

PORT OF NEWPORT REGULAR MONTHLY COMMISSION MEETING AGENDA

Tuesday, September 24, 2019
Immediately Following Work Session (Approx. 6:15 pm)
South Beach Activities Room
2120 SE Marine Science Drive, Newport, OR 97365

If you want to comment on a particular agenda item during the meeting, please complete a comment form and submit before the meeting is called to order.

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- The World’s Largest Pet WalkSep 28
- Oregon Public Ports Association (OPPA) Annual Conference Oct 3 – 4
<http://www.oregonports.com/oppa-annual-conference>
- Pacific Coast Congress (PCC) Fall Conference..... Oct 8 – 11
<https://pccharbormasters.org/wp-content/uploads/2019/07/Conference-Everett-WA-1-2.pdf>
- Pacific Northwest Waterways Assoc. (PNWA) Annual Convention Oct 9 – 11
<https://www.pnwa.net/events/2019-pnwa-annual-convention/>
- Yaquina Bay Yacht Club Columbus Day RegattaOct 12 - 13
- Regular Monthly Commission Meeting..... Oct 22
- Oregon Economic Development Assoc. (OEDA) Annual Conference ... Oct 27 – 29
<https://oeda.biz/event/2019-oeda-annual-conference/>

Future Meeting Consideration:

- November Regular Monthly Commission Meeting..... Nov 26
- Thanksgiving Holiday – Port Office Closed..... Nov 28 - 29
- December Regular Monthly Commission Meeting Dec 24
- Christmas Holiday – Port Office Closed Dec 25

XII. Public Comment (3 minutes limit per person)

XIII. Adjournment

Regular Monthly Meetings are scheduled for the fourth Tuesday of every month at 6:00 pm.

The Port of 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.

Link for directions to the RV Park Activity Room:

<https://www.portofnewport.com/recreational-marina-rv-parks-maps>

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PORT OF NEWPORT MINUTES

August 27, 2019

Regular Commission Meeting

This is not an exact transcript. The audio of the session is available on the Port’s website.

Agenda Item

**Audio
Time**
0:00

I. CALL TO ORDER

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

Commissioners Present: Walter Chuck (Pos. #1), Secretary/Treasurer; Sara Skamser (Pos. #2), President; Gil Sylvia (Pos. #3); Jeff Lackey (Pos. #4); and Jim Burke, Vice-President (Pos. #5).

Management and Staff: Paula J. Miranda, General Manager; Aaron Bretz, Director of Operations; Mark A. Brown, Director of Finance & Business Services; Mark Harris, Accounting Supervisor; and Karen Hewitt, Administrative Supervisor.

Members of the Public and Media: Pat Ruddiman, ILWU; Wayde Dudley, Port Mates; Barb Dudley, Port Mates; Rick & Brenda Verlin, fishing/research; Doug Cooper, Hampton Lumber; Rex Capri, Newport resident.

II. CHANGES TO THE AGENDA

0:10

Burke requested that a discussion about the Commercial Fishing Users Group Committee be added under New Business.

III. PUBLIC COMMENT.....

0:43

There was no public comment at this time.

Paula Miranda administered the oath of office to incoming Commissioner Gil Sylvia.

IV. CONSENT CALENDAR.....

2:29

- A. Minutes
 - 1. Regular Commission MeetingJuly 23, 2019
- B. Financial Reports
- C. Hawkins Delafield & Wood LLP Engagement Letters
- D. Contracts
 - 1. Vertiv – NOAA Liebert Air Conditioner Outside Unit
 - 2. L&R Construction - Men’s and Women’s Shower Building Siding,
South Beach
- E. Resolution 2019-11 Designating Bank Accounts and Authorizing Check Signers

A motion was made by Chuck and seconded by Burke to approve the Consent Calendar. The motion passed 5 – 0.

V. OLD BUSINESS..... 2:57

A. Items Removed from Consent Calendar

There were no items removed from the Consent Calendar

B. Accounts Paid 3:02

Chuck declared an actual conflict of interest because one of the checks was payable to him. Miranda said reimbursement would not present a conflict of interest, but Chuck still wanted to declare.

A motion was made by Lackey and seconded by Burke to approve the Accounts Paid. The motion passed 4 – 0, with Chuck abstaining.

VI. NEW BUSINESS..... 4:38

A. Resolution 2019-12 Adopting a Public Records Policy..... 4:44

Miranda said the policy was written to update to the new laws and for different formatting. She added that it had been reviewed by Pete Gintner, Port attorney.

A motion was made by Chuck and seconded by Lackey to adopt Resolution 2019-12 Adopting a Public Records Policy. The motion passed 5 – 0.

B. Commercial Fishing Users Group (CFUG) Committee 6:44

Skamser commented that she is a liaison to the CFUG Committee, and that meetings could be scheduled in response to a Commission or a Committee request. Skamser said she had spoken with the Committee Chair who said that after September 20th would be a good time to schedule a meeting. Skamser added that items for discussion could include new rates and fees, storage, and Community Ice. Burke said he would like to facilitate the conversation. Skamser said she would move forward with scheduling.

VII. STAFF REPORTS

A. Director of Finance & Business Services 9:05

1. July Occupancy Report

Skamser welcomed Brown on his first official Staff Report. Brown acknowledged Harris and the finance staff for a job well done while the Director position was vacant. Brown said that Harris was in attendance to help address questions. Brown referred to the Staff Report included in the Meeting Packet and to the Financial Reports included as part of the Consent Calendar. He explained that the financial reports were a “snap shot” as of July 31st. He said that the comparison to budget was based on a straight line estimate, but that may be estimated differently in the future. He added he planned to share some ratios next month. Brown said Bretz would discuss further the transfer of \$1.4MM from the General Fund to Capital Construction for the pier access project. Brown said he was doing cost analysis to determine areas that were profitable or not profitable. He said that he was focused on preparing for the audit. Brown referred to the letter included in the meeting packet that he intended to send to customers regarding implementing the new Fiscal Management Policies, and asked the Commission for feedback. (The Commissioners later said to move forward with the letter.) Brown said that leases would be accounted for in their geographic profit center, so he was working on assigning administrative costs as

well. Brown said he was also looking at exploring software that may better suit the needs of the Port than Quickbooks, as well as interfacing with South Beach. Skamser commented she was glad that staff was looking at software that would improve efficiency. Brown added that a project manager may be needed to help implement a software change.

Skamser referred to the July Occupancy Report. Bretz said the numbers were still up, and Brown added that Bill Hewitt had commented on the high level of activity in the Recreational Marina.

B. Director of Operations.....

23:03

Bretz referred to the Staff Report included in the Meeting Packet. He said that tuna landings may be increasing. Bretz elaborated on the information provided to the EDA regarding the Joint Permit Application process and SLOPES (Standard Local Operating Procedures for Endangered Species) assessment. He said that the Port needs to push forward with the bid documents.

Bretz presented PowerPoint slides regarding the stormwater outfall in South Beach, which are included in the Meeting Packet. He explained the areas showing damage and the variation in problems throughout the drainage system, with the pictures provided by robotic camera. He suggested that the sink hole was a significant problem, located at the north side of the circle close to the underground fuel storage tank, although there was no evidence yet of movement of the tank. Bretz said the City would also come out to run a smaller camera through the area. Bretz proposed that the installation of a sleeve in the existing pipe, which would result in more efficient flow, and cost an estimated \$70K. Sylvia asked about the City's responsibility. Bretz said the City's waterline was related to the pothole so they were helping out with the project, but the stormwater system is the Port's responsibility. Miranda added that this type of responsibility generally falls to the property owner, but can vary with the size of the project. Bretz added there can also be other stipulations related to using grant funds. Miranda said she was working with Brown in looking at cost vs. revenue regarding leased properties in order to capture costs like infrastructure replacement. Bretz added that if a sleeve would not work, the repairs would cost closer to \$200K, as digging would be difficult. He said that ODOT had tried to fix the influx of water on the south outfall at high tide by cutting off the outfall pipe and adding rocks, but those rocks have since been driven into the pipe by the swells and needs to be cleaned out.

Bretz said the building permit for the Port Dock 5 Pier project was around \$11K, which was refundable except for a fee for review if the project did not materialize. He said that area around the International Terminal had been cleared and grass placed so it drains properly. He suggests that next year the 9-acre property be kept mowed so wetlands areas can be evaluated.

C. General Manager

48:30

Miranda welcomed Sylvia to the Commission. She said she was happy to have Brown on board, who has already hit the ground running and was looking for Port efficiencies. She echoed the thanks to Harris and crew for their work in the absence of a finance director. She said she was regularly meeting with operations, finance, and the Commission President, and her door was always open to Commissioners.

Miranda referred to the Staff Report included in the Meeting Packet. She said that she was looking at different ways to bring in revenue. She will be meeting with the ILWU and their lobbyist, and posted the availability of the 9-acre property on a state website through Oregon Prospector. Miranda said she had reviewed research and analysis done by Don Mann in 2008 regarding cruise ships, and she had met with Mann as well. Engaging cruise ships would be a community project. There was some discussion about the size of the ships that would be suitable for Newport. Miranda thanked Bretz for his work on the EDA grant. Staff has also been working on EPA Brownfields grants for the initial phases looking at the

environmental assessment of the property behind NOAA and the Rogue sea wall. This assessment would be needed before moving forward with analyzing the project needs. Miranda mentioned attending the Oregon Coastal Caucus Economic Summit with Skamser and Chuck, and meeting with people that would help the Port move forward in working with Business Oregon. Miranda said she was working with David Ulbricht from SDAO on bond refinancing. There would be a selection process, and the project would probably start in January/February of 2020. Burke asked if there was an update on Port Dock 1. Miranda said she had met with Stephen Webster, and she wanted to look if the piece of dock Webster wanted cut off had any value to the port. Most likely she will have more information at the next Commission meeting.

Miranda referred to the letter from Summit Public Relations Strategies regarding a possible newsletter. She spoke about the value of getting a publication out to those who don't already have a connection with the Port that would introduce them to what the Port does and refer them to the website and Facebook pages. Sylvia asked about the contract with Summit and the public relations plan. Skamser commented there were still people who related to having something in their hand. Lackey said he thought it would be good for the community to have a connection to what goes on at the port, and the newsletter could be a collection of what's issued electronically, that would include a personal hook. Miranda said the concept would be to have news stories and facts in initial print newsletter distributions, and later make the newsletters digital. Chuck suggested a Work Session be scheduled to discuss this with the costs laid out. Sylvia suggested it may be valuable to get a baseline of how the public views the Port, then run the campaign and evaluate any change in perception. Skamser said this work was included in the scope of work approved by the Commission in the Summit contract. Miranda will discuss the possibility of a Work Session with Skamser.

VIII. COMMISSIONER REPORTS/COMMENTS.....

1:21:58

Skamser commented on attending the Coastal Caucus Economic Summit and the positive interactions there. Chuck said he had attended as well, and also attended Congressman Schrader's round table on wind energy. Chuck said there will be more discussion on the issue in mid-September, and in October will be on the Agenda for OPAC (Oregon's Ocean Policy Advisory Council). Comments will be accepted at the beginning and end of the process, and Chuck suggested the Commission consider making comments early.

IX. CALENDAR/FUTURE CONSIDERATIONS.....

1:24:18

	2019
Labor Day, Port Office Closed.....	Sep 2
Ardor Adventures Twisted Pine Run	Sep 14
SOLVE South Beach Cleanup	Sep 18
The World's Largest Pet Walk.....	Sep 28
Oregon Public Port Association Annual Conference.....	Oct 3 – 4
PCC Semi-Annual Fall Conference	Oct 8 – 11
Yaquina Bay Yacht Club Columbus Day Regatta	Oct 12 - 13
OEDA Annual Fall Conference	Oct 22
Regular Commission Meeting	Oct 27 – 29

There were some corrections to the Calendar: the September Regular Commission Meeting is on September 24th; the October Regular Commission Meeting is on October 22nd; the OEDA Annual Fall conference is October 27 -29.

Chuck said he was interested in attending the OPPA conference. He won't be able to attend the September Commission Meeting.

X. PUBLIC COMMENT.....

1:31:48

Barb Dudley suggested having an unveiling of the mural in South Beach that would be open to the public, possibly combined with Rogue’s celebration. Miranda will follow up.

Rick Verlin said he was interested in what was going on at the Terminal and shared comments on the possibility of cruise ships and how that might leave the Terminal open for the distant water fleet in the winter.

XI. ADJOURNMENT

1:36:30

Having no further business, the meeting adjourned at 7:37 pm.

ATTESTED:

Sara Skamser, President

Walter Chuck, Secretary/Treasurer

PORT OF NEWPORT MINUTES

August 27, 2019

Commission Special Meeting

This is not an exact transcript. The audio of the session is available on the Port's website.

Agenda Item

**Audio
Time**
0:00

I. CALL TO ORDER

Commission President Sara Skamser called the Commission Work Session of the Port of Newport Board of Commissioners to order at 12:00 pm at the South Beach Activities Room, 2120 SE Marine Science Drive, Newport, Oregon.

Commissioners Present: Walter Chuck (Pos. #1), Secretary/Treasurer; Sara Skamser (Pos. #2), President; Gil Sylvia (Pos. #3); Jeff Lackey (Pos. #4); and Jim Burke, Vice President (Pos. #5).

Management and Staff: Paula J. Miranda, General Manager; and Karen Hewitt, Administrative Supervisor.

Members of the Public and Media: Pat Ruddiman, ILWU; Leo Newburg, Commission Candidate; Mark Farley, Commission Candidate; and Gilbert Sylvia, Commission Candidate.

II. PUBLIC COMMENT.....

0:20

There was no public comment at this time.

**III. FILLING OF COMMISSION VACANCY POSITION No. 3
(PON Resolution 2014-08)**

0:54

Skamser read the notes included in the Meeting Packet that outline the selection process for filling a Commission vacancy. The candidates were invited to leave the room while the other candidates were interviewed. Chuck advised that he had informed Sylvia, Farley, and Rob Halverson about the Commission vacancy.

A. Review Letters of Interest

Skamser confirmed that all Commissioners had reviewed the letters of interest and questionnaires submitted by the candidates.

B. Interview Candidates

6:10

The candidates were interviewed in order. Skamser asked each candidate if they had anything to add to their submission, followed by questions from the Commissioners.

1. Newberg said he applied because he thought it was important to have a qualified and interested person in the position. He added he was pleased to see the other two excellent candidates applied, so he was less concerned. He said he would bring life-long infrastructure experience and an understanding of marine economy. Chuck asked why he didn't apply at the last election. Newberg said he did not feel he had time to offer at that point because of family obligations, but now he would. Lackey asked what of his strengths and skills would most benefit

6:12

the Port. Newberg said his understanding of infrastructure, balancing the needs of the waterfront and others, and his appreciation of the Port's history and room to grow. Burke asked what Newburg understood about Port governance and decision making process. He said the executive board is accountable for its decisions. Coming from private industry, he was unfamiliar with politics. Skamser asked if his schedule would allow for him to serve on the Board and act as liaison to other organizations; Newburg replied absolutely, because his current family situation allows him to make that decision.

2. Sylvia said the major points of the mission in his job at the university were not dissimilar to the Port's mission, specifically improve and maximize the use of resources, and conserve and protect marine resources. Sylvia said he enjoyed service and working with the community, state and others in his profession. He said he had a PhD in Economics and a Masters in Fishery Biology, and was focused on practical and creative solutions to problems. Sylvia gave an example of working with the local community on the possibility of providing opportunities to market seafood. He spoke of the need for the Port to communicate with fishermen about the use of Port facilities. Burke asked what Sylvia understood about Port governance and decision making process. Sylvia said he had served on other boards, and understood that the Commission sets the strategic direction, represents constituents, approves the budget, votes on critical items, and makes sure that the goals and objectives are being met. Lackey asked what of his strengths and skills would most benefit the Port. Sylvia said his mindset of creative thinking and analyzing cost trade-offs, looking at the short and long-term, and looking at how to best meet Port goals. Chuck asked about his comment in response to the questionnaire that the Port may need a different fiscal and budget model to avoid infrastructure problems in the future. Sylvia said he reviewed the Port's budget as a member of the Budget Committee, and the Port should look at balancing fees, grants and other revenue sources. He said in his prior job they may have had five grant applications at any time since grants were not guaranteed. The Port cannot delay addressing infrastructure. Skamser said her question had already been answered.

17:27

3. Farley commented that he had just stepped off another board. I Chuck asked why he didn't apply at the last election. Farley said he had not run in the election three months ago because he was not aware of the opening and was committed to another board. Since he recently left that board, he was now able to look for other ways to serve the community. Burke asked what Farley understood about Port governance and decision making process. Farley said he understood that the Commission gave guidance to the General Manager, but he was not familiar with the State level requirements. Skamser asked how he would deal with responsibility of public office and the public trust. Farley said he lived that every day. He said that serving on a public board was not a new role for him, including spending public funds wisely and representing public interests wisely, but serving on the Port Commission would have additional pieces. Lackey asked what of his strengths and skills would most benefit the Port. Farley said he was good at building relationships and looking for commonalities. He looked for opportunities for everybody to win. Chuck said the Port district has a diversity of interests in the Port, and asked Farley what gap he would fill. Farley said he would speak primarily for the scientific community and knew what was important in collaborative efforts with the commercial fleet. Lackey asked Farley to give an example of participation in a decision making issue. Farley explained his lead role in building housing for OSU students in Wilder, which involved public funding. He spoke about the complications along the way. He said this development would eventually get built. Skamser asked if his schedule would allow for him to serve on the Board and act as liaison to other organizations. Farley said his life was busy and he was involved with the community. He had just stepped off a board that had monthly meetings and work sessions and would be able to meet the requirements. Burke asked what lines of business of the Port Farley best understood and what would be new. Farley said he

30:32

was familiar with mooring, gas fueling, traffic, storage and lay down space. He commented that the other candidates for the position were phenomenal.

IV. DELIBERATION AND VOTE..... 39:43

Skamser thanked the candidates for their time and for applying for the position. Lackey also said thank you to all three and acknowledged they applied out of a desire to help the community. Burke thanked staff for getting the word out about the vacancy. Chuck said they were three good candidates.

The Commissioners, with the exception of the President, submitted private ballots. Chuck voted for Sylvia, Lackey voted for Farley, and Burke voted for Sylvia.

A motion was made by Burke and seconded by Chuck that Gil Sylvia be appointed to fill the vacant position #3 on the Port of Newport Board of Commissioners, until June 30, 2021, in accordance with Port of Newport Resolution 2014-08 and ORS 198.320. The motion passed 5 – 0. 43:11

V. PUBLIC COMMENT

There was no public comment.

VI. ADJOURNMENT 44:02

Having no further business, the meeting adjourned at 12:44 pm.

ATTESTED:

Sara Skamser, President

Walter Chuck, Secretary/Treasurer

Port of Newport - General Operating Fund

Balance Sheet

As of August 31, 2019

	<u>Aug 31, 19</u>	<u>Aug 31, 18</u>	<u>\$ Change</u>
ASSETS			
Current Assets			
Checking/Savings			
11000 · Cash & Equivalents	3,320,375	2,719,742	600,633
Total Checking/Savings	3,320,375	2,719,742	600,633
Accounts Receivable			
11200 · Accounts Receivable	374,479	308,553	65,926
Total Accounts Receivable	374,479	308,553	65,926
Other Current Assets			
11250 · AR Property Tax	10,335	10,335	0
11255 · Allow for Bad Debt - CM	(20,000)	(20,000)	0
11260 · Allow for Bad Debt - SB	(10,000)	(10,000)	0
11270 · Undeposited Funds	12,055	35,555	(23,500)
11300 · Prepaid Expenses	98,238	98,728	(490)
11400 · Due from Other Funds	9,288	32,469	(23,181)
11480 · PERS - NPA(L)	(1,070,645)	(635,021)	(435,624)
11485 · PERS - Deferred OF	705,254	369,154	336,100
Total Other Current Assets	(265,476)	(118,781)	(146,695)
Total Current Assets	3,429,379	2,909,514	519,865
Fixed Assets			
11500 · Capital Assets	77,538,301	77,538,301	0
Total Fixed Assets	77,538,301	77,538,301	0
TOTAL ASSETS	80,967,680	80,447,815	519,865
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
12000 · Accounts Payable	96,693	90,821	5,872
Total Accounts Payable	96,693	90,821	5,872
Other Current Liabilities			
12010 · Unclaimed Property Payable	2,885	0	2,885
12020 · Lodging/Room Tax Payable	3,918	13,411	(9,492)
12100 · Payroll Liabilities	119,623	97,478	22,145
12250 · Deferred Revenue	137,065	127,888	9,177
12300 · Accrued Interest Payable	16,843	18,037	(1,194)
12350 · Current Portion-Long Term Debt	539,514	528,337	11,177
Total Other Current Liabilities	819,849	785,151	34,698
Total Current Liabilities	916,542	875,972	40,570
Long Term Liabilities			
12380 · 2013 FF&C Bond Premium	107,808	115,146	(7,338)
12400 · Long Term Debt	6,629,955	7,130,463	(500,508)
12900 · PERS - Deferred IF	119,917	109,947	9,970
Total Long Term Liabilities	6,857,680	7,355,555	(497,876)
Total Liabilities	7,774,221	8,231,527	(457,306)

Port of Newport - General Operating Fund

Balance Sheet

As of August 31, 2019

	<u>Aug 31, 19</u>	<u>Aug 31, 18</u>	<u>\$ Change</u>
Equity			
13000 · Fund Balance	65,172,476	64,765,924	406,552
13050 · FB - Contributed Capital	7,130,788	7,130,788	0
13075 · FB - Prior Period Adj	(27,659)	0	(27,659)
13200 · FB - Debt Principal	489,331	0	489,331
13275 · FB - Accrued Interest	1,194	0	1,194
Net Income	427,329	319,576	107,753
Total Equity	<u>73,193,459</u>	<u>72,216,288</u>	<u>977,171</u>
TOTAL LIABILITIES & EQUITY	<u>80,967,680</u>	<u>80,447,815</u>	<u>519,865</u>

Port of Newport - General Operating Fund
Profit & Loss Budget vs. Actual
 July through August 2019

	Jul - Aug 19	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
14000 · Lease Revenues	104,871	720,000	(615,129)	15%
14100 · Moorage	324,725	1,547,850	(1,223,125)	21%
14200 · Hoist Dock & Services	130,652	872,150	(741,498)	15%
14300 · Shipping Terminal Revenues	0	3,000	(3,000)	0%
14400 · RV Parks	380,366	1,080,000	(699,634)	35%
14500 · Launch Ramp & Trailer Storage	32,022	92,000	(59,978)	35%
14600 · Miscellaneous Revenue	25,155	116,000	(90,845)	22%
Total Income	<u>997,792</u>	<u>4,431,000</u>	<u>(3,433,208)</u>	<u>23%</u>
Gross Profit	997,792	4,431,000	(3,433,208)	23%
Expense				
15000 · Personnel Services	242,506	1,735,539	(1,493,033)	14%
16000 · Materials & Services	292,256	2,136,710	(1,844,454)	14%
17000 · Debt Service	31,179	786,890	(755,711)	4%
Total Expense	<u>565,940</u>	<u>4,659,139</u>	<u>(4,093,199)</u>	<u>12%</u>
Net Ordinary Income	431,851	(228,139)	659,990	(189)%
Other Income/Expense				
Other Income				
18100 · Property Tax Revenue	1,353	116,000	(114,647)	1%
18200 · Interest Income	10,365	60,000	(49,635)	17%
18300 · Grants	0	255,300	(255,300)	0%
18700 · Property & Dredge Sales	0	10,000	(10,000)	0%
Total Other Income	<u>11,718</u>	<u>441,300</u>	<u>(429,583)</u>	<u>3%</u>
Other Expense				
19000 · Capital Outlay	16,240	44,300	(28,060)	37%
19600 · Contingency	0	10,000	(10,000)	0%
19700 · Transfers Out to Other Funds	0	1,399,770	(1,399,770)	0%
19902 · UEFB	0	1,209,091	(1,209,091)	0%
Total Other Expense	<u>16,240</u>	<u>2,663,161</u>	<u>(2,646,921)</u>	<u>1%</u>
Net Other Income	<u>(4,523)</u>	<u>(2,221,861)</u>	<u>2,217,339</u>	<u>0%</u>
Net Income	<u><u>427,329</u></u>	<u><u>(2,450,000)</u></u>	<u><u>2,877,329</u></u>	<u><u>(17)%</u></u>

Port of Newport - General Operating Fund
Profit & Loss Budget vs. Actual - Administration
 July through August 2019

	<u>Jul - Aug 19</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
14600 · Miscellaneous Revenue	1,332	38,000	(36,668)	4%
Total Income	1,332	38,000	(36,668)	4%
Gross Profit	1,332	38,000	(36,668)	4%
Expense				
15000 · Personnel Services	101,630	736,205	(634,575)	14%
16000 · Materials & Services	70,638	525,468	(454,830)	13%
Total Expense	172,269	1,261,673	(1,089,404)	14%
Net Ordinary Income	(170,936)	(1,223,673)	1,052,737	14%
Other Income/Expense				
Other Income				
18100 · Property Tax Revenue	1,353	116,000	(114,647)	1%
18200 · Interest Income	10,365	60,000	(49,635)	17%
18300 · Grants	0	3,500	(3,500)	0%
Total Other Income	11,718	179,500	(167,783)	7%
Other Expense				
19600 · Contingency	0	10,000	(10,000)	0%
19700 · Transfers Out to Other Funds	0	1,399,770	(1,399,770)	0%
19902 · UEFB	0	1,209,091	(1,209,091)	0%
Total Other Expense	0	2,618,861	(2,618,861)	0%
Net Other Income	11,718	(2,439,361)	2,451,079	(0)%
Net Income	(159,219)	(3,663,034)	3,503,815	4%

Port of Newport - General Operating Fund
Profit & Loss Budget vs. Actual - International Terminal
 July through August 2019

	<u>Jul - Aug 19</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
14100 · Moorage	17,705	156,000	(138,295)	11%
14200 · Hoist Dock & Services	63,423	416,000	(352,577)	15%
14300 · Shipping Terminal Revenues	0	3,000	(3,000)	0%
Total Income	<u>81,129</u>	<u>575,000</u>	<u>(493,872)</u>	<u>14%</u>
Gross Profit	81,129	575,000	(493,872)	14%
Expense				
15000 · Personnel Services	13,168	84,484	(71,317)	16%
16000 · Materials & Services	31,871	216,570	(184,699)	15%
17000 · Debt Service	24,868	519,095	(494,227)	5%
Total Expense	<u>69,906</u>	<u>820,149</u>	<u>(750,243)</u>	<u>9%</u>
Net Ordinary Income	<u>11,223</u>	<u>(245,149)</u>	<u>256,372</u>	<u>(5)%</u>
Net Income	<u><u>11,223</u></u>	<u><u>(245,149)</u></u>	<u><u>256,372</u></u>	<u><u>(5)%</u></u>

Port of Newport - General Operating Fund
Profit & Loss Budget vs. Actual - Commercial Marina
 July through August 2019

	Jul - Aug 19	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
14100 · Moorage	113,022	512,000	(398,978)	22%
14200 · Hoist Dock & Services	64,535	418,000	(353,465)	15%
14600 · Miscellaneous Revenue	577	0	577	100%
Total Income	<u>178,134</u>	<u>930,000</u>	<u>(751,866)</u>	<u>19%</u>
Gross Profit	178,134	930,000	(751,866)	19%
Expense				
15000 · Personnel Services	46,785	349,974	(303,189)	13%
16000 · Materials & Services	37,380	608,274	(570,894)	6%
17000 · Debt Service	1,319	7,915	(6,596)	17%
Total Expense	<u>85,485</u>	<u>966,163</u>	<u>(880,678)</u>	<u>9%</u>
Net Ordinary Income	92,649	(36,163)	128,812	(256)%
Other Income/Expense				
Other Income				
18300 · Grants	0	250,000	(250,000)	0%
Total Other Income	0	250,000	(250,000)	0%
Other Expense				
19000 · Capital Outlay	0	11,800	(11,800)	0%
Total Other Expense	0	11,800	(11,800)	0%
Net Other Income	0	238,200	(238,200)	0%
Net Income	<u><u>92,649</u></u>	<u><u>202,037</u></u>	<u><u>(109,388)</u></u>	<u><u>46%</u></u>

Port of Newport - General Operating Fund
Profit & Loss Budget vs. Actual - South Beach
 July through August 2019

	<u>Jul - Aug 19</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
14100 · Moorage	193,736	879,850	(686,114)	22%
14200 · Hoist Dock & Services	2,369	38,150	(35,781)	6%
14400 · RV Parks	380,366	1,080,000	(699,634)	35%
14500 · Launch Ramp & Trailer Storage	32,022	92,000	(59,978)	35%
14600 · Miscellaneous Revenue	23,246	78,000	(54,754)	30%
Total Income	<u>631,739</u>	<u>2,168,000</u>	<u>(1,536,261)</u>	<u>29%</u>
Gross Profit	631,739	2,168,000	(1,536,261)	29%
Expense				
15000 · Personnel Services	75,478	451,619	(376,141)	17%
16000 · Materials & Services	151,274	776,698	(625,424)	19%
17000 · Debt Service	0	212,830	(212,830)	0%
Total Expense	<u>226,752</u>	<u>1,441,147</u>	<u>(1,214,395)</u>	<u>16%</u>
Net Ordinary Income	404,987	726,853	(321,867)	56%
Other Income/Expense				
Other Income				
18300 · Grants	0	1,800	(1,800)	0%
18700 · Property & Dredge Sales	0	10,000	(10,000)	0%
Total Other Income	0	11,800	(11,800)	0%
Other Expense				
19000 · Capital Outlay	16,240	17,500	(1,260)	93%
Total Other Expense	<u>16,240</u>	<u>17,500</u>	<u>(1,260)</u>	<u>93%</u>
Net Other Income	<u>(16,240)</u>	<u>(5,700)</u>	<u>(10,540)</u>	<u>285%</u>
Net Income	<u><u>388,747</u></u>	<u><u>721,153</u></u>	<u><u>(332,407)</u></u>	<u><u>54%</u></u>

Port of Newport - General Operating Fund
Profit & Loss Budget vs. Actual - Maintenance Department
 July through August 2019

	<u>Jul - Aug 19</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Expense				
15000 · Personnel Services	5,444	113,257	(107,813)	5%
16000 · Materials & Services	220	8,000	(7,780)	3%
Total Expense	<u>5,665</u>	<u>121,257</u>	<u>(115,592)</u>	<u>5%</u>
Net Ordinary Income	(5,665)	(121,257)	115,592	5%
Other Income/Expense				
Other Expense				
19000 · Capital Outlay	0	15,000	(15,000)	0%
Total Other Expense	<u>0</u>	<u>15,000</u>	<u>(15,000)</u>	<u>0%</u>
Net Other Income	0	(15,000)	15,000	0%
Net Income	<u><u>(5,665)</u></u>	<u><u>(136,257)</u></u>	<u><u>130,592</u></u>	<u><u>4%</u></u>

Port of Newport - General Operating Fund
Profit & Loss Budget vs. Actual - Leased Properties
 July through August 2019

	Jul - Aug 19	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
14000 · Lease Revenues	104,871	720,000	(615,129)	15%
14100 · Moorage	262			
14200 · Hoist Dock & Services	326			
Total Income	<u>105,459</u>	<u>720,000</u>	<u>(614,541)</u>	<u>15%</u>
Gross Profit	105,459	720,000	(614,541)	15%
Expense				
16000 · Materials & Services	872	1,700	(828)	51%
17000 · Debt Service	4,992	47,050	(42,058)	11%
Total Expense	<u>5,864</u>	<u>48,750</u>	<u>(42,886)</u>	<u>12%</u>
Net Ordinary Income	<u>99,595</u>	<u>671,250</u>	<u>(571,655)</u>	<u>15%</u>
Net Income	<u><u>99,595</u></u>	<u><u>671,250</u></u>	<u><u>(571,655)</u></u>	<u><u>15%</u></u>

Port of Newport - NOAA Fund
Balance Sheet
As of August 31, 2019

	Aug 31, 19	Aug 31, 18	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
51000 · Cash & Equivalents	4,732,254	4,899,417	(167,163)
Total Checking/Savings	4,732,254	4,899,417	(167,163)
Other Current Assets			
51300 · Prepaid Expenses	47,112	53,697	(6,584)
51480 · PERS - NPA(L)	(37,869)	(45,912)	8,043
51485 · PERS - Derfered OF	18,144	26,690	(8,546)
Total Other Current Assets	27,387	34,475	(7,087)
Total Current Assets	4,759,642	4,933,892	(174,250)
TOTAL ASSETS	4,759,642	4,933,892	(174,250)
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
52000 · Accounts Payable	9,794	19,410	(9,615)
Total Accounts Payable	9,794	19,410	(9,615)
Other Current Liabilities			
52105 · Accrued Payroll	0	712	(712)
52110 · Accrued PTO	9,185	6,232	2,953
52115 · Payroll Taxes & Deducts Paya...	0	301	(301)
52200 · Due to Other Funds	5,441	30,669	(25,228)
52300 · Accrued Interest Payable	429,587	447,306	(17,719)
52350 · Current Portion Long-Term Debt	995,000	945,000	50,000
Total Other Current Liabilities	1,439,213	1,430,219	8,994
Total Current Liabilities	1,449,007	1,449,629	(621)
Long Term Liabilities			
52400 · Long-Term Debt	17,014,446	18,931,284	(1,916,838)
52800 · Less Current Portion LT Debt	(995,000)	(945,000)	(50,000)
52900 · PERS - Deferred IF	6,474	7,949	(1,475)
Total Long Term Liabilities	16,025,920	17,994,233	(1,968,313)
Total Liabilities	17,474,927	19,443,862	(1,968,934)
Equity			
53000 · Fund Balance	(12574656)	(13397667)	823,011
53075 · FB - Prior Period Adj	(9,776)	0	(9,776)
53200 · FB - Debt Principal	995,000	0	995,000
53275 · FB - Accrued Interest	17,719	0	17,719
53600 · FB - Discount/Premium	(11,581)	0	(11,581)
Net Income	(1,131,992)	(1,112,304)	(19,689)
Total Equity	(12715286)	(14509970)	1,794,684
TOTAL LIABILITIES & EQUITY	4,759,642	4,933,892	(174,250)

Port of Newport - NOAA Fund
Profit & Loss Budget vs. Actual
 July through August 2019

	<u>Jul - Aug 19</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
54000 · Lease Revenue	424,110	2,545,000	(2,120,890)	17%
Total Income	424,110	2,545,000	(2,120,890)	17%
Expense				
55000 · Personnel Services	13,297	80,495	(67,198)	17%
56000 · Materials & Services	50,443	365,400	(314,957)	14%
57000 · Debt Service	1,510,024	2,001,500	(491,476)	75%
Total Expense	1,573,764	2,447,395	(873,631)	64%
Net Ordinary Income	(1,149,654)	97,605	(1,247,259)	(1,178)%
Other Income/Expense				
Other Income				
58200 · Interest Income	17,662	100,000	(82,339)	18%
58800 · Miscellaneous Revenue	0	1,000	(1,000)	0%
Total Other Income	17,662	101,000	(83,339)	17%
Other Expense				
59000 · Capital Outlay	0	0	0	0%
59600 · Contingency	0	100,000	(100,000)	0%
59700 · Transfers Out to Other Funds	0	0	0	0%
59900 · Reserved for Future Expenditure	0	150,000	(150,000)	0%
59902 · UEFB	0	5,603,605	(5,603,605)	0%
Total Other Expense	0	5,853,605	(5,853,605)	0%
Net Other Income	17,662	(5,752,605)	5,770,267	(0)%
Net Income	<u>(1,131,992)</u>	<u>(5,655,000)</u>	<u>4,523,008</u>	<u>20%</u>

Port of Newport - Facility Maintenance Reserve Fund

Balance Sheet

As of August 31, 2019

	<u>Aug 31, 19</u>	<u>Aug 31, 18</u>	<u>\$ Change</u>
ASSETS			
Current Assets			
Checking/Savings			
31000 · Cash & Cash Equivalents	150,536	131,079	19,456
Total Checking/Savings	<u>150,536</u>	<u>131,079</u>	<u>19,456</u>
Total Current Assets	<u>150,536</u>	<u>131,079</u>	<u>19,456</u>
TOTAL ASSETS	<u>150,536</u>	<u>131,079</u>	<u>19,456</u>
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
32000 · Accounts Payable	2,877	0	2,877
Total Accounts Payable	<u>2,877</u>	<u>0</u>	<u>2,877</u>
Total Current Liabilities	<u>2,877</u>	<u>0</u>	<u>2,877</u>
Total Liabilities	<u>2,877</u>	<u>0</u>	<u>2,877</u>
Equity			
33000 · Fund Balance	(2,820)	31,045	(33,865)
33020 · FB - Assigned for Future Expend	150,000	100,000	50,000
Net Income	478	34	444
Total Equity	<u>147,658</u>	<u>131,079</u>	<u>16,579</u>
TOTAL LIABILITIES & EQUITY	<u>150,536</u>	<u>131,079</u>	<u>19,456</u>

Port of Newport - Facility Maintenance Reserve Fund

Profit & Loss Budget vs. Actual

July through August 2019

	Jul - Aug 19	Budget	\$ Over Budget	% of Budget
Other Income/Expense				
Other Income				
38200 · Interest Income	478	2,700	(2,222)	18%
38900 · Transfers In				
38902 · Transfers In from General Fund	0	204,800	(204,800)	0%
Total 38900 · Transfers In	0	204,800	(204,800)	0%
Total Other Income	478	207,500	(207,022)	0%
Other Expense				
39000 · Capital Outlay				
39306 · PD5 & 7 Pile Replacement	0	120,000	(120,000)	0%
Total 39000 · Capital Outlay	0	120,000	(120,000)	0%
39600 · Contingency	0	10,000	(10,000)	0%
39900 · Reserved for Future Expenditure	0	65,000	(65,000)	0%
39902 · UEFB	0	150,000	(150,000)	0%
Total Other Expense	0	345,000	(345,000)	0%
Net Other Income	478	(137,500)	137,978	(0)%
Net Income	478	(137,500)	137,978	(0)%

Port of Newport - Construction Fund

Balance Sheet

As of August 31, 2019

	Aug 31, 19	Aug 31, 18	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
41000 · Cash & Cash Equivalents	19,290	43,759	(24,469)
Total Checking/Savings	19,290	43,759	(24,469)
Other Current Assets			
41400 · Due From Other funds	1,755	0	1,755
Total Other Current Assets	1,755	0	1,755
Total Current Assets	21,045	43,759	(22,714)
TOTAL ASSETS	21,045	43,759	(22,714)
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
42000 · Accounts Payable	2,725	0	2,725
Total Accounts Payable	2,725	0	2,725
Other Current Liabilities			
42200 · Due To Other funds	0	1,800	(1,800)
Total Other Current Liabilities	0	1,800	(1,800)
Total Current Liabilities	2,725	1,800	925
Total Liabilities	2,725	1,800	925
Equity			
43000 · Fund Balance	30,337	41,932	(11,595)
Net Income	(12,017)	27	(12,044)
Total Equity	18,320	41,959	(23,639)
TOTAL LIABILITIES & EQUITY	21,045	43,759	(22,714)

Port of Newport - Construction Fund
Profit & Loss Budget vs. Actual
 July through August 2019

	<u>Jul - Aug 19</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Other Income/Expense				
Other Income				
48200 · Interest Income	5	30	(25)	16%
48300 · Grants	0	1,200,000	(1,200,000)	0%
48900 · Transfers In from Other Funds				
48902 · Transfers In from General Fund	0	1,194,970	(1,194,970)	0%
Total 48900 · Transfers In from Other Funds	0	1,194,970	(1,194,970)	0%
Total Other Income	5	2,395,000	(2,394,995)	0%
Other Expense				
49000 · Capital Outlay				
49303 · PD5 Pier Construction	11,052	2,410,000	(2,398,948)	0%
49480 · Terminal WIP				
49484 · Terminal WIP Const & Management	970			
Total 49480 · Terminal WIP	970			
Total 49000 · Capital Outlay	12,022	2,410,000	(2,397,978)	0%
49600 · Contingency	0	10,000	(10,000)	0%
Total Other Expense	12,022	2,420,000	(2,407,978)	0%
Net Other Income	(12,017)	(25,000)	12,983	48%
Net Income	(12,017)	(25,000)	12,983	48%

Port of Newport - Bonded Debt Fund

Balance Sheet

As of August 31, 2019

	Aug 31, 19	Aug 31, 18	\$ Change
ASSETS			
Current Assets			
Checking/Savings			
21000 · Cash & Cash Equivalents	22,402	369,034	(346,631)
Total Checking/Savings	22,402	369,034	(346,631)
Other Current Assets			
21270 · Property Tax Receivable	86,925	86,925	0
Total Other Current Assets	86,925	86,925	0
Total Current Assets	109,327	455,959	(346,631)
Other Assets			
21800 · Bond Issue costs, net of amort.	2,916	2,916	0
21825 · Advance Refunding Valuation	416,150	416,150	0
Total Other Assets	419,066	419,066	0
TOTAL ASSETS	528,393	875,025	(346,631)
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Other Current Liabilities			
22350 · Bonds Payable - Current	350,000	340,000	10,000
Total Other Current Liabilities	350,000	340,000	10,000
Total Current Liabilities	350,000	340,000	10,000
Long Term Liabilities			
22515 · 2011 Series Bonds	4,948,669	5,018,669	(70,000)
22520 · 2016 Series Bonds	7,043,195	7,320,000	(276,805)
22590 · Bond Premiums	796,865	838,806	(41,941)
22800 · Less Current Portion LTD	(350,000)	(340,000)	(10,000)
22920 · Deferred IF - Refund Valuation	20,808	0	20,808
Total Long Term Liabilities	12,459,537	12,837,475	(377,938)
Total Liabilities	12,809,537	13,177,475	(367,938)
Equity			
23000 · Fund Balance	(12,286,989)	(12,314,927)	27,938
23500 · FB - Debt Principal	340,000	0	340,000
23999 · Retained Earnings	(343,519)	0	(343,519)
Net Income	9,365	12,477	(3,112)
Total Equity	(12,281,144)	(12,302,450)	21,307
TOTAL LIABILITIES & EQUITY	528,393	875,025	(346,631)

Port of Newport - Bonded Debt Fund
Profit & Loss Budget vs. Actual
 July through August 2019

	Jul - Aug 19	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
28100 · Bond Levy Proceeds	9,305	832,500	(823,195)	1%
Total Income	9,305	832,500	(823,195)	1%
Gross Profit	9,305	832,500	(823,195)	1%
Expense				
27000 · Debt Service	0	881,000	(881,000)	0%
Total Expense	0	881,000	(881,000)	0%
Net Ordinary Income	9,305	(48,500)	57,805	(19)%
Other Income/Expense				
Other Income				
28200 · Bank Interest Income	60	6,500	(6,440)	1%
Total Other Income	60	6,500	(6,440)	1%
Other Expense				
29902 · UEFB	0	53,000	(53,000)	0%
Total Other Expense	0	53,000	(53,000)	0%
Net Other Income	60	(46,500)	46,560	(0)%
Net Income	9,365	(95,000)	104,365	(10)%



CONSENT CALENDAR AGENDA ITEM

DATE: 12 September 2019
RE: Surplus Property Declaration
TO: Port of Newport Board of Commissioners
ISSUED BY: Aaron Bretz, Director of Operations

BACKGROUND

The washing machines in the Central South Beach Marina have been replaced. The old washing machines are at the end of their expected service life, but eight of them are still in working order. Two are not working, and should be disposed of as scrap or sold for parts.

DETAIL SUPPORTING

The 10 surplus washing machines may be of value to someone, and could be disposed of as excess property.

RECOMMENDATION

I would recommend that a Commissioner make a MOTION TO DECLARE 10 WASHING MACHINES IN SOUTH BEACH AS EXCESS PROPERTY.



Congress of the United States
Washington, DC 20515

September 11, 2019

Dr. Walter Cruickshank
Acting Director
Bureau of Ocean Energy Management
1849 C Street NW
Washington, D.C. 20240

Dear Dr. Cruickshank,

We are writing in regard to the Bureau of Ocean Energy Management (BOEM) Oregon Outer Continental Shelf (OCS) Renewable Energy Task Force. With your stated intent to begin offshore wind planning on the Oregon Coast, we believe your discussions would be improved and better informed through greater local involvement from Oregon's coastal communities.

These conversations and plans have the potential to reverberate throughout Oregon's coast. With that in mind, as we did back in 2014, we ask that you include local authorities in this process. Specifically, we request you include representation from all seven Oregon coastal counties, the Oregon Ocean Policy Advisory Council (OPAC), and the Oregon Coastal Zone Management Association (OCZMA).

In addition, we encourage you to invite and accommodate robust public participation from key stakeholders including conservation groups, Oregon coastal ports, and the State of Oregon's four legislatively mandated fishery commissions – Oregon Dungeness Crab Commission, Oregon Salmon Commission, Oregon Albacore Commission, and Oregon Trawl Commission.

Each of these groups have detailed working knowledge of the needs of coastal communities and industries and are well positioned to provide critical insight to the Task Force.

Finally, we request that you hold the September 27th taskforce meeting, as well as future meetings, closer to the Oregon Coast, including centrally-located coastal cities. For those traveling from the Coast, travel times could be up to nearly six hours each way. We appreciate your plans for remote attendance, and that Portland may be a more convenient location for many federal agency participants. However, Portland-only meetings create a significant hardship for coastal stakeholders, and remote attendance is not a substitute for in-person engagement.

The need for alternative energy sources is great, and their development is critical to our ability to reduce reliance on fossil fuels. However, it is imperative that the Task Force engages local stakeholders to ensure that renewable energy solutions benefit both our environment and our coastal communities.

Thank you for your consideration on these matters. Should you have any questions, please contact John Serra in Congressman Schrader's Oregon City district office by calling 503-557-8422 or by email at john.serra@mail.house.gov.

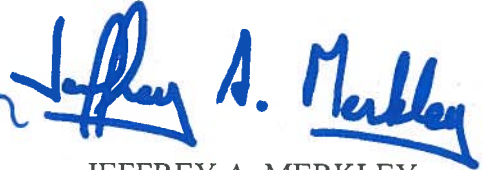
Sincerely,



KURT SCHRADER
Member of Congress



RON WYDEN
U.S. Senator



JEFFREY A. MERKLEY
U.S. Senator



PETER DeFAZIO
Member of Congress



SUZANNE BONAMICI
Member of Congress

From: Derrick Tokos [<mailto:D.Tokos@NewportOregon.gov>]

Sent: Monday, September 16, 2019 7:24 PM

To: 'cris torp'; 'Janet Webster janet.webster@charter.net'; 'Laura Anderson'; 'Gary Ripka'; 'sharon@actionnet.net'; 'Linda Niegebauer'; 'Wendy Engler'; 'Jody George'; Bill Bain; 'Frank Geltner'; 'Tom McNamara'; 'Bill Branigan'; Jeff Lackey; Aaron Bretz; 'cbruce@co.lincoln.or.us'; 'jkay@co.lincoln.or.us'; Jason Malloy; 'oregone@live.com'

Cc: Sherri Marineau; Spencer Nebel

Subject: Status of the Draft Amendments to the City's Public Parking Policies

Good evening,

On Monday of last week, the Planning Commission held a public hearing on the public parking management and related policy amendments you recommended for the Bayfront, Nye Beach and City Center areas.

At the close of the public hearing, a motion was made by Bill Branigan, the Commission liaison to the Parking Study Advisory Committee, that the policy recommendations be forwarded to the City Council as drafted. That motion failed on a 4-3 vote. Instead, the Commission recommended that the Council create a new advisory committee with instructions that they revise the draft to eliminate or minimize recommendations related to metering.

The City Council will meet on October 7th to discuss how it wants to proceed. That could be in the manner recommended by the Commission or, if the Council is not comfortable with that approach, it could elect to hold a work session or conduct a public hearing on the amendments.

There will be an opportunity on October 7th for you to share your thoughts with the Council, and given the amount of time that you have collectively put into working through these issues I am sure they would appreciate your feedback. The meeting will be at 6:00 pm in the Newport City Hall Council Chambers (169 SW Coast Hwy). If you can't attend the meeting, and would like to provide written comments, please submit them by 5:00 pm, Tuesday October 1st so they can be included with the Council's meeting materials.

Derrick I. Tokos, AICP

Community Development Director

City of Newport

169 SW Coast Highway



STAFF REPORT

DATE: *September 24, 2019*

RE: *Validity of Permit No. 13743 for the Development of a Log Export Shipping Yard at 1580 SE Bay Blvd*

TO: *Port of Newport Board of Commissioners*

ISSUED BY: *General Manager*

BACKGROUND

At the end of 2015 the Port obtained a permit for the development of a log shipping yard to be located next to the International Terminal. Unfortunately, some of those negotiations have not come to fruition. Meanwhile, with the consent of the Commission the Port has made an effort to keep that permit open in the event a project came along. Now, as you can see per attached letter, the City is requesting that the Port review the current viability of the project to determine if it is our intent to proceed with the development, and if so, to provide a proposed timeline for construction and a request for permit extension.

Aaron and I met with the City Planner to evaluate the uses of this permit. We learned that if we keep the permit open, the only project the permit will cover is another log yard and nothing else. Considering the Port has already spent over \$76K just on SDCs, permit fees and some contract management to keep the permit open, we should really evaluate the use of it moving forward. Should we keep the permit open we may have to continue spending an average of \$18K+ per year with the uncertainty if we will be able to attract a log yard to the site. Should we choose to terminate the permit, we may get reimbursement of some of the charges, such as SDCs of about \$48K. Of course, if we terminate the permit we may have to start all over again should the same opportunity come up.

RECOMMENDATION

The Port is reaching out to many opportunities to move cargo from the area. Many of those opportunities are not log related. Considering the uncertainty of bringing another log yard and the expense of keeping this permit open I would recommend that we terminate this permit at this time.

I recommend a Commissioner make a motion to **TERMINATE BUILDING PERMIT NO. 13743 FROM THE CITY OF NEWPORT FOR THE DEVELOPMENT OF A LOG EXPORT SHIPPING YARD AT 1580 SE BAY BLVD.**

Port of Newport

ITSF Expenses - All Years

	Total					
	Expenses	FY2019-20	FY2018-19	FY2017-18	FY2016-17	FY2015-16
Debt service						
SDC Financing						
Principal	\$ 30,463	\$ -	\$ 10,710	\$ 10,144	\$ 9,609	\$ -
Interest	18,455	-	5,596	6,162	6,697	-
Total debt service	48,918	-	16,306	16,306	16,306	-
Capital outlay						
Construction and management WIP						
Sorting & hauling material	21,274	970	1,686	4,521	10,957	3,140
City of Newport - licenses, permits & fees						
City of Newport McLean Point plan submittal & permits	1,484	-	-	-	-	1,484
City of Newport building permits	4,685	-	-	-	-	4,685
Subtotal - capital outlay	27,443	970	1,686	4,521	10,957	9,309
Total expenses related to building permit 13743	76,361	970	17,992	20,827	27,263	9,309

	Total Expenses	FY2019-20	FY2018-19	FY2017-18	FY2016-17	FY2015-16
Architecture						
Build survey over terminal area	3,581	-	-	-	-	3,581
Architectural services	4,415	-	-	-	-	4,415
Consulting						
ITSF feasibility study	13,940	-	-	-	3,025	10,915
Environmental consulting & assessment	7,524	-	-	-	5,081	2,443
Grant preparation EDA-NEPA requirements	1,999	-	-	-	-	1,999
Engineering						
SWPCP	2,195	-	-	2,195	-	-
Phase 1 & 2 environmental site assessment	12,436	-	-	-	12,436	-
Engineering - EDA report	5,161	-	-	-	5,161	-
Prep of urban renewal Port property	16,000	-	-	-	-	16,000
Engineering services	11,504	-	-	-	-	11,504
Legal						
Book lot title reports	600	-	-	-	400	200
Other licenses, permits & fees						
Transfer of permits - 1200C	188	-	-	188	-	-
City of Newport permit						55
Environmental permit application						3,806
Other						
Lease contract analysis	2,970	-	-	2,970	-	-
Survey & permits for conservation easement	852	-	-	-	852	-
Grant applications	6,560	-	-	-	-	6,560
Bathymetry survey	2,000	-	-	-	-	2,000
Total other capital outlay	95,786	-	-	5,353	26,955	63,478
Total expense	\$ 172,147	\$ 970	\$ 17,992	\$ 26,180	\$ 54,218	\$ 72,787

CITY OF NEWPORT
169 SW COAST HWY
NEWPORT, OREGON 97365

COAST GUARD CITY, USA



Community Development
Department
phone: 541.574.0629
fax: 541.574.0644
<http://newportoregon.gov>
mombetsu, japan, sister city

August 29, 2019

Port of Newport
ATTN: Paula Miranda, General Manager
600 SE Bay Blvd
Newport, OR 97365

Re: Validity of Permit No. 13743 for the Development of a Log Export Shipping Yard at 1580 SE Bay Blvd

Dear Ms. Miranda,

On December 31, 2015, the Port of Newport obtained Building Permit No. 13743 for the development of a log shipping yard located at 1580 SE Bay Blvd. Over the course of the past three and a half years, the Port of Newport has requested a number of progress inspections in order to prevent the expiration of the building permit. These inspections consisted of the verification of grading activities, specifically the excavation and removal of relatively small quantities of dirt from the site. As of this date the site grading has not been substantially completed and no other substantial development in furtherance of this project has occurred.

The Oregon Structural Specialty Code, Section 105.5, provides the following:

“Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The Building Official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.”

Therefore, I am requesting that the Port of Newport review the current viability of this project and determine if it is their intent to proceed with this development, and if so, provide a proposed timeline for construction and a request for permit extension. Also, please provide an explanation of the reasons for the delays. Please submit this information no later than October 31, 2019, to allow for review and processing prior to the scheduled expiration date of November 27, 2019.

Thank you in advance for your attention to this matter.

Sincerely,


Joseph Lease, CBO
Building Official

RECEIVED
SEP 03 2019
PORT OF NEWPORT

**PORT OF NEWPORT
RESOLUTION NO. 2019-XX**

A RESOLUTION ADOPTING A TELEWORK POLICY

WHEREAS, the Port of Newport Board of Commissioners By-laws states in section 2 that the Board of Commissioners shall adopt policies for the governance of the Port; and

WHEREAS, from time to time Port management recommends that an option for telework be made available as appropriate to Port staff to meet the needs of the Port; and

WHEREAS, the Port of Newport presently does not have an enumerated policy with regard to telework; and

WHEREAS, Port staff has prepared a Port of Newport Telework Policy document, attached hereto as Exhibit A, that outlines policies and procedures for telework;

NOW THEREFORE,

THE PORT OF NEWPORT BOARD OF COMMISSIONERS RESOLVES AS FOLLOWS:

Section I. The Port of Newport Telework Policy, attached hereto as Exhibit A, is hereby adopted by reference.

Section II. The Policies and Procedures may be modified by Resolution or may be modified administratively to follow best practices, for example, to update items to comply with Port Personnel Policy, or to incorporate new laws and rules.

Section II. Staff is directed to codify this policy according to past administrative practices.

APPROVED AND ADOPTED BY THE BOARD OF COMMISSIONERS this
24th day of September, 2019.

ATTEST:

Sara Skamsner, President

Walter Chuck, Secretary/Treasurer



Telework Policy

*Adopted by Resolution XXXX
[DATE]*

Port of Newport Telework Policy

PORT OF NEWPORT TELEWORK POLICY

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EXHIBIT A

Chapter 1. General Provisions

1.1 Title. This Policy and any amendments hereto shall be called, collectively, the Port of Newport Telework Policy.

1.2 Definitions. As used in this Policy, the following terms are defined as follows:

- (a) **Central worksite:** The traditional office, official workstation, or workplace.
- (b) **Suitable:** Positions that have limited need for direct supervision and access to hard copy or electronic files, limited need for face-to-face contact with other employees, clients, and customers, and limited need for access to the Port's resources.
- (c) **Alternate worksite:** A worksite alternate to the central worksite, in the employee's home or in a building owned or leased by the state, or in a mutually agreed upon location.
- (d) **Teleworking:** A mutually agreed upon work option between the Port and the employee in which which the employee works at an alternate worksite on an occasional, irregular basis with the remainder of their time at the central worksite.
- (e) **Authorized User:** An employee or third party whom an authorized manager requested access be granted to the Ports computer system and such access was set up by an authorized party.

1.3 Purpose and Scope. The purpose of this policy is to establish guidelines and procedures for teleworking by Port employees.

1.4 Variances. The General Manager shall have the discretion to vary or modify the strict application of the provisions of the policy in any case in which the strict application of said provisions would result in practical difficulties or unnecessary hardships.

1.5 Interpretation. If any section or part of this pollicy is found to be inconsistent with any laws of the State of Oregon or of the United States, or any rule, regulation or standard established pursuant thereto, such section, or part thereof shall be interpreted in the manner most consistent with its original intent that is not inconsistent with any laws of the State of Oregon or the United States or any rules, regulations or standards established pursuant thereto. Nothing contained in this policy shall be construed as a limitation of any rights, privileges, or remedies previously existing under any applicable laws or as a limitation of the powers of the Port Commission or management.

1.6 Severability. Should any portion or the application thereof to any person or property be found invalid for any reason, the validity of the remainder of these provisions or the application of such remainder to other persons or property shall not be affected.

Chapter 2. Telework Provisions

2.1 Request and Consideration

- (a) Teleworking is a privilege and may be a work option for some positions.

EXHIBIT A

- (b) Employees may request to telework. In deciding whether to accept or deny an employee's request, the supervisor may consider a number of factors, including, but not limited to, the following:
 - (1) If the position is suitable for telecommuting or teleworking.
 - (2) If the employee consistently demonstrates work habits that are well-suited to teleworking, including, but not limited to self-motivation, self-discipline, the ability to work independently, the ability to manage distractions, the ability to meet deadlines, and a demonstrated record of meeting established performance expectations.
 - (3) Whether approval or denial of the request is a consistent application of the policy throughout the Port.
 - (4) Whether a teleworking arrangement will meet the Port's business or operation needs or a need of the Port's customers.
- (c) The supervisor may approve or deny the teleworking request. The Port's Directors and/or General Manager can assist supervisors who are uncertain about whether to approve or deny a teleworking request.

2.2 Agreement

- (a) Teleworking may be arranged by mutual agreement between the Port and an employee. Unless otherwise provided in the agreement, either the Port or the employee may discontinue the arrangement at any time.
- (b) Teleworking employees sign and abide by an agreement between the employee and the supervisor. The employment relationship remains the same as for employees not working from an alternate worksite.
- (c) The Port has the discretion to approve employees working in alternate worksites when the worksite is in Oregon or in the same state as the central worksite. When an employee's alternate worksite is outside of Oregon, the Port must request a workers' compensation insurance assessment to determine if out-of-state workers' compensation coverage is needed. If additional coverage is needed, The Port arranges for the workers compensation coverage. If an assignment out of state will last more than 14 workdays, additional approvals may be required.
- (d) An employee's salary, benefits and employer-sponsored insurance coverage do not change as a result of teleworking.
- (e) Supervisors will monitor employee compliance with the teleworking agreement, relevant policies, performance standards, expectations for work products, productivity and time accountability. Employees must be available during established work hours. Absences (including unavailability during work hours) must be pre-approved. Employees must account for all time worked and use other leave, as appropriate, with prior management approval only. Supervisors may consider an employee's request to alter regular work

EXHIBIT A

hours on a telework day, if the alteration is necessary for the employee to accomplish assigned work tasks. Supervisors will discuss the employer's expectations with the employee such as assignments to be completed, timely response to e-mail and phone calls, etc.

- (f) Employees' work schedules must comply with the Fair Labor Standards Act.
- (g) Supervisors have discretion to determine whether to allow telework when an employee's dependents may be in the home during teleworking hours. If approved, time the employee spends caring for dependents, or time spent on other personal business, will not be counted as time worked. The employee must gain preapproval from management prior to using any accrued leave.

Chapter 3. Security & Logistics

3.1 *Security*

- (a) The supervisor will ensure that the employee can work at the alternate worksite without endangering Port information. The agreement must contain assurance that the supervisor and employee will follow Port policies related to information and data security. Complying with these policies mitigates risk and ensures an appropriate level of security for confidential information (paper and electronic) in transit or at the alternate worksite.
- (b) The supervisor will provide the employee with ongoing training on how to protect confidential information.
- (c) The Port will ensure that the employee has secure network access to the Port's systems and that devices used by the employee contain an appropriate level of security software and configurations. Port information stored on an employee's personal electronic equipment is subject to public records requests, and to review by the Port.

3.2 *Logistics for Alternate Worksites*

- (a) Employees are expected to have sufficient telephone arrangements to perform their work and to participate in telephone conferences during agreed-upon work hours.
- (b) Employees are expected to have sufficient Internet access if work assignments require use of Web resources in the performance of their duties while working at an alternate worksite.
- (c) Employees will not hold business visits or in-person meetings with a Port's customers or co-workers at the alternate worksite unless approved by the employee's supervisor.
- (d) The Port provides office supplies for the alternate worksite.
- (e) The Port may provide equipment and software for use at the alternate worksite. The equipment and software are for Port business only, and must comply with the Port's desktop security and maintenance policies and practices.
- (f) If the employee provides equipment and software, the employee provided equipment

EXHIBIT A

must comply with the Port's desktop security and maintenance policies and practices (when developed), and any additional safeguards required by the Port. Below are current expectations:

- (1) The Port will provide the software tools to connect the to the Port IT system, use of any other system is prohibited. Because proper configuration is important for secure use of these tools, mandatory configuration procedures will be provided for each of the approved tools.
 - (2) When accessing the Ports network from a personal computer, Authorized Users are responsible for preventing access to any computer resources or data by non-Authorized Users. Performance of illegal activities through the network by any user (Authorized or otherwise) is prohibited. The Authorized User bears responsibility for and consequences of misuse of the Authorized User's access.
 - (3) Authorized Users shall protect their login and password, even from family members.
 - (4) Users shall ensure the remote host is not connected to any other network at the same time, with the exception of personal networks that are under their complete control or under the complete control of an Authorized User or Third Party.
 - (5) Authorized Users connected to the Ports internal networks via remote access must use the most up-to-date anti-virus software.
- (g) **Note:** Port information stored on personal electronic equipment may be subject to Port review, public records requests and discovery.
- (h) The employee will provide home worksite furniture and equipment and should maintain a clean and safe workspace. The employee must immediately report to the supervisor any injury that occurs during work hours. The Port is not responsible for loss, damage, repair, replacement, or wear of personal property or equipment.

References

Reserved

RESOLUTION NO. 2019-XX

A RESOLUTION OF THE PORT OF NEWPORT, LINCOLN COUNTY, OREGON AUTHORIZING THE REFUNDING OF TAXABLE LEASE REVENUE BONDS, SERIES 2010 AND AMENDMENT OF THE MASTER LEASE REVENUE BOND DECLARATION.

BE IT RESOLVED by the Board of Commissioners (the “Board”) of the Port of Newport (the “Port”) that:

Section 1. Findings

The Board finds as follows:

- 1.1 The Port previously issued its Taxable Lease Revenue Bonds (NOAA Project), Series 2010 dated July 14, 2010 (the “2010 Bonds”) to finance improvements to real property as set forth in the U.S. Government Lease for Real Property dated August 7, 2009 and any related improvements, to fund a debt service reserve and to pay costs of issuance; and
- 1.2 Oregon Revised Statutes sections 287A.360 through 287A.375 authorize the Port to refund outstanding borrowings; and,
- 1.3 Under current market conditions refunding all or a portion of the outstanding 2010 Bonds may produce debt service savings; and,
- 1.4 The 2010 Bonds were issued pursuant to a Master Lease Revenue Bond Declaration dated as of July 14, 2010 (the “Master Declaration”), which establishes the terms and conditions under which future bonds that are issued on a parity with the 2010 Bonds (“Additional Parity Indebtedness”) may be issued; and
- 1.5 It is now desirable to authorize the refunding of all or a portion of the outstanding 2010 Bonds to achieve debt service savings, and to authorize the execution of an Amended and Restated Master Lease Revenue Bond Declaration (the “Amended Master Declaration”) to incorporate amendments that (1) allow the Port to issue refunding bonds as Additional Parity Indebtedness, and (2) allow the Port to issue Additional Parity Indebtedness without a reserve or with a reduced reserve if the Port decides to pursue the amendment.

Section 2. Bonds Authorized

- 2.1 The Board hereby authorizes the issuance of lease revenue bonds to refund all or a portion of the outstanding 2010 Bonds to achieve adequate debt service savings. The bonds authorized by this Section 2 (the “Refunding Bonds”) shall be sold and issued pursuant to ORS Chapters 287A and as provided in this resolution and the Amended Master Declaration. The Refunding Bonds may be issued in an amount sufficient to pay and redeem the 2010 Bonds that are being refunded, to fund a debt service reserve, if any, and, to pay estimated costs related to the refunding of the 2010 Bonds and the issuance of the Refunding Bonds.

Section 3. Delegation.

The President, General Manager, Director of Finance and Business Services, or the person designated by the President, General Manager or Director of Finance and Business Services to act on behalf of the Port under this resolution (each of whom is referred to herein as a “Port Official”) is hereby authorized, on behalf of the Port and without further action by the Board (and such actions of the Port Official, if taken prior to the adoption of this resolution, are hereby affirmed and authorized), to:

- 3.1 Issue the Refunding Bonds in one or more series.
- 3.2 Execute and deliver the Amended Master Declaration, as permitted by the Master Declaration, in order to make changes that the Port Official determines will benefit the Port, including amending the Master Declaration to (1) allow the Port to issue refunding bonds as Additional Parity Indebtedness, (2) allow the Port to issue Additional Parity Indebtedness without a reserve or a reduced reserve, if desired, and (3) make any other conforming changes that are necessary to facilitate these amendments, the issuance of the Refunding Bonds, or the refunding of all or a portion of the outstanding 2010 Bonds.
- 3.3 Determine if the Refunding Bonds shall be placed with a bank or other financial institution or sold to the public markets.
- 3.4 Participate in the preparation of, authorize the distribution of, and deem final the preliminary and final official statements and any other disclosure documents for the Refunding Bonds, if required.
- 3.5 Select a purchaser or an underwriter and negotiate the terms of purchase agreements and/or conduct a competitive sale, as determined by the Port Official.
- 3.6 Establish the final principal amounts, maturity schedules, interest rates, sale prices, redemption terms, payment terms and dates, record date and other terms of each series of the Refunding Bonds.
- 3.7 Approve, execute and deliver any required Continuing Disclosure Certificates pursuant to SEC Rule 15c2-12, as amended (17 CFR Part 240, § 240.15c2-12).
- 3.8 Appoint and enter into agreements with a paying agent, registrar and any other professionals and service providers that the Port Official determines are desirable in connection with the Refunding Bonds.
- 3.9 Apply for ratings for each series of Refunding Bonds, if necessary, and determine whether to purchase municipal bond insurance or obtain other forms of credit enhancements for each series of Refunding Bonds, enter into agreements with the providers of credit enhancement, and execute and deliver related documents.

- 3.10 Determine whether the savings produced by the refunding are adequate to justify the refunding, and select the outstanding 2010 Bonds that will be refunded; and appoint a verification agent and escrow agent for the refunding.
- 3.11 Cause notice of call, defeasance, and redemption of the 2010 Bonds to be given as required by law.
- 3.12 Subscribe for and obtain eligible securities to be deposited in an escrow fund for the 2010 Bonds.
- 3.13 Take any actions necessary to execute and deliver the Amended Master Declaration and refund any 2010 Bonds that will be refunded.
- 3.14 Make any clarifying changes or additional covenants not inconsistent with this Resolution.
- 3.15 Issue, sell and deliver the Refunding Bonds and execute any documents and take any other action in connection with the Refunding Bonds which the Port Official finds will be advantageous to the Port.

Section 4. Security For Refunding Bonds.

The Refunding Bonds will constitute special obligations of the Port that are secured solely by the Lease Revenues, the Deed of Trust and related amounts as provided in the Amended Master Declaration. The Port may issue the Refunding Bonds as Additional Parity Indebtedness pursuant to the Amended Master Declaration to be executed pursuant to Section 3.2 hereof.

Section 5. Designation of Bond Counsel and Municipal Advisor

The Port hereby designates Hawkins, Delafield & Wood LLP as Bond Counsel and SDAO Advisory Services LLC as Municipal Advisor for the issuance of the Refunding Bonds.

Section 6. Effective Date.

This resolution is effective immediately upon adoption.

ADOPTED by the Board of Commissioners of the Port of Newport at a meeting thereof, held this 24th day of September, 2019.

**PORT OF NEWPORT
LINCOLN COUNTY, OREGON**

Sara Skamser, President

ATTEST:

Walter Chuck, Secretary/Treasurer

RESOLUTION NO. 2019-XX

A RESOLUTION OF THE PORT OF NEWPORT, LINCOLN COUNTY, OREGON AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF GENERAL OBLIGATION REFUNDING BONDS; DESIGNATING A PORT OFFICIAL; DELEGATING THE NEGOTIATION AND APPROVAL OF FINANCIAL DOCUMENTS AND RELATED MATTERS.

BE IT RESOLVED by the Board of Commissioners (the “Board”) of the Port of Newport (the “Port”) that:

SECTION 1. Findings

The Board finds as follows:

- a. The Port previously issued its General Obligation Bonds, Series 2011 (the “2011 Bonds”) to finance capital construction and improvements as set forth in Measure 21-114, approved by the Port’s voters at an election on November 7, 2006; and
- b. The Port is authorized pursuant to the Oregon Constitution and Oregon Revised Statutes Chapter 287A to issue refunding bonds for the refunding of all or a portion of its outstanding 2011 Bonds; and
- c. Under current market conditions refunding all or a portion of the outstanding 2011 Bonds may produce debt service savings, and the Port has determined that it is in the best interest of the taxpayers of the Port to refund all or a portion of the 2011 Bonds. The Port Official, as defined below, shall select the portion of such 2011 Bonds to be refunded in accordance with Section 8 hereof; and
- d. The Port adopts this resolution to provide the terms under which the refunding bonds will be sold and issued and to authorize the refunding of all or a portion of the 2011 Bonds.

SECTION 2. Refunding Bonds Authorized

The Port hereby authorizes the issuance of General Obligation Refunding Bonds (the “Refunding Bonds”) in an aggregate principal amount sufficient to refund all or a portion of the 2011 Bonds and to pay the costs related to the refunding of the 2011 Bonds and the issuance of the Refunding Bonds.

SDAO Advisory Services LLC is hereby authorized, on behalf of the Port to submit an advance refunding plan and any amendments to such plan to the Oregon State Treasurer for review and approval to the extent required by law and the Port hereby ratifies and confirms all actions taken prior to and after adoption of this resolution in connection with such submission.

SECTION 3. Designation of Port Officials

The Board designates the President, General Manager and the Director of Finance and Business Services (each a “Port Official”) or a designee of a Port Official to act on behalf of the Port as specified in Section 8 hereof.

SECTION 4. Security

Pursuant to ORS 287A.315, the Port hereby pledges its full faith and credit and taxing power to pay the Refunding Bonds. The Port hereby covenants for the benefit of the Owners to levy annually, as necessary, a direct ad valorem tax upon all of the taxable property within the Port which is sufficient, after taking into consideration discounts taken and delinquencies that may occur in the payment of such taxes and other legally available amounts, to pay all Refunding Bond principal and interest when due. This tax shall be in addition to all other taxes of the Port, and this tax shall not be limited in rate, amount or otherwise, by Sections 11 or 11b of Article XI of the Oregon Constitution.

SECTION 5. Form of Refunding Bonds

The Refunding Bonds shall be issued in substantially the form as approved by the Port Official. The Refunding Bonds may be printed or typewritten, and may be issued as one or more temporary Refunding Bonds which shall be exchangeable for definitive Refunding Bonds when definitive Refunding Bonds are available.

SECTION 6. Execution of Refunding Bonds

The Refunding Bonds shall be executed on behalf of the Port with the manual or facsimile signature of a Port Official.

SECTION 7. Redemption

The Refunding Bonds may be subject to optional redemption or mandatory redemption prior to maturity as determined under Section 8 hereof.

SECTION 8. Delegation for Establishment of Terms and Sale of the Refunding Bonds

The Port Official is hereby authorized, on behalf of the Port without further action of the Board (and such actions of the Port Official, if taken prior to the adoption of this resolution, are hereby affirmed and authorized), to:

- a. establish the principal and interest payment dates, principal amounts, interest rates, denominations, redemption provisions and all other terms of the Refunding Bonds;
- b. determine if the Refunding Bonds shall be placed with a bank or other financial institution or sold to the public markets;
- c. select a purchaser or an underwriter and negotiate the terms of a purchase agreement and/or conduct a competitive sale, as determined by the Port Official;
- d. enter into covenants regarding the use of the proceeds of the Refunding Bonds and the projects refinanced with the proceeds of the Refunding Bonds;
- e. appoint a registrar and paying agent for the Refunding Bonds, if necessary;
- f. select the maturities of the 2011 Bonds to be refunded and cause notice of call, defeasance, and redemption to be given as required by law;

- g. appoint an escrow agent and execute and deliver any documents necessary to refund all or a portion of the 2011 Bonds including submission of an advance refunding plan to the State;
- h. subscribe for and obtain eligible securities to be deposited in an escrow fund for the refunding of the 2011 Bonds;
- i. appoint a certified public accounting firm to act as verification agent to produce a report demonstrating the ability of the escrow account to meet all future debt service and related costs relative to the refunding of the 2011 Bonds, if necessary;
- j. take such actions as are necessary to qualify the Refunding Bonds for the book-entry only system of The Depository Trust Company if required;
- k. approve of and authorize the distribution of the preliminary and final official statements for the Refunding Bonds, if required;
- l. obtain one or more ratings on the Refunding Bonds if determined by the Port Official to be in the best interest of the Port, and expend Refunding Bond proceeds to pay the costs of obtaining such rating;
- m. obtain municipal bond insurance on the Refunding Bonds if determined by the Port Official to be in the best interest of the Port, execute and deliver any agreement required in connection with such insurance, and expend Refunding Bond proceeds to pay any bond insurance premium;
- n. approve, execute and deliver a Continuing Disclosure Certificate pursuant to SEC Rule 15c2-12, as amended (17 CFR Part 240, § 240.15c2-12), if required;
- o. approve, execute and deliver the Refunding Bond closing documents and certificates;
- p. determine if the Refunding Bonds shall be issued as federally tax-exempt or taxable obligations;
- q. make any clarifying changes or additional covenants not inconsistent with this Resolution; and
- r. execute and deliver a certificate specifying the action taken by the Port Official pursuant to this Section 8 and any other certificates, documents or agreements that the Port Official determines are desirable to issue, sell and deliver the Refunding Bonds in accordance with this Resolution.

SECTION 9. Default and Remedies

The occurrence of one or more of the following shall constitute an Event of Default under this Resolution and the Refunding Bonds:

- a. Failure by the Port to pay Bond principal, interest or premium when due (whether at maturity, or upon redemption after a Bond has been properly called for redemption);
- b. Failure by the Port to observe and perform any covenant, condition or agreement on its part to be observed or performed for the benefit of Owners of Refunding Bonds, for a period of sixty (60) days after written notice to the Port by the Owners of fifty-one (51%) percent or more of the principal amount of Refunding Bonds then Outstanding specifying such failure and requesting that it be remedied; provided

however, that if the failure stated in the notice cannot be corrected within such sixty (60) day period, it shall not constitute an Event of Default so long as corrective action is instituted by the Port within the sixty (60) day period and diligently pursued, and the default is corrected as promptly as practicable after the written notice referred to in this paragraph; or,

c. The Port is adjudged insolvent by a court of competent jurisdiction, admits in writing its inability to pay its debts generally as they become due, files a petition in bankruptcy, or consents to the appointment of a receiver for the payments.

The Owners of fifty-one (51%) percent or more of the principal amount of Refunding Bonds then Outstanding may waive any Event of Default and its consequences, except an Event of Default as described in (a) of this Section.

Upon the occurrence and continuance of any Event of Default hereunder the Owners of fifty-one (51%) percent or more of the principal amount of Refunding Bonds then Outstanding may take whatever action may appear necessary or desirable to enforce or to protect any of the rights of the Owners of Refunding Bonds, either at law or in equity or in bankruptcy or otherwise, whether for the specific enforcement of any covenant or agreement contained in this Resolution or the Refunding Bonds or in aid of the exercise of any power granted in this Resolution or in the Refunding Bonds or for the enforcement of any other legal or equitable right vested in the Owners of Refunding Bonds by the Resolution or the Refunding Bonds or by law. However, the Refunding Bonds shall not be subject to acceleration.

No remedy in this Resolution conferred upon or reserved to Owners of Refunding Bonds is intended to be exclusive and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Resolution or now or hereafter existing at law or in equity. No delay or omission to exercise any right or power accruing upon any default shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient. To entitle the Owners of Refunding Bonds to exercise any remedy reserved to them, it shall not be necessary to give any notice other than such notice as may be required by this Resolution or by law.

SECTION 10. Defeasance

The Port may defease the Refunding Bonds by setting aside, with a duly appointed escrow agent, in a special escrow account irrevocably pledged to the payment of the Refunding Bonds to be defeased, cash or direct obligations of the United States in an amount which, in the opinion of an independent certified public accountant, is sufficient without reinvestment to pay all principal and interest on the defeased Refunding Bonds until their maturity date or any earlier redemption date. Refunding Bonds which have been defeased pursuant to this Section shall be deemed paid and no longer outstanding, and shall cease to be entitled to any lien, benefit or security under this Resolution except the right to receive payment from such special escrow account.

SECTION 11. Establishment of Account

The following account shall or has been created which account shall be continually maintained, except as otherwise provided, so long as the Refunding Bonds remain unpaid.

Debt Service Account. The Port shall maintain the debt service account in the Port's debt service fund for the payment of principal, premium, if any, and interest on the Refunding Bonds as they become due. All accrued interest, if any, and all taxes levied and other moneys available for the payment of the Refunding Bonds shall be deposited to the debt service account.

SECTION 12. Professionals

The Port hereby appoints Hawkins Delafield & Wood LLP as Bond Counsel for the issuance of the Refunding Bonds and SDAO Advisory Services LLC as Municipal Advisor.

SECTION 13. Resolution to Constitute Contract

In consideration of the purchase and acceptance of any or all of the Refunding Bonds by those who shall own the Refunding Bonds from time to time (the "Owners"), the provisions of this Resolution shall be part of the contract of the Port with the Owners and shall be deemed to be and shall constitute a contract between the Port and the Owners. The covenants, pledges, representations and warranties contained in this Resolution or in the closing documents executed in connection with the Refunding Bonds, including without limitation the Port's covenants and pledges contained in Section 4 hereof, and the other covenants and agreements herein set forth to be performed by or on behalf of the Port shall be contracts for the equal benefit, protection and security of the Owners, all of which shall be of equal rank without preference, priority or distinction of any of such Refunding Bonds over any other thereof, except as expressly provided in or pursuant to this Resolution.

ADOPTED by the Board of Commissioners of the Port of Newport, Lincoln County, Oregon this 24th day of September, 2019.

**PORT OF NEWPORT
LINCOLN COUNTY, OREGON**

By: _____
Sara Skamser, President

ATTEST:

By: _____
Walter Chuck, Secretary/Treasurer



ACCOUNTS PAID REPORT CYCLE STAFF REPORT

DATE: 9/19/2019
TO: Mark A. Brown, Director of Finance and Business Services
ISSUED BY: Mark Harris, Accounting Supervisor

OVERVIEW

Summary:

The Accounts Paid report, starting with this month's report, will end with the last date of the prior month. This month's report includes payments since last month's report period ending on August 16, 2019, through August 31, 2019

Detail:

- This change is being made to increase efficiency in processing.
- This change is being made to align with the Financial Reports.
- Future reports will reflect the calendar month prior to the Commission Meeting in its entirety.



**Operating Fund
August 17, 2019 through August 31, 2019**

Date	Num	Name	Memo	Class	Amount
08/20/2019	41390	Aaron Schumacher	Refund Annex RV		
08/16/2019	7928345		Cancelled monthly reservation	South Beach:Annex	757.00
					<u>757.00</u>
08/20/2019	41391	City of Newport	Estuarine use permit		
08/19/2019	3966		Recreational Marina ramp toe repair	Administration	617.00
					<u>617.00</u>
08/20/2019	41392	OR Department of State Lands	JPA DSL Remove/Fill Permit		
08/16/2019	Ramp JPA Fee		Recreational Marina ramp toe repair	South Beach:SB Marina	805.00
					<u>805.00</u>
08/20/2019	41393	Siuslaw Broadband			
08/19/2019	18634		Web filtering	Administration	200.00
					<u>200.00</u>
08/26/2019	41394	DJK Services			
07/29/2019	PO 31158		Used golf cart	South Beach:SB Operations	3,400.00
					<u>3,400.00</u>
08/26/2019	41395	G & K Floors	Janitorial services - Port office, SB and customs trailer		
08/21/2019	090119		Janitorial services - SB	South Beach:SB Admin	3,760.00
			Janitorial services - Customs trailer	Administration	120.00
			Janitorial services - Port office	Administration	200.00
					<u>4,080.00</u>
08/26/2019	41396	Nye Beach Cafe			
08/26/2019	PO 31374		Lunch for Commission meeting	Administration	82.00
					<u>82.00</u>
08/26/2019	41397	SDAO			
07/25/2019	19BD-062019-0563		Board & Management training	Administration	75.00
					<u>75.00</u>
08/29/2019	41398	Norma Jean - 238150	Refund moorage		
08/22/2019	Refund		Sold boat and shortened stay	Commercial Marina	146.67
					<u>146.67</u>



**Operating Fund
August 17, 2019 through August 31, 2019**

Date	Num	Name	Memo	Class	Amount
					146.67
08/29/2019	41399	Appliance Service Station	Service call/labor		
06/17/2019	19-190		Marina dryer 1 - repair door switch assembly	South Beach:SB Operations	150.00
					<u>150.00</u>
08/29/2019	41400	Business Oregon - OBDD	Loan payment for September 2019		
08/16/2019	655-36-02Q1001 9-19		Principle for September 2019	International Terminal	5,263.89
			Interest for September 2019	International Terminal	2,536.11
					<u>7,800.00</u>
08/29/2019	41401	Cardinal Services			
08/29/2019	1170463		Wages for temp services	South Beach:SB Admin	1,331.44
			Wages for temp services - OT	South Beach:SB Admin	227.00
			Wages for temp services	South Beach:SB Operations	1,724.80
					<u>3,283.24</u>
08/29/2019	41402	City of Newport	Land Use Certification signature		
08/28/2019	Land Use Fee		Recreational Marina ramp toe repair	Administration	57.00
					<u>57.00</u>
08/29/2019	41403	Coastal Refrigeration Heating & AC			
07/24/2019	1187-11447		Marina Store walk-in cooler overflow repair	LP:South Beach	130.00
					<u>130.00</u>
08/29/2019	41404	Conrad Forrest Products			
04/24/2019	00171615		1 1/8" plywood sheets for PD3 & 5	Commercial Marina	2,164.00
					<u>2,164.00</u>
08/29/2019	41405	Department of Environmental Quality			
08/09/2019	WQ20STM-0772		Water Quality Annual Permit	International Terminal	1,080.00
					<u>1,080.00</u>
08/29/2019	41406	Design Space			
08/16/2019	1093022-IN		Customs office lease	Administration	217.00
					<u>217.00</u>



**Operating Fund
August 17, 2019 through August 31, 2019**

Date	Num	Name	Memo	Class	Amount
08/29/2019	41407	Frans Paul VanDenBogaard Painting			
08/28/2019	2287		House of Spirits painting contract	South Beach:SB Operations	7,850.00
					<u>7,850.00</u>
08/29/2019	41408	JBQ Quality Construction	Deposit for Siding		
08/29/2019	Deposit		Men's and Women's Shower Building	South Beach:SB Operations	9,500.00
					<u>9,500.00</u>
08/29/2019	41409	Lance P Stimely			
08/29/2019	917052		Diving - reattach electrical line on A-dock	South Beach:SB Operations	200.00
					<u>200.00</u>
08/29/2019	41410	Employee			
08/27/2019	Reimburse 08-19		Reimburse meeting expenses	Administration	42.69
					<u>42.69</u>
08/29/2019	41411	NW Natural			
08/16/2019	1584561-3 8-19		SB gas for shop	South Beach:SB Operations	16.89
08/16/2019	1584562-1 8-19		SB gas	South Beach:Main RV Park	97.08
					<u>113.97</u>
08/29/2019	41412	Pacific Coast Lock & Safe	Door knobs		
08/28/2019	8524		For wheelchair-accessible bathroom	South Beach:SB Operations	240.00
					<u>240.00</u>
08/29/2019	41413	T & L Septic Tank Service			
07/26/2019	146795		Chemical toilet rental - Bay Front	Commercial Marina	260.00
07/26/2019	146796		Chemical toilet rental - Bay Front	Commercial Marina	200.00
07/26/2019	146797		Chemical toilet rental - SB South Restroom	South Beach:SB Operations	80.00
07/26/2019	146798		Chemical toilet rental - Marina & RV Park	South Beach:SB Operations	80.00
07/26/2019	146799		Chemical toilet rental - NIT	International Terminal	80.00
07/26/2019	146800		Chemical toilet rental - SB Dry Camp	South Beach:SB Operations	80.00
08/01/2019	146629		Chemical toilet - Bay Front - clean up vandalism	Commercial Marina	15.00
					<u>795.00</u>



**Operating Fund
August 17, 2019 through August 31, 2019**

Date	Num	Name	Memo	Class	Amount
08/29/2019	41414	TCB Security Services			
08/28/2019	227886		Monthly security contract - SB Marina	South Beach:SB Marina	2,055.87
			Monthly security contract - SB RV	South Beach:Main RV Park	2,055.87
			Monthly security contract - CM	Commercial Marina	2,055.87
			Monthly security contract - NIT	International Terminal	1,088.39
					<u>7,256.00</u>
08/29/2019	41415	True Cut Engraving			
07/25/2019	1381		Name plates and tag	Administration	31.50
08/20/2019	1413		Commemorative plaques	Administration	130.00
					<u>161.50</u>
08/29/2019	41416	Verizon Wireless	Port cell phones and MiFi		
08/12/2019	9835953537		Monthly cell phone - Admin	Administration	11.50
			Monthly cell phone - CM	Commercial Marina	32.73
			Monthly cell phone - NIT	International Terminal	50.67
			Monthly cell phone - SB	South Beach:SB Operations	65.96
			Monthly MiFi - SB Admin	South Beach:SB Admin	9.91
			Monthly cell phone plan - Admin	Administration	134.97
					<u>305.74</u>
				Total	<u>51,508.81</u>



**NOAA Fund
August 17, 2019 through August 31, 2019**

Date	Num	Name	Memo	Amount
08/29/2019	13583	Bill's Pest Control		
08/07/2019	7180		Regular service for August 2019	135.00
				<u>135.00</u>
08/29/2019	13584	Coastal Refrigeration Heating & AC	Annual service and maintenance inspection	
08/06/2019	1187-11352		HVAC equipment	2,200.00
				<u>2,200.00</u>
08/29/2019	13585	Verizon Wireless		
08/12/2019	9835953537		Phone charges and Mifi	26.57
				<u>26.57</u>
			Total	<u>\$ 2,361.57</u>



STAFF REPORT

DATE: *September 24, 2019*
RE: *Transfer of portions of Dock 1 to Webster*
TO: *Port of Newport Board of Commissioners*
ISSUED BY: *General Manager*

BACKGROUND

The Port and Stephen Webster under Front St. Marine LLC now “267 SW Bay, LLC” have been working on modifications to Dock 1 where Webster will be removing portions of Port Dock 1 in order to square off his leasehold with the Department of State Lands.

The attached Quitclaim Deed and Memorandum of Understanding provide the final documentations for that process to be completed.

RECOMMENDATION

I would recommend that a Commissioner make a motion **TO APPROVE THE QUITCLAIM DEED AND MEMORANDUM OF UNDERSTANDING WITH STEPHEN WEBSTER UNDER 267 SW BAY LLC AS PRESENTED.**

After Recording Return To:
Ben C. Fetherston, Jr.
Fetherston Edmonds, LLP
PO Box 2206
Salem, OR 97208

(For Recorder's Use Only)

**Until a change is requested
all tax statements shall be sent to:**
No Change

QUITCLAIM DEED

The Port of Newport, a municipal corporation and port authority established under the laws of the State of Oregon, Grantor, releases and quitclaims to 267 SW Bay, LLC, an Oregon limited liability company, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A, ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF AS
THOUGH FULLY SET FORTH HEREIN.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. The foregoing language is included for the purpose of compliance with Oregon statutory requirements only, and is not intended to affect, limit or impair the rights and obligations of the parties under any other terms and conditions of this instrument.

The true consideration for this conveyance is \$2,500.00.

DATED this _____ day _____, 2019.

Sara Skamser, President

Paula J. Miranda, General Manager

STATE OF OREGON, County of Lincoln) ss.

The foregoing instrument was acknowledged before me this _____ day _____, 2019, by Sara Skamser, President of the Port of Newport Board of Commissioners and Paula J. Miranda, General Manager of the Port of Newport.

Notary Public for Oregon
My commission expires: _____

Exhibit A
Legal Description

PARCEL I

Commencing at the most Southerly (sometimes referred to as the Southwest) comer of Block 6, NEWPORT in Lincoln County, Oregon; thence South 53 deg. 17' West 121.1 feet; thence South 36 deg. 45' East 60.0 feet to the true point of beginning, said point being on the Southerly boundary of Front Street; thence South 36 deg. 45' East parallel to and 10 feet Easterly from the centerline of the driveway to the Port of Newport dock, 123.0 feet to the inside edge of the Port dock; thence North 54 deg. 15' East, along said dock 14.2 feet to the Easterly end of said dock; thence South 36 deg. 45' East 16.0 feet along said dock; thence North 54 deg. 15' East 118.0 feet; thence North 36 deg. 45' West 141.3 feet to the Southerly line of Front Street; thence South 53 deg. 17' West, along said Southerly line of Front Street, 132.2 feet to the true point of beginning.

TOGETHER WITH the following:

Beginning at the most southerly (sometimes referred to as the southwest) corner of Block 6, "NEWPORT", in the City of Newport, Lincoln County, Oregon; thence South 53° 16' 45" West, 80.00 feet to a 1/2 inch iron rod at the Easterly corner of Block 5, "NEWPORT"; thence South 53° 17' 29" West, 41.10 feet; thence South 36° 45' 00" East, 60.00 feet to a 5/8" iron rod on the Southerly right of way of SW Bay Boulevard and the Westerly corner of the tract described as "Parcel 1" in Lincoln County Deed Document 2014-03681; thence South 36° 45' 00" East, along the Southwesterly boundary of said "Parcel 1", 123.00 feet to the True Point of Beginning; thence leaving said Southwesterly boundary, South 36° 45' 00" East, 16.00 feet; thence North 54° 14' 47" East, 14.20 feet to the Southeasterly boundary of the aforementioned "Parcel 1"; thence North 36° 45' 00" West along the boundary of said "Parcel 1", 16.00 feet; thence continuing along the boundary of "Parcel 1", South 54° 15' 00" West, 14.20 feet to the true point of beginning.

EXCEPTING THEREFROM that portion, if any, falling below the low water line of Yaquina Bay.

PARCEL II

All state owned submerged lands in the Yaquina Bay in Section 8, Township 11 South, Range 11 West, Willamette Meridian, Lincoln County, Oregon, more particularly described as follows:

Commencing at a point on the intersection of the East line of Tax Lot 2405 (Lincoln County Assessors Map Number 11-11-8-DB described in instrument recorded December 27, 1984, Book 156, page 2288) and the line of Ordinary High Water on the right bank of the Yaquina Bay; thence riverward along a line perpendicular to the thread of the stream to the line of Pre-fill Ordinary Low Water and the True Point of Beginning; thence continuing riverward along said perpendicular line a distance of 90 feet; thence downstream and 90 feet parallel to said line of Pre-fill Ordinary Low Water a distance of 135 feet, more or less, to a point which lies 90 feet riverward from the line of Pre-fill Ordinary Low Water as extended perpendicular to the thread of the stream from a point which is the intersection of the West line of Tax Lot 2405 (Lincoln County Assessor's Map Number 11-11-8-DB, described in instrument recorded December 27, 1984, Book 156, page 2288) and the line of Ordinary High Water; thence shoreward along said perpendicular line a distance of 90 feet to the line of Pre-fill Ordinary Low Water; thence upstream along said line of Pre-fill Ordinary Low Water a distance of 135 feet, more or less, to the True Point of Beginning.

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (the "MOU") is entered into on this _____ (the "Effective Date") by and between **THE PORT OF NEWPORT ("Port")** and **267 SW BAY BLVD, LLC ("Webster")**.

BACKGROUND

WHEREAS, the Port and Webster lease properties from the Department of State Land (DSL) as shown on the attached Exhibit A;

WHEREAS, the Port quitclaimed portions of its dock to facilitate development of a new dock by Webster;

WHEREAS, Webster intends to construct certain improvements; and

WHEREAS, the Port and Webster understand that from time to time following the completion of improvements by Webster, the use by each party may temporarily extend beyond their DSL Leasehold and encroach into each other's leasehold property. Each property is defined as each DSL Leasehold as shown on Exhibit A.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. **Use Permit:** Effective upon the completion of construction of the improvements by Webster, each party grants to the other a permit to reasonable use of each other's Property for temporary encroachment, provided that the encroaching party notify the other party within 24 hours after the commencement of the encroachment. Any vessel encroaching on the other party's leasehold property must be berthing primarily on the dock owned by the other party.
2. **Tariffs:** Any uses considered beyond reasonable by either party, such as extended time or extra space needed, will be evaluated and negotiated for charges if the extent or duration of encroachment is unreasonable.
3. **Dock Removal:** Webster shall coordinate with the Port on the removal of the dock improvement within the quitclaimed area attached to the Port dock. Removal of the dock improvement shall not impact the integrity of the Port dock.

EXTENSION, WITHDRAWAL AND TERMINATION

4. Extension, Withdrawal and Termination:

4.1 Either party may elect to extend the effective term of this MOU by executing an amendment to the MOU to this effect.

4.2 After the expiration of 90 days following the effective date of this MOU, either party may withdraw from this MOU at any time and for any reason (with or without cause) upon the expiration of not less than thirty (30) days prior written notice to the other party.

MODIFICATIONS; ASSIGNMENT

5. Modifications; Assignment:

5.1 This MOU may be modified from time to time by written agreement of the parties. Any waiver of any terms of this MOU, must be in writing and must be agreed to by both parties at the time of the modification or waiver.

5.2 Only upon approval by both parties either party may assign its rights in this MOU to another person or entity

6. Notices

For the Port of Newport:

Port of Newport
600 SE Bay Blvd
Newport, OR 97365
Phone: 541-265-7758
Fax: 541-9611216
Email:portman@portofnewport.com

For Webster:

267 Bay Blvd, LLC
113 SE Bay Blvd
Newport, OR 97365

7. **Applicable Law.** This Agreement and the rights and obligations of the parties hereunder shall be governed by and construed in accordance with the laws of the State of Oregon. Venue shall be in Lincoln County.

8. **Attorney Fees.** In the event of any lawsuit between the parties arising out of the subject matter of this Agreement, which suit shall result in a court's rendering a decision, the prevailing party in such a suit shall be entitled to an award of and to collect the reasonable attorney fees and costs of litigation incurred by it in the defense or prosecution of any such suit, at trial or upon any appeal.

9. **Indemnification:** Each party agree to indemnify, hold harmless, and defend each other from and against any and all costs, claims, actions, liabilities or expenses (including, without limitation, all costs, demands, charges, suits, judgments, fines, penalties, liabilities, debts, attorneys' fees and causes of action), of whatsoever nature of character, including without limitation, claims, losses and expenses for property damage, bodily injury or death, which may be imposed upon or claimed against or incurred by the parties and which arise from any of the following: (a) any act, omission or negligence of each partners, officers, directors, agents, employees, invitees or subcontractors of the parties; (b) any use, occupation, management or control of each Property by employees, agents, subcontractors, or suppliers of the parties, whether or not due to the party's own

act or omission and whether or not occurring on the Properties; (c) any condition created on the Properties by employees, agents, Subcontractors, or suppliers of the parties, and any accident, injury or damage arising from the condition; (d) any breach, violation or nonperformance of any of the party's obligations under this Contract; or (e) any damage caused by employees, agents, subcontractors, or suppliers of the parties on or to the Properties. The Port's indemnification obligation under this paragraph with respect to any liability or expenses of whatsoever kind or nature, arising out of or in connection with the performance or non-performance of any obligation under this agreement, shall be no greater than that prescribed by the provisions of ORS 30.260 to 30.300. This limitation on the Port's indemnification obligation shall be the same whether the actions or damages being indemnified are characterized as tortious or contractual in nature. The parties agree that they have mutually negotiated this limit of the Port's indemnification obligation.

10. **Insurance:** Each party shall carry General Liability Insurance as required by applicable law for bodily injury and property damages. Each party shall procure, and continuously maintain during the term of this Agreement, Commercial General Liability Insurance with combined single limits, or their equivalent, of not less than \$1,500,000.00 for each occurrence and a \$2,000,000.00 aggregate for bodily injury and/or property damage. It shall also include contractual liability coverage for the indemnity provided under this Agreement, shall name each other as an Additional Insured under the liability provisions, and shall be in sufficient form to protect both the Port and Webster against claims of third persons for personal injury, death or property damage arising from the service performed by each party pursuant to this Agreement.

11. **No Legal Entity Created; Relationship.** The Parties do not intend to create a partnership or joint venture through execution and furtherance of this MOU. Neither party shall be an agent, representative, trustee or fiduciary of the other. Neither party shall have the authority under this MOU to bind the other to any agreement or obligation.

12. **Counterparts.** This MOU may be executed in counterparts, each such counterpart constituting an original, all such counterparts constituting one and the same agreement. Signatures transmitted by facsimile or electronic photo representation shall be binding as originals.

[signatures follow]

IN WITNESS WHEREOF, the Parties have executed this MOU as of the date first written above.

PORT OF NEWPORT

By: _____
Paula J. Miranda
General Manager

267 Bay Blvd, LLC

By Front St. Marine LLC, its member

By: _____

Its: member

Exhibit A



Port of Newport

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

February 26, 2019

Mr. Stephen Webster
Front St. Marine LLC
113 SE Bay Boulevard
Newport OR 97365

Regarding: Agreement with Stephen Webster, Front St. Marine LLC, to move forward with requested lot line adjustment of Port Dock 1.

Dear Mr. Webster,

The intent of this letter is to confirm the intent of the Port of Newport Board of Commissioners to work cooperatively with you on the above referenced lot line adjustment you requested at the December 18, 2018, regular monthly Port of Newport Commission meeting.

The Port Commission directs the Interim General Manager to continue negotiations with you on this lot line adjustment including the coordination of any work the Port's attorney may need to engage in regarding adjustments to the Port's lease agreement with Department of State Lands.

The Port Commission expects that Front St. Marine LLC will work in good faith toward a mutually agreeable outcome with Port staff. It is of paramount concern to the Port Commission that Front St. Marine LLC acknowledge that the Commission expects written confirmation from a licensed engineer as to the structural integrity of Port Dock 1 following changes necessitated by your project. In addition, the Commission expects Front St. Marine LLC to cover costs associated with the facilitation of this request in the amount of \$2,500. This amount will cover attorney's fees and staff time.

The Commission looks forward to consideration of the final agreement documents in the coming months.

Sincerely,



Stewart Lamerdin, President
Port of Newport Commission





STAFF REPORT

DATE: September 19, 2019
RE: South Beach Storm Drain Repair
TO: Paula Miranda, General Manager
ISSUED BY: Aaron Bretz, Director of Operations

BACKGROUND

As reported last month and as we've known for some time, the north end of the storm drain in South Beach is in need of repair. Because of recent movement as a result of a broken City water pipe in the area, we requested a sewer scope to determine the extent of the damage, and to help inform us as we determine the methods and timeline for repair.

DETAIL

Since last month's meeting, we've made headway on information gathering.

- The City used their vac truck to clean out the northernmost portion of the outfall so that we could get a scope into the part of the pipe that is of the greatest concern.
- After scoping, we estimate that the corrugated metal pipe (CMP) is degraded to the extent that sleeving this portion with HDPE pipe will not be possible. In the image below, we can see a broken pipe seem with the portion of pipe furthest from the camera collapsing. The material that can be seen above the appears to be asphalt from the road surface above that has worked down into the pipe through the sink hole that we've previously discussed.



- Excavating this area will be likely.
- The Army Corps has correctly observed that the elevation of this work is below Mean High Tide, and as such is in their jurisdiction; they've indicated that a pre-construction notification will be required.
- The work should be covered under Nationwide Permit #3, and we can make the claim that this work is for an emergency repair.
- I intend to publish a Request for Proposals with the scope of work more general in order to give contractors the opportunity to lend their expertise in suggesting the best repair methods and materials.

BUDGET IMPLICATIONS

Based on what I learned last month about the cost of material and construction methods, I anticipate the cost for this repair to be \$135K to fix the outfall portion, install a tide gate, and sleeve the CMP at least up to the manhole near the intersection at the southwest corner of the NOAA sand pile.

RECOMMENDATIONS

We may have bids in place prior to the next meeting, and we may be able to begin work on this project within the next month. Because of the nature of the situation as described above, as this may become an emergency situation,

I recommend a Commissioner make a **MOTION TO AUTHORIZE THE GENERAL MANAGER TO PROCEED WITH THE WORK NECESSARY TO ADDRESS THE STORM DRAIN ISSUE PENDING FUTURE EVALUATION, NOT TO EXCEED \$135,000.**

**PORT OF NEWPORT RESOLUTION NO. 2019-
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) requires the Commission to set moorage and other appropriate rates, fees and charges by the adoption of a "fee schedule" by resolution; and

WHEREAS, the Port Commission last adjusted rates, fees and charges via Resolution 2019-07 on June 11, 2018; and

WHEREAS, the Port is a single enterprise similar to a commercial entity; and

WHEREAS, the Port Commission intends that user fees should cover the costs of the Port; and

WHEREAS, Port staff recommends some increased rates for the Marina RV Park and the Annex RV Park;
NOW THEREFORE

THE PORT OF NEWPORT BOARD OF COMMISSIONERS RESOLVES AS FOLLOWS:

Unless otherwise noted, all Rates, Fees & Charges are effective July 1, 2019.

SECTION 1. SERVICE RATES.

Rates apply to all Port of Newport locations unless otherwise noted. Port owned equipment shall be operated only by port personnel. Rates are per hour, one hour minimum, in 15 minute increments, unless otherwise noted.

	PREVIOUS	NEW	% CHG
A. <u>Forklifts</u> . In addition to labor rate.			
1. Small. Toyotas.			
Per Hour.....	\$12.75	\$13.75	7.8%
2. Large. All at Newport International Terminal (NIT)			
Per Hour.....	\$32.00	\$37.00	15.6%
B. <u>Hoist Docks</u> . Tie up fee, per hour. Includes use of hoist.			
1. One hour minimum, up to 3 hours.....	\$41.00	\$43.05	5.0%
2. After 3 hours.....	\$49.00	\$51.45	5.0%
C. <u>Hoist Dock Cranes</u> . In addition to hoist dock rate.			
1. Large Capacity. In addition to labor rate.			
Per Hour.....	\$44.00	\$46.20	5.0%
2. Launch Sail Boats. Includes recovery, per launch.....	\$47.00	\$49.35	5.0%
D. <u>Service Docks</u> .			
1. Swede's Dock. In addition to moorage.			
Per day, per linear foot (double transient rate)...	\$1.04	\$1.20	15.4%
E. <u>City Water</u>			City's rate
		+ 5.0% Administration Fee	
F. <u>Fuel Surcharge</u> . NIT only. Per gallon.	\$0.034	\$0.034	0.0%

	PREVIOUS	NEW	% CHG
G. <u>Electricity</u> . Swede's Dock, Dock 1, and NIT. Per day charge.			
One day minimum.			
1. 208/220 v, single phase & 208 v three phase.....	\$16.75	\$17.59	5.0%
2. 120 v NIT.....	\$7.25	\$7.61	5.0%
3. PD7 Service Dock, 110 v pumps.....	\$7.25	\$7.61	5.0%
H. <u>Hydraulic Crane</u> . In addition to labor rate. 30 ton capacity.			
Per hour.....	\$146.00	\$156.00	6.8%
I. <u>Personnel Lift</u> . In addition to labor rate.			
Local rental cost + 5% administrative fee.....			n/a
J. <u>Pump/Line Service</u> . Includes one Port employee only. Additional staff required will be billed at the established hourly labor rate.			
Per hour	\$65.00	\$68.25	5.0%
K. <u>Storage</u> .			
1. Outside Lot Storage. Any Port of Newport Lot except Newport International Terminal.			
a. Per square foot, monthly charge.....	\$0.24	\$0.25	5.0%
b. Minimum monthly charge.....	\$24.00	\$25.20	5.0%
a. Boat trailer only, per night.....	\$2.65	\$2.78	5.0%
b. Boat on trailer, per night, 10 days limit.....	\$8.50	\$8.93	5.0%
2. NIT Lot Storage			
a. Per square foot, monthly charge.....	\$0.24	\$0.31	29.2%
b. Minimum monthly charge.....	\$24.00	\$31.00	29.2%
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).			
1st day free. Each additional day.....	\$30.00	\$31.50	5.0%
Charge for improper use of parking lot. (e.g. boat repair)			
Per day.....	\$24.00	\$25.20	5.0%
L. <u>Net & Gear Maintenance</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 rates.			
1. Commercial Marina, per day.....	\$21.00	\$22.05	5.0%
2. NIT, per day. (7 calendar days max).....	\$21.00	\$25.00	19.0%
3. South Beach Marina, per day.....	\$21.00	\$22.05	5.0%
M. <u>Work Barge</u> . In addition to labor rate.			
1. Work boat, per hour.....	\$138.00	\$144.90	5.0%
2. Wood Barge, per day (work boat extra).....	\$26.00	\$27.30	5.0%
3. Skiff, per hour.....	\$14.50	\$15.23	5.0%
N. <u>Clean-up</u> . Equipment charges are extra.			
1. Oil Spills, per hour	\$102.00	\$107.10	5.0%
(HAZWOPER trained staff)			
O. <u>Disposal Fees</u> .			
1. Just oil, per gallon.....	\$0.52	\$0.55	5.0%
2. Oil-Water mix, per gallon.....	\$1.05	\$1.10	5.0%
3. Net Disposal and/or related gear, per pound.....	\$0.19	\$0.20	5.0%
4. Garbage, per pound.....	\$0.16	\$0.17	5.0%

	PREVIOUS	NEW	% CHG
P. <u>Port Labor</u> . Includes all staff and fully burdened. Per hour, one hour minimum, in 15 minute increments.			
1. Regular Hours.....	\$56.00	\$58.80	5.0%
2. Overtime. Any services required outside regular working hours unless otherwise posted.....	\$84.00	\$88.20	5.0%
3. Emergency Call-out. Any services requiring a port employee not currently on duty to report to duty after hours.....	\$106.00	\$111.30	5.0%
Q. <u>Pallet Charge</u> . Any Port owned pallet leaving yard, each	\$6.50	\$6.83	5.0%
R. <u>Dredge Spoils</u> . Includes state fees; may be waived for other public agencies or beneficial uses.			
Per cubic yard.....	\$2.65	\$2.90	9.4%
S. <u>Keys/Cards</u> .			
1. South Beach Facilities, cards.			
a. Original (1st one).....	free	free	n/a
b. Replacement/additional (each).....	\$6.50	\$6.83	5.0%
2. Bay Front Facilities, keys.			
a. Original/first one.....	\$18.00	\$18.90	5.0%
b. Replacement/additional.....	\$32.00	\$33.60	5.0%
T. <u>Truck Toll</u>			
Vehicles with a Commercial Motor Vehicle Classification of Class 6 or higher (GVWR of 19,501 lbs or above), per axle.....	n/a	\$7.00	n/a

	PREVIOUS	NEW	% CHG
SECTION 2. COMMERCIAL MARINA (BAY FRONT) CHARGES. (Port Docks 1, 3, 5 and 7)			
A. <u>Moorage</u> . Per linear foot.			
1. Daily (transient).....	\$0.52	\$0.60	15.0%
3. Calendar Month, to be paid in advance	\$9.50	\$10.93	15.0%
4. Semi-Annual, to be paid in advance	\$35.00	\$38.50	10.0%
5. Annual, to be paid in advance	\$46.00	\$50.60	10.0%
B. <u>Parking Permits</u> . To be paid in advance.			
1. Commercial Fishermen only.			
Annual: April 1 - March 31	\$23.00	\$24.15	5.0%

SECTION 3. INTERNATIONAL TERMINAL CHARGES.

International Terminal Tariff No. 1 adopted via Resolution No. 2014-03 on 22 May 2014. All fees authorized via Tariff No. 1 effective 1 July 2014.

A. <u>Port Security Fee</u> . (§I.13) Per three 8-hour shifts.			
B. <u>Materials & Supplies</u> . (§I.31). Cost + 5% Administration Fee.			
C. <u>Dockage Charges</u> . (§III.31). Rate per day, by length.			
1. 000.00 - 351.05 ft.....	\$1,627.00	\$1,708.35	5.0%
2. 351.05 - 371.05 ft.....	\$1,792.00	\$1,881.60	5.0%
3. 371.02 - 400.26 ft.....	\$1,981.00	\$2,080.05	5.0%
4. 400.26 - 426.51 ft.....	\$2,203.00	\$2,313.15	5.0%
5. 426.51 - 449.48 ft.....	\$2,373.00	\$2,491.65	5.0%
6. 449.48 - 475.72 ft.....	\$2,607.00	\$2,737.35	5.0%
7. 475.72 - 498.69 ft.....	\$2,960.00	\$3,108.00	5.0%
8. 498.69 - 524.93 ft.....	\$3,527.00	\$3,703.35	5.0%
9. 524.93 - 551.18 ft.....	\$3,639.00	\$3,820.95	5.0%
10. 551.18 - 574.15.....	\$3,822.00	\$4,013.10	5.0%
11. 574.15 - 600.39 ft.....	\$4,373.00	\$4,591.65	5.0%
12. 600.39 - 626.64 ft.....	\$5,092.00	\$5,346.60	5.0%
13. 626.64 - 650.00 ft.....	\$5,787.00	\$6,076.35	5.0%
14. Above 650 ft., added on top of above rate, per ft.....	\$8.90	\$9.35	5.0%
15. Exceptions for certain vessels (§II.14) [Including all fishing vessels] Per linear foot.			
Daily.....	\$0.80	\$1.35	68.8%
D. <u>Service and Facility Charges</u> . (§III.2).			
Per 1000 board feet, unless noted.			
1. Logs. Scribner scale, ex dock.....	\$7.75	\$8.14	5.0%
2. Cants.....	\$6.00	\$6.30	5.0%
3. Lumber, packaged rough.....	\$5.22	\$5.48	5.0%
4. Lumber, packaged surfaced.....	\$4.63	\$4.86	5.0%
5. Plywood, veneer, corestock & harbord, /1000 kilos.....	\$5.87	\$6.16	5.0%
6. Pulp, Linerboard, bales or rolls, 2000 kilos.....	\$3.49	\$3.66	5.0%
7. Other commodities, per metric ton or 1000 bf.....	\$6.83	\$7.17	5.0%
8. Other commodities, per cubic meter.....	\$5.69	\$5.97	5.0%

	PREVIOUS	NEW	% CHG
E. <u>Wharfage Assessment.</u> (§III.6).			
Minimum charge for any single bill of lading.....	\$10.00	\$10.50	5.0%
F. <u>Wharf Charges.</u> (§III.7)			
Per 1000 board feet, unless noted. In addition to Service & Facility charges.			
1. Logs. Scribner scale, ex dock.....	\$9.50	\$9.98	5.0%
2. Cants.....	\$6.00	\$6.30	5.0%
3. Lumber, packaged rough.....	\$4.55	\$4.78	5.0%
4. Lumber, packaged surfaced.....	\$4.03	\$4.23	5.0%
5. Plywood, veneer, corestock & harbord, /1000 kilos.....	\$3.96	\$4.16	5.0%
6. Pulp, Linerboard, bales or rolls, 2000 kilos.....	\$2.72	\$2.86	5.0%
7. Other commodities, per metric ton or 1000 bf.....	\$5.57	\$5.85	5.0%
8. Other commodities, per cubic meter.....	\$4.57	\$4.80	5.0%
G. <u>Cargo Staging Area.</u> (§IV.2). Base rent for 3-acre surge area.			
1. Per week, seven days	\$2,000.00	\$2,100.00	5.0%
2. Per day, less than seven days	\$300.00	\$315.00	5.0%
H. <u>Line Service.</u> (§V.3). Labor will be charged at the rates set out in the current ILWU/PMA West Coast Contract + 5.0% for overhead. Rate schedule per day.			
1. 2 individuals.....	\$520 - \$656		0.0%
2. 4 individuals.....	\$1,061 - \$1,317		0.0%
3. 6 individuals.....	\$1,575 - \$1,973		0.0%
4. 8 individuals.....	\$2,153 - \$2,631		0.0%

SECTION 4. RECREATIONAL MARINA (SOUTH BEACH) CHARGES. Rates become effective October 1, 2019.

A. Moorage. Per linear foot. Charge based on boat length or slip length, whichever is greater. Charge at F-Dock based on boat length.

1. Daily.....	\$0.80	\$0.84	5.0%
2. Weekly.....	\$5.00	\$5.25	5.0%
3. Calendar Month.....	\$12.00	\$12.60	5.0%
4. Semi-Annual, to be paid in advance.....	\$40.00	\$42.00	
5. Annual, to be paid in advance.....	\$60.00	\$63.00	5.0%
6. Cancellation Fee - Semi-Annual or Annual Moorage			
a. 30 days or more before check-in date.....	\$53.00	\$55.65	5.0%
b. Less than 30 days before check-in, or early check out.....	\$105.00	\$110.25	5.0%
7. Electric Surcharge, per extra plug on dock.			
a. Weekly.....	\$30.00	\$31.50	5.0%
b. Monthly.....	\$120.00	\$126.00	5.0%
8. Live-aboard, by written agreement only.			
Monthly rate per person.....	\$80.00	\$84.00	5.0%

B. South Beach Charter Rates.

1. Annual Charter Operating Fee.....	\$350.00	\$367.50	5.0%
2. Annual Moorage, per linear foot, if meeting the requirements of Resolution 2015-08 Section 3.....	\$50.00	\$52.50	5.0%

C. Dock Box. Purchase..... \$375.00 \$393.75 5.0%

D. Electrical Upgrade. From 20 to 30 amp. One time fee..... \$75.00 \$78.75 5.0%

E. Service Fee Reimbursement. For electric pedestal amperage overloads. First service call included in base rate. All other service reimbursements

May be charged at actual cost to the Port + 5.0% Admin. Fee \$100.00 \$105.00 5.0%

F. Line Replacement. Per foot, per time..... \$1.50 \$1.58 5.0%

G. Launch Fee. Includes use of launch ramp, boat washdown, and fish cleaning stations.

1. Daily.....	\$6.00	\$6.00	0.0%
2. Annual			
a. Resident	\$70.00	\$73.50	5.0%
b. Resident Senior (60+).....	\$50.00	\$50.00	0.0%
c. Non-resident	\$100.00	\$105.00	5.0%
d. Non-resident Senior. (60+).....	\$85.00	\$89.25	5.0%
e. Military Veterans Disabled, Retired, or Active Duty; with ID Proof	\$50.00	\$50.00	0.0%

	PREVIOUS	NEW	% CHG
SECTION 5. RECREATIONAL VEHICLE PARK FEES. Effective October 1, 2019. Applicable State and			
A. <u>High Traffic Surcharge.</u> Per night (2-night minimum). Added to all RV Park stays in the Marina RV Park,			
1. Memorial Day, Labor Day, 4th of July	\$20.00	\$20.00	0.0%
2. Seafood & Wine Festival, Marina RV Park & Annex	\$50.00	\$50.00	0.0%
3. Seafood & Wine Festival, Dry Camp	\$50.00	\$20.00	-60.0%
4. Other Special Events	varies	varies	
B. <u>Off Season (Winter).</u> 1 November - March 31.			
1. All Marina RV Park Sites			
a. Daily			
Regular.....	\$43.00	\$54.00	25.6%
☐Good Sam OR Military Veterans (not both).....	\$38.70	\$48.60	25.6%
b. Monthly.....	\$800.00	\$850.00	6.3%
2. The Annex RV Sites			
a. Daily.....	\$37.00	\$43.00	16.2%
c. Monthly.....	\$750.00	\$800.00	6.7%
3. Dry Camping, daily	\$25.00	\$25.00	0.0%
C. <u>Peak Season (Summer).</u> April 1 - October 31. Base rate before taxes.			
1. All Marina RV Park Sites			
a. Daily			
Regular.....	\$50.00	\$60.00	20.0%
☐Good Sam OR Military Veterans (not both).....	\$45.00	\$54.00	20.0%
b. Monthly.....	\$900.00	\$950.00	5.6%
2. The Annex RV Sites			
a. Daily.....	\$38.00	\$44.00	15.8%
b. Monthly.....	\$750.00	\$820.00	9.3%
3. Dry Camping, daily	\$27.00	\$27.00	0.0%
D. <u>South Beach Meeting Room.</u> Must be pre-arranged and authorized. Keys must be obtained and returned.			
1. 1/3 Day (morning, afternoon or evening).....	\$40.00	\$42.00	5.0%
2. Full Day.....	\$100.00	\$105.00	5.0%
E. <u>Pet Fee.</u> Charged additionally; 3 pet limit.			
1. Daily. First pet free; each additional.....	\$4.00	\$4.00	0.0%
2. Weekly. First pet free; each additional.....	\$11.00	\$11.00	0.0%
3. Monthly. Charge per pet including first.....	\$11.00	\$11.00	0.0%
F. <u>Individual Fee.</u> First two people free; each additional person charged.			
a. Daily.....	\$4.00	\$4.20	5.0%
b. Monthly.....	\$42.00	\$44.10	5.0%
G. <u>Vehicle Fee.</u> Any combination of three axle pieces or equipment (e.g. trailer, fifth wheel, truck/car, storage trailer.) Charged for fourth piece.			
a. Daily.....	\$10.00	\$10.50	5.0%
b. Monthly.....	\$50.00	\$52.50	5.0%
H. <u>Reservation Deposit.</u> Payable at booking. Deposit will be applied to actual stay, subject to cancellation fee if applicable.			
a. Daily		First night's rate	
b. Monthly.....		First month's rate	
I. <u>Cancellation Fee.</u>			
1. Daily reservation, except holiday or special event.			
a. 72 hours or more before check-in date.....	\$15.00	\$15.75	5.0%
b. Less than 72 hours before check-in date.....		First night's rate	

	PREVIOUS	NEW	% CHG
2. Daily reservation, holiday or special event other than Seafood & Wine Festival			
a. 14 days or more before check-in date.....	\$15.00	\$15.75	5.0%
b. Fewer than 14 days before check-in date.....		First night's rate	
3. Monthly reservation.			
a. 30 days or more before check-in date.....	\$53.00	\$55.65	5.0%
b. Less than 30 days before check-in, or early checkout.....	\$105.00	\$110.25	5.0%
4. Seafood & Wine Festival. All cancellations are charged for a 2-nights' rate, no grace period.			
J. <u>Laundry Machines</u> . Per Load.			
Washing Machines.....	\$2.00	\$2.50	25.0%
Dryers.....	\$2.00	\$2.00	0.0%
K. <u>Showers</u>			
1. Marina RV Park and Annex RV Sites.....	free	free	
2. Marina Slips & Dry Camping, per 5 minutes.....	\$1.50	\$1.50	0.0%

SECTION 6. CIVIL PENALTIES. Penalties found in PONFC (§7.4(a)). Paid in full. Effective July 1, 2018.

A. <u>Class A Violation</u>			
1. 0 - 14 days, per day.....	\$315.00	\$330.75	5.0%
2. 15 - 29 days, per day.....	\$630.00	\$661.50	5.0%
3. 30+ days, per day.....	\$1,050.00	\$1,102.50	5.0%
B. <u>Class B Violation.</u>			
1. 0 - 14 days, per day.....	\$158.00	\$165.90	5.0%
2. 15 - 29 days, per day.....	\$315.00	\$330.75	5.0%
3. 30+ days, per day.....	\$525.00	\$551.25	5.0%
C. <u>Class C Violation.</u>			
1. 0 - 14 days, per day.....	\$32.00	\$33.60	5.0%
2. 15 - 29 days, per day.....	\$63.00	\$66.15	5.0%
3. 30+ days, per day.....	\$105.00	\$110.25	5.0%
D. <u>Class D Violation.</u>			
1. 0 - 14 days, per day.....	\$16.00	\$16.80	5.0%
2. 15 - 29 days, per day.....	\$32.00	\$33.60	5.0%
3. 30+ days, per day.....	\$53.00	\$55.65	5.0%
E. <u>Parking Violation.</u>			
1. 0 - 10 days, paid within.....	\$42.00	\$44.10	5.0%
2. 11 - 20 days, paid within.....	\$89.00	\$93.45	5.0%
3. 21+ days, paid within.....	\$131.00	\$137.55	5.0%
F. <u>Dumping Violation.</u>			
Per Event.....	\$525.00	\$551.25	5.0%

SECTION 7. ADMINISTRATIVE FEES. Staff may require payment or deposit in advance of service (ORS 192.440(4)(a)). Effective 1 July 2018.

A. Public Records Request Fee Schedule.

1. Copies of Public Records. Per page.....	\$0.50	\$0.53	5.0%
2. Copies of Nonstandard documents, per page.....	\$21.00	\$22.05	5.0%
3. Copies of Sound Recordings (each).....	\$12.00	\$12.60	5.0%

B. Faxes/Emailing/Copies. Per page.

1. Local.....	\$1.10	\$1.16	5.0%
2. Long Distance.....	\$2.00	\$2.10	5.0%
3. Incoming.....	\$1.50	\$1.58	5.0%
4. Copies	\$0.30	\$0.32	5.0%

C. Long Distance Phone Calls. 5 minutes maximum.

.....	\$2.50	\$2.63	5.0%
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D. Lamination. Per page. Letter size.....

.....	\$2.50	\$2.63	5.0%
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E. Notice Posting. For non-payment of lease or moorage.....

.....	\$75.00	\$78.75	5.0%
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F. Failure to Register. For research related to unregistered boats.

Per hour, one hour minimum, in 15 minute increments.
See Section 1(P)

G. International Terminal Meeting Room. Must be pre-arranged and

1. Half day.....	\$40.00	\$42.00	5.0%
2. Full day.....	\$80.00	\$84.00	5.0%

H. Returned Check Fee. Bank fees will be added.....

.....	\$50.00	\$52.50	5.0%
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I. Per Annum Interest Rate. Applied to past due accounts.

.....	19.0%	\$0.20	5.0%
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J. Impound Seizure Fee.

1. Vessel Impounding.....	\$850.00	\$892.50	5.0%
2. Car/Truck/Trailer.....	\$125.00	\$131.25	5.0%
3. Towing.....	Actual Cost + 5% Admin. Fee		

K. Process Fees.

Any additional fees incurred by the Port as part of an eviction process.

1. Notice.....	\$75.00	\$78.75	5.0%
2. FED Complaint.....	\$250.00	\$262.50	5.0%
3. Court Hearing.....	\$200.00	\$210.00	5.0%
4. Writ of Execution.....	\$160.00	\$168.00	5.0%

L. Special Use Permit Fee. The General Manager has authority to adjust or waive usage fee based upon non-

1. Application Fee	\$110.00	\$115.50	5.0%
2. Usage Fee. Number of Participants, Attendees, Contestants,			
a. 1 - 200.....	\$420.00	\$441.00	5.0%
b. 201 - 500.....	\$683.00	\$717.15	5.0%
c. 501-1000.....	\$945.00	\$992.25	5.0%
d. 1001 - 5000.....	\$1,470.00	\$1,543.50	5.0%
e. 5001 - 10,000.....	\$1,995.00	\$2,094.75	5.0%
f. 10,001 - 20,000	\$2,520.00	\$2,646.00	5.0%
f. More than 20,000.....	\$5,250.00	\$5,512.50	5.0%
3. Vendors, per each.....	\$50.00	\$52.50	5.0%
4. Insurance Certificate Minimum Limits. Additional coverage or limits may			
a. General Liability, per occurrence.....	\$2MM	\$2MM	0.0%
b. General Liability, in aggregate.....	\$2MM	\$2MM	0.0%

	PREVIOUS	NEW	% CHG
M. <u>Security</u> . (TCB) costs reviewed and passed along to applicant, + 5.0% Administrative Fee.			
N. <u>Background Check</u>	\$40.00	\$42.00	5.0%
O. <u>Credit Check</u>	\$40.00	\$42.00	5.0%
P. <u>Notary Fees</u> (OAR 160-100-0410).			
Affidavit/Jurat, Oath/Affirmation, Witness/Attest, per document.....	\$10.00	\$10.50	5.0%
Q. <u>Package Handling Fee</u> . Per item.			
1. Envelope.	free	free	n/a
2. Package. 1st one free. Fee for each additional package.....	\$5.00	\$5.25	5.0%

SECTION 8. INSURANCE CERTIFICATE MINIMUM LIMITS. Effective July 1, 2018. Limits are subject to review and risk assessment by management and/or the Port's insurance agent of record. A certificate naming the Port of Newport as an additional insured is also required.

Subject to periodic review by Insurance Agent, and subsequent changes by the Port's Management and/or the Board of Commissioners.

A. Leases/Tenants.

1. General Liability, each occurrence.....	\$2MM
2. Damage to rented premises, each occurrence.....	\$300K
3. Medical expenses, any one person.....	\$5K
4. Person and adverse injury.....	\$2MM
5. General Aggregate.....	\$2MM
6. Products - Comp/Op aggregate.....	\$2MM

B. Commercial Vessels. Port of Newport to be named as an additional insured on Liability

1. Protection & Indemnity, must not exclude Wreck Removal.....	\$250K
2. Pollution Liability.....	\$300K
3. If Pollution/Protection & Indemnity Combined.....	\$600K

C. Recreational Vessels. Port of Newport to be named as an additional insured on Liability Coverage.

1. Protection & Indemnity, must not exclude Wreck Removal.....	
2. Pollution Liability.....	
3. -or- Watercraft Liability, must include both wreck removal and pollution liability coverage. Umbrella clauses must identify boats exceeding 25 ft.....	\$500K

D. Charter/Guide Vessels.

1. General Liability.....	\$2MM
---------------------------	-------

E. International Terminal Vessels (Tariff No. 1(\$17))

1. Maritime Employer's Liability (Jones Act).....	\$1MM
2. Commercial and/or Comprehensive Marine General Liability.....	\$5MM

G. Vendors. (reserved)

SECTION 9. RETAIL SALES, GIFT CERTIFICATES, PROMOTIONS, SPONSORSHIPS, AND SUNDRIES.

Commission delegates to the General Manager the ability to set prices.

SECTION 10. DELEGATION OF RESPONSIBILITY.

The Commission delegates to the General Manager the ability to adjust these rates on a temporary basis to better manage services at the Port. 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 at least annually review and adopt a new Rate, Fees and Charges Resolution prior to the subsequent budget's adoption.

SECTION 12. REPEALER. All previous rates and/or rate resolutions are hereby repealed.

APPROVED AND ADOPTED by the Board of Commissioners this 24th day of September, 2019.

Sara Skamser
President

Walter Chuck
Secretary/Treasurer



FINANCE DEPARTMENT MONTHLY REPORT

DATE: September 24, 2019
PERIOD: August 2019
TO: Paula Miranda, General Manager
ISSUED BY: Mark Brown, Director of Finance and Business Services

August 2019 Financial Reports

Financial reports as of August 30, 2019 are included.

Profit and Loss - Budget to Actual Reports

General Operating Fund (GOF)

- We are in the second month of the fiscal year, it is still difficult to project year-end income and expenses. We will be able to do this, to some extent, next month.
- I suggest we review the balance sheets only twice per year, January Commission meeting and the July commission meeting. My focus will be on the income statements, and how the port is producing revenues.
- As previously mentioned the budget is straight-line basis and summer is a revenue producer, this brings about the appearance of a strong revenue, but the revenues will even out over the fiscal year.
- Setting a limit on the amount of cash in our checking account. We will be limiting the amount in the checking account to two months of payroll and expenses, any excess funds will be moved an interest bearing account.

General Operating Funds:

- Moorage and the RV Park made up 70.67% of the revenues of the General Operating funds of the Marina for this period. Net Operating income for the month of August was \$431,851, excluding depreciation.

- Non-operating income of \$10,365 in interest was received, and we spent \$16,240 to replace laundry equipment resulting in a negative outflow in Non-operating income.
- Total net income was \$427,329, excluding depreciation.
 - Administration is a subset of General Operating Funds. Next month, these charges will be fully allocated to the Operating programs.
 - The **International Terminal** is an Operating Program within General Operating Funds. Approximately 50% of the revenues are from the 30 ton crane and storage. Prior to overhead being allocated and depreciation express, the International Terminal the program earned \$11K in profits
 - The **Commercial Marina** is an Operating Program within General Operating Funds. 63% of revenue was derived from moorage. Prior to depreciation and overhead the operating program earned \$92,649 in income.
 - The **Maintenance department** is a cost center within the General Operating Funds for the Port. These costs will be allocated to the operating programs. These are only costs that cannot be specifically attributable to an Operating Program.
 - Leased Properties will be treated differently in the future, but will be broken out so it is easily identifiable, at a minimum by North and South designation.
- **NOAA funds** are primarily restricted, there are instances where some of the funds receive become unrestricted, these would be funds not needed to make bond payments or for the capital improvement fund. Dredging was completed last year, but due to timing issues, the current income is (\$1,131,992). However, this will turn into a profit later this year.
- **Facility Reserve Fund-** No activity. As we build our facility capital maintenance plan this account will be funded to accommodate the plan.
- Construction Fund – to be used for Port Dock 5 construction, a \$1.2 transfer is forthcoming.
- **Bonded Debt account** – nothing to report.
- Accounts Receivable:

The notice we discussed at the last commission meeting was sent out to all Accounts Receivable customers. We have sent past due letters to accounts who have past due balances 31 or more days outstanding.

As a local government user and a member of Oregon cooperative procurement program (ORCPP), the Port has access to statewide

contracts. The state has contracts with 9 collection agencies, we have evaluated the vendors and selected a collection agency that works to maintain relationships with customers while working to collect past due monies owed, the Port will issue a purchase order when we are ready to send an account to collections.

Past due letters have gone out to those owing the Port monies.

Why is this important? See *Figure 1* below

- As of 09/18/2019:
- Of the amount owed to the Port (\$273,695.29)
 - The Average Days to Pay is 57.48 days
 - 31.51% (\$86,242) are more than 90 days past due
 - 34.62% (\$94,747) are current

Figure 1

	Name	Current	1 - 30	31 - 60	61 - 90	91 - 120	121 - 150	151 - 180	> 180	TOTAL
TOTAL		94,747.00	52,694.06	27,640.72	12,371.04	13,073.91	985.43	9,667.67	62,515.46	273,695.29
Percentage		34.62%	19.25%	10.10%	4.52%	4.78%	0.36%	3.53%	22.84%	100.00%
Total AR accounts	172					31.51%				
Number of accounts in Category		117	84	46	28	22	9	16	32	
						79				
		68.02%	48.84%	26.74%	16.28%	12.79%	5.23%	9.30%	18.60%	
						45.93%				

Annual Audit Services

We have forwarded all advance request materials to the auditors, the auditors are expected onsite and the expected completion date of the audit is late November. Auditors will be onsite September 23-26, we are determining the best place to locate them while they are onsite.

South Beach Marina Price list.

I am recommending an across the board 5% increase for the Marina slips. I have been evaluating the cost of operations for the Marina. There are some staffing assumptions, cost of Dock replacements and OH built into the model I have built. Currently, for marina

Customer we do not charge a “utility” fee for monthly, Semi-annual, or annual customers. This fee would cover the cost of electrical and water use in the Marina.

We have completed a first analysis of expenditures at the South Beach marina.

We are recommending a price increase for the South Beach Marina and RV park, please see attached for details.

###



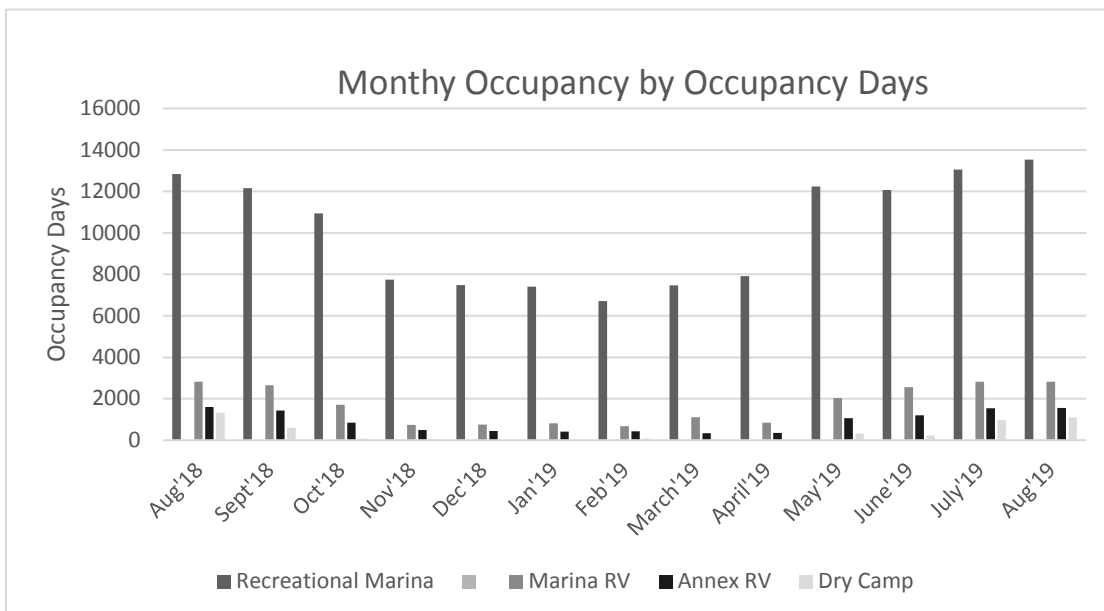
RV PARK & RECREATIONAL MARINA OCCUPANCY REPORT

DATE: *06 September 2019*
RE: *Month Ending 31 August 2019*
TO: *Mark A. Brown, Director of Finance & Business Services*
ISSUED BY: *Bill Hewitt, RV Park Supervisor*

The South Beach operation continues to be extremely busy. The Marina is having its busiest year ever. August of 2019 was up from August 2018 by a nice margin. Year to date the Marina is also nicely ahead of last year. We sold out the Marina for the first time ever over the Labor Day holiday weekend. The extended fishing season, along with plenty of fish being caught has boosted attendance. The Marina RV Park has been steady and equaled last years' August numbers. Year to date the Marina RV Park is slightly behind this time last year. The Annex was down a little in August versus last year but year to date ahead of this time last year. Dry camping is down for the month of August and year to date. This may reverse itself next season if we don't raise dry camping prices. We get the most complaints about dry camp pricing. September has started strong and should continue as every weekend is full and we have some groups coming to our park this month.

OCCUPANCY DAYS MONTH & YTD

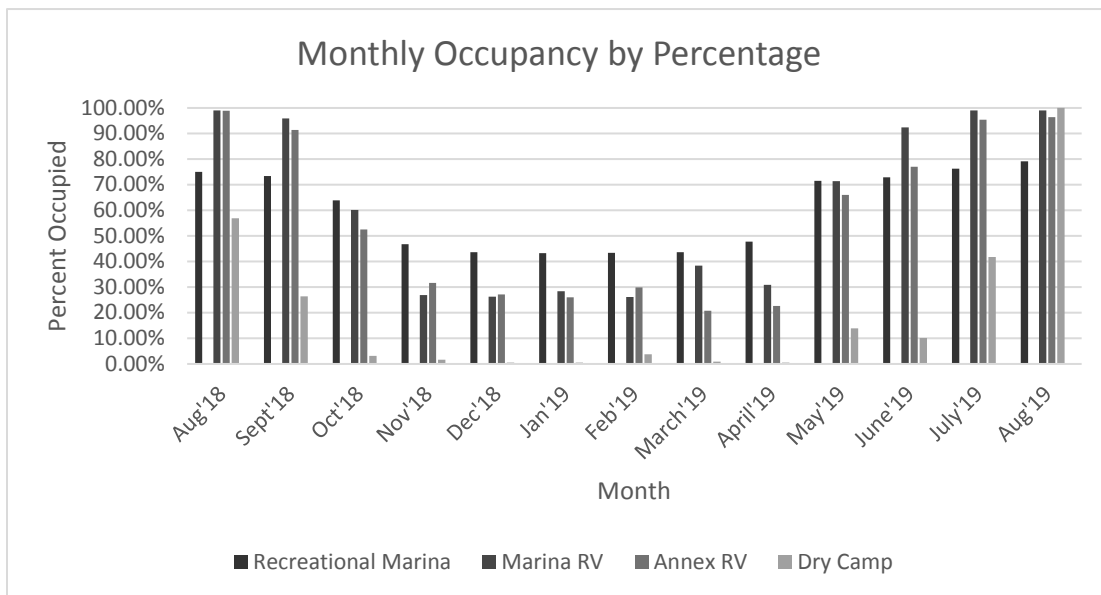
Aug'2019	2018	2019	Change	YTD 2018	YTD 2019	Change
Recreational Marina	12837	13536	5.44%	79012	80339	1.68%
Marina RV	2826	2826	0.00%	13995	13672	-2.31%
Annex RV	1595	1555	-2.51%	6769	6904	1.99%
Dry Camp	1322	1098	-16.94%	3389	2747	-18.94%





OCCUPANCY PERCENT MONTH & YTD

Aug'2019	2018	2019	Change	YTD 2018	YTD 2019	Change
Recreational Marina	75.16%	79.10%	3.94%	58.90%	59.89%	0.99%
Marina RV	99.09%	99.09%	0.00%	62.60%	61.15%	-1.45%
Annex RV	97.76%	95.41%	-2.35%	53.56%	54.63%	1.07%
Dry Camp	52.73%	41.72%	-11.01%	18.59%	15.07%	-3.52%





DIRECTOR OF OPERATIONS REPORT

DATE: 09/17/2019
PERIOD: August 2019 – September 2019
TO: Paula J. Miranda, General Manager
ISSUED BY: Aaron Bretz

OVERVIEW DIROPS

Summary:

I've worked more this month to provide the EDA with the information they need to finalize the award of the grant for the Port Dock 5 Pier. There has definitely been an increase in the amount of detail they are looking for; they indicated that they want to get the grant awarded prior to the end of the month because they've planned it for this FY (which ends on the federal calendar at the end of this month). We've also done more work and scoped more on the stormwater drain in South Beach.

Detail:

- **Scoping of Southbeach Storm Sewer**

The City provided use of their vac truck and cleaned the outfall to the best of their ability on the north end (which is the portion of the outfall that has clogged). The portion of the outfall where the sinkhole on the turnaround near the north restrooms is located will likely need to be excavated. The other portions of the pipe are in good enough shape that we will probably not need to excavate, and sleeving will be an option. We will also need to replace the tide gate on the end of the outfall.

I'm consulting with the regulatory branch of the Army Corps to determine permitting requirements for this work (if any). Because the excavation will happen below the elevation of mean high water, we will have to do a pre-construction notification (read Nationwide Permit). The sleeving work if we can accomplish it may or may not require a pre-construction notification, but I am awaiting a clear answer to that—it depends on the agency's official definition of the term "hardware."

- **Port Dock 5 Project**

The City is still undergoing plan review for the building permit. The project will not be a design build, the bid documents are compiled in a "bid book", and it will be a construction bid. I am in the process of getting the bid book reviewed for completeness by an independent engineer and we will put the project out to bid, contingent upon award of funding by the EDA.

- **Additional Commercial Marina Projects**

I am currently working on permitting for piling repairs and determining the scope of work on these repairs so that we can bid the work.

- **South Beach Boat Ramp Repair**

The Joint Permit Application has been submitted to the Army Corps and the State; they are being processed.

- **Parking Enforcement**

We have continued active parking enforcement.

Newport International Terminal- Don Moon, Supervisor

Billable Services Performed this Period (February)

Forklift – 35 Hrs

Moorage – 83 Days

30 Ton Hydraulic Crane – 41 Hrs

Hoist Dock Tie Up –115 Hrs

Labor – 65 Hrs

120V power – 0

Other (Net Work) – 1 Days

208V power – 65 Days

Special Projects: *(Not regular maintenance & repair tasks. Enter project name and notes)*

Completed In Progress **Brush cutting on 9 acre lot.**

Completed In Progress **leveling and seed with grass on our west end corner lot .**

Completed In Progress

Completed In Progress

Completed in Progress

Other: *Annual Maintenance on Grove crane completed.*

Commercial Marina- Kent Gibson, Harbormaster

Billable Services Performed this Period:

Forklift – 151.5Hrs

Hoist Dock Crane(s) – 8.5Hrs

30 Ton Hydraulic Crane - Enter #.Hrs

Dock Tie Up – 249.75Hrs

Launch Tickets - Enter #. passes sold

Other (Labor) – Hrs

Special Projects: (Not regular maintenance & repair tasks. Enter project name and notes)

Completed In Progress

Completed In Progress

[Click here to enter text.](#)

Completed In Progress

[Click here to enter text.](#)

Completed In Progress

[Click here to enter text.](#)

Completed In Progress

[Click here to enter text.](#)

Completed In Progress **Still working on the replacement of broken walers at 5B23.**

Other: (Enter issues, events, large purchases and other notable items)

Hoist dock tie-up time was up almost 20% from last month as the tuna deliveries started to show up, but still down 6% from August 2018. August forklift usage was also up 59% over last month but still down 9% from July last year. The crane usage was up 21% from last month and up 6% over last year in August.

The new Axel fees showed an increase over last month also with a total of 202 axels counted compared with the 116 axels in the first month of this fee being instigated.

NOAA MOC-P Jim Durkee, Maintenance Supervisor

Special Projects:

Other:

Vessels Using the Facility Since My Last Report – NOAA vessels Hi'ialikai, Bell M. Shimada, Fairweather. WHOI vessel Atlantis. USACOE Yaquina. UAF vessel Sikuliaq.

Office Occupancy Admin Building – 65 Work Stations Total, 47 Occupied

Warehouse Bldg. – 23 Work Stations Total, 7 Occupied

Occupancy Rate – 61%

Installed exit signs in the boat shed and the wood shop after OSHA pointed out there were none present.

Central Coast Excavating pumped out and cleaned the storm-water catch basins. M.C. Dean performed annual battery back-up system inspection and maintenance. Replaced one power module and ordered one for me to replace later. They indicated that the batteries are four years old and have a three to five year life span. They are monitored and I check them regularly and can remove any if they go bad without much loss of run time. In my judgement we should wait until next fiscal year to switch them out. Current replacement cost is estimated at \$14,400.00.

Performance Systems performed annual testing and maintenance on the alarms, sprinklers and standpipes.

ASCO Power performed annual testing and maintenance of the Automatic Transfer Switch.

Painting contractor pre-bid walk-throughs for this year's painting.

Power outage for a couple of hours Sunday, 9-15-19. The emergency generator started and ran as designed. I came in and checked it while it ran and reset all the Data Room AC and battery back-up systems after power was restored.

Annuals Completed-

- Eelgrass survey
- Backflow devices
- Fire extinguishers
- HVAC
- Elevator
- FM200 Fire Suppression Systems
- Fire alarms and sprinklers
- Automatic Transfer Switch (emergency power system)
- Storm-water systems
- Battery back-up systems

Annuals yet to be completed-

- Boiler
- Generator
- Liebert air conditioner (Data room)
- Cathodic protection systems (pier)
- Overhead doors

Other jobs to be completed in this fiscal year (July-June)

- Office painting (winter after hours)
- Replacement of remaining backer pipes in the pier fender system
- Replacement of pier lights with LED's
- Replacement of the outside unit of the Liebert air conditioner
- Replacement of anodes on the west zone of the pier cathodic protection system

South Beach Marina- Chris Urbach, Harbormaster

We did 1,832 launches for the month of Aug. For a total of 10,996.00 dollars

We completed the Painting of central restroom and House of Spirits building.

We hired the contractor for siding the men's and women's shower building and it is ongoing.

We hired a contractor to camera both the north and south outfall lines and both are in need of repair.

I had two sand invoices for sand this last month one for the OSU project and the other for a city project. The city project was an axel charge only for a total of 3,304.00 dollars and the OSU project was for sand and axel, sand was 1,332.00 and the axel was 1,036.00 for a total of 2,368.00 dollars.

I have Andrew Meats scheduled for a training Basic electrical for the non-electrician. Kent has two people from the north side.

I have been talking with Ken Riley with Thompson Sanitary, we are going to be changing all the old metal fish dumpsters out to plastic bins because Thompsons is doing away with all their rear load garbage trucks.

Eric is going to be finishing up the site light post in the marina RV Park and just in time because he is moving on from the Port he and his family are moving to the Reno area. Eric has been a great help to me and the Port over the last 3 years he will be missed.

We had the last two old steel main elect distribution boxes changed out down on d and e docks. Now we just need to change out the main distribution panels at the head of all docks.

The PUD led light fixture rebate program is almost complete it has drawn out way to long for a number of reasons but we are almost there.

Port Mates Volunteers

Following a very busy Labor Day Weekend, the Mates came out and picked up garbage around the RV Parks and boat ramp. They made a busy day of it, and their efforts went a long way to getting us ahead of things going into winter.



GENERAL MANAGER MONTHLY REPORT

DATE: 09/22/19
PERIOD: 08/24/19- 09-20-19
TO: Board of Commissioners
ISSUED BY: Paula J. Miranda, General Manager

OVERVIEW

Summary:

This month I spent time working with our new Director of Finance making sure that items in our Strategic Plan are being tackled. We are specially focus in making sure all port assets are being well managed financially, so funds are available to repair and replace them as needed. Savings to be provided by the refinance of NOAA Bonds hopefully will help us create a pool of funds to use for matches in future assets needs.

Community and stakeholders outreach have been one of my priorities, recognizing that it is important for the Port to strengthen our relationships. There are still a lot of groups and individuals I haven't had a chance to meet and I will continue the effort to meet them.

New business opportunities are also one of my top priorities. With the assistance of the longshore lobbyists I am reaching out to prospective businesses that could ship out of Newport. More to come on that.

Work Actions:

- As discussed during last commission meeting an RFP has been sent out in an effort to refinance the NOAA Bonds and the GO Bonds for the NIT.
- I've worked with Steve Webster in addressing his request for Port Dock 1, which items have been added to the agenda.

Meetings/Trainings/Summits:

The following is a list of meetings I attended and people I met:

- Attended the Rotary meeting – 08/29
- Met with Longshoremens and their Lobbyists on 09/04 to go over a list of prospective customers
- Sara and I attended a Radio Show at KYTE FM with Kathy Kraken - 09/10
- Met with Commissioner Gil Sylvia to go over general information about the Port - 09/11
- Aaron and I met with some of the Port of Astoria administration to discuss general port issues and parities - 09/13
- Sara and I met with OCWCOG/Executive Director Fred Abousleman and Deputy Director Rachael Maddock-Hughes - 09/17/19

- Met with Bob Cowan of OSU - 09/05
- Sara and I attended YBEF Annual meeting at the Aquarium - 08/28

Schedule Meetings/Conferences:

- Meeting scheduled with Troy Frost – NOAA dock on 10/01
- Attending the Oregon Public Ports Association (OPPA) Conference 10/03-04
- Attending the Pacific Northwest Waterways Association (PNWA) Conference 10/09-11
- Attending the Oregon Economic Development Association (OEDA) Conference 10/27-29
- Meeting with the Regional Solutions Team on 11/07
- Working on scheduling a meeting with Kaya Johnson – OSU Dock
- Vacation 11/7-14

Port of Newport		600 S. E. BAY BOULEVARD, NEWPORT, OREGON 97365 PHONE (541) 265-7758 FAX (541) 265-4235 www.portofnewport.com		
<u>MEMBERSHIP LIAISONS – CONTACT LIST</u>				
	<i>Organization</i>	<i>Fee</i>	<i>Liaison(s)</i>	<i>Contact Information</i>
1	AMERICAN ALBACORE FISHING ASSOCIATION	\$200.00	Aaron Bretz	Americanalbacore.com, 619-941-2307, 4364 Bonita Rd Box 311, Bonita CA 91902
2	ASSOCIATION OF PACIFIC PORTS (APP)	\$1,375.00	Paula Miranda; Jeff Lackey (alt)	Lisa Pomasi, Executive Directory, lisa@pacificports.org, Kersten Green, Deputy Director, kersten@pacificports.org, www.pacificports.org, 503-653-5868, PO Box 903, Clackamas OR 97015-0903
3	CASCADES WEST AREA COMMISSION ON TRANSPORTATION ¹	\$0.00	Sara Skamser; Jim Burke (alt); alternate may be Staff	Phil Warnock, Transportation Program Manager, pwarnock@ocwcog.org (541) 924-8474 1400 Queen Ave. SE, Suite 205 Albany, OR 97322
4	CASCADES WEST COUNCIL OF GOVERNMENTS ¹	\$3,464.66	must be elected: Sara Skamser; Walter Chuck (alt)	Charlie Mitchell, Community & Economic Development Director, cmitchell@ocwcog.org, www.ocwcog.org, (541) 924-84581400 Queen Ave. SE, Suite 205 Albany, OR 97322
5	CASCADES WEST ECONOMIC DEVELOPMENT DISTRICT ¹	\$0.00	Paula Miranda	Phil Warnock, Transportation Program Manager, pwarnock@ocwcog.org (541) 924-8474, 1400 Queen Ave. SE, Suite 205 Albany, OR 97322
6	COMMERCIAL FISHING USERS GROUP COMMITTEE	\$0.00	Sara Skamser; Jim Burke (alt.)	Heather Mann, Chair, 541-272-4544, heathermunromann@gmail.com
7	DAS OPS ORCPP, Procurement Services	\$500.00	Aaron Bretz; Mark Harris (alt.)	Phone: 503-378-4642, egs.pscustomer@oregon.gov.state, 1225 Ferry St SE, Salem, OR 97301
8	ECONOMIC DEVELOPMENT ALLIANCE OF LINCOLN COUNTY (EDALC) ¹	\$100.00	Paula Miranda; Aaron Bretz (alt.)	Caroline Bauman, Executive Director, ecdev@orcoast.com, http://www.coastbusiness.info/, 541-961-3837, 541-265-4544, (M) 541-961-3837
9	GREATER NEWPORT CHAMBER OF COMMERCE (NCOC) ¹	\$305.00	Paula Miranda	Patti Ferry, Executive Director, Greater Newport Chamber of Commerce, patti@newportchamber.com, 541-265-8801
10	MIDCOAST WATERSHEDS COUNCIL	\$245.00	Jim Burke	Ari Blatt, ari@midcoastwc.org, 411 NE Avery Ave Suite B, Newport, OR 97365 Phone: (541) 265-9195, http://www.midcoastwatersheds.org/
11	NEWPORT CITY COUNCIL	\$0.00	Sara Skamser; Walter Chuck (alt.)	169 SW Coast Hwy, Newport, OR, 97365, Spencer Nebel, City Manager, 541-574-0601, s.nebel@newportoregon.gov, Peggy Hawker, City Recorder, 541-574-0613, p.hawker@newportoregon.gov., http://www.newportoregon.gov/citygov/mayorcouncil.asp

¹ paid/mandated membership⁴ paid professional organization² must be elected Commissioner
Port of Newport Regular Commission Meeting
Meeting Packet⁵ paid via SDAO membership
September 24, 2019

	Organization	Fee	Liaison(s)	Contact Information
	NEWPORT VISION 2040 ADVISORY COMMITTEE	\$0.00	Sara Skamsner; Paula Miranda (alt.)	See City Council Contact Information
12	OCEAN POLICY ADVISORY COUNCIL (OPAC)	\$0.00	Walter Chuck	Andy Lanier, andy.lanier@state.or.us, 503-934-0072, 635 Capitol St. NE, Suite 150 Salem 97301-2540, https://www.oregon.gov/LCD/OCMP/Pages/OPAC.aspx
13	OREGON COASTAL ZONE MANAGEMENT ASSOCIATION (OCZMA) ^{1 & 2}	\$800.00	Walter Chuck; Aaron Bretz (alt.); alternate may be Staff	Onno Husing, ohusing@co.lincoln.or.us, (541) 265-4779 OCZMA P.O. Box 1033; 313 SW 2nd, Suite C, Newport, Oregon 97365, www.oczma.org/ Oregon Coastal Zone Management Association (OCZMA) 1201 Court Street NE, Suite 300 Salem, OR 97301 503.265.8918 info@oczma.org Telephone: 541-265-8918; 541-265-6651 Fax: 541-265-5241
14	OREGON ECONOMIC DEVELOPMENT ASSOCIATION (OEDA)	\$250.00	Paula Miranda	Avery Pickard, Executive Director, director@oeda.biz, www.oeda.biz , 867 Liberty Street NE, Salem, OR 97301, info@oeda.biz, 503-597-0094
15	OREGON PUBLIC PORTS ASSOCIATION (OPPA) ^{1 & 5}	\$0.00	Paula Miranda; Aaron Bretz (alt.)	Mark Landauer, Executive Director, mldauer@sdao.com , mark@oregonports.com , (800) 285-5461, (M) (503) 896-2338, www.oregonports.com ; jquisenberry@sdao.com
16	PACIFIC COAST CONGRESS OF HARBORMASTERS AND PORT MANAGERS (PCCHPM) ⁴	\$285.00	Kent Gibson; Aaron Bretz (alt.)	Cheryl and Cliff Maynard, info@pccharbormasters.org, 800-236-0748, Cliff mailto:clmaynard2@msn.com , (M) (360) 239-7580, Cheryl 360.239.3805, 120 State Avenue PMB 231 Olympia, WA 98501, http://pccharbormasters.org / http://pccharbormasters.org/
17	PACIFIC NORTHWEST WATERWAYS ASSOCIATION (PNWA) ¹	\$7,610.00	Paula Miranda; Walter Chuck (alt.)	Kristin Meira, Executive Director, (W) (503) 234-8556 kristin.meira@pnwa.net ; www.pnwa.net
18	SPECIAL DISTRICTS ASSOCIATION OF OREGON (SDAO) ¹	\$10,791.52	Paula Miranda	Bill Anderson, Senior Consultant, anderswl@centurytel.net , (M) (503) 349-6406; Mark Landauer, Government Affairs Department, mldauer@sdao.com , mark@oregonports.com , (800) 285-5461, (M) (503) 896-2338, jquisenberry@sdao.com
19	WESTERN FISHBOAT OWNERS ASSOCIATION	\$100.00	Aaron Bretz	Wayne Heikkila, wfoa@charter.net, Pacificalbacore.com, 530-229-1097, PO Box 992723, Redding, CA 96099; 3779 Sunglow Dr, Redding CA 96001.
20	YAQUINA BAY ECONOMIC FOUNDATION (YBEF) ¹	\$300.00	Paula Miranda; Jeff Lackey (alt.)	Patti Ferry, Executive Director COC, YBEF Secretary, patti@newportchamber.com , 541-265-8801

¹ paid/mandated membership⁴ paid professional organization² must be elected Commissioner
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