



OFFICE OF COUNTY COUNSEL

PUBLIC SERVICES BUILDING
2051 KAEN ROAD OREGON CITY, OR 97045

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Stephen L. Madkour
County Counsel

Study Session Worksheet

Kimberley Ybarra
Kathleen Rastetter
Chris Storey
Scott C. Ciecko
Alexander Gordon
Amanda Keller
Nathan K. Boderman
Christina Thacker
Assistants

Presentation Date: November 12, 2014 **Approx Start Time:** 10:15 a.m.
Approx Length: 30 Minutes

Presentation Title: NCPRD Real Property Clean-up

Department: County Counsel, Development Agency, Finance, NCPRD

Presenters: Chris Storey, Gary Barth, Christa Wolfe, Dan Johnson

(CBP)

Other Invitees:

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

Direction on whether to bring this issue forward at a business meeting for a vote.

EXECUTIVE SUMMARY:

Currently there are several properties being operated as parks within the boundaries of North Clackamas Parks and Recreation District ("NCPRD") that are not owned by NCPRD. Four park sites known as Bunnell Park, Risley Park, Rivervilla Park, and the McNary parcel are owned by Clackamas County (the "County Parcels") and two known as Harmony Road Park and Hawthorne Park are owned by the Development Agency ("Agency Parcels" and, together with the County Parcels, referred to as the "Park Properties"). Attached are maps of NCPRD with the properties indicated, as well as individual site maps of the Park Properties.

The County Parcels were parks operated in some fashion by Clackamas County prior to the formation of NCPRD in 1990. After formation, NCPRD started maintaining and/or making some improvements to the County Parcels, the latest assumption of responsibility being 1992. For the last twenty-plus years, NCPRD has operated the County Parcels but the County has continued to own them. In addition, the County contributed \$3.2 million towards improvements at North Clackamas Park ("NC Improvements") in the late 1990s. The parks, and the NC Improvements, are carried on the books of the County as an asset requiring insurance and casualty coverage. After some discussion arising from questions regarding the appropriate booking of the NC Improvements on County books, Finance staff and NCPRD staff met and discussed what to do about these seemingly divided assets. Finance has determined that it is confusing to carry the properties on the books of the County. It appears that it was the intention of the County to transfer the properties to NCPRD after its formation in 1990 if successful, but the transfers never took place.

The BCC has also directed the Development Agency to begin winding up affairs relating to the Clackamas Town Center Plan Area ("CTC Area"). The Agency Parcels were developed as public parks as part of the redevelopment plan for the CTC Area and/or the Clackamas Industrial Area Plan. The Agency is not allowed to spend money on operational costs relating to the Agency Parcels nor continue ownership after the end of the applicable area plan, so these parks are currently being maintained by NCPRD. As part of the winding up, the Agency must divest these assets and convey them to entities better suited for long term holding of them. The Hawthorne Park parcel would best fit with NCPRD. The Harmony Road Park parcel was originally acquired to support the extension of Sunnybrook Blvd., and staff recommends transferring ownership to Clackamas County to retain that future option -- but granting NCPRD an easement to use the currently-existing park, and Clackamas County Service District No. 1 ("CCSD#1") an easement to allow access across the Harmony Road Park parcel to their immediately adjoining property to the south (see attached map).

These clean-up issue discussions were accelerated to ensure they were raised and potentially addressed prior to the conclusion of the Fiscal Year 2013-14 audit.

Some other properties currently non in productive economic use and obtained by the County due to tax foreclosure may have some park and recreational utility. However, while those properties are flagged on the district map, they are not part of a proposal at this time. Property Resources staff is evaluating the best disposition of those sites and are not proposing transfer to NCPRD at this time.

FINANCIAL IMPLICATIONS (current year and ongoing):

Each Park Property in question has some operational expenses related to it annually, currently paid by NCPRD. Transfer would allow NCPRD to continue making those payments. Each Park Property also has an equity value that would be conveyed, currently proposed without additional consideration by NCPRD beyond the current investments made and operational expenses incurred.

LEGAL/POLICY REQUIREMENTS:

In addition to the accounting and agency issues that would need to be addressed, an agreement or agreements and deeds would be needed to effectuate any change.

PUBLIC/GOVERNMENTAL PARTICIPATION:

The Park Properties in question have been the subject of discussion multiple times in public over the last several years as part of the "Story of NCPRD" presentations and the Master Plan process but no direct conversation has occurred on the question of transfer.

OPTIONS:

- Proceed with consideration at a business meeting at which the authorization of the conveyance of some or all of the six Park Properties would be voted upon.
- Decline to consider the transfers. The Park Properties would remain owned by the County and the Development Agency. NCPRD would need an operating agreement to make capital expenditures and may seek formalization of its operational control and responsibilities for the sites, or the County could re-enter the urban park service provision area.

RECOMMENDATION:

Convey Park Properties to NCPRD to align ownership with responsibility by:

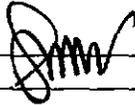
- Entering into an agreement between NCPRD and County to convey the County Parcels to NCPRD;
- Entering into an agreement between NCPRD, Development Agency, County, and CCSD#1 regarding transferring the Harmony Road Park parcel to the County with easements to NCPRD and CCSD#1, and transfer Hawthorne Park to NCPRD.

ATTACHMENTS:

Map of NCPRD with Park Properties highlighted
Maps of individual Park Property locations

SUBMITTED BY:

Division Director/Head Approval _____
Department Director/Head Approval _____ Director
County Administrator Approval _____ Administrator



For information on this issue or copies of attachments, please contact Chris Storey @ 503-742-4623

NCPRD Proposed Property Transfers



BUNNELL PARK

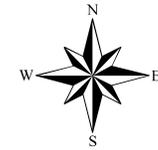
OWNER: Clackamas County Parks

ACRES: 0.46

MANAGEMENT: Clackamas County, 1911; NCPRD 1993

DEED: Dedicated by platt, 1911

PRIOR OWNER: James A. Bunnell



Recommendations: NCPRD Park Planning Team, 2014.
Data source: Clackamas County GIS Dept. and NCPRD, 2014
Map Prepared by: Samantha Wolf, GIS Resource Analyst, Nov. 3, 2014.
File Path: S:\GIS\NCPRD_NRI\Projects\Multi_Park_Projects\Aquisition_2014\
County Property X-fer

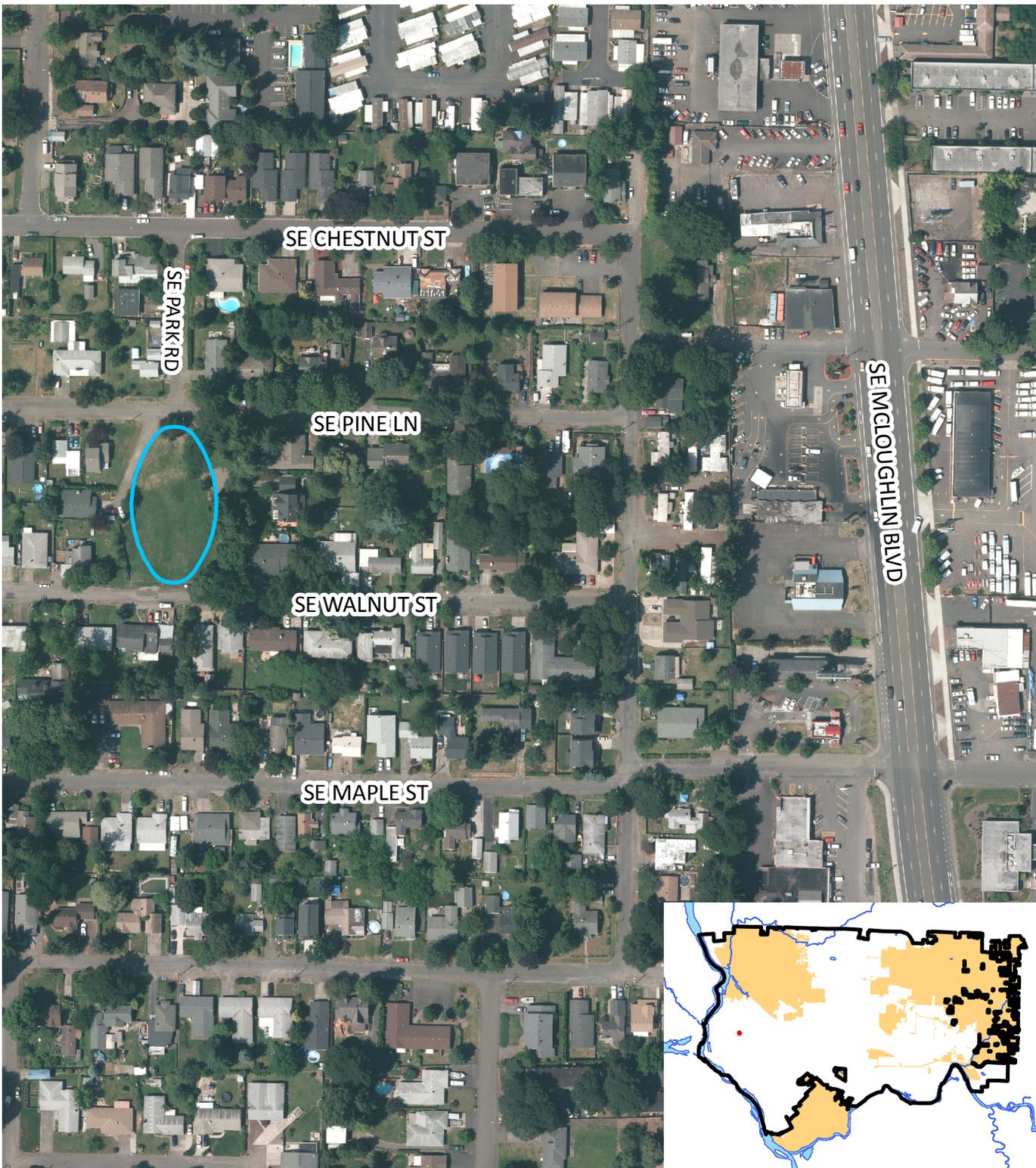


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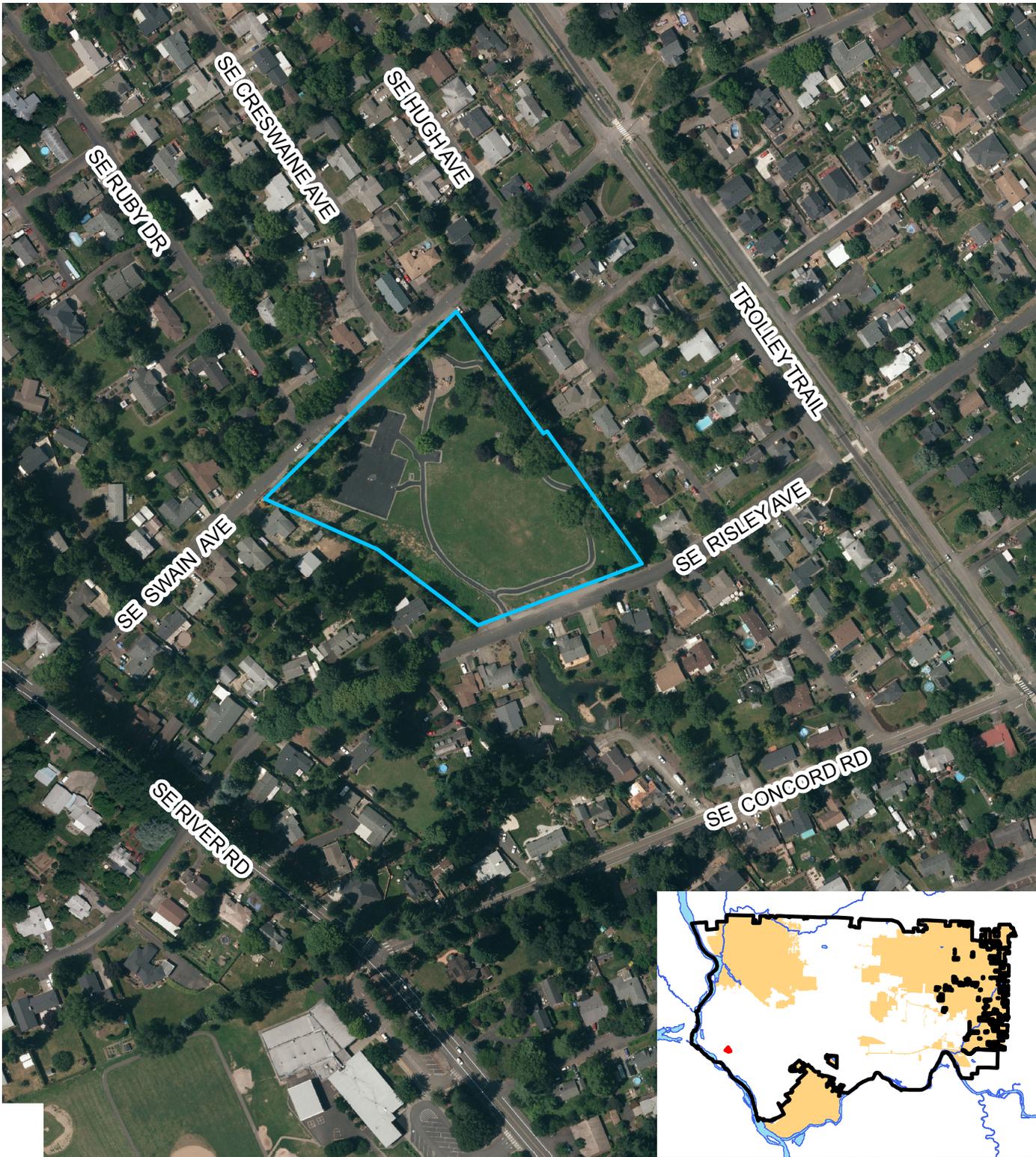


Bunnell Park: Property Photos

Address: 2560 SE Pine Ln, Oak Grove

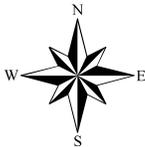
Amenities: Open space, picnic table





RISLEY PARK

OWNER: Clackamas County
 ACRES: 4.86
 MANAGEMENT: Clackamas County, 1956; NCPRD 1993
 DEED: 517-460, 1956
 PRIOR OWNER: Ella B. Risley
 DEVELOPED: 1963, 1987, 1997, 2013



Recommendations: NCPRD Park Planning Team, 2014.
 Data source: Clackamas County GIS Dept. and NCPRD, 2014
 Map Prepared by: Samantha Wolf, GIS Resource Analyst, Nov. 3, 2014.
 File Path: S:\GIS\NCPRD_NRI\Projects\Multi_Park_Projects\Aquisition_2014\ County Property X-fer



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Risley Park: Property Photos

Address: 2350 SE Swain Ave, Oak Grove, OR 97267

Amenities: Playground, swings, walking path, open area, picnic tables, benches

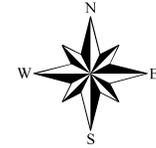


Amenities: Tennis courts, half-basketball court



RIVERVILLA PARK

OWNER: Clackamas County
ACRES: 4.57
MANAGEMENT: Clackamas County, 1956; NCPRD 1993
DEED: Quit claim 507-523, 1956
PRIOR OWNER: many signatures, see deed
DEVELOPED: 1997



Recommendations: NCPRD Park Planning Team, 2014.
Data source: Clackamas County GIS Dept. and NCPRD, 2014
Map Prepared by: Samantha Wolf, GIS Resource Analyst, Nov. 3, 2014.
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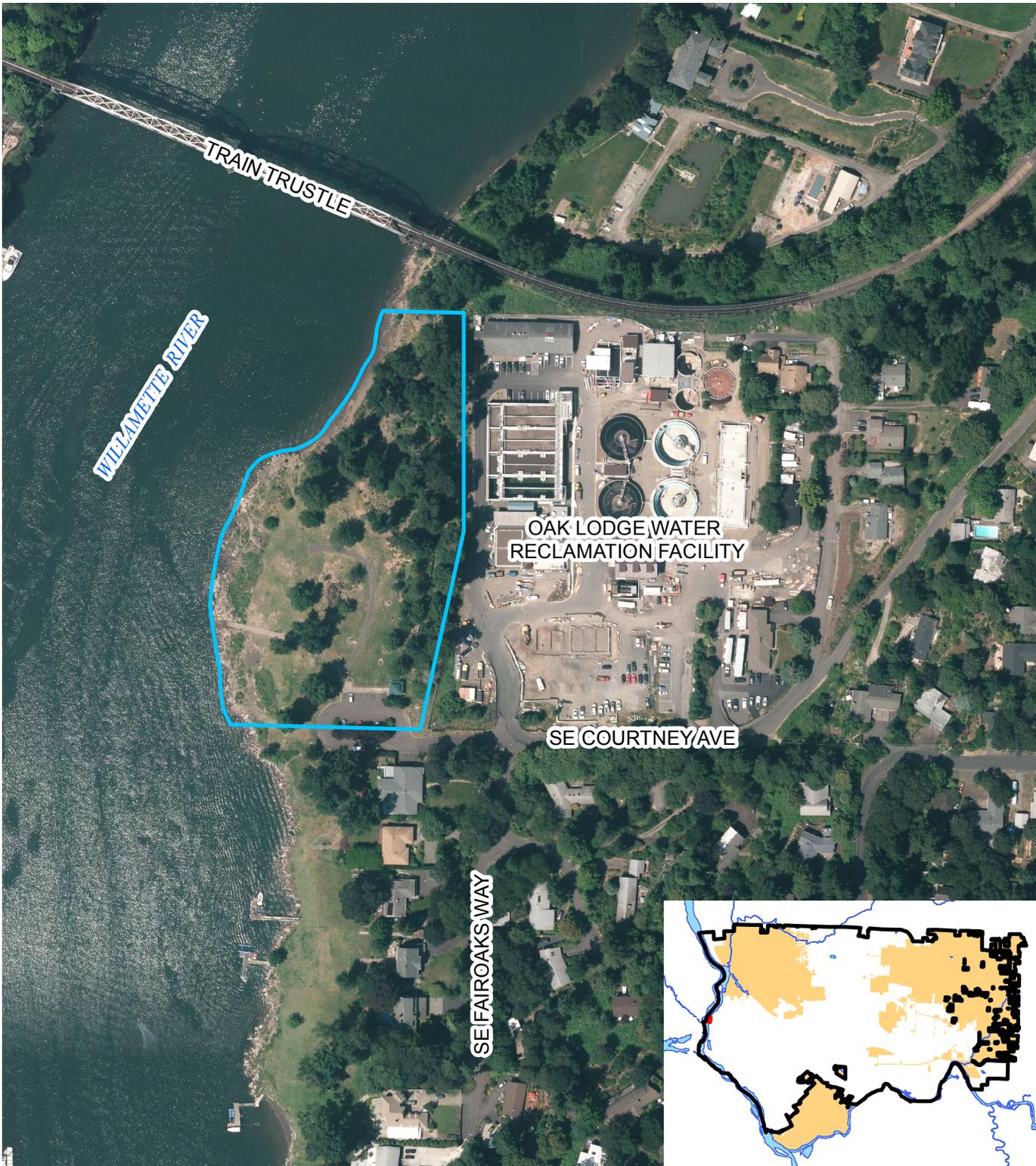


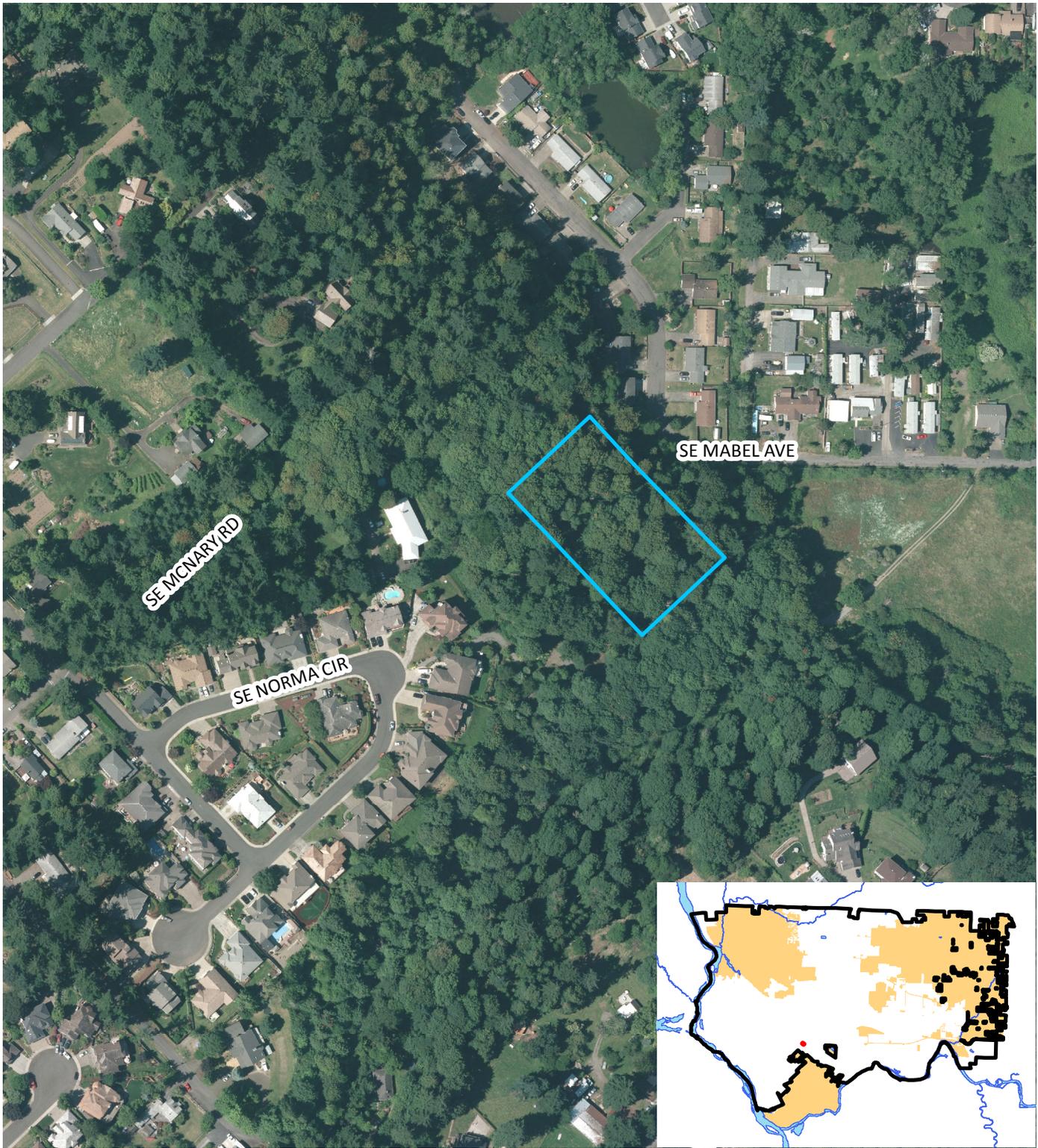
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MCNARY PROPERTY

OWNER: Clackamas County
ACRES: 1.55
MANAGEMENT: Clackamas County, 1991
DEED: 1991-022494, \$0
PRIOR OWNER: Sunridge Development Corp



Recommendations: NCPRD Park Planning Team, 2014.
Data source: Clackamas County GIS Dept. and NCPRD, 2014
Map Prepared by: Samantha Wolf, GIS Resource Analyst,
Oct. 30, 2014.
File Path: S:\GIS\NCPRD_NRI\Projects\Multi_Park_Projects\Aquisition_2014\
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HARMONY ROAD NEIGHBORHOOD PARK

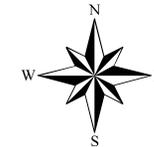
OWNER: Clackamas County Development Agency

ACRES: 6.01

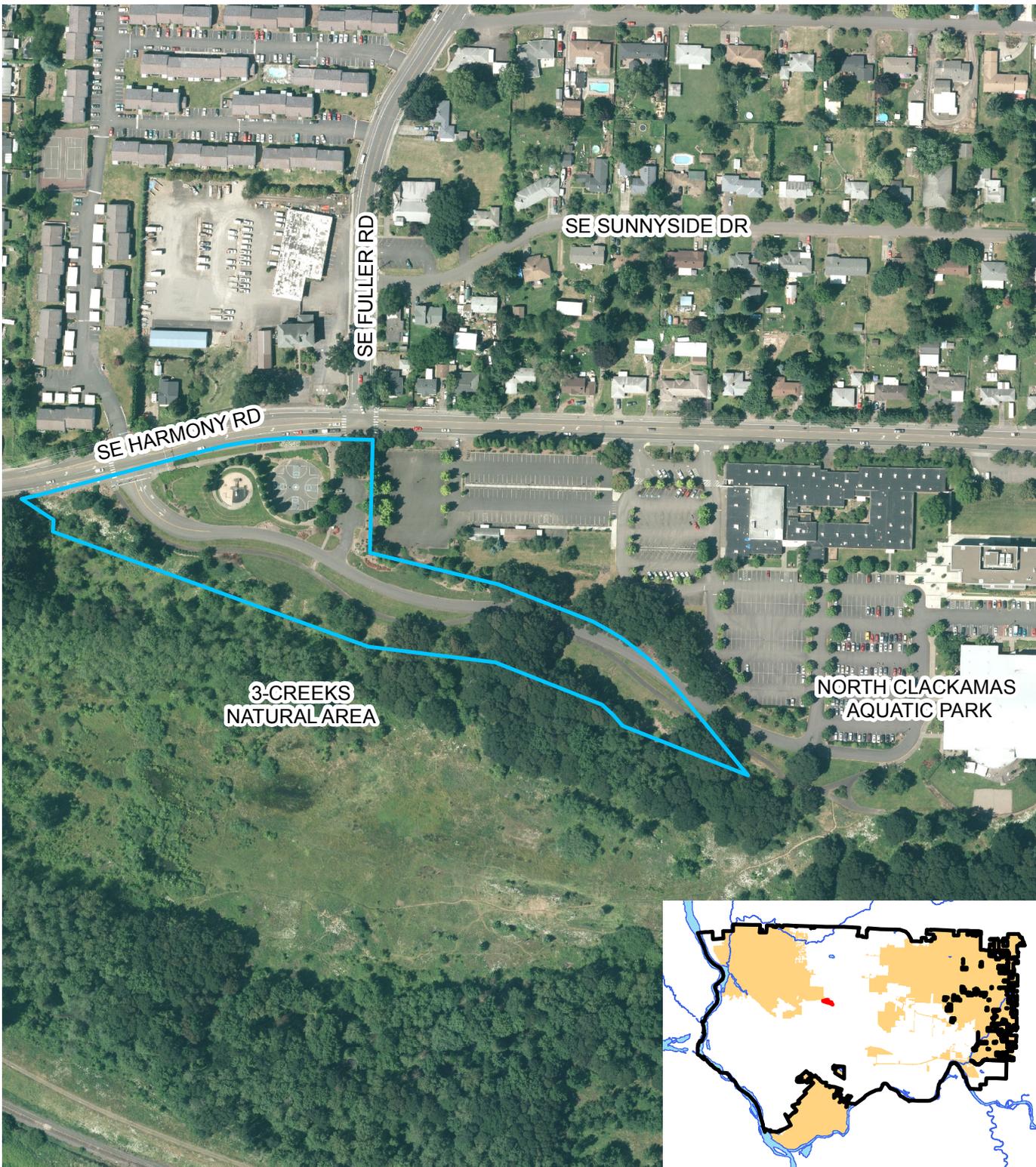
MANAGEMENT: Clackamas County Dev. Agency, 1992;
NCPRD 1995

DEED: 92-13633, \$594,000

PRIOR OWNER: Clackamas County



Recommendations: NCPRD Park Planning Team, 2014.
Data source: Clackamas County GIS Dept. and NCPRD, 2014
Map Prepared by: Samantha Wolf, GIS Resource Analyst, Nov. 4, 2014.
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Harmony Road Neighborhood Park: Property Photos

Address: 7250 SE Harmony Rd (Clackamas County), 97222

Amenities: Playground, basketball court, benches, picnic table, parking



Riverville Park: Property Photos

Address: 925 SE Courtney Ave, Oak Grove

Amenities: Walking paths, open space, river access, parking



Hawthorne Park

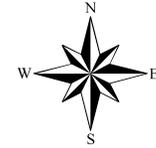
OWNER: Clackamas County Development Agency

ACRES: 0.98

MANAGEMENT: Clackamas County Dev. Agency, 2009;
NCPRD 2012

DEED: 2009-080

PRIOR OWNER: HP Development, Inc.



Recommendations: NCPRD Park Planning Team, 2014.
Data source: Clackamas County GIS Dept. and NCPRD, 2014
Map Prepared by: Samantha Wolf, GIS Resource Analyst, Nov. 4, 2014.
File Path: S:\GIS\NCPRD_NRI\Projects\Multi_Park_Projects\Aquisition_2014\
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NORTH CLACKAMAS
PARKS & RECREATION DISTRICT



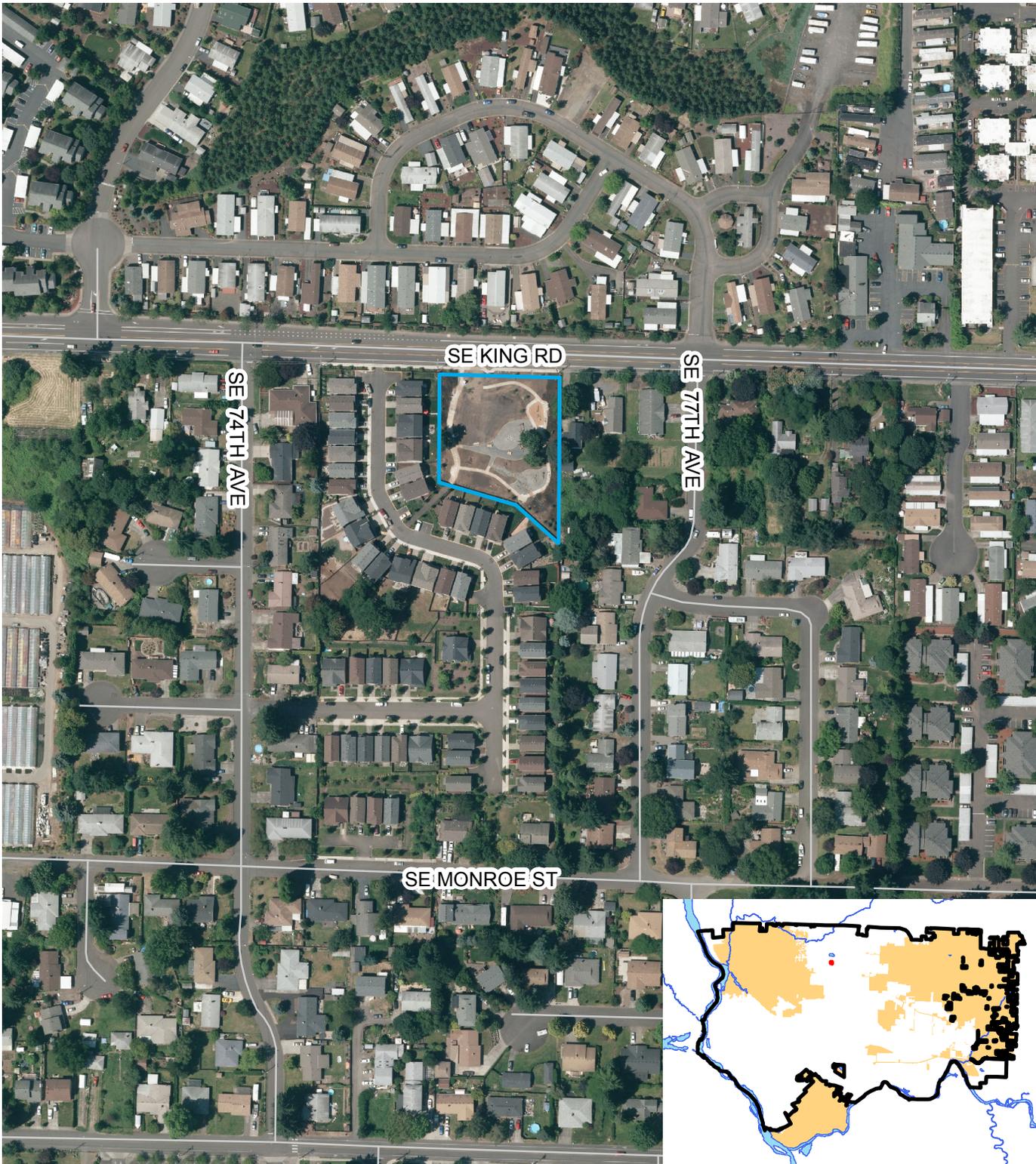
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Hawthorne Park: Property Photos

Address: 7560 SE King Rd (Clackamas county), 97222

Amenities: swing set, dry creek bed, water play area, cement walking path, benches

