

Chris Barhyte

From: City of Rivergrove Manager <manager@cityofrivergrove.com>
Sent: Monday, May 13, 2024 11:35 AM
To: Doug McLean; Chris Barhyte; Bill Tuttle; Leah Silber; Rachel Shafer
Subject: Fwd: Gate for Rivergrove

----- Forwarded message -----

From: Megan Edwards <meg.sinnott@gmail.com>
Date: Mon, May 13, 2024 at 10:46 AM
Subject: Re: Gate for Rivergrove
To: City of Rivergrove Manager <manager@cityofrivergrove.com>
Cc: mayor@cityofrivergrove.com <mayor@cityofrivergrove.com>

19350 Marlin Ave

On Mon, May 13, 2024 at 9:22 AM City of Rivergrove Manager <manager@cityofrivergrove.com> wrote:
Thank you for the letter. What is your address for the record?

On Mon, May 13, 2024 at 8:58 AM Megan Edwards <meg.sinnott@gmail.com> wrote:
Mayor and Rivergrove City Councilors,

As a parent of a young toddler that lives near and uses Lloyd Minor Park, I urge you to retain the gate at Stark boat ramp and continue to close it after accessing the river.

The gate is the last point of protection for children before the river. As parents, we are vigilant of their activities, but on the occasion that they can run ahead out of excitement or dart across the street, the gate provides a safeguard from a horrific event.

The gate has been in place since we moved into our neighborhood in December 2021, and we have come to rely on that certainty that comes with having both a safe playground and as well a protected river access. Removal of the gate would jeopardize the past protections the gate has provided and put at risk the safety of our children.

Thank you for consideration of our concerns.
Megan Edwards

Chris Barhyte

From: City of Rivergrove Manager <manager@cityofrivergrove.com>
Sent: Monday, May 13, 2024 9:22 AM
To: Doug McLean; Chris Barhyte; Bill Tuttle; Leah Silber; Rachel Shafer
Subject: Fwd: The boat ramp

----- Forwarded message -----

From: rrgr10 <rrgr10@comcast.net>
Date: Mon, May 13, 2024 at 8:56 AM
Subject: Re: The boat ramp
To: City of Rivergrove Manager <manager@cityofrivergrove.com>

8285 SW Carmel Ct
Portland 97223

Sent from Samsung Galaxy smartphone.

----- Original message -----

From: City of Rivergrove Manager <manager@cityofrivergrove.com>
Date: 5/12/24 7:14 PM (GMT-08:00)
To: rrgr10 <rrgr10@comcast.net>
Subject: Re: The boat ramp

Thanks for your letter. What is your address for the record?

On Sun, May 12, 2024 at 6:35 PM rrgr10 <rrgr10@comcast.net> wrote:

Hello,

I am writing to encourage you to not remove the gate at Stark Boat Ramp. Without a gate, children could wander down the ramp not expecting access to the river and not equipped with river safety equipment.

Thank you,

Rose Grabowski

Sent from Samsung Galaxy smartphone.

Chris Barhyte

From: City of Rivergrove Manager <manager@cityofrivergrove.com>
Sent: Monday, May 13, 2024 5:42 AM
To: Doug McLean; Chris Barhyte; Bill Tuttle; Rachel Shafer; Leah Silber
Subject: Fwd: Retaining the Gate at Stark Boat Ramp for Child Safety
Attachments: Retaining the Gate at Stark Boat Ramp for Child Safety.pdf

----- Forwarded message -----

From: **Bonnie Harold** <bonniewilsonharold@gmail.com>
Date: Sun, May 12, 2024 at 9:23 PM
Subject: Retaining the Gate at Stark Boat Ramp for Child Safety
To: mayor@cityofrivergrove.com <mayor@cityofrivergrove.com>, manager@cityofrivergrove.com
<manager@cityofrivergrove.com>

Hello,

I would like to express my concern regarding the gate at the Stark boat ramp and upcoming discussions about possible removal. Please find a letter attached, and share with members of Rivergrove City Council.

Thank you for your consideration,
Bonnie Harold

Mayor and Rivergrove City Councilors --

I am writing to express my concern regarding discussions surrounding the removal of the gate at the Stark boat ramp. As a grandparent of young children who frequently enjoy Lloyd Minor Park, I strongly urge you to maintain the gate's presence at the Stark boat ramp and ensure its closure after accessing the river.

The gate serves as the final barrier of protection for children before they reach the river, offering a crucial safeguard against potential dangers. Its presence has provided peace of mind and reassurance to the community since its installation in 2010.

We have grown accustomed to the security that the gate provides, offering both a safe playground environment and protected river access. Any decision to remove the gate would not only jeopardize the protections it has afforded in the past but also pose a significant risk to the safety of our children.

I kindly request that you consider our concerns and prioritize the retention of the gate for the well-being of our community's children.

Thank you for your attention to this matter.

Sincerely,

Bonnie Harold

1705 Fern Place
Lake Oswego, OR 97034

Chris Barhyte

From: City of Rivergrove Manager <manager@cityofrivergrove.com>
Sent: Monday, May 13, 2024 5:42 AM
To: Doug McLean; Chris Barhyte; Bill Tuttle; Leah Silber; Rachel Shafer
Subject: Fwd: Gate at Stark Boat Ramp

----- Forwarded message -----

From: Betty Aikens <aikens_betty@yahoo.com>
Date: Sun, May 12, 2024 at 10:12 PM
Subject: Re: Gate at Stark Boat Ramp
To: <manager@cityofrivergrove.com>

15950 SW 146th Ave. Tigard, 97224

Yahoo Mail: Search, Organize, Conquer

On Sun, May 12, 2024 at 5:58 PM, City of Rivergrove Manager
<manager@cityofrivergrove.com> wrote:

Thank you. What is your address for the record?

On Sat, May 11, 2024 at 4:01 PM Betty Aikens <aikens_betty@yahoo.com> wrote:

To whom it may concern,

Please do not remove the gate at the Stark Boat Ramp. I'm concerned about the safety of the children who play in the park.

Thank you,
Betty Aikens

Yahoo Mail: Search, Organize, Conquer

Chris Barhyte

From: City of Rivergrove Manager <manager@cityofrivergrove.com>
Sent: Sunday, May 12, 2024 7:28 PM
To: Doug McLean; Chris Barhyte; Bill Tuttle; Leah Silber; Rachel Shafer
Subject: Fwd: Stark boat ramp gate

----- Forwarded message -----

From: **Xavier Sudre** <xavier@sudre.fr>
Date: Sun, May 12, 2024 at 7:26 PM
Subject: Re: Stark boat ramp gate
To: City of Rivergrove Manager <manager@cityofrivergrove.com>

Thank you. The address is 5775 Dogwood Dr.

X.

On May 12, 2024, at 6:01 PM, City of Rivergrove Manager <manager@cityofrivergrove.com> wrote:

Hi,

Thanks for the letter. What is your address for the record?

Analeis

On Sun, May 12, 2024 at 4:39 PM Xavier Sudre <xavier@sudre.fr> wrote:

Please forward to Council

Mayor and Rivergrove City Councilors,

As a parent of two young children that use Lloyd Minor Park, I urge you to retain the gate at Stark boat ramp and continue to close it after accessing the river.

- The gate is the last point of protection for children before the river. As parents, we are vigilant of their activities, but on the occasion that they can run ahead out of excitement or dart across the street, the gate provides a safeguard from a horrific event.
- The gate has been in place since we moved into our neighborhood in 2021, and we have come to rely on that certainty that comes with having both a safe playground and as well a protected river access. Removal of the gate would jeopardize the past protections the gate has provided and put at risk the safety of our children.

Thank you for consideration of our concerns,

Xavier Sudre

Chris Barhyte

From: City of Rivergrove Manager <manager@cityofrivergrove.com>
Sent: Sunday, May 12, 2024 6:04 PM
To: Doug McLean; Chris Barhyte; Bill Tuttle; Leah Silber; Rachel Shafer
Subject: Fwd: Rivergrove Boat Ramp

----- Forwarded message -----

From: **Megan Seashore** <meganseashore@gmail.com>
Date: Sun, May 12, 2024 at 6:03 PM
Subject: Re: Rivergrove Boat Ramp
To: City of Rivergrove Manager <manager@cityofrivergrove.com>

5835 Colby Ct

On Sun, May 12, 2024 at 5:57 PM City of Rivergrove Manager <manager@cityofrivergrove.com> wrote:
What is your current address for the record?

On Sat, May 11, 2024 at 9:20 AM Megan Seashore <meganseashore@gmail.com> wrote:

Mayor and Rivergrove City Councilors,

As a teacher and a parent of two young children that use Lloyd Minor Park, I urge you to retain the gate at Stark boat ramp and continue to close it after accessing the river.

- The gate is the last point of protection for children before the river. As parents, we are vigilant of their activities, but on the occasion that they can run ahead out of excitement or dart across the street, the gate provides a safeguard from a horrific event.

- The gate has been in place since we moved into our neighborhood in 2019, and we have come to rely on that certainty that comes with having both a safe playground and as well a protected river access. Removal of the gate would jeopardize the past protections the gate has provided and put at risk the safety of our children.

Thank you for consideration of our concerns,
M. Seashore

Chris Barhyte

From: City of Rivergrove Manager <manager@cityofrivergrove.com>
Sent: Sunday, May 12, 2024 6:01 PM
To: Doug McLean; Chris Barhyte; Bill Tuttle; Leah Silber; Rachel Shafer
Subject: Fwd: Gate at Stark Boat Ramp (PLEASE FORWARD TO CITY COUNCILORS)

----- Forwarded message -----

From: **Gordan robinson** <pdxgordo@hotmail.com>
Date: Sun, May 12, 2024 at 11:39 AM
Subject: Gate at Stark Boat Ramp (PLEASE FORWARD TO CITY COUNCILORS)
To: City of Rivergrove <manager@cityofrivergrove.com>, chris@barhyte.com <chris@barhyte.com>

To Rivergrove City Manager, Mayor Barhyte and City Councilors,

I am writing to express my concerns regarding possible removal of the gate at the Stark Boat Ramp. The gate provides a deterrent and Safeguard to children playing in the park and who may try to access the river without an adult. From a liability perspective, the City of Rivergrove being the property owner of an "Attractive Nuisance" is liable for injuries caused on their property.

I am asking that the City of Rivergrove keep the gate at the boat ramp, returning the signs to the gate asking visitors to close the gate upon entering and exiting and return the lock that was removed by Councilor McClean last year. I ask that we return to locking the gate during hours the ramp is closed to deter after hours use.

Thank You,

Gordan Robinson
19514 SW Marlin Avenue
Lake Oswego, OR 97035

Chris Barhyte

From: City of Rivergrove Manager <manager@cityofrivergrove.com>
Sent: Sunday, May 12, 2024 6:00 PM
To: Doug McLean; Chris Barhyte; Jeff Williams; Leah Silber; Rachel Shafer
Subject: Fwd: Proposal by Councilors McLean and Shafer regarding Stark Boat Ramp Gate removal
Attachments: gate removal proposal 5-13-24 revised.docx

----- Forwarded message -----

From: **susie lahsene** <susie.lahsene@gmail.com>
Date: Sun, May 12, 2024 at 7:23 AM
Subject: Re: Proposal by Councilors McLean and Shafer regarding Stark Boat Ramp Gate removal
To: Manager City of Rivergrove <manager@cityofrivergrove.com>, Chris Barhyte <chris@barhyte.com>

To:

Mayor Chris Barhyte
Council President Bill Tuttle
Councilor Doug McLean
Councilor Rachel Shafer
Councilor Leah Silber

CC:

Interim City Manager

Re: City Council Agenda "New Agenda Item" Public Comment May 13, 2024

Rivergrove City Councilors, Shafer and McLean have proposed to Change the Use of the Lockable Gate at Stark Boat Ramp for City Council consideration.

We do not support this proposal. There has been a history of managing access to the Tualatin River at the Stark boat ramp, by chain link or gate since the late 1970s for several reasons:

1. SAFETY The gate is the last point of protection for children before the river. With a widely used park within 30 feet of the river access, children can and have run ahead out of excitement or dashed across the street. The gate provides a safeguard from a horrific event.
2. LIABILITY The gate has been in place since 2010, and prior to that a chain was draped across the entrance. Users have come to rely on that certainty that comes with having both a safe playground and as well a protected river access. Removal of the gate would jeopardize the past protections the gate has provided and put at risk the safety of kids but also change a use triggering additional liability for the City.
3. DISCOURAGES UNWELCOME AFTER-HOURS ACTIVITY. Rivergrove does not have a parks department, nor does it have readily available police or sheriff protection enforcement. Increased usage of the Stark boat ramp means more awareness of its location, not just during the day but after hours as well.

It appears that the following information was missing from the justification for the Gate removal provided by Councilors' McLean and Shafer.

Protected River Access

- The Stark Boat ramp was deeded to the City of Rivergrove in 1975 by Clackamas County and since the late 1970's and until the gate was installed, a removable chain link was draped across the access to the Tualatin River
- In 2009, the City of Rivergrove was asked to address issues around the boat ramp.

- Specifically, on April 28, 2009, the Park Committee including City Councilor Mary Mann, prepared a list of ideas gathered from local Rivergrove residents for improvements to the boat ramp and park.
- Those ideas along with input from the Park Committee were presented to City Council. Ideas from the list that pertain to the boat ramp are the following:
 1. Gate for boat design, lock system who will open and close and cost
 2. Signage on boat ramp, water and street side
 3. Signage regarding parking
 4. Hours for park and boat ramp
 5. Not wanting to call more attention to the park with upgrading
 6. Drug use/noise activity on boat ramp
- In September 2009, City Council asked the Park Committee to prepare a synopsis of different gate options for their review and to include design, operation (manual vs mechanical) and cost.
- On September 19, 2009, Park committee Chairman, Doug McLean asked Mayor Tuttle to check with the City Attorney regarding the legal implications of a gate at the access to the Tualatin River with a locked mechanism. Rivergrove City Attorney indicated that the City has authority to manage access and hours.
- On August 9, 2010, the City Planning Commission approved the City's application to install the gate. "Rich Refven, City Manager, as the appointed applicant, explained that their had been lengthy discussion of the proposed gate. Neighbors of the boat ramp have been requesting it based on late night noise and illegal activity there. It would be less than 6 ft. tall. Commissioner Garritt moved to approve the application for a replacement gate... Commissioner Parish seconded. It passed 3-1." *From Rivergrove Planning Commission Minutes August 9, 2010- New Business Completeness Review and Decision for Rivergrove Boat Ramp submitted by City of Rivergrove.*
- Fall of 2010 a gate was installed at the access to the Tualatin River at the Stark Boat ramp.
- In June 2015, the city council approved locking the gate after hours, with signage to indicate hours for access and hours for closure. "Councilor Mann proposed locking the boat ramp gate after hours since having a gate with no lock is only a partial solution to the unwelcome after-hours activity.....Councilor Mann moved that the City provide funds to purchase a fire rated lock and signage for the boat ramp. Councilor Barman seconded. It passed 5-0." *From Rivergrove City Council minutes June 8, 2015.*

- In 2020, after a citizen's petition raised concerns about increased parking impact, noise and after hours use associated with the Stark Boat ramp, City Council asked for input from the community and developed a list of issues associated with the Stark Boat ramp to examine over the next several months.

Rivergrove Comprehensive Plan

- While the Stark Boat ramp gate was put in place prior to adoption of the Comprehensive Plan, the need to address concerns around the Stark Boat ramp are reflected in the finally adopted document.
- The City of Rivergrove Comprehensive Plan was adopted June 13, 2011- Rivergrove's population was 296 people. And the surrounding area of Lake Oswego, Tualatin and Tigard had a population of 110,445.
- Today Rivergrove's population is 558 persons, a 53% increase, and the surrounding area population is 20% higher than in 2011.
- In the City's Comprehensive Plan Goal #1 Citizen Involvement – "The Rivergrove Planning Commission has been designated by the City as the committee for Citizen involvement- thus changes to the use of a public facility should go through Planning Commission for public review and comment. The entire process for installing the gate adhered to the intent and policies of Goal #1 Citizen Involvement.
- Goal #2 Land Use Planning Citizen Recommendations 3. "Create a vehicle for providing a coordinated approach to problems facing Rivergrove and its neighbors." The Gate removal proposal offered by 2 councilors does not adhere to a coordinated approach to problem solving.
- Goal #6 Air, Water, Land Resources Quality – these goals are also relevant to this proposed change
 - Water- "Once considered Oregon's most polluted river, the Tualatin.... Has been the subject of considerable clean-up..... However water quality is still far from acceptable.
 - Noise- " The City of Rivergrove enjoys a quiet, peaceful environment. Preservation of this quietude is essential to the preservation of the community.
- Goal #8-Recreational Needs-
 - Stark Boat Ramp- while half of the City population at that time (2008) indicated use the boat ramp, the City saw fit to "create a Citizen's Advisory Committee to address not only concerns of the neighbors about noise and traffic issues surrounding the boat ramp, but also future landscaping and development possibilities for the park as a whole"

ADA

- There are no requirements for boat ramp facilities to be ADA compliant. Accessible routes (404.2.7) does not apply to Boat Launch Ramps (106.5) without slips or piers (206.2.10)
- There are requirements for ADA accessible playgrounds.
- The Rivergrove comprehensive Plan does not refer to the ADA in any goal or any policy.
- The Rivergrove Land Use Development Ordinance does not reference ADA in any Way.

Thank you for consideration of our concerns.

Respectfully,
Susie Lahsene
Marcel Lahsene
Landon Gentry
Jude Gentry
Joan Joyce
Marylou Van Slavie
Colleen Nyberg
Arne Nyberg

Chris Barhyte

From: City of Rivergrove Manager <manager@cityofrivergrove.com>
Sent: Sunday, May 12, 2024 5:54 PM
To: Doug McLean; Chris Barhyte; Jeff Williams; Leah Silber; Rachel Shafer
Subject: Fwd: Public Comments for 13 May CC Meeting
Attachments: Background and Timeline on the Gate.pdf

----- Forwarded message -----

From: Landon Gentry <rivergrove@landongentry.com>
Date: Thu, May 9, 2024 at 2:49 PM
Subject: Public Comments for 13 May CC Meeting
To: City Manager <MANAGER@cityofrivergrove.com>
Cc: <MAYOR@cityofrivergrove.com>, <rivergrove@judithgentry.com>

Please forward the attached comments to the City Council prior to the 13 May City Council Meeting.

-Landon&Jude Gentry
5600 Dogwood Dr

To:

Mayor Chris Barhyte
Council President Bill Tuttle
Councilor Doug McLean
Councilor Rachel Shafer
Councilor Leah Silber

CC:

Interim City Manager

Subject:

13 May City Council Agenda "New Agenda Item" Public Comment

We have taken the time to provide some additional information that was left from the Proposal to remove the Stark Boat Ramp gate. Below are some items that were not mentioned in the Background and Timeline on the Gate.

Missing items from timeline:

- Jun 2015 - City Council votes unanimously to purchase a lock and signage and begin the practice of neighbor volunteers locking the Boat Ramp gate after hours to enforce the hours of operation.
- 2020-2021 - Practice of neighbor volunteers locking the gate during closed hours is stopped by non-unanimous vote of City Council, vote not recorded in minutes, Mayor continues to lock gate after hours.
- Nov 2022 - "Gate Locked During Closed Hours" sign removed from Boat Ramp without City Council discussion or vote.
- Jan 2023 - City stops locking gate after operating hours without City Council discussion or vote.
- Mar 2023 - Locking latch removed from Boat Ramp gate without City Council discussion to vote rendering the gate no longer lockable.
- Apr 2023 - Motion to remove the Boat Ramp gate made in Special City Council meeting, motion tabled for next meeting. Motion never added to agenda for next meeting.
- Apr 2023 - "Hours of Operation" sign removed from Boat Ramp without City Council discussion or vote.
- May 2023 - Boat Ramp vegetation stripping begins with no notice.
- Jul 2023 - Motion activated spotlight designed to look like a security camera was installed at the Boat Ramp without City Council discussion or vote.
- Oct 2023 - Drainage ditches dug along the East side of Boat Ramp and filled with straw waddles without City Council discussion or vote.
- Apr 2024 - "Gate Locked Hours" sign removed from the bottom of the Boat Ramp with no City Council discussion or vote.

In the section titled "Unforeseen Circumstances" there are several items that are

missing important context, lacking detail, or are incorrect.

Addressing specific issues:

- Section 404.2.7 of the ADA Standards simply does not apply:
(This item has been raised several times over the past four years and repeating it does not make it any more correct.)
 - Section 404 deals with Door, Doorways, and Gates that are part of an accessible route.
 - Section 202 defines the scope of facilities that shall comply, and Section 206 specifically defines "Accessible Routes". Section 206.2.10 lists boat slips and boarding piers at boat launch ramps, but does not include the actual boat launch ramp.
 - Section 235 defines the requirements for recreational boating facilities, and it specifically defines that boat slips and boarding piers shall comply with 1003.3, and again boat launch ramps are not included.
 - Section 1003 defines the standards for recreational boating facilities, and yet again, only specifies the accessible routes to boat slips and boarding piers, not boat launch ramps.
 - Section 106 provides definitions for terms used in the standard, and in Section 106.5 Boat Launch Ramp is defined as "A sloped surface designed for launching and retrieving trailered boats and other watercraft to and from a body of water." It is clear that the ADA Standard recognizes this type of facility and intentionally does not consider it as an "accessible route" and does not apply any requirements on this type of facility or the operable parts used in the facility.
- Facilities in the city that are required to meet this standard and currently do not:
(Unlike the gate, these items may expose the city to liability.)
 - The "ADA" curb cut and ramp at Dogwood Ct: Section 406. According to Section 406.1 curb ramps on accessible routes shall comply with 405.2. The current ramp does not meet the requirement of Section 405.2 Slope.
 - The play structure in Lloyd Minor Park does not have an accessible route.
(Section 206.2.17)
 - The newly installed benches in Lloyd Minor Park do not have accessible routes.
 - Heritage Park has paths throughout the park that are surfaced with wood chips and do not meet the standards for walking surfaces. (Section 403.2)
- Discussion about the Comprehensive Plan Goals #5 and #8:
 - Removing the gate at the top of the boat ramp will not change the public's access to the river as the gate is not locked during the operating hours.
 - The City Attorney has stated on more than one occasion that the City has the right and the responsibility to manage the operation of the Boat Ramp, including setting operating hours and enforcing those operating hours.
- Current plans for the boat ramp do not meet Comprehensive Plan Goals #5 and #8:

- The City of Rivergrove has approx. 200 residences. Of those, there are approximately 65 residences with frontage on the Tualatin River. Of those, while the majority have docks on the river, only a handful of them have motorized boats, and even fewer residences without frontage/docks have boats that are suitable for operation on the Tualatin River, if any at all.
- The boat ramp upgrade/improvement project plan being developed by Firwood Engineering only directly benefits a very small minority of the residences in the city hardly satisfying Goals #5 and #8.
- Why is the City Council spending thousands of dollars on a project plan that is focused on upgrading and improving the boat ramp and not for a redevelopment of the property into a fully accessible and paddle-craft only facility like the one at Rood Bridge Park in the City of Hillsboro?
- Discussion about the Metro agreements:
 - This proposal is to attempt to unwind its obligations with Metro.
 - Moving forward with the current boat ramp project plan developed by Firwood Engineering will require significant grant funding with Metro as a likely source.

Landon and Jude Gentry
5600 Dogwood Dr

Chris Barhyte

From: City of Rivergrove Manager <manager@cityofrivergrove.com>
Sent: Wednesday, May 8, 2024 8:18 PM
To: Doug McLean; Chris Barhyte; Bill Tuttle; Rachel Shafer; Leah Silber
Subject: Fwd: Gate at Boat Ramp on Dogwood
Attachments: Letter to Rivergrove City Council.pdf

----- Forwarded message -----

From: **Judith Gentry** <judithgentry@gmail.com>
Date: Wed, May 8, 2024 at 6:20 PM
Subject: Gate at Boat Ramp on Dogwood
To: City of Rivergrove Manager <manager@cityofrivergrove.com>, <Mayor@cityofrivergrove.com>

Please forward the attached letter to City Council members prior to the meeting on Monday, May 13, 2024.

Thank you kindly ~
Jude & Landon Gentry

May 8, 2024

To: manager@cityofrivergrove.com

CC: mayor@cityofrivergrove.com

Rivergrove City Council Members,

We are expressing concern with discussions about removing the gate from the Rivergrove Community Boat Ramp access on Dogwood Drive. We encourage the City Council to leave the gate in place, keep it closed when not in use for added park safety, and to resume locking the gate after hours to limit the impact on the surrounding neighborhood.

Questions about the legality of the gate and operating hours have been addressed by state agencies and the City's own attorney. The answers are consistently the same, the City has the right to regulate the boat ramp, including restricting access to the property to specific hours of the day.

In an email dated August 9, 2021, from Adrian Albrich, Senior Risk Consultant of CityCounty Insurance Services, she states:

"I strongly recommend that at a minimum the gate remain closed when not in use. My greatest concerns is obviously the close proximity of the park and safety of the community children.

From a liability perspective, my greatest concern is what they call an "Attractive Nuisance":

It is generally understood that property owners can be held liable for injuries caused to children on their property, even if that child was trespassing at the time of the incident. This is particularly the case if the property owner had reason to believe that a child is likely to trespass.

If a property owner has something on their premises which could attract a child to it (swimming pools, hot tubs, treehouse, swing set, trampoline, a body of water, etc.), then the property owner has a duty to properly secure the premises to ensure the child cannot get to the "attractive nuisance.""

The gate and an ordinance defining the hours of operation have been in place since 2011. The fact that the City Council took the step of installing the gate and enacting the ordinance are proof that there has been a long-term issue with activities that directly affect the neighborhood.

The gate has been regularly locked after hours since 2015 to enforce the hours of operation. The fact that the City Council took the additional step of locking the gate is proof that the issues were only continuing, or getting worse, even after the gate was installed.

Removing the gate would only encourage uses outside of the hours of operation and would have an adverse impact on the neighborhood. Leaving the gate unlocked after hours has been shown to not prevent the issues that were occurring before the practice of locking the gate.

Thank you for your attention to this matter.

Sincerely,
Jude & Landon Gentry
5600 Dogwood Drive

Chris Barhyte

From: City of Rivergrove Manager <manager@cityofrivergrove.com>
Sent: Monday, May 6, 2024 5:17 AM
To: Doug McLean; Chris Barhyte; Bill Tuttle; Rachel Shafer; Leah Silber
Subject: Fwd: Gate removal Dogwood Boat Ramp
Attachments: May 4.pdf

----- Forwarded message -----

From: **Gail Parnell** <gail.parnell@gmail.com>
Date: Sun, May 5, 2024 at 9:39 PM
Subject: Gate removal Dogwood Boat Ramp
To: <manager@cityofrivergrove.com>

Please forward attached letter to all City Council Members

May 4, 2024

Mayor and Rivergrove City Councilors ~

Once again, I am expressing my concern with discussions of removing the gate at the Stark boat ramp. As a grandparent of young children that use Lloyd Minor Park, I urge you to retain the gate at Stark boat ramp and continue to close it after accessing the river.

The gate is the last point of protection for children before the river. The gate provides a safeguard from a horrific event.

The gate has been in place since 2010, and we have come to rely on that certainty that comes with having both a safe playground and as well a protected river access. Removal of the gate would jeopardize the past protections the gate has provided and put at risk the safety of our children.

Thank you for hearing and addressing our concerns.

Gail Parnell
19672 Sun Circle
West Linn, OR 97068