

ORDINANCE No. 184629

Authorize an Intergovernmental Agreement with Tri Met for Wetland Mitigation at Westmoreland Park (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. TriMet is planning to construct the Portland-Milwaukie Light Rail Project (“Project”), a 7.3-mile alignment that will connect Portland State University in downtown Portland and north Clackamas County. The Project will consist of ten transit stations, including one at the Bybee Blvd. Bridge, which is adjacent to Westmoreland Park (“Westmoreland” or “park”). The City is a key funding partner in this Project.
2. The Project and its alignment will cause minor, unavoidable environmental impacts to Crystal Springs Creek (“Crystal Springs”), which is located beneath and adjacent to the Project’s alignment on SW McLoughlin Blvd.
3. Crystal Springs is designated as critical habitat because it is home to several species listed as threatened under the Endangered Species Act, including coho and Chinook salmon, and steelhead trout. Restoration of Crystal Springs for listed salmon species is a high priority for the City’s Endangered Species Program.
4. Westmoreland Park has a rich history dating back to 1909, when it began as part of a residential subdivision that was subtracted from Ladd estate’s Crystal Spring Stock Farm. In the late 1930s, with the assistance of the Federal government, the City began working on the park and developed a casting pond, a model yacht lagoon, a fly caster’s club house, bridges, and athletic fields. In the 1940s, a baseball field and wooden stadium were built at the park, now known as Sckavone Stadium.
5. Council approved a master plan for Westmoreland Park in 2004. The master plan includes improving the natural resources values along Crystal Springs by converting the concrete duck pond to a braided stream with wetland areas.
6. This Intergovernmental Agreement sets out terms and conditions under which TriMet will provide \$200,000 of Project wetland mitigation funds to the City that PP&R and BES will use as partial funding to convert the duck pond into a wetland and natural resource site. TriMet’s contribution is intended to mitigate the Project’s unavoidable impacts to Crystal Springs.

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NOW, THEREFORE, the Council directs:

- a. The Commissioner in Charge of Portland Parks and Recreation to execute an Intergovernmental Agreement with TriMet that is substantially similar to the attached form of agreement and has been approved as to form by the City Attorney.

Passed by the Council: JUN 01 2011
Commissioner Fish
Prepared by: Emily Roth
May 4, 2011

LaVonne Giffin-Valade
Auditor of the City of Portland
By 
Deputy

RECEIVED BY THE CLERK OF THE CITY OF PORTLAND JUN 01 2011

Agenda No. **184629**
ORDINANCE NO.

Title with Met

Authorize an Intergovernmental Agreement between City of Portland and the Tri-County Metropolitan Transportation District of Oregon regarding Wetland Mitigation at Westmoreland Park. (Ordinance)

<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Fish</p>	<p>CLERK USE: DATE FILED <u>MAY 20 2011</u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish <i>Nia F</i></p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: PP&R Bureau Head: Dir. Santner <i>[Signature]</i></p>	<p>ACTION TAKEN: MAY 25 2011 PASSED TO SECOND READING JUN 01 2011 9:30 A.M.</p>
<p>Prepared by: Emily Roth Date Prepared: May 9, 2011</p>	
<p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input checked="" type="checkbox"/> Not Required <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input type="checkbox"/></p>	
<p>Council Meeting Date May 25, 2011</p>	
<p>City Attorney Approval</p>	

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	_____	
Adams	Adams	_____	