

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

**RESOLUTION NO. 08-011**

Approving Renewal of Permit A-70 to New Song Church of Portland for Non Exclusive Use of 39 Regular and 2 Handicap Parking Spaces at Library Administration Service Center Parking Lot, 205 NE Russell, Portland, Oregon

**The Multnomah County Board of Commissioners Finds:**

- a. The New Song Church of Portland, located at 2511 NE Martin Luther King Jr. Boulevard does not have sufficient off-street parking at its site to accommodate some of its members on some occasions of its services on Sundays from 8:00AM to 10:00PM and on Wednesday evenings from 6:00PM to 10:00PM and Saturday evenings from 5:00PM to 9:00PM, and that the resultant use of on-street parking by members and other citizens creates temporary street congestion in the area for all.
- b. The Library Administration Service Center has parking spaces that are not needed for the County's use on Sundays or on Saturday evenings and which are lightly used during Wednesday evenings and are not needed for the County's purposes; making these spaces available to the New Song Church during these times on a non-exclusive basis will not adversely affect the use of the parking by Library Administration staff or visitors.
- c. The public's interest is served by this non-exclusive use of the parking spaces by the proposed Permittee at the Library Administration Service Center because they are not needed for County purposes at the stated times and it will also reduce parking congestion for the general public during those periods as well.

**The Multnomah County Board of Commissioners Resolves:**

1. The Board approves the attached Permit For Non-Exclusive Use of Parking Spaces and the County Chair is authorized to execute the Permit on behalf of Multnomah County.
2. The County Chair is authorized to execute renewals of the Permit and execute amendments to the Permit without further Board action.

ADOPTED this 7th day of February 2008



BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
Ted Wheeler, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY  
FOR MULTNOMAH COUNTY, OREGON

By   
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY:  
Carol M. Ford, Director, Dept. of County Management

## PERMIT FOR NON EXCLUSIVE USE OF PARKING SPACES

Multnomah County, Oregon (County) hereby grants to New Song Church (Church) the non-exclusive right to the use of thirty-nine (39) regular and two (2) handicap parking spaces in the parking lot bordering the South and West sides of the County's Library Administration Service Center, located at 205 NE Russell, Portland, Oregon, upon the following terms and conditions:

1. **Term.** The initial term of the Permit shall commence on July 1, 2007 and shall continue through June 30, 2010, unless terminated as provided herein.
2. **Consideration.** Church shall pay to County the sum of \$300.00 upon the execution of this Permit and \$300.00 annually each July 1<sup>st</sup> through the term of this Permit.
3. **Option to Extend.** Church shall have the option to extend this Permit for an additional two (2) year term by written notice to the County given not less than ninety (90) days prior to the last day of the expiring term. The giving of such notice shall be sufficient to renew this Permit provided the Permit is not in default at the time of notice and Church pays a mutually agreed upon annual Permit fee in advance of the commencement date of the new term.
4. **Parking Spaces to be Used.** The parking spaces to be used by Church under this Permit shall be not more than thirty-nine (39) regular spaces and two (2) handicap spaces bordering the South and West sides of the parking lot at the Library Administration Service Center, subject to the availability of such parking spaces.
5. **Permitted Use.** Use of the parking spaces by Church under this Permit shall be solely for parking by Church members during attendance at Church located at 2511 NE Martin Luther King Jr. Blvd., Portland, Oregon. Such use is permitted only on Sundays of each week during the term of this Permit within the hours from 8:00AM to 10:00PM, on Wednesday nights of each week from 6:00PM to 10:00PM, and on Saturday nights of each week from 5:00PM to 9:00PM. Such use shall be in common with other lawful users of the parking spaces and shall be non-exclusive. County does not guarantee the availability of the spaces for use by Church at any particular occasion or time.
6. **Termination.** County or Church may cancel this Permit by giving written notice to the other party not less than thirty (30) days prior to the effective date of such termination.
7. **Indemnity.** Church will defend, indemnify and hold harmless County from and against any claim, suit, loss, damage or injury, including loss or damage suffered by County, resulting from the exercise of permission granted herein, except for

any claim, suit, loss, damage or injury caused by or arising out of County's own negligence.

8. **Insurance.** Church shall maintain general liability insurance naming County as an additional insured for claims for bodily injury or death and property damage with combined single limits of not less than one million dollars (\$1,000,000) single occurrence limit and shall provide County with certificate from the insurance carrier evidencing such coverage prior to exercising the permission granted herein.

The terms, conditions and provisions of this Permit are agreed to and accepted by the parties to this Permit this 23 day of January 2007. 2008 - kd

**NEW SONG CHURCH**

By: [Signature]  
Name: Kirsten Boyd  
Title: the church Assistant

**MULTNOMAH COUNTY, OREGON**

By: [Signature]  
Ted Wheeler  
Chair

Reviewed:

By: [Signature]  
Matthew O. Ryan  
Assistant County Attorney



