

Mt Tabor Yard Long Block and Multimodal Path

Good Neighbor Agreement

Date of Approval (to be completed upon finalizing)

1. Overview and Background

On December 17, 2008, City Council unanimously passed Resolution #36657, which adopted an update to the Mt. Tabor Park Master Plan. This update added a Master Plan for the Mt. Tabor Yard, Long Block, and Nursery. This plan was developed after a year-long extensive planning process, including significant work by the Mt. Tabor Yard Planning Group, an advisory group comprised of community members and PP&R staff.

In November 2014, Portland residents passed the Parks Replacement Bond which included funds to make worker safety improvements at Mt. Tabor Yard, initiating a first phase of improvements guided at the Yard by the Master Plan. System development charge (SDCs) funds were allocated to fund the multimodal path from the 2008 Master Plan. The Mt. Tabor Yard Planning Group was reconvened to advise on this phase of design and construction. One of the issues identified during this process was the need to relocate the Horticulture Services' above-ground plant and tree storage area to the Long Block where the Horticulture Services' tree nursery was previously located, adjacent to the Community Garden.

The Planning Group and Portland Parks & Recreation hope to identify the mutual understanding that would guide the construction, operation, and maintenance of the plant storage area and multimodal path in ways that reflect neighborhood values and concerns.

2. Goals of this Agreement

This Good Neighbor Agreement (GNA) describes the mutual understanding about the plans for the Long Block and Multimodal Path, and how neighborhood concerns about the construction, operation and maintenance of these areas, as part of the larger Mt Tabor Maintenance Yard & Nursery Improvement Project, may be addressed.

The GNA contains concepts that:

- a. Recognize the impacts and benefits of the Long Block and multimodal path to the neighbors and larger Mt. Tabor Community;
- b. Aim to maintain neighborhood safety and address any nuisance issues that may arise;
- c. Seek to promote and facilitate open communication between Participants; and,

- d. Identifies procedure for problem solving to ensure concerns about maintenance and impacts to the neighborhood and community gardeners are addressed in a timely manner.

3. Participants

Participants in this GNA are:

- Portland Parks & Recreation (PP&R)
- Mt. Tabor Neighborhood Association (MTNA)
- South Tabor Neighborhood Association (STNA)
- Friends of Mt. Tabor Park (FMTP)
- Friends of Portland Community Gardens (FPCG)

Participants have consulted with or received information from individual Stakeholders who have an interest in the plans for the Long Block and multimodal path. Stakeholders include:

- Plot holders at the Mt. Tabor Community Garden, represented by FPCG.
- Neighbors of the Long Block and multimodal path, represented by MTNA.
- Greater Mt. Tabor Community, represented by MTNA, STNA, and FMTP.
- PP&R Horticultural Services.

4. Subject Location

- a. **The Long Block** is the area between SE Harrison and SE Lincoln Streets from SE 60th – SE 64th Avenue. It has historically been the site of nursery plant and tree production for PP&R. In the 2008 Master Plan, the Long Block was designated for horticultural use, including a community garden and the PP&R tree nursery. The community garden was added in 2013, and the tree nursery was removed in 2014 during budget cuts.
- b. A **fenced potted plant and tree storage area** will be created in the Long Block to the west of the community garden, during the Mt. Tabor Yard construction in 2019-2020. This area will be referred to as the “**plant storage area**” in this GNA.
- c. A **multimodal path** will be constructed at SE 64th Avenue, between SE Division Street and SE Sherman Street. Street improvements will be constructed, including a sidewalk between SE Sherman and SE Lincoln Streets along the western edge of the maintenance yard. This public path for pedestrians and bicyclists and the street improvements in the right of way, will be built as part of the Mt. Tabor Yard improvements in 2019-2020.

5. All Participants understand that:

- a. The plant storage area and the multimodal path provide a benefit to the community when the areas are maintained properly.
- b. The plant storage area and the multimodal path shall reflect the existing aesthetic values in Mt. Tabor Park and the surrounding neighborhood.
- c. It is important to immediately report crime and other nuisance or suspicious activity as they become aware of it.
- d. It is important to work together, to be respectful of each other, to communicate promptly, and to find collaborative solutions to address issues and concerns.
- e. These are future considerations:
 - Given that the Long Block is designated horticultural use in the Mt. Tabor Park Master Plan, additional community garden space should be considered for the area west of the plant storage area if the area is not needed by Horticulture Services and the funds can be raised.
 - The plant storage area should be considered for a community garden space if no longer needed for Horticulture Services.
 - If there is community interest, neighborhood partners will lead a future community project to improve the triangular paved area at the eastern edge of the Long Block, including removing pavement, installing bike racks, and creating storm water treatments.

6. PP&R aims for the following:

- a. Refrain from engine idling in the plant storage area, and message appropriately through signage or other information to drivers at the plant storage area.
- b. Maintain the PP&R Community Garden standard of a 25' no-spray zone around the Mt. Tabor Community Garden.
- c. Have perimeter fence around the plant storage area of approximately 6' tall that matches the neighboring Community Garden fencing in style.
- d. Use weed barrier cloth in green or black on the ground underneath potted plants in the storage area.
- e. Include landscape screening around the fenced plant storage area as identified in LU 17-158467 HRM and LU 17-245440 CU:
 - west side of plant storage,
 - a tree heel-in area inside the west fence to enhance screening,
 - a landscape buffer on the north and south sides, similar to the Community Garden plantings, and

- a buffer on the east side as space allows (including vine-type plants on the fence by Community Garden).
- f. Not have permanent installation of lighting for the plant storage area and use power outlets for task lighting inside the fencing.
- g. Have gravel roadway surface for access into the plant storage area.
- h. Install Park signage and public art (if chosen as an appropriate site) at the SE 60th Avenue and SE Lincoln Street entry.
- i. Maintain the multimodal path.

7. MTNA, STNA, FMTP and FPCG aim to:

- a. All 4 participants - Assist neighbors and other Stakeholders to resolve issues and concerns relating to the Long Block and the multimodal path.
- b. MTNA - Serve as the conduit for neighbors' concerns relating to the Long Block and multimodal path.
- c. FPCG – Serve as the conduit for community gardeners' concerns around the Long Block.

8. Office of Community & Civic Life: Crime Prevention Program aims to:

- a. Assist neighbors, Stakeholders, and Participants in resolving concerns and problems relating to the Long Block and multimodal path.
- b. Coordinate with PP&R to facilitate meetings and problem-solve around crime-related issues.
- c. Provide crime prevention safety and training (including reporting crime and suspicious activity, Neighborhood Watch, and Foot Patrol), as requested and available.
- d. Provide current Problem Solving Resource contact information to the Participants.

9. Shared Communication Protocol

- a. Issues and concerns should be addressed and resolved at the lowest possible level. The PP&R Horticultural Services supervisor will be the initial contact for issues and concerns. Neighbors agree to communicate their concerns promptly to PP&R staff relating to the operation or maintenance of the Long Block and multimodal path. Neighbors also agree to work with PP&R staff to identify reasonable solutions before filing complaints with PP&R, other governmental bureaus, or other organizations.
- b. PP&R Horticultural staff will follow up on neighbors' communications within five business days and upon request, meet personally with neighbors at a mutually agreeable time.

- c. If neighbors' concerns are not resolved directly with PP&R Horticultural staff, neighbors will contact the PP&R Community Engagement Manager to discuss their concerns and possible solutions.
- d. If requested, neighbors, PP&R supervisors, and other PP&R staff as appropriate will attend MTNA or STNA meetings to address concerns or problems relating to the Long Block or multi-modal pathway. If any Participant or Stakeholder requests that a Long Block and/or multimodal path related matter be placed on the agenda, they shall notify all the Participants.
- e. Participants will have a biannual status meeting for the first two years, starting six months after the project completion. Participants may meet more or less frequently as circumstances require. The purpose of the meetings will be to review the functionality and effectiveness of the GNA.
- f. If public meetings are held on the topic of the Long Block and/or multimodal path, immediate neighbors will be sent notifications electronically and by door-to-door leaflet. Notification will be sent to Planning Group members, MTNA, STNA, FMTP, FPCG, and other interested parties.

10. Review of GNA

Participants can seek review and edits to this GNA, with reasonable notice (no less than 30 days). Participants may propose the holding of a meeting in which all Participants are invited to attend and discuss this GNA. This GNA serves as the expression of the Participants' shared understanding until such time as it is edited and mutually re-executed.

11. Legal Status of GNA

All Participants understand that this GNA **IS NOT** a legally binding contract and is not intended to be binding upon the Participants. No Participant or Stakeholder or any other person has a right to seek legal or equitable remedies against any Participant. No Participant or Stakeholder or any other person has any right to make any claim against any Participant based on this GNA. All Participants acknowledge that they may seek advice of legal counsel for review of this GNA.

12. Signatures

By their signatures, Participants are indicating their understanding.



Kia Selley, Interim Director, Portland Parks & Recreation

Name, MTNA Board Member

Name, STNA Board Member

Name, Friends of Mt. Tabor Park Board Member

Name, Friends of Portland Community Gardens Board Member

Name/Position, Office of Community & Civic Life – Crime Prevention Program

Attachments/Exhibits – should probably attach a map showing the areas.

Authors:

This GNA was developed by:

add all Planning Group names here.

Staff:

Barbara Hart, PP&R Community Engagement Staff

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