

## ORDINANCE No. 187763

\* Authorize an Intergovernmental Agreement with Metro and associated easement documents for the One North / Nature in Neighborhoods project (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The One North development is in the Boise neighborhood of North Portland, in the 3500 block of the North Vancouver / North Williams Avenue corridor, adjacent to North Fremont Street.
2. Catlin Gabel School, in coordination with the developer, applied for and received a Nature In Neighborhoods grant from Metro to create a unique public space at One North (the "Courtyard").
3. The developer constructed the Courtyard, as depicted on the attached Exhibit 1.
4. The Courtyard offers approximately 14,000 square feet of public gathering space nestled between three new mixed-use buildings. The Courtyard will provide an active, green community space that is regularly programmed with activities offered in part by the One North advisory board and anchor partners, including Catlin Gabel.
5. One North's Courtyard is a centrally located, community courtyard and a natural sanctuary in a dense urban area. The Courtyard fulfills a key priority of the neighborhood to create abundant and vibrant outdoor space for residents, customers and visitors as it becomes increasingly built-out.
6. Metro's grant requires the developer to convey to the applicant certain easements for public access to the Courtyard. The developer will grant Catlin Gabel an easement through the Courtyard Easement Agreement ("Easement"), attached as Exhibit 2.
7. Metro's bonding measure requires a government sponsor to be the ultimate holder of the easement. The Portland Bureau of Transportation (PBOT), as the steward of the right-of-way that runs through the middle of the Courtyard, has agreed to act as the government sponsor.
8. PBOT, through the IGA attached as Exhibit 3, will acquire the Easement through an Assignment of Courtyard Easement Agreement ("Assignment"), attached as Exhibit 4.
9. PBOT's effort to acquire the Easement for this project is funded by the developer and does not have a net impact on PBOT's budget. The cost for maintaining the

Courtyard is to be borne by the adjacent property owners of the One North development.

NOW, THEREFORE, the Council directs:

- a. That the Commissioner-in-Charge is hereby authorized to execute the IGA and Assignment in substantially the same forms as attached as Exhibits 3 and 4, respectively.

Section 2. The Council declares that an emergency exists because construction of One North is complete and further delay in the easement transfer and subsequent disbursement of the Metro grant funds will create a financial burden for the developers; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council,

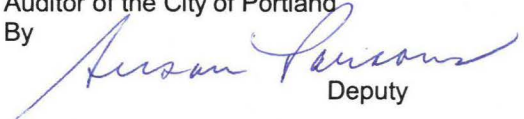
MAY 25 2016

Commissioner Steve Novick  
Prepared by: Karl Arruda: ck  
Date Prepared: March 29, 2016

**Mary Hull Caballero**

Auditor of the City of Portland

By

A handwritten signature in blue ink, appearing to read "Susan Parsons", is written over the printed name and title of the Deputy Auditor.

Deputy

Agenda No. **187763**  
**ORDINANCE NO.**  
 Title

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<b>INTRODUCED BY</b> Commissioner/Auditor: <b>COMMISSIONER STEVE NOVICK</b>	CLERK USE: DATE FILED <u>MAY 17 2016</u>
<b>COMMISSIONER APPROVAL</b> Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick <i>CW</i>	Mary Hull Caballero Auditor of the City of Portland By: <i>[Signature]</i> Deputy ACTION TAKEN:
<b>BUREAU APPROVAL</b> Bureau: <b>Transportation</b> Development, Permitting & Transit Group Manager: <b>Christine Leon</b> <i>[Signature]</i> Division Mgr: Assistant Director: <b>Maurice Henderson</b> <i>[Signature]</i> Prepared by: Karl Arruda: ck <i>KNA</i> Date Prepared: March 29, 2016 Supervisor: Dave McElDowney <i>DM</i>	<i>2/1/16 5/2/16</i>
Impact 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"/>	
<b>City Auditor Office Approval:</b> required for Code Ordinances	
<b>City Attorney Approval:</b> required for contract, code, easement, franchise, comp plan, charter <i>[Signature]</i>	
<b>Council Meeting Date</b> <b>May 25, 2016</b>	

<b>AGENDA</b> <b>TIME CERTAIN</b> <input checked="" type="checkbox"/> <i>Moved to Reg Agenda</i> Start time: <u>2:00</u> Total amount of time needed: <u>30</u> (for presentation, testimony and discussion) <b>CONSENT</b> <input type="checkbox"/> <b>REGULAR</b> <input checked="" type="checkbox"/> Total amount of time needed: <u>10</u> <i>30</i> (for presentation, testimony and discussion)
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FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Novick	4. Novick	<input type="checkbox"/>	<input type="checkbox"/>
Hales	Hales	<input checked="" type="checkbox"/>	