

ORDINANCE No. 186814

*Authorize the acquisition, at a cost of \$125,000, of property adjacent to Hoyt Arboretum for park purposes. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. Ordinance No. 180626, passed by City Council on November 22, 2006, authorized purchase and sale agreements and deposit of Park System Development Charge (SDC) funds in escrow accounts to secure opportunities to purchase certain real properties.
2. The Trust for Public Land owns four parcels of land, totaling 2.24 acres, adjacent to Hoyt Arboretum in southwest Portland. The four parcels are identified as 1S1E05BC 600, 1S1E05BC 700, 1S1E05BC 900, and 1S1E05BC 1000 (“the Property”).
3. The Trust for Public Land has agreed to sell the Property to Portland Parks & Recreation (“Parks”) in accordance with the terms stated in the Agreement of Purchase and Sale dated September 12, 2014 (“the Agreement”), which was entered into pursuant to Ordinance 180626 and is attached hereto as Exhibit A.
4. The purchase price is \$125,000. The property was appraised at \$315,000 in March 2014.
5. This acquisition will expand Hoyt Arboretum, allow for needed rerouting of trails, and provide an ecological buffer between the arboretum and nearby development, which will enhance water quality and habitat at Hoyt Arboretum. Additionally, the Property contains some large trees that are over 100 years old. This type of forest provides habitat for wildlife like the pileated woodpecker.
6. Parks has completed its due diligence, including a Phase I environmental assessment, and is satisfied with the condition of the Property.
7. The Director of Parks reports that the Property meets the Parks’ SDC acquisition guidelines and that there is adequate revenue from the Park SDC to fund the acquisition of the Property.

NOW, THEREFORE, The Council Directs:

- a. The Director of Parks is authorized to execute all closing documents and take all other actions necessary to close the transaction in accordance with the Agreement and any amendments thereto. All documents will be approved as to form by the City Attorney prior to execution;
- b. The Director of Parks is directed to deposit from Park SDC acquisition revenue, the purchase price and closing costs into an escrow account established for the purpose of the acquisition of the Property;
- c. The Director of Parks is directed to immediately fund one-time stabilization costs

of up to \$3000 from Parks' SDC funds.

- d. The Director of Parks is directed to add the Property to the City's Park inventory upon closing.
- e. In accepting responsibility for the Property, the Council acknowledges the need to fund the on-going O&M costs estimated at \$4,300 per year and directs the City Budget Office to increase PP&R's ongoing current appropriation level (CAL) by that amount beginning in FY 2015-16.

Section 2. The Council declares that an emergency exists in order to avoid further delay in the acquiring the Property; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: **OCT 01 2014**
Commissioner Fritz
Prepared by: Zalane Nunn

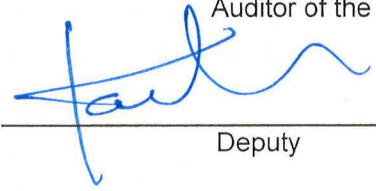
LaVonne Griffin-Valade
Auditor of the City of Portland

By
Deputy



Agenda No. **186814**
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 Title

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INTRODUCED BY Commissioner/Auditor: Fritz	CLERK USE: DATE FILED <u>SEP 26 2014</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz <i>Amo 26 Feb</i> Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	LaVonne Griffin-Valade Auditor of the City of Portland By:  Deputy ACTION TAKEN:
BUREAU APPROVAL Bureau: Parks Bureau Head: <i>Mike Abbate</i> Prepared by: Zalane Nunn Date Prepared: September 15, 2014 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 October 1, 2014	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>AA</i>	(MS 29 100)

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