



MULTNOMAH COUNTY AGENDA PLACEMENT REQUEST

(Revised: 09/23/13)

Board Clerk Use Only

Meeting Date: 4/14/16
Agenda Item #: R.5
Est. Start Time: 10:35 am approx.
Date Submitted: 3/31/16

Agenda Title: **Resolution Approving Intergovernmental Agreement with City Of Portland For Exchange Of Reversionary Interests In Real Property**

Note: Title should not be more than 2 lines but sufficient to describe the action requested. Title on APR must match title on Ordinance, Resolution, Order or Proclamation.

Requested

Meeting Date: April 14, 2016 **Time Needed:** 10 minutes

Department: Chief Operating Officer & DCA **Division:** Facilities & Property Management

Contact(s): Ken Elliott

Phone: (503) 988-7604 **Ext.** 87604 **I/O Address:** 530/500

Presenter

Name(s) &

Title(s): Marissa Madrigal, Chief Operating Officer; Ken Elliott, Asst. County Attorney

General Information

1. What action are you requesting from the Board?

The Department of County Assets, Facilities & Property Management Division (FPM) is asking the Board of County Commissioners (a) to approve an Intergovernmental Agreement between Multnomah County (County) and the City of Portland (City) for Exchange of Reversionary Interests in Real Property (IGA), and (b) to authorize the Chair to execute the IGA and Quit Claim Deeds attached as Exhibits to the IGA, in substantially the form attached hereto.

2. Please provide sufficient background information for the Board and the public to understand this issue. Please note which Program Offer this action affects and how it impacts the results.

- a) City conveyed to County, by Bargain & Sale Deed dated July 27, 1923, and recorded August 7, 1923 at Book 929, Page 291, in the Official Records of Multnomah County, Oregon, the real property situated in the City of Troutdale, County of Multnomah, State of Oregon described in Exhibit "A" to the IGA (the Troutdale Property).

- b) City's Bargain & Sale Deed restricted the Troutdale Property to use for a public purpose and reserved to the City a reversionary interest established by City Ordinance No. 43311, adopted July 27, 1923.
- c) County conveyed to City, by Warranty Deed dated January 10, 1927, and recorded February 27, 1927 at Book 410, Page 1088, in the Official Records of Multnomah County, Oregon, the real property situated in the City of Portland, County of Multnomah, State of Oregon described in Exhibit "B" to the IGA (the Lair Hill Park Property).
- d) County's Warranty Deed restricted the Lair Hill Park Property to public park use only and reserved to the County a reversionary interest.
- e) By Resolution # 04-169, dated November 18, 2004, County declared the Troutdale Property and the adjacent County Pig Farm property (the Pig Farm) to be surplus. By Resolution # 05-056, dated April 14, 2005, the Board directed FPM to sell the Troutdale Property and the Pig Farm on the open market. County has negotiated and executed an Agreement for Purchase & Sale, and now wishes to sell the Troutdale Property and the Pig Farm to a private party for re-development with agriculture, recreational, open space and wetland mitigation uses.
- f) City wishes to renovate a dormitory building located on the southeasterly portion of the Lair Hill Park Property described in Exhibit "C" to the IGA (the Dormitory Lot), and use or lease the Dormitory Lot for lawful City purposes.
- g) The purposes of the IGA are to release and relinquish City's reversionary right, title, and interest in the Troutdale Property arising by reason of that certain restriction to use for a public purpose and to release and relinquish County's reversionary right, title, and interest in the Dormitory Lot arising by reason of that certain restriction to public park use, subject to the terms and conditions set forth in the IGA.

3. Explain the fiscal impact (current year and ongoing).

The current value of the two exchanges is equivalent, particularly in the greater public good to be achieved and the current monetary value of the parties' respective property rights to be relinquished. Execution of the IGA and completion of the exchange permits County to include the Troutdale Property (with a negotiated value of \$389,000.00) with its pending sale of the Pig Farm.

If City, at a future date, elects to convey its fee interest in the Dormitory Lot for private, for-profit use or development, then City shall be entitled to receive, without any restriction, the initial \$389,000.00 paid for any such conveyance, and City shall use any such proceeds exceeding \$389,000.00, after deducting all costs incurred by City to partition, entitle or renovate the building or site improvements on the Dormitory Lot, for an affordable housing or homeless shelter program mutually agreed upon by City's Commissioner in Charge of Portland Parks and Recreation and County's Chair or Chief Operating Officer.

4. Explain any legal and/or policy issues involved.

The public park use restriction and County's reversionary interest in the remainder of the Lair Hill Park Property is not modified or extinguished by the IGA.

5. Explain any citizen and/or other government participation that has or will take place.

The agreed restriction on the use of net proceeds from any future City sale of the Dormitory Lot to a private developer promotes continuation of the combined City-County initiatives to construct more affordable housing and homeless shelters for County's homeless population.

Required Signature

Elected

Official or

Department

Director:

/s/ Sherry Swackhamer, Director,
Department of County Assets

Date:

March 31, 2016

Note: Please submit electronically. Insert names of your approvers followed by /s/ - we no longer use actual signatures. Please insert date approved.