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191442

Emergency Ordinance

*Authorize Intergovernmental Agreement with Metro and accept grant for \$1,897,908 for the Kelley Point Park Trail Project

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. On September 19, 1984, Council passed Ordinance No. 156557 to transfer Kelley Point Park to the City from the Port of Portland. The park has had minimal maintenance and emergency repairs since the transfer.
2. On November 5, 1987, Council passed Ordinance No. 160237 adopting the Willamette Greenway Plan that includes the extension of the regional trail into Kelley Point Park. This was the first plan to propose connecting the trails at Kelley Point to the regional trail network.
3. On October 30, 2013, Council adopted Resolution No. 37040 to accept the North Portland Greenway Trail Alignment Plan for a continuous trail alignment from the Eastbank Esplanade into Kelley Point Park. The plan confirms closing this gap is a community priority.
4. On February 16, 2022, Council unanimously adopted Resolution No. 37652 authorizing the City of Portland to apply for Metro regional trail and federal transportation funding for the regional trail segment completion of the North Portland Willamette Greenway Trail (segment 1) through Kelley Point Park (the "Kelley Point Park Trail Project").
5. On September 29, 2022, Metro Council adopted Resolution No. [2022-5285](#), awarding the Kelley Point Park Trail Project grant for \$1,897,908 from the Metro 2019 Trails Bond program to implement the trail in a critical gap between the Marine Drive underpass and the existing trail terminus in Kelley Point Park.
6. The grant requires the recipient jurisdiction to identify funding match for the jurisdiction's project. The City, through Portland Parks &

Introduced by

[Commissioner Dan Ryan](#)

Bureau

[Parks & Recreation](#)

Contact

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Requested Agenda Type

Regular

Date and Time Information

Requested Council Date

September 6, 2023

Time Requested

15 minutes

Recreation (PP&R), will have \$813,389 in matching System Development funds for the Kelley Point Park Trail Project from approved System Development Charge - Parks Capital Construction.

7. PP&R negotiated with Metro on the terms and conditions for an Intergovernmental Agreement (IGA) which PP&R recommends for the City to execute upon Council authorization.

NOW, THEREFORE, the Council directs:

- A. The Mayor is hereby authorized to execute an intergovernmental agreement to accept a grant from Metro for the Kelley Point Park Trail Project in the amount of \$1,897,908 in substantially similar form as attached Exhibit A, upon approval as to form by the City Attorney.
- B. The OMF Grants Office is authorized to perform all administrative matters in relation to the grant application, grant agreement or amendments, requests for reimbursement from the grantor, and to submit required online grant documents on the Mayor's behalf.
- C. The FY 2023/2024 budget is hereby amended as follows:
GRANT FUND
Fund-217
Business Area: PK00
Bureau Program Expenses: \$550,00

Section 2. The Council declares that an emergency exists because a delay would unnecessarily delay the City's ability to perform the activities authorized by the grant; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2023/exhibit-a-iga_trailsgrant_ppr_npgreenway_final.docx\)](https://www.portland.gov/sites/default/files/council-documents/2023/exhibit-a-iga_trailsgrant_ppr_npgreenway_final.docx) 179.77 KB

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
September 6, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

The Kelley Point Park Trail project extends the npGREENWAY into Kelley Point Park. The proposed ADA accessible trail will be ten-foot-wide paved asphalt with two-foot-wide gravel shoulders on each side for a 14-foot total width thus matching the width of existing trail connections at either end. The trail will include earthwork, habitat restoration, wayfinding signage, trail-edge striping, and a bike/pedestrian counter. This project improves safety by completing a gap in the system and allowing people walking and biking to avoid crossing NE Marine Drive at-grade and enter the park on a separated multi-use path. NE Marine Drive is identified by Portland Bureau of Transportation as a High Crash Corridor.

The Kelley Point Park Trail project provides a much-needed opportunity to access nature and recreation in the City of Portland by enhancing connectivity to and through Kelley Point Park. Kelley Point Park is a regional draw with significant access to nature opportunities such as: river and slough views, riverside sandy beach for strolling, wooded areas and trails, and a light watercraft launch. Kelley Point Park is one of only four parks in Portland Parks & Recreation's (PP&R's) system in which riverbank fishing is allowed. Portland Parks staff who frequent the park, have noticed that those who fish and use the park are very diverse, and include high numbers of immigrants, refugees, and people of color.

People of color are 3x more likely to live in neighborhoods without access to nature. The Kelley Point Park service area has 63.1% People of Color vs 30.5% citywide. This project will increase access to nature for all users and especially these underserved communities, helping the City of Portland reach its equity goals.

The project will benefit the public by advancing the City of Portland's equity goals. This major public trail project advances the City of Portland's Racial Equity Goal #3: "We will collaborate with communities and institutions to eliminate racial inequity in all areas of government, including... transportation..." This regional trail project will make bicycle and pedestrian travel modes more reliable and efficient, and ease congestion by remaining open and available for use by all members of the public (including people of color and those of historically marginalized communities).

Completing the gap in this trail will benefit the public by enhancing ADA access. The paved trail will be accessible to those with mobility issues, providing opportunities for healthy recreation and access to nature.

Financial and Budgetary Impacts

PROJECT	FUNDING SOURCE	GRANT AWARDED	MATCH (SDC'S)	TOTAL GRANT PROJECT AMOUNT
npGREENWAY:	2019			
Kelley Point	Metro	\$1,897,908	\$813,389	\$2,711,297
Park Trail	Trails Bond			

The funds will be used to pay for:

- Phase 1: Site Investigation - expected completion date August 30, 2023
- Phase 2: Schematic Design - expected completion date August 30, 2023
- Phase 3: Construction Documents - expected completion date January 30, 2024
- Phase 4: Permitting - expected completion date October 30, 2024
- Phase 5: Construction - expected completion date September 30, 2025

Budget detail:

In FY23-24 we estimate spending \$550,000 from the grant fund as detailed in the Budgetary Impact Statement below, and the rest of the grant fund will be spent from FY24 through 06/30/2027.

Community Impacts and Community Involvement

Since the project is focused on closing a gap in an existing trail system, the primary intent will be to inform impacted neighbors and stakeholders.

The community has been informed through signage in the park and information online. On March 2, 2023, the project manager met with the Parks Accessibility Advisory Committee (PAAC) to learn its members' thoughts on the proposed Kelley Point Park Trail alignments. PAAC members expressed strong support of the paved trail through the natural area because in Portland there are limited paved trails in natural areas, and PAAC members expressed a desire to interact with nature.

Additionally, this project has identified and provides the opportunity to rectify several barriers recognized in the Kelley Point Park ADA transition plan. More information will be shared when the proposed trail alignment is selected. A more extensive engagement process is planned for the other Kelley Point Park project focused on general park improvements. That will include consultation with Native/Indigenous communities and with individuals living with disabilities to help prioritize park improvements.

PP&R received widespread support for this project from several trail advocacy groups, including the 40-Mile Loop Trust, and the npGREENWAY organization.

Below is the community engagement messaging for the project.

To enhance the Kelley Point Park and regional trail users' experience, the future trail will:

- Complete the northern gap in the npGREENWAY creating nearly 8 miles of uninterrupted trail.
- Remove existing access barriers and provide an ADA accessible paved trail connection.
- Preserve the natural area by replacing multiple unsanctioned goat paths with a single formal regional paved trail.
- Provide access to nature for all.
- PP&R is leveraging approximately \$2 Metro dollars for every .85¢ spent.

100% Renewable Goal

This action does not increase or decrease the City's total energy use; however, this project fills a gap in a regional active transportation trail network.

Budgetary Impact Worksheet

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount
217007	PKSB000013	549000	PRINDEDE000000GP	P01014	PK000067	P01014	60,000.00
217007	PKSB000013	521000	PRINDEDE000000GP	P01014	PK000067	P01014	380,000.00
217007	PKSB000013	529100	PRINDEDE000000GP	P01014	PK000067	P01014	40,000.00
217007	PKSB000013	549200	PRINDEDE000000GP	P01014	PK000067	P01014	50,000.00
217007	PKSB000013	529000	PRINDEDE000000GP	P01014	PK000067	P01014	20,000.00
217007	PKSB000013	441100	PRINDEDE000000GP	P01014	PK000067	P01014	550,000.00

Budget Office Financial Impact Analysis

Metro is awarding the Kelley Point Park Trail Project grant of \$1,897,908 to the City of Portland. Portland Parks and Recreation will have \$813,389 in matching System Development funds from Parks Capital Construction. The total cost of the project is \$2,711,297. Project match minimum, as reviewed and approved by Metro, is 30% based on project location. The SDC match of

\$813,389 meets the minimum of 30%. \$550,000 will be budgeted from the grant fund for FY23-24; the rest will be budgeted from the grant fund from FY24 through June 30, 2027.

Agenda Items

755 Regular Agenda in [September 6, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/9/6)
(<https://www.portland.gov/council/agenda/2023/9/6>)

Passed

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Absent

Commissioner Dan Ryan Yea

Mayor Ted Wheeler Yea