

PORT OF BROOKINGS HARBOR

Special Commissioner Meeting

16350 Lower Harbor Rd Suite 202

Wednesday, August 12, 2020 • 3:00pm

Teleconference / Meeting Room (Limited Space)

Teleconference Call-In Number: 1 (301) 715-8592

Meeting ID: 853 8554 9844 Participant ID: # (to mute/unmute: * 6)

When calling in, please announce your arrival and state your name when you join the meeting.

TENTATIVE AGENDA

	PAGE
1. CALL MEETING TO ORDER	
• Roll Call	
• Modifications, Additions, and Changes to the Agenda	
• Declaration of Potential Conflicts of Interest	
2. APPROVAL OF AGENDA	
3. PUBLIC COMMENTS (Limited to a maximum of three minutes per person. Please email your comments to danielle@portofbrookingsharbor.com prior to the meeting. ***Please <u>wait to be called on</u> before speaking***)	
4. ACTION ITEMS	
A. Business Oregon IFA Debt.....	2
B. Kite Field – RV Park Expansion.....	9
C. Zola's on the Water Lease Amendment.....	30
5. INFORMATION ITEMS	
A. None	
6. COMMISSIONER COMMENTS	
7. NEXT REGULAR MEETING DATE – Tuesday, August 18, 2020 at 6:00pm	
8. ADJOURNMENT	

A request for an interpreter for the hearing impaired, for those who want to participate but do not have access to a telephone, or for other accommodations for persons with disabilities should be made at least 48 hours in advance of the meeting to Port of Brookings Harbor Office at 541-469-2218.

This Institution is an Equal Opportunity Provider

ACTION ITEM – A

DATE: August 12, 2020
RE: Business Oregon IFA Debt
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- Past loans with Business Oregon IFA helped develop the Port into its current state and fiscal status.
- In 2009, the Port and Business Oregon completed a loan payment restructuring agreement. This agreement allowed the Port to pay a flat quarterly payment of \$62,500 to the principle. The interest amount was allowed to build up over time. Any interest not satisfied at the maturity of each Notes may be forgiven, at the discretion of the IFA Director. Should interest be forgiven, the Port shall become ineligible to apply for IFA program loan assistance for a period of 5 years.
- The Port missed six quarterly payments during the 2011 Tsunami disaster reconstruction period. The Port began repaying the missed payments in 2017 by selling assets. Then in 2019, the Port began paying an extra \$10,000 per quarter until these missed payments are caught up.
- In 2020, due to COVID-19 economic impacts, the Port and Business Oregon amended the loans to freeze the interest accumulation on the remaining loans. The amount of interest owed on all the loans as of June 2020 is \$3,158,805.37.

Plan to Pay more Debt:

- The Port should set internal goals to increase the quarterly payments to \$100,000 (pay it when funds are available) and if circumstances arise from unexpected repairs or economic distress, payments would be reduced to the minimum amount of \$62,500. The goal is to reduce the final amount owed to the State in March 2030.
- Over the past 7-years, the Port has averaged \$3,034,574 income with baseline expenses of \$2,494,772 and debt payments of \$481,556. Which averages a net income of \$58,000. Portion of this amount could be applied as an extra payment to IFA.
- Reopening the RV Park dry camping area could be another source for additional funds going towards the extra debt payment.
- The Port should establish a way of paying these additional funds without increasing deferred maintenance to its facilities. Port Staff could meet with Board Treasurer to review the finances and determine the available amount. Minimum amount should remain at \$72,500 to keep pace repaying the six missed payments. Maximum amount could be set at \$100,000 until further Board review.
- The goal is for the Port to remove as much of IFA debt as possible by March 2030. USDA debt will also be ending in 2030. When both debt payments are completed, the Port would finally be able to properly function.

DOCUMENTS

- Business Oregon IFA Debt Worksheet, 1 page
- 2009 Restructure Agreement, 2 pages
- 2020 COVID-19 Payment Relief, 1 page
- July 2020 Financial Debt Summary, 1 page

COMMISSIONERS ACTION

- **Recommended Motion:**
Motion to approve Port Staff and Board Treasurer to review financials prior to quarterly payment due date to increase Business Oregon IFA debt payments up to a maximum amount of \$100,000. Any amounts above \$100,000 will require Board approval.

Port of Brookings Harbor

Business Oregon IFA Debt

	Total Accrued Interests	Total Principle	Number of Payments Remaining	Total IFA Debt	IFA Debt Remaining at March 2030
Business Oregon / as of July 2020	3,158,805	1,477,892	38	4,636,697	
Continue Current Payments Remaining Debt Amount					1,881,697
Yearly Amount	290,000		9.5	2,755,000	
Quarterly Amount	72,500		38	2,755,000	
Monthly Amount	24,167		114	2,755,000	
Increase Payment to Reach Zero Remaining Debt					-
Yearly Amount	488,073		9.5	4,636,697	
Increase amount by	198,073				
Quarterly Amount	122,018.35		38	4,636,697	
Increase amount by	49,518				
Monthly Amount	40,673		114	4,636,697	
Increase amount by	16,506				
Increase Payment without Impacting Port Functions Remaining Debt					836,697
Yearly Amount	400,000		9.5	3,800,000	
Increase amount by	110,000				
Quarterly Amount	100,000.00		38	3,800,000	
Increase amount by	27,500				
Monthly Amount	33,333		114	3,800,000	
Increase amount by	9,167				

Restructure Agreement

The Port of Brookings-Harbor (POBH) has requested to restructure the repayment of outstanding OPRF and SPWF loans. The Oregon Business Development Department Infrastructure Finance Authority (IFA) has approved a restructured repayment plan for outstanding OPRF and SPWF loans to POBH. The following considerations and priorities have guided development of the debt restructure proposal: 1) *Implement a repayment structure that is supported by Port cash flows,* 2) *Repay all loan Principal,* 3) *Minimize cost of recovery,* 4) *Minimize negative impacts to Port revenue producing assets,* and 5) *Collect Interest owed on outstanding loans.*

The following outlines key elements of the debt restructure agreement:

1. General Agreement

- a. Target agreement execution to be January, 2010.
- b. POBH is to repay SPWF loan L94005 (\$117K) and OPRF loan 040-095 (\$71K) principal by June 30, 2010 (total approx. \$188K). Port intends to make total payments of \$196,500 by FYE 2010 that will be applied to these loans accordingly.
- c. IFA will maintain regular communication with POBH and IFA staff will periodically attend Port commission meetings, particularly through the first three year period. POBH and IFA agree that all agreements will be memorialized in writing and signed by authorized persons in each organization.
- d. No prepayment penalty on loans.
- e. POBH shall not incur new debt without prior IFA approval.

2. Loan Restructure Terms

- a. Port is to make level quarterly installment payments of \$62,500 beginning September, 2010 through March, 2030.
- b. Interest is to accrue quarterly according to each Notes current interest rate.
- c. Any interest not satisfied in the current period will be deferred, non-compounding, until satisfied.
- d. Any interest not satisfied at the maturity of each Note may be forgiven, at the discretion of the IFA Director. Should interest be forgiven, the Port shall become ineligible to apply for IFA program loan assistance for a period of 5 years from the date that interest is forgiven.
- e. Loan repayment order will be to loan with earliest maturity first.
- f. Regular quarterly installment payments will be applied first to principal, then to current period interest, then to any deferred interest outstanding.
- g. Irregular payments are anticipated from property sales and other sources that will be applied first to deferred interest outstanding, then to current period interest, then to principal.

3. Security and Other Debt

- a. POBH is to pay in full upon agreement execution the notes to Curry County (Parcel V) and McVay (Parcel I, Tract B) of approximately \$86,512 and County to release the liens on those properties.
- b. POBH will, on a best-efforts basis, continue to pursue a restructuring of the \$300,000 note with CFCU which has a first lien on Parcel VIII. CFCU has expressed, informally, a willingness to do this. In the event a land swap for debt cannot be worked out with CFCU, IFA would be given first lien rights on Parcel VIII.
- c. POBH will grant IFA a first lien security interest in each real property parcel it owns, with the possible exception of the Smuggler's Cove parcel should POBH successfully negotiate a restructured agreement with CFCU that requires CFCU to obtain a lien on that parcel.

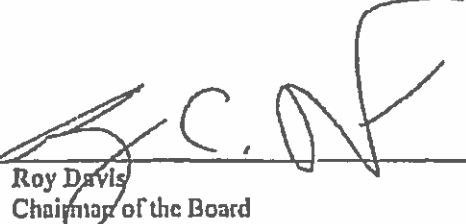
- d. IFA will not unreasonably withhold a partial lien release of any sold property parcel provided POBH delivers 80% of the net proceeds of any property sales to IFA for repayment of loans and POBH retains the remaining 20% in a restricted capital reserve account.

The parties hereto have caused this debt restructure agreement to be duly executed as of the latest dates set forth beside their respective signatures.


Signed:


Lynn Schoessler, Deputy Director
Oregon Business Development Department

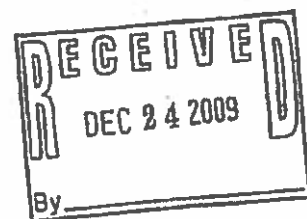
12/12/09
Date


Roy Davis
Chairman of the Board

12.22-09
Date


Ted Fitzgerald
Port Director

12-22-09
Date



Ports Programming – COVID 19 Payment Relief Requests
Recommendation Form

Section 1. Port Request Narrative: (To be completed by Ports Program Policy Coordinator)

The **Port of Brookings Harbor** submitted a COVID 19 Payment Relief Request Form, with supporting documentation, to Business Oregon on April 10, 2020. While financial impacts are not fully reflected in March, the financial hit will be documented in April, and negative impacts will increase quickly as the crisis continues. Three (3) years of work to stabilize the Port's finances are at risk.

The Port noted that in response to emergency orders, businesses, tourism (impromptu visits and planned events such as the Kite Festival) and the Port's RV Park has closed. Public use of the launch ramp and fish station have been restricted; the Port is navigating signage, additional cleaning requirements and trash removal to keep pace with public health standards. The Port has provided payment relief to their respective (37) tenants. Staff have been placed on furlough. Mitigation efforts are under continual evaluation.

The Port has an emergency meeting with their Port Commission scheduled for this Friday, April 17, 2020. The Port Manager is preparing for worst case – zero (restricted and unrestricted) funds. If it is possible to have an approved, internal recommendation to them by then, the Port Manager would be grateful. Contract drafting and execution would follow from there.

Section 2. Financial Overview and Recommendation: (To be completed by Public Finance Officers)

Public Finance Officer:							
Loan Details:	Program	Executed	Loan	Interest	Approved Amount	Current Balance	Deferred Int. Amount
	OPRF	05/30/1996	520139	5.00%	357,000.00	49,314.85	178,480.17
	OPRF	07/05/2001	525172	6.00%	300,000.00	112,890.28	145,880.79
	OPRF	09/10/2002	525176	7.00%	672,500.00	265,060.31	283,274.15
	OPRF	02/11/2003	525181	4.88%	440,000.00	176,083.86	356,632.67
	SPWF	11/14/2001	L02001	5.35%	400,000.00	168,413.72	251,265.76
	SPWF	06/06/2002	L02009	6.00%	1,316,855.00	687,054.62	1,069,204.15
	SPWF	11/02/1995	L96003	6.00%	333,000.00	-	345,922.54
	SPWF	04/27/1998	L98004	6.00%	500,000.00	49,177.09	320,547.05
	SPWF	12/17/2002	X03004	4.88%	342,000.00	187,397.32	207,598.08
	Total				\$4,661,355.00	\$1,695,392.05	\$3,158,805.37
Date of Last Payment:	03/10/2020						
Next Payment Due:	06/15/2020						
Next Payment Amount:	\$62,500.00						
Repayment Commencement Date:	09/15/2020						
Repayment Source:	Port's General Fund						
Additional Notes (Finance, Fiscal, Contracts, etc.):	The Port has been paying an additional \$10,000.00 per quarter, but per the most recent contract amendment is only required to make quarterly payments of \$62,500.00.						
Recommendation (provide payment relief, provide	Provide the Port with assistance relief in the form of freezing the interest rate at 0.00% on all outstanding balances indefinitely and deferring the quarterly payment 1 period. The now deferred interest of \$3.1M will still be due and the Port will continue making \$62,500.00						

Financial Debt Summary

DATE: July 21, 2020
RE: Month End Report of Debt for June 2020
TO: Gary Dehlinger, Port Manager
ISSUED BY: Kim Boom, Financial Officer

IFA Debt Service and USDA Revenue Bond Payments

- IFA \$72,500 Paid 06/16/2020
 - L98004/Basin 2 Dock Improvement
PRINCIPAL BALANCE ...\$22,861.25 INTEREST BALANCE...\$312,338.92
 - X03004/Eureka Fishery-Property Improvement
PRINCIPAL BALANCE ...\$182,712.39 INTEREST BALANCE...\$197,881.55
 - 520139/Boardwalk
PRINCIPAL BALANCE ...\$45,521.39 INTEREST BALANCE...\$175,540.26
 - 525172/RV Park Improvement
PRINCIPAL BALANCE ...\$109,469.36 INTEREST BALANCE...\$138,594.25
 - 525176/Green Bldg.
PRINCIPAL BALANCE ...\$259,036.22 INTEREST BALANCE...\$263,665.71
 - 525181/Eureka Fishery-Property Purchase
PRINCIPAL BALANCE ...\$172,170.88 INTEREST BALANCE...\$347,562.39
 - L02001/Marine Fueling Dock
PRINCIPAL BALANCE ...\$163,150.80 INTEREST BALANCE...\$240,371.49
 - L02009/Cold Storage
PRINCIPAL BALANCE ...\$667,969.76 INTEREST BALANCE...\$1,025,118.15
- IFA TOTAL PRINCIPLE BALANCE as of June 30, 2020...\$1,622,892.05
IFA TOTAL ACCURED INTEREST as of March 10, 2020...\$3,158,805.37
- USDA Revenue Bond - \$130,120 paid November 6, 2019 to USDA (72,487.38 to Principal)
BALANCE...\$1,080,588.25

Other Notes Payable

- Travelift - \$4659.00 paid to m2Lease
BALANCE...\$169,916.05
- 2018 Genie Reach Forklift - \$1464.71 paid to Umpqua Bank
BALANCE...\$71,248.66

APPROXIMATE END OF MONTH BALANCES

ACTION ITEM – B

DATE: August 12, 2020
RE: Kite Field – RV Park Expansion
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

Kite Field

- The FEMA dredging and slope repair projects are anticipating happening during the next “In-Water Work” period (October 2021 – February 2022). FEMA and OEM are working on approving the Engineering and Permitting phase of these projects soon.
- The Kite Field could be large enough to support a dredging disposal area. If this becomes a dredge disposal area, future planning of the site should be considered because the subgrade could be prepared at the end of the FEMA project.

Idea for the Kite Field after Dredging

- Expanding the RV Park into the Kite Field would fall within the Port Strategic Business Plan.
- The increased revenue could range from \$100,000 to \$250,000 per year. The revenue from events each year is about \$1,800.
- Port Staff would suggest building premium RV camp sites with some sites made for moorage and RV camping packages. Photos of Winchester Bay and The Mill Casino are attached as examples.

Possible Funding Sources

- Typical Oregon Parks & Recreation Department (OPRD) grant cycles begin January 1. Large grants are due in April. Maximum large grant amount is \$750,000. The Port falls under the 40% matching criteria.
- RV Park expansion into the Kite Field at \$500,000 grant budget would cost the Port \$200,000 in matching.
- Having finished plan elevations for this area would be a benefit for the dredge disposal and having the subgrade prepared for the RV park expansion. Proceeding with engineered drawings for this area would help the Port score higher on the grant if we have a ready to build project (design, drawings & specifications).
- Recommend RFP to hire an architect firm to design and prepare construction drawings, specifications and bid package for the Kite Field RV Park expansion.

DOCUMENTS

- Oregon Parks and Recreation Department, Local Government Grant Program Information, 2 pages
- Salmon Harbor Marina-Winchester Bay RV Park photos, 14 pages

- The Mill Casino RV Park photos, 2 pages
- RV Park Expansion Proposal Drawing, 1 page

COMMISSIONERS ACTION

- **Recommended Motion:**
Motion to approve developing the Kite Field area for RV Park expansion. Begin preparing RFP for Board approval on details of the expansion.

Oregon State Parks

Local Government Grant Program

At least 50 percent match required for-

- Cities and districts over 25,000 population
- Counties over 50,000 population

At least 40 percent match required for-

- Cities and districts with a population between 5,000 and 25,000
- Counties with a population between 30,000 and 50,000

At least 20 percent match required for-

- Cities and districts under 5,000 population
- Counties under 30,000 population.

Large, Small and Planning Grants:

Annual grant funds are available upon Legislative approval of OPRD's budget. Project funding depends on the amount of money available and the project's standing on the small or large project priority list.

SCHEDULE

- Small Grants – projects with a maximum \$75,000 grant request. Up to fifteen percent (15%) of funds are available for these projects.
- Large Grant Requests - Other than for land acquisitions, projects with a maximum \$750,000 grant request. Applicants may request up to \$1,000,000 for land acquisition projects.
- Small Community Planning Grants – Maximum awards for planning grants will be \$40,000
- **January 1, 2020:** Grant Cycle Opens. Manual and online application available.
- **February 12, 2020:** Grant Workshop Webinar 10:00am-Noon. Registration required.
- **February 13, 2020:** Live Grant Workshop in Salem 10:00am-Noon Registration required.
- **April 10:** Large Grant applications Due.
- **May 1:** Small Grant applications due.
- **May 15:** Planning Grant applications due.
- **Fall 2020 (TBA):** Local Government Advisory Committee meets in Salem to evaluate and rank applications.
- **Fall 2020 (TBA):** OPRD Commission hears the Advisory Committee's recommendations at the Commission Meeting

Oregon State Parks

Local Government Grant Program

Eligibility

Eligible applicants include Local government agencies that are obligated by state law to provide public recreation facilities.

This includes:

- Cities (municipal corporations)
- Counties (political subdivisions)
- Metropolitan Service Districts
- Park and recreation districts
- Port districts

Eligibility is limited to public outdoor park and recreation areas and facilities. These areas and facilities must be open and accessible to the public-at-large.

Project Types:

Eligible projects involve land acquisition, development, and major rehabilitation projects that are consistent with the outdoor recreation goals and objectives contained in the Statewide Comprehensive Outdoor Recreation Plan (SCORP).

Acquisition – Acquiring land for public outdoor recreation areas, including new park land or additions to existing parks, wildlife areas, and open spaces.

Development – Developing basic outdoor recreation facilities including sports and playfields, picnic facilities, camping facilities or interpretive facilities. Other potential projects include roads, parking areas and restroom buildings.

Rehabilitation – Repairing, restoring or reconstruction on normal wear and tear of facilities. Rehabilitation projects are also those that help meet the access requirements of the Americans with Disabilities Act.

Planning and Feasibility Studies

Preliminary studies undertaken to determine and document a project's viability such as a city developing a plan as to where future parks will be located.

The results are used to make decisions whether to proceed with the project, its public need and benefit, how many, locations, activities and likely users, etc. It is an analysis of possible alternative solutions and a recommendation on the best alternative.

The above definition's intent is to provide help for communities who do not have a park master plan in place or whose plan or studies are significantly outdated.

Match Criteria:

The eligible match by the Applicant may include local budgeted funds, local agency labor or equipment, federal revenue sharing, other eligible grants, state and county inmate labor, donated funds, the value of private donated property, equipment, materials, labor, the value of land acquired within the past six year period, cost of appraisals, pre-development costs within the past two year period (cannot exceed 15 percent of total project costs), or any combination thereof.

The Local Government Grant Program match requirements:

Salmon Harbor Marina



Winchester Bay RV Park



Camping Information

WELCOME TO WINCHESTER BAY RV RESORT at Salmon Harbor Marina

CAMPING RATES

**Monthly rates available on some sites.*

WATER FRONT

1-11, 51-61, 95-112, 119-123

DAILY

WEEKLY

\$60

\$399

LARGE INTERIOR

20-22, 48-50, 67-94,
113-116, 124-138

\$55

\$366

SMALL INTERIOR

12-19, 23-47

\$47

\$313

SUPER SITES

117 & 118

\$120

\$798

EXTRA VEHICLE

\$7

INFO

Winchester Bay RV Resort office
Open 7 Days a Week
9:00am to 4:45pm
Closed Christmas day

120 Manna Way | PO Box 1007
Winchester Bay, OR 97467
(541) 271-0287
www.winchesterbayrvresort.com

Camp Hosts are located in sites
#38 | #77 | #86 | #133

Fees collected year round.
No refunds given

Winchester Bay RV Resort camping
is for recreational use only.
It cannot be your place of residence.
NO DWELLING UNITS ALLOWED.

ENFORCED

Winchester Bay RV Resort DOES NOT ACCEPT foreign currency, foreign personal checks or foreign travelers checks. This is a recreational use facility only. All camping is for temporary recreation only. **NO DWELLING UNITS ALLOWED.** Maximum stay is three (3) consecutive months. All camping units must be operational and have current license tags. No refunds are given.

CAMPING INFO

**The Winchester Bay RV Resort Rules & Regulation in it's entirety can be viewed on our website or in the Resort office.*

CAMPING & PAYMENT - Please register in the office. After office hours, please see camp host for site availability and payment instructions.

SPRINKLERS - Automatic sprinklers turn on every a.m. in grass area. **DO NOT** cover or block sprinklers as this will kill our grass and damage sprinkler heads which you will be liable and charged for. Sprinkler guards are sold in the Resort office for your convenience.

PETS PERMITTED - Must be leashed at all times when outside your RV. Pick up after your pets. Doggie bags are located throughout the facilities for your convenience. Do not leave your pet unattended.

QUIET HOURS - Between 10:00pm and 6:00am, generators and music must be off. Please be courteous of your neighbors.

ATVS - ATVs are NOT to be driven within the Resort. ATVs must be pushed or trailered off premises before starting and/or driving.

















SECTION - G CAMPING PAY STATION

WELCOME TO SALMON HARBOR MARINA
A Department of Douglas County

CAMPING RATES

SITE AREA	SITE #	DAILY	WEEKLY	MONTHLY*
G - SECTION	1-18	\$17.00	\$102.00	\$306.00

*ALL MONTHLY CAMPERS MUST REGISTER AT THE OFFICE.

ENFORCED

Salmon Harbor Marina DOES NOT ACCEPT foreign currency, foreign personal checks or foreign travelers checks.

This is a recreational use facility only. All camping is for temporary recreation only.
NO DWELLING UNITS ALLOWED.

Maximum stay is three (3) consecutive months.

All camping units must be operational and have current license tags.

PAYMENT INSTRUCTIONS

Payment is due upon arrival. Payment can be made at the office or via the pay box. If paying at the pay box, you may use cash or check.
Write checks out to: Salmon Harbor Marina. Secure camping envelope from top of box.
Fill out envelope, detach stub, deposit fee envelope with fee enclosed. Then place stub in your RV window so it is visible for our camp host and/or security. Camping fees are collected year round. A dump station is available on the middle spit (north end of Ork Rock Road).

NO REFUNDS GIVEN

CAMPING RULES

The Salmon Harbor Rules & Regulation in it's entirety can be viewed on our website or it can be displayed in the window of your RV. All sites are first come, first served.
Permits are required for all camping.

INFO

Salmon Harbor Marina office
Open Monday - Friday
8:00am to 4:30pm

100 Ork Rock Road
Winchester Bay, OR 97467
(541) 271-3407 ext. 301
www.salmonharbormarina.com

Camp Host is located in
Site #D-27 May through October.

Fees collected year round.

**Salmon Harbor Marina
camping is for recreational
use only, it cannot be your
place of residence.**

SITE AREA	SITE #	DAILY	WEEKLY	MONTHLY
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Payment is due upon arrival. Payment can be made at the office or via the pay box. If paying at the pay box, you may use cash or check.

Write checks out to: Salmon Harbor Marina. Secure camping envelope from top of box.

Fill out envelope, detach stub, deposit fee envelope with fee enclosed. Then place stub in your RV window so it is visible for our camp host and/or security. Camping fees are collected year round. A dump station is available on the middle spit (north end of Ork Rock Road).

CAMPING RULES

The Salmon Harbor Rules & Regulation in it's entirety can be viewed on our website or in the Marina Office.

CAMPING & PAYMENT - All sites are first come, first served. Every RV pays. Check out time is 2:30 pm. A Camping permit must be displayed in the window of your RV. A Camping permit is available at the Salmon Harbor office or at any pay station throughout the Harbor. Permits are non-transferable.

QUIET HOURS - Between 10:00pm and 6:00am, generators and music must be off. Please be courteous of your neighbors.

DUMP - All campers pay a \$10.00 fee in the pay box at the north end of the peninsula. See camp host or office for coupon.

PETS - Must be leashed at all times when outside your RV. Pick up after your pets. Doggie bags are located throughout the facilities for your convenience. Do not leave your pet unattended.

TENTS - Tents are allowed in B - SECTION camping area only. Other sections only as an auxiliary to your RV. Must be self supporting, no stakes.

ATVS - ATVs may be driven in the camping area at a 10 MPH max speed.





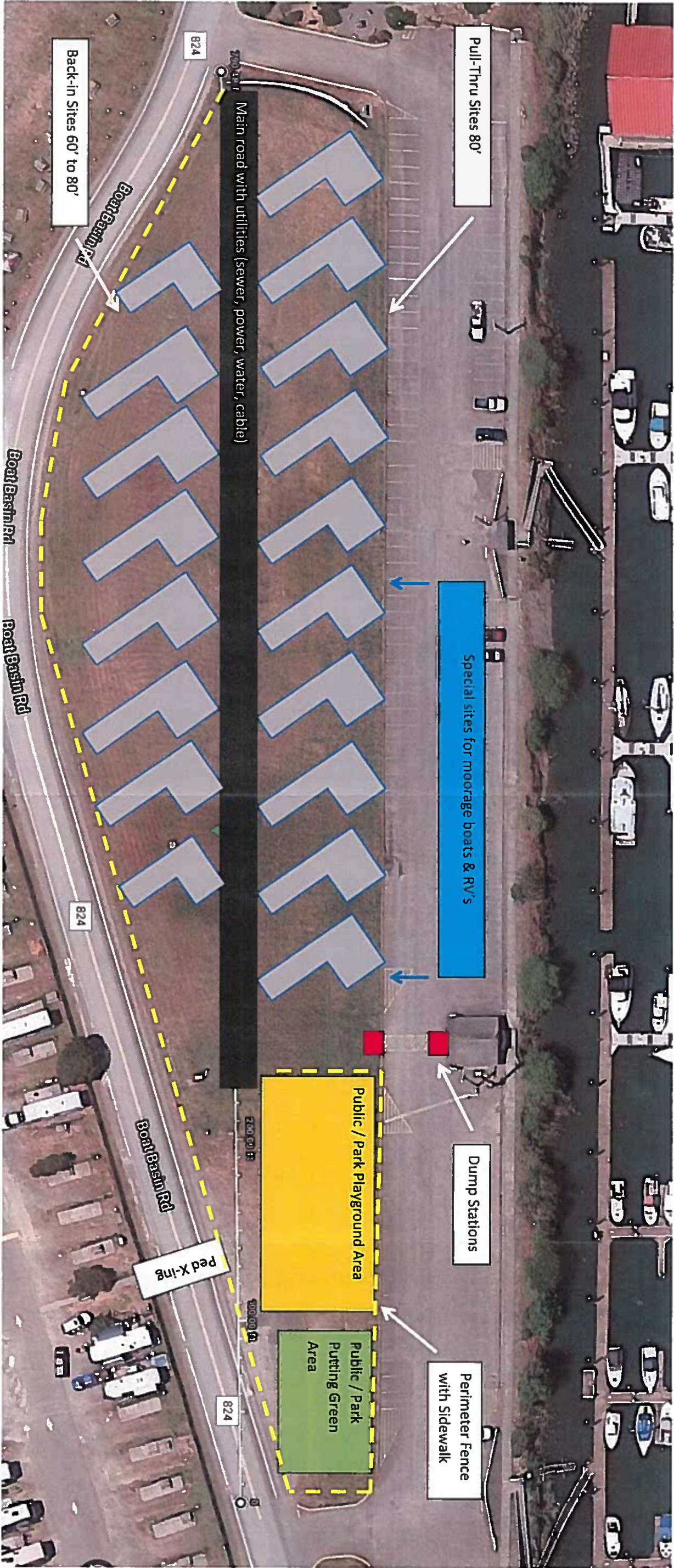


The Mill Casino RV Park



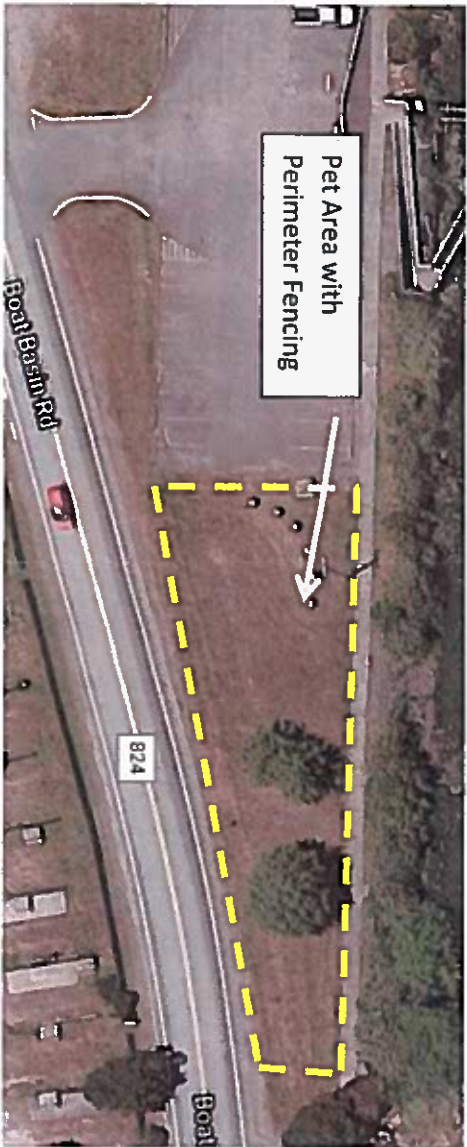


RV Park Expansion Proposal



Estimated Construction Costs and Notes

- Paved sites with full hookups, fire pits and picnic bench
- RV sites built with extra space
- Cost per site at \$10,000, possible 20 sites
- Cost for playground / putting green at \$80,000
- Remaining funds from a \$500,000 grant for all other work at \$220,000
- Sewer Development Charges \$100,000



ACTION ITEM – C

DATE: August 12, 2020
RE: Zola's on the Water Lease Amendment
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- Zola's on the Water lease began December 31, 2019. Renovation of the building and additional storage area was completed, and the business opened July 1, 2020.
- Board approved the tenant to expand the storage area behind the restaurant at a Special Board Meeting March 6, 2020.
- The additional storage space has increased the rental rate by \$89.12. The approximate square footage is 1,114. The bare ground rate is \$.08 per square foot. The total monthly rental rate is now \$1,489.12.
- Additional lease language is recommended for the tenant to accept flood damage in the storage and adjacent parking lot.
- Port legal counsel approved lease agreement Amendment No. 1.

DOCUMENTS

- March 6, 2020 Special Meeting Minutes and Meeting Packet, 17 pages
- Photos of completed storage area expansion, 3 pages
- Draft Commercial Lease Agreement Amendment No. 1, 3 pages

COMMISSIONERS ACTION

- **Recommended Motion:**
Motion to approve draft Commercial Lease Agreement Amendment No. 1 with Zola's on the Water.

**APPROVED MINUTES
MEETING OF THE BOARD OF COMMISSIONERS
PORT OF BROOKINGS HARBOR DISTRICT**

Friday, March 6, 2020

The Port of Brookings Harbor District met in special session on the above date at 2:00 P.M. open session at the Port Conference Room, 16350 Lower Harbor Road Suite 202, Harbor OR, 97415.

1. Call Meeting to Order:

I. Roll Call:

- Commissioners present: Secretary Sharon Hartung, Chairman Roy Davis, and Commissioner Kenneth Range. Treasurer Joseph Speir was tardy. Vice Chairman Richard Heap was absent
- Staff present: Harbormaster Travis Webster, and Administrative Assistant Danielle Shepard.

II. Modifications, Additions, and Changes to the Agenda:

- There was no modifications, additions or changes to the agenda.

III. Declaration of Potential Conflicts of Interest:

- There was no declaration of potential conflicts of interest.

2. Approval of Agenda:

- Range made a motion to approve the agenda as written. Second by Hartung. Motion passed 3-0.

3. Public Comments:

- No public comments.

4. Action Items:

A. Zola's on the Water SDC Fees:

- I. Harbormaster presented item.
- II. Chairman moved discussion to Eian Savas Owner of Zola's on the Water.
- III. Chairman moved discussion back to the commission.
- IV. Commission discussed item.
- V. Hartung made a motion to approve the SDC Fee's to be transferred when the building of Zola's as now, is demolished and sewer lines are capped. Second by Range. Motion Passed 3-0.

B. Zola's on the Water Color Scheme:

- I. Mr. Savas presented item.
- II. Commission discussed item.
- III. Range made a motion to approve the proposed color scheme and theme of the building as presented. Second by Hartung. Motion Passed 3-0.

C. Zola's on the Water Expansion:

- I. Mr. Savas presented item.
- II. Commission discussed item.
- III. Range made a motion to approve increasing Zola's on the Water square footage by another 20 feet to allow for utilities to be hidden from the

public, and to also allow Zola's on the Water to fix drainage issue to existing code as well as level the uneven ground on the side of the building. Second by Hartung. **Motion Passed 4-0.**

5. Information Items:

A. None

6. Commissioner Comments:

- Commissioners praised Mr. Savas for the great job he is doing.

7. Adjournment:

- Chairman adjourned the meeting at 1:30 pm.


Secretary, Sharon Hartung

Date Signed

An audio recording was made of these proceedings. The recording and the full commission packet are available on the Ports website: www.portofbrookingsharbor.com

PORT OF BROOKINGS HARBOR
Special Commission Meeting
Friday, March 6, 2020 • 1:00pm
Port Conference Room Suite 202
16350 Lower Harbor Road, OR 97415

TENTATIVE AGENDA

1. CALL MEETING TO ORDER	Page
• Roll Call	
• Modifications, Additions, and Changes to the Agenda	
• Declaration of Potential Conflicts of Interest	
2. APPROVAL OF AGENDA	
3. PUBLIC COMMENTS (Limited to a maximum of three minutes per person. A "Public Comment Request", located near the entrance, must be completed and turned into the Chairman prior to the beginning of the meeting.)	
4. ACTION ITEMS	
A. Zola's on the Water SDC Fees.....	2
B. Zola's on the Water Color Scheme.....	5
C. Zola's on the Water Expansion.....	8
5. INFORMATION ITEMS	
A. None	
6. COMMISSIONER COMMENTS	
7. ADJOURNMENT	

ACTION ITEM – A

DATE: March 6, 2020
RE: Zola's on the Water SDC Fee's
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- See attached documents from Eian Savas owner of Zola's on the Water.

DOCUMENTS

- Email from Eian Savas, 1 pages
- Email from Kelly Beebe with Harbor Sanitary District, 1 page

COMMISSIONERS ACTION

- **Recommended Motion:**
Motion to approve the SDC Fee's to be transferred when building is demolished and sewer lines are capped.



Danielle Shepard <danielle@portofbrookingsharbor.com>

Fwd: sola's on the water

1 message

Gary Dehlinger <portmanager@portofbrookingsharbor.com>
To: danielle@portofbrookingsharbor.com

Thu, Mar 5, 2020 at 10:23 AM

Sent from my iPhone

Begin forwarded message:

From: elan savas <eliansavas@yahoo.com>
Date: March 5, 2020 at 10:19:40 AM PST
To: Gary Dehlinger <portmanager@portofbrookingsharbor.com>
Subject: sola's on the water

Gary-

The County is asking for a sign off from Harbor Sanitary on the extension of the building. I spoke with them on the 4th and they said that they would transfer the SDC fees over to the new location but would need the ports approval.

The flow of water that pools up on the west side building creates a swamp outside. We met with a company that recommended adding a drain with a grate on the corner of the building and tie it into the drain that exist next to the fence. This will be the first step to fixing that side of the building up. We will have a company here on Monday the 9th with a excavator to begin the dig across the road for our new 400 amp service. It would be timely to be able to begin work on the above area while this company is here with equipment.

I sent over images of our inspiration for the outside of the building. We want to have a clean inviting look that stands out and supports the feel of the restaurant. I sent over the rough photo shop look of the outside of the building with planter boxes and the lighting.

The items we are looking for support on are

- Color scheme and theme of the building
- Transfer of SDCs from old Zolas to new Zolas
- Increasing our space another 20 ft to allow for our dumpster and propane to be hidden from the public
- Fixing the draining issue as well as the un level ground on that side of the building.

Let me know what the next steps will be

Thank you

Elan

Fwd: Zola's and Zola's on the Water SDC Fees

Gary Dehlinger <portmanager@portofbrookingsharbor.com>
To: danielle@portofbrookingsharbor.com

Thu, Mar 5, 2020 at 10:34 AM

Sent from my iPhone

Begin forwarded message:

From: <harborsan_kelly@frontier.com>
Date: March 4, 2020 at 3:40:21 PM PST
To: <portmanager@portofbrookingsharbor.com>
Subject: RE: Zola's and Zola's on the Water SDC Fees

A credit would become available to use when the building is demolished and the sewer line cut and capped at a location designated by the District. Do you have demolition plans?

ACTION ITEM – B

DATE: March 6, 2020
RE: Zola's on the Water Color Scheme
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

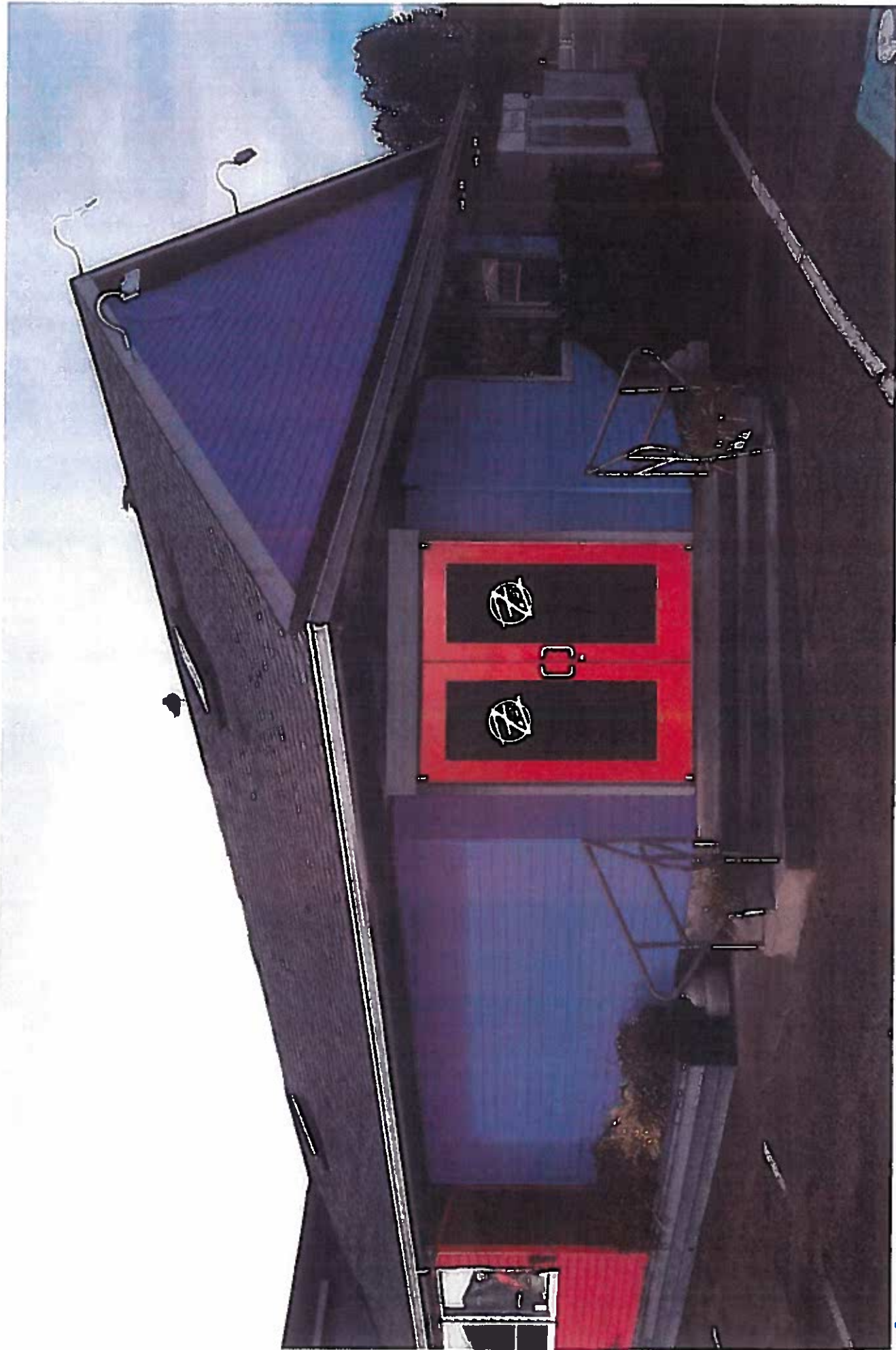
- See attached documents from Eian Savas owner of Zola's on the Water.

DOCUMENTS

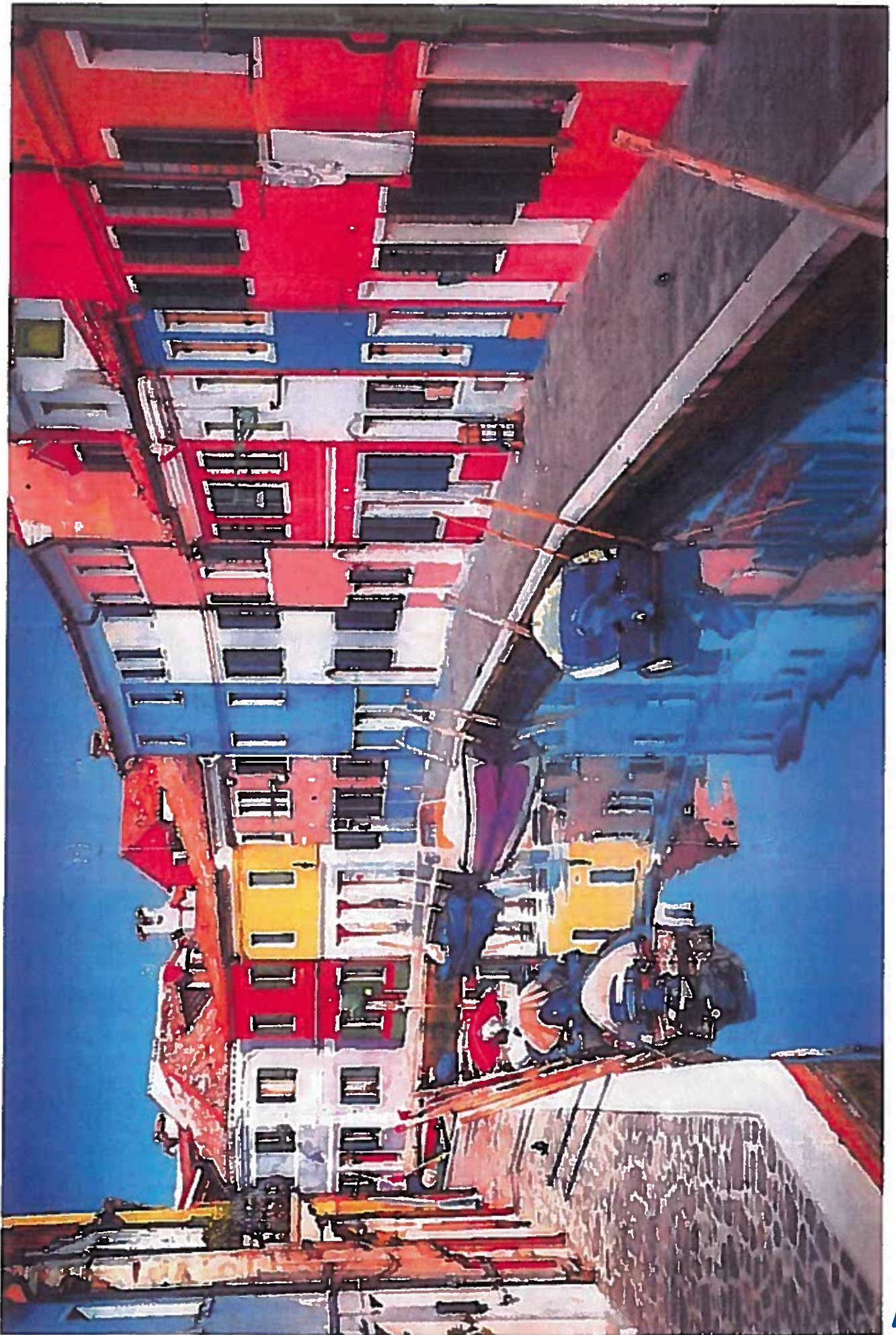
- Pictures of Proposed Color Scheme from Eian Savas, 2 pages

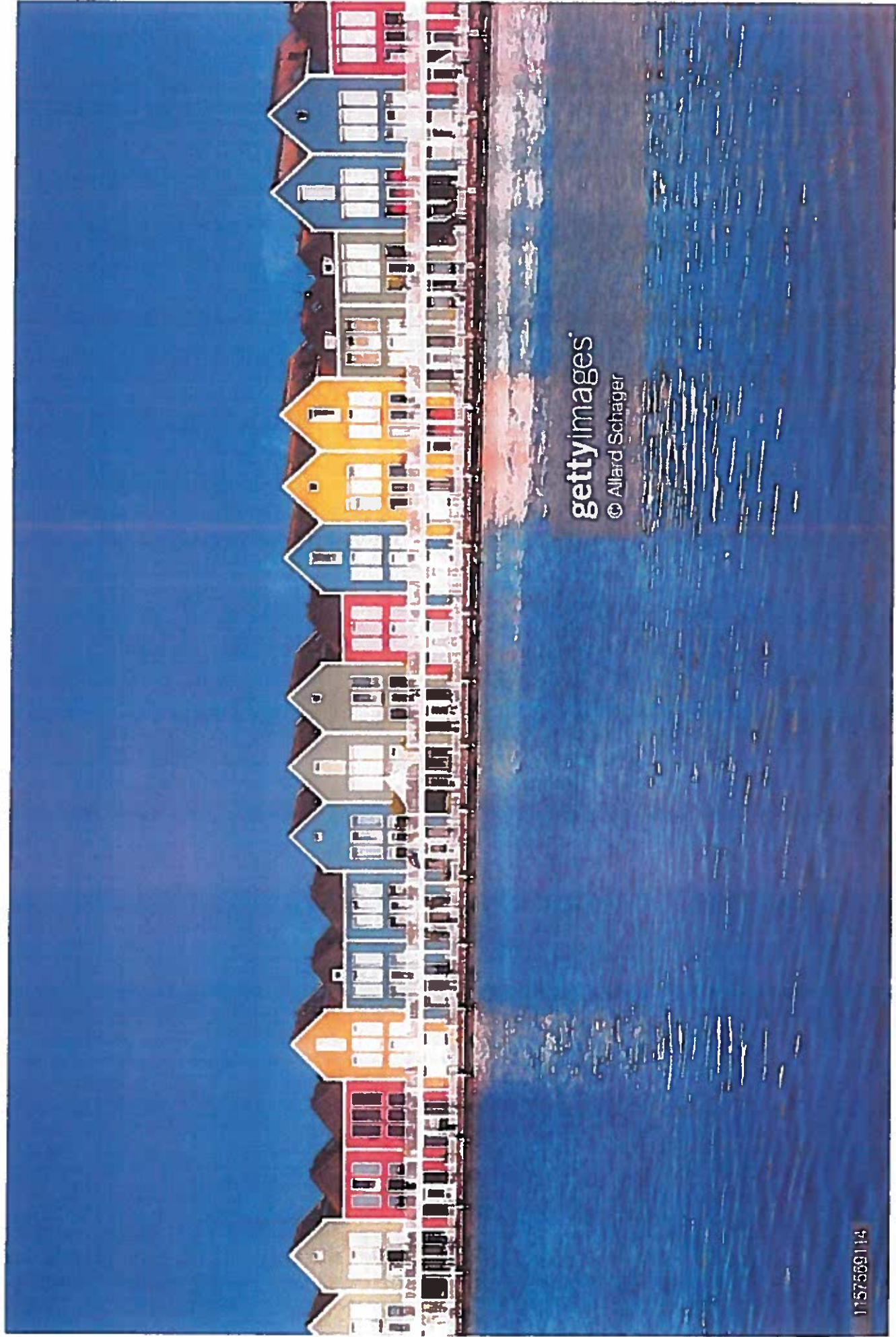
COMMISSIONERS ACTION

- **Recommended Motion:**
Motion to approve the proposed color scheme and theme of the building as presented.









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ACTION ITEM – C

DATE: March 6, 2020
RE: Zola's on the Water Expansion
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

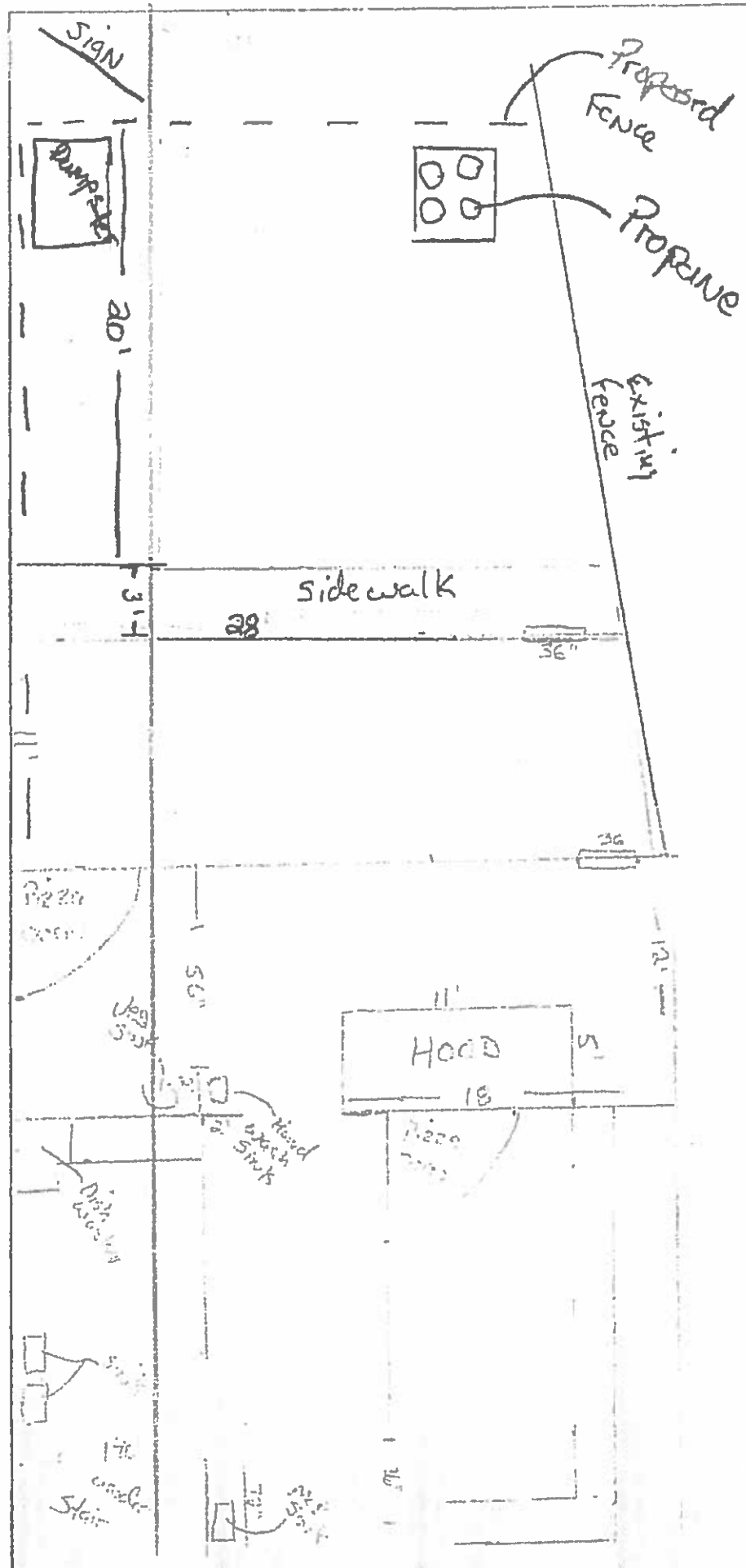
- See attached documents from Eian Savas owner of Zola's on the Water.

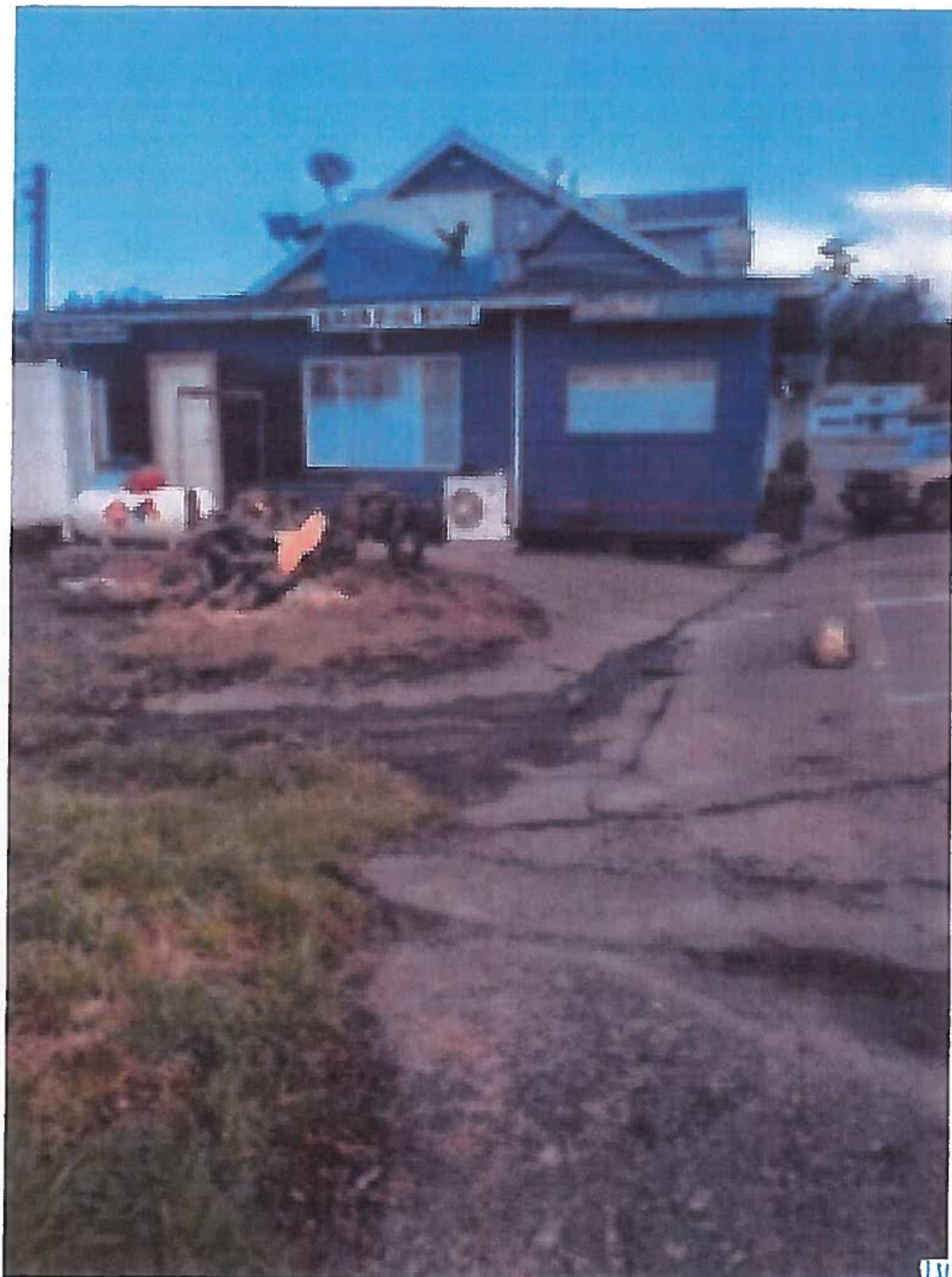
DOCUMENTS

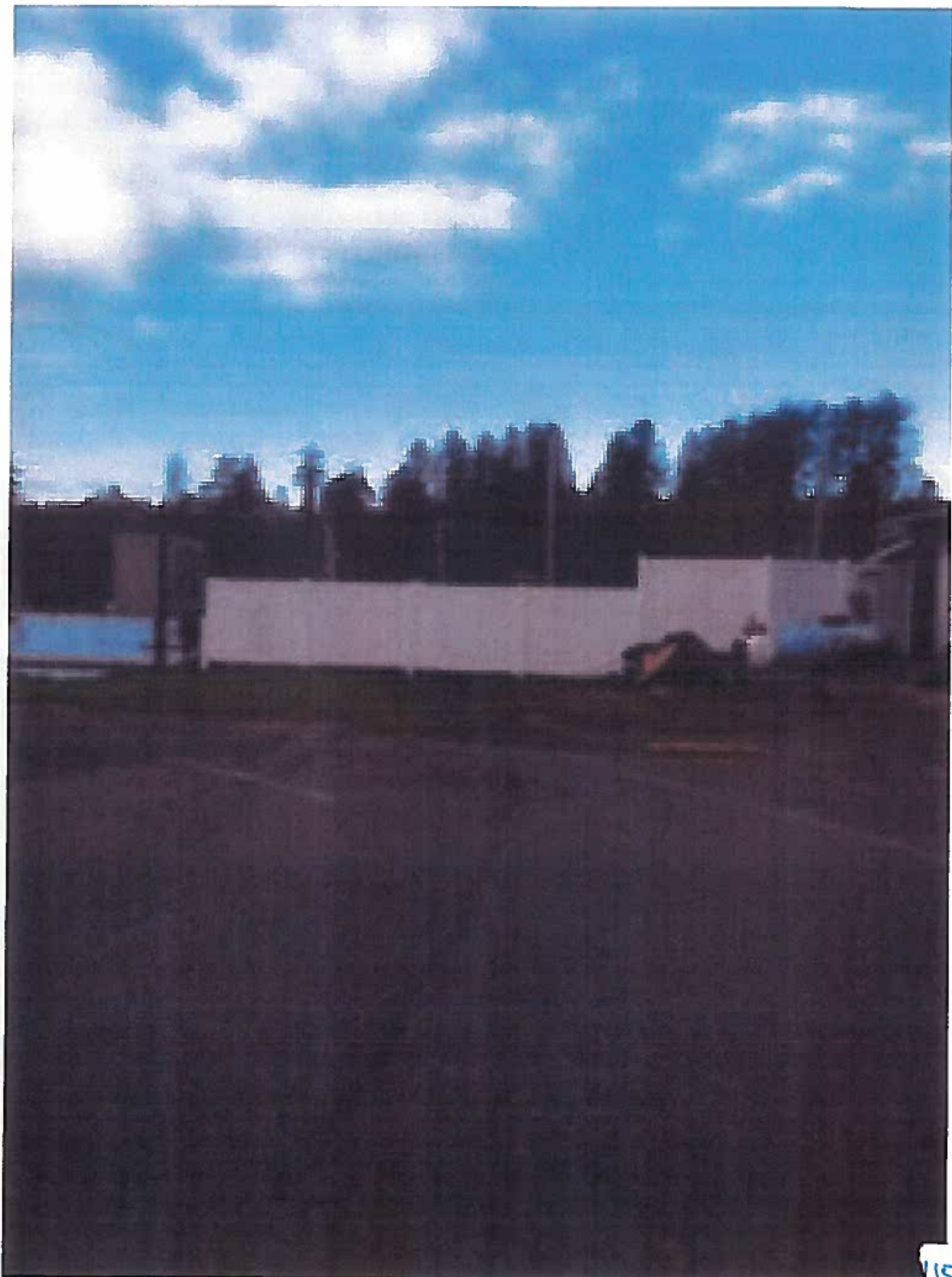
- Picture, 5 page

COMMISSIONERS ACTION

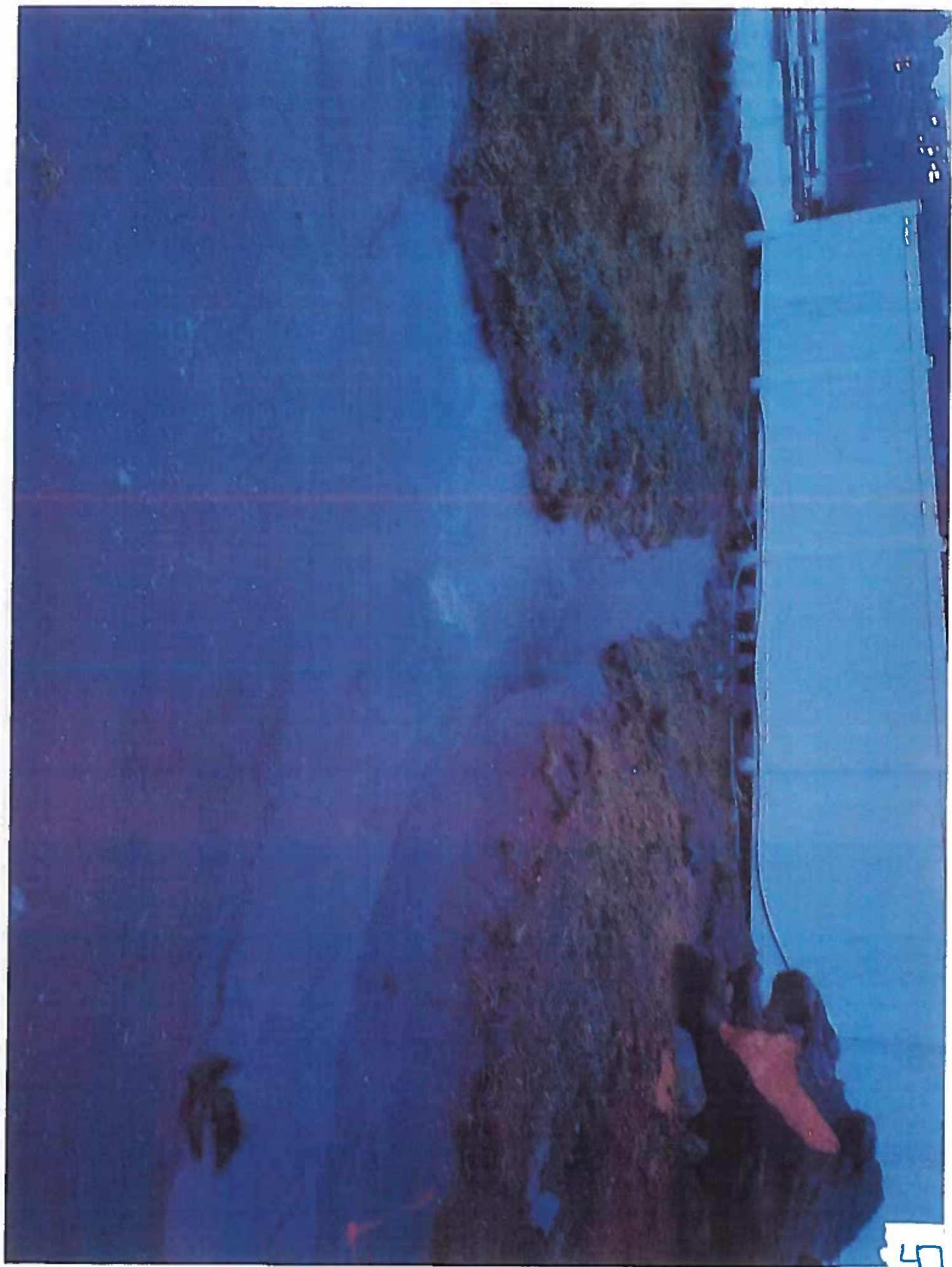
- **Recommended Motion:**
Motion to approve increasing Zola's on the Water square footage by another 20 feet to allow for utilities to be hidden from the public, and to also to allow Zola's on the water to fix the drainage issue as well as level the uneven ground on the side of the building.

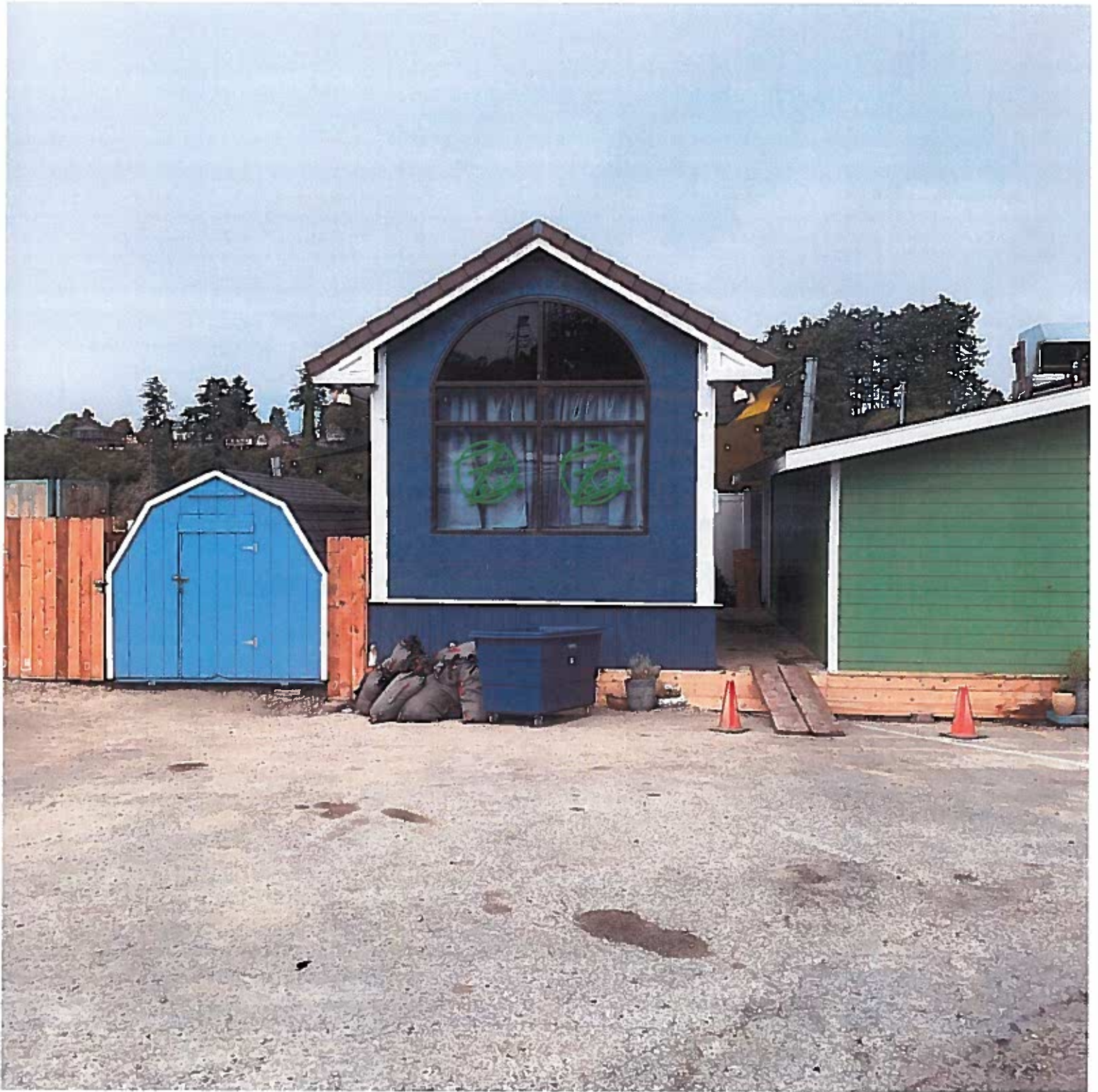


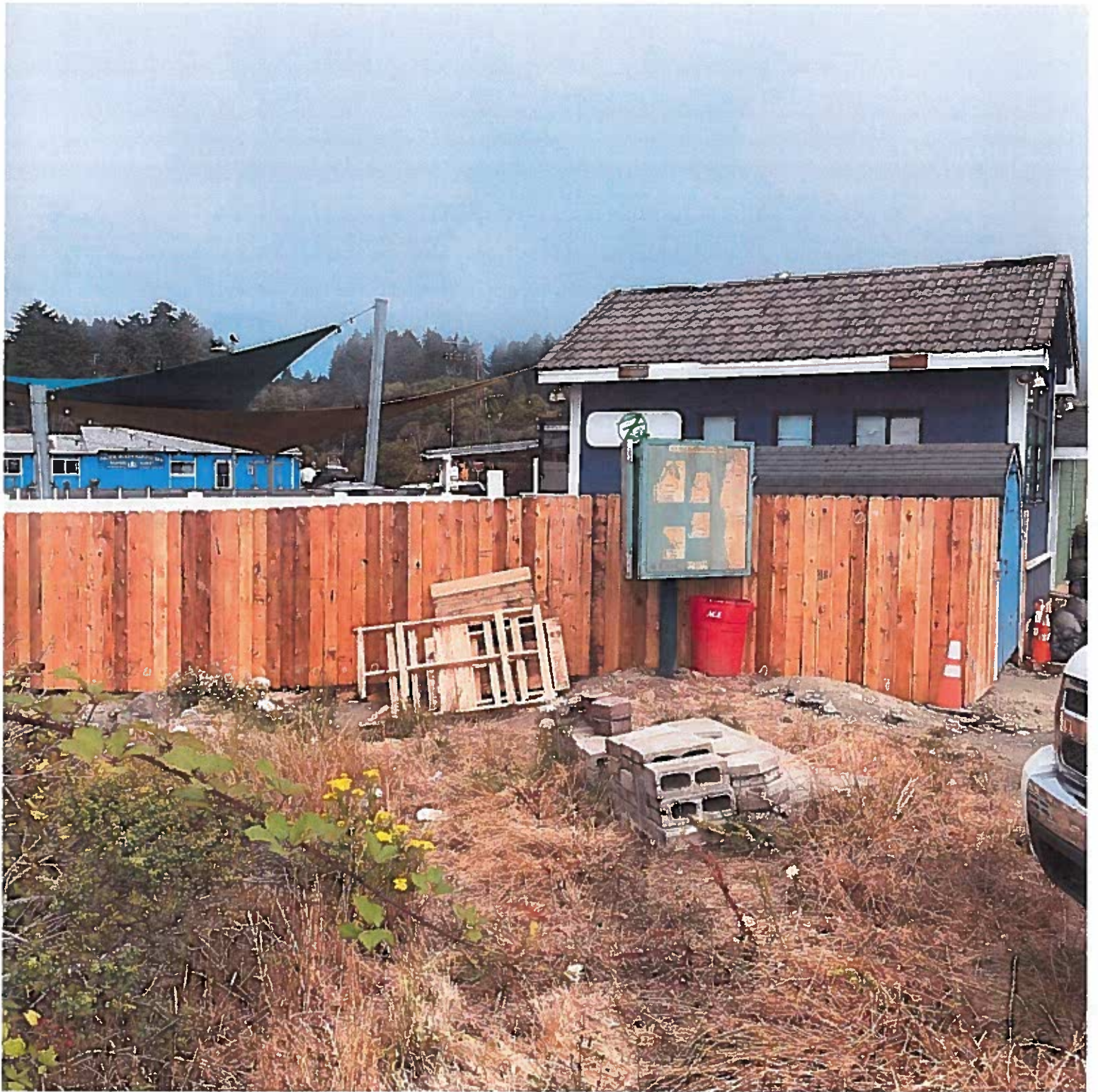














**COMMERCIAL LEASE AGREEMENT
AMENDMENT NO. 1**

DRAFT

This lease amendment ("Amendment") is entered into by and between the Port of Brookings Harbor ("Landlord") and Zola's on the Water, LLC ("Tenant") to amend the terms of the amended and restated commercial lease dated December 31, 2019 ("Lease").

1. AMENDMENTS. The following terms of the Lease are amended as follows:

A. Paragraph 1 is amended to read as follows:

Approximately 3,795 sq.ft. of bare ground, 2,500 sq.ft. of concrete patio and an additional 1,114 sq.ft. of bare ground to be used as storage space, as shown on Exhibit "A & B", attached hereto and made a part hereof, located at 16374 Lower Harbor Road, Brookings, Oregon (referred to herein as the "Leased Premises").

B. Subparagraph d of paragraph 2 is amended to read as follows:

Rental Rate. The base rental rate for the Leased Premises is One Thousand Four Hundred Eighty-Nine 12/100 Dollars (\$1,489.12) per month. The building and all building improvements are the property of the Tenant.

C. Paragraph 9 is amended to include subparagraph c as follows:

c. Tenant has added some storage sheds and reconfigured stormwater drainage. Landlord is not responsible for the stormwater drainage or flooding of the storage area and adjacent parking lot.

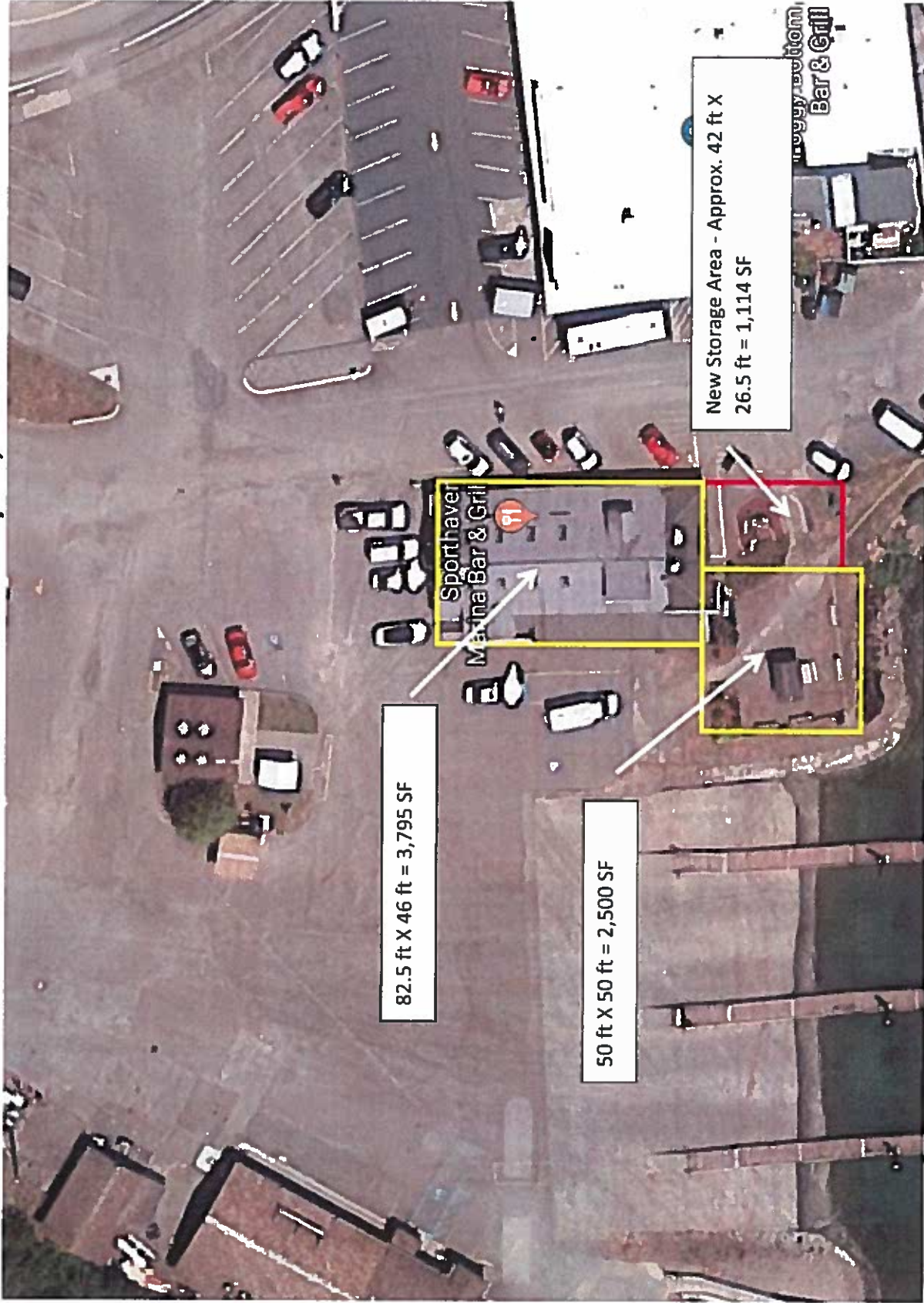
2. OTHER TERMS AND CONDITIONS. All other terms and conditions of the original lease agreement remain in full force and effect and remain unaffected hereby.

3. EFFECTIVE DATE. This Amendment shall be effective as of the date that it is executed.

IN WITNESS WHEREOF, the parties have entered into this agreement as of the date last below written at Brookings, Oregon.

PORT OF BROOKINGS HARBOR, Landlord	Zola's on the Water, LLC Tenant
Dated: _____	Dated: _____
By: _____ Roy C. Davis, Board President	By: _____ Eian Savas Managing Partner
ATTEST: _____ Commissioner	

Zola's on the Water
Exhibit "A" – Revised July 27, 2020



Building = 3,795 SF
Outdoor Seating = 2,500 SF
Storage Area = 1,114 SF

Port of Brookings Harbor
Zola's on the Water
Additional Leased Area – Exhibit “B”

