

# ORDINANCE No. 185428

\*Authorize agreement with Verde to fundraise for and construct park improvements at Thomas Cully Park (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Thomas Cully Park (Cully Park) consists of approximately 25 acres in the Cully Neighborhood in NE Portland.
2. From the 1950s through the 1980s, the Cully Park site was operated as a sand and gravel mine covering approximately 25 acres and excavated to a depth of about 60 feet. Once the sand and gravel were depleted, the site became a special waste landfill. Since the landfill ceased operation in 1991, it has been maintained and monitored by DEQ, METRO, Portland Parks & Recreation (PP&R), and Bureau of Environment Services. The site continues to produce methane, which is collected on-site and burned in a small facility next to the site's main entry off NE Killingsworth Street.
3. PP&R acquired the site in 2002 with the intention of developing it as a park that would accommodate a variety of active recreational uses and to serve neighborhood needs. While PP&R was able to do a Master Plan for the park, Cully Park remains undeveloped today because PP&R has had insufficient resources for its development.
4. Formed in 2005, Verde is a public charity under Sections 501(c)(3) of the Internal Revenue Code. Verde serves communities by building environmental wealth through social enterprise, outreach and advocacy. Verde brings new environmental investments to Portland's neighborhoods, involves community members in planning and building these investments, and ensures that these investments directly benefit low-income people and people of color.
5. The Cully Neighborhood is characterized by concentrated poverty and racial diversity, as well as by lack of access to nature and environmental benefits. In response, Verde has collaborated with more than 17 community-based organizations to organize Let Us Build Cully Park! (LUBCP!).
6. In 2010, Verde, Hacienda CDC, Native American Youth & Family Center, and Portland Community Reinvestment Initiatives successfully applied for an 18-month, \$150,000 grant from the NW Health Foundation's Convergence Partnership to create LUBCP! and to build momentum for the funding and construction of Cully Park.

7. In 2011, LUBCP! partners designed a *Survey to Let Us Build Thomas Cully Park!* in order to identify community awareness of the Cully Park project, park development issues, interest in participating, and the community's park priorities. Since the survey, LUBCP! members and Cully residents have been deeply engaged in all aspects of the project.
8. In 2012, Verde established the LUBCP! Advisors, a formal advisory group within Verde's organizational structure. The LUBCP! Advisors are comprised of members of Verde's Board of Directors, Verde staff, LUBCP! partner organizations, and subject matter experts.
9. Verde has a strong fundraising track record, and has developed significant resources for the planning and construction of Cully Park, including in-kind contributions from public agencies, nonprofit groups, and for-profit businesses. Verde has raised over \$1.2M in government and foundation grants for Cully Park, including a \$577,000 award from Metro's Nature in Neighborhoods Capital Grant Program. Verde plans to continue its fundraising efforts throughout the term of the proposed Agreement for Cully Park.
10. Both Verde and PP&R recognize the importance of Cully Park for the Cully Neighborhood. PP&R recognizes the contributions of Verde in support of the development of Cully Park, and would like to formalize its relationship with Verde through the proposed Agreement.
11. The first park amenity, a new community garden, will be completed during the summer of 2012.

NOW, THEREFORE, The Council Directs:

- a. The Director of Parks and Recreation is authorized to execute, on behalf of the City of Portland, an agreement, generally in the form attached to this Ordinance, with the Verde, and to negotiate and execute on behalf of the City any amendment thereof, once such agreement and/or amendment has been approved as to form by the City Attorney.
- b. The Director of Parks and Recreation is authorized to make a one-time payment of \$13,500 to Verde, and Verde will apply the funds to the construction of the community garden at Cully Park.
- c. The Office of Management and Finance is directed to transfer ongoing funding of \$5,986 a year from the General Fund to the Portland Parks & Recreation budget beginning in FY 2012-13, to be initiated by a Parks' request in the FY12-13 Fall BuMP, for PP&R's maintenance of the new community garden.

- d. The Director of Parks and Recreation is directed to add the new capital assets to the City's park inventory.

Section 2. The Council declares that an emergency exists because the City requires that this Agreement be in place before Verde can begin construction work on this project, and further Verde requires this Agreement be in place so it can effectively raise funds for the project; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: **JUN 20 2012**  
Commissioner Fish  
Prepared by: Todd Lofgren  
June 13, 2012

**LaVonne Griffin-Valade**  
Auditor of the City of Portland

By *Gayla Jennings*  
Deputy

Agenda No. **185428**  
**ORDINANCE NO.**

Title

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<p style="text-align: center;"><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Nick Fish</b></p>	<p>CLERK USE: DATE FILED <u>JUN 15 2012</u></p>
<p style="text-align: center;"><b>COMMISSIONER APPROVAL</b></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: <u><i>[Signature]</i></u> Deputy</p> <p><b>ACTION TAKEN:</b></p>
<p style="text-align: center;"><b>BUREAU APPROVAL</b></p> <p>Bureau: Portland Parks &amp; Recreation Bureau Head: Mike Abbate <i>[Signature]</i></p>	
<p>Prepared by: Todd Lofgren Date Prepared: June 13, 2012</p>	
<p>Financial Impact &amp; Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Council Meeting Date <b>June 20, 2012</b></p>	
<p><input checked="" type="checkbox"/> <b>City Attorney Approval</b></p>	

<b>AGENDA</b>
<p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p><b>CONSENT</b> <input checked="" type="checkbox"/></p>
<p><b>REGULAR</b> <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	✓	
2. Fish	✓	
3. Saltzman	<del>_____</del>	
4. Leonard	✓	
Adams	✓	