

***Declare property located near the intersection of NE 90th Ave and NE Glisan Ave as surplus and authorize the Bureau of Transportation to dispose of the property by sale to the Eastside Church of Christ or Columbia ~~Bible~~ College Christian Schools under first option rights agreements, or by sale on the open market**

Emergency Ordinance

The City of Portland ordains:

Section 1. The Council finds:

1. In 1951, The City of Portland acquired a parcel of land from the Columbia Bible College (~~"CBC"~~) which subsequently changed its name to the Columbia Christian Schools ("CCS"). The 10,442 square foot parcel identified as tax lot number R319704, is located at the southeast corner of the intersection of NE 90th Ave and NE Glisan Ave (the "Property"). A legal description of the Property is attached as Exhibit A, and a site map description is attached as Exhibit B, and by this reference incorporated herein.
2. The City acquired the Property to serve as a bus turn around for the now defunct Glisan Bus. As a condition of the acquisition, ~~CBC~~ CCS reserved the first option to purchase the Property in the event the Property was no longer required for a bus turnaround. The ~~CBC~~ CCS subsequently assigned their first option to purchase to the Eastside Church of Christ ("ECOC") in 2016, through a Right of First Refusal (the "Agreement"). A copy of the 1951 Ordinance (94155) is attached as Exhibit C, and the Agreement is attached as Exhibit D, and by this reference incorporated herein.
3. The Portland Bureau of Transportation ("PBOT") currently leases the Property to the ECOC and no longer serves its original function as a bus turnaround.
4. The ECOC has expressed its interest to exercise their right to the Agreement and would like to move forward in good faith to purchase the Property from the City.
5. In August of 2023, PBOT worked with the Office of Management and Finance's City Real Property Coordinator to move the Property through the

City's Category 1 surplus property process. Under the Category 1 process, PBOT solicited comments from the bureau and declared it to be excess to its needs. The City Real Property Coordinator then notified other City bureaus of the intent to dispose of the Property. The Bureau of Environmental Services indicated it would require an easement over the sewer pipe that dips into the Property approximately 10 feet from the property line along NE Glisan St. Having received no further interest or objections from City bureaus, the Property is now presented to Council to be declared as surplus property for disposition.

6. In accordance with ADM 13.02, II.A.5, Disposition of City Real Property, PBOT determined that due to the first option to purchase identified in Ordinance 94155, and the subsequent Agreement, this Property may not be disposed of without first offering the property to the aforementioned parties.
7. However, if PBOT cannot come to terms with the ECOC or ~~CBCS~~ for a sale based on fair market value, PBOT will move the Property through the City's Category 3 surplus property process. That process would include an additional notice to external parties by declaring its availability online at the Citywide Surplus Real Property site website, a 60-day public comment period with notice to the public, and notification to other local, regional, and state jurisdictions of the available Property.

NOW, THEREFORE, the Council directs:

- A. The Property is declared to be surplus real property and that PBOT is authorized to dispose of the Property by sale to the ECOC or ~~CBCS~~. If PBOT cannot come to terms with the ECOC or ~~CBCS~~ for fair market value, Council authorizes PBOT to move the Property through the City's Category 3 surplus disposition process and to dispose of the Property by sale on the open market.
- B. PBOT, through its Director or designee, is authorized to execute on behalf of the City any and all documents required for disposition and conveyance of title to the Property. All documents shall be subject to approval as to form by the City Attorney.

Section 2. The Council declares that an emergency exists because a delay in disposing of the Property would unreasonably impact the sale of the Property and the return of funds to PBOT; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Impact Statement

Purpose of Proposed Legislation and Background Information

Declare the property at NE 90th Ave and NE Glisan Ave. surplus real property and authorize the Bureau of Transportation to dispose of the property to the Eastside Church of Christ, the Columbia ~~Bible College~~Christian Schools, or by sale on the open market if the City cannot agree to terms with either party.

Financial and Budgetary Impacts

Upon council action, PBOT would secure an independent appraisal of the property and offer the Eastside Church of Christ a fair market value based on the highest and best use. If PBOT cannot come to an agreement with the Eastside Church of Christ, then the property would be offered to the Columbia ~~Bible College~~Christian Schools. If PBOT cannot come to terms with the Columbia ~~Bible College~~Christian Schools, then the property would be offered on the open market.

The anticipated revenue is not in the FY 23-24 budget, however the actual one-time revenue would be applied by the end of the fiscal year in which revenue is received.

This will be a net benefit as the property would be returned to City tax rolls and ongoing maintenance and liability to PBOT would be eliminated.

Community Impacts and Community Involvement

PBOT anticipates little or no impact on the community.

100% Renewable Goal

Not Applicable