

PORT OF NEWPORT REGULAR COMMISSION MEETING AGENDA

Tuesday, April 28, 2015, 6:00 p.m.

Yaquina Bay Yacht Club, 750 SE Bay Blvd., Newport, OR 97365

Walter Chuck (Pos. #1), President; Dean Fleck (Pos. #5), Vice President;
Ken Brown (Pos. #4), Secretary/Treasurer; JoAnn Barton (Pos. #3); David Jincks (Pos. #2)

- I. Call to Order 6:00
- II. Changes to the Agenda 6:01
- III. Public Comment 6:02
- IV. Consent Calendar 6:05
 - A. Minutes
 - 1. Regular Meeting – March 24, 2015
 - 2. Budget Priorities Work Session – April 7, 2015
 - B. Financial Reports
 - C. OBDD Grant Amendment \$40k for Vision Planning
 - D. Transfer of Ownership of Sea Lion Dock from Foundation
 - E. Regionally Significant Industrial Area Designation
- V. Correspondence/Presentations 6:08
 - A. Ron Downs, SDAO, re: Dennis Bishop case
 - B. Frank Berg, DayCPM, re: International Terminal Project
 - C. Oregon Boating Foundation, re: Support for SB Recreational Access Improvements
 - D. Community Visioning Work Group
- VI. Old Business
 - A. Accounts Paid 6:18
 - B. Resolution Setting Rates, Fees and Charges (ORS 294.160) 6:21
 - C. Resolution Adopting a Public Records Policy (ORS 192) 6:24
- VII. New Business
 - A. Resolution Adopting a Background Check Policy for Port Services 6:29
 - B. Lease Option Agreement with Teevin Bros. 6:34
 - C. Non-Disclosure Agreement with Teevin Bros. for Engineering Records 6:44
 - D. Bids on Hoist Dock Crane Repair 6:47
 - E. Resolution for Donation of Sick Leave Hours 6:52
- VIII. Staff Reports
 - A. Departmental Reports 7:00
 - 1. Steve Larrabee, Director of Finance
 - 2. Rick Fuller, NOAA Facilities Manager
 - 3. Kevin Bryant, Commercial Marina Harbormaster
 - 4. Jim Durkee, Terminal Operations Manager
 - 5. Penny Gabrielson, South Beach Occupancy Report
 - 6. Chris Urbach, South Beach Marina Harbormaster
 - 7. Mike Goff, TCB Security
 - B. General Manager’s Report 7:05
 - 1. Rogue Brewery Expansion
 - 2. Port Vision Plan
 - 3. Boat Auction Summary
- IX. Commissioner Reports..... 7:15
- X. Calendar/Future Considerations 7:25
 - A. 04/28 Regular Commission Meeting (Yaquina Bay Yacht Club)

B.	4/30-5/3	Loyalty Days Carnival	
C.	05/12	Budget Committee Meeting	
D.	5/12-5/26	Tall Ships	
E.	05/13	Fishermen's Forum	
F.	05/25	Memorial Day – Closed	
G.	05/26	Regular Commission Meeting	
XI.	Public Comment	.....	7:30
XII.	Adjournment	.....	7:33

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
March 24, 2015,
Regular Meeting

I. CALL TO ORDER

Commission President Walter Chuck called the regular meeting of the Port of Newport Board of Commissioners to order at 6:05 PM at the South Beach Marina and RV Park Activities Room.

Commissioners Present: Walter Chuck (Pos. #1), President; Dean Fleck (Pos. #5), Vice President; Ken Brown (Pos. #4), Secretary / Treasurer; JoAnn Barton (Pos. #3); and David Jincks (Pos. #2).

Port of Newport Management and Staff: Kevin Greenwood, General Manager; Stephen Larrabee, Director of Finance; Roxie Cuellar, Administrative Assistant; and Rick Fuller, NOAA Facilities Manager.

Members of the Public: Wayde Dudley; Barb Dudley; Yale Fogarty; Ralph Busby, Newport City Council; Pat Ruddiman; Joe Novella; Tim Gross, Director of Finance, City of Newport; Stewart Lamerdin, candidate for commission position #3. Kiera Morgan, Dennis Anstine, and Larry Coonrod represented the media.

II. CHANGES TO THE AGENDA

The General Manager requested two changes to the agenda. Tim Gross, Director of Public Works from the City of Newport, was added to the agenda for a presentation on the planned stormwater outfall on Port property. He also changed the name of a correspondence on the agenda from Capital Club to the Oregon Public Port Association.

III. PUBLIC COMMENT

None

IV. CONSENT CALENDAR

No changes were made to the consent calendar as presented. The consent calendar consisted of the following items:

- A. Minutes of Regular Meeting of February 24, 2015
- B. Financial Reports
- C. Special Use Permit – Davis Shows Carnival, April 30, 2015
- D. Special Use Permit – Newport Marathon, May 30, 2015
- E. Special Use Permit – Barrel to Keg Race, July 18, 2015

A motion was made by Barton and seconded by Fleck to accept the consent calendar. The motion passed 5-0.

V. CORRESPONDENCE / PRESENTATIONS

A. Oregon Boating Foundation

Joe Novella, from the Oregon Boating Foundation, gave a presentation about the Foundation. It was formed in 2008 to provide safety awareness and education on the central Oregon coast and to give sailing instructions to youth. It partnered with 4-H and the Yaquina Bay Yacht Club to teach kayak lessons. They now offer adult lessons and high-school sailing. The latter has been very successful. They have Kids' Day at the Float House when youth can check out boats. Tuesday at the Float House is for adults to work on projects and get together for pizza. Fleck said he was totally amazed at how much the Foundation is doing with local youth. President Chuck voiced his appreciation of the Foundation.

B. City of Newport Stormwater Mitigation Project

Tim Gross, Director of Public Works, City of Newport, addressed the commissioners on the issue of stormwater upgrades. The city has continued with plans to improve the stormwater conveyance at various intersections. The city is proposing the installation of a new stormwater line on Fogarty and a new outfall on the bay. The new outfall will be located close to the current outfall on Port property. The amount of stormwater being discharged will not be changed, nor will there be pollution controls added; the steep grade of Fogarty causes the water to discharge at too great a rate to install separators. Instead, the result will be a better conveyance system of the existing stormwater. Gross asked that the Port, as the landowner, sign a joint application with the city to the Department of State Lands and the Army Corps of Engineers on the mitigation project involving the mudflats around the outfall. Gross said the city would be coming back at a later date with a proposed easement and compensation package. He said that the compensation package would be initially based upon an appraisal ordered by the city. A motion was made by Barton and seconded by Fleck that the General Manager should sign the joint application with the city to DSL and ACE on the mitigation project. The motion passed 5-0.

C. Newport Urban Renewal District

The General Manager reviewed the proposed Newport Urban Renewal Project. The city council, acting as the Urban Renewal Agency, approved the larger geographic option. The materials in the packet outline the financial impact on the Port. The annual loss in 2016 would be \$1600; total loss through 2036 would be just over \$250,000. City Councilor Ralph Busby, said that those numbers are not written in stone. The City is forming a committee that will look at the Urban Renewal District in greater detail. The Port has a seat on the committee. Commissioner Brown volunteered to serve on the committee; President Chuck offered to serve as the alternate. The General Manager noted that the Port has benefited from urban renewal projects in the past.

D. The Oregon Public Port Association

The General Manager related that the letter from OPPO summarized the funding opportunities that the Association was supporting, which included dredging projects that would benefit the Port.

E. U. S. Coast Guard Response Cutters

The General Manager discussed the letter received by Rick Fuller, the Port Facilities Manager for NOAA. NOAA MOC-P facility is one of three sites being considered for the location for two of the new Coast Guard Fast Response Cutters. The cutters would serve as patrol boats for fishery patrols, search and rescue, and national defense. Environmental assessments will be completed on all three sites. Local input will be taken until April 7, 2015. Several local agencies and businesses located close to the proposed location received letters requesting input. The General Manager told the commissioners that he could prepare letters for others, advocating for the Newport site. Barton asked if we should hire a consulting firm, as was done when the city was lobbying for NOAA MOC-P. The General Manager said that we would do this on our own, given the short deadline and the fact that it is a much smaller project. Barton asked if we would be expected to build buildings and then lease them to Homeland Security. The General Manager and Rick Fuller said that the process was not far enough along to know that. Commissioners expressed reluctance to have the General Manager advocate for a project if they did not know the full consequences of the project. The General Manager reminded the commissioners that, while the decision on where to locate the cutters could be on a fast track, the actual process would not be completed until 2021. The commissioners discussed what the Fast Response Cutters could potentially do to the dynamics of the Port, given their military appearance and guns. Commissioner Brown noted that the Coast Guard boats are also equipped with guns. Fleck said he did not have a problem with guns on the cutters. Rick Fuller reminded everyone that NOAA had the final say on whether or not the project was acceptable because they hold the lease on the land that would be used to accommodate the project. The commissioners instructed the General Manager to go forward on the matter.

F. NOAA Recreational Mitigation Projects

President Chuck said the purpose of the letter was to assure the Department of State Lands that the alternative crabbing sites were well vetted. He said a statement in the letter was incorrect; he had discussed the issue with five agencies rather than seven. He was told that the letter would be corrected. A motion was made by Brown and seconded by Barton to accept the letter. The motion passed 5-0.

VII. OLD BUSINESS

A. Accounts Paid

A motion was made by Barton and seconded by Jincks to accept the Accounts Paid; The motion passed 3-0, Fleck and Brown recused themselves because of payments made to Les Schwab and Englund Marine.

B. Resolution Setting Rates, Fees, and Charges (ORS294.160)

General Manager said this was still for information only. Action on the rates would be taken in May or June. Some additional charges would be for 120 volt electricity at the International Terminal, as well as an electrical surcharge at the South Beach marina. Administrative fees have been added for public record requests, as well as for background and credit checks for visitors staying more than 30 days at the South Beach marina and RV parks. He said that some people at the hoist dock had expressed concern about the fee increases. Jincks asked about the posting of the proposed rates on the website. The General Manager said it was being worked on and hoped to have it up in the next week.

VIII. NEW BUSINESS

A. Port of Newport Public Records Policy

The General Manager reminded the commissioners that a public records policy was required by the Port bylaws and that the Port would receive a 2% reduction in its insurance premiums if the Port adopted a public records policy. He also spoke to the issue of having the commissioners conduct their port business on a Port email account. He said that makes it easier for the elected officials. Commissioner Jincks preferred for the Port to find out what is actually required. He noted that his emails for Port business were very limited in number.

IX. STAFF REPORTS

A. Department Reports

1. Steve Larrabee, Director of Finance
2. Rick Fuller, NOAA Facilities Manager
3. Kevin Bryant, Commercial Marina Harbormaster
4. Jim Durkee, Terminal Operations Manager
5. Penny Gabrielson, South Beach RV Park
6. Chris Urbach, South Beach Marina Harbormaster
7. Mike Goff, TCB Security
8. Safety Committee Report

The commissioners had no comments on the staff reports.

B. General Manager's Report

1. Rogue Brewery Expansion

The General Manager told the commissioners that the negotiations were ongoing. He met with an engineer about plans to fill the old launch ramp and reconfigure traffic areas. Those changes would be part of the negotiation process with Rogue.

2. International Terminal Update

The General Manager said that the final touches were being made to the mitigation project. He said that Teevin had inquired about a lease option on its nine-acre site. The Port would apply for grants to construct the lay-down area and Teevin would have first-right-of-refusal to lease the facility. The General Manager noted that Teevin does a lot of auxiliary work other than log exports and that the State is very interested in the project. He has received a rough draft of a lease agreement from Teevin and will have attorney Gintner review it. Barton asked why the Port was not using the same attorney on a lease option as in the past. The General Manager said he did not want to pay an attorney to start from scratch in order to save money. Jincks asked if this would include mitigation, if the Halls had been contacted and, if so, what was their response. Jincks said that the footprint of the lay-down area would be reduced if mitigation had to be done on-site. The General Manager said that he would be contacting them. President Chuck said that he had been approached by State officials indicating that they were very supportive of the project. Commissioner Brown said that he had discussed the project with state officials as well and they were very positive.

3. Pacific NW Waterways (PNWA) Mission to DC, March 1-5

The General Manager said that the trip to Washington D. C. was very productive. He was very proud of the Fishermen's Wives and their success in educating officials. He said it would be more complicated going forward and had recommended that they hire the Port's PR firm in Washington D. C. to continue the advocacy on a step-by-step basis.

4. Sea Lion Issues

The General Manager said that the Sea Lion agreement with the Newport Sea Lion Docks Foundation had been delayed because of time constraints, but that there had been issues about sea lions in the last week. The significant increase in the number of sea lions on the commercial docks was a problem. He had consulted with NOAA about allowed methods of deterrence. The Port was using paintballs, in large part because it allowed staff to keep a safe distance from the animals. While the Port is using approved methods to deter the sea lions, it does create a PR problem. The Port has the staff person using the paint gun wearing an orange vest to identify him as a Port employee. An additional staff person, also in an orange vest, on the boardwalk, talking with people and explaining what the Port is doing. Commissioner Fleck said that the Port needs to make people aware of the dangers of approaching the animals on

the docks. Commissioner Jincks agreed and suggested that a sign be posted warning people from approaching the sea lions. The General Manager also spoke of the damage that the sea lions are doing to the docks. The sea lions essentially torque the docks when they get on and off, breaking concrete and electrical lines. He said the Port is looking at other options as well because the paint guns only produce a temporary result.

5. South Beach Vision Plan

The General Manager is working with the county Economic Development Commission. It is preparing two grant applications to help pay for the planning project that are due in April. He said that Rachael Cotton, a RARE intern with EDALC, has been doing a great job.

6. Capital Facilities Plan Update – Project List

The General Manager referred to the list of projects in the packet which will be reviewed at the April 7 Budget Meeting.

7. Organizational Liaisons

The General Manager said that the list of commissioner assignments was an old one. President Chuck said that he had replaced Barton on two committees. The General Manager suggested that commissioner assignments would be reviewed after the elections and the new commissioners were sworn in. Stewart Lamerdin was introduced by President Chuck. Lamerdin is running unopposed for Commissioner Barton's seat (Position #3) on the Board. Patricia Patrick-Joling, a candidate running unopposed for Commissioner Fleck's seat (Position #5) was invited to attend but had a previous engagement.

X. COMMISSIONER REPORTS

There were no commissioner reports.

XI. CALENDAR / FUTURE CONSIDERATIONS

Chuck read the following calendar items:

- A. 04/07 Commission Budget Priorities Work Session
- B. 04/08 Fishermen's Forum
- C. 04/14 Second Commission Budget Work Session, if needed
- D. 04/28 Regular Commission Meeting (Yaquina Bay Yacht Club)

He also added that the Oregon Coast Sportsmen's Expo would be held from March 27-29.

XII. PUBLIC COMMENT

Wade Dudley urged the commissioners to advocate for the fast response cutters. He also noted that the Port needs to enforce the No Crabbing on Port Dock 5.

XIII. ADJOURNMENT

Having no further business, the meeting adjourned at 7:35 PM.

ATTEST:

Walter Chuck, President

Ken Brown, Secretary / Treasurer

PORT OF NEWPORT MINUTES
April 7, 2015,
Budget Priority Work Session

I. CALL TO ORDER

Commission President Walter Chuck called the budget priority work session of the Port of Newport Board of Commissioners to order at 12:02 PM at the South Beach Marina and RV Park Activities Room.

Commissioners Present: Walter Chuck (Pos. #1), President; Ken Brown (Pos. #4), Secretary / Treasurer; JoAnn Barton (Pos. #3); and David Jincks (Pos. #2). Dean Fleck (Pos. #5), Vice President was excused.

Port of Newport Management and Staff: Kevin Greenwood, General Manager; Stephen Larrabee, Director of Finance.

Members of the Public: Members of the Budget Committee: Mark Collson, Fred Postlewaite. Candidates for the Commission: Stewart Lamerdin, Patricia Patrick-Joling.

II. PERSONNEL EXPENSES

Greenwood reviewed personnel-related documents including a draft compensation plan resolution that includes all cost benefits to the Port including position rate range, health care insurance premiums, retirement plans, etc. Commission reviewed hourly wage step matrix. Greenwood noted that the only changes were to the Maintenance III position to match minimum wage and the changes to the Port Manager's scale to reflect his 2% wage increase. Discussion about budgeting the Director of Operations position but not the Special Projects position as those duties can be distributed among the management team and contract grant writers.

III. FEE STRUCTURE

Briefly discussed the rate, fee and charges resolution which is available on the Port's website.

IV. PROJECT PRIORITIES

Greenwood reviewed project prioritized by Department Heads including the Port's Capital Improvement List.

Greenwood reviewed South Beach request for replacing dumpsters which can be a preventative safety issue. He explained that the dumpsters could be phased in depending on funds but older, rougher equipment could result in increased workers comp claims.

Discussion about Port's 9-acre lay down area and pursuing grants to fund the development of the lot that could be leased to a terminal operator such as Teevin.

Jincks asked about funding opportunities and Greenwood noted Connect Oregon and US Commerce programs. Postlewaite asked about cash flow and Greenwood noted that the lay down area would result in exports that would produce significant tariffs for the Port.

Jincks inquired about the need for a longer boom on the hoist arm adding \$100,000 to the Hoist Dock project list. He felt that the hoist at the International Terminal would adequately serve larger vessels. There was discussion about multiple grant applications hurting Port's Connect Oregon chances.

Also discussed the old boat launch fill in as a negotiating tool with port tenant and that Greenwood felt that the priority could be lower but that it should be executed by the Port using lease income.

Collson asked about the Pier 5 extension and Greenwood noted that the Pier is part of the Port Dock 5 replacement cost.

Discussion about the Admin Building possibly being funding as part of a port security upgrade. Chuck felt that it should be a lower priority but Barton thought the port should take advantage of the grant opportunity should it arise. She did agree that if the Port did receive the grant, staff would need to get out in front of the issue from a public relations perspective.

V. SCHEDULE

Budget Committee Meeting is scheduled for Tuesday, May 12th at 6:00pm at SB Marina Activities Room.

VI. ADJOURNMENT

Having no further business, the meeting adjourned at 11:57am.

ATTEST:

Walter Chuck, President

Ken Brown, Secretary/Treasurer



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Memo

To: Port of Newport Commissioners
From: Stephen Larrabee, Director of Finance
Date: April 28, 2015

Financials:

March year to date financials are attached. Income continues to be up and expenses down.

Finance Operations:

The Budget process is well underway and the Finance team is working closely with all parties involved in the process. The first proposed budget will be sent to the committee members on May 5th.

Port of Newport Operating Fund
Balance Sheet
 As of March 31, 2015

	<u>Mar 31, 15</u>	<u>Mar 31, 14</u>	<u>\$ Change</u>
ASSETS			
Current Assets			
Checking/Savings			
Available Cash & Equivalents	924,830.34	443,688.82	481,141.52
Restricted Cash & Equivalents	623,372.97	686,816.56	-63,443.59
Total Checking/Savings	<u>1,548,203.31</u>	<u>1,130,505.38</u>	<u>417,697.93</u>
Accounts Receivable			
Accounts Receivable	42,684.08	753.49	41,930.59
Total Accounts Receivable	<u>42,684.08</u>	<u>753.49</u>	<u>41,930.59</u>
Other Current Assets			
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	8,054.60	2,280.00
Assets Held For Sale	5,609.93	0.00	5,609.93
Due from other Port Funds	100,456.36	123,719.53	-23,263.17
Prepaid Expenses	133,077.65	86,871.92	46,205.73
Total Other Current Assets	<u>235,478.54</u>	<u>204,646.05</u>	<u>30,832.49</u>
Total Current Assets	<u>1,826,365.93</u>	<u>1,335,904.92</u>	<u>490,461.01</u>
Fixed Assets			
Capital Assets	88,071,060.35	89,147,062.56	-1,076,002.21
Total Fixed Assets	<u>88,071,060.35</u>	<u>89,147,062.56</u>	<u>-1,076,002.21</u>
TOTAL ASSETS	<u><u>89,897,426.28</u></u>	<u><u>90,482,967.48</u></u>	<u><u>-585,541.20</u></u>
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	59,395.31	30,762.44	28,632.87
Total Accounts Payable	<u>59,395.31</u>	<u>30,762.44</u>	<u>28,632.87</u>
Other Current Liabilities			
Accrued Interest Payable	90,347.00	90,347.00	0.00
Accrued Property Taxes	0.00	32,887.87	-32,887.87
Current Portion-Long Term Debt	177,258.39	177,258.39	0.00
Due to other Port Funds	6,521.28	30,911.89	-24,390.61
Payroll Liability	33,573.82	40,298.37	-6,724.55
Prepaid Moorage and Deposits	39.00	31,494.00	-31,455.00
Total Other Current Liabilities	<u>307,739.49</u>	<u>403,197.52</u>	<u>-95,458.03</u>
Total Current Liabilities	<u>367,134.80</u>	<u>433,959.96</u>	<u>-66,825.16</u>
Long Term Liabilities			
2013 FF&C Bond Premium	135,465.75	135,465.75	0.00
Long Term Debt	8,771,100.61	8,739,743.61	31,357.00
Total Long Term Liabilities	<u>8,906,566.36</u>	<u>8,875,209.36</u>	<u>31,357.00</u>
Total Liabilities	<u>9,273,701.16</u>	<u>9,309,169.32</u>	<u>-35,468.16</u>
Equity			
Contributed Capital	7,130,788.00	7,130,788.00	0.00
Fund Balance	-6,448,059.80	-5,722,419.16	-725,640.64
Opening Balance Equity	79,446,413.75	79,446,413.75	0.00
Net Income	494,583.17	319,015.57	175,567.60
Total Equity	<u>80,623,725.12</u>	<u>81,173,798.16</u>	<u>-550,073.04</u>
TOTAL LIABILITIES & EQUITY	<u><u>89,897,426.28</u></u>	<u><u>90,482,967.48</u></u>	<u><u>-585,541.20</u></u>

Port of Newport Operating Fund
Profit & Loss Budget vs. Actual
 July 2014 through March 2015

	<u>Jul '14 - Mar 15</u>	<u>Budget</u>	<u>\$ Over Budget</u>
Ordinary Income/Expense			
Income			
Lease Revenues	443,517.33	569,438.00	-125,920.67
Shipping Terminal Revenues	7,244.23	10,000.00	-2,755.77
Hoist Dock & Services	374,636.48	385,500.00	-10,863.52
Moorage	775,548.34	1,135,000.00	-359,451.66
Launch Ramp & Trailer Storage	58,380.23	58,000.00	380.23
Miscellaneous Revenue	68,621.90	32,600.00	36,021.90
RV Parks	549,119.96	552,500.00	-3,380.04
Total Income	<u>2,277,068.47</u>	<u>2,743,038.00</u>	<u>-465,969.53</u>
Gross Profit	2,277,068.47	2,743,038.00	-465,969.53
Expense			
Personal Services	689,406.17	1,124,806.00	-435,399.83
Materials & Services	896,461.52	1,328,297.00	-431,835.48
Debt Services	254,031.75	578,205.00	-324,173.25
Total Expense	<u>1,839,899.44</u>	<u>3,031,308.00</u>	<u>-1,191,408.56</u>
Net Ordinary Income	437,169.03	-288,270.00	725,439.03
Other Income/Expense			
Other Income			
Property Tax Revenue	93,683.27	88,750.00	4,933.27
Fund Transfers In	0.00	25,000.00	-25,000.00
Gain/(Loss) on Sale of Assets	1,450.00		
Grant & Loan Proceeds	3,897.00	17,200.00	-13,303.00
Interest Income	3,341.16	2,500.00	841.16
Miscellaneous	3,766.90		
Sale of Assets	50.00		
Property & Dredge Sales	1,356.00	5,000.00	-3,644.00
Total Other Income	<u>107,544.33</u>	<u>138,450.00</u>	<u>-30,905.67</u>
Other Expense			
Break-in Replacement	11,773.33		
Capital Outlay	0.00	150,000.00	-150,000.00
Total Other Expense	<u>11,773.33</u>	<u>150,000.00</u>	<u>-138,226.67</u>
Net Other Income	95,771.00	-11,550.00	107,321.00
Net Income	<u><u>532,940.03</u></u>	<u><u>-299,820.00</u></u>	<u><u>832,760.03</u></u>

9:16 AM
 04/22/15
 Accrual Basis

Port of Newport Operating Fund
Profit & Loss Budget vs. Actual - Admin
 July 2014 through March 2015

	Jul '14 - Mar 15	Budget	\$ Over Budget
Ordinary Income/Expense			
Income			
Lease Revenues	443,517.33	569,438.00	-125,920.67
Hoist Dock & Services	2,851.20		
Moorage	1,121.00		
Miscellaneous Revenue	26,657.40		
Total Income	<u>474,146.93</u>	<u>569,438.00</u>	<u>-95,291.07</u>
Gross Profit	474,146.93	569,438.00	-95,291.07
Expense			
Personal Services	247,981.20	484,982.00	-237,000.80
Materials & Services	253,081.36	377,337.00	-124,255.64
Debt Services	13,389.00	16,912.00	-3,523.00
Total Expense	<u>514,451.56</u>	<u>879,231.00</u>	<u>-364,779.44</u>
Net Ordinary Income	-40,304.63	-309,793.00	269,488.37
Other Income/Expense			
Other Income			
Property Tax Revenue	93,683.27	88,750.00	4,933.27
Fund Transfers In	0.00	25,000.00	-25,000.00
Gain/(Loss) on Sale of Assets	1,450.00		
Grant & Loan Proceeds	4,800.00	16,500.00	-11,700.00
Interest Income	3,341.16	2,500.00	841.16
Miscellaneous	3,736.90		
Sale of Assets	50.00		
Total Other Income	<u>107,061.33</u>	<u>132,750.00</u>	<u>-25,688.67</u>
Other Expense			
Break-in Replacement	37.29		
Total Other Expense	<u>37.29</u>		
Net Other Income	<u>107,024.04</u>	<u>132,750.00</u>	<u>-25,725.96</u>
Net Income	<u><u>66,719.41</u></u>	<u><u>-177,043.00</u></u>	<u><u>243,762.41</u></u>

**Port of Newport Operating Fund
 Profit & Loss Budget vs. Actual - NIT
 July 2014 through March 2015**

	<u>Jul '14 - Mar 15</u>	<u>Budget</u>	<u>\$ Over Budget</u>
Ordinary Income/Expense			
Income			
Shipping Terminal Revenues	7,244.23	7,500.00	-255.77
Hoist Dock & Services	145,621.78	139,500.00	6,121.78
Moorage	57,618.80	60,000.00	-2,381.20
Miscellaneous Revenue	1,958.07		
Total Income	<u>212,442.88</u>	<u>207,000.00</u>	<u>5,442.88</u>
Gross Profit	212,442.88	207,000.00	5,442.88
Expense			
Personal Services	42,732.99	59,810.00	-17,077.01
Materials & Services	74,093.89	99,262.00	-25,168.11
Debt Services	170,154.99	449,005.00	-278,850.01
Total Expense	<u>286,981.87</u>	<u>608,077.00</u>	<u>-321,095.13</u>
Net Ordinary Income	-74,538.99	-401,077.00	326,538.01
Other Income/Expense			
Other Expense			
Capital Outlay	0.00	150,000.00	-150,000.00
Total Other Expense	<u>0.00</u>	<u>150,000.00</u>	<u>-150,000.00</u>
Net Other Income	<u>0.00</u>	<u>-150,000.00</u>	<u>150,000.00</u>
Net Income	<u><u>-74,538.99</u></u>	<u><u>-551,077.00</u></u>	<u><u>476,538.01</u></u>

**Port of Newport Operating Fund
 Profit & Loss Budget vs. Actual - SB
 July 2014 through March 2015**

	<u>Jul '14 - Mar 15</u>	<u>Budget</u>	<u>\$ Over Budget</u>
Ordinary Income/Expense			
Income			
Hoist Dock & Services	9,513.95	9,500.00	13.95
Moorage	413,303.87	675,000.00	-261,696.13
Launch Ramp & Trailer Storage	57,881.48	58,000.00	-118.52
Miscellaneous Revenue	35,765.76	28,600.00	7,165.76
RV Parks	549,197.35	552,500.00	-3,302.65
Total Income	<u>1,065,662.41</u>	<u>1,323,600.00</u>	<u>-257,937.59</u>
Gross Profit	1,065,662.41	1,323,600.00	-257,937.59
Expense			
Personal Services	216,168.48	308,951.00	-92,782.52
Materials & Services	368,930.23	550,714.00	-181,783.77
Debt Services	64,806.36	105,332.00	-40,525.64
Total Expense	<u>649,905.07</u>	<u>964,997.00</u>	<u>-315,091.93</u>
Net Ordinary Income	415,757.34	358,603.00	57,154.34
Other Income/Expense			
Other Income			
Grant & Loan Proceeds	-903.00	700.00	-1,603.00
Property & Dredge Sales	568.00	5,000.00	-4,432.00
Total Other Income	<u>-335.00</u>	<u>5,700.00</u>	<u>-6,035.00</u>
Other Expense			
Break-in Replacement	2,855.17		
Total Other Expense	<u>2,855.17</u>		
Net Other Income	<u>-3,190.17</u>	<u>5,700.00</u>	<u>-8,890.17</u>
Net Income	<u><u>412,567.17</u></u>	<u><u>364,303.00</u></u>	<u><u>48,264.17</u></u>

9:39 AM
 04/22/15
 Accrual Basis

**Port of Newport Operating Fund
 Profit & Loss Budget vs. Actual - CM
 July 2014 through March 2015**

	<u>Jul '14 - Mar 15</u>	<u>Budget</u>	<u>\$ Over Budget</u>
Ordinary Income/Expense			
Income			
Shipping Terminal Revenues	0.00	2,500.00	-2,500.00
Hoist Dock & Services	214,263.70	236,500.00	-22,236.30
Moorage	303,504.67	400,000.00	-96,495.33
Launch Ramp & Trailer Storage	498.75		
Miscellaneous Revenue	4,240.67	4,000.00	240.67
Total Income	<u>522,507.79</u>	<u>643,000.00</u>	<u>-120,492.21</u>
Gross Profit	522,507.79	643,000.00	-120,492.21
Expense			
Personal Services	182,523.50	271,063.00	-88,539.50
Materials & Services	200,568.31	300,984.00	-100,415.69
Debt Services	5,681.40	6,956.00	-1,274.60
Total Expense	<u>388,773.21</u>	<u>579,003.00</u>	<u>-190,229.79</u>
Net Ordinary Income	133,734.58	63,997.00	69,737.58
Other Income/Expense			
Other Income			
Miscellaneous	30.00		
Property & Dredge Sales	788.00		
Total Other Income	<u>818.00</u>		
Net Other Income	818.00		
Net Income	<u><u>134,552.58</u></u>	<u><u>63,997.00</u></u>	<u><u>70,555.58</u></u>

Port of Newport - NOAA Fund
Balance Sheet
As of March 31, 2015

	<u>Mar 31, 15</u>	<u>Mar 31, 14</u>	<u>\$ Change</u>
ASSETS			
Current Assets			
Checking/Savings			
Cash & Equivalents	5,191,448.85	4,997,475.77	193,973.08
Total Checking/Savings	<u>5,191,448.85</u>	<u>4,997,475.77</u>	<u>193,973.08</u>
Other Current Assets			
Prepaid Expenses	55,084.28	58,643.24	-3,558.96
Bond Costs (net amortization)	0.00	587,640.00	-587,640.00
Total Other Current Assets	<u>55,084.28</u>	<u>646,283.24</u>	<u>-591,198.96</u>
Total Current Assets	<u>5,246,533.13</u>	<u>5,643,759.01</u>	<u>-397,225.88</u>
TOTAL ASSETS	<u><u>5,246,533.13</u></u>	<u><u>5,643,759.01</u></u>	<u><u>-397,225.88</u></u>
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	1,251.70	2,259.03	-1,007.33
Total Accounts Payable	<u>1,251.70</u>	<u>2,259.03</u>	<u>-1,007.33</u>
Other Current Liabilities			
Vacation Payable	2,885.00	1,732.00	1,153.00
Due to Operations or Const Fund	140,449.84	0.00	140,449.84
Current Portion-Long-Term Debt	815,000.00	790,000.00	25,000.00
Accrued Interest Payable	499,410.00	509,285.00	-9,875.00
Total Other Current Liabilities	<u>1,457,744.84</u>	<u>1,301,017.00</u>	<u>156,727.84</u>
Total Current Liabilities	<u>1,458,996.54</u>	<u>1,303,276.03</u>	<u>155,720.51</u>
Long Term Liabilities			
Long-Term Debt	22,332,424.00	22,343,121.00	-10,697.00
Total Long Term Liabilities	<u>22,332,424.00</u>	<u>22,343,121.00</u>	<u>-10,697.00</u>
Total Liabilities	<u>23,791,420.54</u>	<u>23,646,397.03</u>	<u>145,023.51</u>
Equity			
Opening Balance Equity	-17,956,079.71	-17,956,077.71	-2.00
Unrestricted Net Assets	-88,442.77	781,075.07	-869,517.84
Net Income	-500,364.93	-827,635.38	327,270.45
Total Equity	<u>-18,544,887.41</u>	<u>-18,002,638.02</u>	<u>-542,249.39</u>
TOTAL LIABILITIES & EQUITY	<u><u>5,246,533.13</u></u>	<u><u>5,643,759.01</u></u>	<u><u>-397,225.88</u></u>

9:54 AM
 04/22/15
 Accrual Basis

**Port of Newport - NOAA Fund
 Profit & Loss Budget vs. Actual
 July 2014 through March 2015**

	<u>Jul '14 - Mar 15</u>	<u>Budget</u>	<u>\$ Over Budget</u>
Ordinary Income/Expense			
Income			
Lease Income	1,906,404.21	2,538,000.00	-631,595.79
Interest Income	7,231.84	10,000.00	-2,768.16
Total Income	<u>1,913,636.05</u>	<u>2,548,000.00</u>	<u>-634,363.95</u>
Expense			
Personal Services	64,053.95	106,975.00	-42,921.05
Materials & Service	335,631.98	630,387.00	-294,755.02
Debt Service	2,001,358.76	2,001,500.00	-141.24
Total Expense	<u>2,401,044.69</u>	<u>2,738,862.00</u>	<u>-337,817.31</u>
Net Ordinary Income	-487,408.64	-190,862.00	-296,546.64
Other Income/Expense			
Other Expense			
Capital Outlay	12,956.29		
Fund Transfers Out	0.00	150,000.00	-150,000.00
Contingency	0.00	100,000.00	-100,000.00
Total Other Expense	<u>12,956.29</u>	<u>250,000.00</u>	<u>-237,043.71</u>
Net Other Income	-12,956.29	-250,000.00	237,043.71
Net Income	<u><u>-500,364.93</u></u>	<u><u>-440,862.00</u></u>	<u><u>-59,502.93</u></u>

9:56 AM
 04/22/15
 Accrual Basis

Facility Maintenance Reserve Fund
Balance Sheet
 As of March 31, 2015

	<u>Mar 31, 15</u>	<u>Mar 31, 14</u>	<u>\$ Change</u>
ASSETS			
Current Assets			
Checking/Savings			
Umpqua Bank - Money Market	166,683.53	290,265.77	-123,582.24
Total Checking/Savings	<u>166,683.53</u>	<u>290,265.77</u>	<u>-123,582.24</u>
Total Current Assets	<u>166,683.53</u>	<u>290,265.77</u>	<u>-123,582.24</u>
TOTAL ASSETS	<u><u>166,683.53</u></u>	<u><u>290,265.77</u></u>	<u><u>-123,582.24</u></u>
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	93,293.58	123,719.53	-30,425.95
Total Accounts Payable	<u>93,293.58</u>	<u>123,719.53</u>	<u>-30,425.95</u>
Total Current Liabilities	<u>93,293.58</u>	<u>123,719.53</u>	<u>-30,425.95</u>
Total Liabilities	<u>93,293.58</u>	<u>123,719.53</u>	<u>-30,425.95</u>
Equity			
Fund Balance	166,595.95	96,288.94	70,307.01
Net Income	-93,206.00	70,257.30	-163,463.30
Total Equity	<u>73,389.95</u>	<u>166,546.24</u>	<u>-93,156.29</u>
TOTAL LIABILITIES & EQUITY	<u><u>166,683.53</u></u>	<u><u>290,265.77</u></u>	<u><u>-123,582.24</u></u>

10:03 AM
 04/22/15
 Accrual Basis

**Construction Fund - Port of Newport
 Balance Sheet
 As of March 31, 2015**

	<u>Mar 31, 15</u>	<u>Mar 31, 14</u>	<u>\$ Change</u>
ASSETS			
Current Assets			
Checking/Savings			
Construction Fund Bank Accts	33,750.70	770,822.89	-737,072.19
Total Checking/Savings	<u>33,750.70</u>	<u>770,822.89</u>	<u>-737,072.19</u>
Other Current Assets			
Due From Other funds	186,294.86	0.00	186,294.86
Total Other Current Assets	<u>186,294.86</u>	<u>0.00</u>	<u>186,294.86</u>
Total Current Assets	<u>220,045.56</u>	<u>770,822.89</u>	<u>-550,777.33</u>
TOTAL ASSETS	<u><u>220,045.56</u></u>	<u><u>770,822.89</u></u>	<u><u>-550,777.33</u></u>
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable	0.01	8,069.55	-8,069.54
Other Current Liabilities	0.00	295.00	-295.00
Total Current Liabilities	<u>0.01</u>	<u>8,364.55</u>	<u>-8,364.54</u>
Total Liabilities	0.01	8,364.55	-8,364.54
Equity			
Fund Balance	750,803.54	1,212,169.60	-461,366.06
Net Income	-530,757.99	-449,711.26	-81,046.73
Total Equity	<u>220,045.55</u>	<u>762,458.34</u>	<u>-542,412.79</u>
TOTAL LIABILITIES & EQUITY	<u><u>220,045.56</u></u>	<u><u>770,822.89</u></u>	<u><u>-550,777.33</u></u>

Bonded Debt Fund - Port of Newport
Balance Sheet
 As of March 31, 2015

	<u>Mar 31, 15</u>	<u>Mar 31, 14</u>	<u>\$ Change</u>
ASSETS			
Current Assets			
Checking/Savings			
Gen Obligation Bond MM-OCB	350,848.98	306,658.19	44,190.79
Total Checking/Savings	<u>350,848.98</u>	<u>306,658.19</u>	<u>44,190.79</u>
Accounts Receivable			
Due from General Operating Fund	0.00	6,211.95	-6,211.95
Total Accounts Receivable	<u>0.00</u>	<u>6,211.95</u>	<u>-6,211.95</u>
Other Current Assets			
Undeposited Funds	6,521.28	0.00	6,521.28
Property Tax Receivable	76,845.12	67,552.12	9,293.00
Total Other Current Assets	<u>83,366.40</u>	<u>67,552.12</u>	<u>15,814.28</u>
Total Current Assets	434,215.38	380,422.26	53,793.12
Other Assets			
Bond Issue costs, net of amort.	352,796.00	282,476.00	70,320.00
Total Other Assets	<u>352,796.00</u>	<u>282,476.00</u>	<u>70,320.00</u>
TOTAL ASSETS	<u><u>787,011.38</u></u>	<u><u>662,898.26</u></u>	<u><u>124,113.12</u></u>
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Other Current Liabilities			
Bonds Payable - Current	285,000.00	275,000.00	10,000.00
Total Other Current Liabilities	<u>285,000.00</u>	<u>275,000.00</u>	<u>10,000.00</u>
Total Current Liabilities	285,000.00	275,000.00	10,000.00
Long Term Liabilities			
2007 Series Bonds	4,196,895.00	4,311,895.00	-115,000.00
2008 Series Bonds	4,304,904.00	4,414,904.00	-110,000.00
2011 Series Bonds	5,207,881.00	5,267,831.00	-59,950.00
Total Long Term Liabilities	<u>13,709,680.00</u>	<u>13,994,630.00</u>	<u>-284,950.00</u>
Total Liabilities	13,994,680.00	14,269,630.00	-274,950.00
Equity			
Bonded Debt Fund Balance	914,547.00	1,108,548.00	-194,001.00
Retained Earnings	720,537.05	126,399.84	594,137.21
Opening Balance Equity	-15,156,375.83	-15,156,375.83	0.00
Net Income	313,623.16	314,696.25	-1,073.09
Total Equity	<u>-13,207,668.62</u>	<u>-13,606,731.74</u>	<u>399,063.12</u>
TOTAL LIABILITIES & EQUITY	<u><u>787,011.38</u></u>	<u><u>662,898.26</u></u>	<u><u>124,113.12</u></u>

Amendment Number 2

Project Name: Port of Newport Development and Planning Study

This amendment is made and entered into by and between the State of Oregon, acting by and through the Oregon Infrastructure Finance Authority (“IFA”), and the Port of Newport (“Recipient”), and amends the Grant Contract between Recipient and IFA, Project Number 521850, dated 1 October 2012, (as amended, “Contract”) for the above-named Project. Capitalized terms not defined in this amendment shall have the meanings assigned to them by the Contract.

Recital: The purpose of this amendment is to increase the Grant amount; increase the matching funds amount; extend the Project Completion Date; modify the Project Name; and modify the Project Description.

The parties agree to:

1. Amend the first sentence of Section 2.01 of the Contract as follows (deletions in ~~striketrough~~; additions in double underline):

“ Section 2.01. Grant. In accordance with the terms and conditions of this Contract, IFA shall provide Recipient with a maximum of \$7,000 \$40,000 from the Port Planning and Marketing Fund (“Grant”) for the activities and purposes set forth in Exhibit A (the “Project”), attached and incorporated by this reference.”

2. Amend Section 5.01 of the Contract as follows (deletion in ~~striketrough~~; addition in double underline):

“ Section 5.01. Project Completion. Recipient shall complete the Project no later than ~~October 1, 2014~~ October 31, 2016 provided, however, that if the total amount of the Grant is not available solely because one or more of the conditions set forth in Section 2.03(a) to (c) are not satisfied, Recipient will not be required to complete the Project.”

3. Amend the Project Name on Page 1 of the Contract as follows (deletions in ~~striketrough~~; additions in double underline):

“**PROJECT NAME:** Port of Newport Development and Planning Study
~~Port of Newport Yaquina Bay Ocean Technology Center~~”

4. Amend item 1 of the Description in Exhibit A to the Contract as follows (deletions in ~~striketrough~~; additions in double underline):

“1. The Recipient will ~~procure an architect licensed in Oregon to conduct a needs assessment, complete conceptual design drawings, and prepare cost estimates, to develop the property that is adjacent to NOAA MOC P and OSU HMSC~~ produce a plan for the development and enhancement of port properties located in South Beach, McLean Point and along Bay Boulevard and owned by the Recipient. The plan will focus on land use compatibility, business development opportunities, recreational opportunities, marking strategies, stakeholder involvement strategies, and update the Strategic Business Plan.”

5. Delete the current Work Plan and Project Budget from Exhibit A to the Contract and replace them with the following:

“Work Plan:

Task	Estimated Completion Date
Produce a development plan and update the Strategic Business Plan	31 Oct 2016
Project Closeout	30 Nov 2016

Project Budget:

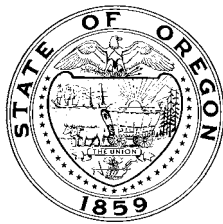
Cash Expenses	
Development plan and updated Strategic Business Plan	\$55,000
Total Project Budget	\$55,000

Cash Income	
Port Planning and Marketing Fund	\$40,000
Port of Newport	\$15,000
Total Project Budget	\$55,000

IFA shall have no obligation under this amendment, unless within 60 days after receipt, the Recipient delivers to IFA the following items, each in form and substance satisfactory to IFA and its Counsel:

- (i) this amendment duly executed by an authorized officer of the Recipient; and
- (ii) such other certificates, documents, opinions and information as IFA may reasonably require.

Except as specifically provided above, this amendment does not modify the Contract, and Contract shall remain in full force and effect during the term thereof. This amendment is effective on the date it is fully executed and approved as required by applicable law.



STATE OF OREGON
 acting by and through the
 Oregon Infrastructure Finance Authority



PORT OF NEWPORT

By: _____
 Paulina Layton, Manager
 Program Services Division

By: _____
 Walter Chuck, President

Date: _____

Date: _____

APPROVED AS TO LEGAL SUFFICIENCY IN ACCORDANCE WITH ORS 291.047:

Not required by OAR 137-045-0050

Agreement concerning floating Sea Lion Docks and associated pilings between Newport Sea Lion Docks Foundation and the Port of Newport

Sea Lions have been using a set of floating docks situated adjacent to Port Dock 1 as a haul-out for almost twenty years. The docks were originally installed by the Port of Newport to accommodate small boats visiting the City, but their use by the sea lions proved to be very popular with visitors, and they became an important tourist attraction for the community, so the sea lions were allowed to continue to use the floating docks. Visitors have traditionally viewed the sea lions from the pier of Port Dock 1, and from the decks of businesses overlooking the floating docks. The Port of Newport and local businesses have worked together in the past to maintain what have become known as the Sea Lion Docks as a tourist attraction.

In recent years, severe winter storms and Sea Lions weight caused the condition of the floating docks to deteriorate and they finally broke up. The pilings holding them had deteriorated due to electrolysis and age and were also lost.

The Port of Newport, who had owned the docks, was not in a position to replace the damaged docks, having other priorities, so the non-profit Newport Sea Lion Docks Foundation was formed in April 2012 by volunteers from the local community, with the intention of funding the replacement and ongoing maintenance of the floating docks and their support pilings.

Port Dock 1 is a working dock, and trucks and other moving vehicles use the pier to service vessels moored at the Dock, and it was also agreed by the Port and the Foundation that a viewing platform would be built abutting Port Dock 1 from which members of the public could view the sea lions, thus reducing the potential for an accident involving one of these vehicles and a member of the public.

It was agreed by the Port of Newport and the Newport Sea Lion Docks Foundation that as the floating docks and the viewing platform were completed, ownership of these facilities would be transferred to the Port, but that ongoing maintenance and replacement of them would be funded by the Foundation. The Commercial Marina Harbormaster shall be contacted upon any maintenance or replacement of the docks. Port staff may assist following the rates set by resolution. The Foundation shall include the Port in all marketing as a co-contributor/sponsor of the facility.

The replacement floating docks and the five pilings supporting them were completed in February 2015, and it is agreed that ownership of these facilities will be transferred to the Port of Newport as of March 1, 2015, for a nominal payment of \$1.00. The Foundation will fund the ongoing maintenance and replacement of the floating docks and the pilings.

Signed on Behalf of Newport
Sea Lion Docks Foundation

Signed on Behalf of Port of Newport

Stan Pickens
President, Newport Sea Lion Docks Foundation

Kevin Greenwood
General Manager, Port of Newport

Date: April ____, 2015

Dated: April ____, 2015

RSIA designation process for Lincoln County - Outline

Date of Expected Completion	Complete	Step
4/7/2015	X	1. Letter of Interest
4/7/2015	X	2. Meeting with Team
7/1/2015		3. Draft Application
		<ul style="list-style-type: none"> ● Letter of Nomination Request (from County as Sponsor)
		<ul style="list-style-type: none"> ● Resolutions by Local Governments and Jurisdictions
		<ul style="list-style-type: none"> ● Narrative - Address Criteria
		<ul style="list-style-type: none"> ● List of property information
		<ul style="list-style-type: none"> ● Maps
		<ul style="list-style-type: none"> ● Letters of Support
		4. Review of Nomination <ul style="list-style-type: none"> ● Questions ● Completeness ● Forward to Interagency Team for review, comments, questions
		5. Agency Reviews <ul style="list-style-type: none"> ● Senior Staff reviews ● Clarifications ● Requests for additional information ● Submit Agency Reports
		6. Final Staff Report <ul style="list-style-type: none"> ● Program Coordinator Review ● Clarifications ● Prepare "Draft Staff Report" ● Final Review by Interagency Team ● Finalize Report for Council
		7. Prepare for Hearing <ul style="list-style-type: none"> ● Notify ERRC of Nomination Request ● Schedule Meeting ● Public Notice ● Compile comments
		8. Consideration by ERRC <ul style="list-style-type: none"> ● Presentation of Nomination by Applicant ● Staff report to Council ● Public Comments ● Consideration by Council ● Council deliberation and decision
		9. Final Action <ul style="list-style-type: none"> ● Decision & Meeting Record ● Amend Rules with legal description of the approved area

Regionally Significant Industrial Area (RSIA) designation for Lincoln County - Pros and Cons

<p>Pros</p> <ul style="list-style-type: none">● Preservation of industrial property● Prioritization in grant and loan funding processes● State, developers, and users are reassured about long-term zoning● Good marketing tool● Lincoln County is better able to market, plan for, and answer questions related to future industrial development and job creation● Tentative team in place to work on application● New properties can be added as Regionally Significant Industrial Sites (but not considered part of the RSIA)	<p>Cons</p> <ul style="list-style-type: none">● Long-term lockup of property (sunset date to be confirmed by Gary Van Huffel)● RSIA application time and effort detracts from other work and priorities● RSIA process could drum up opposition to specific industrial site development● Sites must be chosen carefully and cannot be added or removed after RSIA designation
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600 S.E. BAY BOULEVARD NEWPORT, OREGON 97365 (541) 265-7758 FAX (541) 265-4235

April 17, 2015

Gary Van Huffel, Lands Manager
Business Oregon
775 Summer Street NE, Ste. 200
Salem, OR 97301

RE: BUSINESS OREGON'S REGIONALLY SIGNIFICANT INDUSTRIAL AREA – LETTER OF SUPPORT

Dear Mr. Van Huffel,

The Port of Newport would like to express its support for the application being submitted by Lincoln County to designate several industrial sites within our county as a Regionally Significant Industrial Area (RSIA), including a site at the Port's International Terminal.

In the 2011 Legislative session, Senate Bill 766 was passed to support advancement of job creation on industrial lands statewide by helping to preserve undeveloped industrial lands for industrial uses. A RSIA is an area planned and zoned for industrial use that:

- Contains vacant sites, including brownfields, that are suitable for the location of new industrial uses or the expansion of existing industrial uses and that collectively can provide significant additional employment in the region;
- Has site characteristics that give the area significant competitive advantages that are difficult or impossible to replicate in the region;
- Has superior access to transportation and freight infrastructure, including, but not limited to, rail, port, airport, multimodal freight or transshipment facilities, and other major transportation facilities or routes; and
- Is located in close proximity to major labor markets.

Participation in this program is consistent with the Port's goals to retain, expand and recruit businesses and industries, thereby diversifying the local economy while promoting economic growth by creating year-round family wage jobs.

We are pleased that Lincoln County has taken the initiative to participate in this designation. The Port of Newport supports this application and will work to promote the RSIA as this project continues to evolve.

Sincerely,

Walter Chuck, President
Board of Commissioners



600 S.E. BAY BOLLEWARD NEWPORT OREGON 97365

PORTLAND
OR 970
31 MAR '15
PM 4 1

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03/31/2015
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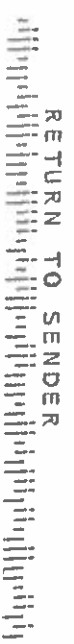
APR 13 2015

PORT OF NEWPORT

Dennis Bishop
P.O. Box 42035
Seaside, OR 97408

*X 978 NSE 1009314C0104/09/15
FORWARD TIME EXP RTN TO SEND
BISHOP
PO BOX 946
NEWPORT OR 97365-0071

9736504338



RETURN TO SENDER

Revert to Bishop at address provided by post office on April 14, 2015. Rc

Port of Newport Commissioner Meeting

April 28, 2015

Summary Update

A. All work with Natt McDougall Co. has been Completed

1. Amendment 31B (Mitigation Dredging)

- **Siltstone Dredging and Rip Rap**
- **Eel Grass Dredging at NOAA**
- **Dike or Berm Removal**

2. Amendment 32, (Hatfield Culvert)

- **Bridge**

3. Refer to Final Reconciliation of GMP & Status Report Adjusted 4/21/2015

- **Savings to the GMP**
- **Projected Saving to the Project Budget**
 - **Advanced Remediation - Closed**
 - **GRI Geotechnical – Open (Added site inspection cost)**
 - **Pacific Habitat – Open (Need to monitor mitigation)**
 - **Day CPM – Open (Need to write CM/GC Final Evaluation)**

B. Next Steps, (Oregon Revised Statutes referenced have been updated to the most recent that apply)

- 1. ORS 279C.355 requires a formal Post Project Evaluation when an agency does not use the competitive bidding process for a public improvement contract in excess of \$100,000. The agency must prepare and submit the evaluation to the local contract review board (The Port of Newport). The purpose of this evaluation is to determine whether it was actually in the agency's best interest to use an Alternative Contracting Method, and more specifically, the Alternative Method of Construction Manager / General Contractor. The evaluation must be delivered to the local contract review board, (Port of Newport), within 30 days of the date of final payment to the contractor or the date of final completion, whichever is later.**

Evaluation is to address:

- **Project background giving a brief description of the project.**
- **Financial information consisting of cost estimates, the Guaranteed Maximum Price (GMP), changes and actual cost.**
- **A narrative description of successes and failures in the design, engineering and construction of the project.**
- **An objective assessment of the use of the CM/GC contracting method as compared to the finding required by ORS 279C.330**

International Terminal Renovation Project

Status as of 12/16/14 (Adjusted 4/21/15)

Outstanding Contracts

	Original	Pd to Date	Outstanding
Advanced Remediation	78,775	76,546 *	-
GRI Geotechnical	233,250	214,871	18,379
HME Dredging (Unconsolidated)	75,760	75,760	-
Pacific Habitat	180,012	172,914	7,098
Day CPM	10,000	4,273	5,727
Natt McDougal			-
Amend #12 - Phase 1 Cargo Dock	2,821,601	2,821,601	(0)
Amend #27 - Fishing Dock Removal & Assoc.	402,275	402,275	0
Amend #29 - Pile Repair/Plates	162,868	162,868	0
Amend #31A - Dredging	-	-	* 459,288
Amend #32 Culvert Mitigation	-	-	* 221,273
NOAA Eel Grass Dredging Reimbursement			* (135,578)
		* Final Costs	
Total Outstanding Contracts			576,187

Additional Work

	Estimate	Costs to Date	Difference
Budget Line Item 46 (Misc. Supplies & Safety Equipment)			
Fender Pile Protection	42,000	-	42,000
Site Signage & Striping Design	1,500	-	1,500
Site Signage & Striping	2,500	-	2,500
Site Security & Camera Design	11,000	-	11,000
Additional Dock Ladders	3,523	3,523	0
Site as-built Survey	4,200	4,200	-
Barricades at CXT Bldg	1,650		1,650
Sealant at CXT & Water Shutoff at Docks	1,000	490	510
Contingency	2,000	-	2,000
			-
			-
Other:			-
Total Additional Work to be Completed			61,160
Total Outstanding Contracts and Work to be Completed			637,347

Current Available Funds

Cash in Bank	533,778
Dredging Grant Proceeds	193,108
Total Available Funds	726,886

Excess Funds/(Funds Needed)

89,538

Final Reconciliation of Guaranteed Maximum Price with CM/GC Natt McDougall Co.

Amendments	Discription	Original Estimate	Final Cost	Savings
Amendment 1	Containment Cell	\$ 1,842,932.00	\$ 1,724,935.13	\$ 117,996.87
Amendment 2	Site Utilities	\$ 172,371.00	\$ 122,189.83	\$ 50,181.17
Amendment 3	Site Preparation	\$ 1,381,194.00	\$ 1,052,900.76	\$ 328,293.24
Amendment 4	Permenant Bulkhead Wall	\$ 262,901.00	\$ 330,834.02	\$ (67,933.02)
Amendment 5	Soils Stabilization	\$ 471,479.00	\$ 221,722.43	\$ 249,756.57
Amendment 6	Hennibique Remediation	\$ 1,871,709.00	\$ 1,145,665.91	\$ 726,043.09
Amendment 7	Contatinment Cell	\$ 997,668.00	\$ 809,251.30	\$ 188,416.70
Amendment 8	Pasley Remediation	\$ 2,432,114.00	\$ 1,336,110.91	\$ 1,096,003.09
Amendment 9	Bulkhead wall -Wall Bm. & Tie Back	\$ 858,527.00	\$ 793,071.58	\$ 65,455.42
Amendment 10	Pasley Demoliton & Bulkhead Wall	\$ 1,713,412.00	\$ 1,280,549.92	\$ 432,862.08
Amendment 11	Phase 1 Gen. Cond. Continued	\$ 586,395.00	\$ 551,996.54	\$ 34,398.46
Amendment 12	Phase 1 Cargo Dock	\$ 3,106,662.00	\$ 2,821,601.13	\$ 285,060.87
Amendment 13	Fishing Dock Piling	\$ 1,082,157.00	\$ 1,032,557.17	\$ 49,599.83
Amendment 14	2012 In Water Work	\$ 284,120.00	\$ 122,825.85	\$ 161,294.15
Amendment 15	Steel Salvage & Buyback	\$ (320,000.00)	\$ (941,606.72)	\$ 621,606.72
Amendment 16	Hennibique Stabilization	\$ 231,890.00	\$ 205,180.08	\$ 26,709.92
Amendment 17	Misc. Site Work	\$ 209,971.00	\$ 207,678.38	\$ 2,292.62
Amendment 18	GAP Stabilizaiton	\$ 1,486,255.00	\$ 1,122,109.32	\$ 364,145.68
Amendment 19	Fishing Dock Prep. Work	\$ 214,402.00	\$ 174,358.23	\$ 40,043.77
Amendment 20	West 1/3 Fishing Dock	\$ 716,925.00	\$ 472,731.28	\$ 244,193.72
Amendment 21	Quad Option Gen. Cond. Continued	\$ 410,470.00	\$ 404,362.54	\$ 6,107.46
Amendment 22	Fishing Dock 2/3's	\$ 1,235,265.00	\$ 1,015,399.66	\$ 219,865.34
Amendment 23	RO RO Dock Modifications	\$ 584,940.00	\$ 510,635.68	\$ 74,304.32
Amendment 24	2012 Dredging	\$ 206,346.00	\$ 146,890.86	\$ 59,455.14
Amendment 25	West Wall, Dolphin, & Paving	\$ 402,489.00	\$ 371,688.26	\$ 30,800.74
Amendment 26	Dock Demo, Utilities, Fenders	\$ 186,317.00	\$ 185,670.86	\$ 646.14
Amendment 27	Fishing Dock Removal & Assoc.	\$ 413,290.00	\$ 400,909.62	\$ 12,380.38
Amendment 28	Paving	\$ 216,418.00	\$ 216,270.96	\$ 147.04
Amendment 29	Pile Repair/Plates	\$ 264,078.00	\$ 162,867.89	\$ 101,210.11
Amendment 30	Not Performed	\$ -	\$ -	\$ -
Amendment 31b	Mitigation Dredging	\$ 578,978.00	\$ 459,287.90	\$ 119,690.10
Amendment 32	Hatfield Culvert	\$ 431,582.00	\$ 221,272.94	\$ 210,309.06
Totals =		\$ 24,533,257.00	\$ 18,681,920.22	\$ 5,851,336.78

Saving realized Amendment 1 - 29 used to offset other Amendments = \$ -

Saving realized from Amendments 31b & 32 = \$ 329,999.16

Reimbursement for Eel Grass @ NOAA Amendments 31b = \$ 135,578.09

Total Savings to the GMP = \$ 465,577.25



Oregon Boating Foundation

PO Box 701
Newport, OR 97365-0050
(503)577-5335

Kevin Greenwood
General Manager, Port of Newport
PO Box 14145
Newport, OR 97309

April 08, 2015

RE: OBF Support for Port of Newport's Proposal for Improved Recreational Access at South Jetty.

To; Kevin Greenwood, GM, Port of Newport

The Oregon Boating Foundation is very appreciative of the Port of Newport's efforts to provided and maintain recreational access to Yaquina Bay. We are providing support and comments regarding the Port of Newport's planned mitigation site on the South Jetty of Yaquina Bay. It is our understanding that purpose for this site will be to create and enhance access recreational access to Yaquina Bay for the focused purpose crabbing, clamming and scuba diving. The proposed location of this site would be a significant improvement for our community of users and is universally supported.

The Oregon Boaters Foundation is comprised of local community members who participate in and teach kayaking and sailing to persons who already participate and those wishing to learn how to participate in these types of recreation activates in Oregon. The Oregon Boating Foundations strongly recommends that signage indicating the dangers associated with recreation activities on and around jetties and coastal waters be posted at these locations. We look forward to continuing to working with the Port on this important and much needed project.

Thank you,
Oregon Boaters Foundation

Dan Van Calcar, Chair
(503)577-5335

cc. OBF Board, Diane Henkels, Tom Murphy

NEWPORT

169 SW COAST HWY
NEWPORT, OREGON 97365

COAST GUARD CITY, USA



www.newportoregon.gov

MOMBETSU, JAPAN, SISTER CITY

April 17, 2015

RECEIVED

APR 20 2015

Kevin Greenwood
Port of Newport
600 SE Bay Boulevard
Newport, Oregon 97365

PORT OF NEWPORT

Dear Kevin,

At the April 6, 2015 City Council meeting, the City Council created a Community Visioning Work Group. The composition of the Work Group includes: one representative from the City Council (Councilor Engler); one representative from the Greater Newport Chamber of Commerce; one representative from the City of Newport Planning Commission; one representative from the Port of Newport; one representative from the Oregon Coast Community College; and two citizens suggested by the City Manager (Carla Perry and one to be announced). The Work Group will be staffed by City Manager Spencer Nebel and Community Development Director Derrick Tokos.

The charge of the Work Group is to provide a report and recommendation to the City Council by July 15, 2015 on whether the city should proceed with a comprehensive community visioning process during the 2015/2016 fiscal year. If the recommendation of the Work Group is to proceed with a community visioning process, the report to the City Council would outline the specific goals, parameters, and processes to be included in the community visioning process for the city.

We hope that someone from your organization will participate in this process. Would you please confirm participation, and the name and contact information of the person, from your organization, who will be participating with this Work Group?

Confirmations and questions should be sent to Peggy Hawker at p.hawker@newportoregon.gov, or by telephone at 541.574.0613, by April 30, 2015.

Very truly yours,

A handwritten signature in black ink that reads "Peggy Hawker". The signature is written in a cursive, flowing style.

Peggy Hawker
City Recorder/Special Projects Director

EST.

1882



Construction Fund

March 19, 2015 through April 20, 2015

Date	Number	Name	Memo	Amount
04/14/2015	11791	Day CPM	Mitigation work	1,035.75
04/16/2015	11792	Natt McDougall Company	Terminal Renovations	17,947.56
TOTAL				18,983.31



NOAA Fund

March 19, 2015 through April 20, 2015

Date	Num	Name	Memo	Amount
03/24/2015	12632	G & K Floors	Janitorial Services	450.00
03/24/2015	12633	Newport Sign Shop	PORTOFN001	45.00
03/24/2015	12634	S D A O. - Special Districts Assoc. of OR	NOAA Health Ins	648.67
03/24/2015	12635	Verizon Wireless	Phone charges	61.63
03/24/2015	12636	Williams Scotsman Inc	Rent Mobile Office	291.04
03/27/2015	12637	T & L Chemical Toilet Service	Holding Tank Rental	35.00
03/31/2015	12638	TCB Security Services Inc	Elevator Phone Monitoring NOAA	20.00
04/03/2015	12639	Pioneer Telephone Cooperative	Telephone	242.94
04/03/2015	12640	Platt Electrical Supply, Inc.	Gate Sign Bracket	68.46
04/09/2015	12641	Thompsons Sanitary Service	Disposal & 20YD Dumpster	325.10
04/14/2015	12642	Central Lincoln PUD	Electric	60.45
04/14/2015	12643	Chase-Visa	Hippo Hardware Support	199.00
04/14/2015	12644	Fastenal Company	WD40 and fasteners	39.34
04/14/2015	12645	Lincoln County Public Works	Fuel	26.41
04/14/2015	12646	Ultimate Pest Control, LLC	Pest Service	165.00
04/16/2015	12647	S.D.A.O. - Special Districts Assoc. of OR	NOAA Health Ins	648.67
04/20/2015	12648	G & K Floors	Janitorial Services	450.00
			TOTAL	3,776.71



Operating Fund

March 19, 2015 through April 20, 2015

Date	Num	Name	Memo	Amount
03/23/2015	36613	Chad Lyons	RV Refund- Retuning Unused Space Rent	443.99
03/23/2015	36614	Newfie Adventure - AK8368AL	Dec & Jan Lot Storage Refund	40.00
03/24/2015	36615	DMV	Application for Title & Registration Ford PU	104.50
03/24/2015	36616	G & K Floors	Janitorial Services SB and Customs Trailer	2,200.00
03/24/2015	36617	Pacific Coast Congress of	Conference Registration	600.00
03/24/2015	36618	Special Districts Insurance Service	Health Plan	10,777.40
03/24/2015	36619	Verizon Wireless	Port Cell Phones	256.20
03/27/2015	36620	Design Space	Customs Office	217.00
03/27/2015	36621	Lincoln Plumbing Inc	Repair Water Line RV Park #81	160.66
03/27/2015	36622	NW Natural	SB Gas	354.04
03/27/2015	36623	Oregon Coast Magazine	SB Ad for RV Park	195.00
03/27/2015	36624	Suburban Propane	Propane	385.84
03/27/2015	36625	T & L Chemical Toilet Service	Chemical Toilets Bayfront	436.00
03/27/2015	36626	Troyer's Marine Supply	Galv Plugs and Caps	99.49
03/27/2015	36627	Allegiance Benefit Plan Mgmt	Insurance Withholding	450.08
03/27/2015	36628	Petty Cash	Hardware and Office Supplies	101.95
03/31/2015	36629	Coastal Paper & Supply, Inc	Paper Products and Cleaning Supplies	2,627.35
03/31/2015	36630	Neofunds by Neopost	Admin Postage Meter Refill	700.00
03/31/2015	36631	TCB Security Services, Inc	Monthly Security Contract	6,516.00
03/31/2015	36632	Toyota Lift NW	Service 8FGU25 Forklift	104.46
04/03/2015	36633	Central Lincoln PUD	Electric	1,098.50
04/03/2015	36634	City of Newport	Water and Sewer	3,954.55
04/03/2015	36635	Copelund Lumber Yards, Inc.	Treated Wood for Signs	204.61
04/03/2015	36636	Direct TV	Cable SB RV Park	555.63
04/03/2015	36637	Great America Financial Services	Copier Lease Final	216.76
04/03/2015	36638	Northwest Compressor	5 HP Compressor	2,789.00
04/03/2015	36639	Pioneer Telephone Cooperative	Telephone	226.30
04/03/2015	36640	Platt	Drill Kits, Photo Eyes, Electrical Supplies	603.97
04/03/2015	36641	City of Newport	Water and Sewer	3,254.75
04/03/2015	36642	Direct TV	Monthly Cable SB Annex	692.32
04/09/2015	36643	Alan Brown Tire Center	Alignment and Tires 2009 Ford Ranger	210.28
04/09/2015	36644	ALSCO	Shop Towels and Mats	239.84
04/09/2015	36645	Alsea Bay Power Products	Mower Repairs	326.73
04/09/2015	36646	Barrelhead	Hardware, Ladder, Drywall	1,240.06
04/09/2015	36647	Creative Landscape & Maintenance	Landscape Maintenance	1,200.00
04/09/2015	36648	Englund Marine Supply Co, Inc	Hardware	76.94
04/09/2015	36649	JC Market	Snacks for Meetings	37.45
04/09/2015	36650	MACPHERSON, GINTNER & DIAZ	Review General Business -PG	4,957.08
04/09/2015	36651	Neopost USA Inc	Postage Machine Rental	149.85
04/09/2015	36652	Newport Rental Service	Pressure Washer Wand	38.00



Operating Fund

March 19, 2015 through April 20, 2015

04/09/2015	36653	Newport Auto Parts Inc	Diesel Container	19.44
04/09/2015	36654	Pioneer Printing, Inc.	Business Cards	226.35
04/09/2015	36655	Sherwin Williams	Parking Lot Paint	589.42
04/09/2015	36656	Staples	Office Supplies	352.41
04/09/2015	36657	Thompson's Sanitary Service, Inc	Disposal Service	3,961.35
04/09/2015	36658	Voya (State of Oregon Plan)	Monthly Employee Contribution to Deferred Cor	100.00
04/09/2015	36659	Yaquina Bay Communications	Radio Contract	199.00
04/09/2015	36660	Road & Driveway Co Inc	Sweep parking Lot	250.00
04/14/2015	36661	Employee	Mid Month Draw	450.00
04/14/2015	36662	Employee	Mid Month Draw	500.00
04/14/2015	36663	Employee	Mid Month Draw	500.00
04/14/2015	36664	Employee	Mid Month Draw	300.00
04/14/2015	36665	Employee	Mid Month Draw	475.00
04/14/2015	36666	Employee	Mid Month Draw	500.00
04/14/2015	36667	Employee	Mid month Draw	300.00
04/14/2015	36668	Employee	Mid month draw	700.00
04/14/2015	36669	Employee	Mid Month Draw	1,500.00
04/14/2015	36670	Employee	Mid month Draw	300.00
04/14/2015	36671	Central Lincoln PUD	Electric	1,813.60
04/14/2015	36672	Century Link	Telephone	378.97
04/14/2015	36673	CenturyLink - Business Service	Telephone	24.95
04/14/2015	36674	Fastenal Company	Hardware Supplies	436.04
04/14/2015	36675	Greater Newport Chamber of Commerce	Membership Renewal	380.00
04/14/2015	36676	Harbor Linen	Shower Curtains SB	239.60
04/14/2015	36677	HC Etc., Inc	Monthly IT Hours	1,040.00
04/14/2015	36678	Lincoln County Public Works	Fuel for Trucks	341.62
04/14/2015	36679	Northwest Parking Equipment	Lock Cylinder and Keys	84.19
04/14/2015	36680	Systemax Northwest, Inc.	Build Voice Mail Box	110.00
04/14/2015	36681	T&L Septic Tank Service	Pump Septic Tank Terminal	450.00
04/14/2015	36682	Toyota Financial Services	Forklift CM	579.65
04/14/2015	36683	U.G. Cash & Carry	Coffee, Plates, Towels, Water	121.20
04/14/2015	36684	Xerox Corporation	Copier Rental and Print Charge SB	123.18
04/14/2015	36685	Central Lincoln PUD	Electric	6,064.20
04/14/2015	36686	Central Lincoln PUD	Electric	8,028.83
04/14/2015	36687	Chase - Visa	Pressure Washer, Travel to DC, Office Supplie	6,759.45
04/14/2015	36688	Toyota Financial Services	Forklift CM	464.55
04/15/2015	36689	City of Newport	Room Tax	1,912.64
04/16/2015	36690	Central Lincoln PUD	Electric	999.74
04/16/2015	36691	CoastCom Inc	Internet and E-mail	712.00
04/16/2015	36692	Oregon Lodging Tax	1st quarter Lodging Tax 2015	577.44
04/16/2015	36693	Special Districts Insurance Service	Health Insurance	14,669.42
04/20/2015	36694	Business Oregon-OBDD	Loan 655-36-02	7,800.00
04/20/2015	36695	Design Space	Customs Office	835.00
04/20/2015	36696	EDGE Analytical Laboratories	Storm water Testing IT	185.00



Operating Fund

March 19, 2015 through April 20, 2015

04/20/2015	36697	G & K Floors	Janitorial Services SB and Customs Trailer	2,200 00
04/20/2015	36698	Groth-Gates Heating	Clean Ductwork of 2 furnaces and 2 AC Units	1,578 00
04/20/2015	36699	OCZMA, Inc.	OCZMA Meeting, W. Chuck	19 50
04/20/2015	36700	Valley Fire Control, Inc.	Service Fire Extinguishers	835.55

TOTAL	119,829.87
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**PORT OF NEWPORT
RESOLUTION NO. 2015-___**

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 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 November 1, 2015. Port owned equipment to be operated by port personnel. No forklifts or boom trucks not belonging to the port shall be operated on port property.

	OLD	NEW	+/-
A. <u>Forklift.</u> In addition to labor rate.			
1. Small. Toyotas.			
a. per hour	\$10.00	\$11.00	10%
b. minimum charge	\$ 6.25	\$7.00	12%
2. Large. All at International Terminal (IT).			
a. per hour	\$25.00	\$27.50	10%
b. minimum charge	\$15.00	\$16.50	10%
B. <u>Hoist Dock.</u> Tie up fee, per hour			
1. one hour minimum, up to 3 hrs.	\$35.25	\$36.25	3%
2. after 3 hours.	---	\$43.00	n/a
C. <u>Hoist Dock Cranes.</u>			
1. Large Capacity. In addition to labor rate.			
a. per hour	\$35.00	\$38.50	10%
b. minimum charge	\$27.00	\$29.75	10%
2. Launch Sail Boats. Includes recovery, per launch.	\$40.00	\$41.25	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			
F. <u>Fuel Surcharge.</u> International Terminal only. Per gallon.....	\$ 0.03	\$ 0.03	0%
G. <u>Electricity.</u> Swede's Dock, Dock 1, and IT. Per day charge.			
1. 208/220 v, single phase & 208 v three phase.....	\$14.25	\$14.75	3%
2. 120v. IT			
3. 220 or 408/440v three phase	\$14.25	\$14.50	2%
4. PD 7 Service Dock, 110v pumps	\$ 6.00	\$ 6.25	4%
5. PD 7 Yard Charge, trucks	\$11.00	\$11.25	2%
H. <u>Hydraulic Crane.</u> In addition to labor rate. 30 ton capacity, per hour.....	\$125.00	\$128.75	3%
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.	\$55.00	\$56.75	3%
J. <u>Storage.</u>			
1. Outside Lot Storage			

	a.	per square foot, daily rate.....	---	\$0.01	n/a
	b.	per square foot, monthly charge.....	\$ 0.20	\$0.21	5%
	c.	minimum monthly charge	\$20.00	\$21.00	5%
	d.	boat trailer only, per night.....	\$ 2.00	\$2.10	3%
	e.	boat on trailer, per night, 10 days limit	\$ 7.00	\$7.20	3%
		.....	OLD	NEW	
	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).....		\$20.00	\$21.00 5%
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.....	\$17.75	\$18.25	3%
	2.	Terminal Lot, per day. Short term use only. Deep-draft cargo has priority	\$17.75	\$18.25	3%
	3.	South Beach Marina, per day	\$17.75	\$18.25	3%
L.	<u>Work Barge.</u>	In addition to labor rate.			
	1.	Tug, per hour.....	\$110.00	\$121.00	10%
	2.	Wood Barge, per day (tug extra).....	\$21.00	\$23.00	10%
	3.	Skiff, per hour.....	\$12.00	\$13.00	8%
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.....	\$82.00	\$90.00	10%
N.	<u>Disposal Fees.</u>				
	1.	Just Oil, per gallon	\$ 0.28	\$ 0.29	4%
	2.	Oil-Water Mix, per gallon	\$ 0.72	\$ 0.74	3%
	3.	Net Disposal and/or Related Gear, per pound.....	\$0.155	\$0.160	3%
	4.	Garbage, per pound	\$0.105	\$0.110	5%
O.	<u>Port Labor.</u>	Includes administration staff.			
	1.	per hour; 3/4 hour minimum, in 15 min. increments	\$46.75	\$49.00	5%
	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	\$70.25	\$73.50	5%
	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	n/a	\$98.00	n/a
P.	<u>Pallet Charge.</u>	Any Port owned pallet leaving yard, each.	\$ 5.15	\$ 5.30	3%
Q.	<u>Dredge Spoils.</u>	Includes state fees. 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	\$ 5.00	\$ 5.50	10%
	2.	Bay Front Facilities. Keys.			
	a.	original/first one	\$15.00	\$15.50	3%
	b.	replacement/additional	\$25.00	\$27.50	10%

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

A.	<u>Moorage.</u>	Per linear foot.			
	1.	Daily	\$ 0.42	\$ 0.44	5%
	3.	Calendar Month.....	\$ 7.78	\$ 8.00	3%
	4.	Semi-Annual.....	\$29.51	\$30.40	3%
	5.	Annual	\$39.17	\$40.35	3%
	6.	Live aboard. Monthly rate by agreement only.			

a. First person.....	\$47.00	\$48.41	3%
b. Each Additional.....	\$40.75	\$41.97	3%
B. <u>Annual Parking Permit</u> . Rate effective for calendar year starting July 1 st . Commercial Fisherman only.....	\$20.00	\$21.00	5%
		OLD NEW +/-	

Section 3. South Beach Charges. Per linear foot. All charges for greater length between dock and boat except for F-Dock which is boat length only.

A. <u>Moorage</u> . Per linear foot.			
1. Daily	\$ 0.60	\$ 0.62	3%
2. Weekly	\$ 3.60	\$ 3.71	3%
3. Calendar Month.....	\$ 9.22	\$ 9.50	3%
4. Semi-Annual.....	\$33.97	\$34.99	3%
5. Annual	\$53.75	\$55.36	3%
6. Live aboard. Monthly rate by agreement only.			
a. First person.....	\$47.00	\$48.41	3%
b. Each Additional.....	\$40.75	\$41.97	3%
c. Electrical Surcharge	----	\$30.00	n/a
B. <u>South Beach Charter Rates</u> .			
1. Annual Moorage, per linear foot (PONFC)	\$41.53	\$43.19	4%
2. Charter License.....	\$300.00	\$300.00	3%
C. <u>Dock Box</u> .			
1. Purchase (at cost).....	\$280.00	\$300.00	0%
D. <u>Electrical Upgrade</u> . From 20 to 30 amp. One time	\$50.00	\$51.50	3%
E. <u>Line Replacement</u> . Per foot, per time.....	\$ 0.50	\$ 1.00	100%
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 4. Recreational Vehicle Park Fees.

A. <u>Peak Season (Summer)</u> . May 1 – October 31			
1. All Marina Park Sites			
a. Daily			
i. Regular	\$43.00	\$43.00	0%
ii. Good Sam.....	\$39.00	\$40.00	3%
b. Weekly			
i. Regular	\$261.00	\$269.00	3%
ii. Good Sam.....	\$236.00	\$243.00	3%
c. Monthly Rate	\$738.00	\$760.00	3%
3. The Annex.			
a. Daily.....	\$32.00	\$33.00	3%
b. Weekly.....	\$195.00	\$201.00	3%
c. Monthly.....	\$584.00	\$602.00	3%
4. Dry Camping.....	\$18.00	\$19.00	6%
		OLD NEW +/-	

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	\$37.00	\$38.00	3%
	ii. Good Sam	\$34.00	\$35.00	3%
	b. Weekly			
	i. Regular	\$221.00	\$228.00	3%
	ii. Good Sam	\$200.00	\$206.00	3%
	c. Monthly Rate	\$633.00	\$652.00	3%
	3. The Annex.			
	a. Daily	\$32.00	\$33.00	3%
	b. Weekly	\$195.00	\$201.00	3%
	c. Monthly	\$584.00	\$602.00	3%
	4. Dry Camping	\$18.00	\$19.00	6%
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.....	\$75.00	\$77.00	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%

OLD NEW +/-

Section 5. Civil Penalties. Penalties found in PONFC (Sec. 7.4(a)). Paid in full.

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 6. Administrative Fees. Staff may require payment or deposit in advance of service (ORS 192.440(4)(a)).

A. <u>Public Records Request Fee Schedule.</u>				
1.	Copies of Public Records.....	\$0.25	\$0.25	0%
2.	Copies of Sound Recordings	---	\$10.00	n/a
3.	Copies of Port By-laws, Codes, Plans, bound documents.	---	\$20.00	n/a
4.	Copies of Nonstandard documents.....	---	\$20.00	n/a
B. <u>Research</u> . Written request required. Hourly rate. ½-hr. min.				
	.....	\$46.75	\$48.25	3%
C. <u>Computer Time</u> . Port operator. Hourly rate. ½-hr. min.....				
	.....	\$46.75	\$48.25	3%
D. <u>Faxes/Emailing</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%
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	\$60.00	0%
H. <u>Failure to Register</u> . For research related to unregistered boats.....				
	.....	\$30.00	\$30.00	0%
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.....				
	.....	\$25.00	\$ 50.00	100%
K. <u>Per Annum Interest Rate</u> . Applied to past due accounts.....				
	.....	18%	18%	0%
L. <u>Collection Agency Mark-up</u> . Added to past due amount. (ORS 697.105).....				
	.....	+40%	+40%	0%
M. <u>POV Mileage Reimbursement Rate</u> (IRS).....				
	.....	current	current	0%
N. <u>Travel Reimbursement Rates</u> follow current IRS per diem rates				
	.....	current	current	0%
http://www.gsa.gov/portal/category/104711)				
O. Impound Seizure Fee. Vessel impounding.....				
	.....	\$550.00	\$750.00	36%
P. Special Use Permit Fee. GM has authority to adjust fee based upon non-profit status and other criteria				
	.....	---	\$1,000.00	n/a
Q. Impound Seizure Fee. Car/Truck/Trailer				
	.....	---	\$100.00	n/a
R. Vessel Moving. Does not include labor rate				
	.....	---	\$250.00	n/a
S. Background Check				
	.....	---	\$25.00	n/a
T. Credit Check				
	.....	---	\$35.00	n/a

Section 7. Insurance Certificate Limits.

A. <u>Leases/Tenants</u> .				
1.	Each Occurrence	\$1.7MM	\$1.7MM	0%
2.	Damaged to Rented Premises (each occurrence)...	\$300,000	\$300,000	0%

3.	Medical Expense (any one person)	\$5,000	\$5,000	0%
4.	Personal & Adverse Injury	\$1.7MM	\$1.7MM	0%
5.	General Aggregate.....	\$1.7MM	\$1.7MM	0%
6.	Products – Comp/Op Agg	\$1.7MM	\$1.7MM	0%
B. Moorage/Vessels.				
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%

Section 8. 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 9. Delegation of Responsibility. The Commission delegates to 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 10. 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 11. Repealer. All previous rates and/or rate resolutions are hereby repealed.

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS this XXXX day of June, 2015.

ATTEST:

Walter Chuck, President

Ken Brown, Secretary/Treasurer

**PORT OF NEWPORT
RESOLUTION NO. 2015-____**

A RESOLUTION ADOPTING A PUBLIC RECORDS POLICY

WHEREAS, the Port of Newport Board of Commissioners By-laws states in Section 13 that the Port Commission shall adopt a Public Records resolution in accordance with ORS 192.440; and

WHEREAS, according to ORS 192.420, every person has the right to inspect any nonexempt public record of the Port of Newport subject to reasonable procedure, and

WHEREAS, the Port of Newport recognizes that some informal requests for public records may exceed its ability to provide the requested documents by electronic means or that the public may prefer to submit a formal request for records, and

WHEREAS, the Port of Newport recognizes and respects the public's right to public documents and the importance of maintaining orderly files to facilitate public access in an efficient and cost-effective manner, and

WHEREAS, the State Attorney General suggests that public bodies establish protective measures to maintain the integrity of public records or to prevent interference with the duties of the records custodians, and

WHEREAS, the State Attorney General recommends there be a process in which the public has opportunity to comment on these measures; NOW THEREFORE

THE PORT OF NEWPORT BOARD OF COMMISSIONERS RESOLVES AS FOLLOWS:

Section 1. The Port shall keep and maintain all public records for the retention periods required by Oregon Administrative Rules (OAR 166-150-0005).

Section 2. The Port shall permit inspection and examination of its non-exempt public records during regular business hours in the Port's offices, or such other locations as the Port may reasonably designate from time to time.

Section 3. All requests to inspect a public record should be in writing when possible with the date, name, address, email address, and signature of the person making the request.

Section 4. The request form (Attachment "A") must contain the specific records requested, furnishing the dates, subject matter and such other detail as necessary to enable Port personnel to readily locate the records sought. The records officer shall have the authority to modify the form to more efficiently meet changes in state statute.

Section 5. The Port shall respond to all public document requests within five working days or explain why more time is needed for a full response.

Section 6. The Port shall not create any new documents or customize any existing documents in response to a records request.

Section 7. If the public record is maintained in machine readable or electronic form, staff shall provide copies of the public record in the form requested, if available. If the record is not available in the form requested, it shall be made available in the form in which it is maintained.

Section 8. A person making a public record request may personally inspect the requested document during normal business hours. A Port staff member must be present while any original public records are being inspected to insure protection of the documents.

Section 9. Providing nonexempt public records is a governmental activity covered by the American with Disabilities Act (ADA). The Port will provide an opportunity for individuals with disabilities to request an alternative form.

Section 10. A staff member must review the requested document to make certain the record does not contain any exempt information before releasing the public record for inspection. If a document does contain exempt information, a copy, in lieu of the original, will be provided for inspection with the exempt portion blanked out.

Section 11. Original public documents may not be taken out of the Port's custody.

Section 12. Port records shall be released only under the conditions that the records are "public" records; the records are not exempt from disclosure under ORS 192.410 - 192.505. In order to recover its costs for responding to public records requests, the following fee schedule is adopted:

- A. Copies of Public Records: Copies of public records shall be \$.25 cents per page for standard, single-sided, letter size copies.
- B. Copies of Port Code or By-laws: Copies of the Facilities Code or Bylaws shall be \$20.00.
- C. Copies of Maps and Other Nonstandard Documents: Charges for copying maps or other nonstandard size documents shall be charged in accordance with the actual costs incurred by the Port.
- D. Research Fees: If a request for records requires Port personnel to spend more than 30 minutes compiling a record to meet the person's request, the minimum fee shall be the actual labor rate per hour or portion of a half hour unit, with a minimum charge for one half hour. Such calculations shall include time spent by staff in locating the requested records, reviewing the records in order to delete exempt material, supervising the inspection of original documents, and copying the records. The Port shall estimate the total amount of time required to respond to the records request, and the person making the request shall make payment for the estimated cost of the search and copying of the records in advance. If the actual time and costs are less than estimated, the excess money shall be refunded to the person requesting the records. If the actual costs and time are in excess of the estimated time, the difference shall be paid by the person requesting the records at the time the records are produced.
- E. Additional Charges: If a request is of such magnitude and nature that compliance would disrupt the Port's normal operation, the Port may impose such additional charges as are necessary to reimburse the Port for its actual costs of producing records.
- F. Fee Waivers or Reduction:
 - 1. Copies of public records may be furnished without cost or at a substantial reduction if the General Manager determines the waiver is in the public interest because making the record available primarily benefits the general public.
 - 2. A person requesting a waiver of charges shall file a written request to include his/her identity, the purpose for which he/she intends to use the information, and whether he/she can demonstrate the ability to disseminate the information to the public. The General Manager will review the waiver request while also considering the requester's ability to pay and any financial hardship on the Port that might arise from granting the waiver.
 - 3. Copies of routine materials requested by the news media will be made without charge. Any non-routine materials requested by the news media will be charged at the fee described above unless the fees are waived or reduced.
 - 4. Copies of routine materials personal to a requester will be furnished without charge. Any non-routine materials requested will be charged at the fee described above.

5. Copies of routine materials requested by any Port of Newport elected official or appointed advisory body member will be furnished without charge if the request relates to information needed in his/her official capacity. Any other materials requested will be charged at the fee described above.
6. Routine materials are defined as those items already regularly produced during the Port's regular course of business.

Section 13. The Port shall adopt personnel policies for the keeping of all e-mails that qualify as public records for the retention periods required under OAR 166-150-005; the specific retention period shall be determined by the subject matter of each e-mail. All port business shall be conducted using Port-provided e-mail addresses.

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS this ____ day of April, 2015.

ATTEST:

Walter Chuck, President

Ken Brown, Secretary/Treasurer

“Attachment A”

PUBLIC RECORDS REQUEST

Requestor’s Name _____ **Date** _____

Requestor’s Name _____ **Phone** _____

Email Address _____

I wish to ___ view / ___ receive copies of the following public records:

Name or topic of the document(s) _____

Date(s) or date range of the document(s) _____

I request that the fees be waived in whole or part ____ Yes ____ No (See back for explanation)

Reason for the Request of the Record (Complete only if there is a request to waive fees)

I agree to be charged for the time and out of pocket requests by the district to comply for this public records request. I have seen the fee schedule.

Requestor’s Signature _____

For Office Use Only

Info Compiled By _____ Date Completed _____

Amount Due _____ Date Delivered _____

-###-

**PORT OF NEWPORT
RESOLUTION NO. 2015-02**

**A RESOLUTION ESTABLISHING ELIGIBILITY CRITERIA AND AUTHORIZING
THE PORT OF NEWPORT TO CONDUCT BACKGROUND CHECKS AS PART OF
THE APPLICATION PROCESS FOR A PERSON APPLYING FOR ANY SITE OR SLIP
WITHIN THE PORT OF NEWPORT'S BOUNDARIES THAT MEETS OR EXCEEDS
THIRTY (30) DAYS.**

WHEREAS, the Port of Newport Facilities Code, Section 5.5(b), authorizes the Board of Commission to set eligibility criteria for liveaboard vessels including, without limitation, the size, type and condition of the vessel, as well as the creditworthiness, criminal and rental history of the party seeking to enter the Liveaboard Agreement; and

WHEREAS, the Port may further require a formal application to live aboard in a form set by the Port and may charge a reasonable fee to evaluate the application; and

WHEREAS, the Port of Newport Board of Commissioners finds that the peace of the Port and the safety of the Port employees, guests, and properties would be improved by conducting background checks on long-term moorage holders and recreational vehicle (RV) park guests; and

WHEREAS, the Port recognizes the need to comply with all local, state, and federal laws pertaining to the use of background checks as a condition of long-term moorage and RV space rental; and

WHEREAS, the background check may include appropriate court records relating to criminal offenses, as well as relevant reference checks which may include observations by the Port Harbormaster; NOW THEREFORE

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

Section 1. The purpose of this resolution is to establish eligibility criteria for liveaboard vessels and moorage holders staying for one-month or longer in the Bay Front and South Beach harbors; and visitors staying for one-month or longer in the recreational vehicle park.

Section 2. All persons of good standing with the Port of Newport prior to May 1, 2015, may not be required to undergo background checks, at the discretion of the Port of Newport General Manager.

Section 3. All long-term guests age 18 and older will be required to undergo the application process, including criminal record checks. Long-term guest is defined as a person staying at Port facilities for thirty (30) days or longer. Failure to notify staff of all long-term guests may result in eviction from the facilities.

Section 4. The fee charged by the Port for each background check is \$25.00, or as set by resolution, and shall be paid when the application is submitted. The General Manager may increase the fee as needed to recover the full cost to conduct the background checks.

Section 5. All persons submitting to a background check will be provided with a good-faith estimate of rental space available and the number of competing applicants. All guests will be provided a receipt for payment of the background check fee, as well as any and all payments including deposits.

Section 6. While information provided to the Port of Newport, by a company selected by management, may not be limited to convictions and may include arrest records, decisions by the Port shall be based on criminal convictions, as well as relevant references, including the observations of the Harbormaster.

Section 7. Suitability based upon criminal records checks shall be made consistent with this policy and any applicable laws or regulations. However, automatic exclusion will result from any of the following convictions that took place within five years of the submission of the application:

- (a) Sexual Assault;
- (b) Felony Assault;
- (c) Felony Fraud, including identity thefts and forgery; and/or
- (d) Civil Evictions

Section 8. All persons whose applications are denied because of the criminal background check will be notified of the results within 24 hours and given a reasonable opportunity to dispute the accuracy of the criminal records check through the company providing the information to the Port. Applicant must inform the Port immediately of the dispute and accommodation for service will be provided by the Port while the dispute is resolved if done in a timely manner.

Section 9. Any person denied accommodations because of unfavorable references, including observations by the Harbormaster, will be provided with written documentation of the information upon which the denial is based.

Section 10. All information provided to the Port by the Applicant or by others in regard to the application shall be secured and the Applicant's privacy protected.

Section 11. The Port of Newport's Application Policy (Attachment "A") will be made available to all guests.

Section 12. This resolution becomes effective May 1, 2015.

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS this 28th day of April, 2015.

ATTEST:

Walter Chuck, President

Ken Brown, Secretary/Treasurer

Effective March 24, 2015

Application Process and Policy

1. Beginning March 24, 2015, an application must be filled out for any reservation that exceeds 30 days. Those with previous good standing with The Port of Newport may not be required to fill out an application, and this is left at the discretion of The Port of Newport management.
2. Application must be completed upon check-in.
3. All guest age 18 and older will be required to fill out an application.
4. During the processing of the application, daily rates will apply. All services are pre-paid and no service will be provided with failure to pay in advance. Upon approval of application, rates will be converted to monthly rates and payment in full minus daily payments already made will be required.
5. In general, a determination will be made within 3 days, although the Port of Newport reserves the right to take up to 7 days, depending on availability of references provided.
6. Applicants will be notified immediately upon determination.
7. Applicants whose application is denied will be asked to leave. Denial of application results in immediate termination of services. Any applicable refund will be issued and the Applicant will be given two hours to vacate The Port of Newport property. Failure to vacate will be considered trespassing. Trespassing is a criminal offense and will be prosecuted to the full extent of the law.
8. The Port of Newport will follow all guidelines and laws set forth by the State of Oregon. All information provided to The Port of Newport will be secured and all applicant information is protected.

The Port of Newport thanks you for your cooperation in this matter.

NONDISCLOSURE AGREEMENT

This Nondisclosure Agreement (the "Agreement"), dated this 9th day of April, 2015, is between the Port of Newport and Teevin Brothers Land & Timber, Co., LLC (collectively the "Parties" or "Party" as the case may be).

In connection with entering into discussions concerning a business arrangement of potential mutual benefit, the Parties may disclose confidential and/or proprietary information to each other, which if disclosed to the public or a person or entity not a party to this Agreement, would harm the Parties' respective interests. Hence, the Parties wish to ensure the confidentiality of such information in the manner set forth below.

NOW, THEREFORE, it is agreed as follows:

A. NON-DISCLOSURE OF CONFIDENTIAL INFORMATION

The Port of Newport agrees not to make disclosures to any third party of proprietary information produced by Teevin Brothers Land & Timber, Co., LLC that pertains to the development of an export handling and storage yard at the Port of Newport or on land owned by Rondys and Associates, Inc.

The Parties understand and agree that each Party may have access to the confidential information of the other party. For the purposes of this Agreement, "Confidential Information" means proprietary and confidential information about the Disclosing Party's (or its suppliers') business or activities. Such information includes all business, financial, technical, and other information marked or designated by such Party as "confidential" or "proprietary." Confidential Information also includes information that, by the nature of the circumstances surrounding the disclosure, ought in good faith to be treated as confidential. For the purposes of this Agreement, Confidential Information does not include:

1. Information that is currently in the public domain or that enters the public domain after the signing of this Agreement.
2. Information a Party lawfully receives from a third party without restriction on disclosure and without breach of a non-disclosure obligation.
3. Information that the Receiving Party knew prior to receiving any Confidential Information from the Disclosing Party.
4. Information that the Receiving Party independently develops without reliance on any Confidential Information from the Disclosing Party.

Each Party further agrees that it will not disclose to any third party or use any Confidential Information disclosed to it by the other Party except when expressly permitted in writing by the other Party. Each Party also agrees that it will take all reasonable measures to

maintain the confidentiality of all Confidential Information of the other Party in its possession or control.

The Parties also agree that all Confidential Information furnished by either Party shall remain the sole property of the Party that disclosed the information.

B. TERM

The term of this Agreement is two years from the effective date of this Agreement, which term may be extended at the request of either Party.

C. UNAUTHORIZED USE

Any Receiving Party shall promptly advise the Disclosing Party in writing if it learns of any unauthorized use or disclosure of Proprietary Information.

D. INJUNCTIVE RELIEF

Any Receiving Party acknowledges that the use or disclosure of the Proprietary Information in a manner inconsistent with this Agreement will cause Disclosing Party irreparable damage, and that Disclosing Party shall have the right to equitable and injunctive relief to prevent the unauthorized use or disclosure, and to such damages as are occasioned by such unauthorized use or disclosure.

E. PRIOR UNDERSTANDINGS

This Agreement contains the entire agreement between the parties to this Agreement with respect to the subject matter of the Agreement and supersedes all other negotiations, stipulations, understanding, agreements, representations and warranties, if any, with respect to such subject matter, which precede or accompany the execution of this Agreement.

F. WAIVER

Any waiver of a default under this Agreement must be made in writing and shall not be a waiver of any other default concerning the same or any other provision of this Agreement. The parties enter into this Agreement as of the date first written above.

PORT OF NEWPORT

TEEVIN BROTHERS LAND &
TIMBER, CO., LLC

By: _____
Kevin Greenwood, Executive Director

By: *Eric Owen*
Its: *General Manager*



Yaquina Boat Equipment, Inc.
 508 Butler Bridge Road
 Toledo, Or. 97391
 Phone:(541) 336-5593
 www.yaquinaboat.com

Quote

Date	Quote No.
6/18/2014	25285

Name / Address
Port of Newport 600 SE Bay Blvd Newport, OR 97365

Project	Rep	Terms	Ship Date	FOB
	Doug	Net 30 Days	7/18/2014	Toledo, OR

Qty	Item	U/M	Description	Amount
1	Special Order		Dock Crane Hoist #4 Repair Services: <ul style="list-style-type: none"> • Pick up top portion of small jib hoist at the commercial dock. The port will disconnect and load hoist onto our flat bed truck. • Attach new flange and gussets to crane base in place at commercial dock. • Attach new flange and gussets to jib at Yaquina's Boat shop. • Deliver and assemble crane with new turret bearing. The Port personnel will provide crane service at the commercial dock for assembly. • Blast and prime all new steel at YBE's Shop. • Torque down bolts to specification after bedding compound has cured. • Quoted amount is contingent upon structural integrity of existing hoist. 	12,400.00

Your Business Is Appreciated	Total \$12,400.00
-------------------------------------	--------------------------

Attn: Kevin

241789

ESTIMATE
Valid for 30 days

2-11-15

Had Leo was asked
to submit bid and
Newer did.

KTB

DATE	<input type="checkbox"/> SERVICE <input type="checkbox"/> INSTALL	<input type="checkbox"/> WILL CALL <input type="checkbox"/> DELIVER	PHONE	
2/11/15				
NAME		MAKE		
Port of Newport				
ADDRESS		MODEL		
		SERIAL		
ITEM TO BE SERVICED		NATURE OF SERVICE REQUEST		
Bock Hoist		Replace Bearing		
QTY.	PART #	DESCRIPTION OF PARTS OR MATERIALS	PRICE	AMOUNT
1	AB-17PIDG	Rotek bearing	1721.00	
2	2" Flanges	+ 40 Gaskets	620.00	
		Bolts nuts + locks	100.00	
		Misc fittings		
LABOR PERIODS Estimate			TOTAL MATERIALS	2441.00
100 hrs @ \$75.00 = 7500.00			TAX	
Replace existing bearing			TOTAL LABOR	7500.00
with new Rotek bearing			TOTAL AMOUNT	9941.00
DATE WANTED	DEPOSIT	RECEIVED BY		
/	DAN LAKS EQUIPMENT SURGERY			

ESTIMATES ARE FOR LABOR ONLY. MATERIALS ARE AT AN ADDITIONAL CHARGE. WE WILL NOT BE RESPONSIBLE FOR LOSS OR DAMAGE CAUSED BY THE CLIENT'S NEGLIGENCE OR ANY OTHER CAUSES BEYOND OUR CONTROL.

REPAIR ORDER
ORIGINAL

TERMS - NET CASH
NO GOODS HELD OVER 30 DAYS

5084

**PORT OF NEWPORT
RESOLUTION NO. 2015-03**

**A RESOLUTION AMENDING THE PERSONNEL POLICY MANUAL TO ALLOW
THE DONATION OF SICK LEAVE TO A CO-WORKER**

WHEREAS, the Personnel Policy Manual, adopted March 28, 2000, allows employees to accumulate a maximum of 30 days of sick leave; and

WHEREAS, employees may have long-term sicknesses that extend beyond the allowed 30 days of sick leave; and

WHEREAS, the Port recognizes the hardships that employees with long-term illnesses could endure as a result of the termination of sick pay; and

WHEREAS, the Port recognizes the contributions that its employees make to the overall success of the Port; NOW THEREFORE

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

Section 1. Add the following as Section 5.9.5 to the Personnel Policy Manual.

A. Employees may donate accrued sick leave to a co-worker who has exhausted all accumulated comp time, sick and vacation leave from an extended illness or injury. In such event, the Port's only involvement shall be to transfer an employee's sick leave credit in accordance with the employee's request and add it to the sick leave balance of another employee.

B. Transfer Guidelines:

1. The receiving employee will be compensated for the sick leave at their regular rate of pay. (Example: Employee A earns \$10.00 / hour and donates 30 hours to Employee B. Employee B earns \$15 / hour and would receive 20 donated hours.)
2. A document stating the donation shall be signed by the employee and placed in the employment file.
3. The leave transfer from one employee to another may (a) not exceed forty (40) hours in a calendar year, nor (b) may it exceed forty (40) hours in the last twelve months.
4. The donating employee must have at least 120 hours remaining in their own personal sick leave bank after the transfer.
5. Once sick leave has been transferred, it is gone and can only be replaced if transferred from a co-worker according to these guidelines.
6. The receiving employee may not accept more than two (2) times their annual sick leave accrual (i.e. twenty-four (24) days).

7. Employees may not donate compensatory time of any other accrued or earned leave.
8. Employees may not receive donated sick time if they have not provided a certificate of illness.
9. Employees may not donate sick leave to receiving employees with a balance of paid leave.
10. Employees otherwise eligible for or receiving disability benefits, Workers' Compensation or parental leave will not be considered eligible to receive donations under this policy.

C. Reporting. Employees anticipating an extended medical leave shall provide the Port with a certificate of illness.

Section 2. This resolution becomes effective May 1, 2015.

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS this 28th day of April, 2015.

ATTEST:

Walter Chuck, President

Ken Brown, Secretary/Treasurer



FACILITY MANAGER'S MONTHLY REPORT

FACILITY: NOAA MOC-P
DATE: 4/21/2015
PERIOD: March - April 2015
TO: Kevin Greenwood
ISSUED BY: Rick Fuller

NOAA MOC-P

Upland: Regular preventive maintenance was performed as scheduled. The main entry gate has continued to be problematic with two breakdowns in this period. Chris Urbach and South Beach maintenance crew was helpful during the last repair. I am currently looking at the possibility of a replacement gate system with a new and adequate design. The boiler failed a couple of times due to high winds tripping an on board pressure sensor. An intake pipe baffle at the roof will be installed later this week which should take care of the reoccurring issue. NOAA facility manager John Vickers indicated a requirement in the SFO that the office air handling system filters are to be rated MERV 13. These high efficiency filters have been ordered and will be used from this point forward. The costs of the filters are 3x the cost of a typical MERV 8 used throughout the rest of the facility. Provided conceptual pricing to NOAA command for possible addition of toilet room to the guard station.

Concerning the utility cover purchase order #26172, a claim for full return of deposit funds plus expenses was filed with the Lincoln County small claims court. A court/arbitration hearing date is still pending. Purchase order #26688 was issued to Salem Tent and Awning for the purchase of the same cover design. Estimated completion is 4-6 weeks.

Attended the 2 day 2015 Facilities Expo and conference as reported earlier via email. I have committed to a 6-week training session sponsored by the Oregon Department of Administrative Services-Procurement Services. The accredited course title Principles of Public Procurement covers public contracting and purchasing. Because the class is held on Thursday I will be changing my work schedule to start on Sunday in order to reduce travel time and cost.

Wharf & In-water: Use of the wharf has been limited with the occupation of only one ship. Recent bathymetric surveys by NOAA crews indicate sedimentation occurring at previously dredged areas most notably at the east wharf area. Dredging costs have been included in the 2015-2016 budget if required. Received letter from Carrie Landrum reiterating conditions of permit and requirements for eelgrass mitigation monitoring and maintenance.

The Rainier remains at dock for maintenance and training and is expected to depart this week. See 2015 bar crossing log for bar activity to date. Total NOAA full time building occupancy remains at approx.74% of total office space.

Specific work this period:

- Regular scheduled monthly, preventative maintenance
- Grounds maintenance
- Off hour shut down, drive belt replacement, desalting/cleaning, lubrication AHU-1-O
- Maintenance and troubleshooting of admin building boiler system
- Troubleshoot & repair of main security gate

NOAA permit obligated recreational access points

- Commissioner Walter Chuck sent reply letter to Carrie Landrum of DSL regarding vetting the crabbing community for approval of the recreational accesses.
- Met with Kirk Jarvie at DSL office. Specific to this topic, we discussed the need for a reply by DSL regarding Commissioner Chuck's letter; vetting the crabbing community.
- Following the acceptance by DSL of the letter sent by Commissioner Chuck, I have received the go ahead to pursue permissions required for 2 access points at the south jetty.
- Reviewed existing land leases and agreements with USACE and ODOT of areas west of bridge.
- Scheduled site meeting May 5th with USACE project manager Kate Groth and engineer for onsite review of possible access points on and through the south jetty.

Other

- Met with Kirk Jarvie at DSL office. Discussed eel grass mitigation site requirements and monitoring, Gaper clam study progress, possible issues regarding permitting of upcoming and future maintenance dredging at wharf.
- Continue correspondence with DSL maintenance dredging group discussion led by Kirk Jarvie of DSL. Progress on definition and scope of "Maintenance dredging"

NOAA MOC-P Bar Crossing Log

2015

NAME	ARRIVAL	DEPARTURE	ROSTER#	NOTE
Oscar Dyson		1/13/2015	39	Bound for Alaska
Shimada	1/30/2015	1/31/2015	23/29	Return from California
Shimada	2/4/2015	2/11/2015	29/36	Bound for Vancouver
Shimada	3/3/2015	3/8/2015	35/27	
TOTAL			218	

MEMO

To: Port of Newport Commission
From: Kevin Bryant, Commercial Harbormaster
Copy: Port of Newport Staff
Date: March 18, 2015
Re: March Staff Report

Due to the high numbers of sea lions hauling out on the docks, and the age and condition of the Dock 7-F pilings, it is my recommendation that we remove the three far-east pilings and shorten Dock 7-F by 190 feet.



600 S. E. BAY BOULEVARD NEWPORT, OREGON 97365 (541) 265-7758 FAX (541) 265-4235

To: Port of Newport Commission
From: Jim Durkee, Terminal Operations Supervisor
Copy: Port Management Staff
Date: April 20th, 2015
Re: April 2015 Manager's Report

Maintenance

Began working on area drain filters. They were very plugged from dredge spoils.

Fishing Fleet

Finished switching gear for the shrimp fleet, loading nets, hoppers, conveyors, etc.
F/V Miss Sue switched over to do some survey work.
Alaska boats have begun returning starting with F/V Raven on April the 7th.

Other Activities

The bridge work in South Beach was completed with the installment of Jersey Barriers on either side for safety.

I installed a new air compressor in shop and had Aboveboard Electric run the new circuit for it.

Getting quotes for capital improvements list.

Worked on budget matters.

Had some preliminary discussions with potential shippers from the NIT.

I took the final storm water sample for the season over to Corvallis. I can't believe I had to wait this long; The few times it rained it was on the weekend, overnight, or when I was busy working with fishing boats. The results were still a little high in solids compared to early samples, I believe due to the dredge spoils on the dock, but they were lower than the last test. As I continue to get the basins cleaned and get the lot swept they should improve considerably.

Pacific Seafood requested use of an area to do prep work on condenser units before installing them at the plant. They are hiring us for equipment use and paying for storage and gear work. I put them at the East end of the net repair area. They estimate 6 weeks for the job to be completed.

Overview of March Services

3 fishing vessels spent a total of 12 days moored at the Terminal dock.

13 vessels used the Terminal dock for work.

21 hours of forklift service were provided.

29 hours of crane service were provided.

South Beach Report

To: Port of Newport Board of Commissioners

From: Penny, South Beach Marina & RV Park

Date: April 18, 2015

Re: **March 2015** South Beach Occupancy Report

Our South Beach RV parks had the highest occupancy figures ever for March. We had guests from Idaho, Washington, Oregon and Canada visiting us for Spring break. Four of our guests come every year to see our park host, Clay Moore. There were eight guests that extended their stay after hearing Clay's must see & do list.

February Bookings	Front Office	On Line
RV Sites	303	117
Boat Slips	120	5

March Occupancy Figures:

	2014	2015	Change
Marina	6658	6795	2.06%
Marina RV	492	895	81.91%
Annex RV	137	381	178.10%
Totals	629	1276	102.86%

MANAGER'S REPORT

To: Port of Newport Board of Commissioners

From: Chris Urbach, Harbormaster

Copy: Port Management Staff

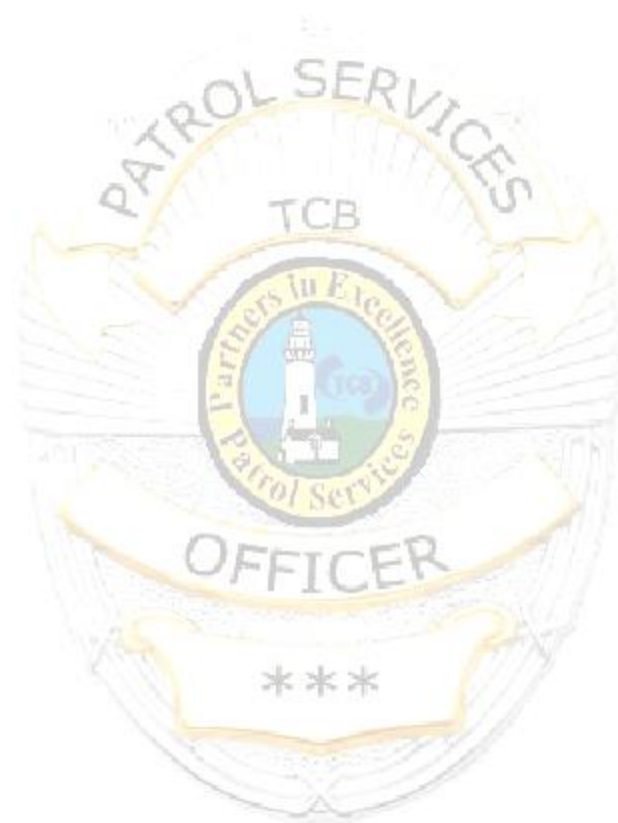
Date: April 22, 2015

Re: South Beach Operations

We have continued to work on maintenance of the RV parks and the marina in anticipation of the summer influx of visitors. Some of the docks have been power-washed and we were able to edge the lawns for the first time in years. This has really improved the overall safety and appearance of the South Beach facilities.

After the new washers were installed in the laundry room at the Marina RV Park, the old washers were sold for a total of \$1,100. New dryers have been ordered and the old dryers will also be sold.

The Loyalty Days Carnival, put on by Davis Shows, will begin set up in the dry camp parking lot on April 27. The carnival will run from Thursday, April 30 through Sunday, May 3, with the tear-down on the 4th. Davis Shows will pay \$500.00 for the special use permit and has provided a certificate of insurance with \$10 million of liability coverage, with the Port named as an additional insured.



AGENDA ITEM: GENERAL MANAGER'S REPORT

ROGUE BREWERY EXPANSION

Awaiting a second engineering bid which will be brought forth for Commission approval for determining costs related to the Rogue expansion. Hope to have that in front of you next month.

PORT VISION PLAN

I am recommending that the Port expand the Vision Plan to include the Bay Blvd. parcel based upon an inquiry from a group interested in developing a micro-hotel on the two-acre parcel. In addition, there are many opportunities at McLean Point and it would be beneficial for the Port to have discussed a vision for that area as well.

The OBDD grant amendment would allow for a wider vision plan and the Transportation Growth Management grant would also support covering a larger project. The goal would be to have the planning effort covered by grants.

BOAT AUCTION SUMMARY

The Port had three boats that were auctioned off last week and after discussion with our attorney we modified our approach to the bidding. The port has historically made a bid on vessels that owe us money though in most cases the amount owed is greater than the value of the boat. This requirement of the port to make a bid for the owed amount causes at least two problems: (1) it discourages scrappers interested in partial value from bidding; and (2) ultimately sticks the port with having to pay to scrap it at Riverbend.

In this case, I pulled our bid and actually had a scrapper (Tom Runioun) bid \$2,250 for the two boats contingent that he pull all three of them out. We were owed about \$8k so we lost less than \$6k. But the big savings would have come when the Port had to pay to destroy the three boats which could have cost \$5k per boat.

Overall I think it went pretty well. So we'll see how this works in the future.

-###-

Port of Newport Boat Auction

April 14, 2015

Marsha B ID# OR 642AEA—Port Manager Kevin Greenwood opened the auction at 10:00 am and there were no sealed bids to declare. Tom Runyons was the only person present to sign in and bid on the vessel. He bid \$750 and his bid was accepted.

Shearwater ID# 572938—Port Manager Kevin Greenwood opened the bidding at 10:15 am and there were no sealed bids to declare. Tom Runyons was the only person present to bid on the vessel. He bid \$1500 and his bid was accepted.

Tom put down 10% cash, for a total of \$225, for both vessels and will receive a bill of sale for each vessel upon receipt of the remaining 90% and pull both vessels out of the marina on that same day.

Skipper Lynn ID# 591478—Port Manager Kevin Greenwood opened the bidding at 10:45 am, and there were no sealed bids and no verbal bids for the vessel. After 10 minutes the bidding was closed and the vessel was not sold.

 4/14/2015