

ORDINANCE No. 186701

*Designate and assign a property at SE Sherrett Street between 34th and 36th Avenues, owned by the Bureau of Environmental Services, to the Bureau of Planning and Sustainability for use in the Diggable City Project (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Bureau of Environmental Services is the owner of certain real property located along SE Sherrett Street between SE 34th and 36th Avenues, legally described below, in the City of Portland. The property was acquired by the City in August 1992 from Multnomah County Tax Title to be used for the public good in service of the programs and goals of the Bureau of Environmental Services.
2. In November 2004, the City Council adopted Resolution No. 36272 calling for an inventory of city-owned lands suitable for community gardens and other agricultural uses. A team of graduate students from Portland State University's Urban and Regional Planning program conducted the inventory, managed by Commissioner Dan Saltzman's office. The student report, "The Diggable City: Making Urban Agriculture a Planning Priority" was adopted by City Council in June 2005, and two subsequent reports were published by the City's Office of Sustainable Development in 2006 and 2007. The final report identified the Sherrett Property as a "definite" site suitable for urban agriculture.
3. This vacant property is not within the flood plain and has no direct ties to the goals and objectives of the Willing Seller Program and is not needed for BES programs or goals. The Bureau of Environmental Services is a strong supporter of sustainable programs and would like the property reassigned to the Bureau of Planning and Sustainability for use in the Diggable City Project.
4. It should be a made a matter of public record that the above-referenced property has been re-assigned to the Bureau of Planning and Sustainability.
5. The property is being transferred without reimbursement for fair market value since the Bureau of Environmental Services acquired the property without cost through Multnomah County's Tax Foreclosure Program, and because the proposed use meets Environmental Services overall ethic of sustainability and stewardship.

NOW, THEREFORE, the Council directs:

- a. That the following described property is hereby assigned to the Bureau of Planning and Sustainability.

A parcel of land in the southeast quarter of Section 24, T1S, R1E, W.M., City of Portland, County of Multnomah, State of Oregon, as described in Book 2580, Page 840, recorded on August 25, 1992, Multnomah County Deed Records. Said parcel contains 27,878 square feet (.64 acres), more or less, and is depicted on attached Exhibit A. (1S1E24DC 5100; R330415)

- b. The Bureau of Planning and Sustainability acknowledges that the property must be maintained in City ownership and used for public purposes, including private/public partnerships that advance the goals and responsibilities of the City. If continued public use becomes no longer desirable, the property must be returned to Multnomah County as stipulated in the original deed of conveyance from Multnomah County, as referenced above.
- c. The Bureau of Planning and Sustainability acknowledges that the Bureau of Environmental Services granted a private sewer easement to an adjacent property owner in January 2000, allowing the adjacent property owner to connect to the public sewer system in SE Sherrett Street. Said sewer easement is depicted and recorded on Partition Plat No. 2000-47, recorded on May 3, 2000, Multnomah County Plat Records.
- d. That the Auditor shall return a certified copy of this Ordinance to the Facilities & Administrative Services Manager in the Bureau of Environmental Services, for recording in the Multnomah County Deed Records. The original recorded Ordinance shall be returned to the Auditor and the Bureau of Environmental Services shall keep a copy for their records and send a copy to the Bureau of Planning and Sustainability.

Section 2. The Council declares that an emergency exists because a delay in designating and assigning the property might cause confusion in the public records and prevent the Bureau of Planning and Sustainability from actively managing this site. Therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council,
Commissioner Nick Fish

Scott Turpen/lb
June 16, 2014

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JUL 02 2014

LaVonne Griffin-Valade
Auditor of the City of Portland


By



Deputy

Agenda No.
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 Title

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: FISH</p>	<p>CLERK USE: DATE FILED <u> JUN 27 2014 </u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By:  Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Environmental Services Bureau Head: Dean Marriott</p> <p>Prepared by: Scott Turpen / lb Date Prepared: June 16, 2014</p> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <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>City Auditor Office Approval: required for Code Ordinances</p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter</p> <p>Council Meeting Date 7/2/14</p>	<p>ACTION TAKEN:</p>

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	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Novick	4. Novick	✓	
Hales	Hales	✓	