



River Community Advisory Committee (RCAC)
MEETING MINUTES

Tuesday, December 6, 2022 / 9:00am – 10:00am

Virtual Meeting: Members Attending Via Zoom

ATTENDANCE:

City of Portland Staff: (BDS unless otherwise noted)

Table with 2 columns: Attendance checkbox and Name/Title. Includes Gabby Bruya, Jason Buerkle, Jason Butler-Brown, Jeff Gauba, Amit Kumar, Michael Liefeld, and Maureen McCafferty.

Table with 2 columns: Attendance checkbox and Name/Title. Includes Ken Ray, Kimberly Tallant, Dave Tebeau, Nancy Thorington, Sean Whalen, and Terry Whitehill.

Current Members:

Table with 2 columns: Attendance checkbox and Name/Title. Includes Bruce Broussard, Terry Glenn, and Kelly Holtz.

Table with 2 columns: Attendance checkbox and Name/Title. Includes Tim Larson, Tom Lisch, and Bryrick Shillam.

A. Meeting Minutes

Motion: Kelly made a motion to approve minutes from the November 17, 2022 meeting. Tom seconded. A vote was held. The motion was unanimously approved.

B. Review of Potential Changes to Title 28 Charter Rule

1) 28.02.020 O. Dock

a) It was noted that we may need to review where terms in this section have been used elsewhere in the document, specifically in context of the 50% rule.

2) 28.02.020 R. Engineer of Record

a) Amit's comments were reviewed. The group agreed to leave this section as-is, with the added/second sentence removed. It was noted that any drawing that goes through BDS will have an Engineer of Record on it.

3) 50% Rule

- a) Terry G. asked if we should remove this requirement? He is concerned about limiting parameters to the point floating homeowners are reluctant to replace docks; posing safety issues. Dave remarked that perhaps we will see replacement in phases instead.
b) Tom asked if the Committee might consider a different set of requirements for Residential properties, versus Multifamily or Commercial.
c) Terry W. pointed out that size of moorage may not make this rule equitable.
d) Dave explained how the City often must play to the lowest common denominator, and that without including this language there is often no recourse to remedy issues.
e) Bryrick inquired about the possibility of dividing Title 28 into separate sections (maintaining 50% of floating home (logs and stringers only). He added that in a Commercial application,

instead of individual components, perhaps a different method could be created to help comply with the 50% rule; suggesting as instead using linear feet, or sections of the moorage.

f) Kelly shared that typically, most floating homeowners would plan to replace aging walkways in sections due to high financial costs.

g) Terry W. confirmed that decking is completely excluded from this rule, which is only for structural components.

h) Tim pointed out that WOOO (*Waterfront Organizations of Oregon*) has a meeting scheduled tomorrow. RCAC members were encouraged to attend.

i) It was noted that Life Safety is the main intent of this rule, with the goal being clarification on the existing rule.

j) Terry G. suggested leaving the 50% rule as-is, to be revisited in the future, since the deadline for current changes is January 1st.

k) The Committee approved of the 50% rule, clarifying that it is the dock portion which needs to be addressed.

4) V. Floatation System

a) Nancy consulted with the City Attorney who advised not to capitalize certain terms, such as 'floating homes' within the Title 28 document.

5) 28.03.020 A7 (*Permits and Inspections section*)

a) It was noted that permits and inspections are required for gangways due to concerns on repair and life safety.

b) Sean shared that he was onsite during a recent gangway accident. However, that marina was not operating under Title 28; adding that those which do are much better maintained. Sean explained that Title 28 allows additional avenues to keep marinas in good shape during 2-year inspections, even if a permit is not required, as it allows for the issuance of write-ups.

c) It was noted that in relation to gangways, what matters most is what they land on. Terry W. feels the float that the gangway lands on should ideally require a permit.

d) Terry G. suggested updating wording in this section to, 'repair allowing the walking surface'. However, Terry W. shared that if relating to anything structural, he is less comfortable reducing this section to only mention 'repair'.

e) Terry G. pointed out the lack of information about the landing pad in Title 28; adding that this area may be something an engineer is required on. Terry W. suggested adding, 'structural' repair to this section. Terry G. added that the exception should add clarification to 'non-structural' deck.

f) Tim would like an opportunity to review past failures prior to further updates to this section, including the deck failure at Chinook Landing in 2013.

g) Dave asked Nancy to flag this section for him and Terry W. to review in the future, in order to prepare recommendations for the Committee.

h) It was also suggested that Dave and Terry G. meet to review wording for the 50% rule, as well as the entire moorage system (including pilings), for future change recommendations.

k) Jason Butler-Brown pointed out that this section also notes elevation requirements, including those outlined by FEMA. Being that there are two different flood elevation regulations outlined, Jason asked if there would be interest in revising these to the 24.50 flood plain regulations, to tie this to the higher of the two with regulated code. Terry G added that it may be necessary to gain even more information on this. Jason emphasized that he is available to be involved in future conversations.

l) The group was in agreement that it would be best to move forward on the bulk of Title 28 changes before continuing to review the 50% rule as a future change.

6) 28.02.020 FF (Marina) + GG (Moorage)

- a) Section C is to be left as-is for now, to be put on hold for further changes in the future.

7) 28.03.035 BDS Administrative Appeals Board: C

- a) The group approved updated wording in this section.

8) 28.06.055: A.

- a) Life Safety 'Chapter 29' was added to this section to provide additional clarification.

9) 28.06.040: Floatation, 3:

- a) Nancy made a note to check with Dave on information related to Live Loads.
- b) The Committee was in agreement that BDS staff should make recommendations here; confirming the 25 lb guideline as satisfactory.
- c) Dave would like to create a permit – similar to what is in place for manufactured homes – to handle new electrical and plumbing connections for floating structures.
- d) Tim asked Nancy to add a note in the document to indicate a need for further discussion on electrical code.
- e) It was noted that these codes are already applicable in Title 28. However, until the County chooses to adopt the Title, these rules do not apply beyond Portland jurisdiction.

C. Next Steps

- 1) January 1st is the deadline for Title 28 changes to go through Council for the next effective date. Effective dates fall in March and October.
- 2) The group agreed on a plan to finalize current changes. Nancy will send out a revised change document to Committee members, after which one additional meeting will be held. The plan being to go with the changes approved at that time.

Action Items:

- a) Title 28 changes to be incorporated with 'track changes' enabled in MS Word (with the exclusion of tabled sections). Updated document to be sent by Nancy to the Committee, ahead of the next scheduled meeting.
- b) Committee members to review and communicate via email, *only* to propose which item numbers they would like discussed at the next public meeting.

Meeting adjourned 10:38 am

Next meeting: Tuesday, December 20, 9am – 10am