

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF DEDICATING)
A METRO OPEN SPACES PROGRAM)
ACQUISITION IN THE TRYON CREEK)
LINKAGES TARGET AREA)

ORDINANCE NO. 01-904
Introduced by Mike Burton
Executive Officer

WHEREAS, in July 1992, Metro completed the Metropolitan Greenspaces Master Plan which identified a desired regional system of natural areas interconnected with greenways and trails; and

WHEREAS, at the election held on May 16, 1995, the Metro area voters approved the Open Spaces, Parks and Streams Bond Measure (Ballot Measure 26-26) which authorized Metro to issue \$135.6 million in general obligation bonds to finance land acquisition and certain park-related capital improvements; and

WHEREAS, on April 26, 1996, via Resolution 96-2330, the Metro Council adopted a refinement plan and confidential tax-lot specific refinement map for the Tryon Creek Linkages Target Area which identified acquisition of a 9.6-acre property owned by Tree Products Enterprises (the "Property," further described in Exhibit A) as a Tier 1 objective; and

WHEREAS, in July of 1996, Metro purchased the Property from Tree Products Enterprises; and

WHEREAS, Chapter 2.16 of the Metro Code sets forth a policy for the naming of facilities owned or operated by Metro; and

WHEREAS, Section 2.16.020 (d) of the Metro Code states "A Metro facility may be named for a deceased person in recognition of the person's significant contribution of effort or money in support of the facility or its construction or mission, in conformance with an adopted policy of the Metro Council."; and

WHEREAS, former Metro Councilor and Presiding Officer, the late Judy Wyers made a significant contribution to the Metro Open Spaces program through her role in the adoption of the Greenspaces Master Plan, the passage of the Metro Open Spaces, Parks, and Streams bond measure and the inclusion of the Tryon Creek Linkages as one of the designated "target areas" eligible for bond funds; and

WHEREAS, the Property is located in Southwest Portland, in what is now Metro District 7, formerly represented by Councilor Wyers; and

WHEREAS, a master plan has not been adopted for the Property, but it is informally used and cared for by the area residents; and

WHEREAS, support exists among key stakeholders, including the Portland Parks and Recreation Department, which manages the Property under an intergovernmental agreement, and members of the Metro Council and staff for dedicating and naming the

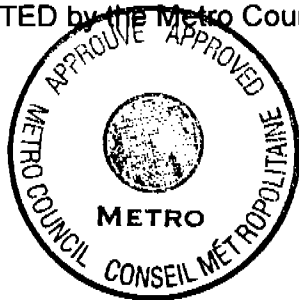
Property "Judy Wyers Park" or "Judy Wyers Greenspace" and incorporating said label into any future master plan for the Property; and

WHEREAS, immediate recognition in honor of former Councilor and Presiding Officer Wyers may be accomplished by a sign on the Property stating "This Metro greenspace is dedicated to the memory of former Metro Councilor Judy Wyers, who served on the Metro Council from 1989 to 1995, and whose leadership contributed greatly to the passage of the Metro Greenspaces Master Plan, the 1995 Metro Open Spaces Parks and Streams bond measure and the preservation of this open space," or words to that effect; now therefore

THE METRO COUNCIL ORDAINS AS FOLLOWS:

This ordinance recognizes the important contribution to the Tryon Creek area of Southwest Portland by former Metro Councilor Judy Wyers through the dedication and naming in her honor of a 9.6-acre Metro property, identified in Exhibit A, and this Ordinance shall be effective immediately upon passage.

ADOPTED by the Metro Council this 17th day of May, 2001.



David Bragdon, Presiding Officer

ATTEST:

Recording Secretary

Approved as to Form:

Daniel B. Cooper, General Counsel

EXHIBIT "A"

Legal Description:

A tract of land situated in the Northwest one-quarter of Section 28, Township 1 South, Range 1 East of the Willamette Meridian, in the City of Portland, County of Multnomah and State of Oregon, being a part of Lots 8 and 9, BALMER TRACTS BLOCK 4, and Lots 18, 19, 23 and part of Lot 24, EDGECLIFF, being more particularly described as follows:

Beginning at a ½ inch iron pipe at the Northeast corner of Lot 8, BALMER TRACTS BLOCK 4; thence North 89° 26' 12" West along the North line of said Lot 8, a distance of 331.14 feet to a point; thence leaving said North line, North 00° 07' 49" West 113.41 feet to a ⅝ inch iron rod; thence North 89° 56' 59" West 331.88 feet to a ¾ inch iron pipe at the Northeast corner of Lot 18, EDGECLIFF, said ¾ inch iron pipe bears North 110.43 feet from the Northwest corner of Lot 8, BALMER TRACTS BLOCK 4; thence from said Northeast corner of Lot 18, North 89° 50' 16" West along the North line of said Lot 18, a distance of 225.84 feet to the East right of way line of S.W. Lancaster Road (County Road No. 1415-60); thence Southwesterly along said Easterly right of way line on a curve to the right, having a radius of 155.00 feet from a central angle of 65° 22' 05" (chord bears South 32° 20' 08" West 167.40 feet) an arc distance of 176.84 feet to the most Westerly corner of Lot 19, EDGECLIFF; thence leaving said Easterly right of way line, South 27° 47' 56" East along the Southwesterly line of said Lot 19, a distance of 135.36 feet to a ½ inch iron pipe at the most Southerly Southwest corner thereof; thence South 00° 02' 34" West along the West line of Lot 23, a distance of 187.39 feet to a ½ inch iron pipe in the Northerly right of way line of S.W. Lancaster Road; thence South 74° 45' 50" East along said right of way line, 61.84 feet to a point of curve; thence along said right of way line on a curve to the right having a radius of 250.40 feet through a central angle of 17° 03' 13" (chord bears South 66° 14' 13" East 74.25 feet) an arc distance of 74.53 feet to the intersection with the West line of Lot 24, EDGECLIFF; thence leaving said Northerly right of way line, North 00° 01' 17" East along the West line of Lot 24, a distance of 153.44 feet to a ⅝ inch iron rod; thence leaving said West line, South 89° 56' 45" East parallel with and 80.00 feet Southerly, when measured at right angles to the North line of said Lot 24, a distance of 124.75 feet to a ⅝ inch iron rod in the East line of said Lot 24, said ⅝ inch iron rod also being on the West line of Lot 8, BALMER TRACTS BLOCK 4; thence South 00° 00' 00" East along the West line of said Lot 8, BALMER TRACTS BLOCK 4, a distance of 170.50 feet to the Southwest corner of said Lot 8; thence South 89° 28' 50" East along the South line of said Lot 8, a distance of 205.96 feet to the Northwest corner of Lot 9, BALMER TRACTS BLOCK 4; thence South 00° 00' 00" East along the West line of said Lot 9, a distance of 191.63 feet to the Southwest corner of said Lot 9; thence South 89° 36' 33" East along the South line of said Lot 9, a distance of 306.97 feet to a ⅝ inch iron rod; thence leaving said South line, North 00° 02' 00" East parallel with and 150.00 feet Westerly of the East line of Lots 9 and 8, BALMER TRACTS BLOCK 4, a distance of 516.23 feet to a ⅝ inch iron rod at the Northwest corner of a tract of land described in Deed Book 2121, Page 139; thence South 89° 26' 12" East along the North line of said tract described in Book 2121, Page 139, a distance of 150.00 feet to a point in the East line of Lot 8, BALMER TRACTS BLOCK 4; thence North 00° 02' 00" East along said East line, 75.17 feet to the point of beginning.

Staff Report

CONSIDERATION OF ORDINANCE NO. 01-904 FOR THE PURPOSE OF DEDICATING A METRO OPEN SPACES SITE IN THE TRYON CREEK LINKAGES TARGET AREA

Date: April 11, 2001

Presented by:

**Charles Ciecko
Jim Desmond**

Proposed Action

Ordinance No. 01-904 requests authorization for the dedication of a 9.6-acre site in Southwest Portland to former Metro Councilor, the late Judy Wyers.

Existing Legislation

Metro Code Chapter 2.16 was established to provide a policy for the naming of facilities owned or operated by Metro. Section 2.16.20 (a) states "Facilities owned by Metro shall be named through adoption of an ordinance by the Metro Council." Section 2.16.20 states " ... When the council deems it to be practicable and advisable, the name may also reflect the facility's ownership ... or the contribution of effort made by a person or persons toward its construction, acquisition, or operation." Section 2.16.020 (d) states "A Metro facility may be named for a deceased person in recognition of the person's significant contribution of effort or money in support of the facility or its construction or mission; in conformance with an adopted policy of the Metro Council." The Open Spaces Implementation Work Plan, adopted by the Metro Council via Resolution 96-2424, was established to implement the Open Spaces, Parks and Streams bond measure passed by the voters of the region in 1995. Via Resolution 96-2330, the Metro Council approved the Tryon Creek Linkages target area refinement plan tax-lot specific map, which includes the subject 9.6-acre Metro property (further described in Exhibit A), and authorized Metro to purchase the property. This ordinance proposes to dedicate and name the property in honor of Judy Wyers, former Metro Councilor.

Background and Analysis

In May 1995, the Metro area voters approved the Open Spaces, Parks and Streams Bond Measure that authorized Metro to issue \$135.6 million in general obligation bonds to finance land acquisition and certain park-related capital improvements. On April 26, 1996, via Resolution 96-2330, the Metro Council adopted a refinement plan that outlined a land protection strategy for the Tryon Creek Linkages regional target area.

The 9.6-acre site located between SW Lancaster Road and SW Collins Court was purchased by Metro in July of 1996 from Tree Products Enterprises. However, it was known locally as both the Balmer Dairy property and the Foley property, after its original use and after the family that owned it prior to 1996, respectively. After closing, Metro entered into an Intergovernmental Agreement with the City of Portland Parks Department for management and maintenance of the property.

Judy Wyers was a Metro Councilor, representing the District in which the 9.6-acre Metro property lies, between January 1989 and January 1995. She was Presiding Officer of the Metro Council in 1993 and 1994. Councilor Wyers presided over the Council when Multnomah County transferred their parks to Metro, creating the Regional Parks and Greenspaces Department in 1994.

The aforementioned Metro property lies in Councilor Wyers' former district, and it was protected as a result of Councilor Wyers' support and tireless advocacy of identifying the Tryon Creek Linkages as a bond measure target area. In addition, the 9.6-acre Metro property was one of the top priorities identified for acquisition prior to the 1995 passage of the bond measure. The Open Spaces Acquisition staff has received supportive comments from several key stakeholders regarding the proposed naming of the property, including the Portland Parks and Recreation Department.

The Metro property has already been functioning as a neighborhood park and natural area as it is surrounded by residential development and has been informally adopted by the area residents. Groups such as the Marshall Park Neighborhood Association and the Tryon Creek Corridor Committee have done extensive restorative work on the property and help keep vandalism and degradation to a minimum. Two creeks join with Tryon Creek on the property, creating a peaceful atmosphere in this "pocket" of southwest Portland. According to a biological study done in early 1996, "The west/southwest portion of the site is dominated by a western red cedar forest with approximately 90-95% canopy closure. Because the site sits on a broad flat and includes the confluence of major tributaries and the mainstem Tryon Creek, the site has great potential to provide stormwater and water quality benefits."

Naming this site "Judy Wyers Park" or "Judy Wyers Greenspace" or similarly appropriate designation, after Councilor Wyers, would be a fitting recognition of the significant contributions that Councilor Wyers made in the adoption of the Greenspaces Master Plan, the creation of Metro's Regional Parks and Greenspaces Department, the passage of the Metro Open Spaces, Parks and Streams bond measure, and the inclusion of Tryon Creek as one of the designated "target areas" eligible for bond funds.

The site is not formally open for public use and there is no master plan for the site. But it is informally used and cared for by neighbors and other Southwest Portland residents. A signpost at the entry to the site includes a sign that states that the property was purchased with funds from the Metro Open Spaces, Parks and Streams measure and is now managed by Portland Parks and Recreation. Pending a formal master plan for the properties acquired in the Tryon Creek Linkage target area, when the new label may be more effectively and appropriately incorporated into the facility, a sign can be erected on the same sign post at the entry which reads: "This Metro greenspace is dedicated to the memory of former Metro Councilor Judy Wyers, who served on the Metro Council from 1989 to 1995, and whose leadership contributed greatly to the passage of the Metro Greenspaces Master Plan, the 1995 Metro Open Spaces, Parks and Streams bond measure and the preservation of this open space."

FINDINGS

Adoption of this ordinance is recommended based on the following:

- Judy Wyers was very instrumental in persuading the Metro Council and the public at large to include the Tryon Creek Linkages target area in the Open Spaces, Parks and Streams bond measure. In particular, she championed the 9.6-acre site as one of the top priorities for purchase, and it was the second property acquired in the target area.
- Judy Wyers was an effective representative of Southwest Portland, representing the area that is now District 7 on the Metro Council, acknowledged for her support of the mission of the Greenspaces Master Plan, the passage of the 1995 Metro Open Spaces, Parks and Streams bond measure and preservation of this 9.6-acre property.
- Passage of this ordinance enjoys support from residents and stakeholders in the Tryon Creek Linkages area, and from the family of Judy Wyers.
- If more formal improvements are ever made at the site, following an adopted Master Plan for the property, that Plan and those improvements would incorporate the name Judy Wyers.

BUDGET IMPACT

Since the property is not a named property yet, the only budget impact may be in signage. Although the IGA with the City of Portland requires the City to provide certain signs for the property, funds for new signage will be provided by Metro.

EXECUTIVE OFFICER'S RECOMMENDATION

The Executive Officer recommends passage of Ordinance 01-904.