

PORT OF NEWPORT REGULAR COMMISSION MEETING AGENDA

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

- I. EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(i) - PERFORMANCE EVALUATIONS OF PUBLIC OFFICERS AND EMPLOYEES. No decision will be made in Executive Session.....5:30
- II. Call to Order6:00
- III. Changes to the Agenda.....6:01
- IV. Public Comment6:02
- V. Consent Calendar6:05
 - A. Minutes
 - 1. Regular Commission Meeting 1/24/2017..... p 3
 - 2. Special Commission Meeting 1/24/2014..... p 9
 - B. Financial Reports..... p 11
 - C. Special Use Permits
 - 1. Newport Booster Club – Newport Marathon p 23
 - 2. OMSI Camp Gray Open House..... p 33
 - 3. Ducks Unlimited Halibut Derby..... p 41
 - D. Additional Security Cameras..... p 49
- VI. Correspondence/Presentations.....6:08
 - A.
- VII. Old Business
 - A. Items Removed from Consent Calendar
 - B. Accounts Paid..... p 51
 - C. 2017 Goal Setting Adoption.....6:09 p 57
 - D. General Manager Annual Performance Evaluation (ORS 192.660(2)(i))6:13
 - E. Resolution Setting Rates, Fees and Charges (ORS 294.160).....6:16 p 65
 - F. International Terminal Shipping Facility Update
- VIII. New Business
 - A. Fishermen’s Parking Lease with Lincoln County Historical Society.....6:24 p 75
 - B. Resolution Forming Terminal Users Committee6:29 p 87
 - C. Commercial Fishing Users Group Committee Meeting
 - 1. Minutes - Initial Meeting 2/13/2017..... p 89
 - 2. Resolution Creating A Commercial Fishing Users Group Committee p 93
 - D. Consideration of Boat Trailer Parking Lot for Future Seafood and Wine Festivals
- IX. Staff Reports
 - A. Director of Finance.....6:34 p 95
 - 1. January 2017 Occupancy Report
 - B. Director of Operations.....6:36 p 99
 - C. General Manager6:38 p 105
 - 1. OPPA Bill Summary p 108
 - 2. Project Summary
 - 3. Calendar Review
 - 4. Commission Liaisons p 116
- X. Commissioner Reports6:48
- XI. Calendar/Future Considerations6:53

	3/1–3/5/17 Pacific NW Waterways Association Mission to Washington, DC	
	3/11/2017 OMSI Camp Gray Open House	
	3/18/2017 4 th Annual Shamrock Run – Ardor Adventures	
	3/13/2017 Commercial Fishing Users Group Comm. Meeting	
	3/28/2017 Regular Commission Meeting	
	4/4/2017 Commission Budget Priorities Work Session	
	5/13/2017 Ducks Unlimited Halibut Derby	
	6/3/2017 Newport Booster Club/Newport Marathon.....	
XII.	Public Comment.....	6:55
XIII.	EXECUTIVE SESSION PURSUANT TO ORS 192.660(2)(e) – DELIBERATIONS TO NEGOTIATE REAL PROPERTY TRANSACTIONS. No decisions will be made in Executive Session.	7:00
XIV.	Real Property Transactions w/ Teevin Bros.	7:30
XV.	Public Comment.....	7:45
XVI.	Adjournment.....	7:48

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

January 24, 2017

Regular Commission Meeting

I. CALL TO ORDER

Commission Vice-President Ken Brown called the Regular Commission Meeting of the Port of Newport Board of Commissioners to order at 6:02 pm at the South Beach Activities Room, 2120 SE Marine Science Drive, Newport, Oregon.

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

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

Members of the Public and Media: Wayde Dudley, Port of Newport Mates; Barb Dudley, Port of Newport Mates; Heather Mann, Midwater Trawlers Cooperative; Jim Shaw; Pat Ruddiman, ILWU; Yale Fogarty, ILWU; David Jincks; Dietmar A. Goebel, Newport City Council; Kiera Morgan, KYTE radio; Dennis Anstine, Newport News Times; and Sara Skamser, Foulweather Trawl.

II. CHANGES TO THE AGENDA

Greenwood apologized to Mann that the projector was not set up, and asked that her presentation be on hold until the equipment was in place.

III. PUBLIC COMMENT

Barb Dudley said that U-Da-Man will participate in the river clean up with SOLVE, from Newport to Toledo, on Earth Day April 22nd.

IV. CONSENT CALENDAR

- A. Minutes
 - 1. Regular Commission Meeting 12/20/2016
 - 2. Special Commission Meeting 12/20/2016
- B. Financial Reports
- C. Renew Trident Seafood Fish Meal Leases
- D. Renew Leslie Lee Lease
- E. Leisure Interactive LLC – 2017 Subscription Service Fee
- F. Award of Contract to Side Swede's Building and Replace Roof
- G. South Beach Sidewalk Improvement
- H. Approve Budget Committee, Officer and Calendar
- I. Resolution Restoring Recreational Immunity Rights

A motion was made by Patrick-Joling and seconded by Beck to accept the consent calendar. The motion passed 4 – 0.

V. CORRESPONDENCE/PRESENTATIONS

A. Heather Mann, Midwater Trawlers Cooperative (MTC)

Mann said she appreciated the time to discuss MTC. She said she had been working with MTC since 2012, and in the fishing industry for more than 20 years, including as a member of several related organizations. She said she was presenting to the Commissions to show who MTC is. MTC is not in contention with the proposed shipping facility. In 2006, she was a co-chair with Fogarty of ILWU to get the financing passed. She presented a slide show, which is attached to the Meeting Packet. Mann said the MTC represents 24 trawling vessels, of which 17 are home-ported in Newport. Twelve are part of the distant water fleet, fishing in both Alaska and Oregon. Although the trawlers fish for other species, MTC is focused on ground fish issues. The vessels go to Alaska around the first or second week in January, and return to Newport in March or April to start fishing for whiting. The average revenue for ground fish is \$14-30MM which comes back into the community. There is a lot of work done at the Terminal in January as they are getting ready to go. A lot of money is spent locally, approximately \$8-10K per ship on groceries, and \$200-300K on fuel. Newport ranks nationally in fish landings, and the distant fishery is a big part of that. Lots of boats also use the Terminal to complete repairs. In January, they are doubled up for moorage. The facility also supports business upriver, like the boatyard at the Port of Toledo. When these vessels are not in port, Mann said that there were opportunities for the Terminal to be a multi-use facility. The distant water fleet, the longshoremen and the Port can have a win/win/win relationship. Better communication is needed. There are a lot of revenue opportunities at the Terminal, but Mann asked the Port to make sure existing industry is not displaced. Mann has been working with Greenwood; MTC wants to be a partner with the Port. MTC is strong, active and diversified, but still a subset of the users at the Terminal. She said she will follow up, and is available at her office upstairs at Englund Marine.

Beck said he knows the importance of the distant water fleet industry to the Port, Newport and Lincoln County. Although a full board may not make every meeting, it will be important that the Commercial Fishing Users Group Committee (CFUG) meet, and recommended including an ex-officio member from MTC. The Port does need to generate revenue at the Terminal. Mann acknowledged that moorage for the fleet does not cover the expenses of the facility. She suggested boat sheds could be included on the property for rent. The CFUG could give additional feedback. She added that Newport is an authentic working waterfront, which also benefits tourism. Lamerdin said that communication is important, and he was glad to see that MTC was aware of the importance of diverse uses at the Terminal. Greenwood said he is planning for CFUG to meet in the second or third week of February.

VI. **OLD BUSINESS**

A. **Items Removed from Consent Calendar**

There were no items removed from the consent calendar.

B. **Accounts Paid**

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

C. **2017 Goal Setting Adoption (Refer to Work Session)**

Greenwood said that the goals were reviewed and 5 subcategories were identified at the noon work session based upon state rules governing port strategic business plans. Staff will prepare a more detailed report, possibly for adoption at the February meeting. The Commissioners requested the report be provided as soon as possible. Greenwood suggested that discussing the mission, vision and values at a future will give clarity for the goals. Once goals are set, a one page summary can be included in the Meeting Packet every month, and staff reports

and budget can refer back to the goals. Greenwood invited the Commissioners to offer feedback to making next year's goal setting a smoother process.

D. International Terminal Shipping Facility Update

Greenwood introduced the staff report included in the Meeting Packet. The updated agenda includes contract negotiations that will be discussed in the Executive Session following the Regular Meeting; no decisions will be made. Greenwood said that TIGER was not concerned that EDA was not involved in the funding, since the Port has other funds. It will take approximately 45-60 days for an Environmental Assessment to be presented to TIGER. Staff had looked into a USDA loan, but the process would take 6-8 months, so Greenwood recommended continuing with the State loan. Six hundred yards of material was moved to the airport to keep the permit open. The Halls are awaiting permits and are redesigning easements previously discussed by the Port.

E. General Manager Annual Performance Evaluation

Greenwood introduced the agenda item and evaluation summary. This will be discussed in the Executive Session following the Regular Meeting. A summary of the Executive Session will be discussed at an Executive Session prior to the February Regular Meeting. A review and contract action will take place at the February Regular Meeting.

F. Director of Operations Recruitment Process

Greenwood introduced the staff report included in the Meeting Packet. Advertisements have been placed, and the deadline date for applications has been pushed to March 3rd to catch up with the advertising. Greenwood said he did not expect a huge number of qualified candidate's resumes until about one week prior to the deadline. To date, one resume has been received. Brown commented that resumes for the Director of Finance position came in the week before that deadline.

VII. New Business

A. Replacement of Port Directional Signs in South Beach, Lance Beck, OCA

Greenwood introduced the staff report and photos included in the Meeting Packet. He introduced Lance Beck of the Oregon Coast Aquarium. Lance Beck said he was working on the Aquarium's internal and external signs. Currently, the primary large external signs are the Port's. The Aquarium signs are on lease Port property in the City's right of way. He has met with Spencer Nebel, Greenwood and HMC. Lance Beck suggested removing the dated signs and replacing them with roster style signs in accordance with Oregon Signage Code. In an effort to streamline the process, the Aquarium is willing to pay for the new signs. The code includes provisions for listing only those businesses that meet a minimum visit requirement. This project would include removing the "blue wave" signs, the current ODOT sign, and the current fishing pier sign. Greenwood said that this would clean up the visual look of the corner, and referred to the photos. Commissioner Beck commented that the mural will provide good branding, with removal of the "wave" branding. Lance Beck said that by keeping this as a Port sign, the City can be more flexible. The "Welcome to South Beach" sign would also be removed, but this is on another sign. The roster sign would list the locations in the order one would need to turn. Lamerdin asked if staff had reviewed what would be on the sign. Lance Beck said that after the Aquarium received approval from the Port to replace the signs, the sign would then be designed. Greenwood said that the City Manager wants direction from the Port in the review. Lamerdin asked if NOAA would be on the sign. Lance Beck said that since NOAA did not have visitors, they would not be on the sign, nor would the Marina Store. Patrick-Joling suggested that moving forward, signs could be placed on Port property. Lamerdin said if the signs were removed he was concerned about getting a new one in place. Both NOAA and OSU get deliveries, and truck drivers often get lost. Lance Beck said that signs could be considered in the round-about.

A motion was made by Patrick-Joling and seconded by Beck to combine and reduce signage on OSU Drive and to approve the elimination of two blue wave themed directional signs. The motion passed 4 – 0.

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

Greenwood said the current draft included comments that reflected input from staff meetings. The current draft was included in the Meeting Packet to show progress. A Rate Resolution is usually adopted in May or June, and the draft is open for comment.

C. 2017 Annual Report (ORS 777.140)

Greenwood introduced the report, which includes a list of business items voted on by the Commissioners.

A motion was made by Patrick-Joling and seconded by Beck to approve the 2017 Annual Report. The motion passed 4 – 0.

VIII. DEPARTMENTAL REPORTS

A. Director of Finance

Larrabee introduced the staff report, and pointed out page 9 from the audit report and the debt carried by the Port. Staff will continue to include in monthly Meeting Packets information from each center, which can be discussed. The suggested increase to labor rates was included in the report. Staff is researching equipment costs and contract services, as well as RV rates and amenities. Supplemental budgets will be prepared: a GO bond payment was not made at the end of 2016; \$210K in SB capital outlay will be treated as a loan from Rogue; \$35K to move from Materials and Services to Capital Outlay for NOAA.

B. Director of Operations

Durkee introduced the staff report. He said the NOAA dredging was delayed by an equipment breakdown, but is now operating. Greenwood said some of the fee survey information from Portland was sent by email to the Commissioners. Fogarty suggested another source for fee research would be the machinery suppliers. Brown asked about replacing the furnace at the YBFP building, and when the Port would stop putting money into this structure. Greenwood said the Port also needs to find a place for the MOC-P facilities manager, whose office is currently in that building. There is potentially office space at the end of the Marina that is now leased by Rogue. Durkee said he considered the YBF building still usable and rentable with some repairs.

C. General Manager

Greenwood introduced the staff report.

1. Rogue Mural Update. Greenwood is waiting to hear back from Brett Joyce.
2. NOAA Centennial Anniversary. The NOAA anchor may not be available.
3. TCB Security Contract/Permit Maps. Greenwood said it was critical that TCB attend team meetings and provide a summary report to the Commission. He estimates that would amount to approximately 4 hours per month, for which the Port would be charged.
4. Joint Work Session with City of Newport Council. Greenwood asked for the Commissioners to submit and topics they may want added to the agenda.
5. Chelsea Rose Update. No additional discussion on this item.

6. Conference Schedule. Greenwood said the PNWA Mission to Washington will also provide an opportunity to visit NOAA headquarters. Some additional talking points could be the NOAA Centennial, and replacing the NOAA fleet over the next 5 – 20 years.
7. SDAO Conference. No additional discussion on this item.
8. Other. No additional discussion on this item.

IX. COMMISSIONER REPORTS

Patrick-Joling had attended the City Council meeting, and the joint meeting is scheduled for February 17th. Gil Silvia gave a presentation on COMES. Patrick-Joling thinks it would go the have him present at a Commission meeting regarding the research on marine issues. Greenwood will check if Silvia is available for February or March. Since research and implementation will happen in the Newport area, this is good news for the community and jobs. Patrick-Joling said she had also attended the Change in Command at NOAA. Greenwood will make sure that MOC-P has all of the Commissioners emails for future events.

X. CALENDAR/FUTURE CONSIDERATIONS

There were no changes to the Calendar/Future Considerations.

XI. PUBLIC COMMENT

Jincks suggested Durkee keep track of man hours in case the Port needs to show crossing the bar. He said he is concerned about private investors in the International Terminal Shipping Facility making demands the Port could not keep. A Terminal Users Group would be useful in determining how the facility would be used. Jincks supports raising forklift fees and replacing equipment, but suggested looking into leasing equipment. Jincks mentioned that one part of the Mission Statement was to support economic development.

Fogarty said he appreciated Mann mentioning the joint effort to get the NIT built. He asked the Commission to consider that the Terminal was built by and for cargo moving, while also producing jobs for the fishing industry. Shipping at the Terminal has potential benefits to local jobs and the fishing fleet. Fogarty said that shipping is usually on a schedule with 14 days advance notice. ILWU will look to work with the Port and fleet, and should be represented in the Terminal Users Group. He agrees with looking to private investor's for funds, but "don't give the Port away." Teevin has worked to be a partner, so Fogarty would expect they would bring in another partner. The International Terminal is a multi-use facility.

XII. ADJOURNMENT

Having no further business, the meeting adjourned at 8:05.

XIII. EXECUTIVE SESSION

Commission Vice-President Brown stated for the record that the Commission would be entering into Executive Session pursuant to ORS 192.660(2)(e) to deliberate negotiations real property transactions regarding the Teevin Bros. lease option and ORS 192.660(2)(i) for the performance evaluations of public officers and employees to evaluate the General Manager's annual job performance. Brown noted that no decisions would be made in Executive Session. The session was called to order at 8:10 pm.

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

Management and Staff: Kevin Greenwood, General Manager.

A Summary Report of the evaluation will be produced for Commission review and adoption at the February meeting.

Having no further business, the meeting adjourned at 9:27 pm.

ATTESTED:

Walter Chuck, President

Patricia Patrick-Joling, Secretary/Treasurer

PORT OF NEWPORT MINUTES

January 24, 2017

Commission Special Meeting

I. CALL TO ORDER

Commission Vice-President Ken Brown called the Commission Special Meeting of the Port of Newport Board of Commissioners to order at 12:00 noon at the South Beach Activities Room, 2120 SE Marine Science Drive, Newport, Oregon.

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

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

Members of the Public and Media: Sara Skamser, Foulweather Trawl LLC; Dietmar A. Goebel, Newport City Council; and Jeff Lackey, F/V Miss Sue and F/V Seeker.

II. 2017 GOAL SETTING REVIEW

Greenwood referred to the Staff Report which included the summary of the top goals from the December meeting packet which summarized the goals from the November session. He recommended the Commissioners prioritize their five top goals to generate scores for further review. Greenwood said it had been difficult to get a consensus because of different methods used by the Commissioners to rank the goals originally, so it was important to talk about how to rank. Beck suggested that a key was needed for how to rate the goals, and suggested a key be included in future grading. Brown said that in the past tiers were used to rank goals. Beck added that some of the goals items were represented in more than one item. Lamerdin suggested reviewing the goals for commonality, then tier priorities into goals that have an end. Beck added that Financial Strength would be an number one ongoing goal that would include items like fees, etc. Patrick-Joling agreed tiers would be useful, with Financial Strength #1, Maintenance and Port Property #2, and Marketing #3, each with related goals underneath.

Greenwood said that for the General Manager's evaluation, tiers came from scores one through ten. Items that scored closely at the highest level were tier one, etc. Beck suggested it would not be the Commissioners' task to go into the minutiae, but to serve the district by setting goals and oversight of the Port. Many of the goals included were outside the scope of the Commissioners job. Issues would come from management to the Commission for decisions. Financial Strength is key, but this can be broken down. Greenwood said that the Port's Mission, Vision and Values would set the 10,000 foot view, and be reflected in policies. Particular goals like funding the International Terminal would fall under a value. Financial Strength does not have an end, but funding the International Terminal would be an objective under this value. Greenwood suggested general grouping for the goals could come from the strategic business plan: maintenance and capital, management, finance, marketing, and environmental. After some discussion, the Commissioners agreed to identify the goals from the goal setting session that fit each category. A summary of the goals by category is appended to the minutes.

Lamerdin said it would be important to revisit the goals throughout the year. Patrick-Joling suggested including the list each month in the packet for review. Greenwood said that management could refer to the goals in their monthly reports. Lamerdin acknowledged that the goals given to staff would be in addition to their daily jobs, so the Commission should be careful not to overburden staff.

Patrick-Joling referred to the information about the RV Park rates that had been provided to the Commissioners at this meeting. Larrabee said that Bill Hewitt was researching rates at other parks. Patrick-Joling requested to meet with Greenwood, Larrabee, and Beck following the meeting to discuss some specific recommendations.

III. PUBLIC COMMENT

Skamser said that more about the fishing industry could be considered in the Port's goals; it would be good for users to see the words.

IV. ADJOURNMENT

Having no further business, the meeting adjourned at 12:50 pm.

ATTESTED:

Walter Chuck, President

Patricia Patrick-Joling, Secretary/Treasurer

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Port of Newport
Balance Sheet Prev Year Comparison
As of January 31, 2017

	Jan 31, 17	Jan 31, 16	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
Available Cash & Equivalents	1,613,047.26	1,527,576.94	85,470.32
Restricted Cash & Equivalents	441,170.24	504,433.96	-63,263.72
Total Checking/Savings	2,054,217.50	2,032,010.90	22,206.60
Accounts Receivable			
Accounts Receivable	363,740.85	86,337.72	277,403.13
Total Accounts Receivable	363,740.85	86,337.72	277,403.13
Other Current Assets			
Allow for Bad Debt - CM	-20,000.00	-10,000.00	-10,000.00
Allow for Bad Debt - SB	-10,000.00	-4,000.00	-6,000.00
AR Property Tax	10,334.60	10,334.60	0.00
Cash Clearing	0.00	-749.47	749.47
Due from Other Port Funds	48,704.55	59,829.06	-11,124.51
PERS - Deferred OF	17,803.00	18,048.00	-245.00
PERS - NPA(L)	-163,496.00	146,594.00	-310,090.00
Prepaid Expenses	153,524.98	23,719.96	129,805.02
Undeposited Funds	0.00	-3,870.11	3,870.11
Total Other Current Assets	36,871.13	239,906.04	-203,034.91
Total Current Assets	2,454,829.48	2,358,254.66	96,574.82
Fixed Assets			
Capital Assets			
Capital Assets	82,607,341.77	85,670,010.77	-3,062,669.00
Total Fixed Assets	82,607,341.77	85,670,010.77	-3,062,669.00
TOTAL ASSETS	85,062,171.25	88,028,265.43	-2,966,094.18
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	375,141.46	64,548.62	310,592.84
Total Accounts Payable	375,141.46	64,548.62	310,592.84
Credit Cards			
Chase VISA	0.00	3,287.27	-3,287.27
Total Credit Cards	0.00	3,287.27	-3,287.27
Other Current Liabilities			
Accrued Interest Payable	6,209.00	11,693.00	-5,484.00
Current Portion-Long Term Debt	406,827.00	353,377.00	53,450.00
Deferred Revenue	154,297.37	190.95	154,106.42
Due to other Port Funds	7,090.48	-3,343.48	10,433.96
Lodging/Room Tax Payable	0.00	1,868.60	-1,868.60
Payroll Liabilities	67,670.44	34,202.63	33,467.81
Total Other Current Liabilities	642,094.29	397,988.70	244,105.59
Total Current Liabilities	1,017,235.75	465,824.59	551,411.16
Long Term Liabilities			
2013 FF&C Bond Premium	105,116.75	111,892.75	-6,776.00
Deferred IF-Proportion/Contrib	-1.00	31,249.00	-31,250.00
Less Current Portion L Term Deb	-406,827.00	-353,377.00	-53,450.00
Long Term Debt	8,133,781.74	8,480,410.74	-346,629.00
PERS - Deferred IF	151,722.00	282,867.00	-131,145.00
Total Long Term Liabilities	7,983,792.49	8,553,042.49	-569,250.00
Total Liabilities	9,001,028.24	9,018,867.08	-17,838.84
Equity			
FB - Accrued Interest	5,484.00	0.00	5,484.00
FB - Amortization	6,776.00	0.00	6,776.00
FB - Capital Asset Additions	20,345.00	0.00	20,345.00
FB - Contributed Capital	7,130,788.00	7,130,788.00	0.00
FB - Debt Principal	346,629.00	0.00	346,629.00
FB - Depreciation	-3,267,515.00	0.00	-3,267,515.00
FB - Equity Transfers	184,501.00	0.00	184,501.00
FB - GAAP-Pension Expense	0.00	18,048.00	-18,048.00
FB - PERS-Pension Inc/Exp	-147,940.00	140,846.00	-288,786.00
Fund Balance	71,951,105.32	71,350,262.00	600,843.32
Net Income	-169,030.31	369,454.35	-538,484.66
Total Equity	76,061,143.01	79,009,398.35	-2,948,255.34
TOTAL LIABILITIES & EQUITY	85,062,171.25	88,028,265.43	-2,966,094.18

Port of Newport
Profit & Loss by Class

YTD as of January 2017	GENERAL					NOAA
	Admin.	NIT	So. Beach	No. Comm.	Total	Total
OPERATING						
Income	\$ 360,195	\$ 300,080	\$ 958,825	\$ 434,429	\$2,053,529	\$1,480,086
Expense	\$ 598,302	\$ 261,365	\$ 720,732	\$ 295,390	\$1,875,789	\$2,259,223
<i>Personal Service</i>	\$ 323,926	\$ 40,314	\$ 191,282	\$ 133,122	\$ 688,645	\$ 43,873
<i>Materials & Service</i>	\$ 262,954	\$ 72,302	\$ 351,519	\$ 158,210	\$ 844,985	\$ 218,016
<i>Debt Service</i>	\$ 11,422	\$ 148,749	\$ 177,931	\$ 4,058	\$ 342,159	\$ 1,997,334
NET OPERATING	\$ (238,107)	\$ 38,715	\$ 238,093	\$ 139,039	\$ 177,740	\$ (779,137)
NON-OPERATING	\$ -					
Income	\$ 110,696	\$ -	\$ 1,800	\$ 4,508	\$ 117,004	\$ -
Expense	\$ 60,000	\$ -	\$ 11,571	\$ 392,203	\$ 463,774	\$ 2,080
<i>Capital</i>	\$ -	\$ -	\$ 11,571	\$ 392,203	\$ 403,774	\$ 2,080
<i>Transfers</i>	\$ 60,000	\$ -	\$ -	\$ -	\$ 60,000	\$ -
<i>Other</i>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
NET NON-OPERATING	\$ 50,696	\$ -	\$ (9,771)	\$ (387,695)	\$ (346,770)	\$ (2,080)
NET INCOME	\$ (187,411)	\$ 38,715	\$ 228,322	\$ (248,656)	\$ (169,030)	\$ (781,217)

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

	Jul '16 - Jan 17	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Hoist Dock & Services	375,482.83	450,000.00	-74,517.17	83.4%
Launch Ramp & Trailer Storage	40,489.48	70,000.00	-29,510.52	57.8%
Lease Revenues	360,494.68	616,081.00	-255,586.32	58.5%
Miscellaneous Revenue	35,398.90	46,000.00	-10,601.10	77.0%
Moorage	710,195.13	1,189,000.00	-478,804.87	59.7%
RV Parks	518,327.03	754,000.00	-235,672.97	68.7%
Shipping Terminal Revenues	13,140.97	7,000.00	6,140.97	187.7%
Total Income	<u>2,053,529.02</u>	<u>3,132,081.00</u>	<u>-1,078,551.98</u>	<u>65.6%</u>
Gross Profit	2,053,529.02	3,132,081.00	-1,078,551.98	65.6%
Expense				
Debt Services	342,159.20	684,934.00	-342,774.80	50.0%
Materials & Services	844,985.55	1,425,200.00	-580,214.45	59.3%
Personal Services	688,644.60	1,300,616.00	-611,971.40	52.9%
Total Expense	<u>1,875,789.35</u>	<u>3,410,750.00</u>	<u>-1,534,960.65</u>	<u>55.0%</u>
Net Ordinary Income	177,739.67	-278,669.00	456,408.67	-63.8%
Other Income/Expense				
Other Income				
Grant & Loan Proceeds	11,800.00	168,000.00	-156,200.00	7.0%
Interest Income	4,693.90	4,000.00	693.90	117.3%
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	96,001.89	94,500.00	1,501.89	101.6%
Total Other Income	<u>117,003.87</u>	<u>268,500.00</u>	<u>-151,496.13</u>	<u>43.6%</u>
Other Expense				
Capital Outlay	403,773.85	500,000.00	-96,226.15	80.8%
Contingency	0.00	100,000.00	-100,000.00	0.0%
Transfers Out	60,000.00	60,000.00	0.00	100.0%
Total Other Expense	<u>463,773.85</u>	<u>660,000.00</u>	<u>-196,226.15</u>	<u>70.3%</u>
Net Other Income	<u>-346,769.98</u>	<u>-391,500.00</u>	<u>44,730.02</u>	<u>88.6%</u>
Net Income	<u>-169,030.31</u>	<u>-670,169.00</u>	<u>501,138.69</u>	<u>25.2%</u>

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

	Jul '16 - Jan 17	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Hoist Dock & Services	1,750.00	0.00	1,750.00	100.0%
Lease Revenues	353,779.27	616,081.00	-262,301.73	57.4%
Miscellaneous Revenue	2,859.43	0.00	2,859.43	100.0%
Moorage	1,806.00	0.00	1,806.00	100.0%
Total Income	<u>360,194.70</u>	<u>616,081.00</u>	<u>-255,886.30</u>	<u>58.5%</u>
Gross Profit	360,194.70	616,081.00	-255,886.30	58.5%
Expense				
Debt Services	11,421.87	17,852.00	-6,430.13	64.0%
Materials & Services	262,954.12	392,900.00	-129,945.88	66.9%
Personal Services	323,926.13	510,748.00	-186,821.87	63.4%
Total Expense	<u>598,302.12</u>	<u>921,500.00</u>	<u>-323,197.88</u>	<u>64.9%</u>
Net Ordinary Income	-238,107.42	-305,419.00	67,311.58	78.0%
Other Income/Expense				
Other Income				
Grant & Loan Proceeds	10,000.00	168,000.00	-158,000.00	6.0%
Interest Income	4,693.90	4,000.00	693.90	117.3%
Property Tax Revenue	96,001.89	94,500.00	1,501.89	101.6%
Total Other Income	<u>110,695.79</u>	<u>266,500.00</u>	<u>-155,804.21</u>	<u>41.5%</u>
Other Expense				
Capital Outlay	0.00	200,000.00	-200,000.00	0.0%
Contingency	0.00	100,000.00	-100,000.00	0.0%
Transfers Out	60,000.00	60,000.00	0.00	100.0%
Total Other Expense	<u>60,000.00</u>	<u>360,000.00</u>	<u>-300,000.00</u>	<u>16.7%</u>
Net Other Income	50,695.79	-93,500.00	144,195.79	-54.2%
Net Income	<u><u>-187,411.63</u></u>	<u><u>-398,919.00</u></u>	<u><u>211,507.37</u></u>	<u><u>47.0%</u></u>

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

	<u>Jul '16 - Jan 17</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
Hoist Dock & Services	211,195.53	193,000.00	18,195.53	109.4%
Miscellaneous Revenue	97.62	5,000.00	-4,902.38	2.0%
Moorage	75,646.00	80,000.00	-4,354.00	94.6%
Shipping Terminal Revenues	13,140.97	7,000.00	6,140.97	187.7%
Total Income	<u>300,080.12</u>	<u>285,000.00</u>	<u>15,080.12</u>	<u>105.3%</u>
Gross Profit	300,080.12	285,000.00	15,080.12	105.3%
Expense				
Debt Services	148,749.42	443,460.00	-294,710.58	33.5%
Materials & Services	72,301.91	108,100.00	-35,798.09	66.9%
Personal Services	40,313.86	71,486.00	-31,172.14	56.4%
Total Expense	<u>261,365.19</u>	<u>623,046.00</u>	<u>-361,680.81</u>	<u>41.9%</u>
Net Ordinary Income	<u>38,714.93</u>	<u>-338,046.00</u>	<u>376,760.93</u>	<u>-11.5%</u>
Net Income	<u>38,714.93</u>	<u>-338,046.00</u>	<u>376,760.93</u>	<u>-11.5%</u>

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

	Jul '16 - Jan 17	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Hoist Dock & Services	8,669.22	10,000.00	-1,330.78	86.7%
Launch Ramp & Trailer Storage	40,450.60	70,000.00	-29,549.40	57.8%
Lease Revenues	6,715.41			
Miscellaneous Revenue	30,167.02	37,000.00	-6,832.98	81.5%
Moorage	354,496.12	669,000.00	-314,503.88	53.0%
RV Parks	518,327.03	754,000.00	-235,672.97	68.7%
Total Income	958,825.40	1,540,000.00	-581,174.60	62.3%
Gross Profit	958,825.40	1,540,000.00	-581,174.60	62.3%
Expense				
Debt Services	177,930.36	216,666.00	-38,735.64	82.1%
Materials & Services	351,519.31	604,400.00	-252,880.69	58.2%
Personal Services	191,282.13	342,800.00	-151,517.87	55.8%
Total Expense	720,731.80	1,163,866.00	-443,134.20	61.9%
Net Ordinary Income	238,093.60	376,134.00	-138,040.40	63.3%
Other Income/Expense				
Other Income				
Grant & Loan Proceeds	1,800.00	0.00	1,800.00	100.0%
Property & Dredge Sales	0.00	2,000.00	-2,000.00	0.0%
Total Other Income	1,800.00	2,000.00	-200.00	90.0%
Other Expense				
Capital Outlay	11,571.25	0.00	11,571.25	100.0%
Total Other Expense	11,571.25	0.00	11,571.25	100.0%
Net Other Income	-9,771.25	2,000.00	-11,771.25	-488.6%
Net Income	228,322.35	378,134.00	-149,811.65	60.4%

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

	Jul '16 - Jan 17	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Hoist Dock & Services	153,868.08	247,000.00	-93,131.92	62.3%
Launch Ramp & Trailer Storage	38.88	0.00	38.88	100.0%
Miscellaneous Revenue	2,274.83	4,000.00	-1,725.17	56.9%
Moorage	278,247.01	440,000.00	-161,752.99	63.2%
Total Income	434,428.80	691,000.00	-256,571.20	62.9%
Gross Profit	434,428.80	691,000.00	-256,571.20	62.9%
Expense				
Debt Services	4,057.55	6,956.00	-2,898.45	58.3%
Materials & Services	158,210.21	312,400.00	-154,189.79	50.6%
Personal Services	133,122.48	214,674.00	-81,551.52	62.0%
Total Expense	295,390.24	534,030.00	-238,639.76	55.3%
Net Ordinary Income	139,038.56	156,970.00	-17,931.44	88.6%
Other Income/Expense				
Other Income				
Miscellaneous	4,508.08	0.00	4,508.08	100.0%
Total Other Income	4,508.08	0.00	4,508.08	100.0%
Other Expense				
Capital Outlay	392,202.60	300,000.00	92,202.60	130.7%
Total Other Expense	392,202.60	300,000.00	92,202.60	130.7%
Net Other Income	-387,694.52	-300,000.00	-87,694.52	129.2%
Net Income	-248,655.96	-143,030.00	-105,625.96	173.8%

Port of Newport - NOAA Fund
Balance Sheet
As of January 31, 2017

	Jan 31, 17	Jan 31, 16	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
Cash & Equivalents	4,993,016.86	4,794,454.28	198,562.58
Total Checking/Savings	4,993,016.86	4,794,454.28	198,562.58
Other Current Assets			
Net Pension Asset	0.00	24,019.00	-24,019.00
PERS - Derfered OF	0.00	2,957.00	-2,957.00
Prepaid Expenses	113,131.93	65,550.50	47,581.43
Total Other Current Assets	113,131.93	92,526.50	20,605.43
Total Current Assets	5,106,148.79	4,886,980.78	219,168.01
TOTAL ASSETS	5,106,148.79	4,886,980.78	219,168.01
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	86,334.23	12,959.68	73,374.55
Total Accounts Payable	86,334.23	12,959.68	73,374.55
Other Current Liabilities			
Accrued Interest Payable	476,972.00	499,410.00	-22,438.00
Accrued PTO	7,742.36	5,225.00	2,517.36
Current Portion Long-Term Debt	810,000.00	840,000.00	-30,000.00
Due to Operations or Const Fund	13,906.60	9,607.47	4,299.13
Total Other Current Liabilities	1,308,620.96	1,354,242.47	-45,621.51
Total Current Liabilities	1,394,955.19	1,367,202.15	27,753.04
Long Term Liabilities			
Deferred IF - Prop/Contrib	0.00	5,120.00	-5,120.00
Less Current Portion LT Debt	-810,000.00	-840,000.00	30,000.00
Long-Term Debt	20,725,587.00	21,554,006.00	-828,419.00
PERS - Deferred IF	0.00	46,347.00	-46,347.00
Total Long Term Liabilities	19,915,587.00	20,765,473.00	-849,886.00
Total Liabilities	21,310,542.19	22,132,675.15	-822,132.96
Equity			
Fund Balance	-15,423,176.61	-16,487,486.68	1,064,310.07
GAAP - Pension Expense	0.00	2,957.00	-2,957.00
GAAP - Pension Income	0.00	23,078.00	-23,078.00
Net Income	-781,216.79	-784,242.69	3,025.90
Total Equity	-16,204,393.40	-17,245,694.37	1,041,300.97
TOTAL LIABILITIES & EQUITY	5,106,148.79	4,886,980.78	219,168.01

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

	Jul '16 - Jan 17	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Interest Income	5,589.93	10,500.00	-4,910.07	53.2%
Lease Income	1,474,495.60	2,542,000.00	-1,067,504.40	58.0%
Total Income	1,480,085.53	2,552,500.00	-1,072,414.47	58.0%
Expense				
Debt Service	1,997,333.76	1,997,335.00	-1.24	100.0%
Materials & Services	218,016.27	689,320.00	-471,303.73	31.6%
Personal Services	43,872.29	75,759.00	-31,886.71	57.9%
Total Expense	2,259,222.32	2,762,414.00	-503,191.68	81.8%
Net Ordinary Income	-779,136.79	-209,914.00	-569,222.79	371.2%
Other Income/Expense				
Other Expense				
Capital Outlay	2,080.00			
Contingency	0.00	100,000.00	-100,000.00	0.0%
Fund Transfers Out	0.00	2,000,000.00	-2,000,000.00	0.0%
Total Other Expense	2,080.00	2,100,000.00	-2,097,920.00	0.1%
Net Other Income	-2,080.00	-2,100,000.00	2,097,920.00	0.1%
Net Income	-781,216.79	-2,309,914.00	1,528,697.21	33.8%

Facility Maintenance Reserve Fund

02/22/17

Balance Sheet

Accrual Basis

As of January 31, 2017

	Jan 31, 17	Jan 31, 16	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
Umpqua Bank - Money Market	133,858.40	148,474.15	-14,615.75
Total Checking/Savings	133,858.40	148,474.15	-14,615.75
Total Current Assets	133,858.40	148,474.15	-14,615.75
TOTAL ASSETS	133,858.40	148,474.15	-14,615.75
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
Accounts Payable	34,797.95	54,747.44	-19,949.49
Total Accounts Payable	34,797.95	54,747.44	-19,949.49
Total Current Liabilities	34,797.95	54,747.44	-19,949.49
Total Liabilities	34,797.95	54,747.44	-19,949.49
Equity			
Fund Balance	73,777.66	48,378.36	25,399.30
Net Income	25,282.79	45,348.35	-20,065.56
Total Equity	99,060.45	93,726.71	5,333.74
TOTAL LIABILITIES & EQUITY	133,858.40	148,474.15	-14,615.75

Construction Fund - Port of Newport

02/22/17

Balance Sheet

Accrual Basis

As of January 31, 2017

	Jan 31, 17	Jan 31, 16	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
Construction Fund Bank Accts	62,341.01	137,628.55	-75,287.54
Total Checking/Savings	62,341.01	137,628.55	-75,287.54
Total Current Assets	62,341.01	137,628.55	-75,287.54
TOTAL ASSETS	62,341.01	137,628.55	-75,287.54
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
A/P - Construction	5,815.00	8,504.00	-2,689.00
Total Accounts Payable	5,815.00	8,504.00	-2,689.00
Total Current Liabilities	5,815.00	8,504.00	-2,689.00
Total Liabilities	5,815.00	8,504.00	-2,689.00
Equity			
Fund Balance	79,229.46	183,266.66	-104,037.20
Net Income	-22,703.45	-54,142.11	31,438.66
Total Equity	56,526.01	129,124.55	-72,598.54
TOTAL LIABILITIES & EQUITY	62,341.01	137,628.55	-75,287.54

Bonded Debt Fund - Port of Newport

Balance Sheet

02/22/17

Accrual Basis

As of January 31, 2017

	Jan 31, 17	Jan 31, 16	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
Gen Obligation Bond MM-OCB	444,457.76	366,409.29	78,048.47
Total Checking/Savings	444,457.76	366,409.29	78,048.47
Other Current Assets			
Due from Operating Fund	7,090.48	-3,343.48	10,433.96
Property Tax Receivable	86,925.12	86,925.12	0.00
Total Other Current Assets	94,015.60	83,581.64	10,433.96
Total Current Assets	538,473.36	449,990.93	88,482.43
Other Assets			
Advance Refunding Valuation	436,957.00	0.00	436,957.00
Bond Issue costs, net of amort.	4,662.00	91,334.00	-86,672.00
Total Other Assets	441,619.00	91,334.00	350,285.00
TOTAL ASSETS	980,092.36	541,324.93	438,767.43
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Other Current Liabilities			
Bonds Payable - Current	465,000.00	300,000.00	165,000.00
Total Other Current Liabilities	465,000.00	300,000.00	165,000.00
Total Current Liabilities	465,000.00	300,000.00	165,000.00
Long Term Liabilities			
2007 Series Bonds	136,415.00	4,209,263.00	-4,072,848.00
2008 Series Bonds	244,912.00	4,304,912.00	-4,060,000.00
2011 Series Bonds	5,146,741.00	5,211,741.00	-65,000.00
2016 Series Bonds	7,610,000.00	0.00	7,610,000.00
Bond Premiums	880,746.00	0.00	880,746.00
Less Current Portion LTD	-465,000.00	-300,000.00	-165,000.00
Total Long Term Liabilities	13,553,814.00	13,425,916.00	127,898.00
Total Liabilities	14,018,814.00	13,725,916.00	292,898.00
Equity			
Bonded Debt Fund Balance	-13,189,865.77	-13,468,256.72	278,390.95
Retained Earnings	0.00	0.36	-0.36
Net Income	151,144.13	283,665.29	-132,521.16
Total Equity	-13,038,721.64	-13,184,591.07	145,869.43
TOTAL LIABILITIES & EQUITY	980,092.36	541,324.93	438,767.43

SPECIAL USE PERMIT APPLICATION

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

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

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

Event Name: Newport Marathon
Event Date: June 3, 2017 Time(s) 2 pm 6/2 to 4pm 6/3
Location: Yacht club and adjoining grassy area
Facilities to Be Used: grassy area

Set-up Dates and Start Times: 6/2 at 2 pm

Take-down Dates and End Times: 6/3 4pm

Estimated Number of Participants: Contestants: 1000

Vendors / Volunteers: 100

Attendees: 2000

Applicant / Signer: Tom Swinford

Mailing Address: PO box 681, Toledo, OR 97391

Telephone: 541 270 4250 E-mail run@newportmarathon.org

Contact Person (if different than applicant): _____

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

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

we are requesting a full waiver of the usage fee. We will be holding the finish area of the Newport Marathon on June 3 at the Yacht club and grassy area adjoining the yacht club. Participants will get their shirts and food, listen to music, relax and receive awards.

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

We are requesting a full waiver for the usage fee. We are a non profit organization (Newport Boosters) and the purpose of the marathon is to raise money for high school athletes and activities. Three high school area athletes are represented. We bring a large number of out of state and some from out of country to be part of our community. These visitors use our restaurants, motels, and other tourist attractions. These visitors bring income to our community on a day that is ahead of the typical tourist season. Because of all of this, we are requesting a waiver for the usage fee.

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

**The port will have its logo on our webpage and T shirt and at
any other time that the sponsors of this event are mentioned.**

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

1. Is the applicant a non-profit or a for-profit entity?
2. Will proceeds from the event be donated to charitable causes? If so, what percentage of the proceeds will be donated and to which charitable causes?
3. What is the Port's cost to provide services for the event?
4. Does the event provide any direct benefit to the Port?

USAGE FEE SCHEDULE

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

Permittee will also need to carry comprehensive general liability insurance with limits of \$1,000,000.00 per occurrence and \$2,000,000.00 in aggregate, and will provide the Port with a Certificate of Insurance naming the Port as an additional insured.

PORT OF NEWPORT SPECIAL USE PERMIT

This permit, effective June 2, 2017, 2 pm, from the Port of Newport, organized and existing under the laws of the State of Oregon, hereinafter referred to as "Port", to Newport Booster Club, hereinafter referred to as "Permittee."

The Port hereby grants permission to Permittee to use the grass field to the east of the Port office at 600 Bay Blvd., Newport, OR 97365, and west of the Yacht. Club. Use of the designated area by Permittee is to accommodate the runners and others at the finish of the marathon. The Port will mow the grass prior to the event and clear the parking lot to the survey marker. (Exhibit A detailed description of event.)

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

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

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

Port of Newport:

Accepted By:

Kevin Greenwood, General Manager

ATTACHMENTS: Exhibit A (detailed description of event)



Sponsorship Agreement: In Kind Sponsorship Value \$1,400.00.

Event Name: Newport Marathon

Event Date: June 3, 2017

Applicant: Newport Booster Club

Applicant will provide:

- Port Logo Placement on Website
- Link to the Port of Newport on Website
- Port Logo on event shirt
- Port Banner displayed at Event
- Booth Space at Event
- Goodie Bag Insert
- Port Mention in Radio Advertising
- Port Logo in Print Advertising
- Other (please describe) 3 entries in the Newport Marathon and/or Half Marathon

Port of Newport will provide:

\$1,400.00 deduction in usage fees.

X _____ Date: _____
Kevin Greenwood
Port of Newport

X _____ Date: _____
Tom Swinford
Newport Booster Club



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
2/15/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Newport Office PayneWest Insurance, Inc. P.O. Box 830 Newport, OR 97365	CONTACT NAME: PHONE (A/C, No, Ext): (541) 265-7768 E-MAIL ADDRESS:	FAX (A/C, No): (541) 265-7675
	INSURER(S) AFFORDING COVERAGE	
INSURED Newport Booster Club P O Box 2216 Newport, OR 97365	INSURER A: American States Insurance Co.	NAIC # 19704
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

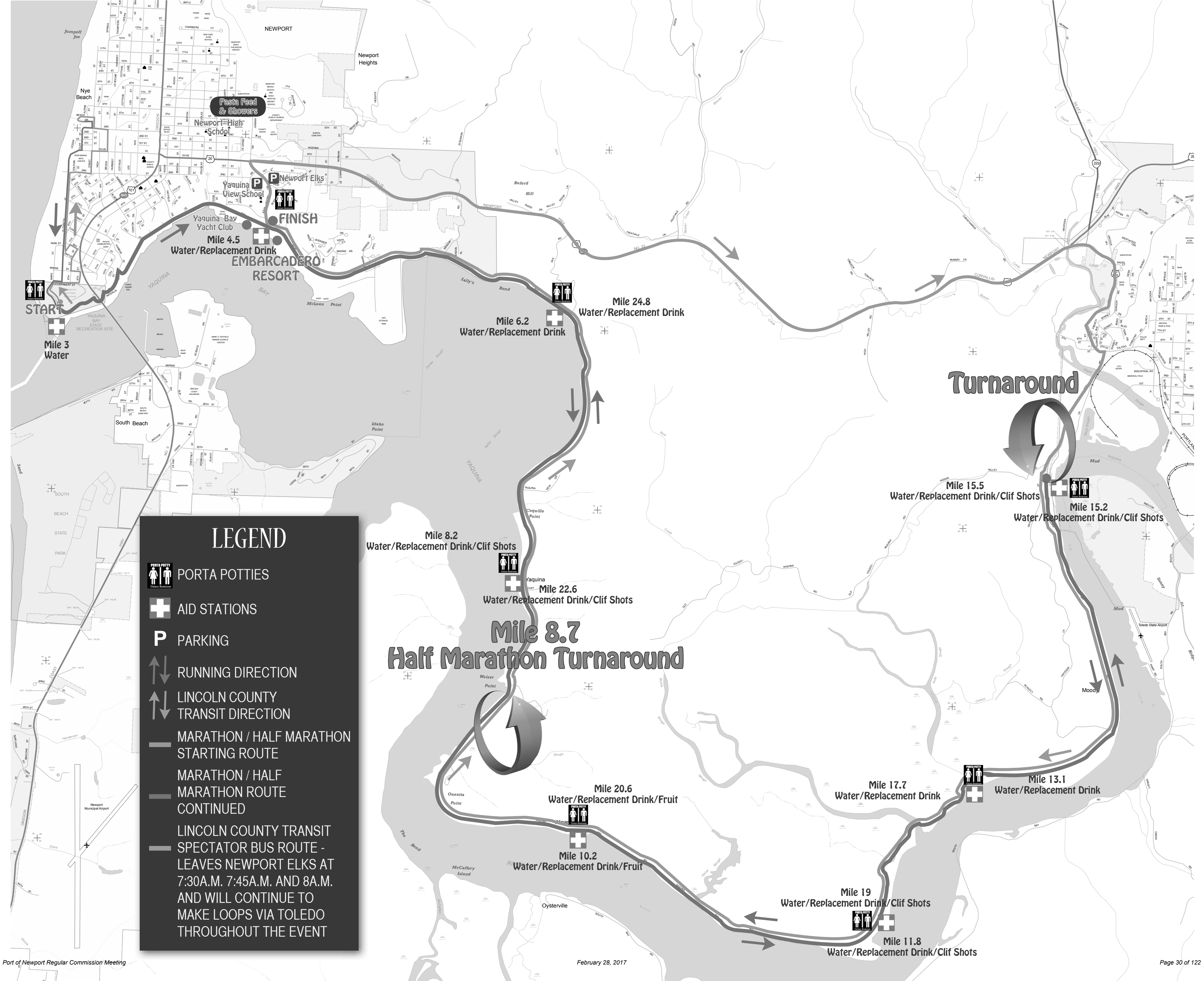
COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS









INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR <input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X	01CI76993230	08/13/2016	08/13/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		01CI76993230	08/13/2016	08/13/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Port of Newport is named additional insured with regard to liability for the event: Newport Marathon on May 29-31st, 2015

CERTIFICATE HOLDER Port of Newport 600 SE Bay Blvd Newport, OR 97365	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE <i>Alex Lundquist</i>



LEGEND

-  PORTA POTTIES
-  AID STATIONS
-  PARKING
-  RUNNING DIRECTION
-  LINCOLN COUNTY TRANSIT DIRECTION
-  MARATHON / HALF MARATHON STARTING ROUTE
-  MARATHON / HALF MARATHON ROUTE CONTINUED
-  LINCOLN COUNTY TRANSIT SPECTATOR BUS ROUTE - LEAVES NEWPORT ELKS AT 7:30A.M., 7:45A.M. AND 8A.M. AND WILL CONTINUE TO MAKE LOOPS VIA TOLEDO THROUGHOUT THE EVENT

Mile 8.7 Half Marathon Turnaround

Turnaround

START
Mile 3
Water

Mile 4.5
Water/Replacement Drink
EMBARCADERO RESORT

Mile 6.2
Water/Replacement Drink

Mile 24.8
Water/Replacement Drink

Mile 8.2
Water/Replacement Drink/Clif Shots

Mile 22.6
Water/Replacement Drink/Clif Shots

Mile 20.6
Water/Replacement Drink/Fruit

Mile 10.2
Water/Replacement Drink/Fruit

Mile 17.7
Water/Replacement Drink

Mile 19
Water/Replacement Drink/Clif Shots

Mile 11.8
Water/Replacement Drink/Clif Shots

Mile 15.5
Water/Replacement Drink/Clif Shots

Mile 15.2
Water/Replacement Drink/Clif Shots

Mile 13.1
Water/Replacement Drink

Port of Newport
 600 SE Bay Blvd
 Newport, OR 97365

CM Daily Sales

Date	Inv #
2/21/2017	Spec Use

Donor
Newport Booster Club/Newport Marathon

PAID
02/21/2017

Project

Item	Description	Rate	Quantity	Amount
Special Use Permits	non refundable application fee	100.00	1	100.00
			Total	\$100.00

SUP CHECKLIST

- Application
- App Fee
- Facility Supervisor Review
- Security Review
- General Manager Review
- Usage Fee
- Insurance Certificate
- SUP Issued

SPECIAL USE PERMIT APPLICATION

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

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

Event Name: OMSI's Costal Discovery Center Open House of Camp Grey

Event Date: March 11, 2017 Time(s) 11am - 3pm

Location: 3400 SW Abalone Street, South Beach, OR 97365

Facilities to Be Used: parking lot next to the Rogue Bayfront Public House

Set-up Dates and Start Times: March 11, 2017 - 10:30am - 11am

Take-down Dates and End Times: March 11, 2017 - 3pm - 3:30pm

Estimated Number of Participants: Contestants: _____

Vendors / Volunteers: 2 volunteers

Attendees: up to 250 cars

Applicant / Signer: Sonali Shivdasani

Mailing Address: OMSI 1945 SE Water Ave, Portland, OR 97214

Telephone: O: 503.797.4642; C: 971.235.7064 E-mail sshivdasani@omsi.edu

Contact Person (if different than applicant): _____

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

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

A year after the grand opening, OMSI is excited to show the community the improvements we have made to our outdoor education facility, the Coastal Discovery Center at Camp Gray.

On Saturday, March 11, 2017 from 11am - 3pm we will host a community open house inviting Newport to come explore the new facility.

The camp will be open for self-guided tours and OMSI educators will be stationed around the facility to talk about the programming that will be available.

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

We would greatly appreciate a full waiver of the usage fee. OMSI is a private 501c3 non-profit organization. This event will be free and open to the public so there will be no proceeds.

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

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

1. Is the applicant a non-profit or a for-profit entity? non-profit
2. Will proceeds from the event be donated to charitable causes? If so, what percentage of the proceeds will be donated and to which charitable causes? there will be no proceeds from the event
3. What is the Port's cost to provide services for the event? none
4. Does the event provide any direct benefit to the Port? visitors may go enjoy what the Port has to offer before or after our event

USAGE FEE SCHEDULE

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

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

PORT OF NEWPORT SPECIAL USE PERMIT

This permit, effective March 11, 2017, 10:00 am, from the Port of Newport, organized and existing under the laws of the State of Oregon, hereinafter referred to as "Port", to Oregon Museum of Science and Industry (OMSI), hereinafter referred to as "Permittee."

The Port hereby grants permission to Permittee to use the Multi-Use Area at South Beach for parking (see attached Exhibit A). Use of designated area by Permittee is for OMSI's Coastal Discovery Center Camp Gray Open House. Permit is subject to the rules, regulations, and ordinances of the Port of Newport and subject to the following terms and conditions:

1. **Application Fee.** A nonrefundable application fee in the amount of \$100.00.
2. **Usage Fees.** Waived in consideration of OMSI's non-profit status, no fee event, and the educational benefit to the Newport community.
3. **Reservation of Rights.** Port reserves the right to alter or amend the terms and conditions of this permit.
4. **Liability, indemnity of Port.** Permittee agrees to exercise due care in the activities described above and to abide by all Port rules, regulations and ordinances. Permittee shall indemnify and hold Port harmless from and against all claims, actions, proceedings, damages, and liabilities, including attorney fees, arising from or connected with Permittee's use of Port facilities. Permittee will carry a comprehensive general liability insurance policy with limits of \$2,000,000.00 per occurrence and \$2,000,000.00 in aggregate, and will provide the Port with a Certificate of Insurance naming the Port as an additional insured.
5. **Limitation of Port's Liability.** Permittee acknowledges that Permittee has inspected the grounds and related facilities and is satisfied that these facilities are adequate for safe use for the above-described purpose. This permit is not a contract. Port's liability is limited to its sole negligence. Port's employees will make reasonable efforts to contact Permittee and notify Permittee of conditions requiring Permittee's attention, but Port assumes no responsibility of Permittee's use of the Port's facilities. Permittee confirms and assures that there are not alcoholic beverages used or provided during this event and that certified and trained emergency response providers are on site.
6. **Nontransferability/Term.** This permit is nontransferable. This permit expires March 11, 2017, 4:00 pm.

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

Port of Newport:

Accepted By:

Kevin Greenwood, General Manager

Sonali Shivdasani
Event Planner, OMSI



© 2016 Google

Google Earth



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
1/30/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Durham and Bates Agencies, Inc. 720 SW Washington St. Ste250 Portland OR 972053554	CONTACT NAME: Christie Gomes PHONE (A/C, No, Ext): 503-224-5170 E-MAIL ADDRESS: christieg@dbates.com	FAX (A/C, No): 503-221-0540
	INSURER(S) AFFORDING COVERAGE	
INSURED Oregon Museum of Science and Industry 1945 SE Water Ave Portland OR 97214	INSURER A: Great American Alliance Insurance C	NAIC # 26832
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 315569152 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Liquor GENL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			GLP8049713	2/1/2017	2/1/2018	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$1,000,000 MED EXP (Any one person) \$20,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$3,000,000 PRODUCTS - COM/POP AGG \$3,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N N/A				PER STATUTE OTH-ER E L EACH ACCIDENT \$ E L DISEASE - EA EMPLOYEE \$ E L DISEASE - POLICY LIMIT \$

RECEIVED

FEB 02 2017

PORT OF NEWPORT

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER The Port of Newport 600 SE Bay Blvd Newport OR 97365 USA	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	--

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Port of Newport
 600 SE Bay Blvd
 Newport, OR 97365

CM Daily Sales

Date	Inv #
2/22/2017	Spec Use

PAID
 02/22/2017

Donor
OMSI's Camp Gray 1945 SE Water Ave Portland, OR 97214

Project

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

SUP CHECKLIST

- Application
- App Fee
- Facility Supervisor Review
- Security Review
- General Manager Review
- Usage Fee
- Insurance Certificate
- SUP Issued

SPECIAL USE PERMIT APPLICATION

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

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

Event Name: Ducks Unlimited Halibut Derby

Event Date: Saturday May 13th, 2017 Time(s) 8:00 AM-9:00 PM

Location: Service Dock and nearby area for fish weigh in. Rogue Brewery Annex for post-derby event.

Facilities to Be Used: Service Dock and nearby area (see map) and Rogue Brewery Annex (see map).

Set-up Dates and Start Times: Setup Rogue Brewery event space Friday 5/12 between 5-8 PM, Setup fish weigh in station 5/13 at 9 AM

Take-down Dates and End Times: Take down fish weigh station at 3:30 PM on 5/13, Take-down Rogue Brewery event space from 9-11 PM on 5/13

Estimated Number of Participants: Contestants: 100

Vendors / Volunteers: 12

Attendees: 60

Applicant / Signer: Adam Stebbins, District Chairman (Benton-Linn Lincoln Counties) Oregon Ducks Unlimited

Mailing Address: 344 Mount Union Ave., Philomath OR, 97370

Telephone: 541-740-1561 E-mail ajsconnect@gmail.com

Contact Person (if different than applicant): _____

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

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

The newly re-established Newport Chapter of Ducks Unlimited (DU), will be partnering with local businesses and others in the Newport community to safely and successfully hold a Halibut fishing derby followed by a post-derby dinner event on Saturday May 13th in the Port of Newport Marina. DU event organizers met with the Port of Newport Harbormaster on 2/14/17 and developed the following event details: 1.) DU volunteers will hold a Halibut Fishing Derby, which will require use of the Port of Newport service dock and key dock access areas from 9AM-3:30PM (see attached map and photos) for weigh in of fish. Derby participants will temporarily moor their boat at the service dock, weigh in fish in designated area as approved by Harbormaster, and then immediately shove off from dock. There will be no other allowed access to the service area from the port parking lot for participants, and the fire lane will be left clear for emergency access. Congestion will be avoided at all other areas by having weigh in occur as proposed. 2.) Rogue Brewery has partnered with DU to provide the after derby dinner event (including auction and raffle) from 6-9 PM at the venue at the Rogue Brewery Annex (see attached map). Several other local businesses will support this event from the Historic Bayfront, in addition to Englund Marine Supply, Shilo Inn and others through donations and underwriting.

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

Ducks Unlimited is a national non-profit organization established in 1937, that conserves and restores habitat for waterfowl that benefit people and other wildlife. Recently, the Siletz Bay habitat enhancement occurred in close proximity to the Port, providing for new outdoor recreation opportunities and resulting economic support. Due to our non-profit status, combined with our goal to share boater safety and current fishing regulations with all derby participants, we are requesting that a full or partial waiver of the usage fee be approved by the Port of Newport Commission. We plan to build upon the success of this new fundraising event, and support the community of Newport and Port of Newport for years to come.

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

The Port of Newport will be featured in the event poster, weigh in station banner, social media, and Ducks Unlimited event specific website.

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

1. Is the applicant a non-profit or a for-profit entity? Non-Profit
2. Will proceeds from the event be donated to charitable causes? If so, what percentage of the proceeds will be donated and to which charitable causes? 100% of proceeds to be donated to habitat conservation.
3. What is the Port's cost to provide services for the event? No direct costs
4. Does the event provide any direct benefit to the Port? Yes. The event will highlight boater safety, and provide economic support to Port located businesses.

USAGE FEE SCHEDULE

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

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

Ducks Unlimited Halibut Derby (5/13/17)
Special Use Permit Application Attachment



Derby participants will temporarily moor boats in the Harbormaster approved areas of the service dock, run fish up service dock ramp/access road to weigh station (see photos corresponding to map number key) and then immediately depart from area.

Post-derby dinner event will take place within the Rogue Brewery.



PORT OF NEWPORT SPECIAL USE PERMIT

This permit, effective May 12, 2017, 5:00 pm, from the Port of Newport, organized and existing under the laws of the State of Oregon, hereinafter referred to as "Port", to Oregon Ducks Unlimited, hereinafter referred to as "Permittee."

The Port hereby grants permission to Permittee to use Service Dock and nearby area for fish weigh-in, as approved by Chris Urbach, SB Harbormaster, as shown in Exhibit A, attached. Use of designated area by Permittee is for Ducks Unlimited Halibut Derby (Exhibit B detailed description of event.)

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

1. **Application Fee.** A nonrefundable application fee in the amount of \$100.00.
2. **Usage Fees.** Waived in consideration of sponsorship rights and 100% of proceeds contributed to habitat conservation.
3. **Reservation of Rights.** Port reserves the right to alter or amend the terms and conditions of this permit.
4. **Liability, indemnity of Port.** Permittee agrees to exercise due care in the activities described above and to abide by all Port rules, regulations and ordinances. Permittee shall indemnify and hold Port harmless from and against all claims, actions, proceedings, damages, and liabilities, including attorney fees, arising from or connected with Permittee's use of Port facilities. Permittee will carry a comprehensive general liability insurance policy with limits of \$2,000,000.00 per occurrence and \$2,000,000.00 in aggregate, and will provide the Port with a Certificate of Insurance naming the Port as an additional insured.
5. **Limitation of Port's Liability.** Permittee acknowledges that Permittee has inspected the grounds and related facilities and is satisfied that these facilities are adequate for safe use for the above-described purpose. This permit is not a contract. Port's liability is limited to its sole negligence. Port's employees will make reasonable efforts to contact Permittee and notify Permittee of conditions requiring Permittee's attention, but Port assumes no responsibility of Permittee's use of the Port's facilities. Permittee confirms and assures that there are not alcoholic beverages used or provided during this event and that certified and trained emergency response providers are on site.
6. **Nontransferability/Term.** This permit is nontransferable. This permit expires May 13, 2017, 5:00 pm.

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

Port of Newport:

Accepted By:

Kevin Greenwood, General Manager

Adam Stebbins
District Chairman

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



Sponsorship Agreement: In Kind Sponsorship Value \$ 400.00

Event Name: Ducks Unlimited Halibut Derby

Event Date: Saturday, May 13, 2017

Applicant: Adam Stebbins, District Chairman, Oregon Ducks Unlimited

Applicant will provide:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Logo placement on website | <input checked="" type="checkbox"/> Link to the Port of Newport on website |
| <input type="checkbox"/> Logo on event shirt | <input checked="" type="checkbox"/> Banner displayed at event |
| <input type="checkbox"/> Booth space at event | <input type="checkbox"/> Goodie Bag insert |
| <input type="checkbox"/> Mention in radio advertising | |

Other (please describe):

100% of Ducks Unlimited proceeds from the event will be donated to habitat conservation.

Port of Newport will provide:

Waiver of Special Use Permit usage fees. Individual contestants will be responsible for their own port fees as needed.

X _____ Date: _____
Kevin Greenwood
Port of Newport

X _____ Date: _____
Adam Stebbins
Oregon Ducks Unlimited

CONSENT CALENDAR AGENDA ITEM

DATE: Feb 28, 2017
RE: Additional Security Cameras
TO: Port of Newport Board of Commissioners
ISSUED BY: Director of Finance

BACKGROUND

The Port of Newport would like to add 8 new security cameras, 5 at the International Terminal and 3 at North Commercial. The cameras will be installed by Siuslaw Broadband who has been the vendor who has installed all of our new cameras.

BUDGET IMPLICATIONS

The total cost for the cameras and installation will be \$8,500, which we have in the Budget.

RECOMMENDATION

I would recommend that a Commissioner make a MOTION TO APPROVE THE INSTALLATION OF 8 NEW CAMAERAS BY SIUSLAW BROADBAND FOR \$8,500.

-###-



Operating Fund

January 19, 2017 through February 15, 2017

Date	Num	Name	Memo	Amount
01/31/2017	38650	Business Oregon - OBDD	Debt service	7,800.00
01/31/2017	38651	Carquest Auto Parts	Operating supplies	126.31
01/31/2017	38652	Central Lincoln PUD	Electricity	754.87
01/31/2017	38653	Century Link	Telephone	389.04
01/31/2017	38654	CenturyLink - Business Service	Telephone	11.56
01/31/2017	38655	Coastal Refrigeration	HVAC maintenance	335.00
01/31/2017	38656	CoastCom	Internet and e-mail	832.00
01/31/2017	38657	Design Space	Customs and temporary office rental	1,094.00
01/31/2017	38658	Grimstad & Associates	2015-16 audit - work in progress	2,500.00
01/31/2017	38659	Hippo Facility Management	Facility maintenance software license fee	756.53
01/31/2017	38660	Leisure Interactive	Annual software subscription for South Beach	6,300.00
01/31/2017	38661	Lincoln County Oregon	Holding tank fees for Terminal	130.00
01/31/2017	38662	M & E Septic Service	Pump out storm water catch basins	435.00
01/31/2017	38663	M&K Bark & Floral	Gravel	26.00
01/31/2017	38664	Newport News-Times	Fishermen holiday greeting ad	66.00
01/31/2017	38665	Newport Signs	Dry camp signs	43.00
01/31/2017	38666	Oregon Department of State Lands	DSL lease for Captains Charters	394.65
01/31/2017	38667	Petty Cash	Office and operating supplies - SB	195.81
01/31/2017	38668	Road & Driveway	Lot sweeping	562.50
01/31/2017	38669	Toyota Industries Commercial Finance	Forklift leases	1,044.20
01/31/2017	38670	Will & Barbara Wilson	Refund - SB Marina	729.68
02/13/2017	38671	AboveBoard Electric	Repair electrical on #4 hoist	243.83
02/13/2017	38672	Alsco	Floor mats and towel rental	300.80
02/13/2017	38673	Applegate Door	Repair of overhead shop door	384.60
02/13/2017	38674	Association of Pacific Ports	Newsletter advertising	200.00
02/13/2017	38675	Barrelhead Supply	Operating supplies and small tools	385.60
02/13/2017	38676	Cedar Creek Quarries	Gravel	164.08
02/13/2017	38677	City of Newport	Water	230.55
02/13/2017	38678	Coast Crane Company	Replacement parts for crane	459.14
02/13/2017	38679	Copeland Lumber Yards	Maintenance supplies	76.40
02/13/2017	38680	Dahl & Dahl	Trash disposal	682.64
02/13/2017	38681	Design Space	Install ADA ramp on Customs Office building	15,750.00
02/13/2017	38682	Direct TV	Cable - RV parks	1,296.84
02/13/2017	38683	Doug's Electric	Repair electrical in multi-use area	2,461.79



Operating Fund

January 19, 2017 through February 15, 2017

Date	Num	Name	Memo	Amount
02/13/2017	38684	Englund Marine Supply	PD5 project supplies, uniforms, repair supplies	3,412.50
02/13/2017	38685	Fastenal Company	PD5 project supplies	143.35
02/13/2017	38686	G & K Floors	Janitorial services	2,200.00
02/13/2017	38687	Global Equipment Company	Column protectors	741.36
02/13/2017	38688	JC Market	Bottled water	31.14
02/13/2017	38689	LazerQuick	Silvan Forest color prints	36.09
02/13/2017	38690	Lincoln County Public Works	Fuel for trucks	246.97
02/13/2017	38691	Local Ocean	Contribution towards security cameras	400.00
02/13/2017	38692	Lock Masters	Opening a lock	65.00
02/13/2017	38693	MacPherson Gintner & Diaz	Professional services	300.00
02/13/2017	38694	Neutron Industries	Restroom supplies	228.78
02/13/2017	38695	Newport Auto Parts	Vehicle maintenance	343.74
02/13/2017	38696	Newport Plumbing	Plumbing supplies	26.90
02/13/2017	38697	NW Natural	Gas - SB	510.81
02/13/2017	38698	Pioneer Printing	Print service tickets	267.35
02/13/2017	38699	Pioneer Telephone Cooperative	Telephone	225.88
02/13/2017	38700	Platt	Electrical supplies	498.20
02/13/2017	38701	Pro-Build Company	PD5 project supplies	59.99
02/13/2017	38702	Pro-Training	Employee crane certification training	550.00
02/13/2017	38703	Schiewe Marine Supply	Safety clothing	69.00
02/13/2017	38704	School Outfitters	Two cabinets for multi-use area kiosk	1,323.15
02/13/2017	38705	Sherwin-Williams	Paint	130.24
02/13/2017	38706	TCB Security Services	Monthly security contract	6,516.00
02/13/2017	38707	Thompson's Sanitary Service	Trash disposal	4,139.35
02/13/2017	38708	Thompson's Transfer & Disposal	Trash disposal	44.20
02/13/2017	38709	United Grocers - Cash & Carry	Office and operating supplies	287.77
02/13/2017	38710	Verizon Wireless	Port cell phones	341.25
02/13/2017	38711	Voya (State of Oregon Plan)	Monthly employee contributions	100.00
02/13/2017	38712	Employee	Mid-month draw	450.00
02/13/2017	38713	Employee	Mid-month draw	500.00
02/13/2017	38714	City of Newport	Transient room tax - January 2017	508.36
02/13/2017	38715	Employee	Mid-month draw	500.00
02/13/2017	38716	Employee	Mid-month draw	600.00
02/13/2017	38717	Employee	Mid-month draw	300.00



Operating Fund
January 19, 2017 through February 15, 2017

Date	Num	Name	Memo	Amount
02/13/2017	38718	Employee	Mid-month draw	475.00
02/13/2017	38719	Employee	Mid-month draw	650.00
02/13/2017	38720	Employee	Mid-month draw	1,500.00
02/13/2017	38721	Dustin's Custom Fiberglass	Spray foam Swede's building pontoons - 50%	9,867.95
			Total	85,752.75



NOAA Fund

January 19, 2017 through February 15, 2017

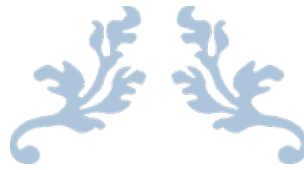
Date	Num	Name	Memo	Amount
01/31/2017	13102	OR Dept of State Lands	Application to remove dredged material	750.00
02/13/2017	13103	AVS Elevator	Quarterly service	487.16
02/13/2017	13104	Billeter Marine	Wharf maintenance dredging	51,750.00
02/13/2017	13105	G & K Floors	Janitorial services	450.00
02/13/2017	13106	Pioneer Telephone Cooperative	Telephone	239.62
02/13/2017	13107	Sherwin Williams	Paint	107.00
02/13/2017	13108	TCB Security Services	Elevator phone monitoring	20.00
02/13/2017	13109	Thompsons Sanitary Service	January Service	345.60
02/13/2017	13110	Ultimate Pest Control	Pest control	125.00
02/13/2017	13111	Verizon Wireless	Phone charges and mifi	26.38
Total				54,300.76



Construction Fund

December 16, 2016 through February 15, 2017

Date	Num	Name	Memo	Amount
2/13/17	11840	Road & Driveway	Sorting and hauling material for Terminal	5,815.00
Total				5,815.00



2017 PORT OF NEWPORT COMMISSION GOAL SETTING

Including Mission, Vision and Organization Values



ADOPTED FEBRUARY 28, 2017
PORT OF NEWPORT
600 SE Bay Blvd., Newport, OR 97365

2017 Port of Newport Goal Setting Summary

1. Fund the International Terminal Shipping Facility

This includes completing the financing for the ITSF project as well as developing markets for the facility when complete.

2. Marketing and Public Relations

This includes updating the website, along with improving marketing through Facebook and Yelp!

3. Review Port Agreements

This includes reviewing Moorage License agreements for all facilities for completeness, strengthen enforceability of moorage and storage agreements and reviewing agreements for environmental policy.

4. Financial Strength

This includes better defining of profit centers, reviewing contracted services for best value, determining how much Port is making/losing in a given area, and identifying strengths and liabilities.

5. Review Capital Plan & Priorities

In particular, moving the repair of the Rogue sea wall up on the priority list.

6. Port of Newport Administrative Office

This includes exploring options for building a new structure and looking at South Beach Annex as a potential location.

7. Store Out of Date Gear to Make Room for Gear in Use

This includes looking at both the International Terminal and the North Commercial lot for out of date gear or unusable materials.

8. Security Cameras

This includes installing additional cameras in the South Beach parking lot and Multi-Use areas.

9. Convene Commercial Fishing Users Group Committee

Start meetings for the newly established advisory committee.

10. Annex Revamp

This includes looking at the cost and feasibility of updating the Annex or using it for another purpose, perhaps as a location for the Port office.

11. Rate Survey for Services and Equipment

This includes looking at fees at the International Terminal and Commercial Marina, considering public facility vs. private rental fees, making sure we are charging appropriately and for all areas where charges would be applicable.

12. Emergency Response Plans

This includes reviewing and/or establishing emergency response plans for major events and determining responsibilities for the Port and Port Lessees.

13. Increase Communication with TCB

This includes providing the Commission with reports on safety related issues via daily reports, a monthly summary of TCB activities, and perhaps a Commission liaison with TCB.

14. Property Donations to the Port of Newport

This includes exploring the feasibility of soliciting and accepting property donations.

15. Review Facilities to Make Self-sustaining

This includes determining what it would take for each facility to break even on income/expenses.

16. Partner with Other Agencies

This includes looking at options for partnering with the City of Newport and/or others for training, maintenance and work sharing.

17. Continue Exploring a Landing Fee

This includes evaluating who and in what amount a landing fee may be assessed at the Commercial Hoist Dock.

18. Annual Training for Commission

Training to consider may include ethics, public records, SDAO.

19. Develop Criteria for Future Use of Remaining Port Property

This includes all remaining undeveloped parcels or re-vamp options.

20. Guidelines for Hoist Usage

This may include an on/off control allowing for PIN #s or key cards, posting “best practices” guidelines, and hoist safety training.

21. Contract Out Services

Services to consider may include cleaning and/or NCom forklift.

22. Succession Planning

This includes looking at future personnel needs at all facilities.

23. Monthly Reporting to Commission of RV Park Customer Feedback

24. Consider & Cost Out Equipment Operation to lease out to Private Operator

25. Schedule Quarterly Meetings with Individual Commissioners and Operations to go over Port Overall Perspective from their POV

26. Set aside \$50K-\$100K at end of fiscal year for SB Projects

27. Consider GO bond to fund all Ncom repairs & dredging (2 - 5 year) and run by Users Group

28. Deepen Triangle/Prism for NOAA Dredging

29. **Ordinance Review Group with TCB & Commission**
30. **NCom inventory completed by Port Personnel to free up TCB to Focus on Safety Issues**
31. **Cross Training of All Jobs at the Port**
32. **Move NOAA MOC-P Port Supervisor into an Office Inside the NOAA Building**
33. **Maximize Insurance Discounts**
34. **SB Dock Replacement/Refurbishment Every 1 - 2 years**
35. **Evaluate Port Potential Liability re: Charter Boats, etc/Addl insured Port of Newport**
36. **Better Boat/RV Inventory, Inventory Management Program**
37. **Equipment and Facility Damage Recoupment Policy**
38. **SB Vision Part of 2017 Goal Setting as a Separate Category**
39. **Marine Science Community Growth Outreach**
This would include non-professional community involvement
40. **Rewrite Mission and Vision Statement**
41. **Update Strategic Business Plan**
42. **2 - 5 years - Bring new Revenue Producing Interest - Out of the Box**
43. **Utilize the YFP Property by Renting Space to Fishermen**
44. **Identify all Dredging Needs for the Port**
45. **NIT - Have Rates Equal for All Users**

Mission, Vision and Governing Values

A. Mission Statement

Build and maintain waterfront facilities, and promote projects and programs in cooperation with other community organizations and businesses that will retain and create new jobs and increase community economic development.

B. Vision Statement

The Port of Newport will serve as the premier Oregon coast port for the commercial fishing fleets, for recreational fishing and tourism, and for ocean observation and marine research support. We will be one of the top two Oregon coast ports for waterborne commerce while protecting and enhancing the beauty and integrity of the natural environment which is the foundation of our working waterfront community.

C. Governing Values

- 1) **Leadership.** The Port of Newport accepts **responsibility** for taking the lead role on behalf of the citizens of the Port District in actively pursuing **economic progress**, which we believe means building and maintaining an economically diverse and thriving community that is resilient in its ability to respond positively to changing conditions and circumstances.
- 2) **Service.** Our business is public service – to the commercial and recreational fishing fleets, to the tourist and marine industries, to our lessees and visitors, and to the citizens of the Port District. Our intent is to strive constantly for **quality** in all the services we provide.
- 3) **Collaboration.** We pursue and maintain mutually supportive partnerships with our neighbors, including the private sector and local, state and federal government agencies. In the Port’s experience, the greater Newport community owes a significant part of its success to the foundational belief of governments and citizens alike to work with determination toward common goals in a spirit of mutual respect and cooperation.
- 4) **Accountability.** The Port serves as a steward of public resources. We manage our properties in a responsible manner, and support our personnel – our human resources – through regular feedback and evaluations designed to improve competence and performance.
- 5) **Sustainability.** The Port recognizes that we must manage the resources of the built environment and the natural environment in a manner that does not compromise the ability of future generations to meet their needs. To that end, we will maintain our capital facilities in working order, we will manage the funds entrusted to us wisely, prudently and ethically, and we will maintain policies that guide us in helping nurture a healthy estuary that is the foundation of our working waterfront.
- 6) **Optimism.** We have confidence in the importance of our mission, and in our ability to overcome obstacles, seize opportunities, and pursue our vision through steadfastness of purpose, awareness of our core values, and persistent focus on achievement.

Port of Newport Commission Goals for 2017
 Goal Matrix by Oregon Administrative Rule for Port Strategic Business Plans
 Adopted Feb. 28, 2017

Overall Rank	GOAL	FINANCIAL	CAPITAL & MAINTENANCE	MANAGEMENT	ENVIRONMENTAL	MARKETING
1	Fund ITSF	1				
2	Marketing & Public Relations					1
3	Review MLAs and Agreements			1		
4	Financial Strength	2				
5	Review Capital Priorities/Rogue Sea Wall		1			
6	Port of Newport Office			2		
7	Store out of date gear/make room for gear in use			3		
8	Security Cameras			4		
9	Convene Commercial Users Group			5		
10	Rate Survey for Services & Equipment	3		6		
11	Annex Revamp		2			
12	Emergency Response Plans			7	1	
13	Increase Communication with TCB			8		
14	Property Donations to the Port	4				
15	Review Facilities to make Self-sustaining		3			
16	Partner with other Agencies			9		2
17	Continue Exploring a Landing Fee	5				
18	Annual Training for Commission			10		
19	Criteria for Future Use of Port Property		4			3
20	Guidelines for Hoist Usage			11		
21	Contract out Services	6				
22	Succession Planning			12		
23	RV Park Feedback report to Commission monthly			13		4
24	Consider and cost out Equipment lease to private operator	7				
25	Schedule Quarterly Meetings with Individual Commissioners and Operations to go over Port Overall Perspective from their POV			14		
26	Set aside \$50K-\$100K at end of fiscal year for SB Projects	8				
27	Consider GO bond to fund all Nicoma repairs & dredging (2 - 5 year) and run by Users Group	9				
28	Deepen Triangle/Prism for NOAA Dredging		5		2	
29	Ordinance Review Group with TCB & Commission			15		
30	NCom inventory completed by Port Personnel to free up TCB to Focus on Safety Issues	10		16		
31	Cross Training of All Jobs at the Port			17		
32	Move NOAA MOC-P Port Supervisor into an Office Inside the NOAA Building			18		
33	Maximize Insurance Discounts	11				
34	SB Dock Replacement/Refurbishment Every 1 - 2 years		6			
35	Evaluate Port Potential Liability re: Charter Boats, etc./Addl insured Port of Newport	12		19		
36	Better Boat/RV Inventory, Inventory Management Program	13				
37	Equipment and Facility Damage Recoupment Policy		7			
38	SB Vision Part of 2017 Goal Setting as a Separate Category			20		
39	Marine Science Community Growth Outreach					5
40	Rewrite Mission and Vision Statement			21		

Port of Newport Commission Goals for 2017
 Goal Matrix by Oregon Administrative Rule for Port Strategic Business Plans
 Adopted Feb. 28, 2017

Overall Rank	GOAL	FINANCIAL	CAPITAL & MAINTENANCE	MANAGEMENT	ENVIRONMENTAL	MARKETING
41	Update Strategic Business Plan			22		
42	2 - 5 years - Bring new Revenue Producing Interest - Out of the Box					6
43	Utilize the YFP Property by Renting Space to Fishermen	14		23		
44	Identify all Dredging Needs for the Port		8		3	
45	NIT - Have Rates Equal for All Users	15		24		

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

A RESOLUTION SETTING RATES, FEES, AND CHARGES

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

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

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

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

THE PORT OF NEWPORT BOARD OF COMMISSIONERS RESOLVES AS FOLLOWS:

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

	OLD	NEW	+/-
A. <u>Forklift</u> . In addition to labor rate.			
1. Small. Toyotas.			
a. Per hour	\$11.33	\$11.67	3%
b. Minimum charge.....	\$ 7.21	\$8.75743	21 3%
2. Large. All at International Terminal (IT).			
a. Per hour	\$28.33	\$29.18	3%
b. Minimum charge.....	\$17.00	\$21.894754293	29 3%
B. <u>Hoist Dock</u> . Tie up fee, per hour. Includes use of hoist.			
1. One hour minimum, up to 3 hrs.	\$37.34	\$38.46	3%
2. After 3 hours.	\$44.29	\$45.62	3%
C. <u>Hoist Dock Cranes</u> . In addition to hoist dock rate.			
1. Large Capacity. In addition to labor rate.			
a. Per hour	\$39.66	\$40.85	3%
b. Minimum charge.....	\$30.64	\$30.643456	03 3%
2. Launch Sail Boats. Includes recovery, per launch....	\$42.49	\$43.76	3%
D. <u>Service Docks</u> .			
1. Swede's. In addition to moorage. daily moorage rate		same	
E. <u>City Water</u> at city's rate		same	
F. <u>Fuel Surcharge</u> . International Terminal only. Per gallon	\$ 0.031	\$0.032	3%
G. <u>Electricity</u> . Swede's Dock, Dock 1, and IT. Per day charge.			
1. 208/220 v, single phase & 208 v three phase.....	\$15.19	\$15.65	3%
2. 120v. IT.....	\$ 6.44	\$6.63	3%
3. PD 7 Service Dock, 110v pumps.....	\$ 6.44	\$6.63	3%
4. PD 7 Yard Charge, trucks	\$11.59	\$11.94	3%
H. <u>Hydraulic Crane</u> . In addition to labor rate. 30 ton capacity,			
per hour, min 1 hr.	\$132.61	\$136.59	3%

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

I.	<u>Pump/Line Service.</u> Includes one Port employee only. Additional staff required will be billed at the established hourly labor rate. Per hour	\$58.45	\$56.08	3%
J.	<u>Storage.</u>			
	1. Outside Lot Storage			
	a. Per square foot, daily rate	\$ 0.010	\$0.011	10%
	b. Per square foot, monthly charge	\$0.216	\$0.222	3%
	c. Minimum monthly charge	\$21.63	\$22.95	3%
	d. Boat trailer only, per night	\$ 2.16	\$2.22	3%
	e. Boat on trailer, per night, 10 days limit	\$ 7.42	\$7.64	3%
	2. Emergency Storage Fee. Per day billed as guest. For vehicles, boats or trailers prior to being considered unclaimed property in possession (ORS 98.245) Charge for improper use of parking lot (i.e. boat repair)	\$21.63	\$22.28	3%
K.	<u>Gear Work.</u> Boat crew is responsible for clean-up. If Port Employees are required to clean up area, the boat account will be billed at the established hourly labor rate.			
	1. Commercial Marina, per day	\$18.80	\$19.36	3%
	2. Terminal Lot, per day. Short term use only. Deep-draft cargo has priority	\$18.80	\$19.36	3%
	3. South Beach Marina, per day	\$18.80	\$19.36	3%
L.	<u>Work Barge.</u> In addition to labor rate.			
	1. Work Boat, per hour. Licensed captain extra.....	\$124.63	\$128.37	3%
	2. Wood Barge, per day (work boat extra).....	\$23.69	\$24.40	3%
	3. Skiff, per hour	\$13.39	\$13.79	3%
M.	<u>Clean-up.</u> Fees will be charged for each man-hour at the established labor. Equipment charges are extra			
	1. Oil Spills, per hour.....	\$92.70	\$95.48	3%
N.	<u>Disposal Fees.</u>			
	1. Just Oil, per gallon	\$ 0.300	\$0.530970% 3%	
	2. Oil-Water Mix, per gallon.....	\$ 0.760	\$0.978329% 3%	
	3. Net Disposal and/or Related Gear, per pound.....	\$ 0.165	\$0.170	3%
	4. Garbage, per pound.....	\$ 0.113	\$0.116	3%
O.	<u>Port Labor.</u> Includes administration staff and fully burdened.			
	1. Per hour; 3/4 hour minimum, in 15 min. increments .	\$50.50	\$51.65	2%
	2. Overtime. Any services required outside the established working hours, unless otherwise posted, will be charged at one and one-half times (1.5) the normal rate for labor. Per hour, 1 hour minimum	\$75.75	\$77.48	2%
	3. Emergency Call-out. Any services requiring a port employee not currently on duty to report to duty after hours, will be charged at twice (2.0) the normal rate for labor. Per hour	\$100.94	\$103.30	2%
P.	<u>Pallet Charge.</u> Any Port owned pallet leaving yard, each.....	\$ 5.46	\$5.62	3%
Q.	<u>Dredge Spoils.</u> Includes state fees; may be waived for other public agencies or beneficial uses. Per cubic yard.	\$ 2.00	\$2.00	0%
R.	<u>Keys/Cards.</u>			
	1. South Beach Facilities. Cards.			
	a. Original/first two	free	free	n/a

Commented [KH2]: Per Bill H., at South Beach, they are currently charging \$6.50 per night for boat and trailer, and \$2.00 per night for boat only.

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

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

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

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

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

Commented [KG3]: Did this use to be May?

Commented [KH4R3]: Yes, This was an earlier discussion, including Kevin Bryant, about the best time to change the license in consideration of fishing seasons

Commented [KH5]: Zerr to review

Commented [KG6]: Look at frozen seafood product rate. Zerr.

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

Commented [KH7]: Zerr to review

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

	OLD	NEW	+/-
A. <u>Moorage.</u> Per linear foot.			
1. Daily.....	\$ 0.64	\$0.66	3%
2. Weekly.....	\$ 3.82	\$3.93	3%
3. Calendar Month	\$ 9.79	\$10.08	3%
4. Semi-Annual	\$36.04	\$37.12	3%
5. Annual	\$57.02	\$58.73	3%
6. Live aboard. Monthly rate by agreement only.			
a. First person	\$49.95	\$51.45	3%
b. Each Additional	\$43.26	\$44.56	3%
c. Electrical Surcharge, per extra plug on dock	\$30.90	\$31.83	3%
B. <u>South Beach Charter Rates.</u>			
1. Annual Moorage, per linear foot (PONFC)	\$44.92	\$46.72	4%
2. Charter License	\$300.00	\$300.00	0%
C. <u>Dock Box.</u> Following Harbormaster specs	\$309.00	\$318.27	3%
D. <u>Electrical Upgrade.</u> From 20 to 30 amp. One-time.....	\$53.05	\$54.64	3%
E. <u>Line Replacement.</u> Per foot, per time	\$ 1.00	\$ 1.00	0%
F. <u>Launch Fee.</u>			
1. Daily.....	\$ 6.00	\$6.00	0%
2. Annual			
a. Resident.....	\$5560.00	\$6565.00	18% 0%
b. Resident Senior.....	\$505.00	\$609.00	20 4 0%
c. Non-resident	\$7589.00	\$806.00	7%

Commented [KH8]: Newport is under market on live aboard rates
Bill is researching

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

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

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Commented [KG9]: Do we add the same surcharge for all camping levels/areas?

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Commented [KG10]: Would it help to include the "new" rate with the tax? I'm assuming the daily rate – with tax – would be \$44.50 + 3%?

Commented [KH11R10]: I would not recommend it, since tax rates can change. Maybe just a statement about current tax rates.

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	3. Dry Camping.....	\$20.50	\$21.11	3%
	4. Seafood & Wine Surcharge, per night (2 night min.)			
	i. Added to all RV Park stays including Dry Camping	\$6.00	\$6.00	0%
G-D.	<u>Pet Fee.</u> Charged additionally.			
	1. Daily. First pet free; each additional	\$ 2.00	\$2.00	0%
	2. Weekly. First pet free; each additional	\$10.00	\$10.00	0%
	3. Monthly. Charged per pet including first.....	\$10.00	\$10.00	0%
D-E.	<u>Individual Fee.</u> First two people free; each additional person charged.			
	1. Daily.....	\$ 2.00	\$2.00	0%
	2. Weekly.....	\$10.00	\$10.00	0%
	3. Monthly.....	\$30.00	\$30.00	0%
E-F.	<u>Vehicle Fee.</u> Any combination of three axle pieces of equipment (i.e. trailer, fifth wheel, truck/car, storage trailer). Charged for fourth piece.			
	1. Daily.....	\$ 2.00	\$7.00	250%
	2. Weekly.....	\$10.00	\$15.00	50%
	3. Monthly.....	\$30.00	\$35.00	176.6%
F-G.	<u>Reservation Deposit.</u> Payable at booking. Deposit will be applied to actual stay, subject to cancellation fee if applicable.			
	1. Daily and Weekly	1 st night's rate	same	
	2. Monthly.....	1 st month's rate	same	
G-H.	<u>Cancellation Fee.</u>			
	1. Daily or weekly reservation, non-holiday.			
	a. 72 hours or more before check-in date.....	\$10.00	\$10.00	0%
	b. Less than 72 hours before check in date. 1 st night's rate		same	
	2. Daily or weekly reservation, holiday.			
	a. 14 days or more before check-in date	\$10.00	\$10.00	0%
	b. Fewer than 14 days before check-in date 1 st night's rate		same	
	3. Monthly reservations.			
	a. 30 days or more before check-in date.	---	\$50.00	n/a
	b. Less than 30 days before check-in, <u>or early check-out per months reserved</u>	---	\$100.00	n/a
H-I.	<u>Service Fee Reimbursement.</u> For electric pedestal amperage overloads <u>physical damage</u> . First service call included in base rate. All other service reimbursements may be charged at actual cost to port.....	\$79.00	\$79.00	0%
I-J.	<u>Laundry Machines.</u> per load.	\$ 2.00	\$2.00	0%
J-K.	<u>Process Fees.</u> Any additional fees incurred by the Port as part of an eviction process.			
	1. Notice.	\$50.00	\$50.00	0%
	2. FED Complaint.	\$200.00	\$200.00	0%
	3. Court Hearing	\$165.00	\$165.00	0%
	4. Writ of Execution.....	\$140.00	\$140.00	0%

Commented [KG12]: Should this simply be called a "high traffic surcharge"? Should we apply this rate to all high traffic weekends?

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Commented [KG13]: This rate can't be increased with current washer/drier configuration.

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

	OLD	NEW	+/-
A. <u>Class A Violation</u>			

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

Commented [KH14]: Also add to the Facilities Code

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

A. Public Records Request Fee Schedule.				
1.	Copies of Public Records. Per Page	\$ 0.25	\$0.25	0%
2.	Copies of Sound Recordings	\$10.00	\$10.00	0%
3.	Copies of By-laws, Codes, Plans, bound documents	\$20.00	\$20.00	0%
4.	Copies of Nonstandard documents	\$20.00	\$20.00	0%
B. Research. Written request required. Hourly rate. ½-hr. min.				
		\$50.50	\$51.65	2%
C. Computer Time. Port operator. Hourly rate. ½-hr. min.				
		\$50.50	\$51.65	2%
D. Faxes/Emailing/Copies. Per Page				
1.	Local	\$ 1.00	\$1.00	0%
2.	Long Distance	\$ 1.50	\$1.50	0%
3.	Incoming	\$ 1.00	\$1.00	0%
4.	Copies	\$ 0.25	\$0.25	0%
E. Long Distance Phone Calls				
		\$ 2.00		
F. Lamination. Per Page, letter size				
		\$ 2.00	\$2.00	0%
G. Notice Posting. For non-payment of lease or moorage				
		\$62.00		
H. Failure to Register. For research related to unregistered boats				
		\$31.00	\$32.00	3%
I. South Beach Meeting Room. Must be pre-arranged and authorized. Keys must be obtained and returned. Certain waivers by met <u>by management</u>				
		\$75.00	\$75.00	0%
1.	Half day	--	\$40.00	
2.	Full day	\$75.00	\$80.00	7%
J. International Terminal Meeting Room. Must be pre-arranged and authorized.				
1.	Half day	--	\$30.00	n/a
2.	Full day	--	\$60.00	n/a

Commented [KH15]: Time limit?

Commented [KG16R15]: I'd say five minutes at most.

Commented [KH17]: Should we have G and H these correspond to labor rates?

Commented [KG18R17]: There is some additional time and paper. I'd simply add the 3% here.

Commented [KG19]: I'd add 3% here, too.

Commented [KH20]: It's not clear if its \$75 per time unit (morn, aft, even), or per day, or per however many days the same group uses the meeting room

Commented [KG21R20]: Do we waive this fee for groups?

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

Commented [KH22]: Still the same rate in the OARs

Section 8. Insurance Certificate Limits. Effective July 1, 2017. Additional coverages may be required based upon business type and Port's discretion. A certificate naming the Port as an additional insured in also required.

	OLD	NEW	+/-
A. <u>Leases/Tenants.</u>			
1. General Liability, Each Occurrence	\$2MM	\$2MM	0%
2. Damaged to Rented Premises (each occurrence).....	\$300K	\$300K	0%
3. Medical Expense (any one person).....	\$5K	\$5K	0%
4. Personal & Adverse Injury.....	\$2MM	\$2MM	0%
5. General Aggregate.....	\$2MM	\$2MM	0%
6. Products – Comp/Op Aggregate	\$2MM	\$2MM	0%
B. <u>Moorage/Vessels.</u>			
1. Commercial Vessels			
a. General Liability			
(1) Protection & Indemnity / Wreck Removal	\$250K		
(2) Pollution Coverage.....	\$300K		
(3) Combine Coverage / Wreck Removal	\$600K		
2. Recreational Vessels			

Commented [KH23]: This section does not look right to me. Although it's been formatted this way since 2014, I would think General Liability would be its own category at \$2MM, and the others would be separate categories rather than sub-category of GL

Commented [KG24R23]: Would it be clear that each category has to have GL?

Commented [KH25R23]: Will review with Mona from Servco

- a. General Liability
 - (1) Ocean Marine Liability / Wreck Removal.....\$300K
 - (2) Pollution Coverage.....\$300K
 - (3) or Watercraft Liability, specifically includes wreck removal and pollution. Umbrella clauses must identify boats exceeding 25 ft.....\$500K
- 3. Charter/Guide Vessels
 - a. General Liability \$1.7MM
- 4. International Terminal Vessels (Tariff No. 1(\$17))
 - a. Maritime Employer's Liability (Jones Act) \$1MM
 - b. Commercial and/or Comprehensive Marine General Liability..... \$5MM
- 5. NOAA Visiting Vessels
 - a. Commercial and/or Comprehensive Marine General Liability..... \$5MM
- b.C. Vendors (reserved)

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

Section 10. Delegation of Responsibility. The Commission delegates to General Manager _____ the

~~Walter Chuck
President~~

~~Patricia Patrick-Joling
Secretary/Treasurer~~

ability to adjust these rates on a temporary basis to better manage services at the Port of Newport. Any adjustments to these rates will be reported to the Commission at its next regular meeting.

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

~~Walter Chuck
President~~

~~Patricia Patrick-Joling
Secretary/Treasurer~~

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

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

ATTEST:

NEW BUSINESS AGENDA ITEM

DATE: *February 28, 2017*
RE: *Commercial Lease with Lincoln County Historical Society (LCHS)*
TO: *Port of Newport Board of Commissioners*
ISSUED BY: *General Manager*

BACKGROUND

The Port has had a number of leases with property owners on Bay Blvd. for providing parking for fishermen. Two years ago, the lease with Local Ocean Seafood Restaurant was terminated so that business could provide required parking for their business expansion. The Port currently has a lease with Port Dock Four Condominium and another with the Lincoln County Historical Society (LCHS). The LCHS lease appears to have first been signed in 2005 and renewed in 2006 with an automatic annual renewal. The Port pays \$1 per year for the lease which includes only the parking lot and none of the hillside.

On Super Bowl Sunday at 5:37pm, significant landslide occurred below the museum and pushed six trucks into one another and out onto Bay Blvd. The trucks were damaged and staff instructed potential claimants to talk to PayneWest, the Port's insurance carrier. The City of Newport assisted in clearing the lot and I directed the north commercial crew to barricade the lot until further notice. Approximately 21 fishermen parking spaces are located on the lease site.

After talking with Steve Wyatt, LCHS, we agreed to close off the site. In talking with John Russell at PayneWest, the Port does have earthquake/landslide coverage as part of our SDIS insurance. There is a \$5,000 deductible. The lease however includes an indemnity clause and insurance requirement. This has both short-term and potential future ramifications for the Port. As currently written, the Port is responsible for any material that sloughed onto our leased space. Newport Public Works assisted by removing material and re-rocking the lot.

PERMITTED VEHICLE LIABILITY

The Port does require fishermen to sign a waiver when they apply for a parking permit. The permit is not for a specific parking spot, but for general parking designated as permitted. The waiver language is as follows:

“Anyone parking/storing personal property at the port does so at his/her own risk. The port does not assume responsibility for loss or damage to any property within the port area. The owner/operator is responsible for any cost incurred in removal of the property.”

This language meets the requirement of the insurance company and because of it, SDAO has rejected at least two vehicle owner claims. One individual has come into the office expressing frustration on this point.

INDEMNITY PROTECTION WITH MUSEUM

In many ways the larger concern is with the ongoing concern with the stability of the hillside which is located outside our leasehold.

meets the requirement of the insurance company and because of it, SDAO has rejected at least two vehicle owner claims. One individual has come into the office expressing frustration on this point.

There are two questions that our insurance agent will need to answer. Does the current lease...

1. relieve the Port from removing hillside debris from the leasehold (parking lot)? (This would be in the case of the Port cancelling the lease after the leasehold is unusable for parking.)
2. require the museum to remove their debris from our leasehold? (This would be in the case of the Port still wanting to use the lot for parking, but not able/wanting to remove the debris for ongoing parking use.)

MOVING FORWARD

The Port wants to provide as much parking as possible, but it should be looking for opportunities to limit its risk. Spencer Rockwell has suggested two changes to the lease which has been shared with the Museum.

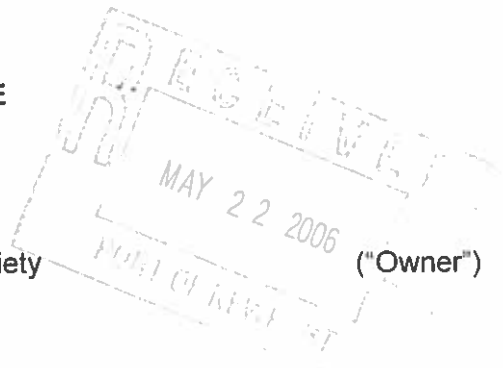
1. Under Section 7.3 LIABILITY INSURANCE remove "Such insurance shall cover all risks arising directly or indirectly out of Lessee's activities on or any condition of the Premises, whether or not related to an occurrence caused or contributed to the Owner's negligence." This would clarify that the insurance for the Port only covers the liability assumed under the agreement.
2. Adding language under 7.2.7 would help clarify that parties are not going to be responsible for issues caused by the other. Suggested language looks like: "Nothing in this agreement shall be construed to require parties to indemnify one another from each other's own conduct or negligence."

RECOMMENDATION

None at this time. We will continue to communicate with the Museum and our insurance carriers to find a solution. At this point the lot will stay closed until further notice.

-###-

COMMERCIAL LEASE



Date: June 1, 2006

Between: Lincoln County Historical Society ("Owner")
 545 S.W. 9th
 Newport, OR 97365

And: Port of Newport ("Lessee")
 600 S. E. Bay Boulevard
 Newport, OR 97365

Owner leases to Lessee, and Lessee leases from Owner, the real property described on Exhibit A, which is attached hereto and incorporated herein (the "Premises") on the terms and conditions set forth herein:

Section 1. Term

- 1.1 **Term.** The term of this Lease shall commence June 1, 2006, and terminate on May 31, 2007.
- 1.2 **Possession.** Lessee's right to possession and obligations under the Lease shall begin on the commencement date set forth in 1.1. above.
- 1.3 **Termination.** This Lease may be terminated, without cause, by either party upon thirty (30) days written notice to the other party at the address first set forth above.
- 1.4 **Renewal.** This Lease shall automatically renew each year for one year unless Owner notifies Lessee in writing thirty (30) days prior to the expiration date at the address first set forth.

Section 2. Rent

- 2.1 **Base Rent.** Lessee shall pay to Owner rent in the amount of One Dollar (\$1.00) per year. Rent shall be payable on the anniversary date of each year, in advance, at such place as may be designated by Owner.

Section 3. Premises Accepted "As Is." Lessee takes the premises "as is," in its current condition, and with all its faults. Owner has no obligation to make improvements of any kind to the Premises except as may be expressly provided herein.

Section 4. Use of the Premises

- 4.1 **Permitted Use.** The Premises shall be used for vehicle parking and for no other purpose without the consent of Owner.
- 4.2 **Restrictions on Use.** In connection with the use of the Premises, Lessee shall:
 - (1) Allow no overnight camping on the premises.

- (2) Conform to all applicable laws and regulations of any public authority affecting the Premises, and correct, at Lessee's own expense, any failure of compliance created through Lessee's fault or by reason of Lessee's use.
- (3) Refrain from any use that would be reasonably offensive to neighboring premises or that would tend to create a nuisance or damage the reputation of the Premises.
- (4) Not cause or suffer any waste or damage, disfigurement, or injury to the Premises.

4.3 Hazardous Substances. Lessee shall not cause or permit any Hazardous Substance to be spilled, leaked, disposed of, or otherwise released on or under the Premises. Lessee shall comply with all Environmental Laws and exercise the highest degree of care in the use, handling, and storage of Hazardous Substances and shall take all practicable measures to minimize the quantity and toxicity of Hazardous Substances used, handled, or stored on the Premises. Upon the expiration or termination of this Lease, Lessee shall remove all Hazardous Substances from the Premises. The term *Environmental Law* shall mean any federal, state, or local statute, regulation, or ordinance or any judicial or other governmental order pertaining to the protection of health, safety or the environment. The term *Hazardous Substance* shall mean any hazardous, toxic, infectious or radioactive substance, waste, and material as defined or listed by any Environmental Law and shall include, without limitation, petroleum oil and its fractions.

Section 5. Improvements, Repairs and Maintenance

5.1 Owner's Obligations. Owner shall have no obligation to improve, maintain or repair the Premises.

5.2 Lessee's Obligations. The following shall be the responsibility of Lessee:

- (1) Lessee shall make all improvements necessary to the Premises to make Premises suitable for Lessee's intended purpose.
- (2) Lessee shall maintain the Premises and all improvements made thereto in a clean, safe and sanitary condition.

5.3 Reimbursement for Repairs Assumed. If Lessee fails or refuses to make repairs or maintain the property as required by this Section 5, within ten (10) days after receiving written demand from Owner, Owner may make the repairs or provide for said maintenance and charge the actual costs to Lessee.

Section 6. Taxes; Utilities

- 6.1 **Property Taxes.** Owner is responsible for paying all real property taxes on the Premises. In addition, Owner shall pay as due all taxes on its personal property located on the Premises.
- 6.2 **Payment of Utilities Charges.** Lessee shall pay when due all charges for services and utilities incurred in connection with its use or occupancy, including water, gas, electricity, sewage disposal, garbage disposal and power.

Section 7. Liability and Indemnity

7.1 Liens

- (1) Except with respect to activities for which Owner is responsible, Lessee shall pay as due all claims for work done on and for services rendered or material furnished to the Premises, and shall keep the Premises free from any liens. If Lessee fails to pay any such claims or to discharge any lien, Owner may do so and collect the cost as additional rent. Any amount so added shall bear interest at the rate of nine percent (9%) per annum from the date expended by Owner and shall be payable on demand. Such action by Owner shall not constitute a waiver of any right or remedy which Owner may have on account of Lessee's default.
- (2) Lessee may withhold payment of any claim in connection with a good faith dispute over the obligation to pay as long as Owner's property interests are not jeopardized. If a lien is filed as a result of nonpayment, Lessee shall, within 10 days after knowledge of the filing, secure the discharge of the lien or deposit with Owner cash or sufficient corporate surety bond or other surety satisfactory to Owner in an amount sufficient to discharge the lien plus any costs, attorney fees, and other charges that could accrue as a result of a foreclosure or sale under the lien.

7.2 Indemnification. Lessee shall indemnify and hold Owner harmless against and from all liabilities, obligations, damages, penalties, claims, costs, charges, and expenses, including reasonable architect and attorney fees, that may be imposed on or incurred by or asserted against Owner by reason of any of the following occurrences:

- 7.2.1 Any work or thing done in, on, or about all or any part of the Premises by Lessee or any party other than Owner;
- 7.2.2 Any use, nonuse, possession, occupation, condition, operation, maintenance, or management of all or any part of the Premises or any adjacent alley, sidewalk, curb, vault, passageway, or space;
- 7.2.3 Any negligence on the part of Lessee or any of its agents, contractor, servants, employees, sublessees, licensees, or invitees;
- 7.2.4 Any accident, injury, or damage to any person or property

occurring in, on, or about the Premises; or

7.2.5 Any failure on the part of Lessee to perform or comply with any of the covenants, agreements, terms, provisions, conditions, or limitations contained in this Lease on its part to be performed or complied with.

7.2.6 In case any action or proceeding is brought against Owner by reason of any such claim, Lessee, upon written notice from Owner shall, at Lessee's expense, resist or defend such action or proceeding by counsel approved by Owner in writing, which approval shall not be unreasonably withheld.

7.3 Liability Insurance. Before going into possession of the Premises, Lessee shall procure and thereafter during the term of the Lease shall continue to carry the following insurance at Lessee's cost: comprehensive general liability insurance in a responsible company acceptable to Owner with single limit coverage of not less than One Million Dollars (\$1,000,000) for bodily injury and property damage liability, personal and advertising injury liability, and medical payments. Such insurance shall cover all risks arising directly or indirectly out of Lessee's activities on or any condition of the Premises, whether or not related to an occurrence caused or contributed to by Owner's negligence. Such insurance shall protect Lessee against the claims of Owner on account of the obligations assumed by Lessee hereunder, and shall name Owner as an additional insured. Certificates evidencing such insurance and bearing endorsements requiring 10 days' written notice to Owner prior to any change or cancellation shall be furnished to Owner prior to Lessee's occupancy of the Premises.

Section 8. Quiet Enjoyment; Mortgage Priority

8.1 Owner's Warranty. Owner warrants that it is the owner of the Premises and has the right to lease it.

8.2 Estoppel Certificate. Either party will, within 20 days after notice from the other, execute and deliver to the other party a certificate stating whether or not this Lease has been modified and is in full force and effect and specifying any modifications or alleged breaches by the other party. The certificate shall also state the amount of monthly base rent, the dates to which rent has been paid in advance, and the amount of any security deposit or prepaid rent. Failure to deliver the certificate within the specified time shall be conclusive upon the party from whom the certificate was requested that the Lease is in full force and effect and has not been modified except as represented in the notice requesting the certificate.

Section 9. Assignment and Subletting

9.1 Consent Required. No part of the Premises may be assigned, mortgaged, or subleased, nor may a right of use of any portion of the property be conferred on any third person by any other means, without the prior written consent of Owner.

Section 10. Default The following shall be events of default:

- 10.1 **Default in Rent.** Failure of Lessee to pay any rent or other charge within 10 days after it is due.
- 10.2 **Default in Other Covenants.** Failure of Lessee to comply with any term or condition or fulfill any obligation of the Lease (other than the payment of rent or other charges) within 20 days after written notice by Owner specifying the nature of the default with reasonable particularity. If the default is of such a nature that it cannot be completely remedied within the 20-day period, this provision shall be complied with if Lessee begins correction of the default within the 20-day period and thereafter proceeds with reasonable diligence and in good faith to effect the remedy as soon as practicable.

Section 11. Remedies on Default

- 11.1 **Termination.** In the event of default, the Lease may be terminated at the option of non-defaulting party by written notice to Lessee.
- 11.2 **Right to Sue More Than Once.** Owner may sue periodically to recover damages during the period corresponding to the remainder of the lease term, and no action for damages shall bar a later action for damages subsequently accruing.
- 11.3 **Owner's Right to Cure Defaults.** If Lessee fails to perform any obligation under this Lease, Owner shall have the option to do so after 30 days' written notice to Lessee. All of Owner's expenditures to correct the default shall be reimbursed by Lessee on demand with interest at the rate of nine percent (9%) per annum from the date of expenditure by Owner. Such action by Owner shall not waive any other remedies available to Owner because of the default.
- 11.4 **Remedies Cumulative.** The foregoing remedies shall be in addition to and shall not exclude any other remedy available to Owner under applicable law.

Section 12. Surrender at Expiration

- 12.1 **Condition of Premises.** Upon expiration of the Lease term or earlier termination on account of default, Lessee shall deliver the Premises in first-class condition.

Section 13. Miscellaneous

- 13.1 **Non-waiver.** Waiver by either party of strict performance of any provision of this Lease shall not be a waiver of or prejudice the party's right to require strict performance in the future of the same provision or of any other provision.
- 13.2 **Costs and Attorney Fees.** If suit or action is instituted in connection with any controversy arising out of this Lease, the prevailing party shall be

entitled to recover reasonable costs and attorney fees incurred at all stages of the proceedings, including, without limitation, at trial, on petition for review, and on appeal.

- 13.3 Notices.** Any notice required or permitted under this Lease shall be given when actually delivered or 48 hours after deposited in United States mail as certified mail addressed to the address first given in this Lease or to such other address as may be specified from time to time by either of the parties in writing.
- 13.4 Entire Agreement.** This Lease contains the entire agreement between the parties and, except as otherwise provided, can be changed, modified, amended, or terminated only by an instrument in writing executed by the parties. It is mutually acknowledged and agreed by Lessee and Owner that there are no verbal agreements, representations, warranties, or other understandings affecting this Lease.
- 13.5 Succession.** Subject to the above-stated limitations on transfer of Lessee's interest, this Lease shall be binding on and inure to the benefit of the parties and their respective successors and assigns.
- 13.6 Owner's Right of Entry.** Owner shall have the right to enter upon the Premises at any reasonable time to determine Lessee's compliance with this Lease, to make necessary repairs to the Premises or on the Premises as it may affect other property of Owner, to show the Premises to any prospective lessee or purchase, and to place and maintain upon the Premises notices for leasing or selling of the Premises.
- 13.7 Interest on Rent and Other Charges.** Any rent or other payment required of Lessee by this Lease shall, if not paid within 10 days after it is due, bear interest at the rate of nine percent (9%) per annum (but not in any event at a rate greater than the maximum rate of interest permitted by law) from the due date until paid.
- 13.8 Time of Essence.** Time is of the essence of the performance of each of Lessee's obligations under this Lease.
- 13.9 Invalidity of Particular Provisions.** If any term or provision of this Lease or the application of the Lease to any person or circumstances is, to any extent, invalid or unenforceable, the remainder of this Lease, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected, and each term provision of the Lease shall be valid and be enforced to the fullest extent permitted by law.
- 13.10 No Representations.** Lessee acknowledges that it has examined the Premises and that no representations, as to the condition of the Premises or its suitability for Lessee's purpose, have been made by Owner or any agent or person acting for Owner.
- 13.11 Applicable Law.** This Lease shall be governed by and construed in accordance with the laws of the state of Oregon.

OWNER:

Carol Jones, Pres.

Lincoln County Historical Society

LESSEE:

Don Mann

Port of Newport

By: Donald G. Mann

Title: General Manager

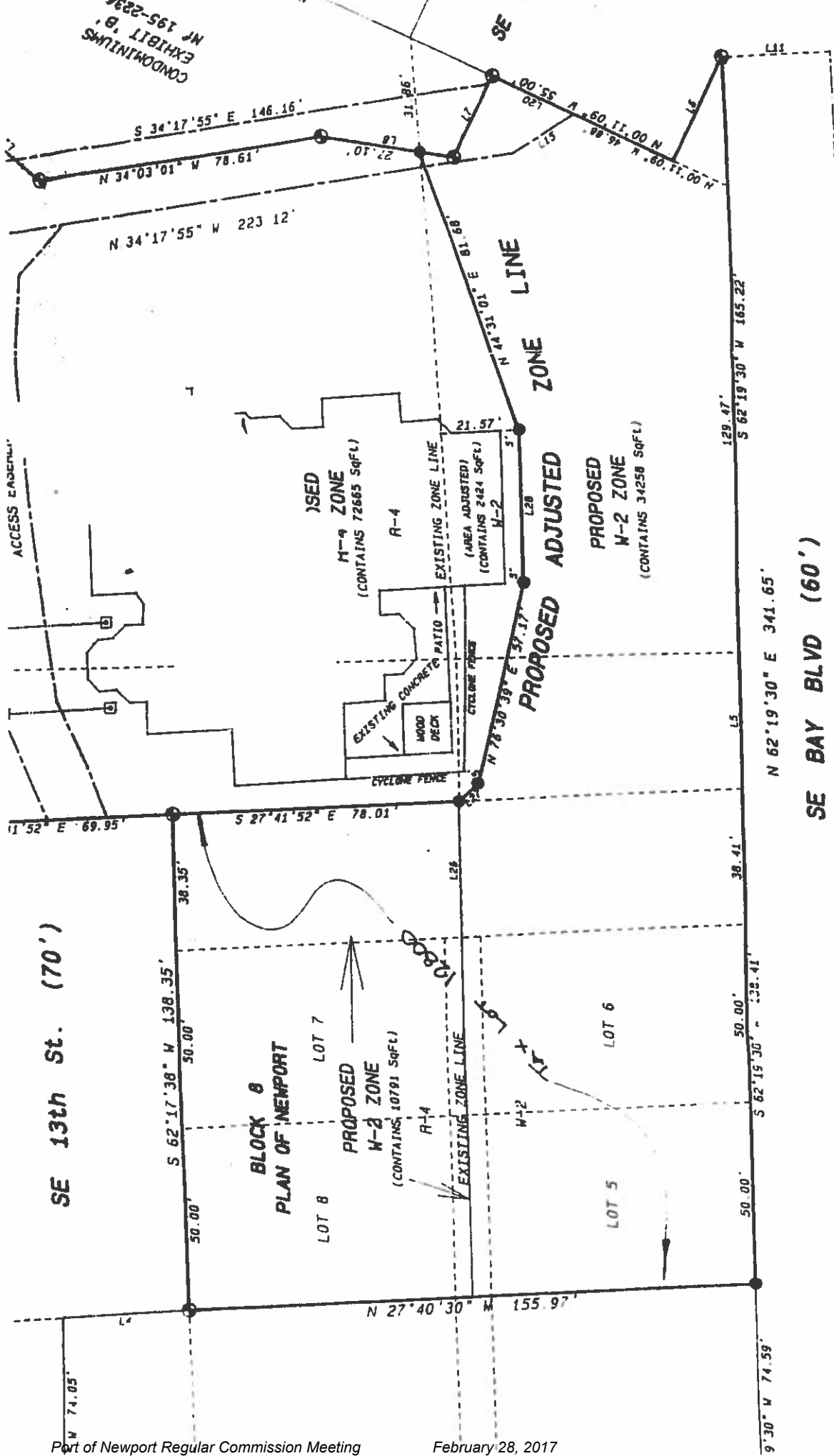
L:\LEASES\AGRMNTS\historical society parking lot.doc

EXHIBIT A

TAX LOT 12800

Beginning at the Southwesterly corner of Lot 5, Block 8, PLAN OF NEWPORT, located in the Northeast one-quarter of Section 8, Township 11 South, Range 11 West, Willamette Meridian in Lincoln County, Oregon; thence North $62^{\circ}19'30''$ East, along the Northerly Right of Way of Bay Boulevard to the Southerly Right of Way of Southeast 5th Street, a distance of 341.65 feet; thence South $89^{\circ}46'09''$ West, along said Southerly R/W to the Westerly line of OLSSON'S SECOND ADDITION, a distance of 31.72 feet; thence North $00^{\circ}11'09''$ West, along said Westerly line to the most Southerly corner of the "Smuggler's Cove Resort" tract, as described in Microfilm 195-2236, Lincoln County Film Records, a distance of 55.00 feet; thence South $89^{\circ}48'51''$ West, along the Southerly line of said tract, to the Southwesterly corner thereof, a distance of 25.00 feet; thence North $16^{\circ}09'07''$ West, along the Westerly line of said tract, a distance of 9.43 feet; thence South $44^{\circ}31'01''$ West, a distance of 81.68 feet; thence South $61^{\circ}41'30''$ West, a distance of 42.29 feet; thence South $76^{\circ}30'39''$ West, a distance of 57.17 feet; thence North $69^{\circ}39'28''$ West, to the centerline intersection of vacated Hill Street and the easterly extension of the vacated alley in Block 8, PLAN OF NEWPORT, a distance of 7.09 feet; thence North $27^{\circ}41'52''$ West, along the centerline of said vacated Hill Street to the Southerly Right of Way of Southwest 13th Street, a distance of 78.01 feet; thence South $62^{\circ}17'38''$ West, along said Southerly R/W to the Northwesterly corner of Lot 8, Block 8, PLAN OF NEWPORT, a distance of 138.35 feet; thence South $27^{\circ}40'30''$ East, along the Westerly lines of Lots 8 and 5, Block 8, a distance of 155.97 feet to the point of beginning.

CONDOMINIUMS
EXHIBIT B
NR 195-2294



SE 13th St. (70')

BLOCK 8
PLAN OF NEWPORT

SE BAY BLVD (60')

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

A RESOLUTION CREATING AN INTERNATIONAL TERMINAL USERS COMMITTEE

WHEREAS, the Port of Newport Board of Commissioners (“Commission”) adopted By-laws on May 22, 2014; and

WHEREAS, Section 6(f) gives the Commission authority to form committees; and

WHEREAS, Committees formed by the Commission shall conform to public meeting and records laws and Committee reports shall be given to the Commission on a monthly basis; and

WHEREAS, the Commission understands the evolving use of the International Terminal impacts commercial fishing, shipping, and other potential users of the facility; and

WHEREAS, the Commission feels that having a committee representing the interests of the potential users and related business partners to review and offer comment on various operational issues would be wise; and

WHEREAS, the Commission desires to form an ad hoc committee of International Terminal Users to aid the Board of Commissioners in reviewing the development of an Operations Plan for the International Terminal; NOW THEREFORE,

THE PORT OF NEWPORT BOARD OF COMMISSIONERS RESOLVES AS FOLLOWS:

Section 1. Purpose and Authority. To create an ad hoc committee that would review the development of the Operations Plan by port staff that will ultimately be approved by the Port of Newport Board of Commissioners. Topics to be reviewed, include:

- A. Transportation Plan
 - a. Parking
 - b. Traffic flow/volume/trucks/equipment
- B. Use of space
- C. Security
- D. Storage
- E. Scheduling
- F. Other Policies

Section 2. Membership. The Committee will be made up of 7 members and a quorum of 4 will be required to meet. Members will include:

- A. Port Commissioner
- B. Fishing Fleet representative who uses terminal
- C. Teevin Bros. representative
- D. ILWU representative
- E. Stevedore representative

- F. Lessee Representative
- G. Industry Support Services Representative
- H. Ex Officio non-voting members would include representatives from US Coast Guard, US Customs, TCB Security Services and other regulatory agencies.

Section 3. Staff. The NIT Facilities Supervisor will staff the committee and the Administrative Assistant will provide minutes. The port's management team, specifically the General Manager and Director of Operations, will also be available to the Committee for technical support. A facilitator may be used as well.

Section 4. Budgetary Implications. Staff anticipates two meetings with a third optional. Other meetings for other topics may arise from time to time. Material cost estimate is less than a \$100. Costs would come from the General Fund and are budgeted.

Section 5. Selection. The Port Commission delegates authority to Port Management to fill committee spots attempting to find individuals from each of the categories in Section 2.

Section 6. Meetings/Bylaws. The Committee will meet once a draft Operations Plan has been produced for committee review. The NIT Supervisor and Administrative Assistant will develop an agenda for the committee and the committee will select a Chair and Vice Chair from its membership. These meetings shall follow public meeting and record rules. The Committee shall create rules for the efficient use of time. Minutes of the committee will be included in the Commission's monthly board packet.

Section 7. Effective Date. Resolution shall take effect immediately.

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

ATTEST:

Walter Chuck, President

Patricia Patrick-Joling, Secretary/Treasurer

PORT OF NEWPORT
COMMERCIAL FISHING USERS GROUP COMMITTEE MINUTES

February 13, 2017
Initial Committee Meeting

I. CALL TO ORDER

Port Commission President Walter Chuck called the initial meeting of the Commercial Fishing Users Group Committee to order at 9:01 am at the OSU Extension Office, 1211 SE Bay Blvd, Newport, Oregon.

Committee Members Present: Mike Pettis (Pos. #2); Ted Gibson (Pos. #7); Gene Law (Pos. #8); Bob Aue (Pos. #9); Bob Eder (Pos. #10); Sara Skamser (Pos. #11); and Jeff Lackey (Pos. #12).

Committee Members Absent: Mark Newell (Pos. #3); Ernie Phillips (Pos. #4); Mark Cooper (Pos. #5); and Kaety Jacobson (Pos. #6). Position #1 is currently vacant.

Port Commission Liaison: Walter Chuck (Pos. #1), President

Management and Staff: Kevin Greenwood, General Manager; Pete Zerr, NIT Supervisor; and Karen Hewitt, Administrative Assistant.

Members of the Public and Media: David Jincks, F/V Sea Dawn; Steve Beck, Port of Newport Commissioner; Heather Mann, Midwater Trawlers' Cooperative.

II. INTRODUCTIONS

Chuck started with a statement of the purpose of the Committee, which was to provide guidance and recommendations to the Port of Newport Board of Commissioners on issues related to the commercial fishing docks and international terminal, port services and policies. Members present introduced themselves and their representation to the Committee.

III. ELECTION OF CHAIR/VICE CHAIR

Chuck asked for nominations for the Committee Chair. Eder nominated Skamser, seconded by Law. A vote was taken and Skamser was elected 7 – 0. Gibson nominated Eder as Vice Chair, seconded by Pettis. Eder said he expects to attend sporadically. A vote was taken and Eder was elected 7 – 0.

IV. REVIEW BINDER MATERIALS

Greenwood introduced the list of binder materials on the agenda. He asked that the Committee members bring their binders to each meeting. Port staff will send materials for future meetings electronically and will produce hard copies for the Committee members at the meetings. Greenwood advised that the Committee was formed according to Port By-Laws, and referred to the forming Resolutions in the binder. He also reviewed the contact information page included. Greenwood said that a representative for Port Dock 7 representative backed out. Pettis said he has 30+ years on Port Dock 7. Greenwood said the positions would see some overlap, but it was important to include a representative from each sector as future members may not have the same configuration. Greenwood reviewed Resolutions 2016-06 creating the Committee and Resolution 2016-10 amending the Committee. He said the positions would be four years, but the first terms would be staggered at 2 years and 4 years. At the end of a member's term, the General Manager will send an email asking if they would continue to serve. If not, then another representative would be appointed by the Port Commission. Greenwood said that Kent Gibson was absent due to illness today, but Gibson would be the main staff contact. The Director of Operations will also provide staff support for the Committee. The Director of Operations (DOO) position is currently open, but Jim Durkee is serving as interim DOO. Hewitt will either take minutes at the Committee meetings or provide someone to take minutes. Greenwood said the Committee could ask for additional staff support as needed. Greenwood asked that the Committee decide when they would meet. A consistent meeting date would allow for adequate preparation and noticing time. The Committee could form their by-laws as long as they were not counter to Port By-Laws and their forming Resolutions. By-laws could include the frequency of meetings, rules, how the Committee would be run,

etc. Greenwood acknowledged it would be difficult to get 100% attendance because of the fishing season. Skamser suggested meeting every other month. Greenwood reminded the Committee that a quorum would need to be present to hold an official meeting per public meeting law, and cautioned the Committee to avoid a “serial meeting.” Greenwood offered to spend time with Committee members who have not served on public boards to provide some guidance. Skamser proposed meeting on the second Monday every other month at 9:00 am beginning on March 13, 2017. Greenwood said a Special Meeting could be called by sending a request to Skamser, who would communicate with Hewitt to schedule.

The Committee also discussed the possibility of Committee members participating by phone. Jincks spoke to the public meeting requirements of meeting by phone. Greenwood suggested such a meeting could still be held in a public place with a speaker as long as the public had access.

Greenwood directed the Committee to the Capital Improvement List in the binder. He said the Port is responsible for its facilities. This list was comprised of items identified and prioritized internally by the facility managers. The list will be approved by the Board of Commissioners in May. This report was included so that the Committee was aware of the Port’s intentions. The ability to complete the projects was also determined by funding. On Port Dock 7, the electrical update has been completed, and the high-priority rebuild would require funding. Swede’s dock repairs were in progress. \$25K is budgeted; the income from Swede’s dock is approximately \$4K per year, based on moorage. The #3 hoist is a big ticket item. The Port Dock 5 Pier approach would be added this year, and would include approximately \$100K for permitting and engineering. The Port had approximately \$400K for capital projects for the entire Port last year. This does not include NOAA, which is a separate fund. Greenwood said Kent Gibson, North Commercial Harbormaster, has spent time working on a new Port Dock 7 design. The Committee could provide valuable input in the planning of this future project. This would be a big issue, especially if the Port is to accommodate larger vessels. There was some discussion about the electrical amperage needed at the Port Docks.

Eder asked if the Port was entirely responsible for the \$2MM for the Commercial Marina dredging. Chuck said yes, as the Army Corps only dredged the channel. Greenwood said that the Commission and staff reviewed priorities based on current information. For example, the Port Dock 5 rebuild was broken into smaller projects. Jincks said it had been more than 30 years since the Commercial Marina was dredged. The Port has been successful in keeping the area clean with replacing the breakwater. Gibson said that if Port Dock 7 were to accommodate larger boats additional dredging would be required. Pettis suggested adding caps to all pilings as they can help avoid damage to boats when the pilings are accidentally hit. Mann suggested contacting the Audubon Society for funding since the caps were to prevent birds from getting caught in an open piling. Skamser asked how much the hoist dock asphalt had cost; Greenwood said \$20K - \$30K. A full repaving of the lot would have cost \$300K - \$400K. Don Mann had previously applied for funding for this through Connect Oregon, but the award was not granted. The repair to the sinking area has approximately a 10 year life.

Skamser said there were other issues to address like parking. Chuck asked what the Committee would rank as a #1 priority. Skamser said they could come back to this at the March meeting. Law asked about the condition of the Port Dock 5 approach. Greenwood said OBEC estimated a 2 – 5 year life. Durkee is gathering information from facility managers and a priorities report will be submitted to the Commission next month. Greenwood said the laydown yard at the International Terminal has been a priority. Negotiations are ongoing, and financing is tenuous. Teevin may be bringing in private investors who would have access to the area in exchange. The Port cannot incur any more debt. Zerr said the fire water line loop was a city requirement. A secured area with controlled access was needed to meet Coast Guard regulations for NSTA regulated boats. Durkee said staff was looking into the options of renting or purchasing fencing. Eder expressed concern about the displacement of mid-water and distant water trawlers. Zerr said another Committee of Terminal Users would be discussing this. Eder suggested installing a second hoist at the east end of the IT dock. Jincks said this had been discussed during the design of the terminal and the recommendation was for a small crane rather than another hoist. Eder said a hoist would be better for users because of labor and staff availability when using a crane.

Greenwood referred to the rate Resolution in the binder. The Port Commission sets the rates, fees and charges for the Port. This Resolution has been in review since January, and is usually adopted in May or June. The Port tries to keep up with costs and expenses, and to have smaller increases each year rather than a large increase in a particular year. Skamser said the Committee could discuss this at the March meeting. Greenwood referred to the Facilities Code in the binder. He said this is the document that TCB Security follows and is reviewed and amended by the Port Commission. The final documents included in the binder are the Port Dock 5 pier approach report, port maps, and a Committee roster.

Skamser noted that the fees for forklift include equipment and labor charges. Greenwood said these fees had been split to help with setting policy. Skamser also said that as a lessee, there was some issue with getting complete invoices which caused confusion. Greenwood said there was an internal priority to enter service tickets in a timely manner. Eder suggested the ¾ hour minimum be reduced, since moving one or two pallets could take just a few minutes. Greenwood said there can be some degree of management discretion in issuing service tickets. He added the Port was making an effort to make procedure consistent for the Commercial Docks and International Terminal. Pettis said that the minimum charge could result in double billing for a service if a truck were delivering to several boats. Lackey requested that the Committee be added to the list of those receiving Commission Meeting information. Hewitt will add the Committee to the distribution list for agendas and meeting packets as a BCC. Greenwood explained that using BCC would avoid an inadvertent public meeting should the Committee members “reply all.”

Gibson asked who would be paying for damage due to the recent mudslide at the Port Dock 5 parking lot. Greenwood said the Port leased the lot owned by the Maritime Museum for \$1 per year. The lease includes an indemnity clause that makes the Port responsible for clearing what falls on the lot. Greenwood will be recommending to the Commission to end this lease in its current format. For vehicles with parking permits, the parking permit agreement includes language that absolves the Port of responsibility for damage. He has heard from several owners, and some are not happy with this. Beck advised that vehicle damage would be a comprehensive loss under the owner’s auto insurance. Their insurance company would evaluate the claim and subrogate if appropriate. Thankfully, there was no injury or loss of life. Greenwood said he is working with underwriters to update the language in the lot lease. In the short-term, the lot is closed. Skamser said she had sat in on the Museum meeting. She raised the possible alternate use of the crab docks, moving gear to make parking available at the Port Dock 7 lot. The City could be involved to get a real fix. Greenwood did thank the City for cleaning and gravelling the lot, which was in exchange for the Port lending a boat needed by the City. Greenwood also suggested considering the grassy area at Port Dock 7 and whether that could be used for parking or for storage of gear. Aue suggested the long term goal would be to pave the grassy area. Skamser asked if the Port Dock 5 plans included a bigger area for trucks to turn around, which Greenwood said were included in Option 3. Jincks said that any extension of the project beyond its current footprint would mean mitigation, which could be 1/3 of the project cost. In addition, the Yaquina Bay has not much mitigation area left. Greenwood asked the Committee to review pages 10 and 11 of the report, as he would like to see the Port complete planning and get the project “shovel ready” so that grants could be sought.

Skamser said she would like to set rates, Port Dock 5 ramp and short-term parking as the priorities for the meeting in March. Chuck said the Commission would also like feedback from the Committee on the priorities for the Commercial Marina. Port staff will email the facility managers project priorities to the Committee members. Lackey suggested that alternates be chosen for each representative to attend the meetings in the Committee members’ absences. Chuck said an issue with alternates would be consistency, but he understood it was not always possible for Committee members to attend the meetings. Jincks commented that usually if alternates would be used, each member would select their alternates who would need to attend a certain percentage of the meetings so they were aware of what had transpired. Skamser asked about the option of proxies, which Greenwood said was prohibited in the Port By-Laws. A suggestion was made to remove one member of the Committee so that six members would constitute a quorum, making it more likely a quorum will be present. Greenwood will call Kaety Jacobson of Sea Grant about the option of removing that Committee position, and he will recommend to the Commission that a provision be made for alternates. Any change would have to be made by Resolution of the Commission.

Prior to the next meeting, Skamser will meet with Kent Gibson and Greenwood to prepare an agenda.

V. ADJOURNMENT

Having no further business, the meeting adjourned at 10:45 am.

ATTESTED:

Sara Skamser, Chair

Bob Eder, Vice-Chair

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

A RESOLUTION CREATING A COMMERCIAL FISHING USERS GROUP COMMITTEE

WHEREAS, the Port of Newport Board of Commissioners (“Commission”) adopted By-laws on May 22, 2014; and

WHEREAS, Section 6(f) gives the Commission authority to form committees; and

WHEREAS, the Commercial Fishing Users Group Committee was formed by Resolution 2016-06 on July 26, 2016, and amended by Res. No. 2016-10; and

WHEREAS, the Commission wishes to change the represented groups and include a provision for alternates to the Committee to help ensure a quorum; NOW THEREFORE,

THE PORT OF NEWPORT BOARD OF COMMISSIONERS RESOLVES AS FOLLOWS:

Section 1. Purpose and Authority. To create a permanent committee that would provide guidance and recommendations to the Port of Newport Board of Commissioners on issues related to the commercial fishing docks and international terminal, port services and policies. Topics to be discussed, include:

- A. Capital Infrastructure
- B. Maintenance
- C. Security
- D. Rates/Fees
- E. Budget/Finances
- F. Other Policies

Section 2. Membership. The Committee will be made up of 11 members and a quorum of 6 will be required to meet. Positions 1, 3, 5, 7, 9, and 11, are two-year terms starting July 1, 2016. Positions 2, 4, 6, 8, and 10 are four-year terms starting July 1, 2016. One member of the Port Commission shall also serve as a non-voting ex officio member of the committee and another Commissioner named as alternate. All positions would renew for four-year terms. Members will be selected from the following sectors:

- A. Port Dock 7 moorage holder
- B. Port Dock 5 moorage holder
- C. Commercial Fish Buyer
- D. Limited Entry Seller
- E. Midwater Trawler
- F. Crabber
- G. Shrimper/Trawler
- H. Tuna/Salmon
- I. Longliner
- J. Industry Support Services

K. Distant Water Fishery

Section 3. Staff. The North Commercial Harbormaster will staff the committee and the Administrative Assistant will provide minutes. The port's management team, specifically the International Terminal Facility Manager and Directors, will also be available to the Committee for technical support. Staff support may be contracted to gain efficiencies.

Section 4. Budgetary Implications. First year annual labor cost estimate is \$5,720. Material cost estimate is \$1,200. Costs would come from the General Fund and are budgeted.

Section 5. Selection. The Port Commission delegates authority to Port Management to fill committee spots attempting to find individuals from each of the categories in Section 2. Sector representatives will select an alternate from their category for approval by the Port Commission. Subsequent appointments to the committee will be approved by the Port Commission.

Section 6. Meetings/Bylaws. The Committee will meet initially to determine a regular schedule. The Harbormaster and Administrative Assistant will develop an agenda for the committee based upon the guidelines determined by the committee and the committee will select a Chair and Vice Chair from its membership. These meetings shall follow public meeting and record rules. The Committee shall create by-laws for the efficient use of time and development of decisions. Minutes of the committee will be included in the Commission's monthly board packet.

Section 7. Effective Date. Resolution shall take effect immediately.

Section 12. Repealer. Resolutions 2016-06 and 2016-10 are hereby repealed.

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

ATTEST:

Walter Chuck, President

Patricia Patrick-Joling, Secretary/Treasurer

DIRECTOR OF FINANCE MONTHLY REPORT

DATE: 02/28/2017
PERIOD: February Board Meeting
TO: Port of Newport Commissioners
ISSUED BY: Stephen J. Larrabee

OVERVIEW

Financials:

January year to date financials are attached.

Finance Operations:

Budget season has started and the Finance team will be working closely with the Department Heads over the next few months to help complete the 2017-2018 budget.

The Finance team is working on a Request for Proposal (RFP) model for all of the Port's contracted services. The goal is to have the draft RFP model by the March Board meeting.

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

RV Park:

The RV Park Manager completed an analysis on charging a premium for certain high traffic weekends and events and the Port will implement the following fee schedule:

<u>Event</u>	<u>Premium Surcharge</u>	<u>Additional Revenue</u>
Seafood and Wine Fest	\$50 - 2 night minimum	\$24,000
Memorial Day, July 4 th , Labor Day	\$20 - 2 night minimum	\$9,000 per event

This will generate an additional \$51,000 annually for the Park and will be earmarked for special projects related to the RV Park.

The RV Park will also be charging a \$60 premium for the solar eclipse this year for the estimated 100 dry camp spots on a 3 day minimum which will bring in \$18,000 at full capacity.

RV PARK AND LIVE-ABOARD PRICE COMPARISON

RV PARKS	<i>REGULAR</i>	<i>GS DISC.</i>	<i>WEEKLY</i>	<i>WK GS</i>	<i>MONTHLY</i>
Port of Newport Marina RV	\$44.50	\$40.05	\$279.50	\$251.55	\$783.00
Tillamook/Pacific Campground	\$45.00				
Netarts Bay Garden Resort	\$35.00		\$210.00		\$425.00
Sea and Sand Depoe Bay	\$59.00				
Pacific Shores	\$80.00				
Sea Perch Resort Yachats	\$80.00				
Bandon by the Sea	\$42.00	\$37.80	\$226.00	\$203.40	\$375.00
Cannon Beach RV Resort	\$52.00		\$315.00		\$1,455.00
Winchester Bay RV Park	\$44.00		\$293.00		

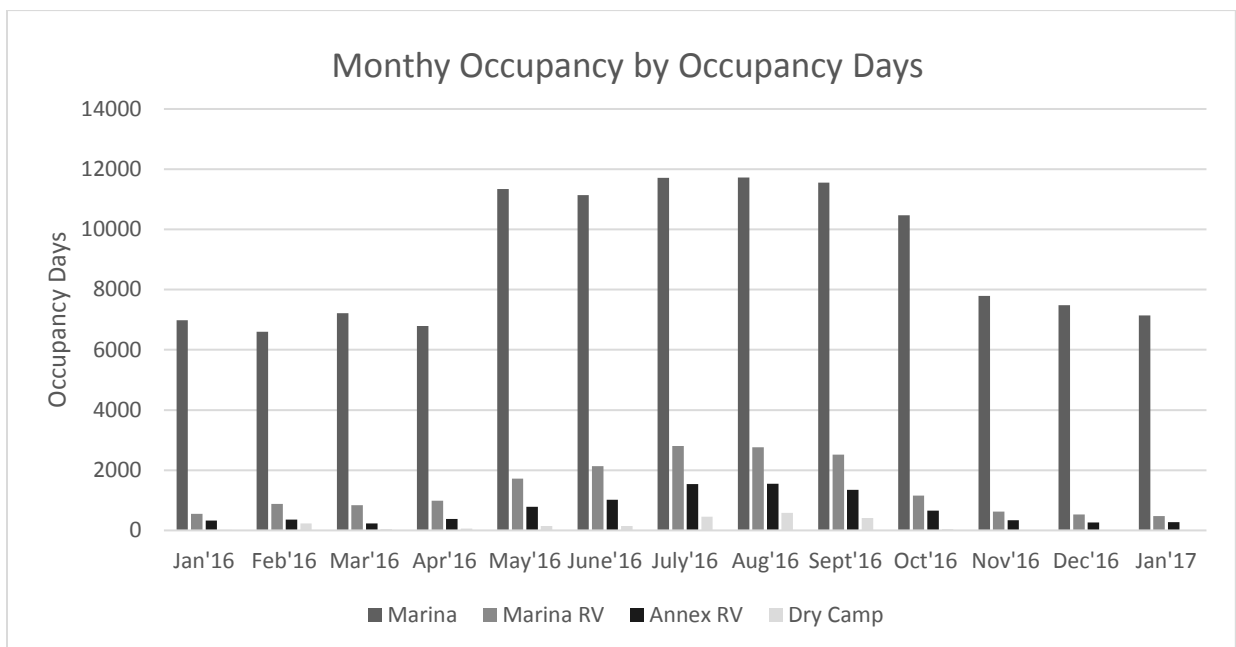
MARINAS	Live-Aboards
Port of Newport	\$49.95 1st person, \$43.26 for 2nd person
Port of Garibaldi	no live-aboards
Embarcadero	slip owners can live aboard, no surcharge
Coos Bay Charleston	no live-aboards
Winchester Bay/Salmon Harbor	no live-aboards
McKinleys Marina Waldport	no live-aboards
Port of Siuslaw	no live-aboards
Shilshole Marina Port of Seattle	104.00 month
Port of Townsend Washington	70.00 month
Port of Edmunds Washington	125.00 month plus metered electric

January 2017 Occupancy Report

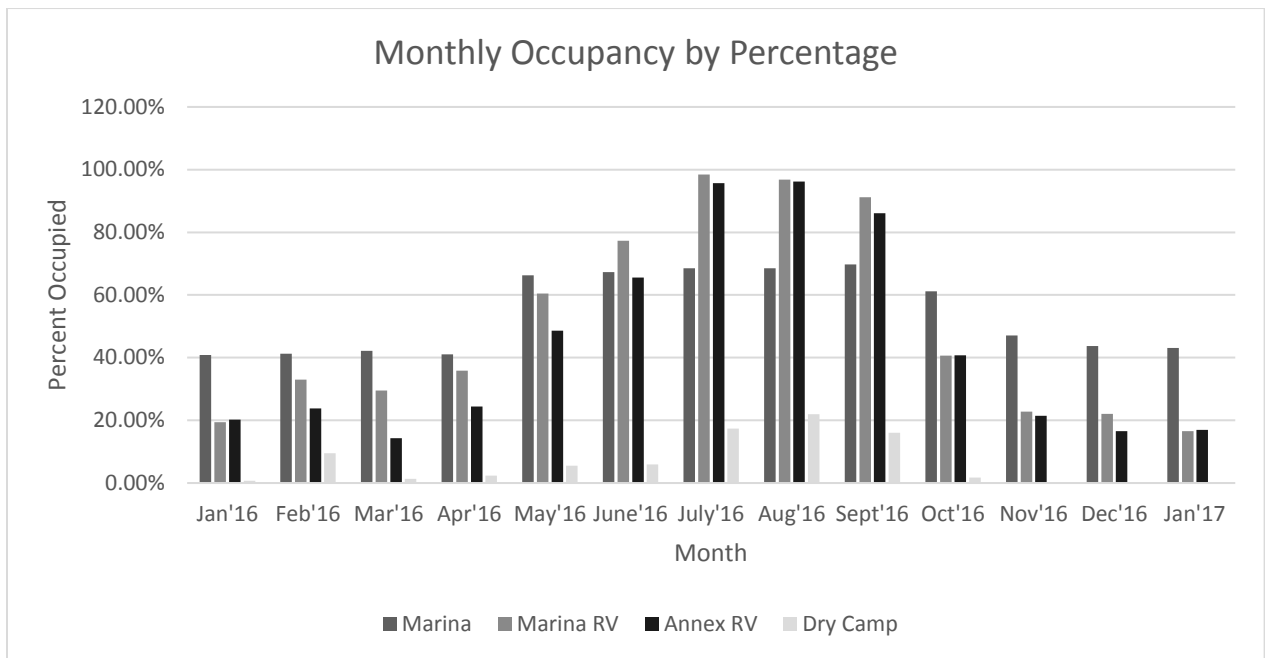
To: Port of Newport Board of Commissioners
 From: Bill Hewitt, South Beach Marina & RV Parks
 02/05/2017

The Marina’s numbers are ahead of last year. We have had a fair amount of new moorage sales and marina inquiries in January. The Marina RV Park and the Annex were down slightly from last year. We have had a lot of rain and cold weather, which hampered reservations. The Marina RV Park and the Annex RV Park are sold out for Seafood & Wine Festival, and we have a wait list. Dry Camp has spaces that will be sold when the event begins.

Jan-17	2016	2017	Change	YTD 2016	YTD 2017	Change
Marina	6985	7175	2.72%	6985	7144	2.72%
MarinaRV	553	472	-14.64%	553	474	-14.64%
AnnexRV	326	274	-15.95%	326	274	-15.95%
Dry Camp	20	6	-70.00%	20	6	-70.00%



Jan'17	2016	2017	Change	YTD 2016	YTD 2017	Change
Marina	40.82%	43.09%	2.27%	40.82%	43.09%	2.27%
Marina RV	19.39%	16.54%	-2.85%	19.39%	16.54%	-2.85%
Annex RV	20.22%	17.00%	-3.22%	20.22%	17.00%	-3.22%
Dry Camp	0.76%	0.23%	-0.53%	0.76%	0.23%	-0.53%



Total Spaces per Location:

Marina – 552

Marina RV – 92

Annex RV – 52

Dry Camp - 85



DIRECTOR OF OPERATIONS MONTHLY REPORT

DATE: 2/23/2017
PERIOD: Jan 2017 – Feb 2017
TO: Kevin Greenwood
ISSUED BY: Jim Durkee

OVERVIEW

Summary:

Billeter Marine LLC has completed dredging operations and Northwest Hydro should be in this week to complete a survey in front of the NOAA pier. Bergerson Construction has completed their portion of the PD5 project.

Detail:

- **NOAA MOC-P dredging:** Billeter Marine has completed dredge operations. Demobilization work remains and some finishing work on the South Beach dredge disposal site.
- **Permits:** Karen and I have been working with DSL to obtain additional Sand & Gravel permits that are required to collect royalties on state owned dredged materials from McClean Point and the South Beach dredge disposal sites.
- **Port Dock 5/7 Pile replacement:** Bergerson Construction Inc. has completed their portion of the PD5 and PD7 work and just have demobilization to complete.
- **Safety Committee:** Worked with the Safety Committee to develop a goal for this year. Last year's goal of formulation of the Safety Policy was completed. This year the committee intends to add to the training matrix that Rick Fuller developed and get it implemented.
- **Department Heads:** Worked with department heads to begin budget work. We have also been updating the Capital Improvements List. That list has been attached to this report. Note that this document is in progress and prioritization may change.
- **Forklift Rates:** I added a small table containing our costs to the rates comparisons and have attached that to this report.

International Terminal – Pete Zerr, Superintendent

Billable services:

- Forklift - 49.5hrs
- 30 Ton Hydraulic crane – 31hrs
- Moorage – 141 days
- Dock Tie Up – 146hrs
- Labor – 82.5hrs

Other

- Prepared for Terminal Operations master plan.
- Storm-water samples were taken.

N. Commercial docks – Kent Gibson, Harbor Master

Billable services: (estimated)

- Forklift – 157.25hrs
- Hoist crane – 11.25hrs
- Dock Tie Up – 271.25hrs
- Labor – 168.5hrs

Other

- After a late start to crab season, loading the fleet during the 72 hour setting period went exceptionally smoothly.

NOAA MOC-P – Jim Durkee, Facility Manager

- Worked on normal maintenance and continued covering Director of Operations position.
- Maintenance dredging operations completed and demobilization in progress.

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

Office Occupancy Admin Building – 63 Work Stations Total, 42 Occupied
Warehouse Bldg. – 23 Work Stations Total, 11 Occupied
Occupancy Rate – 62%

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

Billable services:

- Launch tickets:
241 passes sold this period.

Other

- Worked with chamber setting up Seafood & Wine festival's new layout in the multi-use lot.
- Installed fence separating dry camping area from old YBF buildings.
- Continued work on landscape in the Marina and the RV Park.
- Worked with Ducks Unlimited to set up a halibut fishing derby on the first halibut opener in May.

Capital Improvements List From Department Heads

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

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

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

3. RECREATIONAL MARINA & RV PARK

Priority	CFP Priority	Project	Current Cost	Reference document
S		Relocate RV SS dump site	\$12,000	FY17 request
S		Landscaping in Marina RV Park	\$30,000	
S		Install New Fillet Table Top of F-Dock	\$50,000	
S		Repair Service Dock	\$100,000	
S		Replace rip rap in SW corner of marina/fishing pier walkway	\$30,958	FY1516 REQ
N		Electrical Load Centers South Beach Marina	\$108,933	2013 CFP
N		Residing buildings in marina (south, central)	\$50,000	FY1516 REQ
N		Paint OPS building and marina store	\$10,319	FY1516 REQ
N		Picnic Bunker Rebuild	\$39,216	2013 CFP
		Landing Float Repair Bottom of A-Dock	\$50,000	
N		Wastewater Pump Station Replacement - South Beach	\$32,680	2013 CFP
N		New electrical pedestals	\$144,469	FY1516 REQ
N		Marina Dredging	\$2,924,712	2013 CFP
N		Reconstruction of Recreational Marina Docks	\$141,613	2013 CFP
N		Pavement Reconstruction/Seal Coating (all areas)	\$435,756	2013 CFP
L		Renovate RV Park Annex	\$300,000	2013 CFP
L		South Beach Marina Fuel Facility - Tank Replacement	\$228,759	2013 CFP
L		OSMB Service Dock Trail Connection	\$3,100,000	OSMB WAG
?		Oregon State Police dock (\$39,500 total assume \$20,000 fund from OSP)	\$20,000	FY17 request
SUBTOTAL			\$7,809,415	

4. OTHER FACILITIES

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

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

Forklift Rates Comparison

Port	Rate	Minimum	Labor	Total	Fk. Lift Size	Notes
Seattle	\$52.69	\$52.69	\$37.75	\$90.44	<6000	Seattle Offers Self Driving 1/2 Hour Minimum, \$26.35
Seattle	\$52.69	\$52.69	\$37.75	\$90.44	>6000	
Newport	\$28.33	\$17.00	\$50.50	\$78.83	>9000	
Coos Bay	\$78.50			\$78.50	<15000	No Labor Rate or Minimum Listed. Boatyard Rate
Crescent City	\$70.00	\$35.00		\$70.00	<9000	Labor Included 1/2 Hour Minimum
Newport	\$11.33	\$7.21	\$50.50	\$61.83	<9000	
Brookings	\$60.00	\$60.00		\$60.00	<6000	
Astoria	\$55.00		No Operat	\$55.00	<25000	No Operator
Siuslaw	\$50.00	\$25.00		\$50.00	<6000	Labor Included 1/2 Hour Minimum
Bellingham	\$40.00	\$10.00		\$40.00	<9000	W/O Operator \$20.00 per hour

Forklift Costs

Lease Rate	\$9.00	Per Hour	(includes tires)
Maintenance	\$3.25	Per Hour	
Fuel	\$5.50	Per Hour	
Labor	\$50.65	Per Hour	
Trade in Credit	-\$1.25	Per Hour	

Total: **\$67.15 Per Hour** Based on NIT 9,000lb lift and 750 hours per year.

GENERAL MANAGER MONTHLY REPORT

DATE: 2/28/2017
RE: February Regular Meeting
TO: Port of Newport Board of Commissioners
ISSUED BY: Kevin Greenwood, General Manager

ORS 777 HOUSING CLEANING BILLS

OPPA has spent that last few years conducting a review of ORS 777, the Principal Act of Ports in Oregon. There are four measures that were dropped in Salem HB 2899, 2900, 2901 and 2902. Summaries of the bill are included in your packet. HB 2902 has received some attention as it attempts to clarify that “operating” a boat yard – like in the case of the Port of Toledo – is an outright use by Ports. Fred Wahl operates a boat yard in Reedsport and is objecting to the clarification and the Reedsport City Manager has been attending several public meetings advocating against the measure. I have included a summary of the bill and the points we considered when OPPA decided to add this language. There may be some opposition to the measure from one or two ports, but OPPA believes that the bill will ultimately pass.

OTHER

- We have received 20 applications for Director of Operations. Deadline is March 3rd.
- Special election information is available on the County website. Position #2 and #4 are up this spring.
- Annual employee performance evaluations will begin in February.
- Facility Managers are working on prioritizing capital needs and reviewing rate structure in anticipation of budget cycle.
- The Port continues to receive public records requests and numerous emails directed to the Administrative Assistant and Board. The Port’s attorney has been made aware of the issue and has advised us on handling the public records request.
- Working with Spencer at City Hall to coordinate a tour of the Port in March.

PAST CALENDAR/MEETINGS

- Attended City Parks and Rec meeting as board member
- Attended County Commission meeting to listen to a presentation on unmanned, underwater rovers. The company is looking for County economic development grants to undertake a feasibility study for homeporting the rover. The company is called International Subsea Solution (ISS). The County may not be able to give the grant directly to ISS and may ask the Port to serve as an intermediary on the study.
- Invited to attend and participate in a regional effort convened by Rep. Gomberg and County Commissioner Doug Hunt to introduce a house bill to make “Maritime” an official industry sector. Workforce development is another component of the group.
- Attended and Chaired Yaquina Bay Economic Foundation (YBEF) meeting. Discussed NOAA Corps centennial and Seafood and Wine. x 2 (once in January, once in February)

- Met with Heather Mann at her office above Englund Marine to discuss presentation for commission meeting and generating approval for 50 jobs based upon the new terminal.
- Had a tour of the Toledo Boatyard with Bud Shoemake.
- Invited to present to the Regional Solutions Team (RST) Advisory Committee convened by Sen. Lee Beyers the Port's International Terminal Shipping Facility project. The RST has funds from the Governor's Office to invest in community projects.
- Phone conference with OPPA Legislative Committee to hear about upcoming bills.
- Met with South Beach crew to discuss operational issues. Lights outside RV Park Day Use Room will be fixed by next meeting!
- Had a meeting with Angi Bailey from Oregonians for Food and Shelter and Colin Cochran with Hilltop Public Solutions. Learned that they are heading up the opposition to the county measure this year to prohibit aerial spraying in Lincoln County. Public employees are prohibited from spending resources advocating for political positions. I suggested that they bring any materials to the next commission meeting and make their case known during public comment.
- Phone conference with NOAA Centennial Corps planning committee. Port will be placing centennial pennants along Marine Science Dr. NOAA is also looking for a relic that can be mounted in the center of the roundabout. The summer Albacore BBQ event may morph this year into a public celebration at MOC-P.
- Attended meeting at EDALC with Caroline Bauman and Oregon Business folks to discuss the Regionally Significant Industrial Area (RSIA) designation with Rondys. The RSIA is a marketing tool.
- Attended monthly Economic Development Alliance of Lincoln County (EDALC). Listened to reports on re-organization of Oregon Business, the county tourism committee is folding and opening up \$100,000 and we discussed using that money to fund community economic development projects.
- Meeting with Jim Myers to discuss summer special events on port property. Jim coordinates the Salmon Enchanted Evening and the Albacore Tuna Cook off.
- Attended breakfast meeting with the Mates volunteer group.
- Met with Mike Goff, TCB Security, about service contract. Need more consistent participation in admin meetings and better monthly reporting for board packets.
- Met with Spencer Nebel to discuss agenda and how meeting would be run for joint port/city work session.
- As a member of the Oregon Economic Development Association (OEDA) board, I listened to a legislative update on bills being introduced in Salem.
- Met with Commissioner Beck, Steve Larrabee and Jim Durkee to review cash flow scenarios at the terminal with shipping and fishing vessels variables. Report will be included in this board packet.
- Met with members of the management team to begin putting together a operations plan for the terminal, specifically when a shipping vessel is in port. Staff report to be included in this packet.
- Jim Durkee and I met with Chuck Toomb's group to explore a temporary boom system to pump bay water onto the YBFP site. Chuck has obtained land use services that could aid him in any permitting issues.
- Attended Special Districts Association of Oregon (SDAO) Conference in Portland.
- During Conference met with Hagan Moore, graphic designer for Rogue, and discussed mural progress.
- Attended first Commercial Fishing Users Group Committee meeting. Minutes attached in this packet.
- Met with Commissioner Lamerdin for update on port activities.
- Met with Chairman Chuck to discuss February agenda and port activities.

- Attended city sign meeting with Spencer Nebel, Derrick Tokos and Lance Beck to discuss Oregon Coast Aquarium plans for signage in South Beach. Passed along Commission decision from January.
- Met with Commissioners Patrick-Joling and Beck to discuss insurance/lease issues related to landslide.
- Met with Maritime Museum executive committee to listen to their plans for stabilizing the hillside. I informed them that the Port's insurance company is researching liability issues.
- Visited with Robert Kenta, Siletz Tribe Board Member and Cultural Resource Officer, at their facility in Siletz to discuss the Port's NEPA process related to the TIGER grant.
- Attended Yaquina Bay Managers get together, networking with other public managers on Yaquina Bay.
- Attended Port/City Work Session.
- Attended and Set up station at the HEC for the Vision2040 Open House. Big thank you to Commissioners Chuck and Patrick-Joling for taking a shift to meet and answer questions from the public. Mates also assisted.
- Attended monthly Department Head meeting.
- Met with staff, commission liaisons and Teevin regarding shipping facility.
- Attended Chamber Board of Directors meeting to discuss Seafood and Wine progress.
- Attended monthly Administration team meeting.
- Meeting with Jay Sennewald, OPRD Coast Resources Planner, to discuss jetty/sand issues related to federal dredging.

NEXT MONTH CALENDAR/MEETINGS

- Monthly South Beach Crew meeting.
- NOAA Centennial coordination meeting.
- Ports Day at Capitol in Salem. Have meetings scheduled with Rep. Gomberg, Sens. Roblan and Johnson. Quarterly Oregon Business Meeting and OPPA Meeting.
- Mates Volunteer monthly breakfast.
- Pacific NW Waterways Mission to Washington, DC.
- Department Head meeting.
- Meeting with Walter to review March agenda.
- Chamber Board Meeting.
- City Parks and Rec Meeting.
- Administration Staff Meeting.

-###-

HB 2902 – Authorizing ports to acquire, construct, maintain and operate shipyards

Issue Background

In the State of Oregon there are five ports along the coast that own shipyards. The Port of Toledo is one of those ports. ORS 777, the statute that governs ports provides them with broad authorities to promote the maritime shipping and commercial interests of the port.

The General Manager for the Port of Toledo, Bud Shoemake, worked for Fred Wahl Marine where he opened and managed the Toledo yard for 6 years before he was hired by the Port of Toledo as Port Manager in October 2004. Mr. Wahl shut down the yard in 2008 and advised the Port that he was only going to be building new boats in Reedsport and no longer providing maintenance on larger vessels in that region. He then lobbied the Port to purchase the boatyard. The Port of Toledo, through a public planning process and with strong community support as well as the support from the commercial, scientific, and recreational fleets, purchased the yard in 2010.

The yard was appraised at \$4.2 million. Mr. Wahl sold it to the port for \$1.5 million and a donation of the remaining value which he was able to deduct from his taxes. He also sold them additional operating equipment, and was well aware the Port would be reopening the boatyard. As part of the purchase agreement, the Port was required to enter into a consent agreement with DEQ to complete a brownfields cleanup of his DSL leased waterway for pollution around the drydock that came from his boatyard operations. The Port was able to secure funding through a combination of Business Oregon IFA programs to complete the cleanup, which cost over \$740,000.

As a result of the contamination by the previous owner DEQ made a recommendation for strict control of hazardous waste streams, water blasting, sandblasting and spray painting that can only be completed by Port staff. Additionally, there are certain maintenance tasks that only Port crews perform, these include hauling the vessels, blocking the vessels, forklift and crane services. Port crews also perform welding, plumbing and mechanical work.

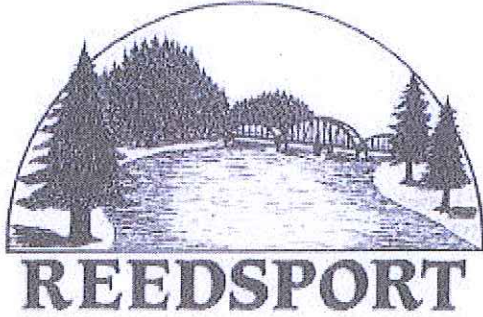
Importantly, the port also operates as an open yard thereby allowing 41 licensed and insured private marine businesses to be registered to conduct work at the yard. In the yard today, there are marine vendors who are doing welding and fabrication, electrical, mechanical, fiberglass, carpentry, plumbing, and rigging. The Toledo/Newport area is home to talented independent marine service vendors, and hopefully the Boatyard will provide them the facility and opportunity to grow their businesses, thereby creating jobs in their community.

The boatyard is critical for the retention of the commercial fishing, scientific, and recreational fleets of Yaquina Bay and Depoe Bay because it is the only one on the Yaquina system that is capable of hauling boats out of the water and is essential to the safety of the local fleets. It provides vital infrastructure to that region that is not otherwise available locally.

We have a high degree of confidence that there are sections of ORS 777 that grant Ports the broad authority necessary to operate boatyards and shipyards.

- The Ports of Astoria, Brookings, Port Orford, and Coos Bay all operate boatyards.
- Other examples where ports compete with the private sector include: marinas, fuel, RV parks, and leasing facilities to businesses to name a few.
- If a private owner is no longer willing to operate one of these facilities and there is no other private party willing to purchase the facility and continue to operate it, what is the impacted port supposed to do? They will have to operate the boatyard and this is what the Port of Toledo did.
- Mr. Wahl never signed a non-compete agreement with the port. He knew when he sold it to the port that they were going to operate the boatyard. In fact, he sold the port additional equipment to get them started.
- Mr. Wahl's assertion that he is at a competitive disadvantage with the Port of Toledo because it is publicly subsidized appears to be a hollow argument because his boat yard received a substantial ConnectOregon grant from the state.

If you have any questions please contact Mark Landauer with the Oregon Public Ports Association or Bud Shoemake, the General Manager of the Port of Toledo.



CITY of REEDSPORT

451 Winchester Avenue
Reedsport, OR 97467-1597
Phone (541) 271-3603
Fax (541) 271-2809

February 14, 2017

Dear Ports of Oregon,

I am writing regarding **House Bill 2902** as drafted by the Oregon Public Ports Association (OPPA). This bill would grant public ports the ability to compete with Oregon small businesses by operating shipyards. As you are hopefully aware, private shipyards make up a large part of the economy on the south coast of Oregon. This industry is directly responsible for the creation and maintenance of hundreds of family wage jobs and help support many other ancillary small businesses. Three such shipyards in Douglas County alone (Reedsport Machine, North River Boats and Fred Wahl Marine Construction), as well as half a dozen supporting businesses, would be directly impacted by this legislation if allowed to go forward as proposed.

Currently the language proposed by the OPPA states that ports would be allowed to:

“Acquire, construct, maintain and operate facilities for construction, repairing or maintaining any type of watercraft.”

The word, ***“operate”*** would set a precedent for Oregon Revised Statutes (ORS) 777.210 by changing the intent of this section. Currently the term is used to describe the types of facilities that can be developed and maintained in support of each port’s respective industries; however, this new provision would afford ports the ability to create businesses that will directly compete with the same. Granted no business can pick its competitors but, as special districts, ports have an advantage over private competitors with tax revenues, personal property tax exemptions and support organizations such the OPPA and Special Districts Association of Oregon (SDAO) all on their side.

There is no argument that ports play a valuable role in job creation and economic development in each respective region they serve but taking ports from supporting industries to becoming competing industries will only serve to harm existing Oregon small businesses. We respectfully request that your Port Commissioners review this matter and decide if the word “operate” should be included in this bill. If you agree that it should be removed, please contact the OPPA and your local legislative representative.

Sincerely,

(OVER)


Attachment

February 14, 2017


Linda McCollum, Mayor


Frank Barth Jr., City Councilor


DeeDee Murphy, City Councilor


Leslee Collier, City Councilor


Diane Essig, City Councilor


Rich Patten, City Councilor


Debby Turner, City Councilor

Ports of Oregon, February 13, 2017



February 17, 2017

Mayor McCollum and the Members of the Reedsport City Council
451 Winchester Avenue
Reedsport, OR 97467-1597

Mayor McCollum & Members of the Reedsport City Council:

I want to thank you for your letter dated February 14, 2017 regarding HB 2902 relating to port shipyard activities. The Oregon Public Ports Association (OPPA) represents all 23 public ports that exist in Oregon and we appreciate you sharing your views with us.

Over the last couple of years, the OPPA has undertaken a review of the statute, ORS 777, that governs public ports, with an eye to modernize and clarify the various roles, responsibilities and authorities that the legislature has granted ports over the years. We undertook this effort with the guidance, active consultation, and participation of attorneys with years of local government and port experience.

One of the issues that came up during this endeavor was that there was no explicit authority under the statute authorizing our member ports to “acquire, construct, maintain and operate shipyards.” Considering that five of our member ports already own this type of facility we thought it would make sense for us to update the statute with this language. As a result, we requested that legislation to be introduced resulting in HB 2902.

Our request for this clarification in statute is based on a great deal of confidence in our existing legal authority to undertake these activities. As you may not know, the port statute grants ports broad authorities to promote the maritime shipping and commercial interests of the port. And as I am sure you can agree the operation of these facilities not only promote maritime shipping but are critical to the local economy and essential to the safety and welfare of those who make a living on the ocean in that region.

It is my understanding that your letter of concern was prompted by Mr. Fred Wahl of Fred Wahl Marine. As you may be aware, Mr. Wahl closed the Toledo boatyard in 2008 leaving the Yaquina bay region, which includes Newport and Depoe Bay, without a large vessel haul out facility. At that time, Mr. Wahl lobbied the Port of Toledo to purchase the property as he stated that he would no longer be providing maintenance services from his Reedsport yard, and was only going to build new boats. The Port of Toledo, through a public planning process and with strong community support as well as the support from the commercial, scientific, and recreational fleets, purchased the yard in 2010. The Port of Toledo is the only boatyard in their region with the capability to haul vessels out of the water and is essential to the safety of the local fleets.

The port boatyard provides critical maritime infrastructure and is currently in the final stages of expansion, which will provide about 160 jobs to the local economy. The facility operates as an

open boatyard and there are currently 41 marine contractors registered to work in their yard. There is little doubt that those business owners and employees, as well as those who depend on them to maintain their vessels, would be considerably upset if the port were to no longer provide the services that they do.

Again, thank you for your letter of concern.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark J. Landauer', with a long horizontal line extending to the right.

Mark J. Landauer
Executive Director
Oregon Public Ports Association

House Bill 2902

Sponsored by Representative GOMBERG; Representative SMITH DB, Senators JOHNSON, ROBLAN (at the request of Oregon Public Ports Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure as introduced.

Authorizes ports to acquire, construct, maintain and operate shipyards.

A BILL FOR AN ACT

1
2 Relating to port shipyard activities; amending ORS 777.210.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 777.210 is amended to read:

5 777.210. A port may:

6 (1) Establish, operate and maintain water transportation lines in any of the navigable waters
7 of this state and waters tributary thereto, any portion of which may touch the boundaries of the
8 port.

9 (2) Engage generally in the business of buying and selling coal, fuel oil and all kinds of fuel for
10 watercraft of all kinds.

11 (3) Acquire, construct, maintain [*or*] **and** operate sea walls, jetties, piers, wharves, docks, boat
12 landings, warehouses, storehouses, elevators, grain bins, terminal icing plants, facilities for pro-
13 cessing agricultural, fish or meat products, bunkers, oil tanks, ferries, canals, locks, tidal basins,
14 bridges, subways, tramways, cableways, conveyors, power plants, power transmission lines, adminis-
15 tration buildings and fishing terminals, and modern appliances and buildings for the economical
16 handling, packing, storing and transportation of freight and handling of passenger traffic with full
17 power to lease and sell the same, together with the lands upon which they are situated, whether
18 held by the port in its governmental capacity or not.

19 (4) For the public convenience and the convenience of its shipping and commercial interests,
20 may improve all or any portion of the waterfront of its harbors, rivers and waterways.

21 (5) Enlarge its tidal area, and construct, excavate [*or*] **and** dredge canals and channels con-
22 necting its waterways with one another or with other waterways and the sea.

23 (6) Acquire, [*or*] construct, maintain [*or*] **and** operate airports anywhere within the port.

24 (7) Acquire, construct, maintain, operate, support, promote [*or*] **and** invest in facilities and re-
25 lated activities for the propagation of fish in accordance with the commercial fishing laws.

26 (8) **Acquire, construct, maintain and operate facilities for constructing, repairing or**
27 **maintaining any type of watercraft.**

28

NOTE: Matter in boldfaced type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in boldfaced type.

LC 3315

2017 Bills Introduced At the Request Of The OPPA

Below is a summary of the four bills introduced by the Oregon Public Ports Association

HB 2899 – This bill clarifies the authority of ports to enter into Intergovernmental Agreements as authorized under ORS 190. As you know, ORS 190 permits all types of governments to enter into agreements with other governments for a broad array of reasons. However, ORS 777.112 could be construed to limit a ports’ ability to enter into these types of agreements unless the agreement is for the “improvement or maintenance of the bays harbors and channels, shores and banks.” We would simply like to clarify that ports can enter into 190 agreements with other entities without what could be interpreted for very limited purposes.

HB 2900 - ORS 777.240 greatly limits what a port can advertise. Essentially the statute limits ports to advertising only their facilities and the commerce taking place at the port. We would like to expand the ability of ports to be able to advertise including activities of the port or activities of those using a port.

HB 2901 - Currently under ORS 777.116 a port can not purchase property without obtaining an appraisal from a disinterested state certified appraiser. If that appraisal exceeds \$500,000 the statute requires that the port obtain a second appraisal. The requirement to obtain a second appraisal has been a burden, particularly for those ports located in rural settings. This statute was last modified in 1993. This bill increases the threshold for obtaining a second appraisal to \$2 million because we have found getting a second appraisal can be challenging in those rural areas.

HB 2902 - Under ORS 777.210 ports are permitted to undertake a number of port related management activities. However, one of the activities that is not listed is the acquisition and management of “shipyards.” The Port of Toledo recently acquired, with the assistance of the state, a new 660 ton hoist to pull commercial vessels out of the water so that those vessels can be fixed, overhauled and upgraded, among other things. The fact that “shipyards” is not included is problematic because 5 ports have shipyards in Oregon and by inserting the language of this bill into statute will help avoid a couple of potential problems. It should also be noted that Legislative Counsel already believes that ports have this authority under the broad powers that are given to ports.



MEMBERSHIP LIAISONS

As of June 21, 2016

Cascade West Council of Governments* - (\$3,464.66)
must be elected: Walter Chuck; Ken Brown (alt)

Cascade West Economic Development District*
Kevin Greenwood

Cascade West Area Commission on Transportation* -
Walter Chuck; Ken Brown (alt); alternate may be staff

Oregon Coastal Zone Management Association
(OCZMA)*# -- alternate may be staff (\$800.00)
Walter Chuck

Pacific Northwest Waterways Association (PNWA)*
(\$7200.00) Walter Chuck, Kevin Greenwood

Mid Coast Watershed Council (\$245.00)
Stewart Lamerdin

Oregon Public Ports Authority (OPPA)* (\$9,686.29)
Kevin Greenwood

Oregon Economic Development Association (OEDA)
(\$250) Kevin Greenwood

Economic Development Alliance of Lincoln County
(EDALC)* Kevin Greenwood

Special Districts Association of Oregon (SDAO)*
(\$4,000.00) Kevin Greenwood

Yaquina Bay Economic Foundation (YBEF)* (\$300.00)
Kevin Greenwood; Ken Brown

Yaquina Bay Ocean Observing Initiative (YBOOI)*
Kevin Greenwood

North America Ocean Observing (NANOOS)*
Kevin Greenwood

Coastal Marine Experiment Station (COMBS)*
Stewart Lamerdin

Pacific Coast Congress of Harbormasters and Port Managers (PCCHPM)+
Kevin Greenwood; Steve Larrabee; Rick Fuller

DAS OPS ORCPP – (\$500.00)
Rick Fuller, Steve Larrabee

*paid/mandated membership
#must be elected commissioner
~community organization (no port vote or membership)

Oregon Ethics Annual (\$619.30)

Fishermen Involved in Natural Energy for Lincoln County (FINE)~
Walter Chuck
Newport Chamber of Commerce (NCO)* (\$297)
Kevin Greenwood

Northwest National Marine Renewable Energy Center Advisory Committee (NNMREC)&
Walter Chuck

Department of Geology and Mineral Industries Marine Advisory Committee (DOGAMI)&
Walter Chuck

Oregon Department of Fish and Wildlife Sportfish Advisory Committee (ODFW)&
Walter Chuck

Ocean Policy Advisory Council (OPAC)&
Walter Chuck

Newport Urban Renewal (adhoc)
Patricia Patrick-Joling; Ken Brown (alt)

Newport Airport Committee (adhoc)
Ken Brown; Patricia Patrick-Joling (alt)

Newport Regional Airport Task Force (adhoc)
Kevin Greenwood

Newport Airport Planning Subcommittee (adhoc)
Kevin Greenwood

Newport Parks & Rec Committee~
Kevin Greenwood

Newport Bay Front Parking Dist. Committee*
Kevin Greenwood

International Terminal Liaisons (adhoc)
Walter Chuck, Stewart Lamerdin

Human Resource Liaisons (adhoc)
Walter Chuck, Steve Beck

+paid professional organization
&personal or non-port related board membership
*=Paid via SDAO membership

Serving the Maritime & Recreational Communities

Newport International Terminal (541) 265-9651

Newport Marina at South Beach (541) 867-3321



1400 Queen Ave SE • Suite 201 • Albany, OR 97322
(541) 967-8720 • FAX (541) 967-6123

February 9, 2017

RECEIVED

Mr. Ken Brown
Port of Newport
600 SE Bay Boulevard
Newport, OR 97365

FEB 13 2017

PORT OF NEWPORT

RE: Fiscal Year 2017-2018 OCWCOG Member Dues

Mr. Brown,

Attached is the Port's membership dues invoice for the Fiscal Year (FY) 2017-2018, as approved by the Oregon Cascades West Council of Governments' (OCWCOG) Board of Directors in January 2017. Member dues are adjusted annually based upon the current population estimate for each jurisdiction and the Portland Consumer Price Index.

Your member dues are used to match Federal and State dollars to fund your community programs, projects, and services. For example, your dues match, as required by State law, our Medicaid transfer dollars and allow us to determine eligibility and provide support to Medicaid clients. Your dues are also used to match, as required by Federal law, our funding for our Economic Development District which allows us to access Federal money for economic development and develop a five-year Comprehensive Economic Development Strategy for our region. Therefore, while member dues are a very small portion of the OCWCOG budget, about 1%, they are very important for the programs and projects that we administer in your community.

Historically, dues are assessed for three areas: General Dues; Community Development (CD); and, Transportation (Trans). General Dues are distributed based by program size and full time employees, therefore, the majority of these dues are applied toward match for the Senior and Disability Services program. Community Development dues are assessed for the services that are provided by OCWCOG's Community and Economic Development program, and the Transportation dues provide the OCWCOG's Community and Economic Development staff the increased capacity to work on transportation programs.

The OCWCOG Board of Directors sets the total amount of transportation dues at a \$15,000 maximum. Members with populations under 5,000 are assessed a flat \$250. Larger members are assessed the \$250, plus .037 per capita. Port districts are assessed only the Community Development and Transportation dues; and, the Counties are assessed for the population outside of city boundaries.

This year, the OCWCOG Board of Directors approved adding a Special Projects Dues. The new dues will support a fund to be used at the Board of Directors discretion for special projects of regional significance. The Board of Directors will fine tune the criteria and policy around the use of these funds over the next few months with input from you. Special Projects Dues are assessed at 5% of total population. The Confederated Tribes of Siletz was assessed a flat rate. Please find enclosed a memo from the OCWCOG Executive Director to the Board on the proposal.

MEMBER GOVERNMENTS — COUNTIES: Benton, Lincoln and Linn **CITIES:** Adair Village, Albany, Brownsville, Corvallis, Depoe Bay, Halsey, Harrisburg, Lebanon, Lincoln City, Millersburg, Monroe, Newport, Philomath, Scio, Siletz, Sweet Home, Tangent, Toledo, Waldport, Yachats **OTHER:** Confederated Tribes of Siletz and Port of Newport

A breakdown of your Member Dues are as follows:

Member	FY2017 Dues	Pop Estimate	FY2018 DUES				TOTAL FY2018 DUES	Change from FY2017
			General Dues	CD Dues	Trans Dues	Special Projects		
Port of Newport	\$3,275.57	10,800	\$0.00	\$2,656.80	\$642.88	\$164.98	\$3,464.66	\$189.09

If you need any further information about this dues notice, and/or would like a copy of this years' *Work Program and Budget*, please call me at 541-924-8470. If appropriate, I would be pleased to attend a meeting of your Council to provide more details about OCWCOG services.

Sincerely,

 Fred Abousleman
 Executive Director

Enclosed: Special Projects Dues Memo
 Cc: OCWCOG Board Member

2017.02.28 Commission Meeting

Sample Announcement for Executive Session:

The Port of Newport Board of Commissioners will now meet in executive session pursuant to **ORS 192.660(2)(e)**, which allows the Commission to meet in executive session to ***deliberate to negotiate real property transactions.***

Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.

EXECUTIVE SESSION CHECKLIST

- Provide notice of an executive session in the same manner you give notice of a public meeting. The notice must cite to the specific statutory provision(s) authorizing the executive session. Permissible grounds for going into an executive session are available in the *Attorney General's Public Records and Meetings Manual* and online at www.doj.state.or.us.
- Announce that you are going into executive session pursuant to ORS 192.660 and cite the specific reason(s) and statute(s) that authorize the executive session for *each* subject to be discussed. (You may hold a public session even if an executive session is authorized.)
- If you intend to come out of executive session to take final action, announce when the open session will begin again.
- Specify if any individuals, other than the news media, may remain.
- Tell the media what may *not* be disclosed from the executive session. If you fail to do this, the media may report everything. If you discuss matters other than what you announce you are going to discuss in the executive session, the media may report those additional matters. A member of the news media must be excluded from executive sessions held to discuss litigation with legal counsel if he or she is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party.
- Come back into open session to take final action. If you did not specify at the time you went into executive session when you would return to open session, and the executive session has been very short, you may open the door and announce that you are back in open session. If you unexpectedly come back into open session after previously announcing you would not be doing so, you must use reasonable measures to give actual notice to interested persons that you are back in open session. This may require postponing final action until another meeting.
- Keep minutes or a sound, video, or digital recording of executive sessions.

This partial list (below) includes the grounds for executive session most commonly cited by SDAO members. For a complete listing of permissible grounds for going into an executive session, consult the *Attorney General's Public Records and Meetings Manual*, or visit the State of Oregon Department of Justice website at www.doj.state.or.us.

- (a) To consider the employment of an officer, employee, staff member or agent...(if the prerequisites listed in the *Attorney General's Public Records and Meetings Manual* have been satisfied). ORS 192.660(2)(a) and 192.660(7)
- (b) To consider dismissal or discipline of, or to hear charges or complaints against an officer, employee, staff member or agent, if the individual does not request an open hearing. ORS 192.660(2)(b)
- (d) To conduct deliberations with persons you have designated to carry on labor negotiations. ORS 192.660(2)(d)
- (e) To conduct deliberations with persons you have designated to negotiate real property transactions. ORS 192.660(2)(e)
- (f) To consider information or records that are exempt from disclosure by law, including written advice from your attorney. ORS 192.660(2)(f)
- (g) To consider preliminary negotiations regarding trade or commerce in which you are in competition with other states or nations. ORS 192.660(2)(g)
- (h) To consult with your attorney regarding your legal rights and duties in regard to current litigation or litigation that is more likely than not to be filed. ORS 192.660(2)(h)
- (i) To review and evaluate the performance of an officer, employee or staff member if the person does not request an open meeting. This reason for executive session may *not* be used to do a general evaluation of an agency goal, objective or operation or any directive to personnel concerning these subjects. ORS 192.660(2)(i) and 192.660(8)
- (n) To conduct labor negotiations if requested by negotiators for both sides. ORS 192.660(3)