

ORDINANCE No. 186816

*Designate and assign a property at SE Malden Ct and 87th Ave, 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 at SE Malden Court and 87th Avenue, 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 Malden Property as a "definite" site suitable for urban agriculture.
3. 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 southwest quarter of Section 21, T1S, R2E, W.M., City of Portland, County of Multnomah, State of Oregon, being a portion of Lot 5, Block 1, Edge O'Town Villas Addition, more particularly described in Book 2580, Page 836, recorded

on August 25, 1992, Multnomah County Deed Records. Said parcel contains 16,500 square feet (.38 acres), more or less, and is depicted on attached Exhibit A. (1S2E21CB 3900; R154066)

- 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. 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

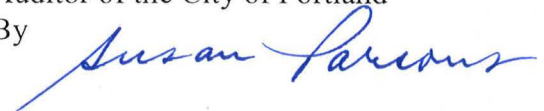
Scott Turpen/lb
September 2, 2014

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OCT 01 2014

LaVonne Griffin-Valade
Auditor of the City of Portland

By



Deputy

Agenda No.
ORDINANCE NO. 186816

Title

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<p>INTRODUCED BY Commissioner/Auditor: FISH</p>	<p>CLERK USE: DATE FILED <u>SEP 26 2014</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish <i>[Signature]</i></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 style="text-align: center;"><i>[Signature]</i> By: _____ Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Environmental Services Bureau Head: Dean Marriott <i>[Signature]</i></p> <p>Prepared by: Scott Turpen / lb Date Prepared: September 2, 2014</p> <p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/> <i>ell</i></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 10/1/14</p>	<p>ACTION TAKEN:</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. Novick	4. Novick	✓	
Hales	Hales	✓	