

STAFF REPORT

IN CONSIDERATION OF RESOLUTION NO. 17-4849, FOR THE PURPOSE OF AUTHORIZING THE CHIEF OPERATING OFFICER TO DEDICATE RIGHT OF WAY TO THE CITY OF PORTLAND AT WHITAKER PONDS NATURE PARK

Date: November 16, 2017

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BACKGROUND

Metro and the City of Portland share ownership of several tax lots located along and near NE 47th Avenue in Portland, near the Columbia Slough. These tax lots, along with others the City owns outright, make up a natural area known as Whitaker Ponds Nature Park, and the City of Portland manages it pursuant to an Intergovernmental Agreement with Metro (Agreement No. 929613). The Intergovernmental Agreement requires all requests for permanent rights of way and easements to be brought to the Metro Council for consideration. City of Portland Bureau of Transportation (PBOT) requests a 600 square foot right of way dedication for half street improvements at Whitaker Ponds Nature Park.

Whitaker Ponds Nature Park, master planned in 1995 and 2006, contains ponds, sloughs and associated natural areas that are used for educational purposes, birdwatching, access to the Columbia Slough for light watercraft, and other nature-based recreation. Portland Parks & Recreation (PP&R), the City of Portland Bureau of Environmental Services (BES) and the Columbia Slough Watershed Council (CSWC) actively invite school groups, volunteers, and other partners to the site for educational and volunteer programs. However, access to the site is difficult since there is no developed parking or sidewalks. In 2012, the CSWC, partnering with BES, produced a concept design for improvements to the entry area off of NE 47th Avenue. PP&R, partnering with the two groups, applied for and has received a grant from Metro Nature in Neighborhoods to help fund the project, which will implement the 2012 concept in an environmentally responsible manner.

The improvements planned include sidewalks, a parking lot, stormwater treatment facilities, accessible routes to the educational facilities, and a small natural gathering area. Local students, community members, and project partners will contribute by installing natural landscaping in the area around the parking lot to enhance wildlife habitat and improve water quality. The Nature in Neighborhoods grant funding will be supplemented by an allocation from PP&R's Systems Development Charges (SDC) program. These improvements will increase park user safety, accessibility, and aesthetics, while creating a more inviting public entry. The effect will be an expansion of the educational, recreational, and stewardship activities within the Nature Park.

As part of this project, PBOT is installing street improvements - sidewalks and bicycle and pedestrian facilities along the length of NE 47th in the public right of way. PBOT requests a 200 foot long, 3' wide Right of Way (ROW) dedication on property jointly owned by PP&R and Metro right in front of the Whitaker Ponds entrance. This additional ROW dedication will support the park entry improvement project by allowing PBOT to construct a wider portion of the multi-modal path in this area to provide better access to the park, emphasize the park entrance, and create a safer space for ingress and egress for those arriving to/from the park by bike or foot.

The proposed Right of Way dedication is consistent with Metro's easement policy (Reso. No. 97-2539B) because it is designed specifically for the benefit of a Metro natural area, as described above. Staff recommends approval of this right of way dedication request.

ANALYSIS/INFORMATION

1. Known Opposition

None.

2. Legal Antecedents

1995 Metro Open Spaces Bond Measure approved by voters on May 16, 1995.

Metro Code Section 2.04.026(a)(2), which requires Metro Council authorization for the Chief Operator to transfer interests in real property.

Resolution No. 97-2539B "For the Purpose of Approving General Policies Related to The Review of Easements, Right-Of-Ways, and Leases for Non-Park Uses through Properties Managed by the Regional Parks and Greenspaces Department" adopted November 6, 1997.

3. Anticipated Effects

Adoption of this Resolution will allow Metro to dedicate 600 square feet of Right of Way that will benefit the entrance to Whitaker Ponds Nature Park.

4. Budget Impacts

None; the City will bear all expenses for trail permitting, construction, ongoing use, maintenance, and repair.

RECOMMENDED ACTION

The Chief Operating Officer recommends approval of Resolution 17-4849.