

MATTERS TO BE CONSIDERED BY THE COUNCIL AT THE MEETING
TO BE HELD WEDNESDAY, DECEMBER 10, 2014 AT 9:30 A.M.

FOUR-FIFTHS AGENDA

COMMISSIONER AMANDA FRITZ

Parks and Recreation

Agenda No.

Title

- *1289-1 Authorize an Intergovernmental Agreement with the Multnomah County Sheriff's Office River Patrol Unit to provide law enforcement services at the Riverplace Marina Municipal Boat Landings (Ordinance)



ORDINANCE COVER SHEET

Title of Ordinance/Report:

* Authorize an Intergovernmental Agreement with the Multnomah County Sheriff's Office River Patrol Unit to provide law enforcement services at the Riverplace Marina Municipal Boat Landings. (Ordinance)

Today's Date: December 8, 2014

Expected Date to Council: December 10, 2014

Preparer's Name: Frank D. James

Manager's Name: Todd Lofgren

Manager's signature: 

If this is an Agreement, a Contract, or a Contract amendment, has it been "Approved as to Form" by the City Attorney? Yes.

Will this be on **Regular** or **Consent** agenda? Consent.

1. **Background** - The City of Portland owns the Riverplace Marina Municipal Boat Landings. There have been ongoing security problems at the boat landings. The City's Bureau of Parks and Recreation ("Parks") has historically maintained and provided security at the boat landings. Recently, however, the security problems at the boat landings have reached a level that is beyond the capacity of Parks' security staff to adequately address. In fact, Parks absolutely lacks the means and resources to adequately monitor, provide security for and enforce relevant laws on the boat landings. Parks does not possess the equipment, watercraft, training and/or personnel to adequately address the present problem.

This issue is of particular concern at this juncture because of the upcoming Christmas Ships Parade on the 20th of December, 2014. The Parade ships are scheduled to use the Riverplace Marina Municipal Boat Landings, but there are serious concerns about Parks' ability to address security concerns at the Boat Landings prior to and during the Parade. Those concerns are related to the enforcement of trespass laws, the Portland City Code, Park rules, relevant local, state and/or federal statutes, and regulations specifically related to boat landings and boats. All parties are aware of the need for a greater level of law enforcement involvement than can be provided by the City's Parks security personnel.

The Multnomah County Sheriff's Office River Patrol Unit ("MCSORPU") possesses the resources and capabilities to assist in addressing this urgent problem and has

indicated that it is willing to assist under the appropriate contractual relationship. A contractual agreement between Parks and the MCSORPU would allow the MCSORPU to perform many of the necessary law enforcement duties and responsibilities that present at the Municipal Boat Landings.

2. Financial Impact

Under an Intergovernmental Agreement (“IGA”), the City will pay an overtime rate of \$80 per hour to the MCSORPU for services provided to the City for the enforcement of trespass laws, the Portland City Code, Park rules, relevant local, state and/or federal statutes and regulations specifically related to boat landings and boats at the Riverplace Marina Municipal Boat Landings. The payments by the City to MCSORPU under this IGA will not exceed \$98,000 per year, including \$50,000 for costs associated with towing and storage costs of abandoned and derelict vessels and \$48,000 for 600 hours of service, although the exact allocation of the above-noted expenditures may vary depending on specific circumstances and the agreement of the parties. MCSORPU will be paid by the City 15 days after invoice is received from MCSORPU and approved by the City, unless the parties agree to a different payment process. The City Budget Office is to reserve General Fund contingency for the FY 2014-15 actual and projected costs of the agreement, up to \$98,000, to be appropriated as part of the FY 2014-15 Spring Supplemental Budget Process.

3. Controversial and/or legal issues

None.

4. Link to current City policies

The City has a duty to provide adequate security at public park properties so that the public may fully enjoy those facilities. This Intergovernmental Agreement will help to provide adequate security that will assist in the public’s ability to utilize and enjoy Park properties, and especially the City’s Municipal Boat Landings.

5. Citizen participation

While the public has not been specifically involved in the negotiations for this particular IGA and the development of this Council item, the public has generally been involved because it has provided both Parks and the MCSORPU with concerns about the lack of security at the Riverplace Marina Municipal Boat Landings. Both public entities have received a significant amount of public feedback about the need for an increased and more effective law enforcement presence at the City’s Municipal Boat Landings.

6. Other government participation

The Multnomah County Sheriff's Office River Patrol Unit will be a party to the IGA that is the subject of this Ordinance. The County's River Patrol Unit will provide services to the City of Portland under this agreement.

Portland, Oregon
FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT
For Council Action Items

(Deliver original to City Budget Office. Retain copy.)

1. Name of Initiator Frank D. James		2. Telephone No. 503.823.5120	3. Bureau/Office/Dept. Parks – Planning/Business Development
4a. To be filed (hearing date): December 10, 2014	4b. Calendar (Check One) Regular Consent 4/5ths <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>		5. Date Submitted to Commissioner's office and CBO Budget Analyst: December 9, 2014
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

1) Legislation Title:

*Authorize an Intergovernmental Agreement with the Multnomah County Sheriff's Office River Patrol Unit to provide law enforcement services at the Riverplace Marina Municipal Boat Landings.

2) Purpose of the Proposed Legislation:

To authorize an Intergovernmental Agreement that would designate of the Multnomah County Sheriff's Office River Patrol Unit to provide law enforcement services, under contract, to the City of Portland at the Riverplace Marina Municipal Boat Landings.

3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?

- | | | | |
|--|---|---|--------------------------------|
| <input checked="" type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast | <input checked="" type="checkbox"/> Southeast | <input checked="" type="checkbox"/> Southwest | <input type="checkbox"/> East |
| <input checked="" type="checkbox"/> Central City | | | |

FINANCIAL IMPACT

4) Revenue: Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

No new revenue will be generated by this legislation.

5) Expense: What are the costs to the City as a result of this legislation? What is the source

of funding for the expense? *(Please include costs in the current fiscal year as well as costs in future year, including Operations & Maintenance (O&M) costs, if known, and estimates, if not known. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the **level of confidence.**)*

Under an Intergovernmental Agreement (“IGA”), the City will pay an overtime rate of \$80 per hour to MCSORPU for services provided to the City for the enforcement of trespass laws, the Portland City Code, Park rules, relevant local, state and/or federal statutes and regulations specifically related to boat landings and boats at the Riverplace Marina Municipal Boat Landings. The payments by the City to MCSORPU under this annual IGA will not exceed \$98,000.00, including \$50,000.00 for costs associated with towing and storage costs of abandoned and derelict vessels and \$48,000.00 for 600 hours of service. The exact allocation of the above-noted expenditures may vary depending on specific circumstances and the agreement of the parties. MCSORPU will be paid by the City 15 days after invoice is received from MCSORPU and approved by the City.

The City Budget Office is to reserve General Fund contingency for the FY 2014-15 actual and projected costs of the agreement, up to \$98,000, to be appropriated as part of the FY 2014-15 Spring Supplemental Budget Process.

6) Staffing Requirements:

- **Will any positions be created, eliminated or re-classified in the current year as a result of this legislation?** *(If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)*

No new positions will be created, eliminated or re-classified in the current year as a result of this legislation.

- **Will positions be created or eliminated in future years as a result of this legislation?**

No, it is not anticipated that any new positions will be created or eliminated in future years as a result of this legislation.

(Complete the following section only if an amendment to the budget is proposed.)

7) Change in Appropriations *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate “new” in Fund Center column if new center needs to be created. Use additional space if needed.)*

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]
PUBLIC INVOLVEMENT

8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:

- YES:** Please proceed to Question #9.
 NO: Please, explain why below; and proceed to Question #10.

While the public has not been specifically involved in the negotiations of this particular IGA and the development of this Council item, the public has generally been involved because it has provided both Parks and the MCSORPU with concerns about the lack of security at the River place Marina Municipal Boat Landings. Both entities have received a significant amount of public feedback that has indicated the need for an increased and more effective law enforcement presence at the Boat Landings.

9) If “YES,” please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item?

b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?

c) How did public involvement shape the outcome of this Council item?

d) Who designed and implemented the public involvement related to this Council item?

e) Primary contact for more information on this public involvement process (name, title, phone, email):

10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.

No future public involvement is anticipated or necessary at this juncture, although both the City and the MCSORPU will monitor public reaction to this new partnership and that feedback will assist the parties in gauging the effectiveness of this partnership.

 A handwritten signature in blue ink, appearing to read "Ken Shuff", is written over a horizontal line. To the right of the signature, there are some initials or a mark that looks like "MA".

APPROPRIATION UNIT HEAD (Typed name and signature)