

PORT OF NEWPORT REGULAR COMMISSION MEETING AGENDA

May 24, 2016 6:00 pm
South Beach Activities Room
2120 SE Marine Science Drive, Newport, OR 97365

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

- I. Call to Order6:00
- II. Changes to the Agenda6:01
- III. Public Comment6:02
- IV. Consent Calendar6:05
 - A. Minutes:
 - 1. Commission Work Session – April 26, 2016
 - 2. Regular Commission Meeting – April 26, 2016
 - 3. Commission Special Meeting & Work Session – May 10, 2016
 - 4. Budget Committee Meeting – May 10, 2016
 - B. Financial Reports
 - C. Approve City of Newport Easement for Water Outfall
 - D. Resolution Setting Rates, Fees and Charges (ORS 294.160)(2016-02)
 - E. Resolution Adopting Compensation Plan (Bylaws §6(E))(2016-03)
 - F. Resolution Adopting FY 16-17 Capital Improvement List (Bylaws §6(H))(2016-04)
 - G. Award Contract to Advanced Remediation Technologies, Inc. for NOAA Dredging JPA Requirement, Sediment Sampling & Characterization
 - H. Award Contract to Lincoln Glass Company for NOAA Glass Wall Installation
 - I. Special Use Permit for Newport Food Bank – Great Albacore Tuna BBQ Challenge 8/13/2016 and Salmon Enchanted Evening 8/27/2016
- V. Correspondence/Presentations6:15
 - A. Compliment Mike & Kathryn Tochtrop
 - B. Thank you note – Loyalty Days Carnival
 - C. Newport Marina Store & Charters, Inc. – Lease Renewal
- VI. Old Business
 - A. Items Removed from Consent Calendar
 - B. Accounts Paid6:20
- VII. New Business
 - A. Declaration of Vacancy for Commission Position #2 (Res. No. 2014-08) .6:23
 - B. Election of Commission Secretary/Treasurer Pro-Tem6:30
- VIII. Departmental Reports
 - A. Director of Finance6:40
 - 1. April Occupancy Report
 - B. Director of Operations6:40
 - C. General Manager.....6:45
 - 1. Tenant Opportunities
 - 2. Infrastructure Repair Options
 - 3. US20 Closures
 - 4. McLean Point Update
- IX. Commissioner Reports.....6:55

X.	Calendar/Future Considerations.....	7:05
A.	5/18-5/31... Tall Ships Visit, Port Dock 3	
B.	5/30 Memorial Day, Port Office Closed	
C.	6/3-6/4 Newport Marathon, North Commercial Lot	
D.	6/5-6/8 NOAA Eel Grass Planting	
E.	6/21 Public Hearing & Adopt Budget Resolution	
F.	6/21 Regular Commission Meeting	
G.		
XI.	Public Comment	7:10
XII.	Adjournment	7:13

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

April 26, 2016

Commission Work Session

I. CALL TO ORDER

Commission President Walter Chuck called the Commission Work Session of the Port of Newport Board of Commissioners to order at (TIME) 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; and Patricia Patrick-Joling (Pos. #5). Stewart Lamerdin (Pos. #3) was not in attendance.

Management and Staff: Kevin Greenwood, General Manager; Jim Durkee, NOAA Facilities Manager; and Karen Hewitt, Administrative Assistant.

Members of the Public and Media: Josh Hulsey, Oregon DulseEnergy (Dulse) and Oregon State University (OSU); Chuck Toombs, Oregon Dulse and OSU; Sarah Wang, Oregon Dulse; and Cheryl Meloy, Oregon Dulse. Caroline Bauman, Economic Development Alliance of Lincoln County, arrived as the meeting was about to adjourn.

II. DULSENERGY SEAWEED LEASE OPPORTUNITY and PURSUIT OF INFRASTRUCTURE GRANTS FOR WATER INTAKE.

Greenwood provided some background for the presentation by Dulse found in the packet. He introduced Josh Hulsey as the operational representative of Dulse. Josh said that the company was researching growing the product in a land based environment. The current environment for the seaweed grown at the Hatfield Marine Science Center (HMSC) is water from the Bay, from which the seaweed gets its nutrients. Greenwood added that Dulse owned the rights to the product, which is best known as “bacon flavored” seaweed, in large part due to the attention it had received in the media over the past year. Toombs introduced himself as a marketing professor at OSU, where the Dulse seaweed production and marketing became a class project. He said that Dulse was already producing several products at HMSC and in Portland.

Greenwood added information from the Governor’s Regional Solutions Team, provided in the Staff Report in the packet, and added there had been positive responses from the Oregon Department of Environmental Quality and the Oregon Department of State Lands. The Oregon Department of Fish and Wildlife had expressed some concerns about the water intake. Greenwood said he and Fuller had met with representatives from the City of Newport and HMSC, where it was discussed that the work be done with the Port’s cooperation to allow the Port to use some of the intake. Greenwood said the intake planned would be far from the final needs for Dulse, but it was a good sign that HMSC was willing to work with the Port.

Toombs said he was working on Dulse, which had non-exclusive rights with OSU. The company was interested in expanding from small to large tanks. Currently five to six products have been developed and marketed with the most successful being salad dressing. The salad dressing was the number one seller at New Seasons, with 450 bottles sold in the first week compared to 150 bottles of Hidden Valley Ranch. Dulse is currently in negotiations with Whole Foods Market to include a commitment to take all

production of the dressing not sold through New Seasons. Toombs is looking for the location where Yaquina Bay Fruit Processing recently vacated as a primary facility. Currently, 700K lbs of seaweed is produced but the demand is 300M lbs. The plant at the Port would be a pilot plant employing approximately 40 employees, and the company was looking to expand to additional plants on the Oregon Coast. Later, the company could look to dehydrating and processing the seaweed at the plant. There is a high demand in Asia, which represents about 90% of the world seaweed production, and in which Oregon seaweed is considered a specialty product. Dulse wants to make their product an Oregon brand and develop the American market.

Wang said she grew up in China and had moved to the United States, all while developing her career from accountant to Financing and Marketing. She met Toombs and thought that Dulse seaweed was a great product. Wang reviewed the presentation materials in the packet.

Toombs had become interested in the HMSC patented seaweed which he learned grew at 10% per day and had been sold at Whole Foods Market for \$60 per pound. He approached the Food Innovation Center who hired consultants and chefs, including NoMo restaurant (rated #1 in the world). The chef at NoMo found that when the seaweed was deep fried it tasted like bacon which led to the large media response. Dulse is ready to supply Whole Foods when a location is secured. The company had been preapproved in Washington State but would prefer Oregon and a closer proximity to OSU. Wang added that the seaweed was a high quality product with high nutrient content. Hulsey said his background was in fisheries and fisheries management, and started a HMSC as a volunteer. He said the seaweed needed controlled lighted conditions. HMSC had developed successful tanks and he is working on perfecting the aquaculture. Hulsey suggested four large 2000 gallon tanks would supply the current product needs, but the company was looking to have 300 tanks in the future. In response to a questions from Patrick-Joling, Toombs said the initial activity at the new location would be farming, but future development may include drying and freezing, which is currently done by a co-packer. Hulsey showed the Commissioners a sample of the raw product. The salad dressing produced contains 6% dulse seaweed. Meloy added that the market for the product is growing and, in our current economic environment, consumers are willing to pay more for products that are natural, organic, and provide health benefits. Wang said high protein products like dulse seaweed are sought after, and this product is current in China but new to the United States, where Oregon provides the water conditions and consumer preference for local products. Toombs added that the seaweed production would offset carbon emissions.

Wang referred to page 15 in the presentation showing differences in lab results in small vs. large tanks. Josh said that initial challenges were lighting and the presence of too many nutrients, which led to other algae, cysts, filaments and other invertebrates that could overtake the seaweed and impede growth or lead to failure of the seaweed. Developing better light control and sand filtering addressed these issues to achieve an 8% growth rate. Additional work will continue to improve the system, which may include UV treatment. He was also confident that aquaculture was an up-and-coming industry in the US.

Wang said this project includes major startup costs. The company is looking to grants and investors to provide capital. Toombs said there has been a lot of investor interest and they are close to a commitment from a pulp mill operation. The company is more concerned with getting the pilot plant up and running, which would be the first commercial seaweed facility in the US. He expressed confidence in the Dulse team and suggested the relationship between Dulse and the Port would be mutually beneficial. The aquaculture created could be emulated by other entities. Hulsey said a graduate student was involved in the project as well looking to improve the nutritional value, and a functioning facility would provide additional research opportunities. Wang said a location near HMSC could contribute to the company's growth.

Patrick-Joling asked about the reference to “flexible” payments in the presentation. Wang said that they expected to have cash flow 6 months after the facility is built. The company would also need time to adjust from research to business. Hulsey said the facility at HMSC was maxed out. Greenwood asked about the “4 areas” needed per the presentation. Toombs said that should be 4 acres, which would provide room for growth. He said the company is looking to maximize profitability. Greenwood asked if the \$200K referenced for site improvements include the piping needed, and how that would be funded. Wang said she understood the pipe would be provided by the Port as part of the lease. Greenwood said he was applying for a grant that would provide approximately \$5000, which would also provide for required NEPA reporting. The USDA had not expressed a concern about the piping because it is permanent. The 150K gallons per minute provided would be adequate in the short run, but in 18 months to two years a larger intake between South Beach and the eel grass estuary would be needed, which would present some concerns. Finding grants for \$200K would be difficult in the short term. Toombs said the company would rather have their own water rather than relying on HMSC. If no water intake was available, they would need to find another location. Josh suggested that the intake running down the jetty would minimize impact. In addition, the Aquarium source of water by OSU has not yet been explored, nor has running from the same dock as HMSC.

Greenwood said that as landlord the Port would work with Dulse to apply for permits, but the permits would be the responsibility of Dulse. Greenwood asked what the company would do if obtaining permitting was unsuccessful; Toombs said they would want an escape clause in the lease. Greenwood said the Port does not have the capital available to pay for the piping, and the deadline for the USDA grant application was May 1st. He said the Port could review the company’s engineering.

Toombs acknowledged there will be hurdles to face but wanted to move ahead with a lease as soon as possible. Jincks said that site had be used as an incubator for various businesses over the years, and suggested that Greenwood develop a lease proposal. Patrick-Joling said this looked like a great product; Patrick-Joling and Brown will meet with Greenwood to help develop the proposal. Greenwood said he was asking for formal direction from the Commission at the Regular Meeting. Commission approval would also be needed in the future for an easement with the City of Newport and the final lease. Greenwood also said that Durkee’s office space, currently at the proposed location, would need to be moved. Potential sites included space at the House of Spirits, the South Beach maintenance building, or MOC-P. Durkee also asked if there would be an unpleasant smell from the facility; Josh said no and the outflow would be discharged at OSU. Josh added that Trident and OSU share the patent. OSU would receive 3% of wholesale, so they are in support of the product. Trident had been using the product to feed abalone.

III. ADJOURNMENT

Having no further business, the meeting adjourned at 1:10 pm.

ATTESTED:

Walter Chuck, President

David Jincks, Secretary / Treasurer

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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.

ATTESTED:

Walter Chuck, President

David Jincks, Secretary / Treasurer

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PORT OF NEWPORT MINUTES

May 10, 2016

Special Commission Meeting

I. CALL TO ORDER

Commission President Walter Chuck called the Special Commission Meeting of the Port of Newport Board of Commissioners to order at 8:45 am at the Hatfield Marine Science Center – Visitors Center, 2030 SE Marine Science Drive, Newport, OR 97365.

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: Rick Fuller, Director of Operations and Karen Hewitt, Administrative Assistant.

Members of the Public and Media: Lee Fries

II. AWARD HOIST DOCK FILL AND ASPHALT REPAIR CONTRACT

Fuller referred the Commissioners to the Meeting Packet; there were no questions.

Jincks brought up a suggestion regarding the hoist dock. He said we are currently generating income at the commercial dock from Port services, with the attention moving from maintenance to service over recent years. Jincks said Port staff needs to address the use of personnel. He suggested looking into imposing a tax for incoming fish, which is being done at other docks. At another dock, he has been charged by the pound for unloading fish in addition to service charges. Currently, we are not getting any fees from fish processors. Much of the catch brought in at the Port of Newport is going to other areas. Jincks suggests the tax would be imposed on the processors. Patrick-Joling added that the money collected should be used specifically for the north commercial dock. Lamerdin added the idea made sense because otherwise money needed for projects at north commercial would need to be pulled from elsewhere. He suggested the Hoist Dock Fill and Asphalt Repair project might be a good segue into this topic.

A motion was made by Patrick-Joling and seconded by Jincks to award a Hoist Dock fill and Asphalt Repair contract to Road & Driveway in an amount not to exceed \$19,989.00, and take David Jinck's suggestion and move forward with looking into imposing a tax for incoming fish. The motion passed 5 – 0.

III. ADJOURNMENT

Having no further business, the meeting adjourned at 9:00 am.

PORT OF NEWPORT MINUTES

May 10, 2016

Commission Work Session

I. CALL TO ORDER

Commission President Walter Chuck called the Commission Work Session of the Port of Newport Board of Commissioners to order at 9:00 am at the Hatfield Marine Science Center – Visitors Center, 2030 SE Marine Science Drive, Newport, OR 97365.

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

Management and Staff: Rick Fuller, Director of Operations.

Members of the Public and Media: Lee Fries

II. DULSENERGY SEAWEED – TOUR OF HMSC FACILITY

Josh Hulsey, Vice President, Operations, Oregon Dulse, took the Commissioners, Fuller, and Fries on a tour of the dulse seaweed farm area at the Hatfield Marine Science Center. This was followed by a tour of the former Yaquina Bay Fruit Processing property and 4.5 acre lot under consideration for lease by DulsEnergy. No decisions were made during the Work Session.

III. ADJOURNMENT

Having no further business, the meeting adjourned at 10:00 am.

ATTESTED:

Walter Chuck, President

David Jincks, Secretary / Treasurer

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PORT OF NEWPORT MINUTES
May 10, 2016
Budget Committee Meeting

I. CALL TO ORDER / INTRODUCTIONS

Commission President Walter Chuck called the Budget Committee Meeting of the Port of Newport to order at 6:03 pm at the OSU Extension Office, 1211 SE Bay Boulevard, Newport, OR 97365. Committee members and staff introduced themselves.

Freeholder Members Present: Fred Postlewait (Pos. #1), Brian Barth (Pos. #2), Alan Brown (Pos. #3), Ron Benfield (Pos. #4), and Mark Collson (Pos. #5).

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

Management and Staff: Kevin Greenwood, General Manager; Larrabee, Director of Finance; and Karen Hewitt, Administrative Assistant.

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

II. ELECTION OF BUDGET COMMITTEE PRESIDENT

A motion was made by Collson and seconded by Benfield to select Postlewait as Budget Committee President. The motion passed 9-0.

III. BUDGET MESSAGE

General Manager Greenwood presented the Budget Message and the budget documents to the committee. After thanking Larrabee, Director of Finance, Fuller, Director of Operations, Port Facility Managers and Harbormasters, and Hewitt, Administrative Assistant, for their contribution to the budget process, Greenwood provided a summary of various components of the budget. He noted that the Port's Strategic Business and Capital Facilities Plans adopted in early 2013 and updated in 2015 provided much of the basis for the budget presented. Greenwood summarized 3 resolutions that would be part of the final budget adoption by the Port Commission in June: a rates, fees and charges resolution; an employment compensation resolution; and a capital prioritization resolution.

INTERNATIONAL TERMINAL SHIPPING FACILITY. Greenwood highlighted the International Terminal Shipping Facility as the Port's number one capital priority which would cost \$6.5MM to fund, including grants received and to be applied for. Greenwood requested that the 2016-17 budget include a \$2MM placeholder transfer from NOAA cash reserves to the

Construction fund as evidence to grant providers a source of match. Collson asked if bridge loans would be a revenue source if the project was not started by 2017. Greenwood said the ConnectOregon grant would provide the balance of needed funds if received, but the Port is currently not scored highly. The \$2MM transfer would show there are funds available to cover the gap, with other anticipated grants. Greenwood acknowledged there is risk, but there is a lease option signed with Teevin Bros, Inc., and other promising statistics showing potential users of the ITSF. A feasibility study is currently commissioned to quantify markets. Greenwood had spoken with the TIGER grant administrators, who want to see the Port's financing in place by October of 2016, with the grant agreement signed in September 2017. The placeholders would allow for financing to be in place by October 2016, with the Commission determining if any additional debt was warranted. Lease revenue anticipated from Teevin and other tenants/users would provide the revenue stream and provide income for maintenance, debt service, and capital. Collson would like to see maintenance remain as a priority for the Port. Postlewait commented that in the past lease income was not used for maintaining current facilities and expressed concern for additional spending on building a new facility. Greenwood emphasized that any final decisions on expenditures would be at the Commission's discretion. Of the approximately \$5MM in the NOAA fund, \$2MM is restricted and the remainder will be needed for contractual obligations, most of which won't be used at the end of the next 10 years except for dredging. Jincks commented that the NOAA funds were needed for emergencies. Brown added that the Port Commission had the responsibility to manage the reserves closely. Jincks acknowledged that the \$300K budgeted for dredging was not a firm number and caution was needed. Greenwood said that the biggest issue had been the dredge spoils; the City of Newport has agreed to allow unusable material to be disposed of at the airport in exchange for obtaining usable material. A royalty would still need to be paid to the Department of State Lands.

In response to questions from the Committee about using gravel or a mix of gravel and asphalt, instead of more expensive asphalt over the entire area, Greenwood advised that he spoke with Eric Oien of Teevin who was opposed to gravel for the damage to equipment that would result. Collson suggested that an arrangement might be made with Teevin to pave areas over time. Jincks asked if there was a fall back should Teevin pull out of the project, and suggested a \$3MM log yard could be the fall back.

Chuck and Patrick-Joling affirmed that their intent was not to spend the \$2MM placeholder, intending to keep NOAA funds in reserve. Collson asked if the NOAA fund was growing; Larrabee said that last year saw a \$14K growth, and next year a negative growth was anticipated because of dredging to be done.

FACILITY MAINTENANCE AND OPERATIONS PLAN (FMOP). Greenwood noted that one of the maintenance positions budgeted for the maintenance crew outlined in the FMOP would come from current staff. This crew would focus on maintenance and repair, but would not relieve other operations personnel of maintenance tasks as well. He added that Jincks and Larrabee had been involved in the development of the FMOP, including the use of Computerized Maintenance Management Software (CMMS) and the core mission of the crew.

LEASE CHANGES. Greenwood explained the developments in the Oregon Brewing Company lease which would result in an increase in lease income, which would compensate for the loss of the Yaquina Bay Fruit Company (YBFC) lease, as well as development of a new Multi-Use area in South Beach. Collson asked about the Port's contribution to development costs, which Greenwood explained was considered in the lease amount and the agreement for no CPI increase over a period of years. In addition, the ongoing negotiations with DulsEnergy were anticipated to add to lease income, although not included in the current budget because the lease is not finalized. Patrick-Joling added that DulsEnergy is a start-up venture that has venture capital in place. Greenwood said the Port would apply for grant funding and may need a supplemental budget approved for the extension of intake and outfall water lines, which would ultimately be DulsEnergy's responsibility.

Benfield asked about the finite real estate available in South Beach and the limitations on future growth. Greenwood said the property formerly occupied by YBFC, the Anderson lot, and the old Sportsmen's Annex were the extent of available real estate in South Beach which amounted to less than 10 acres. In addition, there are 9 acres at McLean Point. Collson said the peninsula, in the past, had been considered for research and education, like an OSU expansion. He added that NOAA could attract additional research interest. Greenwood commented that part of the planned development at McLean Point included the installation of municipal sewer lines and private investment in an industrial park, which would provide additional opportunities. To follow up on another concern, Greenwood will follow up with Tim Gross to ask about drainage at Moore Drive.

Larrabee added that some of the additional revenue generated could be used toward maintenance. Jincks expressed concern over the current damage at Port Dock 7, and the increased use for unloading fish. He told the Committee about his recommendation in the Special Meeting about charging a user fee based on the poundage of fish unloaded. Currently, the Port charges only for service and moorage. He added that the 3¢ per gallon charge at the International Terminal was originally an agreement with a particular vendor, and is now a fee for wear and tear; this could be the basis for the poundage fee at the Commercial Dock. Greenwood said that staff would look into drafting a resolution in the future to add this to the fee schedule adopted in June.

NOAA FUND. Greenwood said that the NOAA fund budget anticipates positive operating income, but some major projects that will tap the fund's cash reserves, including contractually obligated maintenance dredging, recreational area development and office reconfiguration which are separate from the Port's Capital Improvement list. A dredging study completed by the Port recommended pursuing deeper dredging, which will increase initial costs but limit the frequency. He also referred to the requested \$2MM transfer into the Construction Fund, discussed earlier. This fund is Greenwood responded to a question from Collson that an area was devoted to eel grass mitigation.

BONDED DEBT. Greenwood reviewed the fund, voted to fund the International Terminal 10 years ago, and explained that an initial balance was unnecessary since taxes collected in November would cover the January payments due. He announced that the Commission had approved Resolution 2016-01 to issue new bonds. Larrabee had worked with SDAO to obtain an improved rate that would, over the next 11 years, save taxpayers over \$1MM. Greenwood said this has no impact on the Port's internal funds. Collson asked if the savings could be applied to retired bonds. Larrabee said the surplus could end up going back to the Port. This would require notice, but this would be at the end of the 11 years. Larrabee is also looking into other refinancing options for the NOAA fund which would benefit the Port and potentially free up reserves.

MAINTENANCE RESERVE FUND. Greenwood said this fund was created by the Commission in 1998 (Res. 5-1998) to purchase and repair existing Port assets. In the budget, three of the prioritized projects are slated to be paid through this fund: Swede's dock, storm basins at NIT, and PD-5 access pier repair start. \$25K of unused Construction Funds will be transferred to the Maintenance Reserve Fund in the current fiscal year. This fund is used only for maintenance emergencies, which included a repair to the South Beach fuel line this year, and will be used for hoist dock repair which is currently under review. This fund is currently added to through the operating fund, rather than the NOAA fund as it had been in the past. The potential fish poundage tax could also be used here. Benfield asked if there was a future looking program to identify ongoing and long term needs. Greenwood said there was a 20 year preview for the NOAA fund, but not for the General Fund. FMOP is a first step in establishing a long term maintenance plan. Port management is separating capital costs from maintenance and repair costs to get a better picture.

CONSTRUCTION FUND. Greenwood stated that the most recent use of this fund was for the construction of the now completed IT. Some of the unspent proceeds were used to pay for soft-costs related to the ITSF development. The \$6.5MM needed for the ITSF project would mostly come from grants and construction loans. He recommended that the ITSF be accounted for through the Construction Fund. Jincks asked about last year's planned transfer from the Maintenance Reserve Fund into the International Terminal Fund of \$100K. Greenwood said that, although \$100K was budgeted, some of those funds had been used, and \$25K was transferred into the IT fund. Jincks said the original intent of the Construction Fund was to have a reserve for maintenance of the IT: a contingency fund maintained for emergencies. Money from this fund has been spent on the shipping facility project, but it needs to be protected. The \$50K that will be in the fund should not be used for other expenditures. Postlewait asked if the use of the funds had been approved by the Commission. The \$100K budgeted was not a "true" budget, rather an estimate. Greenwood did not expect \$100K would be left in the fund. Jincks said he may not have approved the soft-cost expenditure if he realized the Construction Fund was being used. Postlewait added that maintenance of the IT would entail large costs, and suggested the Port stop building new projects unless the current assets can be maintained. The IT is a \$30MM asset whose maintenance must be a priority over new building. Barth also expressed concern about the money that would be required for maintenance of the Rogue facility. Greenwood suggested an

option of having \$100K for contingencies in the General Fund, and transfer \$50K into the IT fund. Jincks said he was not comfortable with taking from the Operating fund, and would prefer building on the IT contingency fund. Collson pointed out that the asphalt parking lot at this IT will wear out and the maintenance and repair would be a significant foreseeable expense. Benfield asked when the maintenance fund would be used. Postlewait added that staff should be determining when reserves will be needed. Greenwood replied that evaluation would provide the basis for expenditures. He said it was a widespread problem for municipalities to fund 100% of depreciation. The FMOP would be used to address these needs. Jincks allowed that it would take years before reliable future maintenance planning would be available, but Fuller developing this through FMOP was a good start. Currently much maintenance is deferred; the log yard would be great, but the Port still has to survive with current assets.

GENERAL OPERATING FUND. Greenwood anticipated using approximately \$670K of the Operating Fund reserves in the 2016-17 fiscal year, which nonetheless reflects a less negative relationship between operating income and expenses than the current fiscal year. Operating income is expected to increase based upon increased occupancy at the RV Park, Rogue lease expansion, and CPI adjustment to other fees. Potential income from DulsEnergy has not been included in the budget since the lease is not finalized. An increase in operating expenses includes a 10% increase in debt service. There will be a jump this year in the payment for the RV Park construction loan, but a final payment on the 30-ton mobile crane reduced debt service. Personnel services are increased due to adding two maintenance employees as well as increased health insurance premiums. Materials and Services have increased in part due to FM OP, but are offset in part by decreased legal fees and software expenses.

For non-operating income, permanent taxes are used for expenses such as capital outlay and grant expenses. There are also grants included in the budget for updated security infrastructure, safety, and derelict removal. Greenwood recommended a \$100K contingency for emergencies and a \$60K transfer out of the General Fund into the Facilities Maintenance Reserve Fund. \$515K in capital outlay is budgeted for non-operating activity which, includes \$300K out of last year's cash reserves for replacing piles at Port Dock 5, purchase of a maintenance truck, and planning for South Beach amenities. The budget plans for an end-of-year cash reserve of \$945K.

CONCLUSION. Greenwood presented the budget recommendations to the Committee based upon input from the management team and review by the Commission. He reminded the Committee that once the budget is approved, the Commission could not adjust the figures by more than 10% without a supplemental budget. He assured the Committee that the Port management and Commission would focus on revenue and expenditures based on consideration of the Port's goals, visions, developments and challenges.

IV. BUDGET OFFICER REVIEWS BUDGET DOCUMENTS WITH COMMITTEE

Greenwood asked for comments or questions from the Committee on the line items in the budget documents.

GENERAL OPERATING FUND DEBT SERVICE. Postlewait asked about the OR Special Public Works Loan on page 29 of the packet, and if the employment threshold was met now. Greenwood said the jobs were anticipated from Teevin, which was one reason the ITSF, along with the revenue, was a Port priority. Jincks asked if jobs created in the fishing industry and fleet vessels at the IT could be used to reach these numbers. Greenwood will work with the Mid-Water Haulers to quantify job development.

FACILITIES MAINTENANCE RESERVE FUND and CAPITAL IMPROVEMENT LIST. Larrabee said the budgeted numbers had been determined by the Capital Improvement Prioritization list. Postlewait asked if there was more deferred maintenance to include. Collson also noted that long term projects were not on the previous list. Greenwood advised that the Priorities List is a planning document. Collson asked why stainless steel was planned rather than plastic at the IT. Greenwood said this was the recommendation of the Facilities Manager and Fuller.

GENERAL OPERATING FUND. Collson asked why the maintenance at the Rogue Brewery were not on the priorities list since they represent a significant revenue source that must be protected. Collson expressed concern about the sea wall. Greenwood said some sloughage had been filled but the problem is not yet solved. Jincks said engineering would be needed for the sea wall which was not designed for the current loads. Larrabee says the Port needs an evaluation of the status before projects can be budgeted.

Greenwood the budget was a conservative estimate and included the Port Dock 5 piles. Although the net was negative, over the last few years the budget showed positive numbers at the end of the cycle.

Chuck questioned the IT moorage and services budgeted at \$300K, and whether debt payments could be made on a \$2MM loan would require increased revenue at the IT, in which \$30MM had already been invested. He would like to see the IT used as it was intended. The previous negotiations with Hancock would not have been good for the Port. Jincks added that the initial budget of \$15MM was too low, but added the IT added \$96MM to local income. Postlewait added that the business of the Port is fishing not timber. Barth asked what would happen when the fishing fleet was displaced by the other uses at the ITSF. Greenwood said this would be a scheduling issue managed by the Facilities Manager. Jincks said the distant water fleet, who are here approximately four months per year, would be displaced. Hopefully there would be logging income; the facilities need repair.

Jincks asked about the fees for accepting credit cards and whether we took American Express. Larrabee said we accept Visa and MasterCard, but these fees have increased as more payments are made by credit card, including at the pay station. Larrabee added that staff is looking into processing credit card payments directly through QuickBooks which may save money.

Jincks said one of the biggest increases to our costs in contracted support services. As our employees have aged, with 3 – 4 ops personnel on light duty, staff is not doing all that they used to. Jincks suggested this also was affected by the emphasis on service vs. maintenance. The Port budgeted \$80K for security which used to be done by Port staff. As a consequence, employees are not walking the docks and noticing what needs to be done. Collson suggested that a weekly walk of the docks be performed. Jincks said that in the past, Operations was not split into North/South teams as it is now, which allowed for more shifting off staff where most needed. Larrabee said that Fuller was leading a paradigm shift reflected in the FMOP to reprioritize service and maintenance. Jincks allowed that the cultural shift was not yet seen in the management of personnel, the cost of which was not accurately reflected in the timesheet breakdown.

COMPENSATION PLAN FOR EMPLOYEES AND WAGE STEP SYSTEM. Collson asked if the step increases were automatic. Greenwood said this was based on yearly employee evaluations. Two employees last year did not receive an increase until meeting performance goals after six months post review. Jincks added that the move to the performance based step system was made from a previous COLA and merit system.

RATES, FEES AND CHARGES. Greenwood advised that the draft document had been reviewed and distributed for public comment and would be brought to the Commission again in May and recommended for approval in June. The suggested landing fees would be researched and added at a later time. Collson asked if there was a specific group that was buying fish, to which Greenwood responded there are approximately 8 – 9 buyers currently permitted by the Port.

Benfield asked if staff had checked the market regarding our RV Park fees. Larrabee said staff had researched and our prices are competitive although we have received comments that we are on the high end. Jincks said one of the biggest increases to our costs in contracted support services. As our employees have aged, with 3 – 4 ops personnel on light duty, staff is not doing all that they used to. Jincks suggested this also was affected by the emphasis

CONSTRUCTION FUND. Greenwood said the Port would need to bridge a \$2MM gap if the EDA grant was received, which needed at 50% match. Jincks commented this was similar to money budgeted for the IT: budgeted but not really there until Commission approves. Collson asked if Teevin would sign a lease even if operations may shut down. Greenwood said no, and Jincks added that when Hancock dropped out, Teevin lost their funding source.

NOAA FUND. Benfield asked about the decreased traffic he has observed at the NOAA dock, and suggested this may also lead to decreased wear and tear on the facility. Jincks said the use depended on NOAA's budget, which currently saw six new ships replacing older ships, four of which were planned for Newport in 2018. He added that the NOAA fleet travels depending on the function of research or stock assessments.

V. PUBLIC COMMENT

There was no public comment.

VI. APPROVAL OF BUDGET

Greenwood recommended the Committee move to approve the budget as presented.

A motion was made by Collson and seconded by Jincks that the Budget Committee approve the proposed budget for the 2016-2017 fiscal year. The motion passed 9-0.

Greenwood recommended the Committee move to approve the tax rate as presented.

A motion was made by Collson and seconded by Benfield that the Budget Committee approve the tax rate of point zero six zero nine (.0609) per \$1000 of assessed value for operating purposes in the General Fund and in the amount of \$1,000,000 for payment of general obligation bond principal and interest in the International Terminal Debt Fund for the 2016-17 fiscal year. The motion passed 9-0.

X. ADJOURNMENT

There being nothing more to come before the Budget Committee, the Budget Committee President adjourned the meeting at 8:17 pm.

ATTEST:

Walter Chuck, Commission President

David Jincks, Secretary / Treasurer.

DIRECTOR OF FINANCE MONTHLY REPORT

DATE: 05/24/2016
PERIOD: March Board Meeting
TO: Port of Newport Commissioners
ISSUED BY: Stephen J. Larrabee

OVERVIEW

Financials:

April year to date financials are attached.

Finance Operations:

The Budget committee approved the budget at our May 10th meeting and we will adopt the budget at our June Board meeting. Thanks to all that helped in the process.

We will be asking to make one small change to the budget at our June meeting. We would like to obligate all of the funds in the facility maintenance reserve fund instead of showing \$25,000 reserved for future expenditures, which is what we intended to show at the Budget committee meeting. This way if the funds are needed during the fiscal year we will have them appropriated. Attached are the two budgets showing that difference.

The Port submitted an application to the Homeland Security grant program for \$180,000 for a new security system for the entire Port. We will know in September if we will be awarded the grant.

**Port of Newport Operating Fund
Balance Sheet
As of April 30, 2016**

	Apr 30, 16	Apr 30, 15	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
Available Cash & Equivalents	1,528,071.84	1,049,287.99	478,783.85
Restricted Cash & Equivalents	588,652.70	651,778.09	-63,125.39
Total Checking/Savings	2,116,724.54	1,701,066.08	415,658.46
Accounts Receivable			
Accounts Receivable	-118,871.37	40,365.93	-159,237.30
Total Accounts Receivable	-118,871.37	40,365.93	-159,237.30
Other Current Assets			
Net Pension Asset	146,594.00	0.00	146,594.00
Deferred OF - Contrib after MD	18,048.00	0.00	18,048.00
Allow for Bad Debt - CM	-10,000.00	-10,000.00	0.00
Allow for Bad Debt - SB	-4,000.00	-4,000.00	0.00
AR Property Tax	10,334.60	10,334.60	0.00
Assets Held For Sale	0.00	4,332.10	-4,332.10
Cash Clearing	0.00	-840.99	840.99
Due from other Port Funds	104,638.31	112,931.03	-8,292.72
Prepaid Expenses	66,290.43	104,817.22	-38,526.79
Undeposited Funds	2,995.05	3,689.71	-694.66
Total Other Current Assets	334,900.39	221,263.67	113,636.72
Total Current Assets	2,332,753.56	1,962,695.68	370,057.88
Fixed Assets			
Capital Assets	85,670,010.77	88,077,059.77	-2,407,049.00
Total Fixed Assets	85,670,010.77	88,077,059.77	-2,407,049.00
TOTAL ASSETS	88,002,764.33	90,039,755.45	-2,036,991.12
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	56,580.73	52,130.38	4,450.35
Total Accounts Payable	56,580.73	52,130.38	4,450.35
Other Current Liabilities			
Accrued Interest Payable	11,693.00	12,369.00	-676.00
Current Portion-Long Term Debt	353,377.00	0.00	353,377.00
Deferred Revenue	190.95	39.00	151.95
Due to other Port Funds	-9,905.64	0.00	-9,905.64
Payroll Liability	107,716.46	34,496.54	73,219.92
Total Other Current Liabilities	463,071.77	46,904.54	416,167.23
Total Current Liabilities	519,652.50	99,034.92	420,617.58
Long Term Liabilities			
Less Current Portion L Term Deb	-353,377.00	0.00	-353,377.00
Deferred IF - Proportion/Contrl	31,249.00	0.00	31,249.00
Deferred IF - Invest Return	282,867.00	0.00	282,867.00
2013 FF&C Bond Premium	111,892.75	118,665.75	-6,773.00
Long Term Debt	8,480,410.74	8,763,781.74	-283,371.00
Total Long Term Liabilities	8,553,042.49	8,882,447.49	-329,405.00
Total Liabilities	9,072,694.99	8,981,482.41	91,212.58
Equity			
GAAP - Pension Income	140,846.00	0.00	140,846.00
GAAP - Pension Expense	18,048.00	0.00	18,048.00
GAAP - Prior Period Adjustment	-308,368.00	0.00	-308,368.00
Contributed Capital	7,130,788.00	7,130,788.00	0.00
Fund Balance	-7,781,637.58	-6,166,639.67	-1,614,997.91
Opening Balance Equity	79,446,413.75	79,446,413.75	0.00
Net Income	283,979.17	647,710.96	-363,731.79
Total Equity	78,930,069.34	81,058,273.04	-2,128,203.70
TOTAL LIABILITIES & EQUITY	88,002,764.33	90,039,755.45	-2,036,991.12

**Port of Newport Operating Fund
 Profit & Loss Budget vs. Actual
 July 2015 through April 2016**

	Jul '15 - Apr 16	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Hoist Dock & Services	371,931.92	410,200.00	-38,268.08	90.7%
Launch Ramp & Trailer Storage	55,752.35	62,000.00	-6,247.65	89.9%
Lease Revenues	498,240.16	608,051.00	-109,810.84	81.9%
Miscellaneous Revenue	52,382.58	37,200.00	15,182.58	140.8%
Moorage	856,574.45	1,081,000.00	-224,425.55	79.2%
RV Parks	629,348.77	655,000.00	-25,651.23	96.1%
Shipping Terminal Revenues	14,784.70	15,900.00	-1,115.30	93.0%
Total Income	2,479,014.93	2,869,351.00	-390,336.07	86.4%
Gross Profit	2,479,014.93	2,869,351.00	-390,336.07	86.4%
Expense				
Debt Services	330,638.90	637,033.00	-306,394.10	51.9%
Materials & Services	1,005,742.42	1,524,407.00	-518,664.58	66.0%
Personal Services	870,029.43	1,147,035.00	-277,005.57	75.9%
Total Expense	2,206,410.75	3,308,475.00	-1,102,064.25	66.7%
Net Ordinary Income	272,604.18	-439,124.00	711,728.18	-62.1%
Other Income/Expense				
Other Income				
Gain/(Loss) on Sale of Assets	20.00	0.00	20.00	100.0%
Grant & Loan Proceeds	1,800.00	183,000.00	-181,200.00	1.0%
Interest Income	4,047.35	2,500.00	1,547.35	161.9%
Miscellaneous	15,347.37	0.00	15,347.37	100.0%
Property & Dredge Sales	1,298.00	0.00	1,298.00	100.0%
Property Tax Revenue	95,295.54	92,350.00	2,945.54	103.2%
Total Other Income	117,808.26	277,850.00	-160,041.74	42.4%
Other Expense				
Capital Outlay	6,918.02	215,000.00	-208,081.98	3.2%
Contingency	0.00	200,000.00	-200,000.00	0.0%
Transfers Out	100,000.00	100,000.00	0.00	100.0%
Total Other Expense	106,918.02	515,000.00	-408,081.98	20.8%
Net Other Income	10,890.24	-237,150.00	248,040.24	-4.6%
Net Income	283,494.42	-676,274.00	959,768.42	-41.9%

Port of Newport Operating Fund
Profit & Loss Budget vs. Actual - Admin
 July 2015 through April 2016

	Jul '15 - Apr 16	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Hoist Dock & Services	2,500.00			
Lease Revenues	498,048.16	608,051.00	-110,002.84	81.9%
Miscellaneous Revenue	3,047.21	0.00	3,047.21	100.0%
Moorage	2,244.00			
Total Income	505,839.37	608,051.00	-102,211.63	83.2%
Gross Profit	505,839.37	608,051.00	-102,211.63	83.2%
Expense				
Debt Services	13,389.00	17,851.00	-4,462.00	75.0%
Materials & Services	271,291.93	532,650.00	-261,358.07	50.9%
Personal Services	373,568.76	474,879.00	-101,310.24	78.7%
Total Expense	658,249.69	1,025,380.00	-367,130.31	64.2%
Net Ordinary Income	-152,410.32	-417,329.00	264,918.68	36.5%
Other Income/Expense				
Other Income				
Gain/(Loss) on Sale of Assets	20.00	0.00	20.00	100.0%
Grant & Loan Proceeds	0.00	183,000.00	-183,000.00	0.0%
Interest Income	4,047.35	2,500.00	1,547.35	161.9%
Miscellaneous	10,774.00	0.00	10,774.00	100.0%
Property Tax Revenue	95,295.54	92,350.00	2,945.54	103.2%
Total Other Income	110,136.89	277,850.00	-167,713.11	39.6%
Other Expense				
Capital Outlay	0.00	15,000.00	-15,000.00	0.0%
Contingency	0.00	200,000.00	-200,000.00	0.0%
Transfers Out	100,000.00	100,000.00	0.00	100.0%
Total Other Expense	100,000.00	315,000.00	-215,000.00	31.7%
Net Other Income	10,136.89	-37,150.00	47,286.89	-27.3%
Net Income	-142,273.43	-454,479.00	312,205.57	31.3%

**Port of Newport Operating Fund
 Profit & Loss Budget vs. Actual - NIT
 July 2015 through April 2016**

	<u>Jul '15 - Apr 16</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
Hoist Dock & Services	180,399.23	147,000.00	33,399.23	122.7%
Lease Revenues	192.00			
Miscellaneous Revenue	6,536.50	0.00	6,536.50	100.0%
Moorage	67,716.80	70,000.00	-2,283.20	96.7%
Shipping Terminal Revenues	14,202.00	14,500.00	-298.00	97.9%
Total Income	<u>269,046.53</u>	<u>231,500.00</u>	<u>37,546.53</u>	<u>116.2%</u>
Gross Profit	269,046.53	231,500.00	37,546.53	116.2%
Expense				
Debt Services	179,340.90	441,403.00	-262,062.10	40.6%
Materials & Services	86,972.34	104,650.00	-17,677.66	83.1%
Personal Services	48,149.10	63,101.00	-14,951.90	76.3%
Total Expense	<u>314,462.34</u>	<u>609,154.00</u>	<u>-294,691.66</u>	<u>51.6%</u>
Net Ordinary Income	<u>-45,415.81</u>	<u>-377,654.00</u>	<u>332,238.19</u>	<u>12.0%</u>
Net Income	<u><u>-45,415.81</u></u>	<u><u>-377,654.00</u></u>	<u><u>332,238.19</u></u>	<u><u>12.0%</u></u>

**Port of Newport Operating Fund
 Profit & Loss Budget vs. Actual - SB
 July 2015 through April 2016**

	Jul '15 - Apr 16	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Hoist Dock & Services	18,368.04	6,000.00	12,368.04	306.1%
Launch Ramp & Trailer Storage	55,430.35	62,000.00	-6,569.65	89.4%
Miscellaneous Revenue	37,534.68	33,200.00	4,334.68	113.1%
Moorage	434,763.23	611,000.00	-176,236.77	71.2%
RV Parks	629,348.77	655,000.00	-25,651.23	96.1%
Total Income	<u>1,175,445.07</u>	<u>1,367,200.00</u>	<u>-191,754.93</u>	<u>86.0%</u>
Gross Profit	1,175,445.07	1,367,200.00	-191,754.93	86.0%
Expense				
Debt Services	132,112.50	170,823.00	-38,710.50	77.3%
Materials & Services	441,497.54	587,507.00	-146,009.46	75.1%
Personal Services	241,200.88	330,689.00	-89,488.12	72.9%
Total Expense	<u>814,810.92</u>	<u>1,089,019.00</u>	<u>-274,208.08</u>	<u>74.8%</u>
Net Ordinary Income	360,634.15	278,181.00	82,453.15	129.6%
Other Income/Expense				
Other Income				
Grant & Loan Proceeds	1,800.00	0.00	1,800.00	100.0%
Miscellaneous	4,373.23			
Property & Dredge Sales	1,298.00	0.00	1,298.00	100.0%
Total Other Income	<u>7,471.23</u>	<u>0.00</u>	<u>7,471.23</u>	<u>100.0%</u>
Other Expense				
Break-in Replacement	0.00	0.00	0.00	0.0%
Total Other Expense	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.0%</u>
Net Other Income	<u>7,471.23</u>	<u>0.00</u>	<u>7,471.23</u>	<u>100.0%</u>
Net Income	<u><u>368,105.38</u></u>	<u><u>278,181.00</u></u>	<u><u>89,924.38</u></u>	<u><u>132.3%</u></u>

**Port of Newport Operating Fund
 Profit & Loss Budget vs. Actual - CM
 July 2015 through April 2016**

	Jul '15 - Apr 16	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Hoist Dock & Services	170,987.90	257,200.00	-86,212.10	66.5%
Launch Ramp & Trailer Storage	322.00	0.00	322.00	100.0%
Miscellaneous Revenue	4,646.24	4,000.00	646.24	116.2%
Moorage	349,429.42	400,000.00	-50,570.58	87.4%
Shipping Terminal Revenues	582.70	1,400.00	-817.30	41.6%
Total Income	<u>525,968.26</u>	<u>662,600.00</u>	<u>-136,631.74</u>	<u>79.4%</u>
Gross Profit	525,968.26	662,600.00	-136,631.74	79.4%
Expense				
Debt Services	5,796.50	6,956.00	-1,159.50	83.3%
Materials & Services	205,917.82	299,600.00	-93,682.18	68.7%
Personal Services	196,797.88	278,366.00	-81,568.12	70.7%
Total Expense	<u>408,512.20</u>	<u>584,922.00</u>	<u>-176,409.80</u>	<u>69.8%</u>
Net Ordinary Income	117,456.06	77,678.00	39,778.06	151.2%
Other Income/Expense				
Other Income				
Miscellaneous	169.79	0.00	169.79	100.0%
Total Other Income	169.79	0.00	169.79	100.0%
Other Expense				
Capital Outlay	6,918.02	200,000.00	-193,081.98	3.5%
Total Other Expense	<u>6,918.02</u>	<u>200,000.00</u>	<u>-193,081.98</u>	<u>3.5%</u>
Net Other Income	-6,748.23	-200,000.00	193,251.77	3.4%
Net Income	<u><u>110,707.83</u></u>	<u><u>-122,322.00</u></u>	<u><u>233,029.83</u></u>	<u><u>-90.5%</u></u>

Port of Newport - NOAA Fund
Balance Sheet
As of April 30, 2016

	Apr 30, 16	Apr 30, 15	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
Cash & Equivalents	5,380,880.35	5,387,089.28	-6,208.93
Total Checking/Savings	5,380,880.35	5,387,089.28	-6,208.93
Other Current Assets			
Derfered OF - Contrib After MD	2,957.00	0.00	2,957.00
Net Pension Asset	24,019.00	0.00	24,019.00
Prepaid Expenses	44,038.97	38,707.99	5,330.98
Total Other Current Assets	71,014.97	38,707.99	32,306.98
Total Current Assets	5,451,895.32	5,425,797.27	26,098.05
TOTAL ASSETS	5,451,895.32	5,425,797.27	26,098.05
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	2,252.66	1,812.85	439.81
Total Accounts Payable	2,252.66	1,812.85	439.81
Other Current Liabilities			
Accrued Interest Payable	499,410.00	499,410.00	0.00
Current Portion-Long-Term Debt	840,000.00	0.00	840,000.00
Due to Operations or Const Fund	19,162.89	181,732.60	-162,569.71
Vacation Payable	5,424.00	1,301.00	4,123.00
Total Other Current Liabilities	1,363,996.89	682,443.60	681,553.29
Total Current Liabilities	1,366,249.55	684,256.45	681,993.10
Long Term Liabilities			
Deferred IF - Invest Return	46,347.00	0.00	46,347.00
Deferred IF - Prop/Contrib	5,120.00	0.00	5,120.00
Less Current Portion L Term Deb	-840,000.00	0.00	-840,000.00
Long-Term Debt	21,554,006.00	22,357,424.00	-803,418.00
Total Long Term Liabilities	20,765,473.00	22,357,424.00	-1,591,951.00
Total Liabilities	22,131,722.55	23,041,680.45	-909,957.90
Equity			
GAAP - Pension Expense	2,957.00	0.00	2,957.00
GAAP - Pension Income	23,078.00	0.00	23,078.00
GAAP - Prior Per Adj	-50,526.00	0.00	-50,526.00
Opening Balance Equity	-17,758,143.71	-17,758,143.71	0.00
Unrestricted Net Assets	1,321,334.81	503,621.26	817,713.55
Net Income	-218,527.33	-361,360.73	142,833.40
Total Equity	-16,679,827.23	-17,615,883.18	936,055.95
TOTAL LIABILITIES & EQUITY	5,451,895.32	5,425,797.27	26,098.05

**Port of Newport - NOAA Fund
 Profit & Loss Budget vs. Actual
 July 2015 through April 2016**

	<u>Jul '15 - Apr 16</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
Interest Income	7,143.43	10,500.00	-3,356.57	68.0%
Lease Income	2,117,615.10	2,542,000.00	-424,384.90	83.3%
Misc Income	12,963.34			
Total Income	<u>2,137,721.87</u>	<u>2,552,500.00</u>	<u>-414,778.13</u>	<u>83.8%</u>
Expense				
Debt Service	1,999,433.76	1,999,434.00	-0.24	100.0%
Materials & Service	264,348.92	605,120.00	-340,771.08	43.7%
Personal Services	84,610.52	109,660.00	-25,049.48	77.2%
Total Expense	<u>2,348,393.20</u>	<u>2,714,214.00</u>	<u>-365,820.80</u>	<u>86.5%</u>
Net Ordinary Income	<u>-210,671.33</u>	<u>-161,714.00</u>	<u>-48,957.33</u>	<u>130.3%</u>
Other Income/Expense				
Other Expense				
Capital Outlay	7,856.00	56,000.00	-48,144.00	14.0%
Contingency	0.00	100,000.00	-100,000.00	0.0%
Fund Transfers Out	0.00	500,000.00	-500,000.00	0.0%
Total Other Expense	<u>7,856.00</u>	<u>656,000.00</u>	<u>-648,144.00</u>	<u>1.2%</u>
Net Other Income	<u>-7,856.00</u>	<u>-656,000.00</u>	<u>648,144.00</u>	<u>1.2%</u>
Net Income	<u><u>-218,527.33</u></u>	<u><u>-817,714.00</u></u>	<u><u>599,186.67</u></u>	<u><u>26.7%</u></u>

Facility Maintenance Reserve Fund
Balance Sheet
 As of April 30, 2016

	Apr 30, 16	Apr 30, 15	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
Umpqua Bank - Money Market	148,510.76	166,700.43	-18,189.67
Total Checking/Savings	148,510.76	166,700.43	-18,189.67
Total Current Assets	148,510.76	166,700.43	-18,189.67
TOTAL ASSETS	<u>148,510.76</u>	<u>166,700.43</u>	<u>-18,189.67</u>
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	90,001.27	98,263.54	-8,262.27
Total Accounts Payable	90,001.27	98,263.54	-8,262.27
Total Current Liabilities	90,001.27	98,263.54	-8,262.27
Total Liabilities	90,001.27	98,263.54	-8,262.27
Equity			
Fund Balance	48,378.36	166,595.95	-118,217.59
Net Income	10,131.13	-98,159.06	108,290.19
Total Equity	58,509.49	68,436.89	-9,927.40
TOTAL LIABILITIES & EQUITY	<u>148,510.76</u>	<u>166,700.43</u>	<u>-18,189.67</u>

**Construction Fund - Port of Newport
 Balance Sheet
 As of April 30, 2016**

	<u>Apr 30, 16</u>	<u>Apr 30, 15</u>	<u>\$ Change</u>
ASSETS			
Current Assets			
Checking/Savings			
Construction Fund Bank Accts	122,198.23	14,783.15	107,415.08
Total Checking/Savings	122,198.23	14,783.15	107,415.08
Other Current Assets			
Due From Other funds	0.00	181,732.60	-181,732.60
Total Other Current Assets	0.00	181,732.60	-181,732.60
Total Current Assets	122,198.23	196,515.75	-74,317.52
TOTAL ASSETS	<u>122,198.23</u>	<u>196,515.75</u>	<u>-74,317.52</u>
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
A/P - Construction	0.00	8,571.21	-8,571.21
Total Accounts Payable	0.00	8,571.21	-8,571.21
Total Current Liabilities	0.00	8,571.21	-8,571.21
Total Liabilities	0.00	8,571.21	-8,571.21
Equity			
Fund Balance	183,266.66	750,803.54	-567,536.88
Net Income	-61,068.43	-562,859.00	501,790.57
Total Equity	122,198.23	187,944.54	-65,746.31
TOTAL LIABILITIES & EQUITY	<u>122,198.23</u>	<u>196,515.75</u>	<u>-74,317.52</u>

**Bonded Debt Fund - Port of Newport
 Balance Sheet
 As of April 30, 2016**

	Apr 30, 16	Apr 30, 15	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
Gen Obligation Bond MM-OCB	401,806.78	357,513.22	44,293.56
Total Checking/Savings	401,806.78	357,513.22	44,293.56
Other Current Assets			
Due from Operating Fund	-9,906.00	0.00	-9,906.00
Property Tax Receivable	86,925.12	76,845.12	10,080.00
Total Other Current Assets	77,019.12	76,845.12	174.00
Total Current Assets	478,825.90	434,358.34	44,467.56
Other Assets			
Bond Issue costs, net of amort.	91,334.00	91,334.00	0.00
Total Other Assets	91,334.00	91,334.00	0.00
TOTAL ASSETS	570,159.90	525,692.34	44,467.56
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Other Current Liabilities			
Bonds Payable - Current	300,000.00	285,000.00	15,000.00
Total Other Current Liabilities	300,000.00	285,000.00	15,000.00
Total Current Liabilities	300,000.00	285,000.00	15,000.00
Long Term Liabilities			
2007 Series Bonds	4,209,263.00	4,312,682.00	-103,419.00
2008 Series Bonds	4,304,912.00	4,414,908.00	-109,996.00
2011 Series Bonds	5,211,741.00	5,269,811.00	-58,070.00
Less Current Portion LTD	-300,000.00	-285,000.00	-15,000.00
Total Long Term Liabilities	13,425,916.00	13,712,401.00	-286,485.00
Total Liabilities	13,725,916.00	13,997,401.00	-271,485.00
Equity			
Bonded Debt Fund Balance	1,464,547.00	1,189,547.00	275,000.00
Opening Balance Equity	-15,156,375.83	-15,156,375.83	0.00
Retained Earnings	223,572.11	181,354.05	42,218.06
Net Income	312,500.62	313,766.12	-1,265.50
Total Equity	-13,155,756.10	-13,471,708.66	315,952.56
TOTAL LIABILITIES & EQUITY	570,159.90	525,692.34	44,467.56

**Port of Newport
Facilities Maintenance Reserve Fund
Budget 2016-2017**

	<u>Actuals 2014-15</u>	<u>2015-16 Approved Budget</u>	<u>2016-17 Proposed Budget</u>
<u>Resources</u>			
Beginning Working Capital	\$ 166,596	\$ 40,000	\$ 85,000
Interest Income	\$ 140	\$ 125	\$ 125
Loans	\$ -	\$ -	\$ -
Grants	\$ -	\$ -	\$ -
Fund Transfers In	\$ -	\$ 250,000	\$ -
Transfer in from General Fund			\$ 60,000
Transfer in from Construction Fund			\$ 25,000
Total Resources	<u><u>\$ 166,736</u></u>	<u><u>\$ 290,125</u></u>	<u><u>\$ 170,125</u></u>

<u>Appropriations</u>			
Repairs & Maintenance	\$ 118,358	\$ 166,125	\$ 145,125
Any expenditures from this fund are approved in advance by the Port Commission.			
Rebuilt Buildings	\$ -	\$ -	\$ -
Contingency		\$ 24,000	\$ -
Reserved for Future Expenditure	\$ -	\$ 100,000	\$ 25,000
Repairs for Int. Terminal Docks			
Total Requirements	<u><u>\$ 118,358</u></u>	<u><u>\$ 290,125</u></u>	<u><u>\$ 170,125</u></u>

* \$25,000 set aside for the international dock repair has been obligated

**Port of Newport
Facilities Maintenance Reserve Fund
Budget 2016-2017**

	<u>Actuals 2014-15</u>	<u>2015-16 Approved Budget</u>	<u>2016-17 Proposed Budget</u>
<u>Resources</u>			
Beginning Working Capital	\$ 166,596	\$ 40,000	\$ 85,000
Interest Income	\$ 140	\$ 125	\$ 125
Loans	\$ -	\$ -	\$ -
Grants	\$ -	\$ -	\$ -
Fund Transfers In	\$ -	\$ 250,000	\$ -
Transfer in from General Fund			\$ 60,000
Transfer in from Construction Fund			\$ 25,000
Total Resources	<u>\$ 166,736</u>	<u>\$ 290,125</u>	<u>\$ 170,125</u>

<u>Appropriations</u>			
Repairs & Maintenance	\$ 118,358	\$ 166,125	\$ 170,125
Any expenditures from this fund are approved in advance by the Port Commission.			
Rebuilt Buildings	\$ -	\$ -	\$ -
Contingency		\$ 24,000	\$ -
Reserved for Future Expenditure	\$ -	\$ 100,000	\$ -
Repairs for Int. Terminal Docks			
Total Requirements	<u>\$ 118,358</u>	<u>\$ 290,125</u>	<u>\$ 170,125</u>

* \$50,000 set aside for the international dock repair has been obligated

AFTER RECORDING RETURN TO:
CITY OF NEWPORT
169 SW COAST HIGHWAY
NEWPORT, OR 97365

EASEMENT AGREEMENT

1. PARTIES:

Name: Port of Newport,
Address: 600 SE Bay Blvd Newport, Oregon 97365, hereinafter referred to as "Grantor".

CITY OF NEWPORT, an Oregon Municipal Corporation, 169 SW Coast Highway, Newport, Oregon, 97365, hereinafter referred to as "Grantee".

2. AFFECTED PROPERTY:

Grantor is currently the owner of the following described real property (property) located in Lincoln County, Oregon at:

See Exhibit A

3. GRANT OF EASEMENT:

Grantor does hereby grant unto the Grantee, its successors and assigns, and Grantee hereby accepts, a Temporary Construction Easement upon a portion of Grantor's property as shown in the map attached as EXHIBIT "A" incorporated herein.

4. STATEMENT OF PURPOSE:

The easement described above shall be used to construct a storm sewer drain pipe supporting the adjacent storm sewer improvements and for unrestricted ingress and egress to Grantor's property for the purpose of constructing the storm sewer and all related facilities.

5. TYPE OF EASEMENT:

The easement described above shall be non-exclusive except that Grantee shall have the exclusive right to construct the storm sewer and all related facilities within the easement. Grantor may use the surface of the easement provided such use does not interfere with Grantee's rights contained in this easement. Grantor shall not permit any other use or utilities to be located in the easement without the written consent of Grantee. Approved uses within the easement area shall consist of, but are not limited to, paved driveway or parking areas, trails, paths, or other uses that will not affect the ability of the City to access the slope area. Prohibited uses shall consist of, but are not limited to, buildings, structures, or any excavation or alteration of the earth slope. Placement of additional fill abutting the slope is acceptable. The easement shall perpetually encumber the property.


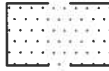
6. MAINTENANCE:

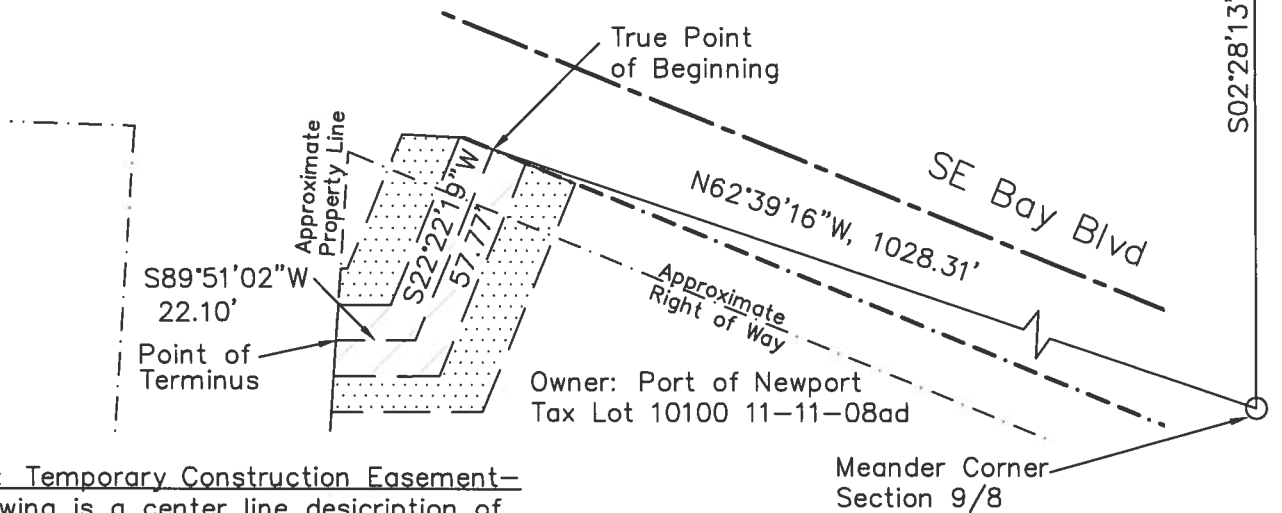
Grantee shall be responsible for the maintenance of the storm sewer located within the easement. Grantor shall be responsible for landscape and surface maintenance within the easement. Grantee's use of the easement shall not unreasonably interfere with Grantor's use of its property.

Exhibit Sketch Map

Located at:
Section 8, Township 11 South, Range 11 West, W.M.
City of Newport, Lincoln County, Oregon

NW Corner
Section 9

-  Parcel 1:
Permanent Storm Drainage
Easement—See Sketch 1 of 2
-  Parcel 2:
Temporary Access
Easement



Parcel 2: Temporary Construction Easement—

The following is a center line description of a 50 foot wide, 25 feet on each side, for a proposed storm drain facility:

Beginning at the northwest corner Section 9 Township 11 South, Range 11 West, W.M.; thence South 02°28'13" West, 2490.74' to the Meander Corner between Sections 9/8; thence North 62°39'16" West, 1028.31' to a point on the south line of SE Bay Blvd and the True Point of Beginning; thence South 22°22'19" West, 57.77'; thence South 89°51'02" West, 22.10' to the point of terminus of this center line description. Excepting therefrom that property described in Parcel 1.

Extend or Truncate sidelines to terminate on the property lines. The area to which this description applies is 2129± Sq. Ft.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

John R. Pariani

OREGON
July 13, 1999
JOHN R. PARIANI
#51382

Renews: December 31, 2016

This sketch map is based upon record information and found monuments, but is not the result of a boundary survey.



Basis of bearing is filed survey 19803

Temporary Construction Easement

Pariani Land Surveying

P.O. Box 551
Shady Cove, OR 97539
541-890-1131

Date: May 10, 2016	Scale: 1" = 50'	Job No.: 2012-095	Sheet: 2 of 2
-----------------------	--------------------	----------------------	------------------

After recording return to:

City of Newport
169 SW Coast Highway
Newport, OR 97365

**CITY OF NEWPORT, OREGON
PUBLIC UTILITY EASEMENT**

Port of Newport, hereinafter referred to as "Grantor", owns the real property described below and does hereby give and grant unto the City of Newport, an Oregon Municipal Corporation of Lincoln County, Oregon, hereinafter referred to as "Grantee", an exclusive, perpetual easement for public utilities, including the right to lay, construct, and maintain a **storm sewer**, and all related appurtenances, hereinafter referred to as "Public Utility", to be constructed and located on, across, under or over the surface of the following described real property:

See EXHIBIT A

This is intended to exclude all other below-surface installations, except as may be specifically approved by the City.

City and its contractors, subcontractors, agents or employees shall have the right to enter and occupy the easement for the purpose of constructing the Public Utility, to permanently operate and maintain the Public Utility, to inspect, repair, replace, remove or renovate the Public Utility.

Grantor shall be responsible for landscape and surface maintenance within the easement. In carrying out this responsibility, Grantor agrees not to plant any tree, shrub or plant within the Public Utility easement, nor build any structure or place any fence in the easement without first obtaining written permission from City. Balm, poplar, locust, cottonwood or willow trees should not be planted near the Public Utility easement. It is understood that City may remove any physical obstructions including buildings, fences, trees, or shrubbery, and abate any use of the easement if City finds that the physical obstruction or use will interfere with the Public Utility or City's easement rights granted above, without recompense to the Grantor.

Grantor and City intend that this easement bind Grantor, his or her heirs, successors and assigns. This easement will not be considered abandoned until City has declared the easement abandoned and no longer in use by City, and releases this easement in a duly executed and recorded Release of Easement.

In addition to all other remedies allowed by law, Grantee, its successors and assigns, shall have the right to seek injunctive relief for the enforcement of the terms and conditions of this easement against Grantor. If Grantee is required to bring suit or action to enforce the terms of this easement, Grantee shall be entitled to recover from Grantor such sums that the court may

adjudge reasonable as attorney fees and costs in such suit or action, or upon appeal.

The true and actual consideration for this easement is \$ 0.00.

DATED this _____ day of _____, 2016.

Owner

STATE OF OREGON)
County of Lincoln) ss

Personally appeared before me this _____ day of _____, 2016 the above
named _____.

Notary Public for Oregon

ACCEPTANCE OF EASEMENT

The City of Newport, Oregon, does hereby accept the above-described Public Utility

Easement this _____ day of _____, 2016.

Spencer Nebel, City Manager

STATE OF OREGON)
County of Lincoln) ss:

This instrument was acknowledged before me on the _____ day of _____,
2016 by Spencer Nebel as City Manager of the City of Newport.

Notary Public for Oregon

Parcel 1: Permanent Easement—

The following is a center line description of a 20 foot wide, 10 feet on each side, for a proposed storm drain facility:

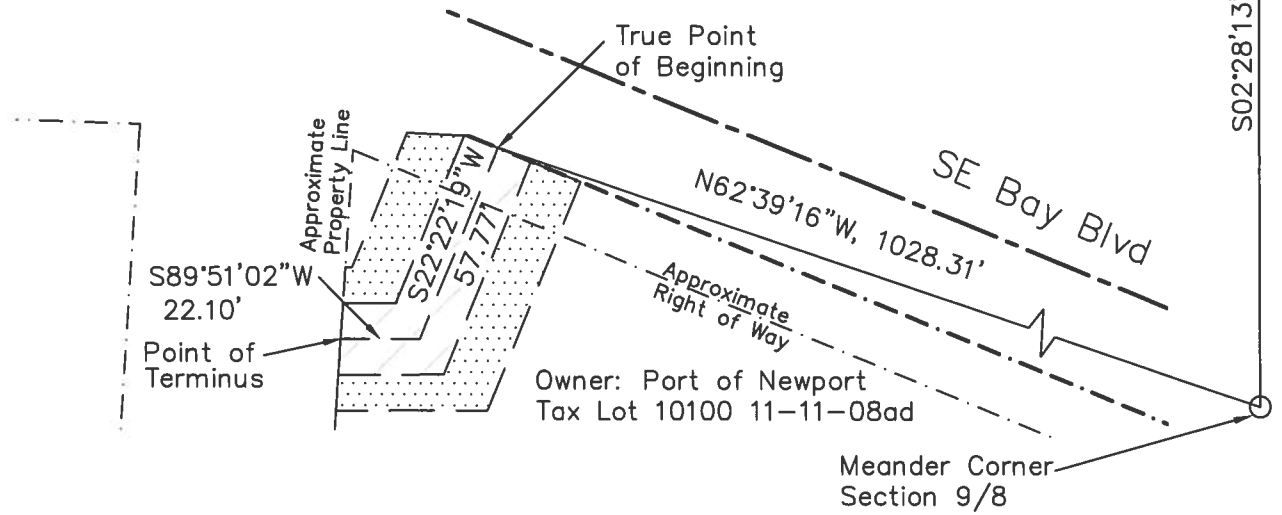
Beginning at the northwest corner Section 9 Township 11 South, Range 11 West, W.M.; thence South 02°28'13" West, 2490.74' to the Meander Corner between Sections 9/8; thence North 62°39'16" West, 1028.31' to a point on the south line of SE Bay Blvd and the True Point of Beginning; thence South 22°22'19" West, 57.77'; thence South 89°51'02" West, 22.10' to the point of terminus of this center line description.



Extend or Truncate sidelines to terminate on the property lines.
The area to which this description applies is 1597± Sq. Ft.

Exhibit Sketch Map

Located at:
Section 8, Township 11 South, Range 11 West, W.M.
City of Newport, Lincoln County, Oregon

NW Corner
Section 9



-  Parcel 1: Permanent Storm Drainage Easement
-  Parcel 2: Temporary Access Easement See Sketch 2 of 2

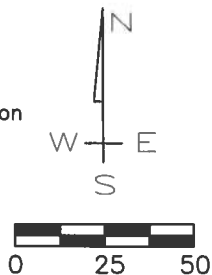
REGISTERED
PROFESSIONAL
LAND SURVEYOR

John R. Pariani

OREGON
July 13, 1999
JOHN R. PARIANI
#51382

Renews: December 31, 2016

This sketch map is based upon record information and found monuments, but is not the result of a boundary survey.



Basis of bearing is filed survey 19803

Permanent Storm Drainage Easement

Pariani Land Surveying

P.O. Box 551
Shady Cove, OR 97539
541-890-1131

Date: May 10, 2016	Scale: 1" = 50'	Job No.: 2012-095	Sheet: 1 of 2
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**PORT OF NEWPORT
RESOLUTION NO. 2016-02**

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. 2015-06 on May 26, 2015; 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, 2016. Port owned equipment to be operated by port personnel.

	OLD	NEW	+/-
A. <u>Forklift.</u> In addition to labor rate.			
1. Small. Toyotas.			
a. per hour	\$11.00	\$11.33	3%
b. minimum charge	\$ 7.00	\$ 7.21	3%
2. Large. All at International Terminal (IT).			
a. per hour	\$27.50	\$28.33	3%
b. minimum charge	\$16.50	\$17.00	3%
B. <u>Hoist Dock.</u> Tie up fee, per hour. Includes use of hoist.			
1. one hour minimum, up to 3 hrs.	\$36.25	\$37.34	3%
2. after 3 hours.....	\$43.00	\$44.29	3%
C. <u>Hoist Dock Cranes.</u> In addition to hoist dock rate.			
1. Large Capacity. In addition to labor rate.			
a. per hour	\$38.50	\$39.66	3%
b. minimum charge	\$29.75	\$30.64	3%
2. Launch Sail Boats. Includes recovery, per launch.....	\$41.25	\$42.49	3%
D. <u>Service Docks.</u>			
1. Swede's. In addition to moorage. daily moorage rate		same	0%
E. <u>City Water.</u> at city's rate		same	0%
F. <u>Fuel Surcharge.</u> International Terminal only. Per gallon	\$ 0.03	\$0.031	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.	\$14.75	\$15.19	3%
2. 120v. IT	\$ 6.25	\$ 6.44	3%
3. PD 7 Service Dock, 110v pumps	\$ 6.25	\$ 6.44	3%
4. PD 7 Yard Charge, trucks	\$11.25	\$11.59	3%
H. <u>Hydraulic Crane.</u> In addition to labor rate. 30 ton capacity, per hour (min. 1 hr.)	\$128.75	\$132.61	3%

	OLD	NEW	+/-
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.	\$56.75	\$58.45	3%
J. <u>Storage.</u>			
1. Outside Lot Storage			
a. per square foot, daily rate.....	\$ 0.01	\$0.010	0%
b. per square foot, monthly charge.....	\$ 0.21	\$0.216	3%
c. minimum monthly charge	\$21.00	\$21.63	3%
d. boat trailer only, per night.....	\$ 2.10	\$ 2.16	3%
e. boat on trailer, per night, 10 days limit.....	\$ 7.20	\$ 7.42	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	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	\$18.25	\$18.80	3%
2. Terminal Lot, per day. Short term use only. Deep-draft cargo has priority	\$18.25	\$18.80	3%
3. South Beach Marina, per day	\$18.25	\$18.80	3%
L. <u>Work Barge.</u> In addition to labor rate.			
1. Work Boat, per hour. Licensed captain extra.	\$121.00	\$124.63	3%
2. Wood Barge, per day (work boat extra)	\$23.00	\$23.69	3%
3. Skiff, per hour	\$13.00	\$13.39	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.....	\$90.00	\$92.70	3%
N. <u>Disposal Fees.</u>			
1. Just Oil, per gallon	\$ 0.29	\$ 0.300	3%
2. Oil-Water Mix, per gallon.....	\$ 0.74	\$ 0.760	3%
3. Net Disposal and/or Related Gear, per pound	\$ 0.16	\$ 0.165	3%
4. Garbage, per pound	\$ 0.11	\$ 0.113	3%
O. <u>Port Labor.</u> Includes administration staff.			
1. per hour; 3/4 hour minimum, in 15 min. increments	\$49.00	\$50.50	3%
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	\$73.50	\$75.71	3%
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	\$98.00	\$100.94	3%
P. <u>Pallet Charge.</u> Any Port owned pallet leaving yard, each.....	\$ 5.30	\$ 5.46	3%
Q. <u>Dredge Spoils.</u> Includes state fees; may be waived for other public agencies. Per cubic yard.	\$ 2.00	\$ 2.00	0%
R. <u>Keys/Cards.</u>			
1. South Beach Facilities. Cards.			
a. original/first two.....	free	free	0%
b. replacement/additional	\$ 5.50	\$ 5.67	3%
2. Bay Front Facilities. Keys.			
a. original/first one	\$15.50	\$15.97	3%
b. replacement/additional	\$27.50	\$28.33	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	\$ 0.44	\$ 0.45	3%
2. Calendar Month	\$ 8.00	\$ 8.25	3%
3. Semi-Annual	\$30.40	\$31.31	3%
4. Annual	\$40.35	\$41.56	3%
B. <u>Annual Parking Permit.</u> Permit effective for calendar year starting April 1 st . Commercial Fisherman only	\$21.00	\$21.00	0%

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> (§I.13). Per day	\$895.00	\$895.00	0%
B. <u>Materials & Supplies.</u> (§I.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	\$2,960.00	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%
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%
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 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%

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 November 1, 2016.

A. <u>Moorage.</u> Per linear foot.			
1.	Daily	\$ 0.62	\$ 0.64 3%
2.	Weekly.....	\$ 3.71	\$ 3.82 3%
3.	Calendar Month	\$ 9.50	\$ 9.79 3%
4.	Semi-Annual	\$34.99	\$36.04 3%
5.	Annual	\$55.36	\$57.02 3%
6.	Live aboard. Monthly rate by agreement only.		
	a. First person	\$48.50	\$49.95 3%
	b. Each Additional.....	\$42.00	\$43.26 3%
	c. Electrical Surcharge, per extra plug on dock	\$30.00	\$30.90 3%
B. <u>South Beach Charter Rates.</u>			
1.	Annual Moorage, per linear foot (PONFC)	\$43.19	\$44.92 4%
2.	Charter License.....	\$300.00	\$300.00 0%
C. <u>Dock Box.</u>			
1.	Purchase (at cost).....	\$300.00	\$309.00 3%
D. <u>Electrical Upgrade.</u> From 20 to 30 amp. One time			
		\$51.50	\$53.05 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	\$55.00	\$55.00 0%
	b. Resident Senior	\$50.00	\$50.00 0%
	c. Non-resident.....	\$75.00	\$75.00 0%

Section 5. Recreational Vehicle Park Fees. Effective November 1, 2016. Rates include state and municipal lodging tax.

		OLD	NEW	+/-
A. <u>Peak Season (Summer).</u> May 1 – October 31				
1.	All Marina Park Sites			
	a. Daily			
	i. Regular	\$43.00	\$44.00	3%
	ii. Good Sam.....	\$38.70	\$40.00	3%
	b. Weekly			
	i. Regular	\$269.00	\$277.00	3%
	ii. Good Sam.....	\$242.10	\$249.30	3%
	c. Monthly Rate	\$760.00	\$783.00	3%
2.	The Annex.			
	a. Daily	\$33.00	\$34.00	3%
	b. Weekly	\$201.00	\$207.00	3%
	c. Monthly.....	\$602.00	\$620.00	3%
3.	Dry Camping.....	\$19.00	\$20.00	5.5%

B. <u>Off Season (Winter)</u> . November 1 – April 30. No discounts during Seafood and Wine Festival.			
1.	All Sites in the Marina Park		
	a. Daily		
	i. Regular	\$38.00	\$39.00 3%
	ii. Good Sam.....	\$34.20	\$35.00 3%
	b. Weekly		
	i. Regular	\$228.00	\$235.00 3%
	ii. Good Sam.....	\$205.20	\$211.50 3%
	c. Monthly Rate	\$652.00	\$672.00 3%
2.	The Annex.		
	a. Daily	\$33.00	\$34.00 3%
	b. Weekly	\$201.00	\$207.00 3%
	c. Monthly.....	\$602.00	\$620.00 3%
3.	Dry Camping.....	\$19.00	\$20.00 5%
4.	Seafood & Wine Surcharge, per night (2 night min.) Added to all RV Park stays including Dry Camping	--	\$ 5.00 n/a
C. <u>Pet Fee</u> . 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. <u>Individual Fee</u> . 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. <u>Vehicle Fee</u> . 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	\$ 2.00 0%
2.	Weekly.....	\$10.00	\$10.00 0%
3.	Monthly.....	\$30.00	\$30.00 0%
F. <u>Non-Refundable Reservation Fee</u> .			
1.	Before 72 hours.	\$10.00	\$10.00 0%
2.	72 hours and after.....		first night's rate 0%
G. <u>Service Fee Reimbursement</u> . For electric pedestal amperage overloads. First service call included in base rate. All other service reimbursements may be charged at actual cost to port.			
		\$77.00	\$79.00 3%
H. <u>Laundry Machines</u> . per load.			
		\$ 2.00	\$ 2.00 0%
I. <u>Process Fees</u> . 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%
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, 2016.

	OLD	NEW	+/-
A. <u>Class A Violation</u>			
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. <u>Class B Violation</u>			
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. <u>Class C Violation</u>			
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. <u>Class D Violation</u>			
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. <u>Parking Violation.</u> 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%

Section 7. Administrative Fees. Staff may require payment or deposit in advance of service (ORS 192.440(4)(a)). Effective July 1, 2016.

A. <u>Public Records Request Fee Schedule.</u>			
1. Copies of Public Records. Per Page.....	\$ 0.25	\$ 0.25	0%
2. Copies of Sound Recordings.....	\$10.00	\$10.00	n/a
3. Copies of By-laws, Codes, Plans, bound documents ..	\$20.00	\$20.00	n/a
4. Copies of Nonstandard documents.....	\$20.00	\$20.00	n/a
B. <u>Research.</u> Written request required. Hourly rate. ½-hr. min.	\$48.25	\$50.50	5%
C. <u>Computer Time.</u> Port operator. Hourly rate. ½-hr. min.	\$48.25	\$50.50	5%
D. <u>Faxes/Emailing/Copies.</u> 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. <u>Long Distance Phone Calls.</u>	\$ 2.00	\$ 2.00	0%
F. <u>Lamination.</u> Per Page, letter size.....	\$ 2.00	\$ 2.00	0%
G. <u>Notice Posting.</u> For non-payment of lease or moorage	\$60.00	\$62.00	3%
H. <u>Failure to Register.</u> For research related to unregistered boats.....	\$30.00	\$31.00	3%
I. <u>South Beach Meeting Room.</u> Must be pre-arranged and authorized. Keys must be obtained and returned. Certain waivers.....	\$75.00	\$75.00	0%
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	current	0%

	OLD	NEW	+/-
M. <u>Travel Reimbursement Rates</u> follow current IRS per diem rates current (http://www.gsa.gov/portal/category/104711)			0%
N. Impound Seizure Fee. Vessel impounding.	\$550.00	\$750.00	36%
O. Special Use Permit Fee. GM has authority to adjust usage fee based upon non-profit status and other criteria			
1. Application Fee.....	\$100.00	\$100.00	0%
2. Usage Fee, Number of Participants, Attendees, Contestants, Volunteers at Event			
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	n/a
g. More than 20,000.....		\$5,000.00	n/a
3. Vendors, per each	\$40.00	\$40.00	0%
4. Insurance Certificate Limits			
a. General Liability, per occurrence	\$1MM	\$1MM	0%
b. General Liability, in aggregate	\$2MM	\$2MM	0%
5. Security (TCB) costs reviewed and passed along to applicant.			
P. Impound Seizure Fee. Car/Truck/Trailer.....	\$100.00	\$100.00	0%
Q. Vessel Moving. Does not include labor rate. Per event	\$250.00	\$250.00	0%
R. Background Check	\$25.00	\$25.00	0%
S. Credit Check.....	\$35.00	\$35.00	0%
T. Notary Fees (OAR 160-100-0410). Acknowledgement, Affidavit/Jurat, Oath/Affirmation, Witness/Attest	--	\$10	n/a

Section 8. Insurance Certificate Limits. Effective July 1, 2016. Additional coverages may be required based upon business type and Port's discretion. A certificate naming the Port as an additional insured in also required.

A. <u>Leases/Tenants.</u>			
1. General Liability, Each Occurrence	\$1.7MM	\$2MM	18%
2. Damaged to Rented Premises (each occurrence).....	\$300K	\$300K	0%
3. Medical Expense (any one person)	\$5,000	\$5,000	0%
4. Personal & Adverse Injury	\$1.7MM	\$2MM	18%
5. General Aggregate.....	\$1.7MM	\$2MM	18%
6. Products – Comp/Op Aggregate.....	\$1.7MM	\$2MM	18%
B. <u>Moorage/Vessels.</u>			
1. Commercial Vessels			
a. General Liability			
i. Protection & Indemnity / Wreck Removal.....	\$250k	\$250k	0%
ii. Pollution Coverage	\$300k	\$300k	0%
iii. Combine Coverage / Wreck Removal	\$600k	\$500k	0%
2. Recreational Vessels			
a. General Liability			
i. Ocean Marine Liability / Wreck Removal	\$300k	\$300k	0%
ii. Pollution Coverage	\$300k	\$300k	0%
iii. or Watercraft Liability, specifically includes wreck removal and pollution. Umbrella clauses must identify boats exceeding 25 ft.	\$500k	\$500k	0%
3. Charter/Guide Vessels			
a. General Liability.....	\$1.7MM	\$1.7MM	0%

- 4. International Terminal Vessels (Tariff No. 1(\$17))
 - a. Maritime Employer's Liability (Jones Act) \$1.00MM \$1.00MM 0%
 - b. Commercial and/or Comprehensive Marine General Liability \$5.0MM \$5.0MM 0%

Section 9. Retails 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 24th day of May, 2016.

ATTEST:

Walter Chuck, President

David Jincks, Secretary/Treasurer

**PORT OF NEWPORT
RESOLUTION NO. 2016-03**

A RESOLUTION ADOPTING A COMPENSATION PLAN FOR PORT EMPLOYEES

WHEREAS, Resolution No. 2000-01 adopted Personnel Rules for public officials of the Port of Newport; and

WHEREAS, the Board of Commissioners believes that a Compensation Plan should be reviewed annually and adopted by resolution; and

WHEREAS, the Plan shall include rates of pay, entrance salaries, step increases and other employment benefits; and,

WHEREAS, elements of this plan were reviewed by the Port Commission at their April 5, 2016 budget priorities work shop and again by the Budget Committee at their May 10, 2016 meeting; and,

WHEREAS, the Budget Committee approved the FY 2015-16 budget as presented; NOW THEREFORE,

THE PORT OF NEWPORT BOARD OF COMMISSIONERS RESOLVES AS FOLLOWS:

Section 1. Purpose. The purpose of this resolution is to establish a Compensation Plan for employees in the career service of the port beginning July 1, 2016 and shall appear as an appendix in the Personnel Rules of the Port of Newport along with other supporting documentation.

Section 2. Cost of Living Adjustment (COLA). The port shall not issue a COLA for Fiscal Year 2016-17. The rate as identified in the most recent completed calendar year as published by the U.S. Bureau of Labor Statistics, Portland Consumer Price Index-U was 1.2%. All rates, categories and steps noted in this resolution shall not be adjusted. The state's minimum wage increased to \$9.75 per hour.

Section 3. Rates of Pay. Each employee shall be paid an hourly rate of pay within the salary range for the class in which he/she is employed. Rates of pay include twelve steps for eligible employees pursuant to Personnel Rules. The percent increase between steps shall be two-and-one-half percent (2.5%). Temporary or part-time employment rates start at Oregon state minimum wage unless approved by the General Manager.

	HOURLY	
	LOW	HIGH
A. <u>General Manager</u>	\$43.46	\$57.02
B. <u>Finance Director</u>	\$33.65	\$44.16
C. <u>Operations Director</u>	\$33.65	\$44.16
D. <u>Facilities Manager (MOC-P)</u>	\$23.21	\$30.45

E. <u>Harbor Master</u>	\$19.48	\$25.56
F. <u>Terminal Manager</u>	\$19.48	\$25.56
G. <u>Accounting Specialist I</u>	\$18.09	\$23.73
H. <u>Maintenance I</u>	\$15.94	\$20.91
I. <u>Accounting Specialist II</u>	\$13.45	\$17.65
J. <u>RV Park Manager</u>	\$13.45	\$17.65
K. <u>Administrative Assistant</u>	\$12.50	\$16.40
L. <u>Maintenance II</u>	\$11.85	\$15.55
M. <u>Accounting Specialist III</u>	\$10.00	\$13.12
N. <u>Maintenance III</u>	\$9.75	\$11.59

Section 4. Health Care Insurance. The port shall cover the monthly premium for employees' health care insurance though coverage will be available for employees' spouse and dependents if fully paid by the employee unless otherwise stated within an employment contract. Coverage is provided through Regence Blue Shield Insurance as negotiated by Special Districts Association of Oregon (SDAO). The medical plan includes a \$5,000 annual deductible, \$10,000 for family coverage.

	MONTHLY
A. <u>Medical</u> . "Red" Plan. PPO L	\$587.02 / \$1,673.00
B. <u>Dental</u> . Incentive Plan	\$50.88 / \$135.37

Section 5. Retirement Plan. The port shall provide employees with a retirement plan funded through the State of Oregon Public Employees Retirement System (PERS). The employee shall be responsible for their portion (6%) of the plan.

	MONTHLY
A. <u>Tier I</u>	6.68%
B. <u>Tier II</u>	0.45%
C. <u>OPSRP</u> (Tier III)	0.45%

Section 6. Health Reimbursement Arrangement (HRA). The port agrees to reimburse employees for eligible expenses (i.e. out-of-pocket expenses) above the \$1,000 deductible with an annual maximum reimbursement of \$3,500; \$2,000 deductible with an annual maximum reimbursement of \$7,000. The unused reimbursement may not be liquidated by the employee nor may it be carried over to the following fiscal year.

Section 7. Deferred Compensation. The port shall provide a deferred compensation plan for its employees through the Oregon Growth Savings retirement account. This plan is entirely funded through employee contributions.

Section 8. Section 125 Pre-tax Medical Plan. The port shall provide employees' access to a Flexible Spending Account or other Section 125 plan for dependent health care coverage paid for through employment agreements or by the benefitting employee.

Section 9. Bonus Consideration. The General Manager shall have the authority to issue on behalf of the port a holiday bonus to employees in an amount not

to exceed \$100 based upon financial and other considerations. Commission grants General Manager an equal bonus as may be issued to other career service employees.

Section 10. Delegation of Responsibility. The manager shall have the authority to adjust these rates or benefits on a temporary basis due to changes in any of the contractual agreements related to the aforementioned benefits. Any adjustments to these rates or benefits will be reported to the commission at its next regular meeting.

Section 11. Annual Review. The commission shall annually review and adopt a new Compensation Plan prior to the subsequent budget's adoption. A one page summary of the financial implications of this plan shall be included as a part of the proposed budget.

Section 12. Repealer. All previous rates and benefits are hereby repealed.

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS this 24th day of May, 2016.

ATTEST:

Walter Chuck, President

David Jincks, Secretary/Treasurer

**PORT OF NEWPORT
RESOLUTION NO. 2016-04**

**A RESOLUTION UPDATING THE PORT OF NEWPORT’S CAPITAL
IMPROVEMENT PROJECT PRIORITIZATION LIST AND IDENTIFYING THE
INTERNATIONAL TERMINAL SHIPPING FACILITY AS THE PORT’S TOP
CAPITAL PRIORITY.**

WHEREAS, the Port of Newport adopted a Strategic Business Plan (SBP) and a Capital Facility Sub-plan (CFP) January 14, 2013; and

WHEREAS, the Board of Commissioners last updated the Capital Improvement List (CIL) with Res. No. 2015-09 on June 23, 2015; and

WHEREAS, the Board of Commissioners as part of its annual budget work session on April 5, 2016 reviewed the Capital Improvement Project Prioritization List (CIL), including completed projects, and re-visited the list with the Port’s Budget Committee on May 10, 2016; and

WHEREAS, the CIL includes over \$30-million worth of capital projects; and

WHEREAS, the Port of Newport Board of Commissioners finds that the International Terminal Shipping Facility meets the goals and objectives stated within the Strategic Business Plan; and

WHEREAS, the Commission understands the importance of reviewing the CFP annually, removing completed projects, adding new projects, adjusting project planning level costs and re-prioritizing based upon public and staff input; NOW THEREFORE

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

Section 1. The following projects are identified as the top priorities for Fiscal Year 2016-17:

- A. IT Shipping Facility\$6,500,000
- B. Whalers/Pile Replacement on Port Dock 5.....\$300,000
- C. Security Upgrades\$180,000
- D. Maintenance Truck\$20,000
- E. Swede’s Dock Electrical/Dock Repairs\$25,000
- F. NIT Stainless Steel Stormwater Catch Basins\$7,000
- G. South Beach Multi Use Area Planning/Engineering\$15,000
- H. Port Dock 5 Approach Pier Engineering\$25,000

Section 2. The Port of Newport’s Capital Improvement List is attached as Attachment “A”.

Section 3. Capital projects related to the Port’s lease with the NOAA Marine Operations Center are listed separately and can be found in the NOAA Fund budget.

Section 4. Res. No. 2015-09 and other Previous Capital Improvement Prioritization Lists are hereby repealed.

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS this 24th day of May, 2016.

ATTEST:

Walter Chuck, President

David Jincks, Secretary/Treasurer

Resolution 2016-04 Capital Improvement Prioritization

Attachment A Page 1 of 2

Port of Newport Capital Improvement List (per Capital Facilities Plan)
 ENR Construction Cost Index (as of April 2016): 10,280

1. COMMERCIAL MARINA			
Priority	Project	Current Cost	Reference document
S	Port Dock 5 Piling Replacement for X, C & D fingers (\$10k x 38 pile)	\$392,130	FY1516 REQ
S	Floats under/electrical/dock Swede's Dock	\$25,000	FY1516 REQ
S	Asphalt Patch on Hoist Dock (part of Hoist Dock)	\$11,500	Quote
S	PD-5 Pier Engineering	\$25,000	FY2617
N	Port Dock 1 Replacement	\$816,997	2013 CFP
N	#3 Hoist Replacement	\$134,150	FY1516 REQ
N	New Swing #4 Hoist w/ Extension	\$15,479	FY1516 REQ
N	PD-7 E/F Docks (1)	\$1,031,921	FY1516 REQ
M	Port Dock 7 Replacement	\$3,703,719	2013 CFP
M	Port Dock 5 Improvements	\$844,230	2013 CFP
M	Marina Dredging	\$2,230,323	2013 CFP
M	Hoist Dock (Center Section) Replacement w/ Hoist upgrade (2)	\$694,447	FY1516 REQ
M	40' x 60' x 14' New Shop	\$165,107	FY1516 REQ
L	Hoist Dock Expansion (to west)	\$1,547,882	FY1516 REQ
Done	PD-5 Whalers/Rub boards		FY1415 REQ
Done	PD-7 Electrical Upgrades		FY1415 REQ
SUBTOTAL		\$11,184,255	

2. RECREATIONAL MARINA			
Priority	Project	Current Cost	Reference document
S	New mutli use area engineering	\$15,000	FY17 request
S	North Restroom Siding	\$5,160	FY1516 REQ
N	Replace rip rap in SW corner of marina/fishing pier walkway	\$30,958	FY1516 REQ
N	Fish dumpsters (x3)	\$3,096	FY1516 REQ
N	Storage containers	\$6,192	FY1516 REQ
N	Residing buildings in marina (north, south, central)	\$61,915	FY1516 REQ
N	Paint OPS building and marina store	\$10,319	FY1516 REQ
N	Wastewater Pump Station Replacement - South Beach	\$32,680	2013 CFP
N	Marina Dredging	\$2,924,712	2013 CFP
N	Reconstruction of Recreational Marina Docks ¹	\$141,613	2013 CFP
N	Electrical Load Center South Beach Marina	\$108,933	2013 CFP
N	Picnic Bunker Rebuild	\$39,216	2013 CFP
N	Pavement Reconstruction/Seal Coating (all areas)	\$435,765	2013 CFP
N	Old Boat Ramp Fill (includes gangway & asphaltting)	\$309,576	FY1516 REQ
N	New electrical pedestals	\$144,469	FY1516 REQ
N	Repair Service Dock	\$51,596	FY1516 REQ
M	OSMB Service Dock Trail Connection	\$3,095,764	OSMB WAG
L	South Beach Marina Fuel Facility - Tank Replacement	\$228,759	2013 CFP
	New multi purpose lot lighting	\$32,000	FY17 request
	Relocate RV SS dump site	\$10,130	FY17 request
	New west marina greenbelt/walkway/public area	\$30,000	FY17 request
	Oregon State Police dock (\$39,500 total assume \$20,000 fund from OSP)	\$19,500	FY17 request
Done	Pay Station Machine		FY1516 REQ
Done	South Beach/Fishing Pier Storm Sewer Outfall Replacement		2013 CFP
Done	Trash dumpsters (x10)		FY1516 REQ
SUBTOTAL		\$7,717,193	

Resolution 2016-04 Capital Improvement Prioritization
Attachment A Page 2 of 2

3. INTERNATIONAL TERMINAL			
Priority	Project	Current Cost	Reference document
S	Consolidation lay-down yard for break-bulk, container shipping	\$6,657,779	2015 TIGER
S	Replace all Clean-way SWPP basins with stainless steel	\$7,000	FY1617 request
S	Grading of Hall Property (1)	\$515,961	2015 quote
S	Grading of Port's 9-acre lot (1)	\$51,596	2015 quote
L	International Terminal Fire Water Line Loop	\$138,732	2013 CFP
	Asphalt Parking Lot area west of shop	\$81,490	2016 quote
	Security Fencing (part of security for other facilities)		
SUBTOTAL		\$7,452,558	

4. RECREATIONAL VEHICLE PARKS			
Priority	Project	Current Cost	Reference document
S	Upgrade Sattelite Equipment	\$6,192	FY1516 REQ
N	Relocate RV dump site	\$10,319	FY1516 REQ
L	Renovate RV Park Annex	\$718,957	2013 CFP
done	Dryers (x7) for \$4970	\$0	FY1516 REQ
SUBTOTAL		\$735,468	

5. OTHER FACILITIES			
Priority	Project	Current Cost	Reference document
S	Cyber Security Assessment/Cameras/Utility Infrastructure	\$180,000	2016 quote
N	New Port Offices/Parking Area/Customs Office	\$956,594	Capri 2014
N	Rogue Brewery (Dry Moorage Building) North Wall/Siding Replacement	\$163,399	2013 CFP
N	Rogue Brewery (Dry Moorage Building) Foundation/Seawall Stabilization	\$326,799	2013 CFP
L	Fishing Pier Replacement	\$1,617,021	2013 CFP
	Other Tenant Improvements		
SUBTOTAL		\$3,063,813	

6. VEHICLES AND EQUIPMENT			
Priority	Project	Current Cost	Reference document
S	Maint Dept - 1 utility trucks	\$20,000	FY16 request
N	utility truck for Commercial side	\$20,638	FY1516 REQ
N	Forklift for IT	\$50,000	FY16 request
N	Forklift for North Commercial	\$36,000	FY16 request
N	Maint Dept - 1 utility trucks	\$20,000	FY16 request
L	Riding parking lot sweeper	\$50,000	FY16 request
Done	small utility truck (OPS)		
Done	Skiff and motor for marina OPS (SB)		
Done	Electric maintenance cart (SB)		
SUBTOTAL		\$176,638	

SUMMARY TOTAL	
1 COMMERCIAL MARINA	\$11,184,255
2 RECREATIONAL MARINA	\$7,717,193
3 INTERNTATIONAL TERMINAL	\$7,452,558
4 RECREATIONAL VEHICLE PARKS	\$735,468
5 OTHER FACILITIES	\$3,063,813
6 VEHICLES & EQUIPMENT	\$176,638
TOTAL	\$30,329,925

NOTES S - Short Term (next budget year)
N - Near Term (years 1 to 5)
M - Mid Term (years 6 to 10)
L - Long Term (years 11 to 20)



C O N S E N T C A L E N D A R I T E M

DATE: **May 20, 2016**
RE: **Advanced Remediation Technologies service agreement award**
TO: **Kevin Greenwood – General Manager**
ISSUED BY: **Rick Fuller – Director of Operations**

BACKGROUND

In December of 2015 the Port of Newport entered into professional services agreement with Pacific Habitat Services, Inc. to manage and prepare a Joint Permit Application (JPA) for maintenance dredging in 2016-2017 which is required at the NOAA MOC-P wharf per conditions of the lease agreement. Per recommendation of Coast Harbor & Engineering Technical Memorandum 10/12/15, advanced maintenance dredging was selected as a viable option in order to lengthen the amount of time between dredging events in order to reasonably maintain the required depth of -24'mllw. The JPA is asking for a change in the baseline dredge prism which would lower depths to -28'mllw which are currently designed to -25'mllw at three berths and the turning basin to the east of the wharf. Per the US Army Corps of Engineers (USACE) sediment reevaluation framework (every 5 years) and the request for change in the dredge prism, the USACE is requiring sediment sampling and re-characterization as a condition of the JPA.

PURPOSE, SCOPE AND DETAIL

Advanced Remediation Technologies, Inc provides environmental services and analysis for marine sediment sampling and characterization. Advanced Remediation technologies, Inc. was the original consulting firm for the NOAA MOC-P project and has been recommended by Pacific Habitat Services. The scope of work consists of four tasks:

1. Sampling Analysis Plan
2. Sediment Sampling
3. Sediment Analysis
4. Report Preparation

The complete scope of work and detail is attached to this recommendation

BUDGET IMPLICATIONS

Money was allocated in the 2015/2016 budget for dredging activities. The cost will be allocated to the NOAA fund under Wharf & In water / professional services in the amount of \$10,038.

RECOMMENDATION

Recommend approval of THE PROFFESIONAL SERVICES AGREEMENT TO ADVANCED REMEDIATION TECHNOLOGIES, INC. FOR SEDIMENT SAMPLING AND CHARACTERIZATION SERVICES FOR THE NOAA MOC-P JOINT PERMIT APPLICATION IN THE AMOUNT OF \$10,038.00



May 5, 2016

Mr. Rick Fuller
Director of Operations
Port of Newport
600 SE Bay Blvd
Newport, Oregon 97365

Re: Estimated Cost for Sediment Sampling and Characterization for Maintenance
Dredging for the Port of Newport, NOAA Terminal, in Newport, Oregon

Dear Rick:

Thank you for considering Advanced Remediation Technologies, Inc. (ART) for teaming and performing the above referenced services. As requested, ART is pleased to submit this cost estimate and scope for collecting data and preparation of a sediment characterization report for sediment maintenance dredging at the above referenced site. It is our understanding that the Port of Newport (Port) is requesting assistance with the permitting for this maintenance dredge project at the NOAA terminal.

SCOPE OF WORK

ART has an extremely experienced project team that will provide the services necessary for sediment characterization for the dredging project. We have contacted the PSET team leader to establish the criteria for an evaluation of the dredged material management unit (DMMU) to be delineated. We understand that this assistance will help with communication and understanding the regulatory requirements imposed by state and federal agencies and what the owner and contractor are obligated to follow as part of the Joint Permit Application (JPA) to be submitted by others. The known element of the project description include the maintenance dredging removal volume of 24,638 CY along the terminal berth. We have prepared a preliminary scope of work described in the Tasks described below.

Task 1 – Sampling Analysis Plan

ART will utilize the Level I evaluation previously completed for the initial dredging at the NOAA terminal, as well as correspondences from the regulatory agencies to prepare a SAP. Based on our understandings, ART will determine the most efficient methodology for obtaining information to answer any data gaps as determined by the previous Level 1 evaluation and sediment characterization completed for installation of the terminal. The SAP will include methods for collecting chemical and physical data

of sediments for the project as well as a quality assurance plan. The SAP will be submitted to the Client for review, prior to submitting to the agencies.

Task 2 – Sediment Sampling

Task 2 includes collection and analysis of approximately five (5) sediment grab samples that will be collected using a manual Ekman or petite Ponar bottom grab sampler. The grab sampling will be completed from the existing docks and/or from a small boat. To save cost, it is assumed the Port of Newport can provide a boat for sampling. It is also assumed that top of sediments are with 25 to 30 feet of the mean low water surface. The specific objectives of the supplemental sediment investigation include:

- Log the depth of surface sediments sample location within the dredge prism
- Collect sediment grab samples to composite for chemical and physical analysis of the sediments to be removed.

The target location for a five point composite are shown on the attached Figure 1. The Ekman bottom grab sampler is a light weight bottom grab designed to collect samples in soft, finely divided sediments free from vegetation and intermixtures of sand, stones and other coarse debris. It samples well on substrate composed of finely divided muck, mud, ooze, submerged marl or fine peaty materials. The Ekman grab is messenger operated.

The Petite Ponar works well in most bottom conditions, except the hardest clays. It can work in firm bottoms, such as sand, gravel, consolidated marl, and soft clay. Alternatively, it also samples nicely in muck, mud, and ooze. This instrument works best in areas that are free from vegetation. The samplers will be pre-decontaminated to collect sediment from the bay bottom. Sediment grabs will be removed from the sampler within the stainless steel bowls and placed on the deck. The five (5) sediment samples will be field composited into one sample, labeled with a unique sample identifier, including the date and time of collection. The composited sediment sample containers will be stored in iced coolers for shipment to the laboratory.

ART will use a Trimble GPS unit coupled with a RTK GNSS system to locate the position of the each grab sample location. The GNSS base is a Trimble RTK 900, equipped with a Zephyr Model II Geodetic antenna, transmitting on the 900 MHz frequency. The GNSS rover is a RTK 542 receiver, equipped with a Zephyr Model 2 antenna. Both units are 40 channel and capable of tracking all currently available GNSS satellites in the US, Russian, European, and other systems. Used in conjunction, RTK accuracies of sub-centimeter can be obtained in the horizontal and vertical axes.

Task 3 – Sediment Analysis

Laboratory testing procedures will be conducted in accordance with the specific sampling and testing protocols outlined in the Sediment Evaluation Framework for the Pacific Northwest (SEF, 2009) guidance. The representative composite sample of the area of dredge prism that the National Marine Fisheries Service (NMFS), U.S. Environmental Protection Agency (USEPA) and Oregon department of Environmental Quality (ODEQ) has requested will be analyzed for conventional and chemicals listed below. It is assumed that the composited sample will be split for analysis between conventional and chemical.

Parameter	Prep Method	Analysis	Sample Quantitation Limit (SQL) ^{1/}
STANDARD CHEMICALS OF CONCERN			
Conventional:			
Total Solids (%)	---	EPA 2450-G	0.1
Total Organic Carbon (%)	PSEP 1997 and Bragdon-Cook 1993	EPA 5310B mod or EPA 9060	0.1
Total Sulfides (mg/kg)	---	PSEP 1997	1.0
Ammonia (mg/kg)	---	Plumb 1981	0.1
Grain Size (%)	---	PSEP 1986 or ASTM D-422 mod	1.0
Atterberg Limits	---		---

STANDARD CHEMICAL OF CONCERN:			
Polynuclear Aromatic Hydrocarbons (PAHs; µg/kg):			
Low-molecular weight PAHs			
Naphthalene	EPA 3550-mod ^{3/}	EPA 8270	20
Acenaphthylene	EPA 3550-mod ^{3/}	EPA 8270	20
Acenaphthene	EPA 3550-mod ^{3/}	EPA 8270	20
Fluorene	EPA 3550-mod ^{3/}	EPA 8270	20
Phenanthrene	EPA 3550-mod ^{3/}	EPA 8270	20
Anthracene	EPA 3550-mod ^{3/}	EPA 8270	20
2-Methylnaphthalene	EPA 3550-mod ^{3/}	EPA 8270	20
High-molecular weight PAHs			
Fluoranthene	EPA 3550-mod ^{3/}	EPA 8270	20
Pyrene	EPA 3550-mod ^{3/}	EPA 8270	20
Benzo(a)anthracene	EPA 3550-mod ^{3/}	EPA 8270	20
Chrysene	EPA 3550-mod ^{3/}	EPA 8270	20
Benzofluorathenes	EPA 3550-mod ^{3/}	EPA 8270	20
Benzo(a)pyrene	EPA 3550-mod ^{3/}	EPA 8270	20
Indeno(1,2,3-c,d)pyrene	EPA 3550-mod ^{3/}	EPA 8270	20
Dibenzo(a,h)anthracene	EPA 3550-mod ^{3/}	EPA 8270	20
Benzo(g,h,i)perylene	EPA 3550-mod ^{3/}	EPA 8270	20

Sediment Characterization

STANDARD CHEMICAL OF CONCERN:			
Chlorinated Hydrocarbons (µg/kg):			
1,4-Dichlorobenzene	EPA 3550-mod ^{3/}	EPA 8270	20
1,2-Dichlorobenzene	EPA 3550-mod ^{3/}	EPA 8270	20
1,2,4-Trichlorobenzene	EPA 3550-mod ^{3/}	EPA 8270	20
Hexachlorobenzene	EPA 3550 ^{3/} /3540	EPA 8270/8081	10
Phthalates (µg/kg):			
Dimethyl phthalate	EPA 3550-mod ^{3/}	EPA 8270	20
Diethyl phthalate	EPA 3550-mod ^{3/}	EPA 8270	20
Di-n-butyl phthalate	EPA 3550-mod ^{3/}	EPA 8270	20
Butyl benzyl phthalate	EPA 3550-mod ^{3/}	EPA 8270	20
Bis(2-ethylhexyl)phthalate	EPA 3550-mod ^{3/}	EPA 8270	100
Di-n-octyl phthalate	EPA 3550-mod ^{3/}	EPA 8270	20
Phenols (µg/kg):			
Phenol	EPA 3550-mod ^{3/}	EPA 8270	20
2 Methylphenol	EPA 3550-mod ^{3/}	EPA 8270	20
4 Methylphenol	EPA 3550-mod ^{3/}	EPA 8270	20
2,4-Dimethylphenol	EPA 3550-mod ^{3/}	EPA 8270	20
Pentachlorophenol	EPA 3550-mod ^{3/}	EPA 8270	100
Miscellaneous Extractables (µg/kg):			
Benzyl alcohol	EPA 3550-mod ^{3/}	EPA 8270	50
Benzoic acid	EPA 3550-mod ^{3/}	EPA 8270	100
Dibenzofuran	EPA 3550-mod ^{3/}	EPA 8270	20
Hexachloroethane	EPA 3550-mod ^{3/}	EPA 8270	20
Hexachlorobutadiene	EPA 3550 ^{3/} /3540	EPA 8270/8081	10
N-Nitrosodiphenylamine	EPA 3550-mod ^{3/}	EPA 8270	20
Pesticides/PCBs (µg/kg):			
DDE	EPA 3540	EPA 8081	2
DDD	EPA 3540	EPA 8081	2
DDT	EPA 3540	EPA 8081	2
Aldrin	EPA 3540	EPA 8081	2
Chlordane compounds	EPA 3540	EPA 8081	2
Dieldrin	EPA 3540	EPA 8081	2
Heptachlor	EPA 3540	EPA 8081	2
Lindane	EPA 3540	EPA 8081	2
Total PCBs	EPA 3540	EPA 8081	10

CHEMICAL OF SPECIAL OCCURENCE			
Total Petroleum Hydrocarbons (mg/Kg)			
TPH-diesel	EPA 3630/3665	NWTPH-Dx	25
TPH-residual	EPA 3630/3665	NWTPH-Dx	50
Tributyltin (ppb):			
TBT in sediment (µg/kg)	NMFS	Krone 1989	5
Dioxins/Furans (ng/kg)			
2378-TCDD	EPA 1613	EPA 8290	1-10
12378-PeCDD	EPA 1613	EPA 8290	1-10
123478-HxCDD	EPA 1613	EPA 8290	1-10
123678-HxCDD	EPA 1613	EPA 8290	1-10
123789-HxCDD	EPA 1613	EPA 8290	1-10

Sediment Characterization

1234678-HpCDD	EPA 1613	EPA 8290	1-10
OCDD	EPA 1613	EPA 8290	1-10
2378-TCDF	EPA 1613	EPA 8290	1-10
12378-PeCDF	EPA 1613	EPA 8290	1-10
23478-PeCDF	EPA 1613	EPA 8290	1-10
123478-HxCDF	EPA 1613	EPA 8290	1-10
123678-HxCDF	EPA 1613	EPA 8290	1-10
123789-HxCDF	EPA 1613	EPA 8290	1-10
234678-HxCDF	EPA 1613	EPA 8290	1-10
1234678-HpCDF	EPA 1613	EPA 8290	1-10
1234789-HpCDF	EPA 1613	EPA 8290	1-10
OCDF	EPA 1613	EPA 8290	1-10
Notes			
1/ SQLs are based on dry sample weight assuming no interferences; site-specific method modifications may be required to achieve these SQLs in some cases.			
2/ Includes hydrochloric acid digestion per EPA 3050-B.			
3/ EPA Method 3550 is modified to add matrix spikes before the dehydration step, not after.			

Task 4 – Report Preparation

On completion of Task 1, 2, 3, and 4 ART will prepare a sediment characterization report. The objective of the report is to evaluate the data (both historical and current), identify environmental conditions, and give recommendations and conclusions about those environmental impacts, if present. ART will prepare field sampling data sheets and site plans showing the location of the sediment grab samples for incorporation into the report. A draft report will be prepared documenting the results of the sediment analysis for the Client's review.

BUDGET

The proposed work is to provide assistance to the Port on sediment characterization for maintenance dredging. The budget to perform Task 1 through 4 is estimated to be **\$10,038**. ART will bill the work on a Time and Materials basis consistent with the attached Terms and Conditions and fee schedule. Charges for work that is not part of the proposed scope of work are not included in the budget estimate.

The estimated cost and proposed scope of work are based on information available to ART at this time. If conditions change, unforeseen circumstances are encountered, or work efforts are redirected, the cost estimate may require modification.

SCHEDULE

ART can begin work on this project as soon as it receives a notice to proceed.

Please indicate approval of the proposal by having the appropriate representative sign below. After they have signed one original, please return the entire document and have your client retain another original for their records. Any modifications in the attached language must be accepted by both parties. Thank you for considering Advanced Remediation Technologies, Inc.

Sincerely,

Advanced Remediation Technologies, Inc.

Lance A. Downs, PE, GE
Sr. Principal Engineer

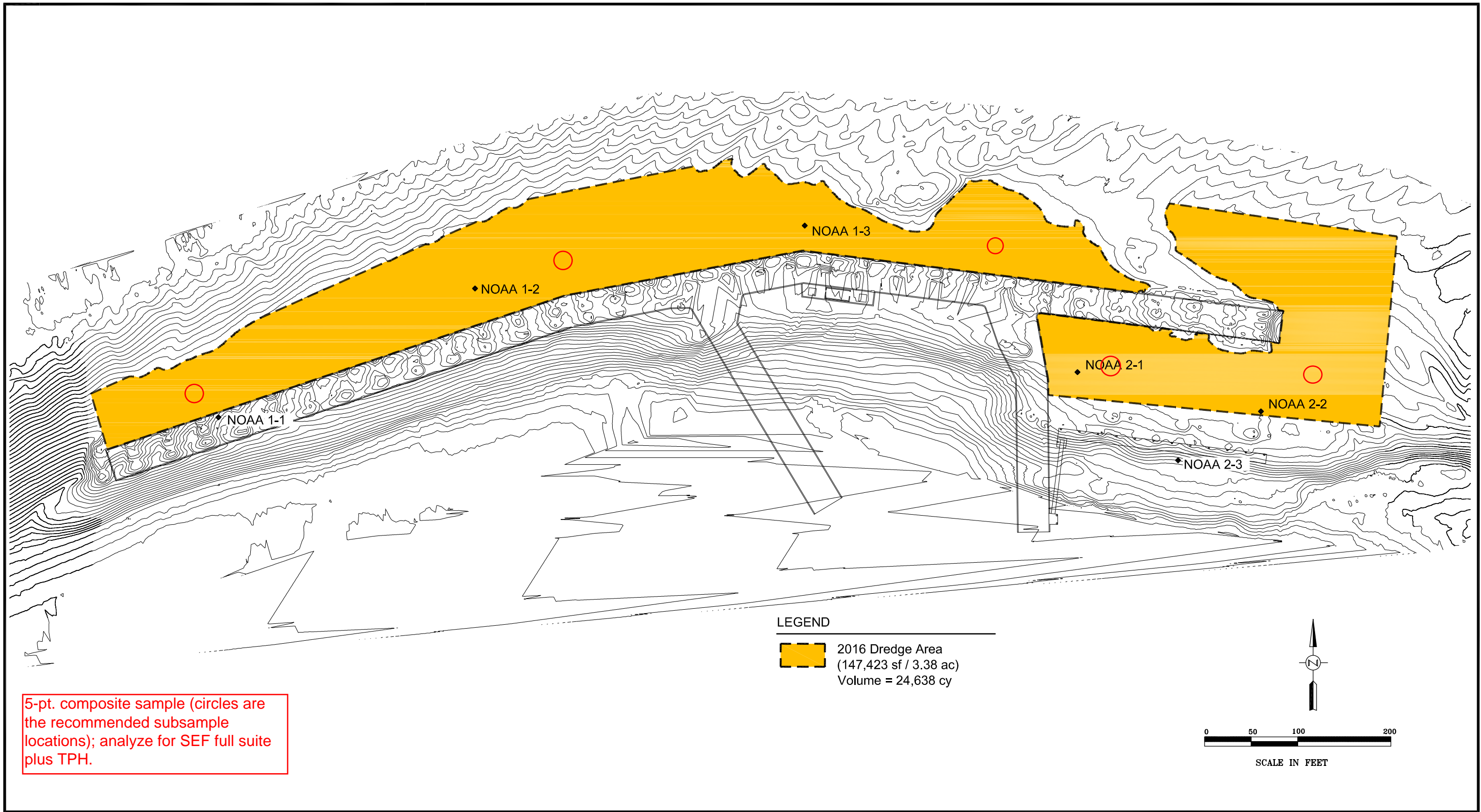
Attachments: Est. Budget
Figure 1, Composite Sample Locations
Fee Schedule
General Terms and Conditions

The above proposal, including all attachments, has been read and understood and is hereby agreed to and accepted. It is agreed that the attached “General Terms and Conditions” (which contains a limitation of liability provision), and Addendum(s), if any, form an express part of the Contract, as evidenced by my signature below:

By _____ Date _____
Name _____ Title _____
(please print)

Estimated Budget
Port of Newport, NOAA Terminal, Sediment Characterization

Task	Total
Task 1 – Sampling Analysis Plan	2,160
Task 2 – Sediment Sampling	3,320.
Task 3 – Sediment Analysis	2,158.
Task 4 – Sediment Characterization Report	2,400.
Total	10,038.00



2016 Dredge Area
 2016 NOAA Dredge Prism - Newport, Oregon

FIGURE
1

3-29-2016



**Advanced
Remediation
Technologies, Inc**

690 NW 1st AVENUE, SUITE 104
CANBY, OREGON 97013 503-266-2122

2015 Schedule of Fees

Professional Services	Rate per hour
Sr. Principal Engineer/Scientist	\$165.00/hr
Design/Senior Project Engineer/Scientist	\$145.00/hr
Project Engineer/Scientist	\$115.00/hr
Staff/Field Engineer/Scientist	\$105.00/hr
Asbestos Inspector (AHERA Cert.)	\$75.00/hr
GIS Analyst	\$110.00/hr
CADD Operator	\$95.00/hr

Construction/Monitoring Services

Site Supervisor/Site Foreman	\$105.00/hr
Lead Construction/Engineering Technician	\$95.00/hr
Technician/Laborer	\$75.00/hr
Lead Sampler	\$65.00/hr
Sampler	\$60.00/hr

Administrative

Word Processor	\$45.00/hr
Production	\$35.00/hr
Project Assistant	\$35.00/hr

Depositions and Expert Witness testimony, including preparation time, will be charged at 125% of the above Professional rates. Time and one half (150%) per hour will be billed for Construction/Monitoring service rates when greater than 8 hours is posted.

Travel time will be charged in accordance with the above rates, up to a maximum of 8 hours per day.

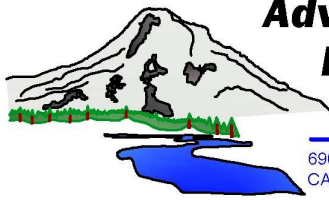
Direct Charges

Truck mileage	\$0.70/mile
Construction Trailer	\$175.00/day on-site
Fusion Welder (up to 4-inch)	\$225.00/day
Generator (7 KW & 4 KW)	\$35.00/day
Concrete Coring Machine (up to 6-inch dia.)	\$175.00/day
Hand Auger sampling kit	\$125.00/day
Tool Kit (small power tools, fluke meter, etc)	\$50.00/day
Groundwater field equipment (pH, temp, conductivity)	\$25.00/day
Water Level	\$25.00/day
Peristaltic pump	\$75.00/day
Flow Cell	\$125.00/day
Photoionization Detector	\$125.00/day
Subcontractor/Subconsultant	cost plus 18%
Rental Equipment (excavators, dozers, etc.)	cost plus 18%
Bailers, rope, decontamination	cost plus 18%
Air travel	cost plus 18%
Lodging	cost plus 18%
CADD laser plots (vellum or mylar)	\$5.50/sq-ft
Color copies	cost plus 18%
Shipping	cost plus 18%

Subcontracted or special services and rented equipment not furnished by Advanced Remediation Technologies will be billed at cost plus 18%.

Rate Changes: Schedule of Fees is subject to change without notice. Schedule of Fees effective Jan. 1, 2015.

Payment: Monthly invoices are to be paid within 30 days from invoice date. Interest on late payments will be charged at 18.5 % per annum.



Advanced Remediation Technologies, Inc

690 NW 1st AVENUE, SUITE 104
CANBY, OREGON 97013 503-266-2122

General Terms and Conditions

PROFESSIONAL RESPONSIBILITY. ADVANCED REMEDIATION TECHNOLOGIES, CO. shall perform services consistent with skill and care ordinarily exercised by other professional consultants under similar circumstances at the time services are performed, subject to any limitations established by CLIENT as to degree of care, time or expense to be incurred or other limitations of this Agreement. No other representation, warranty or guaranty, express or implied, is included in or intended by ADVANCED REMEDIATION TECHNOLOGIES, Co. services, proposals, agreements or reports.

RELATIONSHIP OF PARTIES. Nothing shall be construed or interpreted as requiring ADVANCED REMEDIATION TECHNOLOGIES, CO. to assume the status of owner, operator, generator, person who arranges for disposal, transporter or storer, as those terms or any other similar terms are used in any federal, state or local statute, regulation, ordinance or order governing the treatment, handling, storage or disposal of any toxic or hazardous substance or waste.

BILLING AND PAYMENT. Invoices will be submitted monthly and shall be due and payable on receipt. Interest at the rate of one and one-half percent (1.5%), but not exceeding the maximum rate allowable by law, shall be payable on any amounts that are due but unpaid within thirty (30) days from receipt of invoice, payment to be applied first to accrued late payment charges and then to the principal unpaid amount. ADVANCED REMEDIATION TECHNOLOGIES, CO. may, at its option, withhold delivery of reports, ceases construction or installation activities, or any other data pending receipt of payment for services rendered.

LIMITATION OF LIABILITY. In consideration of potential liabilities which may be disproportionate to the fees to be earned by ADVANCED REMEDIATION TECHNOLOGIES, CO., CLIENT agrees to limit the liability of ADVANCED REMEDIATION TECHNOLOGIES, CO., its officers, directors, shareholders, employees, agents, and representatives to CLIENT for all claims or legal proceedings of any type arising out of or relating to the performance of services under this Agreement (including but not limited to ADVANCED REMEDIATION TECHNOLOGIES, Co. breach of the Agreement, its professional negligence, errors and omissions and other acts) to the greater of \$10,000 or the amount of ADVANCED REMEDIATION TECHNOLOGIES, Co. fee. Failure of CLIENT to give written notice to ADVANCED REMEDIATION TECHNOLOGIES, CO. of any claim of negligent act, error or omission within one (1) year of performance shall constitute a waiver of such claim by CLIENT. Neither party shall be liable for any indirect, special or consequential loss or damages arising from this Agreement

INDEMNIFICATION. Subject to the limitation of liability above, each party agrees to indemnify, defend and hold harmless the other from any claim, suit, liability, damage, injury, cost or expense, including attorneys fees, (hereafter collectively called "Loss") arising out of a) breach of this Agreement or b) willful misconduct or negligence in connection the performance of this Agreement.

In addition to and without limiting the generality of the foregoing, CLIENT agrees to indemnify ADVANCED REMEDIATION TECHNOLOGIES, CO. to the fullest extent permitted by law against any Loss (whether or not under CERCLA, RCRA or any other similar federal, state or local environmental regulation, order or ordinance) a) arising out of any actual or potential environmental contamination or pollution, including without limitation, any actual or threatened release of toxic or hazardous materials, unless the result of ADVANCED REMEDIATION TECHNOLOGIES, Co. willful misconduct or professional negligence, b) arising out of any acts taken or alleged failure to act with respect to matters covered in the section titled REPORTING AND DISPOSAL, or c) in excess of the liability limit set forth in the section titled LIMITATION OF LIABILITY above.

TIME OF PERFORMANCE. ADVANCED REMEDIATION TECHNOLOGIES, CO. makes no warranties regarding the time of completion of services and shall not be in default of performance under this Agreement where such performance is prevented, suspended or delayed by any cause beyond ADVANCED REMEDIATION TECHNOLOGIES, Co. control. Neither party will hold the other responsible for damages for delays in performance caused by acts of God or other events beyond the control of the other party and which could not have been reasonably foreseen or prevented. Such delays will extend completion dates commensurately.

CHANGED CONDITIONS. If, during the course of the performance of Services, conditions or circumstances develop or are discovered which were not contemplated by ADVANCED REMEDIATION TECHNOLOGIES, CO. and which materially affect ADVANCED REMEDIATION TECHNOLOGIES, Co. ability to perform or which would materially increase the costs to ADVANCED REMEDIATION TECHNOLOGIES, CO. of performing, then ADVANCED REMEDIATION TECHNOLOGIES, CO. will notify CLIENT in writing, and ADVANCED REMEDIATION TECHNOLOGIES, CO. and CLIENT shall renegotiate in good faith the terms of this Agreement within thirty (30) days. Alternatively, either party shall thereupon have the right to terminate the Agreement; provided, however, that upon any such termination, ADVANCED REMEDIATION TECHNOLOGIES, CO. shall be compensated for services rendered to the date of termination.

HAZARDOUS OR UNSAFE CONDITIONS. CLIENT has fully informed ADVANCED REMEDIATION TECHNOLOGIES, CO. of, and shall immediately inform ADVANCED REMEDIATION TECHNOLOGIES, CO. when it becomes aware of any new information regarding, the type, quantity and location of any hazardous, toxic or dangerous materials or unsafe or unhealthy

conditions known or suspected at all real property where services are to be performed ("the Project Site"). Fees shall be adjusted to compensate ADVANCED REMEDIATION TECHNOLOGIES, CO. if conditions require ADVANCED REMEDIATION TECHNOLOGIES, CO. to take emergency measures to protect the health and safety of the parties, the public, or the environment.

SUBSURFACE OBSTRUCTIONS. CLIENT shall supply to ADVANCED REMEDIATION TECHNOLOGIES, CO. plans which designate the location of all subsurface structures at the Project Site, and shall be responsible for any damage and shall indemnify ADVANCED REMEDIATION TECHNOLOGIES, CO. for all Loss inadvertently caused by ADVANCED REMEDIATION TECHNOLOGIES, CO. to any structure not so designated, or by CLIENT's inaccurate identification of underground obstructions. CLIENT warrants the accuracy of any information so supplied and understands and agrees that ADVANCED REMEDIATION TECHNOLOGIES, CO. is entitled to and may rely on the accuracy of any and all information so supplied without independently verifying its accuracy.

RIGHT OF ENTRY. CLIENT agrees to grant or arrange for right of entry at the Project Site, whether or not owned by CLIENT. The cost of repairing any reasonably unavoidable damages is not part of the services or fee contemplated by this Agreement and shall be borne by CLIENT.

REPORTING AND DISPOSAL. CLIENT shall be solely responsible for notifying all appropriate federal, state, local or other governmental agencies of the existence of any hazardous, toxic or dangerous materials on or in the Project Site or discovered during performance of this Agreement. If requested by CLIENT, ADVANCED REMEDIATION TECHNOLOGIES, CO. may, at its option, agree to notify such agencies on behalf of CLIENT, as CLIENT's agent. CLIENT shall be solely responsible for arranging for and paying the costs to lawfully transport, store, treat, recycle, dispose of, or otherwise handle, hazardous or toxic substances or wastes and samples.

NO THIRD PARTY BENEFICIARIES. There are no third party beneficiaries of this Agreement entitled to rely on any. Work performed or reports prepared by ADVANCED REMEDIATION TECHNOLOGIES, CO. hereunder for any purpose. CLIENT shall indemnify and hold ADVANCED REMEDIATION TECHNOLOGIES, CO. harmless against any liability for any Loss arising out of or relating to reliance by any third party on any work performed or reports issued hereunder.

DESIGNS AND DISCOVERIES; OWNERSHIP AND REUSE. All designs, ideas, discoveries, inventions or improvements utilized or developed by ADVANCED REMEDIATION TECHNOLOGIES, CO. hereunder shall be deemed property of ADVANCED REMEDIATION TECHNOLOGIES, CO. CLIENT is given no right in the form of ownership or license to such items. Any documents furnished by ADVANCED REMEDIATION TECHNOLOGIES, CO. are not intended or represented as suitable for reuse by CLIENT or others; any reuse without specific written approval and/or adaptation by ADVANCED REMEDIATION TECHNOLOGIES, CO. for the specific purpose intended will be at the reuser's sole risk and without liability or exposure to ADVANCED REMEDIATION TECHNOLOGIES, CO. Any transfer of electronic data hereunder is solely for CLIENT's convenience "as is" without warranty as to contents, and is not project deliverable unless specifically agreed to the contrary. ADVANCED REMEDIATION TECHNOLOGIES, CO. disclaims all warranties express or implied with regard to any electronic data provided hereunder, including any warranties of merchantability or fitness for a particular purpose.

The prevailing party in any action to enforce or interpret provisions of this Agreement shall be entitled to recover all reasonable fees, costs and expenses, including staff time at current billing rates, court costs and other claim-related expenses. If ADVANCED REMEDIATION TECHNOLOGIES, CO. is requested to respond to any mandatory orders for the production of documents or witnesses on CLIENT's behalf regarding work performed by ADVANCED REMEDIATION TECHNOLOGIES, CO., CLIENT agrees to pay all costs and expenses incurred by ADVANCED REMEDIATION TECHNOLOGIES, CO. not reimbursed by others in responding to such order, including attorneys fees, staff time at current billing rates and reproduction expenses. Any provisions of this Agreement held in violation of any law shall be deemed stricken and all remaining provisions will remain binding on the parties. The obligations of the parties to indemnify and the limitations on liability set forth in this Agreement shall survive the expiration or termination of this Agreement. This Agreement, consisting of all documents attached hereto, constitutes the entire agreement between the parties, and supersedes any and all prior written or oral agreements with respect to the subject matter hereof. No amendment hereto will be binding unless reduced to writing and signed by authorized representatives of each party. This Agreement shall be subject to the laws of the state from which services of ADVANCED REMEDIATION TECHNOLOGIES, CO. are procured.



CONSENT CALENDAR ITEM

DATE: May 18, 2016
RE: Lincoln Glass Company Contract Award
TO: Director of Operations
ISSUED BY: Jim Durkee– NOAA Facilities Manager

BACKGROUND

Reference Regular Commission meeting 4/26/2016 Item IV Consent Calendar, G.-SLA 14 Glass Wall Installation. The Commission approved the SLA. Since the commission meeting, the following actions were taken:

1. NOAA Facility Manager developed and distributed RFQ for installation of a sliding glass storefront wall to be installed in the NOAA offices, room 143.
2. RFQ's were distributed to seven contractors in Newport, Salem, Corvallis, and Albany.
3. Three bids were received and reviewed on 5/16/2016. Two contractors declined to bid, two contractors did not respond. See the attached bid sheet for bid tabulations and the bid package.

PURPOSE, SCOPE AND DETAIL

The replacement of the carpeting in the NOAA facility is mandated every five years per the lease agreement. Since this operation would have caused considerable inconvenience to NOAA staff and given the good condition of the original carpeting NOAA requested that we install a security wall instead.

Although we were not required to make such a change, this offered a cost savings to the Port and gave us the opportunity to assist NOAA in meeting requirements placed on them by their security department and alleviate any inconvenience caused by carpet replacement. The commission approved SLA's 13 & 14 to install the wall and to put off carpet replacement to the next five year cycle.

In order to complete the process, the facility manager is requesting that a contract be awarded to Lincoln Glass in the amount of \$7,375.00. Additionally, the project will require a small amount of patch and paint work by port staff and the moving of a horn/strobe by Ace Alarms on a separate purchase order (\$330.00).

BUDGET IMPLICATIONS

Money was allocated in the 2015/2016 budget for this project and the final price is well within expectations.

RECOMMENDATION

Recommend approval of CONTRACT TO LINCOLN GLASS CO. DOR SUPPLY AND INSTALL OF KAWNEER 1010 SLIDING MALL FRONT IN THE AMOUNT OF \$7,375.00

-###-

Best Value Analysis:

	Lincoln Glass	Newport Glass	Smith Glass	Bashful Bob's	Mick's Glass Service	Dallas Glass	Davis Glass
Company	Lincoln Glass	Newport Glass	Smith Glass	Bashful Bob's	Mick's Glass Service	Dallas Glass	Davis Glass
Contact	Spencer	Rich	Bryan	Bob		Molly	Geoff
Phone	541-265-4527		541-753-9175	541-752-7922	541-753-4001	503-589-4910	541-926-1962
Email	spencer@lincolnglassnewport.com		bryan@smith-glass.com	bob@bashfulbobs.com	rosefamily@peak.org	molly@dallasglass.net	geoff@davisglass.net
Criteria							
Total Price	\$7,375.00	No Bid	\$9,700.00	No Bid	No Bid	\$8,000.00	No Bid
Delivery							
Load/Unload							
Recycling							
Installation							
Warranty							
Notes	Kawneer 1010		Kawneer 1010			Did not list details	



147 NE 1st ST.
Newport, OR 97365
(541) - 265 - GLAS (4527)

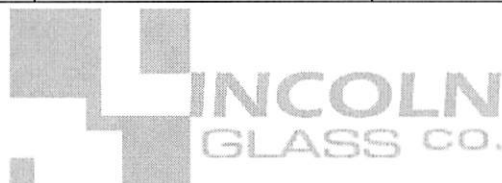
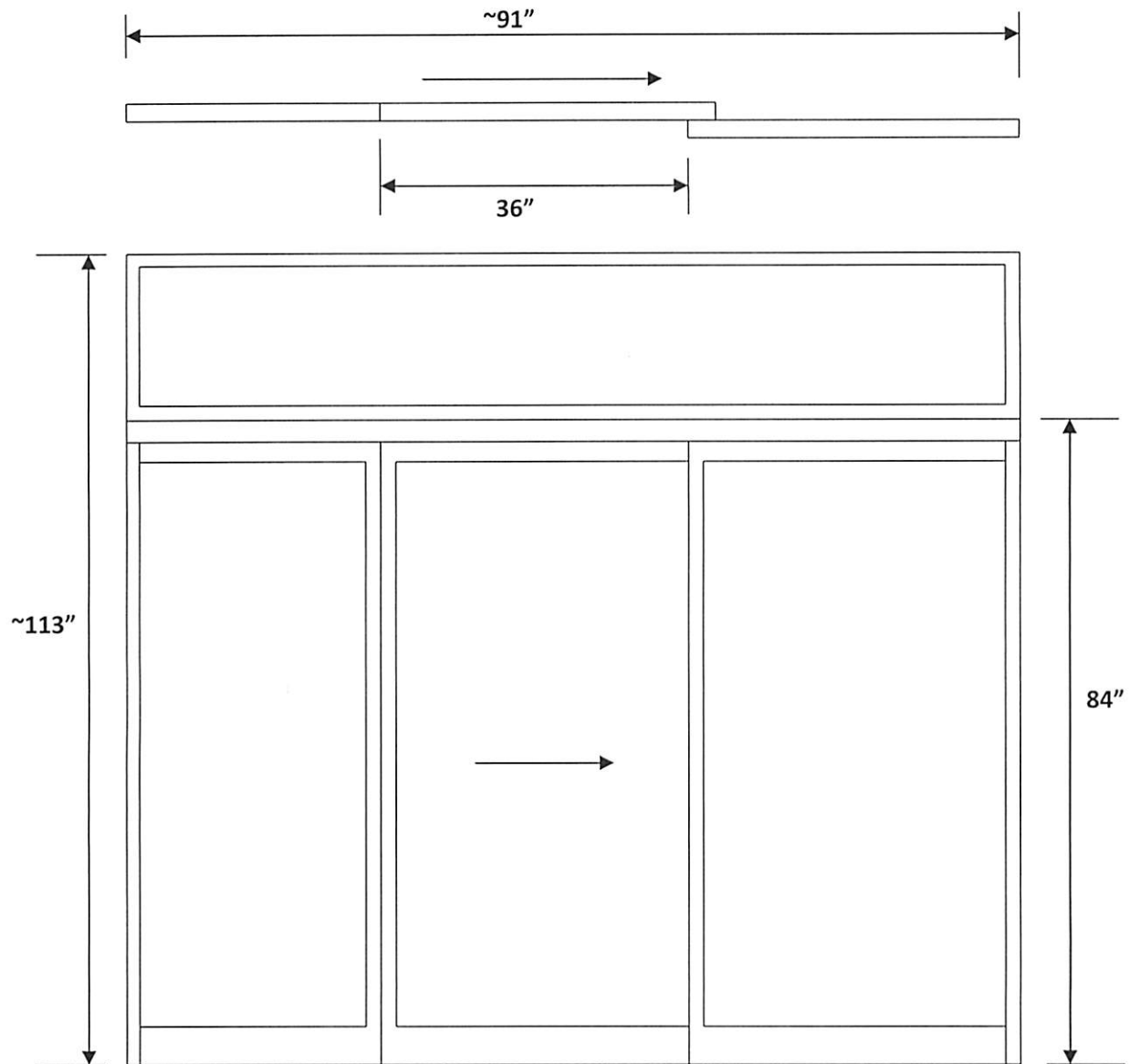
Ccb#2029

NOAA Storefront Wall

Kawneer 1010 Sliding Mall Front
Kawneer 450 Framing at Transom
¼" Clear Tempered Glazing

Finish and Pull Options TBD
Prevailing Wage Labor Rate Included

INSTALLED \$7,375



www.lincolnglassnewport.com

IMPORTANT:

This Document must be filled out and returned to Port of Newport as your quote for this project

PROJECT: NOAA STOREFRONT WALL

BIDDER: LINCOLN GLASS CO

Pricing Breakdown if Applicable:

(Attach separate sheet if necessary)

<u>STOREFRONT FRAMING</u>	<u>\$ 450</u>
<u>DOOR SYSTEM</u>	<u>\$ 2600</u>
<u>GLAZING</u>	<u>\$ 1800</u>
<u>INSTALLATION</u>	<u>\$ 2525</u>
<u>TOTAL BASE PRICE</u>	<u>\$ 7375</u>

Alternates (if applicable):

(Attach separate sheet if necessary)

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

- * Price includes all materials FOB job location.
 - ** Price includes all licensing, bonding, insurances, permits and taxes.
 - *** Price is held for minimum 90 days.
 - **** Please list on separate sheet, any additional alternates or value engineering pricing.
- Quotation is in compliance with the entire project Drawings, Specifications and/or Work Scope? Yes No

Clarifications:

(Attach separate sheet if necessary)

Estimated Schedule:

Preparation of Shop Drawings/submittals	<u>2</u>	work days
Fabrication, delivery of material to jobsite	<u>30</u>	work days
Work performance on jobsite	<u>2</u>	work days
Average Crew Size at 40 hr work week:	<u>2</u>	workers

All Inclusive Labor Rates for Extra Work (or Attach Labor Rate Schedule):

Superintendent	\$ _____	/hour.
Foreman	\$ _____	/hour.
Craftsman	\$ _____	/hour.
Helper	\$ _____	/hour.
Markup on cost of Materials	_____	%

Provide a list of equipment rates (if applicable):

Equipment Item	Rate	Per

List of lower tier suppliers/subcontractors (if applicable):

Name or description of material or work to be performed	Approximate Value
KAWNEER - ALUMINUM STOREFRONT	\$3,000
HARTUNG - GLAZING	\$1,800

 (Initial) Receipt of Addendum Numbers N/A is hereby acknowledged.

 (Initial) I acknowledge the terms and conditions as stated in the Request for Quotation form received from Port of Newport as part of the contract documents, and hereby incorporate them into this quotation.

 (Initial) I acknowledge the terms, conditions and minimum limits and have included all costs for insurance in this quotation.

 (Initial) I acknowledge the requirements of Oregon Prevailing Wage Law ORS 279C.800 and have if applicable incorporated all costs associated into this quotation.

Submitted By:

 SPENCER J MASON LINCOLN GLASS Co
Name Company

 541-265-4527 541-265-8836
Telephone # FAX/Email

 147 NE 1ST ST NEWPORT, OR 97365
Address

 Spencer J Mason 5-16-16
Signature Date

The Port of Newport reserves the right to accept or reject any or all quotations and may, at its discretion select the contractor that is deemed to provide the best value to the Port of Newport.

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 type="checkbox"/>	App Fee
	Facility Supervisor
<input type="checkbox"/>	Review
<input type="checkbox"/>	Security Review
	General Manager
<input type="checkbox"/>	Review
<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: Great Albacore Tuna BBQ Challenge-Newport Chamber NOAA Anniversary-Salmon Enchanted Evening

Event Date: 8/12-8/13 & 8/27 - 2016 Time(s) 5pm-7pm, 11am-3pm & 5pm - 8pm

Location: Port of Newport (Anderson Lot) next to NOAA (next to old Yaquina Fruit site)

Facilities to Be Used: None

Set-up Dates and Start Times: 8/12 8:00am & 8/27 8:00am

Take-down Dates and End Times: 8/15 8:00am & 8/29 8:00am

Estimated Number of Participants: Contestants: 14 TEAMS (TUNA)

Vendors / Volunteers: 12

Attendees: 400

Applicant / Signer: James K. Myers

Mailing Address: PO Box 1415 - Newport 97365

Telephone: 541-270-0892 E-mail beachbum55@charter.net

Contact Person (if different than applicant): _____

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

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

8/12/16 - Newport Chamber NOAA Anniversary Salute (dinner & speeches) with Port, NOAA, City dignitaries participating. Chamber, NOAA staff and officers attending.

8/13/16 - Great Albacore Tuna BBQ Challenge with 16 teams competing in the 5th annual competition presented by the Port of Newport and Oregon Albacore Commission.

8/27/16 - Salmon Enchanted Evening, a night of fine salmon dining presented by the Port of Newport & Oregon Salmon Commission.

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:

Full waiver: proceeds from the Tuna and Salmon events benefit the Newport Food Pantry

& Operation Backpacks emergency food programs for our city and schools

This will be the fifth year the Port has collaborated with this vital mission for our community.

Port of Newport Operating Fund

600 SE Bay Blvd.

CM Daily Sales

Date	Inv #
5/19/2016	Spec Use

PAID
05/19/2016

Donor

Project

Item	Description	Rate	Quantity	Amount
Special Use Permits	Non refundable deposit-Tuna & Salmon Fests	100.00		100.00
			Total	\$100.00

PORT OF NEWPORT SPECIAL USE PERMIT

This permit, effective August 12, 2016, 8 am, , from the Port of Newport, organized and existing under the laws of the State of Oregon, hereinafter referred to as “Port”, to Newport Food Pantry, hereinafter referred to as “Permittee.”

The Port hereby grants permission to Permittee to use the “Anderson Lot “as shown in Exhibit A, attached. Use of designated area by Permittee is for Great Albacore Tuna BBQ Challenge and NOAA Anniversary Salute. (Exhibit A 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. **Deposit.** A nonrefundable deposit in the amount of \$100.00.
2. **Fees.** Waived in consideration of sponsorship rights and donation of event proceeds to the Newport Food Pantry
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 \$1,000,000.00 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 August 15, 2016, 8 am..

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

Jim Myers
Newport Food Bank

ATTACHMENT: Exhibit A (Map & detailed description of event)



Sponsorship Agreement: In Kind Sponsorship Value \$ 900.00 .

Event Name: Great Albacore Tuna BBQ Challenge _____

Event Date: August 13, 2016 _____

Applicant: Newport Food Bank _____

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): 50% of event proceeds will be donated to the Newport Food Bank in the name of the Port of Newport _____

Port of Newport will provide: waiver of usage fees

X _____ Date: _____
Kevin Greenwood
Port of Newport

X _____ Date: _____

PORT OF NEWPORT SPECIAL USE PERMIT

This permit, effective August 27, 2016, 8:00 am, from the Port of Newport, organized and existing under the laws of the State of Oregon, hereinafter referred to as "Port", to Newport Food Bank, hereinafter referred to as "Permittee."

The Port hereby grants permission to Permittee to use the "Anderson Lot "as shown in Exhibit A, attached. Use of designated area by Permittee is for Salmon Enchanted Evening (Exhibit A 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. **Deposit.** A nonrefundable deposit in the amount of \$100.00.
2. **Fees.** Waived in consideration of sponsorship rights and donation of proceeds to the Newport Food Bank
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 August 29, 2016, 8:00 am.

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

Jim Myers
Newport Food Bank

ATTACHMENT: Exhibit A (Map & detailed description of event)



Sponsorship Agreement: In Kind Sponsorship Value \$ 900.00 .

Event Name: Salmon Enchanted Evening

Event Date: August 27, 2016

Applicant: Newport Food Bank

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): 50% of event proceeds will be donated to the Newport Food Bank in the name of the Port of Newport

Port of Newport will provide: waiver of usage fees

X _____ Date: _____
Kevin Greenwood
Port of Newport

X _____ Date: _____

Mike & Kathryn Tochtrop

11313 NE Sylvan Terrace Vancouver, WA 98686 360 909-7410 kgtochtrop@msn.com

April 24, 2016

Port of Newport RV Parks
2120 SE Marine Science Drive
Newport, OR 97365

Dear Manager/Owner:

My husband and I want to thank you for a wonderful stay in your RV park. We were there recently for a two night stay. We wanted you to know that you have an outstanding host, Clay Moore. He made our visit so memorable and fun! Although we were only there for two days, his expertise and recommendations allowed us to cover a lot of territory. We loved the personal tour he gave us when we first arrived and were overwhelmed at his willingness to spend time telling us about the best places to eat and visit. The Science Center and seeing the resident octopus there was a surprising highlight for us! His restaurant suggestion of *Fishtail* was a hit! Also, we took his advice and had an amazing seafood dinner along the historic Bayfront at *Local Oceans*. We imagine that we are probably not the first to sing his praises, but we wanted you to know how impressed we were with Clay. What a gem!

You can be sure we will return soon and stay longer. The RV park is well maintained and in such a perfect location for visitors to see so much of your beautiful city.

Best Regards,



Mike and Kathryn



Port of Newport -

Thanks so much for working with us so we could have the carnival at the Port this year for our 60th Anniversary of the Newport Loyalty Days. It would not be possible to keep this great community event going without partners like you.

Thanks so much
Melinda Dye
NLD Chairman

Newport Marina Store & Charters, Inc.

2128 S.E. Marine Science Drive

Newport, Or. 97365

Phone (541) 867-4470

Fax (541) 867-4489

E-Mail – Chris01@Peak.org

04/12/2016

**Port of Newport
Attn: Kevin Greenwood
& Board of Directors
600 SE Bay Blvd.
Newport, Oregon 97365**

Re: lease renewal

I would like to exercise my 10 year lease option effective 05/01/2016.

**Thank you for giving me the opportunity to work with the Port of
Newport in the past, and in the upcoming years.**

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Olson". The signature is fluid and cursive, with a large initial "C" and "O".

**Chris Olson
Owner, Newport Marina Store & Charters, Inc.**



Operating Fund

April 7, 2016 through May 19, 2016

Date	Num	Name	Memo	Amount
4/8/16	37804	G & K Floors	Janitorial Services SB and Customs Trailer	2,200.00
4/12/16	37805	Don & Pam Holthofer	S B Moorage Refund	1,213.52
4/12/16	37806	Yaquina Boat Equipment, Inc.	Hoist #2 Repair	2,548.86
4/19/16	37807	AboveBoard Electric Inc.	Wire 6 Pedestals PD7F & 7E	4,788.63
4/19/16	37808	Agate Beach Supply	Paint and Supplies for Annex Restroom	68.35
4/19/16	37809	ALSCO	Floor Mats and Towel Rental	271.60
4/19/16	37810	Alsea Bay Power Products	Riding Mower Repair	557.64
4/19/16	37811	Carson Oil Company	Diesel IT	87.14
4/19/16	37812	Century Link	Telephone	388.55
4/19/16	37813	CenturyLink - Business Service	Telephone	43.12
4/19/16	37814	Chase - Visa	PNW Conference Expense in Washington DC, Special-order Repair Parts, Smart TV	3,076.93
4/19/16	37815	CoastCom Inc.	Internet and E-mail	832.00
4/19/16	37816	Dahl & Dahl, Inc.	Landfill Disposal	755.12
4/19/16	37817	Design Space	Temporary Office Rental	877.00
4/19/16	37818	Keller Supply Company	Plumbing Supplies	514.55
4/19/16	37819	LazerQuick	Signs for RV Park	477.00
4/19/16	37820	Lincoln City Sporting Goods	RG6 Crimps	57.50
4/19/16	37821	Lincoln County Public Works	Fuel for Trucks	252.59
4/19/16	37822	MACPHERSON, GINTNER & DIAZ	Professional Services	555.00
4/19/16	37823	North Coast Electric Company	30 AMP Receptacle CM	514.22
4/19/16	37824	Oregon Economic Development Assoc	Membership Dues	375.00
4/19/16	37825	Rick Fuller	PCC Conference	295.68
4/19/16	37826	Special Districts Insurance Service	monthly Health-Life-Dental	10,978.47
4/19/16	37827	Staples	Office Supplies	157.68
4/19/16	37828	Suburban Propane	Propane	114.86
4/19/16	37829	T & L Septic & Chemical Toilet Service	Pump Holding Tanks	450.00
4/19/16	37830	Toyota Financial Services	Forklift Lease	1,044.23
4/19/16	37831	AVS Elevator	Void	0.00
4/19/16	37832	City of Newport	Room Tax March 2016	1,663.92
4/19/16	37833	Oregon Lodging Tax	1st Quarter 2016 Lodging Tax	508.82
4/27/16	37834	Jeffrey Robinson	Moorage Refund	443.07
4/27/16	37835	Business Oregon-OBDD	Loan Payment	7,800.00
4/27/16	37836	Coast Crane Co.	Solenoid and Caps	382.33
4/27/16	37837	Design Space	Customs Office	217.00
4/27/16	37838	Fastenal Company	Hardware	123.78
4/27/16	37839	G & K Floors	Janitorial Services SB and Customs Trailer	2,200.00
4/27/16	37840	HC Etc., Inc.	IT Hours	640.00
4/27/16	37841	NW Natural	SB Gas	291.07
4/27/16	37842	Oregon State Treasury	Deposit for Bond Refunding Plan	200.00



Operating Fund

April 7, 2016 through May 19, 2016

Date	Num	Name	Memo	Amount
4/27/16	37843	Petty Cash	Miscellaneous Office Expenses	160.94
4/27/16	37844	Rule Steel Tanks, Inc.	24 Dumpsters	29,700.00
4/27/16	37845	Sears Commercial One	BBQ Cover	49.99
4/27/16	37846	Suburban Propane	Propane Tanks	493.18
4/27/16	37847	T & L Septic & Chemical Toilet Service	Chemical Toilets Bayfront	436.00
4/27/16	37848	Tina McCann	Temporary Work North Office	960.00
4/27/16	37849	Verizon Wireless	Port Cell Phones	279.60
4/27/16	37850	Department of Environmental Quality	Water Quality Certification Project	985.00
4/27/16	37851	Lincoln County Parole & Probation	Terminal Brush Clearing	550.00
4/27/16	37852	Carquest Auto Parts	Delo 400 Lube, Repair Tape	18.03
4/27/16	37853	Buzy Bee Services	Tow Company Truck	150.00
5/6/16	37854	Agate Beach Supply	North Restroom Supplies	458.05
5/6/16	37855	Airgas USA, LLC	Drill Bit	64.40
5/6/16	37856	Alan Brown Tire Center	Forklift Tires, Dumpster Casters	1,901.03
5/6/16	37857	ALSCO	Floor Mats and Towel Rental	326.99
5/6/16	37858	Alsea Bay Power Products	Equipment Supplies	126.59
5/6/16	37859	Barrelhead	North Restroom Bid	3,372.70
5/6/16	37860	Coastal Paper & Supply, Inc.	Cleaning and Paper Supplies	1,830.78
5/6/16	37861	Copeland Lumber Yards, Inc..	Hardware PD7	905.20
5/6/16	37862	Direct TV	Cable RV Parks	1,069.29
5/6/16	37863	Englund Marine Supply Co, Inc.	Fittings for Tug Boat	284.02
5/6/16	37864	Fred Meyer Customer Charges	Food for Meetings, Office Supplies	98.32
5/6/16	37865	Halco Welding, Inc.	Ladders for Terminal, Brackets PD5	2,858.00
5/6/16	37866	Harvey's Lock & Key	Lock Sets, Keys, Cylinder Combination Changes	145.40
5/6/16	37867	Industrial Welding Supply, Inc.	Small Tools, Fill Tanks	243.76
5/6/16	37868	JC Market	Bottled Water	6.38
5/6/16	37869	Keller Supply Company	Faucets SB Restrooms	505.27
5/6/16	37870	Kevin Corwin	CPR/First Aid Class - 6 Students	250.00
5/6/16	37871	LazerQuick	Signs for RV Park	152.25
5/6/16	37872	Lock Masters	Program Key for Ford PU	85.00
5/6/16	37873	MACPHERSON, GINTNER & DIAZ	Professional Services	1,117.50
5/6/16	37874	Mascott Equipment	Fuel Dock Equipment Service Call	248.56
5/6/16	37875	MC Electric Vehicles	E Cart Parking Brake Assembly	116.00
5/6/16	37876	Merchants Exchange of Portland	Grant Application	1,311.34
5/6/16	37877	Newport Auto Parts Inc.	Spark Plugs, Fuel Gauge	14.64
5/6/16	37878	Petroleum Compliance Services	2016 Annual DEQ Compliance Testing	690.00
5/6/16	37879	Pioneer Telephone Cooperative	Telephone	226.62
5/6/16	37880	Platt	Hand Dryers	1,472.69
5/6/16	37881	Sherwin Williams	Paint Supplies	64.05
5/6/16	37882	Siuslaw Broadband	Equipment Repair	955.00



Operating Fund

April 7, 2016 through May 19, 2016

Date	Num	Name	Memo	Amount
5/6/16	37883	TCB Security Services, Inc.	Monthly Security Contract	6,711.00
5/6/16	37884	Thompson's Sanitary Service, Inc.	Trash Disposal	3,663.30
5/6/16	37885	Trionic Corp.	Dock Boxes	5,595.00
5/6/16	37886	US Bank	Bond Administration Fee	600.00
5/6/16	37887	Voya (State of Oregon Plan)	Monthly Employee Contribution	100.00
5/6/16	37888	Xerox Corporation	Copier Lease	397.62
5/6/16	37889	Yaquina Bay Communications	Radio Advertising	100.00
5/13/16	37890	Employee	Mid Month Draw	450.00
5/13/16	37891	Employee	Mid Month Draw	500.00
5/13/16	37892	Employee	Mid Month Draw	500.00
5/13/16	37893	Employee	Mid Month Draw	300.00
5/13/16	37894	Employee	Mid Month Draw	475.00
5/13/16	37895	Employee	Mid Month Draw	500.00
5/13/16	37896	Employee	Mid month Draw	300.00
5/13/16	37897	Employee	Mid Month Draw	650.00
5/13/16	37898	Employee	Mid Month Draw	1,500.00
5/13/16	37899	Staples	Office Supplies	538.29
5/13/16	37900	City of Newport	Room Tax	2,369.95
Total				127,897.96



NOAA Fund

April 7, 2016 through May 19, 2016

Date	Num	Name	Memo	Amount
4/7/16	12886	G & K Floors	Janitorial Services	450.00
4/7/16	12887	Chase-Visa	Void	0.00
4/7/16	12888	Grainger	Void	0.00
4/7/16	12889	AVS Elevator	Service and Update 2016 Charts	487.26
4/7/16	12890	Chase-Visa	PDF Software, Pro-Tek AL	826.50
4/7/16	12891	Grainger	Electrical Supplies, Fuel Oil Lube	341.92
4/27/16	12892	G & K Floors	Janitorial Services	450.00
4/27/16	12893	Metro Overhead Door	Gate Controller	66.19
4/27/16	12894	T & L Septic & Chemical Toilet Service	Chemical Toilet Service	35.00
4/27/16	12895	Ultimate Pest Control, LLC	Monthly Service	125.00
4/27/16	12896	Verizon Wireless	Phone Charges	51.68
4/27/16	12897	Williams Scotsman, Inc.	Rent Mobile Office	346.30
4/27/16	12898	Lincoln County Parole and Probation Work	Landscaping	550.00
4/25/16	12899	Pacific Habitat Services, Inc.	Environmental Consulting for Proposed Dredging	2,436.75
5/6/16	12900	Kevin Corwin	CPR/First Aid Class - 6 Students	50.00
5/6/16	12901	Kroger - Fred Meyer Customer Charges	Slug Bait	31.98
5/6/16	12902	Metro Overhead Door	Gate Controller	29.87
5/6/16	12903	Newport Rental Service	All-terrain Forklift Rental	346.75
5/6/16	12904	Pioneer Telephone Cooperative	Telephone	243.22
5/6/16	12905	Platt Electrical Supply, Inc.	Electrical Supplies	60.26
5/6/16	12906	TCB Security Services, Inc.	Elevator Phone Monitoring NOAA	20.00
5/6/16	12907	Thompsons Sanitary Service	Disposal & 20YD Dumpster	337.70
5/17/16	12908	Stay'n Power, Inc.	Service Call for Lighting Inverter	1,212.75
Total				8,499.13



Construction Fund

April 7, 2016 through May 19, 2016

Date	Num	Name	Memo	Amount
4/27/16	11819	Pacific Habitat Services, Inc.	Environmental Consulting and Application	1,524.25
4/27/16	11820	SHN Consulting Engineers & Geologists	Old Boat Ramp Fill Project	648.00
4/27/16	11821	SHN Consulting Engineers & Geologists	Old Boat Ramp Fill Project	750.00
4/27/16	11822	Pacific Habitat Services, Inc.	Environmental Consulting for Tiger Grant	513.25
4/27/16	11823	Pacific Habitat Services, Inc.	Environmental Consulting for Terminal	405.42
			Total	3,840.92

NEW BUSINESS AGENDA ITEM

DATE: 5/24/2016
RE: Declaration of Vacancy for Position #2
TO: Port of Newport Board of Commissioners
ISSUED BY: Kevin Greenwood, General Manager

BACKGROUND

Included in your packet is a resignation letter from David Jincks, Position #2. Due to moving outside the Port District boundaries, he will be resigning the position as of June 1, 2016. He was appointed to the commission February 2, 2009. This is Commissioner Jincks' second term of service having served from July 1995 through April 2005, as well.

The Port By-laws, in Section 5(F) deals with vacancies. The Commission will need to formally declare a vacancy due to Jincks' no longer being an elector of the district. Subsection (F)(2) requires that the "Commission shall establish a policy for the filling of vacant Commission positions by resolution."

The Commission adopted Res. No. 2014-08, "A Resolution Establishing a Policy for the Filling of Vacant Commission Positions", on July 22, 2014. The Commission may use this resolution or develop a new resolution.

Whoever is appointed will need to run in the May 2017 election.

TIMELINE

- Declaration of Vacancy May 24
- Staff will post a Notice of Vacancy on the Port's website and a press release will be sent to the local media informing the public of the vacancy..... May 25
- Due date for Letters of Interest and Survey (attached) must be received by the Port one week in advance of the next regular board meeting.(3 weeks)June 14
- Work Session to review and interview candidatesJune 21
- Regular Meeting will have an agenda item to vote for replacementJune 21
- If unable to select a candidate, staff will continue to ask for Letters of InterestJune 22
- Due date for second round of LettersJuly 19
- Work Session to review and interview all candidates.....July 26
- If unable to select a candidate, staff will ask County Commission to selectJuly 27

It would be very unusual for the process to extend past the June 21 regular meeting.

PROCESS FOR SELECTION

If there are more than 2 applicants, the Commission could consider the following:

1. Draw lots for order of 10-minute interviews. Reverse order 1-minute closing statement.
2. Applicants would submit answers to survey in advance. Commission could ask applicants to elaborate on specific answers. (The goal here is to ask the same questions of each candidate.)
3. Upon completion of interviews, allow Commission up to ten minutes for deliberation/advocacy.
4. Actual voting is done with signed ballot and disclosed during tabulation. A number of options can be used for voting (keeping in mind that the Chair does not vote during this process except to break ties).
 - a. Each Commissioner votes for one applicant. Appoint with plurality.
 - i. PROS – quick, easy
 - ii. CONS – potential for no majority. Commission could vote 1,1,1 with Chair breaking tie (2,1,1); still no majority. *Would balance of Commission feel comfortable voting for the candidate with only two votes (plurality)?*
 - iii. If Commission felt comfortable appointing an applicant with only a plurality, this would be easiest process. Chair, in essence, chooses applicant.
 - b. Each Commissioner ranks all applicants. Add scores and appoint top scorer.
 - i. PROS – reduces chances of tie. If there is a tie, it most likely would reduce field to two candidates which is optimum
 - ii. CONS – an applicant – in theory – could score highest without a #1 ranking. Rankings are ultimately public information.
 - iii. Commissioner would make motion to appoint top scorer.
 - c. Each Commissioner votes for one applicant. If vote is 1,1,1, Chair picks two for final round ensuring majority vote.
 - i. PROS – guarantees majority vote.
 - ii. CONS – two rounds of voting (if necessary)
 - iii. If Commission votes 1,1,1, Chair would pick two for final round (2,2,1). Three commissioners would then vote from the remaining two (2-1 or 3-0).
5. Commissioner would make motion to appoint. Chair would vote on the appointment.

MOTION TO APPOINT

Upon a single candidate receiving the most votes, the President shall solicit a motion to appoint the candidate to fill the vacant position. The Chair will vote to appoint.

RECOMMENDATION

I would recommend that a Commissioner make a MOTION TO DECLARE PORT OF NEWPORT COMMISSION POSITION NUMBER TWO VACANT AND TO DIRECT STAFF TO PUBLICIZE THE VACANCY AND PROCESS FOR REPLACEMENT.

-###-

Date: May 2, 2016

To: Commissioner Walter Chuck, President
Port of Newport Port Commission

From: Commissioner David Jincks, Secretary/Treasurer
Port of Newport Port Commission

President Chuck,

This letter is to inform you I will be resigning my position as an elected Port of Newport Port Commissioner June 1, 2016. I will be moving outside the Port of Newport's Port district making me ineligible to fulfill the remainder of my term.

Sincerely,



David Jincks,

Cc: Kevin Greenwood

RECEIVED

MAY 02 2016

PORT OF NEWPORT

**PORT OF NEWPORT
RESOLUTION NO. 2014-08**

**A RESOLUTION ESTABLISHING A POLICY FOR THE FILLING OF VACANT
COMMISSION POSITIONS**

WHEREAS, ORS 777.135(6) states that a vacancy on the Board of Commissioners occurs only after the remaining Commissioners declare the position vacant; and

WHEREAS, the vacancy shall be filled as provided by ORS 198.320; and

WHEREAS, ORS 198.320 states that a vacancy in an elected office in the membership of the governing body of a district shall be filled by appointment by a majority of the remaining members of the governing body. If a majority of the membership of the governing body is vacant or if a majority cannot agree, the vacancies shall be filled promptly by the county court of the county in which the administrative office of the district is located; and

WHEREAS, the Port of Newport Commission By-laws Section 5(F)(2) states that the Commission shall establish a policy for the filling of vacant Commission positions by resolution; NOW THEREFORE

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

Section 1. Letters of Interest

A. Upon a vacancy being declared, staff will post a Notice of Vacancy on the Port's website. A press release will be sent to the local media also informing the public of the vacancy.

B. The due date for Letters of Interest will be the day one week in advance of the next regular board meeting. Letters are to be received at the Port of Newport business office by the due date.

C. Letters of Interest shall at a minimum include:

1. Full name of candidate.
2. Physical and mailing address of candidate. Optional information shall include phone number and e-mail address.
3. Amount of time as an elector within the district.
4. A statement of the candidate's desire to serve on the board or submission of a questionnaire if provided.
5. Signature and date.

Section 2. Options for Special Meeting. The Board President may schedule a Special Meeting for the purpose of interviewing candidates if the Commission determines that the amount of time to assess the candidates would be inappropriate for a Regular Meeting.

Section 3. Voting during Public Meeting.

A. The remaining Commissioners of the Board with the exception of the President (or President Pro Tem if the President's position is vacant) shall vote via private ballot for their

preferred candidate during the item identified on the agenda. Commissioners are required to sign their ballot before submitting to staff for tabulation.

B. Staff will report the results of the voting including which Commissioner voted for which candidate.

C. If a tie exists upon tabulation of the votes, the President (or President Pro Tem) shall cast a tie-breaking vote.

D. This procedure may be repeated until a single candidate receives a plurality of votes or the President and/or Board agree(s) to solicit additional Letters of Interest identified in Section 5.

Section 4. Motion to Appoint.

A. Upon a single candidate receiving a plurality of votes, the President shall solicit a motion to appoint the candidate to fill the vacant position.

B. The President (or President Pro Tem) may vote on the motion to appoint.

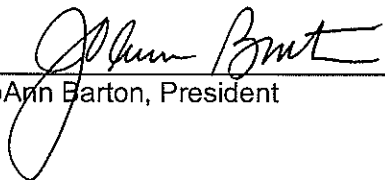
C. A majority of the remaining Commissioners (i.e. 3 of 4 remaining Commissioners, 2 of 3 remaining commissioners) voting in favor of the appointment shall constitute the vacancy as filled.

Section 5. Failure to Achieve Majority.

A. If a majority of the remaining Commissioners cannot agree on a candidate, staff will continue to solicit additional Letters of Interest following the provisions in Section 1(B).

B. If a majority cannot be reached at the next meeting, staff will correspond with the Lincoln County Court and request on behalf of the port district that the Court fill the vacancy pursuant to ORS 198.320(1).

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS this 22nd day of July, 2014.



JoAnn Barton, President

ATTEST:



Walter Chuck, Secretary/Treasurer

For Publication in the News-Times:

E-mail to aphipps@newportnewstimes.com (Public Notices)

Amanda,

I would like to get a price and publish this notice to appear in the "Public Notice" section of the paper and run Wednesday, May 25, 2016. Please use PO#27738 for billing. I will also need an Affidavit of Publication once it is printed:

PORT OF NEWPORT COMMISSION VACANCY

The Port of Newport is accepting letters of interest from persons within the Port District boundaries to fill a vacancy in Position No. 2 on the Port Commission.

Commissioner David Jincks has resigned his position effective June 1, 2016. His commission expires June 30, 2017.

Interested persons should mail or hand deliver a letter of interest and a completed questionnaire no later than 5:00 pm, Tuesday, June 14th, to the Port office at 600 SE Bay Blvd., Newport, OR, 97365. To be eligible, applicants must be a registered voter and reside within the Port District boundaries. Additional details may be found on our website, www.portofnewport.com.

The Commission will interview candidates on June 21st. An appointment to fill the unexpired term is anticipated at the regular Port Commission meeting on June 21st, 2016.

###

Commission Vacancy

David Jincks letter of resignation effective June 1st received May 2nd, 2016

Position 2, term expires June 30th 2017

Refer to Resolution 2014-08 A Resolution Establishing a Policy for the Filling of Vacant Commission Position.

NOTICE OF VACANCY TO BE POSTED ON THE PORT'S WEBSITE:

On Home Page:

PORT OF NEWPORT COMMISSION VACANCY

Please see "News Releases" for details.

On News Releases:

PORT OF NEWPORT COMMISSION VACANCY

The Port of Newport is accepting letters of interest from persons within the Port District boundaries to fill a vacancy in Position No. 2 on the Port Commission.

Commissioner David Jincks has resigned his position effective June 1, 2016. His commission expires June 30, 2017.

Interested persons should mail or hand deliver a letter of interest and a completed questionnaire (found here) no later than 5:00 pm, Tuesday, June 14th, to the Port office at 600 SE Bay Blvd., Newport, OR, 97365. To be eligible, applicants must be a registered voter and reside within the Port District boundaries.

Letters of interest shall at a minimum include:

1. Full name of candidate.
2. Physical and mailing address of candidate. Optional information shall include phone number and e-mail address.
3. Amount of time as an elector within the district.
4. A statement of the candidate's desire to serve on the board.
5. Signature and date.

The Commission will review the letters of interest and questionnaires, narrow the list of potential candidates, and contract those individuals for an interview. An appointment to fill the unexpired term is anticipated at the regular Port Commission meeting on June 21, 2016.

PORT OF NEWPORT
Commission Vacancy
CANDIDATE QUESTIONNAIRE

Name: _____ Date: _____

Please submit your answers to the following:

1. What do you know about the Port of Newport, its mission, goals and the services it provides?

2. What experience have you had serving on boards (public vs. private)?

3. Why are you interested in serving on the Port of Newport board of commissioners?

4. What professional experience or knowledge do you possess that could assist the Port meet its goals?

5. What do you view as the Port's strengths?

6. What do you see as the Port's weaknesses, and what measures would you suggest be taken to address those weaknesses?

7. What do you believe your role is as a Port Commissioner?

Additional Comments:

NEW BUSINESS AGENDA ITEM

DATE: 5/24/2016
RE: Replacement of Commission Secretary/Treasurer
TO: Port of Newport Board of Commissioners
ISSUED BY: Kevin Greenwood, General Manager

BACKGROUND

Assuming Commission Position No. 2 is declared vacant, it would be expedient to appoint a Board Secretary/Treasurer Pro-Tem this month. The Commissioner would basically sign minutes and documents through the July 26th meeting before the new slate of officers is elected. If not selected, the Commission won't have someone to attest the President's signature. From the By-laws...

Section 16. Duties of the Secretary/Treasurer.

- A. The Secretary/Treasurer shall attest the signature of the President on all officially approved documents.
- B. Ensure that minutes, documents and records created through public meetings are properly recorded and codified. These responsibilities shall be delegated to staff.
- C. Ensure that the Commission maintains accounting and financial statements. These responsibilities shall be delegated to staff.
- D. Shall meet annually with the Port's auditor.
- E. Shall submit an annual report to the Commission. (ORS 777.140(2))

Section 19. Election of Officers. At the first regular meeting of July, the Commission shall elect a President, Vice President and Secretary-Treasurer. Unless otherwise determined by the Port Commission, the Clerk of the Commission shall be the General Manager.

It makes some sense to appoint a current Commissioner (either Patricia or Stewart) due to the potential lack of experience by the new Commissioner. In two months, at the July meeting, a full slate of officers will be elected following the process in Section 19(B) of the By-laws.

RECOMMENDATION

I would recommend that a Commissioner make a MOTION TO ELECT [enter Commissioner name here] AS PORT OF NEWPORT SECRETARY/TREASURER PRO-TEM.

-###-

April 2016 Occupancy Report

To: Port of Newport, Board of Commissioners
 From: Penny, South Beach Marina & RV Parks
 03/15/16

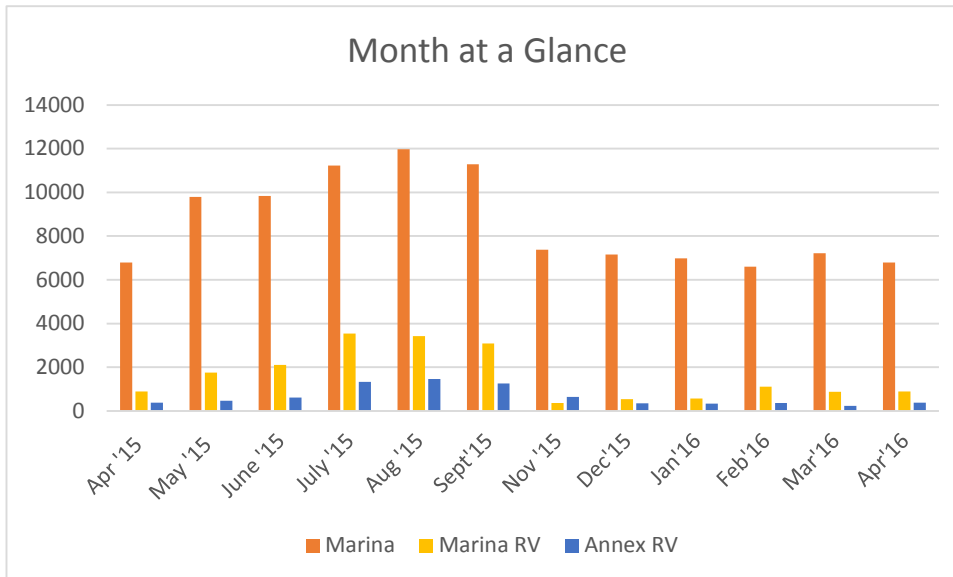
Occupancy in the Marina RV park was up this April. We had several guests visiting for the Loyalty Days celebration and Clay was helpful getting first-time guests to stay longer.

Due to the Rogue expansion project, the carnival was staged in the boat trailer lot and dry camping was moved to the North 4 1/2 acres, which worked out well.

Boat numbers increased as long-term moorage holders came in early for the season. We have signed up several monthly moorages with guests that typically book transient days.

We would like to welcome Becca Bishop to our team in South Beach. She will be working at the South Beach Marina & RV Park this summer and then moving back to the Commercial Marina for winter.

April	2015	2016	Change	YTD 2015	YTD 2016	Change
Marina	6795	7333	7.92%	27,099	28,413	4.85%
Marina RV	895	1048	16.96%	3,348	3,613	7.92%
Annex RV	381	257	-32.55%	1,085	1,172	8.02%





DIRECTOR OF OPERATIONS MONTHLY REPORT

DATE: 5/20/2016
PERIOD: April - May 2016
TO: Kevin Greenwood
ISSUED BY: Rick Fuller

OVERVIEW

Summary:

The Rogue expansion construction has hit a snag with the permitting process. They are working with the city and are hopeful to be back on track after new geological testing supports their foundation engineering design. Sediment sampling will be required for the Joint Application permit for the NOAA 2016-17 dredging project. Lincoln Glass has been selected for the supply and install of a sliding glass wall at NOAA per SLA #13. The North Commercial hoist dock repair was approved and is completed with the thin patch overlay yet to be performed. Port dock 5 barrier gate is in near completion and will be installed to limit traffic to the beginning first third of the approach.

Detail:

- **Terminal Shipping Facility:** No operational changes this period.
- **Rogue Warehouse Expansion:** The building permit application for the expansion project has been reviewed by the City's outsourced building code consultants, Clair Company. During the review, Claire Co. has questioned the soil stability under the proposed expansion area. Rogue and its design build contractor DSL Builders are working towards resolution which included further geotechnical sampling this week to determine the characterization of the soils. Outside of the building envelope, work progressed on the bulkhead rock wall, structural fill and grading of the launch ramp infill. Rogue is working with the City and is strongly considering granting a utility permit in order to continue installation of water, fire and electrical utilities outside of the building envelope in order to progress with final grading and eventual asphalt at the launch ramp infill area. The storm drain system has been able to progress and is approximately 75% complete.

Separate onsite walks with Kevin Greenwood, Walter Chuck, Ken Brown and David Jincks were made for review of the planned curb and sidewalk location at the west side of the infill. A plan is being developed by SHN Engineering and staff which will show the results of the proposed ideas.

- **NOAA MOC-P dredging:** Pacific Habitat Service (PHS) has completed the work on the Joint Permit Application. It has been determined by USACE that sediment sampling and characterization will be needed as a component of the application. A professional services

purchase approval request for Advanced Remediation Technologies has been included in the consent calendar for your and the commissions consideration.

- **NOAA MOC-P carpet 5 yr. carpet replacement:** Per approval during the April 26, 2016 regular commission meeting, the two Supplemental Lease Agreements (SLA 13, SLA 14) have been approved and signed by NOAA. Facility Manager Jim Durkee has distributed an RFQ for the subsequent supply and installation of an aluminum store front privacy wall at room #143. Along with its back up documentation, a request for purchase approval has been included in the consent calendar for consideration.
- **NOAA MOC-P recreational access:** SHN Engineering is working on a design concept that will add an additional 60ft of dock section to the west end of the service dock attached to the existing seawall piling. The access will also include the improvement of the small triangular grounds west of the Rogue Brewery which includes an access down to the water for recreational crabbing activities. The first draft has been received and returned for revision prior to presentation to the commission.
- **Permits:** NIT dredge deepening permit – No change on the last permit requirement of a conservation easement at the mitigation area behind the Aquarium.
- **PON/CBP permanent foundation for modular structures:** No change to the CBP modular office trailer. All cost estimates for the CBP office have been submitted to GSA for similar work at the 10'x32' modular building, but the acceptance and agreement remain pending. The project is required in order to comply with city building code.
- **4.5 acre site south of NOAA (formally YBFC)** Work has been performed by South Beach staff in order to clean up, secure and use a portion of the site for dry camping. The large dock floats along with a sign tower promoting the upcoming NOAA project, were removed from the southeast corner providing better pedestrian and bicyclist visibility. Dock floats have been placed with barricade fencing in order to delineate a no trespassing area in the location of the buildings. TCB Security has expanded their rounds to include the site in their night time rounds.
- **Dulse Energy:** May 10th's special work session meeting included a tour by the commission of the Dulse seaweed growing program led by Josh Hulsey of OSU/Oregon Dulse. Hatfield Marine Science Center currently houses the growing program consisting of large tanks fed with constant flowing sea water. The group then toured the 4.5 acre lot and discussed the use of the land and buildings as the proposed hub for Dulse Energy growing, research & possible future production.
- **Chamber Seafood & Wine:** Continued meetings and discussions as to the changes in the south multiuse lot (dry camping/Rogue area) and the feasibility of the Seafood and Wine festival relocation to the South Beach marina launch ramp lot. Operations has concerns regarding the requirement of driving stakes into and through the asphalt for the tent tie downs.
- **Port Dock 7 Hoist Dock Repair:** Following the special commission work session meeting held May 10, 2016 at Hatfield Marine Science Center, approval was given and notice to proceed was sent to Road & Driveway Co. for the repair and the thin patch overlay to the center section of the hoist dock. Road & Driveway was very responsive and started the repair work the same day. Under SHN Engineering site supervision the repair work was completed May 11th with the overlay portion scheduled within this month. Considering the magnitude of the event, the North Commercial staff continued to manage the dock operations with a high degree of effectiveness.
- **Port Dock 5 approach:** Per commission direction, North Commercial staff is progressing on the manufacture and installation of a gate that will limit vehicular traffic to the first third of the approach. Kevin Greenwood and Harbor Master Kevin Bryant have met with a PD5 fishermen

group and came up with the best alternatives to limiting the use of the aging structure. I have met with two Marine Engineering companies in order to start the RFP process for professional services needed for the study, design and pricing of the eventual structural replacement of the approach including an alternate approach yet to be determined.

- **General Departmental:**

- Due to other pressing work load, I was unable to effectively present a working draft of the Facility Maintenance & Operation Plan for review this period. As a component of the personnel policy, the FMOP outline will include at a minimum: Facility operation and program goals, facility and asset identification, maintenance procedures, training, and accountability expectations. Operations will continue to utilize and expand its use of our Computerized Maintenance Management Software (Hippo CMMS) as one of many tools to achieve the goals of the program.
- Annual employee evaluations for operational staff have been started and will continue through the middle of June.
- Task data from the ADP time sheet is now being charted and available for review but will still need more historical reference before it can be considered as a useful tool.

International Terminal – Pete Zerr, Superintendent

Billable services:

- Forklift - 48hrs
- 30 Ton Hydraulic crane – 33.25 hrs
- Moorage – 80 days
- Dock Tie Up – 149.5 hrs
- Labor – 73.75 hrs

Other

- Cleanup after seasonal influx
- General facility maintenance
- Working on revising Port's Emergency Response Plan. Revised draft submitted at last Safety Committee meeting and discussed with S.C. Further revisions forthcoming and will submit latest draft to Jenny Demaris for review and suggestions.
- Review and estimate requirements for MTSA status per Facility Security Plan

N. Commercial docks – Kevin Bryant, Harbor Master

Billable services: (estimated)

- Forklift - 125hrs
- Hoist crane –10hrs
- Dock Tie Up – 120hrs
- Labor – 140hrs

Other

- Repair of hoist dock completed, thin patch overlay pending
- Design & build PD5 approach gate. Gate is at Halco for sand blasting in preparation of paint

NOAA MOC-P – Jim Durkee, Facility Manager

- Room 143 Security Wall. Bid packages reviewed for Best Value analysis with Lincoln Glass as selection

- Pier lighting inverter repair. After submittal of a better quote for complete replacement, we are reassigning the PO to M.C.Dean/SNP
- Begin volunteer recruitment for Eel grass planting scheduled for June 6,7,8

Vessels using facility since last report – Rainier, OSP Guardian.

Year to date, 454 passengers crossed the bar on vessels using the NOAA wharf.

Office Occupancy Rate – 62%

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

Billable services:

- Launch tickets – 611 tickets sold this period. 7013 tickets sold since new machine installed.

Other

- Annual underground fuel piping testing was performed and passed by 4C's services which led to subsequent discovery of leaking hoses at solenoid valves. Temporarily removed both gas and diesel solenoid valves and are investigating permanent replacement if required. Valves are part of a redundant feature and are not considered a requirement.
- Loyalty Days Carnival went well in the boat launch parking lot.
- This year's first halibut opener was a big success with lots of guests, boats and trailers
- Runion's Construction haul off of Cougar Ann, Grumpy Dragon & Jimco is in progress with Cougar Ann scheduled for removal next week
- Installed new sign at SB RV Park entry

Volunteer Work Crews

Port Mates - The Port volunteer group, "Mates", continue to be impressive. The planned replacement of the old SB RV Park main entry sign is near completion thanks to the heavy lifting by Candy Garrison and Lee Fries. The whole crew helped with addition of a rock bed and the placement of the newly painted anchor which was removed from the old boat launch area. Two shore pines will be transplanted at the North side of the concrete sign base. The Mates continue promoting the "clean-up South Beach" effort. Port Mates Wade Dudley and Wayne Hill have taken on the task of refurbishing the kiosks which will be maintained with updated informational materials. The Mates toured the other three departments and met face to face with the managers. Plans are being made to have their help with sign and kiosk cleanup on the north side soon.

Angel Job Corps –SB Harbor Master Chris Urbach is overseeing the successful start of the North restroom residing. Angel Job Corps crews have started the project and are excited to have a hands on project. The scope of work is to provide labor & equipment for the scaffolding, siding removal, sheathing repair, painting, and installation of new hardy board lap siding and trim.



Spencer R. Nebel
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April 25, 2016

Jerry Wolcott
Project Leader
Area 4 Corvallis
Oregon Department of Transportation

Dear Mr. Wolcott:

On April 18 following your presentation on the final phase of the construction of US 20 between Pioneer Mountain and Eddyville, the City Council authorized the Mayor and City Manager to direct a letter to ODOT conveying the preferred times for the US 20 closures in order to minimize the impacts on the Newport business community.

We are excited about the completion of these improvements that will improve access between the valley and the coast along US 20. We are also appreciative of you taking the time to brief the City Council and other organizations on this significant project.

The City of Newport has participated in meetings with the Chamber of Commerce, Lincoln County, Port of Newport, and other stakeholders to provide meaningful input back to ODOT on the proposed closures that are required to complete this project during this summer and fall. As you are aware, this is a critical time for tourism based businesses in Newport to make sufficient earnings to carry their businesses through the balance of the year. It is absolutely critical that the timing of the closures be done in such a way to minimize any loss in traffic as a result of construction activities. The city is also aware of the very difficult working environment that will face ODOT and the selected contractor to do the final phase of work especially related to the west end curve.

In reviewing the preliminary closure times presented by ODOT, the City of Newport has the following comments:

Closure Nights - City Council supports the shift of closure nights from Saturday thru Thursday instead of Sunday thru Friday as outlined at the presentation. Friday Night is a critical night for weekend visitors coming to Newport and this traffic will be facilitated by not having any restrictions on Fridays.

Two Hour Closures - It is very important to have the two hour closures occur at the same time each day, or planned out in advance, so that people can make the appropriate travel arrangements for coming to or leaving Newport via US 20. Predictability of the closures is critical for the planned short term closures between June 1 and July 15.

Closure to Emergency Vehicles - From June 17 to October 31 US 20 is scheduled to be closed to emergency vehicles for an hour per day. It is critical that there be very clear communications with emergency responders of these closure times. There needs to be clear communications between the emergency related agencies and ODOT during this hour closure so emergency responders know when they could proceed on US 20 or when they need to look at an alternate route.

10-Hour Night Closures from July 16 through October 31 - ODOT's preliminary schedule calls for 10-hour night closures from 6 PM till 4 AM. It is very important for those business depending on day trippers from the valley to shift those closure times back to later in the evening. This enables individuals and families to have dinner in Newport at the end of a day trip and then travel back that evening. A 6 PM closure would likely have visitors from the valley leaving earlier than they would have otherwise particular if their plans included having dinner in Newport. By shifting the closing times back to 9 or 10 PM with the morning opening times changing to 5 or 6 AM, day visitor's schedules can be better accommodated. This may also help with work schedules for employees who live in the valley and work in Newport.

Lincoln County Transit - Lincoln County provides bus transportation to and from the valley via US 20. It will be very important to coordinate with Lincoln County Transit and any other transit providers on any scheduling decisions.

Destination Newport - The city has a tourism marketing committee that addresses various promotional information in order to maximize the number of tourist coming to the City of Newport. Destination Newport is willing to work directly with ODOT and any public relations entity retained by ODOT in order to work to craft a consistent message regarding the US 20 construction project. We would encourage ODOT and ODOT's public relations firm to work directing with Destination Newport on this messaging.

Thank you meeting with the City Council and giving the City Council and other groups the opportunity to provided comments to the schedule. Like ODOT, the City of Newport is very excited to have this project completed this Fall. Please give careful consideration to these suggested modifications.

Sincerely,



Sandra Roumagoux
Mayor



Spencer R. Nebel,
City Manager

Cc: City Council; Lincoln County Board; Greater Newport Chamber of Commerce;
Port of Newport; Destination Newport Committee; ODOT Director, Matt Garrett; COGITO