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191700

Emergency Ordinance

*Authorize the transfer of ownership and management responsibilities for Holman Dock and Duckworth Dock to Portland Parks and Recreation

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. Prosper Portland ("Prosper") owns certain personal property located on the east-bank of the Willamette River adjacent to the Hawthorne Bridge consisting of a floating dock, pilings, gangway ramp, and associated components, commonly known as the Holman Floating Dock (the "Holman Dock").
2. The upland portion of the Holman Dock is located on Oregon Department of Transportation (ODOT) property lot # R275763, which was formerly encumbered by an easement, which Prosper released back to ODOT (the "ODOT Easement") due to a wide variety of historical redevelopment complications, and Portland Parks and Recreation (PP&R) is in the process of permitting the upland area with ODOT as a fresh start through an automatically renewing annual land use permit for one-dollar (\$1).
3. The floating portion of the Holman Dock is located on and above submerged property licensed to Prosper from the Oregon Department of State Lands (DSL) under license No. 31117-LI (the "DSL License"), which is being assigned to PP&R. The DSL License will expire on September 7, 2034.
4. The City, through PBOT owns and manages certain personal property located on the east-bank of the Willamette River adjacent to the Burnside Bridge; consisting of a 60-foot long gangway and a 300-foot long dock consisting of ten – 30 foot long by 10 feet wide wood and concrete floats held together with eight – 24-inch in diameter steel piles, galvanized steel cleats bolted into the dock every 10 feet on both sides for securing boat lines, electrical utility lines, gate, and decommissioned dock light bollards, commonly known as the Duckworth Dock (the "Duckworth Dock").
5. Both the Holman Dock and the Duckworth Dock (collectively "Docks") are able to provide recreational river access to the public, particularly for the use of small, non-motorized watercraft. The users of the Docks have included casual users as well as programmed uses by non-profit rowing

Introduced by

[Commissioner Dan Ryan](#)

Bureau

[Parks & Recreation](#)

Contact

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

May 8, 2024

clubs, universities and other groups that utilize the dock for launching crew shells, canoes, kayaks, and similar nonmotorized personal watercraft. These uses advance PP&R's objectives of increased safe access to the Willamette River and are consistent with its proposed safety guidelines.

6. Prosper wishes to transfer ownership of the Holman Dock to PP&R as a no-cost, as-is condition donation and to transfer restricted maintenance funds in the amount of \$270,000. These maintenance funds will be used for the long-term operation and stabilization of the Holman Dock. PP&R is willing to accept the transfer and will execute an intergovernmental agreement with Prosper.
7. PBOT wishes to transfer the Duckworth Dock to PP&R through an Interagency Agreement (IAA). As consideration for transferring the ownership, repair obligations, and maintenance of the Duckworth Dock to PP&R, PBOT will decrease its request by \$10,000 and PP&R will request an additional \$10,000 in their respective FY2024-25 General Fund budget proposals, to provide PP&R with maintenance funding.
8. PP&R has budgeted the annual Operation and Maintenance costs associated with Holman Dock to be \$74,255 and with Duckworth Dock to be \$71,700, for a total of approximately \$145,953 a year.

NOW, THEREFORE, the Council directs:

- A. The Director of PP&R, or designee, is authorized to execute an IGA with Prosper Portland to transfer ownership of the Holman Dock to PP&R and accept the Prosper funding, in a form substantially similar to attached Exhibit A, and an IAA with PBOT to transfer asset management responsibility for Duckworth Dock from PBOT, in a form mutually agreeable and similar to attached Exhibit B, and as approved as to form by the City Attorney as may be required.

Section 2. The Council declares that an emergency exists because a delay would unnecessarily delay the City's ability to perform the stabilization and maintenance activities authorized by the agreement; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2024/exhibit_a_iga_holman_dock_transfer.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/exhibit_a_iga_holman_dock_transfer.pdf) 736.81 KB

 [Exhibit B \(https://www.portland.gov/sites/default/files/council-documents/2024/exhibit_b_ppr_pbota_iaa_for_duckworth_dock.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2024/exhibit_b_ppr_pbota_iaa_for_duckworth_dock.pdf) 310.52 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
May 8, 2024

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

This ordinance will authorize PP&R Director to execute agreements with Prosper Portland and PBOT for the transfer of the Holman Dock and Duckworth Dock, respectively.

Financial and Budgetary Impacts

- PP&R will not pay any price for the transfer of the Docks.
- PP&R has estimated ongoing O&M costs for Holman Dock at \$74,255/year. Prosper Portland has committed a one-time payment of \$270,000 for O&M. These maintenance funds will be used for the long-term operation and stabilization of the site.
- PP&R has estimated ongoing O&M cost for Duckworth Dock at \$71,700/year. PBOT will decrease its request by \$10,000 and PP&R will request an additional \$10,000 in their respective FY2024-25 General Fund budget proposals, to provide PP&R with maintenance funding.
- PP&R has estimated that the annual Operation and Maintenance costs associated with Holman Dock to be \$74,255 and with Duckworth Dock to be \$71,700, for a total of \$145,955 a year.
- There is an unknown potential for contamination on site surrounding and in relation to Holman Dock that pre-dates City's operation of this area. Based on a similar river access site on the west side of the Willamette River, potential costs for mitigation and clean-up of the area could cost millions of dollars. Operation and Maintenance funds committed by Prosper for this transfer are originated from Tax Increment Financing (TIF) sources, and as such are restricted to allowable uses.
- \$47,555 has already been included in the base budget in prior years, anticipating the Holman transfer.
- \$45,000 has been included in the FY 2024-25 Requested Budget funded from Parks Leveraged Funding Model.
- \$53,400 will be included in future budget cycles to fund updated security estimates; funded by \$10,000 from PBOT and \$43,400 from Parks Leveraged Funding Model.

Community Impacts and Community Involvement

The community was not directly involved in these transfers; however, the addition of both Docks will increase the general public access and enjoyment of recreational opportunities at the Willamette River. No opposition to this ordinance is expected.

100% Renewable Goal

N/A

Agenda Items

355 Consent Agenda in [May 8, 2024 Council Agenda](https://www.portland.gov/council/agenda/2024/5/8)
(<https://www.portland.gov/council/agenda/2024/5/8>)

Passed

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea