

ORDINANCE No.

18 6749

*Amend Cooperative Agreement with the Oregon State Marine Board to restrict nighttime use of the Duckworth Dock except on certain days for a trial period of one year (Ordinance, amend Contract No. 50925)

The City of Portland ordains:

Section 1. The Council finds:

1. The Kevin J. Duckworth Memorial Dock moorage, formerly known as the Eastbank Steel Bridge Transient Boat Tie-up, is located in the Willamette River, south (upstream) of the Steel Bridge and attached to the Eastbank Esplanade and is hereinafter referred to as "the Duckworth Dock".
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. As part of that Agreement, the Portland Bureau of Transportation (PBOT) was allowed to restrict access to daytime hours only until Dec. 30, 1999.
4. Boats moored at the Duckworth Dock for extended periods have occupied so many spaces frequently enough that recreational boaters have been unable to find available space. Returning to a "day-use only" practice will create more turnover by stopping the overnight moorages.
5. PBOT has worked with the Multnomah County Sheriff's Office (MCSO) 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.
6. The OSMB has given approval of, and directed staff to sign, an amendment to the Agreement (No. 50925), substantially in the form of Exhibit A, attached and incorporated hereto. The amendment would allow a one-year trial period of allowing mooring of boats during day time hours, with a specific exception of summer weekends (more specifically, the weekend before Memorial Day through the weekend after Labor Day) when boats could be moored up to 72 hours. PBOT must also enter into an enforcement agreement and monitor use and report back to OSMB on usage.
7. PBOT will be submitting to the Council for its consideration an Ordinance adopting City Code provisions that will regulate the use of the Duckworth Dock and establish exclusion provisions as well as a process for appeal of said exclusions.

NOW, THEREFORE, the Council directs:

- a. That the Mayor is authorized to execute an amendment to the Cooperative Agreement with the Oregon State Marine Board, in a form similar to the amendment attached as Exhibit A.

Section 2. The Council declares that an emergency exists because of the need to execute the amendment, adopt corresponding City Code changes, and designate enforcement authority before the boating season ends; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, **AUG 06 2014**

Mayor Charlie Hales

Prepared by: Andrew Carlstrom:slg

Date Prepared: July 30, 2014

LaVonne Griffin-Valade

Auditor of the City of Portland

By *Gayla Jennings*

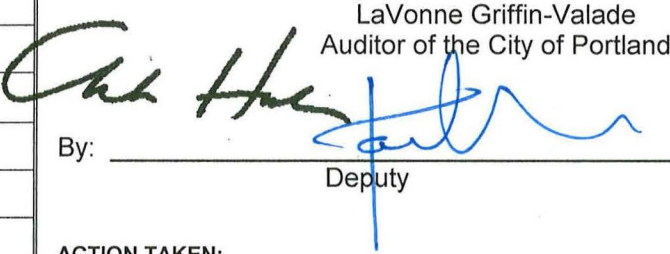


Deputy

829

Agenda No.
ORDINANCE NO.
 Title

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INTRODUCED BY Commissioner/Auditor: MAYOR CHARLIE HALES	CLERK USE: DATE FILED <u>AUG 01 2014</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	LaVonne Griffin-Valade Auditor of the City of Portland  By: _____ Deputy
BUREAU APPROVAL Bureau: Bureau of Transportation Director: LEAH TREAT 	ACTION TAKEN:
Prepared by: Andrew Carlstrom:ajc Date Prepared: July 30, 2014 	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Council Meeting Date August 6, 2014	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter	

AGENDA
TIME CERTAIN <input type="checkbox"/> Start time: _____ Total amount of time needed: _____ (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input checked="" type="checkbox"/> Total amount of time needed: 5 MIN (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	<input checked="" type="checkbox"/>	
2. Fish	2. Fish	<input checked="" type="checkbox"/>	
3. Saltzman	3. Saltzman	<input checked="" type="checkbox"/>	
4. Novick	4. Novick	<input checked="" type="checkbox"/>	
Hales	Hales	<input checked="" type="checkbox"/>	