



# 190771

Emergency Ordinance

## **\*Reassign operation and management of SW Main St right-of-way between SW Naito Pkwy and SW 1st Ave to the Bureau of Transportation and authorize a reduced lease rate to Multnomah County for a 10-year period**

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. On May 29, 1987, the City of Portland (“the City”) and Multnomah County (“the County”) entered into a lease for County property near the west end of the Hawthorne Bridge, with the intention of the City combining the land with SW Main Street right-of-way for the development of a surface parking lot.
2. On June 4, 1987, Portland City Council passed an ordinance (159738) authorizing the closure of SW Main Street between SW 1<sup>st</sup> Avenue and SW Front Avenue (now SW Naito Parkway), for development of a public parking lot.
3. Said ordinance also assigned operation and management of the parking lot from the Portland Bureau of Transportation (“PBOT”) to the Bureau of Parks and Recreation (“Parks”).
4. In July of 2013, the Legislature made a bipartisan commitment to support the construction of a new central courthouse, and in April of 2015, the Multnomah County Board of Commissioners approved the Hawthorne Bridgehead site for the central courthouse. On October 18, 2017, the City issued the building permit for the new courthouse, and on October 5, 2020, the new courthouse opened.
5. During the planning process for the new central courthouse, the County notified the City that it would be terminating the lease for County’s portion of the public parking lot and would be seeking to use the area for in-custody defendant transportation vehicles that the Multnomah County Sheriff’s Office uses to serve the needs of the new central courthouse, located one block to the south.

### Introduced by

[Commissioner Jo Ann Hardesty](#)

### Bureau

[Transportation](#)

### Contact

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### Requested Agenda Type

Regular

### Date and Time Information

#### Requested Council Date

April 13, 2022

#### Time Requested

10 Minutes

6. The County subsequently requested to lease the City's portion of the SW Main Street parking lot, resulting in negotiations with PBOT and Parks to identify a workable solution for all three agencies.
7. In lieu of paying a market rate for the first 10 years of the lease, the County, PBOT, and Parks negotiated the following items: a) The County would fund, design, and construct a multi-use path along the north side of the proposed parking lot within the SW Main Street right-of-way, between SW Naito Parkway and SW 1<sup>st</sup> Avenue; b) The County would compensate Parks \$19,731 for future improvements to a nearby parking lot; c) The County would construct approximately 500lf of conduit in SW Naito Parkway for PBOT; and d) The County would execute a Quitclaim Deed releasing reversionary interests in multiple properties assigned to both PBOT and Parks.
8. The City approved the use of the SW Main Street parking area on August 30, 2021 through a land use review decision #21-024645 PR.
9. The County executed a PBOT prepared lease on August 31, 2021 and are waiting for PBOT to accept the terms of the lease.

NOW, THEREFORE, the Council directs:

- A. That the operation and management of SW Main Street between SW Naito Parkway and SW 1st Avenue be reassigned to the PBOT.
- B. That in exchange for other valuable consideration, PBOT may lease a portion of the SW Main Street right-of-way to the County at the below-market rate of \$2,750 per year, for a 10-year period, prior to charging a market rate.

Section 2. The Council declares that an emergency exists because delay in executing the lease may delay the County's planned construction of the parking lot and the City's multi-use path; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council  
April 13, 2022

Auditor of the City of Portland  
Mary Hull Caballero

## Impact Statement

 [Impact Statement](#) (32.03 Kb)

## Budget Office Financial Impact Analysis

The expenses related to the proposed legislation have been included in the Bureau's FY 2022 Adopted Budget. There will be no additional appropriation beyond what was budgeted. Minimal staff time will be necessary and will not require more staffing levels.

Should the City Council not approve the ordinance, the County will not construct the multi-use path, compensate Parks for future improvements, or release reversionary interests in certain PBOT and Parks properties.

No adverse community impacts are anticipated from this proposed legislation.

## Agenda Items

### 73 Regular Agenda in [February 1-2, 2022 Council Agenda](#)

Referred to Commissioner of Public Affairs

### 281 Regular Agenda in [April 13-14, 2022 Council Agenda](#)

Passed

Commissioner Dan Ryan Yea

Commissioner Jo Ann Hardesty Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea