

PORT OF NEWPORT REGULAR COMMISSION MEETING AGENDA

Tuesday, March 28, 2017, 6:00 p.m.
South Beach Activities Room
2120 SE Marine Science Drive, Newport, OR 97365

- I. Call to Order6:00
- II. Changes to the Agenda.....6:01
- III. Public Comment.....6:02
- IV. Consent Calendar6:05
 - A. Minutes
 - 1. Regular Commission Meeting February 28, 2017 p. 3
 - 2. Special Commission Meeting March 17, 2017 p. 9
 - B. Financial Reports..... p. 13
 - C. Special Use Permits
 - 1. March for Science April 22, 2017 p. 27
 - 2. Davis Shows Loyalty Days Carnival May 1 – 8, 2017 p. 37
 - D. Commercial Fishing Users Group Committee Alternates
 - 1. Appoint Heather Mann, Midwater Trawlers Cooperative, as Alternate to Mark Cooper, Midwater Trawler sector
 - 2. Appoint Doug Morrison, F/V Tempo, as Alternate to Bob Eder, Longliner sector.
 - 3. Appoint David Jincks, F/V Sea Dawn, as Alternate to Jeff Lackey, Distant Water Fleet sector.
 - E. A Resolution authorizing transfers of appropriated funds within the 2016-17 fiscal year budget p. 43
- V. Correspondence/Presentations.....6:10
 - A. Cody Chase – Chelsea Rose Proposal p. 45
- VI. Old Business.....6:20
 - A. Items Removed from Consent Calendar
 - B. Accounts Paid..... p. 55
 - C. Resolution Setting Rates, Fees and Charges (ORS 294.160).....6:23 p. 59
 - D. International Terminal Shipping Facility Update.....6:25 p. 69
 - 1. Committee Member Appointments
 - E. Fishermen’s Parking Lease with Lincoln County Historical Society.....6:32 p. 73
 - F. Consideration of Boat Trailer Parking Lot for Future Seafood and Wine Festivals.....6:35 p. 75
 - G. Northwest National Marine Renewable Energy Center (NNMREC) Pacific Marine Energy Center (PMEC) Southern Energy Test Site (SETS) Collaborative Work Group (CWG) Work Plan Document Support.....6:40 p. 89
- VII. New Business6:45
 - A.
- VIII. Staff Reports
 - A. Director of Finance.....6:45 p. 91
 - 1. February Occupancy Report
 - B. Director of Operations.....6:48 p. 95
 - 1. Commercial Fishing Users Group Committee
 - a) Minutes
 - 2. Capital Improvements List 2017-18
 - C. General Manager 6:53 p. 105
- IX. Commissioner Reports7:00

X.	Calendar/Future Considerations	7:05
A.	4/04 Commission Budget Priorities Work Session, 12:00 noon	
B.	04/11 – 04/14 PCC Spring Conference, San Francisco, CA	
C.	04/11 2 nd Commission Budget Priorities Work Session, 12:00 noon (if needed)	
D.	04/22 March for Science	
E.	04/25 Regular Commission Meeting	
F.	05/04 – 05/07 Loyalty Days Carnival	
G.	05/09 Budget Committee Meeting 6:00 pm	
H.	05/13 Ducks Unlimited Halibut Derby	
I.	05/16 2 nd Budget Committee Meeting 6:00 pm (if needed)	
J.	05/23 Regular Commission Meeting	
K.	06/03 Newport Marathon	
L.	06/20 Public Hearing & Adopt Budget Resolution 6:00 pm	
M.	06/27 Regular Commission Meeting	
XI.	Public Comment	7:07
XII.	Adjournment.....	7:10

Regular meetings are scheduled for the fourth Tuesday of every month at 6:00 p.m.

The Port Newport South Beach Marina and RV Park Activity Room is accessible to people with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours in advance of the meeting to Port of Newport Administration Office at 541-265-7758.

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PORT OF NEWPORT MINUTES

February 28, 2017

Regular Commission Meeting

I. EXECUTIVE SESSION

Commission President Walter Chuck called an Executive Session of the Port of Newport Board of Commissioners to order at 5:30 pm at the South Beach Activities Room, 2120 SE Marine Science Drive, Newport, Oregon, pursuant to ORS 192.660(2)(i) for the performance evaluation of the General Manager. No decisions were made in Executive Session.

Commissioners Present: Walter Chuck (Pos. #1), President; Ken Brown (Pos. #4), Vice-President; Patricia Patrick-Joling (Pos. #5), Secretary/Treasurer; Steve Beck, (Pos. #2). Stewart Lamerdin (Pos. #3) was excused.

Management and Staff: Kevin Greenwood, General Manager.

Executive Session was adjourned at 5:55 pm.

II. CALL TO ORDER

Commission President Walter Chuck called the Regular Commission Meeting of the Port of Newport Board of Commissioners to order at 6:00 pm at the South Beach Activities Room, 2120 SE Marine Science Drive, Newport, Oregon.

Commissioners Present: Walter Chuck (Pos. #1), President; Ken Brown (Pos. #4), Vice-President; Patricia Patrick-Joling (Pos. #5), Secretary/Treasurer; and Steve Beck (Pos. #2). Stewart Lamerdin (Pos. #3) was excused.

Management and Staff: Kevin Greenwood, General Manager; Stephen Larrabee, Director of Finance; Jim Durkee, Interim Director of Operations; and Karen Hewitt, Administrative Assistant.

Members of the Public and Media: Wayde and Barbara Dudley, PON Volunteer Mates; Lee Fries, PON Volunteer Mates; Yale Fogarty, ILWU; Doug Cooper, Hampton Lumber; David Jincks, Midwater Trawlers Cooperative; Bob Spelbrink, fishing; Joe Steere, Farm & Forest; Mark Wilson, YBC; Garrick Lindsted; Pat Ruddiman, ILWU; Jim Shaw; John Russell; PWI/PON; T. Burkett, ILWU; Gary Lahman; and Mark Wilson, YBC Radio.

III. CHANGES TO THE AGENDA

There were no changes to the agenda.

IV. PUBLIC COMMENT

Joe Steere introduced himself as a Lincoln County local farmer and small timber owner, and asked the Commission to support opposing Measure 21-177. He said the measure was put forward as anti-pesticide, but it includes a vague definition of aerial spraying. The section on direct action leaves protections unclear. As a forester and resident, Steere believes aerial herbicide use is safe and cost effective. Timber land is a large and productive county business. Printed materials presented to the Commission are appended to the minutes.

David Jincks spoke to agenda item 8B forming a Terminal Users Committee. Jincks supports the committee, but suggests that one fishing fleet representative would not address all of the needs. Jincks suggested one crab fisher and another distant water representative. For lessee representation, Jincks said Trident and Foulweather Trawl should both be included.

Bob Spelbrink said he has been in commercial fishing for more than 40 years and has lived in Newport since 1978. He asked the Port Commission to oppose Measure 21-177 on behalf of the fishing industry, the Native American impact, and their economies. The section 2 definition of spraying would include tanks that are used on all ocean vessels, which would then also be restricted. Spelbrink said it was important for the Port to take a stand. He suggested the Commission look at section 5, part D, enforcement and direct action.

Barb Dudley said the National Ocean Science Bowl Competition will be held at OSU this year on 4/22 and 4/23 with the theme “powering our planet with our ocean.” Kaety Jacobsen asked for the Mates help, and may be looking for someone from the Port to speak. There will be 25 students participating.

V. CONSENT CALENDAR

- A. Minutes:
 - 1. Regular Commission Meeting 1/24/2017
 - 2. Special Commission Meeting 1/24/2017
- B. Financial Reports
- C. Special Use Permits
 - 1. Newport Booster Club – Newport Marathon
 - 2. OMSI Camp Gray Open House
 - 3. Ducks Unlimited Halibut Derby
- D. Additional Security Cameras

A motion was made by Beck and seconded by Patrick-Joling to approve the Consent Calendar. The motion passed 4 – 0.

VI. CORRESPONDENCE/PRESENTATIONS

There were no presentations or correspondence.

VII. OLD BUSINESS

A. Items Removed from Consent Calendar

There were no items removed from the Consent Calendar.

B. Accounts Paid

A motion was made by Patrick-Joling and seconded by Brown to accept the accounts paid. The motion passed 4 – 0.

C. 2017 Goal Setting Adoption

A motion was made by Patrick-Joling and seconded by Beck to adopt the 2017 Port of Newport Commission Goal Setting. The motion passed 4 – 0.

D. General Manager Annual Performance Evaluation (ORS 192.660(2)(i)).

Greenwood said this evaluation was a three month process, and introduced the 2017 Summary Report. Individual Commissioner tabulated last month gave an overall rating of 3.1 on a scale of 1 – 5, which was in last month’s Meeting Packet. The Executive Session prior to this Regular Meeting reviewed the report. Chuck said the Commission offered Greenwood a renewed contract for one year with a 2.5% salary increase, in line with the percentage increase for other port employees.

A motion was made by Patrick-Joling and seconded by Beck to approve and adopt the Port of Newport General Manager Annual Performance Evaluation Summary Report as presented. The motion passed 4 – 0.

E. Resolution Setting Rates, Fees and Charges (ORS 294.160)

Greenwood presented the draft of the Resolution, which is a work in progress. This month there were changes made to proposed oil disposal fees. Durkee said that the Port was now paying to have the oil hauled away since it was no longer being purchased. Greenwood said that the facility manager recommended \$.20 increase per gallon. Beck asked if the Port was facilitating oil disposal. Durkee said there is a small dump cubicle and staff assists with 55 gal. drums. Chuck asked about the proposed change to a minimum labor rate of ½ hour rather than ¾ hour. Greenwood said that Kent Gibson will be making a case for the ¾ hour minimum. Patrick-Joling asked if the Port’s rates covered costs. Greenwood said sometimes; staff is looking at things like the oil for that purpose. Patrick-Joling requested a meeting with Greenwood to review this in more detail.

F. International Terminal Shipping Facility Update

Greenwood said that he had met with representative from TIGER today. The Port is getting the financing completed, negotiations are ongoing but are not public at this time. MARAD sent five representatives to the meeting, and Greenwood, Durkee, Chuck, Brown, Pete Zerr, Engineer Ralph Dunham, and Environmental Consultant Jack Akin attended for the Port with Hewitt taking notes. Greenwood made a presentation to the representatives. An environmental assessment draft has been completed and will be reviewed by the TIGER representative. This should be ready to submit early next week. The schedule, presented by Dunham, is aggressive. This project will set the table for Rondys development of an industrial park and lay down area. The Port will prepare a statement of work. Plans are 98% complete; the Port and TIGER engineers will work together to develop specs. Staff is working on a draft agreement, and may wait on performance measures. The Port needs to show the availability of funds, including TIGER grant, IFA loan and Port cash reserves. Teevin’s private contribution of \$300K is not yet in a formal agreement, so cannot be shown as available on report. Once the contracts are all completed, this will change the dynamics moving forward. Greenwood said this was a positive meeting.

A motion was made by Beck and seconded by Brown to approve the International Terminal Shipping Facility Financing Summary as presented. The motion passed 4 – 0.

VIII. New Business

A. Fishermen’s Parking Lease with Lincoln County Historical Society

Greenwood presented the staff report, and introduced John Russell, the local insurance agent for both the Port and the Museum. Beck asked if it was the waiver or “act of God” that lead to the denials of vehicle damage claims. Russell said the waiver was a part, but primarily the vehicles were not considered covered property. Greenwood said not all of the vehicle owners were satisfied, but the Port was covered on this matter. He added that the City did not have to clean the lot but did so as an exchange of services. The attorney felt that the Lease

with the Historical Society covered the Port as written. Greenwood said the lease was fine as written based on underwriter review. This was through SDAO, Jens Jensen Underwriter, and Spencer Rockwell, SDIS attorney. Russell added that the hillside material was not part of the regular maintenance required by lease. Beck asked that the underwriter and attorney write a letter to the Commission with their conclusions for the Port to have on file. He also said that vehicle damage is usually not part of liability, but property coverage which would be filed as a comprehensive claim on the vehicle owner's insurance.

Greenwood said the parking lot will be closed until the area is secure. The Museum is reviewing options to stabilize the hillside both short-term and long-term. Staff will be in discussion with the Museum before opening the lot. Gibson is also getting quotes for graveling or paving the grassy area at Port Dock 7 for parking. Brown suggested seeking City parking funds.

B. Resolution Forming Terminal Users Committee

Patrick-Joling asked if this was premature to propose a Resolution. Greenwood said that staff was asked to develop the resolution and asked Pete Zerr, NIT facilities manager, to develop a draft operations plan that could be reviewed by the committee. Zerr could receive input on the plan. One alternative could be for the Commission to hold Work Sessions so everybody could come who was interested. Chuck said it was important to get the users' input. He proposed adding two members to the committee: another fleet representative and another lessee representative. Beck proposed adding a representative of the community as a member, and making the Commission representative a non-voting, ex-officio member. Patrick-Joling confirmed that this would be an advisory Committee only, but any actions would be taken by the Commission.

A motion was made by Beck and seconded by Patrick-Joling to adopt the Resolution Creating an International Terminal Users Committee, as amended. The motion passed 4 – 0.

C. Commercial Fishing Users Group Committee Meeting

1. Minutes – Initial Meeting 2/13/2017.
2. Resolution Creating a Commercial Fishing Users Group Committee

Greenwood said the initial meeting was well attended and was mostly administrative. Based on the discussion about ways to ensure a quorum, the Committee suggested adding an alternate representative for each member. The Committee had also discussed call-in attendance, but that was problematic from a public meeting point of view. Sara Skamser was elected Chair, and Bob Eder was elected Vice-Chair. Chuck said good information was given in the meeting.

A motion was made by Beck and seconded by Patrick-Joling to adopt the Resolution Creating a Commercial Fishing Users Group Committee. The motion passed 4 – 0.

D. Consideration of Boat Trailer Parking Lot for Future Seafood & Wine Festivals.

Greenwood said this item was brought to the agenda by Beck. Beck said his wife was President of the Chamber of Commerce, but he did not consider this a conflict of interest. Commissioner Beck and Susan Beck drove through the lot and looked at the use of the boat users' parking lot. They observed there were about 25 vehicles and trailers. The location of the Seafood & Wine Festival this year was not level and had some drainage issues. Beck would like to see the Commission give the Chamber an opportunity to look at the boat lot option. Greenwood said that concerns expressed in a previous meeting addressed the steep angle of the proposed lot, storm drainage and parking for recreational fishermen. Chuck said that that the marina is a leading money maker for the Port and the Commission should not disenfranchise the users. Access to the launch ramp should not be closed during the festival. Safety of the boats and trailers was also a concern if partially intoxicated

people were moving around. Chuck suggested forwarding the minutes from the previous discussion to the Commissioners.

IX. DEPARTMENTAL REPORTS

A. Director of Finance

Patrick-Joling commented that the projected additional revenue of \$70K going back to the RV Park looked good.

B. Director of Operations

There was no discussion of the report.

C. General Manager

Greenwood introduced the staff report. He apologized to the Board that they had been included in the emails from Ledingham.

1. OPPA Bill Summary. Greenwood said the bill clarified Ports owning vs operating boat yards. Reedsport's response was framed as public vs. private. The Port of Umpqua in Reedsport and the Port of Bandon do not support the bill. The Port of Newport need not do anything unless they have an objection to the proposal.
2. Project Summary. No discussion on this item.
3. Calendar Review. No discussion on this item.
4. Commission Liaisons. Greenwood said the liaisons list was included with updated dues from Cascades West Council of Governments.

X. COMMISSIONER REPORTS

Beck said he had attended the Seafood & Wine Festival 3 out of the 4 days, the new tents worked well, there were 1000s of people in attendance, and the event benefits non-profit organizations. He hopes the Commission will look at providing additional location in future with growth of both festival and Rogue.

XI. CALENDAR/FUTURE CONSIDERATIONS

Patrick-Joling said she will be out of town for the March 28th meeting.

XII. PUBLIC COMMENT

Doug Cooper, Hampton Lumber, presented to the Commissioners a letter with comments on the International Terminal Shipping Facility, which is appended to the minutes. Cooper said he had previously spoken to the Commission in 2015 about opposition to the lay-down yard and exporting logs to China. He said the company who the Port plans to give exclusive use of the facility is only interested in brokering logs. Cooper said the application for the TIGER grant was misleading in the benefits that would be received, and Rep. Schrader had specifically cited agricultural products in his letter of support. Cooper said that USDOT should be notified of the change in scope. He asked if the Port had considered what would happen if Chinese demand for logs decreases. He would rather see the Port pursue other interests.

Yale Fogarty said the Port is doing the right thing in building the shipping facility. The shipping facility will benefit the local community, the fishing fleet, and provide jobs for families. Hampton used to be in Lincoln County, but they left leaving families unemployed. Fogarty said Hampton wants to monopolize the market. Shipping, and Teevin, create family wage jobs. Local companies need a way to ship not truck to ship elsewhere. This project will provide good jobs, great revenue, and support all Port users.

XIII. **ADJOURNMENT**

Having no further business, the meeting adjourned at 7:12 pm.

XIV. **EXECUTIVE SESSION**

Commission President Chuck stated for the record that the Commission would be entering into Executive Session pursuant to ORS 192.660(2)(e) to deliberate negotiations of real property transactions regarding the Teevin Bros. lease. Chuck noted that no decisions would be made in Executive Session. The session was called to order at 7:30 pm.

Commissioners Present: Walter Chuck (Pos. #1), President; Ken Brown (Pos. #4), Vice-President; Patricia Patrick-Joling (Pos. #5), Secretary/Treasurer; and Steve Beck (Pos. #2). Stewart Lamerdin (Pos. #3) called in.

Management and Staff: Kevin Greenwood, General Manager.

Members of the Public and Media: Dennis Anstine, Newport News-Times.

Executive Session was adjourned at 8:15pm and no decisions were made.

ATTESTED:

Walter Chuck, President

Patricia Patrick-Joling, Secretary/Treasurer

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PORT OF NEWPORT MINUTES

Friday, March 17, 2017

Executive Session and Special Commission Meeting

I. EXECUTIVE SESSION

Commission President Walter Chuck called an Executive Session of the Port of Newport Board of Commissioners to order at 12:00 noon at the OSU Extension Office, 1211 SE Bay Boulevard, Newport, Oregon, pursuant to ORS 192.660(2) for deliberations to negotiate real property transactions. No decisions were made in Executive Session.

Commissioners Present: Walter Chuck (Pos. #1), President; Ken Brown (Pos. #4), Vice-President; Patrick-Joling (Pos. #5), Secretary/Treasurer; Steve Beck (Pos. #2); and Stewart Lamerdin (Pos. #3).

Management and Staff: Kevin Greenwood, General Manager.

Executive Session was adjourned at 12:45 pm.

II. CALL TO ORDER

Commission President Walter Chuck called the Special Commission Meeting of the Port of Newport Board of Commissioners to order at 12:53 at the South Beach Activities Room, 2120 SE Marine Science Drive, Newport, Oregon.

Commissioners Present: Walter Chuck (Pos. #1), President; Ken Brown (Pos. #4), Vice-President; Patricia Patrick-Joling (Pos. #5), Secretary/Treasurer; Stewart Lamerdin (Pos. #3); and Steve Beck (Pos. #2).

Management and Staff: Kevin Greenwood, General Manager; and Karen Hewitt, Administrative Assistant.

Members of the Public and Media: Bud Shoemake, Port of Toledo; David Jincks; Sara Skamser, Foulweather Trawl; Kiera Morgan, KYTE Radio; Rex Capri; Tim Miller; Brea Walters; Doug Cooper, Hampton Lumber; Lee Fries, PON Mates; Yale Fogarty, ILWU; Tracy Burchett, ILWU; Pat Ruddiman, ILWU; B. Tower, ILWU; B. Forsman, ILWU; Susan Kaminski, ILWU.

III. PUBLIC COMMENT

Doug Cooper, Hampton Lumber, said Hampton Lumber is a family lumber & timberland company, and said he had spoken at a previous Commission meeting. He said that Greenwood called and spoke with Cooper. Cooper apologized that some of the things he said previously were not technically correct, specifically that the proposed agreement with a lumber company would give them exclusive use of the terminal, rather than just the shipping facility. He said this does not change the core issue and he feels the proposal would be an inappropriate use of tax payer money. He asked if the Port had checked with TIGER and Rep. Schrader if this was okay. He also joins others in opposition to Measure 21-177 prohibiting aerial spraying.

Jincks thanked the Commission for forming the NIT Users group and said he would like to see a timeline. He reiterated that he thinks the Commission should meet with the users before signing leases or taking action.

Shoemake said he had worked at the Port of Newport when the terminal was purchased. It was important that Newport recognize the importance of the commercial fishing fleet. In the past, lumber was shipped out of the

terminal and fishermen were discouraged from using the facility. Wilburn Hall then moved his boats to Seattle which meant millions of dollars were lost to the community. He suggested the Commission not give up on the deeper draft fishing vessels and the money they bring into the community.

Yale Fogarty said the International Terminal was built for shipping, promoted shipping and paid for by shipping, which also brings millions of dollars into the community and will create new jobs. The dredging at the Terminal was based on cargo not fishing. It is very important for the safety of all users and important that cargo returns to the Terminal.

Capri said the International Terminal should be used for fishing and shipping, and then expanded to other opportunities. The International Terminal is not the fishermen's private dock and should be available for as many uses as possible.

Skamser reiterated the request to convene the NIT Users Group so they have a voice.

Chuck said he had tried 4 -5 years ago to arrange an NIT Users group.

IV. INTERNATIONAL TERMINAL SHIPPING FACILITY UPDATE

Greenwood introduced the staff report and attached documents. He said there are a lot of entities involved in the Shipping Facility proposal, including the shipping agent/broker, Teevin Bros as terminal operator, and stevedores. Greenwood had met with Silvan twice, along with Chuck and Brown. The tariffs were adopted on July 1, 2014. When Greenwood was in Washington DC, he learned that the TIGER contract with the Port of Newport was the last to be signed. The Memo of Understanding (MOU) with Silvan is conceptual. If agreed upon, it will be forwarded to Attorney Pete Gintner to draft a formal document. The additional staff hired will serve all customers. In reference to the Financial Analysis, Greenwood said the lost service revenue amounts were informed guesses based on the past, primarily lost moorage. Lamerdin asked if there was an estimated time to load a handy sized barge; Greenwood replied about a week. Greenwood said right now the International Terminal loses about \$220MM per year. Even with an additional income \$53K, that would still leave a deficit of \$170K. For the debt service of approximately \$120K, funds must come from other departments. The International Terminal is not a "golden egg" for the Port. It will take approximately 6 – 6 ½ years to develop the new business unit and have income to put toward Port goals. Greenwood thanked Commissioners Brown and Chuck for spending time on the project and attending related meetings. Chuck said this was a 5-year ordeal to work out. He looks forward to bringing jobs to Newport and getting revenue for the Port. He believes this is a good investment in the Port's future.

A motion was made by Brown and seconded by Lamerdin to sign the Memo of Understanding as presented.

Patrick-Joling acknowledged that once the MOU was in place, then the Port can review the lease before signing. Greenwood referred to the tentative dates in the staff report, and suggested the Port may not move forward with the final lease until all three documents were in place. Patrick-Joling said it would be valuable to get clear on all of the relationships. Greenwood also said the Lease Option with Teevin was posted on the Port's website, which includes a sample lease to look at. For the scope of work, the Port will need to approve the costs for Ralph Dunham and Stuntzner Engineering for engineering, bid development and project management. Beck asked if there was room for negotiations with Silvan and Teevin. Greenwood said the Port could change some details but not the big dollar items. He was asking the Commission to consider if they were comfortable with the business concepts in the MOU. Gintner said a lease would capture the Commission's concerns.

The motion passed 5 – 0.

V. **AERIAL SPRAYING BALLOT MEASURE 21-177**

Chuck said the Port was asked at the last meeting to come out in opposition to Measure 21-177. Brown said the Port of Toledo had come out against the measure, among others. He said concerns are the provision for “direct action” and a vague, poorly written document. The definition of aerial spraying would be bad for fisherman and the Port of Toledo. “Aerial” could be load lift or ladder for example, and he does not want to see the fishermen adversely affected. Patrick-Joling asked if the Port had taken a stance like this before. Chuck said last time was a marine issue. Lamerdin said to focus less on how the measure would be enforced and focus on the specific issue, which would effectively include having boats painted. The Port should focus on how the measure impacts the Port and those the Port supports. Brown said Toledo would like the Commission to join in opposition to the measure.

A motion was made by Beck and seconded by Patrick-Joling to not support Measure 21-177 and join the letter with the Port of Toledo. The motion passed 5 – 0.

VI. **PUBLIC COMMENT**

Skamser said it was concerning that Teevin would have sole rights to the nine acres. There is no more land for the Port to develop. She asked if more buildings would be needed. She is not opposed to shipping per se.

Fogarty said he supported the Port’s position on Measure 21-177. The measure would apply pressure to current jobs, is poorly written, and would include spraying for mold prevention. He also joins others in hoping the NIT Users group gets up and running.

Miller said he is opposed to the spraying measure, which would include Yaquina Bay. Anyone could file suit which would shut business down.

VII. **ADJOURNMENT**

Having no further business, the meeting adjourned at 1:32 pm.

ATTESTED:

Walter Chuck, President

Patricia Patrick-Joling, Secretary/Treasurer

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**Port of Newport
Balance Sheet
As of February 28, 2017**

	Feb 28, 17	Feb 29, 16	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
Available Cash & Equivalents	1,648,385.97	1,460,233.61	188,152.36
Restricted Cash & Equivalents	469,212.37	532,495.70	-63,283.33
Total Checking/Savings	2,117,598.34	1,992,729.31	124,869.03
Accounts Receivable			
Accounts Receivable	292,699.26	73,152.00	219,547.26
Total Accounts Receivable	292,699.26	73,152.00	219,547.26
Other Current Assets			
Allow for Bad Debt - CM	-20,000.00	-10,000.00	-10,000.00
Allow for Bad Debt - SB	-10,000.00	-4,000.00	-6,000.00
AR Property Tax	10,334.60	10,334.60	0.00
Cash Clearing	0.00	-749.47	749.47
Due from Other Port Funds	49,187.76	64,606.50	-15,418.74
PERS - Deferred OF	17,803.00	18,048.00	-245.00
PERS - NPA(L)	-163,496.00	146,594.00	-310,090.00
Prepaid Expenses	137,962.95	72,692.71	65,270.24
Undeposited Funds	6,034.02	2,261.40	3,772.62
Total Other Current Assets	27,826.33	299,787.74	-271,961.41
Total Current Assets	2,438,123.93	2,365,669.05	72,454.88
Fixed Assets			
Capital Assets			
Total Fixed Assets	82,607,341.77	85,670,010.77	-3,062,669.00
TOTAL ASSETS	85,045,465.70	88,035,679.82	-2,990,214.12
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	233,536.22	50,813.43	182,722.79
Total Accounts Payable	233,536.22	50,813.43	182,722.79
Credit Cards			
Chase VISA	0.00	1,873.82	-1,873.82
Total Credit Cards	0.00	1,873.82	-1,873.82
Other Current Liabilities			
Accrued Interest Payable	6,209.00	11,693.00	-5,484.00
Current Portion-Long Term Debt	406,827.00	353,377.00	53,450.00
Deferred Revenue	189,972.09	190.95	189,781.14
Due to other Port Funds	25,450.93	18,835.31	6,615.62
Lodging/Room Tax Payable	0.00	1,868.60	-1,868.60
Payroll Liabilities	66,537.32	36,715.22	29,822.10
Total Other Current Liabilities	694,996.34	422,680.08	272,316.26
Total Current Liabilities	928,532.56	475,367.33	453,165.23
Long Term Liabilities			
2013 FF&C Bond Premium	105,116.75	111,892.75	-6,776.00
Deferred IF-Proportion/Contrib	-1.00	31,249.00	-31,250.00
Less Current Portion L Term Deb	-406,827.00	-353,377.00	-53,450.00
Long Term Debt	8,133,781.74	8,480,410.74	-346,629.00

**Port of Newport
 Balance Sheet
 As of February 28, 2017**

	<u>Feb 28, 17</u>	<u>Feb 29, 16</u>	<u>\$ Change</u>
PERS - Deferred IF	151,722.00	282,867.00	-131,145.00
Total Long Term Liabilities	<u>7,983,792.49</u>	<u>8,553,042.49</u>	<u>-569,250.00</u>
Total Liabilities	<u>8,912,325.05</u>	<u>9,028,409.82</u>	<u>-116,084.77</u>
Equity			
FB - Contributed Capital	7,130,788.00	7,130,788.00	0.00
FB - GAAP-Pension Expense	0.00	18,048.00	-18,048.00
FB - GAAP-Prior Period Adj	35,919.81	0.00	35,919.81
FB - PERS-Pension Inc/Exp	0.00	140,846.00	-140,846.00
Fund Balance	<u>69,099,385.32</u>	<u>71,350,262.00</u>	<u>-2,250,876.68</u>
Net Income	<u>-132,952.48</u>	<u>367,326.00</u>	<u>-500,278.48</u>
Total Equity	<u>76,133,140.65</u>	<u>79,007,270.00</u>	<u>-2,874,129.35</u>
TOTAL LIABILITIES & EQUITY	<u>85,045,465.70</u>	<u>88,035,679.82</u>	<u>-2,990,214.12</u>

Port of Newport
Profit & Loss by Class

YTD as of February 2017	GENERAL					NOAA
	Admin.	NIT	So. Beach	No. Comm.	Total	Total
OPERATING						
Income	\$ 410,206	\$ 322,722	\$1,037,676	\$ 493,344	\$2,263,948	\$1,692,533
Expense	\$ 648,235	\$ 281,630	\$ 794,098	\$ 332,924	\$2,056,887	\$2,368,021
<i>Personal Service</i>	\$ 357,046	\$ 45,611	\$ 218,055	\$ 150,534	\$ 771,246	\$ 49,694
<i>Materials & Service</i>	\$ 272,809	\$ 75,862	\$ 397,648	\$ 177,752	\$ 924,071	\$ 320,993
<i>Debt Service</i>	\$ 18,380	\$ 160,157	\$ 178,395	\$ 4,638	\$ 361,570	\$ 1,997,334
NET OPERATING	\$ (238,029)	\$ 41,092	\$ 243,578	\$ 160,420	\$ 207,061	\$ (675,488)
NON-OPERATING	\$ -					
Income	\$ 134,010	\$ -	\$ 1,800	\$ 4,508	\$ 140,318	\$ -
Expense	\$ 75,750	\$ -	\$ 11,571	\$ 393,010	\$ 480,331	\$ 12,296
<i>Capital Outlay</i>	\$ 15,750	\$ -	\$ 11,571	\$ 393,010	\$ 420,331	\$ 12,296
<i>Transfers</i>	\$ 60,000	\$ -	\$ -	\$ -	\$ 60,000	\$ -
<i>Other</i>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
NET NON-OPERATING	\$ 58,260	\$ -	\$ (9,771)	\$ (388,502)	\$ (340,013)	\$ (12,296)
NET INCOME	\$ (179,769)	\$ 41,092	\$ 233,807	\$ (228,082)	\$ (132,952)	\$ (687,784)

Port of Newport
Profit & Loss Budget vs. Actual
July 2016 through February 2017

	Jul '16 - Feb 17	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Hoist Dock & Services	416,162.29	450,000.00	-33,837.71	92.5%
Launch Ramp & Trailer Storage	43,125.98	70,000.00	-26,874.02	61.6%
Lease Revenues	409,798.32	616,081.00	-206,282.68	66.5%
Miscellaneous Revenue	37,663.46	46,000.00	-8,336.54	81.9%
Moorage	777,699.91	1,189,000.00	-411,300.09	65.4%
RV Parks	566,253.10	754,000.00	-187,746.90	75.1%
Shipping Terminal Revenues	13,244.99	7,000.00	6,244.99	189.2%
Total Income	<u>2,263,948.05</u>	<u>3,132,081.00</u>	<u>-868,132.95</u>	<u>72.3%</u>
Gross Profit	2,263,948.05	3,132,081.00	-868,132.95	72.3%
Expense				
Debt Services	361,570.19	684,934.00	-323,363.81	52.8%
Materials & Services	924,071.08	1,425,200.00	-501,128.92	64.8%
Personal Services	771,245.38	1,300,616.00	-529,370.62	59.3%
Total Expense	<u>2,056,886.65</u>	<u>3,410,750.00</u>	<u>-1,353,863.35</u>	<u>60.3%</u>
Net Ordinary Income	207,061.40	-278,669.00	485,730.40	-74.3%
Other Income/Expense				
Other Income				
Grant & Loan Proceeds	11,800.00	168,000.00	-156,200.00	7.0%
Interest Income	5,362.87	4,000.00	1,362.87	134.1%
Miscellaneous	24,477.05	0.00	24,477.05	100.0%
Property & Dredge Sales	0.00	2,000.00	-2,000.00	0.0%
Property Tax Revenue	98,678.16	94,500.00	4,178.16	104.4%
Total Other Income	<u>140,318.08</u>	<u>268,500.00</u>	<u>-128,181.92</u>	<u>52.3%</u>
Other Expense				
Capital Outlay	420,331.96	500,000.00	-79,668.04	84.1%
Contingency	0.00	100,000.00	-100,000.00	0.0%
Transfers Out	60,000.00	60,000.00	0.00	100.0%
Total Other Expense	<u>480,331.96</u>	<u>660,000.00</u>	<u>-179,668.04</u>	<u>72.8%</u>
Net Other Income	<u>-340,013.88</u>	<u>-391,500.00</u>	<u>51,486.12</u>	<u>86.8%</u>
Net Income	<u>-132,952.48</u>	<u>-670,169.00</u>	<u>537,216.52</u>	<u>19.8%</u>

Port of Newport
Profit & Loss Budget vs. Actual - Admin
July 2016 through February 2017

	Jul '16 - Feb 17	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Hoist Dock & Services	2,000.00	0.00	2,000.00	100.0%
Lease Revenues	403,082.91	616,081.00	-212,998.09	65.4%
Miscellaneous Revenue	3,059.43	0.00	3,059.43	100.0%
Moorage	2,064.00	0.00	2,064.00	100.0%
Total Income	410,206.34	616,081.00	-205,874.66	66.6%
Gross Profit	410,206.34	616,081.00	-205,874.66	66.6%
Expense				
Debt Services	18,380.74	17,852.00	528.74	103.0%
Materials & Services	272,809.78	392,900.00	-120,090.22	69.4%
Personal Services	357,045.34	510,748.00	-153,702.66	69.9%
Total Expense	648,235.86	921,500.00	-273,264.14	70.3%
Net Ordinary Income	-238,029.52	-305,419.00	67,389.48	77.9%
Other Income/Expense				
Other Income				
Grant & Loan Proceeds	10,000.00	168,000.00	-158,000.00	6.0%
Interest Income	5,362.87	4,000.00	1,362.87	134.1%
Miscellaneous	19,968.97	0.00	19,968.97	100.0%
Property Tax Revenue	98,678.16	94,500.00	4,178.16	104.4%
Total Other Income	134,010.00	266,500.00	-132,490.00	50.3%
Other Expense				
Capital Outlay	15,750.00	200,000.00	-184,250.00	7.9%
Contingency	0.00	100,000.00	-100,000.00	0.0%
Transfers Out	60,000.00	60,000.00	0.00	100.0%
Total Other Expense	75,750.00	360,000.00	-284,250.00	21.0%
Net Other Income	58,260.00	-93,500.00	151,760.00	-62.3%
Net Income	-179,769.52	-398,919.00	219,149.48	45.1%

Port of Newport
Profit & Loss Budget vs. Actual - NIT
 July 2016 through February 2017

	<u>Jul '16 - Feb 17</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
Hoist Dock & Services	230,929.31	193,000.00	37,929.31	119.7%
Launch Ramp & Trailer Storage	0.00	0.00	0.00	0.0%
Miscellaneous Revenue	97.62	5,000.00	-4,902.38	2.0%
Moorage	78,450.00	80,000.00	-1,550.00	98.1%
Shipping Terminal Revenues	13,244.99	7,000.00	6,244.99	189.2%
Total Income	<u>322,721.92</u>	<u>285,000.00</u>	<u>37,721.92</u>	<u>113.2%</u>
Gross Profit	322,721.92	285,000.00	37,721.92	113.2%
Expense				
Debt Services	160,157.34	443,460.00	-283,302.66	36.1%
Materials & Services	75,861.47	108,100.00	-32,238.53	70.2%
Personal Services	45,610.98	71,486.00	-25,875.02	63.8%
Total Expense	<u>281,629.79</u>	<u>623,046.00</u>	<u>-341,416.21</u>	<u>45.2%</u>
Net Ordinary Income	<u>41,092.13</u>	<u>-338,046.00</u>	<u>379,138.13</u>	<u>-12.2%</u>
Net Income	<u>41,092.13</u>	<u>-338,046.00</u>	<u>379,138.13</u>	<u>-12.2%</u>

Port of Newport
Profit & Loss Budget vs. Actual - SB
July 2016 through February 2017

	Jul '16 - Feb 17	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Hoist Dock & Services	9,025.19	10,000.00	-974.81	90.3%
Launch Ramp & Trailer Storage	43,087.10	70,000.00	-26,912.90	61.6%
Lease Revenues	6,715.41			
Miscellaneous Revenue	32,199.64	37,000.00	-4,800.36	87.0%
Moorage	380,395.76	669,000.00	-288,604.24	56.9%
RV Parks	566,253.10	754,000.00	-187,746.90	75.1%
Total Income	1,037,676.20	1,540,000.00	-502,323.80	67.4%
Gross Profit	1,037,676.20	1,540,000.00	-502,323.80	67.4%
Expense				
Debt Services	178,394.91	216,666.00	-38,271.09	82.3%
Materials & Services	397,647.63	604,400.00	-206,752.37	65.8%
Personal Services	218,055.04	342,800.00	-124,744.96	63.6%
Total Expense	794,097.58	1,163,866.00	-369,768.42	68.2%
Net Ordinary Income	243,578.62	376,134.00	-132,555.38	64.8%
Other Income/Expense				
Other Income				
Grant & Loan Proceeds	1,800.00	0.00	1,800.00	100.0%
Property & Dredge Sales	0.00	2,000.00	-2,000.00	0.0%
Total Other Income	1,800.00	2,000.00	-200.00	90.0%
Other Expense				
Break-in Replacement	0.00	0.00	0.00	0.0%
Capital Outlay	11,571.25	0.00	11,571.25	100.0%
Total Other Expense	11,571.25	0.00	11,571.25	100.0%
Net Other Income	-9,771.25	2,000.00	-11,771.25	-488.6%
Net Income	233,807.37	378,134.00	-144,326.63	61.8%

Port of Newport
Profit & Loss Budget vs. Actual - CM
 July 2016 through February 2017

	Jul '16 - Feb 17	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Hoist Dock & Services	174,207.79	247,000.00	-72,792.21	70.5%
Launch Ramp & Trailer Storage	38.88	0.00	38.88	100.0%
Miscellaneous Revenue	2,306.77	4,000.00	-1,693.23	57.7%
Moorage	316,790.15	440,000.00	-123,209.85	72.0%
Shipping Terminal Revenues	0.00	0.00	0.00	0.0%
Total Income	493,343.59	691,000.00	-197,656.41	71.4%
Gross Profit	493,343.59	691,000.00	-197,656.41	71.4%
Expense				
Debt Services	4,637.20	6,956.00	-2,318.80	66.7%
Materials & Services	177,752.20	312,400.00	-134,647.80	56.9%
Personal Services	150,534.02	214,674.00	-64,139.98	70.1%
Total Expense	332,923.42	534,030.00	-201,106.58	62.3%
Net Ordinary Income	160,420.17	156,970.00	3,450.17	102.2%
Other Income/Expense				
Other Income				
Gain/(Loss) on Sale of Assets	0.00	0.00	0.00	0.0%
Miscellaneous	4,508.08	0.00	4,508.08	100.0%
Property & Dredge Sales	0.00	0.00	0.00	0.0%
Total Other Income	4,508.08	0.00	4,508.08	100.0%
Other Expense				
Capital Outlay	393,010.71	300,000.00	93,010.71	131.0%
Total Other Expense	393,010.71	300,000.00	93,010.71	131.0%
Net Other Income	-388,502.63	-300,000.00	-88,502.63	129.5%
Net Income	-228,082.46	-143,030.00	-85,052.46	159.5%

Port of Newport - NOAA Fund
Balance Sheet
As of February 28, 2017

	Feb 28, 17	Feb 29, 16	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
Cash & Equivalents	5,034,658.28	4,988,321.00	46,337.28
Total Checking/Savings	5,034,658.28	4,988,321.00	46,337.28
Other Current Assets			
Net Pension Asset	0.00	24,019.00	-24,019.00
PERS - Derfered OF	0.00	2,957.00	-2,957.00
Prepaid Expenses	102,475.06	55,091.74	47,383.32
Total Other Current Assets	102,475.06	82,067.74	20,407.32
Total Current Assets	5,137,133.34	5,070,388.74	66,744.60
TOTAL ASSETS	5,137,133.34	5,070,388.74	66,744.60
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	32,886.65	3,173.69	29,712.96
Total Accounts Payable	32,886.65	3,173.69	29,712.96
Other Current Liabilities			
Accrued Interest Payable	476,972.00	499,410.00	-22,438.00
Accrued PTO	8,126.66	5,558.00	2,568.66
Current Portion Long-Term Debt	810,000.00	840,000.00	-30,000.00
Due to Operations or Const Fund	4,521.86	14,384.91	-9,863.05
Total Other Current Liabilities	1,299,620.52	1,359,352.91	-59,732.39
Total Current Liabilities	1,332,507.17	1,362,526.60	-30,019.43
Long Term Liabilities			
Deferred IF - Prop/Contrib	0.00	5,120.00	-5,120.00
Less Current Portion LT Debt	-810,000.00	-840,000.00	30,000.00
Long-Term Debt	20,725,587.00	21,554,006.00	-828,419.00
PERS - Deferred IF	0.00	46,347.00	-46,347.00
Total Long Term Liabilities	19,915,587.00	20,765,473.00	-849,886.00
Total Liabilities	21,248,094.17	22,127,999.60	-879,905.43
Equity			
Fund Balance	-15,423,176.61	-16,487,486.68	1,064,310.07
GAAP - Pension Expense	0.00	2,957.00	-2,957.00
GAAP - Pension Income	0.00	23,078.00	-23,078.00
Net Income	-687,784.22	-596,159.18	-91,625.04
Total Equity	-16,110,960.83	-17,057,610.86	946,650.03
TOTAL LIABILITIES & EQUITY	5,137,133.34	5,070,388.74	66,744.60

Port of Newport - NOAA Fund
Profit & Loss Budget vs. Actual
July 2016 through February 2017

	<u>Jul '16 - Feb 17</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
Interest Income	6,276.48	10,500.00	-4,223.52	59.8%
Lease Income	1,686,256.82	2,542,000.00	-855,743.18	66.3%
Total Income	<u>1,692,533.30</u>	<u>2,552,500.00</u>	<u>-859,966.70</u>	<u>66.3%</u>
Expense				
Debt Service	1,997,333.76	1,997,335.00	-1.24	100.0%
Materials & Services	320,993.03	689,320.00	-368,326.97	46.6%
Personal Services	49,694.73	75,759.00	-26,064.27	65.6%
Total Expense	<u>2,368,021.52</u>	<u>2,762,414.00</u>	<u>-394,392.48</u>	<u>85.7%</u>
Net Ordinary Income	<u>-675,488.22</u>	<u>-209,914.00</u>	<u>-465,574.22</u>	<u>321.8%</u>
Other Income/Expense				
Other Expense				
Capital Outlay	12,296.00			
Contingency	0.00	100,000.00	-100,000.00	0.0%
Fund Transfers Out	0.00	2,000,000.00	-2,000,000.00	0.0%
Total Other Expense	<u>12,296.00</u>	<u>2,100,000.00</u>	<u>-2,087,704.00</u>	<u>0.6%</u>
Net Other Income	<u>-12,296.00</u>	<u>-2,100,000.00</u>	<u>2,087,704.00</u>	<u>0.6%</u>
Net Income	<u>-687,784.22</u>	<u>-2,309,914.00</u>	<u>1,622,129.78</u>	<u>29.8%</u>

Facility Maintenance Reserve Fund
Balance Sheet
As of February 28, 2017

	<u>Feb 28, 17</u>	<u>Feb 29, 16</u>	<u>\$ Change</u>
ASSETS			
Current Assets			
Checking/Savings			
Umpqua Bank - Money Market	133,858.40	148,491.84	-14,633.44
Total Checking/Savings	<u>133,858.40</u>	<u>148,491.84</u>	<u>-14,633.44</u>
Total Current Assets	<u>133,858.40</u>	<u>148,491.84</u>	<u>-14,633.44</u>
TOTAL ASSETS	<u>133,858.40</u>	<u>148,491.84</u>	<u>-14,633.44</u>
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	44,665.90	54,747.44	-10,081.54
Total Accounts Payable	<u>44,665.90</u>	<u>54,747.44</u>	<u>-10,081.54</u>
Total Current Liabilities	<u>44,665.90</u>	<u>54,747.44</u>	<u>-10,081.54</u>
Total Liabilities	44,665.90	54,747.44	-10,081.54
Equity			
Fund Balance	73,777.66	48,378.36	25,399.30
Net Income	<u>15,414.84</u>	<u>45,366.04</u>	<u>-29,951.20</u>
Total Equity	<u>89,192.50</u>	<u>93,744.40</u>	<u>-4,551.90</u>
TOTAL LIABILITIES & EQUITY	<u>133,858.40</u>	<u>148,491.84</u>	<u>-14,633.44</u>

Construction Fund - Port of Newport

Balance Sheet

As of February 28, 2017

	<u>Feb 28, 17</u>	<u>Feb 29, 16</u>	<u>\$ Change</u>
ASSETS			
Current Assets			
Checking/Savings			
Construction Fund Bank Accts	56,531.27	128,559.15	-72,027.88
Total Checking/Savings	<u>56,531.27</u>	<u>128,559.15</u>	<u>-72,027.88</u>
Total Current Assets	<u>56,531.27</u>	<u>128,559.15</u>	<u>-72,027.88</u>
TOTAL ASSETS	<u>56,531.27</u>	<u>128,559.15</u>	<u>-72,027.88</u>
LIABILITIES & EQUITY			
Equity			
Fund Balance	79,229.46	183,266.66	-104,037.20
Net Income	-22,698.19	-54,707.51	32,009.32
Total Equity	<u>56,531.27</u>	<u>128,559.15</u>	<u>-72,027.88</u>
TOTAL LIABILITIES & EQUITY	<u>56,531.27</u>	<u>128,559.15</u>	<u>-72,027.88</u>

Bonded Debt Fund - Port of Newport
Balance Sheet
As of February 28, 2017

	Feb 28, 17	Feb 29, 16	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
Gen Obligation Bond MM-OCB	451,662.68	373,065.83	78,596.85
Total Checking/Savings	451,662.68	373,065.83	78,596.85
Other Current Assets			
Due from Operating Fund	25,450.93	18,835.31	6,615.62
Property Tax Receivable	86,925.12	86,925.12	0.00
Total Other Current Assets	112,376.05	105,760.43	6,615.62
Total Current Assets	564,038.73	478,826.26	85,212.47
Other Assets			
Advance Refunding Valuation	436,957.00	0.00	436,957.00
Bond Issue costs, net of amort.	4,662.00	91,334.00	-86,672.00
Total Other Assets	441,619.00	91,334.00	350,285.00
TOTAL ASSETS	1,005,657.73	570,160.26	435,497.47
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Other Current Liabilities			
Bonds Payable - Current	465,000.00	300,000.00	165,000.00
Total Other Current Liabilities	465,000.00	300,000.00	165,000.00
Total Current Liabilities	465,000.00	300,000.00	165,000.00
Long Term Liabilities			
2007 Series Bonds	136,415.00	4,209,263.00	-4,072,848.00
2008 Series Bonds	244,912.00	4,304,912.00	-4,060,000.00
2011 Series Bonds	5,146,741.00	5,211,741.00	-65,000.00
2016 Series Bonds	7,610,000.00	0.00	7,610,000.00
Bond Premiums	880,746.00	0.00	880,746.00
Less Current Portion LTD	-465,000.00	-300,000.00	-165,000.00
Total Long Term Liabilities	13,553,814.00	13,425,916.00	127,898.00
Total Liabilities	14,018,814.00	13,725,916.00	292,898.00
Equity			
Bonded Debt Fund Balance	-13,189,865.77	-13,468,256.72	278,390.95
Retained Earnings	0.00	0.36	-0.36
Net Income	176,709.50	312,500.62	-135,791.12
Total Equity	-13,013,156.27	-13,155,755.74	142,599.47
TOTAL LIABILITIES & EQUITY	1,005,657.73	570,160.26	435,497.47

SPECIAL USE PERMIT APPLICATION

Submit to: Administrative Assistant
Port of Newport
600 SE Bay Blvd.
Newport, Oregon 97365

SUP CHECKLIST	
<input checked="" type="checkbox"/>	Application
<input checked="" type="checkbox"/>	\$100 Fee
<input type="checkbox"/>	Facilities Supervisor Review
<input type="checkbox"/>	Security Review
<input type="checkbox"/>	General Manager Review
<input type="checkbox"/>	Insurance Cert
<input type="checkbox"/>	Usage Fee
<input type="checkbox"/>	SUP Issued

This application must be completed, signed, and submitted with a nonrefundable \$100.00 application fee. Any usage fees required of the applicant must be submitted prior to the special use permit being issued by the Port. Any request for a full or partial waiver of the usage fees must be submitted with this application. The criteria used to evaluate a waiver request are listed below. Applications should be submitted far enough in advance of the event to allow the Port to determine the impact of the event on Port property and other Port guests and / or moorage holders. At least 45 days' notice is recommended.

Event Name: March for Science - Newport, OR

Event Date: 4/22/17 Time(s) 10:30 am - 1:30 pm

Location: South Beach

Facilities to Be Used: parking lot and rest rooms in South Beach

Set-up Dates and Start Times: 4/22 10:00 am

Take-down Dates and End Times: 4/22 2:00 pm

Estimated Number of Participants: Contestants: _____

Vendors / Volunteers: _____

Attendees: 500

Applicant / Signer: Michele Longo Eder / March for Science Committee

Mailing Address: P.O. Box 721 Newport, OR 97365

Telephone: 541-270-1161 E-mail michele@michelelongoeder.com

Contact Person (if different than applicant): same

Contact Person's address, phone number and e-mail: _____

2/27/17
MLL

Please provide a detailed description of the event, and attach a map of the location(s) if applicable:

The March for Science is a national event supporting publicly funded and communicated science. It is non-partisan. With the port's permission, attendees will park in the port's lot and gather, and then walk the one-mile route (map attached) to end at HMSC, where there will be a speaker. We expect parking to begin around 10:30; the march to start at 11:00; end at Hatfield at 12:00 noon; speakers, and end by 1:00 pm.

Please indicate if you are requesting a full or partial waiver of the usage fee, and explain the reasons for the request based upon the criteria described below:

We are requesting a full waiver of the usage fee. March for Science is a non-profit group. We will be seeking sponsors to contribute to costs of the event and may sell T-shirts to raise funds. If sales proceeds exceed costs we will donate to science education in Lincoln County schools.

We will have volunteer crews to assist with parking and for clean-up after the event, minimizing costs for Port maintenance.

The direct benefit to the Port is that it will show the Port's support to some of its major partners such as NOAA, HMSC; the fishing fleet. We are a community that depends on science.

How will the Port of Newport be featured in your marketing/sponsorship promotions?

We will acknowledge the port's contribution in any T-shirt or written materials we develop for information or on items for sale w/ the port's logo

- Additional information

The March for Science committee members are Paul Engelmeier, Fran Recht, Trina Kosydar, Peggy Hawker* and Michele Longo Eder. Also assisting is Kaety Jacobson* and Chris Chandler.

* advisory

The following criteria may be used by the Port management to fully or partially waive the usage fee:

1. Is the applicant a non-profit or a for-profit entity? _____
2. Will proceeds from the event be donated to charitable causes? If so, what percentage of the proceeds will be donated and to which charitable causes? _____

3. What is the Port's cost to provide services for the event? _____

4. Does the event provide any direct benefit to the Port? _____

2/27/17
mle

USAGE FEE SCHEDULE

PARTICIPANTS	NUMBER	FEE
Attendees, Contestants, Volunteers at Event	1-200	\$400.00
	201-500	\$650.00
	501-1000	\$900.00
	1,001- 5000	\$1400.00
	5,001-10,000	\$1,900.00
	More than 10,000	\$2,400.00
Vendors	N/A	\$40/ per vendor

Permittee will also need to carry comprehensive general liability insurance with limits of \$2,000,000.00 per occurrence and \$2,000,000.00 in aggregate, and will provide the Port with a Certificate of Insurance naming the Port as an additional insured.

We will provide the port w/ proof of insurance w/ port as additional insured.

*2/27/17
mle*



Port of Newport
 600 SE Bay Blvd
 Newport, OR 97365

CM Daily Sales

Date	Inv #
4/22/2017	Spec Use

PAID
02/27/2017

Donor
March for Science Michelle Longo Eder

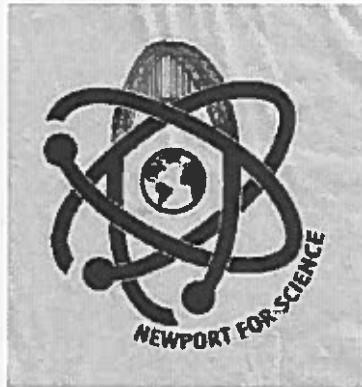
Project

Item	Description	Rate	Quantity	Amount
Special Use Permits	Application Fee	100.00	1	100.00
			Total	\$100.00

MidCoast Watersheds Council

People's March for Science
South Beach, Newport, Oregon

April 22nd, 2017
10:30- 1:00 PM



Saturday,
April
22nd
10:30-
1:00PM



Share



Forward



Share



Pin

People's March for Science

The MidCoast Watersheds Council is a proud sponsor of the People's March for Science. This is a non-political, inclusive march and rally to support science, corresponding to similar marches around the country and the world on the same day.

Theme: Science for people, People for science

We unite to celebrate science and to encourage a community conversation about how science affects our lives and helps us understand the world.

We support science funding, education, research, and application for America's continued innovation and leadership.

Who: Everyone. This is an a-political, inclusive march. We all use science:

Young, Old, Democrats, Republicans, Farmers, Gardeners, Gamers, Fishermen, Loggers, Brewers, Birdwatchers, Surfers, Salmon Lovers, Runners, Inventors, Hikers, Cooks, CEOs, Conservationists, Parents, Grandparents, Friends

What: A one-mile march, followed by a rally outdoors at the Hatfield Marine Science Center.

Featured speaker: Dr. Rick Spinrad, retired NOAA Chief Scientist.

Funds needed: We are trying to raise \$2000 to cover the costs associated with the march (portable toilets, permits, flyers and signs, tent and chairs, and a microphone and speakers. Any money in excess of costs will be donated to local high school science classes. Please donate if you can.

For more information or to donate online, please visit:

<http://www.midcoastwatersheds.org/donate>

Or send checks to: MidCoast Watersheds Council for People's March for Science

23 N. Coast Highway, Newport, Oregon 97365



RSVP Email



Website

PORT OF NEWPORT SPECIAL USE PERMIT

This permit, effective April 22, 2017, 10:30 am, from the Port of Newport, organized and existing under the laws of the State of Oregon, hereinafter referred to as "Port", to March for Science Committee, hereinafter referred to as "Permittee."

The Port hereby grants permission to Permittee to use South Beach Marina parking lot and rest rooms as shown in Exhibit A, attached. Use of designated area by Permittee is for March for Science (Exhibit B detailed description of event.)

Permit is subject to the rules, regulations, and ordinances of the Port of Newport and subject to the following terms and conditions:

1. **Application Fee.** A nonrefundable application fee in the amount of \$100.00.
2. **Usage Fees.** waived in consideration of sponsorship rights, non-profit status, and the donation to Lincoln County science education of any proceeds in excess of costs.
3. **Reservation of Rights.** Port reserves the right to alter or amend the terms and conditions of this permit.
4. **Liability, indemnity of Port.** Permittee agrees to exercise due care in the activities described above and to abide by all Port rules, regulations and ordinances. Permittee shall indemnify and hold Port harmless from and against all claims, actions, proceedings, damages, and liabilities, including attorney fees, arising from or connected with Permittee's use of Port facilities. Permittee will carry a comprehensive general liability insurance policy with limits of \$2,000,000.00 per occurrence and \$2,000,000.00 in aggregate, and will provide the Port with a Certificate of Insurance naming the Port as an additional insured.
5. **Limitation of Port's Liability.** Permittee acknowledges that Permittee has inspected the grounds and related facilities and is satisfied that these facilities are adequate for safe use for the above-described purpose. This permit is not a contract. Port's liability is limited to its sole negligence. Port's employees will make reasonable efforts to contact Permittee and notify Permittee of conditions requiring Permittee's attention, but Port assumes no responsibility of Permittee's use of the Port's facilities. Permittee confirms and assures that there are not alcoholic beverages used or provided during this event and that certified and trained emergency response providers are on site.
6. **Nontransferability/Term.** This permit is nontransferable. This permit expires April 22, 2017, 1:30 pm.

IN WITNESS WHEREOF, the Port has caused this permit to be issued on the date indicated above.

Port of Newport:

Accepted By:

Kevin Greenwood, General Manager

Michele Longo Eder

ATTACHMENTS: Exhibit A (Map) & Exhibit B (detailed description of event)



Sponsorship Agreement: In Kind Sponsorship Value \$650.00.

Event Name: March for Science

Event Date: April 22, 2017

Applicant: Michele Longo Eder, March for Science Committee _____

Applicant will provide:

- Logo placement on website
- Link to the Port of Newport on website
- Logo on event shirt
- Banner displayed at event
- Booth space at event
- Goodie Bag insert
- Mention in radio advertising

Other (please describe):

Acknowledgement on any written materials or items for sale with the Port's logo

Port of Newport will provide: Waiver of usage fees.

X _____ Date: _____
 Kevin Greenwood
 Port of Newport

X _____ Date: _____
 Michele Longo Eder
 March for Science Committee

**PORT OF NEWPORT
MARINA AND RV PARK
SPECIAL USE PERMIT**

THIS AGREEMENT, made and entered into this March __, 2017 by and between the PORT OF NEWPORT, a port district organized and existing under Chapter 777, Oregon Revised Statutes, hereinafter called "Port" and Davis Shows N.W., hereinafter called "Permittee".

WITNESSETH:

In consideration of the covenants, agreements and stipulations herein contained on the part of the Permittee to be paid, kept and faithfully performed, the Port does hereby grant to Permittee a Special Use Permit to use those certain premises, AS IS (except as otherwise hereinafter provided), situated in Lincoln County, State of Oregon, more particularly described as follows:

A portion of the adjacent Multi-Use area, at the facility operated by the Port of Newport known as "Port of Newport Marina & RV Park". A reasonable portion of the parking lot will be made available for the Permittee, but Permittee shall be entitled to allow its participants (in reasonable numbers) to park in the public parking lots, except for those areas reserved for permit parking. **(Exhibit A)**

Coordination for the use of the parking area with Oregon Brewing Company during the scheduled event is the responsibility of the Permittee. The Special Use of the premises is subject to any rights, interest, claims, encroachments or easements which are of the premises, or by reasonable inquiry.

Permittee may use the said premises for the following purpose and no other:

Davis Shows Carnival (Multi-Use Area Only)

The date(s) of use for which this license is granted:

**MOVE IN: Monday, May 1, 2017
SETUP: Tuesday, May 2 and Wednesday, May 3, 2017
OPERATION: Thursday, May 4 through Sunday, May 7, 2017
TAKEDOWN: Monday, May 8, 2017**

For and in consideration of the permit hereby granted, Permittee shall pay to Port, prior to Permittee's usage and as a condition thereof:

- a) A nonrefundable \$500.00 fee.
- b) All services and equipment rentals to be billed at standard rates with a half-hour minimum.

The amount due as aforesaid shall be payable in full on execution of the permit agreement, and the Special Use Permit and reservation of the premises shall not be valid until and unless such sums have been paid. Payment by check is acceptable only upon approval by Port General Manager and is considered valid payment hereunder only upon condition that such check or other instrument shall be honored by the drawee.

In consideration of the mutual agreements herein contained, each party expressly covenants and agrees to and with the other as follows:

1. ACCEPTANCE OF LICENSE AGREEMENT:

The Permittee accepts said Special Permit Use permit conditions and agrees to pay to the order of Port any permit fee above stated for the full term of this permit at the times and in the manner aforesaid. It is understood that the Permittee takes the premises "as is", subject to all faults, defects and hazards. Permittee agrees to inspect the premises prior to each use, and to fully apprise Permittee's employees, agents and representatives of all defects, faults and hazards, and to take appropriate measures to protect or warn against any risk of loss or injury which may be associated therewith, and the Port shall have no responsibility to Permittee, Permittee's agents, employees and representatives, or Permittee's invitees, on account of any such fault, defect or hazard during such period of use.

2. USE:

Permittee is hereby authorized to use the agreed premises for the conduct of an event, as above described, and for no other purpose, without the Port's prior written consent.

3. LIMITS ON USE:

Permittee will not make any unlawful, improper or offensive use of said premises; it will not suffer any strip or waste thereof; it will not permit any objectionable noise or odor to escape or to be emitted from said premises or do anything or permit anything to be done upon or about said premises in any way tending to create a nuisance.

The Port reserves the right to impose reasonable rules, requirements and restrictions respecting the use of the subject property, including any existing rules.

4. COMPLIANCE WITH LAW:

Permittee shall comply at Permittee's own expense with all laws and regulations of any municipal, county, state, federal or other public authority respecting the use of said premises.

5. UTILITIES:

The Port shall permit Permittee to use the existing water service to the premises at no charge. However, Permittee shall utilize such water service only in reasonable quantities. Permittee shall be responsible to pay for all electrical services if required to the premises during the Permittee's period of use.

Permittee is aware that rest room facilities are not available at the site, and Permittee shall be responsible to provide an adequate number of chemical toilets to accommodate the persons who will be attending the event.

6. FIRE INSURANCE:

Neither party shall be required, as an obligation of one to the other, to provide any fire insurance on the subject premises or the contents. However, each party hereby acknowledges that such party is aware that the other party is not providing any such fire insurance coverage for the benefit of such party, and each party is responsible to protect such party's own interest. In the case of the Port, the Port is aware of the need to protect its own interest in improvements on the premises, and Permittee is aware of the need to protect its interest in the contents and personal property placed on the premises.

Nothing herein contained is intended to exculpate Permittee on account of any loss or damage incurred by the Permittee as a result of the negligence of the Permittee, however.

7. REPAIRS AND IMPROVEMENTS:

The Port agrees, excepting only acts of God and other conditions and occurrences beyond the control of the Port, to maintain the premises so that, at the time of Permittee's use, such premises will be in a condition substantially equivalent or better than they are now, reasonable wear and tear excepted. However, in the event of Port's failure so to do, Port's liability to Permittee shall be limited to a return of the consideration paid for the granting of this permit, or the cost of making such repairs, whichever is less.

8. INSPECTION:

The Port, its agents and representatives, at any reasonable time may enter upon or into said premises for the purpose of examining the condition thereof and for any other lawful purpose.

9. TRANSFER OR SUBLICENSE:

Permittee will not assign, transfer, pledge, hypothecate, surrender or dispose of this license agreement, nor any interest herein, or permit any other person or persons whomsoever to occupy the premises, without the written consent of the Port first being obtained in writing, which consent shall not be unreasonably withheld.

10. LIENS:

Permittee shall keep the premises free from all liens of every kind and description caused, incurred, permitted or suffered by any act or omission of Permittee, and Permittee shall not have the right or authority to incur any mechanic's, laborer's, materialmen's or any other liens.

11. OBSTACLES:

At all times, Permittee shall keep the area in and about the premises free and clear of rubbish, debris and obstructions of every kind during and upon termination of Permittee's period of occupancy.

12. LIABILITY:

During Permittee's usage, the Port shall not be responsible or liable in any way for the injury or death of any person or damage to any property caused in or about the premises, nor shall the Port be liable for any damage or loss suffered by the business or occupation of Permittee arising or resulting from any such accident or injury to goods or persons happening in or about the premises. Permittee does hereby covenant to save, hold and defend the Port harmless from any claim, loss, damage or liability resulting from or arising out of any such accident or injury, or in any manner arising from or as a result of the Permittee's use or occupancy of the premises, or that of any employee, representative or invitee of Permittee, and in the event of any suit or action for damages, claim or penalties being brought by any person whomsoever arising out of Permittee's usage of the premises, Permittee agrees at its own cost and expense to defend the Port against any such suit or action and any and all appeals thereof and to satisfy and discharge any judgment which may be awarded against the Port on account thereof. Permittee will at all times indemnify and hold harmless the Port, its agents and employees, against any and all actions or causes of action, claims, demands, liabilities, losses, damages or expenses of any kind or nature which the Port shall or may at any time sustain or incur by reason of Licensee's operations hereunder.

Permittee shall use and employ all reasonable precautions and safety measures to avoid all injury to persons and all loss of property, and shall be responsible to inspect any area to be used or worked upon, and to ascertain that the same shall not pose an unreasonable risk of harm to any person or property. Permittee shall maintain fences and barricades so as to bar access to, and warn of, any areas which are found to be hazardous.

13. LIABILITY INSURANCE:

Permittee further agrees at all times during the Permittee's usage hereunder, at Permittee's own expense, to maintain, keep in effect, furnish and deliver to the Port liability insurance policies in form and with an insurer satisfactory to the Port insuring both the Port and the Permittee against all liability for damages caused by the negligence of the Permittee, its employees or agents, to persons or property in or about said premises; the policy of liability insurance shall have a single occurrence policy limit of not less than \$2,000,000.00, and a total liability coverage of \$10,000,000.00. Permittee agrees to and shall indemnify and hold the Port harmless against any and all claims and demands arising from acts or omissions of the Permittee, its officers, agents, invitees and/or employees, as well as those arising from Permittee's use of the premises, including the easement included as part of the premises, or Permittee's failure to comply with any covenant of this agreement upon its part to be performed and shall, at its own expense, defend the Port against any and all suits or actions arising out of such negligence, actual or alleged, and all appeals thereof, and shall satisfy and discharge any judgments which may be awarded against the Port in any such suit or action. Permittee shall provide to the Port copies of the policy of liability insurance hereunder, together with a Certificate of Insurance declaring the liability provisions are in full force and effect, and naming the Port as an additional insured. Such policy or policies shall provide that the coverage there under shall not be canceled or amended without at least fifteen (15) days' notice to the Port.

The parties recognize that the aforementioned policy limits are relatively low, and the Port shall have the right, from time to time, to request reasonable increases in the liability limits of the aforementioned policy of liability insurance, in the event of any increase in the limits of potential liability under the Oregon Tort Claims Act, by reason of other statutory enactment or by court decision.

14. DESTRUCTION OF PREMISES:

In the event of the total or partial loss or destruction of the improvements on the real property, this agreement may be terminated by either party, and the Port shall have no obligation to repair or restore such premises. In the event of the occurrence of such loss or destruction, if the same is not repaired prior to the date on which Permittee will exercise the permit herein granted, upon termination of this permit agreement prior to such usage, Permittee shall receive a refund of the consideration paid for this permit.

15. WAIVER OF LIABILITY:

Neither the Port nor the Permittee shall be liable to the other for losses arising out of damage to or destruction of the premises, or improvements of which the premises are a part or with which they are connected, or the contents of any thereof, when such losses are caused by any of the perils which are insured against, to the extent of available insurance proceeds. All such claims for any and all losses, however caused, hereby are waived, to the extent of such proceeds. However, nothing herein contained shall be deemed to exculpate the Permittee should such exculpation have the effect of voiding, nullifying or reducing any insurance coverage for such loss which might otherwise be available for the benefit of the Port.

16. HOLDING OVER:

Strict and literal compliance with the terms and conditions provided for in any renewal of this permit agreement shall be a condition precedent thereto, and in the event the Permittee shall for any reason hold over after the expiration of this license agreement, other than pursuant to a valid renewal hereof, such holding over shall not be deemed to operate as a renewal or extension of this license agreement.

Permittee agrees to vacate and surrender possession of the premises upon the expiration of the Permittee's period of occupancy, and Permittee shall be liable to the Port for permit fees at the afore-rates for each day of holding over in the event that Permittee shall fail to so vacate and surrender the premises upon the expiration of such period of occupancy. Such holding over likewise shall not operate as any extension of this permit agreement or of the period of occupancy, and Permittee shall at such time hold as a tenant at sufferance, subject, however, to the other terms, obligations and provision of this permit agreement.

17. NOTICES:

Any notices required by the terms of this permit agreement to be given by one party to the other, or desired so to be given, shall be sufficient if the writing is in a sealed envelope, deposited in the United State registered or certified mail with return receipt requested and with postage fully prepaid and addressed to the other party at the following address, or such other address as to which either party may have properly notified the other:

PORT OF NEWPORT:

Kevin Greenwood
General Manager
PORT OF NEWPORT
600 S. E. Bay Boulevard
Newport, OR 97365

PERMITTEE:

Davis Shows N. W.
P. O. Box 1670
Clackamas, OR 97015
503-539-4526 or 503-310-1403
Davisshowsnw@aol.com

Any such notice shall be presumed to be delivered within forty-eight (48) hours after deposit in any United States registered or certified mail. In the event that the person desiring to give such notice shall become aware that such notice was not so delivered, the notice shall, nonetheless, be deemed to be effective within forty-eight (48) hours after such deposit. However, within a reasonable time after such discovery, the person desiring to give notice shall take appropriate steps to give actual notice to the other. No further attempts shall be required, however, if such notice cannot be delivered due to the failure of the party for whom such notice is intended to provide information as to such person's address or to accept delivery.

18. STRICT PERFORMANCE:

Full, strict, complete and literal performance, and the time thereof, are of the essence of this agreement; and waiver by the Port of any breach of any covenant or agreement herein contained to be kept and performed by the Permittee shall not be deemed or considered a continuing waiver and shall not operate to bar or prevent the Port from any right or remedy for that breach or for any succeeding breach, either of the same condition, covenant or agreement, or of any other.

19. ATTORNEY'S FEES:

In the event the Port shall be required to retain the services of an attorney to enforce any obligation under this license agreement, the Port shall be entitled to recover from Permittee the Port's reasonable attorney's fees so incurred, whether or not any suit or action shall be commenced. In the event the Port shall commence any suit or action to enforce any obligation hereunder, the prevailing party shall be entitled to recover from the other such party's reasonable attorney's fees so incurred, including any appeal.

20. SURRENDER OF PREMISES:

At the expiration of said dates of use or upon any sooner termination of this license agreement, or upon the termination of any extension hereof, the Permittee will quit and deliver up said premises and all future erections or additions to or upon the same, broom clean to the Port, or those having Port's estate in the premises, peaceably, quietly and in good order and condition, reasonable use and wear thereof, damage by fire, unavoidable casualty and the elements, to the extent covered by insurance, alone excepted, as the same are now in, or such better condition as the premises hereafter may be put in, or may be required, by terms of this permit agreement, to be put in.

If Permittee shall fail to clean up the premises as required herein on or prior to the expiration of the permit herein granted, or not later than noon on the following day, the Port may, at the Port's option, undertake or cause such clean up to be completed, at the expense of Permittee, and Permittee shall immediately reimburse to the Port the cost of such clean up, including but not limited to the reasonable value of any services provided by the Port. In any event, in the event that Permittee shall fail to carry out such clean up within the time above provided, Permittee shall be liable to the Port for all costs, expenses, damages or liability incurred by reason thereof.

Failure of Permittee to remove any vehicles, equipment or other property belonging to Permittee which Permittee may remove under the terms of this agreement shall constitute a failure to vacate. However, nothing herein contained shall be construed to limit the Port's right to expel the Permittee and Permittee's effects upon termination of the term of this permit agreement or any renewal thereof.

Any personal property left on the premises by the Permittee following the expiration of the term of the license herein granted, upon ten (10) days written notice from the Port to Permittee, conclusively will be deemed to have been abandoned to the Port, and the same will there-upon conclusively constitute the property of the Port, subject to disposal by the Port as the Port shall see fit, for the Port's own account, without any right of reclamation or compensation on the part of Permittee, and Permittee shall save, hold, defend and indemnify the Port harmless on account of the claims of any third parties on account of any such property.

21. SUCCESSORS:

All rights, remedies and liabilities herein given to or imposed upon either of the parties hereto shall extend and inure to the benefit of and bind, as the circumstances may require, the heirs, executors, administrators, successors and assigns of such parties. However, this provision shall not be construed to permit any transfer of the rights of the Permittee in derogation of any term or provision of this agreement requiring the consent of the Port.

22. SIGNS:

During the term of Permittee's occupancy, and for a reasonable time prior thereto, Permittee may erect temporary signs upon the premises, the size, nature, method of attachment or erection and placement of which shall be subject to the reasonable approval of the Port.

23. NEAT AND PRESENTABLE CONDITION:

Permittee agrees at all times during the Permittee's use under this agreement to maintain the premises in a clean, neat, orderly and presentable condition.

24. INTEGRATION:

This is the complete and entire agreement between the parties, and supersedes any other or prior agreement. Any modification hereof shall be effective only if reduced to writing and subscribed by the parties sought to be bound thereby.

25. WAIVER:

Timely and strict, complete and punctual performance of each and every obligation on the part of the Permittee to be performed are of the essence of this agreement. Failure of the Port to enforce any term, provision or requirement of this agreement, or to exercise any remedy on account of Permittee's failure to perform the same, shall not constitute a waiver of such failure or of the provision itself.

26. DEFAULT:

The Permittee's failure to pay the fees provided hereunder, or any portion thereof, or to perform any requirement hereof, shall be a default and shall operate to terminate the permit of the Permittee hereunder, and this agreement, without waiver of any right of the Port, including the right to be compensated for the Port's damages, including but not limited to the fees and other performance due to the Port hereunder. No notice to quit or to pay shall be required and the holding of such tenant thereafter shall be wrongful, but shall nonetheless be subject to all the rents and requirements hereof. However, if the Port, after such default in payment of any sum due hereunder, accepts payment thereof, the license agreement is reinstated for the full term hereof, subject to termination by subsequent defaults in payment of fees or to termination for other default as hereafter provided. Acceptance by the Port of payment of arrearage of fees, or a portion thereof, shall not reinstate the license agreement unless the Permittee shall pay or perform, all sums the payment of which is in arrears and all other defaults then existing.

In no event shall Permittee exercise any right under this agreement while Permittee shall be in default hereunder, or prior to payment of the consideration and performance of the other obligations of the Permittee hereunder.

27. REMEDIES:

In the event the permit agreement shall terminate for default, as aforesaid, or by reason of any other default as a matter of law, or for any other reason, or upon the expiration each year of the period of the permit granted hereunder, and if the Permittee shall fail to immediately surrender possession of the permitted premises, in any of such cases, the Port or those having the Port's estate in the premises, lawfully and at the option of the Port, immediately or at any time thereafter, without demand or notice, may enter into and upon the premises and every part thereof and repossess the same as of the Port's former estate and expel Permittee's effects at the expense of Permittee, forcibly if necessary, and store the same and/or lock the premises, all without being deemed guilty of trespass or other wrongful act, and as a remedy pursuant hereto and not in derogation hereof, and without prejudice to any other right or remedy which otherwise might be used for breach of this agreement, or otherwise.

In addition, if the Port shall retake possession of the premises, Permittee shall pay to the Port all of the reasonable costs of reentry and reletting, including but not limited to the cost of any cleanup, refurbishing, removal and storage of Permittee's property and fixtures and any other expense occasioned by Permittee's failure to quit the demised premise upon termination or to leave them in the required condition, any costs of repair to the premises, attorneys' fees, court costs, brokers' commissions and advertising costs.

In the event of termination for breach, the Port may, at its option, require the Permittee to pay to the Port:

- (a) The worth, at the time of award, of the unpaid fees that had been earned at the time of termination of this license agreement;
- (b) Any other amount, and court costs, including attorneys' fees, necessary to compensate the Port for all detriment proximately caused by Permittee's default.

All of the Port's rights and remedies hereunder shall be cumulative, one with the other, and with any other right or remedy as may now or later exist by force and effect of law or otherwise.

The Port, at any time Permittee has failed to perform a provision hereof, can provide such performance at Permittee's cost, and such costs or amounts paid shall be a debt due immediately from Permittee to the Port.

All fees and other sums due to the Port for Permittee shall bear interest at the highest rate permitted by law or, if there be no limitation, at a rate which is two percent (2 points) above the prime rate for preferred large borrowers as quoted in the West Coast Edition of the Wall Street Journal at the time of the award.

28. GRAMMATICAL CONSTRUCTION:

In construing this permit agreement, it is understood that the Port or the Permittee may be more than one person, and if the context so requires, the singular pronoun may be taken to mean and include the plural, the masculine may include the feminine and the neuter, and vice versa, and generally all grammatical changes shall be made, assumed, and implied as are necessary to carry out the intent hereof and to make the provisions of this agreement apply equally to corporations as to individuals.

IN WITNESS WHEREOF, the parties have executed this instrument in duplicate to be effective as of the day and year above set forth, and any corporate signature is affixed hereto only pursuant to the board of directors or other governing body thereof.

PORT OF NEWPORT

By: _____
Kevin Greenwood, General Manager

PERMITEE:

By: _____
, for Davis Shows NW

EXHIBIT A - MAP



© 2016 Google

Google Earth



CONSENT CALENDAR AGENDA ITEM

DATE: *March 28, 2017*
RE: *Transfer of Appropriated Funds within the 2016-17 Fiscal Year Budget*
TO: *Port of Newport Board of Commissioners*
ISSUED BY: *Steve Larrabee, Director of Finance*

BACKGROUND

In the General Operating Fund, the costs of seasonal, temporary employees for fiscal year 2016-17 were originally budgeted and appropriated under Personnel Services in line item Salaries and Wages. However, these costs are actually expenditures for materials and services and we are going to move \$40,000 from Personnel Services to Materials and Services.

In the NOAA Lease Revenue Fund, costs for capital outlays for fiscal year 2016-17 were originally budgeted and appropriated under Materials and Services and we are going to move \$40,000 from Materials and Services to Capital Outlay.

RECOMMENDATION

ORS 294.463 Transfers of Appropriations within Fund or Between Funds allows governing bodies to transfer appropriation authority between appropriation categories within the same fund (intrafund transfers) when authorized by resolution without the requirement of a supplemental budget.

I recommend that a Commissioner make a MOTION TO ADOPT RESOLUTION NO. 2017-04 TO AUTOHORIZE INTRAFUND TRANSFERS OF APPROPRIATED FUNDS WITHIN THE GENERAL OPERATING FUND AND WITHIN THE NOAA LEASE REVENUE FUND.

-###-

**PORT OF NEWPORT
RESOLUTION NO. 2017-04**

**A RESOLUTION AUTHORIZING TRANSFERS OF APPROPRIATED FUNDS WITHIN THE
2016-17 FISCAL YEAR BUDGET**

WHEREAS, The Port of Newport Board of Commissioners finds that circumstances exist that were not known at the time the 2016-17 fiscal year budget was prepared requiring transfers of appropriated funds between appropriation categories within the General Operating Fund and within the NOAA Lease Revenue Fund, and

WHEREAS, ORS 294.463 Transfers of Appropriations within Fund or Between Funds authorizes the Commission to transfer appropriations within a fund by resolution; NOW THEREFORE,

**THE PORT OF NEWPORT BOARD OF COMMISSIONERS RESOLVES AS
FOLLOWS:**

Section 1. Intrafund transfer of appropriated funds within the General Operating Fund.

Authorize a \$40,000 intrafund transfer from personnel services to materials and services to cover costs of seasonal, temporary employees originally budgeted and appropriated in personnel services.

General Operating Fund	Existing Appropriation	Transfer In (Out)	Revised Appropriation
Materials and Services: Contracted Services	\$ 206,950	\$ 40,000	\$ 246,950
Personnel Services: Salaries and Wages	\$ 935,554	\$ (40,000)	\$ 895,554

Section 2. Intrafund transfer of appropriated funds within the NOAA Lease Revenue

Fund. Authorize a \$40,000 intrafund transfer from materials and services to capital outlay to cover costs of capital improvements.

NOAA Lease Revenue Fund	Existing Appropriation	Transfer In (Out)	Revised Appropriation
Capital Outlay	\$ 0	\$ 40,000	\$ 40,000
Materials and Services	\$ 689,320	\$ (40,000)	\$ 649,320

Section 3. Effective Date. Resolution shall take effect immediately.

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS this 28th day of March, 2017.

ATTEST:

Walter Chuck, President

Patricia Patrick-Joling, Secretary/Treasurer

PRESENTATION AGENDA ITEM

DATE: 3/28/2017
RE: Chelsea Rose
TO: Port of Newport Board of Commissioners
ISSUED BY: Kevin Greenwood, General Manager

BACKGROUND

Cody Chase, owner of the F/V Chelsea Rose, will be making a presentation this evening on his plans for the Chelsea Rose. As you know, Cody leases the first 60-feet of Port Dock 3. I have met with him and Teri several times, most recently last Wednesday. Kent Gibson, North Commercial Harbormaster, has also reviewed the plans. Overall, the Commission has expressed support for Cody and the services his business provides both tourists and locals in Newport. I'm excited to see this small business take the next step.

PRESENTATION

I asked Cody to present three items to you: (1) a visual representation of the new Chelsea Rose, (2) a disposal plan for the old Chelsea Rose, and (3) a tentative schedule showing progress. I feel that he has adequately met the requirements in his presentation

New Chelsea Rose:

- Huge improvement compared to past versions. His plan shows a more visual representation of the old vessel and also accommodates ice totes which has been a problem in the past. He also has space for his skiff and a float.

Disposal Plan:

- The old Chelsea Rose was hauled out in 2005 and 2009. There is no engine which should minimize environmental concerns. He plans to tow the vessel to Toledo using the F/V Monde Uni.

Tentative Schedule:

- Plan is to have new Chelsea Rose up and running by Memorial Day.

COMMISSION ACTION

- I would recommend that a commission member make a MOTION TO AUTHORIZE CODY CHASE TO INSTALL A NEW CHELSEA ROSE AS DESCRIBED IN HIS PRESENTATION ON MARCH 28TH, TO REMOVE THE OLD CHELSEA ROSE IN A SAFE, ENVIRONMENTALLY-FRIENDLY MANNER AND TO HAVE THE WORK COMPLETED ON PORT DOCK THREE BEFORE MEMORIAL DAY 2017.

-###-



Chelsea Rose Seafoods

~FRESH FROM THE SEA TO YOU~

Port Dock 3 • P.O. Box 1941 • Newport, OR 97365

OWNER: Cody Chase (541) 961-0776 • ORDERS: (541) 961-5683





Chelsea Rose Seafoods

~FRESH FROM THE SEA TO YOU~

Port Dock 3 • P.O. Box 1941 • Newport, OR 97365

OWNER: Cody Chase (541) 961-0776 • ORDERS: (541) 961-5683

PROPOSAL

In 2003, the vessel was in a terrible state when Cody Chase bought the Chelsea Rose, a 106-year-old fishing vessel that sits at Port Dock 3, and began a complete overhaul. The vessel nearly sank many times and the restoration included removing the deteriorated engine to reduce pollution to the port.

The Chelsea Rose is now the oldest vessel in the harbor and is one of the most well known and photographed – all due to the efforts and vision of Cody Chase.



The historic fishing vessel Chelsea Rose is in it's last year as a fish selling storefront. In an effort to keep the name and tradition alive, Owner Cody Chase is proposing to retire his current vessel and bring in a new Chelsea Rose Platform to its longstanding location on Port Dock 3.

We are working with the Port of Toledo and a local architect to create this design that will appeal to everyone including the Port of Newport. This new boathouse-like facility will provide more room, reduce maintenance and eliminate all worries of a deteriorating boat possibly sinking.

This new design will also allow us to expand and modify our operation for our increasing growth of yearly dock sales and streamline our current storage capacities. We have proven our success as a reputable business and hope to continue this in the future with our plans for a clean and attractive storefront.

LOCAL IMPACT

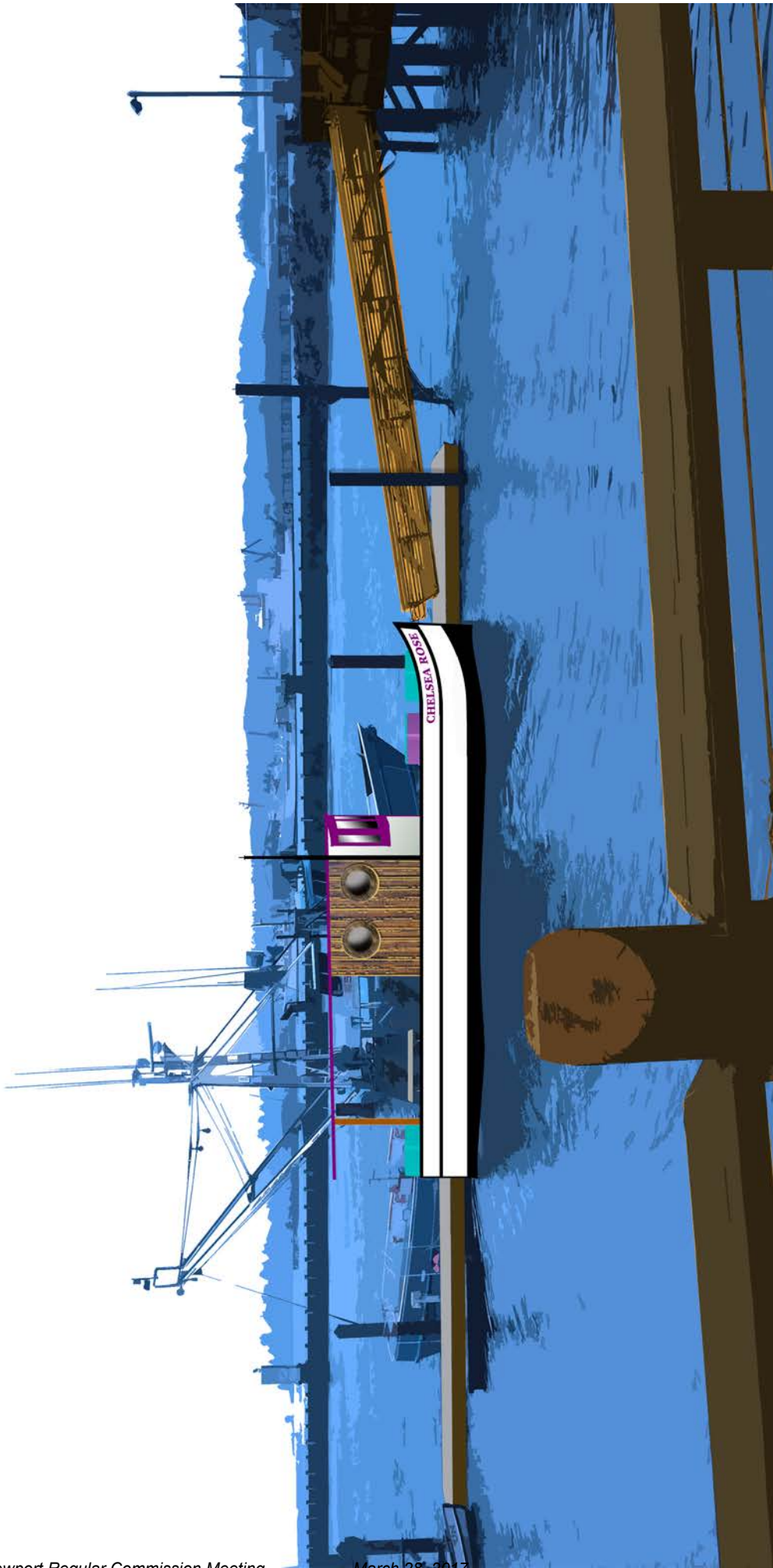
The Chelsea Rose supports many local families and has buyers from many of the West Coast states. People travel from all over Oregon to buy fresh local seafood. We've had customers travel from Washington, California, Arizona and Idaho to purchase fresh-caught Dungeness crab and fish.

We are the heartbeat of the docks in the summer: from our skiff hauling fish from local vessels all day, to serving the crowds of hungry seafood lovers, Chelsea Rose Seafood has earned its place as a Newport destination and an icon for fresh and affordable product year round. We are known for our "showcase fillets" and impeccable service; our Facebook page boasts almost 2,000 followers; we keep a customer calling list of over 600 and growing; we work yearly with the local "Shop the Dock" outreach in cooperation with Oregon Sea Grant; we participate with the Oregon Coast Aquarium "Tuna Day"; and we are known contributors and sponsors to many other local events and groups, including Newport Fishermen's Wives and Oregon Albacore and Salmon Commissions, among others.

Over the last two years, we have purchased fresh seafood from over 60 local fishing vessels. These purchases include 46,588 lbs of Dungeness crab, 16,245 lbs of salmon, an amazing 333,398 lbs of albacore tuna, and 21,933 lbs of other various fish. This is a total of 418,164 lbs of local seafood passing through the Chelsea Rose storefront. Our impact on the local fisheries is obviously substantial. We feel that the need for Chelsea Rose seafood to continue operating within our local fleet and economy is essential.

A new design will also allow us to expand and modify our operation (especially for anticipated annual growth of dock sales) and streamline our current storage capacities. We have proven our success as a reputable business, and our new design will help us maintain a clean and attractive storefront into the future.





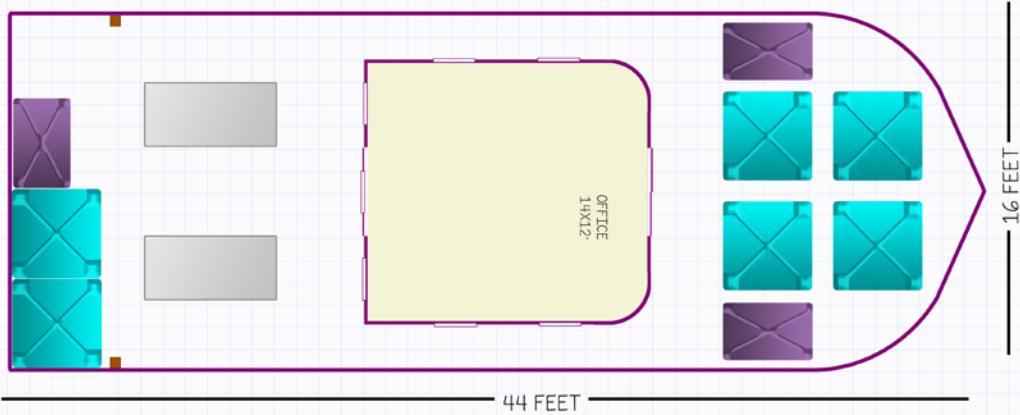
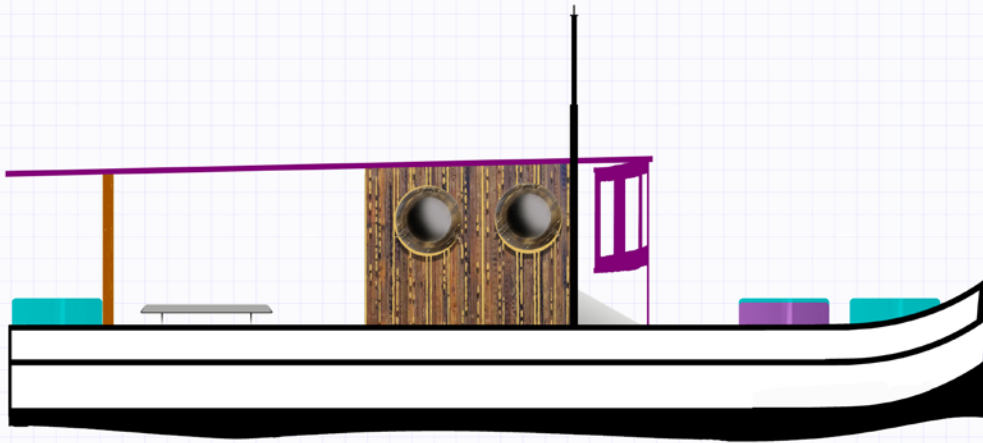
Artist Rendition of the New Chelsea Rose

REMOVAL OF THE OLD CHELSEA ROSE FROM PORT DOCK 3

With the completion of the new Chelsea Rose barge at the Port of Toledo Boatyards, the old Chelsea Rose will be disconnected from its current berth on Port Dock 3. Twice before we have disconnected the Chelsea Rose (in 2005 and 2009) and hauled it to be refurbished. There should be no complications because we have done it before. The electricity is just plugs and there is no engine oil or gas to worry about because we removed them years ago.

With great care, it will be towed upriver by Cody Chase's other boat the F/V Monde Uni to the Port of Toledo Boatyards, where it will be pulled out of the water on the boat lift and dealt with appropriately.





DESIGNED BY PETE SANOK
SPECIFICALLY PACIFIC
3101 FERRY SLIP RD., SUITE 412
NEWPORT, OREGON 97365

HISTORIC CHELSEA ROSE SEAFOOD

Floor Plan

Tentative Timeline for Building and Installing the New Chelsea Rose March - May 2017

	2015 to March 22, 2017	March 22-31	April 1-15	April 16-30	May 1-5	May 8-13
Petition to Replace the Chelsea Rose Building Plans Created						
Port Approval of Application						
Port of Toledo to start Constuction of the new Chelsea Rose						
Removal of current platform from Port Dock 3						
Install new Chelsea Rose at Port Dock 3						
Commence Retail Operations at Port Dock 3						

If we can get approved sooner than later, it would be great to be operational by Loyalty Days so we can capitalize on the influx of tourists to our town.

Chelsea Rose is the queen of Dock 3

Historic vessel nearly sank four times on its way to rebirth

By Paula McCambridge
For the News-Times

NEWPORT — The old lady of the harbor, 106-year-old fishing vessel, Chelsea Rose, was near death in 2003 when a very young man, Cody Chase, then 18, saw something in her worth saving.

The Chelsea Rose battled his efforts, almost sinking several times during her rehabilitation, but she survived and is now the oldest boat in the harbor where fish is sold straight to the consumer.

"Oh it was a mess; it almost sank four times. We had to pump it out twice when it was halfway under water," Chase said. "But it was a good opportunity. We knew we could make it work. A lot of people thought we couldn't, but we did. That was about 10 years ago."

Chase, now 28, is a second-generation fisherman who grew up in the industry and started working in it as a young teenager about 13 years old. His first job away from family was with longtime fisherman Tom Pfister who said there was something special about Chase that leaves him unsurprised that he took on a challenge like the Chelsea Rose and succeeded in bringing the vessel back to life.

"I encouraged Cody to be on his own — he was like any young person with a strong will," Pfister said. "If I had to leave [my boat], I would discuss everything with Cody before I left. He has subtle leadership skills I depended on. He was so important to us that when he was tardy, it caused me angst because I needed him so much."

With the Chelsea Rose's rebirth, the business is flourishing.

"It's the only one in our harbor here that sits and sells all day long; in the fishing season, we're here seven days a week," said Cari Hamrick, part of the Chelsea crew. "We also support other fisherman by buying their product. Because we pay a good price, we get the very best."

Chase said he catches about 90 percent of his own Dungeness crab and has recently started catching tuna on his vessel, Aquarius.

When asked what he likes best about the fishing industry, Chase took a minute to consider the question.

"It's the independence," he said. "It feels good to come to work; it's always something different. It was quite the adventure getting the Chelsea Rose where it is; I feel like we've accomplished that."

Though the business, Chelsea Rose Seafood, belongs to Chase, he is quick to credit his crew with its now 10-year success.

"The crew is a big part of what makes this work," Chase said.

His main crew members are Jaret Washburn, Jason Smith, Aaron Wood and Hamrick.

"I've worked a lot of other jobs, 9-5 jobs, and there's something about it, something about the labor of it that I like," Washburn said. "Working with the public is a lot of fun — you meet people from all over the world. It's exciting to see where the business will go from here."

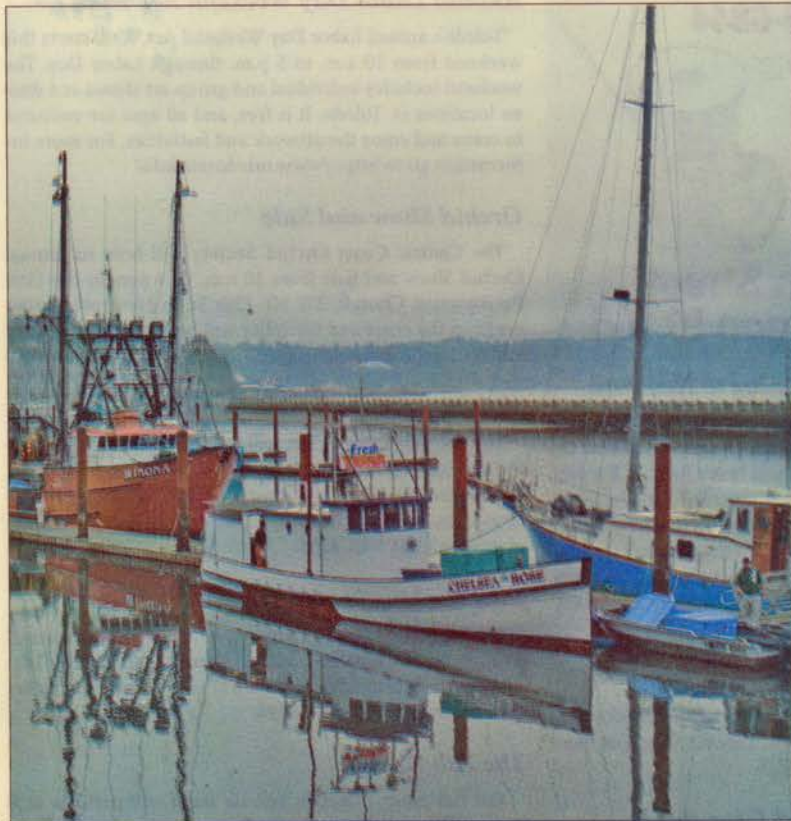
Chase said he does his own crabbing but buys much of his

fish — tuna, halibut, salmon — from other fishers. He would like to do more of his own fishing, he said.

"We want to get more into commercial fishing, get a bigger boat, catch more of our own product, more tuna — we sell a lot of tuna," he said. "People tell us that they've been coming here for years, that's something

we've been hearing more and more each year, and it's a good feeling seeing how many people come back; we've got a lot of happy people. We're pretty stoked about that."

The Chelsea Rose sits at Port Dock 3 in Newport. For more information, go to www.chelsearoseseafood.com or call 541-961-5683.



The Chelsea Rose is a 106-year-old fishing vessel that sits at Port Dock 3 in Newport. Consumers can buy fresh fish directly from fishermen at the site. (Photos by Paula McCambridge)



Cody Chase shows off Dungeness crabs, one of a variety of seafood he sells directly to consumers on his century-old fishing vessel, Chelsea Rose, that sits at Port Dock 3 in Newport.



Operating Fund

February 16, 2017 through March 15, 2017

Date	Num	Name	Memo	Amount
02/22/2017	38722	F/V Excalibur II	Refund - NIT lot storage fee	376.72
02/24/2017	38723	Bergerson Construction	PD5 pile replacement construction	82,003.57
02/24/2017	38724	Brenda Hanson	Refund - SB RV cancellation	39.49
02/24/2017	38725	Business Oregon - OBDD	Debt service	7,800.00
02/24/2017	38726	Carquest Auto Parts	Finance charge	2.84
02/24/2017	38727	Carrot-Top Industries	US and Oregon flags	196.75
02/24/2017	38728	Carson Oil	Fuel	775.11
02/24/2017	38729	Century Link	Telephone	396.41
02/24/2017	38730	Chase - Visa	HIPPO renewal, DSL permit, equipment, office and operating supplies, IT hardware and software, advertising, catering	5,608.56
02/24/2017	38731	CoastCom	Internet and e-mail	832.00
02/24/2017	38732	Creative Landscape & Maintenance	Landscape maintenance	495.00
02/24/2017	38733	Dan Lais Equipment Surgery	Trash compactor repair	2,346.00
02/24/2017	38734	Dept. of Environmental Quality	SB compliance fee for storage tanks	270.00
02/24/2017	38735	Dustin's Custom Fiberglass	Void	0.00
02/24/2017	38736	Edge Analytical	Storm water testing	338.00
02/24/2017	38737	Fred Meyer Customer Charges	Dept. Head meeting - catering	82.96
02/24/2017	38738	G & K Floors	Janitorial services	2,200.00
02/24/2017	38739	Grimstad & Associates	2015-16 audit - final bill	6,900.00
02/24/2017	38740	Idea Print Works	PON clothing	68.00
02/24/2017	38741	Employee	Reimbursement	71.68
02/24/2017	38742	Marina Dock Parts	PD5 pile replacement construction supplies	1,550.20
02/24/2017	38743	Neofunds by Neopost	Postage	400.00
02/24/2017	38744	Newport Diesel & Marine	Vehicle repairs	1,073.72
02/24/2017	38745	NW Natural	Gas - SB	21.15
02/24/2017	38746	OR Assoc. of Municipal Recorders	2017 Academy registration	150.00
02/24/2017	38747	Pacific Northwest Waterways	2017 Washington DC conference registration	895.00
02/24/2017	38748	Employee	Reimbursement	30.99
02/24/2017	38749	Rydin Decal	Parking and launch permits	950.10
02/24/2017	38750	Special Districts Insurance Services	Monthly health-life-dental	10,304.27
02/24/2017	38751	Staples	Office supplies	140.83
02/24/2017	38752	Suburban Propane	Propane	102.96
02/24/2017	38753	T & L Septic	Chemical toilet rental	886.00



Operating Fund

February 16, 2017 through March 15, 2017

Date	Num	Name	Memo	Amount
02/24/2017	38754	Toyota Industries Commercial Finance	Forklift leases	1,044.20
02/24/2017	38755	F/V Roma	Refund - CM overpayment	68.78
03/06/2017	38756	F/V Christy Belle	Refund - CM overpayment	272.32
03/09/2017	38757	Allen's Lot Maintenance	Curb repair by fuel dock	482.00
03/09/2017	38758	Alsco	Floor mats and towel rental	242.87
03/09/2017	38759	Alsea Bay Power Products	Self-propelled push mower	729.00
03/09/2017	38760	Appliance Service Station	Laundry repair - SB	220.00
03/09/2017	38761	Barrelhead Supply	Operating supplies	136.16
03/09/2017	38762	Employee	Mid-month draw	450.00
03/09/2017	38763	Business Oregon - IFA	Debt service	4,463.00
03/09/2017	38764	Carrot-Top Industries	US and Oregon flags	134.70
03/09/2017	38765	CenturyLink - Business Service	Telephone	28.55
03/09/2017	38766	Chase - Visa	PON vehicle hands-free phone system, travel and lodging, office and operating supplies, employee education, software	3,499.64
03/09/2017	38767	Employee	Mid-month draw	500.00
03/09/2017	38768	Coastal Paper & Supply	Paper products and cleaning supplies	1,924.56
03/09/2017	38769	Copeland Lumber Yards	Repair and maintenance supplies	182.90
03/09/2017	38770	Employee	Reimbursement	118.23
03/09/2017	38771	Employee	Mid-month draw	500.00
03/09/2017	38772	Design Space	Customs and temporary office rental	1,094.00
03/09/2017	38773	Direct TV	Cable - RV parks	1,311.84
03/09/2017	38774	Employee	Mid-month draw	600.00
03/09/2017	38775	Doug's Electric	Electrical repair on A dock	116.83
03/09/2017	38776	Dustin's Custom Fiberglass	Spray foam Swede's building pontoons	19,735.90
03/09/2017	38777	Englund Marine Supply	Safety equipment and operating supplies	210.73
03/09/2017	38778	Employee	Mid-month draw	300.00
03/09/2017	38779	Fastenal Company	Hardware	29.48
03/09/2017	38780	Employee	Mid-month draw	475.00
03/09/2017	38781	Grainger	"Weigh Your Catch" event scale	233.06
03/09/2017	38782	Groth-Gates Heating	Furnace in YBF building and SB shower heater	3,993.00
03/09/2017	38783	Harvey's Lock & Key	Rekey CM bathroom locks	250.10
03/09/2017	38784	Industrial Welding Supply	Welding tank refills	28.20
03/09/2017	38785	iSecure	Expired document shredding	374.00



Operating Fund

February 16, 2017 through March 15, 2017

Date	Num	Name	Memo	Amount
03/09/2017	38786	JC Market	Bottled water	33.70
03/09/2017	38787	LazerQuick	DOO Prospectus, S&W signs, printing	529.65
03/09/2017	38788	Lock Masters	Lock repairs	255.00
03/09/2017	38789	MacPherson Gintner & Diaz	Professional services	895.00
03/09/2017	38790	Mulder Sheet Metal	Fish-cleaning table repairs	225.00
03/09/2017	38791	National Photocopy Corporation	Server and IT support	970.78
03/09/2017	38792	Neofunds by Neopost	Postage	44.52
03/09/2017	38793	Neopost USA	Postage machine rental	149.85
03/09/2017	38794	Newport Diesel & Marine	Vehicle maintenance	141.00
03/09/2017	38795	Newport News-Times	Advertising	589.24
03/09/2017	38796	NW Natural	Gas - SB	486.22
03/09/2017	38797	Oregon Coast Magazine	SB ad for RV park	270.00
03/09/2017	38798	Pacific Coast Congress HMPM	Conference registration	350.00
03/09/2017	38799	Pioneer Telephone Cooperative	Telephone	225.88
03/09/2017	38800	Platt	Electrical supplies	524.37
03/09/2017	38801	Employee	Mid-month draw	650.00
03/09/2017	38802	Security Contractor Services	6x12 fence panels	3,450.00
03/09/2017	38803	Sherwin-Williams	Painting supplies	301.39
03/09/2017	38804	Special Districts Insurance Services	Quarterly property/casualty insurance	39,505.38
03/09/2017	38805	Staples	Office supplies	129.24
03/09/2017	38806	Employee	Mid-month draw	1,500.00
03/09/2017	38807	TCB Security Services	Monthly security contract	7,188.00
03/09/2017	38808	Thompson's Sanitary Service	Trash disposal	3,637.25
03/09/2017	38809	Toyota Lift NW	Preventative maintenance on forklifts	640.51
03/09/2017	38810	United Grocers - Cash & Carry	Office and operating supplies	161.67
03/09/2017	38811	Valley Fire Control	Annual inspection and service	48.00
03/09/2017	38812	Verizon Wireless	Port cell phones	341.25
03/09/2017	38813	Voya (State of Oregon Plan)	Monthly employee contributions	100.00
03/09/2017	38814	Xerox Corporation	Copier lease	786.94
03/09/2017	38815	Yaquina Bay Communications	Advertising	150.00
Total				235,337.20



NOAA Fund

February 16, 2017 through March 15, 2017

Date	Num	Name	Memo	Amount
02/24/2017	13112	Aboveboard Electric	Electrical repair	267.00
02/24/2017	13113	Billeter Marine	Wharf maintenance dredging	99,750.00
02/24/2017	13114	Chase-Visa	Water filters	223.49
02/24/2017	13115	G & K Floors	Janitorial services	450.00
02/24/2017	13116	Pacific Habitat Services	Biological consulting for MOC-P construction	1,440.00
02/24/2017	13117	PayneWest Insurance	Wharf maintenance dredging coverage	100.00
02/24/2017	13118	Road & Driveway	Street sweeper at wharf	123.50
02/24/2017	13119	Special Districts Insurance Services	Monthly health-dental-life insurance	648.63
02/24/2017	13120	Ultimate Pest Control	Pest control	125.00
03/09/2017	13121	Central Lincoln PUD	Electricity	746.40
03/09/2017	13122	Dept of Consumer & Business Services	Elevator operating permit renewal	197.12
03/09/2017	13123	Pacific Habitat Services	Finalizing mitigation monitoring report	719.00
03/09/2017	13124	Pioneer Telephone Cooperative	Telephone	239.62
03/09/2017	13125	Runions Construction	Repairs to mitigation trail	1,400.00
03/09/2017	13126	Special Districts Insurance Services	Property/casualty insurance	10,967.51
03/09/2017	13127	TCB Security Services	Elevator phone monitoring	20.00
03/09/2017	13128	Thompsons Sanitary Service	February service	345.60
03/09/2017	13129	Verizon Wireless	Phone charges and mifi	26.38
Total				117,789.25

**PORT OF NEWPORT
RESOLUTION NO. 2017-__**

A RESOLUTION SETTING RATES, FEES, AND CHARGES

WHEREAS, ORS 294.160 requires the governing body of a unit of local government to provide an opportunity for interested persons to comment on the enactment of any ordinance or resolution prescribing a new fee or a fee increase; and

WHEREAS, Port of Newport Facilities Code Sec. 1.2(f) and 2.10(c)(6) requires the Commission to set rates and charges for moorage and electrical usage by the adoption of a "fee schedule" by resolution; and

WHEREAS, the Port Commission last adjusted rates, fees and charges via Res. No. 2016-02 on May 24, 2016; and

WHEREAS, the Port Commission feels that user fees should help to offset those costs related to the depreciation and on-going maintenance of the port; NOW THEREFORE,

THE PORT OF NEWPORT BOARD OF COMMISSIONERS RESOLVES AS FOLLOWS:

Section 1. Service Rates. Rates apply to all Port of Newport locations unless otherwise noted. Rates become effective July 1, 2017. Port owned equipment to be operated by port personnel. Rates are per hour, ¼ hour minimum, in 15 minute increments, unless otherwise noted.

	OLD	NEW	+/-
A. <u>Forklift</u> . In addition to labor rate.			
1. Small. Toyotas.			
a. Per hour.....	\$11.33	\$11.67	3%
b. Minimum charge	\$ 7.21	\$8.75 7.43	21 3%
2. Large. All at International Terminal (IT).			
a. Per hour.....	\$28.33	\$29.18	3%
b. Minimum charge	\$17.00	\$21.89 17.54	29 3%
B. <u>Hoist Dock</u> . Tie up fee, per hour. Includes use of hoist.			
1. One hour minimum, up to 3 hrs.	\$37.34	\$38.46	3%
2. After 3 hours.....	\$44.29	\$45.62	3%
C. <u>Hoist Dock Cranes</u> . In addition to hoist dock rate.			
1. Large Capacity. In addition to labor rate.			
a. Per hour.....	\$39.66	\$40.85	3%
b. Minimum charge	\$30.64	\$30.64 31.56	0 3%
2. Launch Sail Boats. Includes recovery, per launch.....	\$42.49	\$43.76	3%
D. <u>Service Docks</u> .			
1. Swede's. In addition to moorage. daily moorage rate		same	
E. <u>City Water</u> at city's rate		same	
F. <u>Fuel Surcharge</u> . International Terminal only. Per gallon	\$ 0.031	\$0.032	3%
G. <u>Electricity</u> . Swede's Dock, Dock 1, and IT. Per day charge.			
1. 208/220 v, single phase & 208 v three phase.	\$15.19	\$15.65	3%
2. 120v. IT	\$ 6.44	\$6.63	3%
3. PD 7 Service Dock, 110v pumps.....	\$ 6.44	\$6.63	3%
4. PD 7 Yard Charge, trucks	\$11.59	\$11.94	3%
H. <u>Hydraulic Crane</u> . In addition to labor rate. 30 ton capacity,			
per hour, min 1 hr.	\$132.61	\$136.59	3%

Commented [KG1]: This equipment rate includes both equipment plus labor. For the sake of the resolution let's separate the labor from equipment so we can compare apples to apples. If it's easier for Finance and Operations to combine the rates for billing, let's do operationally.

I.	<u>Pump/Line Service.</u> Includes one Port employee only. Additional staff required will be billed at the established hourly labor rate. Per hour.....	\$58.45	\$56.08	3%
J.	<u>Storage.</u>			
	1. Outside Lot Storage			
	a. Per square foot, daily rate	\$ 0.010	\$0.011	10%
	b. Per square foot, monthly charge	\$0.216	\$0.222	3%
	c. Minimum monthly charge	\$21.63	\$22.95	3%
	d. Boat trailer only, per night.....	\$ 2.16	\$2.22	3%
	e. Boat on trailer, per night, 10 days limit	\$ 7.42	\$7.64	3%
	2. Emergency Storage Fee. Per day billed as guest. For vehicles, boats or trailers prior to being considered unclaimed property in possession (ORS 98.245) Charge for improper use of parking lot (i.e. boat repair)	\$21.63	\$22.28	3%
K.	<u>Gear Work.</u> Boat crew is responsible for clean-up. If Port Employees are required to clean up area, the boat account will be billed at the established hourly labor rate.			
	1. Commercial Marina, per day	\$18.80	\$19.36	3%
	2. Terminal Lot, per day. Short term use only. Deep-draft cargo has priority	\$18.80	\$19.36	3%
	3. South Beach Marina, per day	\$18.80	\$19.36	3%
L.	<u>Work Barge.</u> In addition to labor rate.			
	1. Work Boat, per hour. Licensed captain extra.	\$124.63	\$128.37	3%
	2. Wood Barge, per day (work boat extra).....	\$23.69	\$24.40	3%
	3. Skiff, per hour	\$13.39	\$13.79	3%
M.	<u>Clean-up.</u> Fees will be charged for each man-hour at the established labor. Equipment charges are extra			
	1. Oil Spills, per hour	\$92.70	\$95.48	3%
N.	<u>Disposal Fees.</u>			
	1. Just Oil, per gallon.....	\$ 0.300	\$0.500 309 67 % 3%	
	2. Oil-Water Mix, per gallon	\$ 0.760	\$0.960 78 3 27 % 3%	
	3. Net Disposal and/or Related Gear, per pound	\$ 0.165	\$0.170	3%
	4. Garbage, per pound	\$ 0.113	\$0.116	3%
O.	<u>Port Labor.</u> Includes administration staff and fully burdened.			
	1. Per hour; 3/4 hour minimum, in 15 min. increments..	\$50.50	\$51.65	2%
	2. Overtime. Any services required outside the established working hours, unless otherwise posted, will be charged at one and one-half times (1.5) the normal rate for labor. Per hour, 1 hour minimum.....	\$75.75	\$77.48	2%
	3. Emergency Call-out. Any services requiring a port employee not currently on duty to report to duty after hours, will be charged at twice (2.0) the normal rate for labor. Per hour.....	\$100.94	\$103.30	2%
P.	<u>Pallet Charge.</u> Any Port owned pallet leaving yard, each	\$ 5.46	\$5.62	3%
Q.	<u>Dredge Spoils.</u> Includes state fees; may be waived for other public agencies or beneficial uses. Per cubic yard.....	\$ 2.00	\$2.00	0%
R.	<u>Keys/Cards.</u>			
	1. South Beach Facilities. Cards.			
	a. Original/first two.....	free	free	n/a

Commented [KH2]: Storage as a daily rate is too cumbersome to manage by operations staff and accounts receivable; staff suggests monthly rate only

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Commented [KH3]: Per Bill H., at South Beach, they are currently charging \$6.50 per night for boat and trailer, and \$2.00 per night for trailer only. 3/20/17 Spoke with Bill, although other SB rates go into effect on 10/1, this rate will change on 7/1 since it applies to all facilities.

Commented [KH4]: Staff recommends adding \$0.20 per gallon to these rates:

Just Oil, per gal. Old: \$0.300 New: \$0.500 /67% inc
Oil-Water per gal Old: \$0.760 New \$0.960 /27% inc.

b. Replacement/additional	\$ 5.67	\$5.84	3%
2. Bay Front Facilities. Keys.			
a. Original/first one	\$15.97	\$16.45	3%
b. Replacement/additional	\$28.33	\$29.18	3%

Section 2. Bay Front Charges. Per linear foot. All charges for greater length between dock and boat.

	OLD	NEW	+/-
A. <u>Moorage.</u> Per linear foot.			
1. Daily	\$ 0.45	\$0.46	3%
2. Calendar Month	\$ 8.25	\$8.50	3%
3. Semi-Annual	\$31.31	\$32.25	3%
4. Annual	\$41.56	\$42.81	3%
B. <u>Annual Parking Permit.</u> Permit effective for calendar year starting April 1 st . Commercial Fisherman only	\$21.00	\$22.00	5%

Section 3. International Terminal Charges. International Terminal Tariff No. 1 adopted via Res. No. 2014-03 on May 22, 2014. All fees authorized via Tariff No. 1. Effective July 1, 2014.

A. <u>Port Security Fee.</u> (\$1.13). Per three 8-hour shifts day	\$895.00	\$895.00	0%
B. <u>Materials & Supplies.</u> (\$1.31). Cost plus	25%	25%	0%
C. <u>Dockage Charges.</u> (§III.13). Rate per day, by length.			
1. 000.00 – 351.05 ft.	\$1,627.00	\$1,627.00	0%
2. 351.05 – 371.02 ft.	\$1,792.00	\$1,792.00	0%
3. 371.02 – 400.26 ft.	\$1,981.00	\$1,981.00	0%
4. 400.26 – 426.51 ft.	\$2,203.00	\$2,203.00	0%
5. 426.51 – 449.48 ft.	\$2,373.00	\$2,373.00	0%
6. 449.48 – 475.72 ft.	\$2,607.00	\$2,607.00	0%
7. 475.72 – 498.69 ft.	\$2,960.00	\$2,060.00	0%
8. 498.69 – 524.93 ft.	\$3,527.00	\$3,527.00	0%
9. 524.93 – 551.18 ft.	\$3,639.00	\$3,639.00	0%
10. 551.18 – 574.15 ft.	\$3,822.00	\$3,822.00	0%
11. 574.15 – 600.39 ft.	\$4,373.00	\$4,373.00	0%
12. 600.39 – 626.64 ft.	\$5,092.00	\$5,092.00	0%
13. 626.64 – 649.99 ft.	\$5,787.00	\$5,787.00	0%
14. Above 650 ft., added on top of above rate, per ft.	\$ 8.90	\$8.90	0%
15. Exceptions for certain vessels (§II.14) per ft. per day \$ 0.80	\$ 0.80	\$0.80	0%
D. <u>Service and Facility Charges.</u> (§III.2). Per 1000 board feet, unless noted.			
1. Logs. Scribner scale, ex dock.....	\$ 7.75	\$7.75	0%
2. Cants.	\$ 6.00	\$6.00	0%
3. Lumber. Packaged rough.	\$ 5.22	\$5.22	0%
4. Lumber. Packaged surfaced.	\$ 4.63	\$4.63	0%
5. Plywood, Veneer, corestock & hardboard, /1000 kilos	\$ 5.87	\$5.87	0%
6. Pulp, Linerboard, bales or rolls, 2000 kilos.....	\$ 3.49	\$3.49	0%
7. Other commodities, per metric ton or 1000 bf	\$ 6.83	\$6.83	0%
8. Other commodities, per cubic meter.....	\$ 5.69	\$5.69	0%
E. <u>Wharfage Assessment.</u> (§III.6). Minimum charge for any single bill of lading.	\$10.00	\$10.00	0%

Commented [KG5]: Did this use to be May?

Commented [KH6R5]: Yes, This was an earlier discussion, including Kevin Bryant, about the best time to change the license in consideration of fishing seasons

Commented [KH7]: Zerr to review

Commented [KG8]: Look at frozen seafood product rate. Zerr.

F. <u>Wharf Charges.</u> (§III.7). Per 1000 board feet, unless noted. In addition to Service and Facility Charges.			
1. Logs. Scribner scale, ex dock.....	\$ 9.50	\$9.50	0%
2. Cants.....	\$ 6.00	\$6.00	0%
3. Lumber. Packaged rough.....	\$ 4.55	\$4.55	0%
4. Lumber. Packaged surfaced.....	\$ 4.03	\$4.03	0%
5. Plywood, Veneer, corestock and hardboard, per 1000K.....	\$ 3.96	\$3.96	0%
6. Pulp, Linerboard, bales or rolls.....	\$ 2.72	\$2.72	0%
7. Other commodities, per 1000 kilos.....	\$ 5.57	\$5.57	0%
8. Other commodities, per cubic meter.....	\$ 4.57	\$4.57	0%
G. <u>Cargo Staging Area.</u> (§IV.2). Base rent for <u>3-acre</u> surge area.			
1. Per week, seven days.....	\$2,000.00	\$2,000.00	0%
2. Per day, less than seven days.....	\$300.00	\$300.00	0%
H. <u>Line Service.</u> (§V.3). Labor will be charged at the rates set out in the current ILWU/PMA West Coast Contract. Rate schedule per day.			
1. 2 men.....	\$520-\$656	\$520-\$656	0%
2. 4 men.....	\$1,061-\$1,317	\$1,061-\$1,317	0%
3. 6 men.....	\$1,575-\$1,973	\$1,575-\$1,973	0%
4. 8 men.....	\$2,153-\$2,631	\$2,153-\$2,631	0%

Commented [KH9]: Zerr to review

Section 4. South Beach Charges. Per linear foot. All charges for greater length between dock and boat except for F-Dock which is boat length only. Effective October 1, 2017.

	OLD	NEW	+/-
A. <u>Moorage.</u> Per linear foot.			
1. Daily.....	\$ 0.64	\$0.66	3%
2. Weekly.....	\$ 3.82	\$3.93	3%
3. Calendar Month.....	\$ 9.79	\$10.08	3%
4. Semi-Annual.....	\$36.04	\$37.12	3%
5. Annual.....	\$57.02	\$58.73	3%
6. <u>Electrical Surcharge, per extra plug on dock.</u>			
a. Weekly.....	n/a	\$25.00	n/a
b. Monthly.....	\$30.90	\$100.00	224%
6-7 Live aboard. Monthly rate by agreement only.			
a. First person.....	\$49.95	\$51.45	3%
b. Each Additional.....	\$43.26	\$44.56	3%
c. <u>Electrical Surcharge, per extra plug on dock.....</u>	\$30.90	\$31.83	3%
B. <u>South Beach Charter Rates.</u>			
1. Annual Moorage, per linear foot (PONFC).....	\$44.92	\$46.72	4%
2. Charter License.....	\$300.00	\$300.00	0%
C. <u>Dock Box.</u> Following Harbormaster specs.....	\$309.00	\$318.27	3%
D. <u>Electrical Upgrade.</u> From 20 to 30 amp. One-time.....	\$53.05	\$54.64	3%
E. <u>Line Replacement.</u> Per foot, per time.....	\$ 1.00	\$1.00	0%
F. <u>Launch Fee.</u>			
1. Daily.....	\$ 6.00	\$6.00	0%
2. Annual			
a. Resident.....	\$5560.00	\$6565.00	18% 9%
b. Resident Senior.....	\$505.00	\$609.00	20 4 0%
c. Non-resident.....	\$7580.00	\$805.00	7%

Commented [KH10]: Electrical surcharge applied to all moorage holders, not just live-aboard. Increase to reflect electrical cost to Port.

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Commented [KH11]: Newport is under market on live aboard rates

Section 5. Recreational Vehicle Park Fees. Effective October 1, 2017. Applicable state and municipal lodging tax will be an additional charge.

	OLD	NEW	+/-
A. High Traffic Surcharge. Per night (2 night min.) Added to all RV Park stays in Marina RV Park, RV Park Annex, and Dry Camping.			
1. Memorial, Labor Day, 4 th of July.....	--	\$20.00	n/a
2. Seafood & Wine Festival.....	--	\$50.00	n/a
3. Other Special Events.....	--	Varies	
A-B. Peak Season (Summer). May 1 – October 31. Base rate before taxes.			
1. All Marina Park Sites			
a. Daily			
i. Regular	\$44.50		
(Base Rate before taxes).....	\$39.98	\$41.18	3%
ii. Good Sam.....	\$40.05		
(Base Rate before taxes).....	\$35.98	\$37.06	3%
b. Weekly			
i. Regular	\$279.50		
(Base Rate before taxes).....	\$251.12	\$258.65	3%
ii. Good Sam.....	\$251.55		
(Base Rate before taxes).....	\$226.01	\$232.79	3%
c. Monthly Rate	\$783.00	\$806.49	3%
2. The Annex.			
a. Daily.....	\$34.50		
(Base Rate before taxes).....	\$31.00	\$31.93	3%
b. Weekly.....	\$209.00		
(Base Rate before taxes).....	\$187.78	\$193.41	3%
c. Monthly.....	\$620.00	\$638.60	3%
3. Dry Camping.....	\$20.50	\$21.11	3%
B-C. Off Season (Winter). November 1 – April 30.			
1. All Sites in the Marina Park			
a. Daily			
i. Regular	\$39.50		
(Base Rate before taxes).....	\$35.49	\$36.55	3%
ii. Good Sam.....	\$35.55		
(Base Rate before taxes).....	\$31.94	\$32.90	3%
b. Weekly			
i. Regular	\$237.00		
(Base Rate before taxes).....	\$212.94	\$219.33	3%
ii. Good Sam.....	\$213.31		
(Base Rate before taxes).....	\$191.64	\$197.39	3%
c. Monthly Rate	\$672.00	\$692.16	3%
2. The Annex.			
a. Daily.....	\$34.49		
(Base Rate before taxes).....	\$31.00	\$31.93	3%
b. Weekly.....	\$209.00		
(Base Rate before taxes).....	\$187.78	\$193.41	3%
c. Monthly.....	\$620.00	\$638.60	3%

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Commented [KG12]: Do we add the same surcharge for all camping levels/areas?

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Commented [KG13]: Would it help to include the "new" rate with the tax? I'm assuming the daily rate – with tax – would be \$44.50 + 3%?

Commented [KH14R13]: I would not recommend it, since tax rates can change. Maybe just a statement about current tax rates.

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	3. Dry Camping	\$20.50	\$21.11	3%
D.	South Beach Meeting Room. Must be pre-arranged and authorized. Keys must be obtained and returned. Certain waivers by management.	\$75.00		0%
	1. Half day	--	\$40.00	
	2. Full day	\$75.00	\$80.00	7%
3-E.	4. Seafood & Wine Surcharge, per night (2-night min.) i. Added to all RV Park stays including Dry Camping	\$6.00	\$6.00	0%
G-F.	Pet Fee. Charged additionally.			
	1. Daily. First pet free; each additional	\$ 2.00	\$ 2.00	0%
	2. Weekly. First pet free; each additional	\$10.00	\$10.00	0%
	3. Monthly. Charged per pet including first	\$10.00	\$10.00	0%
D-G.	Individual Fee. First two people free; each additional person charged.			
	1. Daily.	\$ 2.00	\$ 2.00	0%
	2. Weekly.	\$10.00	\$10.00	0%
	3. Monthly.	\$30.00	\$30.00	0%
E-H.	Vehicle Fee. Any combination of three axle pieces of equipment (i.e. trailer, fifth wheel, truck/car, storage trailer). Charged for fourth piece.			
	1. Daily.	\$ 2.00	\$ 7.00	250%
	2. Weekly.	\$10.00	\$15.00	50%
	3. Monthly.	\$30.00	\$35.00	176.6%
F-I.	Reservation Deposit. Payable at booking. Deposit will be applied to actual stay, subject to cancellation fee if applicable.			
	1. Daily and Weekly	1 st night's rate	same	
	2. Monthly	1 st month's rate	same	
G-J.	Cancellation Fee.			
	1. Daily or weekly reservation, non-holiday.			
	a. 72 hours or more before check-in date	\$10.00	\$10.00	0%
	b. Less than 72 hours before check in date. 1 st night's rate		same	
	2. Daily or weekly reservation, holiday.			
	a. 14 days or more before check-in date	\$10.00	\$10.00	0%
	b. Fewer than 14 days before check-in date 1 st night's rate		same	
	3. Monthly reservations.			
	a. 30 days or more before check-in date	---	\$50.00	n/a
	b. Less than 30 days before check-in, or early check-out per months reserved	---	\$100.00	n/a
	b-4. High-Traffic reservation (\$5(A)), 1 st night's rate	---	n/a	n/a
H-K.	Service Fee Reimbursement. For electric pedestal amperage overloads/physical damage. First service call included in base rate. All other service reimbursements may be charged at actual cost to port.	\$79.00	\$79.00	0%
I-L.	Laundry Machines, per load.	\$ 2.00	\$ 2.00	0%
J-M.	Process Fees. Any additional fees incurred by the Port as part of an eviction process.			
	1. Notice.	\$50.00	\$50.00	0%
	2. FED Complaint	\$200.00	\$200.00	0%

Commented [KH15]: It's not clear if its \$75 per time unit (morn, aft, even), or per day, or per however many days the same group uses the meeting room

Commented [KG16R15]: Do we waive this fee for groups?

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Commented [KG17]: Should this simply be called a "high traffic surcharge"? Should we apply this rate to all high traffic weekends?

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Commented [KG18]: This rate can't be increased with current washer/drier configuration.

3. Court Hearing	\$165.00	\$165.00	0%
4. Writ of Execution	\$140.00	\$140.00	0%

Section 6. Civil Penalties. Penalties found in PONFC (Sec. 7.4(a)). Paid in full. Effective July 1, 2017.

	OLD	NEW	+/-
A. Class A Violation			
1. 0-14 days, per day.....	\$300.00	\$300.00	0%
2. 15-29 days, per day.....	\$600.00	\$600.00	0%
3. 30+ days, per day.....	\$1,000.00	\$1,000.00	0%
B. Class B Violation			
1. 0-14 days, per day.....	\$150.00	\$150.00	0%
2. 15-29 days, per day.....	\$300.00	\$300.00	0%
3. 30+ days, per day.....	\$500.00	\$500.00	0%
C. Class C Violation			
1. 0-14 days, per day.....	\$30.00	\$30.00	0%
2. 15-29 days, per day.....	\$60.00	\$60.00	0%
3. 30+ days, per day.....	\$100.00	\$100.00	0%
D. Class D Violation			
1. 0-14 days, per day.....	\$15.00	\$15.00	0%
2. 15-29 days, per day.....	\$30.00	\$30.00	0%
3. 30+ days, per day.....	\$50.00	\$50.00	0%
E. Parking Violation. Per event, both vehicles and trailers.			
1. 0-10 days, paid within.....	\$40.00	\$40.00	0%
2. 11-20 days, paid within.....	\$85.00	\$85.00	0%
3. 21+ days, paid within.....	\$125.00	\$125.00	0%
F. Dumping Violation. Per event.....	---	\$500.00	n/a

Commented [KH19]: Also add to the Facilities Code

Section 7. Administrative Fees. Staff may require payment or deposit in advance of service (ORS 192.440(4)(a)). Effective July 1, 2017.

A. Public Records Request Fee Schedule.			
1. Copies of Public Records. Per Page.....	\$ 0.25	\$0.25	0%
2. Copies of Sound Recordings.....	\$10.00	\$10.00	0%
3. Copies of By-laws, Codes, Plans, bound documents.....	\$20.00	\$20.00	0%
4. Copies of Nonstandard documents	\$20.00	\$20.00	0%
B. Research. Written request required. Hourly rate. ½-hr. min.....	\$50.50	\$51.65	2%
C. Computer Time. Port operator. Hourly rate. ½-hr. min.....	\$50.50	\$51.65	2%
D. Faxes/Emailing/Copies. Per Page			
1. Local.....	\$ 1.00	\$1.00	0%
2. Long Distance	\$ 1.50	\$1.50	0%
3. Incoming.....	\$ 1.00	\$1.00	0%
4. Copies	\$ 0.25	\$0.25	0%
E. Long Distance Phone Calls. 5 minute maximum.....	\$ 2.00		
F. Lamination. Per Page, letter size	\$ 2.00	\$2.00	0%
G. Notice Posting. For non-payment of lease or moorage.....	\$62.00		
H. Failure to Register. For research related to unregistered boats	\$31.00	\$32.00	3%
I. South Beach Meeting Room. Must be pre-arranged and authorized. Keys must be obtained and returned. Certain			

Commented [KH20]: Time limit?

Commented [KG21R20]: I'd say five minutes at most.

Commented [KH22]: Should we have G and H these correspond to labor rates?

Commented [KG23R22]: There is some additional time and paper. I'd simply add the 3% here.

Commented [KG24]: I'd add 3% here, too.

Commented [KH25]: Moved under South Beach RV Park

waivers by mgt.	\$75.00	\$75.00	0%
International Terminal Meeting Room. Must be pre-arranged and authorized.			
1. Half day	--	\$30.00	n/a
2. Full day	--	\$60.00	n/a
J. <u>Returned Check Fee</u> . Plus bank fees.	\$50.00	\$50.00	0%
K. <u>Per Annum Interest Rate</u> . Applied to past due accounts.	18%	18%	0%
L. <u>POV Mileage Reimbursement Rate (IRS)</u>	current		
M. <u>Travel Reimbursement Rates</u> follow current IRS per diem rates	current		
	http://www.gsa.gov/portal/category/104711		
N. <u>Impound Seizure Fee</u> . Vessel impounding.	\$750.00	\$750.00	0%
O. <u>Special Use Permit Fee</u> . GM has authority to adjust usage fee based upon non-profit status and other criteria			
1. <u>Application Fee</u>	\$100.00	\$100.00	0%
2. <u>Usage Fee, Number of Participants, Attendees, Contestants, Volunteers at Event</u>			
a. 1-200	\$400.00	\$400.00	0%
b. 201-500	\$650.00	\$650.00	0%
c. 501-1000	\$900.00	\$900.00	0%
d. 1001-5000	\$1,400.00	\$1,400.00	0%
e. 5001-10,000	\$1,900.00	\$1,900.00	0%
f. 10,001-20,000	\$2,400.00	\$2,400.00	0%
g. More than 20,000	\$5,000.00	\$5,000.00	0%
3. <u>Vendors, per each</u>	\$40.00	\$40.00	0%
P. <u>Insurance Certificate Limits</u>			
1. <u>General Liability, per occurrence</u>	\$2MM	\$2MM	0%
2. <u>General Liability, in aggregate</u>	\$2MM	\$2MM	0%
Q. <u>Security (TCB) costs reviewed and passed along to applicant.</u>	same		
R. <u>Impound Seizure Fee. Car/Truck/Trailer</u>	\$100.00	\$100.00	0%
S. <u>Vessel Moving. Does not include labor rate. Per event</u>.....	\$250.00	\$250.00	0%
T.S. <u>Background Check</u>.....	\$25.00	\$25.00	0%
U.T. <u>Credit Check</u>.....	\$35.00	\$35.00	0%
V.U. <u>Notary Fees (OAR 160-100-0410). Acknowledgement, Affidavit/Jurat, Oath/Affirmation, Witness/Attest</u>.....	\$10.00	\$10.00	0%

Commented [KH26]: It's not clear if its \$75 per time unit (morn, aft, even), or per day, or per however many days the same group uses the meeting room

Commented [KG27R26]: Do we waive this fee for groups?

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Section 8. Insurance Certificate Minimum Limits. Effective July 1, 2017. Limits are subject to review and risk assessment by management and/or the Port's insurance agent of record. Additional coverages may be required based upon business type and Port's discretion. A certificate naming the Port as an additional insured is ~~an~~ also required.

	OLD	NEW	+/-
A. <u>Leases/Tenants.</u>			
1. <u>General Liability, Each Occurrence</u>	\$2MM	\$2MM	0%
2. <u>Damaged to Rented Premises (each occurrence)</u>	\$300K	\$300K	0%
3. <u>Medical Expense (any one person)</u>	\$5K	\$5K	0%
4. <u>Personal & Adverse Injury</u>	\$2MM	\$2MM	0%
5. <u>General Aggregate</u>	\$2MM	\$2MM	0%
6. <u>Products – Comp/Op Aggregate</u>	\$2MM	\$2MM	0%

B. Moorage/Vessels Commercial Vessels, Liability Coverage Requirements

Commented [KH29]: Vessels coverage descriptions revised per review with Mona Holmes from SERVCO

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1.	<u>Protection & Indemnity, must not exclude Wreck Removal</u>	\$250K	\$250K	0%
B.	<u>Pollution Liability</u>	\$300K	\$300K	0%
2.	<u>Commercial Vessels</u>			
3.	<u>If Pollution/Protection & Indemnity Combined</u>	\$600K	\$600K	0%
4.	<u>Port of Newport to be named as additional insured on Liability Coverage</u>			
C.	<u>Recreational Vessels, Liability Coverage Requirements</u>			
1.	<u>Protection & Indemnity, must not exclude Wreck Removal</u>	\$250K	\$250K	0%
2.	<u>Pollution Liability</u>	\$300K	\$300K	0%
3.	<u>—or- Water Craft Liability, must include both wreck removal and pollution liability coverage. Umbrella clauses must identify boats exceeding 25 ft.</u>	\$500K	\$500K	0%
4.	<u>Port of Newport to be named an additional insured on Liability Coverage</u>			
D.	<u>Charter/Guide Vessels</u>			
1.	<u>General Liability</u>	\$1.7MM	\$2MM	18%
E.	<u>International Terminal Vessels (Tariff No. 1(\$17))</u>			
1.	<u>Maritime Employer's Liability (Jones Act)</u>	\$1MM	\$1MM	0%
2.	<u>Commercial and/or Comprehensive Marine General Liability</u>	\$5MM	\$5MM	0%
1.	<u>General Liability</u>			
(1)	<u>Protection & Indemnity / Wreck Removal</u>	\$250K		
(2)	<u>Pollution Coverage</u>	\$300K		
(3)	<u>Combine Coverage / Wreck Removal</u>	\$600K		
2.	<u>Recreational Vessels</u>			
a.	<u>General Liability</u>			
(1)	<u>Ocean Marine Liability / Wreck Removal</u>	\$300K		
(2)	<u>Pollution Coverage</u>	\$300K		
(3)	<u>or Watercraft Liability, specifically includes wreck removal and pollution. Umbrella clauses must identify boats exceeding 25 ft.</u>	\$500K		
3.	<u>Charter/Guide Vessels</u>			
a.	<u>General Liability</u>	\$1.7MM		
4.	<u>International Terminal Vessels (Tariff No. 1(\$17))</u>			
a.	<u>Maritime Employer's Liability (Jones Act)</u>	\$1MM		
F.	<u>Commercial and/or Comprehensive Marine General Liability</u>	\$5MM		
1.	<u>Commercial and/or Comprehensive Marine General Liability</u>	\$5MM	\$5MM	0%
b.G.	<u>Vendors (reserved)</u>			

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Section 9. Retail Sales, Gift Certificates, Promotions, Sponsorships and Sundries. The Commission delegates to Manager the ability to set prices for sundries, cards, magnets, cups, DVDs, gift certificates, coupons, promotions, advertising, sponsorships and other retail and marketing items.

Section 10. Delegation of Responsibility. The Commission delegates to General Manager the ability to adjust these rates on a temporary basis to better manage services at the Port of Newport. Any adjustments to these rates will be reported to the Commission at its next regular meeting.

Section 11. Annual Review. The Commission, through assistance by Port staff, shall annually review and adopt a new rate, fees and charges resolution prior to the subsequent budget's adoption.

Section 12. Repealer. All previous rates and/or rate resolutions are hereby repealed.

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS this 23rd day of May, 2017.

ATTEST:

~~Walter Chuck~~
~~President~~

~~Patricia Patrick Joling~~
~~Secretary/Treasurer~~

Walter Chuck
President

Patricia Patrick-Joling
Secretary/Treasurer

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OLD BUSINESS AGENDA ITEM

DATE: 3/23/2017
RE: International Terminal Shipping Facility / Real Property Transactions
TO: Port of Newport Board of Commissioners
ISSUED BY: Kevin Greenwood, General Manager

FINANCING UPDATE

Silvan Forest LLC:

- MOU is signed, returned to Silvan and Pete Gintner is working on the final agreement.

Teevin Bros.:

- The lease found in Exhibit B of the Lease Option is being developed by Gintner.

TIGER Marine Administration:

- Fine-tuning budget numbers to match. Ralph Dunham, engineer, is helping with final budget numbers.
- Jack Akin is responding to a number of questions from MARAD and the EA should be submitted this week.
- All other information has been received by MARAD.

IFA Loan:

- Agreement is at Dept. of Justice and should be available in a week.

RONDYS UPDATE

- Should be receiving updated easements this week.
- Wetland mitigation site will be a deed restriction on Rondys property.
- Dredge Spoils removal will also be a component, however, they will be retaining most of the material for construction on their property.

TENTATIVE TIMELINE

- Final Agreement w/ TIGER..... May 1, 2017
- Final Agreement w/ IFA..... April 1, 2017
- Final Agreement w/Silvan..... April 15, 2017
- Lease w/Teevin April 15, 2017
- Receive SOW from engineer for (1) final engineering, (2) bid development, (3) project management April 15, 2017
- Distribute Bid documents May 15, 2017
- Award General Contract..... July 1, 2017
- Project Completion..... late fall 2017

TERMINAL USERS GROUP UPDATE

Draft Operations Plan:

- Pete Zerr, Terminal Manager, has been on medical leave. However, he has been working on the draft document which should be completed for internal review during the week of the commission meeting.
- Staff will produce a PowerPoint and we can begin scheduling for a meeting by the end of April.

Appointment of Users Group Members:

- *Fishing Fleet Rep: Corey Rock, F/V Last Dance*
- Fishing Fleet Rep: David Jincks, Midwater Trawlers Coop
- Teevin Bros.: Shawn Teevin, President
- Labor Rep: Yale Fogarty, ILWU #53
- Stevedore Rep: Paul Hucaluk, SSA Pacific
- Industry Support Services Rep: Jesse Pullen, Billeter Marine
- Leaseholder Rep: Bill Olivera, Wylde Gillen, Trident Meal Plant
- Leaseholder Rep: Sara Skamsner, Foulweather Trawl
- Public At Large: Rex Capri – email included in packet

Recommended Motion:

- I would recommend that a commission member make a MOTION TO APPOINT MEMBERS TO THE TERMINAL USERS ADHOC COMMITTEE AS INCLUDED IN THE MARCH 23RD STAFF REPORT FOLLOWING THE PROVISIONS STATED IN RESOLUTION 2017-02.

-###-

From: [Rex and Theresa Capri](#)
To: [Kevin Greenwood](#)
Subject: Re: letter of interest
Date: Thursday, March 23, 2017 8:49:47 AM

Sorry Kevin. We've been busy putting boat supplies together to take to Seattle to the barge line for Alaska. The deadline is this coming Monday.

Yes, I would like to serve on the Terminal Users Group. I hope that I would be able to add some value to the group having grown up in Newport, been a commercial fisherman for the past 48 years and a small timberland owner for the past 45 years.

Newport is a wonderful place to live with great beauty and many opportunities. I've seen a lot of change here in my 63 years. I hope it continues to grow and prosper well into the future. It will take insightful people with the community behind them to make this happen. A community must have new development and/or redevelopment to grow, to encourage its citizens and businesses and to draw new citizens and businesses. The Port has taken a strong lead in encouraging growth in this community and I hope it continues to do so. We must provide opportunity for our most valuable resource, our children and grandchildren, to live and thrive here.

Thank you for considering me for this position. Sincerely, Rex Capri

PS What is the position title, "Citizen At Large"?

From: Kevin Greenwood <kgreenwood@portofnewport.com>
Sent: Wednesday, March 22, 2017 6:18 PM
To: trcapri@msn.com
Cc: Karen Hewitt
Subject: letter of interest

Rex,

Can you send a brief email expressing your interest in serving on the Terminal Users Group? Thanks!

Kevin M. Greenwood, General Manager
Port of Newport
600 SE Bay Blvd.
Newport, OR 97365
(541) 265-7758
(541) 961-9517 cell
www.portofnewport.com

OLD BUSINESS AGENDA ITEM

DATE: 3/28/2017
RE: Fishermen's Parking Lease with LCHS
TO: Port of Newport Board of Commissioners
ISSUED BY: Kevin Greenwood, General Manager

BACKGROUND

On Super Bowl Sunday, after almost five inches of rain, a landslide from below the Maritime Museum damaged six vehicles and pushed a considerable amount of dirt onto Bay Blvd. Staff worked closely with John Russell, our PayneWest insurance agent, and Spencer Rockwell, the attorney for our group pool. The Museum is currently developing a retaining wall plan and once that is completed, the Port can open up the parking lot for fisherman parking.

REVIEW OF LEASE AND INSURANCE COVERAGE

Insurance:

- Our insurance pool would reject a claim by the Port if we were to file a claim to remove dirt from the upper hillside, as it is not part of the leasehold.
- Vehicles parking on our leased lot who filed a claim would also be rejected.

Lease:

- The indemnity clause is broad, however, Spencer Rockwell noted that the Port could walk away from the lease and not be responsible for the clean-up and that the SDIS legal would cover us.

Parking Permit:

- SDIS was also satisfied with our parking permit application which places liability on the vehicle owner.

COMMISSION ACTION

- None at this time. The current lease is still active.

-###-

Kevin Greenwood, General Manager

Port of Newport

600 SE Bay Blvd.

Newport, OR 97365

RE: Landslide Claim

Kevin,

I thought it might be prudent to recap the adjudication and final determination on the landslide of 2/5/2017 occurring on the parking lot leased by the Port from the Lincoln Historical Society located at 333 SE Bay Blvd., Newport, OR.

Several factors went into determining the Ports obligations under the current lease and Spencer Rockwell, CIS in-house counsel did a good job of describing the Ports "obligation" under section 7.3 regarding insurance provisions and section 7.2 indemnification.

The Port's insurance would not respond as the hillside creating the event was not part of the leased property or activities of the leased property. That would include the responsibility for the cleanup of the event. In addition, coverage would not apply to the damaged vehicles on the leased property. First, they are not considered "covered property" under the Port policy and the parking permit specifically states that the vehicles park there at their own risk.

Finally, I think I would try and tighten up the indemnification language in section 7.2 as it is very broad. It should also be mentioned that the copy of the lease that we are responding to is for the period of 2006 to 2007.

Please call me with any question..

Regards,



John H Russell JR, VP AAI

PayneWest Insurance

PORT OF NEWPORT MINUTES

April 26, 2016

Regular Commission Meeting

I. CALL TO ORDER

Commission President Walter Chuck called the Regular Commission Meeting of the Port of Newport Board of Commissioners to order at 6:00 pm at the South Beach Activities Room, 2120 SE Marine Science Drive, Newport, Oregon.

Commissioners Present: Walter Chuck (Pos. #1), President; Ken Brown (Pos. #4), Vice-President; David Jincks (Pos. #2), Secretary/Treasurer; Stewart Lamerdin (Pos. #3); and Patricia Patrick-Joling (Pos. #5).

Management and Staff: Kevin Greenwood, General Manager; Rick Fuller, Director of Operations; and Karen Hewitt, Administrative Assistant.

Members of the Public and Media: Tim Gross, City of Newport; Jayson Buchholz, City of Newport; Wayde Dudley; Barb Dudley; Pat Ruddiman, ILWU; Dennis Anstine, Newport News-Times; Kiera Morgan, KYTE.

II. CHANGES TO THE AGENDA

There were no changes to the Agenda.

III. PUBLIC COMMENT

There was no public comment at this time.

IV. CONSENT CALENDAR

- A. Minutes:
 - 1. Work Session – March 22, 2016
 - 2. Regular Meeting – March 22, 2016
 - 3. Budget Priorities Work Session – April 5, 2016
- B. Financial Reports
- C. Lease to Seafarers Permits & Brokerage
- D. Special Use Permit Silent Crow Arts
- E. Special Use Permit Newport Marathon
- F. Award Contract to Replace NOAA Lighting Inverter Circuit Board
- G. NOAA SLA13 Carpet Waiver, SLA14 Glass Wall Installation

Greenwood advised that he and Hewitt's daughter Kelly will be representing the Port in the Marathon.

A motion was made by Jincks and seconded by Patrick-Joling to approve the Consent Calendar. The motion passed 5 – 0.

V. CORRESPONDENCE/PRESENTATIONS

A. Timothy Gross, City of Newport Engineer – Bay Blvd/Moore Drive intersection

Greenwood introduced Gross to the Commissioners. Greenwood said he had received phone calls from neighbors regarding this construction and invited Gross to present at the Commission meeting. Chuck requested that the presentation be allotted five minutes with an additional 5 minutes for questions and answers.

Gross explained that they were starting to fix the storm drain at the Fogarty Street and Bay Boulevard intersection, the Moore Drive and Bay Blvd. intersection, and the Embarcadero parking lot. They would also overlay Bay Blvd. and realign Moore Dr. This would improve the turning radius at the intersection of Bay and Moore. Some modifications will still be made to the current drawings. The city ran trucks through the movements to evaluate turning radius and speed. The island on the drawing is painted only, not built up, to clarify the right of way. Gross responded to a question from Patrick-Joling that the road is only curved on the edges, the curve moved slightly, the area widened and shifted to the north-west. This project had been proposed 15 years ago when the bank was constructed. Gross said the city understood this construction and change would have an impact on Port tenants. The road will be open at all times, but there will be flaggers and delays. The city will need to get an easement from the Port as they would like to discharge in the Bay. It should take two to three days to install the outfall. Gross left the preliminary drawings of the easement and will come back at the Regular Commission Meeting in May to seek easement approval. Brown asked if there would be a sidewalk on Moore and a street light. Gross said there will be sidewalk on one side of Moore, and the pedestrian crossing will be painted in the middle of the curve to provide a better line of sight, which would be better than crossing at the Embarcadero. There are no details yet on the street light, which would be coordinated with the utility company. Lamerdin asked if the light would coordinate with the crosswalk, which Gross said would be considered. Chuck asked if there would be a left turn lane into the bank. Gross said no, there was not enough room; the striping was designed for the best turning, but the City would still be meeting with the bank. The access to the bank from Moore is unchanged. In response to Brown, Gross said the speed limit would be 30 mph down the hill and 25 mph around the corner, but a speed study would still be reviewed for a final determination. Gross said the work would be done during the daytime sometime from July to September, and bids would be sought in May. The amount of water would be less at each outlet. Gross introduced Buchholz, the city Project Manager. The easement will be added to the Regular Commission Meeting Agenda for May, 2016.

- B. American Fisheries Society, Thank You.
- C. OCZMA Renewal Letter

Greenwood referred the Commissioners to the packet; no discussion at this time.

VI. **OLD BUSINESS**

A. **Items Removed from Consent Calendar**

No items were removed from the Consent Calendar.

B. **Accounts Paid**

Ken Brown declared a conflict of interest because of payments made to Les Schwab. **A motion was made by Jincks and seconded by Patrick-Joling to accept the accounts paid. The motion passed 4 – 0.**

C. Resolution Setting Rates, Fees and Charges (ORD 294.160)

Greenwood advised there were a few changes to the draft since last month's meeting. The proposed resolution was added to the calendar again this month to give the public an opportunity to respond. Greenwood referred to the Dry Camping fee on page 64; he recommended the rate not be increased because of the ongoing Rogue construction. Jincks suggested that the price should increase to \$20 so that it keeps up as construction is completed; the Commissioners agreed. Chuck asked if the Yaquina Bay Fruit Processing (YBFP) area would still be used for dry camping, to which Greenwood responded that, because of Dulse, that area will not be used. Greenwood also wanted to clarify the Seafood & Wine surcharge, which would be a \$10 increase for a two night stay. The proposed resolution is still under review by Port staff, and Greenwood plans to recommend a resolution for approval at the May Regular Meeting.

D. International Terminal Shipping Facility Update

1. MOU with City of Newport re: Dredge Materials

Greenwood referred the Commission to the Meeting Packet. He explained the Port would pay the royalty fee in order to have access to the airport for disposal of materials. Greenwood recommends the MOU and suggested that contractors could also look at other spots that may provide a better alternative for disposal of unbuildable material. This MOU would apply to material on the Port's site and the Hall property used to build the mitigation site. Brown asked if the royalty was paid upfront; Greenwood said it is paid as used.

A motion was made by Patrick-Joling and seconded by Brown to authorize the General Manager to sign the Memo of Understanding with the City of Newport regarding Dredge Materials. The motion passed 5 – 0.

2. Easements with NW Natural

Greenwood referred the Commission to the Meeting Packet. He added the road easement is just part of the tax parcel, not a dedicated right of way. There will be signs for the recreational project at NOAA. The utilities easement could also extend to the industrial park.

A motion was made by Patrick-Joling and seconded by Jincks to authorize the General Manager to sign the Road Easement and the Utility Easement with Northwest Natural. The motion passed 5 – 0.

3. Pursuit of Additional Grants

Greenwood said he made a presentation to Cascades West Council of Governments last Thursday. The Port is currently ranked below the median for the ConnectOregon grant; about 50% of the applicants receive funding. Greenwood recommended seeking other grants so as not to lose the TIGER funding. Greenwood asked the Commission for the authority to pursue any and all grants, being aware of any potential conflicts. Final approval to sign any grant agreements would still be presented to the Commission.

A motion was made by Patrick-Joling and seconded by Brown to authorize the General Manager to pursue additional grants for the International Terminal Shipping Facility project. The motion passed 5 – 0.

4. Apply for \$2MM Loan from IFA

Greenwood suggested that, if the ConnectOregon grant application is not successful, the Port will need to find financing to keep the TIGER grant. In talking with TIGER representatives in Washington, DC, Greenwood found that TIGER grant contract does not need to be signed until

September of 2017, although financing will need to be completed by October, 2016. The IFA loan recommended would serve as a placeholder to show potential funders that a match is in hand. The EDA grant would be a 30 day review, and they will want to know other funding is available. The loan would buy the Port time to leverage additional grants. Greenwood said it is not his intent or recommendation to spend any of the loan. No funds would be spent from any grant or loan without Commission approval. Greenwood said he was reluctant to recommend using NOAA cash reserves because that may raise questions of need for other grant applications. Lamerdin asked if a line of credit would be a cost to the Port; Greenwood said the fee would probably be less than \$1,000. Brown asked if a loan or line of credit would hurt the Port's credit standing. Greenwood said the loan would not be revenue bonds, and going through IFA would be less cumbersome.

A motion was made by Patrick-Joling and seconded by Jincks to authorize the General Manager to apply for a \$2MM Loan from IFA. The motion passed 5 – 0.

5. Acceptance of IFA \$50K Port Planning and Marketing Grant.

Greenwood referred the Commission to the Meeting Packet.

E. Award Feasibility Study Contract to Market Advisory Group LLC

Greenwood referred to the Addendum to the Meeting Packet. There are no feasibility studies for the project currently available. Todd Chase recommended the Market Advisory Group, and Greenwood would like them to spend a month evaluating the project, including comparison with Astoria and Coos Bay in Oregon and Vancouver, Washington. The Port had received a scope of work proposal, which has been reviewed. Greenwood recommended the Commission authorize the contract.

A motion was made by Patrick-Joling and seconded by Brown to award a Feasibility Study Contract to Market Advisory Group, LLC. The motion passed 5 – 0.

VII. New Business

A. Award Contract to Apply Hoist Dock Thin Patch Overlay

Greenwood advised this item was being removed from the agenda for approval. Fuller explained that additional information has come to light since this was originally proposed. Fuller said he was hesitant to add to the wood structure because it should hold up. The focus is on the end of the strut to the south. Last Friday, staff looked underneath the saggy spot at the hoist dock area. Looking to the north, the fill, which had been there 50 – 75 years ago, had washed out. Fuller referred to the additional diagrams provided to the Commissioners which are appended to the minutes. The asphalt area was secured with concrete blocks and barricades to make the hoist dock safe, but it is inconvenient. All four hoists are in use. The repair of this area is a critical, high priority project, but not an emergency. The repair options need more review. Fuller met with Ron Stillmaker, engineer, to assess the area; there is not yet a preliminary cost estimate. The Port may consider replacement as part of the Capital Improvement Plan, or possibly fix temporarily with fill. Driving sheet pile would require waiting for the in-water work period, about 6 months from now. The temporary solution could perhaps serve for 10 years. The least expensive temporary alternative would be asphalt and then consider next steps. Greenwood added that financing is a concern, and that the correct replacement of this area was a previous goal. The McLean Point project took over as a priority because of more focus on generating income. Fuller said the condition can be strengthened at a reasonable cost.

B. DulsEnergy Seaweed Lease Opportunity

1. Pursuit of Infrastructure Grants for Water Intake

This item was discussed at the Commission Work Session at noon. Greenwood provided an action summary as follows:

Commission Chair can appoint Commissioners Brown and Patrick-Joling to assist with negotiations with DulsEnergy, LLC.

Consensus to have General Manager work with the Port's attorney to develop the following documents for Port Commission review:

- Memo of Understanding between Port and HMSC for licensing right to 150 gpm of filtered salt water.
- Utility Easement between Port and City for directional boring of 4" water line from HMSC Visitor's Center to Port log.
- Lease Agreement between DulsEnergy LLC and the Port for five years. Assistance from Commissioners Brown and Patrick-Joling.

General Manager will continue to identify grant opportunities that could be used to leverage private investment for capital investment.

Greenwood said he had spoken with Pete Gitner, attorney about these documents to be prepared. Greenwood requested consensus from the Commission that this was the way to proceed. Jincks said he wants to make sure Dulse knows we are not putting money into property improvements; the financing seemed sketchy, but he supported the project otherwise. Greenwood reminded the Commission that Dulse had also asked for delayed rent payment. Lamerdin said the improvement plans would need to be vetted by the Port, and Patrick-Joling added that there were no conceptual drawings presented. Lamerdin said he had seen leaking issues with similar tanks, wetland incubators, so inspections would be needed. Greenwood said engineering details have yet to be provided by Dulse. Brown also requested that a walk-through of the current facility be scheduled for Greenwood, Patrick-Joling and himself. Greenwood said the Port did have enough information to apply for the USDA grant, but would require more specifics later. The Commission gave a consensus to move forward.

VIII. DEPARTMENTAL REPORTS

A. Director of Finance.

See Packet. There was no discussion at this time.

B. Director of Operations

See Packet. There was no discussion at this time.

C. General Manager

1. US-20 Closure

Greenwood said there would be a meeting on Wednesday, April 27th, with a shuttle available from the Courthouse to attend. Information on the closure already available was posted to the Port's website and Facebook page.

2. Seafood & Wine Festival

Greenwood referred to the map for the Loyalty Days Carnival in the Meeting Packet, along with letters from the Chamber of Commerce. Jim Protiva and Lorna Davis were invited but unable to attend the Commission Meeting. Protiva and Davis were considering moving the Seafood & Wine festival to the same location as the Carnival, and were considering a "phase 1" and "phase 2" location transition. Jincks suggested that the Seafood & Wine Festival be moved to the Multi-Use Area that will be completed by that time, keeping in mind that the Port has always considered hosting the S&W as long as it doesn't interfere with the Marina. The Commissioners agreed with Jincks. Brown added the Chamber would need to present a good reason to use the other area for it to be considered. Greenwood said storm drainage at the MUA was a concern for the Chamber. Chuck commented that for the Carnival he would like to see signs directing attendees to parking that would not interfere with the area reserved for boaters. He suggested looking into the Hatfield lot; Greenwood will follow up. Fuller suggested the YBFP area as a possible parking location. Fuller assured the Commission that Chris Urbach made clear the limits of the area available to the Carnival.

3. Statewide Issues/Oregon Public Ports Association

See Packet. There was no discussion at this time.

4. Letter to Audits Division

See Packet. There was no discussion at this time.

5. Rogue Brewery Expansion

See Packet. There was no discussion at this time.

6. City Parking Analysis

Greenwood introduced the proposal to convert the grassy area next to the gravel lot at Port Dock 7 to parking or storage, moving the pump station, and making the area where the pump station is located available as parking to the commercial fishing fleet. Brown had also attended the meeting with the Bayfront Parking District, held for fact-finding and public input, and took back that the city center has a surplus of parking. Better signage and use of public transportation (including from off-site parking) could help alleviate the parking issues on Bay Blvd. Brown added that it was recognized that the Port is the largest contributor to the Parking Fund for the District. Brown suggested gravel on the grassy area, and agreed with moving the pump station and making that area available for parking. Jincks commented that the grassy area was once used for storage, but it was messy with poor drainage. The area would need to be built up and drained before being usable, and the distance from the boats did not make for an ideal storage location. Patrick-Joling asked if Bay Front businesses had a policy about employees parking off Bay Blvd., as that seems to be part of the problem. Brown said there were no policies, but employees were encouraged to park elsewhere; the street is public parking. Brown added there will be an increase in the number

of employees at the fish plants, and they will be working on van pools for employees. He added that parking studies are planned.

7. Port Dock 5 Pier Closure

Greenwood referred to the meeting packet, and added that the first third of the pier was over ground not water. Fuller said he had reviewed the structure with engineer Bill Gunderson, who said it was "not the worst," but pilings would need to be addressed. Fuller added that the Commission request for a weight limit posed problems with liability and with enforcement. The cost to add a locked gate to prohibit truck access beyond the first third of the pier would cost about \$500 - \$600. Fuller recommended proceeding with a Request for Proposal and an engineer formal review of the structure. Lamerdin said he expected there would be "squawking" from the fishermen, but the Port could respond that the restriction is temporary so that the Pier can be improved. Greenwood said that Port 5 could be added to the Capital Improvement Plan. Fuller would like to use Steve Carver to review the access limitations.

IX. COMMISSIONER REPORTS

Chuck reported he had attended a Marine Debris workshop, which was valuable, but better funding would be needed to apply proposed ideas. Patrick-Joling said that the City was moving forward with Visioning – the Port will be a large factor.

X. CALENDAR/FUTURE CONSIDERATIONS

There were no changes to the Calendar/Future Considerations.

XI. PUBLIC COMMENT

Wayde Dudley commented that he had sampled DulsEnergy product at Hatfield Marine Science Day, and he would not be a stockholder.

XII. ADJOURNMENT

Having no further business, the meeting adjourned at 7:30 pm.



Walter Chuck, President

ATTESTED:



David Jincks, Secretary / Treasurer

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GENERAL MANAGER MONTHLY REPORT

DATE: 4/26/2016
RE: April Regular Meeting
TO: Port of Newport Board of Commissioners
ISSUED BY: Kevin Greenwood, General Manager

HIGHWAY 20 CLOSURE

Letter from LCBOC suggesting some modifications to the closure structure. Basically, ODOT will be closed six out of seven days during the week from dusk to dawn and initially had stated that Saturday would be the open day. The BOC – based upon conversations with the Chamber and others – is suggesting that Friday be the open day. This will allow tourists from the valley to get in to Newport late on Friday evenings and given them a heads up about getting out earlier on Sunday evenings. I will be taking a tour of the site on April 27th at 3pm and we have a link on the Port's website to the ODOT page.

CHAMBER REQUEST TO DISCUSS SEAFOOD & WINE FESTIVAL LOCATION

In your packet is a map of the site that Loyalty Days carnival will be using at the end of April and a letter from the Newport Chamber. The Commission approved the SUP last month giving staff discretion to find a temporary location. Though this is a one-time exception due to the Rogue construction, I have included the map in this month's packet as a conversation starter with the Chamber of Commerce about the possibility of the Seafood & Wine Festival being located at this same site. Currently the Boat Trailer Parking lot is used as S&W parking. The Chamber is interested in using the new MUA for parking and the Boat Trailer lot for the tents. A special meeting could be scheduled to discuss the matter before the May meeting. There are 200 truck and boat trailer parking spaces in the Boat Trailer Parking lot (not counting ADA and other spaces). Here's a list of boat launches by ticket machine by month (which accounts for 90% of total launches.)

Jul-2015	10,613
Aug-2015	1,253
Sep-2015	1,363
Oct-2015	857
Nov-2015	317
Dec-2015	73
Jan-2016	164
Feb-2016	351
Mar-2016	359

STATEWIDE ISSUES / OREGON PUBLIC PORTS ASSOCIATION

All but three Oregon ports have completed their Strategic Business Plans (Port of Newport finished its SBP in 2013); Port of Umpqua is looking at whether the ownership of a public ice facility is feasible; Kevin Mannix is proposing a state corporation take over ownership/operations of the Port of Portland's Terminal-6 in an effort circumvent labor issues; OPPA is completing a wage and salary survey for Oregon Ports that should be out later this year; OPPA has been reviewing a rewrite of the state statute governing Ports to update changes in new industries; Astoria will host the next OPPA conference in the fall.

The South Coast Ports coalition has completed two projects with the use of their newly and jointly acquired dredge. It's an Ellicot swinging ladder 460 with an 8-inch pump, and 20-feet of depth with a push boat. Oregon Business purchased the dredge ("Laura") for the coalition. So far two Ports (the Bandon launch ramp basin and moorage basin using flow lane disposal; and Gold Beach dredged 50k cy from moorage basin using dewatering site) have used the dredge and Brookings will be dredging under emergency provisions to remove the material from the US-101 sinkhole. Port Orford received a separate grant from the state to bring a TOYO pump. The coalition has certified a number of dredge operators including Brookings has four certified dredgers, 3 in GB, and 1 in Bandon. It takes one person on the dredge and one on a tender. Ted Fitzgerald, GM at B-H feels that this is saving his port 70% on contracting dredging and there is interest by other Port to replicate the effort.

LETTER TO AUDITS DIVISION

The Port received a letter from the state audits division noting our disclosures from the December audit we presented. Two of the items are primarily reporting disclosures. One, showed our certificates of deposit as a "deposit", not as an "investment"; and, two, that a separate note should have been added the Port's post-employment benefit plan. A third disclosure, which was shared with the Commission late last year, stated that we had overpaid our debt service by \$900. The Port's response is included.

ROGUE BREWERY EXPANSION

Staff has produced a number of press releases and postings on Facebook, the PON website and iFish summarizing the impacts from the summer construction in South Beach. In public opportunities (Rotary, etc.) I've been able to reinforce the temporary nature of the construction and have reaffirmed that there will be more dry camping in the MUA. I have also noted that there is an opportunity for visioning for the marina where amenities such as fish cleaning stations, boat flush stations, RV dumps, etc. can be lobbied for in the next year or two.

CITY PARKING ANALYSIS

The Bay Front Parking District participated in a public discussion related to Bay Front parking. Commission Ken Brown participated. Parking options included gravelling/asphalting the 2-acre yard between the port office and the yacht club with the intent of either moving storage there which would open up parking by the city sewer pump station. The City is also looking at finishing the sidewalk on the north side of Bay Blvd. by the fishermen's parking lots and the Port has worked with the City on determining where driveways would be located.

PORT DOCK FIVE PIER RESTRICTIONS

I met with the harbormaster Kevin Bryant and three fishermen who use the PD-5 pier (Mark Newell, Richard Wood and Jim Emory) to let them know that the Port is planning to restrict access to the Pier

structure. I shared that Operations will be restricting access to outer third of the pier with either a bollard or barricade and explained the nature of the pier structure. Staff is working on signage and barricade.

CAPITAL IMPROVEMENT LIST REFINEMENT

Included in your package is an updated list of Capital Improvements based upon the discussion from our April 5th work session.

OTHER

- The Lady Washington and Hawaiian Chieftain will be in Port from May 18, 2016 to June 1, 2016. Lady Washington draws 11 feet, is 112 feet long overall, and requests a 250volt/50amp hookup. Hawaiian Chieftain draws 5 feet, 6 inches, is 103 feet, 9 inches long overall, and requests a 250volt/50amp hookup.
- Annual employee performance evaluations continuing.
- Have received some comment about the new Sea Lion sculpture located on the city boardwalk over-looking Swede's dock. The sculpture is temporary and placed at a few locations in Newport (PAC is another) by the Florence Chamber of Commerce. The City's public art commission determined locations.
- Please note change for the June regular meeting. The meeting would normally be June 27th, but I'll be out of town that week. Just wanted to make sure that June 21st works for everyone.

-###-

From: [Kevin Greenwood](#)
To: [Davis Lorna](#)
Cc: [Protiva Jim](#); [Karen Hewitt](#)
Subject: Re: Seafood & Wine
Date: Friday, April 22, 2016 10:41:17 AM

Hi Lorna,

Thanks for the email. I'll have Karen add this email to my General Manager's Report along with Jim's letter on Chamber letterhead. Sorry the Chamber can't make the Tuesday meeting but the correspondence will help. Have a great weekend!

Kevin

On Apr 22, 2016, at 9:40 AM, Lorna Davis <lorna@newportchamber.org> wrote:

Hi Kevin, I hope your day is off to a good start!

Just a note to say that the site inspection of the property at South Beach yesterday went well as you know.

After looking at the location and doing some preliminary measuring it appears that we will fit adjacent to the Rogue with some adjustments to tent sizes and location.

We do however remain concerned about several unknowns that may interfere or make it impossible to be housed at that location.

These impediments include the following;

- 1) Slope of the property for water drainage-it may run through part of the tent in a way that curbing would be difficult or impossible.
- 2) Landscaping/curbing/light fixtures and other material or design that may prohibit tent set up.
- 3) Underground utilities forcing us to adjust location slightly or greatly which might run us into items mentioned in number 2 above.
- 4) Undetermined whether we will be able to use stakes to anchor the feet of the tent. (I think we addressed concerns, but there hasn't been a definitive "green light" on the matter)

These are a few of the obstacles that we have identified as we are well underway (as far as we can be) in planning 2017 and future events.

We are readying our budget for the next fiscal year, and while we can have a supplemental budget prepared, the timeline of revenue and expenses for the Festival occur as early as August and are crucial to the cash flow and overall operation of the Chamber.

Having solid plans buttoned up prior to that will be necessary for us to operate.

These are all reasons why it necessitates having a Plan B in place so that there are no surprises or worse yet a cancellation due to lack of available location.

Our intent is to utilize the property adjacent to the Rogue (with some use of the warehouse for operations/banking etc) in the years ahead. That is the best location and Plan A should all go well.

Yesterday's site tour included a visit and measurements of the North Marina Parking lot. We determined that there would be adequate space for the tents only utilizing about half of the property-leaving room for Port business and activities during the event.

While we certainly wouldn't want to identify this as Plan A for many reasons including-a costly electricity relocation-we would like to consider it as a contingency plan should any of the above concerns force us to relocate.

We would like to be placed on an upcoming Commission agenda to discuss our desire to have the North lot available as a contingency plan for the Festival.

Please let us know when that will be possible.

Many Thanks!!

Lorna Davis
Executive Director
Greater Newport Chamber of Commerce
lorna@newportchamber.org
541-265-8801



GREATER NEWPORT CHAMBER OF COMMERCE

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E-mail: j.protiva@newportoregon.gov

May 21st 2016

Memo: From Jim Protiva/Greater Newport Chamber of Commerce Board President
RE: Port of Newport and Newport Seafood & Wine Festival

Dear Kevin,

The Chamber would like to continue having our annual Seafood & Wine Festival on Port property in South Beach for the foreseeable future. With the recent expansion of Rogue and the planned future expansion this site may not be suitable for our needs. While the Rogue site is our first preference due to a variety of reasons, it is important for us to explore additional options.

If after more information is learned that allows us to determine that our current site is not suitable, we would request that the Port allow us to move the event to the North and hold Seafood & Wine in approximately half of the parking area designated for boat trailer parking. This type of move would be costly and the event would take a big hit initially, but the space is more than adequate and could allow for growth.

We currently use 50,000 square feet of tent space and require additional space around the perimeter for emergency vehicles and bus traffic. The cook tent and restrooms cannot be attached to the main structure so that increases the footprint as well. With the conceptual plans we have seen, it is still possible. What is not known is how and where the drainage will impact the tent footprint. Also, the new asphalt will be a concern as neither the Port or the Chamber will want to do any damage that will cause costly repairs. There may be issues with utility locations and depths too. Again, these issues may not present a problem but we will not know until "As Built" drawings are available or we have a tent company come and measure the space after paving and determine how the water will move. Not that we expect it to rain, but we must plan for the worst.

The reason we would like to open a dialog with Port decision makers now is two-fold. 1. We need to understand what our Port options are if the current site cannot support the event. 2. If an option does exist, we will need to budget for those additional expenses now as we assemble next fiscal year's budget.

We appreciate all the help staff has provided us and hope everyone can understand our need to have a solid "Plan B" so that Seafood and Wine will have its 40th season in Newport.

Sincerely,

Jim Protiva
Chamber Board President



Carnival Area

RV Park

RV Office



OLD BUSINESS AGENDA ITEM

DATE: *March 28, 2017*

RE: *Northwest National Marine Renewable Energy Center (NNMREC) Pacific Marine Energy Center (PMEC) Southern Energy Test Site (SETS) Collaborative Work Group (CWG) Work Plan Document Support*

TO: *Port of Newport Board of Commissioners*

ISSUED BY: *Kevin Greenwood, General Manager*

BACKGROUND

Commissioner Chuck has served as the Port liaison to the Collaborative Work Group (CWG) for the last two year to help Oregon State University NNMREC the plan required for the FERC permit application. The CWG is close to completing the review of its work plan and documents. NNMREC is now asking for support from the group members for the final work products.

DOCUMENTS

The list of draft documents includes the following:

1. **Acoustic Monitoring Plan** - updated since last distributed on June 8, 2016. (9 pages)
2. **EMF Monitoring Plan** - updated since last distributed on June 8, 2016. (12 pages)
3. **Benthic Monitoring Plan** - updated since last distributed on August 5, 2016. (8 pages)
4. **Organism Interaction Monitoring Plan** - updated since last distributed on August 5, 2016. (18 pages)
5. **Summary Table of all Monitoring Plans Activities**
6. **Bird and Bat Conservation Strategy** - updated since last distributed on June 8, 2016. (23 pages)
7. **Protection, Mitigation and Enhancement Measures** - includes both 'Mitigation Measures' and 'BMP's' into a single document. (18 pages)
 - **Best Management Practices** - updated since last distributed on May 13, 2016 - after discussions on April 21, 2016.
 - **Mitigation Measures** - updated since last distributed on May 13, 2016 and discussed on July 14, 2016.
8. **Adaptive Management Framework** - updated since last distributed on June 14, 2016. (6 pages)
9. **5 Year plan** - Background and proposed measure which is also included in PM&E's. (2 pages)

If individual commissioners would like to review these documents in advance of the meeting, please contact the General Manager. Otherwise, Commissioner Chuck will summarize the process.

I'd recommend that a Commissioner make a MOTION TO AUTHORIZE COMMISSIONER CHUCK TO SUPPORT THE WORK PLAN DOCUMENTS PRODUCED BY THE COLLABOARATIVE WORK GROUP AS PART OF THE FERC LICENSING PROCESS.

-###-

DIRECTOR OF FINANCE MONTHLY REPORT

DATE: 03/28/2017
PERIOD: March Board Meeting
TO: Port of Newport Commissioners
ISSUED BY: Stephen J. Larrabee

OVERVIEW

Financials:

February year to date financials are attached.

Finance Operations:

The Finance team is working closely with the Department Heads to put together this year's budget.

The Finance team has completed a Request for Proposal (RFP) model for all of the Port's contracted services. The Finance team will be putting together RFP's for our Insurance and Legal services in the upcoming months.

The Finance team will be submitting a Supplemental Budget once the Financing is complete for the International Terminal Shipping Facility (ITSF). The Supplemental Budget will include changes related to the ITSF, the refinancing of the GO Bonds and the South Beach improvements related to the Rouge expansion.

The Port will be changing the Electrical Surcharge fee in the South Beach Marina from \$30.90 to \$100 per month effective April 1, 2017. This will cover the actual costs associated with patrons having an extra outlet.

RV Park:

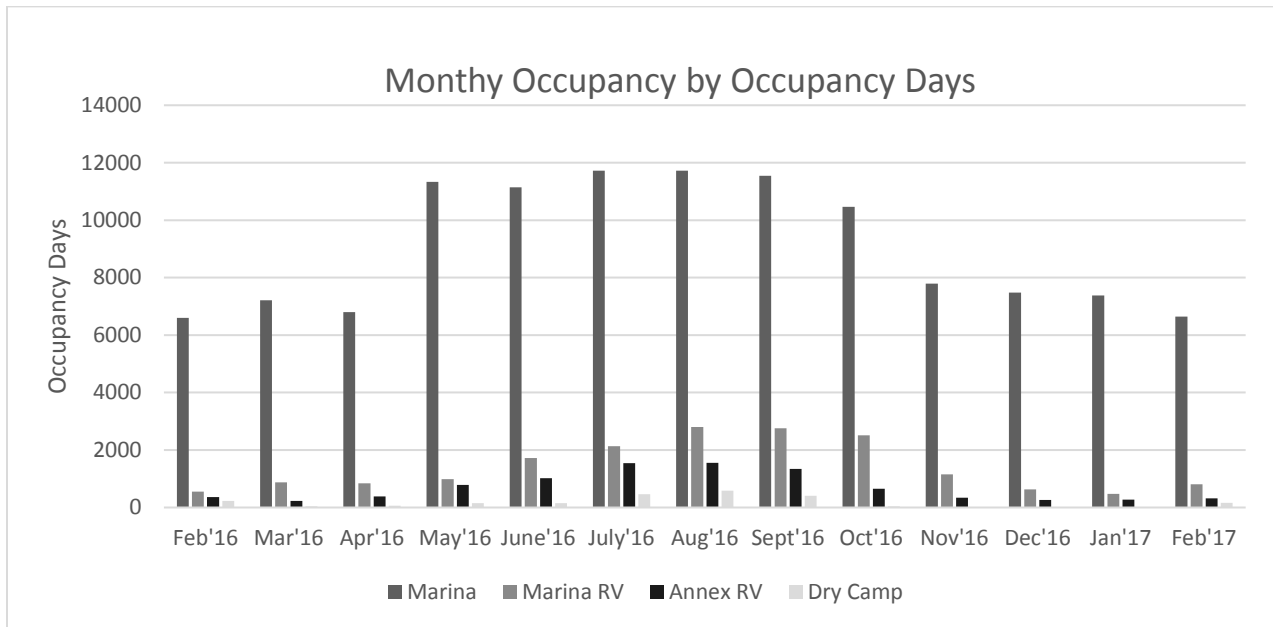
The RV Park continues to generate a significant amount of positive net income and the staff is monitoring what other RV Parks are doing to increase the efficiencies at the Park. Landscaping improvements have begun and the Park Manager will be visiting other RV Parks in the coming months to learn what they are doing and how they operate.

February 2017 Occupancy Report

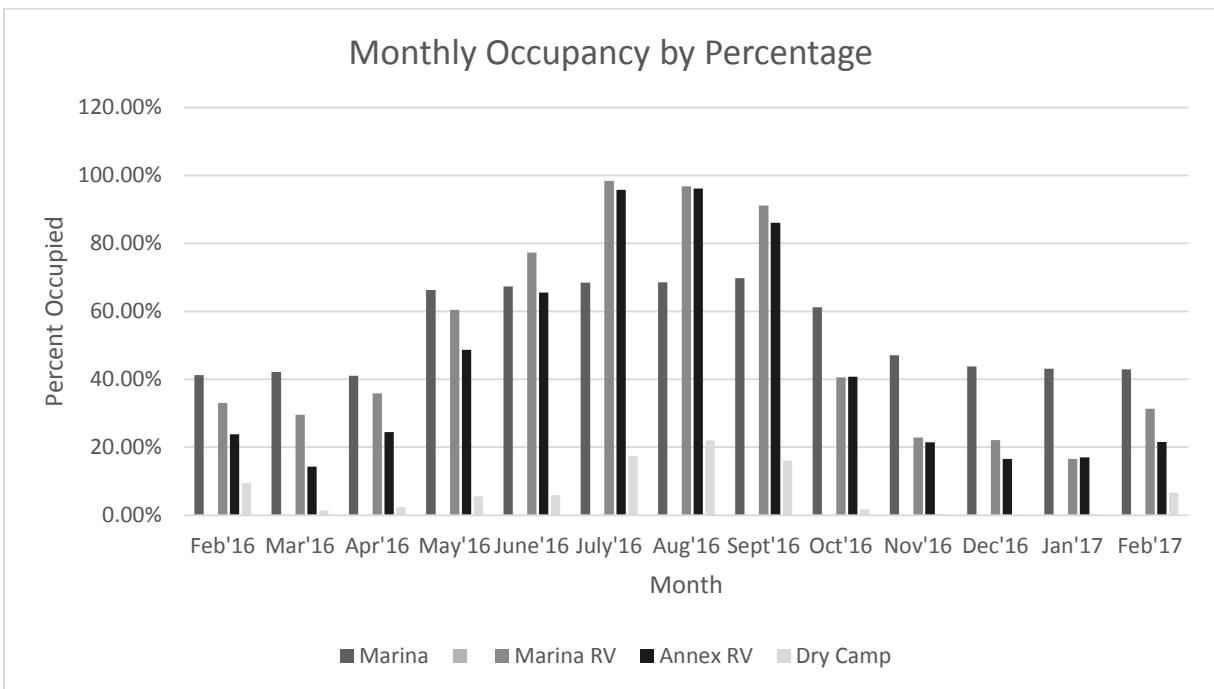
To: Port of Newport Board of Commissioners
 From: Bill Hewitt, South Beach Marina & RV Parks
 02/05/2017

The Marina’s numbers continue to be ahead of last year. New moorage sales and marina inquiries have continued into February. The occupancy in the Marina RV Park and the Annex where down slightly from last year due to a price increase during the Wine and Seafood Festival, but the revenue was up by 43% for the week of the festival. The Marina RV Park and the Annex RV Park were sold out for the Seafood & Wine Festival, and we had a wait list. When we increased the Wine and Seafood price we had difficulty filling the cancelled spots; 8 spots with full hook-ups went unsold. Dry camp sales were the most affected during the festival by the poor weather and a 30 dollar increase from last year. We have had a lot of cold and rainy weather during February which hurt reservations.

Feb-17	2016	2017	Change	YTD 2016	YTD 2017	Change
Marina	6601	6639	0.58%	13586	14013	3.14%
MarinaRV	880	807	-8.30%	1433	1279	-10.75%
AnnexRV	359	314	-12.53%	685	588	-14.16%
Dry Camp	234	158	-32.48%	254	164	-35.43%



Feb'17	2016	2017	Change	YTD 2016	YTD 2017	Change
Marina	40.80%	42.95%	2.27%	40.82%	43.03%	2.21%
Marina RV	30.50%	31.32%	-2.85%	24.76%	23.56%	-1.20%
Annex RV	23.93%	21.56%	-3.22%	22.09%	19.16%	-2.93%
Dry Camp	9.49%	6.64%	-0.53%	4.98%	3.27%	-1.71%



Total Spaces per Location:

Marina – 552

Marina RV – 92

Annex RV – 52

Dry Camp - 85



DIRECTOR OF OPERATIONS MONTHLY REPORT

DATE: 3/22/2017
PERIOD: Feb 2017 – Mar 2017
TO: Kevin Greenwood
ISSUED BY: Jim Durkee

OVERVIEW

Summary:

Northwest Hydro completed a survey in front of the NOAA pier and the International Terminal Dock. Commercial crew has been assisting the fishing fleet switching from crab to shrimp and working with buyers at the hoist dock. South Beach crew dealt with Seafood & Wine festival and clean-up.

Detail:

- **NOAA MOC-P dredging:** Northwest Hydro completed the bathymetric survey. Billeter is almost finished with demobilization and we received our last invoice after establishing the quantity of material removed.
- **Permits:** Karen and I have continued working with DSL to obtain additional Sand & Gravel permits that are required to collect royalties on state owned dredged materials from McClean Point and the South Beach dredge disposal sites. Quantities of State owned materials have been established and adjusted for the recent NOAA dredging and monthly reports to DSL have been set up.
- **Safety Committee:** No Safety committee meeting this month to allow members time to conduct quarterly safety inspections.
- **Department Heads:** Continued work on department budgets. Finished work on the Capital Improvements list for 2017-2018.

International Terminal – Pete Zerr, Superintendent

Billable services:

- Forklift - 24hrs
- 30 Ton Hydraulic crane – 12hrs
- Moorage – 47 days
- Dock Tie Up – 73hrs
- Labor – 32hrs

Other

- Preparing for Terminal Operations master plan.
- Underwent a surprise MTSa inspection by USCG on 22 Feb.
- Working on bids for chain link fencing.

N. Commercial docks – Kent Gibson, Harbor Master

Billable services: (estimated)

- Forklift – 94.25hrs
- Hoist crane –4hrs
- Dock Tie Up – 258.25hrs
- Labor – 87.25hrs

Other

- Found and repaired a major water leak under dock 5B, also installed a new shut off valve for that wing.
- Dealing with Sea Lions hauling out on Dock 5, turning on water spigots or just breaking them. As many as 80 have been on the dock at one time.

NOAA MOC-P – Jim Durkee, Facility Manager

- Worked on normal maintenance and continued covering Director of Operations position.
- Finishing up dredging reporting requirements.
- Preparing for NOAA facility inspection.
- Installed NOAA interpretive sign.

Vessels Using the Facility Since My Last Report – OSP Guardian, NOAA vessels Bell M Shimada, Rainier and Fairweather.

Office Occupancy Admin Building – 63 Work Stations Total, 44 Occupied
Warehouse Bldg. – 23 Work Stations Total, 12 Occupied
Occupancy Rate – 65%

S. Beach Marina & RV – Chris Urbach, Harbor Master

Billable services:

- Launch tickets:
108 passes sold this period.

Other

- Cleaning up the multi-use lot after Seafood & Wine and preparing for striping.
- Replacing some walers on the Service Dock.
- Continued work on landscape in the Marina and the R/V Park.
- Eric Swanson has completed the Master Gardner Program and has received his diploma, he has been putting his knowledge to work on the marina grounds. Port staff appreciates that Eric has been driven to gain knowledge in horticulture and put the knowledge to work for the Port.

Volunteer Work Crews

The Port Mates welcomed a new member, Tom Simpson. The Mates assembled the NOAA interpretive sign during a work party. They have also been working with Chris Urbach on a 'Weigh Your Fish' sign for the marina in addition to their usual beautification work.

PORT OF NEWPORT
COMMERCIAL FISHING USERS GROUP COMMITTEE MINUTES

Monday, March 13, 2017
Regular Committee Meeting

(The convening of the meeting was delayed in order to wait for a quorum to be present.)

I. **CALL TO ORDER**

Committee Chair Sara Skamser called the Regular Committee Meeting of the Port of Newport Commercial Fishing Users Group Committee to order at 9:33 am at the OSU Extension Office, 1211 SE Bay Boulevard, Newport, OR 97365.

Committee Members Present: Sara Skamser, Chair (Pos. #10); Bob Eder, Vice-Chair (Pos. #9); Clint Funderburg (Pos. #1); Mike Pettis (Pos. #2); Bob Aue (Pos. #8); Jeff Lackey (Pos. #11); and Walter Chuck, Port of Newport Commission (ex officio/non-voting).

Committee Members Absent: Mark Newell (Pos. #3), Ernie Phillips (Pos. #4), Mark Cooper (Pos. #5), Ted Gibson (Pos. #6), and Gene Law (Pos. #7).

Management and Staff: Walter Chuck, Port of Newport Commission Liaison; Jim Durkee, Director of Operations (Int.); Kent Gibson, North Commercial Harbormaster; and Karen Hewitt, Administrative Assistant.

Members of the Public and Media: Heather Mann, Midwater Trawlers Cooperative; Dietmar Goebel, Newport City Council; Rex Capri; Brett Hearne; David Jincks, F/V Sea Dawn; Kaety Jacobsen, Oregon Sea Grant; Steve Beck, Port of Newport Commission.

II. Changes to the Agenda

There were no changes to the Agenda.

III. Public Comment

None at this time.

IV. Meeting Minutes Regular Meeting 2/13/17

A motion was made by Eder and seconded by Lackey to approve the Regular Meeting Minutes for 2/13/17. The motion passed 6 – 0.

V. Port Dock 7 Representative, Clint Funderburg, and updated contact list

See meeting packet.

VI. Port of Newport Resolutions

- A. Commercial Fishing Users Group Committee
- B. International Terminal Users Committee

See meeting packet.

VII. Commercial Marina Priorities

K. Gibson introduced the staff report on Commercial Marina Priorities, and pointed out that additions to maintenance priorities from the prior version included rods and finger replacement. Skamser asked about the electrical replacements. K. Gibson said that at high tide the water goes half way up on the electrical boxes. He is looking to have them mounted underneath a couple feet higher rather than on the face. Skamser commented that dredging will be needed at Port Dock 7. K. Gibson commented that hard pan in that area makes it harder to dredge. Skamser asked about Swede's dock needs. K. Gibson said that was supported by pilings reused from Port Dock 5. If they needed replacement, he would propose moving the dock 50 feet or so to allow for future expansion of the hoist dock. Chuck said they could talk about these projects, but the Port can't move the dock; if the Port were to expand new permitting and mitigation would be needed, which would add 20-30% to the costs. Eder asked if K. Gibson could sketch what he meant on the white board, which K. Gibson did. (A photo of the sketch is appended to the minutes.) Right now, there is a boat house there. There are about 19 pilings, 16 of which need to be replaced. K. Gibson said the Port could move the dock 50 feet and then cut off 50 feet at the end making it possible to add another hoist. Eder asked if that would eliminate 50 feet of dock at the west side. K. Gibson said that it was shallow at that end; if turned a few degrees maybe that could be added back. Eder commented that the dock was crowded as it is and losing 50 feet would be a problem. K. Gibson said that the barge was moved from Port Dock 5 this week to Port Dock 7; they still have some local jobs to complete.

Skamser asked about the Port Dock 1 replacement where the sea lions are located. K. Gibson said he thought that would be a lot of money spent in one location, and the Port Dock 1 has a few more years than the Dock 5 pier. There is not much room in which to work. Pettis asked if the Port staff had any discussion with Steve Webster about plans at the Under Sea Gardens. K. Gibson said that would be a question for Kevin Greenwood. Skamser asked about the proposed rate increase for oil disposal. K. Gibson said there had been no pick-up fee, but beginning next budget year he anticipated about 15 – 20 cents per gallon in pickup charges.

Skamser said the Commission had given the Committee a mandate to come up with its general priorities for the Commercial Marina. It is helpful for the Commission to understand what the users think is important. She thinks ongoing maintenance is a priority. K. Gibson says that has gotten better over the last four years, but the Port could have started replacing the rods 8 years ago. Skamser said Port Dock 5 would also be a priority. Pettis said the pilings at Swede's Dock were important; if there were a big wind, it would be perilous if the pilings failed. Skamser said that another failure could happen at the Port Dock 5 ramp, which K. Gibson said was in poor shape. Eder agreed maintenance of whalers and rods is an immediate priority. Access to Port Dock 5 would take precedence over Swede's dock. Chuck said that engineering for Port Dock 5 will be in the next budget cycle. The priorities have not yet been set. The Port anticipates doing all of the Port Dock 5 work in phases. Skamser asked if the Committee agreed priorities are Port Dock 7, Port Dock 5, Dock 5 pier approach and Swede's dock. Pettis said he agreed with Eder that Port Dock 5 access was a priority over Swede's dock. He commented that when the dumpsters are picked up at Port Dock 5 there was a lot of movement, and asked if it were possible to use smaller machinery. K. Gibson said that staff does not have another way to move the dumpsters. There is also a honey-bucket truck on the pier twice a week.

Skamser suggested the number one priority was on-going maintenance with the rods and whalers. K. Gibson said he is also working on a plan to reconfigure Port Dock 7. The Committee agreed that ongoing maintenance, Port Dock 5 and Swede's dock were the top three priorities. Eder added that Port Dock 7 was in poor shape but financing would be needed. Jincks said that Port Dock 7 had been considered an important issue for years. He suggested the Committee could look at this in phases. The numbers in the report in the initial packet are old, so costs now would be greater. The Committee could propose priorities for the phases. Starting with Port Dock 5 is critical. Ongoing maintenance helps keep things off the critical list.

K. Gibson presented an overlay on a Google Earth image that could be looked at as a way to phase in the Port

Dock 7 improvement process. Dredging would be needed. Jincks said the Committee could work on developing needs first, then design, then find money. The first step would be a needs statement. Skamser asked that the diagram be sent to the Committee members, and add that to the next meeting agenda. K. Gibson added that he could not get a price estimate without permitting. Aue said there are many directions to take and too many questions at this point. Skamser asked if there are ways to sure up the docks to accommodate larger boats. K. Gibson said the terminal can accommodate larger boats, and his plan would also include 2 long side-ties. Aue asked if the marina dredging could be done with the International Terminal dredging. K. Gibson advised that is a separate project, and that 2 -3 years of prep work would be needed at Port Dock 7 before dredging. Eder said he was impressed that a design was started. Jincks said that the issue with larger boats would probably be discussed at the NIT users meeting. Like parking, the need for space comes and goes; sometimes you have to look at the middle. Once you look to expand, mitigation is needed which can be hard to find. Skamser suggested Port Dock 7 was something for the Committee members to think about.

VIII. Short-term Parking Issues

Skamser introduced short-term parking issues due to the landslide at the Maritime Museum. She said that it is already a problem in winter and will become even more of a problem as summer approaches. The Port Dock 5 lot will be closed for now, and the Historical Society will be getting a geotech study done. The good news is that the hill will be stabilized. It is possible the parking will open again. Chuck said the Commission will talk about that lot again, and is also talking with the City about adding parking on Port property. Jincks said that he thought it would be a mistake to use Parking District money to gravel the lot, because it would then be public parking. K. Gibson said there are 31 spots at the west end of Port Dock 7 that are underutilized. He thinks gravelling/paving the grassy lot is a good idea, and there is money in the budget. The result would need to be heavy enough for forklifts. Jincks said the area needs compaction since it had been filled with loose material. K. Gibson said another problem was the storage would be moved further from the boats. Traffic could also be an issue if all of the equipment was in one place. Pettis said he had parked beside the pump house and his vehicle was broken into. K. Gibson said there are plans for installing cameras in the future. Skamser asked about the possibility of moving the outriggers equipment. K. Gibson said that was the best use of space around the shop, both for the turn around and safety from speeders in the lot. Goebel suggested a Committee Member attend the City Council Meeting because they will be having a discussion about parking meters on the Bayfront. He suggested coordinating with Derrick Tokos. Jincks asked who the fishermen on the Parking District were. Pettis said he was on the parking committee, but was not any longer and he was replaced with a business owner. Jincks suggested the Committee could find someone to fill the position. Goebel said there was discussion of getting rid of the Parking District once the meters were installed. Goebel said it would be good for the fishing community to give input as to parking, a joint meeting decision. He suggested a volunteer Committee liaison to the City Council. Jincks said it would be a good idea to set up a meeting with Spencer Nebel, City Manager. Eder said the ideal long-term solution would be a parking sticker for fishermen and bay front employees to park on the bay front, and have tourist friendly parking lots with trams. Skamser referred to the Seafood & Wine pirate taxi as a welcome transportation option for people attending the festival. Pettis said he had made a similar proposal when he was on the committee, also suggesting that business owners could offer incentives for their employees to park at the public lots and use the shuttle. Chuck said the Commission will have a Work Session with Nebel on March 28th. Skamser will talk with Nebel and Greenwood about parking.

A motion was made by Eder and seconded by Lackey to recommend the Port of Newport not to use City money to gravel the grassy area. The motion passed 6 – 0.

IX. Port Dock 5 Ramp Project Review

No additional discussion on this item.

X. Committee Member Reports

Committee Chair Report – Sara Skamser - See Meeting Packet.

Bob Eder submitted Doug Morrison, F/V Tempo, as his alternate for the Longliner sector.

Jeff Lackey submitted David Jincks, F/V Sea Dawn, as his alternate for the Distant Water Fleet sector.

XI. Staff Reports

There were no staff reports.

XII. Future Meeting Schedule

- A. RM 5/8/2017
- B. RM 7/10/2017
- C. RM 9/11/2017
- D. RM 11/13/2017

Mann said there was a conflict with another fishing interest group meeting on September 11 and November 13. After some discussion, those meetings were rescheduled for 9/6/17 and 11/6/17.

XIII. Future Agenda Items

- A. Port Dock 7

XIV. Public Comment

Chair Skamser took public comments during the discussions. Jincks thanked the Committee for taking comments during the meeting and asked that they consider asking for public comment when voting as well.

XV. Adjournment

Having no further business, the meeting adjourned at 10:50 am.

ATTESTED:

Sara Skamser, Chair

Bob Eder, Vice-Chair

-###-

CAPITAL IMPROVEMENTS LIST

STAFF RECOMMENDATIONS FOR 2017-2018

Priority	CFP Priority	Project	Department	Cost Estimate	Reference document
S		PD-5 Pier Engineering - Preliminary Work	CM	\$115,000.00	OBEC
S		New/additional /Forklift Commercial Marina	CM	\$9,000.00	
S		New/additional /Forklift NIT	NIT	\$15,000.00	Papé
S		Landscaping in Marina RV Park	SB	\$30,000	
S		Install New Fillet Table Top of F-Dock	SB	\$37,500	
S	1	Asphalt spot repairs to ~ 1,500 s.f.	NIT	\$12,699.00	R&D
S	1	Install water stand pipe at west berth, branching off of existing line	NIT	\$6,900.00	RAU
S		Maint Dept - 1 utility trucks	CM	\$20,000	
Total:				\$246,099.00	

Capital Improvements List From Department Heads

1. INTERNATIONAL TERMINAL				
Priority	CFP Priority	Project	Cost Estimate	Reference document
S	1	Consolidation lay-down yard for break-bulk, container shipping	\$6,657,779.00	2015 TIGER
S	1	Purchase used work truck for Terminal	\$8,000.00	
S	1	Grading of Hall Property (1)	\$515,961.00	2015 quote
S	1	Grading of Port's 9-acre lot (1)	\$51,596.00	2015 quote
S	1	Replace H90 Forklift	\$50,000.00	
S	1	Security Fencing	\$17,000.00	
S	1	Asphalt spot repairs to ~ 1,500 s.f.	\$12,699.00	R&D bid 1-20-17
S	1	Install water stand pipe at west berth, branching off of existing line	\$6,900.00	2-8-17 bid from Rau Plumbing
L	2	International Terminal Fire Water Line Loop	\$138,732.00	2013 CFP
N	2	Replace H250 with newer model	\$30,000.00	
L	2	Asphalt Parking Lot area west of shop	\$110,000.00	2014 quote
L	2	Re-Asphalt northwest end of lot	\$84,000.00	2016 quote
L	3	Purchase and install 2nd hoist for use on W berth	\$130,000.00	2013 quote
SUBTOTAL			\$7,812,667.00	

2. COMMERCIAL MARINA				
Priority	CFP Priority	Project	Cost Estimate	Reference document
S		PD-5 Pier Engineering - Preliminary Work	\$115,000.00	OBEC
S		PD-5 Pier Engineering - Shovel Ready Alternative	\$200,000.00	OBEC
S		New/additional /Forklift	\$36,000.00	FY1516 REQ
S		replace Rods/ 1-Waler/Rub boards/new bumpers/ triangles/PD-5C	\$270,000.00	+
S		Port Dock 5 Pier Improvements/ Alt 1+3	\$3,241,281.00	
S		replace rods/Rub boards/ Dock 5X	\$25,000.00	
S		Replace rods/UHMW rub boards/Dock 3	\$110,000.00	
S		replace rods/bumpers/rub boards/6 walers Dock 5B	\$350,000.00	
S		replace finger rods/triangle tops/ wooden rub boards Dock 7 fingers	\$30,443.00	
N		Hoist dock electrical replacement	\$25,000.00	
N		PD-7 E/F Docks (1)	\$1,031,921.00	FY1516 REQ
N		Marina Dredging	\$2,230,323.00	2013 CFP
N		Port Dock 7 Replacement	\$3,703,719.00	2013 CFP

N		replace pilings on Sweeds dock/ move dock 50' to the West	\$195,356.00	
N		New Swing #4 Hoist w/ Extension	\$17,479.00	FY1516 REQ
N		#3 Hoist Replacement	\$134,150.00	FY1516 REQ
M		Hoist Dock (Center Section) Replacement w/ Hoist upgrade (2)	\$694,447.00	FY1516 REQ
L		Port Dock 1 Replacement	\$816,997.00	2013 CFP
L		40' x 60' x 14' New Shop	\$165,107.00	FY1516 REQ
L		Hoist Dock Expansion (to west)	\$1,547,882.00	FY1516 REQ
L		Replace Used Oil Tanks & Purchase Oil/Water Separator	?	
SUBTOTAL			\$14,625,105.00	

3. RECREATIONAL MARINA & RV PARK				
Priority	CFP Priority	Project	Current Cost	Reference document
S		Relocate RV SS dump site	\$12,000	FY17 request
S		Landscaping in Marina RV Park	\$30,000	
S		Install New Fillet Table Top of F-Dock	\$75,000	
S		Repair Service Dock	\$100,000	
S		Replace rip rap in SW corner of marina/fishing pier walkway	\$30,958	FY1516 REQ
N		Electrical Load Centers South Beach Marina	\$108,933	2013 CFP
N		Residing buildings in marina (south, central)	\$50,000	FY1516 REQ
N		Paint OPS building and marina store	\$10,319	FY1516 REQ
N		Picnic Bunker Rebuild	\$39,216	2013 CFP
		Landing Float Repair Bottom of A-Dock	\$50,000	
N		Wastewater Pump Station Replacement - South Beach	\$32,680	2013 CFP
N		New electrical pedestals	\$144,469	FY1516 REQ
N		Marina Dredging	\$2,924,712	2013 CFP
N		Reconstruction of Recreational Marina Docks	\$141,613	2013 CFP
N		Pavement Reconstruction/Seal Coating (all areas)	\$435,756	2013 CFP
L		Renovate RV Park Annex	\$300,000	2013 CFP
L		South Beach Marina Fuel Facility - Tank Replacement	\$228,759	2013 CFP
L		OSMB Service Dock Trail Connection	\$3,100,000	OSMB WAG
?		Oregon State Police dock (\$39,500 total assume \$20,000 fund from OSP)	\$20,000	FY17 request
SUBTOTAL			\$7,834,415	

4. OTHER FACILITIES				
Priority	CFP Priority	Project	Original Cost Estimate	Reference document

N		New Port Offices/Parking Area/Customs Office	\$900,000	Capri 2014
N		Rogue Brewery (Dry Moorage Building) North Wall/Siding Replacement	\$300,000	2013 CFP
N		Rogue Brewery (Dry Moorage Building) Foundation/Seawall Stabilization	\$2,100,000	2013 CFP
L		Fishing Pier Replacement	\$3,600,000	2013 CFP
SUBTOTAL			6,900,000	

5. VEHICLES				
Priority		Project	Original Cost Estimate	Reference document
S		Maint Dept - 1 utility trucks	\$20,000	FY16 request
N		utility truck for Commercial side	\$20,000	FY1516 REQ
N		Maint Dept - 1 utility trucks	\$20,000	FY16 request
SUBTOTAL			\$60,000.00	

GENERAL MANAGER MONTHLY REPORT

DATE: 3/28/2017
RE: March Regular Meeting
TO: Port of Newport Board of Commissioners
ISSUED BY: Kevin Greenwood, General Manager

ORS 777 HOUSING CLEANING BILLS

Three of the four ORS 777 House Bills made it out of committee, including the bill allowing ports to explicitly “operate” boat yards. Surprisingly, HB 2900, which would allow ports to advertise activities occurring on port property, has been pulled back for further review. ILWU made the request with concerns that the Port of Portland would subsidize advertising for Alaska Airlines. OPPA anticipates that the bill will pass.

DIRECTOR OF OPERATIONS UPDATE

The Port received 32 applications for the Operations position and nine were asked to submit supplemental questions. I reviewed the essay questions and narrowed the candidates to four very qualified candidates.

Please review the process in the packet for the Friday interview process.

PAST CALENDAR/MEETINGS

- Monthly South Beach staff meeting.
- Met several times with Commissioners Chuck and Brown regarding Shipping Facility project.
- Met with Jim Myers on NOAA Corps Centennial Seafood Event this August.
- YBEF Meeting.
- OPPA Meeting in Salem. Also met with Sen. Roblan, Rep. Gomberg, Sen. Johnson and Kevin Mannix to review various state legislation.
- Mates Volunteer group breakfast.
- Travelled to Rainier, Ore. with Comms. Chuck and Brown to conduct negotiations with Silvan, meet with Teevin Bros.
- Conference Call with Kyle Byers, NOAA regarding NOAA Centennial.
- Meeting with Pete Zerr, NIT Manager, to review strategy for developing Terminal Ops Plan.
- Hosted Gary Dehlinger, GM at Port of Brookings Harbor, and gave him a tour of port facilities.
- Meeting with Commissioner Beck to review shipping facility progress.
- Special YBEF Meeting to opposed aerial spraying ban.
- Attended PMEC Celebration at Maritime Museum.
- Attended PNWA Conference in Washington DC. Met separately with NOAA OMAO, USDOT MARAD, Sen. Merkley (staff), Sen. Wyden (staff), USACE, OMB, Peter Friedman (lobbyist).
- Read supplemental questions by Dir Ops finalists. Scored and narrowed down to final four.
- Prepared and attended Commission Special Meeting to discuss Silvan agreement and aerial spraying.

- Attended County Commission meeting with Commissioner Chuck to present update on shipping facility.
- Appointment with Dennis Anstine, News Times, to discuss shipping facility progress with Comm. Chuck.
- Attended Monthly Dept. Head meeting.
- Attended City Parks and Rec Meeting.
- Met with Cody Chase to review Chelsea Rose proposal.
- Met with Lorna Davis to review Seafood and Wine festival.
- Met with Jack Akin to review progress on TIGER EA.
- Attended monthly Admin staff meeting.
- Appeared on BOSS Radio with Walter.
- Phone call with Dave Morgan, Lincoln County News

NEXT MONTH CALENDAR/MEETINGS

- Oregon Salmon Commission Meeting.
- Director of Operations Interviews on March 31.
- Mates Volunteer breakfast, April 4.
- Commission Budget Priorities Work Session, April 4.
- Monthly SB Staff Meeting, April 5.
- EDALC, April 6.
- Oregon Boating Foundation, April 10.
- Leadership Lincoln Panel, April 12.
- Pat Trapp Retirement, Port of St. Helens Exec. Dir., April 14.
- Monthly Dept. Head Meeting, April 18.
- Walter Chuck to review agenda, April 18.
- Chamber meeting, April 18.
- Monthly Commercial Dock crew meeting, April 19.
- YBEF, April 20th.
- OCA Board Meeting, April 22.
- Science March, April 22.

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**PORT OF NEWPORT DIRECTOR OF OPERATIONS INTERVIEW
PROCESS/QUESTIONS**

Friday, March 31, 2017/ City of Newport City Hall

Selection Committee: Ken Brown, Stewart Lamerdin, Tim Gross, Bud Shoemake, Steve Larrabee, Kevin Greenwood

Facilitator: Bill Anderson

*Elected Official Sub-committee: Brown, Lamerdin, Dietmar Goebel

*Technical Sub-committee: Tim Gross, Bud Shoemake, Mike Dunning

*Peer Sub-committee: Larrabee, Urbach, Bill Hewitt

Tour: Greenwood, Anderson

**The Sub-Committees are based on a total of four finalists. If the group of finalists is reduced, then the Elected, Technical and Peer Sub-committees will be reduced to an Internal and external Sub-committee. Those Sub-committees would look like:*

Internal Sub-committee: Brown, Larrabee, Urbach, Hewitt

External Sub-committee: Lamerdin, Gross, Shoemake, Dunning, Goebel

Tour: Greenwood, Anderson

FINALISTS:

We will be utilizing the two lobby areas at the front entrance of the building and the following conference rooms:

INTERVIEW ROOMS/TOUR

A – Council Chambers - Elected Sub-committee: Brown, Lamerdin, Goebel

B - Conference Room B - Technical Sub-committee: Gross, Shoemake, Dunning

C - City Manager's Office - Peer Sub-committee: Larrabee, Urbach, Hewitt

D - Tour - Greenwood, Anderson

Candidate	8:00	9:00	10:00	11:00
#1.....	A	B	C	D
#2.....	B	C	D	A
#3.....	C	D	A	B
#4.....	D	A	B	C

Peggy Hawker, City Recorder will be arriving at 7:15am to let us in to set up and to allow doors to remain unlocked for candidates to enter into the lobby at 7:45am.

Karen Hewitt will bring 1dz muffins, cups, condiments, spoons, 2-carfes of regular coffee, 1-decaf, bottled water (12), pens, legal pads of paper.

Lunch will be provided for selection committee members.

March 31, 2017

7:15-7:45am Committee/sub-committee convene in **Council Chambers** to go over day.
(Enter City Hall from South entry; water/muffins/coffee available)

7:45am Candidates arrive
(Enter through the main Western door facing Hwy. 101. Check in at City
Manager's Office)

8:00 – 8:45am Interview 1

8:45 – 9:00am Review

*Sub-committees will be tasked with listing strengths/weaknesses that can be quantified as part of the ultimate selection of the position.

9:00-9:45am Interview 2

9:45-10:00am Review

10:00-10:45am Interview 3

10:45-11:00am Review

11:00-11:45am Interview 4 (candidates free until 1:30pm)

11:45-12:00pm Review (sub-committee members may leave upon review)

*Sub-committee liaisons will facilitate final rankings with Sub-committee members. Important that liaison identify quantifiable reasons for priority establishment.

12:00pm-1:00pm Working Lunch with Committee in **Conference Room A**
(Sub-committee members not required to remain)

*During the work lunch, Anderson will facilitate a discussion for making a recommendation to the GM on who to give a final interview. Final interview(s) determined. Selection Committee members may leave after lunch. Anderson to call candidates.

1:30pm Final Interviews (Greenwood w/Brown, Lamerdin support)
in **City Manager's Office**

Thank you for participating in this selection process! I appreciate your knowledge and expertise - KG

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