

RESOLUTION NO. 1968

A RESOLUTION OF THE CITY OF WILSONVILLE IN SUPPORT OF CLACKAMAS COUNTY'S PROPOSED LOCAL SHARE DISTRIBUTION METHODOLOGY RELATED TO METRO'S 2006 REGIONAL NATURE IN NEIGHBORHOODS BOND MEASURE

WHEREAS, Metro is pursuing a regional Nature in Neighborhoods bond measure in November of 2006, similar to the Greenspaces bond passed in 1995; and

WHEREAS, Metro Council intends to refer to the voters of the region, a general obligation bond to continue to purchase significant natural areas, and fund related capital improvement projects; and

WHEREAS, the bond will contain a Local Share component similar to the approach used in 1995 where funds are passed down to the local park providers; and

WHEREAS, the Local Share portion of the 1995 bond measure was very popular with constituents and was an important component of that measure's success allowing park providers across the region to identify and complete projects at the local level; and

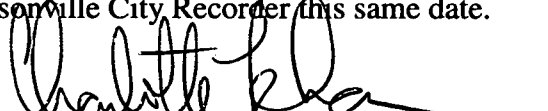
WHEREAS, the park providers of Clackamas County have been coordinating to provide Metro with a recommendation for establishing a Local Share distribution formula for a future regional Nature in Neighborhoods bond measure; and

WHEREAS, the local jurisdictions of Clackamas County have formulated a recommendation to assist Metro in establishing a successful regional Greenspaces program;

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The City of Wilsonville supports Clackamas County's proposed Local Share distribution methodology.
2. This resolution becomes effective upon the date of adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 7th day of November, 2005, and filed with the Wilsonville City Recorder on this same date.



CHARLOTTE LEHAN, MAYOR

ATTEST:

Sandra C. King
Sandra C. King, MMC, City Recorder

SUMMARY of Votes:

Mayor Lehan Yes

Councilor Kirk Yes

Councilor Holt Yes

Councilor Knapp Yes

**Planning Division
Staff Report**

October 31, 2005

To: Honorable Mayor Lehan and City Council

From: Chris Neamtzu, Long-Range Planner

**Subject: Resolution in Support of Clackamas County's Approach to a Local Share
Distribution Methodology for a Regional Nature in Neighborhoods Bond
Measure**

Summary:

Metro has requested that the cities and counties in the Portland Metropolitan area begin to coordinate and discuss the specifics of an upcoming regional Nature in Neighborhoods bond measure that Metro will pursue in November of 2006 (please refer to Attachment A-Letter from Jim Desmond dated August 17, 2005). Clackamas County has taken the lead in coordinating with the local park providers.

A topic of importance to Metro is an agreed upon distribution methodology for the Local Share component of a Regional bond measure, now called the Local Natural Area Legacy Fund. After two meetings, the Clackamas County park providers unanimously agreed to support a distribution methodology that utilizes an adjusted population percentage which accounts for future growth in communities. This approach benefits rapidly growing communities who will be accommodating much of the future population. Cities like Damascus, Happy Valley and Wilsonville all benefit from this approach.

Recommendation:

Staff respectfully recommends that the Council support the attached Resolution and direct Staff to continue to work collaboratively with our regional partners to make a future Nature in Neighborhoods bond measure a success.

Background:

Staff has been working with representatives of the park providers in Clackamas County to come up with a series of recommendations to Metro regarding the upcoming Nature in Neighborhoods

bond measure. The proposed Local Natural Area Legacy Fund distribution methodology takes into account future growth and bases the allocation on a set of assumptions. The timing of this recommendation to Metro is key as they begin to do more detailed work with a newly appointed Blue Ribbon Committee advising on bond specifics.

How does this work? Wilsonville knows that it will have approximately 7,000 new residents in Villebois, and another several thousand people are also expected in the Frog Pond area. It is very likely that Wilsonville will grow to close to 26,000 residents in the next 10 plus years. Given this high rate of growth, Wilsonville would receive a higher percentage of the total taxable dollars distributed to Clackamas County due to the fact that the agreed upon methodology would account for a 60% projected growth percentage for a total of 7.18% of the County's total population. If the total amount of the bond were 200 million and the local share were 25% of that, the City would receive approximately 847 thousand dollars to complete local projects.

In 1995, the Local Share component of the Regional Greenspaces bond measure utilized a 50-50 split of assessed value and existing population. This compromise was reached after lengthy discussions and appears to have had little effect on Wilsonville's overall allocation when compared to a straight assessed value, or population approach. The proposed methodology benefits Wilsonville substantially when compared to the approaches considered and utilized in 1995.

The park representative will continue to work on this project over the next year. Upcoming topics of discussion will include:

- Local acquisition priorities
- Regional acquisition priorities
- Timing of election for other funding measures
- Regional funding assistance to local governments for maintaining regional facilities

Attachment A: Letter from Jim Desmond dated August 17, 2005



METRO

August 17, 2005

Chris Neamtzu
Associate Parks Planner
City of Wilsonville
30000 SW Town Center Loop E
Wilsonville OR 97070-6499

Dear Mr. ^{Chris}Neamtzu:

This letter is written to seek some specific direction from the park providers, cities and two of the counties (Washington and Clackamas) of our region regarding the 2006 Metro Nature in Neighborhoods bond measure. As you know, the Metro Council intends to refer to the voters of the region in November 2006 a general obligation bond measure to purchase significant natural areas and fund related capital improvement projects. While the total amount of the bond has yet to be determined by the Council, the process for doing so will be similar to that followed in preparation for the May 1995 measure.

Metro Council will establish a Blue Ribbon committee of business and community leaders to provide recommendations on the content of the bond by November 2005. The Committee will be asked to advise the Council on the total amount of the bond, and some other critical elements of the bond package. Once the Committee completes its work in November, the Council will undertake a public review of the recommendations and make its final referral of the measure by March 1, 2006.

LOCAL SHARE COMPONENT

One element that is settled already is that the Metro Council is committed to again distributing a portion of the bond direct to local jurisdictions (the "local share"). Over the past 10 years, our elected officials and senior staff such as myself have been out talking to local government leaders (elected and staff), and one universal message we have received is that the "local share" under the 1995 bond measure worked, was well administrated by Metro, and led to great projects in your communities. So following the "if it isn't broke, don't fix it" philosophy, we hope and expect to repeat that success.

In fact the local share was so successful in protecting natural areas and building partnerships, Council has discussed *doubling* the local share portion of the 2006 bond measure by distributing local share dollars through two distinct programs – a new Nature in Neighborhoods Capital Fund and a Local Natural Area Legacy Fund (see attachment).

Nature in Neighborhoods Capital Fund

The Nature in Neighborhoods Capital Fund is an exciting new program proposal to fund neighborhood level enhancement and habitat protection projects initiated by a broad range of community partners, with public agencies and non-governmental community organizations all being eligible to receive Metro funds for eligible projects. Eligibility criteria are currently being developed and additional information on the program and its administration will be provided at a later date. The current thinking of Council is that the funds should be distributed annually over an 8-10 year period to better respond to developing opportunities.

Local Natural Area Legacy Fund

Very similarly to how the local share operated under the 1995 bond measure, funds will also be distributed directly to cities and local park providers in each of the three (3) counties on a pre-determined formula basis. Again, as we did in 1995, the starting point will be countywide totals based on the most recent assessed valuation (now 2004), as follows:

Clackamas County:	23.88%
Multnomah County:	43.69%
Washington County:	32.43%

Metro Council has directed staff to ask for an allocation among all cities and park providers within each county to be determined by consensus agreement among all jurisdictions and park providers within each county. Unlike in 1995 however, cities not currently providing park and recreation services will also be eligible to receive their proportionate share. Metro Council expects each county to frame the allocation process using a per capita basis. However, Metro Council is leaving jurisdictions the flexibility to bring considerations such as expected population shifts within their county into their allocations, so long as such considerations remain conceptually centered on a per capita approach (as opposed to relative property value). Park districts and the jurisdictions located within the districts will also have to agree and then direct Metro on the respective allocations for the park districts. These districts include:

- North Clackamas Park and Recreation District (NCPRD) (jurisdictions include Milwaukie, parts of Clackamas County)
- Tualatin Hills Park and Recreation District (THPRD) (jurisdictions include Beaverton, unincorporated parts of Washington County)

In contrast to the 1995 bond, Metro will not receive any allocation as a park provider. Metro received more than \$3.1 million under the 1995 measure as the park provider for unincorporated Multnomah County, so this change will effectively increase the amount of regional dollars made available to our local partners. Since the unincorporated portion of Multnomah County has so significantly decreased since 1995, the Metro Council desires the entire portion for Multnomah County be distributed exclusively within the cities of the county.

Local Share Component Letter
Page Three
August 17, 2005

No less than \$25 million will be distributed by Metro from the Local Natural Area Legacy Fund. This amount will be finalized as soon as possible after the Blue Ribbon committee submits its recommendations to the Metro Council.

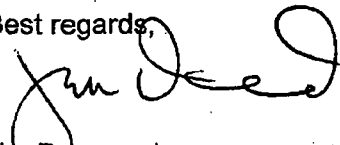
I am writing this letter to request that the cities, the two park districts, and Washington and Clackamas Counties, direct the Metro Council, in writing, on or before November 1, 2005, on how to distribute the Local Natural Area Legacy Funds (on a percentage basis) within each county in accordance with the foregoing parameters. If consensus cannot be reached by that time within any county, the Metro Council will adopt its own distribution formula for that county by November 30, 2005. *

Also, I want to encourage you to begin identifying specific natural area, habitat restoration, trail, and capital improvement projects that will be eligible for funding under the Local Natural Area Legacy Fund and thus become part of the total bond package made known to the voters before the election. The attachment hereto lists the project criteria, which are virtually the same as under the 1995 measure. The Metro Council has added children's play equipment to the eligible list of capital improvements, as many of you have urged. The project list must be approved via resolution by your governing body through a public process (e.g. public hearing), and completed by March 1, 2006. We will send out a more detailed description on that process when the allocation issue is settled in November. Generally, however, that too will follow how it was handled in the 1995 measure.

I am very happy to announce this second opportunity for all of us to advance regional goals for nature areas and support your effective local work. The Metro Council remains committed to regional and local land acquisition and appropriate activities related to capital improvements. The Metro Council also remains committed to supporting good faith efforts in meeting requisite regional natural resource protection plans through the future disbursement of these funds.

Please do not hesitate to contact me to discuss the local share component in greater detail or if my staff can assist you in any way. I look forward to hearing from you and receiving your recommended allocations.

Best regards,



Jim Desmond
Director
Metro Parks and Greenspaces

Metro's 2006 Local Share

Allocation Formulas and Guidelines

Discussion Draft, August 17, 2005

The Metro Council proposes doubling the "local share" portion of the capital and acquisition funds raised through a proposed November 2006 bond measure. This will result in approximately \$50 million for local projects. The Metro Council proposes two programs for distributing these local share dollars -- the Local Natural Area Legacy Fund and the Nature in Neighborhoods Capital Fund.

Local Natural Area Legacy Fund

No less than \$25 million will be distributed directly to cities and local park providers, through a formula similar to the "local share" established under Metro's 1995 open spaces, parks and streams bond measure. Projects must meet Metro's criteria for protecting and enhancing water quality, natural areas and/or fish and wildlife habitat and/or providing improved access or public use and enjoyment of these natural areas. All land acquisitions must be consistent with Metro's "willing seller" policy.

Funds will be distributed according to a formula established in each of the three (3) counties, as described in Exhibit A. Cities and park districts not currently providing park and recreation services may be eligible to receive funds. Funds will be received under the following conditions:

1. Local jurisdictions and parks providers shall use these funds only for projects that meet the Local Natural Area Project Guidelines as set out in Exhibit B. Funds may not be used for operations and maintenance activities nor be used outside Metro's boundary unless Metro finds that such expenditures clearly benefit local residents.
2. Local park providers, cities and counties will receive Local Natural Area Legacy Funds through an intergovernmental agreement (IGA) with Metro.
3. Eligible local governments and special districts may form consortiums to combine their allocations for eligible purposes.

Nature in Neighborhoods Capital Fund

An additional \$25 million will be dedicated to local projects to be distributed by Metro based on criteria to be established by the Metro Council prior to the November 2006 election. See draft criteria Appendix C. Applicants for Nature in Neighborhoods Capital Funds may include local jurisdictions, public agencies, community groups, non-profits, neighborhood associations,

watershed councils and other non-government entities, with the expectation that all projects will have community partners, and a minimum of 1:1 matching funds. All land acquisitions must be consistent with Metro's "willing seller" policy.

Regional portion of bond funding

Metro may use the regional portion of funds for acquisition of lands that help protect water quality, benefit fish and wildlife, add on to existing publicly owned natural areas and provide for the public's future use and enjoyment of these areas. In addition, regional funding may be used for habitat restoration, development of public use facilities, regional trails and wildlife corridors. The regional funds are to be administered by Metro, including all regional property transaction and associated administrative costs, and for overall financial management of bond funds. Funds may not be used for operations and maintenance. All land acquisitions must be consistent with Metro's "willing seller" policy.

Metro and local agencies will maintain any lands acquired with bond funds as natural areas in perpetuity in accordance with established management plans. Where possible, deed restrictions will be included at the time of transfer of any property acquired with bond funds to require the use of these lands as natural areas in perpetuity.

EXHIBIT A

Local Natural Area Legacy Fund

Eligible recipients and allocation formula

Cities

Beaverton	Hillsboro	Sherwood
Cornelius	Johnson City	Tigard
Damascus	King City	Troutdale
Durham	Lake Oswego	Tualatin
Fairview	Maywood Park	West Linn
Forest Grove	Milwaukie	Wilsonville
Gladstone	Oregon City	Wood Village
Gresham	Portland	
Happy Valley	Rivergrove	

Park Districts

North Clackamas Parks and Recreation District

Tualatin Hills Parks and Recreation District

Counties

Clackamas County

Washington County

The Local Natural Area Legacy bond funds shall be apportioned among parks providers and cities in each county on the basis of countywide totals established using November 30, 2004 assessed valuation within the Metro boundary. Estimated countywide totals based on 2004 assessed valuation information are as follows:

Clackamas County: 23.88%
Multnomah County: 43.69%
Washington County: 32.43%

Formulas for allocating among cities, counties and parks providers within each county are to be determined at the discretion of each county, their cities and their parks providers, to be reached in each county by consensus with all jurisdictions and park providers. The distribution within each county shall be generally based upon per capita distribution to cities, with specific direction to account for park districts (THPRD, NCPRD) for allocating equitably. Counties and cities may take into account any areas likely to experience unusually high growth in the next 10 years such as Damascus, Villebois, Bethany, etc.

Two major changes are proposed that contrast with how local share funds were distributed under the 1995 bond measure:

1. In the 1995 bond measure, Metro received \$3,401,545 of local share funds due to its role as a "local" park provider in Multnomah County. It is proposed that Metro not receive any portion of the Local Natural Area Legacy Fund, leaving the entire allocation within Multnomah County for local cities and parks providers. Note that large sections of Multnomah County that were unincorporated in 1995 have since been annexed to various cities.
2. Cities without established park programs, such as Damascus and King City, may be eligible for a proportional per capita share of local share funds as allocated to their respective counties.

Cities and counties must direct Metro, in writing, how to distribute the Local Natural Area Legacy Funds on or before November 1, 2005. In the event that the cities and counties cannot reach consensus on how to direct Metro to distribute these funds, the Metro Council shall devise its own distribution formula and notify the cities and counties in writing of such formula no later than November 30, 2005.

EXHIBIT B

Local Natural Areas Legacy Fund Guidelines

In order to be eligible for Local Natural Areas Legacy Funds, projects or associated costs must meet the following criteria:

1. Eligible agency is a city or park provider as of November 6, 2006.
2. Funds must be expended on natural area related activities only, including:

Acquisition

- Fee Simple (or easement) for purchasing natural areas, wildlife and/or trail corridors identified in the Metropolitan Greenspaces Master Plan, Regional Greenspaces System Concept Map (adopted 2002), the Regional Trails Plan Map (adopted 2002), the Nature in Neighborhood Map (Fish & Wildlife Habitat Protection Program, Resource Classification Map), and/or locally determined significant natural areas, wildlife and/or trail corridors.
- Out of pocket costs associated with property acquisition.

Capital Improvements

- Restoration or enhancement of fish and wildlife habitat.
 - Americans with Disabilities Act (ADA) requirements and/or improvements to existing natural area amenities providing universal access to the public.
 - Public use facilities such as roads, parking areas, trail heads, rest rooms, picnic tables, shelters, viewing blinds, water systems, camp sites, fishing piers, children's play equipment, and associated appurtenances including signs, fences, security lighting, and barbecues.
 - Environmental education facilities such as nature centers and interpretive displays.
 - Trail design, engineering and construction.
3. The Metro Council and the governing board of the local city or park provider shall approve an Intergovernmental Agreement (IGA). At a minimum, the IGA shall require:
 - That funds from Metro's bond measure shall not be used to replace dedicated local funding for a selected project

- That funds from Metro's bond measure will leverage other funding sources when possible
 - Signage at the project site in an appropriate location(s) to acknowledge Metro, the park provider, and other project partners for project funding.
4. A list of local share projects (with estimated costs) that has been approved by the governing board of each city or park provider shall be delivered to Metro no later than February 1, 2006.
 5. Local natural area sites that receive Metro bond measure funding will be maintained for their intended recreational, habitat, or trail activities. Any decision by a park provider or city to convey title (or grant real property rights to property) purchased with bond proceeds shall be made by vote of its duly elected or appointed governing body at a public meeting, in accord with that governing body's adopted public meeting procedures. Any proceeds from the sale of the property (or from the rights to the property) shall be used for the purpose set out in the approved local share Intergovernmental Agreement (IGA).
 6. Local Natural Area Legacy Funds should be used to the greatest extent possible to fund new projects and not to pay agency overhead or indirect costs. In no event shall the staff, overhead and indirect costs on any local share project exceed 10% of the cost of the project or the portion of the project paid for with local share funds (whichever is greater).