

**PORT OF BROOKINGS HARBOR
Special Commissioner Meeting
16350 Lower Harbor Rd Suite 202
Friday, April 17, 2020 • 2:30pm
Teleconference / Webinar**

TENTATIVE AGENDA

Meeting Teleconference Call-In Number (Public & Commissioners): 1 (301) 715-8592

Access Code: 786 0226 9632

Participant ID: # (to mute/unmute: * 6)

Webinar Access: www.portofbrookingsharbor.com

*****Please call-in or use online seminar. Onsite space is limited due to social distancing order*****

1. CALL MEETING TO ORDER

- Roll Call
- Modifications, Additions, and Changes to the Agenda
- Declaration of Potential Conflicts of Interest

2. APPROVAL OF AGENDA

3. PUBLIC COMMENTS (Limited to a maximum of three minutes per person. A "Public Comment Request", located near the entrance, must be completed and turned in prior to the beginning of the meeting. *Call-in public comments must say your name and wait to be called on before speaking***)**

4. ACTION ITEMS

- A. SDIS Employee Health Care Plan
- B. COVID-19 Reevaluation of Port Operations and Finances
- C. Port Lease Deferment Plan

5. INFORMATION ITEMS

- A. None

6. COMMISSIONER COMMENTS

7. NEXT REGULAR MEETING DATE – Tuesday, May 19, 2020 at 6:00pm

8. ADJOURNMENT

ACTION ITEM – A

DATE: April 17, 2020
RE: SDIS Health Care Plan
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- Special Districts Insurance Services (SDIS) provides the current employees the Health Care Plan.
- SDIS rates are increasing 15% this year.
- There are other insurance plans available at lower rates, but SDIS has one of the best prescription drug benefits. None of the insurance plans have equal benefits to determine what plan is best for the employee and employer. Currently our employees like and are familiar with the current plan. With the COVID-19 crisis going on we would recommend continuing with SDIS health insurance plan for the next year.

DOCUMENTS

- 2020 SDIS Insurance Contract and Plan, 9 pages

COMMISSIONERS ACTION

- **Recommended Motion:**
Motion to approve SDIS Employee Health Care Plan for 2020 and allow Port Manager to sign the contract.

SPECIAL DISTRICTS INSURANCE SERVICES

Master Application and Renewal Confirmation Form for Group Benefit Coverage: 2020



GENERAL INFORMATION

Legal Name of Employer: Port of Brookings Harbor
Business Street Address: 16330 Lower Harbor Road
City: Brookings, OR Zip Code: 97415 County: Curry
Billing Address (if different than above): PO Box 848
City: Brookings State: Oregon Zip Code: 97415
Phone No.: (541) 469-2218 Fax No.: (541) 359-3999
E-Mail Address: accounts@portofbrookingsharbor.com
Type of District: MUNICIPAL Federal I.D. No.: 93-6013807 SIC No. 9199
Name of Contact: Gary Dehlinger Title: Port Manager

Renew ALL Coverages AS-IS? Yes No

If you checked **Yes** to Renew ALL coverage AS-IS, please proceed to page 3 and complete Contact Information

Internal Use Only:

Regence Group#: _____ Delta Dental Group#: _____ SDIS Group#: _____ WVD Group# _____

EXISTING INSURANCE INFORMATION

Workers Compensation / State Industrial Carrier: _____ Policy No.: _____

Are you replacing existing group insurance? Yes No Carrier: _____ Group No.: _____

PLAN INFORMATION

The requested effective date for the policy is _____, 20_____

Hours per week employees must work to be eligible for benefits: _____ hours per week (17.5 to 30 hrs.)

Probationary Period - New Employees are eligible for coverage the first of the month following: Date of hire 30 60 days

If probationary period is "Date of hire", is an employee hired on the first calendar day of the month eligible that same day? Yes No

In addition to same-sex domestic partner coverage, employer would like to offer opposite-sex domestic partner coverage Yes No

Employer contribution toward employee premium (percent): Employee: _____ % Dependent: _____ %

Minimum Contribution Requirements: 75% employees & 0% dependents -OR- 50% employees & 50% dependents

Minimum Participation Requirements: Dental Only – 100% of eligible employees & 75% of eligible dependents

Medical or Medical/Dental – 100% of eligible employees & 75% of eligible dependents if less than 5 employees

75% of eligible employees & 75% of eligible dependents if 5 or more employees

Those employees that waive due to other group coverage are excluded from participation requirements.

Does your group have an HRA or HSA? Yes No If yes, what does the employer contribute to the account: \$ _____

What is the name of your current health & dental insurance company? Health _____ Dental _____

PROBATIONARY PERIOD AND PEOPLE TO BE INSURED

Applications must be submitted for all employees and dependents to be insured.

_____ Total number of employees (include those who do not qualify for coverage)

- _____ Number of On-Call, Temporary, Substitute, Leased, and Seasonal employees

- _____ Number of employees who do not qualify due to working less than minimum hours

- _____ Number of employees who do not qualify due to eligibility waiting period requirement

- _____ Number of employees waiving coverage due to other group coverage (must submit waivers)

= _____ Total actual number of eligible employees to be insured

Employees on continuation of coverage: Applications must be submitted for all employees on continuation.

NAME	CONTINUATION EFF DATE	QUALIFYING EVENT
_____	_____	_____
_____	_____	_____
_____	_____	_____

BENEFIT PLANS REQUESTED

REGENCE MEDICAL Yes No If yes, choose a plan, or plans below.

Single Option Dual Option (Available to groups with a minimum of 10 participating employees, with no less than three on a plan.)

Blue Options – Packaged

- PPO II – \$200 deductible
- PPO IIA – \$300 deductible
- PPO III – \$500 deductible
- PPO IV – \$1,000 deductible
- PPO V – \$1,500 deductible
- PPO VI – \$2,000 deductible
- PPO VII – \$2,500 deductible

Red Options – Packaged

- PPO C – \$300 deductible
- PPO D – \$500 deductible
- PPO E – \$1,000 deductible
- PPO F – \$1,500 deductible
- PPO H – \$2,000 deductible
- PPO J – \$2,500 deductible
- PPO K – \$3,000 deductible
- PPO L – \$5,000 deductible

HSA Plans

- HSA 1 – \$3,000 deductible

All Blue, Red and White medical plans include pharmacy, acupuncture/chiropractic, vision and Telehealth/MDLive. All HSA plans include pharmacy, vision and Telehealth/MDLive.

DELTA DENTAL PLAN OF OREGON DENTAL

Yes No If yes, choose a plan below.

- Constant Dental Plan Preventive, \$25 deductible, \$1500 annual maximum
- Incentive Dental Plan Incentive, \$0 deductible, \$1500 annual maximum

NOTE: A minimum of 10 employees must be enrolled to elect "dental only" coverage.

DELTA DENTAL PLAN OF OREGON DENTAL ORTHODONTIA

Yes No

- Ortho 1500 – 50% to \$1500 annual max, no age limit – Only available to employers with 15 or more enrolled employees

WILLAMETTE DENTAL GROUP PLANS

Yes No If yes, choose a plan below

- Standard Dental Plan \$15 General Office Visit Copay, \$0 Deductible, No Annual Maximum, Orthodontia Co-Pay \$2,500
- Enhanced Dental Plan \$15 General Office Visit Copay, \$0 Deductible, No Annual Maximum, Orthodontia Co-Pay \$1,500

Underwritten by Willamette Dental Insurance, Inc. 6950 NE Campus Way, Hillsboro, Oregon, 97124

LIFE & DISABILITY

Yes No

Group Life Insurance

- Option I - \$10,000
- Option II - \$20,000
- Option III - \$50,000
- Option IV – 1 x's Salary
- Dependent Coverage

Short Term Disability

- Option I Option IV
- Option II Option V
- Option III Option VI

Long Term Disability

- Option I
- Option II

Termination of Coverage

Terminate the following coverage at renewal: Medical Dental All Lines of Coverage
 Other: _____

Reason: _____ Name of New Carrier: _____

DOCUMENT DISTRIBUTION

Electronic copy: An electronic copy of your member Summary Plan Description (SPD) and summary (SBC) will be emailed to you once your group has been processed. This searchable format can also be saved to your intranet or computer system for employee access.

IMPORTANT INFORMATION

Affordable Care Act – For more information on the following brief guidelines, consult with your legal or tax advisors for advice.

- **Probationary** waiting periods cannot exceed 60 calendar days. Groups may select first of the month following 1, 30, or 60 calendar days.
- Groups that have eligibility and benefit packages that favor highly compensated employees may face a penalty. You can offer coverage to all employees that meet your hourly requirement and probationary waiting period or conduct IRS nondiscrimination testing. Groups must set their hourly requirement at no more than 30 hours per week.
- **Medical plan packages** are packaged with ancillary benefits such as vision.
- **Pediatric vision and pharmacy** are required essential health benefits (EHB) for employers and are now in medical coverage.
- **Domestic partners** that meet certain criteria are eligible dependents. If not registered with a state, a signed affidavit must be submitted with the enrollment application.

SIGNATURE – PLEASE READ CAREFULLY

- I understand that eligibility standards must be adhered to for all employees, dependents, and owners. I agree to make all coverage options available to all eligible employees and dependents that satisfy eligibility requirements.
- If I submit my materials after the 10th of the prior month, my employees may not receive Member ID Cards before they are effective.
- I understand that I am agreeing to a 12 month contract period for the insurance coverage I have elected for my district.
- I understand that to participate in the SDIS insurance program I must agree to sign the Joinder of Trust Agreement to become a member of Special Districts Insurance Services Trust.

CONTACT INFORMATION

DISTRICT REPRESENTATIVE

Signature by: _____ Date: _____

Name (please print): Gary Dehlinger Title: Port Manager

PRODUCER OF RECORD

Signature by: _____ Date: _____

Producer: Rick R. Gray Producer No.: 6257556

Agency Address: PO Box 1122, Brookings, OR 97415

Phone No.: (541) 469-7000 Fax No.: (541) 469-7011 E-mail: rick@sealrockfinancial.com

SDIS Benefits Plan Renewal Contact

Rey Perez, The Partners Group

503-941-4367 rperetz@tpgrp.com

2020 Agent Renewal Notification



We are pleased to provide you with your 2020 SDIS Benefit Plan renewal packet(s).

**IMPORTANT
RENEWAL DECISIONS MUST BE RECEIVED NO LATER THAN
Friday, June 5, 2020**

Fax or e-mail the renewal confirmation to Shelly Barker.

TOLL-FREE: 800-285-5461 PHONE: 503-371-8667 FAX: 503-371-4781

PO Box 12613 Salem OR 97309-0613

Master Application Instructions for 2020

NO CHANGES? 3 STEPS

1. Add district name- see Page 1, General Information
2. Check YES box- see Page 1, General Information

Renew ALL Coverages AS-IS? Yes No



3. Add contact information and sign – see Page 3, Contact Information

Any district making changes to their coverage options, please fully complete and sign the application.

**Please return all Master Applications ASAP
to Shelly Barker at Special Districts!!**

sbarker@sdao.com



Dear Valued District Member,

Enclosed please find your 2020 renewal with the Special Districts Insurance plan.

As announced during the SDAO Annual Conference, the health plan requires an overall 15% renewal increase for the 2020 plan year. (Our plans are demographically rated, so the actual renewal increase to your plan may be higher or lower, depending on your plan enrollment.) We recognize this is a large number, and no doubt it may be challenging to assimilate such an increase into your budgets. Therefore, we'd like to share a high-level explanation of why this percentage is necessary and ask for your continued partnership in a year when many of our covered members needed the safety net that their SDIS plan provided.

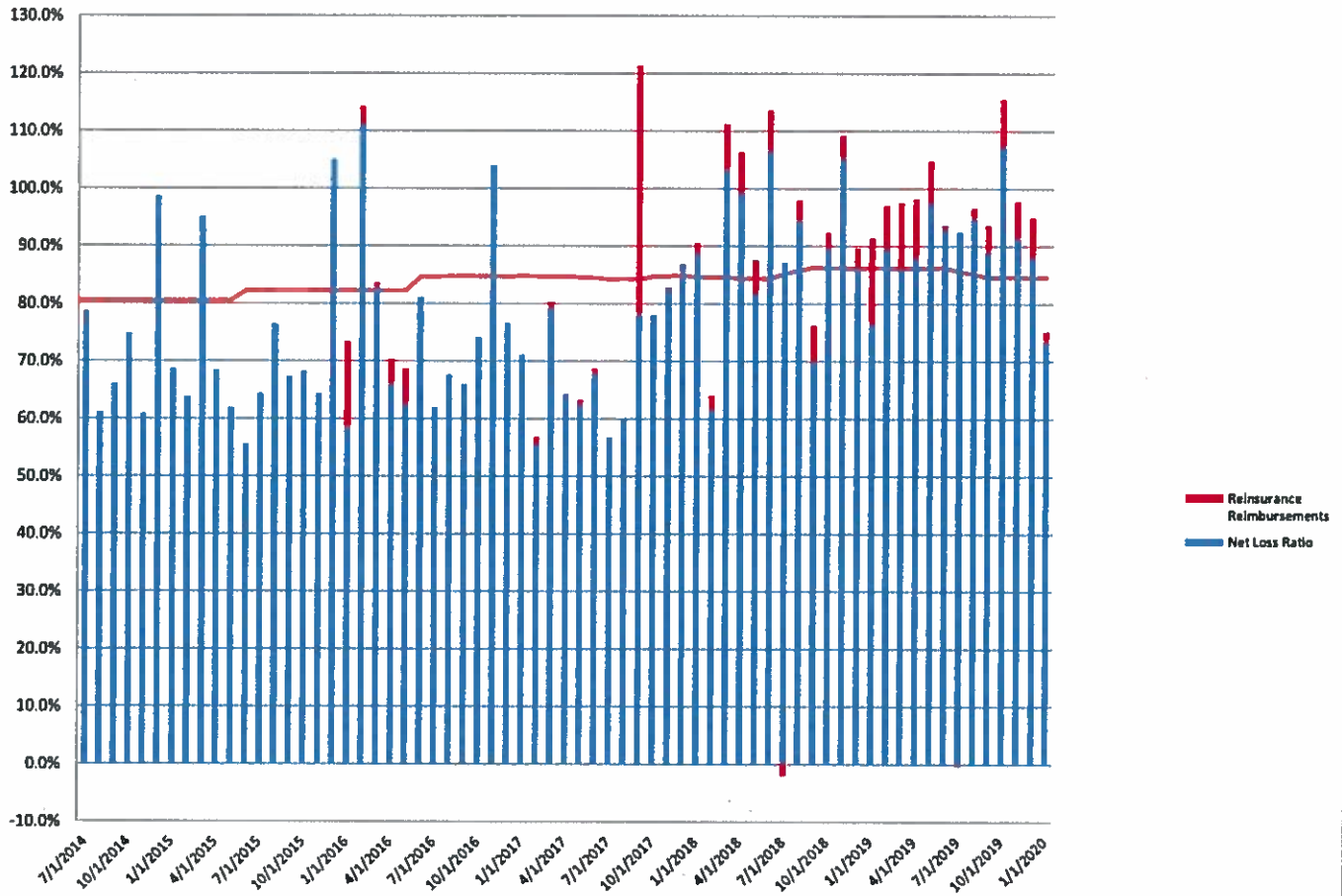
- In June of 2019, the conclusion of the last plan year, 4% of enrollment (65 individuals) had claims of \$50,000 or more. These claims collectively totaled \$8,581,136, equal to 50% of the plan expenditure for the year.
- Large claim patterns are cyclical and ultimately drive a renewal increase; this level of activity started to develop during last year's renewal and continued into the current period.
- The average PMPM (per member per month) utilization was level or decreasing in the four-year period prior to the 2020 renewal, and then jumped 17.3% in the current period; this is an extreme jump in one year.
- The initial projected rate increase was nearly 18% but the SDIS Trustees decided to use funds that were accumulated in the good years to buy down the rate for this year. The attached graph displays the very good loss experience of the plan in past years, and the poor results from this past year. The red line through the middle of the graph shows the breakeven level for claims.

We can't look in a crystal ball and see what the future holds, but we do know that health insurance is very cyclical with alternating good and bad years. We wish the best for the members who have experienced severe medical challenges, and we are happy that our plan was there to deliver financial support at a critical time.

This renewal packet contains your district's health plan renewal. **We are happy to report that there are no plan design changes for 2020.**

Thank you for your partnership, and the confidence you've placed in Special Districts as your health plan of choice.

SDIS - Medical/Rx/Vision/Dental Loss Ratio - (Incurred & Trended)



PORT OF BROOKINGS HARBOR

Quote March 2, 2020 for rates effective July 1, 2020

The premiums shown below are based on census data submitted with your proposal request. Final rates may vary if actual enrollment differs from the original census.

Minimum Employer Contribution Requirement: 75% employee & 0% dependent OR 50% employee & 50% dependent.

Minimum Participation Requirement: 75% of eligible employees & 75% of eligible dependents.

The premiums below will require review if the effective date is after: July 1, 2020

Census Counts

	Employee Only	Employee + Spouse	Employee + Family	Employee+ Child(ren)	Total
Subscribers	10	1	0	0	11

Medical Benefit Options Available

Plan	Employee Only	Employee + Spouse	Employee + Family	Employee+ Child(ren)	Total Monthly Premium
Blue PPO II	\$923.40	\$1,846.80	\$2,631.69	\$1,708.29	\$11,080.80
Blue PPO II-A	\$881.23	\$1,762.45	\$2,511.50	\$1,630.27	\$10,574.75
Blue PPO III	\$845.71	\$1,691.42	\$2,410.28	\$1,564.57	\$10,148.52
Blue PPO IV	\$785.78	\$1,571.56	\$2,239.47	\$1,453.69	\$9,429.36
Blue PPO V	\$756.92	\$1,513.84	\$2,157.23	\$1,400.31	\$9,083.04
Blue PPO VI	\$721.41	\$1,442.81	\$2,056.01	\$1,334.60	\$8,656.91
Blue PPO VII	\$699.21	\$1,398.42	\$1,992.75	\$1,293.54	\$8,390.52
Red PPO C	\$834.61	\$1,669.23	\$2,378.65	\$1,544.03	\$10,015.33
Red PPO D	\$803.54	\$1,607.07	\$2,290.08	\$1,486.54	\$9,642.47
Red PPO E	\$745.83	\$1,491.65	\$2,125.60	\$1,379.78	\$8,949.95
Red PPO F	\$712.53	\$1,425.06	\$2,030.70	\$1,318.18	\$8,550.36
Red PPO H	\$672.57	\$1,345.15	\$1,916.83	\$1,244.26	\$8,070.85
Red PPO J	\$652.60	\$1,305.19	\$1,859.90	\$1,207.30	\$7,831.19
Red PPO K	\$634.84	\$1,269.68	\$1,809.29	\$1,174.45	\$7,618.08
Red PPO L	\$612.64	\$1,225.28	\$1,746.02	\$1,133.38	\$7,351.68
HSA #1	\$557.15	\$1,114.30	\$1,587.87	\$1,030.72	\$6,685.80

Dental Benefit Options Available

ODS Premier Network	Employee Only	Employee + Spouse	Employee + Family	Employee+ Child(ren)	Total Monthly Premium
Constant Dental Plan (Option I)	\$51.46	\$93.39	\$135.41	\$97.81	\$607.99
Incentive Dental Plan (Option II)	\$55.50	\$101.60	\$147.65	\$105.60	\$656.60
Willamette Dental-Ortho Included					
WDG Standard Plan (Option III)	\$46.65	\$91.60	\$140.45	\$94.55	\$558.10
WDG Standard Plan (Option IV)	\$57.75	\$113.30	\$173.75	\$117.05	\$690.80

Current Rate

Plan	Employee Only	Employee + Spouse	Employee + Family	Employee+ Child(ren)	Total Monthly Premium
Med	\$592.55	\$1,185.09	\$1,688.75	\$1,096.21	\$7,110.59
Dental	\$51.46	\$93.39	\$135.41	\$97.81	\$607.99

2020 SDIS Life & Disability Plans with Standard

The rates for the Life/AD&D plans as well as the STD plans are charged on a Per Employee Per Month (PEPM) basis. The LTD plans rates are charged as a percent of covered payroll.

Life /AD&D Plans

	Option 1	Option 2	Option 3	Option 4
Life/AD&D Schedule	\$10,000	\$20,000	\$50,000	1 X Annual Salary
Rates- PEPM	\$2.37	\$4.73	\$11.84	\$12.08
Dependent Life	\$5,000	\$5,000	\$5,000	\$5,000
Rates-PEPM	\$1.81	\$1.81	\$1.81	\$1.81

Short-Term Disability Plans

	Option 1	Option 2	Option 3	Option 4	Option 5	Option 6
STD Plan	\$100 per week	\$100 per week	\$200 per week	\$200 per week	60% to \$900 per week	60% to \$900 per week
Duration	Up to 90 days	Up to 180 days	Up to 90 days	Up to 180 days	Up to 90 days	Up to 180 days
Rates-PEPM	\$4.86	\$6.68	\$9.68	\$13.35	\$20.70	\$24.84

Long-Term Disability Plans

	Option 1	Option 2
LTD	60% to \$5000	60% to \$5000
Elimination Period	90 Days	180 Days
Benefit Duration	SSNRA	SSNRA
Rates- PEPM	0.525% of covered payroll	0.415% of covered payroll

All LTD participants are also covered by Standard's EAP program.

Note: A current census is required to confirm the monthly premium for a LTD proposal.

ACTION ITEM – B

DATE: April 17, 2020
RE: COVID-19 Impacts to Port Operations and Finances
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- Governor Brown's Executive Orders to curb the COVID-19 pandemic has closed many of the Port's retail businesses, shutdown the RV Park and stopped tourist travel.
- The Kite Festival has cancelled their event this year. Other events may cancel or be forced to cancel.
- If the COVID-19 crisis continues, the Port's financial outlook could take a serious setback.
- Port current finances as of April 10, 2020 is
 - 1) Unrestricted Cash = \$156,665
 - 2) Restricted Cash (debt obligation and reserve funds) = \$262,263
 - 3) Undeposited Funds = \$16,055
 - 4) Accounts Payable (includes credit card and known future expenses) = \$26,000
- Port current estimated monthly operating expenses are
 - 1) Utilities (trash, electrical, water, sewer & phone/internet) = \$22,500
 - 2) Employee Health Insurance = \$8,000
 - 3) Liability & Property Insurance = \$9,000
 - 4) Payroll = \$43,000
 - 5) Maintenance Supplies (restrooms, equipment fuel, repairs, etc.) = \$4,500
 - 6) Unknown wildcard is when the Port needs to buy fuel for inventory and when commercial fleet or recreational vessels decides to purchase fuel. This could be a \$20,000 purchase and the Port left holding fuel in inventory.
- RV Park has \$100,000 in reservations through August 2020. If the crisis continues, these reservations could be cancelled by the guests and refunded.
- If the Port looked at the worst-case scenario, the crisis continuing for several more months, continue to operate what we have going now, does not receive any further payments, paid back all the park reservations and used every fund available (worst-case scenario):
 - 1) Cash available for Expenses = \$413,983
 - 2) Refund RV Park Reservations = \$100,000
 - 3) Amount Remaining = \$313,983
 - 4) Estimated Monthly Expenses = \$87,000
 - 5) Estimated Time until Funds Reach Zero = 3.6 Months
 - 6) This scenario stops all transfers to debt obligation funds (monthly transfers are about \$50,000 per month)

- 7) Port would not make any debt payments to Business Oregon or USDA until funds are restored.
- If the Port did not use all the funds available scenario
 - 1) Cash available for Expenses = \$172,720
 - 2) Refund RV Park Reservations = \$100,000
 - 3) Estimated Monthly Expenses = \$87,000
 - 4) Estimated Time until Funds Reach Zero = Less than one month or 2 months if no refunds happen
 - 5) This scenario stops all transfers to debt obligation funds (monthly transfers are about \$50,000 per month)
 - 6) Port would make the next payment to Business Oregon, but probably miss the next payment. USDA payment may or may not happen November 6.
 - It took the Port 3 years to get the bank accounts to what they are now. The Port operated with a small staff during that time. If the current funds are used up and without government reimbursements, expect significant changes to Port operations.
 - Port staff has asked about lines of credit availability from Umpqua Bank. This could be a possibility, if available, to keep the Port running during this crisis and allow the Port time to get reimbursed from the government.
 - Business Oregon requested Oregon Ports to submit payment relief requests. Requests will be reviewed on a case-by-case basis. I completed the form and was submitted.
 - Staff is requesting, at this time, to use the Reserve Fund to supplement any shortfalls to the General Fund or Debt Services (if no relief is given) through the end of this fiscal year. If any Reserve Funds are used, a Supplemental Budget Hearing will need to be held prior to fiscal year end.

-
- Public use of the launch ramp and fish station. Port has installed social distancing signs, updated its signs, reduced available water spigots and closed the right side of the cleaning tables to help with social distancing. Public social distancing is not being followed very well in the public fish station. Use of the launch ramp has not been as much a problem for social distancing.
 - A lot of public parking is going on at the RV Park. Some out of state vehicles are showing up. We are receiving large amounts of fast food restaurant drive-thru trash every day. The public is not adhering to the governor's order to stay home and stay safe but are mostly adhering to the social distancing.
 - Port restrooms. Employees are not comfortable cleaning the restrooms during this time. Port has provided extra safety gear to try and ease the anxieties of cleaning them.
 - April 10, 2020 ODFW closed recreational hunting and fishing to non-residents to limit travel amid COVID-19 restrictions.

DOCUMENTS

- Current Bank Balances, 1 page
- ODFW News Release, 2 pages
- Commissioner's Observations, 1 page

COMMISSIONERS ACTION

- **Recommended Motion Number 1:**
Motion to approve the use of Reserve Funds as needed during this COVID-19 crisis to supplement any shortfalls in other funds.
- **Motion Number 2:**
 - Option 1:***
Motion to close the fish station until COVID-19 restrictions are removed from the State.
 - Option 2:***
Motion to close beach front parking until COVID-19 restrictions are removed from the State.
 - Option 3:***
Motion to close all public restrooms until COVID-19 restrictions are removed from the State.
 - Option 4:***
Motion to close public use of boat launch ramps until COVID-19 restrictions are removed from the State.

Port of Brookings Harbor
Current Bank Balances
 As of April 30, 2020

	Apr 30, 20
ASSETS	
Current Assets	
Checking/Savings	
100 · UNRESTRICTED CASH & EQUIVALENTS	
101 · GENERAL FUND CHECKING & LGIP	
10103 · General Funds Ckg Umpqua 3634	10,608.66
10105 · General Fund LGIP 6017	135,133.70
10107 · Dredging Fund LGIP 6254	8,897.31
Total 101 · GENERAL FUND CHECKING & LGIP	154,639.67
10101 · Petty Cash	725.11
10102 · COUNTER CASH	
10102.1 · Office/Reception Cash Drawer	200.00
10102.2 · RV Park Cash Drawer	500.00
10102.3 · Fuel Dock Cash Drawer	600.00
Total 10102 · COUNTER CASH	1,300.00
Total 100 · UNRESTRICTED CASH & EQUIVALENTS	156,664.78
110 · RESTRICTED CASH & EQUIVALENTS	
104 · RESTRICTED MONEY MKT & CHECKING	
20104 · USDA BOND Umpqua MM 9529	2,518.01
30104 · Debt Service Umpqua MM 8627	7,169.32
40104 · Capital Projects Umpqua 8018	2,500.00
Total 104 · RESTRICTED MONEY MKT & CHECKING	12,187.33
105 · RESTRICTED LGIP	
20105 · USDA Bond Fund LGIP 6021	77,158.01
30105 · IFA Debt Service Fund LGIP 6020	43,525.89
50105 · Reserve Fund LGIP 6018	129,391.45
Total 105 · RESTRICTED LGIP	250,075.35
Total 110 · RESTRICTED CASH & EQUIVALENTS	262,262.68
Total Checking/Savings	418,927.46
Other Current Assets	
150 · Undeposited Funds	16,055.30
Total Other Current Assets	16,055.30
Total Current Assets	434,982.76
TOTAL ASSETS	434,982.76
LIABILITIES & EQUITY	0.00



BUY License

Online Services

- Buy a License
- Hunter Reporting
- Maps

ODFW News

- News Releases
- ODFW Jobs
- Public Meetings

Fish Division

- Division Home Page
- Division Directory
- Fish Hatcheries
- Fish Programs
- Local Fisheries

Wildlife Division

- Division Home Page
- Division Directory
- Grants / Incentives
- Wildlife Areas
- Wildlife Habitat
- Wildlife Programs

ODFW

- About ODFW
- Commission
- Director's Office
- Strategic Vision
- Volunteering



ODFW RESOURCES
News Releases

Oregon closes recreational hunting and fishing to non-residents to limit travel amid COVID-19 restrictions: Regulation takes effect Friday night (April 10)

Tweet

April 9, 2020

SALEM, Ore.— ODFW is closing recreational hunting, fishing, crabbing and clamming to non-residents due to concerns about travel to Oregon to participate in these outdoor activities. Such travel could spread the virus and put more of a burden on Oregon's rural communities.

As of Friday 11:59 p.m., non-residents may no longer participate in these activities in Oregon. The restriction extends until COVID-19 restrictions are lifted and it is deemed safe to travel into Oregon. This order does not apply to anyone living in Oregon for less than six months who has not yet established residency.

Some states, including Washington, have closed hunting and fishing to limit the spread of the virus. While seasons remain open to residents of Oregon (except for Columbia River salmon/steelhead fishing), resident hunters and anglers should not be travelling to participate. ODFW is hearing concerns from rural communities about people visiting to hunt and fish and placing additional burdens on these communities' limited resources.

"Rural communities are concerned about the potential impact of COVID-19 on medical and emergency services, search and rescue and their citizens. Some have asked us to close seasons to reduce travel," said ODFW Director Curt Melcher. "We would like to keep seasons open to give locals an outlet during this difficult time, but that doesn't mean it's OK to travel to these communities. Stick close to home and fish at your local lake, pond or river and do not go crabbing or clamming unless you live on the coast, and then only to places where access is still open."

ODFW monitoring has shown that while Oregonians are still participating in fisheries, clamming, shed hunting, and wildlife viewing it is in significantly lower numbers and that the majority of participants are doing it close to home and practicing social distancing. "We appreciate that many Oregonians are taking the Stay Home, Save Lives order seriously," added Melcher.

ODFW field staff monitoring participation in the field have seen out of state license plates and out of state angling and shellfish licenses in use. Staff are also fielding numerous calls from non-residents inquiring about plans to come to Oregon to hunt or fish.

"ODFW believes this action restricting non-residents will help local communities enforce the restrictions on out-of-state travelers violating the order, and putting local resources and residents at risk," said Melcher. "We appreciate everyone's understanding at this difficult time and look forward to seeing you outdoors again in the future when this passes."

ODFW anticipates there will be opportunity for non-residents who have already purchased a 2020 license to participate in hunting, fishing or shellfish opportunities later in the year. ODFW will refund non-resident spring bear and spring turkey tags and reinstate preference points for spring bear hunters. Please contact Licensing at odfw.websales@state.or.us, (503) 947-6101 to arrange for a refund.

Non-residents interested in applying for a fall controlled hunt may still apply online at <https://odfw.huntfishoregon.com/login> and the deadline to apply remains May 15, 2020.

Oregon residents who do choose to hunt, fish, crab or clam are reminded to:

- Stay close to home rather than travelling far. The Governor's Executive Order says hunting and fishing are OK, but to limit travel.
- Practice social distancing and stay six feet away from anyone who doesn't live in your immediate household, including when outdoors.
- Check access where you are headed as the area may be closed. State Parks are closed, counties have closed some parks and boat ramps, beach access is closed in some areas and national forests and BLM lands have closed recreation sites.
- Stay home if you are sick.

Carry needed supplies with you to minimize non-essential stops—including [buying your license/tag online](#) instead of making a trip to a license sale agent if possible and bringing all needed food, water and sanitization supplies with you.

###

Media Contact: Michelle Dennehy, (503) 931-2748. Michelle.N.Dennehy@state.or.us

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From: Richard Heap <richard@portofbrookingsharbor.com>
Sent: Monday, April 13, 2020 12:05 PM
To: Gary Dehlinger; Travis Webster
Subject: Obsevation

Good morning,

I have been observing both the fish cleaning station and the beachfront parking lot on days in which it is not raining, starting on April 1. My surveys are conducted sometime between 11:00 am and 1:00 pm. I survey the parking lot by slowly driving through and counting vehicles and noting state of residence. I make one pass and include vehicles parked along the river as well. At the cleaning station, I usually park and observe if people are present. Note: I am not trying to "catch" people, just observing. I have spoken with a few people at the cleaning station, most notably, Trinity from ODFW and Melane from PSMFSC. These data are as of April 13.

Total vehicles observed - 434

Total vehicles from out of state - 65

Non-resident rate 15% (mostly with California plates. Other states noted include Florida, Wisconsin, Idaho, Washington, Ohio and Arizona.)

High vehicle count - 61

Low vehicle count - 32

Average vehicles/day - 49

Cleaning station non-compliance - 3 of 8 days (people have been present on only five days)

Rate of non-compliance - 37.5% total days, 60% on days people were present.

Richard

ACTION ITEM – C

DATE: April 17, 2020
RE: Port Lease Deferment Plan
TO: Honorable Board President and Harbor District Board Members
ISSUED BY: Gary Dehlinger, Port Manager

OVERVIEW

- With the current COVID-19 pandemic and Governor Brown's Executive Orders, Port's tenants have suffered from the impacts of this crisis.
- The Port passed its own deferment plan earlier this month. The plan included two months of deferred rent to be paid back within 12 months.
- Port Legal Counsel recommendation is to cancel the previously approved deferral program in light of the Governor's EO No. 20-13 prohibiting Landlords of non-residential tenants from terminating a lease or act to evict a tenant for non-payment of rent during the period April 1 – June 30 .
- Rent includes rent, late charges, utility charges, and similar fees or charges. In order to qualify for protection, the tenant must within 30 days of unpaid rent being due with documentation or other evidence that nonpayment is caused by, in whole or in part, directly or indirectly, the COVID-19 pandemic. The EO does not cancel the rent payment obligation, it only restricts the Landlord's remedies during this time. Leases may still be terminated for reasons other than nonpayment. Tenants are required to make partial payments if they are able to do so.
- As the Port gets closer to the end of the moratorium (June 30), the Commission will have a better idea of its own finances and will know how many tenants have taken advantage of the moratorium. At that time the Commission can determine what repayment terms it can offer to tenants to get caught up. It is also possible that the Governor will have more guidance or a new order regarding the same.
- Port Legal Counsel is still reviewing if moorages holders technically qualify under the EO.

DOCUMENTS

- Governor's Executive Order 20-13, 6 pages

COMMISSIONERS ACTION

- **Recommended Action:**
Motion to cancel Port Deferment Plan that was approved in Special Meeting April 2, 2020 and to follow Governor's Executive Order 20-13.



EXECUTIVE ORDER NO. 20-13

TEMPORARY MORATORIUM ON CERTAIN EVICTIONS AND TERMINATIONS OF RENTAL AGREEMENTS AND LEASES, IN RESPONSE TO CORONAVIRUS (COVID-19) OUTBREAK

On February 28, 2020, I appointed the State of Oregon's Coronavirus Response Team.

On February 29, 2020, the Department of Human Services issued strict guidelines, restricting visitation at congregated care facilities, including nursing homes.

On March 2, 2020, the State of Oregon Emergency Coordination Center was activated.

On March 8, 2020, I declared an emergency under ORS 401.165 *et seq.* due to the public health threat posed by the novel infectious coronavirus (COVID-19).

On March 12, 2020, I prohibited gatherings of 250 or more people, and announced a statewide closure of Oregon K-12 schools from March 16, 2020, through March 31, 2020.

On March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency.

On March 17, 2020, I prohibited gatherings of 25 or more people, banned on-site consumption of food and drink at food establishments statewide, and extended school closures until April 28, 2020. I also encouraged all businesses not subject to the prohibitions to implement social distancing protocols.

On March 18, 2020, I suspended in-person instructional activities at higher education institutions through April 28, 2020.

On March 22, 2020, I imposed a temporary moratorium on residential evictions for nonpayment, prohibiting law enforcement from serving, delivering, or acting on any notice, order or writ of termination of tenancy, relating to residential evictions for nonpayment.



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On March 23, 2020, I ordered Oregonians to "Stay Home, Save Lives," directing individuals to stay home to the greatest extent possible, ordering the closure of specified retail businesses, requiring social distancing measures for other public and private facilities, and imposing requirements for outdoor areas and licensed childcare facilities.

COVID-19 may cause respiratory disease leading to serious illness or death. The World Health Organization considers COVID-19 to be a global pandemic. COVID-19 spreads person-to-person through coughing, sneezing, and close personal contact, including touching a surface with the virus on it and then touching your mouth, nose, or eyes.

To reduce spread of COVID-19, the United States Centers for Disease Control and Prevention (CDC) has recommended community mitigation strategies to increase containment of the virus and to slow transmission of the virus, including cancellation of gatherings of people and social distancing in smaller gatherings.

State and local public health officials advise that the virus is circulating in the community and expect the number of cases to increase. The CDC reports that COVID-19 is most contagious when the individual is most symptomatic but may also spread before symptoms appear.

The number of COVID-19 cases continues to rise in Oregon. On March 8, 2020, at the time I declared an emergency, there were 14 presumptive or confirmed cases in Oregon. As of today, there are at least 736 cases and 19 deaths.

In a short time, COVID-19 has spread rapidly. To slow the spread of COVID-19 in Oregon, to protect the health and lives of Oregonians, particularly those at highest risk, and to help avoid overwhelming local and regional healthcare capacity, I find that immediate implementation of additional measures is necessary.

Executive Order 20-12 requires individuals to stay at home, to the greatest extent possible. That order, in turn, requires protections against residential tenant evictions, so tenants can remain at home during this emergency. Executive Order 20-11 prohibits law enforcement from enforcing residential tenant eviction notices and orders. Given the ongoing public health emergency, further action is necessary to prevent termination of residential leases and the initiation of eviction



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proceedings during this emergency. These further actions will strengthen the existing protections for residential tenants, ensuring they can stay home to the greatest extent possible, consistent with my prior directives.

The ongoing emergency also requires protections for tenants of non-residential property, so businesses that are permitted to operate can continue to provide necessary goods and services, and other businesses can continue to comply with necessary closures and restrictions mandated by my prior Executive Orders. Every business in Oregon has been impacted by COVID-19. Many businesses are struggling to assess how long they can maintain operations or remain closed—in compliance with essential public health directives and orders—without full income. Many are operating at less than full capacity, if at all, and have seen a significant loss of income due to necessary government restrictions imposed to mitigate the spread of COVID-19. Without further action, many businesses across the state may face termination of leases or eviction, which could interrupt the provision of necessary goods and services during this emergency, and impact the livelihood of Oregonians.

For those reasons, a temporary moratorium on terminations of residential and non-residential rental agreements and evictions on the basis of nonpayment is necessary during this emergency, to protect the public health, safety and welfare of all Oregonians. The moratorium set forth in this Executive Order is temporary, with a limited scope and duration. It addresses the immediate needs identified above, pursuant to my emergency powers, but does not otherwise undermine contractual bargains, interfere with parties' reasonable expectations, or prevent parties from safeguarding or reinstating their rights. The directives of this Executive Order are appropriate, necessary, and reasonable means by which to implement the significant and legitimate public purpose of responding to the declaration of a state of emergency I issued on March 8, 2020.



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NOW THEREFORE, IT IS HEREBY DIRECTED AND ORDERED THAT:

Pursuant to ORS 433.441(3), ORS 401.168(1), ORS 401.175(3), and ORS 401.188(2) to (3), I am ordering a moratorium on certain terminations of residential rental agreements and non-residential leases, as set forth below:

1. Residential Tenancies.
 - a. During this moratorium, landlords of residential properties in Oregon shall not, for reason of nonpayment as defined in paragraph 1(b) of this Executive Order, terminate any tenant's rental agreement; take any action, judicial or otherwise, relating to residential evictions pursuant to or arising under ORS 105.105 through 105.168, including, without limitation, filing, serving, delivering or acting on any notice, order or writ of termination or the equivalent; or otherwise interfere in any way with such tenant's right to possession of the tenant's dwelling unit.
 - b. The term "nonpayment" as used in paragraph 1 of this Executive Order means any nonpayment of rent, late charges, utility charges, or any other service charge or fee, as described in ORS 90.392(2)(a) or (c), 90.394, or 90.630(1)(d) or (10), or any termination without cause under ORS 90.427. All other terms used in paragraph 1 of this Executive Order shall have the same meanings as set forth in ORS chapters 90 or 105.
 - c. Nothing in paragraph 1 of this Executive Order relieves a residential tenant's obligation to pay rent, utility charges, or any other service charges or fees, except for late charges or other penalties arising from nonpayment which are specifically waived by and during this moratorium. Additionally, paragraph 1 of this Executive Order does not apply to the termination of residential rental agreements for causes other than nonpayment.
 - d. This Executive Order reaffirms and is consistent with Executive Order 20-11, which prohibits law enforcement officers in Oregon from serving, delivering or acting on any notice, order or writ of termination of tenancy or the equivalent or any judicial action,



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pursuant to or arising under ORS 105.105 through 105.168, that relates to residential evictions for nonpayment.

2. Non-Residential Tenancies.

- a. During this moratorium, landlords of non-residential properties in Oregon shall not, for reason of nonpayment as defined in paragraph 2(b) of this Executive Order, terminate any tenant's lease; take any action, judicial or otherwise, relating to non-residential evictions pursuant to or arising under ORS 105.105 through 105.168, including, without limitation, filing, serving, delivering or acting on any notice, order or writ of termination or the equivalent; or otherwise interfere with such tenant's right to possession of the leased premises.
- b. The term "nonpayment" as used in paragraph 2 of this Executive Order means nonpayment of rent, late charges, utility charges, or any other service charge or fee, as described in the lease or in ORS 91.090, 91.210 or 91.220. All other terms used in paragraph 2 of this Executive Order shall have the same meanings as set forth in ORS chapters 91 or 105.
- c. Paragraph 2 of this Executive Order shall apply if a tenant provides the landlord, within 30 calendar days of unpaid rent being due, with documentation or other evidence that nonpayment is caused by, in whole or in part, directly or indirectly, the COVID-19 pandemic. Acceptable documentation or other evidence includes, without limitation, proof of loss of income due to any governmental restrictions imposed to mitigate the spread of COVID-19.
- d. Nothing in paragraph 2 of this Executive Order relieves a non-residential tenant's obligation to pay rent, utility charges, or any other service charges or fees, except for late charges or other penalties arising from nonpayment which are specifically waived by and during this moratorium. Additionally, paragraph 2 of this Executive Order does not apply to the termination of leases for causes other than nonpayment.



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3. During this moratorium, any residential or non-residential tenant who is or will be unable to pay the full rent when due under a rental agreement or lease, shall notify the landlord as soon as reasonably possible; and shall make partial rent payments to the extent the tenant is financially able to do so.
4. Any person found to be in violation of this Executive Order is subject to the penalties described in ORS 401.990.

This Executive Order is issued under the authority conferred to the Governor by ORS 401.165 to 401.236. Pursuant to ORS 401.192(1), the directives set forth in this Executive Order shall have the full force and effect of law, and any existing laws, ordinances, rules and orders shall be inoperative to the extent they are inconsistent with this exercise of the Governor's emergency powers.

This Executive Order is effective immediately, and remains in effect for 90 days unless extended or terminated earlier by the Governor.

Done at Salem, Oregon this 1st day of April, 2020.

A handwritten signature in black ink that reads "Kate Brown" with a horizontal line extending to the right.

Kate Brown
GOVERNOR

ATTEST:

Bev Clarno
SECRETARY OF STATE