

## ORDINANCE No. 183937

Designate a section of public right-of-way along N Terminal Rd as part of Chimney Park and assign it to the Bureau of Parks and Recreation (Ordinance).

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Parks and Recreation (Parks) is responsible for building, operating and maintaining public parks for the benefit of the public.
2. The City owns Chimney Park and Pier Park (the Property), which are adjacent to N. Terminal Rd., and have been assigned to the Bureau of Portland Parks and Recreation.
3. The Property is located along a railroad line and Parks wishes to build and manage a pedestrian bridge connection across the railroad from Pier Park to Chimney Park, landing in the right-of-way of N. Terminal Rd, as generally depicted on Exhibit A.
4. N Terminal Road from N Columbia Blvd to the westerly border of Chimney Park (N Terminal Rd) is currently unimproved right-of-way assigned to the Portland Bureau of Transportation (PBOT).
5. Portland Bureau of Transportation Development Review has confirmed that PBOT has no intention or expectation to use N. Terminal Rd for transportation purposes.
6. The proposed bridge will add to the overall transportation system and act as a safe public connector across the railroad as part of the 40-Mile Loop and the North Portland Greenway Trail segment. Bridge construction is scheduled to begin in the Fall of 2011.
7. It should be a matter of public record that N. Terminal Rd is designated and assigned to the Bureau of Parks and Recreation for park purposes.

NOW, THEREFORE, The Council Directs:

- a. N. Terminal Rd., described as follows and depicted on Exhibit A, is hereby designated as part of Chimney Park and assigned to the Bureau of Parks and Recreation for park purposes: "A portion of N. Terminal Rd. lying between the westerly line of N. Columbia Blvd. and the westerly line of the property described in book 151, page 45 recorded November 13<sup>th</sup>, 1931, extended southerly."

- b. Parks shall be responsible for the construction, operation, maintenance, security, and management of the proposed bridge. Parks will request funds for operation and maintenance once the bridge is under construction.
- c. In the event that the Property is ever sold, the City will reserve a stormwater easement for the Bureau of Environmental Services for its existing stormwater sewer line. This stormwater easement is intended to run with the land and bind the successors and assigns of the City.
- d. The Auditor shall return a certified copy of this Ordinance to the Property Management section of Portland Parks & Recreation for recording in the Multnomah County Deed Records. Property Management shall return the recorded Ordinance to the Auditor and send copies of the recorded Ordinance to PBOT.
- e. The Director of Parks is directed to (i) add the Property to the City's Park inventory; and (ii) fund immediate one-time site stabilization costs of up to \$1,800.
- f. In accepting responsibility for the Property, the Council acknowledges the need to fund one-time stabilization costs of \$1,800. On-going O&M costs, estimated at \$1,200 per year, will be requested in the Fall 2010-11 BMP. When the bridge construction is completed, a request will be made at that time for O&M costs related to the bridge.

Passed by the Council:  
Commissioner Fish  
Prepared by: Matt Kaiel  
June 8, 2010

JUN 23 2010

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

By   
Deputy

*section*

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| <p><b>INTRODUCED BY</b><br/>         Commissioner/Auditor:<br/> <b>Nick Fish</b></p> <p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish <i>Mia F</i></p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p> <p><b>BUREAU APPROVAL</b></p> <p>Bureau: Parks and Recreation<br/>         Bureau Head: Zari Santhner <i>Zari Santhner</i></p> <p>Prepared by: Matthew Kaiel<br/>         Date Prepared: June 8, 2010</p> <p>Financial Impact Statement<br/>         Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/><br/>         Not Required <input type="checkbox"/></p> <p>Portland Policy Document<br/>         If "Yes" requires City Policy paragraph stated in document.<br/>         Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Council Meeting Date<br/> <b>6/16/2010</b></p> <p><b>City Attorney Approval</b></p> | <p>CLERK USE: DATE FILED <u>JUN 11 2010</u></p> <p style="text-align: right;">LaVonne Griffin-Valade<br/>         Auditor of the City of Portland</p> <p>By: <i>A Susan Parsons</i><br/>         Deputy</p> <p><b>ACTION TAKEN:</b></p> <p><b>JUN 16 2010 PASSED TO SECOND READING JUN 23 2010 9:30 A.M.</b></p> |
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| <b>AGENDA</b>   |
| <p><b>TIME CERTAIN</b> <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____<br/>         (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: _____<br/>         (for presentation, testimony and discussion)</p> |

| FOUR-FIFTHS AGENDA | COMMISSIONERS VOTED AS FOLLOWS:                 |      |
|--------------------|---|------|
|                    | YEAS  | NAYS |
| 1. Fritz           | 1. Fritz <input checked="" type="checkbox"/>    |      |
| 2. Fish            | 2. Fish <input checked="" type="checkbox"/>     |      |
| 3. Saltzman        | 3. Saltzman <input checked="" type="checkbox"/> |      |
| 4. Leonard         | 4. Leonard <input checked="" type="checkbox"/>  |      |
| Adams              | Adams <input checked="" type="checkbox"/>       |      |