

ORDINANCE No. 184222

*Authorize acquisition of property in northeast Portland on Mocks Crest for park purposes from J Jene Holdings LLC. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. J Jene Holdings LLC (Seller) wishes to sell and Portland Parks & Recreation (Parks) wishes to purchase the property identified as 1N1E21DB Taxlot 2000 (Property). The Property is particularly described in the attached "Agreement of Purchase and Sale," Exhibit A, which was executed on September 1, 2010 pursuant to Ordinance 180626.
2. Parks and the Bureau of Transportation (PBOT) are anticipating the transfer of 5.35 acres by ordinance on the November 10, 2010 Council agenda from PBOT to Parks for use as a hybrid park. The Property is adjacent to that PBOT property and will be managed as part of a new hybrid park consisting of the Property and the PBOT property, known as the Mocks Crest Property.
3. Parks has reviewed the available information regarding the Property and recommends acquisition of the Property for use as a park because the Property is surrounded on three sides by the future hybrid park. It is currently being used informally as a park by the neighborhood and acquisition will allow for more effective enforcement of Park rules. The neighborhood association supports the acquisition with Parks taking over maintenance responsibility of the site. It is in the public interest and for the general benefit and use of the people of the City of Portland.
4. Parks received an appraisal which valued the property at \$200,000. By securing this Property it assures habitat and open space connections, and protects the property from imminent future development. The Seller received an independent appraisal valuing the Property at \$250,000. Due to the high priority of the site, Parks has agreed to compensate the Seller \$210,000 for the Property.
5. The Director of Parks reports that the Property meets the Parks Systems Development Charge (SDC) acquisition guidelines and that there is adequate revenue from Parks SDC to fund the acquisition of the Property.
6. The maintenance costs for Parks' current acquisition and the anticipated 5.35 acre PBOT transfer to Parks are estimated at \$17,400/year, which will be requested in the Spring BuMP. One time stabilization costs to prepare the Property for public ownership are estimated at \$9,600 and will be paid for with Parks' SDC funds.

NOW, THEREFORE, The Council directs:

- a. The Commissioner of Parks is authorized to 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 of Parks is authorized to deposit \$210,000 of Parks SDC Revenue, plus closing costs, into an escrow account established for the purpose of acquisition of the Property;
- c. The Director of Parks is directed to fund \$9,600 from the Parks SDC Revenue as a one time costs to prepare the Property for public ownership, and is directed to add the Property to the City's Natural Area Park inventory; and
- d. In accepting responsibility for this natural area, the Council acknowledges the need to fund the on-going maintenance costs, estimated at \$17,400 per year, and directs the Office of Management and Finance to transfer this ongoing funding allocation from the General Fund to the Parks budget beginning in FY 2010-11 to be initiated by Parks request in the FY10-11 Spring BuMP.

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; therefore, this ordinance shall be in full force and effect after its passage by Council.

Passed by the Council:

Commissioner Fish

Prepared by: Matthew Kaiel


October 25, 20120

NOV 10 2010

LaVonne Griffin-Valade

Auditor of the City of Portland

By


Deputy

1464

Agenda No.
ORDINANCE NO. 184222
 Title

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<p>INTRODUCED BY Commissioner/Auditor: Nick Fish</p>	<p>CLERK USE: DATE FILED <u>NOV 05 2010</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - <i>Nick Fish</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: <i>[Signature]</i> Deputy</p> <p>ACTION TAKEN:</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Portland Parks & Recreation Bureau Head: <i>Zari Santner</i></p>	
<p>Prepared by: Matthew Kaiel Date Prepared: 10/25/2010</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 November 10, 2010</p>	
<p>City Attorney Approval</p>	

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/></p>
<p>REGULAR <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	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	