

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING)	RESOLUTION NO.01-3029
THE EXECUTIVE OFFICER TO)	
RELINQUISH TITLE TO METRO)	
PROPERTY TO THE CITY OF)	
PORTLAND'S BUREAU OF)	Introduced by Mike Burton
ENVIRONMENTAL SERVICES)	Executive Officer

WHEREAS, in 1990, Multnomah County's Parks Services Division received two (2) adjoining 5,000 sq. ft. lots, located near Beggar's-tick Wildlife Refuge (the "Property") from Multnomah County Property Management via tax foreclosure; and

WHEREAS, the Property was part of Multnomah County's park property portfolio that was transferred to Metro in 1996 and became part of Metro's Regional Parks and Greenspaces Department; and

WHEREAS, The Property is not needed for Metro's public use, because it is not adjacent to Beggar's-tick Wildlife Refuge, consists primarily of low grade fill material and blackberries and has little ecological value; and

WHEREAS, Metro wishes to further the public interest by relinquishing title to the Property to the City of Portland's Bureau of Environmental Services (BES) for public use as part of their Johnson Creek flood control storage and management area; and

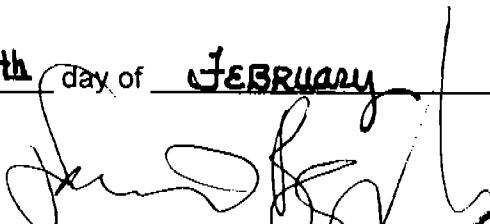
WHEREAS, transfer of title to BES would be subject to the condition that the Property reverts back to Metro should it cease to be used for public purposes; and

WHEREAS, on November 7, 2000, the Regional Parks and Greenspaces Advisory Committee approved staff's recommendation to transfer the Property to BES, with the reversionary condition; now therefore

BE IT RESOLVED,

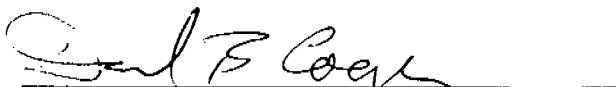
That the Metro Council approves and authorizes the Executive Officer to relinquish title to the Property to the City of Portland's Bureau of Environmental Services (BES) by statutory bargain and sale deed, with the condition that the Property reverts back to Metro should it cease to be used for public purposes.

ADOPTED by the Metro Council this 15th day of FEBRUARY, 2001

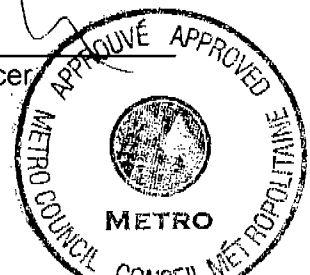


 David Bragdon, Presiding Officer

Approved as to Form:



 Daniel B. Cooper, General Counsel



NATURAL RESOURCES COMMITTEE REPORT

CONSIDERATION OF RESOLUTION NO. 01-3029, FOR THE PURPOSE OF AUTHORIZING THE EXECUTIVE OFFICER TO RELINQUISH TITLE TO METRO PROPERTY TO THE CITY OF PORTLAND'S BUREAU OF ENVIRONMENTAL SERVICES

Date: February 15, 2001

Presented by: Councilor McLain

Committee Action: At its February 7, 2001 meeting, the Natural Resources Committee voted 3-0 to recommend Council adoption of Resolution 01-3029. Voting in favor: Councilors Atherton, McLain and Hosticka.

Background: Resolution No. 01-3029 transfers two adjoining 5,000 square foot parcels to the city of Portland. These parcels, which came to Metro with the transfer of the Multnomah County parks portfolio in 1996, are near Beggar's Tick Wildlife Refuge. It was tax-foreclosed property, which is in the Johnson creek floodplain and contains low-grade fill material.

Metro has received notice that it would be assessed \$6,200 relative to this property, as part of a Local Improvement District (LID) effort that would pave streets, and install sidewalks nearby. Transferring the property to Portland helps insure that the land continue to be used as floodplain management. Metro will also forego the \$6,200 payment.

- Existing Law: Metro is allowed to transfer this property, with Council authorization, and subject to state law ORS 271.330 and Metro code 2.04.26 (a) (3).
- Budget Impact: Metro foregoes the \$6,200 assessment. The property will revert back to Metro if it ceases to be used for a public purpose. Metro will save a nominal amount of upkeep, since management responsibilities for the property will transfer to the city's Bureau of Environmental Services.

Committee Issues/Discussion: The committee clarified that the "public purpose" to which the property could arguably be put, could include public housing or office use. However, this property is in the Johnson Creek flood plain, and the city has indicated that it intends to use it as a flood control and management area.

REGIONAL PARKS AND GREENSPACES STAFF REPORT

CONSIDERATION OF RESOLUTION NO. 01-3029 FOR THE PURPOSE OF AUTHORIZING THE EXECUTIVE OFFICER TO RELINQUISH TITLE OF METRO PROPERTY TO THE CITY OF PORTLAND'S BUREAU OF ENVIRONMENTAL SERVICES.

Date: January 10, 2001

Presented by:
Charles Ciecko, Director
Dan Kromer, O & M Manager
Regional Parks and Greenspaces

Proposed Action

Resolution No. 01-~~3029~~ requests authorization for the Executive Officer to relinquish title of Metro property (the "Property") to the City of Portland's Bureau of Environmental Services (BES).

Existing Legislation

Metro Code 2.04.26 (a) (3) requires that the Executive Officer obtain the authorization of the Metro Council prior to executing any contract for the purchase, sale, lease or transfer of real property. Oregon Revised Statutes (ORS) 271.330 grants express power by any political subdivision to, "relinquish the title to any of its property not needed for public use to any governmental body, providing such property shall be used for not less than 20 years for a public purpose by the governmental body in the State of Oregon".

Background and Analysis

In 1990, Multnomah County's Property Management transferred to the then County's Parks Services Division the Property, two (2) adjoining 5,000 sq. ft. lots near Beggar's-tick Wildlife Refuge. The Property is taxed foreclosed land that Property Management received from the County's Assessment and Taxation in 1980. The Property was part of the County's park property portfolio that was transferred over to Metro in 1996 and became part of the Regional Parks and Greenspaces Department. The Property, which lies in the Johnson Creek floodplain, is frequently flooded and consists primarily of low grade fill material, blackberries and borders a pallet storage facility.

Recently, the City of Portland's Department of Transportation (PDOT) notified Metro that they were planning to pave the street and install sidewalks in the area adjacent to the Property as part of a Local Improvement District (LID). Because of this improvement, Metro would be assessed \$6,200. Since the Property has little ecological value and is not physically connected to Beggar's-tick Wildlife Refuge, Regional Parks and Greenspaces contacted BES to see if they might be interested in owning the Property as part of their Johnson Creek flood control management area. BES has expressed interest in this idea (Attachment A).

The Regional Parks and Greenspaces Advisory Committee, at their November 7, 2000 meeting, approved staff's recommendation to transfer the Property to BES, with the condition that the Property revert back to Metro should its use for "public purposes" be altered.

Findings

Authorizing the Executive Officer to relinquish title of the Property to the BES is recommended, based on the following:

- The Property consists primarily of low grade fill material and blackberries and has little ecological value.
- BES is interested in owning the Property as part of their Johnson Creek flood control storage and management area.
- The Property is not physically connected to Beggars-tick Wildlife Refuge or any other Metro owned property.
- Transfer of ownership to BES would include the condition that the Property reverts back to Metro should its use for public purposes be altered.
- The management of the Property by BES will reduce upkeep responsibilities by Metro's park staff, while ensuring that the Property remains for public purposes.

Budget Impact:

Metro will not be responsible for the \$6,200 that will be assessed on the Property as part of a Local Improvement District (LID). BES will assume all management, maintenance and operation responsibilities of the Property. This transfer of responsibilities will minimally reduce Regional Parks and Greenspaces future operation and maintenance expenses.

Executive Officer's Recommendation:

The Executive Officer recommends adoption of Resolution No. 01- _____.



CITY OF PORTLAND ENVIRONMENTAL SERVICES



1120 SW Fifth Avenue, Room 1000, Portland, Oregon 97204-1912

503-823-7740, FAX 503-823-6995

Dean Marriott, Director

MEMORANDUM

Date: 10/24/00

To: Dan Kromer, Metro Greenspaces

From: Daniela Brod, Johnson Creek Watershed Manager 

Re: Lots 6 & 7, Block 33, MENTONE, Request to transfer property
from Metro to City of Portland's BES

The above property lies within a frequently – flooded portion of the Johnson Creek floodplain. In addition, it is my understanding that the property currently has a deed restriction upon it that restricts its use for “public purposes”. Due to the flood prone characteristics of this property, its associated limited development potential, and its close proximity to other publicly-owned property purchased for the purposes of flood storage and water quality improvements, BES is interested in owning this property.

I will wait to hear from you after you receive input from your Parks Advisory Board before pursuing City process to accept this parcel.

Thank you.



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ENVIRONMENTAL SERVICES



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METRO REGIONAL PARKS and Greenspaces

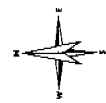
Regional Facilities



- Taxlots
- Urban Growth Boundary
- City Boundaries

OWNERSHIP

- Federal
- State
- County (> .2 acres)
- City
- School District
- Service District
- Parks/Open Space
- Cemeteries



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