

ORDINANCE No. 185427

*Authorize an agreement with Portland Development Commission for the transfer of certain property rights along the Eastbank Esplanade to Portland Parks & Recreation (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Portland Development Commission (PDC) holds a combination of leases and easements to several properties located on the east bank of the Willamette River, adjacent to or south of the Eastbank Esplanade (collectively, the Eastbank Property).
2. The Eastbank Property includes the Festival Lots located between SE Taylor Street and SE Madison Street. These lots will continue to be operated as paid parking lots.
3. PDC also owns two public docks: the Madison Street Dock, located just north of the Hawthorne Bridge; and the Light Watercraft Dock, located south of the Hawthorne Bridge (collectively, the Docks). PDC will convey the Docks to the City.
4. PDC and Portland Parks & Recreation (Parks) have completed initial implementation of the Eastbank Riverfront Park Master Plan and PDC's revitalization work at this location has been completed.
5. PDC wishes to transfer its interest in the Eastbank Property to Parks for management and enforcement purposes.
6. PDC and Parks have negotiated the attached Assignment and Assumption Agreement which outlines the terms of the transfer and lists the PDC agreements that will be assigned to Parks.

NOW, THEREFORE, The Council Directs:

- a. The Commissioner in Charge of Parks is authorized to execute the Assignment and Assumption Agreement, in a form substantially similar to the attached and as approved as to form by the City Attorney, and all documents necessary to implement the assignments and transfers of rights and obligations contemplated thereunder. Such additional documents include, but are not limited to, bills of sale for the Docks and amendments to the leases and easements.

- b. The Director of Parks is directed to fund one-time stabilization costs of up to \$16,104.
- c. The Office of Management and Finance is directed to transfer this one time stabilization funding from the General Fund to the Parks and Recreation budget beginning in FY 2012-13 to be initiated by a Parks' request in the FY12-13 Fall BuMP.
- d. The Director of Parks is directed to add the Eastbank Property to Park's inventory for management and enforcement purposes.

Section 2. The Council declares that an emergency exists in order to avoid further delay in the transfer of the property interests and completion of needed repairs; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: **JUN 20 2012**
Commissioner Fish
Prepared by: Zalane Nunn
June 11, 2012

LaVonne Griffin-Valade
Auditor of the City of Portland
By *Gayla Jennings*
Deputy

Agenda No. **185427**
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 Title

an agreement with P.D.C. for

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| INTRODUCED BY Commissioner/Auditor: Nick Fish | CLERK USE: DATE FILED <u>JUN 15 2012</u> |
| COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Leonard | LaVonne Griffin-Valade Auditor of the City of Portland By: <u>[Signature]</u> Deputy |
| BUREAU APPROVAL Bureau: Portland Parks & Recreation Bureau Head: Mike Abbate Prepared by: Zalane Nunn Date Prepared: June 12, 2012 | ACTION TAKEN: |
| 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 June 20, 2012 | |
| City Attorney Approval | |

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| 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 | ✓ | |
| 2. Fish | ✓ | |
| 3. Saltzman | ✓ | |
| 4. Leonard | ✓ | |
| Adams | ✓ | |