

PORT OF BROOKINGS HARBOR
Regular Commission Meeting
Tuesday, September 17, 2019 • 6:00 pm
Port Conference Room Suite 202
16350 Lower Harbor Road, OR 97415

TENTATIVE AGENDA

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|--|-------------|
| 1. CALL MEETING TO ORDER | |
| • Pledge of Allegiance | |
| • Roll Call | |
| • Modifications, Additions, and Changes to the Agenda | |
| • Declaration of Potential Conflicts of Interest | |
| 2. APPROVAL OF AGENDA - CONSENT ITEMS | |
| A. Approved Minutes of Regular Meeting Tuesday, August 20, 2019..... | 2 |
| 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. MANAGEMENT REPORTS | |
| A. Financial Report – August 2019..... | 7 |
| B. Port Manager Report – August 2019..... | 20 |
| C. Harbormaster Report – August 2019..... | 28 |
| 5. ACTION ITEMS | |
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| B. Draft Resolution No. 525 Increasing Port Manager Purchasing Limit..... | 66 |
| C. Draft Resolution No. 526 Cat Houses..... | 68 |
| D. Draft Ordinance No. 24 Dinghies Amendment..... | 70 |
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| G. County Culverts Entering Port Property..... | 104 |
| H. 2019 OPPA Annual Conference..... | 105 |
| I. Pithitude Sign Request..... | 109 |
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| 6. INFORMATION ITEMS | |
| A. Schedule Meeting to Review RV Park Remodel Ideas and Seawall Alternatives..... | 129 |
| 7. COMMISSIONER COMMENTS | |
| 8. NEXT REGULAR MEETING DATE – October 15, 2019 6:00pm | |
| 9. ADJOURNMENT | |

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

Tuesday, August 20, 2019

The Port of Brookings Harbor District met in regular session on the above date at 6:00 P.M. open session at the Port Conference Room, 16350 Lower Harbor Road Suite 202, Harbor OR, 97415.

1. Call Meeting to Order:

I. Pledge of Allegiance

II. Roll Call:

- Commissioners present: Treasurer Joseph Speir, Secretary Sharon Hartung, Chairman Roy Davis, Vice Chairman Richard Heap, and Kenneth Range.
- Staff present: Port Counsel Martha Rice, Port Manager Gary Dehlinger, Harbormaster Travis Webster, and Administrative Assistant Danielle Shepard.

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

- Chairman added Action Item R, Resolution 368 Amendment.
- Heap made a motion to approve the agenda as amended. Second by Range.
Motion passed 5-0.

IV. Declaration of Potential Conflicts of Interest:

- There was no declaration of potential conflicts of interest.

2. Approval of Agenda – Consent Items:

A. Approved Minutes of Regular Meeting Tuesday, July 16, 2019:

- I. Range made a motion to approve the minutes for July 16 Regular Meeting.
Second by Speir. **Motion passed 5-0.**

3. Public Comments:

- I. The following individuals addressed the Commissioners regarding subject matters not on this meeting's agenda: Josh Whaley.
- II. The following individuals addressed the Commissioners regarding subject matters on this meeting's agenda: Heather Porter and Jan Henault.

4. Management Reports:

A. Financial Report – July 2019:

- I. Port Manager presented Financial Report.
- II. Commission discussed item.
- III. Hartung made a motion to approve the Financial Report for July 2019. Second by Speir. **Motion passed 5-0.**

B. Port Manager Report – July 2019:

- I. Port Manager presented Port Manager Report.
- II. Commission discussed item.
- III. Heap made a motion to approve the Port Manager Report for July 2019.
Second by Speir. **Motion passed 5-0.**

C. Harbormaster Report – July 2019:

- I. Harbormaster presented Harbormaster Report.

- II. Commission discussed item
- III. Speir made a motion to approve the Harbormaster Report for July 2019. Second by Hartung. **Motion passed 5-0.**

5. Action Items:

A. Cat Houses:

- I. Port Manager presented item.
- II. Commission discussed item.
- III. Chairman allowed public comments.
- IV. Chairman moved the discussion back to the commission.
- V. Heap made a motion to direct Port Staff to meet with these folks, put in writing what the expectation of this program is, and come back to the board. Further we put together a small committee to come up with a plan for moving forward and what do we do at the end of this program. Second by Speir. **Motion passed 5-0.**

B. Ordinance No. 23 Live-aboard Amendment:

- I. Port Manager presented item.
- II. Heap made a motion to approve second reading by title only of Ordinance No. 23 live-aboard, amendment to Section 4.16 of Part IV, Specific Rules and Regulations of Ordinance No. 1-1998. Second by Range. **Motion passed 5-0.**

C. Authorized Bank Signers:

- I. Port Manager presented item.
- II. Commission discussed item.
- III. Heap made a motion to approve Joe Speir was officially sworn in as a commissioner position #1 on July 1, 2019 by a State of Oregon Public Notary for a two year term ending June 30, 2021. Sharon Hartung was officially sworn in as a commissioner position #2 on July 1, 2019 by a State of Oregon Public Notary for a four year term ending June 30, 2023. Roy Davis was officially sworn in as a commissioner position #3 on July 1, 2019 by a State of Oregon Public Notary for a four year term ending June 30, 2023. Richard Heap was officially sworn in as a commissioner position #1 on July 1, 2019 by a State of Oregon Public Notary for a two year term ending June 30, 2021. Kenneth Range was officially sworn in as a commissioner position #1 on July 1, 2019 by a State of Oregon Public Notary for a two year term ending June 30, 2021. The commission approve adding Sharon Hartung as authorized signer to all Port of Brookings Harbor Bank Accounts including, Umpqua Bank Public Checking Account #973273634, Umpqua Bank Public Checking Account 4869398018, Umpqua Bank Money Market Account 0972079529, Umpqua Bank Money Market Account 0972678627, Rogue Credit Union Account 306. The Commissioners approve removing Wes Ferraccioli as authorized signer to all Port of Brookings Harbor Bank Accounts including, Umpqua Bank Public Checking Account #973273634, Umpqua Bank Public Checking Account 4869398018, Umpqua Bank Money Market Account 0972079529, Umpqua Bank Money Market Account 0972678627, Rogue Credit Union Account 306. Second by Speir. **Motion Passed 5-0.**

- D. Incinerator for Fish Carcasses:**
- I. Harbormaster presented item.
 - II. Commission discussed item.
 - III. Heap made a motion to continue with existing procedure and buying additional equipment as needed for fish carcass removal and disposal. Stop pursuing the incinerator system for fish carcass disposal, continue searching for better solutions. Second by Speir. **Motion passed 5-0.**
- E. Master Plan for Retail Area:**
- I. Port Manager presented item.
 - II. Commission discussed item.
 - III. Range made a motion to approve the design of “welcoming sign” number 3. Second by Heap. **Motion passed 5-0.**
 - IV. Heap made a motion to approve the sign location at entrance of the launch ramp, at the entrance in front of the Port Office and by Benham Lane and Boat Basin Road. Second by Range. **Motion passed 5-0.**
 - V. Commission discussed item.
 - VI. Heap made a motion for the Board to direct Kenneth Range to contact the local art community and other people about the development, at no cost to the Port, about art on our Boardwalk. Second by Speir. **Motion passed 5-0.**
- F. RV Park Restroom / Shower Facility:**
- I. Port Manager presented item.
 - II. Commission discussed item.
 - III. Heap made a motion to approve the location of the new restroom-shower building at the backrow or best possible location, demo the existing restroom-shower building, install five (5) new pull-thru sites and one (1) or two (2) public access paths and install necessary utilities per County and public agencies requirements for estimated project cost of \$364,976. To pursue a loan to complete the project and receive approval from Business Oregon-IFA. Board must approve type of loan. To allow the Port Manager or designee to sign all construction and purchasing contracts for the completion of the new restroom-shower facility, demolition of the existing restroom-shower building, installation of five (5) new pull-thru sites and utility connection permits needed not-to-exceed \$364,976. Any over-run costs to be approved by the Board. Set a goal for completing the project in its entirety before February 1, 2020. Second by Hartung. **Motion passed 5-0.**
- G. RV Park Seawall Designs (REMOVE ACTION ITEM):**
- I. Item was removed from agenda, and was not discussed.
- H. Kathy’s Corner Market Business Name Change (REMOVE ACTION ITEM):**
- I. Item was removed from agenda, and was not discussed.
- I. Intergovernmental Agreement with City of Brookings:**
- I. Port Manager presented item.
 - II. Commission discussed item.
 - III. Range made a motion to approve draft IGA with City of Brookings and to allow the Port Manager to sign IGA. Second by Heap. **Motion passed 5-0.**

J. Green Building Demolition:

- I. Port Manager presented item.
- II. Commission discussed item.
- II. Speir made a motion to approve using mechanical method of demolition to the Green Building using the Capital Outlay funds for installing power on Basin 1 D Dock. Allow Port Manager or designee to sign contracts as needed for the demolition and removal of debris not to exceed \$90,000. Second by Range. **Motion passed 5-0.**

K. Pithitude Lease Agreement:

- I. Port Manager presented item.
- II. Commission discussed item with owner Tamara Bissell.
- III. Range made a motion to approve lease agreement with Pithitude for two (2) years with option of additional one (1) to three (3) years for the retail space at 16340 Lower Harbor Road Suites 102 and 103. Second by Hartung. **Motion passed 5-0.**

L. Dinghies:

- I. Port Manager presented item.
- II. Commission discussed item.
- III. Hartung made a motion for the Port of Brookings Harbor Ordinance No. 1-1998 be revised for the draft that is presented for 4.34. Second by Speir. **Motion passed 3-2.**

Yes: Speir, Hartung, Davis

No: Range and Heap

M. OEM Contract:

- I. Port Manager presented item.
- II. Commission discussed item.
- III. Range made a motion to approve OEM Infrastructure Contract 4432-DR-OR and allow the Port Manager to sign documents as needed to proceed with FEMA disaster relief repairs. Second by Speir. **Motion passed 5-0.**

N. RV Park Conceptual Design Program Document:

- I. Port Manager presented item.
- II. Commission discussed item.
- III. Heap made a motion to close item and ask Manager and Crow & Clay to schedule a special meeting to discuss further. Second by Speir. **Motion passed 5-0.**

O. Chetco Indian Memorial Waterline and Additional SF Request (ADD ACTION ITEM):

- I. Port Manager presented item.
- II. Commission discussed item.
- III. Heap made a motion to table this item and direct the Port Manager to contact the sponsors of Chetco Indian Memorial and have them come to a future meeting to discuss this item. Second by Speir. **Motion passed 5-0.**

P. Abandon Vessels (ADD ACTION ITEM):

- I. Port Manager presented item.
- II. Commission discussed item.
- III. Heap made a motion to approve Port Manager or commissioners to pursue legislation action at the State and Federal levels creating a dedicated fund for the disposal of abandon vessels. Second by Hartung. **Motion passed 5-0.**

Q. Project Work Orders 2019-20 Rev 1 (ADD ACTION ITEM):

- I. Port Manager presented item.
- II. Commission discussed item.
- III. Heap made a motion to approve the expenditure, using the savings from catch basin and light pole projects, to resurface the asphalt parking lot as needed not-to-exceed \$24,000. Second by Range. **Motion passed 5-0.**

R. Resolution 368 Amendment:

- I. Commissioner Range presented item.
- II. Range made a motion to amend Resolution 368 to increase the Port Managers expenditure to \$10,000 and document in Managers Report. Second by Heap. **Motion passed 5-0.**

6. Information Items:

A. Dredge Spoil Disposal Plan:

- I. Port Manager presented item.
- II. Commission discussed item.

B. INFRA Grant Awards:

- I. Port Manager presented item.
- II. Commission discussed item.

7. Commissioner Comments:

- I. Commissioners reported on their recent activities.

8. Next Regular Meeting Date –September 17, 2019, 6:00 pm

9. Adjournment:

Chairman adjourned the meeting at 9:20 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

FINANCIAL REPORT

DATE: September 17, 2019
RE: Month End Report of Financial Activities for August 2019
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

Cash Basis – August 2019

General Port Operations – Net Income \$39,455

- Program Revenues \$341,232
- Operation Expenses \$278,115

Non-Operation – Net Income (\$23,652)

- Non-Operating Revenue {Tax Appropriations, Interest & Dividends, Inter-fund Transfers & Misc. Income} - \$40,590
- Non-Operating Expenses {FEMA & Grant Expenses & Loan Payments Expense, Inter-fund Transfers, Capital Outlay} - \$64,252

August 2019 – Net Income \$39,455

Breakdown of General Port Operations

BEACHFRONT RV PARK – Operating Net Income \$62,527

- Revenue \$86,619
- Expenses \$24,092

(Reserve Amount for Depreciation \$1,702 and Loan Payment Amount \$5,063, not factored)

\$11,043 for payroll, supplies & services, maintenance and repairs
\$5,480 to Coos-Curry Electric for power to the RV Office and RV sites.
\$3,318 to CTR for trash removal.
\$1,560 to EMC Engineering / Scientists for Seawall Alternatives.
\$1,326 to Roto Rooter for the portable toilets due to main restroom shutdown.
\$855 to Crow/Clay Associates for Architectural Services for RV Park Reconstruction Project
\$510 to Engineering Resource Services for testing materials for small restroom demolition when the time comes to remodel RV Park or when it falls apart.

BOAT YARD – Operating Net Income (\$3,232)

- Revenue \$2,926
- Expenses \$5,246

(Reserve Amount for Depreciation \$2,275 and Loan Payment Amount \$6,024, not factored)

\$2,744 for payroll, maintenance and repairs
\$2,502 to CTR for trash removal.

COMMERCIAL / RETAIL LEASES – Operating Net Income \$19,220

- Revenue \$36,675
- Expenses \$17,455

(Reserve Amount for Depreciation \$10,727 and Loan Payment Amount \$11,236, not factored)

\$4,984 for materials & services, maintenance and repairs.
\$3,118 to 5-R Excavation for removing brush and installation of rock at Commercial Retail Parking Lot
\$2,911 to Harbor Sanitary for sewer.

\$2,106 to Coos-Curry Electric to relocate existing parking lot lights.
\$1,893 to Kerr's Ace for materials and supplies for Commercial Retail Building's painting project.
\$1,222 to Freeman Rock for rock at Commercial Retail Parking Lot.
\$1,221 to Gowman Electric for electrical repairs and relocating existing parking lot lights.

FUEL DOCK – Operating Net Income \$3,514

- Revenue \$129,304
- Expenses \$125,791

(Reserve Amount for Depreciation \$833 and Loan Payment Amount \$1,754 not factored)

Gas and Diesel Pumped in August:

- Diesel – 47,032 gallons
- Gas – 3,735 gallons

\$122,714 purchasing petroleum product from Carson and Tyree Oil.
\$3,077 for payroll, materials and services.

MARINA/ADMINISTRATION – Operating Net Income (\$59,449)

- Revenue \$67,953
- Expenses \$129,271
- *(Reserve Amount for Depreciation \$14,867 and Loan Payment Amount \$14,913, not factored)*

\$53,305 Employee payroll and health insurance.
\$25,035 for marina supplies, office supplies, maintenance and repairs.
\$24,924 Capital Outlay (Purchase of 2019 F-150 Ford Truck).
\$12,845 to SDAO for property and equipment insurance.
\$6,834 to Coos-Curry Electric for power (2 months paid July & August).
\$4,045 to South Coast Knight Security for Port night patrol.
\$2,278 for the purchase of 2 cubic yard hopper to dispose of fish carcasses at fish station.

PROPERTY GROUND USE – Operating Net Income \$1,336

- Revenue \$1,610
- Expense \$274 (Electrical meters)

Other Port Funds

Misc. Non-Operating & Transfers from General Fund

- Total transfers to Debt Service Fund \$30,292
- Total transfers to Bond Debt Fund \$10,843
- Total transfers to Capital Projects Fund \$0.00
- Total transfers to Reserve Fund \$10,417

CAPITAL PROJECTS – NET POSITION (\$5,748)

- Revenue & Transfers \$0
- Expenses & Transfers \$5,748

\$4825 received for Maintenance Assistance Program FY2020, transferred to General Fund.

Projects in progress *(project completed, payment request submitted to PA/HMP & HMGP):*

1. Basin 1 Piling, Project 65 – *FEMA PW319 Basin 1 Piling Projects expenses, to be reimbursed 100%*

DEBT SERVICE FUND – NET POSITION \$24,264

- Revenue & Transfers \$30,292
- Expenses/Loan Payments *including principle & interest* \$6,196

USDA REVENUE BOND FUND – NET POSITION \$11,111

- Revenue & Transfers \$11,111

- Expenses & Transfers \$0

RESERVE FUND – NET POSITION \$10,538

- Revenue & Transfers \$10,538
 - Expenses & Transfers \$0
-

DOCUMENTS

- Fund Balance Report, 1 page
 - Finance Debt Monthly Report, 1 page
 - August 2019 Profit & Loss, 2 pages
 - Profit & Loss Budget Performance, 3 pages
 - Check Register, 3 pages
-

COMMISSIONERS ACTION

Recommended Motion:

Motion to accept Financial Report as presented.



PORT of BROOKINGS HARBOR

FINANCE DEBT MONTHLY REPORT

Date: September 17, 2019, 2019
Period: August 2019
To: Gary Dehlinger, General Manager
Issued By: Kim Boom, Financial Officer

Debt Service Payments

- IFA
 - L98004/Basin 2 Dock Improvement
PRINCIPAL BALANCE ...\$132,359.01 INTEREST BALANCE...\$312,338.92
 - X03004/Eureka Fishery-Property Improvement
PRINCIPAL BALANCE ...\$201,452.11 INTEREST BALANCE...\$197,881.55
 - 520139/Boardwalk
PRINCIPAL BALANCE ...\$60,695.23 INTEREST BALANCE...\$175,540.26
 - 525172/RV Park Improvement
PRINCIPAL BALANCE ...\$123,153.04 INTEREST BALANCE...\$138,594.25
 - 525176/Green Bldg.
PRINCIPAL BALANCE ...\$283,132.58 INTEREST BALANCE...\$263,665.71
 - 525181/Eureka Fishery-Property Purchase
PRINCIPAL BALANCE ...\$187,822.80 INTEREST BALANCE...\$347,562.39
 - L02001/Marine Fueling Dock
PRINCIPAL BALANCE ...\$184,202.48 INTEREST BALANCE...\$240,371.49
 - L02009/Cold Storage
PRINCIPAL BALANCE ...\$744,309.20 INTEREST BALANCE...\$1,025,118.15

 - IFA TOTAL PRINCIPLE BALANCE as of June 30, 2019...\$1,917,126.45
IFA TOTAL ACCURED INTEREST as of June 30, 2019...\$3,045,171.28

- Travelift - \$4659.00 paid to m2Lease
BALANCE...\$207,425.49

- 2018 Genie Reach Forklift - \$1464.71 paid to Umpqua Bank
BALANCE...\$81,970.48

- Land Purchase – paid to Kyle Aubin/Tidewaters \$72.00
BALANCE... \$15,048.00

Port of Brookings Harbor

Profit & Loss

August 2019

| | Aug 19 |
|---|------------|
| Income | |
| 400 · REVENUES | |
| 410 · GENERAL REVENUES | |
| 10412 · Property Tax Current | 1,141.42 |
| 10413 · Property Tax Prior | 728.18 |
| 10414 · Interest General Fund | 223.91 |
| 10419 · Transfer to General Fund | 5,748.24 |
| 20414 · Interest Revenue Bond Fund | 287.74 |
| 20419 · Transfer to USDA Bond Fund | 10,843.00 |
| 30414 · Interest Debt Service Fund | 150.81 |
| 30419 · Transfer to Debt Service Fund | 6,123.71 |
| 40416 · Government Funding | |
| 40416.1 · Grant Funding | 4,825.00 |
| Total 40416 · Government Funding | 4,825.00 |
| 50414 · Interest Reserve Fund | 121.08 |
| 50419 · Transfer to Reserve Fund | 10,417.00 |
| Total 410 · GENERAL REVENUES | 40,590.09 |
| 420 · PROGRAM REVENUES | |
| 10421 · ADMIN/MOORAGE/MARINA | |
| 10421.2 · Moorage | |
| 10421.3 · Commercial Slip Rent | 11,516.54 |
| 10421.4 · Recreational Slip Rent | 45,793.13 |
| 10421.5 · Transient | 7,751.61 |
| 10421.7 · Balance Forward | 9,240.67 |
| 10421.2 · Moorage - Other | 300.00 |
| Total 10421.2 · Moorage | 74,601.95 |
| 10421.8 · Storage | 4,867.94 |
| 10421.9 · Administration Fees | 75.00 |
| 10421 · ADMIN/MOORAGE/MARINA - Other | 3,265.22 |
| Total 10421 · ADMIN/MOORAGE/MARINA | 82,810.11 |
| 10422 · BEACHFRONT RV PARK | |
| 10422.1 · Space Rental | 86,224.00 |
| 10422.2 · Wood Sales | 330.00 |
| 10422.3 · Other Sales | 65.00 |
| Total 10422 · BEACHFRONT RV PARK | 86,619.00 |
| 10423 · BOATYARD | 2,925.50 |
| 10424 · COMMERCIAL RETAIL | 37,945.46 |
| 10425 · FUEL DOCK | 129,322.44 |
| 10426 · PROPERTY GROUND EVENT USE | 1,610.00 |
| Total 420 · PROGRAM REVENUES | 341,232.51 |
| Total 400 · REVENUES | 381,822.60 |
| Total Income | 381,822.60 |
| Gross Profit | 381,822.60 |
| Expense | |
| 500 · PERSONNEL SERVICES | |
| 10501 · Port Manager | 8,058.08 |
| 10502 · Port Office Staff | 10,149.48 |
| 10503 · RV Park Office Staff | 2,786.38 |
| 10504 · Operations Staff | 21,325.05 |
| 10505 · Overtime | |
| 10505.1 · Office | 390.47 |
| 10505.2 · Operations | 619.97 |
| Total 10505 · Overtime | 1,010.44 |
| 10506 · Payroll Taxes/Costs/Benefits | |
| 10506.2 · Sick Leave Benefit | 467.83 |
| 10506.3 · Vacation | 912.82 |
| 10506.5 · SEP Retirement | |
| 10506.5 · Office | 1,207.64 |
| 10506.7 · Operations | 1,534.98 |
| 10506.8 · Port Manager | 619.65 |
| Total 10506.5 · SEP Retirement | 3,362.27 |

Port of Brookings Harbor
Profit & Loss
August 2019

| | Aug 19 |
|---|-------------------|
| 10506.9 · Personal Vehicle Allowance | 138.50 |
| 10506 · Payroll Taxes/Costs/Benefits - Other | 4,255.41 |
| Total 10506 · Payroll Taxes/Costs/Benefits | 9,136.83 |
| 10509 · Health Care and Dental | 7,814.88 |
| Total 500 · PERSONNEL SERVICES | 58,281.14 |
| 600 · MATERIALS & SERVICES | |
| 10602 · REPAIRS & MAINTENANCE | |
| 10602.1 · Maintenance & Repairs | 6,390.73 |
| 10602.2 · Services/Supplies/Contracts | 21,729.60 |
| 10602.3 · Tools & Equipment Purchases | 2,514.56 |
| 10602.4 · Supplies & Services | 7,874.14 |
| Total 10602 · REPAIRS & MAINTENANCE | 38,509.03 |
| 10603 · FUEL purchased for resale | 122,713.54 |
| 10605 · UTILITIES | |
| 10605.1 · Electric & Propane Gas | 14,592.78 |
| 10605.2 · Water, Sanitary & Waste | 16,536.67 |
| 10605.3 · Telecommunications & Cable TV | 1,191.86 |
| 10605 · UTILITIES - Other | 41.05 |
| Total 10605 · UTILITIES | 32,362.36 |
| 10606 · OFFICE EXPENSE | 3,044.45 |
| 10607 · BANK SERVICE & FINANCE FEES | 4,764.35 |
| 10608 · TRAINING & TRAVEL | 353.70 |
| 10609 · PERMITS, LICENSES, TAXES & MISC | 760.02 |
| 10610 · INSURANCE; PROP & CAS, BOND | 13,773.50 |
| 10611 · PROFESSIONAL FEES | |
| 10611.4 · Engineering/Consultant | 1,560.00 |
| 10611.5 · Architecture & Planning | 854.75 |
| 10611 · PROFESSIONAL FEES - Other | 1,138.42 |
| Total 10611 · PROFESSIONAL FEES | 3,553.17 |
| Total 600 · MATERIALS & SERVICES | 219,834.12 |
| 700 · CAPITAL OUTLAY | |
| 10704 · Equipment | 24,924.41 |
| Total 700 · CAPITAL OUTLAY | 24,924.41 |
| 800 · DEBT SERVICE | |
| 801 · Principal | |
| 30803P · 50 BFMII Travelift Principal | 3,889.61 |
| 30804P · 2018 Genie Forklift Principal | 1,035.84 |
| 30805P · Property Purch-Kyle Aubin Prin. | 72.00 |
| Total 801 · Principal | 4,797.45 |
| 810 · Interest Payments | |
| 30813P · 50 BFMII Travelift Interest | 969.39 |
| 30814P · 2018 Genie Forklift Interest | 428.87 |
| Total 810 · Interest Payments | 1,398.26 |
| Total 800 · DEBT SERVICE | 6,195.71 |
| 900 · Operating Transfers Out | |
| 10900 · Operating Transfers Out General | 27,383.71 |
| 40900 · Operating Transfers Out Capital | 5,748.24 |
| Total 900 · Operating Transfers Out | 33,131.95 |
| Total Expense | 342,367.33 |
| Net Income | 39,455.27 |

Port of Brookings Harbor
Profit & Loss Budget Performance
July through August 2019

| | Jul - Aug 19 | Budget | % of Budget |
|---|-------------------|---------------------|---------------|
| Income | | | |
| 400 · REVENUES | | | |
| 410 · GENERAL REVENUES | | | |
| 10411 · Cash Carry Over | 0.00 | 546,386.00 | 0.0% |
| 10412 · Property Tax Current | 2,152.66 | 225,000.00 | 1.0% |
| 10413 · Property Tax Prior | 1,190.72 | 9,000.00 | 13.2% |
| 10414 · Interest General Fund | 404.29 | 7,304.00 | 5.5% |
| 10417 · Assets Sales | 75.00 | 5,066.00 | 1.5% |
| 10418 · Miscellaneous | -80.00 | 20,657.00 | -0.4% |
| 10419 · Transfer to General Fund | 6,671.48 | | |
| 20414 · Interest Revenue Bond Fund | 519.21 | 700.00 | 74.2% |
| 20419 · Transfer to USDA Bond Fund | 21,686.00 | 130,120.00 | 16.7% |
| 30414 · Interest Debt Service Fund | 247.59 | 600.00 | 41.3% |
| 30419 · Transfer to Debt Service Fund | 36,415.42 | 363,748.00 | 10.0% |
| 40416 · Government Funding | | | |
| 40416.1 · Grant Funding | 4,825.00 | 4,785.00 | 100.8% |
| Total 40416 · Government Funding | 4,825.00 | 4,785.00 | 100.8% |
| 40419 · Transfer to Capital Project | 1,101.83 | | |
| 50414 · Interest Reserve Fund | 221.13 | | |
| 50419 · Transfer to Reserve Fund | 20,834.00 | 125,000.00 | 16.7% |
| Total 410 · GENERAL REVENUES | 96,264.33 | 1,438,366.00 | 6.7% |
| 420 · PROGRAM REVENUES | | | |
| 10421 · ADMIN/MOORAGE/MARINA | | | |
| 10421.2 · Moorage | | | |
| 10421.3 · Commercial Slip Rent | 20,154.11 | | |
| 10421.4 · Recreational Slip Rent | 84,087.35 | | |
| 10421.5 · Transient | 8,407.05 | | |
| 10421.7 · Balance Forward | 33,265.16 | | |
| 10421.2 · Moorage - Other | 300.00 | | |
| Total 10421.2 · Moorage | 146,213.67 | | |
| 10421.8 · Storage | 10,613.01 | | |
| 10421.9 · Administration Fees | 150.00 | | |
| 10421 · ADMIN/MOORAGE/MARINA - Other | 10,130.72 | 654,707.00 | 1.5% |
| Total 10421 · ADMIN/MOORAGE/MARINA | 167,107.40 | 654,707.00 | 25.5% |
| 10422 · BEACHFRONT RV PARK | | | |
| 10422.1 · Space Rental | 192,634.00 | | |
| 10422.2 · Wood Sales | 815.00 | | |
| 10422.3 · Other Sales | 175.00 | | |
| 10422 · BEACHFRONT RV PARK - Other | 0.00 | 556,869.00 | 0.0% |
| Total 10422 · BEACHFRONT RV PARK | 193,624.00 | 556,869.00 | 34.8% |
| 10423 · BOATYARD | 12,484.24 | 93,974.00 | 13.3% |
| 10424 · COMMERCIAL RETAIL | | | |
| 10424.2 · Balance Forward | 14,057.04 | | |
| 10424 · COMMERCIAL RETAIL - Other | 69,470.38 | 519,402.00 | 13.4% |
| Total 10424 · COMMERCIAL RETAIL | 83,527.42 | 519,402.00 | 16.1% |
| 10425 · FUEL DOCK | 273,296.93 | 581,596.00 | 47.0% |
| 10426 · PROPERTY GROUND EVENT USE | 4,340.00 | 8,926.00 | 48.6% |
| Total 420 · PROGRAM REVENUES | 734,379.99 | 2,415,474.00 | 30.4% |
| Total 400 · REVENUES | 830,644.32 | 3,853,840.00 | 21.6% |
| Total Income | 830,644.32 | 3,853,840.00 | 21.6% |
| Gross Profit | 830,644.32 | 3,853,840.00 | 21.6% |
| Expense | | | |
| 500 · PERSONNEL SERVICES | | | |

Port of Brookings Harbor
Profit & Loss Budget Performance
July through August 2019

| | Jul - Aug 19 | Budget | % of Budget |
|--|-------------------|-------------------|--------------|
| 10501 · Port Manager | 15,145.20 | 84,018.00 | 18.0% |
| 10502 · Port Office Staff | 25,226.73 | 153,838.00 | 16.4% |
| 10503 · RV Park Office Staff | 6,852.70 | 46,585.00 | 14.7% |
| 10504 · Operations Staff | 51,098.74 | 248,578.00 | 20.6% |
| 10505 · Overtime | | | |
| 10505.1 · Office | 1,039.20 | | |
| 10505.2 · Operations | 913.92 | | |
| 10505 · Overtime - Other | 0.00 | 10,828.00 | 0.0% |
| Total 10505 · Overtime | 1,953.12 | 10,828.00 | 18.0% |
| 10506 · Payroll Taxes/Costs/Benefits | | | |
| 10506.1 · Paid Holidays | 1,169.76 | | |
| 10506.2 · Sick Leave Benefit | 992.71 | | |
| 10506.3 · Vacation | 2,697.98 | | |
| 10506.5 · SEP Retirement | | | |
| 10506.6 · Office | 3,046.86 | | |
| 10506.7 · Operations | 3,768.11 | | |
| 10506.8 · Port Manager | 1,618.35 | | |
| Total 10506.5 · SEP Retirement | 8,433.32 | | |
| 10506.9 · Personal Vehicle Allowance | 1,038.50 | | |
| 10507 · Payroll Taxes | 6,480.84 | | |
| 10506 · Payroll Taxes/Costs/Benefits - Other | 4,255.41 | 157,710.00 | 2.7% |
| Total 10506 · Payroll Taxes/Costs/Benefits | 25,068.52 | 157,710.00 | 15.9% |
| 10508 · Workers Compensation | 15,447.61 | 14,205.00 | 108.7% |
| 10509 · Health Care and Dental | 14,961.75 | 85,964.00 | 17.4% |
| Total 500 · PERSONNEL SERVICES | 155,754.37 | 801,726.00 | 19.4% |
| 600 · MATERIALS & SERVICES | | | |
| 10601 · ADVERTISING & NOTIFICATIONS | 1,158.27 | 12,928.00 | 9.0% |
| 10602 · REPAIRS & MAINTENANCE | | | |
| 10602.1 · Maintenance & Repairs | 56,513.64 | | |
| 10602.2 · Services/Supplies/Contracts | 39,740.55 | | |
| 10602.3 · Tools & Equipment Purchases | 7,420.40 | | |
| 10602.4 · Supplies & Services | 10,294.83 | | |
| 10602 · REPAIRS & MAINTENANCE - Other | 944.36 | 323,780.00 | 0.3% |
| Total 10602 · REPAIRS & MAINTENANCE | 114,913.78 | 323,780.00 | 35.5% |
| 10603 · FUEL purchased for resale | 221,385.24 | 492,132.00 | 45.0% |
| 10604 · DISPOSAL of Abandon Vessels | 0.00 | 40,000.00 | 0.0% |
| 10605 · UTILITIES | | | |
| 10605.1 · Electric & Propane Gas | 21,522.88 | | |
| 10605.2 · Water, Sanitary & Waste | 32,318.60 | | |
| 10605.3 · Telecommunications & Cable TV | 3,560.11 | | |
| 10605 · UTILITIES - Other | 81.59 | 281,292.00 | 0.0% |
| Total 10605 · UTILITIES | 57,483.18 | 281,292.00 | 20.4% |
| 10606 · OFFICE EXPENSE | 7,412.25 | 34,365.00 | 21.6% |
| 10607 · BANK SERVICE & FINANCE FEES | 9,145.95 | 28,804.00 | 31.8% |
| 10608 · TRAINING & TRAVEL | 666.50 | 2,629.00 | 25.4% |
| 10609 · PERMITS, LICENSES, TAXES & MISC | | | |
| 10609.1 · Lodging Taxes | 2,248.93 | | |
| 10609 · PERMITS, LICENSES, TAXES & MISC - Other | 792.02 | 29,317.00 | 2.7% |
| Total 10609 · PERMITS, LICENSES, TAXES & MISC | 3,040.95 | 29,317.00 | 10.4% |
| 10610 · INSURANCE; PROP & CAS, BOND | 34,223.60 | 83,940.00 | 40.8% |
| 10611 · PROFESSIONAL FEES | | | |
| 10611.2 · Attorney | 988.00 | | |
| 10611.4 · Engineering/Consultant | 7,350.00 | | |
| 10611.5 · Architecture & Planning | 2,587.75 | | |

Port of Brookings Harbor
Profit & Loss Budget Performance
 July through August 2019

| | Jul - Aug 19 | Budget | % of Budget |
|---|-------------------|---------------------|---------------|
| 10611 · PROFESSIONAL FEES - Other | 6,143.86 | 142,570.00 | 4.3% |
| Total 10611 · PROFESSIONAL FEES | 17,069.61 | 142,570.00 | 12.0% |
| 40602 · Repairs, Maintenance, Supplies | 211.83 | | |
| 40611 · Engineering/Consultants | 890.00 | | |
| Total 600 · MATERIALS & SERVICES | 467,601.16 | 1,471,757.00 | 31.8% |
| 700 · CAPITAL OUTLAY | | | |
| 10702 · Land Improvements | 0.00 | 90,000.00 | 0.0% |
| 10704 · Equipment | 24,924.41 | 25,000.00 | 99.7% |
| 40702 · Land Improvement - Capt Proj | 0.00 | 4,785.00 | 0.0% |
| Total 700 · CAPITAL OUTLAY | 24,924.41 | 119,785.00 | 20.8% |
| 800 · DEBT SERVICE | | | |
| 801 · Principal | | | |
| 20801 · USDA Revenue Bond Principal | 0.00 | 72,487.00 | 0.0% |
| 30802P · IFA PRINCIPAL | 0.00 | 290,000.00 | 0.0% |
| 30803P · 50 BFMII Travellift Principal | 7,367.67 | 45,202.00 | 16.3% |
| 30804P · 2018 Genie Forklift Principal | 2,079.96 | 12,803.00 | 16.2% |
| 30805P · Property Purch-Kyle Aubin Prin. | 144.00 | 864.00 | 16.7% |
| Total 801 · Principal | 9,591.63 | 421,356.00 | 2.3% |
| 810 · Interest Payments | | | |
| 20810 · USDA Revenue Bond Interest | 0.00 | 57,633.00 | 0.0% |
| 30813P · 50 BFMII Travellift Interest | 1,950.33 | 10,706.00 | 18.2% |
| 30814P · 2018 Genie Forklift Interest | 849.46 | 4,773.00 | 17.8% |
| Total 810 · Interest Payments | 2,799.79 | 73,112.00 | 3.8% |
| Total 800 · DEBT SERVICE | 12,391.42 | 494,468.00 | 2.5% |
| 900 · Operating Transfers Out | | | |
| 10900 · Operating Transfers Out General | 80,037.25 | 618,868.00 | 12.9% |
| 40900 · Operating Transfers Out Capital | 6,671.48 | | |
| Total 900 · Operating Transfers Out | 86,708.73 | 618,868.00 | 14.0% |
| 920 · OPERATING CONTINGENCY | 0.00 | 10,149.00 | 0.0% |
| 930 · Fund Balances | | | |
| 10930 · Unappropriated Balance GF | 0.00 | 40,000.00 | 0.0% |
| 20930 · Unappropriated Balance-USDA | 0.00 | 99,095.00 | 0.0% |
| 30930 · Unappropriated Balance Debt | 0.00 | 23,602.00 | 0.0% |
| 40930 · Unappropriated Balance Capt Pro | 0.00 | 25,000.00 | 0.0% |
| 50930 · Unappropriated Balance Reserve | 0.00 | 149,390.00 | 0.0% |
| Total 930 · Fund Balances | 0.00 | 337,087.00 | 0.0% |
| Total Expense | 747,380.09 | 3,853,840.00 | 19.4% |
| Net Income | 83,264.23 | 0.00 | 100.0% |

Port of Brookings Harbor
Check Registers
As of August 31, 2019

3:27 PM
09/05/19
Cash Basis

| Type | Num | Date | Name | Memo | Debit | Credit | Balance |
|-----------------|------|------------|---------------------------------------|---|-------|----------|------------|
| Bill Pmt -Check | 9388 | 08/05/2019 | Spec Dist Assoc of OR- Prop & Cas | Policy#31P16414-203 Customer ID: 01-16414 - 2019 PROPERTY & CASUALTY POLICY | | 6,308.50 | -52,047.45 |
| Bill Pmt -Check | 9389 | 08/05/2019 | Spec Dist Assoc of Or - TRAINING | ACCT#30995-Risk Training Sharon Hartung 8/21/19 Confirmation#VCN82RXYGX | | 75.00 | -52,122.45 |
| Bill Pmt -Check | 9390 | 08/05/2019 | Wes' Towing | Vehicle towed on 12/30/2018 for Michael Scott Tyree | | 95.00 | -52,217.45 |
| Check | 9391 | 08/05/2019 | Miller, Kent | Refund from overpayment on account made on 3/6/2019 | | 5.30 | -52,222.75 |
| Check | 9392 | 08/05/2019 | Lord, Dwayne | Refund of overpayment on account made on 8/20/2018 | | 5.56 | -52,228.31 |
| Check | 9393 | 08/05/2019 | Griffin, Greg | Refund of overpayment made on 7/1/2019 | | 36.00 | -52,264.31 |
| Check | 9394 | 08/05/2019 | Ronnigen, Ken | Refund for overpayment on account, payment made on 2/5/2019 | | 37.73 | -52,302.04 |
| Check | 9395 | 08/05/2019 | Carl, Joe & Ruth | Refund to Customer, overpayment on 5/3/2019 | | 4.00 | -52,306.04 |
| Bill Pmt -Check | 9396 | 08/14/2019 | BL-MART | Account #931481 Water & Supplies | | 81.54 | -52,387.58 |
| Bill Pmt -Check | 9397 | 08/14/2019 | Bullet Rental | Excavator Rental for Demolition of building by fish clean station | | 933.50 | -53,321.08 |
| Bill Pmt -Check | 9398 | 08/14/2019 | Curry Transfer & Recycling | Account #2040-2434-001 Trash Dumpsters | | 6,945.15 | -54,266.23 |
| Bill Pmt -Check | 9399 | 08/14/2019 | Fastenal Industrial Supplies | Customer No. ORBRK0013 Toiletries & Supplies | | 3.08 | -54,269.31 |
| Bill Pmt -Check | 9400 | 08/14/2019 | Fastenal Industrial Supplies | Bearings for repair to Hoist at Bornstein & Filter for Travelift | | 123.87 | -54,393.18 |
| Bill Pmt -Check | 9401 | 08/14/2019 | George's Auto & Diesel Electric | Electrical Repairs | | 85.00 | -54,478.18 |
| Bill Pmt -Check | 9402 | 08/14/2019 | Gowman Electric, Inc. | Piling Hoops & Material for Bornstein Hoist repair | | 111.19 | -54,589.37 |
| Bill Pmt -Check | 9403 | 08/14/2019 | Harbor Logging Supply, Inc. | 8/20 - 7/20 SERVICE/WATER BILL | | 1,812.98 | -54,402.35 |
| Bill Pmt -Check | 9404 | 08/14/2019 | Harbor Water District P.U.D. | 7/24/19-7/25/19 - Trapping Services - Raccoon | | 100.00 | -54,502.35 |
| Bill Pmt -Check | 9405 | 08/14/2019 | Holly's Handyman, LLC | Sign for "boat raise" & Decals and Installation for EQ#1109 2019 Ford F-150 | | 200.00 | -54,702.35 |
| Bill Pmt -Check | 9406 | 08/14/2019 | In-Motion Graphics and Design, LLC | Customer#56 Hardware Supplies | | 947.88 | -54,602.35 |
| Bill Pmt -Check | 9407 | 08/14/2019 | Kerr's Ace Hardware Inc | Account#2940-522445 Sanitary Billing Period 07/01/2019-07/31/2019 | | 1,325.93 | -54,928.28 |
| Bill Pmt -Check | 9408 | 08/14/2019 | Roto Rooter | Security Patrol for July 2019 | | 4,044.50 | -54,900.66 |
| Bill Pmt -Check | 9409 | 08/14/2019 | South Coast Knight Security | Policy#31P16414-203 Customer ID: 01-16414 - 2019 PROPERTY & CASUALTY POLICY | | 7,465.00 | -55,585.66 |
| Bill Pmt -Check | 9410 | 08/14/2019 | Spec Dist Assoc of OR- Prop & Cas | Copy Leases and Maintenance | | 1,040.76 | -57,526.42 |
| Bill Pmt -Check | 9411 | 08/22/2019 | Xerox Capital Services, LLC | Earwork Charges applied to Contract - work completed 5/25/2019-8/5/2019 | | 8,366.44 | -58,592.86 |
| Bill Pmt -Check | 9412 | 08/22/2019 | S-R Excavation, LLC | Bell & Whistle SDC Fee for added space to lease | | 466.60 | -58,639.46 |
| Bill Pmt -Check | 9413 | 08/22/2019 | City of Brookings | Architectural Services July Services RV Park Reconstruction Project | | 854.75 | -58,724.21 |
| Bill Pmt -Check | 9414 | 08/22/2019 | Crow/Clay & Associates, Inc | Customer No. ORBRK0013 Toiletries & Supplies | | 2,631.49 | -59,055.70 |
| Bill Pmt -Check | 9415 | 08/22/2019 | Fastenal Industrial Supplies | Electrical Repairs | | 2,158.20 | -57,203.50 |
| Bill Pmt -Check | 9416 | 08/22/2019 | Gowman Electric, Inc. | ACCT# 822663001 25 GALLON SPILL KIT -used for sunken boat 8/16/19 Vessel, KASHMIR | | 199.71 | -57,203.50 |
| Bill Pmt -Check | 9417 | 08/22/2019 | Granger | Bell & Whistle SDC Fee for added space to lease | | 183.42 | -57,387.03 |
| Bill Pmt -Check | 9418 | 08/22/2019 | Harbor Sanitary District | 8/7/19-8/8/19 Trapping Services - Raccoon | | 100.00 | -57,487.03 |
| Bill Pmt -Check | 9419 | 08/22/2019 | Holly's Handyman, LLC | Annual Subscription for Retail Septic system monitor | | 150.00 | -57,637.03 |
| Bill Pmt -Check | 9420 | 08/22/2019 | John Kellum/John's Portable Welding | 15340135 OIL SORBENT BOOMS - 5"X10' for sunken boat 8/16/19 | | 299.40 | -57,936.43 |
| Bill Pmt -Check | 9421 | 08/22/2019 | Sensaphone | Change for Petty Cash | | 601.22 | -57,337.65 |
| Bill Pmt -Check | 9422 | 08/22/2019 | ULine | VOID: Reimbursement for Lodging and Mileage - SDAO Training Medford 8/21/2019 | 0.00 | 200.00 | -57,337.65 |
| Check | 9423 | 08/22/2019 | Petty Cash | Account #931481 Water & Supplies | | 75.97 | -57,373.65 |
| Bill Pmt -Check | 9424 | 08/28/2019 | Hartung, Sharon/Commissioner | Account #67601 Electrical Service 07-12-19 to 08-11-19 | | 7,418.96 | -58,123.58 |
| Bill Pmt -Check | 9425 | 08/28/2019 | BL-MART | Account#1052 Equip Repair & Maint. Supplies | | 99.94 | -58,133.52 |
| Bill Pmt -Check | 9426 | 08/28/2019 | Coos-Curry Electric Cooperative, Inc. | Tow hitch & Ball for towing dump trailer | | 84.53 | -58,147.05 |
| Bill Pmt -Check | 9427 | 08/28/2019 | Curry Equipment | 2" HOSE WASHER for sump pumps | | 3.40 | -58,142.05 |
| Bill Pmt -Check | 9428 | 08/28/2019 | Dan's Auto Parts | Customer No. ORBRK0013 Toiletries & Supplies | | 1,210.03 | -58,263.08 |
| Bill Pmt -Check | 9429 | 08/28/2019 | Fastenal Industrial Supplies | Chains, Hooks & Other Material to fabricate holder for fish dumpster | | 335.40 | -58,265.88 |
| Bill Pmt -Check | 9430 | 08/28/2019 | Harbor Logging Supply, Inc. | 8/23/19 - Fabricate and install Dumpster Mount | | 412.50 | -58,378.38 |
| Bill Pmt -Check | 9431 | 08/28/2019 | John Kellum/John's Portable Welding | Customer#56 Hardware Supplies | | 1,036.37 | -59,414.75 |
| Bill Pmt -Check | 9432 | 08/28/2019 | Kerr's Ace Hardware Inc | INSPECTION/CERTIFICATION July 23, 2019 EQ#4605 50T Marine Travel Lift | | 545.00 | -58,459.75 |
| Bill Pmt -Check | 9433 | 08/28/2019 | Marine Surveyors & Consultants | Removal of oily solids from Sunken Boat 8/16/2019 & Removal of all spent & used Oils, Filter... | | 586.75 | -58,546.50 |
| Bill Pmt -Check | 9434 | 08/28/2019 | ORRCCO | ACCT#1932159 Office Supplies | | 301.45 | -58,547.95 |
| Bill Pmt -Check | 9435 | 08/28/2019 | Quill Corporation | ACCT #306-89 CREDIT CARD#8593 | | 3,765.41 | -58,913.36 |
| Bill Pmt -Check | 9436 | 08/28/2019 | Rogue Credit Union | | | | |

| | | | | | | | |
|--|--|--|--|--|--|--|-------------|
| Total 10103 - General Funds Ckg Umpeqqa 3634 | | | | | | | -589,613.36 |
| 10105 - General Fund LGIP 6017 | | | | | | | 74,300.77 |
| General Journal GF 8/16/19 08/16/2019 | | | | | | | 124,300.77 |
| Total 10105 - General Fund LGIP 6017 | | | | | | | 0.00 |
| Total 101 - GENERAL FUND CHECKING & LGIP | | | | | | | 124,300.77 |
| | | | | | | | -485,312.59 |

**Port of Brookings Harbor
Check Registers
As of August 31, 2019**

3:27 PM
09/05/19
Cash Basis

| Type | Num | Date | Name | Memo | Debit | Credit | Balance |
|---|-------------|------------|-------------------------------------|---|------------|------------|-------------|
| 10101 - Petty Cash | | | | | | | |
| Bill Pmt-Check | cash | 08/05/2019 | DMV Driver & Motor Vehicle Services | Title for EQ#3714 2019 Utility Trailer | | | 168.00 |
| Check | Cash | 08/01/2019 | Tucker, Justin | Refund - Key Deposit - cash, Customer paid this on 4/2/2018, invoice#20181285 | | 110.00 | 58.00 |
| Check | Cash | 08/19/2019 | Adams, Daren | REFUND for returned Key | | 20.00 | 38.00 |
| Bill Pmt-Check | CASH | 08/26/2019 | Curry County Clerk | Filing Fee for Ordinance No. 23 Regarding Liveboards | | 5.00 | 18.00 |
| Check | 9422 | 08/22/2019 | Petty Cash | Change for Petty Cash | 200.00 | | 13.00 |
| Total 10101 - Petty Cash | | | | | 200.00 | 155.00 | 213.00 |
| Total 100 - UNRESTRICTED CASH & EQUIVALENTS | | | | | 55,948.24 | 399,805.90 | -485,099.59 |
| 110 - RESTRICTED CASH & EQUIVALENTS | | | | | | | |
| 104 - RESTRICTED MONEY MKT & CHECKING | | | | | | | |
| 20104 - USDA BOND Umpqua MM 8529 | | | | | | | |
| Total 20104 - USDA BOND Umpqua MM 9529 | | | | | | | |
| 30104 - Debt Service Umpqua MM 8827 | | | | | | | |
| Check | DEBIT | 08/15/2019 | Umpqua Bank/Loan#747041620 | Genie Reach Forklift Loan#747041620 Payment #18 | | 1,464.71 | 2,503.65 |
| Check | DEBIT | 08/22/2019 | m2 Lease LLC | Customer #107104 Loan#110561 Pmt #34 - 50 BFMI Travelift | | 4,659.00 | 1,038.94 |
| General Journal | DEBT 8/1/19 | 08/01/2019 | | Transfer to Debt Service Fund for Travelift Payment | 4,659.00 | | -3,620.06 |
| General Journal | DEBT 8/1/19 | 08/01/2019 | | Transfer to Debt Service Fund for Fork Lift Payment | 1,464.71 | | 1,038.94 |
| Total 30104 - Debt Service Umpqua MM 8827 | | | | | 6,123.71 | 6,123.71 | 2,503.65 |
| 40104 - Capital Projects Umpqua 8018 | | | | | | | |
| General Journal | MAP Grant | 08/22/2019 | | PAY NO. 1465771 INV#MAP 2020 - Maintenance Assistance Program FY2020 Doc No. VP0... | 4,825.00 | | 9,655.71 |
| General Journal | MAP Grant | 08/22/2019 | | PAY NO. 1465771 INV#MAP 2020 - Maintenance Assistance Program FY2020 Doc No. VP0... | | 4,825.00 | 14,480.71 |
| General Journal | USCG - 8/19 | 08/22/2019 | | AUGUST 2019 LEASE Pmt | | 923.24 | 9,655.71 |
| Total 40104 - Capital Projects Umpqua 8018 | | | | | 4,825.00 | 5,748.24 | 8,732.47 |
| Total 104 - RESTRICTED MONEY MKT & CHECKING | | | | | 10,948.71 | 11,871.95 | 13,747.55 |
| 105 - RESTRICTED LGIP | | | | | | | |
| 20105 - USDA Bond Fund LGIP 6021 | | | | | | | |
| General Journal | USDA 8/1/19 | 08/01/2019 | | To transfer to USDA Revenue Bond Fund for November 2019 Payment | 10,843.00 | | 184,408.70 |
| Total 20105 - USDA Bond Fund LGIP 6021 | | | | | 10,843.00 | 0.00 | 108,229.24 |
| 30105 - IFA Debt Service Fund LGIP 6020 | | | | | | | |
| General Journal | IFA 8/1/19 | 08/01/2019 | | Transfer to IFA Debt Service for 3rd Qtr 2019 Pmt | 24,168.00 | | 66,858.14 |
| Total 30105 - IFA Debt Service Fund LGIP 6020 | | | | | 24,168.00 | 0.00 | 66,858.14 |
| 50105 - Reserve Fund LGIP 6018 | | | | | | | |
| General Journal | RESV 8/1/19 | 08/01/2019 | | Transfer to Reserve Fund | 10,417.00 | | 43,509.32 |
| Total 50105 - Reserve Fund LGIP 6018 | | | | | 10,417.00 | 0.00 | 53,926.32 |
| Total 105 - RESTRICTED LGIP | | | | | 10,417.00 | 0.00 | 53,926.32 |
| Total 110 - RESTRICTED CASH & EQUIVALENTS | | | | | 56,376.71 | 11,871.95 | 239,836.70 |
| TOTAL | | | | | 112,324.95 | 411,677.85 | -211,518.34 |

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PORT MANAGER MONTHLY REPORT

Date: September 17, 2019
Period: August 2019
To: Honorable Board President and Harbor District Board Members
Issued By: Gary Dehlinger, Port Manager

Safety & Security

Port of Brookings Harbor safety performance recorded one first-aid injury. Injury occurred when employee dropped a park bench on her big toe. Employee will ask for help when moving benches in the future.

South Coast Knight Security and Port recorded 65 parking violations, 15 no camping, 5 unauthorized visitors and 1 maintenance report on Port properties. August Security Log attached for your review.

Port recorded 9 incidents in August. Incident Response team was called out to assist the removal of a sunken boat in Basin 1. Port staff did a great job recovering, environmental protection and removal of the vessel. August Incident Log attached for your review.

Port Office

Met with Amy Amrhein, Field Representative for Senator Merkley, regarding Port infrastructure issues and INFRA Grant. Talked about cooperative work with other agencies and how well the Port is working with them. Senator Merkley office would provide support for the next INFRA Grant if requested.

Travis, Brent and I visited Port of Humboldt Bay. Both ports exchanged policies and procedures on fish station carcasses, live-boards, moorage electric meter reading, dredging strategies, port security, boat yard and port dock maintenance. Their office staff is new and learning all the particulars. Travis and I plan to meet other Oregon ports when time allows.

Port responded to DEQ comments on the Stormwater Pollution Control Plan. Waiting for final approval.

Intergovernmental Agreement was completed with City of Brookings for equipment/operator usage between agencies.

Confirmed with Harbor Sanitary that no sewer development charges for the new tenant Pithitude.

Port staff is working with auditors on Fiscal Year 2018-19 Audit Report and scheduling to have a draft ready for the October regular meeting. Our goal is to complete the audit prior to the December 31, 2019 deadline.

Port Operations

Port staff demolished building between fish station and Pacific Ocean Harvesters.

Port purchased tow-behind trailer and two cubic yard hopper to handle fish carcasses from the fish station. Fabrication work was completed to secure the hopper to the trailer for transportation and dumping.

FEMA / Natural Hazard Mitigation Plan

Had a meeting with FEMA to review 404 (State administered Hazard Mitigation Grant Program) and 406 mitigation options for additional funding sources on Feb 24, 2019 storm event. Either mitigation options must be approved and there are no guarantees on the approval or on the amounts or percentages they would cover. Cost sharing could range from 15% to 100%.

FEMA considers the following potential mitigation measures to be cost-effective if the measures:

- Do not exceed 100 percent of the project;
- Are appropriate to the disaster damage;
- Will prevent future similar damage;
- Are directly related to the eligible damaged elements;
- Do not increase risks or cause adverse effects to the property or elsewhere; and
- Are technically feasible for the hazard and location.

Attached are fact sheets for 404/406 mitigation for more information.

April 6, 2019 storm event site meeting with FEMA Program Delivery Manager is scheduled for September 10 to develop project description on dredging both basins.

Research and found maintenance records on basin slopes, fuel dock and basin dredging for the February 24 storm event. Only able to find maintenance records going back to 2015 and going forward. Showing maintenance records on the facilities is a requirement for FEMA disasters.

Federal Channel Dredging - USACE

Met with USACE Project Manager to review ideas of preventing damage to Port facilities next year. So far, the plan is to move the bumper to be more centered between the dock hoists.

Other Grants

Scheduled INFRA Grant debriefing meeting September 4 to learn about submitted grant application.

Waiting for FEMA Pre-Disaster Mitigation Grant window to open October 1.

Events

Saturday Market continued throughout the month using half the boardwalk.

Pirates of the Pacific took place at the beginning of the month using the entire boardwalk and section of retail parking lot. Had some electrical issues on the boardwalk from the vendors overloading the circuit breakers. No other issues were reported to the Port.

Slamin' Salmon Derby took place at the end of the month. Event organizer planned to use half the boardwalk for the vendors, derby announcements and dinner. First day of the event, vendors expanded beyond the area planned. More of the boardwalk and section of retail parking lot were used and were sectioned off by port staff. Trash was left on the ground after the event near the stage which port staff removed.

Attend meeting at City of Brookings with potential alliance of event organizers to help assist each other and provide better events in general. The goal of this meeting was to build an alliance with some established organizers, City of Brookings and Port to fund the committee. New alliance event committee seems to be at a standstill.

| # | Date | Reported By | Issue Type | Location | Vehicle Plate | Notes |
|-----|----------|-------------|----------------------|-------------------------|---------------|---------------|
| 308 | 08/01/19 | SCKS | Overnight Parking | Commercial Basin | 046JJY | |
| 309 | 08/01/19 | SCKS | Overnight Parking | Commercial Basin | 6GXR911 | |
| 310 | 08/02/19 | SCKS | Overnight Parking | Retail Parking Lot | 152JJP | |
| 311 | 08/02/19 | SCKS | Overnight Parking | Retail Parking Lot | GW03850 | |
| 312 | 08/03/19 | SCKS | Overnight Parking | RV Park | | Brokedown car |
| 313 | 08/03/19 | SCKS | Overnight Parking | RV Park | AZG9861 | |
| 314 | 08/04/19 | SCKS | Overnight Parking | RV Park | | Brokedown car |
| 315 | 08/04/19 | SCKS | Maintenance | Commercial Basin | | Clogged Sink |
| 316 | 08/04/19 | SCKS | Overnight Parking | Retail Parking Lot | 193D67 | |
| 317 | 08/05/19 | SCKS | Overnight Parking | Commercial Basin | SBL163 | |
| 318 | 08/07/19 | SCKS | No Camping | Kite Field | 67888P1 | |
| 319 | 08/07/19 | SCKS | Overnight Parking | Commercial Basin | CK76304 | |
| 320 | 08/07/19 | SCKS | Overnight Parking | Public Fishing Pier | 494VSV | |
| 321 | 08/07/19 | SCKS | Overnight Parking | Commercial Basin | BOG5952 | |
| 322 | 08/08/19 | SCKS | No Camping | Kite Field | YUU671 | |
| 323 | 08/07/19 | SCKS | Unauthorized Visitor | Retail Parking Lot | | |
| 324 | 08/08/19 | SCKS | Overnight Parking | Kite Field | 405DHQ | |
| 325 | 08/08/19 | SCKS | No Camping | Retail Parking Lot | CA89962 | |
| 326 | 08/08/19 | SCKS | No Camping | Retail Parking Lot | D58148 | |
| 327 | 08/08/19 | SCKS | Overnight Parking | Retail Parking Lot | 278JAW | |
| 328 | 08/09/19 | SCKS | No Camping | Commercial Basin | 716LHT | |
| 329 | 08/09/19 | SCKS | Overnight Parking | Commercial Basin | 706JKW | |
| 330 | 08/09/19 | SCKS | Overnight Parking | Kite Field | HC12554 | |
| 331 | 08/09/19 | SCKS | Overnight Parking | Kite Field | 938LDP | |
| 332 | 08/09/19 | SCKS | Overnight Parking | Commercial Basin | 52581C2 | |
| 333 | 08/09/19 | SCKS | Overnight Parking | Commercial Basin | 761JKE | |
| 334 | 08/09/19 | SCKS | Overnight Parking | RV Park | 814LDP | |
| 335 | 08/10/19 | SCKS | Overnight Parking | RV Park | VZU284 | |
| 336 | 08/10/19 | SCKS | Overnight Parking | RV Park | 398EMX | |
| 337 | 08/10/19 | SCKS | Overnight Parking | Commercial Basin | 698KDG | |
| 338 | 08/10/19 | SCKS | Overnight Parking | Commercial Basin | 761JKE | |
| 339 | 08/10/19 | SCKS | Overnight Parking | Commercial Basin | CB04858 | |
| 340 | 08/11/19 | SCKS | Overnight Parking | Retail Parking Lot | 232LLB | |
| 341 | 08/11/19 | SCKS | Overnight Parking | Retail Parking Lot | CKQV | |
| 342 | 08/11/19 | SCKS | Overnight Parking | Retail Parking Lot | 638HLT | |
| 343 | 08/12/19 | SCKS | Overnight Parking | Retail Parking Lot | 543JCF | |
| 344 | 08/14/19 | SCKS | Overnight Parking | Commercial Basin | BWF4945 | |
| 345 | 08/14/19 | SCKS | Overnight Parking | Commercial Basin | AJ50329 | |
| 346 | 08/15/19 | SCKS | Overnight Parking | RV Park | 133GYG | |
| 347 | 08/15/19 | SCKS | No Camping | RV Park | 888KFY | |
| 348 | 08/15/19 | SCKS | No Camping | Kite Field | BMB4473 | |
| 349 | 08/15/19 | SCKS | Unauthorized Visitor | RV Park | | |
| 350 | 08/15/19 | SCKS | Overnight Parking | Boat Launch Parking Lot | YJA977 | |
| 351 | 08/16/19 | SCKS | No Camping | RV Park | 716LHT | |
| 352 | 08/16/19 | SCKS | Overnight Parking | RV Park | 132GGU | |
| 353 | 08/17/19 | SCKS | Unauthorized Visitor | Kite Field | | |

| # | Date | Reported By | Issue Type | Location | Vehicle Plate | Notes |
|-----|----------|-------------|----------------------|-------------------------|---------------|-------------|
| 354 | 08/17/19 | SCKS | Overnight Parking | RV Park | 7DLZ178 | |
| 355 | 08/17/19 | SCKS | Overnight Parking | RV Park | 839DYN | |
| 356 | 08/17/19 | SCKS | Overnight Parking | RV Park | 162JPJ | |
| 357 | 08/17/19 | SCKS | No Camping | Boat Launch Parking Lot | 2408GS | |
| 358 | 08/18/19 | SCKS | Overnight Parking | Commercial Basin | 593DLZ | |
| 359 | 08/18/19 | SCKS | Unauthorized Visitor | Retail Parking Lot | | |
| 360 | 08/18/19 | SCKS | Overnight Parking | Kite Field | 346BSL | |
| 361 | 08/18/19 | SCKS | Overnight Parking | RV Park | 4MNBO21 | |
| 362 | 08/18/19 | SCKS | Overnight Parking | Commercial Basin | ZAD338 | |
| 363 | 08/18/19 | SCKS | Overnight Parking | Commercial Basin | 921KMC | |
| 364 | 08/18/19 | SCKS | Overnight Parking | Commercial Basin | 3THM492 | |
| 365 | 08/18/19 | SCKS | Overnight Parking | Commercial Basin | 149HKE | |
| 366 | 08/19/19 | SCKS | Overnight Parking | RV Park | XTM601 | |
| 367 | 08/20/19 | SCKS | No Camping | RV Park | SNF664 | |
| 368 | 08/20/19 | SCKS | Overnight Parking | RV Park | 945HXW | |
| 369 | 08/20/19 | SCKS | Overnight Parking | RV Park | 275KCS | |
| 370 | 08/20/19 | SCKS | Overnight Parking | Commercial Basin | HD2585 | |
| 371 | 08/20/19 | SCKS | Overnight Parking | Retail Parking Lot | 9R4128 | |
| 372 | 08/20/19 | SCKS | Overnight Parking | Kite Field | 776KFY | |
| 373 | 08/21/19 | SCKS | Overnight Parking | Commercial Basin | YJA977 | |
| 374 | 08/21/19 | SCKS | Overnight Parking | Retail Parking Lot | 8HIR549 | |
| 375 | 08/21/19 | SCKS | No Camping | Commercial Basin | 331YCM | |
| 376 | 08/22/19 | SCKS | Overnight Parking | RV Park | 5LNJ906 | |
| 377 | 08/22/19 | SCKS | Unauthorized Visitor | RV Park | No Plate | Red Mustang |
| 378 | 08/22/19 | SCKS | No Camping | Commercial Basin | 959GXC | |
| 379 | 08/23/19 | SCKS | Overnight Parking | Kite Field | 932LNT | |
| 380 | 08/23/19 | SCKS | Overnight Parking | Kite Field | 302BNL | |
| 381 | 08/23/19 | SCKS | Overnight Parking | Kite Field | 468ETX | |
| 382 | 08/23/19 | SCKS | Overnight Parking | Kite Field | 333LAN | |
| 383 | 08/24/19 | SCKS | Overnight Parking | Retail Parking Lot | 52OHTY | |
| 384 | 08/25/19 | SCKS | Overnight Parking | Commercial Basin | 608BJJ | |
| 385 | 08/25/19 | SCKS | Overnight Parking | Commercial Basin | 829HZW | |
| 386 | 08/26/19 | SCKS | Overnight Parking | Retail Parking Lot | HC58326 | |
| 387 | 08/29/19 | SCKS | No Camping | Retail Parking Lot | 045KVJ | |
| 388 | 08/29/19 | SCKS | Overnight Parking | Commercial Basin | 716LHT | |
| 389 | 08/29/19 | SCKS | No Camping | Commercial Basin | UVE030 | |
| 390 | 08/30/19 | SCKS | Overnight Parking | Commercial Basin | AVMRIA | |
| 391 | 08/30/19 | SCKS | No Camping | Commercial Basin | 55827J1 | |
| 392 | 08/30/19 | SCKS | Overnight Parking | RV Park | 59465-E2 | |
| 393 | 08/31/19 | SCKS | Overnight Parking | Commercial Basin | DNH7986 | |
| 394 | 08/31/19 | SCKS | Overnight Parking | Kite Field | 893ENZ | |
| 395 | 08/31/19 | SCKS | Overnight Parking | Commercial Basin | 072JMX | |

| # | Date | Description of Incident | Location | Corrective Actions |
|----|----------|---|-------------------------------|---|
| 60 | 08/02/19 | Pedestal Cover Fell Off, hitting woman's foot, minor injury | RV Park, Site 53 | Reattached Cover with Lock Bolts |
| 61 | 08/11/19 | Woman fell from their RV, possible shoulder dislocation | RV Park, Site 19 | Attended to, and Transported by, Cal/OR Ambulance |
| 62 | 08/15/19 | Boat Trailer was hit by another vehicle, damage assesed by two guys | Boat Launch Parking Lot | |
| 63 | 08/15/19 | Trespassed from Port - after numerous warnings | RV Park / Port Property | Case #20190930 Filed with Sherrif Office. |
| 64 | 08/16/19 | Boat sinking in Basin 1, A Dock | Basin 1, A Dock Slip 14 | Boat was rescued, towed to Boat Yard and hauled out, waiting on insurance and owner decision on vessel |
| 65 | 08/16/19 | Guest cut his hand on a piece of the electric pedestal latch, while plugging his RV into it | RV Park, Site 69 | Pedestal was fixed, sharp rusted latch was removed |
| 66 | 08/20/19 | Oil was dumped into the catch basin | Commercial Retail Parking Lot | Contaminated water removed by Waste oil bilge-water collector placed in catch basin. Asphalt was also cleaned up. |
| 67 | 08/27/19 | Tires reported missing from storage area | Storage for FV Little Joe | |
| 68 | 08/31/19 | Received a call about a boat sinking | Basin 1, B Dock | Boat was towed to launch ramp and removed from harbor. |



404 Mitigation

Funding: Available for damaged and non-damaged facilities based on a percentage of dollars obligated to the PA and IA programs.

Hazard

Mitigation Grant Program



The Hazard Mitigation Grant Program (HMGP) provides funding for long-term public assistance mitigation measures following major disaster declarations.

Funding is available to implement projects in accordance with State, Tribal, and local priorities.

Pre-Disaster Mitigation



The Pre-Disaster Mitigation (PDM) program provides funds on an annual basis for public assistance mitigation planning and the implementation of mitigation projects. FEMA provides funding for measures to reduce or eliminate overall risk from natural hazards.

provides funding for measures to reduce or eliminate overall risk from natural hazards.

Flood Mitigation Assistance



The Flood Mitigation Assistance (FMA) program provides funds on an annual basis so that measures can be taken to reduce or eliminate risk of

flood damage to buildings insured under the National Flood Insurance Program (NFIP). The FMA Program for FY 2013 and beyond includes provisions to mitigate Severe Repetitive Loss (SRL) and Repetitive Loss (RL) properties.

HMA Eligible Activities

| Mitigation Project | HMGP | PDM | FMA |
|--|------|-----|-----|
| Property Acquisition and Structure Demolition or Relocation | ✓ | ✓ | ✓ |
| Structure Elevation | ✓ | ✓ | ✓ |
| Mitigation Reconstruction | | | ✓ |
| Dry Flood proofing of Historic Residential Structures | ✓ | ✓ | ✓ |
| Dry Flood proofing of Non-Residential Structures | ✓ | ✓ | ✓ |
| Localized Flood Reduction Projects | ✓ | ✓ | ✓ |
| Structural Retrofitting of Existing Buildings and Facilities | ✓ | ✓ | |
| Non-structural Retrofitting of Existing Buildings and Facilities | ✓ | ✓ | ✓ |
| Safe Room Construction | ✓ | ✓ | |
| Wind Retrofits | ✓ | ✓ | |
| Infrastructure Retrofit | ✓ | ✓ | |
| Soil Stabilization | ✓ | ✓ | |
| Wildfire Mitigation | ✓ | ✓ | |
| Post-Disaster Code Enforcement | ✓ | | |
| Generators | ✓ | ✓ | |
| Advance Assistance | ✓ | | |
| 5% Initiatives | ✓ | | |
| Mitigation Planning | ✓ | ✓ | ✓ |
| Management Costs | ✓ | ✓ | ✓ |

Resources for More Information

For specific criteria for each HMA program,
<http://www.fema.gov/hazard-mitigation-assistance>

Contact your State Hazard Mitigation Officer,
<http://www.fema.gov/state-hazard-mitigation-officers>

HMA Helpline: 1-866-222-3580



406 Public Assistance Mitigation

Funding: Available for disaster-damaged facilities only.

If your damaged facility is eligible for permanent repairs, you may also be eligible for additional cost-shared assistance under Section 406 of the Stafford Act for cost-effective measures that will prevent future similar damage to your facility. These measures are called hazard mitigation measures. FEMA strongly encourages you to consider hazard mitigation opportunities as a part of the repair and restoration of your facility. Hazard mitigation measures for your project may be proposed by you, FEMA, or the State. While your basic funding will return your facilities to their pre-disaster design, hazard mitigation measures will improve on the pre-disaster design. (Upgrades required to meet applicable codes and standards are part of your basic eligible restoration work, not hazard mitigation measures.)

Cost Effective Measures

Hazard mitigation opportunities usually present themselves at sites where damages are repetitive and simple measures will solve the problem. A hazard mitigation proposal is a written description and cost estimate of what it will take to repair the damage in such a way as to prevent it from happening again. The proposal is submitted with the Project Worksheet and describes in detail the additional work and cost associated with the mitigation measure. **Hazard mitigation measures must meet one of the following tests of cost-effectiveness:**

- **Cost no more than 15 percent of the total eligible cost of eligible repair work for the damaged facility**
- **Cost no more than 100 percent of the total eligible cost of eligible repair work and on the list of FEMA-approved mitigation measures**
- **Have a benefit-cost ratio of equal to or greater than 1.0**

Mitigation measures can be technically complex and must be thoroughly evaluated for feasibility, therefore you may want to ask your FEMA Public Assistance representative for technical assistance in identifying hazard mitigation measures or in preparing a proposal. Since hazard mitigation will often change the pre-disaster design of the facility and will require consideration of environmental and historic preservation issues, FEMA may also obtain assistance from Technical Specialists in those areas.

Examples of reasonable mitigation measures:

- Constructing floodwalls around damaged facilities
- Installing new drainage facilities (including culverts) along a damaged road
- Dry flood proofing both damaged and undamaged buildings that contain components of a system that are functionally interdependent (ie: cases where the entire system is jeopardized if any one component of the system fails).
- Slope stabilization to protect facilities:
 - Riprap
 - Retaining walls or gabion baskets
 - Geotextile fabric
- Use of disaster-resistant materials for power poles



HARBORMASTER MONTHLY REPORT

Date: September 17, 2019
Period: August 2019
To: Gary Dehlinger, General Manager
Issued By: Travis Webster, Harbormaster

Operations

- RV Park**

Staff continues to maintain landscape RV spots as spaces become available. Demolition survey report has been completed. A small 6 sq. ft section will have to be removed that tested positive for asbestos and we are getting quotes for the removal. After the section is removed by a qualified company we may proceed with the demo of the rest of the building.

Occupancy by Month & Year

| August | 2018 | 2019 | Change | YTD 2018 | YTD 2019 | Change |
|---------|--------|--------|---------|----------|----------|--------|
| RV Park | 75.22% | 60.81% | -14.41% | 36.57% | 29.87% | - 6.7% |
| | | | | | | |

- Marina**

Basin 1 – Warning tags continue to be issued throughout the basin for dock violations. One vessel sunk on A dock. This required us to call in our incident response team. All agencies were notified, and a report made. Vessel had all required documentation, which led to a smooth retrieval.

Basin 2 -Port employees continue to issue warning tags on dock violations in basin 2. Maintenance completed a check for loose bolts, rubboards and cleats. Gowman Electric was out to test all lights on new pedestals. All pedestal lights are operating. Reminder on all new pedestals, the 20-amp breaker is what runs the lights, that must be left on for light to work.

To all recreational vessels. Your vessel must be registered with the Oregon State Marine Board if you moor in Oregon for more than 60 days. Your sticker must be placed in a visible spot on your vessel unless your vessel is exempt from doing so.

| Max Capacity – 512 slips | | Slips Closed – 14 slips | | Available Slips – 498 slips | |
|--------------------------|--------------------------------|-------------------------|--------------------------------|--|--|
| Basin 2 239 slips | Water and Power Available | Basin 1 273 slips | With Power Available | Without Power Available | |
| | 8 – 24' slips 1 – 40' slips | | 0 - 40' slips 6 – 30' slips | 8 – 40' slips 5 – 30' slips 96 - slips under 22' | |

| Moorage Renewals by Month | | | | Total Moorage Rentals | | |
|---------------------------|------|------|--------|-----------------------|----------|--------|
| August | 2018 | 2019 | Change | YTD 2018 | YTD 2019 | Change |
| Recreational | 27 | 60 | 33 | 246 | 334 | 88 |
| Commercial | 6 | 9 | 3 | | | |
| Transient | 25 | 10 | -15 | 66 | 80 | 14 |

Boat Launches Paid through Launch Machine

| | | | | | | |
|--------------------|--|------------|--|--|--|--|
| Boat Launch | | 875 | | | | |
|--------------------|--|------------|--|--|--|--|

- Gear & Boat/Trailer Storage**

Weekly inventory of all gear storage, boat storage and trailer storage. We will be pricing and laying out new boat trailer and storage areas and hope to have them up in the coming months.

Commercial Receiving Docks

Port staff did commercial dock inspections. All docks have drainage issues and will need additional catch basins and infrastructure in the future.

Boat Yard

Boat yard will become the new holding area for fish caucuses. Our new plan with a self-dumping tote and trailer is working and has kept the bad fish odor down

Travel Lift work included 8 boats with various types of maintenance work.

Forklift work included 3 jobs for the commercial fleet.

Billable Services Performed this Month and Boat Yard Inventory

| Description | Hours | Quantity | Working | Abandon |
|---------------------------|-------|----------|---------|---------|
| Reachlift (Forklift) | 2.5 | 3 | | |
| Travel Lift Haul Ins-Outs | | 8 | | |
| Vessels in Boat Yard | | | 9 | 7 |

- Maintenance Crew**

Maintenance crew completed 56 work orders. Please see attached log for descriptions.

Staff has completed painting 1 retail building and has started on the second. We expect that all exterior painting will be completed in September. Staff began work in the old Port office for our new tenet. Work will be done around the second week of September and ready for the Oct 1st move in date.

Retail parking lot is started with the removal of the rock islands. Port had the light poles relocated to better serve our new parking lot striping plan. 2 new catch basins and manholes were added to the parking lot. Parking lot improvements will be completed by end of September.

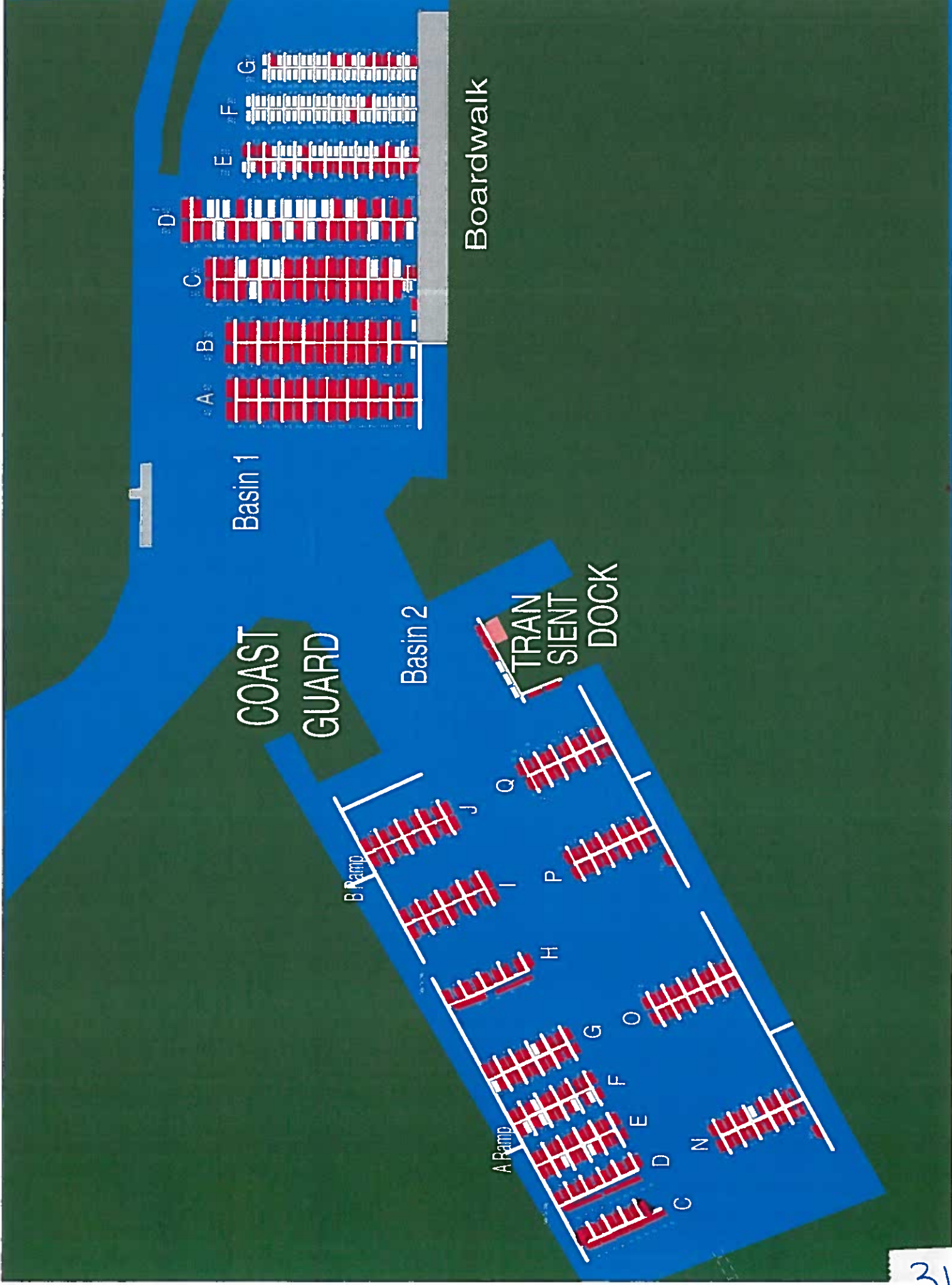
Abandoned Boats

- | | |
|--------------------|------------------|
| 1. Sweet Genevieve | 5. Gypsy Lee |
| 2. Katish | 6. Stella |
| 3. 4 play | 7. Kanygo 289938 |
| 4. No-Yo | |

WORK ORDERS LOG
Port Of Brookings Harbor
August 2019

| Date | Location | Description of Work | Corrective Action | Date Completed | Completed By |
|---------|-----------------------------------|---|--|----------------|-----------------|
| 8/1/19 | Basin 1, several slips | Check if slips are vacant or occupied | All vessels have checked out | 8/1/19 | Danielle |
| 7/31/19 | RV Park, Shed | Some battery connectors are starting to get corrosion on them. | Found no issue | 8/1/19 | Brent |
| 7/30/19 | RV Park, Site 83 | Cable is not working | Replaced cable end & connector | 8/1/19 | Brent |
| 7/31/19 | RV Park, Site 77 | Hose bib leaking | Found valve, replaced bib | 8/1/19 | Brent |
| 8/1/19 | Basin 1, several slips | Check if slips are vacant or occupied | All vessels have checked out | 8/1/19 | Danielle |
| 8/1/19 | RV Park | Dumpsters need to be pushed back | Done | 8/2/19 | Brent |
| 8/3/19 | Boat Wash | Correct verbage and replace signage | Done | 8/4/19 | Brent |
| 8/2/19 | RV Park, Site 53 | Cover on electric pedestal fell off | Replaced cover with lock nuts | 8/4/19 | Brent |
| 8/6/19 | Comm. Basin Restroom | Blood all over women's shower | Cleaned | 8/6/19 | Brent |
| 8/7/19 | Basins 1 & 2, several slips | Check if slips are vacant or occupied | All vessels have checked out | 8/7/19 | Danielle |
| 8/7/19 | RV Park, Site 26 | Breaker suddenly popping off | Called Gowman to replace breaker | 8/7/19 | Travis |
| 8/8/19 | Retail & Transient Dock Dumpsters | Dumpsters are almost full | Compacted dumpsters and added padlocks | 8/8/19 | Brent |
| 8/9/19 | Fuel Dock | Fuel pumps are slow | Changed fuel filters | 8/9/19 | Travis |
| 8/9/19 | Spothaven Beach | Birds are scattering trash, cans are full | Cleaned up trash, emptied cans | 8/9/19 | Travis |
| 8/8/19 | Basin 1, several slips | Check if slips are vacant or occupied | All vessels have checked out | 8/9/19 | Danielle |
| 8/12/19 | RV Park Small Bathroom | Plug removed at south end of bldg | Hole covered | 8/12/19 | Travis |
| 8/9/19 | Basin 1, Slip C-A | Unknown Vessel in slip | Vessel Check OR113HN | 8/12/19 | Danielle |
| 8/12/19 | RV Park, Site 90 | 30amp breaker is bad | Contacted Gowman to replace | 8/12/19 | Travis |
| 8/12/19 | Crab Dock on Jetty | Railing weld broke, railing is loose | Contacted John's Portable Welding | 8/12/19 | Travis |
| 8/8/19 | RV Park, Site 91 | Hose bib is stripped | Replaced before new guest arrival | 8/12/19 | Brent |
| 8/12/19 | Basin 2, O 17 | Garbage, Crab Pots stacked on slip | Removed | 8/12/19 | Travis |
| 8/11/19 | Events Stage | Rotten spot on surface of stage | Patched, repaired to safe condition | 8/12/19 | Brent |
| 8/13/19 | Basins 1 & 2, several slips | Check if slips are vacant or occupied | All vessels have checked out | 8/13/19 | Danielle |
| 8/12/19 | RV Park | Complaint of fuzzy TV Channels | Customer Error, our signal is good | 8/13/19 | Brent |
| 8/12/19 | Boat Dock Ramps | Install signs at the top of each ramp | Done at all access ramps | 8/13/19 | Brent |
| 8/14/19 | Launch Ramp Machine | Will not accept Credit Cards | Tested and fully functional | 8/13/19 | Brent |
| 8/16/19 | BC Fisheries | Waste bins full and producing stench | Notified BC Fisheries | 8/16/19 | Gary |
| 8/20/19 | Boardwalk - Retail Area | Some boards need to be replaced | Replaced | 8/20/19 | Shawn & Cameron |
| 8/20/19 | Basin 2, Docks N.O.P.Q | Check all rubboards | Added or fixed all rubboards | 8/20/19 | Shawn & Cameron |
| 8/19/19 | Basin 2, N 15 | Moorage holder requests that cleats be moved to new locations on slip | Moved existing cleats, and added 1 cleat, to locations customer marked on slip with an "X" | 8/20/19 | Shawn & Cameron |
| 8/1/19 | Basin 1, F 19 & 20 | Missing one cleat between boats | Added the missing cleat | 8/20/19 | Sean |
| 8/20/19 | All ramps to docks | Clear/weed eat vegetation by ramps | Vegetation removed | 8/20/19 | Sean |
| 8/5/19 | Basin 1, D 17 | Moorage holder asked for cleats to be moved | Moved cleat on Starboard side | 8/20/19 | Sean |
| 8/16/19 | Basin 1, several slips | Check if slips are vacant or occupied | All vessels have checked out | 8/20/19 | Danielle |
| 8/19/19 | Basin 1, D 30 | Check if slip is vacant or occupied | Vessel has checked out | 8/20/19 | Danielle |
| 8/21/19 | Port Truck #1117 | Needs an oil change | Done at Hartwick | 8/21/19 | Travis |
| 8/20/19 | RV Park Office | Needs supply of cable connectors | Gave connectors to Jen | 8/21/19 | Brent |
| 8/22/19 | Fuel Dock - Fuel Tank | #7 Annular Alarm was activated | Removed condensation from annular and replaced alarm sensor | 8/22/19 | Brent |
| 8/22/19 | Fuel Dock - Tank Area | Gate was knocked off track, track bent and gate was impacted | Fixed gate and track | 8/22/19 | Brent |
| 8/2/19 | RV Park, Site 9 | Hose bib is still leaking | Unearthed shut off valve, replaced bib | 8/22/19 | Brent |
| 8/22/19 | RV Park, Site 67 | Sewer extension is broken | Repaired and made functional | 8/22/19 | Brent |
| 8/16/19 | Port Office, Data Server | Need to access Marina Map for corrections | Done, changes made | 8/22/19 | Danielle |
| 8/21/19 | RV Park, Site 147 & Jetty | Chainlink fence is breaking down | Fixed fence | 8/22/19 | Shawn |
| 8/21/19 | Basin 1, F 2, 13 and 35 | Check if slips are vacant or occupied | F2 occupied by OR430ZH | 8/23/19 | Danielle |
| 8/21/19 | Basin 1, Public Crab Dock | Trash has been dumped off Jetty | Cleaned up trash | 8/23/19 | Marian |
| 8/25/19 | Boat Yard | Remove existing West fence for new fence install by Grizzly | Removed fence and shrubs | 8/26/19 | Travis & Brent |
| 8/22/19 | RV Park, Mens Restroom | Paper towel dispenser is broken | Replaced with new dispenser | 8/26/19 | Brent |
| 8/26/19 | Spothaven Beach | Gangways non-slip strips are worn | Traction added to combat slickness | 8/26/19 | Travis |
| 8/26/19 | Basin 2, O Dock, Slip 11 | Tree has fallen into water | Tree removed | 8/26/19 | Travis |
| 8/26/19 | RV Park, Site 91 | Hose bib is stripped | Replaced with new bib | 8/26/19 | Brent |
| 8/26/19 | RV Park, Site 91 | Hose bib is leaking water | Hose bib is functioning properly | 8/26/19 | Brent |
| 8/26/19 | RV Park, Tent Site Area | Shut off water to avoid public use | Cannot shut water off, tent area water also supplies fishing pier | 8/27/19 | Brent |
| 8/27/19 | Comm. Basin Restroom | Shower Coin Collector not working | Coin accepters functioning properly | 8/27/19 | Brent |
| 8/29/19 | Basin 1, several slips | Check if slips are vacant or occupied | All vessels have checked out | 8/29/19 | Danielle |
| 8/29/19 | RV Park | Needs firewood | Restocked with pallet of wood | 8/30/19 | Brent |
| 8/27/19 | RV Park, Site 3 | Concrete around sewer is broken | Removed debris, sewer is protected by remaining slab | 8/30/19 | Brent |

300



ACTION ITEM – A

DATE: September 17, 2019
RE: Chetco Indian Memorial Waterline and Additional SF Request
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- Board requested representatives from Chetco Indian Memorial to be available for discussion. Representatives will attend this meeting.
- Chetco Indian Memorial requested connecting to existing Port waterline to supply irrigation to plants and grass during the summertime. The requested drawing show additional area that was previously approved by the Board in 2012 under Resolution No. 411.
- Port has provided documentation showing approximately the added area for reference. Added area is approximately 900 square feet. Temporary port fence is going through a section of the memorial site as shown in attached drawing.
- Please note: the memorial site has a 6" main waterline under the site. Future consideration should address potential issues if the waterline needs repair or if failure of the waterline would occur.

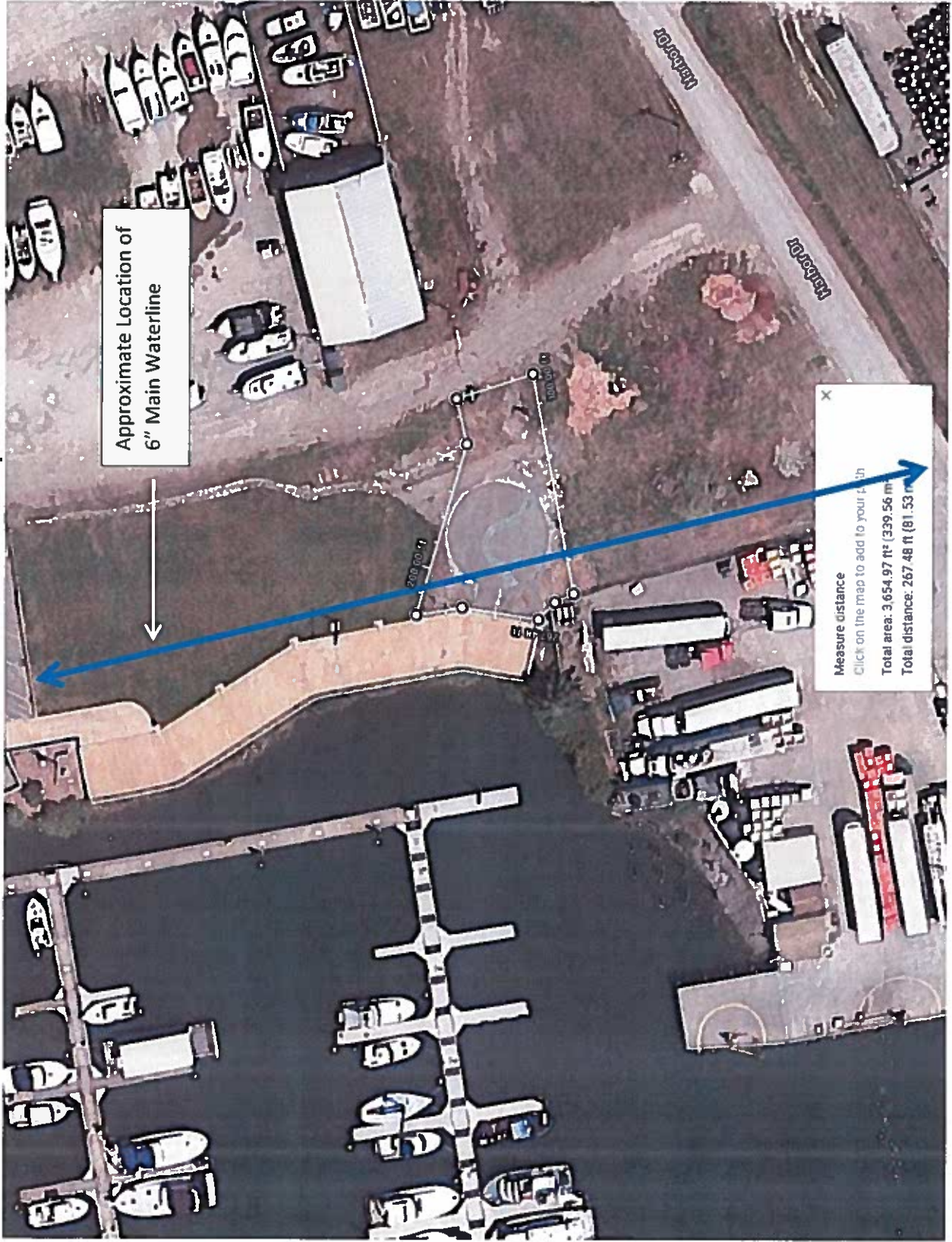
DOCUMENTS

- Port Drawings, 2 pages
- Chetco Indian Memorial Request dated August 11 and September 9, 2019, 12 pages
- Port of Brookings Harbor Board Meeting November 17, 2009, 7 pages
- Port of Brookings Harbor Board Meeting December 15, 2009, 9 pages
- Resolution No. 411, 3 pages

COMMISSIONERS ACTION

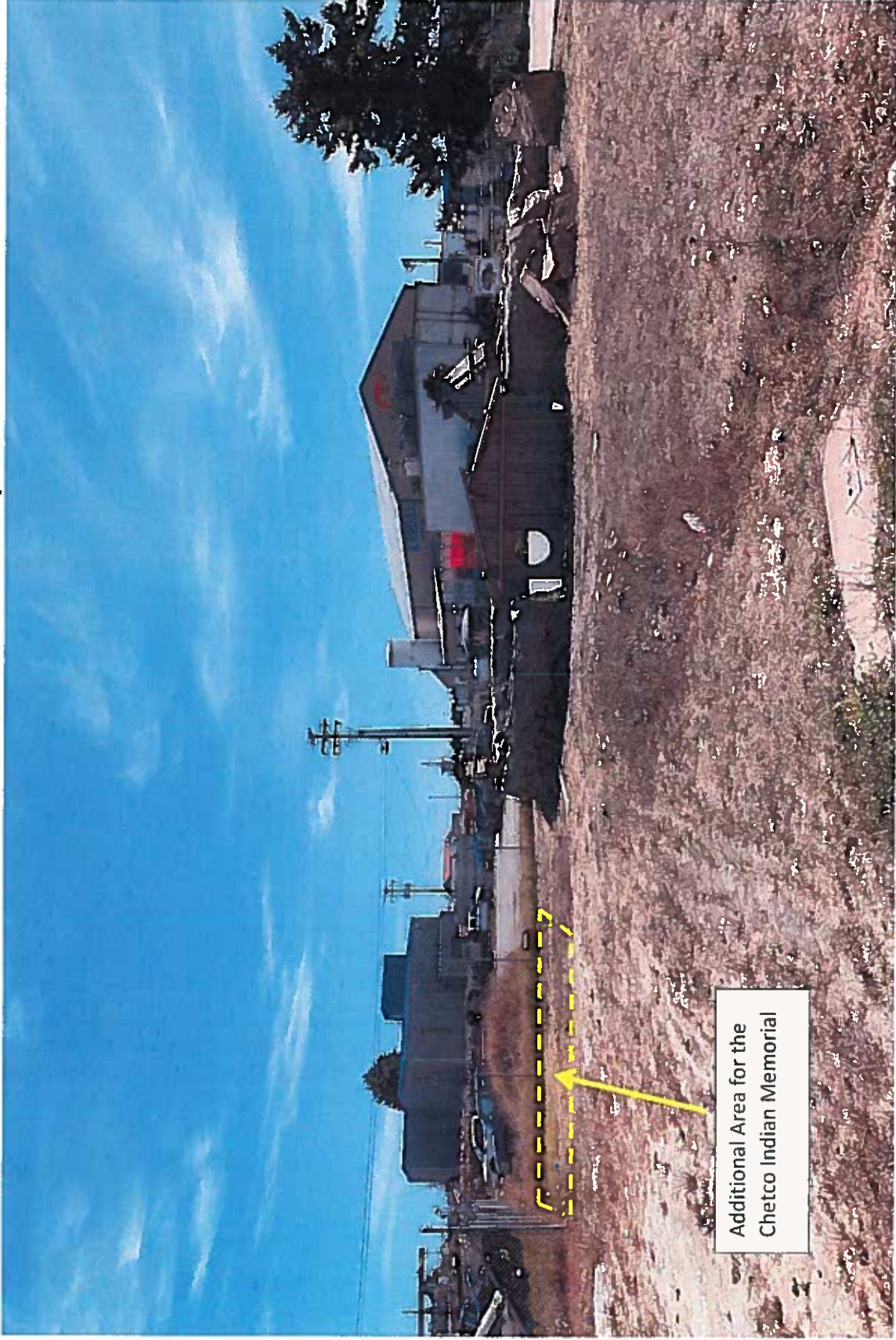
- **Recommended Motion:**
Motion to approve connecting to existing waterline on Port grounds for the irrigation use at the memorial site and approve the additional footage to the Chetco Indian Memorial as shown on attached drawings.

Port of Brookings Harbor Chetco Indian Memorial Request



Per survey drawing square foot in 2012 = 2,743
Revised square footage 2019 = 3,654

**Port of Brookings Harbor
Chetco Indian Memorial Request**



Additional Area for the
Chetco Indian Memorial



September 9, 2019

To: Gary Dehlinger Manager Port of Brookings Harbor

Fr: Larry Watson,
Managing Director WOW arts & exhibits Inc.
Chetco Indian Memorial designers.
2036 Sherman Ave North Bend, Oregon 97459
Adrienne Crookes President of the Board Chetco Indian Memorial.

Subject: Change in the September 11, request for access to water for irrigation of Chetco Indian Memorial interpretive plantings and landscape enhancement.

Subsequent to our meeting at the Chetco Indian Memorial site it has become clear that a water connection for the Memorial is better accessed at the site we reviewed. I have indicated the general location on the attached drawing. I would like to thank you for your assistance in finding this source and bringing it to my attention. With the approval of the Port Board of Directors we will begin the connection for irrigation.

Additionally I have attached to this email: 1.) Port of Brookings Harbor Resolution 411, and 2.) a letter from then Port Director Ted Fitzgerald dated April 26, 2012 to Chetco Indian Interpretive Site President Lynda Timeus

Thank you for the opportunity to collaborate with you again and provide an update on the Chetco Indian Memorial. Members of the Chetco Indian Board of Directors and I look forward to joining you on the 17th. If you have questions please reach me at 541-404-8922.

Sincerely,

Larry Watson

12 Attachment



August 11, 2019

To: Gary Dehlinger Manager Port of Brookings Harbor

Fr: Larry Watson,
Managing Director WOW arts & exhibits Inc.
Chetco Indian Memorial designers.
2036 Sherman Ave North Bend, Oregon 97459
Adrienne Crookes President of the Board Chetco Indian Memorial.

Subject: Request for access to water for irrigation of Chetco Indian Memorial interpretive plantings and landscape enhancement.

The Chetco Indian Memorial project continues to make significant progress and will be near completion by the end of the year. One of the significant interpretive features of the Memorial is the berm/planters that will serve as the containers for growing native vegetation traditionally used by the Chetco People. This feature and new landscaped lawn on the site will require irrigation during the dry season.

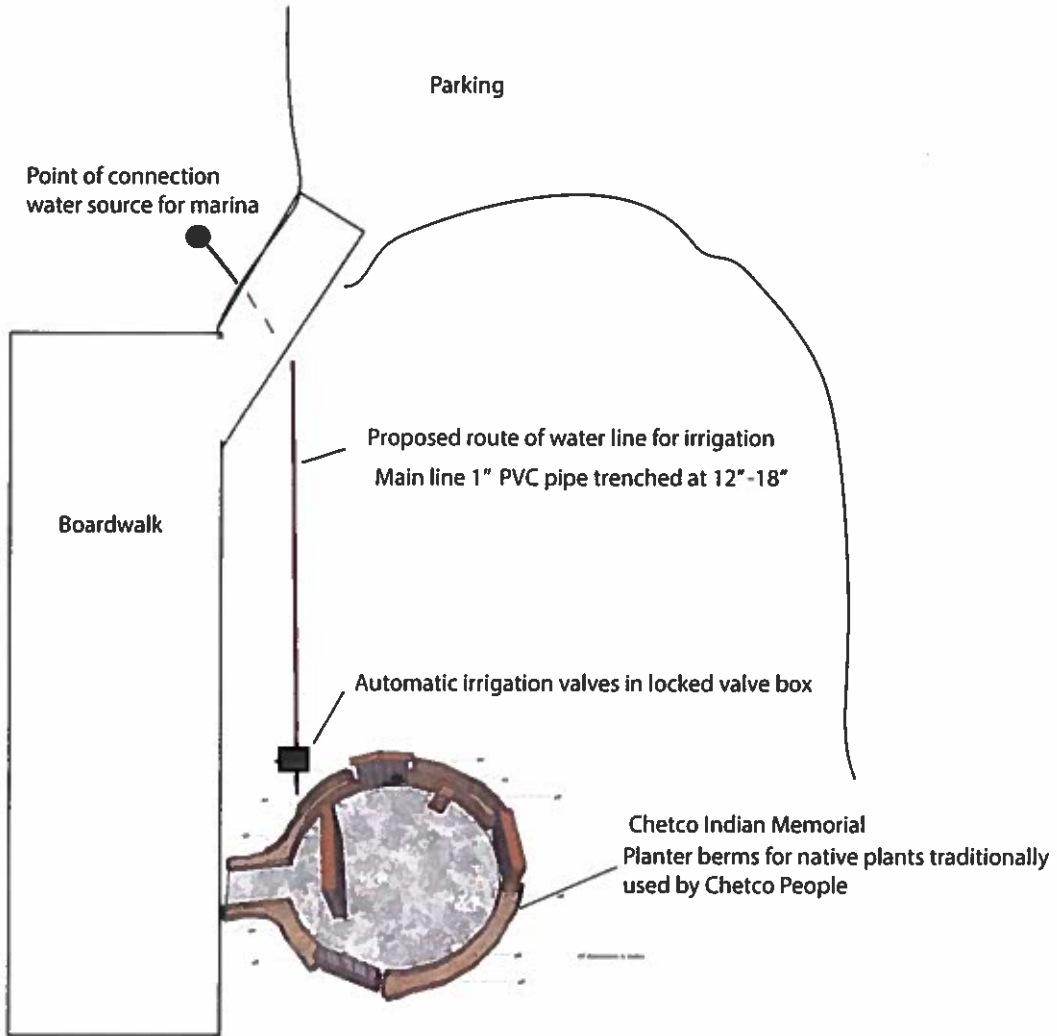
Earlier this year we investigated with you a source for water and were directed to the supply spigot for the marina. We now propose it is the most convenient and logical source for our needs and request your approval to move forward with preparing for connections. (See attached diagram for connection and delivery to site.) Since the project is in an archaeologically sensitive area, excavation for the irrigation line and the curtain drain for the planters requires approval from the State Historical Preservation Office. The State Historical Preservation Office (SHPO) has granted the project approval to proceed to trench with oversight monitoring by Archaeologist Rick Minor and staff of Heritage Research Associates Inc. Attached are letters that describe the process and the approval.

Thank you for the opportunity to collaborate with you again and provide an update on the Chetco Indian Memorial. If you have questions please reach me at 541-404-8922.

Sincerely,

Larry Watson

7 Attachments



CHETCO INDIAN MEMORIAL SITE LOCATION

The Chetco Indian Memorial site was donated by the Port of Harbor Brookings to the Chetco Indian Memorial Committee in December 2009. The Port had previously excavated the area during construction of the Marina renovation and boardwalk, and subsequently back-filled the Memorial site. The concrete pad was contracted by the Committee and poured in about 2010 by *Woudstra Concrete Finishers*. Owner Mike Woudstra states that the pad is 5 inches thick with 6 inch thick edges. In 2013 WOW arts & exhibits was contracted to redesign the memorial using the pad as the starting point.



Concrete pad showing orientation to site

Chetco Indian Memorial site

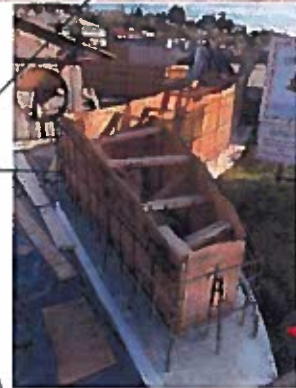


**CHETCO INDIAN MEMORIAL SITE
CONSTRUCTION**

The new design included four kiosk structures representing a village. Installed in 2016, these structures are designed to hold interpretive panels. Surrounding the pad is a recently constructed concrete berm or planter, that will be filled with earth and planted with native plants used by the Chetco people. The planters will have internal irrigation and seep holes on the outside. The water from the seepage will be directed away from the memorial to the river.

The berm/planter base is 3-4 feet wide and no more than 8" deep. The berm/planters surround the pad fitted around the house structures

The construction of each house required 3 to 4 three foot deep foundation footings per house.

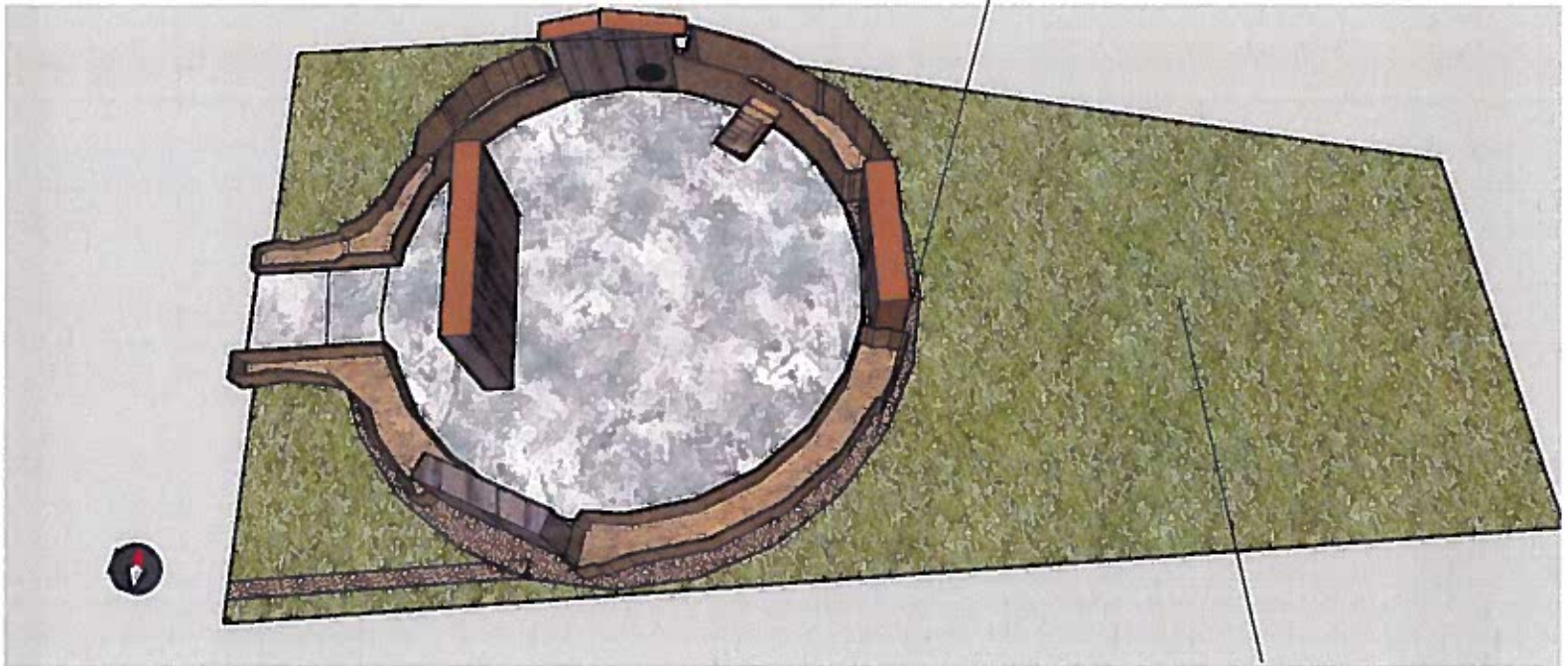




6/24/2019
Fr: Larry Watson

CHEYCO INDIAN MEMORIAL SITE CURTAIN DRAIN LOCATION

Curtain drain surrounds the berm/planters at 8" wide
and between 6" to 20" deep



The plan to finish the site calls for removing
the current grass and resodding. Removal
is anticipated to skin about 6" of the top layer.

EXHIBIT MAP

LOCATED IN
SW1/4 OF SE1/4, SECTION 5,
T41S, R13W, WILLAMETTE MERIDIAN,
CURRY COUNTY, OREGON

FOUND MAGNAIL-WASHER
STAMPED "OBEC CONTROL"
CONTROL PT #2 PER
COUNTY SURVEY #41-1623

BASIS OF BEARINGS
(OREGON STATE PLANE-SO ZONE)
(N 27°44'55" W 639.37') CS#41-1623
(N 27°44'55" W 639.37')

FOUND 5/8" IRON REBAR
S/ RPC "OBEC CONTROL"
CONTROL PT #1 PER
COUNTY SURVEY #41-1623

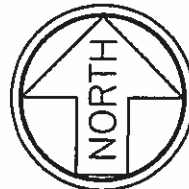
FOUND 2 1/2" BRASS CAP
IN ASPHALT MARKED
"NW COR DLC 40 1980"

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1995
RICHARD P. ROBERTS
2730

EXPIRES 12/31/12

PREPARED FOR: PORT OF BROOKINGS-HARBOR
SURVEY DATE: APRIL 19, 2012
JOB #: 09-123



Roberts & Associates
LAND SURVEYING INC.

611 SPRUCE STREET
P.O. Box 1599
Brookings, OR 97415

Ph: 541-469-0162
Fax: 541-469-5456

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Chetco Indian Monument
Lease Area

EXHIBIT A

A parcel of land lying in the Southwest Quarter of the Southeast Quarter of Section 5, Township 41 South, Range 13 West, Willamette Meridian, Curry County, Oregon, more particularly described as follows:

COMMENCING at a 2 ½" brass cap in asphalt set at the Northwest corner of D.L.C. 40;
thence North 13°43'48" West 2698.59 feet to the Southeast corner of an existing concrete board-walk and the TRUE POINT OF BEGINNING;
thence following along the Easterly edge of said concrete board-walk, North 13°28'38" East a distance of 30.17 feet;
thence North 07°52'50" West a distance of 15.92 feet;
thence leaving said concrete board-walk, South 76°31'10" East a distance of 65.80 feet;
thence South 13°28'50" West a distance of 45.00 feet;
thence North 76°31'10" West a distance of 60.00 feet, to the POINT OF BEGINNING.

Bearings are Oregon State Plane – South Zone and based on a line between control monuments #1 and #2 as indicated on County Survey #41-1623 prepared by OBEC Consulting Engineers, to bear North 27°44'56" West a distance of 639.37 feet.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1995
RICHARD P. ROBERTS
2730

EXPIRATION DATE 12/31/12

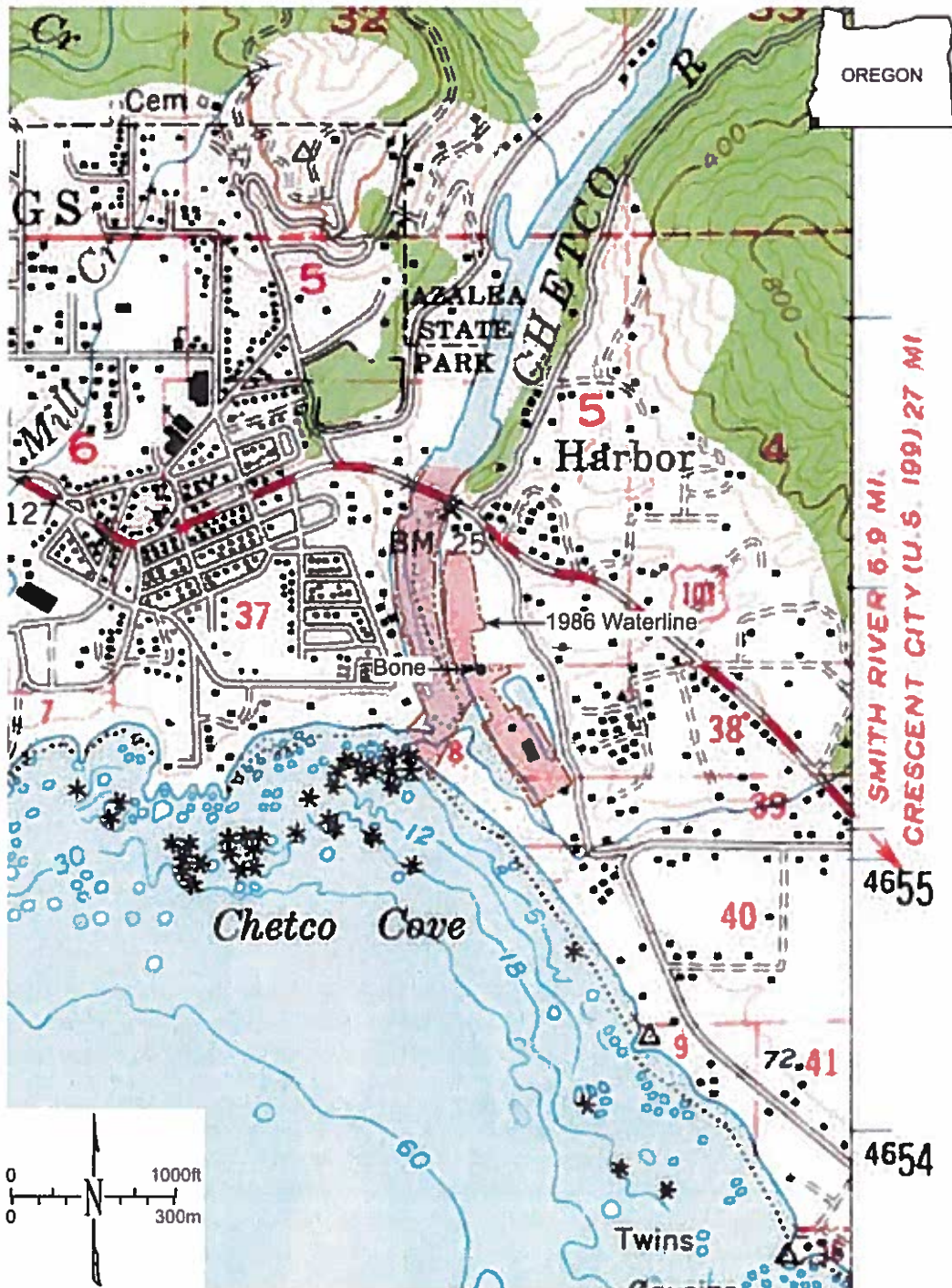


Figure 1. Location of confirmed archaeological deposits at 35CU42 (indicated by "bone") and the memorial location (indicated by arrow for "1986 waterline"). Note that the later 1986 shoreline is farther inland from the shoreline shown on the 1954 USGS Brookings quadrangle.

PORT OF BROOKINGS HARBOR
CURRY COUNTY, OR

RESOLUTION NO. 411
A RESOLUTION OF THE PORT OF BROOKINGS HARBOR
TO GRANT EASEMENT TO CHETCO HISTORICAL INDIAN MEMORIAL

WHEREAS, the Chetco Historical Indian Memorial has asked the Port of Brookings Harbor Board of Commissioners for a grant of easement for the Lucy Dick Memorial in perpetuity and,

WHEREAS, it will benefit the Port of Brookings Harbor to incorporate it into its new boardwalk extension plans.


NOW, THEREFORE, BE IT RESOLVED that the Port of Brookings Harbor Board of Commissioners hereby agrees to make available as a grant of easement in perpetuity that real property described in the attached Exhibit "A" for use and development as a memorial site as depicted in the attached Exhibit "B" in the memory of Lucy Dick, former resident of the Chetco village located approximately in the same area as such memorial site, with the understanding that such grant will only be perfected upon completion of said memorial as described herein, and it being further understood that Port Director shall consult with grantees and other interested parties regarding project and information depicted and communicated therein.

ADOPTED by the Port of Brookings Harbor Board of Commissioners this 15th day of December, 2009.



Roy Davis, Chairman

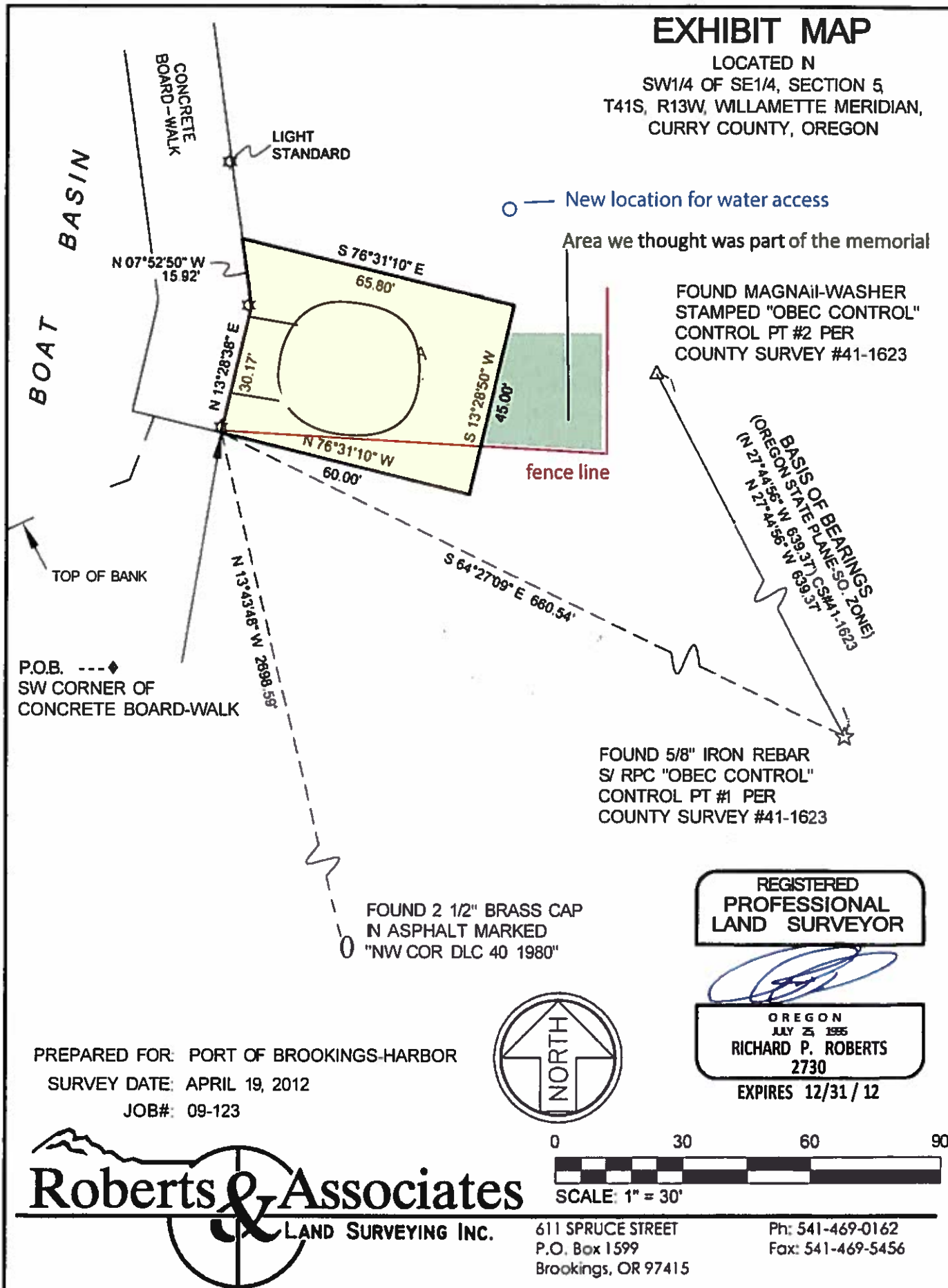
ATTEST:



Ted Freeman, Vice-Chair

EXHIBIT MAP

LOCATED IN
SW1/4 OF SE1/4, SECTION 5
T41S, R13W, WILLAMETTE MERIDIAN,
CURRY COUNTY, OREGON



PREPARED FOR: PORT OF BROOKINGS-HARBOR
SURVEY DATE: APRIL 19, 2012
JOB#: 09-123



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25 1995
RICHARD P. ROBERTS
2730
EXPIRES 12/31/12



Roberts & Associates
LAND SURVEYING INC.

611 SPRUCE STREET
P.O. Box 1599
Brookings, OR 97415

Ph: 541-469-0162
Fax: 541-469-5456

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**PORT
OF BROOKINGS
HARBOR**

Board of Commissioners:

Chairman

Roy Davis

Vice Chairman

Ted Freeman

Secretary/Treasurer

Jim Relaford

Board Members

Kathy Lindley Hall

Sue Gold

**America's
Wild Rivers
Coast.**
101 MILES OF NATURE'S BEST

April 26, 2012

Chetco Indian Interpretive Site
Lynda Timeus, President
PO Box 132
Brookings, OR 97415

RE: Chetco Indian Interpretive Site

Dear Lynda,

This letter confirms the commitment of the Port of Brookings Harbor to partner with your organization in constructing the Chetco Indian Interpretive Site on the portion of Port property made available for this permanent memorial structure. The Port further commits to incorporate the area into its ordinary maintenance and landscape activities, requiring no further commitment from your group beyond arranging periodic maintenance of the sculpture itself, as necessary.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Ted Fitzgerald
Port Director
Port of Brookings Harbor
541-469-2218

P.O. Box 848
Brookings, OR 97415
Phone: 541-469-2218
Fax: 541-469-0672

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Website: www.port-brookings-harbor.com
email: info@port-brookings-harbor.com

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**PORT
OF BROOKINGS
HARBOR**

November 17, 2009

Board of Commissioners:

Chairman

Roy Davis

Vice Chairman

Ted Freeman

Secretary/Treasurer

Jim Relaford

Board Members

Kathy Lindley Hall

Sue Gold

1. CALL TO ORDER AND ROLL CALL

The Regular Meeting of the Port of Brookings Harbor Board of Commissioners was held November 17, 2009 in the Harbor Sanitary District meeting room, Harbor, Oregon. Chairman Roy Davis called the meeting to order at 7:00 p.m. Other Commissioners present were: Kathy Lindley Hall, Jim Relaford, Sue Gold and Ted Freeman. Also present were: Director Ted Fitzgerald, Consultant Jon Barton, Office Manager Judy Mellus, and Billing Clerk Kathy Bond.

2. APPROVAL OF AGENDA

Comm. Lindley Hall made a motion to approve the agenda, seconded by Comm. Freeman. Voting yes: unanimous.

3. APPROVAL OF MINUTES

A. Regular Meeting October 20, 2009

Comm. Lindley Hall made a motion to approve the minutes as written, seconded by Comm. Gold. Voting yes: unanimous.

4. TREASURER'S REPORT

A. October 2009

Comm. Relaford deferred the Treasurer's Report to be given in the Manager's Report for more detail.

Comm. Gold made a motion to approve the Treasurer's Report, seconded by Comm. Relaford. Voting yes: unanimous.

B. Check Register

Comm. Gold stated that we only have one more payment to Archie McVay.

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E-mail: info@port-brookings-harbor.org

Comm. Relaford had a question on the Bioscape expenses. Ted stated that we should be about done with this consultant for the in-basin dredging and the DEQ permits. He also stated that we need to talk to the county and ODOT because they are part of the problem with the sediment that comes into the boat basins.

Comm. Lindley Hall made a motion to approve the Check Register, seconded by Comm. Freeman. Voting yes: unanimous.

5. MANAGER'S REPORT

Ted reported that revenues came in slightly ahead of estimate \$111,000 vs, \$101,000 but off significantly from September. Expenses were higher with most of the over-estimate amounts in fuel purchases, utilities and consulting fees. He reported that we received a \$6,000 worker's compensation refund from SDAO and the MAP grant of \$4,000.

He stated that moorage revenues were more than estimated, \$29,000 vs. \$28,000. The RV Park did better than estimated with revenues of \$27,000 vs. \$21,000. He said the fuel sales were lower then anticipated \$9,000 vs. \$16,000. Cold storage revenues were up from estimate at \$6,000 vs. \$4,000. We are currently exploring whether there is a way to dovetail the fish processing with the high dock repair, since that is where the processing really should take place. Yard activity was higher that estimate at \$6,500 vs. \$4,000. The Coast Guard sent their engineer in to examine the ways for the travel lift. We do not yet have their report but we anticipate that we will be required to replace the decking. Rental revenues were up slightly due to BC Fisheries credit for fencing having been satisfied. Other than the expansion of Eagle Two Inc, we have no qualified prospects for the retail center. The Salty Dog has changed hands again and we welcome the new owner and wish him much success.

He reported that total expenses for October were right on estimate at \$103,000 vs. \$105,000. Repair and maintenance expenses were higher than estimate at \$12,000 vs. \$10,000. Utility costs were higher than estimate at \$17,000 vs. \$16,000. Consulting expenses were higher than estimate at \$10,000 vs. \$9,000. He said all other expense categories were either right on estimate or a little below.

He reported that on October 15th he and Jon Barton went to Salem to meet with the management and staff of IFA. He said they had a good meeting and he believes that they can come to an agreement along the lines that have previously been discussed. He stated that the State cannot rewrite or consolidate the loans into one note nor can they extend the term to 30 years. It

is also more important to them to pay down principal. He said that we have tentatively agreed to (subject to Commission approval) a 20 year pay-out with quarterly payments of approximately \$60,000 plus range that will be applied to principal in such a way that the note with the lowest balance due is paid first. Interest will continue to accrue until all the principal is paid at which time payments will be applied to accrued interest and will continue until 2030 at which time we are done. In return, we pay off the McVay and Curry County notes from cash on hand, renegotiate the CFCU note to a 5 year pay-out and grant them enhanced security positions in the properties not encumbered by CFCU. The specific details will be covered in greater depth in the Action Item segment of this meeting. He said we still continue to have some challenges trying to sort who owes whom how much, but it looks like we will end up with a documented deal in January, 2010.

Comm. Freeman asked if there has been any discussion on moving the Port offices to one of the empty spaces in the commercial retail complex. Ted stated that he feels that it should stay retail shops and feels that as the economy recovers we will be able to rent them out.

6. PUBLIC COMMENTS

Chairman Davis called on Tim Stadleman to report on an anonymous donor who will sign a minimum 5 year lease on Port property for the purpose of building a children's playground. He showed some photos and a drawing of the proposed playground which would be located in front of the Boat Shop.

Comm. Relaford said we would need more details before a decision could be made. He asked who would be maintain it and Tim stated that the Port would have to maintain it. He asked what the costs would be to the Port to maintain it.

Ted stated that the liability insurance may be costly. He said he was worried about building something that could become an attractive nuisance.

Comm. Gold asked if this donor would also be paying for the playground equipment and Tim said they are working on that.

Tim said that they have budgeted about \$50,000 to build the playground to meet all the requirements of today's safety standards.

Comm. Freeman asked if there are restrooms involved and Tim stated no, as there are public restrooms across the parking lot.

Comm. Relaford asked if he could get with Ted and write up a proposal with more information. He said he had a lot of questions as to whether or not that this is the best use of the property and the cost of the liability insurance.

Comm. Freeman asked if this is actually the best site for the playground. Tim said that it is the best site he has seen but he is open to other sites. Comm. Freeman said over by the RV Park might be better. Discussion followed.

7. DISCUSSION ITEMS

A. Liveaboard Issues

Ted wanted to talk about this because there are some things going on that he felt the board should be aware of. He said at this time we have 18 liveaboards and we have a waiting list. He wished to have some specific guidelines for people to become a liveaboard, as in credit checks, background checks and pets. He said he had one person that said they bought a boat and was told by other people around the Port that there would be no problem for them to live on the boat. He said he thinks we have more than 18 liveaboards at the Port and we need to come up with a solution to curtail this.

Comm. Relaford said that about two years ago they did come up with specific guidelines for liveaboards. He stated that they must have a working engine and put dye in the holding tanks to make sure there is no raw sewage leaking into the basin.

Ted said he would look over the policies and make some changes and add some other rules. Discussion followed.

Comm. Davis asked who is going to enforce the rules. Ted stated that he would have to check into that to see who would be the best person to enforce the rules.

8. ACTION ITEMS

A. Lease – Salty Dog

Ted reported that the Salty Dog has been sold and the new lessee wishes to have consent to lease assignment signed by the board.

Comm. Relaford made a motion to accept the new consent to lease assignment, seconded by Comm. Freeman. Voting yes: unanimous.

B. State Refinance Resolution # 410

Jon Barton reported that the Port will pay approximately \$62,500 every quarter for the next twenty years so that in the year 2030 everything will be paid off. IFA will apply the payments to the note with the nearest termination. All payments will be applied first to principal then to interest. There will be no pre-payment penalty and the Port will not apply for any new credit without the state's approval. Interest will accrue with the current note rate and they vary between 4.78% and 6%. Any accrued interest will continue to be deferred and will not compound. Any irregular payments anticipated from sale of property would go to interest not to principal as a disincentive to sell property. We are to pay the balance to the McVay and Curry County notes and redo the CFCU Line of Credit. We will grant a first security interest to IFA on all properties not otherwise encumbered by anyone else. If we sell any property they agree to release any liens on it provided that we pay 80% of the net proceeds to IFA and the other 20% stays in a restricted capital fund for use by the Port.

Comm. Relaford made a motion to approve resolution # 410, seconded by Comm. Freeman. Voting yes: unanimous.

C. Lucy Dick Memorial

Linda Timeus from the Chetco Historical Indian Memorial reported that the memorial is for Lucy Dick who was born here on the Chetco River in the north side village. Ted reported that the letter from the Tolowa Tribe was very surprising. He said they did not follow procedure by bypassing him and going straight to the Commissioners.

Comm. Lindley Hall stated that the letter is addressed to The Confederate Tribe of the Siletz Indians. She said the Siletz tribe is not involved with the memorial. Comm. Gold said the two tribes need to get together and work this out themselves and that it is not the Port's issue.

Comm. Freeman asked if the Chetco Indians would be interested in listening to the Tolowas and Linda reported that they had not been contacted at all about this. She said they are a non-profit organization and they are descendants of the Chetco people from this area. We are not doing this under the Siletz Tribe. She feels that they contacted they wrong people and they have known all along who is doing the memorial and no one has ever contacted them so if they truly wanted to be part of this they need to contact her. She said they have been in contact with the Siletz Tribe because they wrote the grant. She said there will be two other grants they are going to apply for after the first of the year.

Comm. Relaford said the Port Commission has expressed its willingness and intent to go forward with a memorial here. The issue that we do not want to get involved with is the dispute between tribes. He stated that he was notified two months ago about this issue from the Smith River Rancheria. He feels that we should not be involved with this if there is going to be a fight amongst friends, family or tribes. He said we need to come up with a solution and he suggested this should be a coordinated effort between all.

Comm. Lindley Hall reported that she takes exception to that. She said where do we, as the Commission get off telling them who they have to apply grants to. Comm. Relaford said we don't and she said then let's not be involved with their monetary issues. Comm. Relaford stated our responsibility is who we are going to give away property to. Comm. Lindley stated that we are honoring the Chetco Indians and what do the Tolowas have to do with the historical life of the Chetco Indians.

Ted said the memorial is for a lady that was born in a village on the Chetco River and that's what we are memorializing not the tribe. This is not tribe oriented but it is location oriented.

Comm. Relaford stated that there is a larger dynamic going on here and he still feels we should be careful. He said they need to communicate with each other.

Comm. Freeman said in his opinion to go ahead and vote for the memorial and if they want to come back with an addendum to include whatever else they propose to the Port, then we can decide at that point to involve anyone else.

Ted said that at the presentation at the last meeting, Comm. Relaford stated that Phase Two was too much and Ted feels his position has merit. He said we need to discuss that issue and perhaps limit the scope of the build-out to something that is more modest.

Comm. Relaford made a motion to proceed with Phase One of the memorial as it was originally presented and that we authorize the Executive Director to work with them to move to the next step and he would like to condition that an effort be made to communicate with the local tribes and try to involve them, seconded by Comm. Freeman.

Comm. Lindley Hall stated that to grant them the land in perpetuity we need to write a resolution. She asked Comm. Relaford if he was prepared to

have Ted draw up the resolution and he said yes he was with the condition he stated earlier.

Comm. Relaford stated that he would amend the motion. He said he would make a motion to specifically take the original piece of property that was proposed as the memorial in Phase One to be donated to the Chetco Historical Indian Memorial in perpetuity, seconded by Comm. Freeman, Voting yes: unanimous.

9. COMMISSIONER'S REPORTS

Comm. Freeman reported that County Commissioner Bill Waddle is going to be on the Curry County Emergency Preparedness Task Force.

Comm. Relaford reported that he attended a meeting with the Klamath Management Zone Fisheries Coalition last Tuesday and they are trying to revamp the group. He is involved with assisting in re-writing the by-laws of the group and it seems there are sufficient funds to support representation before the PFMC this year. Crescent City Harbor District has declined to do the accounting for this year. Lucy LaBonte and Georgia Nowlin are working on how to resolve that problem and he feels the group will come back to life.

10. ADJOURNMENT

The meeting was unanimously adjourned at 8:19 p.m.



Jim Relaford, Secretary/Treasurer



**PORT OF BROOKINGS HARBOR
BOARD OF COMMISSIONERS MEETING
HARBOR SANITARY DISTRICT
16408 LOWER HARBOR RD., HARBOR, OR 97415
Tuesday, December 15, 2009 7:00 P.M.**

AGENDA

TAB

- | | |
|--|-----|
| I. Call to Order and Roll Call | |
| II. Approval of Agenda | I |
| III. Approval of Minutes | |
| A. Regular Meeting-November 17, 2009 | II |
| VI. Treasurer's Report | |
| A. November 2009 | III |
| B. Check Register | IV |
| V. Manager's Report | |
| VI. Public Comments – Limited to a maximum of five minutes per person. A <u>Public Comment Request</u> , located near the entrance, <u>must be completed and turned into the Chairman</u> prior to the beginning of the meeting. | |
| VII. Action Items: | |
| A. Resolution 411 – Indian Memorial | V |
| VIII. Commissioner's Report | |
| IX. Adjournment | |



PORT of BROOKINGS HARBOR

Port of Brookings Harbor / Regular Meeting
December 15, 2009



December 15, 2009

Board of Commissioners:

Chairman

Roy Davis

Vice Chairman

Ted Freeman

Secretary/Treasurer

Jim Relaford

Board Members

Kathy Lindley Hall

Sue Gold

1. CALL TO ORDER AND ROLL CALL

The Regular Meeting of the Port of Brookings Harbor Board of Commissioners was held December 15, 2009 in the Harbor Sanitary District meeting room, Harbor, Oregon. Chairman Roy Davis called the meeting to order at 7:00 p.m. Other Commissioners present were: Kathy Lindley Hall, Sue Gold and Ted Freeman. Absent: Jim Relaford. Also present were: Director Ted Fitzgerald, Office Manager Judy Mellus, and Billing Clerk Kathy Bond.

2. APPROVAL OF AGENDA

Ted Fitzgerald asked to make a modification to the agenda by adding an action item titled Resolution # 412 Loan Restructure.

Comm. Gold moved to approve the agenda as amended, seconded by Comm. Freeman. Voting yes: unanimous.

3. APPROVAL OF MINUTES

A. Regular Meeting November 17, 2009

Comm. Freeman made a motion to approve the minutes as written, seconded by Comm. Gold. Voting yes: unanimous.

4. TREASURER'S REPORT

A. November 2009

Refer to Manager's Report.

Comm. Lindley Hall made a motion to approve the Treasurer's Report, seconded by Comm. Freeman. Voting yes: unanimous.

B. Check Register

Comm. Lindley Hall had a question on check #24557 to Fred Howe for reimbursement for trunk repair. Ted answered that it was for damage that was done to his vehicle while he was working for the Port.

Comm. Gold made a motion to approve the Check Register, seconded by Comm. Lindley Hall. Voting yes: unanimous.

5. MANAGER'S REPORT

Ted reported that November revenues were nearly \$40,000 higher than estimate but \$28,000 came from earlier than anticipated tax receipts and the balance from enterprise revenues. All enterprise categories were up except for the RV Park which had its worst month in a very long while. Expenses were a bit lower than estimate at \$82,000 vs. \$83,000.

Moorage revenues were \$28,000 vs. \$25,000. Crabbers were busy preparing for the opening of their season. Pre-season check suggests this will be a better than average season for crabs.

Fuel sales were a good bit higher than estimates at \$17,000 vs. \$10,000. We clearly failed to take into account the impact of crabbers preparing to go to sea. Fuel prices continue to be relatively stable. Fuel purchases for the month exceeded sales by a good margin due to timing of deliveries. That will self correct in December.

Cold storage revenues were up from estimate at \$7,000 vs. \$5,000. We are seeing some pickup as crabbers continue to accumulate bait for the December season. The fish processing project is once again stalled due to lack of interest on anyone's part. It is clear we are not prepared to operate such a facility with port personnel, and to make it available for any fishermen that may come forth to use it would likely create more problems than it is worth. We should perhaps consider releasing the grant funds for others to use.

Yard activity was higher than estimate at \$5,800 vs. \$4,000. The Coast Guard sent their engineer in to examine the ways for the travel lift. We are good to go with the Coast Guard once we backfill a foundation block that has been undermined by erosion. This will not be an expensive fix and will be done as soon as possible. We will also have to replace the decking between the ways for the lift though that is not a condition imposed by the Coast Guard. That will be somewhat more costly.

Rental revenues were up slightly more than estimate at \$28,000 vs. \$27,000. Our casualty insurance underwriter recently completed an inspection

of our facilities. The inspector pointed out roof moss issues with Fely's and Zola's buildings and water drainage issues at the shop building.

As stated above, total enterprise expenses for November were slightly lower than estimate at \$82,000 vs. \$83,000. Personal expense was lower, \$28,000 vs. \$30,000.

Repair and maintenance expenses were lower than estimate at \$8,000 vs. \$12,000. Professional expense was higher than estimate at \$11,000 vs. \$9,000 due to making our first payment on the annual audit. Office expenses were lower than estimate at \$3,000 vs. \$6,000, in part due to lower credit card fees resulting from the poor month at the RV Park.

Ted reported that we made our USDA Bond payment on time in November and made the payments to US Bank Flex Lease and Curry County. We will be making a \$75,000 payment to IFA in December.

Documentation on the note restructuring with IFA is a work in process. We have recently exchanged drafts and with only one relatively minor change.

With the opening of crab season, we have had increased interest in crabbers selling their crab in our parking lot. We have an ordinance that imposes a permit fee for selling fish products from port property and does not prohibit sales from the parking lot. We have discouraged such practices, particularly when no permit has been obtained, but we may want to revisit this and allow seafood sales in designated areas. We might even consider allowing a transfer of dockside permits to land areas in the interest of safety.

Comm. Davis asked what the date was that resolution was passed and Ted responded it was May 16th, 1994.

Comm. Gold asked if we give the grant money back on the fish processing plant will that make our chances of getting another grant more difficult. Becky Bryant from IFA stated that she would call our lobbyist in Washington DC and get his opinion on it but she did not think so.

6. PUBLIC COMMENTS

Gerald Mikell commented of the letter that he and all the other fishermen that sell fish from their boat received stating that they must have moorage here and also apply for a \$100 permit to be able to sell fish from their boats. He said he did not want to have to pay for a slip when he would only use it a few times a year. He said when they sell live fish, they pull their boats out of the water then sell to the buyer and take their boats home due to the maintenance problems of leaving their boats in the water. Ted stated that this ordinance does not apply to

you selling to a wholesaler but it does apply to you selling tuna to the public and if you choose to do that you will have to have moorage. Discussion followed.

John Marrington reported that he had 48 crab pots stolen from his storage. He said he pays storage and feels that something needs to be done to secure the storage areas. Ted stated that he will look into putting the crab pots into the fenced area. Discussion followed.

7. ACTION ITEMS

A. Resolution #411 Indian Memorial

Comm. Lindley Hall made a motion to approve Resolution #411, seconded by Comm. Freeman. Voting yes: unanimous.

B. Resolution #412 IFA Loan Restructure

Comm. Lindley Hall asked for clarification on the minor change in the loan draft. Ted reported the state added that any interest not satisfied at the time of maturity for each note maybe forgiven at the discretion of the IFA Board. 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.

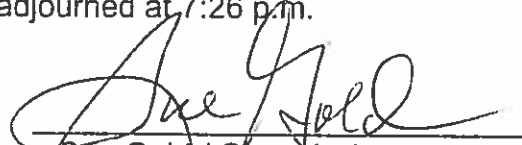
Comm. Lindley Hall made a motion to approve Resolution #412, seconded by Comm. Gold. Voting yes: unanimous.

9. COMMISSIONER'S REPORTS

Comm. Gold and Comm. Lindley Hall wished everyone a Merry Christmas.

10. ADJOURNMENT

The meeting was unanimously adjourned at 7:26 p.m.


Sue Gold / Commissioner

Chetco Indian Memorial

Project Description

Patrick Chew
Creative Touch Design

Project Description: Chetco Indian Memorial

This memorial will be dedicated to honor the memories of the indigenous peoples who lived on the banks of the Chetco River, on the very site the memorial is to be established. This memorial also intends to honor indigenous people everywhere, by telling the story of the Chetco people. The initial concept was a concrete circle partially surrounded by a concrete wall in relief, depicting mountains of the Chetco River Valley and a plank house. In the center of the concrete circle was to be a statue of Lucy Dick, the last full blooded Chetco Indian to live in the Chetco Valley. Historic and informational placards were to be mounted around the memorial to tell the story.

The general area for the memorial was described to be at the end of the boardwalk extension being built by ODOT and the Port of Brookings Harbor. No more specific definition was available.

In an effort to define the scope and limitations of the project, the designer discovered a variety of esthetic and practical problems to be overcome. The designer needed to define the physical geographic parameters of the project site. Working with the Harbor Master, Ted Fitzgerald and the folks from ODOT, the end of the boardwalk extension was defined. This defined the North boundary of the memorial. Between the setbacks from the boardwalk, the radius of the circle and the needs of the wall, some 60 to 70 feet was required. This defined the South boundary of the project.

Defining the other two directions was far more complicated. A water effect was desired. The stability of the bank was a factor. The geo-report indicated the land was not particularly stable and was prone to liquefaction. This made the original wall concept not practical. It was discovered that the boat basin had a stagnation problem and aeration could help resolve this problem. The land for the memorial was in a seven year lease to BC Fisheries. All of these issues and several others not mentioned wanted resolution by defining the last two directions.

Tax Lot 700 is 70 feet wide, so it seemed like a good place to start. In discussions with Mr. Fitzgerald and BC Fisheries, it was discovered that a reorganization of the property making room for the memorial would be very beneficial to BC Fisheries operations. We determined that tax lot 700 and would be available as well as the bit of tax lot 900 that is still above water. This then defined the West boundary of the memorial.

Lastly, the East boundary needed to accommodate the water feature, with aeration and mask the industrial sites from the memorial and the boardwalk. A portion of tax lot 1600 provided for these requirements. The Logical East boundary was then defined by the gravel road.

Another issue that the project faces is the fact that if we do much excavation on the site of the Chetco village, we will need to do archeological work before we begin. So, we intend to go no deeper than the fill used to create the boat basin for the wall footing and the rest of the memorial features will be built up with fill and contouring. For the water feature to work properly, the origin of the water must be high enough to create sufficient fall, so as to not require cutting much of a channel at the bank.

With all this being said, the memorial intends to create microcosms of each of the environments from the headwaters of the Chetco to where it enters the ocean; from the springs and upwellings at its source to the rapids and spawning pool of the mid river to the metaphoric return to the ocean. This is an open system that will pump water from the boat basin and be aerated as it enters the top of the cascading pools. It will continue to be aerated as it cascades down into the salmon pool and through the rapids and again as it falls back into the boat basin. The plant selections will be matched to the area of the river being represented.

There will be three (3) types of placards, color coded. The first continuum along the path will tell the story of the land and of the river. The second will tell the story of the plants and animals living in the Chetco River Valley. They will also tell how the Chetco people used the plants and animals in their daily life. The third and last will be the story of the Chetco people themselves. We strive to tell of their journey through time, how they lived at one with nature and how they adapted to the ever changing world. A big part of this story will be told through the metaphor of Lucy Dick's life. She was born into a relatively isolated culture, saw the first "white man," experienced relocation and lived long enough to return the land of her birth.

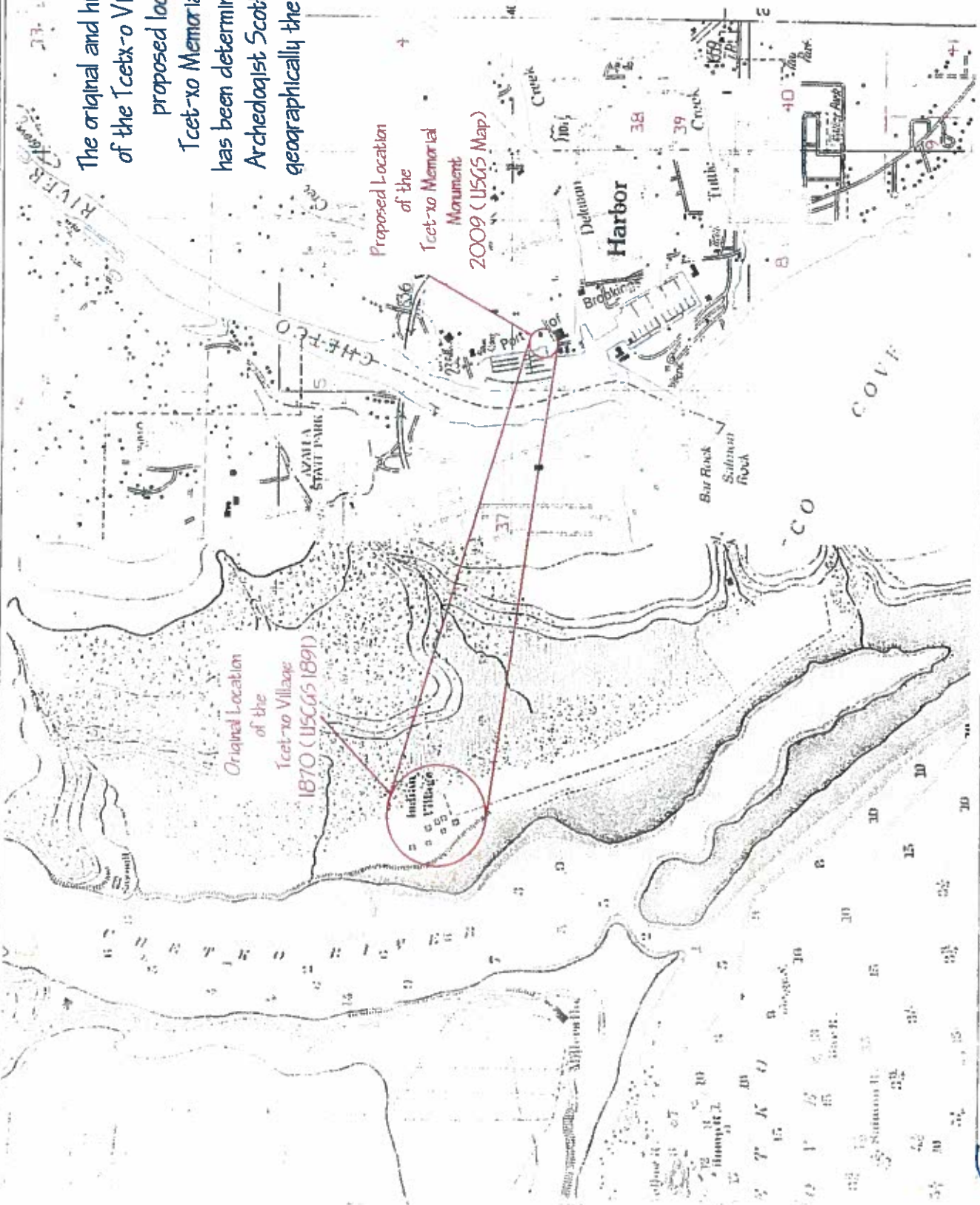
At the center of the memorial will be the stature of Lucy. She will be depicted near the end of her days, with her beloved baskets at her side in the center of a stamped concrete spiral with a subtle basket weave texture.

The project will be lit for esthetic and safety purposes. The area will have fencing and guard rails for control of access to sensitive areas and for safety. The memorial will have benches throughout, appropriately spaced to give privacy but sufficient in numbers to accommodate potential visitors.

Great care is being given to the telling of these three story lines. These questions are being asked of each representation: is it true and accurate, is it fair and representative and does it tell the story. Expert and authoritative sources are being sought, used and copy is being vetted.

It will be a resource of which our community will be proud.

The original and historic location of the Tcet-xo Village and the proposed location of Tcet-xo Memorial Monument has been determined by project Archeologist Scott Byram to be geographically the same place.



**PORT OF BROOKINGS HARBOR
CURRY COUNTY, OR**

**RESOLUTION NO. 411
A RESOLUTION OF THE PORT OF BROOKINGS HARBOR
TO GRANT EASEMENT TO CHETCO HISTORICAL INDIAN MEMORIAL**

WHEREAS, the Chetco Historical Indian Memorial has asked the Port of Brookings Harbor Board of Commissioners for a grant of easement for the Lucy Dick Memorial in perpetuity and,

WHEREAS, it will benefit the Port of Brookings Harbor to incorporate it into its new boardwalk extension plans.

NOW, THEREFORE, BE IT RESOLVED that the Port of Brookings Harbor Board of Commissioners hereby agrees to make available as a grant of easement in perpetuity that real property described in the attached Exhibit "A" for use and development as a memorial site as depicted in the attached Exhibit "B" in the memory of Lucy Dick, former resident of the Chetco village located approximately in the same area as such memorial site, with the understanding that such grant will only be perfected upon completion of said memorial as described herein, and it being further understood that Port Director shall consult with grantees and other interested parties regarding project and information depicted and communicated therein.

ADOPTED by the Port of Brookings Harbor Board of Commissioners this 15th day of December, 2009.



Roy Davis, Chairman

ATTEST:



Ted Freeman, Vice-Chair

Chetco Indian Monument
Lease Area

EXHIBIT A

A parcel of land lying in the Southwest Quarter of the Southeast Quarter of Section 5, Township 41 South, Range 13 West, Willamette Meridian, Curry County, Oregon, more particularly described as follows:

COMMENCING at a 2 1/2" brass cap in asphalt set at the Northwest corner of D.L.C. 40;
thence North 13°43'48" West 2698.59 feet to the Southeast corner of an existing concrete board-walk and the TRUE POINT OF BEGINNING;
thence following along the Easterly edge of said concrete board-walk, North 13°28'38" East a distance of 30.17 feet;
thence North 07°52'50" West a distance of 15.92 feet;
thence leaving said concrete board-walk, South 76°31'10" East a distance of 65.80 feet;
thence South 13°28'50" West a distance of 45.00 feet;
thence North 76°31'10" West a distance of 60.00 feet, to the POINT OF BEGINNING.

Bearings are Oregon State Plane – South Zone and based on a line between control monuments #1 and #2 as indicated on County Survey #41-1623 prepared by OBEC Consulting Engineers, to bear North 27°44'56" West a distance of 639.37 feet.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

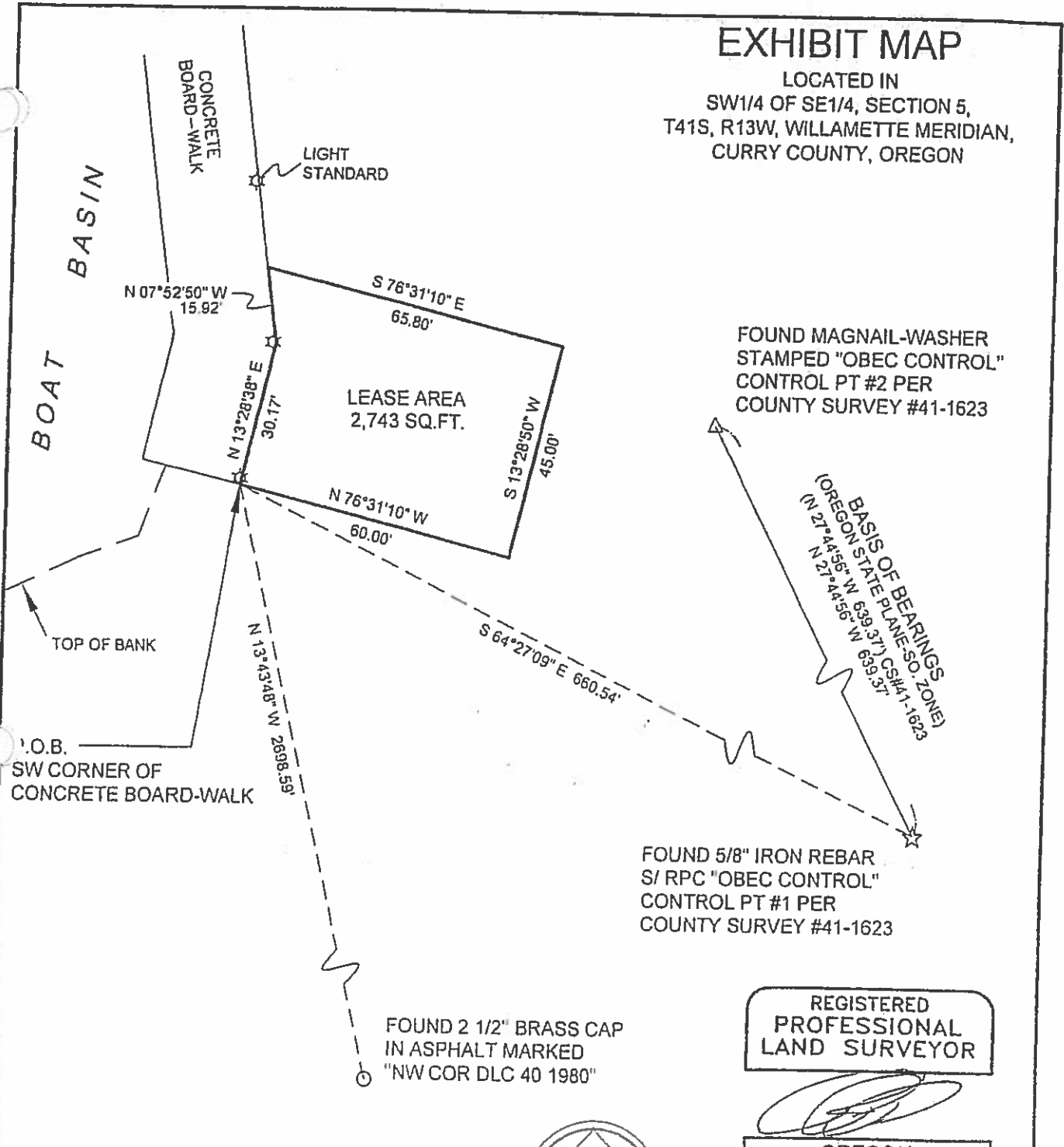


OREGON
JULY 25, 1995
RICHARD P. ROBERTS
2730

EXPIRATION DATE 12/31/12

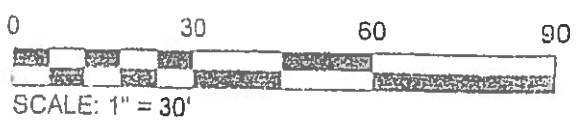
EXHIBIT MAP

LOCATED IN
SW1/4 OF SE1/4, SECTION 5,
T41S, R13W, WILLAMETTE MERIDIAN,
CURRY COUNTY, OREGON



REGISTERED
PROFESSIONAL
LAND SURVEYOR

[Signature]
OREGON
JULY 25, 1935
RICHARD P. ROBERTS
2730
EXPIRES 12/31/12



PREPARED FOR: PORT OF BROOKINGS-HARBOR
SURVEY DATE: APRIL 19, 2012
JOB #: 09-123

Roberts & Associates
LAND SURVEYING INC.

611 SPRUCE STREET
P.O. Box 1599
Brookings, OR 97415

Ph: 541-469-0162
Fax: 541-469-5456

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ACTION ITEM - B

DATE: September 17, 2019
RE: Draft Resolution No. 525 Increasing Port Manager Purchasing Limit
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- Board of Commissioners approved increasing Port Manager spending limit to \$10,000 during August 20, 2019 Regular Meeting.
- Draft Resolution No. 525 memorializes the approval and updates paragraph (3) of Section IV: Delegation of Exhibit A to Resolution 368.

DOCUMENTS

- Draft Resolution No. 525 Amending Public Contracting Rules and Prescribing Rules and Procedures for Public Contracting

COMMISSIONERS ACTION

- **Recommended Motion:**
Motion to approve Draft Resolution No. 525.

PORT OF BROOKINGS HARBOR
CURRY COUNTY, OREGON

DRAFT

RESOLUTION NO. 525

**A RESOLUTION OF THE BOARD OF COMMISSIONERS
AMENDING PUBLIC CONTRACTING RULES AND PRESCRIBING
RULES AND PROCEDURES FOR PUBLIC CONTRACTING**

WHEREAS, the Port of Brookings Harbor is an Oregon special district which is subject to Oregon Public Contracting Law; and

WHEREAS, on March 21, 2005, the Commission adopted Resolution No. 368 adopting the Oregon Attorney General's Model Public Contracting Rules ("Model Rules") with some variations; and

WHEREAS, the Commission now wishes to increase the signature authority of the Port Manager.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
COMMISSIONERS OF THE PORT OF BROOKINGS HARBOR THAT:**

1. Paragraph (3) of Section IV: Delegation of Exhibit A to Resolution No. 368, is hereby amended to read as follows:

All public contracts estimated to cost \$10,000 or more in a calendar year must be approved by the Board of Commissioners. All public contracts estimated to cost less than \$10,000 in a calendar year may be entered into by the Port Manager or designee without Board approval. However, emergency contracts may be entered into either the Board or the Port Manager or designee pursuant to Section VII of these Rules, regardless of dollar limits, subject to ORS 294.481.

APPROVED and ADOPTED by the Port of Brookings Harbor Commissioners this ____ day of _____ 2019.

Roy C. Davis, Chairman

ATTEST:

Commissioner

ACTION ITEM - C

DATE: September 17, 2019
RE: Draft Resolution No. 526 Cat Houses on Port Property
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- Draft Resolution No. 526 memorializes last month Board meeting with the feral cat caretakers.

DOCUMENTS

- Draft Resolution No. 526 Regarding Cat Houses on Port Property

COMMISSIONERS ACTION

- **Recommended Motion:**
Motion to approve Draft Resolution No. 526.

PORT OF BROOKINGS HARBOR
CURRY COUNTY, OREGON

DRAFT

RESOLUTION NO. 526

A RESOLUTION OF THE BOARD OF COMMISSIONERS
REGARDING CAT HOUSES ON PORT PROPERTY

WHEREAS, on August 20, 2019, the Commission listened to feral cat caretakers of the Port explain the history and efforts of the volunteers to care for the feral cats at the Port; and

WHEREAS, feral cat caretakers have from at least 2000 until today, fed the feral cats at the Port daily, watched for injury and illness and, with the encouragement of Port Management, assistance of Port personnel and the continued support of the South Coast Humane Society, made as safe and comfortable as possible. There has never been an incidence of biting or scratching of any member of the public by any of these cats. The volunteers have had the Port's verbal approval and encouragement to help the feral cats and the Port. These cats are now old and relocation is impossible. The partnership with the Port should continue for the good of the Port and the safety and health of the remaining feral cats; and

WHEREAS, feral cat caretakers controlled maintenance of these colonies for nearly 20 years during which the Port and the cats have shared the benefits of this effort. The Port Commission desires to continue this partnership until the three feral cat colonies have lived out their natural lives.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE PORT OF BROOKINGS HARBOR THAT:

1. Port staff shall meet with the feral cat caretakers and clearly put in writing the expectations of the Port with regard to the management of the feral cats.
2. The cat houses shall be relocated away from public access areas when Port staff has the site available within the Boat Yard.
3. Port staff shall allow the cat houses to remain on Port property until the existing cats live out their natural lives.
4. Port staff shall develop a committee to come up with a plan for moving forward when the three feral cat colonies have lived out their natural lives.

APPROVED and ADOPTED by the Port of Brookings Harbor Commissioners this ____ day of _____ 2019.

Roy C. Davis, Chairman

ATTEST:

Commissioner

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ACTION ITEM – D

DATE: September 17, 2019
RE: Draft Ordinance No. 24 Dinghies Amendment
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- Board of Commissioners approved draft amendment to Port Ordinance 4.34 during the Regular Meeting on August 20, 2019.
- Port Counsel revised the draft paragraph to the current draft Ordinance No. 24 amendment.
- This will be the first reading of Ordinance No. 24 amendment.
- Procedure for adopting, amending or repealing ordinances or regulations:
 1. Publish meeting agenda 4 days before and not more than 10 days.
 2. Ordinance must be read during regular meeting on two different days at least six days apart. The reading of an ordinance shall be full and distinct unless at the meeting:
 - A copy of the ordinance is available for each person who desires a copy; and
 - The board directs that the reading be by title only.
 3. Majority of the members of the district board is required to adopt an ordinance.
- Ordinance amendment takes effect on the 30th day after it is adopted.

DOCUMENTS

- Draft Ordinance No. 24, 1 page
- Draft Ordinance No. 24 showing the changes made from Port Counsel, 1 page
- Draft Port Ordinance 4.34, 1 page

COMMISSIONERS ACTION

- **Recommended Motion:**
Motion to approve the introduction of Ordinance No. 24 Dinghies, reading by title only, amendment to Section 4.34 of Part IV, Specific Rules and Regulations of Ordinance No. 1-1998. An Ordinance of the Board of Commissioners of the Port of Brookings Harbor.

Ordinance No. 24

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE PORT OF BROOKINGS HARBOR

AMENDING ORDINANCE NO. 1 – 1998 REGARDING DINGHIES REGULATIONS

WHEREAS, on May 26, 1998, the Board of Commissioners of the Port of Brookings Harbor adopted Ordinance No. 1-1998; and

WHEREAS, the Board of Commissioners decided it is in the best interest of the Port of Brookings Harbor to establish a policy allowing for the storage of non-motorized watercraft in the marina area.

Now, therefore, the Board of Commissioners of the Port of Brookings Harbor ordains as follows:

Section 1. Ordinance Identified. The ordinance amends Ordinance No. 1-1998 adopted May 26, 1998.

Section 2. Amendment. Section 4.34 of Part IV, Specific Rules and Regulations, of Ordinance No. 1-1998 is hereby amended in its entirety to read as follows:

4.34 Non-motorized watercraft such as rowboats, skiffs, dinghies, and rafts under 10ft in length that do not require state boat registration may be stored in a slip assigned to a Port registered vessel. These watercraft may not extend the width of the registered vessel, extend the length of the assigned Port slip, nor may they interfere with the moorage or movement of other vessels in the marina. These watercraft must display the name of the vessel registered with the Port to which they belong and the owner must notify the Port office of said watercraft's location. The watercraft must be covered by the owner's insurance at all times. When not in use, these watercraft must be secured to the dock at all times. There will be no storage of these watercraft on any Port docks or slip fingers. Any watercraft unattached and needing Port assistance will be charged accordingly. Nets, reels, and or other items of equipment shall be stored only in areas designated by the Harbormaster and each item shall bear an identifying mark as to the ownership of the property. Any vessel, items, equipment or gear left without proper storage arrangements will be in violation of the rules and subject to being abated as a nuisance.

Section 3. Effective Date. This ordinance will be effective 30 days following the date of its adoption.

INTRODUCED on the ___ day of _____, 2019.

APPROVED and ADOPTED on the ___ day of _____, 2019 by the following vote: on a motion by Commissioner _____, seconded by Commissioner _____, and carried on a ___-___ vote.

Chair of the Board of Commissioners

Secretary of the Board of Commissioners

Ordinance No. 24

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE PORT OF BROOKINGS HARBOR

AMENDING ORDINANCE NO. 1 – 1998 REGARDING DINGHIES REGULATIONS

WHEREAS, on May 26, 1998, the Board of Commissioners of the Port of Brookings Harbor adopted Ordinance No. 1-1998; and

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WHEREAS, the Board of Commissioners decided it is in the best interest of the Port of Brookings Harbor to establish a policy and procedure for Dinghies allowing for the storage of non-motorized watercraft in the marina area.

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Now, therefore, the Board of Commissioners of the Port of Brookings Harbor ordains as follows:

Section 1. Ordinance Identified. The ordinance amends Ordinance No. 1-1998 adopted May 26, 1998.

Section 2. Amendment One. Section 4.34 of Part IV, Specific Rules and Regulations, of Ordinance No. 1-1998 is hereby repealed and amended in its entirety to read as follows:

4.34 Non-motorized watercraft such as Rowboats, skiffs, dinghies, and rafts, or other auxiliary vessels under 10ft of in length that do not require state boat registration, that are not motorized, or that will not impede another moored vessels access, can may be stored in the same a slip water area assigned to the slips Port Registered vessel owner assigned to a Port registered vessel. These water craft may not extend the width of the registered vessel, or extend the length of the assigned Port slip, nor may they interfere with the moorage or movement of other vessels in the marina. These water craft will must display the name of the Port's Registered vessel registered with the Port to which they belong and; the owner will must notify the Port's office of said auxiliary vessels watercraft's location. The watercraft and the auxiliary vessel will must be covered by the owner's the insurance at all times of the Port Registered vessel of that slip. When not in use, These water craft will must be secured to the dock at all times, slip assigned to the owner of the Port Registered vessel. There will be no storage of these water craft on any Port docks or slip fingers. Any auxiliary vessel watercraft unattached and needing Port assistance will be charged accordingly. Nets, Reels reels, and or other items of equipment shall be stored only in areas designated by the Harbormaster and each item shall bear an identifying mark as to the ownership of the property. Any vessel, items, equipment or gear left without proper storage arrangements will be in violation of the rules and subject to being abated as a nuisance.

Section 3. Effective Date. This ordinance will be effective 30 days following the date of its adoption.

INTRODUCED on the ___ day of _____, 2019.

APPROVED and ADOPTED on the ___ day of _____, 2019 by the following vote on a motion by Commissioner _____, seconded by Commissioner _____, and carried on a ___ - ___ vote.

Port of Brookings Harbor
Ordinance No. 1 - 1998

Draft

4.34 Rowboats, skiffs, dinghies, rafts ,or other auxiliary vessels under 10ft of length that do not require boat registration, that are not motorized, or that will not impede another moored vessels access, can be stored in the same water area assigned to the slips Port Registered vessel owner. These water craft may not extend the width of the registered vessel or extend the length of the assigned Port slip. These water craft will display the name of the Port's Registered vessel, the owner will notify the Port's office of said auxiliary vessels location, and the auxiliary vessel will be covered by the insurance of the Port Registered vessel of that slip. These water craft will be secured to the dock slip assigned to the owner of the Port Registered vessel. There will be no storage of these water craft on any Port docks or slip fingers. Any auxiliary vessel unattended and needing Port assistance will be charged accordingly. Nets, Reels, and or other items of equipment shall be stored only in areas designated by the Harbormaster and each item shall bear an identifying mark as to the ownership of the property. Any vessel, items, equipment or gear left without proper storage arrangements will be in violation of the rules and subject to being abated as a nuisance.

Port of Brookings Harbor
Ordinance No. 1 - 1998

4.33 Any person using Port facilities or equipment shall comply with any verbal or written signs or communicatives, and with administrative and operational policies and procedures, issued or posted under the authority of the Port Manager or Port Commission.

4.34 Rowboats, skiffs, dinghies, rafts, nets, reels, and/or other items of equipment shall be stored only in areas designated by the Harbormaster and each item shall bear an identifying mark as to the ownership of the property. Any items, equipment or gear left without proper storage arrangements will be in violation of the rules and subject to being abated as a nuisance.

4.35 The Port reserves the right to inspect any of the rented or leased premises at any time. Failure to inspect shall not be deemed to create any responsibility

ACTION ITEM – E

DATE: September 17, 2019
RE: Beachfront RV Park Rates with New County Tax
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- New County Transient Lodging Tax begins September 1, 2019 at 7%.
- Beachfront RV Park rates currently include State Lodging Tax at 1.8%.
- Currently the state lodging tax is absorbed into the rate. For example, for one night at pull thru, the rate is \$51.00, of that the Port pays the State of Oregon 1.8% or 92¢.
- The County TLT is 7% with an administrative/collection fee of 5% of tax collected.
- Collecting the tax, separating from the rate and posting the net would clarify the rate charged to the customer, which would be shown on their invoice. For accounting purposes, this separation would simplify the process and submission to State and County.
- If approved, separate and collect the lodging tax, there are options to implementing:
 - 1) Add the lodging tax to current rate, adopted July 1, 2019, see below calculations
 - 2) Reduce the current rate, adopted July 1, 2019 to keep the rate at or close to current rate, see below calculations

| SITES | Current Rate | TOTAL TAX % | Total Cost to Customer at Current Rate | Reduced Rate | TOTAL TAX % | Total Cost to Customer at Reduced Rate |
|------------------------------|--------------|-------------|--|--------------|-------------|--|
| Pull Thru - Peak Season | \$51.00 | 8.80% | \$55.49 | \$45.96 | 8.80% | \$50.00 |
| Back in - Peak Season | \$44.00 | 8.80% | \$47.87 | \$40.44 | 8.80% | \$44.00 |
| Partial - Peak Season | \$36.00 | 8.80% | \$39.17 | \$33.09 | 8.80% | \$36.00 |
| Pull Thru - Off Season | \$43.00 | 8.80% | \$46.78 | \$39.52 | 8.80% | \$43.00 |
| Back in - Off Season | \$37.00 | 8.80% | \$40.26 | \$34.01 | 8.80% | \$37.00 |
| Partial - Off Season | \$31.00 | 8.80% | \$33.73 | \$28.49 | 8.80% | \$31.00 |
| Pull Thru - July 4th Holiday | \$95.00 | 8.80% | \$103.36 | \$87.32 | 8.80% | \$95.00 |
| Back in - July 4th Holiday | \$84.00 | 8.80% | \$91.39 | \$77.21 | 8.80% | \$84.00 |
| Partial - July 4th Holiday | \$54.00 | 8.80% | \$58.75 | \$49.63 | 8.80% | \$54.00 |
| Pull Thru - Other Holidays | \$55.00 | 8.80% | \$59.84 | \$50.55 | 8.80% | \$55.00 |
| Back in - Other Holidays | \$46.00 | 8.80% | \$50.05 | \$42.28 | 8.80% | \$46.00 |
| Partial - Other Holidays | \$38.00 | 8.80% | \$41.34 | \$34.93 | 8.80% | \$38.00 |

- Business License is now required every year and the fee is \$100. Port has paid the license for the current year.
- Based on Fiscal Year 2017-18 revenues for the RV Park \$573,446, total tax of 8.80% would be approximately \$50,463; \$40,141 to be paid to the County and \$10,322 to the State, less the administrative and collection fees.
- The decision to make is to either continue absorbing the tax in the current rates or collecting tax on the current rates.

DOCUMENTS

- Business License Application, 1 page
- Curry County Notice on Transient Lodging Tax, 1 page
- Curry County Ordinance No. 19-02, TLT within Curry County, 17 pages

COMMISSIONERS ACTION

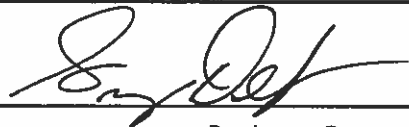
- **Staff Recommended Motion:**
 1. Motion to separate the taxes on the invoice for accounting and auditing purposes.
 2. Add the current State tax rate of 1.8% and new County tax rate of 7% for a total of 8.80% to the existing rates at the Beachfront RV Park for all future reservations beginning September 18, 2019.



BUSINESS LICENSE APPLICATION
(ORD. 2019-10)

Name of Business: Beachfront RV Park Product or Service: RV Park
 Business Phone: (541) 469-5867 & (541) 469-2218 Business Website/Facebook: www.beachfrontrvpark.com
 Owner/Operator: Port of Brookings Harbor Email: accounts@portofbrookingsharbor.com
 Mailing Address: P.O. Box 848 Brookings, OR 97415
 Physical Address: 16035 Boat Basin Road, Brookings, OR 97415
Street City State Zip

I, Gary Dehlinger, Port Manager, attest that the information contained herein is true and correct to the best of my knowledge and belief. I further testify my business is in compliance with all local, state and federal laws, and may be reviewed by jurisdictions at the city, county, state or government level. I understand this license cannot be transferred to a new owner or location without first notifying the county. If the information listed on this application changes in any way, I agree to immediately notify the county of such change. I further understand that, after this initial application, should I receive a business license, that license must be renewed on or before July 1 of every year. I understand I need to allow two weeks for processing an application.

Signature  Date 8/29/2019
 Business Owner/Operator

Remit to: Business License, 94235 Moore Street, Suite 122 Gold Beach, OR 97444
 Email: condev@co.curry.or.us or FAX: (541) 247.2718



Resource: http://www.co.curry.or.us/departments/business_licensing or call (541) 247.3222

IF APPROVED, A LICENSE WILL BE SENT TO THE EMAIL ADDRESS PROVIDED. THAT LICENSE MUST BE RENEWED ANNUALLY. SAID RENEWAL APPLICATION IS DUE TO THE COUNTY ON OR BEFORE JUNE 14 OF EACH YEAR. REMINDER NOTICES WILL NOT BE MAILED OUT. RENEWAL APPLICATIONS ARE AVAILABLE ON THE COUNTY WEBSITE. IF A BUSINESS FAILS TO RENEW THEIR BUSINESS LICENSE, THEY MAY BE SUBJECT TO PENALTY AS STATED IN ARTICLE 10 OF THE COUNTY CODE. LICENSE FEES ARE NON-REFUNDABLE.

For Office Use Only

Fee paid (\$100/yr.) Date: _____ Payment type: _____ License No: _____ Iss'd by: _____



Curry County Board of Commissioners

Christopher Paasch, *Chair*

Court Boice, *Vice Chair*

Sue Gold, *Commissioner*

94235 Moore Street/Suite #122

Gold Beach, OR 97444

541-247-3296, 541-247-2718 Fax

800-243-1996 www.co.curry.or.us

NOTICE

TRANSIENT LODGING TAX

Be advised that effective September 1, 2019 Curry County will be imposing a transient lodging tax. Details of the tax are summarized below:

- The tax is effective in the unincorporated areas of the county. It does not apply to lands within the city limits of Brookings, Gold Beach or Port Orford.
- All transient lodging establishments (including RV parks) must register with the County Tax Administrator (Miranda Plagge in the Board of Commissioners Office) within fifteen (15) days after commencing business.
- A tax of seven per cent (7%) is imposed on any rent and shall be computed on the total retail price.
- The lodging tax collector (establishment) may withhold a collection reimbursement charge of five per cent (5%) of the total amount collected.
- The tax must be remitted to the county on a quarterly basis, with the first quarter beginning October 1, 2019. The tax is due on or before the last day of the month following the end of each calendar quarter (the first collection is therefore due on January 31, 2020).

Important Links @ www.co.curry.or.us, go to 'Departments', 'Economic Development'

- Transient Lodging Provider Registration Form
- Transient Lodging Remittance Form
- Transient Lodging Remittance Form Instructions
- Curry County Report of Gross Receipts from Transient Lodging Intermediaries
- Curry County Ordinance No. 19-01 Imposing a Transient Lodging Tax
- Curry County Ordinance No. 19-02 Implementing the Transient Lodging Tax in Curry County

Questions?

For questions about the new TLT ordinance and program, contact Economic Development Assistant Miranda Plagge at plaggem@co.curry.or.us or phone (541) 247- 3222.

BEFORE THE BOARD OF COUNTY COMMISSIONERS
IN AND FOR THE COUNTY OF CURRY, OREGON

| | | |
|--|---|---------------------|
| In the Matter of an Ordinance Implementing |) | |
| The Transient Lodging Tax (TLT) within Curry |) | |
| County; Providing Administrative Procedures |) | |
| For Collection, Refunds and Enforcement; |) | ORDINANCE NO. 19-02 |
| Establishing Penalties; Creating a Transient |) | |
| Lodging Tax Review Committee and a County |) | |
| Tourism Promotions Committee; And |) | |
| Providing for an Allocation of the Funds |) | |
| Dedicated to Tourism Promotion and Tourism- |) | |
| Related Facilities |) | |

The Board of Curry County Commissioners hereby ordains as follows:

SECTION I TITLE

This Ordinance shall be known as the Curry County TLT Implementing Ordinance, Ordinance No. 19-02.

SECTION II AUTHORITY

This ordinance is enacted pursuant to ORS 203.035 through ORS 203.055, and ORS 320.300 to 320.302 and ORS 320.345 to 320.350.

SECTION III PURPOSE

The purpose of this ordinance is to implement Ordinance No. 19-01, and to provide for certain administrative procedures to carry out its purposes.

SECTION IV ADOPTION AND REFERRAL

This Ordinance, including Exhibit "A", the text of this ordinance, which is attached hereto and incorporated by reference, is hereby adopted, subject to and effective on approval by a majority of Curry County voters of Ordinance No. 19-01 at an election on May 21, 2019.

SECTION V SEVERANCE CLAUSE

If any section, subsection, provision, clause or paragraph of the Ordinance shall be adjudged or declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the validity of the remaining portions of this Ordinance. It is expressly declared that every other section, subsection, provision, clause or paragraph of the Ordinance enacted, irrespective of the enactment or validity of the portion thereof declared to be unconstitutional or invalid, is valid.

SECTION VI EFFECTIVE DATE

This ordinance, if approved by the voters at the May 21, 2019 election, shall become effective at 12:01 A.M. on the 1st day of September, 2019.

First Reading: (Date) December 19, 2018

BOARD OF CURRY COUNTY COMMISSIONERS

Sue Gold
Sue Gold, Chair

Abstained
Thomas Huxley, Vice Chair

[Signature]
Court Boice, Commissioner 1-2-19

Second Reading: (Date) January 23, 2019

BOARD OF CURRY COUNTY COMMISSIONERS

[Signature]
Chair

[Signature]
Vice Chair 1-23-19

Sue Gold
Commissioner

DATED this 23rd day of January, 2019.

Attest:
John T. Jezait
Recording Secretary

Approved as to Form:
[Signature]
John HuttI
Curry County Legal Counsel

Exhibit "A"

ARTICLE EIGHT

DIVISION TWO- IMPLEMENTATION OF TRANSIENT LODGING TAX

Section 8.02.010 Title

This ordinance shall be known as the Curry County TLT Implementing Ordinance, and as Ordinance No. 19-02.

Section 8.02.020 Definitions

Except where the context otherwise requires, the definitions established in Curry County Ordinance No. 19-01 and Ordinance No. 19-02 and given in this section govern the construction of this ordinance.

- (1) "Board" means the Board of County Commissioners.
- (2) "County" means Curry County, Oregon.
- (3) "Occupancy" means the use or possession, or the right to the use or possession for lodging or sleeping purposes of any transient lodging.
- (4) "Tax" means either the tax payable by the transient, or the aggregate amount of taxes due from a transient lodging tax collector during the period for which he is required to report his collections.
- (5) "Tax Administrator" means the Curry County Board of Commissioners, or its designee.
- (6) "Transient" means any individual who exercises occupancy or is entitled to occupancy in a transient lodging for a period of less than thirty consecutive days, counting portions of calendar days as full days. The day the transient checks out of the transient lodging shall not be included in determining the thirty day period if the transient is not charged rent for that day by the transient lodging tax collector. Any such person so occupying space in a transient lodging shall be deemed to be a transient until the period of twenty-nine days has expired unless there is an agreement in writing between the transient lodging tax collector and the occupant providing for a longer period of occupancy, or the tenancy actually extends more than twenty-nine consecutive days. In determining whether a person is a transient, uninterrupted periods of occupancy extending both prior and subsequent to the effective date of this Ordinance may be considered. A person who pays for lodging on a monthly basis, irrespective of the number of days in such month, shall not be deemed a transient.

- (7) "Transient Lodging Tax Review Committee" means a committee composed of an accountant, an attorney, a transient lodging tax collector, and two other persons appointed by the Board and may be owners or operators of transient lodging.

Section 8.02.030 Tax Collection

For the privilege of occupancy in any transient lodging after the effective date of this ordinance, each transient shall pay a tax in the amount required by Curry County Ordinance No. 19-01. The tax constitutes a debt owed by the transient to the County, which is extinguished only by payment by the transient lodging tax collector to the County. The transient shall pay the tax to the transient lodging tax collector of the transient lodging at the time the rent is paid. The transient lodging tax collector shall enter the tax on his/her records when rent is collected if the transient lodging tax collector keeps his records on the cash accounting basis and when earned if the transient lodging tax collector keeps his/her records on the accrual accounting basis. If rent is paid in installments, a proportionate share of the tax shall be paid by the transient to the transient lodging tax collector with each installment.

Section 8.02.040 Collection of Tax by Transient Lodging Tax Collector, Rules for Collection

- (1) Every transient lodging tax collector renting transient lodging in the unincorporated areas of this county, the occupancy of which is not exempted under the terms of this ordinance or Ordinance No. 19-01, shall collect a tax from the occupant. The tax collected or accrued by the transient lodging tax collector constitutes a debt owing by the transient lodging tax collector to the County.
- (2) In all cases of credit or deferred payment of rent, the payment of tax to the transient lodging tax collector may be deferred until the rent is paid and the transient lodging tax collector shall not be liable for the tax until credits are paid and deferred payments are made. Adjustments may be made for uncollectables.
- (3) The Tax Administrator shall enforce the provisions of this Ordinance.
- (4) For rent collected on portions of a dollar, fractions of a penny shall not be remitted.

Section 8.02.050 Transient Lodging Tax Collector's Duties

Each transient lodging tax collector shall collect the tax imposed by this Ordinance at the same time as the rent is collected from every transient. The amount of tax shall be separately stated upon the transient lodging tax collector's records, and any receipt

rendered by the transient lodging tax collector. No transient lodging tax collector of a transient lodging shall advertise that the tax or any part of the tax will be assumed or absorbed by the transient lodging tax collector, or that it will not be added to the rent, or that, when added, any part will be refunded, except in the manner provided by this Ordinance.

Section 8.02.060 Payment of Tax

When a return is required under this Ordinance, the transient lodging tax collector required to make the return shall remit the tax due to the Tax Administrator at the time fixed for filing the return.

Section 8.02.070 Amounts Held in Trust

Every transient lodging tax collector required to collect the tax imposed by Ordinance 19-01 shall be deemed to hold the amount collected in trust for Curry County and for payment to the Tax Administrator in the manner and at the time provided herein.

Section 8.02.080 Registration of Transient Lodging Provider: Form and Contents: Execution: Certificate of Authority

- (1) Every person engaging or about to engage in business as a provider of transient lodging in the county shall register with the Tax Administrator within 15 days after commencing business. The privilege of registration after the date of imposition of such tax shall not relieve any person from the obligation of payment or collection of tax regardless of registration. Registration shall be on a form provided by the Tax Administrator and shall set forth the name under which the provider transacts or intends to transact business, the location of his/her place or places of business and such other information to facilitate collection of the tax as the Tax Administrator may require. The registration shall be signed by the provider. The Tax Administrator shall, within 10 days after registration, issue without charge a certificate of authority to each registrant to collect the tax from the occupant, together with a duplicate thereof for each additional place of business of each registrant. Certificates shall be non-assignable and nontransferable and shall be surrendered immediately to the Tax Administrator upon the cessation of business at the location named or upon its sale or transfer. Each certificate and duplicate shall state the place of business to which it is applicable and shall be prominently displayed therein so as to be seen and come to the notice readily of all occupants and persons seeking occupancy. The certificate shall include the following:
 - (A) The name of the provider;
 - (B) The address of the transient lodging; and
 - (C) The date upon which the certificate was issued;
- (2) "This Transient Occupancy Registration Certificate" signifies that the person named on the face hereof has fulfilled the requirements of the Transient Lodging Tax Regulations, by registration with the Tax Administrator for the purpose of collection

from transients the lodging tax imposed by said County and remitting said tax to the Tax Administrator. This certificate does not authorize any person to conduct any unlawful business or to conduct any lawful business in an unlawful manner, or to operate a transient lodging without strictly complying with all local applicable laws, including, but not limited to those requiring a permit from any board, commission, department, or office of the County. This certificate does not constitute a permit."

Section 8.02.090 Due Date and Form of Returns

- (1) Every transient lodging tax collector is responsible for collecting the tax imposed under Ordinance 19-01, and shall file a return with the Tax Administrator, on or before the last day of the month following the end of each calendar quarter, reporting the amount of tax due during the quarter. The Board or its designee shall prescribe the form of the return required by this section, and the Board shall adopt rules by ordinance regarding the preparation and filing of the return and the payment of the tax, including rules requiring that returns be made under penalties for false swearing.
- (2) A transient lodging tax collector that rents privately owned camping or recreational vehicle spaces shall not be required to file a return or pay the tax collected until the amount of money held equals or exceeds \$100.
- (3) Once the amount held by a transient lodging tax collector described in subsection (2) equals or exceeds \$100, or by December 31 of each year if the \$100 threshold is not met, the transient lodging tax collector shall remit the tax collected at the next following reporting period as determined in subsection (1) above.
- (4) The tax imposed by this Ordinance shall be paid by the transient to the transient lodging tax collector at the time rent is paid. All amounts of such taxes collected by any transient lodging tax collector are due and payable to the Tax Administrator on a quarterly basis on the last day of the following month for the preceding three months; and, are delinquent on the first day following the month in which they are due. The Tax Administrator has authority to classify or district the transient lodging tax collector for determination of applicable tax periods, and shall notify each transient lodging tax collector of the due and delinquent dates for the transient lodging tax collector's returns. The initial return under this Ordinance may be for less than the three months preceding the due date; thereafter returns shall be made for the applicable quarterly period.
- (5) On or before the last day of the month following each quarter of collection, a return for the preceding quarter's tax collections shall be filed with the Tax Administrator. The return shall be filed in such form as the Tax Administrator may prescribe by every transient lodging tax collector liable for payment of tax. A return must be filed with the Tax Administrator even if no taxes have been collected.

- (6) Returns shall show the amount of tax collected or otherwise due for the related period. The Tax Administrator may require returns to show the total rentals upon which tax was collected or otherwise due, the number of rooms or spaces available during that period, gross receipts of the transient lodging tax collector for such period, and an explanation in detail of any discrepancy between such amounts and the amount of rents exempt, if any.
- (7) The person required to file the return shall deliver the return, together with the remittance of the amount of the tax due, to the Tax Administrator's office, either by personal delivery or by mail. If the return is mailed, the postmark shall be considered the date of delivery for determining delinquencies.
- (8) For good cause, the Tax Administrator may extend for not to exceed one month the time for making any return or payment of tax. No further extension shall be granted except by the Transient Lodging Tax Review Committee. Any transient lodging tax collector to whom an extension is granted shall pay interest at the rate of one percent (1%) per month on the amount of tax due. If a return is not filed, and the tax and interest due is not paid by the end of the extension granted, then the interest shall become a part of the tax for computation of penalties described elsewhere in this Ordinance.

Section 8.02.100 Records and Statements

Every transient lodging tax collector shall keep records, render statements and comply with rules adopted by the Board with respect to the tax imposed by Ordinance 19-01. The records and statements required by this section must be sufficient to show whether there is a tax liability imposed therein.

Section 8.02.110 Penalties and Interest

- (1) Penalty-Original Delinquency. Any transient lodging tax collector who has not been granted an extension of time for remittance of tax due and who fails to remit any tax imposed by this Ordinance prior to delinquency shall pay the greater of ten percent (10%) of the amount of the tax due or \$100 in addition to the amount of the tax.
- (2) Penalty-Continued Delinquency. Any transient lodging tax collector who has not been granted an extension of time for remittance of tax due, and who failed to pay a delinquent remittance on or before a period of thirty days following the date on which the remittance first became delinquent shall pay a second delinquency penalty of fifteen percent (15%) of the amount of the tax due plus the tax and the ten percent (10%) penalty first imposed.
- (3) Penalty-Fraud. If the Tax Administrator determines that the nonpayment of any remittance due under this Ordinance is due to fraud or intent to evade the provisions thereof, a penalty of twenty-five percent (25%) of the amount of the tax shall be added thereto in addition to the penalties stated in subsections (1) and (2) of this Section.

- (4) Interest. In addition to the penalties imposed, any transient lodging tax collector who fails to remit any tax imposed by this Ordinance shall pay interest at the rate of one percent (1%) per month or fraction thereof without prorations for portions of a month, on the amount of the tax due, exclusive of penalties, from the date on which the remittance first became delinquent until paid.
- (5) Penalties and Interest Merged With Tax. Every penalty imposed and such interest as accrues under the provisions of this Section shall be merged with and become a part of the tax herein required to be paid.
- (6) Petition for Waiver. Any transient lodging tax collector who fails to remit the tax herein levied within the time herein stated shall pay the penalties herein stated; provided however, the transient lodging tax collector may petition the Transient Lodging Tax Review Committee for waiver and refund of the penalty or any portion thereof and the Transient Lodging Tax Review Committee may, if a good and sufficient reason is shown, waive and direct a refund of the penalty or any portion thereof.

Section 8.02.120 Deficiency Determinations: Evasion; Transient Lodging Tax Collector Delay

- (1) Deficiency Determinations. If the Tax Administrator determines that the returns are incorrect, the amount required may be computed and determined upon the basis of the facts contained in the return or returns or upon the basis of any information in the possession of the Tax Administrator, or that may come into his possession. One or more deficiency determinations may be made of the amount due for one, or more than one, period, and the amount so determined shall be due and payable immediately upon service of notice as herein provided after which the amount determined is delinquent. Penalties on deficiencies shall be applied as set forth in Section 8.02.080.
 - (A) In making a determination, the Tax Administrator may offset overpayments, if any, which may have been previously made for a period or periods, against any underpayment for a subsequent period or periods, or against penalties and interest on the underpayments. The interest on underpayments shall be computed in the manner set forth in Section 8.02.080.
 - (B) The Tax Administrator shall give to the transient lodging tax collector or occupant a written notice of the determination. The notice may be served personally or by mail. If by mail, the notice shall be addressed to the transient lodging tax collector at the address as it appears on the records of the Tax Administrator. In case of service by mail of any notice required by this Ordinance, it shall be served by mailing such notice by certified mail, postage prepaid, return receipt requested.
 - (C) Except in the case of fraud or intent to evade this Ordinance or authorized rules or regulations, every deficiency determination shall be made and notice thereof mailed within three years after the last day of

the month following the close of the quarterly period for which the amount is proposed to be determined, or within three years after the return is filed, whichever period expires the later.

- (D) Any determination shall become due and payable immediately upon receipt of notice and shall become final within twenty days after the Tax Administrator has given notice thereof; provided, however, the transient lodging tax collector may petition for a redemption and refund if petition is filed before the determination becomes final as herein provided.
- (2) **Fraud; Refusal to Collect; Evasion.** If any transient lodging tax collector shall fail or refuse to collect the tax or to make, within the time provided in this Ordinance, any report or remittance of the tax or any portion thereof required by this Ordinance, or makes a fraudulent return or otherwise willfully attempts to evade this Ordinance, the Tax Administrator shall proceed in such manner deemed best to obtain the facts and information on which to base an estimate of the tax due. As soon as the Tax Administrator has determined the tax due that is imposed by this Ordinance from any transient lodging tax collector that has failed or refused to collect the same and to report and remit the tax, the Tax Administrator shall proceed to determine and assess against such transient lodging tax collector the tax, interest and penalties provided by this Ordinance. When determination is made, notice shall be given as provided in subsection (1) (B) of this section of the amount so assessed. Such determination and notice shall be made and mailed within three years of the discovery of any fraud, intent to evade, or failure or refusal to collect the tax or failure to file a return. Any determination shall become due and payable upon receipt of notice and shall become final within twenty days after the Tax Administrator has given notice thereof; provided, however, the transient lodging tax collector may petition for a redemption or refund if the petition is filed before the determination becomes final as herein provided.
- (3) **Delay.** If the Tax Administrator believes that the collection of any tax or any amount of any tax required to be collected and paid to the County will be jeopardized by delay, or if any determination will be jeopardized by delay, the Tax Administrator shall thereupon make a determination of the tax or amount of tax required to be collected, noting the fact upon the determination. The amount so determined as herein provided shall be immediately due and payable and the transient lodging tax collector may petition, after payment has been made, for a redemption and refund of such determination, if a petition is filed within twenty days from the date of service of notice by the Tax Administrator.

Section 8.02.130 Redeterminations

- (1) Any person against whom a determination is made under Section 8.02.090, or any person directly interested may petition for a redetermination and redemption and refund within the time required in Section 8.02.090. If a petition for redetermination and refund is not filed within the time required in Section 8.02.090, the determination becomes final at the expiration of the allowable time.



- (2) If a petition for redetermination and refund is filed within the allowable period, the Tax Administrator shall reconsider the determination, and, if the person has so requested in his/her petition, shall grant the person a public hearing and shall give him/her twenty days' notice of the time and place of hearing. The Tax Administrator may continue the hearing from time to time as may be necessary.
- (3) The Tax Administrator may decrease or increase the amount of the determination as a result of the hearing and if an increase is determined each increase shall be payable immediately after the hearing.
- (4) The order or decision of the Tax Administrator upon a petition for redetermination of a redemption and refund becomes final twenty days after service upon the petitioner of notice thereof, unless appeal of such order or decision is filed with the Transient Lodging Tax Review Committee within twenty days after the service of such notice.
- (5) No petition for redetermination of redemption and refund or appeal therefrom shall be effective for any purpose unless the transient lodging tax collector has first complied with the payment provisions of this Ordinance.

Section 8.02.140. Security for Collection of Tax

- (1) To ensure compliance with this Ordinance, the Tax Administrator may require transient lodging tax collector to deposit with the County security in a form and amount determined by the Tax Administrator. The amount of security shall not be greater than twice the transient lodging tax collector's estimated quarterly liability for the period for which he/she files returns, or five thousand dollars (\$5,000.00) whichever amount is lesser. The amount of security may be increased or decreased by the Tax Administrator subject to limitations herein provided.
- (2) At any time within three years after any tax, or any amount of tax required to be collected, becomes due and payable, or at any time within three years after a determination becomes final, the Tax Administrator may bring an action in the courts of this state, any other state, or of the United States in the name of the County to collect the amount delinquent plus penalties and interest, reasonable attorneys' fees determined by the court, and court costs.

Section 8.02.120 Lien

- (1) The tax imposed by this Ordinance together with the interest and penalties, reasonable attorneys' fees, filing fees, and advertising costs shall be and, until paid, remain a lien from the date of its recording with the county clerk, and superior to all subsequent recorded liens on all tangible personal property used in the transient lodging of a transient lodging tax collector within the county, and may be foreclosed on and sold as may be necessary to discharge said lien. Upon the recording of the lien with the county clerk, notice of the lien

shall be issued by the Tax Administrator whenever the transient lodging tax collector is in default in the payment of the tax, interest, and/or penalty. A copy of the notice shall be sent by certified mail to the transient lodging tax collector. The Tax Administrator may send notice of the lien to condominium owners affected by the lien. The personal property subject to a lien seized by any deputy or employee of the Tax Administrator may be sold at public auction after 10 days' notice by one publication in a newspaper of general circulation published in the county. Any lien for taxes shown on the records of the proper County official shall, upon payment of all taxes, penalties, and interest thereon, be released by the Tax Administrator when the full amount determined to be due has been paid to the County and the transient lodging tax collector or person making such payment shall have a receipt stating thereon that the full amount of taxes, penalties, and interest have been paid and that the lien is hereby released and the record of lien is satisfied.

- (2) The lien or liens created by this section attach to all tangible personal property referenced herein. The lien or liens created shall also attach to the proceeds of the sale of tangible personal property subject to the lien or liens if:
 - (A) Subsequent to the recording of the lien or liens, tangible personal property, or any part thereof, is sold or delivered to an agent, broker, cooperative agency, or other person to be sold or otherwise disposed of; and
 - (B) The purchaser, agent, broker, cooperative agency, or other person has actual or constructive notice of the filing of the lien or liens, and the proceeds that were received or will be received from the sale or other disposal of the tangible personal property have not been delivered to the owner of the tangible personal property.
- (3) When a lien created by this section attaches to the proceeds of a sale of tangible personal property under subsection (2)(A) and (B) of this section, a purchaser, agent, broker, cooperative agency, or other person shall not deliver the proceeds or that portion of the proceeds equal to the amount of the lien claim to the owner until:
 - (A) A time specified by Section 8.02.110(2) of this Ordinance during which a suit to foreclose the lien must be commenced elapses;
 - (B) A court orders delivery of the proceeds; or
 - (C) The Tax Administrator issues a receipt stating that the full amount of taxes, interest, penalties, and costs thereon have been paid and that the lien is released and the record of lien is satisfied.
- (4) Any person to whom a notice of lien has been given as provided by this section, who dismantles, removes from the county, misdelivers, or conceals tangible personal property or the proceeds of the sale of tangible personal property upon which there is a valid lien without the written consent of the lien claimant shall be liable to the lien claimant for damages proximately resulting therefrom which sum may be recovered according to the provisions of Section 8.02.110 (2) of this Ordinance.

Section 8.02.150 Refunds



- (1) Refunds by County to the Transient Lodging Tax Collector. Whenever the amount of any tax, penalty or interest has been paid more than once or has been erroneously or illegally collected or received by the Tax Administrator under this Ordinance, it may be refunded, provided a verified claim in writing, stating the specific reason upon which the claim is founded, is filed with the Tax Administrator within three years from the date of payment. The claim shall be made on forms provided by the Tax Administrator. If the claim is approved by the Tax Administrator, the excess amount collected or paid may be refunded or may be credited on any amount then due and payable from the transient lodging tax collector from whom it was collected or by whom paid and the balance may be refunded to such transient lodging tax collector, his/her administrators, executors, or assigns.
- (2) Refunds by County to Transient. Whenever the tax required by this Ordinance has been collected by a transient lodging tax collector, and deposited by the transient lodging tax collector with the Tax Administrator, and it is later determined that the tax was erroneously paid or illegally collected or received by the Tax Administrator, it may be refunded by the Tax Administrator to the transient, provided a verified claim in writing, stating the specific reason on which the claim is founded, is filed with the Tax Administrator within three years from the date of payment.
- (3) Refunds by Transient Lodging Tax Collector to Tenant. Whenever the tax required by this Ordinance has been collected by the transient lodging tax collector and it is later determined that the tenant occupies the transient lodging for a period exceeding twenty-nine days without interruption, the transient lodging tax collector shall refund to such tenant the tax previously collected by the transient lodging tax collector from the tenant as a transient. The transient lodging tax collector shall account for such collection and refund to the Tax Administrator. If the transient lodging tax collector has remitted the tax prior to the refund or credit to the tenant, he/she shall be entitled to a corresponding refund under this section.

Section 8.02.160 Administration

- (1) Records Required From Transient Lodging Tax Collector. Every transient lodging tax collector shall keep guest records of transient lodging sales and accounting books and records of transient lodging sales. All records shall be retained by the transient lodging tax collector for a period of three years and six months after they come into being.
- (2) Examination of Records; Investigations. The Tax Administrator, or any person authorized in writing by the Tax Administrator, may examine during business hours the books, papers, and accounting records relating to transient lodging sales of any transient lodging tax collector, after notification to the transient lodging tax collector liable for the tax, and may investigate the business of the transient lodging tax collector in order to verify the accuracy of any return made, or if no return is made by the transient lodging tax collector, to ascertain and determine the amount required to be paid.

- (3) Confidential Character of Information Obtained; Disclosure Unlawful. It shall be unlawful for the Tax Administrator or any person having an administrative or clerical duty under the provisions of this Ordinance to make known in any manner whatever the business affairs, operations, or information obtained by an investigation of records and equipment of any person required to obtain a Transient Occupancy Registration Certificate, or pay a transient lodging tax, or any other person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth in any statement, or to permit any statement or application, or copy thereof, or any book containing an abstract or particulars thereof to be seen or examined by any person; provided, that nothing in this subsection shall be construed to prevent:
- (A) The disclosure or examination of records and equipment by another County official, employee, or agent for collection of taxes for the sole purpose of administering or enforcing any provisions of this Ordinance, or collection of taxes;
 - (B) The disclosure, after the filing of a written request to that effect, to the taxpayer himself/herself, receivers, trustees, executors, administrators, assigns and guarantors, if directly interested, of information as to any paid tax, any unpaid tax, or amount of tax required to be collected, or interest and penalties; further provided, however, that the County attorney approves each such disclosure and that the Tax Administrator may refuse to make any disclosure referred to under this paragraph when in his opinion the public interest would suffer thereby;
 - (C) The disclosure of the names and addresses of any persons to whom Transient Occupancy Registration Certificates have been issued;
 - (D) The disclosure of general statistics regarding taxes collected or business done in the county.
 - (E) Disclosure consistent with ORS 192.502(18).

Section 8.02.170 Allocation of Funds

The allocation, use and disbursement of TLT funds shall be consistent with ORS 320.300 to 320.350, Curry County Ordinance No. 19-01, Curry County Ordinance No. 19-02 and any amendments thereto.

(1) For Tourism Promotion and Tourism Related Facilities

The portion of monies contained in the Transient Lodging Tax Fund that are dedicated by Curry County Ordinance No. 19-01 for tourism promotion and tourism-related facilities (hereinafter "TLT Funds"), shall be distributed and administered in accordance with this Section:

- (A) First, subject to BOC approval, half shall be allocated to the County Fair Fund, Event Center Account;
- (B) The remainder shall be administered by a Tourism Promotions Committee, appointed by the Board.

- (B) The County Tourism Promotions Committee shall:
- (i) Consist of two members appointed from south Curry County, two members from central Curry County, two members from north Curry County, as defined by the district boundaries of the three Curry County School Districts, and one member at large. Members shall be composed of individuals who represents a tourism-based business or a promotions based business, the at-large member shall be a community representative. The Committee shall not be comprised of more than three individuals from a similar business industry.
 - (ii) Annually conduct a county-wide needs assessment of tourism-related facilities within unincorporated areas.
 - (iii) Develop and amend as necessary county-wide/regional strategies for tourism promotion.
 - (iv) In the first year the Committee will prepare and present to the Board for its approval, a written report with findings on its needs assessment for Tourism Related Facilities; county-wide/regional strategies for tourism promotion; and its proposed budget for administration and overhead for the Committee.
 - (v) In subsequent years the Committee will prepare and present to the Board for approval, an annual report that contains, in addition to the matters described in subsection (2)(D) of this section, the details concerning the allocations, amounts and uses of TLT funds during the prior year, an accounting of the Committee's expenditures of TLT funds for administration and overhead and the unexpended balance of TLT funds in the possession of the Committee.
 - (vi) The Committee shall work in partnership with other government entities and organizations who participate in tourism promotion to solicit input, expertise, and resources.
- (C) The purpose of the committee described in subsection (2)(A) of this section is to advise the County on: the policies for the uses of TLT funds; the strategies for tourism promotions and the needs assessment for tourism-related facilities.
- (D) Following receipt of a written report described in subsection (2)(D) or (2)(E) of this section, the Board will conduct a public presentation concerning the report, the proposed percentage allocations for TLT funds, the proposed strategies for tourism promotion and the Committee's performance.
- (E) The Board will annually retain the TLT funds for Tourism Promotion and Tourism Related Facilities until it has approved the performance of the Committee and the Committee's written report for that year, or the created written report for that year. Once such approval has been given, the retained TLT funds will be released to the Committee with the balance due for that year to be released by the County Treasurer before the end of each calendar quarter for the amounts collected in the prior calendar quarter.

(1) In allocating TLT funds for Tourism Promotion, the Committee shall give preference to collaborative proposals that are consistent with the approved strategies and involve broad participation within the hospitality and tourism industry or other promotional proposals that embrace county wide themes.

(F) The Board may provide for limits on the amount of TLT Funds that the Committee may retain for the overhead, administration and amounts of unallocated TLT funds without coming back to the Board for approval to exceed those limits.

(G) Other than in subsection (1)(A) above, the Board shall not require specific allocations or create earmarks of tourism related TLT revenues; however, the purpose of creating the Tourism Promotions Committee is to have representation from all areas of the County with the goal that TLT tourism-related revenues be distributed fairly among the County's regions.

(2) For General County Services

(A) Not to exceed 5% of non-tourism TLT revenues may be spent on administration;

(b) Balance of non-tourism TLT revenues to fund Curry County Sheriff Patrol Deputies.

Section 8.02.180 Transient Lodging Tax Review Committee

The Board is authorized to create a Transient Lodging Tax Review Committee composed of an attorney, who may be county legal counsel; an accountant; a transient lodging tax collector; and two lay members. The Committee shall select from its members a chairman who shall serve at its pleasure. Three members of the Committee shall constitute a quorum. The Committee shall keep a record of its transactions. The Committee shall be deemed to be in the office of the Tax Administrator and shall keep its files in that office. The members of the Committee shall not, at any time, receive any compensation as such members or acting members for their services on the Committee. The Committee shall be appointed by the Board and shall serve 4-year terms, except that, the accountant, the attorney, and the transient lodging tax collector appointed to the first Committee shall serve three-year terms only.

Section 8.02.190 Duties and Powers of Transient Lodging Tax Review Committee

The Committee shall have power and its duty shall be:

- (1) To hear and determine appeals of orders or decisions of the Tax Administrator made upon petitions for redetermination of tax. The Committee may affirm, modify or reverse such orders or decisions, or dismiss the appeals, as may be just, and shall prescribe such forms, rules and regulations relating to appeals as may be deemed necessary. In review of the Tax Administrator decision or order, the Committee may take such evidence and make such investigation as is deemed necessary. It shall give

notice of its determinations in the manner set forth in Section 8.02.090(1)(B) and shall file a copy of such determination with the Tax Administrator with certification thereon of the date of service thereof. Such determination shall become final twenty days thereafter and shall thereupon become due and payable, subject to interest and penalties and enforceable by the Tax Administrator in a like manner as an order or decision of the Tax Administrator.

- (2) To approve, modify or disapprove all forms and policies, prescribed by the Tax Administrator in the administration and enforcement of this Ordinance.
- (3) To hear and determine in such manner as shall be just, any protest which may be made by any person who may be interested, to any form or policy approved or prescribed by the Committee.
- (4) To grant for good cause, applications for extensions of time in excess of one month, for making any return or payment of tax, and to prescribe rules therefor.
- (5) To make such investigations as are deemed advisable regarding the imposition and administration of the transient lodging tax and report the findings to the Board; to act in an advisory capacity to the Board on matters pertaining to the transient lodging tax and enforcement problems and to recommend to the Board the adoption, amendment, or repeal of regulations pertaining thereto.

Section 8.02.200 Appeal to Transient Lodging Tax Review Committee

Any person aggrieved by any decision of the Tax Administrator may appeal to the Transient Lodging Tax Review Committee by filing notice of appeal with the Tax Administrator within twenty days of the serving or mailing of the tax notice or a decision given by the Tax Administrator. The Tax Administrator shall fix a time and place for hearing such appeal and shall give the appellant not less than twenty days written notice of the time and place of hearing.

Section 8.02.210 Appeal to Board of Commissioners

Any person aggrieved by any decision of the Transient Lodging Tax Review Committee may appeal to the Board by filing notice of appeal with the Tax Administrator within twenty days of the serving or mailing of the notice of the decision given by the Transient Lodging Tax Review Committee. The Tax Administrator shall transmit said notice of appeal together with the file of said appealed matter to the Board, who shall fix a time and place for hearing such appeal from the decision of the Transient Lodging Tax Review Committee. The Board shall give the appellant not less than twenty days written notice of the time and place of hearing of said appealed matter. Action by the Board on appeals shall be decided by a majority of the members present at the meeting where such appeal is considered.

Section 8.02.220 Violations

It is unlawful for any transient lodging tax collector or other person so required, to fail or refuse to register, furnish any required return, furnish a supplemental return, or other data required by the Tax Administrator, or to render a false or fraudulent return. No person required to make, render, sign, or verify any report shall make any false or fraudulent report, with intent to defeat or evade the determination of any amount due under this Ordinance.

Section 8.02.230. Penalties

Violation of any of the provisions of this Ordinance shall be a Class A violation, with a maximum penalty of \$2,000 in fines. Penalties may be enforced in accordance with Article Ten of the Curry County Code.

Section 8.02.240 Effective Date

This ordinance shall become effective at 12:01 a.m. on the 1st day of September, 2019, if Ordinance No. 19-01 is approved by voters at the May 2019 election.

ACTION ITEM – F

DATE: September 17, 2019
RE: Dredging Spoil Disposal Plan
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- The Port is currently working with FEMA to repair storm related damages from the Feb 23-26, 2019 declared disaster. Port claimed damages to Basin 2 slopes, Fuel Dock ramp and sediment deposits in basins from Chetco River and culverts.
 - EMC Engineer/Scientist completed the bathymetric survey of the basins in July and found the Port received up to 10 times the average amount of sediment from the last survey conducted in 2017 after the Chetco Bar fire. Survey report and drawings are attached for review. Estimated amount is 40,000 cubic yards (majority from 2019 winter). EMC is estimating 100,000 cubic yards should be dredge for normal harbor functions. If the Port wanted to dredge all the material to original depths, the estimated amount is 200,000 cubic yards.
 - For cost comparison, the Port spent \$17 per cubic yard to dredge material and another \$25 per cubic yard to haul off, during the 2016 dredging of the ice house area. Total cost handling the material was \$42 per cubic yard. These costs do not include mobilization / demobilization, permitting, engineering or Port administration.
 - If any sediment material comes up contaminated, the costs will dramatically increase. Port does not have any estimated costs should this occur.
 - Utilizing existing Port areas to fill-in low areas or build-up could be a cost-effective way to reduce the overall project cost and matching amounts.
 - Each existing Port area identified below will have its own issues to overcome and benefits:
 1. Ice House / Barge Area / Floating Fuel Dock
 2. Gear Storage
 3. Kite Field
 4. Dry Camping
- (1) Ice House / Barge Area / Floating Fuel Dock
- a. This area could hold approximately 50,000 cubic yards.
 - b. To use this area would require additional permitting and fish habitat offsetting (habitat removed may require creating 3 times the removal area). Installing vertical shoring for Basin 2 slopes would help offset the fish habitat requirement.
 - c. Existing drainage system upgraded and re-engineered to drain.
 - d. Relocation of the ice house itself or conveyor delivery system.
 - e. Once the area is filled in, shoring should be installed to lock in the land for new use.

- f. More land would be available for Port use or leased areas.
- (2) Gear Storage
- a. Fill the gear storage to match existing ground around the Green Building and slope ground for new roads and drainage system.
 - b. Moving existing gear storage in stages for work to be completed.
- (3) Kite Field
- a. Fill-in low areas and then build the entire area higher for new asphalt parking, events, overflow parking, etc.
 - b. New area could support summer long events to bring in more tourist and more RV park occupancy. Curry County may help develop this area if approved.
 - c. Relocation of events using the Kite Field until construction is completed.
- (4) Dry Camping
- a. Fill-in low areas and build-up higher for new RV Park facilities.
 - b. Rerouting public and RV Park traffic until construction is completed.
 - c. FEMA flood zone requires the elevation to be 21-feet or higher. The current area drops down from 21-feet at Boat Basin Road to Elevation 18 at the jetty.
- The impact from the 2017 Chetco Bar fire sediment could be far reaching into the future for this Port. Typical basin maintenance dredging should occur every 3 to 5 years. Because of the Chetco Bar fire, the basin maintenance dredging could be every 1 to 2 years. Federal and State government need to be informed of this situation.

DOCUMENTS

- EMC Engineers/Scientists Report dated July 10, 2019, 3 pages
- Area No. 1 Map of Ice House / Barge Area / Fuel Dock, 1 page
- Area No. 2 Map of Gear Storage, 1 page
- Area No. 3 Map of Kite Field, 1 page
- Area No. 4 Map of Dry Camping, 1 page

COMMISSIONERS ACTION

- **Staff Recommended Motion:**
Motion to proceed disposing dredging material on Port property following all Federal, State and County regulations within the best engineering practices allowed in the areas defined in this meeting. Provide updates to the Board on permitting, engineering and approvals in each designated area.



Grants Pass * Jacksonville * Medford, OR
GP Office: 1867 Williams Hwy., Suite 216, Grants Pass, OR, 97527
Jville Office: 450 Conestoga Dr., Jacksonville, OR, 97530
Ph: 541-474-9434 * Cell: 541-261-9929 * Fax 541-727-5488
emc@emcengineersscientists.com; <http://www.emcengineersscientists.com>
- Engineers/Scientists, LLC

7/10/19

Gary Dehlinger
Manager, Port of Brookings Harbor

7/10/19

Travis
Port of Brookings Harbor Harbormaster

MEMO 7102019-1; 2019 Bathymetric Survey Results

Attached are the key plans and volume calculations that indicate the volumes of sediments that have migrated into the Port of Brookings Harbor basins since shortly after the last major dredging event, which occurred in 2012, and that exists within the Port basins in 2019.

The bathymetric survey used to map out and compare 2013 volume levels with those in 2017 show a total volume increase of 16,683 yd.³. However, the most recently completed bathymetric survey has been mapped out, and its calculated volumes, utilizing the 2017 sediment elevations as its baseline, show a total sediment accumulation of 49,760 yd.³. If a standard averaging were to be used, the shoaling rate for the period between 2017 and 2019 can be estimated at approximately 24,880 yd.³ per year. This shoaling rate, when compared with the normally expected rate of about 4500 yd.³ per year, is dramatic, but not unexpected, based on observations that have been made in 2019.

As observed and previously estimated by EMC, it is believed that nearly all of 40,000 yd.³ has accumulated within the Port basins due to storms and erosion from nearby wild fire residues on stream watersheds to the Port. Nevertheless, even a conservative and weighted value of 24,880 yd.³ is about six times that which should be expected and have previously been observed to have shoaled into the Port basins.

Sincerely

Jack (John) Akin, MS, PE, IC, HMS, CAI
EMC-Engineers/Scientists, LLC



**PORT OF BROOKINGS
POST-DREDGING VOLUMES**

PRE-DREDGE SURVEY DATA SHOWN SUPPLIED BY
OREGON MARINE BOARD BASIN SURVEY
DATED: SEPTEMBER 15, 2017

AREA 1 - BASIN 1

POST-DREDGE CONTOURS
TYPICAL

AREA 2 - ICE HOUSE

AREA 3
BASIN 2

**POST DREDGING
ADDITIONAL VOLUMES**

| | |
|--------------|------------------------|
| AREA 1 | 9,897 CU. YDS. |
| AREA 2 | 704 CU. YDS. |
| AREA 3 | 6,382 CU. YDS. |
| TOTAL | 16,983 CU. YDS. |

NOTE: VOLUMES COMPARED
TO FEBRUARY, 2013 SURVEY



KEY PLAN

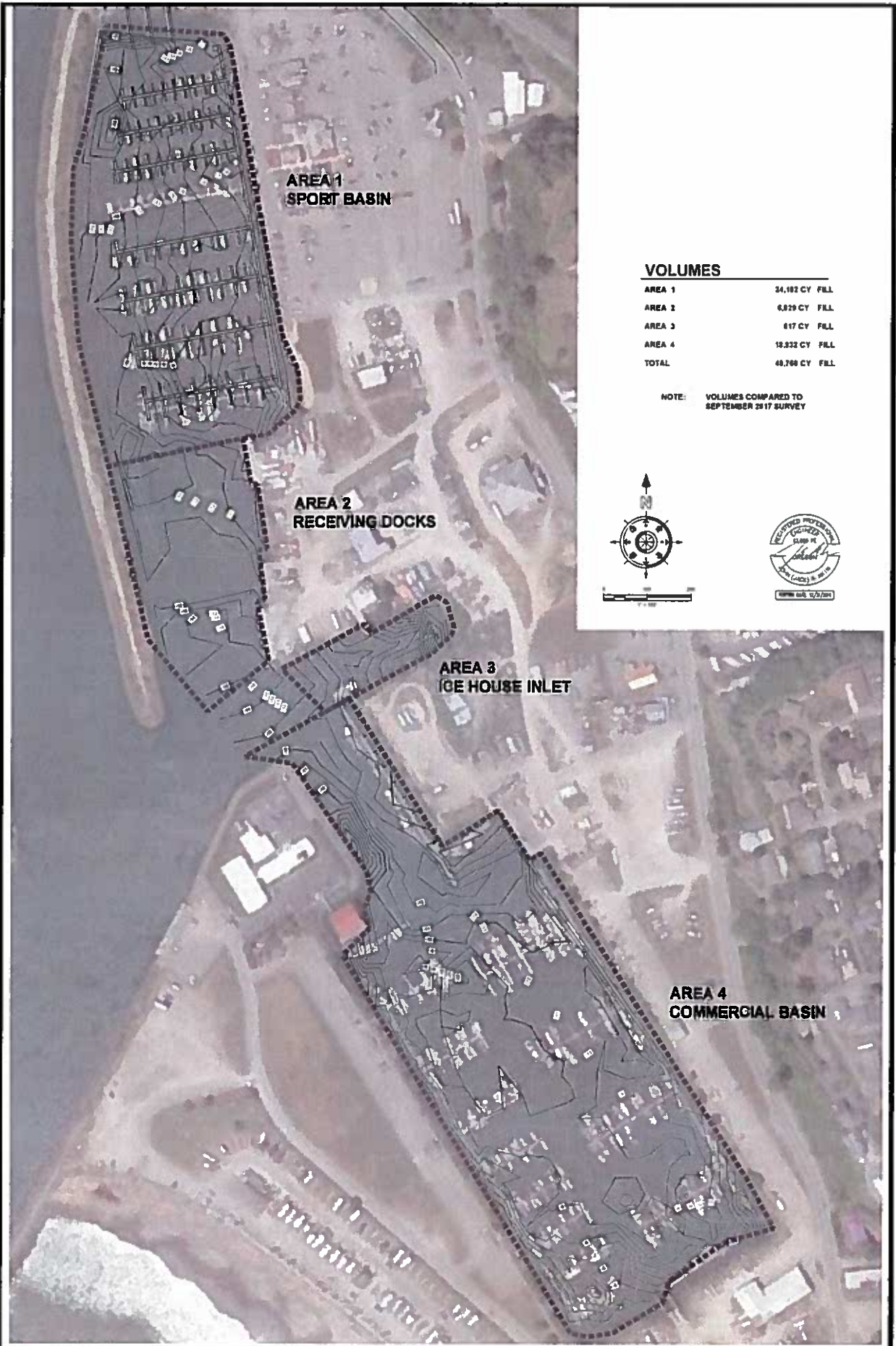
BROOKINGS HARBOR 1" = 400' +/-

0 200 400 800



09-15-17

SHEET 1 OF 1



**AREA 1
SPORT BASIN**

**AREA 2
RECEIVING DOCKS**

**AREA 3
ICE HOUSE INLET**

**AREA 4
COMMERCIAL BASIN**

VOLUMES

| | |
|--------------|-----------------------|
| AREA 1 | 34,192 CY FILL |
| AREA 2 | 6,829 CY FILL |
| AREA 3 | 617 CY FILL |
| AREA 4 | 19,332 CY FILL |
| TOTAL | 49,798 CY FILL |

NOTE: VOLUMES COMPARED TO SEPTEMBER 28 17 SURVEY



99

**Port of Brookings Harbor
Dredge Spoil Location – Ice House/Barge Area**



Approximately 38,552 cubic yards to fill in the area. Another 10 to 15 thousand cubic yards could be piled (stored) for grading other areas. Existing drainage lines entering this area would be rerouted per engineered design.

Port of Brookings Harbor Dredge Spoil Location – Gear Storage



Approximately 13,642 cubic yards (2' fill) to level out areas between existing green building grading and other areas prior to paving.

Port of Brookings Harbor
Dredge Spoil Location – Kite Field



Approximately 10,222 cubic yards (4' fill) could be placed on the Kite Field. If approved, this area could be paved for additional parking, events or overflow RV camping.

**Port of Brookings Harbor
Dredge Spoil Location – Dry Camping Area**



Approximately 10,308 cubic yards (3' fill) could be placed on the dry camping area. If approved, this area would be incorporated into the RV Park redesign for the new entrance, public parking, park office, mini-mart, rooms, restroom, laundry etc....

ACTION ITEM – G

DATE: September 17, 2019
RE: Culvert / Harbor Sediment Removal
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- County staff plans to propose a partnership to clean the storm drains on County right-of-way (ROW) and on Port property. The proposal would require both County and Port Board approvals.
- Port staff believes the sediment did not come from Port property; therefore, Port should not be responsible for the cleanup or removal costs in the culverts or in the harbor.
- Port staff is recommending a Board to Board meeting with County and Port staff present to discuss this issue and to come to an agreement.

DOCUMENTS

- None

COMMISSIONERS ACTION

- **Recommended Motion:**
Motion to schedule a meeting with County Commissioners to discuss culvert and harbor sediment removal.

ACTION ITEM – H

DATE: September 17, 2019
RE: 2019 OPPA Annual Conference
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- Oregon Public Ports Association (OPPA) 2019 Annual Conference is being held at Boardman, Oregon this year. The date is October 3 and 4.
- Requesting Board approval for Travis Webster, Harbormaster and my travel and stay overnight on October 3, 2019 to attend the conference. We will be carpooling using the Port vehicle.

DOCUMENTS

- 2019 OPPA Annual Conference, 3 pages

COMMISSIONERS ACTION

- **Staff Recommended Motion:**
Motion to approve travel and overnight stay for the 2019 OPPA Annual Conference in Boardman, Oregon.

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[ANNUAL CONFERENCE \(/OPPA-ANNUAL-CONFERENCE\)](#)

[CALENDAR \(/CALENDAR\)](#)

OPPA Annual Conference



Save the Date for the 2019 OPPA Annual Conference!

The 2019 OPPA Annual Conference will be held October 3-4 in Boardman, Oregon. Port of Morrow will be our host for this event.

Please check back for more information!

Hotel Information

We have a room block available on the night of October 3rd at River Lodge & Grill. Room rates start at \$94/night + tax. To book, call 541-481-6800 and mention the Oregon Public Ports Association room block.

Tentative Schedule

October 3

6-9pm: Dinner at River Lodge and Grill in the Washington Room

October 4

8am-4pm: Conference, Port of Morrow

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727 CENTER ST NE, SALEM OR 97301
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ACTION ITEM – I

DATE: September 17, 2019
RE: Pithitude Sign Proposal
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- New tenant Pithitude is requesting to install signage for the business on existing tenant signposts, Port welcoming signs and on the retail building for suits 102 and 103.
- Signage material will be thick laminated aluminum.

DOCUMENTS

- Proposed Pithitude Signs, 5 pages
- Resolution No. 275 Exterior Sign Code, 9 pages

COMMISSIONERS ACTION

- **Staff Recommended Motion:**
Motion to approve proposed signs and locations for the tenant Pithitude.



TIDEWIND CHARTERS



The Bell & Whistle
COFFEE HOUSE

SLUGS 'N STONES
ICE CREAM



Pithitude
Gift Shop

Kelly's Corner
MARKET

WHALE'S TAIL
CANDY & GIFTS

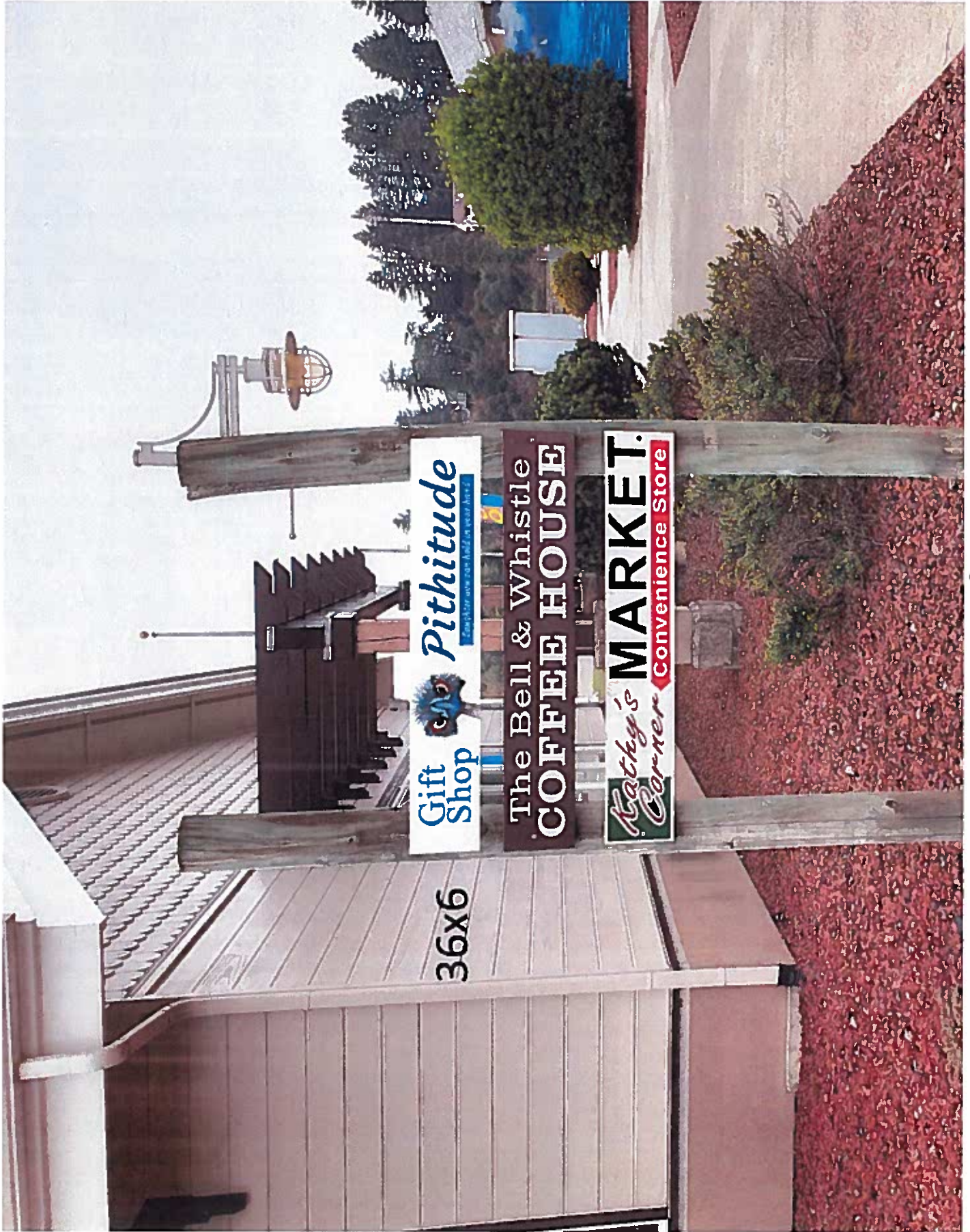
BOARDWALK MAIL

FedEx



42x9
placements

- 16360
- 16358
- 16356
- 16354
- 16350
- 16340
- 16330



Gift Shop **Pithitude**
Shop Now www.pithitude.com

The Bell & Whistle
COFFEE HOUSE

Kathy's **Corner MARKET.**
Convenience Store

36x6









60x16

 **Pithitude**
Gift Shop

RESOLUTION NO. 275

A Resolution of the Port of Brookings Harbor
the Exterior Sign Code

WHEREAS, the Port of Brookings Harbor Board of Commissioners has determined that a uniform exterior sign code is necessary to promote the safety, welfare, and aesthetic well-being of property owned by and rented by the Port of Brookings Harbor to various tenants,


NOW, THEREFORE, IT IS HEREBY RESOLVED:

That the Exterior Sign Code attached hereto and incorporated by reference herein, shall constitute the applicable law for the erection, maintenance, and removal of signs existing in connection with Port of Brookings Harbor real property.

ADOPTED by the Port of Brookings Harbor Board of Commissioners on the 19th day of March, 1996.



President



Secretary

PORT OF BROOKINGS/HARBOR EXTERIOR SIGN CODE

SECTIONS:

- 10 DEFINITIONS
- 20 PURPOSE
- 30 APPLICATION
- 40 THEME
- 50 CRITERIA
- 60 EXEMPT SIGNS
- 70 SIGNS EXPRESSLY PROHIBITED
- 80 NON CONFORMING SIGNS
- 90 TERMINATION OF SIGNS BY ABANDONMENT
- 100 VARIANCES
- 110 APPEALS

10 DEFINITIONS. The following definitions apply to material and subjects addressed specifically within.

ALTER - Any changes excluding content, and including but not limited to size, shape, method of illumination, position, location, materials, construction, or supporting of a sign.

ARC - Architectural Review Committee

BENCH SIGN - A sign placed on a bench and not attached to any building.

BUSINESS - A commercial or industrial enterprise.

CONTINUOUS STRING DEVICES - A series of flags, banners, pennants other devices designed to move in the wind, that are attached along a string, wire or cable.

EXTERIOR SIGNS - Signs that are attached to the exteriors of a building or to transparent surfaces such as glass doors or windows so as to be visible from outside the building, or any other sign visible from outside the building.

FACADE - The front of a building as determined by the customer entrance, from the ground or street level to the roof line or top of the marquee, whichever is higher.

FIXED BALLOON- Any lighter-than-air device attached by a rope or tether to a fixed place.

FREE STANDING SIGN - A sign erected on a frame or poles and not attached to any building.

GRAPHICS - Art work and/or lettering.

LETTER BOARD - See **READER BOARD**

MARQUEE - A non-movable roof-like structure which is self draining.

NON CONFORMING SIGN - All signs existing on the effective date of this code that do not conform with the provisions of this code.

PILING - A structure of pieces of timber or material having the appearance of timber, placed in the ground to carry a vertical load.

PORT - The Port of Brookings/Harbor and/or the Port commissioners, manager and designated representatives.

PREMISES - Leased property on which the business operates.

PUBLIC AREA - Any area designated for use by the port as a right-of-way, walkway, boardwalk, rest area, driveway, roadway, or other use that is intended to be clear of obstructions.

READER BOARD - A sign with changeable letters by either electronic or manual means.

SANDWICH BOARD - A one or two sided A frame type sign that is not fastened to the ground or any structure.

SIGN - Any notice or advertisement, pictorial or otherwise, including the supporting structure, used as an outdoor display for the purpose of advertising a business along with its goods and services.

SIGNAGE - Any sign or combination of signs used by a business.

SIGN, PUBLIC - A sign erected by a public officer or employee in the performance of a public duty which shall include, but not be limited to, motorist, informational signs and warning lights. Signs on public buildings and/or giving direction to public facilities.

WALL GRAPHICS - Included but not limited to any mosaic, mural or painting or graphic art technique or combination or grouping of mosaics, murals, or paintings or graphic art techniques, applied, implanted or placed directly onto a wall or fence.

WIND SIGN OR DEVICE - Any sign or device in the nature of banners, flags, balloons, or other object fastened in such a manner as to move upon being subject to pressure by wind or breeze.

20 PURPOSE. The purpose of the sign code is to integrate the advertising needs of the businesses located at the Port of Brookings Harbor with the overall safety and aesthetic needs of the Port. The intent of the code is to establish a degree of uniformity in signage while allowing for individual creativity, thus promoting a visual environment which will be aesthetically pleasing and inviting to the consumer, enhance the natural attractiveness of the area and generate more activity for all of the Port businesses. The object of a sign is to identify the business name and type of product or service offered for sale. This code is further intended to encourage signs that:

- A. Protect the Port from sign clutter;
- B. Protect the public's ability to identify users and premises without confusion.
- C. Eliminate unnecessary distractions which may jeopardize pedestrian or vehicular traffic safety;
- D. Are as small in size and few in number as is consistent with their purpose of communicating identification and essential information;
- E. Protect the right of the public to be directed, warned, advised and informed;
- F. Possess a satisfactory aesthetic effect and pleasing elements of design that relate to the form, proportion, material, surface treatment and location; and
- G. Assure the maintenance of signs.

30 APPLICATION. For signs on any real property in which the Port owns an interest, a sign application must be approved before any sign (except those specifically exempted), is erected, placed, painted, constructed, carved or otherwise given public exposure. Sign applications shall be filed with the Port on an appropriate form in a manner prescribed by the Port. A sign approval shall be issued only after a determination by the Port that the proposed sign is in compliance with all provisions of this section. Each business requesting a sign pursuant to this document shall submit an application to the Port which shall include:

- A. A scale drawing of the proposed sign including dimensions of both the sign and the building or structure to which it will be affixed.
- B. A description of the materials and colors to be used in the construction of the sign.
- C. A drawing of the placement of the proposed sign at the business location.

40 THEME. The overall environment at the Port naturally promotes a nautical theme. All exterior signage therefore should carry out this theme by relating to the area of the Port of Brookings Harbor and its activities including but not limited to themes about the ocean, fishing, boating, or other seaport village activities.

50 CRITERIA. All signs shall be of a professional quality and be maintained to a professional appearance. Exterior signs must comply with the following regulations:

- A. **Materials:** The materials permitted for signs are wood, metal, polymer material, stained glass and ceramics. Paper and/or neon signs are not allowed as permanent exterior signs.
- B. **Graphics:** These shall be clear, legible, follow the Port theme and be of a professional quality.
- C. **Colors:** Colors of exterior signage must receive approval from the Port. Colors not recommended are fluorescent, day-glo type colors.
- D. **Size:** The area of a sign is determined by the area of the circle or rectangle required to contain it.

1. Exterior Building Signs

- a. **Roof Mounted Signs.** No sign shall be placed on the top of the roof ridge of a building or on top of a facade or marquee. No part of any sign shall extend above the roof ridge or highest part of the roof. Roof signs must conform to criteria outlined in this code and shall be considered in the total signage allotment for a business.
- b. The size and total area of allowed front exterior signs shall be determined by the facade area of the building. Each building shall be allowed a total exterior signage area for the front equal to 10% of the facade area of the building. Exterior facade signage may not exceed a total of seventy (70) square feet regardless of the size of the facade.
- c. Each building may be allowed additional exterior signage area for the sides or rear of a building with Port approval. These additional signs shall not exceed 10% of the area of the side or rear of the building on which the sign is located. Exterior signage for the sides or rear of a building may not exceed a total of seventy (70) square feet regardless of the size of the sides or rear of the building.

d. The total exterior signage of any building, including the facade, roof, and any freestanding sign as may be approved, shall not exceed 140 square feet.

e. The total exterior signage area for a building shall not be affected by the number of businesses located in the building. The business owner or primary leaseholder, if the building is owned by the Port, is ultimately responsible for allocating this allowed area to the businesses located therein and for insuring compliance of signage limitations in the case of multiple businesses being located in a building.

f. All exterior building signs shall be flush-mounted parallel to or painted on the exterior wall of the building.

2. Free Standing Signs.

a. Businesses abutting Lower Harbor Drive and Boat Basin Road may be allowed one (1) free standing sign identifying the business. This sign, if approved, must be located on the premises. Such sign shall not exceed 12 feet in height and shall be limited to a total area of 40 square feet per business and shall be considered part of the businesses total facade signage area. If both sides of a double sign are of the exact same design then only one side will be included in the area of that sign. The sign shall be mounted on at least one (1) pilings with two (2) to three (3) more non-supporting poles per side to make the sign resemble a dock piling. The sign shall be placed in a planter or landscaped area designated by the Port. The sign shall not project over any property line or project into a public area.

b. Light from a free standing sign shall be directed away from a residential area and any abutting street.

3 Sandwich Board and A-frame Signs. A temporary sandwich board or A-frame sign may be allowed for a period up to 90 days per year pursuant to review and approval of the Port Manager provided the following conditions are met:

a. Only one (1) such sign per applicant business may be allowed and shall not exceed two (2) feet in width and four (4) feet in height.

b. Each sign must be professionally made and must be kept clean and in good repair. Each sign must be sufficiently weighted at the bottom to prevent being toppled by the wind.

c. Signs shall be displayed only at such times as the business they are intended to identify is open for business. Signs are limited to displaying the business name/logo, "open" and description of the business type. Such signs shall not be placed in a public right of way.

4. Decorative Banners. Decorative banners and flags, excluding local, state or national flags, may be displayed only if they are not torn, faded, or frayed.

5. Bench Signs. Bench signs in the Port shall be leased from the Port on benches and sign blanks provided by the Port at sites designated by the Port. Signs will not be permitted on boardwalk benches.

6. Monument Signs. For businesses not abutting Lower Harbor Drive, one (1) free standing monument sign may allowed for each cluster of up to four (4) businesses having a common parking area. Such sign shall not exceed 12 feet in height and shall be limited to a total area of 48 square feet, with no business having more than 12 square feet of sign area. The sign shall be mounted

between two (2) pilings with two (2) to three (3) more non-supporting poles per side to make the ends of the sign resemble a dock piling. The sign shall be placed in a planter or landscaped area designated by the Port. The sign shall not project over any property line or project into any public area. The site of such monument signs shall be chosen by the Port and such signs constructed by the Port to accommodate sign blanks of eight feet in length by 18 inches in height (8' x 18"). The Port will erect the structure for the signs and each business requesting to place a sign on the structure will be responsible to provide and maintain its sign. These signs shall not be included in calculating the total signage allotted each business.

7. Fixed Balloons. Upon application and approval by the Port, a business may display a fixed balloon for a period not to exceed 30 days per application.

60 EXEMPT SIGNS. The following signs and devices shall not be subject to the provisions of this code.

A. Memorial tablets, cornerstones, or similar plaques not exceeding six (6) square feet.

B. Temporary signs for events of a general port-wide civic benefit.

C. Temporary, non-illuminated real estate or construction signs provided that said signs are removed within 72 hours from sale, lease or rental of the property, or the completion of the construction project. The following standards shall apply to signs:

1. One (1) non-illuminated temporary sign 18 inches by 24 inches shall be permitted for the lease, rental, or sale of a property.

2. One (1) non-illuminated temporary sign 18 inches by 24 inches shall be permitted for the identification of the contractors working on the construction or remodeling of a building.

D. Temporary signs for new businesses, for a period not to exceed 30 days.

E. Paper signs that serve as a notice of a public meeting or event that shall be removed after such meeting is held.

F. Small informational signs related to the operation of a business, such as "open/closed" signs, credit card signs, rating or professional association signs, and signs of a similar nature, provided said signs do not exceed three (3) square feet in area per sign, and no more than four (4) in number for any individual business on any parcel of property, with no more than 9 square feet in total signage area for such signs per business.

G. Signs placed by state or federal governments for the purpose of identifying public works projects or publicly funded and/or sponsored projects, designed to fulfill the requirements of state or federal funding agencies.

H. Nameplates indicating the name, and/or address of the occupant of a moorage provided it does not exceed 72 square inches.

I. Interior signs not placed in the window or placed to be visible from outside of the building.

J. Wall Graphics or Murals that do not contain any reference to the business or its products, either expressly or by common association and is displayed purely for the enjoyment of the public can be granted an exemption from the requirements of this code if the art is approved by the Port after an

application has been submitted by the artist responsible before making the project. The Port encourages the use of tasteful art that promotes the theme of the Port of Brookings Harbor. In considering these applications, the ARC can rule on and set requirements on matters including but not limited to appropriateness of subject matter, location, scale, colors, quality and aesthetics.

K. Incidental signs displayed strictly for a direction, safety, or the convenience of the public, including but not limited to signs that identify restrooms, public telephones, parking area entrances and exits, rules pertaining to Port expectations are allowed, except that they will only be as large as necessary, uniform in design and graphic, and of a color in harmony with the surroundings and theme of the port; Individual signs in this category shall not exceed 3 square feet in area.

70 SIGNS EXPRESSLY PROHIBITED. The following signs and devices are expressly prohibited.

A. Sandwich board or "A" frame except as provided in Section 50 D.3. , banners, flags and pennants except as provided in Section 50 D.4., other portable signs of any nature, continuous string devices, and paper signs except as may be provided in section 60.

B. Billboards or off-premise advertising signs not erected by the Port, wind signs.

C. Signs which contain any flashing, blinking or moving letters, characters or other elements, rotating or otherwise movable signs.

D. Vehicle signs, except for standard advertising identification markings which are permanently or magnetically attached to or printed on a business or commercial vehicle.

E. Reader boards.

F. Political signs.

G. No signs, as provided in section 60 shall project into the public right-of-way to a distance of less than two (2) feet from the face of curb or in the case where no curb exists, no less than two (2) feet from the edge of the pavement, and no such projecting signs shall be installed to a height of less than seven (7) feet six (6) inches clearance from grade thereunder or top of the grade to the lowest point of said sign.

H. In no case shall any sign:

1. Be animated, audible, rotate or have intermittent or flashing illumination.
2. Be erected in a public easement or right-of-way.
3. Be erected so as to prevent free ingress to or egress from any door or window, or any other exit way required by the current edition of the Oregon State Structural Specialty Code and Fire and Life Safety Regulations, 1985 edition.
4. Be attached to any public utility pole, or structure, light pole, lamp, lamp post, tree, fire hydrant, bridge, curb, or sidewalk located on Port property.
5. Be attached to a stand pipe, gutter, drain, or fire escape, nor shall any sign be erected so as to impair access to the roof .

6. Be erected in any location where, by reason of its location will obstruct the view of any authorized traffic sign, signal, or other traffic control device. Nor may any sign, by reason of its shape, position or color, interfere with or be confused with any authorized traffic signal, sign or device. Further, no sign shall be erected in a location where it will obstruct vision of the public right-of-way to the vehicle operator during ingress to, egress from, or while traveling on, said public right-of-way.

7. Be painted on or attached to any fence, except as provided in section 60 I and L.

8. Operate or employ any stereopticon or motion picture projection or media in conjunction with any advertisements, or have visible moving parts or any portion of which moves or gives the illusion of motion except as otherwise provided in this code.

80 NON CONFORMING SIGNS. All signs existing on the effective date of this code and not conforming with the provisions of this section are deemed non conforming signs except as provided in Section 60.

A. No non conforming sign, except as provided in Section 80 B, shall be changed, expanded or altered in any manner which would increase the degree of its nonconformity, or be structurally altered to prolong its useful life, or be moved in whole or in part to any other location where it would remain non conforming.

B. All non conforming signs existing on the effective date of this code may remain in use for five (5) years under the following conditions:

1. Until the business for which it advertises has been abandoned in accordance with Section 100 below.

2. The sign remains in good operating condition.

3. The sign is not currently , or likely to become, a hazard to traffic, pedestrians or property.

C. Termination of Non conforming Signs.

1. Immediate termination. Non conforming signs which advertise a business no longer conducted or a product no longer sold on the premises where such sign is located shall be removed within 60 days after the effective date of this code, except as otherwise expressly permitted by this section. Termination of the nonconformity shall consist of removal of the sign or its alteration to eliminate fully all non conforming features.

2. Termination by damage or destruction. Any non conforming sign damaged or destroyed by any means, to the extent of one-third (1/3) of its replacement cost new shall be terminated and shall not be restored.

3. Any non conforming sign not terminated pursuant to any other provision of this code shall be removed within 5 years following adoption of this code.

90 TERMINATION OF SIGNS BY ABANDONMENT.

A. Any sign advertising or relating to a business on the premises on which it is located, which business is discontinued for a period of 90 consecutive days, regardless of any intent to resume or not to abandon

such use, shall be presumed to be abandoned and all such signage, whether conforming or non conforming to the provisions of this code shall be removed within said 90 days. If a conforming free standing sign the graphics only may be removed. Any period of such non continuance caused by government actions, strikes, materials shortages, or acts of God, and without any contributing fault by the business or user, shall not be considered in calculating the length of discontinuance for purposes of this subsection.

B. An extension of time for removal of signage of an abandoned business, not to exceed an additional 90 days, may be granted by the Port upon an appeal filed by the legal owner of the premises or the person in control of the business.

100 VARIANCES.

A. **GENERALLY.** When practical difficulties, unnecessary hardships or results inconsistent with the general intent and stated purpose of this ordinance occur by reason of the strict application of the standards set forth in these regulations, a sign variance may be requested by the legal owner of the premises or the person in control of the business.

B. **APPLICATION.** A request for a sign variance shall be made by submitting such request in writing to the Port, along with all supporting documentation pertinent to the situation, such as maps, photographs or sketches. The request for variance shall be set for review on the earliest available meeting date of the ARC. The hearing may be continued from time to time.

C. **REQUIRED FINDINGS.** The ARC must make the following findings in order to approve a sign variance:

1. The strict application of the standards contained in this sign ordinance deprive's the applicant's property of privileges enjoyed by other property owners in the same vicinity and under identical use classification due to special circumstances applicable to the property including size, shape, topography, location or surroundings; and
2. The variance does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity with the same use classifications as the subject property; and
3. The authorization of the variance shall not be materially detrimental to the purpose of this code, be injurious to property in the same zone or vicinity in which the property is located or be otherwise detrimental to the objectives of any Port development plan or policy; and
4. The variance request is the minimum variance from the provisions and standards of this code which will alleviate the hardship.

110 APPEALS.

A. Any person aggrieved by an action of the ARC, may make an appeal of that decision. Appeals of decisions made by the ARC shall be submitted in writing to the Port for review by the Port Commissioners. Decisions of the Port Commissioners are final.

ACTION ITEM – J

DATE: September 17, 2019
RE: Fuel Dock Reconstruction
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- In December, the Board agreed the fuel dock situation is in imminent danger of failure due to the slippage of the embankment. Emergency procurement procedures were approved if the Port could find a solution to reroute the fuel lines.
- Port staff with consultation of Port engineer Jack Akin could not find a reasonable solution to reroute the fuel lines.
- Fuel lines and ramp providing the bridge for the fuel lines are continuing to deteriorate.
- Port has installed breakaway valves and oil boom in case of catastrophic failure. Port also relocated the ramp/bridge to another connection point after the original connection began to fail. The second connection point is now failing. Port staff has installed a chain to help hold the ramp/bridge in place, but its only a temporary fix.
- FEMA disaster declared event on February 24, 2019 may provide funding to repair the failing connection point. With 404 and 406 mitigation, the Port could get funding to rebuild the fuel dock to withstand future disasters.
- Port staff has proposed a high dock fuel dispensing solution with a public hoist included. This proposal would require the high dock to be at the elevation of the aboveground fuel tanks. After further review with Port engineer, Port staff is proposing to install a high dock without a public hoist. The height and distance required to make the public hoist feasible would require a great deal of engineering and construction making the idea cost prohibitive. Lowering the high dock to an elevation that would match the existing Steel Wall elevation and to extend the high dock to the floating transient dock would be more practical.
- The revised high dock proposal would be more practical for the Port operation and funding. The cost estimate for the new high dock is \$6,800 per linear foot. Total linear footage of the proposed high dock is 100-feet. Port used the actual linear foot cost of the Steel Wall construction after the 2011 Tsunami repair.
- In regard to the public hoist, once the damage Pac Choice dock is repaired, the original public hoist would return.
- Other factors to consider:
 - 1) The Port must use 2017 State Lottery Funds – Business Oregon \$600,000 by an estimated date of October 31, 2021.
 - 2) Other grant opportunities to use the \$600,000 may not happen within the timeframe.

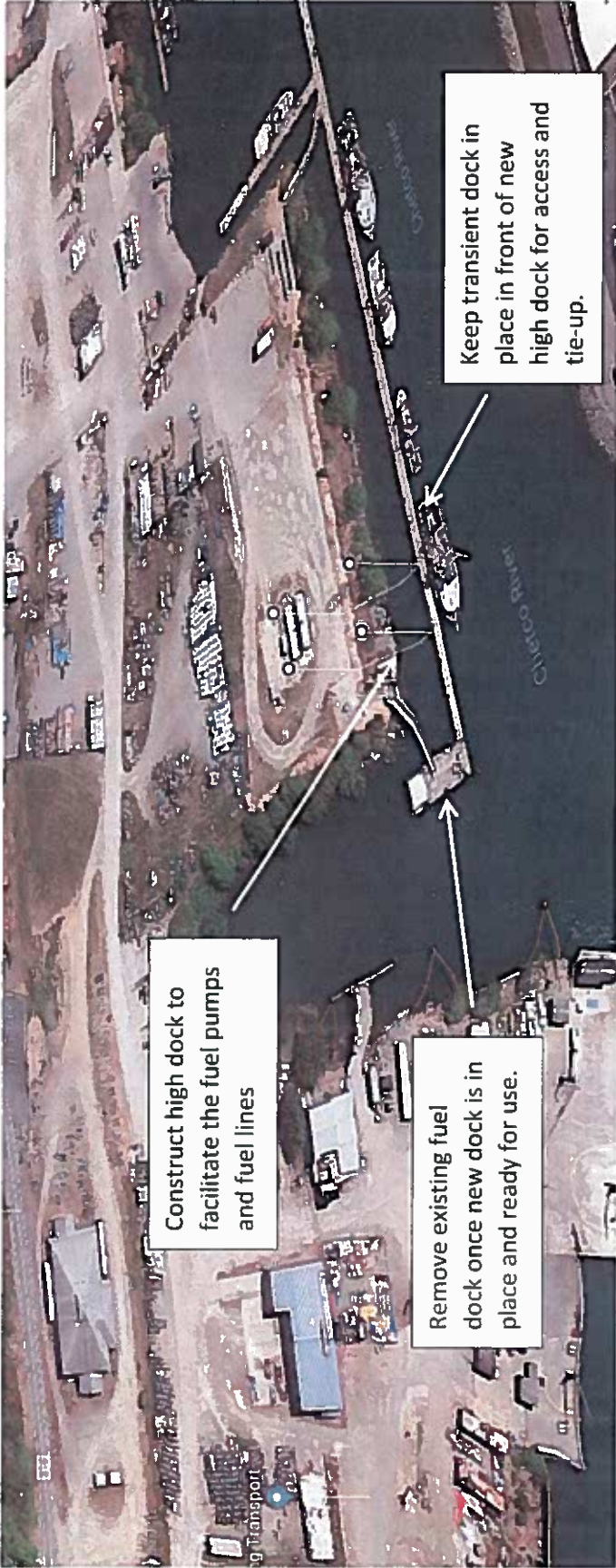
- 3) Will the fuel dock slope and ramp connections withstand another year or two?
Port staff says no.
- 4) FEMA Pre-Disaster Mitigation grant applications begin October 1 and awards in February 2020, but there are no guarantees of the Port receiving an award. I learned during a FEMA meeting recently, FEMA will require the Port to use any other State funds before FEMA funding becomes eligible.
- 5) Port staff feels that we are out of time trying to utilize the \$600,000 for other grant matching opportunities.
- 6) Port must enter into a contract with Business Oregon to use the State funds (State Lottery \$600,000) to a dedicated project.
- 7) Port staff recommends using the State Lottery fund \$600,000 towards the fuel dock reconstruction.

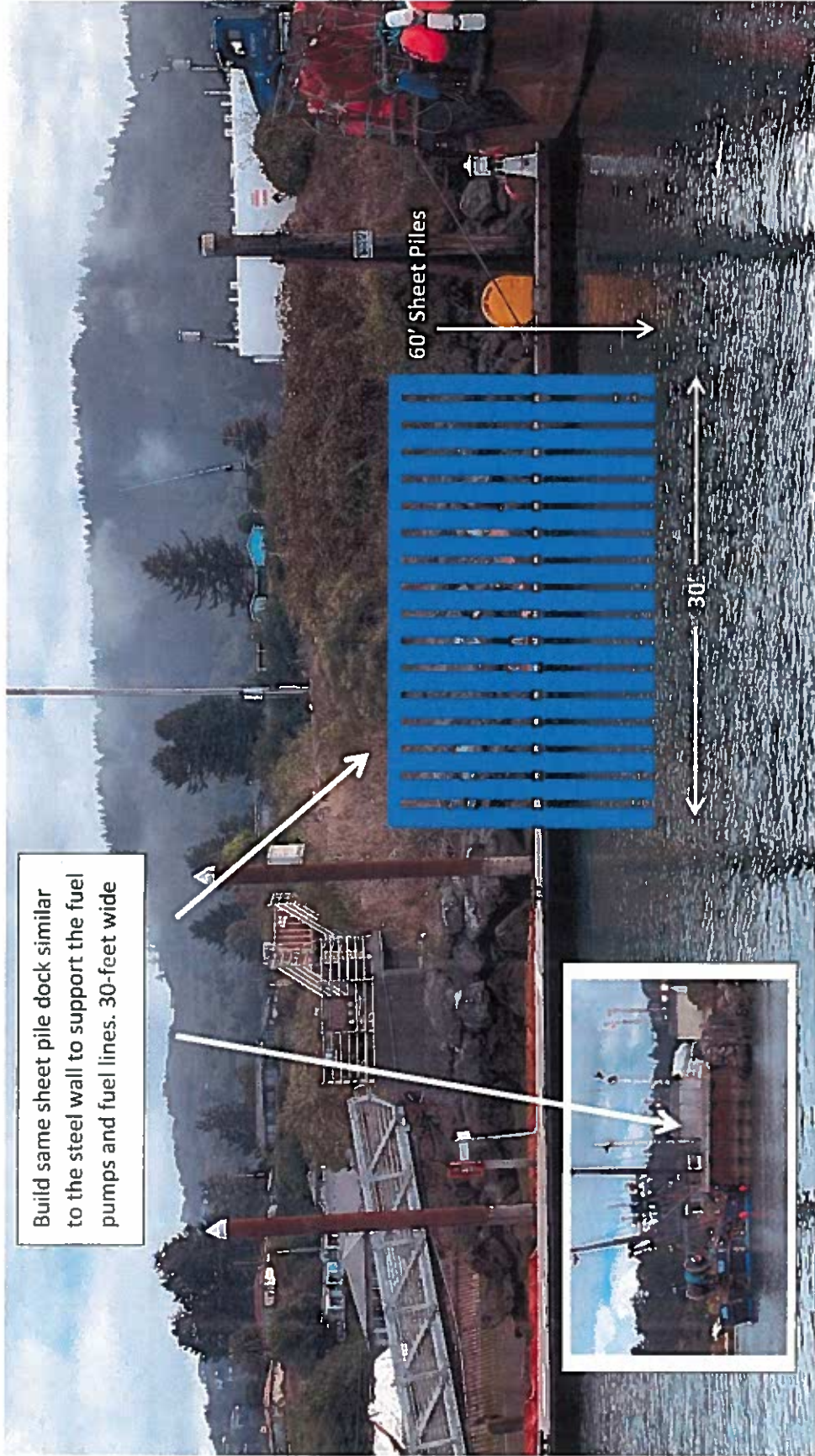
DOCUMENTS

- Proposed New High Fuel Dock Drawings, 3 pages

COMMISSIONERS ACTION

- **Staff Recommended Motion:**
Motion to approve the proposed new high dock for the fuel dispensing and begin contract negotiations with Business Oregon to dedicate the funds toward the new high fuel dock.

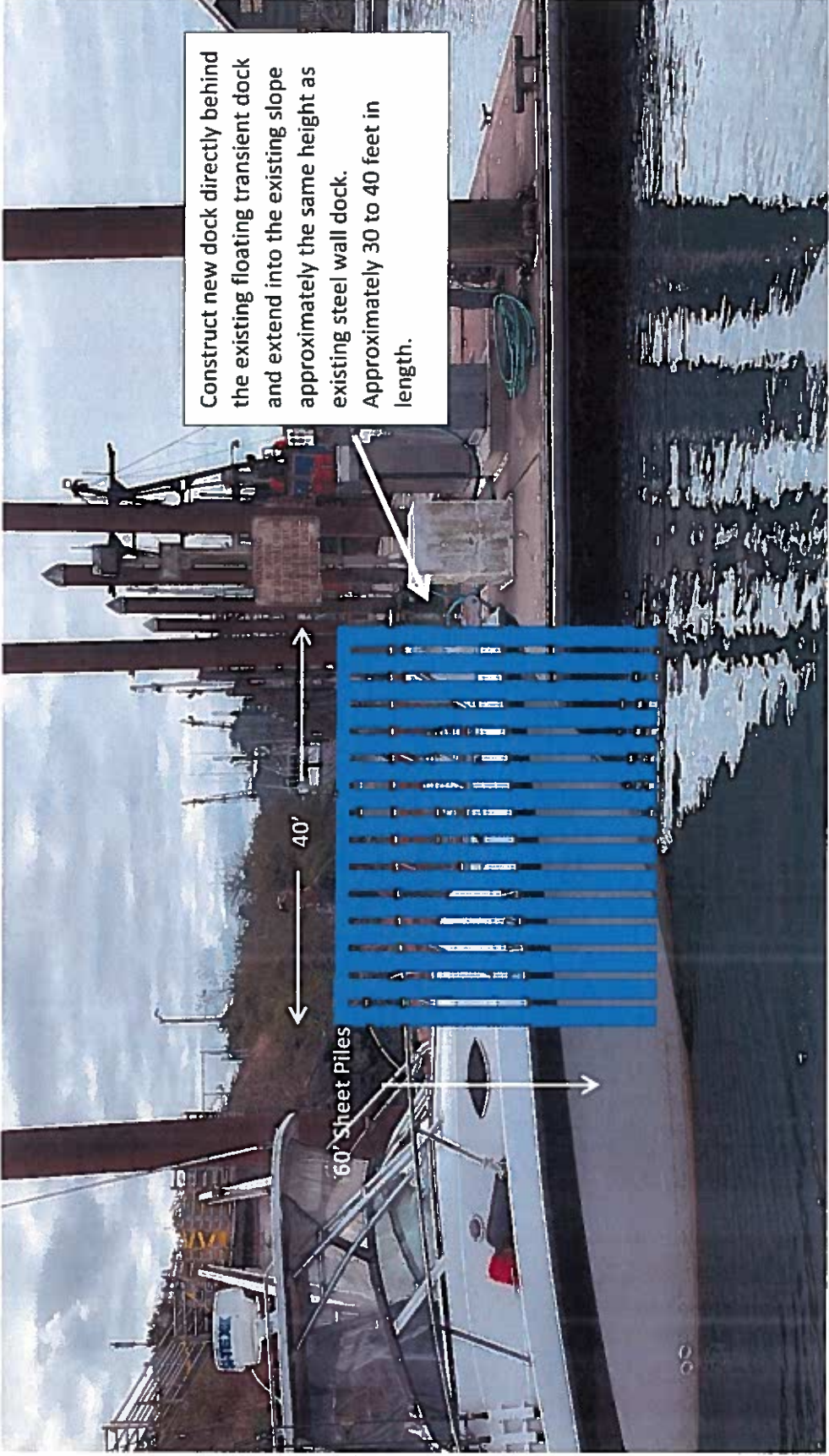




Build same sheet pile dock similar to the steel wall to support the fuel pumps and fuel lines. 30-foot wide

60' Sheet Piles

30'



Construct new dock directly behind the existing floating transient dock and extend into the existing slope approximately the same height as existing steel wall dock. Approximately 30 to 40 feet in length.

40'

60' Sheet Piles

INFROMATION ITEM – A

DATE: September 17, 2019
RE: Schedule Meeting to Review RV Park Remodel Ideas and Seawall Alternatives
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- Requesting a date and time that will work for all commissioners, Mike Crow Crow/Clay Associates and Jack Akin EMC to attend a special meeting to review RV Park remodel ideas and seawall alternatives.
- Recommended dates for the special meeting are October 22 or 24 at 10am.
- Crow/Clay will have documents form other completed projects and possible illustrations for the RV Park for this meeting.

DOCUMENTS

- EMC Recommended RV Park Protective Wall Alternatives, 15 pages
- Port Staff Recommended Location of H-Pile Log Seawall, 1 page



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8/18/19

MEMO-8182019-01

To: Gary Dehlinger
Manager, Port of Brookings Harbor
Travis Webster
Harbormaster, Port of Brookings Harbor

From: Jack Akin
EMC-Engineers/Scientists, LLC

RE: RV Protective Wall Alternatives

Introduction

On 11/10/2017, at about 9AM, an incident was reported, which occurred at the Beachfront RV Park, 16035 Boat Basin Road. The report stated "Some waves breached the top of the road in some areas along the RV Park. None of the debris made it across the road into the sites or the restroom. Unplugged catch basin inlet at dry camp". Such incidents have not been uncommon during past storm seasons, presenting a nuisance. However, during 2018 and 2019 winter storm surges damage has occurred, debris (rocks, logs, sand) has washed across the road, into the restroom, into some sites, and has been strewn on the access roads and parking areas. Photos to the right were taken on January 18th, 2018.





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Causes

The RV Park surfaces (parking, structures and sites) tend to grade to lower elevations northward. Hence the west-adjacent sidewalk and existing rock wall also grade to lower elevations northward. Though, due to incoming tidal fluctuations and winds during storm surges, there has been from time to time ocean waves overtopping at southward locations along the rock wall, the greatest and most frequent overtopping occurrences have occurred along the northward, lower sections of the wall.

Constraints

When considering construction and/or repair alternatives, Port Management has noted customer concerns regarding the obstruction of ocean and beach views, as well as access to the beach areas from the Park.

Summary of Alternatives Considered

The alternatives provided in this analysis include sheet pile, H pile/concrete lag, embankment rock, Echo Block, Ultra block and H pile/treated wood beam construction.

In this narrative prices given in TABLE A below, for uniformity, are per lineal foot on a 10-foot height basis. Total estimated costs for actual design specifications are presented in TABLE B.

Sheet piling comes in several configurations but PS28 can be estimated for comparison purposes as shown in TABLE A per lineal foot. Sheet pile (cantilevered, no tie-backs) is the most expensive alternative presented in this report.

The second most expensive is the H pile/concrete lag wall. These two alternative provide the advantage of a vertical construction (narrow footprint).

Ultra-block and eco-block constructions are also vertical, but can be shifted and might need repair as damaged by energetic storms. Perhaps the construction that is most compatible with the existing would be the rap-rap alternative. Installation of sheet piling would likely require the removal of the existing sidewalk east adjacent to the existing wall, in order to make room for the installation. Thus a new sidewalk would have to be constructed. The same would be the case for any Ultra or Eco-block constructions. Public protection against sharp edges from sheet pile construction would need to be provided. Some marked advantages to utilizing rock are apparent. The existing wall is a rock construction. A design flaw in the existing rock construction is the undersizing of many of the rocks, not matching the energy put forth by severe winter storms. However, if smaller store rocks were removed and used for gradation fitting, and larger stones placed, a new rock construction could be integrated with the existing. Finally, construction of timbers, supported by H pile, is an interesting approach. It is likely this construction approach would not require the removal of the sidewalk to make room for the construction along the east edge of the existing rock wall.



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TABLE A

| Wall Construction | Estimated Cost (\$)/foot, 10 ft. Height Basis | Comments |
|---------------------|---|--|
| Sheet Pile | 2600 | Armored by existing rock wall (cantilevered, no tie-backs). Soils are not cohesive. It is estimated that sheet pile would be driven to a depth more than double that of exposed length. Construction might be accomplished without the removal of the sidewalk. Continuous construction necessary for entire length of repair. |
| H-Pile/Concrete Lag | 975 | Armored by existing rock wall. H-piles to be driven to a depth at least double that of exposed length. Construction might be accomplished without the removal of the sidewalk. Construction might be accomplished without the removal of the sidewalk. Continuous construction necessary for entire length of repair. |
| Ultra Block | 450 | Armored by existing rock wall. Rock must be excavated and footing/key placed. Construction cannot be accomplished without the removal of the sidewalk. Construction can be partial. |
| H-Pile/Timber | 425 | Armored by existing rock wall. Construction can be partial. |
| Rock | 350 | Integrate with existing rock wall. Construction can be partial. |
| EcoBlock | 200 | Armored by existing rock wall. Construction can be partial. Rock must be excavated and footing/key placed. Construction cannot be accomplished without the removal of the sidewalk. |
| Sidewalk | 260 | Per linear ft., not on a 10 ft. height basis. Construction can be partial. |



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TABLE B

| Wall Construction | Estimated Cost (\$) | Estimated Dimensions of Construction |
|---------------------|---------------------|---|
| Sheet Pile | 1,300,000 | Estimate 520 ft. wide, 9 ft. long sheet piles, three feet above Park grade, \$2500/ linear ft. (includes mobe/demobe). Assuming that construction can be accomplished without the removal of the sidewalk. Some moving and placement of existing rock necessary. |
| H-Pile/Concrete Lag | 481,000 | Estimate 520 ft. wide, 9 ft. long H-piles, three feet above Park grade, \$925/ linear ft. (includes mobe/demobe). Assuming that construction can be accomplished without the removal of the sidewalk. Some moving and placement of existing rock necessary. |
| Ultra Block | 461,500 | Estimate 650 ft. wide, 9 – 12 ft. ² faces per block, specify 24" thickness, built to one-to-three feet above Park grade, average \$450/linear ft. (includes excavation of existing rock and footing/key). Construction cannot be accomplished without the removal of the sidewalk. Add \$260/linear ft. for sidewalk removal and reconstruction. |
| H-Pile/Timber | 234,000 | Estimate 520 ft. wide, 9 ft. long H-piles, three feet above Park grade, \$450/linear ft. (includes mobe/demobe). Assuming that construction can be accomplished without the removal of the sidewalk. Some moving and placement of existing rock necessary. Construction can be partial. |
| Rock | 200,000 | Integrate with existing rock wall. Construction can be partial. Estimate 450' length of rock placement. Estimate 650 cy to be placed. Assume 2000 – 5000 pound rock, utilizing existing rock for gradation. Some moving and placing of existing rock as necessary. |
| EcoBlock | 299,000 | Estimate 650 ft. wide, specify 18" thickness, built to one-to-three feet above Park grade, average \$200/linear ft. (includes excavation of existing rock and footing/key). Construction cannot be accomplished without the removal of the sidewalk. Add \$260/linear ft. for sidewalk removal and reconstruction. |



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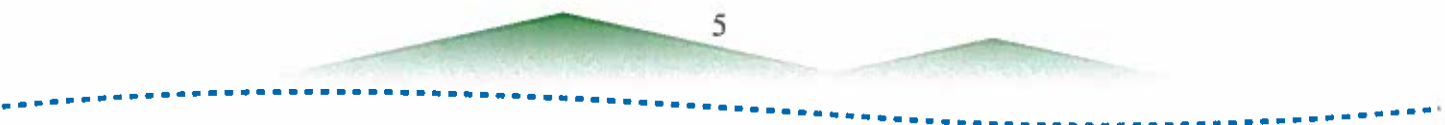
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Recommendations

It is our opinion that, though there are advantages and disadvantages to each alternative presented, maximum utility, ease of construction and minimization of site preparation seems to be made available by the selection of a rock repair. Selection and leveling can be accomplished, integrating rock placement to provide required wall elevations. Beach access can be easily provided via stepped rock placement where desired. An added benefit is that the rock construction can be added to or re-oriented as desired, based on observations made in during subsequent storm seasons, without damaging previous work.

We would rank as the second choice the H-pile/Timber construction. H-piles can be placed intermittently, and timbers, if damaged, could be fairly easily replaced. Damage to wood beams don't result in large and growing stress cracks to any extent that can occur in concrete lags.

Rock Wall Construction - Patchwork





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Approximate Plan View of Above Rock Wall Repair Elevation



Vertical Repair Construction - Continuous



6



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TECHNICAL SPECIFICATIONS

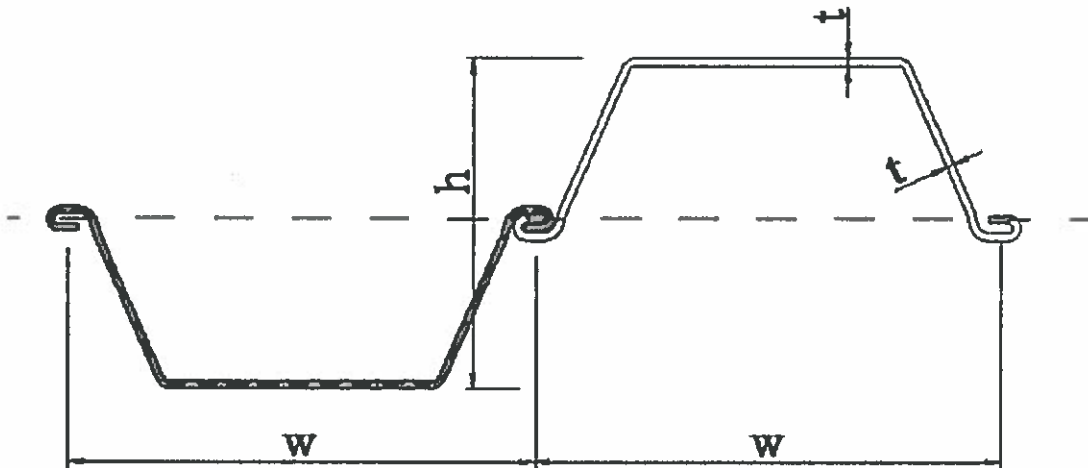
Cantilever Sheet Pile

Description

Cantilever sheet piles are piles that are installed without anchoring, driven in sequence to design depth along the seawall alignment. The interlocked sheet piles form a wall for permanent or temporary lateral earth support with reduced groundwater inflow.

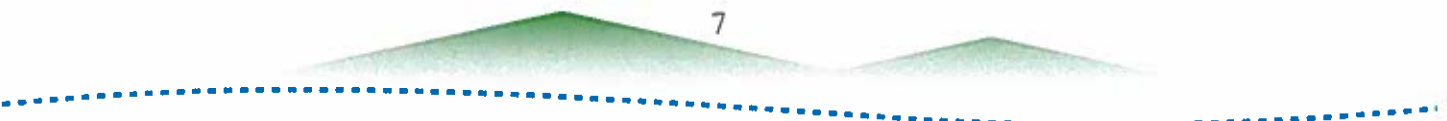
Steel sheet pile is a rolled steel section consisting of a plate called the web with integral interlocks on each edge. The interlocks consist of a groove, one of whose legs has been suitably flattened. This flattening forms the tongue which fits into the groove of the second sheet. Commonly used steel sheet piles types are:

1. Larssen shapes



2. Z-type shapes

3. Straight web section





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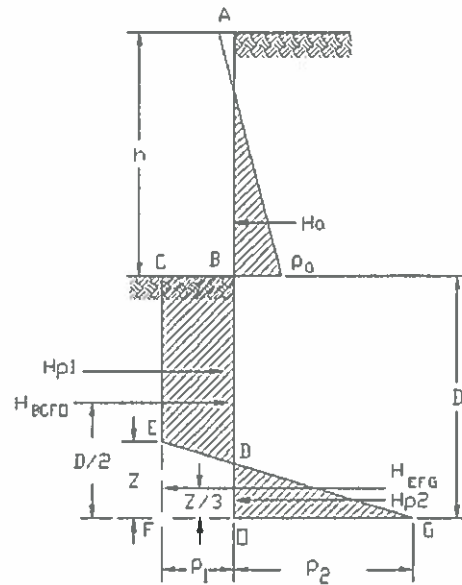
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Specifying Sheet Pile Profile and Total Length

For cohesive soil, friction angle, $f = 0$, the sheet pile is supported by soil cohesion, C . Because cohesion, the soil can stand by itself at certain height without sheet pile. Since $f = 0$, lateral earth pressure distributes uniformly below excavation.

Referring to the diagram to the right, the maximum shear occurs at point B, at the bottom of excavation and/or at point D. The maximum moment occurs at a distance y below the bottom of excavation where shear equal to zero. The sheet pile section can be selected based on maximum moment and shear. The design routine calculates pile free standing height, lateral and active earth pressures, design depth, design pile length, maximum moment, modulus and thence sheet pile section.



If, for example, you assume a depth of excavation (D), of 10 ft., a unit weight of soil of 115 lb/ft^3 and a soil cohesion of 500 psf, a vertical pile, and 32 ksi allowable design stress for the sheet pile, you can calculate the free standing height, the lateral pressure at bottom of the pile, the total active force, assume a test depth, if calculated difference is close to zero, then calculate the length of the sheet pile, find the depth where the maximum moment, find the required section modulus and select the sheet pile section from, say, tables out of the USS Steel Pile Design Manual, which would be, in this case, a simple PS28 ($S = 1.9 \text{ in}^3/\text{ft.}$) profile.

H-Pile (Soldier)/Concrete or Timber Lag Construction

Soldier Piles are steel H piles that are vertically driven or drilled into the earth at regular intervals prior to excavation. For excavation projects, as excavation progresses in stages, horizontal lagging in the form of timber or precast concrete is added behind the flanges to create the wall. The lagging transfers the pressures of the retained strata to the piles. The wall can be additionally reinforced by adding walers, or steel supports, between the soldier piles.



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Data Required for Soldier Pile Wall Design

As in the design of a sheet steel wall, data needed includes the nature of the soil, friction angle of the soil, density of the soil, passive and active allowable pressures, arching factors to use, and other recommendations which specifically related to the site. Finally, we need to choose cost effective beams. As recommended in this case, wood beams bring advantages.

Soldier Pile Wall Design Procedures

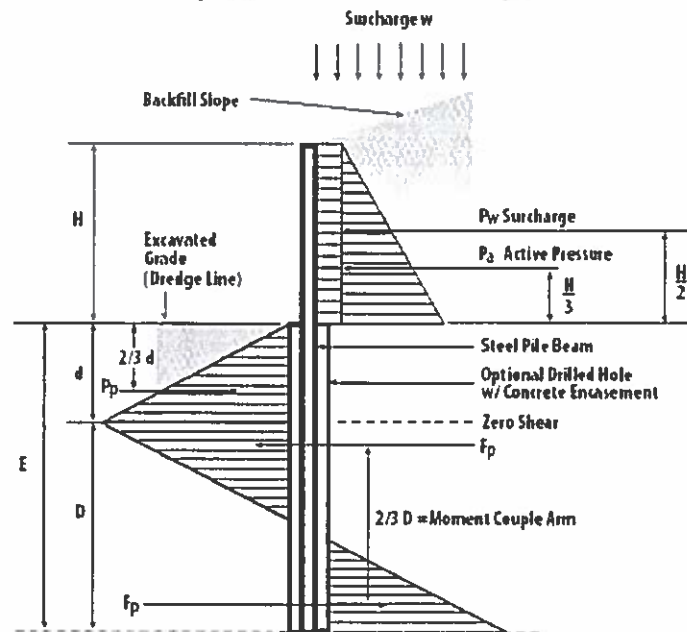
In the design methodology, presented below, certain assumptions are made. First, it is assumed that the soil is non-cohesive or. Second, as in the above-described case using sheet steel piles, this procedure is applicable for cantilevered soldier pile walls, therefore using tiebacks is not accounted for in this methodology. So, the routine is:

1. Compute forces which are exerted by construction surcharges and pressure of active soil tributary to each soldier pile, Rankine formula could be used for calculation of active pressure coefficient (K_a).

2. Spacing of the piles is determined depend on beam size, embedment depth, and choosing of lagging. Several design calculations may be necessary to use to determine the best spacing option.

3. Determine embedment depth after both surcharge (P_w) and active pressure (P_a) is calculated. Figure to the right shows different forces which cantilevered soldier pile wall subjected to in a sandy soil.

The embedment depth (d) of the pile is computed using equation-1 and it is the function of passive pressure and arching factor which is denoted as (f) and taken as 0.08 but should not surpass 2.5.



Embedment Depth of Soldier Pile

Where: d is the effective depth at zero shears; P_p is the force which opposes and equal to $(P_w + P_a)$; SF is the Safety factor used for allowable passive pressure; P is the Allowable passive pressure; D is the hole diameter, or flange width, whichever is utilized. A : arching factor multiplier taken as (0.80).



Grants Pass * Jacksonville * Medford, OR

GP Office: 1867 Williams Hwy., Suite 216, Grants Pass, OR, 97527

Jville Office: 450 Conestoga Dr., Jacksonville, OR, 97530

Ph: 541-474-9434 * Cell: 541-261-9929 * Fax 541-727-5488

emc@emcengineersscientists.com; <http://www.emcengineersscientists.com>

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Various Forces Acting on Cantilevered Soldier Pile on Non-Cohesive Soil

4. Calculate maximum beam moment by taking moment summation above zero shear point. The following equation can be used straight away.

$$M_{max} = P_a(0.33H + 0.67d) + P_w(0.50H + 0.67d) \rightarrow \text{Equation-2}$$

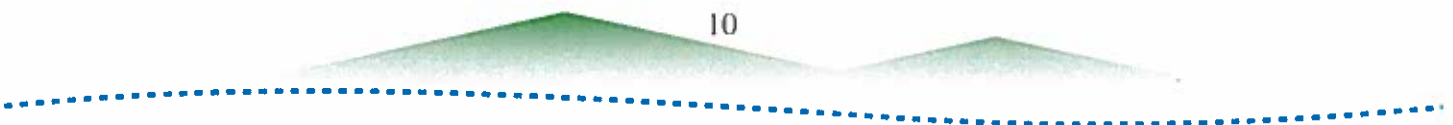
5. The maximum moment is opposed by passive pressure couple consisting of $0.67D * F_p$, so the required depth is calculated as:

$$D = \sqrt{\frac{\text{Maximum moment} * SF}{(P * D * A * D * 0.25) * 0.67}} \rightarrow \text{Equation-3}$$

and required embedment depth which is denoted as (E) in figure on Page 8, is combined of ($D+d$), and as rule of thumb it can be taken between $1.3H$ to $1.5H$.

6. Load resistance factor design (LRFD), which is achieved by maximum moment times load factor of 1.6, is used to select various beam options from AISC 13-edition, LRED, steel design handbook after choosing most economical and available beam.

7. Choose lagging which must be treated wood and conservative fiber stress is 6.2 MPa. Lateral earth pressure Soldier Pile Retaining Wall Design Calculations is decreased over the wall height from the base to the top. Therefore, different lagging thickness can be used at various depths. Due to soil arch action between beams, 80% of the simple moment of each lag can be used in addition to providing 25 cm space between lags for allowing water drainage.





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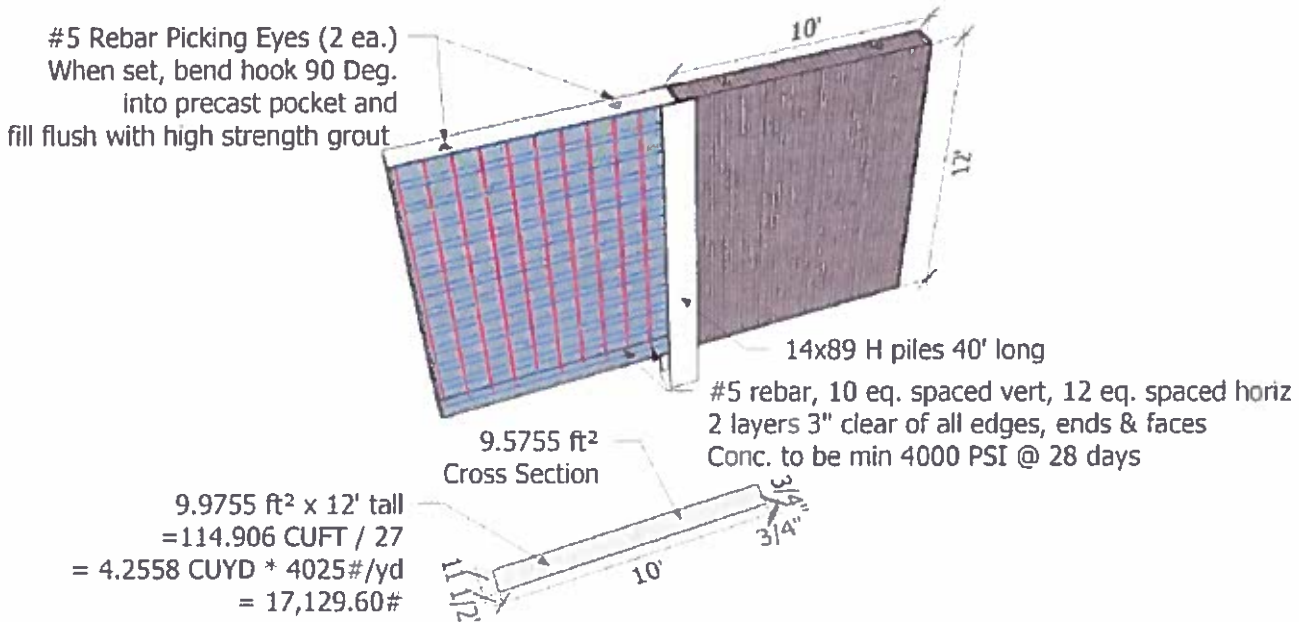
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Illustration of H beam/Concrete Wall Section – Note H-beam and lagging type (concrete, timber) and dimensions are calculated per the retaining needs.





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Ultrablock and EcoBlock Walls

Ultrablock units are an interesting replacement for small block walls as an installer is able to place 12 square feet of face at a time.



Note that the integration of stout, industrial or commercial fencing into alternatives should be considered.

Installing Ultrablock construction is not difficult, but should be accomplished using good engineering practice. The foundation trench is first excavated to the dimensions indicated on the construction drawings. A qualified engineer should inspect and approve the reinforced zone and leveling pad foundation soil subgrade in order to ensure adequate bearing capacity. Foundation subgrade soils and any backfill materials are compacted to a minimum of 95 percent Standard Proctor Dry Density in accordance with ASTM D698-98 before placing the leveling pad.

The leveling pad should consist of 6 inches thick layer of ¾-inch minus well-graded aggregates compacted to 95% of ASTM D 1996 modified proctor density, unless specified otherwise by the design engineer.

Installation should always be in accordance with manufacturer guidelines. A detailed installation guide can be found online (www.ultrablock.com). A track-mounted excavator is the ideal equipment for block installation. A wire rigging with swivel hooks, OSHA approved and rated for weight of the blocks, can be attached to the excavator and used for lifting, moving, and placing the blocks. The contractor should very carefully place the first course of Ultrablock units.



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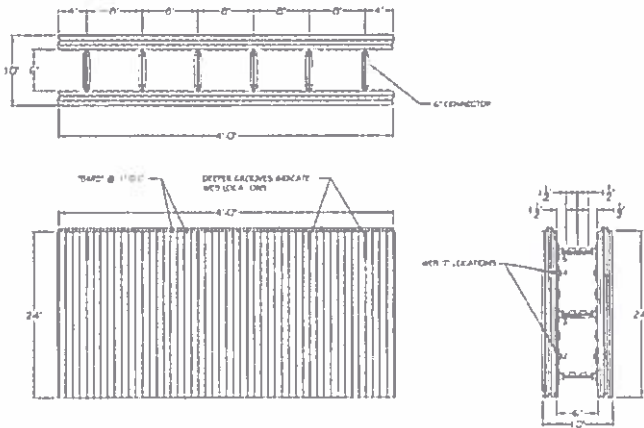
Block placement should start at the lowest elevation. At the start of the wall, make a line perpendicular to the face of the wall so the first block can be placed square to the wall face. Set blocks at the back of the wall first, i.e. if the width of the wall base is larger than the block width, then the first block shall be placed at the back followed by the front block.

The drainage backfill needs should be assessed. Retained backfill material should be placed in maximum lifts of 10 inches and compacted to a minimum 95 percent Standard Proctor Dry Density in accordance with ASTM D698-98.

EcoBlock Construction

The major constituents of the Eco-Block are recycled glass and recycled aggregate from construction and demolition waste. Apart from that, a small quantity of photocatalyst is used on the surface layer of the eco-block. A mechanized molding method is used for producing the Eco-Block. The materials are mixed with water and fly ash in a fixed proportion. Then the mixed materials will be molded under a combined vibrating and compacting action. Before put into use, the eco-block needs to be cured under suitable condition.

On the surface layer there is a special coating made from titanium oxide (TiO₂). When activated by the sunlight, the titanium oxide can catalyze the decomposition of nitrous oxides into oxygen, water, sulphur, nitrates and other non-toxic solid compounds which can be washed away by water.





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Ecology Blocks is a term also often used for large concrete blocks, which are manufactured from left-over or unused concrete. Concrete, that in years gone-by would have been dumped and wasted or hauled to a land fill site, is saved and turned into a useful construction product. The blocks are cast into either a half block or a full block and use nearly a half or a full yard of concrete respectively. The dimensions for these blocks are 2' X 2' X 3' for a half block and 2' X 2' X 6' for a full block (see some examples below).



a

Each block is cast with a 3" radius tongue and groove, for interlocking stability, in stacking applications. The full blocks weigh approximately 3850 lbs and the half blocks are 1900 lbs. There is a picking eye of #5 rebar located in the spacing

between the tongues in the top of each block. This picking eye is suitable for loading, unloading and for placing the blocks with a crane or backhoe capable of lifting and moving 4000 lbs, in the case of a full block.

Rock Wall



The rock that would be recommended for this project, if the rock wall alternative were selected, would be specified to follow test requirements found within AASHTO 85 (Apparent specific gravity, percent absorption); ODOT TM 208A (degradation); and ASHTO T 104 (soundness). All rock specified in this project must be angular in shape, and the thickness of any single rock shall not be less than one third of its length. Round rock will not be accepted unless authorized by the engineer of record.

The rock must meet the gradation requirements for the class specified, be free from overburden, spoiled, shale and organic material. Non-durable rock, shale or rock with shale seams is not acceptable. Class 2000 Rock is, for example, comprised of rocks that are 20% by weight of 1400 pounds to 2000 pounds, 30% by weight of 700 to 1400 pounds, 40% by weight 40 to 700 pounds and 0 to 10% 0 to 40 pounds.



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Either a filter blanket of 16 inch layer of class 50, or specified filter fabric will be laid beneath the rock. A clamshell, orange peel bucket, skip or similar approved device will be used which will contain the rock material to its final destination.

The longitudinal extent of this repair should be continuous for a distance greater than the length that is impacted. The vertical extent of protection required for this revetment includes design height and foundation or toe depth. The design height of the rock installation is to be equal to the design high water elevation (King tide plus storm surge) with adequate freeboard to accommodate wave action, super elevation from the channel bend, hydraulic jump, and flow irregularities, plus erratic phenomena such as unforeseen embankment settlement, accumulation of trash and debris from the ocean.

All work is to be accomplished "dry", meaning that work will be scheduled to be done above tidal waters at all time.

Sincerely

Jack (John) Akin, MS, PE, IC, HMS, CAI
EMC-Engineers/Scientists, LLC



