

ORDINANCE No. 184 7 35

* Authorize acquisition of real property adjacent to Raymond Park for park purposes. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Ordinance No. 180626, passed by the City Council on November 22, 2006, authorized Purchase and Sales Agreements and deposit of Park System Development Charge funds in escrow accounts to secure opportunities to purchase certain real properties.
2. Andrew C. Galbreath ("Seller") wishes to sell and Portland Parks & Recreation ("Parks") wishes to purchase a 0.12 acre property located at 5006 SE 115th (R348103340) adjacent to Raymond Park, in Portland ("Property"). The Property is particularly described in the attached "Agreement of Purchase and Sale" ("Agreement"), Exhibit A, which was executed on April 7, 2011 pursuant to Ordinance No. 180626.
3. The purchase price of the Property is \$120,000. Parks has deposited \$4,500 into an escrow account per conditions specified in the Agreement and as authorized by Ordinance No. 180626.
4. Parks recommends acquisition of the Property for use as a park because this parcel will provide legal access to Raymond Park for residents west of the park. This acquisition is in the public interest and for the general benefit and use of the people of the City of Portland.
5. The Director of Parks reports that the Property meets the Park Systems Development Charge ("SDC") acquisition guidelines and that there is adequate revenue from the Park SDC to fund acquisition of the Property.
6. The Director of Parks estimates a one-time site stabilization cost of up to \$23,000 to prepare the Property for public ownership and includes removal or demolition of a single family residence. Stabilization costs will be funded from Park SDC funds.
7. The Director of Parks estimates that the on-going O&M cost will be approximately \$7,700 per year to maintain the property as part of Raymond Park.

NOW, THEREFORE, The Council Directs:

- a. The Commissioner in Charge of Parks, or the Mayor, is authorized to all execute all documents necessary to close the transaction once conditions precedent to closing specified in the Agreement have been satisfied and all documents have been approved as to form by the City Attorney;

- b. The Commissioner in Charge of Parks shall direct Parks to deposit the purchase price and closing costs from Park SDC acquisition revenue into an escrow account established for the purpose of acquisition of the Property;
- c. The Director of Parks is directed to (i) add the Property to the City's Park inventory; (ii) fund immediate one time site stabilization costs of up to \$23,000; and (iii) proceed with said stabilization actions upon closing.
- d. In accepting responsibility for the Property, the Council acknowledges the need to fund the on-going O&M cost estimated at \$7,700 per year, and directs the Bureau of Management and Finance to transfer this ongoing funding allocation from the General Fund to the Parks and Recreation budget beginning the first BuMP following acquisition of the Property in FY 2011-12.

Section 2. The Council declares that an emergency exists because delay would prevent the completion of the land acquisition and because funds for purchase by the City are available now and the Closing date established by the Agreement is July 21, 2011; therefore, this ordinance shall be in full force and effect after its passage by Council.

JUL 13 2011

Passed by the Council:
Commissioner Nick Fish
Prepared by: Riley Whitcomb
June 28, 2011

LaVonne Griffin-Valade
Auditor of the City of Portland

By


Deputy

Agenda No. **184735**
ORDINANCE NO.
 Title

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INTRODUCED BY Commissioner/Auditor: Nick Fish	CLERK USE: DATE FILED <u>JUL 08 2011</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish <i>Enright</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: Zari Santher <i>[Signature]</i> Prepared by: Matthew Kaiel Date Prepared: 6/28/2011 Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <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 7/13/2011	
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 type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

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"/>	