

ORDINANCE No. 189690

*Authorize the Bureau of Transportation to execute a Renewal and Amendment to Public Recreation Facility License with the State of Oregon, Division of State Lands for the Kevin J. Duckworth Memorial Dock (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. The Kevin J. Duckworth Memorial Dock ("Duckworth Dock"), formerly known as the Eastbank Steel Bridge Transient Boat Tie-up, is located in the Willamette River, south (upstream) of the Steel Bridge and is attached to the Vera Katz Eastbank Esplanade.
2. The Duckworth Dock was built as part of the Oregon Convention Center/Lloyd District development program to serve both recreational and commercial boats visiting the area. The Duckworth Dock was funded, in part, through a grant received from the Oregon State Marine Board (OSMB) in 1997. Council authorized that grant through Ordinance No. 171468, passed August 13, 1997.
3. The State of Oregon, by and through its Division of State Lands ("DSL"), granted to the City of Portland ("City") a Public Recreation Facility License (LI-14089) for the Duckworth Dock on May 13, 1998. Said license was granted for a period of twenty (20) years and is now expired.
4. The City of Portland, Bureau of Transportation ("PBOT") continues to work with the Multnomah County Sheriff's Office River Patrol, the Harbor Master, the Mayor's Office, the City Attorney's Office, the Parks Bureau, and the OSMB to develop ways of managing the Duckworth Dock. Council established rules for use of the Duckworth Dock through Ordinance No. 186748 and amended the cooperative agreement with OSMB through Ordinance No. 186749, both passed August 6, 2014.
5. The terms of the amended OSMB cooperative agreement require that the Duckworth Dock be used only for the purpose of a Transient Boat Dock through August 27, 2021.
6. PBOT wishes to renew the DSL license at this time in order to retain the Duckworth Dock at its current location and configuration. Execution of the license amendment and renewal document provided by DSL is dependent on indemnification by the City.


NOW, THEREFORE, the Council directs:

- a. The PBOT Director is hereby authorized to execute the license amendment and renewal in substantially the same form as the document attached as Exhibit 1.

Section 2. The Council declares that an emergency exists because the Dock is located on a navigable waterway controlled by the State of Oregon and the previous license agreement with the Division of State Lands has expired; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

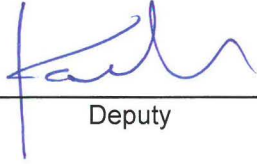






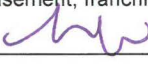
Passed by the Council, SEP 04 2019

Commissioner Chloe Eudaly
Prepared by: Lance Lindahl
Date Prepared: 7/25/2019

Mary Hull Caballero
Auditor of the City of Portland
By 

Deputy

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| <p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Chloe Eudaly</p> | <p>CLERK USE: DATE FILED <u>AUG 27 2019</u></p> |
| <p style="text-align: center;">COMMISSIONER APPROVAL</p> | <p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u></u> Deputy</p> <p>ACTION TAKEN:</p> |
| <p>Mayor—Finance & Administration – Wheeler</p> | |
| <p>Position 1/Utilities - Fritz</p> | |
| <p>Position 2/Works - Fish</p> | |
| <p>Position 3/Affairs - Hardesty</p> | |
| <p>Position 4/Safety - Eudaly </p> | |
| <p style="text-align: center;">BUREAU APPROVAL</p> | |
| <p>Bureau: PBOT Group: Development, Permitting & Transit  Group Group Manager: Christine Leon  Director: Chris Warner </p> | |
| <p>Prepared by: Lance Lindahl  Supervisor: David E. McEldowney  Date Prepared: July 25, 2019</p> | |
| <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> | |
| <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> | |
| <p>City Auditor Office Approval: required for Code Ordinances</p> | |
| <p>City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan </p> | |
| <p>Council Meeting Date September 4, 2019</p> | |

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| AGENDA |
| <p>TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)</p> |
| <p>CONSENT <input checked="" type="checkbox"/> <u>Pulled</u></p> |
| <p>REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)</p> |

| FOUR-FIFTHS AGENDA | COMMISSIONERS VOTED AS FOLLOWS: | | |
|--------------------|---------------------------------|-------|------|
| | | YEAS | NAYS |
| 1. Fritz | 1. Fritz | ✓ | |
| 2. Fish | 2. Fish | _____ | |
| 3. Hardesty | 3. Hardesty | ✓ | |
| 4. Eudaly | 4. Eudaly | ✓ | |
| Wheeler | Wheeler | ✓ | |