

**PORT OF NEWPORT REGULAR COMMISSION MEETING AGENDA**

Tuesday, October 18, 2016, 6:00 p.m.  
South Beach Activities Room  
2120 SE Marine Science Drive, Newport, OR 97365

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 Commission Meeting September 27, 2016

        2. Special Commission Meeting September 27, 2016

    B. PD5 Pile Replacement/dock repair – Foundation Engineering, Inc.

V. Correspondence/Presentations..... 6:06

VI. Old Business

    A. Items Removed from Consent Calendar..... 6:06

    B. Accounts Paid..... 6:10

    C. International Terminal Shipping Facility Update..... 6:12

VII. New Business ..... 6:20

VIII. Staff Reports

    A. Director of Finance..... 6:20

        1. September Occupancy Report

    B. Director of Operations..... 6:25

    C. General Manager ..... 6:30

        1. Goal Setting

        2. General Manager’s Annual Evaluation

        3. DEQ Fish Cleaning Approval

        4. Rogue Mural

IX. Commissioner Reports ..... 6:40

X. Calendar/Future Considerations ..... 6:50

    10/22 .....Trick or Treat Monster Feet 5K and Kids Fun Run

    10/29 ..... Dia De Los Muertos Race

    11/5 ..... Commission Goal Setting Workshop at Aquarium

    11/9 ..... Election Day

    11/11 ..... Veterans’ Day, Port Office Closed

    11/15 ..... Regular Commission Meeting (rescheduled)

    11/18 ..... Fishermen’s Appreciation Day

    11/24 ..... 5<sup>th</sup> Annual Turkey Trot

    11/24 – 11/25 ..... Thanksgiving Holiday, Port Office Closed

    12/20 ..... Regular Commission Meeting (rescheduled)

    12/16 ..... Christmas Holiday, Port Office Closed

XI. Public Comment..... 6:52

XII. Adjournment..... 6:56

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**

September 27, 2016

Regular Commission Meeting

**I. CALL TO ORDER**

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

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

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

**Members of the Public and Media:**

Barb Dudley, U-Da-Man; Mike Goff, TCB; Jeff Hilbert, TCB; Aaron Ferguson, TCB; Yale Fogarty, ILWU; Simeon Elbrader, TCB; Paula Ferguson, TCB; Noah Ferguson, TCB; Grace Ferguson; Kiera Morgan, KYTE radio; Ralph Busby, City of Newport; Jim Myers, Great Albacore Tuna; Jim Shaw; Tyson Haynes, Newport Police; Pat Ruddiman, ILWU; Rex Capri.

**II. CHANGES TO THE AGENDA**

Parking Ticket Appeal from Gerald Ledingham was added to the agenda as New Business item D.

**III. PUBLIC COMMENT**

Barb Dudley said the 13<sup>th</sup> annual U-Da-Man Fishing Derby will be held on October 8<sup>th</sup>. She extended thanks on behalf of U-Da-Man for the Port's sponsorship and support.

Yale Fogarty commented that the new person and some of the others listed as part of the new Commercial Fishing Committee were not members of the Port District. He recommended that the Commission consider members being tax paying members of Port District.

**IV. CONSENT CALENDAR**

- A. Minutes:
  - 1. Regular Commission Meeting August 23, 2016
- B. Financial Reports
- C. Special Use Permits
  - 1. Veterans for Peace, Golden Rule Peace Boat – Cancelled
  - 2. Rotary Club of Newport, Trick or Treat Monster Feet 5K and Kids Fun Run
- D. Letter of Support for the Pacific Marine Energy Center
- E. Approve Contract for US Customs Trailer Installation
- F. Approve Purchase of NIT Storm Water Catch Basin Strainers

**A motion was made by Steve Beck and seconded by Lamerdin to approve the Consent Calendar. The motion passed 4-0.**

**V. CORRESPONDENCE/PRESENTATIONS**

- A. **Mike Goff, TCB, Recognition of Aaron Ferguson**

Greenwood introduced Goff of TCB. Greenwood presented the staff report including a report by Elbrader of TCB describing Ferguson's commendable actions on August 23, 2106, in response to a fire on the F/V Sea Dog. Greenwood added that Ferguson was a great member of the management communications team as well, serving with high quality and clear communication. Goff added that last week saw the conclusion of Security Officers Appreciation Week, and that this group often goes unthanked. He said that the TCB officers do a great job every night. It is nice for the Commission to recognize Ferguson's performance. Goff said Ferguson will also receive a meritorious service award from TCB. Chuck extended thanks to TCB on behalf of the Port Commission.

## **B. Jim Myers, Tuna BBQ Challenge**

Jim Myers on behalf of the Newport Food Pantry extended a deep thank you for the Port's support over the past 5 years. This was the 5<sup>th</sup> year of the Chamber's NOAA MOC-P celebration, which was an exceptional event. The 5<sup>th</sup> Annual Great American Tuna BBQ Challenge sold out faster than last year, and judges Chuck and Greenwood were part of this great event. This was the 2<sup>nd</sup> year of the Salmon Enchanted Evening. Myers said he has received comments from visitors from outside of Newport on its vibrancy and the mingling of commercial and tourist attractions. He said the events provided good PR for the Port. He expressed particular thanks for the help of Chris Urbach and Jim Durkee, especially dealing with Dry Camp this year. As agreed, the Newport Food Pantry would split the proceeds 50/50 with the Port, this year in the amount of \$3,325.00. Chuck said in the past, the Port share of the proceeds was returned as a contribution to the food pantry.

**A motion was made by Brown and seconded by Lamerdin to donate the Port's proceeds to the Newport Food Pantry in the amount of \$3,325.00. The motion passed 4 – 0.**

Chuck presented the check to Jim Myers.

## **VI. OLD BUSINESS**

### **A. Items Removed from Consent Calendar**

There were no items removed from the Consent Calendar.

### **B. Accounts Paid**

Lamerdin asked about the temporary services and NOAA storefront wall payments. Larrabee said the temporary services through Cardinal were for summer help at the RV Park. Fuller said the Port is responsible for replacing the carpet at NOAA every 5 years. NOAA did want to disrupt operations and negotiated to install a security wall instead of carpet.

Ken Brown declared a conflict of interest because of payments made to Les Schwab. **A motion was made by Beck and seconded by Lamerdin to accept the accounts paid. The motion passed 3 – 0.** Brown abstained.

### **C. International Terminal Shipping Facility Update**

Greenwood introduced the agenda item and staff report. He reminded the Commission about the good meeting last month with TIGER and EDA that ended with them choosing line items to pay for, since they cannot pay for the same item. It has been agreed that TIGER will pay for asphalt, and EDA for other elements. The new fiscal year for EDA begins October 1<sup>st</sup> and the Port will be submitting a new grant application at that time. Greenwood said based on his and Chuck's visit to Salem, there will not be a state grant. There is still a \$2MM loan commitment from the state. Assuming the EDA grant comes through, there is still \$2MM needed to fund the project. The Port Commission has options:

1. Shut down the project. There would be a loss of labor and cash already invested.
2. Tap into cash reserves in the NOAA fund or the General Fund. There could be issues if major repairs were required or a disaster occurs.
3. Pursue the \$2MM state loan, with a 25 year/3.3% terms. This would be approximately an annual payment of \$125K. There is already an annual debt service payment of \$400K for the Terminal.

4. Some combination of cash reserves and loan.

Greenwood said there will need to be a decision made by the Commission by November or December. Beck asked if there was a possibility for the state to issue a line of credit rather than a loan. Greenwood said a line of credit had been discussed but there is no state program for that available. The state through the legislature could offset the loan, but that is a long shot. Greenwood said the Port could seek better financing options. A USDA Rural Development Loan may be an option but there would be a concern that EDA would consider that a federal match. There is also an option that Teevin may pay more of their \$60K per year/5 year term lease option up front. Greenwood asked for feedback and direction from the Commission. Brown asked when the Port could expect to hear from EDA; Greenwood responded that staff should hear by the end of November. Brown also asked if work would need to be shown on the project by the end of December. Fuller said yes in order to keep the permit active, but this activity could be moving material from the site to the airport, since the samples had come back good. Greenwood added that the samples tested by GRI showed only some rebar and plastic, no chemical contaminant, so moving material to the airport would not be problem. Chuck suggested that staff first apply for the grant before evaluating whether other options need to be pursued. A work session with the full Commission will be scheduled a week before the November Regular Meeting to discuss the matter.

## VII. New Business

### A. Resolution Adding Distant Water Fishery Representative to Commercial Fishing Committee.

Greenwood introduced the agenda item, staff report, and draft resolution. He said it was an oversight that the original resolution had not included the distant water fishery. Jeff Lackey had been suggested by representatives of the Distant Water Fishery group as the committee member; Lackey had previously applied for a position on the Commission. Greenwood also said that the resolution establishing the committee did not include a residency requirement. Beck asked to confirm that the committee was a non-voting group. Greenwood said they would serve in an advisory capacity only, submitting recommendations based on Commission requests or committee interests. Lamerdin asked how a modification to the by-laws would be done. Greenwood said the Commercial Fishing Committee would develop their by-laws, but the Commission establishes membership terms.

**A motion was made by Beck and seconded by Brown to adopt Resolution 2016-10 Amending the Commercial Fishing Users Group Committee Membership to Include a Distant Water Fishery Representative. The motion passed 4 – 0.**

### B. Resolution Amending Newport Facilities Code to Add Provisions for Fire Safety, Public Art and Special Use Provisions.

Greenwood introduced the agenda item, staff report, and draft resolution. Beck asked if the Port attorney had looked at these provisions. Greenwood said not specifically, but once a year the process for making amendments is reviewed by Pete Gintner. The facilities code allows for details to be added by policy resolution without amending the facility code. Beck said he was okay with the Resolution, but would like to review further.

**A motion was made by Brown and seconded by Lamerdin to adopt Resolution 2016-11 Amending the Port of Newport Facilities Code to Add Provisions for Fire Safety, Special Events and Public Art. The motion passed 4 – 0.**

### C. Approval of Special Districts Association of Oregon Government Ethics Best Practices Checklist

Greenwood introduced the agenda item and staff report. He reminded the Commissioners that he had submitted the staff report earlier summarizing the ethics guidelines. The only item on the list which he recommended marking “no” was all members trained yearly. The Port currently requires training for new board members and staff. Beck asked if there was a reduction in the discount for a “no” answer. Greenwood said no; he had spoken with SDAO and this document was intended to encourage the discussion not act as a scorecard. Beck suggested that online ethics training through SDAO online could be recommended once a year.

**A motion was made by Beck and seconded by Lamerdin to Authorize the Commission President to Complete and sign the Oregon Ethics Law Best Practices Checklist as presented. The motion passed 4 – 0.**

#### **D. Parking Ticket Appeal from Gerald Ledingham**

Greenwood introduced the agenda item and the related correspondence/emails included in the Meeting Packet Addendum. He summarized that Ledingham was staying in dry-camping, and parked in the long-term moorage lot. TCB cited Ledingham and provided good pictures showing the area marked as permit parking only. Ledingham admitted that he knew this was an area for permit parking which did not allow him to park there. Greenwood had met with Ledingham and had offered to reduce the fine from \$40 to \$30, sent Ledingham a summary letter and advised him of the appeal process. The letter instructed Ledingham to advise the Administrative Assistant if he wanted to appeal the General Manager's decision, which Ledingham did not do. Beck advised Greenwood that Ledingham had communicated with the Commissioners directly, and forwarded the email he had received to Greenwood. Beck said that due process had been given. He suggested supporting the findings of the General Manager to fine Ledingham \$30.

**A motion was made by Beck and seconded by Brown to uphold the decision of the General Manager to proceed with a \$30 reduced fine to Gerald Ledingham for Parking Violation No. 1114 issued August 10, 2016. The motion passed 4 – 0.**

### **VIII. DEPARTMENTAL REPORTS**

#### **A. Director of Finance**

Larrabee introduced the Director of Finance Report and August Occupancy Report. He said he would be moving the Bank authorization signing until next meeting since Patrick-Joling was not present. Lamerdin asked if several monthly moorage holders checking out was unusual. Larrabee said this was a usual ebb and flow. One of the moorage holders who checked out was Barb Martin, who had moved to the Embarcadero because of the pool access for therapy.

#### **B. Director of Operations**

There was no discussion of the Director of Operations Report.

#### **C. General Manager**

##### **1. Rogue Mural**

Greenwood said that Ardis DeFreece, artist, will come back in two months with a final draft design.

##### **2. Highway 20 Construction**

There was no discussion on this item.

##### **3. Fishermen's Appreciation Day**

Greenwood said that the Port had a new grill, and thanked Operations and the Newport Fishermen's Wives, and thought the grill looked fantastic. The Port's portion of the payment was coming out of marketing expenses. He commented that the Fishermen's Appreciation date was changed to November 11<sup>th</sup>. Chuck asked about the conflict with Veteran' Day, which Greenwood acknowledged, but felt this would not offset the event.

##### **4. Goal Setting**

Greenwood said he was looking forward to the Commissioners responses to the surveys that would be part of the goal setting session regarding their views on improvements or problems.

##### **5. NFIP FEMA Process**

There was no discussion on this item.

**6. DEQ Fish Cleaning Station Approval**

There was no discussion on this item.

**7. South Jetty Access**

There was no discussion on this item.

**IX. COMMISSIONER REPORTS**

Chuck reported that he went with Greenwood to Salem, which Greenwood had summarized earlier.

**X. CALENDAR/FUTURE CONSIDERATIONS**

- 10/7 – 10/8.....U-Da-Man Fishing Derby
- 10/8 ..... Columbus Day Regatta
- 10/15 ..... Newport Bay to Brews ½ Marathon/10K
- 10/18 ..... Regular Commission Meeting (rescheduled)
- 10/29 ..... Dia De Los Muertos Race
- 11/5 ..... Commission Goal Setting Workshop (proposed)
- 11/9 ..... Election Day
- 11/11 ..... Veterans’ Day, Port Office Closed
- 11/15 ..... Regular Commission Meeting (rescheduled)
- 11/18 ..... Fishermen’s Appreciation Day
- 11/24 ..... 5<sup>th</sup> Annual Turkey Trot
- 11/24 – 11/25..... Thanksgiving Holiday, Port Office Closed
- 12/20 ..... Regular Commission Meeting (rescheduled)
- 12/16 ..... Christmas Holiday, Port Office Closed

Chuck asked to add Play on the Grade, October 1<sup>st</sup>, to the calendar. Interested persons can go to [US20PME.com](http://US20PME.com) to register.

**XI. PUBLIC COMMENT**

Fogarty said that the fire code for recreational fires may be different based on what happens at South Beach State Park, and questioned how to distinguish application to wood, gas and crab pots.

**XII. ADJOURNMENT**

Having no further business, the meeting adjourned at 7:02 pm.

ATTESTED:

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Walter Chuck, President

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Patricia Patrick-Joling, Secretary/Treasurer

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## PORT OF NEWPORT MINUTES

September 27, 2016

Commission Special Meeting

### I. CALL TO ORDER

Commission President Walter Chuck called the Commission Special Meeting of the Port of Newport Board of Commissioners to order at 12:02 pm at the South Beach Activities Room, 2120 SE Marine Science Drive, Newport, Oregon.

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

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

#### **Members of the Public and Media:**

Cynthia Jacobi, Newport Public Arts Committee; and Ardis, DeFreece, artist.

### II. ROGUE MURAL PROGRESS – PRESENTATION BY ARTIST ARDIS DEFREECE

Greenwood introduced the agenda item and staff report. He advised that DeFreece will present the concepts, and final concepts will be handed over to Rogue for their artist's installation. He said it was important for the Commission to give DeFreece and staff feedback as to what they liked or didn't like. DeFreece will be returning in approximately one month with a final concept presentation to the Commission. DeFreece displayed the pencil sketches for the Commission's review. She advised that the elements in the sketches were interchangeable, and that it was important to recognize that the artist who will install the mural will put their own stamp on the final design. DeFreece said the sketches were to scale with a 5 ft border left/right and a 4 ft border top/bottom.

Chuck read comments from David Jincks into the record, who said that the reason for the mural was to show off South Beach; fishing, crabbing, boating, and RVing, so that visitors would realize what was behind the walls to explore.

Greenwood recommended that the Commissioners look more closely at the sketches. DeFreece reviewed the elements in the drawings. Sketch 1 from left to right depicted cypress detail, jetty, foggy day and fishing boat, fleet, fish caught, and RV park with bridge in the background. She added that drawing the bridge in construction didn't make sense unless it could be clearer with perhaps a person working in the girders, but otherwise appeared skeletal.

Sketch 2 from left to right depicted cypress, docks, Rogue and working cooper, fishing pier, Port Dock sign, OSU with microscope to represent research, then shark tunnel, sea lions and otters. DeFreece added that the image overlapped the border.

Sketch 3 from left to right depicted an historical perspective, with a Native American longhouse and canoes, the estuary to which could be added Hatfield buildings in the background, pleasure craft, a South Beach element, and coopers lighting a fire. She added that the estuary did not show up well on the JPEG submitted, but would show up with soft colors and birds on the mural.

DeFreece asked the Commissioners what they liked, disliked, considered non-essential, wanted removed or wanted added.

Lamerdin said he would like to see crabs added, perhaps a large logo crab, since crabbing was a big activity in South Beach. DeFreece said perhaps this could be added to the crab pots in front of the fishing pier. Lamerdin said he liked how the elements were framed with cypress trees. He also suggested adding an octopus to the OSU/Hatfield element. Lamerdin said he like the Port Dock as the center focal point, which could extend on either side other activities. Lamerdin liked having a representation of Rogue, OSU, aquarium, and fishing for South Beach. Lamerdin said that including the bridge at the center of the second mural would be good because the view would be blocked. He said that commercial boats should

not be included in the South Beach portion of the mural. He asked about the surface on which the mural would be placed; DeFreece said the area was flat not corrugated, and Greenwood added the space was intended for a mural with some wainscoting to be painted over. Lamerdin asked that the video of the mural images be sent to Patrick-Joling; Greenwood said he would send it to all Commissioners.

Brown said crabs were a more recognizable image than anything in Newport. Brown said that in general he liked the portions of the sketches that included greater detail. Brown proposed that one side could represent the commercial dock, and the other recreational. Brown suggested that the bridge could be the focal point of the second mural. He also like the barrel and cooperage images for Rogue, but did not like the bottle. He suggested that the South Beach section could include a charter boat for a larger boat image.

Beck added that the contemporary RVs drawn looked kind of like busses, and suggested a more vintage image like an Airstream trailer be used. Beck proposed saving the Port Dock image for the next mural, and including barrels and South Beach in this one. Beck also liked the cooperage, fishing and trees as good images to include.

Chuck added that placing the elements of the mural corresponding to the geographical location could be considered so that it was arranged to keep an idea of where you are when viewing the mural.

DeFreece said that all elements need not be included in this mural. Greenwood said that this mural would be on the south side of the distillery. He added that the next mural was for the phase two extension of the brewery. The building currently under construction would have trucks parked on the ramp, so no mural will be on that building. The building that will hold the second mural is 3 to 5 years out. DeFreece said it would help if everyone wrote down their favorites. She said the first mural would also show the public what was intended with the art. She requested that the Commission provide feedback within the next week to 10 days. Greenwood will send an email summary to DeFreece, and would also take pictures of the sketches. The actual sketches were much better than the JPEGs sent.

Lamerdin asked if there had been a response from Rogue. Greenwood said that they just expressed an interest in seeing the mural the Commission decided on. Rogue's first proposal was dismissed by the Commission. Their artist will take the mural sketches and fill in the gaps. Their graphic designer will have some commentary, but Rogue will be hiring a muralist for the installation. DeFreece said that may be done through an open call. She requested at least 5 weeks to prepare for the presentation of a final design proposal. Chuck said he would be missing the Regular Commission meeting in November. The next presentation will be scheduled toward the end of October.

### III. PUBLIC COMMENT

Cindy Jacobi introduced herself as a member of the City of Newport Public Arts Committee. She said the Arts Committee was looking to generate enthusiasm and energy from this mural project. There will be a mural walk October 8<sup>th</sup> at 3:00 pm starting at Heritage Square. Maps and photos are available. She said they found that murals painted right on buildings were showing a lot of rot, and suggested giving consideration to the surface where the murals would be installed.

Greenwood told the Commission he had attended the Arts Committee meeting to keep them updated on the mural. The City's role in public art included some City money, but the Rogue project would not be eligible.

### IV. ADJOURNMENT

Having no further business, the meeting adjourned at 12:45 pm.

ATTESTED:

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Walter Chuck, President

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Patricia Patrick-Joling, Secretary/Treasurer

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## **CONSENT CALENDAR AGENDA ITEM**

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**DATE:** 10/13/2016  
**RE:** PD5 Pile Replacement/dock repair – Foundation Engineering, Inc.  
**TO:** Kevin Greenwood / Port of Newport Board of Commissioners  
**ISSUED BY:** Rick Fuller – Director of Operations

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### **BACKGROUND**

Port Dock 5 floating docks C&D require guide pile replacement and repair to the floating dock system. The approved 2016/17 Capital Improvement Budget lists the Port Dock 5 pile replacement/dock repair project as priority #2 for large projects with a total approved budget amount of \$421,142 (August 23, 2016 regular meeting New Business agenda item VII(b)). Permitting was obtained in 2015 for the in water work. Port staff conducted a Request for Proposal (RFP) to gain geotechnical engineering cost proposals for monitoring and reporting as required by the conditions of the permit. Foundation Engineering was selected for price and qualifications.

### **PURPOSE, SCOPE AND DETAIL**

The scope of geotechnical consultation consists of preparing a brief memorandum summarizing the anticipated subsurface conditions, review of the contractor submittal(s) for pile material and driving equipment, providing consultation, reviewing conformance of the in-water work permit, periodic construction observations during the pile removal and installation, and final reporting.

### **OPTIONS**

1. Due to certification and licensing, staff is not able to self-perform the inspections therefore no other options have been considered

### **BUDGET IMPLICATIONS**

The Commission approved the appropriation of monies during the August 23, 2016 regular meeting (New Business agenda item VII(b)) which included the line item of \$15,000 for project engineering. As a capital improvement project, the costs will be accounted for in the capital line item.

### **RECOMMENDATION**

Port Dock 5 is in critical need of replacement of up to 26 piles to maintain its structural stability. Port Dock 7 is in critical need of the removal of no less than 3 pile stubs that are a danger to navigation. The Port Commission has approved the replacement of the piles during the August 23, 2016 meeting with Bergerson Construction being contracted as a result. Geotechnical Engineering is required as part of the project and permit conditions for monitoring and technical support. Foundation Engineering has provided a proposal for services that meet the conditions required by the Port.

**Staff therefore recommends that a Commissioner make a motion to:**

AUTHORIZE THE GENERAL MANAGER TO ENTER INTO A CONTRACT FOR GEOTECHNICAL ENGINEERING SERVICES WITH FOUNDATION ENGINEERING, INC. IN THE AMOUNT OF NINE THOUSAND FIVE HUNDRED DOLLARS FOR THE PORT DOCK 5/7 PILE REPLACEMENT AND DOCK REPAIR PROJECT 2016.

## **AGREEMENT TO PROVIDE PROFESSIONAL SERVICES**

This AGREEMENT, made and entered into this 5th day of October, 2016, by and between the **PORT OF NEWPORT**, Oregon, a public corporation existing under the laws of the State of Oregon, herein after called the "Port" and **Foundation Engineering, Inc.**, hereinafter called the "Contractor", 820 NW Cornell Ave. Corvallis, Oregon 97330 (541) 757-7645.

1. All work products resulting from the attached proposal #151119 dated 9/30/2016 outline are to remain property of the Port and must be surrendered upon request. Work may not be duplicated, reproduced or shared with any other party unless approved by the Port.
2. All invoices for services contracted herein shall be presented to the Port by the first of each month. Invoices shall be submitted to the Port of Newport, 600 S. E. Bay Boulevard, Newport OR 97365. Progress payments submitted to the Port for payment are required to be for services within the attached project description and performed and approved by the Port.
3. In the performance of services, the Contractor agrees to comply with all laws, statutes, ordinances and regulations of the United States, the State of Oregon and any other governmental body having applicable jurisdiction, and shall pay all applicable payroll and withholding taxes and any other sums as required.
4. It is expressly understood this agreement is personal to the Contractor, and the Contractor shall not assign or transfer this agreement nor enter into a subcontract for the performance of any services to be performed without the express written consent of the Port being obtained in advance.
5. The contractor shall provide, when applicable, a certificate of insurance showing that all persons performing professional services under the contract are covered under the State's Worker's Compensation Law.
6. The Contractor, in consideration of the payments to be made on the part of the Port, hereby covenants and agrees to furnish the engineering services, materials

and supplies to complete the tasks within the project description. Contractor shall carry out and perform such services in full, complete and strict compliance with the attached project description, in a good, substantial, and professional manner to the approval and quality satisfaction of the Port. This agreement may be terminated by either party upon 30 days' written notice without reason.

7. Contractor shall obtain and maintain General Liability and Professional Liability insurance coverage against any and all claims for damages to persons or property which may arise out of or resulting from Contractor's operations under this contract. The public liability insurance shall have limits of not less than \$1,700,000 per occurrence during the terms of this agreement and for a period of at least one year following conclusion of the agreement. Contractor shall provide proof of insurance naming the Port of Newport as an Additional Insured before commencement of any activity under this contract, and the proof of insurance shall provide that the policy(ies) of insurance shall not be canceled without ten (10) day's prior written notice to the Port.
8. Payments of Contractor's invoices shall be approved in writing by the Port in the amount not to exceed the Contractor's proposed hourly rates as outlined in the attached project description. Any additional work and services provided by the Contractor shall be performed according to the attached rate schedule provided by the Contractor.

In witness whereof, the parties have executed this Contract as of the day and year set forth above.

PORT OF NEWPORT:

CONTRACTOR: Foundation Engineering, Inc.

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: General Manager \_\_\_\_\_

Title: \_\_\_\_\_

600 SE Bay Blvd  
Newport, OR 97365  
(541) 265-7758

820 NW Cornell Avenue  
Corvallis, OR 97330  
(541)757-7645



Rick Fuller  
Director of Operations  
Port of Newport  
600 S.E. Bay Blvd.  
Newport, Oregon 97365

September 30, 2016

**Port of Newport Pile Replacement  
Proposal for Geotechnical Services  
Newport, Oregon**

**Proposal 151119**

Dear Mr. Fuller:

Please consider this letter as our proposal to provide the requested geotechnical services for the above-referenced project. Details of our proposed scope of work and estimated costs are summarized below.

**PROJECT DESCRIPTION**

The Port of Newport plans to replace several corroding, 14-inch diameter steel piles on Docks #5 and #7 with 16-inch diameter, galvanized steel piles. The Port has received an in-water work permit and anticipates commencing and completing the work within the in-water work period that begins November 1, 2016, and ends February 15, 2016.

Information provided by the Port indicates the average ground elevation along the docks is  $\pm 18$  feet below the Mean Low Low Water (MLLW) level. We understand the existing piles are embedded at least 20 feet into the ground.

Foundation Engineering previously drilled six (6) borings in Yaquina Bay for a sewer undercrossing. The closest borings were on land (next to the Port shop) and at the east end of Dock 5. Based on those borings, we anticipate the subsurface conditions include up to  $\pm 10$  feet of loose to medium dense sand underlain by stiff to hard silt and extremely weak to very weak (R0 to R1) siltstone (Nye Mudstone).

The Port has requested Foundation Engineering, Inc. prepare a proposal and cost estimate to provide geotechnical consultation for pile replacement and periodic construction observations during the pile removal and installation. We understand the existing piles have been in service for 10 years and they have performed adequately, with the exception of excessive corrosion. Therefore, the focus of the work will be to replace the piles "in-kind" and no detailed analysis is planned to establish minimum pile embedment depths. The Port has retained Bergerson Construction to complete the work.

## **PROPOSED SCOPE OF WORK**

### **Memorandum and Specifications**

We will prepare a brief memorandum summarizing the anticipated subsurface conditions. This information will be provided to the contractors bidding the work.

We will also review the contractor's submittals for pile materials and driving equipment and provide consultation, as needed. Our review will consider conformance with the in-water work permit.

The pile requirements will include galvanization. It should be understood the use of galvanization is intended to improve the corrosion resistance and extend the longevity of the piles. It should not be assumed galvanization will completely eliminate corrosion of piles exposed to a marine environment.

### **Construction-Phase Consultation and Construction Observations**

We propose to provide construction-phase consultation, including review of the proposed pile driving equipment submitted by the selected contractor. We have assumed one day (8 hours) of Senior Engineer time and one hour of Principal Engineer time for consultation.

We will provide periodic construction observations during the pile removal and installation. We anticipate the piles will be initially driven using a vibratory hammer and subsequently struck with an impact hammer to attain the necessary embedment. Pile driving will be subject to the limitations and requirements of the in-water work permit.

At a minimum, we recommend we be on site during the initial vibratory pile driving at each dock (to evaluate the subsurface conditions) and during the initial impact pile driving at each dock (to evaluate the attainable penetration depths). Therefore, a minimum of four (4) site visits is recommended. Daily costs are also provided below for additional visits, if needed. We have assumed an 8-hour day for each visit (including travel) with up to 6 hours on site. After each site visit, we will prepare field notes summarizing our observations and any recommendations made in the field. We have assumed the initial site visit will be made by a Senior Engineer and subsequent site visits will be made by a Staff Engineer.

### **ESTIMATED COSTS**

Table 1 provides a breakdown in the estimated costs for the proposed scope of work. These costs are based on our normal hourly rates shown on the attached rate sheet.



**Table 1. Estimated Costs**

Item	Estimated Costs
Memorandum preparation and submittal review	\$3,040
Construction-phase consultation	\$1,380
Construction observations and field notes (4 visits)	\$5,080
<b>TOTAL</b>	<b>\$9,500</b>

We estimate a cost of \$1,300 for each additional site visits, assuming the work is completed by a Staff Engineer.

This total represents our best estimate of the project costs. However, the actual time required to complete our work will depend on the contractor's performance and schedule. We will notify you immediately if unanticipated services are required that will require modification to our scope of work and cost estimate.

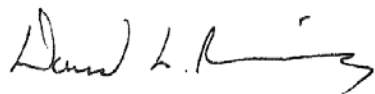
**SCHEDULE**

We are prepared to begin work immediately upon notification to proceed. We anticipate the memorandum and specifications can be completed within one week.

We appreciate the opportunity to submit this proposal and look forward to the possibility of working with you on this project. Please do not hesitate to call if you have any questions regarding the proposed scope of work or estimated costs.

Sincerely,

FOUNDATION ENGINEERING, INC.



David L. Running, P.E., G.E.  
Senior Engineer

DLR/wg  
attachment



## Billing Rates and General Information

Effective July 1, 2016

### Hourly Rates:

Principal Engineer <sup>1</sup>	\$180
Senior Engineer	\$150
Senior Project Engineer	\$132
Project Engineer	\$123
Project Geologist	\$120
Staff Engineer/Geologist	\$96
Clerical	\$62

### Reimbursable Expenses:

Mileage <sup>2</sup>	\$0.54/mile
Copies/Fax	\$0.30/page
Report Binding	\$10/report
Other Expenses	Cost plus 15%

### Per Diem:

Half Day	\$15
Full Day	\$40
Overnight	\$135

### Field Charges<sup>3</sup>:

Misc. Project Supplies	Cost plus 15%
Traffic Control Signs/Cones	\$50/day
Photoionization Detector (PID)	\$210/weekly
Inclinometer	\$75/half day \$150/full day
Methane Meter	\$190/weekly
pH Meter	\$10/day
Resistivity Meter	\$25/day
Water Level Indicator	\$20/project
Dynamic Cone Penetrometer	\$25/day
Disposable tips	\$5/each
Mini-troll	\$50/monthly
Dataloggers	\$50/monthly
Shelby Tubes	\$25 each
Sample Storage	\$150/per year

### Notes:

<sup>1</sup>Legal and expert witness consultation by Principal Engineer billed at hourly rate of \$200.

<sup>2</sup>Mileage billed at current ODOT approved rates and may differ than the rates listed above.

<sup>3</sup>Charges subject to change depending upon type and length of project.

Subcontractors (drillers, backhoe, flaggers, concrete cutters, etc.) billed at direct cost plus 15%.

Federal ID #: 93-1124584

Oregon Registry #: 366331-88

Rev. 6/27/16



**Operating Fund**

**September 22, 2016 through October 13, 2016**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
9/30/16	38301	Business Oregon - OBDD	Debt service	7,800.00
9/30/16	38302	Carson Oil Company	Fuel	76.51
9/30/16	38303	Century Link	Telephone	389.36
9/30/16	38304	CenturyLink - Business Service	Telephone	84.49
9/30/16	38305	Coast Crane Company	Annual inspection and certification, repairs	6,255.24
9/30/16	38306	CoastCom Inc	Internet and email	832.00
9/30/16	38307	Fastenal Company	Operating supplies	53.14
9/30/16	38308	Fred Meyer Customer Charges	Food for meetings	107.95
9/30/16	38309	Halco Welding	Stainless steel BBQ grill and trailer	2,343.50
9/30/16	38310	Keller Supply Company	Operating supplies	318.14
9/30/16	38311	MC Electric Vehicles	Passenger side window for the electric cart	372.52
9/30/16	38312	Newport Diesel & Marine	Operating supplies	77.50
9/30/16	38313	NW Natural	SB gas	123.56
9/30/16	38314	Petroleum Compliance Services	Annual service on cathodic protection	1,500.00
9/30/16	38315	Siuslaw Broadband	Security camera equipment and installation	3,705.00
9/30/16	38316	Special Districts Insurance Service	Quarterly general liability/property insurance	27,334.50
9/30/16	38317	Toyota Financial Services	Forklift leases	1,044.20
9/30/16	38318	Verizon Wireless	Port cell phones	249.80
10/5/16	38319	F/V Zephyr	Void	0.00
10/10/16	38320	F/V Kay	Lot storage refund	217.98
10/12/16	38321	Employee	Mid Month Draw	450.00
10/12/16	38322	Employee	Mid Month Draw	500.00
10/12/16	38323	Employee	Mid Month Draw	500.00
10/12/16	38324	Employee	Mid-month Draw	300.00
10/12/16	38325	Employee	Mid Month Draw	475.00
10/12/16	38326	Employee	Mid Month Draw	650.00
10/12/16	38327	Employee	Mid Month Draw	250.00
10/12/16	38328	Employee	Mid Month Draw	1,500.00
10/12/16	38329	AboveBoard Electric	Customs trailer electrical modification	654.85
10/12/16	38330	Allstart Auto Electric	Forklift battery, electric cart repair	495.00
10/12/16	38331	ALSCO	Floor mats and towel rental	358.73
10/12/16	38332	Alsea Bay Power Products	Operating supplies	69.00



**Operating Fund**

**September 22, 2016 through October 13, 2016**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
10/12/16	38333	Barrelhead Supply	Operating supplies	151.71
10/12/16	38334	Cardinal Services	Wages for temp services	911.20
10/12/16	38335	CenturyLink - Business Service	Telephone	22.59
10/12/16	38336	City of Newport	Transient room tax - September 2016	7,997.33
10/12/16	38337	Coastal Paper & Supply	Cleaning and paper supplies	1,805.07
10/12/16	38338	Copeland Lumber Yards	Operating supplies	60.96
10/12/16	38339	Creative Landscape & Maintenance	Landscape maintenance	495.00
10/12/16	38340	Dahl & Dahl	Trash disposal	143.92
10/12/16	38341	Design Space	Temporary office rental	1,094.00
10/12/16	38342	Direct TV	Cable - RV parks	1,127.29
10/12/16	38343	Englund Marine Supply Co	Bilge pump, rain gear, operating supplies	442.72
10/12/16	38344	G & K Floors	Janitorial services - SB and customs trailer	4,080.00
10/12/16	38345	Greater Newport COC	Treasures of the Sea 2016	185.00
10/12/16	38346	Industrial Welding Supply	Welding cylinder leases, operating supplies	457.17
10/12/16	38347	MacPherson, Gintner & Diaz	Professional Services	438.75
10/12/16	38348	Mulder Sheet Metal	Sheet metal bases for pagoda lights	120.00
10/12/16	38349	National Photocopy Corporation	IT services	361.66
10/12/16	38350	Newport Auto Parts	Operating supplies	5.52
10/12/16	38351	Newport Booster Club	Business sign at NHS football field	75.00
10/12/16	38352	OR Dept. of Administrative Services	Cooperative Procurement Program membership	500.00
10/12/16	38353	Pioneer Telephone Cooperative	Telephone	226.30
10/12/16	38354	Platt	Electrical supplies	456.47
10/12/16	38355	Portland Bolt & Manufacturing Co	Rods and bolts for PD5-X and 5-D connection	688.10
10/12/16	38356	Sherwin-Williams	Paint and supplies	99.29
10/12/16	38357	Special Districts Insurance Service	Monthly health-life-dental insurance	10,836.84
10/12/16	38358	Suburban Propane	Propane	176.88
10/12/16	38359	T & L Septic & Chemical Toilet Service	Chemical toilet rental	506.00
10/12/16	38360	TCB Security Services	Monthly security contract	6,516.00
10/12/16	38361	Thompson's Sanitary Service	Trash disposal	6,403.20
10/12/16	38362	Troyer's Marine Supply	Operating supplies	14.90
10/12/16	38363	Voya (State of Oregon Plan)	Monthly employee contributions	100.00



**Operating Fund**

**September 22, 2016 through October 13, 2016**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
10/12/16	38364	Xerox Corporation	Copier lease	409.75
10/12/16	38365	Yaquina Bay Communications	Banner ad	100.00
10/12/16	38366	Yaquina Bay Economic Foundation	Annual dues for 2017	300.00
10/12/16	38367	Lincoln County Public Works	Fuel for port vehicles	241.44
10/13/16	38368	John Hancock Life Insurance Co	Annual premium	2,702.00
			<b>Total</b>	<b>109,340.03</b>



**NOAA Fund**

**September 22, 2016 through October 13, 2016**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
9/30/16	13022	Halco Welding	Stainless steel sign frame	366.00
9/30/16	13023	MC Dean Inc	Battery pack replacement	167.00
9/30/16	13024	Petroleum Compliance Services LLC	Annual service on cathodic protection	1,500.00
9/30/16	13025	Proctor Sales Inc	Annual inspection and maintenance	1,708.60
9/30/16	13026	Special Districts Insurance Services	Quarterly general liability/property insurance	9,864.75
9/30/16	13027	Ultimate Pest Control LLC	Pest control	125.00
9/30/16	13028	Verizon Wireless	Phone charges and mifi	51.70
10/12/16	13029	Advanced Remediation Technologies Co	NOAA sediment characterization	4,950.00
10/12/16	13030	Agate Beach Supply	Paint and supplies	119.20
10/12/16	13031	AVS Elevator	Quarterly service	487.26
10/12/16	13032	Copeland Lumber Yards	Electrical supplies	43.44
10/12/16	13033	G & K Floors	Janitorial services	450.00
10/12/16	13034	OR Dept. of State Lands	Waterway lease from 11/1/16 to 10/31/17	9,424.79
10/12/16	13035	Pacific Habitat Services Inc	Environmental consulting for proposed dredging	354.50
10/12/16	13036	Performance System Integration LLC	Annual inspection and testing	2,656.00
10/12/16	13037	Pioneer Telephone Cooperative	Telephone	239.94
10/12/16	13038	SHN Consulting Engineers & Geologists	Recreational access drawings	700.00
10/12/16	13039	Special Districts Insurance Services	Monthly health-dental-life insurances	648.63
10/12/16	13040	T & L Septic & Chemical Toilet Service	Holding tank rental from 8/26/16 to 9/25/16	135.00
10/12/16	13041	TCB Security Services Inc	Elevator phone monitoring	20.00
10/12/16	13042	Thompsons Sanitary Service	20 yd. dumpster and disposal	345.60
10/12/16	13043	Coastal Refrigeration Heating & AC	Service call - Liebert A/C unit	661.00
10/12/16	13044	Lincoln County Public Works	Gas for Truck	30.51
<b>Total</b>				<b>35,048.92</b>



**Construction Fund**  
**September 22, 2016 through October 13, 2016**

<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Memo</b>	<b>Amount</b>
10/12/16	11836	Geotechnical Resources Inc	Phase 1 and 2 environmental site assessment ITSF	1,943.75
<b>Total</b>				<b>1,943.75</b>





# OLD BUSINESS AGENDA ITEM

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**DATE:** 10/18/2016  
**RE:** International Terminal Shipping Facility Update  
**TO:** Port of Newport Board of Commissioners  
**ISSUED BY:** Kevin Greenwood, General Manager

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## **FINANCING UPDATE**

### **Economic Development Administration:**

- Seattle staff has provided me with very helpful guidance on the grant application and preliminary engineering report. I am still waiting for a review of the NEPA document, but I have submitted a grant proposal which formally begins the EDA grant review process.
- Once I have input from EDA on the NEPA document, the full application will be ready to submit.
- EDA is planning to meet to review the proposal on October 20<sup>th</sup>, but we need them to review the actual application as well and that won't happen until the first week of December.
- EDA has also indicated that the Port could use federal loan proceeds toward their match. The EDA grant is a 50% match program and loan proceeds can be used to satisfy the requirement. The TIGER grant, however, may not be utilized toward the match.

### **TIGER US Dept. of Transportation:**

- TIGER is expecting a full accounting of the Port's financing package by the end of the month.
- I am working with TIGER to see if they can extend our deadline until December when EDA makes their decision.
- The MARAD (Maritime Administration, a department within US Dept. of Transportation) folks have received the Port's NEPA document and recently completed Environmental Site Assessment, so they can begin the environmental review.

### **State IFA Loan:**

- The Port has an approved \$2-million loan with the State's Infrastructure Finance Authority (IFA). The rate is 3.29% over 25 years with an annual payment of approximately \$120,000.

### **USDA Loan:**

- USDA has a 40-year loan program that is running at 2.75%. The annual payment would be approximately \$100,000.
- As noted earlier, this option could be used to satisfy the EDA match requirement.
- Conversations have started with USDA about beginning the application process.

### **Cash Flow Concerns with New Loan:**

- This year, the Port is paying approximately \$400,000 in debt service for the international terminal. If the EDA funds are received and the Commission decides to take on the new debt, the Port will be paying around \$500,000 annually to service debt related to the International Terminal Shipping Facility. We have anticipated about \$85,000 in gross income from tariffs for each Handysized Vessel that leaves Newport with a full load of 5.5mbf of timber. That equates to about to about the first six shipments annually would pay for the debt payments. Tariffs generated after the sixth shipment could be used for capital projects, etc. Currently net proceeds from South Beach activities are covering the current debt service.

**Private Options:**

- Conversations continue with Teevin Bros. about prepaying lease payments to be used toward construction costs.

**OTHER**

- Meeting with Evan Hall and the USACE on October 19<sup>th</sup> to help Rondys make the case for “Purpose and Need” on their permit application.
- Attached is a list of points that would eventually result in an agreement between Rondys and the Port for beneficial uses of their property. There are a number of elements that will need to be analyzed before bringing an agreement to the Port Commission.
- Corps permit has officially been received. This permit basically removed Teevin’s name and replaced it with the Port.
- GRI Report came back and showed material as clean with some rebar/plastic material, but nothing of a chemical nature. This was good news!
- Six month progress check coming up in December. Will need to show forward progress, again, by end of year.

-###-

Project: 112-100 - Port Of Newport (Site Development)				
Component Description	Unit	Qty	Unit Cost	Total Cost
<b>1: Underground Utilities</b>				
<u>Site Work</u>				
Mobilization	All Req'd	9%	-	\$ 470,913.00
Erosion Control	All Req'd	1	\$ 13,650.00	\$ 13,650.00
Clearing & Grubbing	Acre	9.5	\$ 950.00	\$ 9,025.00
Excavation	CY	53500	\$ 6.00	\$ 321,000.00
Waste Excavation (Unsuitable, Hauled off Site)	CY	21700	\$ 25.50	\$ 553,350.00
Imported Soil Materials	CY	8700	\$ 4.75	\$ 41,325.00
Excavate & Place on Rhondy/Hall Site	CY	24900	\$ 5.10	\$ 126,990.00
Loading Pad	LS	1	\$ 6,250.00	\$ 6,250.00
Fence	LF	790	\$ 14.00	\$ 11,060.00
<u>Underground Utilities &amp; Conduit</u>				
Utility Trench (on-site)	LF	1958	\$ 18.40	\$ 36,027.20
Trench in Roadway	LF	60	\$ 33.50	\$ 2,010.00
4" Power Conduit	LF	297	\$ 8.40	\$ 2,494.80
1 1/2" Data Conduit	LF	1898	\$ 4.00	\$ 7,592.00
2" Power & Phone Service	LF	3043	\$ 5.00	\$ 15,215.00
Electrical & Phone Pull Boxes	EA	7	\$ 500.00	\$ 3,500.00
3 PH Transformer	EA	2	\$ 10,500.00	\$ 21,000.00
1 PH Transformer	EA	1	\$ 4,500.00	\$ 4,500.00
Transformer Pad/vault	EA	3	\$ 8,050.00	\$ 24,150.00
Phone Conductor, Installed	LF	1805	\$ 10.50	\$ 18,952.50
Light Poles	EA	3	\$ 7,500.00	\$ 22,500.00
Electrical Conductor, Installed	LF	1881	\$ 24.60	\$ 46,272.60
<u>Drainage</u>				
Catchbasins (w/Eco Block Protection)	EA	6	\$ 3,150.00	\$ 18,900.00
Type G2 Inlet w/Sample Port	EA	1	\$ 4,250.00	\$ 4,250.00
Storm Line (3"&4")	LF	56	\$ 18.10	\$ 1,013.60
Storm Line (18")	LF	994	\$ 24.00	\$ 23,856.00
Storm Line (24")	LF	244	\$ 35.80	\$ 8,735.20
Storm Trench	LF	1294	\$ 28.00	\$ 36,232.00
Remove Existing Culverts & Dispose	LF	107	\$ 10.00	\$ 1,070.00
Install Manholes	EA	4	\$ 5,800.00	\$ 23,200.00
Install Oil/Water Separator	EA	1	\$ 13,100.00	\$ 13,100.00
Asphalt Swale w/Trash Rack	LS	1	\$ 89,000.00	\$ 89,000.00
Bioswale Construction (340 lf, including planting)	LS	1	\$ 45,100.00	\$ 45,100.00
Reconstruct North Ditchline	LF	180	\$ 31.00	\$ 5,580.00
<u>Water-Misc.</u>				
12" Water Line (Incl Trench & Surface Replacement).	LF	419	\$ 75.00	\$ 31,425.00
12" Bay Road Crossing (Bore, Tap & Casing, 1st 100 feet)	LS	1	\$ 32,700.00	\$ 32,700.00
8" Water Line	LF	805	\$ 53.50	\$ 43,067.50
Fire Hydrants	EA	2	\$ 7,600.00	\$ 15,200.00
Valves & Fittings (12" & 8")	EA	11	\$ 1,800.00	\$ 19,800.00
Water Meters 1" Service (SDC offset by improvement)	EA	2	\$ 2,200.00	\$ 4,400.00
Connection To NW Natural Main	LS	1	\$ 7,800.00	\$ 7,800.00
Site Water Piping & Appurtenances	LS	1	\$ 6,530.00	\$ 6,530.00
<u>Sanitary Sewer Improvements</u>				
Waste Holding Vault	EA	1	\$ 30,000.00	\$ 30,000.00
4" Service	LS	130	\$ 50.00	\$ 6,500.00
Stub to Street 8" San Sewer.	LF	105	\$ 62.00	\$ 6,510.00
Sanitary Sewer Manhole	EA	1	\$ 4,600.00	\$ 4,600.00
Alarm System for Holding Tank	LS	1	\$ 4,900.00	\$ 4,900.00
<u>Sub Base and Paving</u>				
Base Rock	TON	42600	\$ 31.50	\$ 1,341,900.00
Asphalt Surfacing	TON	21150	\$ 99.50	\$ 2,104,425.00
Curb Type A	LF	115	\$ 28.00	\$ 3,220.00
Sidewalks	SY	95	\$ 66.40	\$ 6,308.00
Building Slab	LS	1	\$ 6,200.00	\$ 6,200.00
<u>Layout Work</u>				
Construction Survey	LS	1	\$ 67,000.00	\$ 67,000.00
<i>Phase 1 Construction Cost</i>				\$ 5,770,299.40
<b><u>SUBTOTAL</u></b>				<b>\$ 5,770,299.40</b>

**PORT OF NEWPORT  
INTERNATIONAL TERMINAL SHIPPING FACILITY PROJECT  
BUDGET**

<b>INTERNATIONAL TERMINAL SHIPPING FACILITY</b>							
Project Income Splits by TIGER Categories							
<b>COMPONENT/COST ITEM</b>	<b>FEDERAL FUNDING SOURCE</b>	<b>COST</b>	<b>TIGER</b>	<b>EDA</b>	<b>Loan</b>	<b>Port</b>	
Phase1-Site Work	EDA-Loan	\$1,553,563	\$0	\$776,782	\$776,781	\$0	
Phase1-Underground Utili	EDA-Loan	\$204,214	\$0	\$102,107	\$102,107	\$0	
Phase1-Drainage	EDA-Loan	\$270,037	\$0	\$135,018	\$135,018	\$0	
Phase1-Water, Miscellane	EDA-Loan	\$160,923	\$0	\$80,461	\$80,462	\$0	
Phase1-Sanitary Sewer Ir	EDA-Loan	\$52,510	\$0	\$26,255	\$26,255	\$0	
Phase1-Sub Base	EDA-Loan	\$1,357,628	\$0	\$678,814	\$678,814	\$0	
Phase2-Paving	TIGER-Port	\$2,104,425	\$2,000,000	\$0	\$0	\$104,425	
Phase2-Layout Work	EDA-Loan	\$67,000	\$0	\$33,500	\$33,500	\$0	
Phase1-Engineering, Righ	EDA-Port-Loan	\$638,599	\$0	\$167,063	\$167,063	\$304,473	
	<b>Total</b>	<b>\$6,408,898</b>	<b>\$2,000,000</b>	<b>\$2,000,000</b>	<b>\$2,000,000</b>	<b>\$408,898</b>	

**PORT OF NEWPORT/RONDYS  
OUTLINE OF AGREEMENTS  
NOVEMBER 11, 2015**

**WETLAND MITIGATION AGREEMENT**

1. Rondys will provide property to mitigate wetlands on Rondys property described as tax lot 100 and Port property described as tax lots 101, 400, 102 and 103.
2. The area to be provided is approximately 1.07 acres in size and is generally located at the southerly portion of tax lot 100. The approximate area of mitigation is shown on Exhibit A.
3. The Port will submit an application to permitting agencies for the wetland fill, removal and mitigation on the Port property and the Rondys property. Rondys will cooperate in submitting and processing the applications. The parties will use John vanStaveren as wetlands consultant and to assist with the application. Initially, Rondys will be mitigating approximately .26 acres of wetland from Rondys property. Later, Rondys may mitigate additional wetlands from its property. The Port agrees to pay for the consultant and construction to mitigate all wetlands on Rondys property that may require mitigation in consideration of being able to mitigate Port wetlands on Rondys property.
4. The actual wetland remediation work for the Port property and the Rondys property at the mitigation site will be done by a contractor hired and paid for by Port but Rondys has the right to reasonably approve the contractor and has the right to approve all mitigation plans on Rondys property.
5. The wetland monitoring and compliance will be done and paid for by Port. If the Port fails to monitor then Rondys may do so and charge and recover from Port the expenses of such monitoring and any repair or additional work that is necessary to fully comply with all permits.
6. Rondys will grant Port an easement for the mitigation area and an easement to access the property. Said easement will be for purposes of monitoring and maintaining the mitigation area. The Port will pay for any damage caused to the Rondys property. Rondys will give Port an easement for a drain from Port property to the mitigation site. The Port will be responsible for maintaining the drainage way.
7. The construction of the mitigation area will begin on or about \_\_\_\_\_ and the work will be diligently pursued to complete the work within a reasonable period of time thereafter but must be completed within any time parameters set forth in the permits.
8. The Port shall indemnify and hold Rondys harmless from any damages, claims and demands caused by construction and monitoring and repair of the wetland mitigation site.
9. The agreement will be binding on the heirs, successors and assigns of each of the parties.

10. In the event any suit or action is filed to enforce and term or condition of the agreement the prevailing party shall be entitled to recover from the losing parties the prevailing parties costs and reasonable attorney's fees including on appeal.
11. The Port shall carry adequate insurance to cover all work being done on the property.
12. Good neighbor provision to discuss issues as they arise.
13. Notice and cure provision except in cases of emergency or when damage would occur as a result of delay.
14. Governed by Oregon law.

#### ADDITINOAL PROVISIONS REGARDING DRAINAGE

1. Drainage from Port property described as tax lots 101, 102, 103 and 400 shall be allowed to drain onto Rondys property in a designated drainage way that drains to the wetland mitigation pond or to an outfall into the Bay.
2. The drainage from Bay Boulevard and any of the property lying northerly of Bay Boulevard shall be mitigated by improving drainage ditches along Bay Boulevard. The expenses of such mitigation within the public right of way along shall be shared equally between the Port and Rondys after the expenditure of any other funds from governmental entities such as urban renewal funds. The improvements along Bay Boulevard shall be completed by \_\_\_\_\_.
3. Rondys shall grant the Port and easement for the drainage channel to the wetland mitigation pond (referenced under the Wetland Mitigation Agreement).
4. No hazardous or toxic materials from the Port property or from any property lying northerly of the Port property shall be allowed in the drainage channel running across Rondys property or in the wetland mitigation pond.
5. Indemnification and hold harmless agreement from Port in favor of Rondys in the event any damages, claims and demands are made that any hazardous materials have been deposited on Rondys property from offsite.
6. Agreement binding on heirs, successors and assigns.
7. Notice and cure provision
8. Attorney fee provision.

## DREDGE SPOILS AGREEMENT

1. Port has completed dredging project and has deposited dredge spoils on Rondys property.
2. Rondys has use of a portion of dredge spoils for filling its property and preparing the property for development.
3. The Port agrees at its expense to grade, level and compact as necessary the dredge spoils over the Rondys property as directed by Rondys to provide a base suitable for the development of commercial and industrial buildings.
4. Dredge spoils not needed or utilized on the Rondys property will be removed by the Port from Rondys property by \_\_\_\_\_. The cleanup of the property shall be in accordance with all applicable laws, rules and regulations. In the event the spoils are not removed by that date, Rondys shall be entitled to receive from the Port monthly rental in the amount of \_\_\_\_\_ per month or Rondys may remove the material and the Port shall pay for the cost of such removal.
5. In conjunction with placing the dredge spoils on the Rondys property the Port shall remove approximately 20,000 cubic yards of topsoil from the Rondys property. The Port shall be responsible for removing from the site any topsoil not needed or requested by Rondys.
6. The Port shall obtain any and all permits that are necessary to perform the work required under this agreement. Rondys as the property owner shall cooperate and sign applications and other documents necessary and convenient to allow the work to progress.
7. The Port represents that the dredge spoils are clean and are free from hazardous material.
8. The Port represents that it gave notice to the State of Oregon pursuant to ORS 274.550 and OAR 141-014-0320 so that Rondys will not be charged for dredge spoils used on Rondys property.
9. The Port shall indemnify and hold Rondys harmless for any liability for work done in grading, levelling and compacting the dredge material and also from any other work in holding and removing the dredge spoils on the property.
10. The Port shall carry insurance for all work done on the property in the minimum amount of \_\_\_\_\_.
11. Attorney Fee Provision.
12. Notice and cure provision.
13. Agreement binding on the successors and assigns of each party.
14. Governed by Oregon law.

## ROAD AND UTILITY EASEMENT

1. There is presently a road located on the Rondys property that runs from Bay Boulevard to the International Terminal. The road is located on Rondys property and the Port was previously given an easement over the road. The parties desire to clarify the previous easement.
2. The easement shall be for the purpose of ingress and egress to the International Terminal and for utilities to serve the Port property. The road will also be used for access to the Rondys property and may be used for utilities to the Rondys property.
3. All utilities in the easement shall be placed underground.
4. The maintenance of the easement will be shared between the parties using the road pro rata based on usage and pursuant to ORS 105.170-105.185.
5. The condition to which the road will be maintained is a paved road approximately \_\_\_ feet in width with an adequate subbase for heavy trucks, equipment and machinery.
6. Each party will indemnify and hold harmless the other party for each party's use of the road and those using the road under the auspices of one party of the other.
7. Each party will maintain adequate insurance which is defined as a general liability policy of at least \_\_\_\_\_ per occurrence and \_\_\_\_\_ in the aggregate. The Port's insurance policy shall name Rondys as an additional insured for and action regarding the easement.
8. Provision regarding good neighbor cooperation. The owner of the Rondys property will coordinate maintenance and repairs on the road. It will give the Port 30 days notice of repairs to be done and the breakdown of each party's percentage of repair costs. The Port must respond within 30 days if it disagrees with the proposal. If Port does not respond it is deemed to have accepted the breakdown. If the parties cannot agree on the repairs or maintenance to be done the matter shall be submitted to binding arbitration. If the parties cannot agree on an arbitrator, then the arbitration shall be done by the Arbitration Association of Portland or by the American Arbitration Association.
9. The easement will be perpetual and run with the Port property.
10. The agreement will be binding on the successors and assigns of each party.
11. Notice and cure provision.
12. Attorney fee provision.
13. Governed by Oregon law.
14. The easement road will not be dedicated as a public road unless both parties agree to the dedication.
15. The parties shall prepare a baseline report of the road within 45 days of the date of this agreement detailing the condition of the road and shall share in improvement to the road as follows: \_\_\_\_\_.
16. The Port shall grant to Rondys, an easement for utilities along the east side of Port's export facility.
17. Rondys has the right to approve all plans and improvements that affect the Rondys property.





**U.S. Department  
of Transportation**

Under Secretary for Policy

1200 New Jersey Avenue SE  
Washington, DC 20590

Office of the Secretary  
of Transportation

May 2, 2016

Mr. Kevin Greenwood  
General Manager  
Port of Newport  
600 S.E. Bay Boulevard  
Newport, OR 97365

Dear Mr. Greenwood:

Once again we want to congratulate the Port of Newport (Port) on the award of \$2,000,000.00 by the Department of Transportation (DOT) under the Consolidated and Further Continuing Appropriations Act, 2015 for National Infrastructure Investments (Pub. L. 113–235, December 16, 2014). This award was announced on October 28, 2015, to fund the project titled “International Terminal Shipping Facility”, and assigned to the Maritime Administration for administrative oversight.

Our understanding is that the project has a proposed budget of \$6,532,577 leaving a balance of \$4,532,577, which is the responsibility of the Port to fund. The FY 2015 Appropriations Act requires that FY 2015 TIGER funds are only available for obligation through September 30, 2017. As part of the review and selection process described in *Section E.2* of the Notification of Funds Availability posted April 3, 2015, the Department will consider whether a project is ready to proceed with an obligation of grant funds from DOT within the statutory time provided. Under the FY 2015 Appropriations Act, no waiver is possible for these deadlines.

Representatives of my staff and the Maritime Administration met with you on March 15, 2016 at the Department of Transportation’s Headquarters in Washington D.C, to discuss the project. In the meeting you indicated that the Port has an application in with the State of Oregon for grant funds to complete the project. It is our understanding that the announcement for this potential grant will not be made until August 2016. Additionally, you stated that the State of Oregon has a loan program which the Port can use to fill the project budget balance.

DOT and the Maritime Administration remain committed to the project but in order to fulfill statutory deadlines and to ensure there is time to execute a Grant agreement, we require written confirmation, not later than October 31, 2016, that the budget balance is available to the Port of Newport for the project.

We stand ready to assist the Port of Newport with this project and I ask that you please continue to communicate your progress on this issue to my staff.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Monje Jr.', written in a cursive style.

Carlos Monje Jr.  
Acting Under Secretary for Policy

October 21, 2016

Mr. Blair Anderson  
Under Secretary for Policy  
U.S. DEPARTMENT OF TRANSPORTATION  
1200 New Jersey Ave, SE  
Washington, DC 20590

RE: FINANCING STATUS REPORT FOR \$2-MILLION TIGER GRANT FOR  
INTERNATIONAL TERMINAL SHIPPING FACILITY

Dear Mr. Anderson,

The Port of Newport is excited about beginning construction of the International Terminal Shipping Facility in 2017. The U.S. Dept. of Transportation (USDOT) has been extremely generous with its \$2-million award and Maritime Administration (MARAD) staff has been very helpful in assisting the Port with the contracting requirements.

This letter is in response to your letter dated May 2, 2016 requiring written confirmation that the budget balance is available to the Port of Newport for the project. Here is the following budget:

TIGER	\$2,000,000
EDA	\$2,000,000
LOAN	\$2,000,000
PORT	\$532,577
<b>TOTAL</b>	<b>\$6,532,577</b>

The Port will receive a formal notice from EDA on their contribution to the project in the first week of December and the Port has received formal notice from the State of Oregon Infrastructure Finance Authority (IFA) and TIGER for their contributions. The Port of Newport's Fiscal Year 2016-17 budget shows ample cash reserves to make up the difference.

There are other options that could occur before the end of the year including the use of additional Port cash reserves and/or use of a USDA-Rural Development loan program.

Again, we look forward to working with the MARAD in the months to come.

Sincerely,

Kevin M. Greenwood  
General Manager



# DIRECTOR OF FINANCE MONTHLY REPORT

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**DATE:** 10/18/2016  
**PERIOD:** September Board Meeting  
**TO:** Port of Newport Commissioners  
**ISSUED BY:** Stephen J. Larrabee

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## **OVERVIEW**

### **Financials:**

September year to date financials are attached.

### **Finance Operations:**

The Check Signing authorization cards will be signed at the next Board meeting.

The Finance Team continues to work on an Operations Manual for the South Beach RV Park which will be completed by the end of the calendar year.

**Port of Newport  
Balance Sheet  
As of September 30, 2016**

	Sep 30, 16	Sep 30, 15	\$ Change
<b>ASSETS</b>			
<b>Current Assets</b>			
Checking/Savings			
Available Cash & Equivalents	1,538,022.11	1,176,659.34	361,362.77
Restricted Cash & Equivalents	728,940.12	792,179.16	-63,239.04
<b>Total Checking/Savings</b>	<b>2,266,962.23</b>	<b>1,968,838.50</b>	<b>298,123.73</b>
Accounts Receivable			
Accounts Receivable	331,479.16	113,954.66	217,524.50
<b>Total Accounts Receivable</b>	<b>331,479.16</b>	<b>113,954.66</b>	<b>217,524.50</b>
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	10,334.60	0.00
Deferred OF - Contrib after MD	18,048.00	18,048.00	0.00
Due from other Port Funds	6,669.18	69,831.49	-63,162.31
Net Pension Asset	146,594.00	146,594.00	0.00
Prepaid Expenses	63,833.54	47,854.49	15,979.05
Undeposited Funds	0.00	-8,617.96	8,617.96
<b>Total Other Current Assets</b>	<b>231,479.32</b>	<b>270,044.62</b>	<b>-38,565.30</b>
<b>Total Current Assets</b>	<b>2,829,920.71</b>	<b>2,352,837.78</b>	<b>477,082.93</b>
Fixed Assets			
Capital Assets	85,670,010.77	85,670,010.77	0.00
<b>Total Fixed Assets</b>	<b>85,670,010.77</b>	<b>85,670,010.77</b>	<b>0.00</b>
<b>TOTAL ASSETS</b>	<b>88,499,931.48</b>	<b>88,022,848.55</b>	<b>477,082.93</b>
<b>LIABILITIES &amp; EQUITY</b>			
<b>Liabilities</b>			
<b>Current Liabilities</b>			
Accounts Payable			
Accounts Payable	107,465.75	81,456.49	26,009.26
<b>Total Accounts Payable</b>	<b>107,465.75</b>	<b>81,456.49</b>	<b>26,009.26</b>
Other Current Liabilities			
Accrued Interest Payable	11,693.00	11,693.00	0.00
Current Portion-Long Term Debt	353,377.00	353,377.00	0.00
Deferred Revenue	190.95	190.95	0.00
Due to other Port Funds	-5,187.86	-7,387.37	2,199.51
Lodging/Room Tax Payable	0.00	1,868.60	-1,868.60
Payroll Liabilities	28,573.73	33,612.52	-5,038.79
<b>Total Other Current Liabilities</b>	<b>388,646.82</b>	<b>393,354.70</b>	<b>-4,707.88</b>
<b>Total Current Liabilities</b>	<b>496,112.57</b>	<b>474,811.19</b>	<b>21,301.38</b>
Long Term Liabilities			
2013 FF&C Bond Premium	111,892.75	111,892.75	0.00
Deferred IF - Proportion/Contri	31,249.00	31,249.00	0.00
Deferred IF - Invest Return	282,867.00	282,867.00	0.00
Less Current Portion L Term Deb	-353,377.00	-353,377.00	0.00
Long Term Debt	8,480,410.74	8,480,410.74	0.00
<b>Total Long Term Liabilities</b>	<b>8,553,042.49</b>	<b>8,553,042.49</b>	<b>0.00</b>
<b>Total Liabilities</b>	<b>9,049,155.06</b>	<b>9,027,853.68</b>	<b>21,301.38</b>
<b>Equity</b>			
Contributed Capital	7,130,788.00	7,130,788.00	0.00
Fund Balance	71,830,216.93	71,350,104.58	480,112.35
GAAP - Pension Expense	18,048.00	18,048.00	0.00
GAAP - Pension Income	140,846.00	140,846.00	0.00
Net Income	330,877.49	355,208.29	-24,330.80
<b>Total Equity</b>	<b>79,450,776.42</b>	<b>78,994,994.87</b>	<b>455,781.55</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>88,499,931.48</b>	<b>88,022,848.55</b>	<b>477,082.93</b>

**Port of Newport**  
**Profit & Loss Budget vs. Actual**  
 July through September 2016

	Jul - Sep 16	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Hoist Dock & Services	61,281.06	450,000.00	-388,718.94	13.6%
Launch Ramp & Trailer Storage	19,148.50	70,000.00	-50,851.50	27.4%
Lease Revenues	137,663.74	616,081.00	-478,417.26	22.3%
Miscellaneous Revenue	23,946.19	46,000.00	-22,053.81	52.1%
Moorage	314,711.80	1,189,000.00	-874,288.20	26.5%
RV Parks	411,184.61	754,000.00	-342,815.39	54.5%
Shipping Terminal Revenues	847.41	7,000.00	-6,152.59	12.1%
<b>Total Income</b>	<u>968,783.31</u>	<u>3,132,081.00</u>	<u>-2,163,297.69</u>	<u>30.9%</u>
<b>Gross Profit</b>	968,783.31	3,132,081.00	-2,163,297.69	30.9%
<b>Expense</b>				
Debt Services	41,819.36	684,934.00	-643,114.64	6.1%
Materials & Services	323,188.93	1,425,200.00	-1,102,011.07	22.7%
Personal Services	270,683.99	1,300,616.00	-1,029,932.01	20.8%
<b>Total Expense</b>	<u>635,692.28</u>	<u>3,410,750.00</u>	<u>-2,775,057.72</u>	<u>18.6%</u>
<b>Net Ordinary Income</b>	333,091.03	-278,669.00	611,760.03	-119.5%
<b>Other Income/Expense</b>				
<b>Other Income</b>				
Grant & Loan Proceeds	0.00	168,000.00	-168,000.00	0.0%
Interest Income	1,135.38	4,000.00	-2,864.62	28.4%
Miscellaneous	4,508.08	0.00	4,508.08	100.0%
Property & Dredge Sales	0.00	2,000.00	-2,000.00	0.0%
Property Tax Revenue	495.91	94,500.00	-94,004.09	0.5%
<b>Total Other income</b>	<u>6,139.37</u>	<u>268,500.00</u>	<u>-262,360.63</u>	<u>2.3%</u>
<b>Other Expense</b>				
Capital Outlay	8,352.91	500,000.00	-491,647.09	1.7%
Contingency	0.00	100,000.00	-100,000.00	0.0%
Transfers Out	0.00	60,000.00	-60,000.00	0.0%
<b>Total Other Expense</b>	<u>8,352.91</u>	<u>660,000.00</u>	<u>-651,647.09</u>	<u>1.3%</u>
<b>Net Other Income</b>	<u>-2,213.54</u>	<u>-391,500.00</u>	<u>389,286.46</u>	<u>0.6%</u>
<b>Net Income</b>	<u><u>330,877.49</u></u>	<u><u>-670,169.00</u></u>	<u><u>1,001,046.49</u></u>	<u><u>-49.4%</u></u>

**Port of Newport**  
**Profit & Loss Budget vs. Actual - Admin**  
**July through September 2016**

	Jul - Sep 16	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Hoist Dock & Services	750.00			
Lease Revenues	137,663.74	616,081.00	-478,417.26	22.3%
Miscellaneous Revenue	1,798.22			
Moorage	774.00			
<b>Total Income</b>	<b>140,985.96</b>	<b>616,081.00</b>	<b>-475,095.04</b>	<b>22.9%</b>
<b>Gross Profit</b>	<b>140,985.96</b>	<b>616,081.00</b>	<b>-475,095.04</b>	<b>22.9%</b>
<b>Expense</b>				
Debt Services	4,463.00	17,852.00	-13,389.00	25.0%
Materials & Services	81,141.02	392,900.00	-311,758.98	20.7%
Personal Services	125,857.03	510,748.00	-384,890.97	24.6%
<b>Total Expense</b>	<b>211,461.05</b>	<b>921,500.00</b>	<b>-710,038.95</b>	<b>22.9%</b>
<b>Net Ordinary Income</b>	<b>-70,475.09</b>	<b>-305,419.00</b>	<b>234,943.91</b>	<b>23.1%</b>
<b>Other Income/Expense</b>				
<b>Other Income</b>				
Grant & Loan Proceeds	0.00	168,000.00	-168,000.00	0.0%
Interest Income	1,135.38	4,000.00	-2,864.62	28.4%
Property Tax Revenue	495.91	94,500.00	-94,004.09	0.5%
<b>Total Other Income</b>	<b>1,631.29</b>	<b>266,500.00</b>	<b>-264,868.71</b>	<b>0.6%</b>
<b>Other Expense</b>				
Capital Outlay	0.00	500,000.00	-500,000.00	0.0%
Contingency	0.00	100,000.00	-100,000.00	0.0%
Transfers Out	0.00	60,000.00	-60,000.00	0.0%
<b>Total Other Expense</b>	<b>0.00</b>	<b>660,000.00</b>	<b>-660,000.00</b>	<b>0.0%</b>
<b>Net Other Income</b>	<b>1,631.29</b>	<b>-393,500.00</b>	<b>395,131.29</b>	<b>-0.4%</b>
<b>Net Income</b>	<b>-68,843.80</b>	<b>-698,919.00</b>	<b>630,075.20</b>	<b>9.9%</b>



**Port of Newport  
 Profit & Loss Budget vs. Actual - NIT  
 July through September 2016**

	Jul - Sep 16	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Hoist Dock & Services	31,695.53	193,000.00	-161,304.47	16.4%
Miscellaneous Revenue	36.50	5,000.00	-4,963.50	0.7%
Moorage	6,514.40	80,000.00	-73,485.60	8.1%
Shipping Terminal Revenues	847.41	7,000.00	-6,152.59	12.1%
<b>Total Income</b>	<u>39,093.84</u>	<u>285,000.00</u>	<u>-245,906.16</u>	<u>13.7%</u>
<b>Gross Profit</b>	39,093.84	285,000.00	-245,906.16	13.7%
<b>Expense</b>				
Debt Services	34,223.76	443,460.00	-409,236.24	7.7%
Materials & Services	29,704.75	108,100.00	-78,395.25	27.5%
Personal Services	16,874.48	71,486.00	-54,611.52	23.6%
<b>Total Expense</b>	<u>80,802.99</u>	<u>623,046.00</u>	<u>-542,243.01</u>	<u>13.0%</u>
<b>Net Ordinary Income</b>	<u>-41,709.15</u>	<u>-338,046.00</u>	<u>296,336.85</u>	<u>12.3%</u>
<b>Net Income</b>	<u><u>-41,709.15</u></u>	<u><u>-338,046.00</u></u>	<u><u>296,336.85</u></u>	<u><u>12.3%</u></u>

**Port of Newport**  
**Profit & Loss Budget vs. Actual - SB**  
**July through September 2016**

	Jul - Sep 16	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Hoist Dock & Services	2,729.21	10,000.00	-7,270.79	27.3%
Launch Ramp & Trailer Storage	19,148.50	70,000.00	-50,851.50	27.4%
Miscellaneous Revenue	20,983.96	37,000.00	-16,016.04	56.7%
Moorage	230,305.41	669,000.00	-438,694.59	34.4%
RV Parks	411,184.61	754,000.00	-342,815.39	54.5%
<b>Total Income</b>	<u>684,351.69</u>	<u>1,540,000.00</u>	<u>-855,648.31</u>	<u>44.4%</u>
<b>Gross Profit</b>	684,351.69	1,540,000.00	-855,648.31	44.4%
<b>Expense</b>				
Debt Services	1,393.65	216,666.00	-215,272.35	0.6%
Materials & Services	151,333.40	604,400.00	-453,066.60	25.0%
Personal Services	74,679.32	342,800.00	-268,120.68	21.8%
<b>Total Expense</b>	<u>227,406.37</u>	<u>1,163,866.00</u>	<u>-936,459.63</u>	<u>19.5%</u>
<b>Net Ordinary Income</b>	456,945.32	376,134.00	80,811.32	121.5%
<b>Other Income/Expense</b>				
<b>Other Income</b>				
Grant & Loan Proceeds	0.00	0.00	0.00	0.0%
Property & Dredge Sales	0.00	2,000.00	-2,000.00	0.0%
<b>Total Other Income</b>	<u>0.00</u>	<u>2,000.00</u>	<u>-2,000.00</u>	<u>0.0%</u>
<b>Other Expense</b>				
Break-in Replacement	0.00	0.00	0.00	0.0%
Capital Outlay	7,543.41			
<b>Total Other Expense</b>	<u>7,543.41</u>	<u>0.00</u>	<u>7,543.41</u>	<u>100.0%</u>
<b>Net Other Income</b>	<u>-7,543.41</u>	<u>2,000.00</u>	<u>-9,543.41</u>	<u>-377.2%</u>
<b>Net Income</b>	<u><u>449,401.91</u></u>	<u><u>378,134.00</u></u>	<u><u>71,267.91</u></u>	<u><u>118.8%</u></u>

**Port of Newport**  
**Profit & Loss Budget vs. Actual - CM**  
 July through September 2016

	Jul - Sep 16	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Hoist Dock & Services	26,085.32	247,000.00	-220,914.68	10.6%
Launch Ramp & Trailer Storage	0.00	0.00	0.00	0.0%
Miscellaneous Revenue	1,127.51	4,000.00	-2,872.49	28.2%
Moorage	77,117.99	440,000.00	-362,882.01	17.5%
Shipping Terminal Revenues	0.00	0.00	0.00	0.0%
<b>Total Income</b>	<u>104,330.82</u>	<u>691,000.00</u>	<u>-586,669.18</u>	<u>15.1%</u>
<b>Gross Profit</b>	104,330.82	691,000.00	-586,669.18	15.1%
<b>Expense</b>				
Debt Services	1,738.95	6,956.00	-5,217.05	25.0%
Materials & Services	61,009.76	312,400.00	-251,390.24	19.5%
Personal Services	53,273.16	214,674.00	-161,400.84	24.8%
<b>Total Expense</b>	<u>116,021.87</u>	<u>534,030.00</u>	<u>-418,008.13</u>	<u>21.7%</u>
<b>Net Ordinary Income</b>	-11,691.05	156,970.00	-168,661.05	-7.4%
<b>Other Income/Expense</b>				
<b>Other Income</b>				
Miscellaneous	4,508.08	0.00	4,508.08	100.0%
<b>Total Other Income</b>	4,508.08	0.00	4,508.08	100.0%
<b>Other Expense</b>				
Capital Outlay	809.50			
<b>Total Other Expense</b>	809.50			
<b>Net Other Income</b>	3,698.58	0.00	3,698.58	100.0%
<b>Net Income</b>	<u>-7,992.47</u>	<u>156,970.00</u>	<u>-164,962.47</u>	<u>-5.1%</u>

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

	Sep 30, 16	Sep 30, 15	\$ Change
<b>ASSETS</b>			
<b>Current Assets</b>			
Checking/Savings			
Cash & Equivalents	4,844,054.98	4,720,511.67	123,543.31
<b>Total Checking/Savings</b>	<b>4,844,054.98</b>	<b>4,720,511.67</b>	<b>123,543.31</b>
<b>Other Current Assets</b>			
Derfered OF - Contrib After MD	2,957.00	2,957.00	0.00
Due From Other Funds	58.43	0.00	58.43
Net Pension Asset	24,019.00	24,019.00	0.00
Prepaid Expenses	34,261.62	18,053.76	16,207.86
<b>Total Other Current Assets</b>	<b>61,296.05</b>	<b>45,029.76</b>	<b>16,266.29</b>
<b>Total Current Assets</b>	<b>4,905,351.03</b>	<b>4,765,541.43</b>	<b>139,809.60</b>
<b>TOTAL ASSETS</b>	<b>4,905,351.03</b>	<b>4,765,541.43</b>	<b>139,809.60</b>
<b>LIABILITIES &amp; EQUITY</b>			
<b>Liabilities</b>			
<b>Current Liabilities</b>			
Accounts Payable			
Accounts Payable	19,740.33	28,002.68	-8,262.35
<b>Total Accounts Payable</b>	<b>19,740.33</b>	<b>28,002.68</b>	<b>-8,262.35</b>
<b>Other Current Liabilities</b>			
Accrued Interest Payable	499,410.00	499,410.00	0.00
Current Portion-Long-Term Debt	840,000.00	840,000.00	0.00
Due to Operations or Const Fund	6,669.18	15,791.32	-9,122.14
Vacation Payable	3,425.65	1,996.00	1,429.65
<b>Total Other Current Liabilities</b>	<b>1,349,504.83</b>	<b>1,357,197.32</b>	<b>-7,692.49</b>
<b>Total Current Liabilities</b>	<b>1,369,245.16</b>	<b>1,385,200.00</b>	<b>-15,954.84</b>
<b>Long Term Liabilities</b>			
Deferred IF - Invest Return	46,347.00	46,347.00	0.00
Deferred IF - Prop/Contrib	5,120.00	5,120.00	0.00
Less Current Portion L Term Deb	-840,000.00	-840,000.00	0.00
<b>Long-Term Debt</b>	<b>21,554,006.00</b>	<b>21,554,006.00</b>	<b>0.00</b>
<b>Total Long Term Liabilities</b>	<b>20,765,473.00</b>	<b>20,765,473.00</b>	<b>0.00</b>
<b>Total Liabilities</b>	<b>22,134,718.16</b>	<b>22,150,673.00</b>	<b>-15,954.84</b>
<b>Equity</b>			
Fund Balance	-16,324,130.92	-16,487,486.68	163,355.76
GAAP - Pension Expense	2,957.00	2,957.00	0.00
GAAP - Pension Income	23,078.00	23,078.00	0.00
Net Income	-931,271.21	-923,679.89	-7,591.32
<b>Total Equity</b>	<b>-17,229,367.13</b>	<b>-17,385,131.57</b>	<b>155,764.44</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>4,905,351.03</b>	<b>4,765,541.43</b>	<b>139,809.60</b>

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

	Jul - Sep 16	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Interest Income	1,782.97	10,500.00	-8,717.03	17.0%
Lease Income	627,450.72	2,542,000.00	-1,914,549.28	24.7%
<b>Total Income</b>	629,233.69	2,552,500.00	-1,923,266.31	24.7%
<b>Expense</b>				
Debt Service	1,442,366.88	1,997,335.00	-554,968.12	72.2%
Materials & Service	100,822.55	689,320.00	-588,497.45	14.6%
Personal Services	16,615.47	75,759.00	-59,143.53	21.9%
<b>Total Expense</b>	1,559,804.90	2,762,414.00	-1,202,609.10	56.5%
<b>Net Ordinary Income</b>	-930,571.21	-209,914.00	-720,657.21	443.3%
<b>Other Income/Expense</b>				
<b>Other Expense</b>				
Capital Outlay	700.00			
Contingency	0.00	100,000.00	-100,000.00	0.0%
Fund Transfers Out	0.00	2,000,000.00	-2,000,000.00	0.0%
<b>Total Other Expense</b>	700.00	2,100,000.00	-2,099,300.00	0.0%
<b>Net Other Income</b>	-700.00	-2,100,000.00	2,099,300.00	0.0%
<b>Net Income</b>	-931,271.21	-2,309,914.00	1,378,642.79	40.3%

**Facility Maintenance Reserve Fund**  
**Balance Sheet**  
 As of September 30, 2016

	<u>Sep 30, 16</u>	<u>Sep 30, 15</u>	<u>\$ Change</u>
<b>ASSETS</b>			
Current Assets			
Checking/Savings			
Umpqua Bank - Money Market	73,796.45	148,399.12	-74,602.67
<b>Total Checking/Savings</b>	<u>73,796.45</u>	<u>148,399.12</u>	<u>-74,602.67</u>
<b>Total Current Assets</b>	<u>73,796.45</u>	<u>148,399.12</u>	<u>-74,602.67</u>
<b>TOTAL ASSETS</b>	<u><b>73,796.45</b></u>	<u><b>148,399.12</b></u>	<u><b>-74,602.67</b></u>
<b>LIABILITIES &amp; EQUITY</b>			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	0.00	54,747.44	-54,747.44
<b>Total Accounts Payable</b>	<u>0.00</u>	<u>54,747.44</u>	<u>-54,747.44</u>
<b>Total Current Liabilities</b>	<u>0.00</u>	<u>54,747.44</u>	<u>-54,747.44</u>
<b>Total Liabilities</b>	<u>0.00</u>	<u>54,747.44</u>	<u>-54,747.44</u>
Equity			
Fund Balance	73,777.66	48,378.36	25,399.30
Net Income	18.79	45,273.32	-45,254.53
<b>Total Equity</b>	<u>73,796.45</u>	<u>93,651.68</u>	<u>-19,855.23</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><b>73,796.45</b></u>	<u><b>148,399.12</b></u>	<u><b>-74,602.67</b></u>

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

	<u>Sep 30, 16</u>	<u>Sep 30, 15</u>	<u>\$ Change</u>
<b>ASSETS</b>			
Current Assets			
Checking/Savings			
Construction Fund Bank Accts	65,036.12	167,573.06	-102,536.94
<b>Total Checking/Savings</b>	<u>65,036.12</u>	<u>167,573.06</u>	<u>-102,536.94</u>
Accounts Receivable			
Accounts Receivable	0.00	-180.00	180.00
<b>Total Accounts Receivable</b>	<u>0.00</u>	<u>-180.00</u>	<u>180.00</u>
<b>Total Current Assets</b>	<u>65,036.12</u>	<u>167,393.06</u>	<u>-102,356.94</u>
<b>TOTAL ASSETS</b>	<u><b>65,036.12</b></u>	<u><b>167,393.06</b></u>	<u><b>-102,356.94</b></u>
<b>LIABILITIES &amp; EQUITY</b>			
Liabilities			
Current Liabilities			
Accounts Payable			
A/P - Construction	1,943.75	0.00	1,943.75
<b>Total Accounts Payable</b>	<u>1,943.75</u>	<u>0.00</u>	<u>1,943.75</u>
<b>Total Current Liabilities</b>	<u>1,943.75</u>	<u>0.00</u>	<u>1,943.75</u>
<b>Total Liabilities</b>	<u>1,943.75</u>	<u>0.00</u>	<u>1,943.75</u>
Equity			
Fund Balance	79,229.46	183,266.66	-104,037.20
Net Income	-16,137.09	-15,873.60	-263.49
<b>Total Equity</b>	<u>63,092.37</u>	<u>167,393.06</u>	<u>-104,300.69</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><b>65,036.12</b></u>	<u><b>167,393.06</b></u>	<u><b>-102,356.94</b></u>

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

	Sep 30, 16	Sep 30, 15	\$ Change
<b>ASSETS</b>			
<b>Current Assets</b>			
Checking/Savings			
Gen Obligation Bond MM-OCB	310,466.73	99,417.18	211,049.55
<b>Total Checking/Savings</b>	<b>310,466.73</b>	<b>99,417.18</b>	<b>211,049.55</b>
<b>Other Current Assets</b>			
Due from Operating Fund	-5,246.29	-7,387.37	2,141.08
Property Tax Receivable	86,925.12	86,925.12	0.00
<b>Total Other Current Assets</b>	<b>81,678.83</b>	<b>79,537.75</b>	<b>2,141.08</b>
<b>Total Current Assets</b>	<b>392,145.56</b>	<b>178,954.93</b>	<b>213,190.63</b>
<b>Other Assets</b>			
Bond Issue costs, net of amort.	91,334.00	91,334.00	0.00
<b>Total Other Assets</b>	<b>91,334.00</b>	<b>91,334.00</b>	<b>0.00</b>
<b>TOTAL ASSETS</b>	<b>483,479.56</b>	<b>270,288.93</b>	<b>213,190.63</b>
<b>LIABILITIES &amp; EQUITY</b>			
<b>Liabilities</b>			
<b>Current Liabilities</b>			
Other Current Liabilities			
Bonds Payable - Current	300,000.00	300,000.00	0.00
<b>Total Other Current Liabilities</b>	<b>300,000.00</b>	<b>300,000.00</b>	<b>0.00</b>
<b>Total Current Liabilities</b>	<b>300,000.00</b>	<b>300,000.00</b>	<b>0.00</b>
<b>Long Term Liabilities</b>			
2007 Series Bonds	4,209,263.00	4,209,263.00	0.00
2008 Series Bonds	4,304,912.00	4,304,912.00	0.00
2011 Series Bonds	5,211,741.00	5,211,741.00	0.00
Less Current Portion LTD	-300,000.00	-300,000.00	0.00
<b>Total Long Term Liabilities</b>	<b>13,425,916.00</b>	<b>13,425,916.00</b>	<b>0.00</b>
<b>Total Liabilities</b>	<b>13,725,916.00</b>	<b>13,725,916.00</b>	<b>0.00</b>
<b>Equity</b>			
Bonded Debt Fund Balance	-13,468,256.72	-13,468,256.72	0.00
Retained Earnings	221,003.95	0.36	221,003.59
Net Income	4,816.33	12,629.29	-7,812.96
<b>Total Equity</b>	<b>-13,242,436.44</b>	<b>-13,455,627.07</b>	<b>213,190.63</b>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>483,479.56</b>	<b>270,288.93</b>	<b>213,190.63</b>



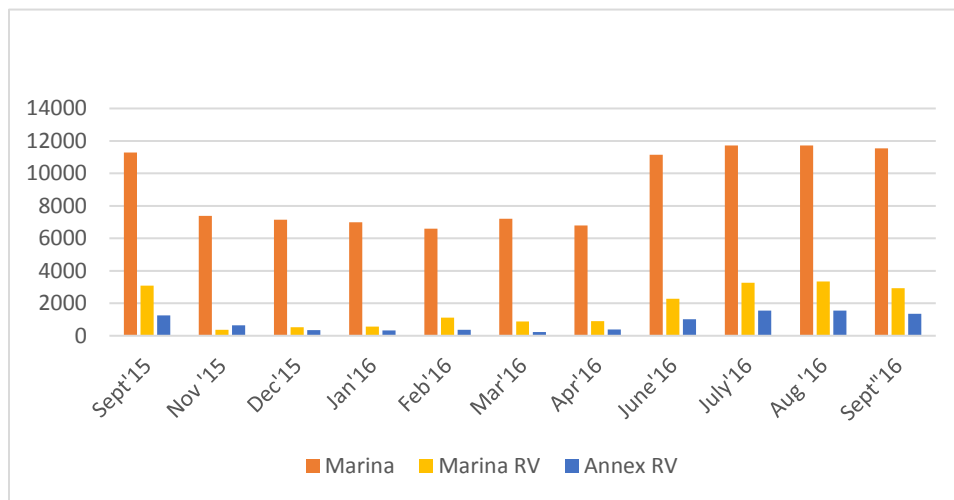
## September 2016 Occupancy Report

To: Port of Newport, Board of Commissioners  
 From: Penny, South Beach Marina & RV Parks  
 10/10/16

Occupancy numbers for September, 2016 were up from last year in the Marina and RV Parks. Two professional tour groups used our facility in September. Adventure Caravans and Fantasy RV Tours are popular international companies that schedule stops only at highly rated RV parks. Newport is becoming a popular destination for these tour groups and both of these companies book 3 caravans a year that enjoy using our facility while traveling down the West coast.

The phones have been busy at the South Beach office. The front desk booked 1003 reservations and 130 were made online.

Sept	2015	2016	Change	YTD 2015	YTD 2016	Change
<b>Marina</b>	11294	11549	2.25%	<b>81,252</b>	<b>85,885</b>	<b>5.70%</b>
<b>Marina RV</b>	3089	2925	-5.30%	<b>17,303</b>	<b>17,324</b>	<b>0.12%</b>
<b>Annex RV</b>	1258	1343	6.75%	<b>6,236</b>	<b>7,414</b>	<b>18.89%</b>







## DIRECTOR OF OPERATIONS MONTHLY REPORT

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**DATE:** 10/13/2016  
**PERIOD:** Sept - Oct 2016  
**TO:** Kevin Greenwood  
**ISSUED BY:** Rick Fuller

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### OVERVIEW

#### **Summary:**

Rogue has progressed with building roof, siding, and foundation concrete completion. The last concrete walkway section of the Multi Use Area sidewalk is now complete. The Port Dock 5 approach pier replacement report is now complete and will be presented at the special lunch work session next week. NOAA MOC-P dredging permit application is now under agency review and is requiring mitigation conditions if deepening is pursued. A recent bathymetric survey will provide topography data in order to evaluate if dredging can be postponed until next in water work period. The CBP modular trailer's permanent foundation has been installed. An ADA ramp is now required by code and is under review by GSA. Bergerson Construction is preparing for mobilization for PD5 pile replacement work in November

#### **Detail:**

- **Rogue Warehouse Expansion:** The Rogue expansion is nearly closed in at the time of this report. All concrete has been completed along with site backfill. Construction completion is scheduled for November. The remaining sidewalk has now been completed at the multi-use area. The addition of topsoil and landscaping will be completed when weather conditions allow.
- **NOAA MOC-P dredging:** As reported last month, the JPA for the NOAA wharf dredging has been submitted and is currently under review. The JPA outlines a plan to deepen the existing prism in order to lengthen the time between dredging events. Due to the request to deepen the existing dredge prism, ODFW has commented that mitigation will be required which will delay the approval of the submitted application beyond the in water work period (see attached email report by John Van Staveren of PHS). I have met with NOAA command to explore the option to delay the dredging until next year. Although NOAA command sees the delay as favorable due to next year's ship docking schedule, it is unclear how many berths will remain operable due to continued shoaling. A certified bathymetric survey by NW Hydro was performed on Monday the 10<sup>th</sup> with the results pending. The survey will show definitive bottom contours which will be shared with NOAA command. Berth number #2 is currently not usable for the NOAA vessels due to shoaling leaving 5 berths available. Based on the survey findings, a decision will be made next week to determine if the current JPA will need to be revised for dredging to the original dredge prism extents which will be quickly approved by USACE, DSL and ODFW. All

requests for quotation have been held off until a decision has been made.

- **NOAA MOC-P recreational access:** Pricing from excavation companies is in progress to provide grading services at the west side of Rogue. Port owned floating dock sections will be utilized and added to the end of the existing service dock as required by ODFW providing increased recreational crabbing access.
- **Permits:** I continue to work on the details of the outstanding NIT dredging permit conditions and have been in contact with DSL regarding the remaining conservation easement requirement at the mitigation area behind the aquarium.
- **PON/CBP permanent foundation for modular structures:** The work for the installation of the permanent foundation, plumbing and electrical was contracted and has now been completed. The city permit is now requiring the installation of an ADA ramp to service the office trailer. I am in contact with GSA as they were investigating a lease option of a modular ramp which they would contract themselves.
- **Port Dock 5 fixed pier approach:** The finalized report by OBEC Engineers has been received and is on the schedule to be presented at next week's special commission work session.
- **Port Dock 5/7 Pile replacement:** The Contract for Bergerson Construction Inc. has been administered and signed. See the attached progress report email and the preliminary work schedule for update. A contract in the amount of \$9,500 for Foundation Engineering has been included in the consent calendar. The contract is for professional services needed for submittal review and construction monitoring during pile replacement work.
- **General Departmental:**
  - Kent Gibson & I attended the PCC Harbor Masters conference held in Bremerton, WA. Please see the attached conference agenda for topic and event details.
  - Final programs for fall protection and confined spaces was created and approved by safety committee. The entire safety policy is now being made ready for distribution and training.
  - This months shout out goes to Eric Swanson of the South Beach crew. Eric has taken the lead of the south Beach grounds maintenance and is doing a great job improving the landscape in the RV Park and outlying areas that are maintained by the SB crew. You can also see Eric's handy work at the NOAA Facility. Eric is not alone though as he has the back up and support of the entire crew as they continue to improve the grounds keeping at South Beach.

### **International Terminal – Pete Zerr, Superintendent**

Billable services:

- Forklift - 23hrs
- 30 Ton Hydraulic crane – 16.5hrs
- Moorage – 89 days
- Dock Tie Up – 178hrs
- Labor – 31hrs

Other

- Final report for Annual USCG MTSA Annual Exercise submitted. USCG has told us they are drafting and routing an approval letter.
- Order (Capital purchase) placed for Storm water Catch Basin filter/strainer replacements

## **N. Commercial docks – Kent Gibson, Interim Harbor Master**

Billable services: (estimated)

- Forklift – 67.5hrs
- Hoist crane –8hrs
- Dock Tie Up – 136hrs
- Labor – 72hrs

Other

- Opened up 10 parking spaces adjacent to hoist dock to alleviate congestion. Added a new “No Parking” area between the designated parking to help with traffic flow
- Drained and cleaned out used oil tanks. Replaced old valves and piping
- Repainted 3 of the 4 restrooms in the shower facility at PD7
- Seized the f/v Sea Dog and f/v Thunder

## **NOAA MOC-P – Jim Durkee, Facility Manager**

- Shore Power Pedestal Heaters- Heaters were installed by Aboveboard Electric in the remaining five pedestals. Total project was \$2,545.00. This should resolve issues with water dripping from the ceiling inside the pedestals onto the 480 volt breakers.
- Pier lighting inverter replacement: Replacement inverter has been installed and is operating
- Annual inspections nearing completion
- NOAA Interpretive Sign- Posts and frame and mounting materials have all been purchased. Awaiting agreement between the Port and the City and a locate needs to be performed and the sign put up. The Port Mates will be doing much of this work.

Vessels using facility since last report – OSP Guardian, ACOE Dredge Yaquina, and R/V Atlantis. Year to date, 1733 passengers crossed the bar on vessels using the NOAA wharf.

Office Occupancy Admin Building – 63 Work Stations Total, 42 Occupied  
Warehouse Bldg. – 23 Work Stations Total, 12 Occupied  
Occupancy Rate – 63%

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

Billable services:

- Launch tickets – Due to Chris Urbach’s vacation status, the launch ticket report was unavailable. Last month’s count was:  
990 tickets sold. 8908 tickets sold since new machine installed.

Other

- Regularly scheduled maintenance

## **Volunteer Work Crews**

Port Mates –Some of the members were on vacation and also working on other volunteer events such as U-Da-Man fishing tournament.

Angel Job Corps - The Job Corps have completed the North restroom siding project! Chris Urbach and I will be traveling to Angel Job Corps facility to present a personal thank you for a job well done to staff and students.

From: John van Staveren <JVS@PacificHabitat.com>  
Sent: Thursday, October 6, 2016 11:33 AM  
To: Rick Fuller  
Cc: Kevin Greenwood  
Subject: Corps Update

Rick – I spoke to Brad Johnson with the Corps. He stated that he spoke with NMFS and they (based on conversations with ODFW) are requiring mitigation for the expanded dredge prism. He did add that the project could be approved under SLOPES, but that's predicated on us providing mitigation. It also sounds like DSL is now requiring mitigation based on ODFW's input, though that is to be confirmed with Carrie Landrum. Brad spoke to Derek Wilson (ODFW), who stated that he is concerned with gaper clam impacts.

What type of mitigation is appropriate is to be determined. This is the same situation that we went through with the International Terminal.

Brad thought that with this new mitigation requirement, that it would be better if we withdrew the application that we have and resubmit with the original dredge prism. He said that it would be approved quickly.

You and I hoped that DSL would be able to approve our expanded dredge prism, but if they are also requiring mitigation, then we will be forced to submit an updated application to them showing the old dredge prism. This should not increase the time required for DSL to issue their permit and should not require them to reissue a public notice as the impact is smaller.

Let me know if you have any questions.

Thanks

John

John van Staveren  
Pacific Habitat Services, Inc.  
9450 SW Commerce Circle, Suite 180  
Wilsonville, OR 97070  
jvs@pacifichabitat.com  
www.PacificHabitat.com

From:Adam Neahring <aneahring@bergerson-const.com>  
Sent:Wednesday, October 12, 2016 12:55 PM  
To:Rick Fuller  
Cc:Greg Morrill; Rob Corcoran; Terri Opsahl; NComHarborMaster  
Subject:RE: Port of Newport - PD5 (Submittals & Correspondence)

Rick,

My apologies for the tardiness of this email as we had some unexpected emergencies this morning on a project that required my attention,

Please consider the following as an update to the PD5 Project,

Since Notice to Proceed or Intent to Award was received on August 24th, Bergerson Construction has completed the required documentation required prior to Mobilization. These items included Certificate of Insurance, W-9, Preliminary Construction Schedule and Final Executed Contract which was received from the Port on Oct. 5th. Following Intent to Award Bergerson has begun to explore some Value Engineering (VE) Options for the desired 16 Inch Diameter guide pipe pile on the project. Some of the initial VE options for consideration included thinner wall thickness with higher yield steel along with adjusting the overall galvanized coating length for the new piles. Following feedback from pile suppliers, no 16 inch diameter thinner wall pipe is currently available or scheduled to be rolled within the project time frame. Bergerson will be proposing that a total galvanized length of 40ft be considered by the Port in lieu of the designed full length galvanizing as a VE option for the pipe supply on the project.

A pre-construction meeting is tentatively scheduled for Friday, Oct. 21st to walk the project site, locate all the pile to be pulled and replaced, and locate all the Dock 5 float repairs to be performed under the contract. Following visitation and coordination meeting, it is anticipated that a more accurate schedule can be provided to identify the estimated durations we will be working in each location in the Marina.

I will be providing the following items within the next day or two:

- \*VE proposal for Reduction in Galvanizing Length
- \*Pipe Pile Material certs for Approval
- \*Pile Driving Equipment / Plan

Please confirm pre-construction meeting date and time and let me know if you there is any other remaining items that need to addressed at this time,

Thanks,

Adam Neahring  
Project Manager / Estimator

Bergerson Construction, Inc.  
Marine & Heavy Civil Construction  
55 Portway • Astoria, OR 97103  
(503) 325-7130 • CCB# 63328  
www.bergerson-const.com







# 42<sup>nd</sup> SEMI-ANNUAL MEMBERSHIP CONFERENCE

October 11 - 14, 2016

“Finding Opportunity in Change”



Hosted by: The Port of Bremerton, WA

## **TUESDAY, October 11**

2:00 pm - 4:00 pm **Board of Directors Meeting**  
5:00 pm - 7:00 pm **Welcome Reception and Conference Check-in**

## **WEDNESDAY, October 12**

- 8:00 am **Conference Check-in**
- 8:30 am **Call to Order: Mike Loy**, President, False Creek Harbour Authority - Fishermen's Wharf, BC  
Business Report  
Introduction of PCC Board Members
- 8:50 am **Host Port Welcome and Introductions: Kathy Garcia**, Marina Operations Manager, Port of Bremerton Marina
- 9:10 am **Training and Education Committee Report: Eric Olsson**, T&E Committee Chair
- 9:20 am **Barbara Schwantes Report: Cheryl Maynard**, PCC Executive Secretary
- 9:35 am **Introduction of Sustaining Members, Tami Allen**, City of Bainbridge Island, WA
- 10:10 am **Networking Opportunity** – Meet up with your colleagues to discuss marina issues, share stories and find solutions to your problems. Also an opportunity to get to know your PCC Sustaining Members (vendors) whose support helps make these conferences possible and who offer a wealth of information on products and services to enhance marina productivity and address your operational and maintenance concerns.
- 10:25 am **Call of the Ports** – Introduce yourself and your guests. Give your affiliation and the PCC committee(s) on which you serve. Tell us about yourself...what attracted you to a career as a marina professional? Highlight the issues that you consider are some of your biggest challenges, accomplishments and successes. This is an opportunity to let the PCC membership know you better and understand what makes your marina unique.
- Facilitators: **Mike Turkington**, False Creek Harbour Authority – Fishermen's Wharf, BC  
**Eric Olsson**, T&E Committee Chair
- 12:00 pm **LUNCH** – “Lunch with a Friend” Time to meet a new PCC member.
- 1:00 pm **Call of the Ports (continued)**
- 2:30 pm **Networking Opportunity** – Great time to seek out some of your fellow PCC members who piqued your interest during Call of the Ports and to grab a sustaining member who might just have a solution to a pressing problem.
- 2:50 pm **Session 1: AMI: The Voice of the Marina Industry** – The Association of Marina Industries (AMI) is a nonprofit membership organization dedicated exclusively to the marina industry. Today, AMI is responsible for the **International Marina Institute (IMI)**, including the internationally acclaimed **Certified Marina Manager (CMM)** program and small topic-specific conferences, plus the annual **International Marina & Boatyard Conference (IMBC)**. AMI represents a diverse membership of over 800 marinas, boatyards, yacht clubs, and public/private moorage basins across the United States and around the world. These companies provide slip space for over 240,000 recreational watercraft and employ over 13,000 marine tradesmen and women. In addition to facility operators and equipment manufacturers, membership represents academic and government agency interests, consultants, insurance and engineering firms, and many marine trade associations. Mark and AMI have been ardent advocates for marinas for decades. Through its legislative oversight it continually monitors legislation and regulations that can impact your business and when necessary, supports intervention to get the voice of the entire marina industry heard. In addition, IMI, the International Marina Institute, has trained hundreds of marina management professionals through their Intermediate and Advanced Marina Management workshops, culminating in the award of Certified Marina Manager certification. A number of our PCC members have been awarded this esteemed and internationally recognized professional certification. Have a listen and get better acquainted with AMI...a leader in supporting your industry.

**Session 2: IMI Courses...learning from the professionals** – “Whew, a lot of hard work with long hours...but worth it”...feedback that has been repeatedly heard from IMI graduates. What makes the CMM or CMO certification so noteworthy isn't just the demanding class schedules that often go on into the late night hours but the wealth of information provided by a truly dedicated staff of professionals committed to maintaining the quality of this training to ensure the credibility and value of the awarded certifications. This session will offer an overview of the coursework to demonstrate the breadth of topics covered and to possibly whet your appetite to pursue this training.

Presenter: **Mark Amaral**, Association of Marina Industries  
Facilitator: **Giuseppe Alvarado**, Port of Seattle, WA

4:00 pm **Networking Opportunity**

4:15 pm **Session 3: Meeting the challenge...how marinas must adapt to dramatic shifts in boater needs and demands.** Paul Sorenson, a long-time advocate and supporter of PCC, will provide the latest demographics and trends in boating and discuss how these changes translate into marina planning that can foster either success or failure. It is all about economics and the many parameters that must be considered in developing an accurate forecast of what marinas must do to accommodate future boater requirements in tailoring their facilities and services to meet customer expectations. Paul is an engaging speaker and a true friend who will serve up a wealth of information in an enthusiastic and understandable fashion.

Presenter: **Paul Sorenson**, BST Associates, Seattle, WA  
Facilitator: **Eric Olsson**, T&E Committee Chair

5:00 pm **Exhibitor Reception and Member Get Together:** Grab this opportunity!! Our gracious Sustaining Members welcome you to join them for entertainment, snacks and refreshments. This is a chance to discuss issues and problems confronting your marina and perhaps walk away with an innovative and cost-efficient solution. This is also an opportunity to acknowledge the efforts of our dedicated “vendor corps” for their support.

## **THURSDAY, October 13**

8:30 am **Meeting Updates and Announcements**

9:00 am **Session 4: Oil Spill! It's going to happen...are you ready?** Beyond your usual concerns about ship disasters that could send a wave of oil into your marina, the recent increase in U.S. and Canadian extraction of crude oil has raised public anxiety as mile-long oil trains and endless oil pipelines raise an awareness that a lot of ports and harbors are suddenly at risk for a potentially toxic and deadly oil spills. Exactly what are we dealing with...what is dilbit and what's the concern? This session will give you the facts to better grasp the potential risks and consequences of a spill to better prepare you and your staff to stay safe and to protect your facility and tenant boaters. Dave has been in the thick of it...literally, both managing Washington State's primary spill response resources and in providing hands spill response measures to minimize damage to sensitive waterways and adjacent habitats. Tim Callister, a WA State Maritime Cooperative incident response team member, will also offer his views on the effectiveness of spill response and answer the questions: “What is Hazwoper and ICS” and why you should care?

Presenters: **Dave Byers**, Oil Spill Response Section Manager, WA Dept. of Ecology  
**Tim Callister**, Incident Command System Specialist, USCG Ret.  
Facilitator: **Eric Olsson**, T&E Committee Chair

10:00 am **Session 5: Derelict Boats...a never ending saga** – Not only can a single boat sinking cause extensive pollution, facility downtime and increased regulatory scrutiny...a boat that's on the brink of being scuttled through neglect can also drain your staff time keeping it afloat. The Oregon State Marine Board and WA Department of Natural Resources have dedicated their resources to better identify the culprits and to help alleviate the problem through aggressive preventive action and by the funding of derelict vessel removal. As long as it is costly to remove and dispose of a used boat, there will be a plentiful supply of derelict vessels and the problem will persist. These state sponsored actions should help alleviate the financial burden shifted onto marinas that provide moorage to these boats or can be affected by a closed or polluted waterway.

Presenters: **Scott Brewen**, Director, Oregon State Marine Board, Salem, OR  
**Troy Wood**, WA State Derelict Vessel Removal Program, WA DNR  
**Jerry Farmer**, Natural Resources Specialist, WA DNR  
Facilitators: **Paul Stallard**, Salmon Harbor Marina, OR  
**Kathy Garcia**, Marina Operations Manager, Port of Bremerton Marina, WA

11:00 am **Session 6: Facilitation...the critical partner for a successful meeting** – Facilitating a meeting requires more than a quick introduction and an accurate wristwatch...it means taking charge to ensure that the speaker and his/her presentation are optimized and the audience is satisfied...it means getting all the parties to interact by imparting energy to the meeting, steering discussions to strike the critical points of the topic, avoiding distracting detours and getting everyone involved. You may shun this facilitator role, but you cannot avoid it...so, learn to do it skillfully. Art will present **5 Secrets of Facilitation**: The role and skill of facilitation is a key ingredient to the performance of a group of people. It can be applied to many situations: meetings, presentations, decisions, planning and other actions. At its best, facilitation creates the conditions for people to want to do the right things to achieve a set of desired outcomes. In this presentation you will be introduced to the five secrets (actions and tools) not commonly known. They are easy to do and have consistently proven to deliver meaningful impacts.

Presenter: **Art Frohwerk**, Clearpath, LLC, Seattle, WA

<http://www.clearpathusa.com/wp-content/uploads/2010/08/cpartfrohwerkbio8-3-10.pdf>

Facilitators: **Giuseppe Alvarado**, Port of Seattle, WA  
**Eric Olsson**, T&E Committee Chair

12:00 pm **LUNCH – Table Topics** – Time to eat and continue discussions on important topics.

1:00 pm **Assemble for Host Tour Activities**: Please meet outside of the main lobby at the hotel.

5:00 pm **Training & Education Committee Meeting** (hotel lobby)

6:00 pm **Social Hour**

7:00 pm **Banquet**

Award Presentations and Entertainment

## **FRIDAY, October 14**

7:30 am **Breakfast Buffet**

8:30 am **Reconvene Business Meeting**

8:45 am **Session 7: Get to Know your Tenants**. How well do you know your customers and are you meeting their needs and attracting new ones or are you just waiting for them to complain? While most marina operators have some boating experience, many do not possess the depth of experience to fully understand many of the hardships and turmoil that their tenant boaters encounter on a daily basis. This panel discussion will better acquaint you with the needs of both hard working commercial fishermen and charter boat operators and the accommodations that ardent recreational pleasure and fishing boaters expect. As stellar salesmen know, "you have to know your customer to make the sale." During this session you will hear from boat operators who will unabashedly tell you what is lacking and what makes some marinas special beyond just an advantageous rate structure. Should be an interesting, spirited and informative conversation....

Presenters: **Mark Bunzel**, Publisher, Editor, Writer, Photographer - Waggoner Cruising Guide

<http://waggonerguide.com/about-us/>

**Ray Giometti**, Harbormaster, Fishermen's Terminal, Seattle, WA

**Charter Boat Operator**

Facilitators: **Kathy Garcia**, Marina Operations Manager, Port of Bremerton Marina, WA

**Joe Dusenbury**, City of Des Moines Marina, WA

9:40 am: **Closing Remarks, Conference adjourned**

# GENERAL MANAGER MONTHLY REPORT

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**DATE:** 10/18/2016  
**RE:** October Regular Meeting  
**TO:** Port of Newport Board of Commissioners  
**ISSUED BY:** Kevin Greenwood, General Manager

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## **GOAL SETTING**

The Commission Goal Setting is set for Saturday, November 5<sup>th</sup> from 8am to Noon at the Gleason Room at the Oregon Coast Aquarium. Three ring binders will be handed out at the meeting tonight which should give you a couple of weeks to review before the work session. This is a public session so others may be in attendance.

## **GENERAL MANAGER'S EVALUATION**

Included in your packet is a copy of the resolution establishing the process for the General Manager's annual performance evaluation. The evaluation begins in earnest when the evaluation forms are distributed early in January (though the forms are also a part of the resolution in this month's packet). The evaluation should be completed at the February regular meeting.

## **ROGUE MURAL UPDATE**

Commission feedback has been sent to DeFreece. Commissioner Chuck won't be available for the November regular meeting, so I'm hoping to have some alternate dates for a Commission work session to review her final design concept.

## **HIGHWAY 20 UPDATE**

The new stretch of Hwy. 20 is now open, though closures will continue through the end of October. Night closures will stop at the end of October. Schedule may change, check [www.us20pme.org](http://www.us20pme.org) for updates.

## **DEQ APPROVAL FOR FISH STATIONS**

Received word from Tim McPhetridge, DEQ Water Quality, that the Port will receive a letter of approval for the five fish cleaning stations and our public hoist facility. This should close the file on this compliance issue that originated on the north coast a few months ago.

## **OTHER**

- City has begun the process for the zone change on the Port's property here on Bay Blvd.
- Commercial Fishing Committee has not met due to the other priorities. Members of the Committee have been active with the PD-5 process.

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**PORT OF NEWPORT  
RESOLUTION NO. 2014-15**

**RESOLUTION ADOPTING A PROCESS FOR THE ANNUAL PERFORMANCE EVALUATION OF THE  
GENERAL MANAGER**

**WHEREAS**, the General Manager's employment agreement, the Commission By-laws, and the Port of Newport's Personnel Manual require that the General Manager receive an annual performance evaluation; and

**WHEREAS**, the General Manager and Port Commission conducted a six-month performance evaluation at the July 22nd regular commission meeting; and

**WHEREAS**, the Port Commission shall conduct subsequent evaluations for the General Manager annually, the process of which is substantially more public than with other Port employees;

**WHEREAS**, the Commission wishes to codify the process related to evaluating the General Manager through Resolution; NOW THEREFORE,

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

**Section 1.** The Board of Commissioners shall conduct an annual review and evaluation of the General Manager's work performance by the end of February. The results of such evaluation shall commend areas of good performance, point out areas for improvement, review and establish work-related goals and objectives. Any adjustment to the General Manager's salary and/or benefits will be determined by the Board at the end this evaluation. This process will allow for open discussion and clear direction for reviewing and establishing a work plan. The Manager will determine whether the evaluation process will be done in open or executive session and must be present during any discussion by a quorum of the Commission. (ORS 192.660(2)(i))

**Section 2. Timeline.**

A. No later than three weeks before the regular January board meeting, staff will distribute a blank evaluation form to each of the commissioners and a copy of the General Manager's self-evaluation.

B. Commissioners will review the evaluation factors. Tentative rankings and comments should be made on the provided forms and submitted to the Commission President or designee one week in advance of the regular January commission meeting. Copies of the individual forms will be compiled for the full Commission's review. Commissioners are also encouraged to develop thoughts, concerns, issues and potential goals for consideration with the General Manager.

C. At the regular January board meeting, the Commissioners will have an open discussion with the Manager on the factors being evaluated, achievements, goals, and any other pertinent issues. It is the Manager's decision to determine whether this discussion is conducted during the regular board meeting or in executive session.

D. After the discussion, the Manager will keep copies of the individual evaluation sheets and personal notes and develop a work plan including goals and a summary of the Board's evaluation. This Summary Report will be distributed to the Commissioners in their regular February board meeting packet. Commissioners are encouraged to contact the General Manager prior to the meeting to suggest any adjustments in advance.

E. Commissioners will review the Summary Report with the General Manager to give further direction and clarification on the rankings, goals and objectives. Any discussion regarding adjustments to the Manager's salary and/or benefits shall take place at this time. The



Manager will determine whether this discussion is conducted during the regular board meeting or in executive session.

F. Once the Commission reaches a consensus on the amended Summary Report, the Board President – during New Business – shall read (a) the summarized ratings, (b) list of goals and objectives for the following year and (c) any salary/benefit adjustment. The President will solicit a motion to accept the findings in the Manager’s Evaluation Summary Report to be approved by the Board. The Summary Report will be signed by the President and Manager upon approval of the Board. The original evaluation forms and signed Summary Report will be placed in the Manager’s personnel file.

**Section 3. Process.** The purpose of the employee performance evaluation and summary report is to increase communication between the Board of Commissioners and the General Manager concerning his/her performance in the accomplishment of the assigned duties and responsibilities, and the establishment of specific work-related goals and objectives.

**Section 4. Instructions.**

A. Commissioners are instructed to review the General Manager’s work performance for the entire period; to refrain from basing judgment on recent events or isolated incidents only; to disregard general impressions of the General Manager and concentrate on one factor at a time.

B. Commissioners shall evaluate the General Manager on the basis of standards expected to be met for the job to which assigned considering the length of time in the job. Commissioners shall check the number, which most accurately reflects the level of performance for the factor appraised using the rating scale described below. If a Commissioner did not have an opportunity to observe a factor during this evaluation period, indicate so in the “N/O” column next to the factor.

C. Written comments tend to be more valuable than rankings. Commissioners are encouraged to write additional comments and concerns as a separate attachment.

**Section 5. Evaluation Form.**

**General Manager  
Performance Evaluation**

Date of initial evaluation:

**Rating Scale Definitions (1-5)**

- Unsatisfactory.....(1)    The employee’s work performance is inadequate and definitely inferior to the standards of performance required for the job. Performance at this level cannot be allowed to continue.
- Improvement Needed .....(2)    The employee’s work performance does not consistently meet the needed standards of the position. Serious effort is needed to improve performance.
- Meets Job Standards.....(3)    The employee’s work performance consistently meets the standards of the Standard position.
- Exceeds Job Standards...(4)    The employee's work performance is frequently or consistently above the level of Standard a satisfactory employee, but has not achieved an overall level of outstanding performance.
- Outstanding.....(5)    The employee’s work performance is consistently excellent when compared to the standards of the job.
- No Observation ..... (N/O)    The employee’s work performance was not observed.

I.        PERFORMANCE EVALUATION AND ACHIEVEMENTS

A.        Board of Commissioners Relationships

1.	Effectively implements policies and programs approved by the board of commissioners .....	1	2	3	4	5	N/O
2.	Reporting to the board of commissioners is timely, clear, concise and thorough. ....	1	2	3	4	5	N/O
3.	Accepts direction/instructions in a positive manner .....	1	2	3	4	5	N/O
4.	Effectively aids the board of commissioners in establishing long range goals.....	1	2	3	4	5	N/O
5.	Keeps the board of commissioners informed of current plans, and activities of administration and new developments in technology, legislation, governmental practices and regulations, etc.....	1	2	3	4	5	N/O
6.	Provide the board of commissioners with clear report of anticipated issues, <u>opportunities</u> and risks that could come before the board. ....	1	2	3	4	5	N/O
7.	Comments:						



B. Public Relations

1.	Projects a positive public image. ....	1	2	3	4	5	N/O
2.	Courteous to the public at all times.....	1	2	3	4	5	N/O
3.	Maintains effective relations with media .....	1	2	3	4	5	N/O
4.	Comments:						
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C. Effective Leadership of Staff

1.	Delegates appropriate responsibilities.....	1	2	3	4	5	N/O
2.	Staff feels empowered .....	1	2	3	4	5	N/O
3.	Training and education provided .....	1	2	3	4	5	N/O
4.	Public relations. How does public view staff?.....	1	2	3	4	5	N/O
5.	Comments:						
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D. Fiscal Management

1.	Prepares realistic annual budget .....	1	2	3	4	5	N/O
2.	Controls expenditures in accordance with approved budget.....	1	2	3	4	5	N/O
3.	Keeps board of commissioners informed about revenues and expenditures, actual and projected. ....	1	2	3	4	5	N/O
4.	Ensures that the budget addresses the Port Commission's goals and objectives, including readability .....	1	2	3	4	5	N/O
5.	Comments:						
<hr/> <hr/>							

E. Communication

1.	Oral communication is clear, concise and articulate. ....	1	2	3	4	5	N/O
2.	Written communications are clear, concise and accurate. 1		2	3	4	5	N/O
3.	Comments:						
<hr/> <hr/>							

F. Personal Traits

1.	Initiative.....	1	2	3	4	5	N/O
2.	Judgment.....	1	2	3	4	5	N/O
3.	Fairness and Impartiality.....	1	2	3	4	5	N/O
4.	Creativity.....	1	2	3	4	5	N/O
5.	Time Management.....	1	2	3	4	5	N/O
6.	Comments:						

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G. Intergovernmental Affairs

1.	Maintains effective communication with local, regional, state and federal government agencies.....	1	2	3	4	5	N/O
2.	Financial resources (grants) from other agencies are pursued.....	1	2	3	4	5	N/O
3.	Contributions to good government through regular participation in local, regional and state committees and organizations.....	1	2	3	4	5	N/O
4.	Lobbies effectively with county, legislators and state agencies regarding Port programs and projects.....	1	2	3	4	5	N/O
5.	Comments:						

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II. ACHIEVEMENTS RELATIVE TO OBJECTIVES FOR THIS EVALUATION PERIOD:

This section will measure the effectiveness of the Future Goals and Objectives (Sec. IV) from last year. These goals were based upon discussions from the previous year.

1.	_____	1	2	3	4	5	N/O
2.	Comments:						

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III. SUMMARY RATING

1. Overall Performance Rating - considering the results obtained against established performance standards as well as overall job performance, the following rating is provided: .....1 2 3 4 5 N/O

2. Comments:

\_\_\_\_\_

IV. FUTURE GOALS AND OBJECTIVES

Prioritize specific goals and objectives to be achieved in the next evaluation period. Goals should reflect policies and strategies identified in the Port's Strategic Business Plan. (Plan)(Goal)(Strategy)

This Performance Evaluation Survey was completed by:

\_\_\_\_\_  
(Name of Commissioner)

**APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS** this 16th day of December, 2014.

  
\_\_\_\_\_  
Walter Chuck, President

ATTEST:

  
\_\_\_\_\_  
Ken Brown, Secretary/Treasurer



**PORT OF NEWPORT  
GENERAL MANAGER ANNUAL PERFORMANCE EVALUATION  
2016 SUMMARY REPORT**

The Board of Commissioners shall conduct an annual review and evaluation of the Port Manager's work performance pursuant to Res. No. 2014-15 by the end of February. The results of such evaluation shall commend areas of good performance, point out areas for improvement, review and establish work-related goals and objectives. Any adjustment to the General Manager's salary and/or benefits will be determined by the Board at the end of this process.

This Summary Report is the result of the **January 26th** discussion and consists of: (a) list of goals and objectives to be accomplished prior to the next annual evaluation, (b) any salary/benefit adjustment, and (c) summarized ratings from the individual forms. Commissioners were encouraged to contact Manager prior to the **February 16th** regular meeting to suggest any adjustments to this report in advance. The Executive Session will be held before the regular meeting and will allow the Commissioners a chance to make any adjustments to the Summary Report. Some form of the Summary Report (evaluation) is required to be approved by the end of February.

During the regular meeting, the President will review the list of goals and objectives to be accomplished prior to the next annual evaluation and any salary/benefit adjustment and ask for a **MOTION TO ACCEPT THE SUMMARY REPORT AS PRESENTED (OR AMENDED)**. The summarized ratings and individual evaluation forms will be placed in the General Manager's personnel file.

**LIST OF GOALS/OBJECTIVES TO BE ACCOMPLISHED PRIOR TO 2016 EVALUATION**

The Commission feels that a number of highly prioritized projects are near completion and should be completed early in 2016. Those projects include: (#6) Facilitate Rogue Expansion / Offsite Improvements. Other tiered projects include:

T1. Complete financing for International Terminal Shipping Facility and develop markets; including replacement plan/schedule for assets.

T1. Develop and implement port operation and maintenance plan.

T1. Complete Personnel Manual Update

T2. Complete Third NOAA Recreational Mitigation Project.

T2. Implement Capital Facility Plan Priorities approved by budget committee

T2. Facilitate Commission Goal Setting, including identifying process for port vision plan.

T3. Develop Annual Performance Evaluation for Professional Services (i.e. attorney)

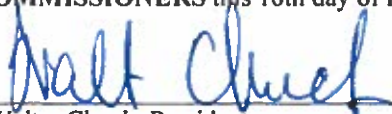
T3. Obtain Financing for Administration Building

T3. Review General Manager employment contract extension

**SALARY/BENEFIT ADJUSTMENT**

The Board renews General Manager's annual contract and awards a merit adjustment of 2% for FY 16-17 upon approval of the budget.

**APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS** this 16th day of February, 2016.

  
\_\_\_\_\_  
Walter Chuck, President

**ACKNOWLEDGEMENT OF RECEIPT OF EVALUATION BY GENERAL MANAGER**

  
\_\_\_\_\_  
Kevin M. Greenwood, General Manager

**Port of Newport General Manager  
2016 Performance Evaluation - Tabulation of Evaluations**

**Rating Scale Definitions (1-5)**

- Unsatisfactory ..... (1) The employee’s work performance is inadequate and definitely inferior to the standards of performance required for the job. Performance at this level cannot be allowed to continue.
- Improvement Needed..... (2) The employee’s work performance does not consistently meet the needed standards of the position. Serious effort is needed to improve performance.
- Meets Job Standards ..... (3) The employee’s work performance consistently meets the standards of the Standard position.
- Exceeds Job Standards .. (4) The employee’s work performance is frequently or consistently above the level of Standard a satisfactory employee, but has not achieved an overall level of outstanding performance.
- Outstanding ..... (5) The employee’s work performance is consistently excellent when compared to the standards of the job.
- No Observation ..... (N/O) The employee’s work performance was not observed.

Notations used: <sup>4</sup>Only 4 observations recorded  
<sup>3</sup>Only 3 observations recorded  
<sup>2</sup>Only 2 observations recorded

Performance evaluation score calculated as average of responses received.

<b>I. PERFORMANCE EVALUATION AND ACHIEVEMENTS</b>	<b>Score</b>
A. Board of Commissioners Relationships	
1. Effectively implements policies and programs approved by the board of commissioners. .... 4	4 4 4 3 <b>3.80</b>
2. Reporting to the board of commissioners is timely, clear, concise and thorough..... 3	4 3 4 4 <b>3.60</b>
3. Accepts direction/instructions in a positive manner ..... 3	3 4 4 4 <b>3.60</b>
4. Effectively aids the board of commissioners in establishing long range goals. .... 3	3 2 3 N/O <b>42.75</b>
5. Keeps the board of commissioners informed of current plans, and activities of administration and new developments in technology, legislation, governmental practices and regulations, etc. .... 3	4 3 3 3 <b>3.20</b>
6. Provide the board of commissioners with clear report of anticipated issues, opportunities and risks that could come before the board. .... 4	3 3 3 3 <b>3.20</b>

Comments: Establishing long-range goals for the Port is important. The over complex visioning process that was brought to the Commission and rejected, shouldn’t be a message that this

process isn't needed. Completion of Port visioning for the future is important, but should be developed in a manner that fits our Port and limited development opportunities; this is part of developing and bringing long-range goals to the Commission. Commissioner found this category hard to evaluate as a new Commissioner.

<b>B. Public Relations</b>						<b>Score</b>	
1.	Projects a positive public image.....	4	4	4	4	3	<b>3.80</b>
2.	Courteous to the public at all times.....	4	4	N/O	4	3	<b>43.75</b>
3.	Maintains effective relations with media. ....	4	4	3	4	3	<b>3.60</b>

Comments: Commissioner has received positive comments on public image; rating should read "courteous to the public when observed or in your presence," which would be a rating of 3 or 4 instead of N/O. Greenwood effectively participates in public events, is a positive and progressive voice for the Port.

<b>C. Effective Leadership of Staff</b>						<b>Score</b>	
1.	Delegates appropriate responsibilities. ....	3	4	3	4	N/O	<b>43.50</b>
2.	Staff feels empowered. ....	4	3	N/O	N/O	N/O	<b>23.50</b>
3.	Training and education provided.....	4	3	3	3	3	<b>3.20</b>
4.	Public relations. How does public view staff? .....	4	3	N/O	N/O	3	<b>33.33</b>

Comments: Commissioner has no idea how empowered staff is or who is being called staff, so no response to items 2 and 4. Commissioner doesn't have a good feeling as to how the public views the staff; gets the feeling that the staff works well together and feels that is due in a large part to Greenwood.

<b>D. Fiscal Management</b>						<b>Score</b>	
1.	Prepares realistic annual budget. ....	4	3	3	4	N/O	<b>43.50</b>
2.	Controls expenditures in accordance with approved budget. ....	4	3	3	3	3	<b>3.20</b>
3.	Keeps board of commissioners informed about revenues and expenditures, actual and projected. ....	3	3	3	4	3	<b>3.20</b>
4.	Ensures that the budget addresses the Port Commission's goals and objectives, including readability. ....	4	3	3	3	N/O	<b>43.25</b>

Comments: Commissioner rates all items in this category all solid 3's and very close to 3.5; good job. Going forward, it will be important to have a review of the Mission, Vision and Goals for the Port. Greenwood will need to help guide the Commissioners through this process and embrace the direction and goals. Commissioner has not participated in a goal setting session yet.

**E. Communication \_\_\_\_\_ Score**

1.	Oral communication is clear, concise and articulate.....	4	3	4	4	3	<b>3.60</b>
2.	Written communications are clear, concise and accurate. ....	4	3	3	3	3	<b>3.20</b>

Comments: Oral communication is an extremely important asset for a Port GM; communication rated above average. PowerPoint presentations with pictures are especially helpful to the new Commissioners.

**F. Personal Traits \_\_\_\_\_ Score**

1.	Initiative. ....	3	4	3	4	3	<b>3.40</b>
2.	Judgment. ....	3	3	3	4	3	<b>3.20</b>
3.	Fairness and Impartiality. ....	4	3	3	N/O	3	<b>3.25</b>
4.	Creativity. ....	4	4	3	3	3	<b>3.40</b>
5.	Time Management. ....	3	3	3	3	3	<b>3.00</b>

Comments: Greenwood consistently meets Communication goals. Commissioner is still getting to know Greenwood but categories in this section are all strengths for him; enjoy working with Greenwood.

**G. Intergovernmental Affairs \_\_\_\_\_ Score**

1.	Maintains effective communication with local, regional, state and federal government agencies. ....	4	3	3	3	3	<b>3.20</b>
2.	Financial resources (grants) from other agencies are pursued. ....	4	4	4	4	3	<b>3.80</b>
3.	Contributions to good government through regular participation in local, regional and state committees and organizations. ....	4	3	3	4	N/O	<b>3.50</b>
4.	Lobbies effectively with county, legislators and state agencies regarding Port programs and projects. ....	4	3	3	3	3	<b>3.20</b>

Comments: Solidly consistent on items 1, 3 and 4; definitely stepped up on item 2, good job. The success of the TIGER grant was fantastic and continues to provide the Port of Newport with great PR.

**II. ACHIEVEMENTS RELATIVE TO OBJECTIVES FOR THIS EVALUATION PERIOD: \_\_\_\_\_ Score**

This section will measure the effectiveness of the Future Goals and Objectives (Sec. IV) from last year. These goals were based upon discussions from the previous year.

1.	Facilitate Rogue Expansion .....	3	3	2	4	3	<b>3.00</b>
2.	Develop Markets for Terminal / Shipping Facility .....	3	3	3	3	3	<b>3.00</b>
3.	Complete Terminal Mitigation Projects .....	4	3	4	4	3	<b>3.60</b>
4.	Commercial Docks Repairs/Maintenance Plan .....	2	2	1	2	3	<b>2.00</b>
5.	Fill Management Positions .....	4	3	3	5	3	<b>3.60</b>
6.	Complete NOAA Recreational Projects .....	2	2	3	2	3	<b>2.40</b>



7.	Facilitate South Beach Vision Plan .....	3	2	1	N/O	3	<sup>4</sup> 2.25
8.	Staff Development Training .....	3	3	3	3	3	<b>3.00</b>
9.	Complete Personnel Manual Update .....	3	N/O	1	3	3	<sup>4</sup> 2.50
10.	Develop Charter Boat Policy .....	4	3	4	4	3	<b>3.60</b>
11.	Develop Policy for Donations .....	2	2	1	N/O	3	<sup>4</sup> 2.00
12.	Implement CFP priorities.....	3	3	3	3	3	<b>3.00</b>
13.	Develop Special Use Permit .....	3	3	4	4	3	<b>3.40</b>
14.	Develop Evals for Contract Services .....	3	N/O	2	N/O	3	<sup>3</sup> 2.67

Comments: PD-5 repairs not ready to go might not be done this window. Terminal mitigation plan seems to be on time and will benefit grant scoring. Rogue has always been difficult leading to continuous back and forth. The Port needs to take stronger positions on what's best for the South Beach Recreational Facility. For item 4, still waiting for the maintenance plan not only on commercial docks but all Port facilities; Desperately in need of willing and able manpower to plan and carry out daily repairs. For item 7, SB vision plan should require limited effort and produce large gains. For item 9, the Port continues to operate outside of its outdated Personnel Policy Manual; this can eventually create employee problems. Items 11 and 14 are low priority.

**III. SUMMARY RATING \_\_\_\_\_ Score**

1.	Overall Performance Rating - considering the results obtained against established performance standards as well as overall job performance, the following rating is provided: .....	3	3	3	4	3	<b>3.20</b>
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Comments: Greenwood has been consistent in his efforts to stabilize inherited Port status. With the new hires and successful grants, Commissioner thinks 2016 will see even greater success.

**IV. FUTURE GOALS AND OBJECTIVES**

Prioritize numerically specific goals and objectives to be achieved in the next evaluation period.

**Rank \_\_\_\_\_ Weighted Avg.**

<u>1</u>	Develop maintenance plan of commercial docks and show implementation .....	7	1	1	1	2	<b>9.8</b>
<u>2</u>	Develop Markets for use of International Terminal / Financing Shipping Facility .....	1	3	1	2	*	<b>8.9</b>
<u>3</u>	Identify and Complete Third Recreational Mitigation Project .....	3	4	1	5	*	<b>7.7</b>
<u>4</u>	Implement CFP priorities.....	2	5	1	6	*	<b>7.5</b>
<u>5</u>	Facilitate Commission Goal Setting .....	4	9	2	4	1	<b>7.3</b>
<u>6</u>	Facilitate Rogue Expansion / Offsite Improvements.....	*	2	1	3	*	<b>6.7</b>
<u>7</u>	Complete Personnel Manual update.....	5	8	1	8	*	<b>5.9</b>
<u>8</u>	Develop SB Master Plan .....	10	6	1	12	4	<b>5.6</b>
<u>9</u>	Staff Development and Training .....	6	7	2	7	*	<b>5.0</b>
<u>10</u>	Develop Annual Performance Evaluation for Professional Contracted Services such as attorney. ....	8	10	4	9	3	<b>4.6</b>
<u>11</u>	Develop policy for donations as part of budget process.	9	11	4	11	*	<b>3.9</b>

<u>12</u>	Financing for new Administration Building.....	11	12	3	10	*	
<u>13</u>	Develop North Side Master Plan (Including all north side Port properties.).....			1			<b>1.6</b>
<u>14</u>	Prepare facility and equipment report including condition and life span so these items can be addressed and budgeted. ....					5	<b>1.6</b>

COMMENTS: Didn't rank Rogue expansion since project is pretty much completed and was a top priority; also responsibility of lessee. Port might need to consider outside help to achieve a maintenance program; without it deferred maintenance continues to be the #1 largest cost to the Port. With the additional staff the Port has hired in the last year Commissioner sees no reason to use a rating other than 1 – 4. Developing SB Master Plan should follow goal setting.



# Oregon

Kate Brown, Governor

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Western Region Eugene Office  
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TTY 711

October 6, 2016

Kevin Greenwood, Port Manager  
Port of Newport  
600 SE Bay Blvd  
Newport, OR 97365

RECEIVED

OCT 11 2016

PORT OF NEWPORT

Re: Sport Fish Cleaning Waste Discharge Approval  
Port of Newport  
General NPDES Permit # 900-J  
WQ-Lincoln County

Dear Mr. Greenwood:

On August 26, 2016, DEQ received your letter requesting approval for five existing fish cleaning stations at the Port of Newport to discharge fish cleaning wash water into the bay under National Pollutant Discharge Elimination System General Permit #900-J.

According to your information, the Port will meet the requirements of Schedule A, condition 6.e. of the 900-J permit: the outlet for fish cleaning stations will be screened as well as the residuals being cut up; less than 500 pounds of fish cleaning per day is anticipated; and discharges will be in areas of good current and tidal flow. In addition, fish carcasses and screenings will be disposed of as solids waste. ODFW approval is not required provided these requirements are met.

If you have any questions, please contact Tim McFetridge at 503-378-4995 or via email at [mcfetridge.tim@deq.state.or.us](mailto:mcfetridge.tim@deq.state.or.us). I may also be reached at 503-378-5081.

Sincerely,

Ranei Nomura  
Water Quality Manager  
Western Region

cc: WQ file  
ec: Tim McFetridge, Western Region – Salem, DEQ

