

ORDINANCE No. 178558

* Authorize a Maintenance and Reimbursement Agreement with the Eastmoreland Neighborhood Association, SE Uplift Neighborhood Coalition and the Bureau of Parks and Recreation for the new Eastmoreland Garden (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The City of Portland owns and has assigned to the Bureau of Parks and Recreation (“PPR”) a 17,804 square foot property at 2425 SE Bybee Boulevard, Portland, Oregon.
2. The Eastmoreland Neighborhood Association (“ENA”) desires to construct and maintain a neighborhood garden on a currently unimproved site, to be known as Eastmoreland Garden.
3. The ENA will take responsibility for the long-term maintenance of the garden by terms of a Maintenance Agreement including the establishment of a private-purpose trust fund of \$5,000. The estimated value of the annual maintenance at the garden, which the ENA has taken responsibility for, is \$20,000.
4. The ENA will reimburse PPR for Project Management of the garden, not to exceed \$1,827.00 by terms of a Reimbursement Agreement.
5. The Director of Parks and Recreation recommends the approval of the Maintenance Agreement and Reimbursement Agreement.

NOW, THEREFORE, the Council directs:

- a. The Commissioner in Charge of Portland Parks and Recreation and the City Auditor are authorized to execute the Maintenance Agreement and the Reimbursement Agreement on behalf of the City of Portland substantially in the form of the Agreement attached to this Ordinance as Exhibit A with the Eastmoreland Neighborhood Association and the SE Uplift Neighborhood Coalition.
- b. The ENA maintenance funds will be deposited into a dedicated center code of the Portland Parks Trust Fund as a private-purpose trust fund.

Section 2. The Council declares that an emergency exists because this maintenance agreement is necessary for ENA to begin construction on the garden, which has already suffered delay; therefore, this Ordinance shall be in full force and effect from and after its passage by Council.

Passed by the Council: June 30, 2004
Commissioner Jim Francesconi
Prepared by: Hillary Choltus
May 25, 2004

GARY BLACKMER
Auditor of the City of Portland
By: /S/ Susan Parsons
Deputy

BACKING SHEET INFORMATION

AGENDA NO. 794-2004

ORDINANCE/RESOLUTION/COUNCIL DOCUMENT NO. 178558

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
FRANCESCONI	X	
LEONARD	X	
SALTZMAN	X	
STEN	X	
KATZ	X	