Brien, Metro staff, to provide a brief staff report. Mr. O'Brien provided an overview of the annexation request, explained the criteria required and stated that the request met the criteria for annexation into the Metro District Boundary. Mr. O'Brien noted that staff recommended the Metro Council approve Ordinance No. 17-1400 and informed the Council there were about 70 acres left in North Bethany to be annexed, constituting less than ten percent of the total area.

*Council Discussion*

There was none.

- 5.1.1 Public Hearing for Ordinance No. 17-1400

Council President Hughes opened up a public hearing on Ordinance No. 17-1400 and requested that those wishing to testify come forward to speak. Seeing none, Council President Hughes gaveled out of the public hearing. He noted that second read, Council consideration, and vote on Ordinance No. 17-1400 would take place on Thursday, May 18.

**6. Chief Operating Officer Communication**

Ms. Martha Bennett announced that Metro's Deputy Chief Operating Officer Scott Robinson would be retiring at the end of the year. She thanked Mr. Robinson for his service

and acknowledged his significant accomplishments over the years. Ms. Bennet also recognized Ms. Kathy Rutkowski, Metro's retiring Budget Coordinator, for her contributions during a career that spanned more than 30 years at the agency. The Metro Council thanked Ms. Rutkowski for all of her work.

**7. Councilor Communication**

Councilors provided updates on the following meetings or events: the Transit-Oriented Development (TOD) Steering Committee, the Metro Policy Advisory Committee (MPAC), and the Oregon Zoo Bond Oversight Committee.

**8. Adjourn**

There being no further business, Council President Hughes adjourned the Metro Council meeting at 3:27 p.m. The Metro Council will convene the next regular council meeting on May 18 at 2:00 p.m. at the Metro Regional Center in the council chamber.

Respectfully submitted,

Nellie Papsdorf, Legislative and Engagement Coordinator