

ORDINANCE No. 184646

*Authorize agreement with Halprin Landscape Conservancy to fundraise and undertake repair and maintenance of the fountains and surrounding park areas in the Portland Open Space Sequence (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Portland Open Space Sequence (Sequence) is an interconnected series of plazas including the Source Fountain, Lovejoy Fountain, Pettygrove Park and the Forecourt Fountain.
2. The Sequence is internationally recognized as a seminal work of landscape architecture designed by Lawrence Halprin. Over the years, the Sequence has suffered from deferred maintenance and now requires significant restoration work to return it to its original condition.
3. Formed in 2001, the Halprin Landscape Conservancy (Conservancy) is a public charity under Sections 501(c)(3) of the Internal Revenue Code. The Conservancy's mission is to honor and preserve the Sequence by increasing awareness of the Sequence as an important city and national cultural resource, improving the Sequence according to the original vision of Lawrence Halprin, and assuring the Sequence's upkeep at the level of a residential garden.
4. The Conservancy has received a pledge from 200 Market Associates to make a lead gift of \$250,000 to be used specifically for the comprehensive restoration of Pettygrove Park. The Conservancy is now prepared to launch a fundraising campaign to raise the additional funds required to design, permit and construct the project. The additional funds needed are estimated to be approximately \$500,000.
5. The City of Portland's Parks, Maintenance, Transportation, and Water Bureaus all have responsibility for the operation and maintenance of various elements of the Sequence. Over time, the City has not been able to keep up with the maintenance needs of the Sequence. The City recognizes the international significance of the Sequence and would like to seek additional support through charitable contributions and participation by the community. The City recognizes the contributions of the Conservancy in support of these goals and would like to formalize its relationship with the Conservancy.
6. The City and the Conservancy would like to develop a comprehensive long-term plan for restoration and ongoing maintenance of the Sequence. The plan would include identifying stable public and private sources of

funding for the Sequence, delineate the maintenance responsibilities among the City bureaus, and identify opportunities for enhanced maintenance of selected elements of the Sequence which could be provided by private funding sources acting through the Conservancy.

7. The Conservancy has taken an initial step in developing a long term plan by contracting with Koch Landscape Architecture (Koch) to prepare a Landscape Assessment Report and Improvement Cost Estimate. As part of its research, Koch would like to interview City bureau personnel responsible for maintenance of the Sequence and have access to City maintenance records and reports.

NOW, THEREFORE, the Council directs:

- a. The Commissioner in Charge 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 Halprin Landscape Conservancy, 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.

Section 2. The Council declares that an emergency exists because the Conservancy requires that this Agreement be in place before it can authorize its consultants to begin work on this project, and further 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 08 2011

Commissioner: Nick Fish
Prepared by: Harry Auerbach
Date Prepared: May 18, 2011

LaVonne Griffin-Valade
Auditor of the City of Portland

By


Deputy

Agenda No. **184646**
ORDINANCE NO.
 Title

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INTRODUCED BY Commissioner/Auditor: Nick Fish	CLERK USE: DATE FILED <u>JUN 03 2011</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish <i>N. Fish by EA</i> Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By: <i>[Signature]</i> Deputy ACTION TAKEN:
BUREAU APPROVAL Bureau: Portland Parks & Recreation Bureau Head: <i>Zari Santner</i> Prepared by: Todd Lofgren Date Prepared: May 31, 2011 Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> Not Required <input type="checkbox"/> Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Council Meeting Date June 8, 2011	
City Attorney Approval	

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

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