

ORDINANCE NO. 184102

*Designate and assign a parcel of City owned property as public street right of way (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland (City) operates an Emergency Coordination Center (ECC) located at the Bureau of Emergency Communication's 9-1-1 Call Center Facility at 3732 SE 99th Avenue. It has been determined that the current ECC does not meet the City's needs to manage a major disaster effectively.
2. In FY 2008-09 the Portland Water Bureau (PWB) purchased five residential properties (ECC Expansion Parcels) for consolidation with the existing ECC site. The resulting consolidation will result in a parcel suitable for expansion of the ECC facility.
3. Consolidation of the existing ECC site with the ECC Expansion Parcels requires vacating a portion of SE Bush Street between SE 99th Avenue and SE 100th Avenue. This area is subject to a deed restriction that vests ownership of the property in the Oregon Department of Transportation (ODOT) in the event that the property is no longer used for road purposes.
4. PWB proposes to designate and assign property located in the southerly portion of the ECC Expansion Parcels, further described in the attached Exhibit A and depicted in the attached Exhibit B, for a new alignment of SE Bush Street. This would be designated as the proposed Street Dedication Area.
5. ODOT is willing to quitclaim and release (ODOT Release) its reversionary interest in the area so that it does not burden the consolidation of the ECC Expansion Parcels with the existing ECC site. The ODOT Release will be substantially in accord with the quitclaim deed attached as Exhibit C.
6. In consideration of ODOT's release, the City will execute and deliver to ODOT a deed granting a springing executory interest (ODOT Grant) in the proposed Street Dedication Area in the event said area is not used for road purposes. The deed shall be substantially in accord with the deed attached as Exhibit D.

NOW, THEREFORE, the Council directs:

- a. That the City property, as described in the attached Exhibit A and depicted in the attached Exhibit B is hereby designated as a public street right of way and assigned to the Bureau of Transportation (PBOT).
- b. That PBOT is authorized to execute the ODOT Grant in consideration of the ODOT Release.

Section 2. The Council declares that an emergency exists because failure to address ODOT's reversionary interest in the existing SE Bush Street may complicate or delay the Land Use Review process scheduled to begin September 1, 2010. Therefore this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, SEP 08 2010

Commissioner Leonard
Ben Gossett
August 18, 2010

LaVonne Griffin-Valade
Auditor of the City of Portland

By  Deputy

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<p>INTRODUCED BY Commissioner/Auditor: Commissioner Leonard</p> <p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard <i>Leonard</i></p> <p>BUREAU APPROVAL</p> <p>Bureau: Portland Water Bureau Bureau Head: David G. Shaff <i>Shaff</i></p> <p>Prepared by: Ben Gossett Date Prepared: August 18, 2010</p> <p>Financial Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input 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 checked="" type="checkbox"/></p> <p>Council Meeting Date September 8, 2010</p> <p>City Attorney Approval</p>	<p>CLERK USE: DATE FILED <u>SEP 02 2010</u></p> <p style="text-align: right;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>LaVonne Griffin-Valade</i> Deputy</p> <p>ACTION TAKEN:</p>
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AGENDA

TIME CERTAIN
 Start time: _____

Total amount of time needed: _____
 (for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: _____
 (for presentation, testimony and discussion)

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